TOWN OF LOS GATOS
PLANNING COMMISSION AGENDA
AUGUST 09, 2023
110 EAST MAIN STREET
LOS GATOS, CA

Jeffery Barnett, Chair
Steven Raspe, Vice Chair
Susan Burnett, Commissioner
Kylie Clark, Commissioner
Kathryn Janoff, Commissioner
Melanie Hanssen, Commissioner
Emily Thomas, Commissioner

PARTICIPATION IN THE PUBLIC PROCESS

How to participate: The Town of Los Gatos strongly encourages your active participation in the public process, which is the cornerstone of democracy. If you wish to speak to an item on the agenda, please follow the participation instructions on page 2 of this agenda. If you wish to speak to an item NOT on the agenda, you may do so during the "Verbal Communications" period, by following the participation instructions on page 2 of this agenda. The time allocated to speakers may change to better facilitate the Planning Commission meeting.

Effective Proceedings: The purpose of the Planning Commission meeting is to conduct the business of the community in an effective and efficient manner. For the benefit of the community, the Town of Los Gatos asks that you follow the Town's meeting guidelines while attending Planning Commission meetings and treat everyone with respect and dignity. This is done by following meeting guidelines set forth in State law and in the Town Code. Disruptive conduct is not tolerated, including but not limited to: addressing the Commissioners without first being recognized; interrupting speakers, Commissioners or Town staff; continuing to speak after the allotted time has expired; failing to relinquish the podium when directed to do so; and repetitiously addressing the same subject.

Deadlines for Public Comment and Presentations are as follows:

- Persons wishing to make an audio/visual presentation on any agenda item must submit the presentation electronically, either in person or via email, to the Planning Department by 1 p.m. or the Clerk's Office no later than 3:00 p.m. on the day of the Planning Commission meeting.
- Persons wishing to submit written comments to be included in the materials provided to the Planning Commission must provide the comments to the Planning Department as follows:
  - For inclusion in the regular packet: by 11:00 a.m. the Friday before the meeting
  - For inclusion in any Addendum: by 11:00 a.m. the day before the meeting
  - For inclusion in any Desk Item: by 11:00 a.m. on the day of the meeting

Planning Commission meetings are broadcast Live on KCAT, Channel 15 (on Comcast) on the 2nd and 4th Wednesdays at 7:00 p.m. Live and Archived Planning Commission meetings can be viewed by going to: www.LosGatosCA.gov/TownYouTube

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE CLERK DEPARTMENT AT (408) 354-6834. NOTIFICATION 48 HOURS BEFORE THE MEETING WILL ENABLE THE TOWN TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING [28 CFR §35.102-35.104]

TOWN OF LOS GATOS
PLANNING COMMISSION MEETING AGENDA
AUGUST 23, 2023
110 EAST MAIN STREET AND TELECONFERENCE
TOWN COUNCIL CHAMBERS
LOS GATOS, CA
7:00 PM

IMPORTANT NOTICE

This is a hybrid/in-person meeting and will be held in-person at the Town Council Chambers at 110 E. Main Street and virtually through the Zoom webinar application (log-in information provided below). Members of the public may provide public comments for agenda items in-person or virtually through the Zoom webinar by following the instructions listed below. The live stream of the meeting may be viewed on television and/or online at www.LosGatosCA.gov/TownYouTube.

PARTICIPATION

To provide oral comments in real-time during the meeting:

- **Zoom webinar**: Join from a PC, Mac, iPad, iPhone or Android device: Please click this URL to join: https://losgatosca-gov.zoom.us/j/86724044794?pwd=TWZmakFMM2lnU2FRa2JRaWZNaVZJZz09. Passcode: 371403. You can also type in 867 2404 4794 in the "Join a Meeting" page on the Zoom website at https://zoom.us/join.
  - When the Mayor announces the item for which you wish to speak, click the "raise hand" feature in Zoom. If you are participating by phone on the Zoom app, press *9 on your telephone keypad to raise your hand.
- **Join by telephone**: Join by Telephone: Dial: USA 877 336 1839 US Toll-free or 636 651 0008 US Toll. Conference code: 686100
  - If you are participating by calling in, press #2 on your telephone keypad to raise your hand.
- **In-Person**: If you wish to speak during the meeting, please complete a "speaker's card" located on the back of the chamber benches and return it to the Vice Chair. If you wish to speak to an item on the agenda, please list the item number. If you wish to speak on an item NOT on the agenda, please list the subject and you may speak during the "Verbal Communications" period. The time allocated to speakers may change to better facilitate the Planning Commission meeting.

When called to speak, you may be asked to provide your full name and your town/city of residence. This identifying information is optional and not a requirement for participation. Please limit your comments to three (3) minutes, or such other time as the Chair may decide, consistent with the time limit for speakers at a Council meeting. If you wish to speak to an item or items on the Consent Calendar, please state which item number(s) you are commenting on at the beginning of your time.

If you are unable to participate in real-time, you may email to Planning@losgatosca.gov the subject line "Public Comment Item #__" (insert the item number relevant to your comment) or "Verbal Communications – Non-Agenda Item." Comments received by 11:00 a.m. the day of the meeting will be reviewed and distributed before the meeting. All comments received will become part of the record.

TOWN OF LOS GATOS
PLANNING COMMISSION AGENDA
AUGUST 09, 2023
7:00 PM

MEETING CALL TO ORDER

ROLL CALL

RULES OF DECORUM AND CIVILITY
To conduct the business of the community in an effective and efficient manner, please follow the meeting guidelines set forth in the Town Code and State law.

The Town does not tolerate disruptive conduct, which includes but is not limited to:

- Addressing the Planning Commission without first being recognized;
- Interrupting speakers, Planning Commissioners, or Town staff;
- Continuing to speak after the allotted time has expired;
- Failing to relinquish the microphone when directed to do so;
- Repetitiously addressing the same subject.

Town Policy does not allow speakers to cede their commenting time to another speaker. Disruption of the meeting may result in a violation of Penal Code Section 403.

PLEDGE OF ALLEGIANCE

VERBAL COMMUNICATIONS *(Members of the public may address the Commission on any matter that is not listed on the agenda. Unless additional time is authorized by the Commission, remarks shall be limited to three minutes.)*

CONSENT ITEMS *(Items appearing on the Consent Items are considered routine Town business and may be approved by one motion. Any member of the Commission may request to have an item removed from the Consent Items for comment and action. Members of the public may provide input on any or multiple Consent Item(s) when the Chair asks for public comments on the Consent Items. If you wish to comment, please follow the Participation Instructions contained on Page 2 of this agenda. If an item is removed, the Chair has the sole discretion to determine when the item will be heard.)*

1. Draft Minutes of the July 26, 2023 Planning Commission Meeting

PUBLIC HEARINGS *(Applicants/Appellants and their representatives may be allotted up to a total of five minutes maximum for opening statements. Members of the public may be allotted up to three minutes to comment on any public hearing item. Applicants/Appellants and their representatives may be allotted up to a total of three minutes maximum for closing statements. Items requested/recommended for continuance are subject to the Commission's consent at the meeting.)*

2. Consider an Appeal of a Community Development Director Decision to Deny a Tree Removal Permit on Property Zoned R-1:8. **Located at 16496 Hilow Road**. APN 532-04-072. Categorically Exempt Pursuant to CEQA Guidelines Section 15304: Minor Alterations to Land. Tree Removal Permit T23-089. Property Owner/Applicant/Appellant: Kim and Nico Hailey. Project Planner: Ryan Safty.
3. **Requesting Approval for 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 O. 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.

OTHER BUSINESS *(Up to three minutes may be allotted to each speaker on any of the following items.)*

REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT

SUBCOMMITTEE REPORTS / COMMISSION MATTERS

ADJOURNMENT *(Planning Commission policy is to adjourn no later than 11:30 p.m. unless a majority of the Planning Commission votes for an extension of time)*

Writings related to an item on the Planning Commission meeting agenda distributed to members of the Commission within 72 hours of the meeting are available for public inspection at the reference desk of the Los Gatos Town Library, located at 100 Villa Avenue; the Community Development Department and Clerk Department, both located at 110 E. Main Street; and are also available for review on the official Town of Los Gatos website. Copies of desk items distributed to members of the Commission at the meeting are available for review in the Town Council Chambers.

Note: The Town of Los Gatos has adopted the provisions of Code of Civil Procedure §1094.6; litigation challenging a decision of the Town Council must be brought within 90 days after the decision is announced unless a shorter time is required by State or Federal law.

DRAFT
MINUTES OF THE PLANNING COMMISSION MEETING
JULY 26, 2023

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, July 26, 2023, at 7:00 p.m.

MEETING CALLED TO ORDER AT 7:00 PM

ROLL CALL

Present: Chair Jeffrey Barnett, Vice Chair Steve Raspe, Commissioner Susan Burnett, Commissioner Kylie Clark, Commissioner Melanie Hanssen, Commissioner Kathryn Janoff, and Commissioner Emily Thomas.
Absent: None.

PLEDGE OF ALLEGIANCE

VERBAL COMMUNICATIONS

Rigo Gallardo, Carpenters Local 405

- I advocate for area labor standards including: a livable wage; accessible healthcare; accredited apprenticeship programs; opportunity for local hire; and addressing unacceptable exploitation of workers by general contractors hired by developers with tax fraud and wage theft.

Albert Lestre, Carpenters Local 405

- I'm also with Carpenters Local 405. Cities that have implemented these standards are Redwood City, Menlo Park, and Foster City. Berkeley has implemented hard hats and helmets for the workers, and ensures all workers have a certain amount of money and healthcare on every project.

CONSENT ITEMS (TO BE ACTED UPON BY A SINGLE MOTION)

1. **Approval of Minutes** – June 28, 2023
2. **Approval of Minutes** – July 12, 2023

MOTION: **Motion** by **Commissioner Clark** to approve adoption of the Consent Calendar. **Seconded** by **Commissioner Janoff.**

VOTE: **Motion passed unanimously.**

PUBLIC HEARINGS

Chair Barnett indicated that he would recuse himself from participating in the public hearing for Item 3, 200 Happy Acres Road, based on actual or potentially perceived conflicts of interest due to his friendship and past professional relationship with the Applicant's attorney, Mr. Hechtman, who has written a letter concerning the request on this item.

3. **<u>200 Happy Acres Road</u>**
   Subdivision Application M-21-006
   APN 537-24-030
   Applicant: Noel Cross
   Property Owner: Fred and Fereshten Toofan
   Project Planner: Jocelyn Shoopman

   Requesting Approval for Modification to an Existing Subdivision Application (PRJ-97-117) on Property Zoned HR-2½. Categorically Exempt Pursuant to CEQA Guidelines Section 15315: Minor Land Divisions, and Section 15061(b)(3): Common Sense Exemption.

Jocelyn Shoopman, Associate Planner, presented the staff report.

Opened Public Comment.

Noel Cross, Applicant/Architect with Bart Hechtman, Land Use Attorney

- This item is unusual in that we're not here to approve a new residence, we are asking for approval of revised conditions for a parcel that was subdivided and recorded over 20 years ago. The original conditions of approval required a cul-de-sac and fire department turnaround at the end of Happy Acres Road at the bottom of the property, which required paving over the creek and installing a long drainage culvert. We have redesigned the roadway and placed the cul-de-sac and turnaround in a more environmentally acceptable location at the top of the property. Both immediate neighbors have signed letters allowing this ingress easement to be used for emergency vehicle access and allowing for the tree removals. The new design keeps grading to a minimum. An arborist report and slope stability study support the project. We support the staff report with the one request to

alter the fire department language. The language proposed by the fire department could be interpreted as an agreement by the owners to give up their right to appeal as a condition of this approval, even before they get to the house approval. We want to avoid any dispute and to make it abundantly clear that the condition parallels the language of the ordinance. Both include the right to appeal what we feel is an unjust, unfair, or illegal condition.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion** by **Commissioner Hanssen** to approve a modification to an existing Subdivision Application on property zoned HR-2½ for 200 Happy Acres Road. **Seconded** by **Commissioner Janoff.**

Commissioner Janoff requested the motion be amended to include the applicant's proposed changes to Condition #16 that are not currently in Exhibit 3.

The maker of the motion accepted the amendment to the motion.

VOTE: **Motion passed unanimously.**

Chair Barnett returned to the meeting.

4. **<u>25 W. Main Street</u>**
   Architecture and Site Application S-22-039
   Variance Application V-22-001
   Conditional Use Permit Application U-23-002
   APN 529-01-017
   Applicant: Gordon Wong, GKW Architects
   Property Owner: Reveal Corp.
   Project Planner: Erin Walters

   Requesting Approval for Construction of an Addition to a Contributing Building in the Downtown Historic Commercial District; a Conditional Use Permit for a Restaurant Use with Alcohol Service; Variances for Maximum Floor Area and Reduced Parking; and Site Work Requiring a Grading Permit on Property Zoned C-2:LHP. Categorically Exempt Pursuant to CEQA Guidelines Section 15301: Existing Facilities.

Erin Walters, Associate Planner, presented the staff report.

Opened Public Comment.

Gordon Wong, GKW Architects

- I'm the architect, and my wife Jenny will be presenting the project.

Jenny Wong, GKW Architects

- The project's goal is to rehabilitate and preserve the existing historical building. We want to add a place of social value and provide accessibility upgrades, which is the goal of the exterior rear addition. We propose a quality restaurant with an outdoor deck to enhance pedestrian orientation in the Los Gatos Central Business District and to maintain the Town's charm.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion** by **Commissioner Thomas** to approve a request for construction of an addition to a contributing building in the Downtown Historic Commercial District, a Conditional Use Permit for a restaurant use with alcohol service, a Variance for maximum floor area and reduced parking, and site work requiring a Grading Permit on property zoned C-2:LHP for 25 W. Main Street. **Seconded** by **Commissioner Clark.**

VOTE: **Motion passed unanimously.**

OTHER BUSINESS

5. **<u>15860-15894 Winchester Boulevard and 17484 Shelburne Way</u>**
   Architecture and Site Application S-21-008
   Conditional Use Permit Application U-21-010
   Variance Application V-21-003
   Subdivision Application M-22-008
   Mitigated Negative Declaration ND-22-001
   APNs 529-11-013, 038, 039, and 040
   Applicant/Property Owner: Green Valley Corp. d.b.a. Swenson
   Project Planner: Sean Mullin

   Requesting Approval for 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 O. An Initial Study and Mitigated Negative Declaration Have Been Prepared for this Project.

Jennifer Armer, Planning Manager, indicated that Item 5, 15860-15894 Winchester Boulevard and 17484 Shelburne Way, would be rescheduled to the Planning Commission meeting of August 9, 2023.

REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT
None.

SUBCOMMITTEE REPORTS/COMMISSION MATTERS

General Plan Committee
Commissioner Hanssen

- The GPC met on July 20, 2023, and considered and recommended approval of the proposed modifications to the General Plan needed to meet the requirements and for the sites that are in the Housing Element. The next step will be for the proposed modifications to go to the Planning Commission and Town Council.

Housing Element Advisory Board
Commissioner Hanssen

- The HEAB met on July 20, 2023, and continued the process of getting the Housing Element approved by HCD, gave additional feedback to staff, and were informed that staff has hired new consultants that have been successful in getting approval for Housing Elements.
- The HEAB will meet every month to review progress and will meet next in August 2023.

Historic Preservation Committee
Commissioner Burnett

- The HPC met on July 26, 2023, and considered two items, Fairview Plaza and Bella Vista Avenue.
- Lee Quintana is the newest member of the HPC.

Commission Matters
None.

ADJOURNMENT
The meeting adjourned at 8:01 p.m.

This is to certify that the foregoing is a true
and correct copy of the minutes of the
July 26, 2023 meeting as approved by the
Planning Commission.

_____
/s/ Vicki Blandin

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DATE: August 4, 2023

TO: Planning Commission

FROM: Joel Paulson, Community Development Director

SUBJECT: Consider an Appeal of a Community Development Director Decision to Deny a Tree Removal Permit on Property Zoned R-1:8. **Located at 16496 Hilow Road**. APN 532-04-072. Categorically Exempt Pursuant to CEQA Guidelines Section 15304: Minor Alterations to Land. Tree Removal Permit T23-089. Property Owner/Applicant/Appellant: Kim and Nico Hailey. Project Planner: Ryan Safty.

RECOMMENDATION:

Consider an appeal of a Community Development Director decision to deny a Tree Removal Permit on property zoned R-1:8, located at 16496 Hilow Road.

PROJECT DATA:

General Plan Designation: Low Density Residential
Zoning Designation: R-1:8
Applicable Plans & Standards: General Plan, Zoning Regulations
Parcel Size: 11,109 square feet
Surrounding Area:

	Existing Land Use	General Plan	Zoning
North	Residential	Low Density Residential	R-1:8
South	Residential	Low Density Residential	R-1:8
East	Residential	Low Density Residential	R-1:8
West	Residential	Low Density Residential	R-1:8

PREPARED BY: RYAN SAFTY
Associate Planner

Reviewed by: Planning Manager and Community Development Director

CEQA:

The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15304: Minor Alterations of Land.

FINDINGS:

- The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15304: Minor Alteration of Land.

ACTION:

The decision of the Planning Commission is final unless appealed within ten days.

BACKGROUND:

On May 17, 2023, the Parks and Public Works Department received a Tree Removal Permit application (Exhibit 4) to remove two large Redwood trees in the front yard of 16496 Hilow Road. The trees are approximately 120 feet tall and are located approximately eight feet from the front of the residence, as noted in the application form. The trees are considered protected trees per Town Code Section 29.10.0960, thus requiring approval of a Tree Removal Permit prior to removal. The property owner requested removal of the trees based on safety concerns associated with their height and location in close proximity to the foundation of the home. The Town Arborist, Rob Moulden, conducted an inspection of the property and the trees, and denied the Tree Removal Permit application on June 12, 2023, as, "both trees are healthy [and] root damage is minor," (Exhibit 4). Mr. Moulden also noted that the trees are under 100 feet in height and are approximately 15 feet from the foundation. No visible damage to the foundation, or to the six-foot deep porch located in between the trees and the foundation, was evident during the site inspection. The Town Arborist directed the owners to conduct structural pruning instead.

On June 13, 2023, the property owners appealed this Tree Removal Permit denial to the Planning Commission (Exhibit 5).

DISCUSSION:

A. Appeal Analysis

The property owner appealed the denial of their Tree Removal Permit as they feel the tree is damaging their foundation and has outgrown the property. Specifically, the appeal mentions that the trees are over 120 feet tall and only eight feet from their foundation, and the appeal packet includes additional evidence to support that assertion.

DISCUSSION (continued):

The property owners provided a receipt for foundation repair and an invoice statement from a design group showing that engineering inspections and foundation work occurred on the residence in 2015; however, the receipts are not accompanied by a report, so it is unclear what foundation work occurred and what caused the damage. Additionally, a termite inspector looked at the property in May of 2023 and noted vertical foundation cracking, and pictures of this foundation cracking are included in the appeal packet (Exhibit 5). No documentation or report from the termite inspector was provided, and it is not clear what caused the foundation cracking identified in the image in Exhibit 5.

The appeal letter also notes that the tree roots have damaged sewer pipes and that this is expected to continue. There is also concern related to the height and weight of the tree limbs, and potential safety concerns or property damage associated with windstorms.

In addition to structural and utility concerns, the trees are noted to have diminished the use of the front yard as the roots are up to one-foot in diameter and have lifted the hardscape and damaged the driveway. The solar panels are substantially blocked by the trees, and the owners feel that the value of the property has been reduced significantly by the overgrown trees.

Lastly, the appeal letter quotes Town Code Section 29.10.0950 (Tree Protection – Intent): "It is the intent of this division to regulate the removal of trees within the Town in order to retain as many trees as possible consistent with the purpose of this section and the reasonable use of private property."

In order for the Town to approve a protected Tree Removal Permit, one or more of the following findings in Town Code Section 29.10.0992 must be made:

1. The tree is dead, severely diseased, decayed, or disfigured to such an extent that the tree is unable to recover or return to a healthy and structurally sound condition.
2. The tree has a tree risk rating of Extreme or High on the ISA Tree Risk Rating Matrix as set forth in the ISA Tree Risk Assessment Best Management Practices, or successor publication.
3. The tree is crowding other protected trees to the extent that removal or severe pruning is necessary to ensure the long-term viability of adjacent and more significant trees.
4. The retention of the tree restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly situated properties, and the applicant has demonstrated to the satisfaction of the Director or deciding body that there are no reasonable alternatives to preserve the tree.

DISCUSSION (continued):

5. The tree has, or will imminently, interfere with utility services where such interference cannot be controlled or remedied through reasonable modification, relocation, or repair of the utility service or the pruning of the root or branch structure of the tree; or where removal or pruning is required by a public utility to comply with California Public Utility Commission (CPUC) or Federal Energy Regulatory Commission (FERC) rules or regulations.
6. The tree has caused or may imminently cause significant damage to an existing structure that cannot be controlled or remedied through reasonable modification of the root or branch structure of the tree.
7. Except for properties within the hillsides, the retention of the protected tree would result in reduction of the otherwise-permissible building envelope by more than twenty-five (25) percent.
8. The removal of the tree is unavoidable due to restricted access to the property.
9. The removal of the tree is necessary to repair a geologic hazard.
10. The removal of the tree and replacement with a more appropriate tree species will enhance the Town's urban forest.
11. The removal of the tree is necessary to conform with the implementation and maintenance of Defensible Space per Chapter 9 - Fire Prevention and Protection per direction by the Fire Chief or his/her designee.

Based on the additional information provided in the appeal packet, it appears Findings 4, 5, or 6 are most applicable in this case.

B. Environmental Review

The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15304: Minor Alteration of Land.

PUBLIC COMMENTS:

Written notice was sent to property owners and tenants within 300 feet of the subject property. At the time of this report's preparation, the Town has not received any public comment.

CONCLUSION:

A. Summary

The property owners are appealing the denial of a Tree Removal Permit application for the removal of two large Redwood trees in the front yard of 16496 Hilow Road. When appealing the decision, the property owners provided additional documentation to support making the required findings in Town Code Section 29.10.0992 to grant the appeal and approve the Tree Removal Permit.

B. Recommendation

Staff recommends that the Planning Commission consider the additional information provided in the appeal packet and determine if any of the required findings in Town Code Section 29.10.0992 can be made to approve the permit. If the Planning Commission determines that one of the findings can be made to approve the permit, it should take the following actions to grant the appeal and approve the Tree Removal Permit:

1. Find that the proposed project is categorically exempt pursuant to the adopted Guidelines for the implementation of the California Environmental Quality Act, Section 15304: Minor Alterations of Land (Exhibit 2);
2. Make one of the findings as required by Section 29.10.0992 of the Town Code for approval of a Tree Removal Permit; and
3. Grant the appeal and approve the Tree Removal Permit T23-089 with the conditions contained in Exhibit 3.

C. Alternatives

Alternatively, the Commission can:

1. Continue the matter to a date certain with specific direction;
2. Deny the appeal and uphold the Community Development Director decision to deny the Tree Removal Permit; or
3. Grant the appeal with additional and/or modified conditions of approval.

EXHIBITS:

1. Location Map
2. Required Findings if Appeal is Granted
3. Recommended Conditions of Approval if Appeal is Granted
4. Tree Removal Permit, received May 17, 2023
5. Appeal Packet, received June 13, 2023

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16496 Hilow Road

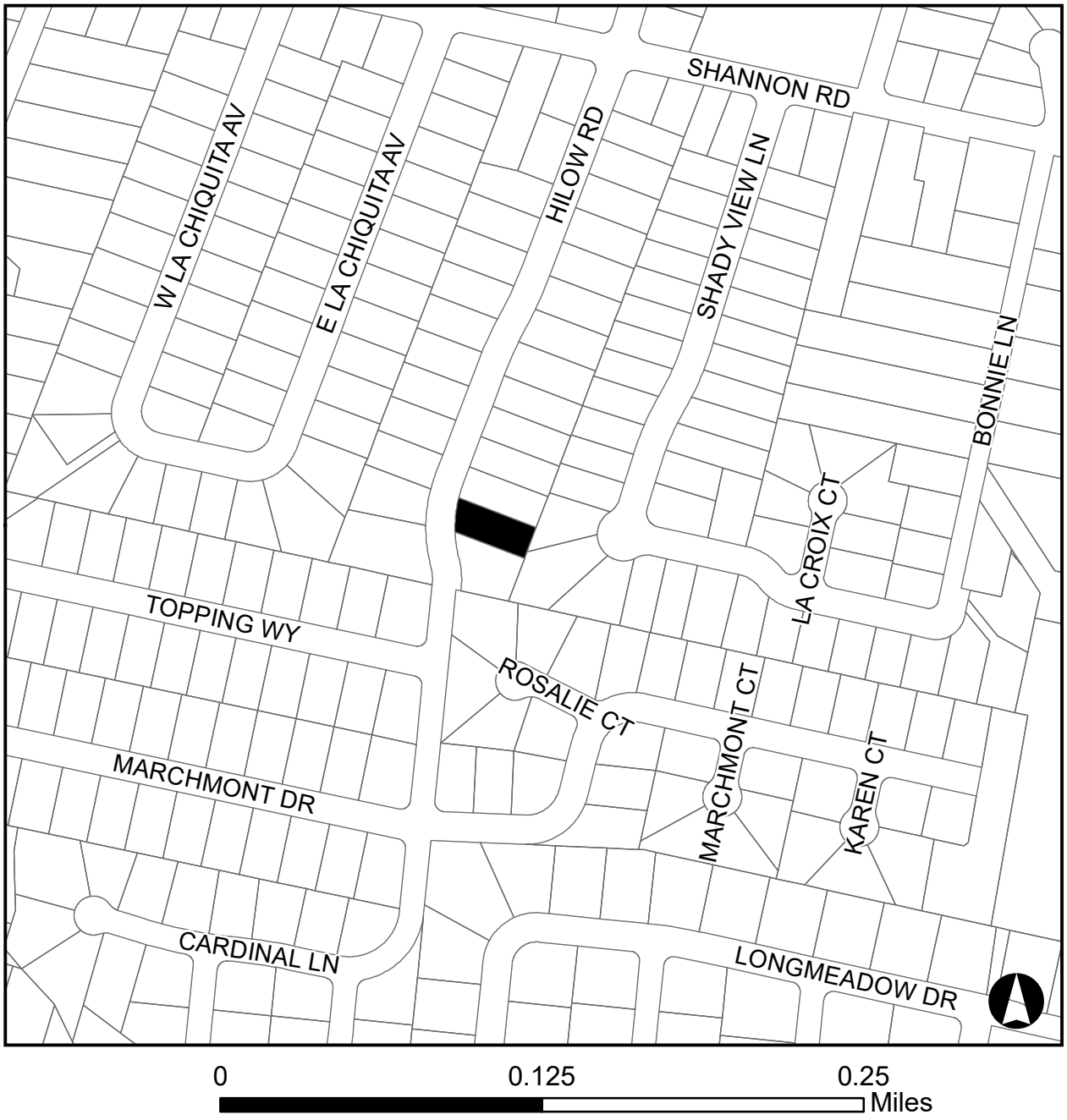

EXHIBIT 1

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PLANNING COMMISSION – *August 9, 2023*
REQUIRED FINDINGS FOR:

16496 Hilow Road
Tree Removal Permit T23-089

Consider an Appeal of a Community Development Director Decision to Deny a Tree Removal Permit on Property Zoned R-1:8. APN 532-04-072. Categorically Exempt Pursuant to CEQA Guidelines Section 15304: Minor Alterations to Land.
PROPERTY OWNER/APPLICANT/APPELLANT: Kim and Nico Hailey.
PROJECT PLANNER: Ryan Safty.

Required finding for CEQA:

- The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15304: Minor Alterations of Land.

Required finding for Tree Removal Permit Approval:

- Pursuant to Town Code Section 29.10.0992, the required findings for removal of a protected tree can be made.

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PLANNING COMMISSION – *August 9, 2023*
DRAFT CONDITIONS OF APPROVAL

16496 Hilow Road
Tree Removal Permit T23-089

Consider an Appeal of a Community Development Director Decision to Deny a Tree Removal Permit on Property Zoned R-1:8. APN 532-04-072. Categorically Exempt Pursuant to CEQA Guidelines Section 15304: Minor Alterations to Land.
PROPERTY OWNER/APPLICANT/APPELLANT: Kim and Nico Hailey.
PROJECT PLANNER: Ryan Safty.

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

Planning Division

1. APPROVAL: This application shall be completed in accordance with all of the conditions of approval listed below.
2. EXPIRATION: The Tree Removal Permit approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the approval has been vested.
3. REPLACEMENT TREES: Replacement trees or in-lieu fees are required for the tree(s) that will be removed. The number and size of new trees shall be determined by the Town Arborist using the canopy replacement table in the Town's Tree Protection Ordinance. Required trees shall be planted within 60 days of tree removal, or date of appeal hearing, whichever is later.
4. TREE STAKING: All newly planted trees shall be double-staked using rubber tree ties.
5. TOWN INDEMNITY: Applicants are notified that Town Code Section 1.10.115 requires that any applicant who receives a permit or entitlement ("the Project") from the Town shall defend (with counsel approved by Town), indemnify, and hold harmless the Town, its agents, officers, and employees from and against any claim, action, or proceeding (including without limitation any appeal or petition for review thereof) against the Town or its agents, officers, or employees related to an approval of the Project, including without limitation any related application, permit, certification, condition, environmental determination, other approval, compliance or failure to comply with applicable laws and regulations, and/or processing methods ("Challenge"). Town may (but is not obligated to) defend such Challenge as Town, in its sole discretion, determines appropriate, all at applicant's sole cost and expense.

   Applicant shall bear any and all losses, damages, injuries, liabilities, costs, and expenses (including, without limitation, staff time and in-house attorney's fees on a fully-loaded basis, attorney's fees for outside legal counsel, expert witness fees, court costs, and other litigation expenses) arising out of or related to any Challenge ("Costs"), whether incurred by

Applicant, Town, or awarded to any third party, and shall pay to the Town upon demand any Costs incurred by the Town. No modification of the Project, any application, permit certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in such Challenge as Town, in its sole discretion, determines appropriate, all at the applicant's sole cost and expense. No modification of the Project, any application, permit certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in processing methods shall alter the applicant's indemnity obligation.

DRAFT

TOWN OF LOS GATOS

TREE REMOVAL AND/OR PRUNING PERMIT

PARKS & PUBLIC WORKS
SERVICE CENTER
41 MILES AVENUE
LOS GATOS, CA 95030
(408) 399-5771

Application Number: T23-089 **Approved:** _____ **Denied:** 1 & 2 **Permit Number:** T23-089 **Expires:** 9/12/23

Permit for (check all that apply):

☒ **Protected Tree Removal** ☐ **Protected Tree Pruning (more than 25% in a 3 year period)**
☐ **Heritage or Large Protected Tree Removal** ☐ **Heritage or Large Protected Tree Pruning**

Property Owner Name: Nico Hailey — Phone: 831-345-3715
Property Location/Address: 16496 Hilow Road, Los Gatos, CA 95032 — E-Mail: ndhailey@gmail.com
Mailing Address (if different from above): _____
Applicant Name (if different from above): _____ — Phone: _____

Tree #	Approved	Required Finding(s)	Denied	Reason for Denial	Replacement Requirement	In Lieu Fee
1			1 & 2	Both trees are healthy. Structural Prune only. Root damage minor.		
2						
					Total In-Lieu Fees	

☐ **All or some of the required replacement trees cannot be reasonably replanted on site and payment of the in-lieu fee as indicated above has been approved. Permit will not be issued until all in-lieu fees are paid in full.**

General Permit Conditions

1. Notify the Town of Los Gatos Parks and Public Works Department at 408-399-5770 48 hours before work begins.
2. All underground utilities shall be located and protected from damage due to removal, stump grinding, or root pruning activities. **Contact Underground Service Alert (USA) by dialing 811 or 800-227-2600 or online at www.usanorth.org at least 48 hours before tree removal activities.**
3. Inspect trees prior to removal or major pruning to confirm the absence of active bird nests, particularly during the spring/summer nesting season (February 1 through August 31).
4. The use of gas-powered leaf blowers is prohibited in the Town of Los Gatos. Use of electric powered leaf blowers is permitted.
5. Approved pedestrian and vehicular traffic control shall be used and maintained at all times. Depending on the location of the work, time of day, and the required equipment, an encroachment permit may be required.
6. All contractors performing tree work in the Town of Los Gatos are required to have a Town Business License. Contractors performing work valued at more than $500 must also hold a current, valid license from the Contractors State License Board (CSLB).
7. The permit must be posted on site at all times while tree removal or pruning is taking place.
8. Permit holder is required to submit photographs of replacement trees along with replanting date to the Town of Los Gatos Parks and Public Works Department prior to permit expiration date.

Special Permit Conditions

_____

Rob Moulden, Town Arborist — Date: 6-12-23

Revised April 17, 2020

EXHIBIT 4

TOWN OF LOS GATOS

APPLICATION FOR TREE REMOVAL AND/OR PRUNING PERMIT

PARKS & PUBLIC WORKS
SERVICE CENTER
41 MILES AVENUE
LOS GATOS, CA 95030
(408) 399-5770

Purpose of Application (check all that apply): ☐ **Protected Tree Removal** ☐ **Protected Tree Pruning (more than 25% in a 3 year period)** ☐ **Heritage or Large Protected Tree Removal** ☐ **Heritage or Large Protected Tree Pruning**

☐ **Check here if removal or pruning is in compliance with an approved development application. Photos and site plan required.**

Name of CDD Planner:_____ Project Application #:_____ Date of Approval: _____

☐ **Check here if removal or pruning deviates in some way from an approved development application (describe on separate sheet if needed)**

☐ **Check here if property is located within the designated Town of Los Gatos Hillside Area (See FAQ sheet for additional provisions)**

Property Owner Name: Nico Hailey 95032 Phone: 831 345 3715
Property Location/Address 16496 Hilow Rd Email: ndhailey@gmail.com
Mailing Address (if different from above) _____
Applicant Name (if different from above) _____ Phone: _____

I hereby certify that I am the owner of record of the property described above, and that I approve of the action(s) requested herein. I also hereby grant the Town or the Town's agent permission to visit the property to inspect the tree(s) that are covered by this application.

Property Owner's Signature (required): Nico Hailey Date: May, 17th 2023

Tree #	List of species of all trees. Show corresponding # on Site Plan	Diameter Inches	Canopy Feet	List birds living in tree If any	Remove or Prune	DESCRIBE REASON FOR REMOVAL AND/OR PRUNING
1	Redwood	36	20	NO	Remove	Too tall + breaking foundation
2	Redwood	38	20	NO	Remove	Too tall + too close to each other

Copy to another sheet if more than 10 trees.

Notes:
- *Tree numbers* should match those in arborist report where applicable.
- *Diameter* is measured at a height of 4.5' above the average grade.
- *Canopy* measurement is the widest dimension of the canopy spread.
- *Inspect* trees prior to removal or major pruning to confirm the absence of active bird nests, particularly during the spring/summer nesting season (February 1 through August 31).
- *Replacement Trees* are not required if the tree being removed is dead or has a Tree Risk Rating of Extreme or High, as determined by the Town Arborist.
- Fee is $250 for first tree, and $125 for each additional tree.

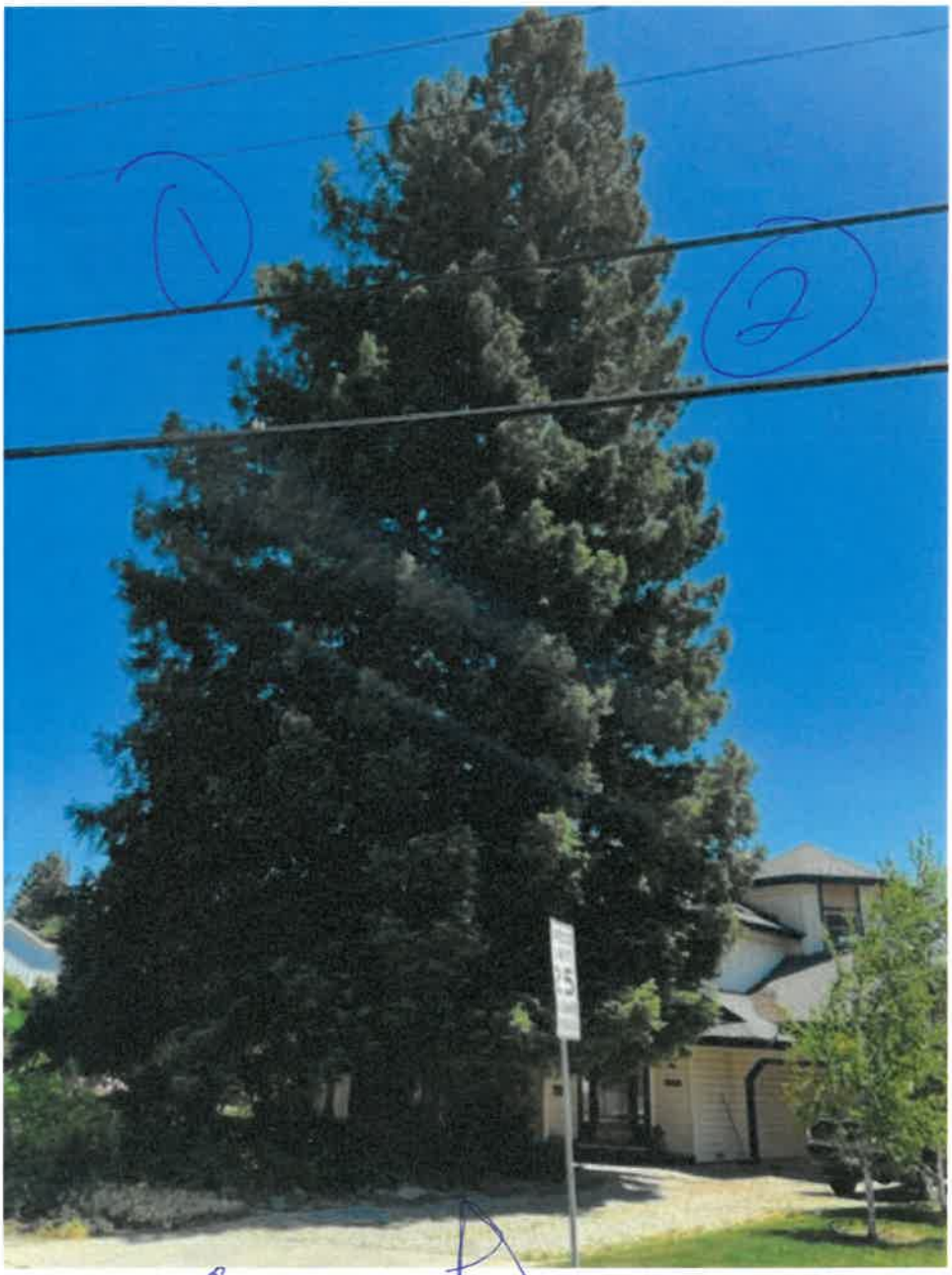
For Office Use Only

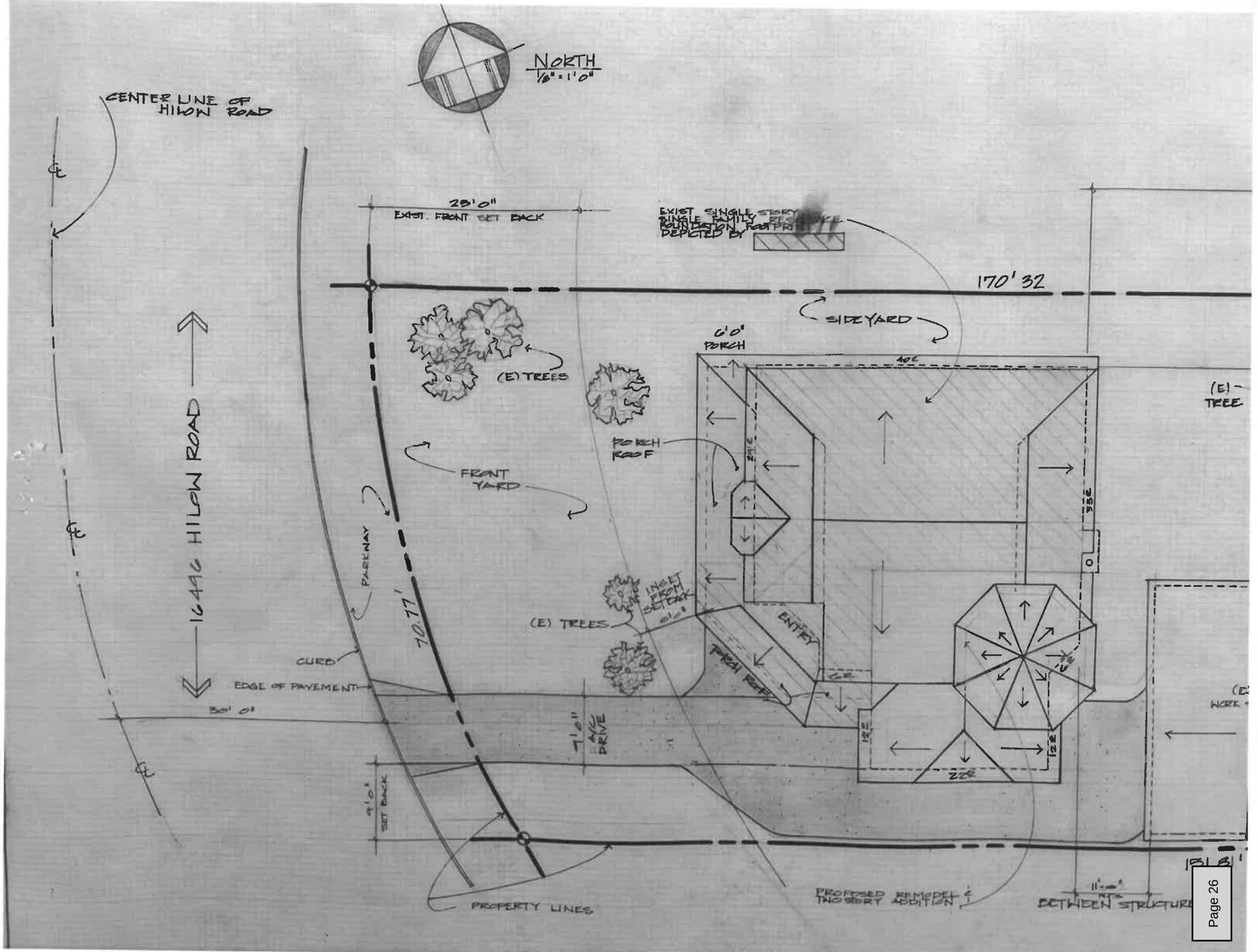
Application Number: T23-089 #ED4133
Total Number Tree(s): 2
Payment Amount Received: $384 [TREEREM]
Check Number: _____
Credit Card Auth.: _____
Inspection Date_____ Approved ☐ Denied ☐ Initials _____

☐ **Check here if replacement trees cannot be reasonably replanted on site and payment of an in-lieu fee is requested. Town arborist approval is required for all in-lieu fee payment options. *See reverse for more information on replacement requirements.***

IMPORTANT: Be sure to provide the following required documents when submitting the application:
☑ Photos and site plan of tree(s) proposed for removal or pruning. *For pruning, proposed cuts should be indicated on photo.*
☐ Completed Tree Replacement Worksheet. *See reverse for replacement tree requirements and worksheet.*
☐ ent made using cash, check or credit card (VISA/MasterCard only).
☐ on required for Heritage and Large Protected Tree Permits only. *See attached FAQs for guidelines.*

T03-089




NORTH
1/8" = 1'0"
CENTER LINE OF HILTON ROAD
16496 HILTON ROAD
25'0"
EXIST. FRONT SET BACK
EXIST SINGLE STORY SINGLE FAMILY RESIDENCE FOUNDATION FOOTPRINT DEPICTED BY
170' 32
SIDEYARD
6'0" PORCH
(E) TREES
PORCH ROOF
FRONT YARD
PARKWAY
70.77'
CURB
EDGE OF PAVEMENT
30' 0"
INSET FROM SETBACK
(E) TREES
ENTRY
TRELLIS ROOF
7'0" ± DRIVE
9'0" SET BACK
PROPERTY LINES
PROPOSED REMODEL & THIS STORY ADDITION
11'-0" BETWEEN STRUCTURES
(E) TREE

BP38131

PAID
JUN 13 2023
TOWN OF LOS GATOS

TOWN OF LOS GATOS
COMMUNITY DEVELOPMENT DEPARTMENT
110 E. Main Street
Los Gatos, CA 95030

APPEAL OF TREE REMOVAL OR PRUNING PERMIT DECISION

PLEASE TYPE or PRINT NEATLY

I, the undersigned, do hereby appeal a decision of the Town of Los Gatos regarding the following tree removal or pruning permit:

DATE OF DECISION: 6/12/2023

APPLICATION NUMBER: T23-089

LOCATION: 16496 Hilow Rd.

LIST REASONS WHY THE APPEAL SHOULD BE GRANTED
(If more space is needed, attach additional sheets.)
Trees are 120' tall and ~~base~~ are 8' from house. They are too big for the lot~~and~~. The roots are massive and have taken over the front yard and have done damage to the foundation. Email to come. Thanks. Kim.

IMPORTANT:

1. APPEAL MUST BE FILED BY 4:00 P.M. WITHIN TEN (10) DAYS AFTER THE DATE OF MAILING OF WRITTEN NOTIFICATION OF THE DECISION.
2. THE APPEAL SHALL BE SET FOR THE FIRST REGULAR MEETING OF THE PLANNING COMMISSION WHICH THE BUSINESS OF THE PLANNING COMMISSION WILL PERMIT, MORE THAN FIVE (5) DAYS AFTER THE DATE OF THE FILING OF THE APPEAL. THE PLANNING COMMISSION MAY HEAR THE MATTER ANEW AND RENDER A NEW DECISION IN THE MATTER.
3. YOU WILL BE NOTIFIED, IN WRITING, OF THE APPEAL DATE.
4. YOU WILL BE CONTACTED BY THE PROJECT PLANNER IF ADDITIONAL MATERIAL IS REQUIRED TO BE SUBMITTED FOR THE PUBLIC HEARING.

RETURN APPEAL FORM TO COMMUNITY DEVELOPMENT DEPARTMENT

PRINT NAME Kim Hailey SIGNATURE Kim Hailey

DATE 6/13/2023 ADDRESS 15769 Shady Ln.

PHONE [redacted]

****

OFFICE USE ONLY

DATE OF PLANNING COMMISSION HEARING: _____

COMMISSION ACTION: 1. _____ DATE: _____
2. _____ DATE: _____
3. _____ DATE: _____

PLAPPEAL $ 95.00 Tree Appeal

EXHIBIT 5

Supplemental to Appeal of Tree Removal Permit Decision.

Application # T23-089 6/23/2023

The two redwoods at 16496 Hilow Road are over 120' tall and are only 8' from our foundation. They have done damage to our foundation. SFA Design Group inspected the foundation in October 2015 and Foundation Repair of California installed hydraulic lifting piers. Last month we had Innova Termite do an inspection prior to moving back in (expected next month) and the inspector noted vertical foundation cracking. In addition, the tree roots have done damage to our sewer pipes and we can expect this to continue as long as the trees are here.

The trees have diminished our use of the front yard as one foot diameter roots crisscross what used to be our yard. The roots have lifted our hardscape and damaged our driveway. Our solar panels no longer produce much output as the trees now shade them. Opinions from two realtors indicate that the value of our house has been reduced significantly by these overgrown trees.

We have loved these trees, but they have outgrown our lot. We have had several large wind storms this year and these trees pose a risk not only to our house, but also to our neighbor Manual Contraras (who just turned 100!) and his neighbor to the north.

According to the town private tree web site "It is the intent of the Town Code to regulate the removal of trees within the Town in order to retain as many trees as possible consistent with the purpose of the code and the reasonable use of private property. "We believe that these monster trees do not allow us the reasonable use of our property.

Thanks,

Nico Hailey

Innova inspection showing foundation cracking

FOUNDATION REPAIR of CA

1813 Rutan Dr Unit A
Livermore CA 94551
Phone: 925-961-9012 Fax: 925-961-9015
www.FoundationRepairofCA.com

Statement

Date
6/23/2023

To:

Kim Hailey
16496 Hilow Rd
Los Gatos, CA 95032

Amount Due
$0.00

Date	Transaction	Amount	Balance
09/01/2015	Balance forward		831.00
	22445 - 16496 Hilow Rd, Los Gatos-		
09/02/2015	PMT #x9032.	-831.00	0.00
09/24/2015	INV #4917. Due 09/24/2015.	497.56	497.56
09/24/2015	INV #4914. Due 09/24/2015.	4,487.40	4,984.96
09/24/2015	PMT #3580.	-7,479.00	-2,494.04
09/25/2015	INV #4915. Due 09/25/2015.	2,243.70	-250.34
09/25/2015	INV #4916. Due 09/25/2015.	747.90	497.56
10/22/2015	PMT #x3248.	-497.56	0.00

Current	1-30 Days Past Due	31-60 Days Past Due	61-90 Days Past Due	Over 90 Days Past Due	Amount Due
0.00	0.00	0.00	0.00	0.00	$0.00

CSL# 973851
DBA: SMR Construction & Maintenance

Statement

SFA Design Group, LLC
9020 SW Washington Square Rd
Suite 505
Portland, OR 97223

Date
10/5/2015

To:
Kim Hailey 16496 Hilow RD. Los Gatos, CA 95032

Amount Due	Amount Enc.
$1,235.80	

Date	Transaction	Amount	Balance
09/30/2015	FR15-116 - Hailey- INV #15-485. Due 10/10/2015. Orig. Amount $750.00. --- Hailey Residence - 4 Piers - 16496 Hilow Rd., Los Gatos, CA 95032 --- Structural Engineering $750.00 --- Special Inspection $0.00 --- Travel $0.00	750.00	750.00
10/05/2015	INV #15-489. Due 10/15/2015. Orig. Amount $485.80. --- Hailey Residence - 4 Piers - 16496 Hilow Rd., Los Gatos, CA 95032 --- Structural Engineering $0.00 --- Special Inspection, 4 @ $110.00 = 440.00 --- Travel, 79.66 @ $0.57494 = 45.80	485.80	1,235.80

CURRENT	1-30 DAYS PAST DUE	31-60 DAYS PAST DUE	61-90 DAYS PAST DUE	OVER 90 DAYS PAST DUE	Amount Due
1,235.80	0.00	0.00	0.00	0.00	$1,235.80

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TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT

MEETING DATE: 08/9/2023

ITEM NO: 3

DATE: August 4, 2023

TO: Planning Commission

FROM: Joel Paulson, Community Development Director

SUBJECT: Requesting Approval for 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 O. **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.

RECOMMENDATION:

Denial.

PROJECT DATA:

General Plan Designation:	Office Professional
Zoning Designation:	O (Office)
Applicable Plans & Standards:	General Plan, Commercial Design Guidelines
Parcel Size:	1.3 acres (56,889 square feet)

PREPARED BY: Jennifer Armer, AICP
Planning Manager

Reviewed by: Community Development Director

PROJECT DATA (continued):

Surrounding Area:

	Existing Land Use	**General Plan**	**Zoning**
North	Residential, Office, and Commercial	Office Professional	O
South	Residential	Medium Density Residential	O
East	Commercial	Service Commercial and Office Professional	LM and O
West	Office	Low Density Residential	O

CEQA:

It has been determined that this project will not have a significant impact on the environment. Adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program to mitigate potential impacts to a less than significant level is recommended.

FINDINGS:

- As required by CEQA for adopting the Mitigated Negative Declaration.
- The project meets the objective standards of Chapter 29 of the Town Code (Zoning Regulations) except for the height and lot coverage variances requested.
- As required by Section 29.10.09030(e) of the Town Code for the demolition of existing structures.
- As required by Section 29.20.170 of the Town Code for granting a Variance application.
- As required by Section 29.20.190 of the Town Code for granting a Conditional Use Permit.
- As required by Section 66474 of the State Subdivision Map Act.
- That the proposed project is consistent with the Commercial Design Guidelines.

CONSIDERATIONS:

- As required by Section 29.20.150 of the Town Code for granting approval of an Architecture and Site application.

ACTION:

The decision of the Planning Commission is final unless appealed within ten days.

BACKGROUND:

The subject site is the combination of four parcels forming an approximately 1.31-acre site at the intersection of Winchester Boulevard and Shelburne Way (Exhibit 2). The site is currently developed with three single-family residences; a single-family residential structure which is currently occupied by a commercial construction business; and multiple detached accessory structures for a total of nine structures on the site. The existing zoning is Office (O), and the General Plan land use designation is Office Professional.

On October 17, 2017, Town Council approved a previously proposed office building on the site. The office building was not built and those previous approvals have now expired. Because of the extensive input from the public, Planning Commission, and Town Council during that previous planning permit review, the current applicants chose not to return to the Conceptual Development Advisory Committee for any review of the current proposal.

An application has been filed by Jessie Bristow of Swenson Builders requesting approval for demolition of four residential buildings and associated detached structures, construction of an assisted living and memory care facility, variance from the maximum height and lot coverage for the zone, merger of four lots into one, and removal of large protected trees.

A Draft Mitigated Negative Declaration (MND) for the project was prepared and circulated for a 20-day public review period from July 1, 2022, through July 21, 2022 (Exhibit 1).

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The project site is located on the northeast corner of Winchester Boulevard and Shelburne Way. Access to the project site is provided on Winchester Boulevard and Shelburne Way.

B. Project Summary

The applicant is proposing to demolish four existing residential buildings and remove large protected trees to construct a new three-story assisted living and memory care facility. The proposed project also includes a Variance for height and lot coverage and a lot merger of the four lots into one.

C. Zoning Compliance

An assisted living and memory care facility use is allowed as a conditional use in the O zone and requires approval of a Conditional Use Permit (CUP). Further analysis is provided in the Discussion section below.

DISCUSSION:

A. Project Summary

There are four existing parcels previously approved to be merged into a single 1.3-acre parcel. That planning approval expired, and so the current project includes a new subdivision application to allow for completion of that lot merger.

The proposed project would create a new three-story assisted living and memory care facility totaling 81,633 square feet and consisting of 107 assisted living units and 18 memory care units, with 54 parking spaces (Exhibits 6 and 12).

The proposed building has a front setback of 25 feet along Winchester Boulevard to the west; a streetside setback of 15 feet along Shelburne Way to the north; a side setback of between 13 feet nine inches bordering the multi-family residential to the south; and a rear setback of 20 feet bordering the veterinary hospital and residential to the east.

The proposed 81,633-square foot assisted living and memory care building is proposed to be between 35 feet and 50 feet in height, stepping up with the slope of the lot and down toward the adjacent multi-family residential to the south. Materials would consist of sand textured stucco, stucco foam trim, metal railings, Tuscan style columns, and Spanish tile roof. The proposed building materials and colors are provided on Sheet A-6.1 of Exhibit 12.

The proposed three-story assisted living and memory care building would include a porte-cochere feature at the entrance of the building. The ground floor would include a lobby/lounge area, reception desk area, activity room, wellness center, dining rooms, kitchen, and outdoor courtyards for shared use by the residents and their guests. The ground floor would also include staff offices, 14 assisted living units and 18 memory care units. Below the ground floor, the basement level would include a library, theater, laundry, staff lounge, staff offices, below grade parking garage, and 14 assisted living units. The second floor proposes 53 assisted living units, a lounge, a salon, and housekeeping space. The third floor proposes 26 assisted living units, a fitness room, a lounge, and an outdoor roof deck.

B. Story Pole Exception

On November 1, 2022, Town Council granted the applicant's request for an exception to the Story Pole Policy to allow an alternative to standard story pole installation to illustrate and provide notice of the proposed project by allowing two rows of orange flags to be installed in place of the standard orange netting.

DISCUSSION (continued):

On April 4, 2023, Town Council granted a second request from the applicant to allow a further exception to the Story Pole Policy to require large signage (but no larger than 32 square feet each) with bright colors that links to a video rendering and also informs residents that the current story poles may not be representative of the final project, with posted signage on each parcel, instead of the two rows of orange flags previously approved. The new requirements were completed prior to noticing for this hearing, including installation of four signs measuring approximately 4 feet by 8 feet, with color renderings of the proposed building. The video rendering is available for viewing online here: https://drive.google.com/open?id=1fJyzZYoRtT0SZynO_bkfnDLpiEl812rC&usp=drive_fs

C. Zoning

Permitted uses in the O zone include offices, 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. The applicant is proposing a new three-story assisted living and memory care facility which requires approval of a CUP in the O zone (Exhibit 5).

The proposed project meets the required setbacks requirements for the O zone, but requests variances for lot coverage and height.

The required and proposed setbacks in the O zone are described in the following table:

Setback	Required	Proposed
Front (Winchester Blvd)	25 feet	25 feet
Street Side (Shelburne Way)	15 feet	15 feet
Side	10 feet	13 feet 9 inches
Rear	20 feet	20 feet

The proposed lot coverage would be 50 percent of the site, which is consistent with the lot coverage for the Office Professional designation in the General Plan, that allows up to 50 percent lot coverage, but requires a variance because it does not comply with the more restrictive Office Zone, which limits lot coverage to 40 percent.

The proposed height would be between 35 and 50 feet at different points across the site with the stepping down of the building design to respond to the slope of the lot and adjacent multi-family residential use (Exhibit 12, Sheets A-3.0 through A-4.6). Heights above 35 feet require a variance because the maximum allowed height in the Office Zone is 35 feet. The applicant has revised the project to reduce the extent of the height variance required by removing 10 assisted living units along the rear of the third story, as described

DISCUSSION (continued):

in the Letter of Justification (Exhibit 7) and shown on Sheets A-3.0 and A-3.2 of the Development Plans (Exhibit 12). The area that exceeds the height limit is further illustrated on Sheets A-3.2 through A-3.5.

D. Conditional Use Permit

The proposed project includes a CUP application for a residential care facility use (assisted living and memory care). In order to grant approval of a CUP for the proposed use, the deciding body must make the following findings:

1. The proposed use of the property is essential or desirable to the public convenience or welfare;
2. The proposed use will not impair the integrity and character of the zone;
3. The proposed use would not be detrimental to public health, safety, or general welfare; and
4. The proposed use of the property is in harmony with the various elements or objectives of the General Plan and the purposes of the Town Code.

In regard to the first finding, the proposed use would be considered desirable in that the assisted living and memory care facility would provide necessary services and activities for seniors in the community. As required by finding two, the proposed application would not impair the integrity and character of the zone as the proposed residential care facility use would generate less traffic than an office use previously proposed for the site and meet the development standards of the zone except for the requested variances described below. In regard to the third finding, the proposed use would not be detrimental to public health, safety, or general welfare. In regard to the final finding, the proposed use would be in harmony with the General Plan and the purposes of the Town Code as addressed in Sections C and G of this report. A Market Study provided by the applicant is available as Exhibit 8.

E. Variances

The applicant is requesting a variance from Sections 29.60.105 and 29.60.110 of the Town Code, which limit building height to 35 feet and lot coverage to 40 percent.

The applicant's Letter of Justification (Exhibit 7) states that the use of the 50 percent lot coverage in the 2020 General Plan and heights above the 35-foot height limit for portions of the building away from Winchester Boulevard allow the project to be well laid out and

DISCUSSION (continued):

include a reduced two-story southern wing in keeping with the adjacent residential character and direction given for the design of the previously approved office project.

In regard to the lot coverage, the applicant provides examples of other properties that exceed the 40 percent lot coverage, and states that the project would adhere to the long term goals of the General Plan. In regard to the height, the applicant describes the project's compliance to the height limit along Winchester Boulevard; the reduction in height of the southern wing; the sloped character of the site; the reduced portion of the building that would exceed the height limit; and the benefits to the architectural design and project sustainability of the roof forms proposed.

Staff supports the the proposed use; however, staff cannot make the findings for granting of a variance.

As required by Section 29.20.170 of the Town Code, the deciding body, on the basis of the 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 properties 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 which such property is situated.

F. Design and Compatibility

The Town's Architectural Consultant reviewed the project regarding the architecture and neighborhood compatibility. The review (Exhibit 8) found that, "The project has much to admire and little or nothing to be concerned about. Some of the building details that contribute to its design unity and high quality of design include the following:

- Wide roof overhangs with trim and exposed rafter tails.
- Top floor color and trim that will work to reduce the visual mass of the building.
- Inset balconies which strengthen the residential scale and character of the project.
- Hip and shed roofs at the second level that break up the building's visual mass.
- Sensitive treatment of the loading bay on Shelburne Way.
- Trellises and other high quality details that enhance the visual richness of the facades and residential scale and character of the building.

DISCUSSION (continued):

- Design detailing and landscaping of the taller retaining walls on the north and south facades."

The Town's Architectural Consultant did not recommend any changes.

The proposed building is consistent with the applicable provisions of the Commercial Design Guidelines to provide a unified design around all sides of the building, to utilize high quality building materials, to screen all roof equipment, to subordinate the parking to the building, and to provide well designed landscaping.

G. General Plan

The General Plan Land Use designation for the site is Office Professional. This designation provides for professional and general business offices. This designation applies to various locations concentrated along the Town's commercial corridors, often in close proximity to neighborhood- or community-oriented commercial facilities, or as a buffer between commercial and residential uses. The intent of this designation is to satisfy the community's need for general business and professional services and local employment.

In addition to maintaining neighborhood quality, the General Plan Land Use Element focuses on maintaining a "full-service" Town that provides a range of goods and services that support economic vitality, while limiting adverse impacts on the quality of life of all the residents.

Applicable goals and policies of the General Plan include, but are not limited to the following:

- Goal LU-4: To provide for well-planned, careful growth that reflects the Town's existing character and infrastructure. (2020 General Plan)
- Policy LU-6.5: The type, density, and intensity of new land use shall be consistent with that of the immediate neighborhood. (2020 General Plan)
- Goal CD-1: Preserve and enhance Los Gatos's character through exceptional community design. (2020 General Plan)
- Policy CD-1.4: Development on all elevations shall be of high quality design and construction, a positive addition to and compatible with the Town's ambiance. Development shall enhance the character and unique identity of existing commercial and/or residential neighborhoods. (2020 General Plan)
- Goal CD-2: To limit the intensity of new development to a level that is consistent with surrounding development and with the Town at large. (2020 General Plan)

DISCUSSION (continued):

- Goal PFS-15: Encourage a wide variety of types of senior housing, including independent living, residential care facilities, and affordable housing within the Town. (2040 General Plan)

- Goal PFS-16: Ensure safe environments for Los Gatos seniors. (2040 General Plan)

H. Parking

With 54 parking spaces provided on the site, the proposed project would be in excess of the Town Code parking regulations, which requires one parking space for each two and a half beds for a total of 50 parking spaces required.

I. Traffic

A Transportation Analysis was prepared for the Initial Study by TJKM (Exhibit 1, Appendix F). This analysis provided summaries of traffic impacts on the surrounding transportation systems and vehicle miles traveled (VMT) with the change in land use at the project site. This analysis concluded that the project impact on VMT would be less than significant, but also recommended a Transportation Demand Management Plan (TDM) be prepared, as described in Condition of Approval 91, Exhibit 4. The analysis also concluded that the proposed project is expected to generate 351 total daily trips, including 26 a.m. peak hour trips (16 in, 10 out) and 35 p.m. peak hour trips (16 in, 22 out), which is less than that projected for the office building previously approved on the project site (38 a.m. peak hour trips (32 in, 6 out) and 46 p.m. peak hour trips (2 in, 44 out)).

The report determined that the buildout of the proposed project would not create any significant impacts that could not be mitigated to less than significant levels. The Mitigation Monitoring and Reporting Program (Exhibit 11) and Draft Conditions of Approval (Exhibit 4) include the recommended mitigation measures as conditions of approval.

J. Trees

The applicant's Arborist conducted three site surveys and provided an arborist report dated February 10, 2021 (Exhibit 9). The Town's Consulting Arborist conducted a peer review (Exhibit 10) and found that it contains the information required by ordinance.

The project site contains 35 protected trees, including 7 trees that are street trees. 10 of the 35 protected trees surveyed are considered large protected trees.

DISCUSSION (continued):

The project proposes to remove 26 protected trees, of which seven are considered to be large protected trees. All of the seven large protected trees to be removed are Coast Live Oaks (9, 12, 16, 18, 21, 24, and 39) of which three are in fair condition, three are in good condition, and one is in moderate condition. The seven large protected trees are proposed

to be removed to accommodate the proposed building footprint, excavation, and parking area.

The project proposes to retain a total of nine protected trees, of which three are along Shelburne Way and the other six are along the rear property line. Tree protection recommendations and replacement requirements are contained in Exhibits 9 and 10 and will be implemented by the applicant. The project landscape plan proposes 56 replacement trees to be planted in ground, and 20 to be planted on podium. Six replacement street trees are proposed along Winchester Boulevard.

K. Environmental Review

An Initial Study and Mitigated Negative Declaration (MND) (Exhibit 1) have been prepared for the project by the Town's Environmental Consultant, Raney Planning & Management, Inc. (available online at https://www.losgatosca.gov/15860WinchesterBoulevard). The 20-day public review period began on July 1, 2022, and ended on July 21, 2022. The project will not result in a significant effect on the environment because mitigation measures have been added for Biological Resources; Cultural Resources; Geology and Soils; Greenhouse Gas Emissions; Hazards and Hazardous Materials; Noise; and Transportation, mitigating potential impacts to a less-than-significant level. The Mitigation Monitoring and Reporting Program is provided as Exhibit 11, and mitigation measures have been included as conditions of approval in Exhibit 4.

PUBLIC COMMENTS:

On November 1, 2022, Town Council granted the applicant's request for an exception to the Story Pole Policy to allow an alternative to standard story pole installation to illustrate and provide notice of the proposed project by allowing two rows of orange flags to be installed in place of the standard orange netting.

On April 4, 2023, Town Council granted a second request from the applicant to allow a further exception to the Story Pole Policy to require large signage (but no larger than 32 square feet each) with bright colors that links to a video rendering and also informs residents that the

PUBLIC COMMENTS (continued):

current story poles may not be representative of the final project, with posted signage on each parcel, instead of the two rows of orange flags previously approved.

The new requirements were completed prior to noticing for this hearing. The video rendering is available for viewing online here:
https://drive.google.com/open?id=1fJyzZYoRtT0SZynO_bkfnDLpiEl812rC&usp=drive_fs

Signage was installed on the site and written notice was sent to property owners and tenants within 300 feet of the subject property.

Discussion of and response to public comments received throughout the project review process is included in the applicant's Letter of Justification (Exhibit 7).

Staff has included public comments received by 11:00 a.m., August 4, 2023, as Exhibit 13.

CONCLUSION:

A. Summary

The applicant is requesting approval of an Architecture and Site, CUP, Lot Merger, and Variance applications to allow demolition of the existing buildings onsite, construction of an assisted living and memory care facility, and remove large protected trees. The lot merger would merge four lots into one, and the variances requested are for maximum allowed height and lot coverage.

The project is consistent with the Zoning (except for the variance requests), General Plan, and applicable Commercial Design Guidelines.

B. Recommendation

Based on the analysis above, staff recommends denial of the Architecture and Site, CUP, and Lot Merger applications because the findings for the variances requested can not be made.

C. Alternatives

Alternatively, the Commission can:

1. Approve the applications by taking the following actions:

CONCLUSION (continued):

a. Adopt the Mitigated Negative Declaration (ND-22-001) and Mitigation Monitoring and Reporting Program (Exhibits 1 and 11);
b. Make the finding that the project complies with the Commercial Design Guidelines (Exhibit 3);
c. Make the required findings as required by Section 29.20.170 of the Town Code for granting a Variance (Exhibit 3);

d. Make the findings as required by Section 29.20.190 of the Town Code for granting approval of a CUP (Exhibit 3);
e. Make the required findings as required by Section 66474 of the Subdivision Map Act (Exhibit 3);
f. Make the required considerations as required by Section 29.20.150 of the Town Code for granting approval of an Architecture and Site application (Exhibit 3); and
g. Approve Architecture and Site Application S-21-008, Conditional Use Permit Application U-21-010, Variance Application V-21-003, and Subdivision Application M-22-008 with the conditions contained in Exhibits 3 and 4 and the development plans in Exhibit 12.

2. Approve the applications with additional and/or modified conditions; or
3. Continue to the matter to a date certain with specific direction.

EXHIBITS:

Previously received under separate cover:

1. Mitigated Negative Declaration with Appendices A through F (available online at https://www.losgatosca.gov/15860WinchesterBoulevard)

Received with this Staff Report:

2. Location Map
3. Required Findings
4. Draft Conditions of Approval for Architecture and Site, Variance, and Lot Merger
5. Draft Conditions of Approval for Conditional Use Permit
6. Project Description
7. Letter of Justification
8. Market Study
9. Town's Consulting Architect Report
10. Applicant's Arborist Report by Arbor Resources
11. Town's Consulting Arborist Peer Review by Monarch Consulting Arborists
12. Mitigation Monitoring and Reporting Program

EXHIBITS (continued):

13. Development Plans
14. Public comments received by 11:00 a.m., Friday, July 21, 2023

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15860-15894 Winchester Boulevard and 17484 Shelburne Way

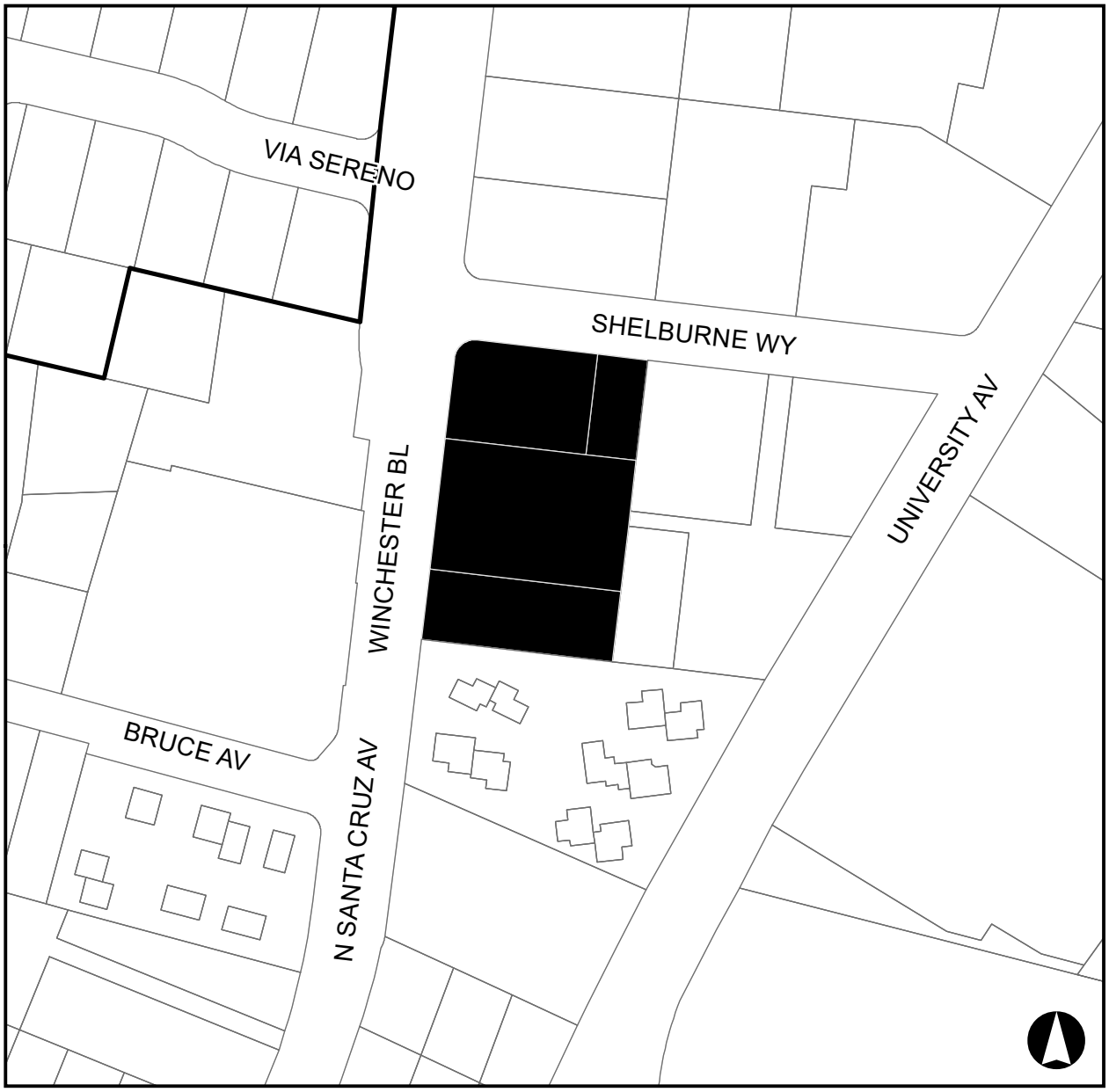

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EXHIBIT 2

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PLANNING COMMISSION – August 9, 2023
REQUIRED FINDINGS & CONSIDERATIONS FOR:

15860-15894 Winchester Boulevard and 17484 Shelburne Way
Architecture and Site Application S-21-008
Conditional Use Permit Application U-21-010
Variance Application V-21-003
Subdivision Application M-22-008
Mitigated Negative Declaration ND-22-001

Requesting Approval for 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 O. APN 529-11-013, -038, -039, and -040.

APPLICANT/PROPERTY OWNER: Green Valley Corp. d.b.a. Swenson

FINDINGS

Required findings for CEQA:

- An Initial Study and Mitigated Negative Declaration have been prepared for this project. It has been determined that this project will not have a significant impact on the environment with adoption of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program to mitigate potential impacts to a less than significant level.

Required compliance with the Zoning Regulations:

- The project meets the objective standards of Chapter 29 of the Town Code (Zoning Regulations) except for the height and lot coverage variances requested.

Required finding for the demolition of existing structures:

- As required by Section 29.10.09030(e) of the Town Code for the demolition of existing structures:

    1. The Town's housing stock will be maintained as the proposed project contains more dwelling units than the number of residential buildings proposed to be demolished.
    2. The existing structures have no architectural or historical significance.
    3. The property owner does not desire to maintain the structures as they exist.
    4. The economic utility of the structures is diminished because of age.

EXHIBIT 3

Required findings for granting a Variance application:

- As required by Section 29.20.170 of the Town Code for granting a Variance application:

  (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 properties in the vicinity and under identical zone; and

  (2) The granting of a variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone which such property is situated.

Required Findings for a Conditional Use Permit:

- As required by Section 29.20.190 of the Town Code for granting a Conditional Use Permit:

  1. The proposed uses of the property are essential or desirable to the public convenience or welfare in that the assisted living and memory care facility would provide necessary services and activities for seniors in the community;
  2. The proposed uses will not impair the integrity and character of the zone as the proposed residential care facility use would generate less traffic than an office use previously proposed for the site and meet the development standards of the zone except for the requested variances described below;
  3. The proposed uses would not be detrimental to public health, safety or general welfare; and
  4. The proposed uses of the property are in harmony with the various elements or objectives of the General Plan and the purposes of this chapter.

Required findings to deny a Subdivision application:

- As required by Section 66474 of the State Subdivision Map Act the map shall be denied if any of the following findings are made: **None of the findings could be made to deny the parcel map application.**

  Instead, the Planning Commission makes the following affirmative findings:

  a. That the proposed map is consistent with all elements of the General Plan.
  b. That the design and improvement of the proposed subdivision is consistent with all elements of the General Plan.
  c. That the site is physically suitable for the type of development.
  d. That the site is physically suitable for the proposed density of development.
  e. That the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or

wildlife or their habitat.

f. That the design of the subdivision and type of improvements is not likely to cause serious public health problems.
g. That the design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

Commercial Design Guidelines:

- The proposed building is consistent with applicable provisions of the Commercial Design Guidelines.

CONSIDERATIONS

Considerations in review of Architecture and Site applications:

- As required by Section 29.20.150 of the Town Code, the considerations in review of an Architecture and Site application were all made in reviewing this project.

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PLANNING COMMISSION – August 9, 2023
CONDITIONS OF APPROVAL

15860-15894 Winchester Boulevard and 17484 Shelburne Way
Architecture and Site Application S-21-008
Variance Application V-21-003
Subdivision Application M-22-008
Mitigated Negative Declaration ND-22-001

Requesting Approval for 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 O. APN 529-11-013, -038, -039, and -040. An Initial Study and Mitigated Negative Declaration Have Been Prepared for This Project.
APPLICANT/PROPERTY OWNER: Green Valley Corp. d.b.a. Swenson

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

Planning Division

1. APPROVAL: This application shall be completed in accordance with all of the conditions of approval and in substantial compliance with the approved plans. Any changes or modifications to the approved plans and/or business operation shall be approved by the Community Development Director, DRC, or the Planning Commission depending on the scope of the changes.
2. EXPIRATION: The approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the approval has been vested.
3. SIGN PERMIT: A Sign Permit from the Los Gatos Community Development Department must be obtained prior to any changes to existing signs or installation of new signs.
4. OUTDOOR LIGHTING: Exterior lighting shall be kept to a minimum, and shall be down directed fixtures that will not reflect or encroach onto adjacent properties. No flood lights shall be used unless it can be demonstrated that they are needed for safety or security.
5. TREE REMOVAL PERMIT: A Tree Removal Permit shall be obtained for any trees to be removed, prior to the issuance of a building or grading permit.
6. EXISTING TREES: All existing trees shown on the plan and trees required to remain or to be planted are specific subjects of approval of this plan, and must remain on the site.
7. TREE FENCING: Protective tree fencing and other protection measures shall be placed at the drip line of existing trees prior to issuance of demolition and building permits and shall remain through all phases of construction. Include a tree protection plan with the construction plans.
8. ARBORIST REQUIREMENTS: The developer shall implement, at their cost, all recommendations identified in the Arborist's report and Arborist's Peer Review for the project, on file in the Community Development Department. These recommendations must be incorporated in the building permit plans and completed prior to issuance of a building permit where applicable.

9. TREE STAKING: All newly planted trees shall be double-staked using rubber tree ties.
10. FRONT YARD LANDSCAPE: Prior to issuance of a Certificate of Occupancy the front yard must be landscaped.
11. WATER EFFICIENCY LANDSCAPE ORDINANCE: The final landscape plan, including landscape and irrigation plans and calculations, shall meet the Town of Los Gatos Water Conservation Ordinance or the State Water Efficient Landscape Ordinance, whichever is more restrictive. The final landscape plan shall be reviewed by the Town's consultant prior to issuance of building permits. A review fee based on the current fee schedule adopted by the Town Council is required when working landscape and irrigation plans are submitted for review.
12. ROOFTOP EQUIPMENT: Any new or modified roof mounted equipment shall be fully screened and painted to match the roof material prior to issuance of an occupancy permit.
13. STORY POLES: The story poles on the project site shall be removed within 30 days of approval of the Architecture & Site application.
14. TOWN INDEMNITY: Applicants are notified that Town Code Section 1.10.115 requires that any applicant who receives a permit or entitlement ("the Project") from the Town shall defend (with counsel approved by Town), indemnify, and hold harmless the Town, its agents, officers, and employees from and against any claim, action, or proceeding (including without limitation any appeal or petition for review thereof) against the Town or its agents, officers or employees related to an approval of the Project, including without limitation any related application, permit, certification, condition, environmental determination, other approval, compliance or failure to comply with applicable laws and regulations, and/or processing methods ("Challenge"). Town may (but is not obligated to) defend such Challenge as Town, in its sole discretion, determines appropriate, all at applicant's sole cost and expense.

    Applicant shall bear any and all losses, damages, injuries, liabilities, costs and expenses (including, without limitation, staff time and in-house attorney's fees on a fully-loaded basis, attorney's fees for outside legal counsel, expert witness fees, court costs, and other litigation expenses) arising out of or related to any Challenge ("Costs"), whether incurred by Applicant, Town, or awarded to any third party, and shall pay to the Town upon demand any Costs incurred by the Town. No modification of the Project, any application, permit certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in such Challenge as Town, in its sole discretion, determines appropriate, all the applicant's sole cost and expense. No modification of the Project, any application, permit certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in processing methods shall alter the applicant's indemnity obligation.

    Per Government Code Section 66474.9, Applicant's indemnification obligation with respect to any Challenge concerning a subdivision (tentative, parcel, or final map application or approval) shall be limited to actions brought within the time period provided for in Government Code Section 66499.37, unless such time period is extended for any reason. The Town shall promptly notify Applicant of any such claim, action, or proceeding and shall cooperate fully in the defense.
15. COMPLIANCE MEMORANDUM: A memorandum, in compliance with standard Town practice, shall be prepared and submitted with the building permit detailing how the conditions of approval will be addressed.

ENVIRONMENTAL REVIEW MITIGATION MEASURE CONDITIONS:

16. Mitigation Measure IV-1: A pre-construction survey for nesting birds shall be conducted by a qualified biologist within a 250-foot buffer around the project site boundaries, if feasible, not more than three days prior to site disturbance during the breeding season (February 1st to August 31st). If site disturbance commences outside the breeding season, a pre-construction survey for nesting birds is not required. Survey results shall be submitted to the Town of Los Gatos Community Development Department. If active nests of migratory birds are not detected within approximately 250 feet of the project site, further mitigation is not required. If nesting birds are detected, the applicant shall implement Mitigation Measure IV-2.
17. Mitigation Measure IV-2: If nesting raptors or other migratory birds are detected on or adjacent to the site during the survey, an appropriate construction-free buffer shall be established around all active nests. Actual size of buffer would be determined by the project biologist, and would depend on species, topography, and type of activity that would occur in the vicinity of the nest. Typical buffers are 25 feet for non-raptors and up to 250 feet for raptors. The project buffer shall be monitored periodically by the project biologist to ensure compliance. After the nesting is completed, as determined by the biologist, the buffer shall no longer be required. Buffers shall remain in place for the duration of the breeding season or until a qualified biologist has confirmed that all chicks have fledged and are independent of their parents. Proof of compliance with this Mitigation Measure shall be provided to the Town of Los Gatos Community Development Department prior to recommencing construction within the buffer area.
18. Mitigation Measure IV-3: The applicant shall comply with the Town of Los Gatos Tree Protection Ordinance and a tree removal permit shall be obtained from the Town for the removal of any on-site trees that qualify as a protected tree. If the trees proposed for removal are found to be in good condition, and the tree removal permit is granted primarily for the convenience of the applicant, then the full cost and responsibility of such removal shall be borne by the applicant including planting of replacement trees.

    Where replanting is impractical or infeasible, the property owner may pay an in-lieu fee in an amount approved by the Town Council. New trees planted on site shall have a trunk diameter of more than 1.5 inches. The above noted requirements shall be completed to the satisfaction of the Town of Los Gatos Parks and Public Works Department.
19. Mitigation Measure IV-4: The project applicant shall comply with all recommendations included in the Arborist Report prepared for the proposed project by Arborist Resources (2021) to ensure that tree protection measures are incorporated into the project design and construction. Recommended tree protection measures include, but are not limited to, establishing tree protection zones (TPZs) and setbacks for each protected tree; installing tree protection fencing around each TPZ which would include warning signs stating, “WARNING - Tree Protection Zone - this fence shall not be removed and is subject to penalty according to Town Code 29.10.1025”; avoiding damaging or cutting roots with a diameter of two or more inches; avoiding the use of herbicides; establishing staging, cleanout areas, and all routes of access beyond unpaved areas beneath tree canopies; and conducting a site meeting with the general contractor and project arborist several weeks or months prior to demolition for the purpose of reviewing all tree protection measures. All relevant recommendations included in the Arborist Report shall be noted on project Improvement Plans. Compliance with the recommended tree protection measures shall be

monitored by the Town of Los Gatos Parks and Public Works Department and a qualified arborist.

20. Mitigation Measure V-1: If historic or archeological resources are encountered during subsurface excavation activities, all construction activities within a 100-foot radius of the resource shall cease until a qualified archaeologist determines whether the resource requires further study. The Town shall require that the applicant include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Any previously undiscovered resources found during construction shall be recorded on appropriate California Department of Parks and Recreation forms and evaluated for significance in terms of California Environmental Quality Act (CEQA) criteria by a qualified archaeologist. Potentially significant cultural resources consist of, but are not limited to, stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites.

    If the resource is determined to be significant under CEQA, the Town and a qualified archaeologist shall determine whether preservation in place is feasible. Such preservation in place is the preferred mitigation. If such preservation is infeasible, the qualified archaeologist shall prepare and implement a research design and archaeological data recovery plan for the resource. The archaeologist shall also conduct appropriate technical analyses, prepare a comprehensive written report and file it with the appropriate information center (California Historical Resources Information System), and provide for the permanent curation of the recovered materials.

21. Mitigation Measure V-2: If human remains, or remains that are potentially human, are found during construction, all work shall be halted immediately within 200 feet, and a professional archeologist shall ensure reasonable protection measures are taken to protect the discovery from disturbance. The archaeologist shall notify the Contra Costa County Coroner (per §7050.5 of the State Health and Safety Code). The provisions of §7050.5 of the California Health and Safety Code, §5097.98 of the California Public Resources Code, and Assembly Bill 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, then the Coroner will notify the Native American Heritage Commission (NAHC), which then will designate a Native American Most Likely Descendant (MLD) for the project (§5097.98 of the Public Resources Code). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the applicant does not agree with the recommendations of the MLD, the NAHC can mediate (§5097.94 of the Public Resources Code). If an agreement is not reached, the qualified archaeologist or MLD must rebury the remains where they will not be further disturbed (§5097.98 of the Public Resources Code). This will also include either recording the site with the NAHC or the appropriate Information Center, using an open space or conservation zoning designation or easement, or recording a reinternment document with the county in which the property is located (AB 2641). Work cannot resume within the no-work radius until the lead agency, through consultation as appropriate, determines that the treatment measures have been completed to the Town's satisfaction.

22. Mitigation Measure VII-1: The project applicant shall include all relevant 2019 CBSC standards, as recommended by the Design-Level Geotechnical Investigation prepared by Cornerstone Earth Group (2021) on all project improvement plans to ensure that the recommended standards for development of foundations, subsurface improvements, etc. are incorporated into the project design and construction. All project improvement plans

shall be reviewed by a licensed engineer and approved by the Town of Los Gatos Community Development Department and the Town's Engineer.

23. Mitigation Measure VIII-1: The following requirements shall be noted on project improvement plans, subject to review and approval by the Town of Los Gatos Community Development Department:
    - The proposed project shall be designed such that the project is built all-electric, and natural gas infrastructure shall be prohibited on-site; and
    - A minimum 10 electric vehicle (EV) capable parking spaces shall be included on-site, consistent with the Tier 2 CALGreen standards.
24. Mitigation Measure IX-1: Following demolition and prior to issuance of a grading permit, a sampling grid shall be superimposed across the site and discrete shallow samples shall be collected. The samples shall be tested for organochlorine pesticides to determine whether Regional Water Quality Control Board Environmental Screening Levels (ESLs) are exceeded in any samples. The applicant shall submit a report to the Parks and Public Works Department for review and approval that includes, but is not limited to, sampling activities performed, relevant ESLs for identified contaminants, summary of contaminated concentrations, and locations where ESLs are exceeded, if any. If ESLs are exceeded in on-site soils, the impacted areas shall be removed and properly disposed of under oversight by the Santa Clara County Department of Environmental Health (SCCDEH) prior to issuance of a grading permit; and proof of remediation under SCCDEH oversight shall be provided to the Town of Los Gatos Parks and Public Works Department prior to grading. For larger quantities of soils that are non-hazardous, subject to approval by the Town of Los Gatos Parks and Public Works Department, such soils may generally be placed under interior roads, parking areas, or buildings during normal grading operations, and verification of proper handling and disposal.
25. Mitigation Measure IX-2: Prior to issuance of a demolition permit for on-site structures, the project applicant shall consult with certified Asbestos and/or Lead Risk Assessors to complete an asbestos and lead survey. The completed asbestos and lead survey shall be submitted to the Town of Los Gatos Building Department for review and approval. If asbestos-containing materials or lead-containing materials are not discovered during the survey, further mitigation related to asbestos-containing materials or lead-containing materials shall not be required. If asbestos-containing materials and/or lead-containing materials are discovered by the survey, the project applicant shall prepare a work plan to demonstrate how the on-site asbestos-containing materials and/or lead-containing materials shall be removed in accordance with current California Occupational Health and Safety (Cal-OSHA) Administration regulations and disposed of in accordance with all CalEPA regulations, prior to the demolition and/or removal of the on-site structures. The plan shall include the requirement that work shall be conducted by a Cal-OSHA registered asbestos and lead abatement contractor in accordance with Title 8 CCR 1529 and Title 8 CCR 1532.1 regarding asbestos and lead training, engineering controls, and certifications. The applicant shall submit the work plan to the Town for review and approval. The Town has the right to defer the work plan to the SCCDEH for additional review. Materials containing more than one (1) percent asbestos that is friable are also subject to BAAQMD regulations. Removal of materials containing more than one (1) percent friable asbestos shall be completed in accordance with BAAQMD Section 11-2-303.

26. Mitigation Measure XIII-1: Prior to approval of demolition permits the following requirements shall be noted on project improvement plans, subject to review and approval by the Town of Los Gatos Community Development Department:

- Operational and Situational Controls:
  - All work on-site shall be restricted to the hours of 8:00 AM to 8:00 PM Weekdays, and 9:00 AM to 7:00 PM weekends and Holidays, pursuant to the requirements of the Town of Los Gatos Noise Ordinance.
  - All exterior stationary equipment shall be kept at least 100 feet from neighboring property lines unless acoustically shielded.
  - Material deliveries shall not be allowed on Sundays or Federal Holidays.
  - Cranes shall be located at least 100 feet from any neighboring property line with the exception of cranes or lifts necessary to dismantle scaffolding.
  - Material movement along the east and south sides of the site shall be minimized.
  - Stockpiles shall be located adjacent to neighbors as much as possible to help shield people from on-site noise generation.
  - Music shall not be audible off-site.
  - Dirt berming and stockpiling materials shall occur whenever possible to reduce noise to sensitive receptor locations.
  - Mobile equipment such as haul trucks, and concrete trucks, shall be kept off of local streets near residences as much as possible.
  - Vehicle paths shall be graded smooth as rough roads and paths can cause significant noise and vibration from trucks (particularly empty trucks) rolling over rough surfaces. Loud bangs and ground-borne vibration can occur.
- Interior Work:
  - For interior work, the windows of the interior spaces facing neighbors where work is being performed shall be kept closed while work is proceeding.
  - Noise generating equipment indoors shall be located within the building to use building elements as noise screens.
- Equipment:
  - Earth Removal: Use scrapers as much as possible for earth removal, rather than the noisier loaders and hauling trucks.
  - Backfilling: Use a backhoe for backfilling, as it is quieter than either dozers or loaders.
  - Ground Preparation: Use a motor grader rather than a bulldozer for final grading. Wheeled heavy equipment is less noisy than track equipment. Use wheeled equipment rather than track equipment whenever possible, with the exception of work within the vibration distances shown in Table IV of the Noise Assessment Study. The soil conditions at the site indicate that wheeled equipment may generate higher levels of ground vibration than tracked equipment. Small, rubber tracked equipment, such as skid steers, would produce the lowest levels of noise and vibration
  - Building Construction: Nail guns shall be used where possible as they are less noisy than manual hammering.
  - Generators and Compressors: Use generators, compressors and pumps that are housed in acoustical enclosures rather than weather enclosures or none at all.

- Use temporary power service from the utility company in lieu of generators wherever possible.
- All stationary equipment shall be rated no higher than 85 dBA at 25 feet under the equipment's most noisy condition.
- Circular saws, miter/chop saws and radial arm saws shall be used no closer than 50 feet from any residential property line unless the saw is screened from view by any and all residences using an air-tight screen material of at least two pounds per sf surface weight, such as three-quarter-inch plywood.
- Use electrically powered tools rather than pneumatic tools whenever possible.
- Mitigation of the construction phase noise at the site can be accomplished by using quiet or "new technology" equipment.
- The greatest potential for noise abatement of current equipment shall be the quieting of exhaust noises by use of improved mufflers.
- All internal combustion engines used at the project site shall be equipped with a type of muffler recommended by the vehicle manufacturer.
- All equipment shall be in good mechanical condition so as to minimize noise created by faulty or poorly maintained engines, drive-trains and other components. Worn, loose or unbalanced parts or components shall be maintained or replaced to minimize noise and vibration.
- Use wheeled equipment rather than tracked equipment whenever possible.
- Use the lowest vibration inducing equipment when within the distance limits shown in Table IV of the Noise Assessment Study. Small grading and earth moving equipment, such as "Bobcat" size equipment shall be used.

- Noise Complaint Management:
  - The project applicant shall designate a noise complaint officer. The officer shall be available at all times during construction hours by both telephone and email. Signs shall be posted at site entries.
  - Notify, in writing, all residential and noise sensitive commercial neighbors within 300 feet of the site of construction. The notification shall contain the name, phone number, and email address of the noise complaint officer. A flyer may be placed at the doors of the residences.
  - A log of all complaints shall be maintained. The logs shall contain the name and address of the complainant, the date and time of the complaint, the nature/description of the noise source, a description of the remediation attempt or the reason remediation could not be attempted.

27. Mitigation Measure XVII-1: The following requirements shall be noted on project improvement plans, subject to review and approval by the Town of Los Gatos Parks and Public Works Department:
    - A minimum of one long term and three short term bicycle parking spaces shall be included on-site, consistent with the VTA Bicycle Technical Guidelines; and
    - A new crosswalk shall be installed to cross Shelburne Way at Winchester Boulevard. The crosswalk shall meet the standards of the Town of Los Gatos.
28. Mitigation Measure XVII-3: The following requirement shall be noted on project improvement plans, subject to review and approval by the Town of Los Gatos Parks and Public Works Department:

- Red curbs shall be implemented adjacent to both sides of the project driveways to prohibit parking and ensure adequate sight distance.

Building Division

29. PERMITS REQUIRED: A Demolition Permit is required for the demolition of each individual existing structure. A separate Building Permit is required for the construction of the new multi-story, multi-family dwelling structure.
30. APPLICABLE CODES: The current codes, as amended and adopted by the Town of Los Gatos as of January 1, 2023, are the 2022 California Building Standards Code, California Code of Regulations Title 24, Parts 1-12, including locally adopted Energy Reach Codes.
31. LOCALLY ADOPTED REACH CODES: This project will be subject to the all-electric construction requirements as well as the Multifamily dwelling residential parking requirements pursuant to the California Green Building Standards Code as modified in Chapter 6, Article XII of the Town Code.
32. CONDITIONS OF APPROVAL: The Conditions of Approval must be included in full in the construction plans. A Compliance Memorandum shall be prepared and submitted with the building permit application detailing how the Conditions of Approval will be addressed.
33. BUILDING & SUITE NUMBERS: Submit requests for new building addresses to the Building Division prior to submitting for the building permit application process.
34. SIZE OF PLANS: Minimum size 24" x 36", maximum size 30" x 42".
35. REQUIREMENTS FOR COMPLETE DEMOLITION OF STRUCTURE: Obtain a Building Department Demolition Application and a Bay Area Air Quality Management District Application from the Building Department. Once the demolition form has been completed, all signatures obtained, and written verification from PG&E that all utilities have been disconnected, return the completed form to the Building Department with the Air District's J# Certificate, PG&E verification, and site plans showing all existing structures, existing utility service lines such as water, sewer, and PG&E. No demolition work shall be done without first obtaining a permit from the Town.
36. AIR QUALITY: To limit the project's construction-related dust and criteria pollutant emissions, the following the Bay Area Air Quality Management District (BAAQMD)-recommended basic construction measures shall be included in the project's grading plan, building plans, and contract specifications:
    a. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 2 minutes. Clear signage shall be provided for construction workers at all access points.
    b. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. All non-road diesel construction equipment shall at a minimum meet Tier 3 emission standards listed in the Code of Federal Regulations Title 40, Part 89, Subpart B, §89.112.
    c. Developer shall designate an on-site field supervisor to provide written notification of construction schedule to adjacent residential property owners and tenants at least one week prior to commencement of demolition and one week prior to commencement of grading with a request that all windows remain closed during demolition, site grading, excavation, and building construction activities in order to minimize exposure to NOx and PM10. The on-site field supervisor shall monitor construction emission levels within

five feet of the property line of the adjacent residences for NOx and PM10 using the appropriate air quality and/or particulate monitor.

37. SOILS REPORT: A Soils Report, prepared to the satisfaction of the Building Official, containing foundation and retaining wall design recommendations, shall be submitted with the Building Permit Application. This report shall be prepared by a licensed Civil Engineer specializing in soils mechanics.
38. SHORING: Shoring plans and calculations will be required for all excavations which exceed five (5) feet in depth or which remove lateral support from any existing building, adjacent property, or the public right-of-way. Shoring plans and calculations shall be prepared by a California licensed engineer and shall confirm to the Cal/OSHA regulations.
    a. FOUNDATION INSPECTIONS: A pad certificate prepared by a licensed civil engineer or land surveyor shall be submitted to the project Building Inspector at foundation inspection. This certificate shall certify compliance with the recommendations as specified in the Soils Report, and that the building pad elevations and on-site retaining wall locations and elevations have been prepared according to the approved plans. Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered Civil Engineer for the following items:
    b. Building pad elevation
    c. Finish floor elevation
    d. Foundation corner locations
    e. Retaining wall(s) locations and elevations
39. TITLE 24 ENERGY COMPLIANCE: All required California Title 24 Energy Compliance Forms must be blue-lined (sticky-backed), i.e. directly printed, onto a plan sheet.
40. SITE ACCESSIBILITY: At least one accessible route within the boundary of the site shall be provided from public transportation stops, accessible parking and accessible passenger loading zones and public streets or sidewalks to the accessible building entrance that they serve. The accessible route shall, to the maximum extent feasible, coincide with the route for the general public. At least one accessible route shall connect all accessible buildings, facilities, elements and spaces that are on the same site.
41. ACCESSIBLE PARKING: The parking lots, as well as the parking structure, where parking is provided for the public as clients, guests or employees, shall provide handicap accessible parking. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.
42. BACKWATER VALVE: The scope of this project may require the installation of a sanitary sewer backwater valve per Town Ordinance 6.50.025. Please provide information on the plans if a backwater valve is required and the location of the installation. The Town of Los Gatos Ordinance and West Valley Sanitation District (WVSD) requires backwater valves on drainage piping serving fixtures that have flood level rims less than 12 inches above the elevation of the next upstream manhole.
43. HAZARDOUS FIRE ZONE: All projects in the Town of Los Gatos require Class A roof assemblies.
44. SPECIAL INSPECTIONS: When a special inspection is required by CBC Section 1704, the Architect or Engineer of Record shall prepare an inspection program that shall be submitted to the Building Official for approval prior to issuance of the Building Permit. The Town Special Inspection form must be completely filled-out and signed by all requested parties

prior to permit issuance. Special Inspection forms are available from the Building Division Service Counter or online at www.losgatosca.gov/building.

45. BLUEPRINT FOR A CLEAN BAY SHEET: The Town standard Santa Clara Valley Nonpoint Source Pollution Control Program Sheet (page size same as submitted drawings) shall be part of the plan submittal as the second page. The specification sheet is available at the Building Division Service Counter for a fee of $2 or at ARC Blueprint for a fee or online at www.losgatosca.gov/building.
46. APPROVALS REQUIRED: The project requires the following departments and agencies approval before issuing a building permit:
    a. Community Development – Planning Division: (408) 354-6874
    b. Engineering/Parks & Public Works Department: (408) 399-5771
    c. Santa Clara County Fire Department: (408) 378-4010
    d. West Valley Sanitation District: (408) 378-2407
    e. Santa Clara County Environmental Health Department: (408) 918-3479
    f. Local School District: The Town will forward the paperwork to the appropriate school district(s) for processing. A copy of the paid receipt is required prior to permit issuance.

TO THE SATISFACTION OF THE DIRECTOR OF PARKS AND PUBLIC WORKS:

Engineering Division

47. GENERAL: All public improvements shall be made according to the latest adopted Town Standard Plans, Standard Specifications and Engineering Design Standards. All work shall conform to the applicable Town ordinances. The adjacent public right-of-way shall be kept clear of all job-related mud, silt, concrete, dirt and other construction debris at the end of the day. Dirt and debris shall not be washed into storm drainage facilities. The storing of goods and materials on the sidewalk and/or the street will not be allowed unless an encroachment permit is issued by the Engineering Division of the Parks and Public Works Department. The Developer's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in the issuance of correction notices, citations, or stop work orders and the Town performing the required maintenance at the Developer's expense.
48. APPROVAL: This application shall be completed in accordance with all the conditions of approval listed below and in substantial compliance with the latest reviewed and approved development plans. Any changes or modifications to the approved plans or conditions of approvals shall be approved by the Town Engineer.
49. CONSTRUCTION PLAN REQUIREMENTS: Construction drawings shall comply with Section 1 (Construction Plan Requirements) of the Town's Engineering Design Standards, which are available for download from the Town's website.

RIGHT-OF-WAY CONDITIONS:

50. ENCROACHMENT PERMIT: All work in the public right-of-way will require a Construction Encroachment Permit. All work over $5,000 will require construction security. It is the responsibility of the Developer to obtain any necessary encroachment permits from affected agencies and private parties, including but not limited to, Pacific Gas and Electric (PG&E), AT&T, Comcast, Santa Clara Valley Water District, California Department of Transportation (Caltrans). Copies of any approvals or permits must be submitted to the Town Engineering Division of the Parks and Public Works Department prior to releasing any permit.

51. RESTORATION OF PUBLIC IMPROVEMENTS: The Developer or their representative shall repair or replace all existing improvements not designated for removal that are damaged or removed because of the Developer or their representative's operations. Improvements such as, but not limited to: curbs, gutters, sidewalks, driveways, signs, pavements, raised pavement markers, thermoplastic pavement markings, etc., shall be repaired and replaced to a condition equal to or better than the original condition. Any new concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed therefore. Existing improvement to be repaired or replaced shall be at the direction of the Engineering Construction Inspector and shall comply with all Title 24 Disabled Access provisions. The restoration of all improvements identified by the Engineering Construction Inspector shall be completed before the issuance of a certificate of occupancy. The Developer or their representative shall request a walk-through with the Engineering Construction Inspector before the start of construction to verify existing conditions.

52. STREET/SIDEWALK CLOSURE: Any proposed blockage or partial closure of the street and/or sidewalk requires an encroachment permit. Special provisions such as limitations on works hours, protective enclosures, or other means to facilitate public access in a safe manner may be required.

53. PUBLIC IMPROVEMENTS: The following improvements shall be installed by the Developer. Plans for those improvements shall be prepared by a California registered civil engineer, reviewed and approved by the Town, and guaranteed by contract, Faithful Performance Security and Labor & Materials Security before the issuance of any grading or building permits or the recordation of a map. Plans for the improvements must be approved by the Town prior to the issuance of any grading or building permits. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued unless otherwise allowed by the Town Engineer.
    a) Winchester Blvd: New curb, gutter, minimum 5-foot detached sidewalk, minimum 4-foot park strip, pavement, street lights, tie-in paving, signing striping, and 2-inch grind and overlay along the eastern half of Winchester Boulevard.
    b) Shelburne Way: New curb, gutter, minimum 5-foot detached sidewalk, minimum 4-foot park strip, half-street pavement reconstruction along the southern half of the roadway, 2-inch grind and overlay along the northern half of the roadway, signing, and striping
    c) Bicycle lane: The project shall re-stripe Winchester Boulevard along the project frontage plus necessary conform transition for adding bicycle lanes. The roadway shall be re-surfaced prior to striping.
    d) Pedestrian crosswalk: The project shall provide a corner bulb-out and a striped pedestrian crosswalk crossing Shelburne Way at Winchester Boulevard as directed by Town Engineer.
    e) Class IV bike lanes along Winchester Boulevard frontage and Class III bike lanes along Shelburne Way frontages per the Town's Bicycle and Pedestrian Master Plan.
    f) Street lights: A new Town standard street light shall be installed on Winchester Boulevard at the corner of Shelburne Way along the project frontage. A new Town standard street light shall be installed on Shelburne Way along the project frontage replacing an existing PG&E street light across the project site. The developer shall coordinate with PG&E for the removal and installation.

54. PUBLIC WORKS INSPECTIONS: The Developer or their representative shall notify the Engineering Inspector at least twenty-four (24) hours before starting any work pertaining to on-site drainage facilities, grading or paving, and all work in the Town's right-of-way. Failure to do so will result in penalties and rejection of any work that occurred without inspection.
55. SITE SUPERVISION: The General Contractor shall provide qualified supervision on the job site at all times during construction.

GRADING PERMIT CONDITIONS:

56. PLAN CHECK FEES: Plan check fees associated with the Grading Permit shall be deposited with the Engineering Division of the Parks and Public Works Department prior to the commencement of plan check review.
57. GRADING PERMIT FEES: All fees associated with the grading permit shall be deposited with the Engineering Division of the Parks and Public Works Department prior to the issuance of a grading permit.
58. GRADING PERMIT: A grading permit is required for all site grading and drainage work except for exemptions listed in Section 12.20.015 of The Code of the Town of Los Gatos (Grading Ordinance). After the preceding Architecture and Site Application has been approved by the respective deciding body, the grading permit application (with grading plans and associated required materials and plan check fees) shall be made to the Engineering Division of the Parks and Public Works Department located at 41 Miles Avenue. The grading plans shall include final grading, drainage, retaining wall location(s), driveway, utilities and interim erosion control. Grading plans shall list earthwork quantities and a table of existing and proposed impervious areas. Unless specifically allowed by the Director of Parks and Public Works, the grading permit will be issued concurrently with the building permit. The grading permit is for work outside the building footprint(s). Prior to Engineering signing off and closing out on the issued grading permit, the Developer's soils engineer shall verify, with a stamped and signed letter, that the grading activities were completed per plans and per the requirements as noted in the soils report. A separate building permit, issued by the Building Department, located at 110 E. Main Street, is needed for grading within the building footprint.
59. DESIGN CHANGES: Any proposed changes to the approved plans shall be subject to the approval of the Town prior to the commencement of any and all altered work. The Developer's project engineer shall notify, in writing, the Town Engineer at least seventy-two (72) hours in advance of all the proposed changes. Any approved changes shall be incorporated into the final "as-built" plans.
60. PLANS AND STUDIES: All required plans and studies shall be prepared by a Registered Professional Engineer in the State of California and submitted to the Town Engineer for review and approval. Additionally, any post-project traffic or parking counts, or other studies imposed by the Planning Commission or Town Council shall be funded by the Developer.
61. DRAINAGE IMPROVEMENT: Prior to the issuance of any grading/improvement permits, whichever comes first, the Developer shall: a) design provisions for surface drainage; and b) design all necessary storm drain facilities extending to a satisfactory point of disposal for the proper control and disposal of storm runoff; and c) provide a recorded copy of any required easements to the Town.
62. TREE REMOVAL: Copies of all necessary tree removal permits shall be provided prior to the issuance of a grading permit/building permit.

63. SURVEYING CONTROLS: Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered civil engineer qualified to practice land surveying, for the following items:
    a) Retaining wall: top of wall elevations and locations.
    b) Toe and top of cut and fill slopes.
64. PRECONSTRUCTION MEETING: Prior to issuance of any grading or building permits, the general contractor shall:
    a) Along with the Developer, attend a pre-construction meeting with the Town Engineer to discuss the project conditions of approval, working hours, site maintenance and other construction matters;
    b) Acknowledge in writing that they have read and understand the project conditions of approval and will make certain that all project sub-contractors have read and understand them as well prior to commencing any work, and that a copy of the project conditions of approval will be posted on-site at all times during construction.
65. RETAINING WALLS: A building permit, issued by the Building Department, located at 110 E. Main Street, may be required for site retaining walls. Walls are not reviewed or approved by the Engineering Division of Parks and Public Works during the grading permit plan review process.

SUBDIVISIONS/MAPS:

66. GENERAL: The Developer shall comply with all Town, County, State and Federal laws and regulations applicable to this land division. No other proposed development is included in this particular application of the lot merger. Issuance of a lot merger will acknowledge the Town's acceptance of the parcel as legally created in accordance with the Subdivision Map Act. Any subsequent development will be required to demonstrate compliance with the Town Development Standards and Codes.
67. LOT MERGER: A Lot Merger shall be recorded. Two (2) copies of the legal description for exterior boundary of the merged parcel and a map shall be submitted to the Engineering Division of the Parks and Public Works Department for review and approval. The submittal shall include closure calculations, title reports less than ninety (90) days old and the appropriate fee. The documents shall be recorded prior to the issuance of any grading or building permits.
68. WEST VALLEY SANITATION DISTRICT: All sewer connection and treatment plant capacity fees shall be paid either immediately prior the issuance of a sewer connection permit, which ever event occurs first. Written confirmation of payment of these fees shall be provided prior to map recordation.

GEOLOGICAL AND GEOLOGY:

69. SOILS REPORT: One electronic copy (PDF) of the soils and geologic report shall be submitted with the application. The soils report shall include specific criteria and standards governing site grading, drainage, pavement design, retaining wall design, and erosion control. The reports shall be signed and "wet stamped" by the engineer or geologist, in conformance with Section 6735 of the California Business and Professions Code.
70. GEOLOGY AND SOILS MITIGATION MEASURE: A geotechnical investigation shall be conducted for the project to determine the surface and sub-surface conditions at the site and to determine the potential for surface fault rupture on the site. The geotechnical study shall provide recommendations for site grading as well as the design of foundations, retaining walls, concrete slab-on-grade construction, excavation, drainage, on-site utility

trenching and pavement sections. All recommendations of the investigation shall be incorporated into project plans.

71. SOILS REVIEW: Prior to Town approval of a development application, the Developer's engineers shall prepare and submit a design-level geotechnical and geological investigation for review by the Town's consultant, with costs borne by the Developer, and subsequent approval by the Town. The Developer's soils engineer shall review the final grading and drainage plans to ensure that designs for foundations, retaining walls, site grading, and site drainage are in accordance with their recommendations and the peer review comments. Approval of the Developer's soils engineer shall then be conveyed to the Town either by submitting a Plan Review Letter prior to issuance of grading or building permit(s).
72. SOILS ENGINEER CONSTRUCTION OBSERVATION: During construction, all excavations and grading shall be inspected by the Developer's soils engineer prior to placement of concrete and/or backfill so they can verify that the actual conditions are as anticipated in the design-level geotechnical report and recommend appropriate changes in the recommendations contained in the report, if necessary. The results of the construction observation and testing shall be documented in an "as-built" letter/report prepared by the Developer's soils engineer and submitted to the Town before a certificate of occupancy is granted.
73. SOIL RECOMMENDATIONS: The project shall incorporate the geotechnical/geological recommendations contained in the Design-Level Geotechnical Investigation by Cornerstone Earth Group dated February 10, 2021, and any subsequently required report or addendum. Subsequent reports or addendum are subject to peer review by the Town's consultant and costs shall be borne by the Developer.

IMPROVEMENT PLANS:

74. IMPROVEMENT AGREEMENT: The Developer shall enter into an agreement to construct public improvements in accordance with Town Code Section 24.40.020. The Developer shall supply suitable securities for all public improvements that are part of the development in a form acceptable to the Town in the amount of 100% performance and 100% labor and materials prior to the issuance of any encroachment, grading or building permit. The Developer shall provide two (2) copies of documents verifying the cost of the public improvements to the satisfaction of the Engineering Division of the Parks and Public Works Department. An electronic copy (PDF) of the executed agreement shall be submitted to the Engineering Division of the Parks and Public Works Department prior to the issuance of any encroachment, grading or building permit.

UTILITIES:

75. WATER METER: The existing water meters, currently located within the Winchester Blvd right-of-way, shall be relocated within the property in question, directly behind the public right-of-way line. The Developer shall repair and replace to existing Town standards any portion of concrete flatwork within said right-of-way that is damaged during this activity prior to issuance of a certificate of occupancy.
76. WVSD (West Valley Sanitation District): A Sanitary Sewer Clean-out is required for each property at the property line, within one (1) foot of the property line per West Valley Sanitation District Standard Drawing 3, or at a location specified by the Town.
77. CERTIFICATE OF OCCUPANCY: The Engineering Division of the Parks and Public Works Department will not sign off on a Temporary Certificate of Occupancy or a Final Certificate of Occupancy until all required improvements within the Town's right-of-way have been completed and approved by the Town.

78. GREEN INFRASTRUCTURE MEASURES: Projects which propose work within the Town's right-of-way, including but not limited to pavement restoration, street widening, construction of curb, gutter and/or sidewalk, right-of-way dedication, etc., will be evaluated by Staff to determine its potential for the implementation of Green Infrastructure measures and associated improvements.
79. FRONTAGE IMPROVEMENTS: The Developer shall be required to improve the project's public frontage (right-of-way line to centerline and/or to limits per the direction of the Town Engineer) to current Town Standards. These improvements may include but not limited to curb, gutter, sidewalk, driveway approach(es), curb ramp(s), signs, pavement, raised pavement markers, thermoplastic pavement markings, storm drain facilities, traffic signal(s), street lighting (upgrade and/or repaint) etc. Plans for the improvements must be approved by the Town prior to the issuance of any grading or building permits. The improvements must be completed and accepted by the Town before the issuance of any grading or building permits unless otherwise allowed by the Town Engineer.
80. GREEN BICYCLE FACILITIES: The Developer shall install green bike lanes and bike boxes in directions of improved streets and intersections as directed by the Town Engineer. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
81. ADA COMPLIANCE: The Developer shall be required to meet all ADA standards, which must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued. This may require additional construction measures as directed by the Town.
82. UNDERGROUND PARKING GARAGE DRAINAGE: Water from the underground parking garage shall not be discharged onto the public street. The Developer or their representative shall design a floor drainage system for the garage that collects all drainage and conveys runoff to the sanitary sewer system. Connecting said drainage system to the storm drain system is not permitted.
83. TRENCHING MORATORIUM: Trenching within a newly paved street will be allowed subject to the following requirements:
    a) The Town standard "T" trench detail shall be used.
    b) A Town-approved colored controlled density backfill shall be used.
    c) All necessary utility trenches and related pavement cuts shall be consolidated to minimize the impacted area of the roadway.
    d) The total asphalt thickness shall be a minimum of three (3) inches, meet Town standards, or shall match the existing thickness, whichever is greater. The final lift shall be 1.5-inches of one-half (½) inch medium asphalt. The initial lift(s) shall be of three-quarter (¾) inch medium asphalt.
    e) The Contractor shall schedule a pre-paving meeting with the Town Engineering Construction Inspector the day the paving is to take place.
    f) A cape seal topping may be required by the construction inspector depending their assessment of the quality of the trench paving. If required, the cape seal shall extend the full width of the street and shall extend five (5) feet beyond the longitudinal limits of trenching. Cape seal materials shall be approved by the Town Engineering Construction Inspector prior to placement. All existing striping and pavement markings shall be replaced upon completion of cape seal operations. All pavement restorations shall be completed and approved by the Inspector before occupancy.

84. DRIVEWAY APPROACH: The Developer shall install a minimum of two (2) Town standard commercial driveway approaches. The new driveway approaches shall be constructed per Town Standard Plans and must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued. New concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed therefore.
85. CURB RAMPS: The Developer shall construct two (2) curb ramps in compliance with ADA Standards which must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued. New concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed therefore.
86. SIGHT TRIANGLE AND TRAFFIC VIEW AREA: Any proposed improvements, including but not limiting to trees and hedges, will need to abide by Town Code Sections 23.10.080, 26.10.065, and 29.40.030.

TRAFFIC AND TRANSPORTATION:

87. FRONTAGE IMPROVEMENTS (TRAFFIC): The Developer shall construct improvements including and may not be limited to signage, striping, curb/gutter/sidewalk, ADA ramps, pedestrian crosswalk and street lights at project frontage as directed by the Town Engineer. Plans for the improvements must be approved by the Town prior to the issuance of any grading or building permits. The improvements must be completed and accepted by the Town before the issuance of any grading or building permits unless otherwise allowed by the Town Engineer.
88. FRONTAGE IMPROVEMENTS (STREET LIGHTS): The Developer shall replace existing street light fixture with LED light fixture and re-paint existing street light pole. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
89. TRAFFIC IMPROVEMENTS (OFF-SITE IMPROVEMENT): Traffic improvements may be required as determined by traffic study. Construct off-site improvements as required. Plans shall be prepared by the Developer's design consultants and submitted to the Town Engineer for approval prior to construction. The Developer is required to designate necessary right-of-way for the required widening. Plans for the improvements must be approved by the Town prior to the issuance of any grading or building permits. The improvements must be completed and accepted by the Town before the issuance of any grading or building permits unless otherwise allowed by the Town Engineer.
90. STREET LIGHT INSPECTION FEES: The Developer shall pay **$1,000.00** for the Town's inspection of street lights. The fees shall be due at time of building permit application.
91. TRANSPORTATION DEMAND MANAGEMENT PLAN (TDM): The Developer shall prepare a Transportation Demand Management Plan for the Town of Los Gatos approval prior to the issuance of any building permit. The TDM shall include the measures such as bicycle facility provisions, shower facilities, local shuttle service, transit passes and subsidies, carpool incentive, designated car share parking, and other measures that may be required by the Town Engineer to obtain a goal of a 15% vehicle trip reduction. The TDM shall also include a TDM Coordinator and identify the requirement for an annual TDM effectiveness report to the Town of Los Gatos. A Townwide shuttle program fee may be required based on TDM findings.

92. BICYCLE FACILITIES: Bicycle facilities including, but may not be limited to, bike lanes and bike boxes will be provided in all directions and approaches of improved streets and intersections as directed by Town Engineer.
93. TRAFFIC STUDY: Any development of land use that generates greater traffic impacts than those assumed in the traffic study report may require an updated traffic study in accordance with the Town's traffic impact policy.
94. TRAFFIC IMPACT MITIGATION FEE: Prior to the issuance of any building/grading permits, the Developer shall pay the project's proportional share of transportation improvements needed to serve cumulative development within the Town of Los Gatos. The fee amount will be based upon the Town Council resolution in effect, and the fee shall be paid before issuance of any grading or building permit. The final traffic impact mitigation fee for this project is **$304,571.72.**
95. CONSTRUCTION VEHICLE PARKING: No construction vehicles, trucks, equipment and worker vehicles shall be allowed to park on the portion of any public (Town) streets without written approval from the Town Engineer.
96. TRAFFIC CONTROL PLAN: A traffic control plan is required and must be submitted and approved by the Town Engineer prior to the issuance of an encroachment, grading or building permit. This plan shall include, but not be limited to, the following measures:
    a) Construction activities shall be strategically timed and coordinated to minimize traffic disruption for schools, residents, businesses, special events, and other projects in the area. The schools located on the haul route shall be contacted to help with the coordination of the trucking operation to minimize traffic disruption.
    b) Flag persons shall be placed at locations necessary to control one-way traffic flow. All flag persons shall have the capability of communicating with each other to coordinate the operation.
    c) Prior to construction, advance notification of all affected residents and emergency services shall be made regarding one-way operation, specifying dates and hours of operation.
97. CONSTRUCTION TRAFFIC CONTROL: All construction traffic and related vehicular routes, traffic control plan, and applicable pedestrian or traffic detour plans shall be submitted for review and approval by the Town Engineer prior to the issuance of an encroachment, grading or building permit.
98. ADVANCE NOTIFICATION: Advance notification of all affected residents and emergency services shall be made regarding parking restriction, lane closure or road closure, with specification of dates and hours of operation.
99. HAULING OF SOIL: Hauling of soil on- or off-site shall not occur during the morning or evening peak periods (between 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m.), and at other times as specified by the Director of Parks and Public Works. Prior to the issuance of an encroachment, grading or building permit, the Developer or their representative shall work with the Town Building Department and Engineering Division Inspectors to devise a traffic control plan to ensure safe and efficient traffic flow under periods when soil is hauled on or off the project site. This may include, but is not limited to provisions for the Developer to place construction notification signs noting the dates and time of construction and hauling activities, or providing additional traffic control. Coordination with other significant projects in the area may also be required. Cover all trucks hauling soil, sand and other loose debris.

100. CONSTRUCTION HOURS: All construction activities, including the delivery of construction materials, labors, heavy equipment, supplies, etc., shall be limited to the hours of 8:00 a.m. to 6:00 p.m., weekdays and 9:00 a.m. to 4:00 p.m. Saturdays, holidays excluded. The Town may authorize, on a case-by-case basis, alternate construction hours. The Developer shall provide written notice twenty-four (24) hours in advance of modified construction hours. Approval of this request is at discretion of the Town.

101. CONSTRUCTION NOISE: Between the hours of 8:00 a.m. to 8:00 p.m., weekdays and 9:00 a.m. to 7:00 p.m. weekends and holidays, construction, alteration or repair activities shall be allowed. No individual piece of equipment shall produce a noise level exceeding eighty-five (85) dBA at twenty-five (25) feet from the source. If the device is located within a structure on the property, the measurement shall be made at distances as close to twenty-five (25) feet from the device as possible. The noise level at any point outside of the property plane shall not exceed eighty-five (85) dBA.

102. CONSTRUCTION MANAGEMENT PLAN SHEET: Prior to the issuance of any encroachment, grading or building permits, the Developer's design consultant shall submit a construction management plan sheet (full-size) within the plan set that shall incorporate at a minimum the Earth Movement Plan, Traffic Control Plan, Project Schedule, site security fencing, employee parking, construction staging area, materials storage area(s), construction trailer(s), concrete washout(s) and proposed outhouse locations. Please refer to the Town's Construction Management Plan Guidelines document for additional information.

OTHER PERMITS:

103. SANITARY SEWER BACKWATER VALVE: Drainage piping serving fixtures which have flood level rims less than twelve (12) inches (304.8 mm) above the elevation of the next upstream manhole and/or flushing inlet cover at the public or private sewer system serving such drainage piping shall be protected from backflow of sewage by installing an approved type backwater valve. Fixtures above such elevation shall not discharge through the backwater valve, unless first approved by the Building Official. The Town shall not incur any liability or responsibility for damage resulting from a sewer overflow where the property owner or other person has failed to install a backwater valve as defined in the Uniform Plumbing Code adopted by the Town and maintain such device in a functional operation condition. Evidence of West Sanitation District's decision on whether a backwater device is needed shall be provided prior to the issuance of a building permit.

STORMWATER MANAGEMENT:

104. STORMWATER MANAGEMENT: Construction activities including but not limited to clearing, stockpiling, grading or excavation of land, which disturbs one (1) acre or more which are part of a larger common plan of development which disturbs less than one (1) acre are required to obtain coverage under the construction general permit with the State Water Resources Control Board. The Developer is required to provide proof of WDID# and keep a current copy of the storm water pollution prevention plan (SWPPP) on the construction site and shall be made available to the Town of Los Gatos Engineering Division of the Parks and Public Works Department and/or Building Department upon request.

105. BEST MANAGEMENT PRACTICES (BMPs): The Developer is responsible for ensuring that all contractors are aware of all storm water quality measures and that such measures are implemented. Best Management Practices (BMPs) shall be maintained and be placed for all areas that have been graded or disturbed and for all material, equipment and/or operations that need protection. Removal of BMPs (temporary removal during construction activities)

shall be replaced at the end of each working day. Failure to comply with the construction BMP will result in the issuance of correction notices, citations, or stop work orders.

106. STORMWATER DEVELOPMENT RUNOFF: All new development and redevelopment projects are subject to the stormwater development runoff requirements. Every Developer or their design consultant shall submit a stormwater control plan and implement conditions of approval that reduce stormwater pollutant discharges through the construction, operation and maintenance of treatment measures and other appropriate source control and site design measures. Increases in runoff volume and flows shall be managed in accordance with the development runoff requirements.

107. REGULATED PROJECT: The project is classified as a Regulated Project per Provision C.3.b.ii. and is required to implement LID source control, site design, and stormwater treatment on-site in accordance with Provisions C.3.c. and C.3.d..

108. SITE DESIGN MEASURES: All projects shall incorporate at least one of the following measures:
    a) Protect sensitive areas and minimize changes to the natural topography.
    b) Minimize impervious surface areas.
    c) Direct roof downspouts to vegetated areas.
    d) Use porous or pervious pavement surfaces on the driveway, at a minimum.
    e) Use landscaping to treat stormwater.

109. BIORETENTION SYSTEM: The bioretention system(s) shall be designed to have a surface area no smaller than what is required to accommodate a 5 inches/hour stormwater runoff surface loading rate, infiltrate runoff through bioretention soil media at a minimum of 5 inches per hour, and maximize infiltration to the native soil during the life of the project. The soil media for bioretention system(s) shall be designed to sustain healthy, vigorous plant growth and maximize stormwater runoff retention and pollutant removal. Bioretention soil media that meets the minimum specifications set forth in Attachment L of Order No. R2-2009-0074, dated November 28, 2011, shall be used.

110. LANDSCAPING: In finalizing the landscape plan for the biotreatment area(s), it is recommended that the landscape architect ensure that the characteristics of the selected plants are similar to those of the plants listed for use in bioretention areas in Appendix D of the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) C.3 Stormwater Handbook.

111. LANDSCAPE MAINTENANCE AGREEMENT: The Developer shall enter into a Landscape Maintenance Agreement with the Town of Los Gatos in which the Developer agrees to maintain the vegetated areas along the project's Street Name frontage located within the public right-of-way. The agreement must be completed and accepted by the Town Attorney prior to the issuance of any encroachment, grading or building permits.

112. EROSION CONTROL: Interim and final erosion control plans shall be prepared and submitted to the Engineering Division of the Parks and Public Works Department. A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) shall be submitted to the San Francisco Bay Regional Water Quality Control Board for projects disturbing more than one (1) acre. A maximum of two (2) weeks is allowed between clearing of an area and stabilizing/building on an area if grading is allowed during the rainy season. Interim erosion control measures, to be carried out during construction and before installation of the final landscaping, shall be included. Interim erosion control method shall include, but are not limited to: silt fences, fiber rolls (with locations and details), erosion control blankets, Town standard seeding specification, filter berms, check dams, retention basins, etc. Provide

erosion control measures as needed to protect downstream water quality during winter months. The grading, drainage, erosion control plans and SWPPP shall be in compliance with applicable measures contained in the amended provisions C.3 and C.14 of most current Santa Clara County National Pollutant Discharge Elimination System (NPDES) Municipal Regional Permit (MRP). Monitoring for erosion and sediment control is required and shall be performed by the Qualified SWPPP Developer (QSD) or Qualified SWPPP Practitioner (QSP) as required by the Construction General Permit. Stormwater samples are required for all discharge locations and projects may not exceed limits set forth by the Construction General Permit Numeric Action Levels and/or Numeric Effluent Levels. A Rain Event Action Plan (REAP) must be developed forty-eight (48) hours prior to any likely precipitation even, defined by a fifty (50) percent or greater probability as determined by the National Oceanic and Atmospheric Administration (NOAA), and/or whenever rain is imminent. The QSD or QSP must print and save records of the precipitation forecast for the project location area from (http://www.srh.noaa.gov/forecast) which must accompany monitoring reports and sampling test data. A rain gauge is required on-site. The Town of Los Gatos Engineering Division of the Parks and Public Works Department and the Building Department will conduct periodic NPDES inspections of the site throughout the recognized storm season to verify compliance with the Construction General Permit and Stormwater ordinances and regulations.

113. DUST CONTROL: Blowing dust shall be reduced by timing construction activities so that paving and building construction begin as soon as possible after completion of grading, and by landscaping disturbed soils as soon as possible. Further, water trucks shall be present and in use at the construction site. All portions of the site subject to blowing dust shall be watered as often as deemed necessary by the Town, or a minimum of three (3) times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites in order to insure proper control of blowing dust for the duration of the project. Watering on public streets shall not occur. Streets shall be cleaned by street sweepers or by hand as often as deemed necessary by the Town Engineer, or at least once a day. Watering associated with on-site construction activity shall take place between the hours of 8 a.m. and 5 p.m. and shall include at least one (1) late-afternoon watering to minimize the effects of blowing dust. All public streets soiled or littered due to this construction activity shall be cleaned and swept on a daily basis during the workweek to the satisfaction of the Town. Demolition or earthwork activities shall be halted when wind speeds (instantaneous gusts) exceed twenty (20) miles per hour (MPH). All trucks hauling soil, sand, or other loose debris shall be covered.

114. AIR QUALITY: To limit the project's construction-related dust and criteria pollutant emissions, the following the Bay Area Air Quality Management District (BAAQMD)-recommended basic construction measures shall be included in the project's grading plan, building plans, and contract specifications:

a) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day, or otherwise kept dust-free.
b) All haul trucks designated for removal of excavated soil and demolition debris from site shall be staged off-site until materials are ready for immediate loading and removal from site.
c) All haul trucks transporting soil, sand, debris, or other loose material off-site shall be covered.

d) As practicable, all haul trucks and other large construction equipment shall be staged in areas away from the adjacent residential homes.
e) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day, or as deemed appropriate by Town Engineer. The use of dry power sweeping is prohibited. An on-site track-out control device is also recommended to minimize mud and dirt-track-out onto adjacent public roads.
f) All vehicle speeds on unpaved surfaces shall be limited to fifteen (15) miles per hour.
g) All driveways and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
h) Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within forty-eight (48) hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations. Please provide the BAAQMD's complaint number on the sign: 24-hour toll-free hotline at 1-800-334-ODOR (6367).
i) All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed twenty (20) miles per hour.
j) Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.

115. DETAILING OF STORMWATER MANAGEMENT FACILITIES: Prior to the issuance of any grading or building permits, all pertinent details of any and all proposed stormwater management facilities, including, but not limited to, ditches, swales, pipes, bubble-ups, dry wells, outfalls, infiltration trenches, detention basins and energy dissipaters, shall be provided on submitted plans, reviewed by the Engineering Division of the Parks and Public Works Department, and approved for implementation.

116. CONSTRUCTION ACTIVITIES: All construction shall conform to the latest requirements of the CASQA Stormwater Best Management Practices Handbooks for Construction Activities and New Development and Redevelopment, the Town's grading and erosion control ordinance, and other generally accepted engineering practices for erosion control as required by the Town Engineer when undertaking construction activities.

117. STORMWATER DISCHARGE: New buildings, such as food service facilities and/or multi-family residential complexes or subdivisions, shall provide a covered or enclosed area for dumpsters and recycling containers. The area shall be designed to prevent water run-on to the area and runoff from the area. Areas around trash enclosures, recycling areas, and/or food compactor enclosures shall not discharge directly to the storm drain system. Any drains installed in or beneath dumpsters, compactors, and tallow bin areas serving food service facilities shall be connected to the sanitary sewer. The Developer shall contact the local permitting authority and/or sanitary district with jurisdiction for specific connection and discharge requirements.

118. SITE DRAINAGE: Rainwater leaders shall be discharged to splash blocks. No through curb drains will be allowed. Any storm drain inlets (public or private) directly connected to public storm system shall be stenciled/signed with appropriate "NO DUMPING - Flows to Bay" NPDES required language. On-site drainage systems for all projects shall include one of the alternatives included in section C.3.i of the Municipal Regional NPDES Permit. These include storm water reuse via cisterns or rain barrels, directing runoff from impervious surfaces to

vegetated areas and use of permeable surfaces. If stormwater treatment facilities are to be used they shall be placed a minimum of ten (10) feet from the adjacent property line and/or right-of-way. Alternatively, the facility(ies) may be located with an offset between 5 and 10 feet from the adjacent property and/or right-of-way line(s) if the responsible engineer in charge provides a stamped and signed letter that addresses infiltration and states how facilities, improvements and infrastructure within the Town's right-of-way (driveway approach, curb and gutter, etc.) and/or the adjacent property will not be adversely affected. No improvements shall obstruct or divert runoff to the detriment of an adjacent, downstream or down slope property. http://www.scvurppp-w2k.com/nd_wp.shtml?zoom_highlight=BIOTREATMENT+SOIL.

119. AGREEMENT FOR STORMWATER BEST MANAGEMENT PRACTICES INSPECTION AND MAINTENANCE OBLIGATIONS: The property owner shall enter into an agreement with the Town for maintenance of the stormwater filtration devices required to be installed on this project by the Town's Stormwater Discharge Permit and all current amendments or modifications. The agreement shall specify that certain routine maintenance shall be performed by the property owner and shall specify device maintenance reporting requirements. The agreement shall also specify routine inspection requirements, permits and payment of fees. The agreement shall be recorded, and an electronic copy (PDF) of the recorded agreement shall be submitted to the Engineering Division of the Parks and Public Works Department, prior to the release of any occupancy permits.
120. SILT AND MUD IN PUBLIC RIGHT-OF-WAY: It is the responsibility of Contractor to make sure that all dirt tracked into the public right-of-way is cleaned up on a daily basis. Mud, silt, concrete and other construction debris SHALL NOT be washed into the Town's storm drains.
121. GOOD HOUSEKEEPING: Good housekeeping practices shall be observed at all times during the course of construction. All construction shall be diligently supervised by a person or persons authorized to do so at all times during working hours. The Developer's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in penalties and/or the Town performing the required maintenance at the Developer's expense.

GENERAL:

122. NEIGHBORHOOD CONSTRUCTION COMMUNICATION PLAN: Prior to the issuance of an encroachment, or grading or building permit, the Developer shall initiate a weekly neighborhood email notification program to provide project status updates. The email notices shall also be posted on a bulletin board placed in a prominent location along the project perimeter.
123. PERMIT ISSUANCE: Permits for each phase; reclamation, landscape, and grading, shall be issued simultaneously.
124. COVERED TRUCKS: All trucks transporting materials to and from the site shall be covered.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

125. Review of this Developmental proposal is limited to acceptability of site access, water supply and may include specific additional requirements as they pertain to fire department operations, and shall not be construed as a substitute for formal plan review to determine compliance with adopted model codes. Prior to performing any work, the applicant shall make application to, and receive from, the Building Department all applicable construction permits.

126. FIRE SPRINKLERS REQUIRED: (As noted on Sheet A-0.0) Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in this Section or in Sections 903.2.1 through 903.2.19 whichever is the more restrictive. For the purposes of this section, firewalls and fire barriers used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations. 1. In other than residential buildings which require the installation of fire sprinklers for all new buildings according to the California Residential Code, an automatic sprinkler system shall be provided throughout all new buildings and structures.
127. FIRE ALARM SYSTEM REQUIRED: (As noted on Sheet A-0.0) A manual and automatic fire alarm system shall be installed in Group R-2, R-2.1, R-2.2 occupancies.
128. NEW FIRE HYDRANT: (As shown on Sheet LS-1.0 and LS-2.0) Provide fire hydrants at locations to be determined jointly by the Fire Department and San Jose Water Company. Maximum hydrant spacing shall be 500 feet, with a hydrant flow of 1,000 GPM at minimum 20 psi, residual. Fire hydrants shall be provided along required fire apparatus access roads and adjacent public streets. CFC Sec. 507, and Appendix B and associated Tables, and Appendix C. Required fire flow shall be provided for new fire hydrant.
129. REQUIRED AERIAL ACCESS: (As shown on Sheet A-1.9) Where required: Buildings or portions of buildings or facilities exceeding 30 feet (9144 mm) in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway. 2. Width: Fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925) in the immediate vicinity of any building or portion of building more than 30 feet (9144 mm) in height. 3. Proximity to building: At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572) and a maximum of 30 feet (9144mm) from the building, and shall be positioned parallel to one entire side of the building, as approved by the fire code official. [CFC Chp. 5 and SCCFD SD&S A-1].
130. FIRE APPARATUS ACCESS ROADS REQUIRED FOR BUILDINGS AND FACILITIES: Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or with the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. [CFC, Section 503.1.1]. Distances of up to 300 feet are approved.
131. TIMING OF INSTALLATION: When fire apparatus access roads or a water supply for fire protection is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except when approved alternative methods of protection are provided. Temporary street signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles in accordance with Section 505.2. Construction documents. Construction documents for proposed fire apparatus access, location of fire lanes, security gates across fire apparatus access and construction documents and hydraulic calculations for fire hydrant systems shall be submitted to the fire department for review and approval prior to construction. CFC Sec. 501.3, 501.4.
132. EMERGENCY GATE/ACCESS GATE REQUIREMENTS: (As noted on Sheet A-2.0) Gate installations shall conform with Fire Department Standard Details and Specification G-1 and,

when open shall not obstruct any portion of the required width for emergency access roadways or driveways. Locks, if provided, shall be fire department approved prior to installation. Gates across the emergency access roadways shall be equipped with an approved access devices. If the gates are operated electrically, an approved Knox key switch shall be installed; if they are operated manually, then an approved Knox padlock shall be installed. Contact www.knoxbox.com to order key switch for gate. CFC Sec. 503.6 and 506.

133. FIRE DEPARTMENT CONNECTION: The fire department connection (FDC) for the structure in support of the sprinkler system shall be installed at the street on the street address side of the building. It shall be located within 100 feet of a public fire hydrant and within ten (10) feet of the main PIV (unless otherwise approved by the Chief due to practical difficulties). FDC's shall be equipped with a minimum of two (2), two-and-one-half (2- 1/2") inch national standard threaded inlet couplings. Orientation of the FDC shall be such that hose lines may be readily and conveniently attached to the inlets without interference. FDC's shall be painted safety yellow. [SCCFD, SP-2 Standard.]

134. REQUIRED SECONDARY FIRE DEPT. ACCESS: (As shown on Sheet C-2.1) Commercial and Industrial Developments 1. Buildings exceeding three stories or 30 feet in height. Buildings or facilities exceeding 30 feet (9144 mm) or three stories in height shall have a least two means of fire apparatus access for each structure. 2. Buildings exceeding 62,000 square feet in area. Buildings or facilities having a gross building area of more than 62,000 square feet (5760 mm) shall be provided with two separate and approved fire apparatus access roads. Exception: Projects having a gross building area of up to 124,000 square feet (11520 mm) that have a single approved fire apparatus access road when all buildings are equipped throughout with approved automatic sprinkler systems. Multi-Family Residential Developments (R-1 & R-2 occupancies) 1. Multi-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads. CFC Sec. Chp. 5.

PLANNING COMMISSION – August 9, 2023
CONDITIONS OF APPROVAL

15860-15894 Winchester Boulevard and 17484 Shelburne Way
Conditional Use Permit Application U-21-010

Requesting Approval for 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 O. APN 529-11-013, -038, -039, and -040. An Initial Study and Mitigated Negative Declaration Have Been Prepared for This Project.
APPLICANT/PROPERTY OWNER: Green Valley Corp. d.b.a. Swenson

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

Planning Division

1. APPROVAL: This application shall be completed in accordance with all of the conditions of approval and in substantial compliance with the approved plans. Any changes or modifications to the approved plans shall be approved by the Community Development Director, DRC, or the Planning Commission depending on the scope of the changes.
2. EXPIRATION: The approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the approval has been vested per Section 29.20.335 of the Town Code. Reasonable extensions of time not exceeding one year may be granted upon application, and can be granted if approved by the deciding body prior to the expiration date. Therefore, it is recommended that applications for a time extension be filed with the Community Development Department at least 60 days prior to the expiration date of the approval.
3. LAPSE FOR DISCONTINUANCE: If the activity for which the Conditional Use Permit has been granted is discontinued for a period of one (1) year, the approval lapses pursuant to Section 29.20.340 of the Zoning Ordinance.
4. USE: The approved use is for an assisted living and memory care facility.
5. CERTIFICATE OF USE AND OCCUPANCY: A Certificate of Use and Occupancy must be obtained prior to commencement of use.
6. BUSINESS LICENSE: A business license is required from the Town of Los Gatos Finance Department prior to commencement of use.
7. TOWN INDEMNITY: Applicants are notified that Town Code Section 1.10.115 requires that any applicant who receives a permit or entitlement ("the Project") from the Town shall defend (with counsel approved by Town), indemnify, and hold harmless the Town, its agents, officers, and employees from and against any claim, action, or proceeding (including

without limitation any appeal or petition for review thereof) against the Town or its agents, officers or employees related to an approval of the Project, including without limitation any related application, permit, certification, condition, environmental determination, other approval, compliance or failure to comply with applicable laws and regulations, and/or processing methods ("Challenge"). Town may (but is not obligated to) defend such Challenge as Town, in its sole discretion, determines appropriate, all at applicant's sole cost and expense.

Applicant shall bear any and all losses, damages, injuries, liabilities, costs and expenses (including, without limitation, staff time and in-house attorney's fees on a fully-loaded basis, attorney's fees for outside legal counsel, expert witness fees, court costs, and other litigation expenses) arising out of or related to any Challenge ("Costs"), whether incurred by Applicant, Town, or awarded to any third party, and shall pay to the Town upon demand any Costs incurred by the Town. No modification of the Project, any application, permit certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in such Challenge as Town, in its sole discretion, determines appropriate, all the applicant's sole cost and expense. No modification of the Project, any application, permit certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in processing methods shall alter the applicant's indemnity obligation.

8. COMPLIANCE MEMEMORANDUM: A memorandum, in compliance with standard Town practice, shall be prepared and submitted with the building permit detailing how the conditions of approval will be addressed.

Building Division

9. A comprehensive plan review has not been completed for this CUP modification under consideration by the Development Review Committee and compliance with applicable codes have not been verified.
10. PERMITS. No work requiring Building Permits can commence without issuance of any required Building Permits. Building Permit plan review, including review by the Santa Clara County Fire Department and the Parks and Public Works Department, will be part of any required Building Permit application process.
11. ACCESSIBILITY. In addition to all new work complying with the Code for accessibility, when existing buildings are altered or remodeled, they must be made accessible to persons with physical disabilities in accordance with the CBC Section 11B-202, "Existing buildings and facilities".

SWENSON

April 5, 2021
REVISED August 2, 2022

Jennifer Armer
Senior Planner
Community Development Department
110 E. Main Street
Los Gatos, CA 95030

RE: Winchester Assisted Living
15860 Winchester Blvd
Project Description

Swenson is proud to present our proposed development, Winchester Assisted Living, located at 15860 Winchester Blvd, a two to three-story Assisted Living and Memory Care facility, consisting of 18 memory care units and 117 assisted living units for a combined total of 135 units. In addition to the living units, the project has two separate dining rooms, a commercial kitchen, theater, library, great room, and other common use spaces throughout. The outdoor spaces include both common use areas which consist of three different landscaped courtyards at the first-floor podium level as well as private use patios adjacent to the ground floor garden units to the south and east of our project.

In 2017, the site was originally entitled for a 30,070 square foot office building consisting of two-stories at 31 feet and 2 inches in height, with surface and underground parking with a total of 128 spaces. The newly proposed project includes the demolition of three single-family homes, a Conditional Use Permit to operate a Senior Assisted Living and Memory Care Facility, 54 parking spaces, and two Variance Requests. Site development would include courtyards, visitor and employee parking, new landscaping, and energy efficient construction, including solar.

The proposed building lot coverage is at 50%, conforming to the total lot coverage permitted in the 2020 General Plan for the Office Professional designated Land Use. The building height of the proposed project complies with the Office Land Use Designation along the Winchester Blvd frontage and southern property line. However, due to the topography and slope of the lot along Shelburne Way towards University Ave, the rear of the building does exceed the allowable 35-foot height limit.

As part of the development proposal, the project is requesting two variances. The first variance, the project is seeking to utilize the 2020 General Plan lot coverage maximum of 50% instead of the current zoning lot coverage maximum of 40%. The second variance, the proposed project height of the building is meeting the height requirements of the zoning code along the Winchester Blvd frontage, however due to the slope of the lot along Shelburne Way, the height of the building exceeds the 35-foot height limit at the mid and rear point of the property.

EXHIBIT 6

To accommodate the functionality of the facility and to provide a full-service senior care and assisted living operator, the project is seeking to achieve these two variances. The lot coverage variance request aims to achieve the long-term outlook of the 2020 General Plan while incorporating an efficient operator design and adhering to concerns from the neighbors regarding vertical massing. The intent of the height variance request due to the slope conditions of the site, is to accomplish architectural expectations and continuity set forth by the town general plan and CDAC, in addition to providing architectural features to act as screening for the solar panel system incorporated into the building.

The intent of the overall design of this project is to convey a hillside estate feel with an Italian revival influence that features elements of tiled roof with deep set decorative eaves, picture framed windows, symmetrical facades, columns, and balustrades. When designing this project, Swenson wanted to maintain the original rhythm of the neighborhood by replacing the existing three homes on the site with a structure that reflected the same three-part rhythm facing onto Winchester Avenue. These three segments of the building are in the general same location as the original homes with the most southern of these wings stepping down to second story. This was done as a way of creating visual interest through asymmetry and to segue between our project and the neighboring University Oaks townhomes to the south of our development. Our project steps down even further on either end of the building entrance with a framed entry / exit to the porte cochere.

The project goal is to provide high quality care facility for the aging senior population of Los Gatos and surrounding community. The development will offer a place for older residents to transition from their current residence and provide a safe and communitive environment for their age group, all while fitting symbiotically into the surrounding community and neighborhood.

Thank you for your time,

Jessie Bristow
Development Project Manager
Swenson
831-706-8672
jbristow@swenson.com

SWENSON

December 13, 2021
REVISED November 2, 2021
REVISED October 7, 2021
REVISED July 30, 2021
REVISED August 2, 2022

Melanie Hanssen, Chair
Los Gatos Planning Commission
Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95030

RE: Revised Letter of Justification, Winchester Memory Care and Assisted Living

Dear Planning Commission Chair Hanssen:

Swenson is pleased to present this letter of justification for its proposed redevelopment of 15890 Winchester Boulevard, Los Gatos (the "Property"). This 1.31-acre site consists of four parcels (APNs 529-11-13, -38, -39, and 40) and is located at the northeast corner of Winchester Blvd and Shelburne Way.

The Property is zoned Office and is currently entitled for a 30,070 square foot modern design office and commercial building consisting of two-stories, with 128 surface and underground parking spaces. This project was never constructed. Swenson now proposes a 125-unit, amenity rich assisted living and memory care facility. In keeping with the Town's design objectives and surrounding buildings and residences, the building has a Mediterranean, Italian Revival Estate design, with a tile mansard roof, Mediterranean articulation, exterior courtyards and natural Mediterranean landscaping. It includes below level garage parking with 49 spaces, as well as five visitor surface level parking spaces. Not only does this project fulfill a much-needed requirement for the Town's aging community, but according to the California Department of Housing and Community Development, Senior Housing and Assisted Living Units count toward the Town's quota toward the Annual Progress Report for Regional Housing Needs Assessment reporting.

Swenson's submission includes an application for a Conditional Use Permit to operate a Senior Assisted Living and Memory Care Facility at the Property and two variances requesting to achieve 50% lot coverage as permitted in the Los Gatos 2020 General Plan, and to exceed the Town's height limitation in a small portion of the building. In addition to detailing the variances requested, this letter responds to comments received from the neighboring owners, Conceptual Development Advisory Committee (CDAC), community engagement with Los Gatos Senior Recreation, Community Health and Senior Services and Los Gatos Service providers, and Planning Staff. The project has been designed to conform to its zoning designation in all other respects.

777 N. 1st Street, 5 t h Floor, San Jose, CA 95112 | 408. 287.0246 | A Division of Green Valley Corporation | License # 342751

107 Housing Units for the Town

According to the United States Census Bureau, units in assisted living facilities are considered to be housing units. According to the California Department of Housing and Community Development, the project's senior housing and assisted living units count toward the Annual Progress Report for Regional Housing Needs Assessment reporting. The definition is as follows, "Beds or quarters in an institution or hospital do not count, but separate living quarters per the census definition. For example, senior housing with individual units that would allow for eating and living separately for the broader community could count." All proposed assisted living units have been designed to include kitchenettes that provide a separate eating option for the residents.

Variances Requested

As part of the development proposal, the project is requesting two variances. The first variance request is for the overall allowed lot coverage. The second variance request is to allow certain sections of the building to break the permitted height limit. Swenson met with the neighboring University Oaks residents multiple times to help implement a design that was favorable and reflective of their concerns they had regarding the previously entitled office project and concerns they had for Swenson's newly proposed project.

The project is seeking to utilize the 2020 General Plan lot coverage maximum of 50% instead of the current zoning lot coverage maximum of 40%. The lot coverage variance request aims to achieve the long-term outlook of the 2020 General Plan while incorporating an efficient operator design. By allowing the building to have a larger footprint, the services and amenities are appropriately laid out, and eliminates the need for the building to have more vertical height across its entire design. The southern wing of the building was adjusted to be two-stories at the Winchester Blvd frontage so that it is in keeping with the neighboring character of the adjacent residential development. The southern wing also has a side lot setback of 16 feet, six feet more than the code requirements, and will be screened by trees and masonry wall, to further address privacy and shadowing concerns voiced by the residential neighbors. By granting a variance to permit lot coverage from 40% to 50%, in accordance with Town Code 29.20.170 (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, the proposed development would be adhering to the long term goal of the General Plan to permit 50% lot coverage, and in order to create economic feasibility and provide a senior care facility for the community, a higher utilization of lot coverage is necessary. Additionally, nearby facilities of similar zoning exceed the 40% lot coverage limitation. 15427 Winchester Blvd has a gross square footage of 15,510 SQ FT, and the lot is 36,954 SQFT, allowing for the property to enjoy a 42% overall lot coverage.

The building height of the proposed project complies with the Office Land Use designation along the Winchester Blvd frontage and southern property line. However, due to the topography and slope of the lot along Shelburne Way towards University Ave, a small area of the building exceeds the allowable 35-foot height limit. From the Shelburne Way frontage, a total of 340 square feet of building façade exceeds the height limit. From the pedestrian level viewpoint, 232 square feet of total building façade of exceeding the height limit is visible. The revised plan set for this resubmittal demonstrates the changes

made from the previous design to the current design. Please see the Figure 1 below and Sheets A-3.0, 3.1, and 3.2. The building also provides rooftop solar panels to help meet the Town's environmental and sustainable goals, and achieve LEED Silver certification. The tile mansard roof acts as a roof screen for the solar panels, however, this element is an architectural feature that exceeds the height limit. Although the design is not a true roof, the intent of the mansard roof is to meet the architectural expectations of a Mediterranean estate style strongly preferred by the Town at the CDAC meeting.

Figure 1: Height Variance and Building Stepback

In accordance with Town Code 29.20.170 (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, the findings can be made that the slope of the lot proves challenging for proposed development to meet the height restrictions.

The variance request is to allow certain sections of the building to break the permitted height limit. This variance request is necessary (1) due to the slope and topography of the building site, (2) to adequately address the Town's desire for true Mediterranean style architecture, and (3) to address neighboring owners' concerns over light, air and views, all while allowing for an adequate number of units to support the viability of this amenity-rich senior community. Swenson has gone through several design iterations and minimized the non-conforming area as much as possible.

Public Comment Clarification:

Planning Staff received public comment on July 27, 2021, requesting clarification regarding building height calculation and number of levels for the proposed development. The clarification is provided as follows:

The proposed project is measured from one datum point based on the site's main street frontage of Winchester Blvd. As a natural architectural practice this measurement point is consistent regardless of the grade plane of the site.

The southern wing closest to the University Oaks community, has a building height of 23 feet, the mansard roof is five and a half feet, and the garage level is 11 feet. In total the height is 39.5 feet. From the Winchester Blvd frontage, the building height from grade is 23 feet, 28.5 if including the mansard roof. When measured from the sloping grade as the building moves down slope to the east, at 170 feet inward from the Winchester Blvd frontage is when the southern wing of the building exceeds the 35-foot height limit. At this point of measurement is where the project is requesting a variance due to the mansard roof which is being provided in order to architecturally shield solar panels and rooftop equipment. The remaining upper floor is stepped far enough back so it is not visible from pedestrian view from the University Oaks private drive aisle (See Sheet A-3.3).

The ground level has been designed to be excavated to place units at garage level as low as possible to adhere to the height and massing concerns of the University Oaks neighbors. If this option is not preferred, the southern wing will be designed to be wider to accommodate more units and as a result will eliminate the additional six feet of setback provided and bring the southern building wing closer to the University Oaks townhomes. The variance requested pertains to height limits, not building level elements as commented on by the adjacent neighbor.

Swenson met with the neighboring University Oaks residents multiple times to help implement a design that was favorable and reflective of their concerns of the previously entitled office project and concerns they had for Swenson's newly proposed project.

The southern wing of the building was adjusted to be two-stories at the Winchester Blvd frontage so that it is in keeping with the neighboring character of the adjacent residential development. The southern wing also has a side lot setback of 16 feet, six feet more than the code requirements, and will be screened by trees and masonry wall, to further address privacy and shadowing concerns voiced by the residential neighbors.

On September 1, 2021, the Town of Los Gatos held a Staff Tech Review meeting review regarding the proposed development. As part of this review, Swenson discussed further stepping down the building height in order to address neighboring and staff concerns (See Sheet A-3.0 and 3.1).

Since the response to the Public Comment Clarification, the eastern side of the building has been stepped back away from the adjacent Los Gatos Dog and Cat Hospital and lowered in height. At the property line shared with the veterinarian hospital, the building has been reduced to three floors. The previous fourth floor has been eliminated in order to reflect a three-story structure on all sides of the development, and now offers a viewing deck for the residents at the east and northeast corner of the building.

Project Compatibility with the Los Gatos General Plan:

Land Use:
The proposed project has been designed to meet the Town of Los Gatos Zoning requirements and 2020 General Plan goals. The proposed setbacks, parking requirements, and overall building layout are intended to meet zoning code expectations. Swenson requests one variance which falls within Town Code 29.20.170, as discussed above.

Specific applicable goals and polices in the Los Gatos 2020 General Plan include:

LU-1.1 Encourage developers to engage in discussions as early as possible regarding the nature and scope of the project and possible impacts and mitigation requirements.

LU-1.2 Ensure that new development preserves and promotes existing commercial centers consistent with the maintenance of a small-scale, small-town atmosphere and image.

LU-1.4 Infill projects shall be designed in context with the neighborhood and surrounding zoning with respect to the existing scale and character of surrounding structures, and should blend rather than compete with the established character of the area.

LU-1.8 Commercial development of any type (office, retail, research and development, etc.) shall be designed in keeping with the small-town character of Los Gatos.

Community Design Element:
The three existing single-family homes on the site were built between the 1930's and 1940's. Prior to Swenson's ownership these houses were boarded up, occupied by the unhoused, overran with rodents and unsafe. The proposed project will provide a high-quality, energy efficient, LEED Silver building that compliments the neighborhood's character, history and future.

This building is designed to convey a hillside estate feel with an Italian revival influence that features such elements as a tiled roof with deep set decorative eaves, picture framed windows, symmetrical facades, columns, balustrades, courtyards, intentional landscaping and warm colors. When planning this project, Swenson wanted to maintain the original rhythm of the neighborhood by replacing the existing three homes on the site with a structure that reflected the same three part rhythm facing Winchester Blvd. These three segments of the building are located approximately in the same location as the original homes with the most southern of these wings stepping down to two levels from the Winchester Blvd frontage. This was accomplished by creating visual interest through asymmetry. The stepped southern wing was designed in response to neighbors' concerns to minimize the size of the building to their adjacent driveway. In addition, in response to staff comments the eastern top floor wing was stepped down to minimize massing and articulate the look of a three-story building from all sides. The project steps down even further on either end of the building entrance with a framed entry / exit to the porte cochere.

The senior housing project consists of 18 memory care units and 107 assisted living units for a combined total of 125 units. In addition to the living units, this project has two separate dining rooms, a commercial kitchen, theater, library, great room, exterior courtyards and other common use spaces throughout. The outdoor spaces include both common use areas, which consist of three different

landscaped courtyards at the first-floor podium level as well as private use patios off the ground floor garden units to the south and east of our project.

The redevelopment of the site will provide a desirable building for the Town's senior community. The overall layout, design, and architecture will meet community goals and expectations of new development projects.

Specific applicable goals and policies in the Los Gatos 2020 General Plan:

CD-1 Preserve and enhance Los Gatos's character through exceptional community design.

CD-1.1 Building elements shall be in proportion with those traditionally in the neighborhood.
CD-1.2 New structures, remodels, landscapes, and hardscapes shall be designed to harmonize and blend with the scale and rhythm of the neighborhood and natural features in the area.
CD-1.4 Development on all elevations shall be of high quality design and construction, a positive addition to and compatible with the Town's ambiance. Development shall enhance the character and unique identity of existing commercial and/or residential neighborhoods.

CD-3 To require utilities, landscaping, and streetscapes to contribute to Los Gatos' high quality character.

CD-3.2 Street and structural lighting shall be required to minimize its visual impacts by preventing glare, limiting the amount of light that falls on neighboring properties, and avoiding light pollution of the night sky.
CD-3.4 Encourage the use of landscaping such as trees, large shrubs, and trellised vines to mitigate the effects of building mass, lower noise, and reduced heat generation.

Human Services:
The proposed development provides a much needed service to the growing senior population located within the Town of Los Gatos, surrounding community and region. The new facility will accommodate residents who are downsizing from their primary homes and are seeking assistance and support with their daily routines. The facility will also accommodate populations who require monitored care as they continue to age and need daily services from staff. The intent of this project is to provide a high-quality assisted living and memory care facility for seniors that offers all types of needed services for the betterment of the aging population and community. As discussed above, the 107 units containing kitchens will count toward the Town's RHNA numbers.

Specific applicable goals and policies in the Los Gatos 2020 General Plan:

HS-1 To ensure resources and programs are available for the health needs of the entire community, including youth and seniors.

HS-1.3 Encourage a full array of health care professionals to locate their practices in Los Gatos.

HS-8 To ensure programs and facilities for social interaction for senior citizens.

HS-8.6 Encourage the establishment and operation of a dedicated space for seniors.

HS-9 To improve mobility and access to care and services for seniors.

HS-9.1 Ensure that seniors have convenient access to social and medical services, commercial areas, and transportation by coordinating with senior shuttle service providers.
HS-9.2 Encourage all new senior housing developments to provide transportation services.

HS-9.3 Encourage businesses and health care providers that serve seniors to locate in Town.

HS-10 To encourage a wide variety of types of senior housing, including independent living, residential care facilities, and affordable housing within the Town.

HS-10.1 Encourage new development or substantial remodels to incorporate barrier-free design principles to ensure access for people of all ages and abilities.

HS-11 To ensure safe environments for Los Gatos seniors.

HS-11.2 Continue daily public safety outreach and communications to seniors and their families requesting such support.

Transportation Element:
The Property is located along Winchester Boulevard and Shelburne Way. The main access for the facility's parking garage is located off Shelburne Way. A rotunda and care facility drop off is located on Winchester Boulevard. The facility will provide shuttle service for its residents. Given the use and residents, the project is not expected to generate unreasonable traffic, parking issues or congestion.

Hexagon Transportation Consultants conducted a full traffic operations analysis and concluded the following:

- The proposed project would not result in any significant VMT impact consistent with SB 743 and the Governor's Office of Planning and Research (OPR) recommendations.
- Because the project is expected to add fewer vehicle trips to the key signalized intersections compared to the prior approved office development proposed at the project site (Intersection LOS analysis from 2016 approved office development transportation study indicates all study intersections would operate at acceptable levels of service), it is concluded that the project would not result in any adverse operational effects at nearby intersections.
- The project proposed would not result in any queuing storage deficiencies at the study intersections.
- The project would not create any impacts to pedestrian, bike, or transit facilities.

Specific applicable goals and policies in the Los Gatos 2020 General Plan:

TRA-2.4 New Development shall minimize the number of driveway openings and curb cuts.

TRA-2.6 Street Improvements such as curb cuts, sidewalks, bus stops turnouts, bus shelters, light poles, traffic signals, benches and trash container shall be planned as an integral part of the development projects to ensure safe movement of people and vehicles and minimize disruption to the streetscape.

TRA-3 To prevent and mitigate traffic impacts from new development (all policies under Goal TRA-3).

TRA-5	To ensure that Los Gatos streets are safe for all users, including drivers, cyclists, and pedestrians.
TRA-9.6	Require development proposals to include amenities that encourage alternate forms of transportation that reduce pollution or traffic congestion as a benefit to the community (e.g. bicycle lockers/racks, showers, dedicated van-pool or car-pool parking areas, dedicated shuttle services, innovative bus shelter designs.
TRA-13	To provide adequate parking for existing and proposed uses, and to minimize impacts on surrounding residential neighborhoods.
TRA-13.3	Require adequate parking in commercial areas so as not to impact or affect adjacent residential properties.

Environmental and Sustainability Element:
The project will implement native plantings in its landscaping, water use efficiencies, photovoltaic panels, and aim to achieve LEED Silver certification. The project will meet Water Efficient Landscape Ordinance (WELO) standards, utilized recycled water for landscaping (if accessible), retain as many trees as possible, and provide mitigation and replacement for trees that are removed.

The proposed development has identified the removal of 22 protected trees, of which 7 are defined as Large Protected Trees. Due to the historical nature of the Property being utilized as single-family residential, the trees have flourished, but have also be minimally maintained. To best utilize the site under the office zoning designation, in addition to creating building space with efficient design due to the building height restrictions, the development proposes removing these identified trees. The arborist report made the following determinations based on the evaluation of the trees. The Town of Los Gatos Municipal Code Sec. 29.10.0990. - Standards of review and Sec. 29.10.0992. - Required findings have been referenced below:

Per the Town of Los Gatos Municipal Code Sec. 29.10.0990. - Standards of review, the following criteria can be determined due to the project providing 76 new trees on site, and six new street trees, while retaining 12 of the existing trees, for a total of 94 tress when the project is complete: (3) The removal of the tree(s) will not result in a density of trees or tree cover that is inconsistent with the neighborhood.

Protected Trees Proposed to be removed:

4: Weak structure and impacts from site improvements,
(1) The tree is dead, severely diseased, decayed or disfigured to such an extent that the tree is unable to recover or return to a healthy and structurally sound condition.
(2) The tree has a tree risk rating of Extreme or High on the ISA Tree Risk Rating Matrix as set forth in the ISA Tree Risk Assessment Best Management Practices, or successor publication

5: Impacts from site improvements
Street Tree
Existing street trees will be replaced with 6 new street trees.

7: Impacts from site improvements
Street Tree
Existing street trees will be replaced with 6 new street trees.

8: Located within proposed building footprint
(3) The tree is crowding other protected trees to the extent that removal or severe pruning is necessary to ensure the long-term viability of adjacent and more significant trees.
10 Weak structure and within building footprint
(1) The tree is dead, severely diseased, decayed or disfigured to such an extent that the tree is unable to recover or return to a healthy and structurally sound condition.
(2) The tree has a tree risk rating of Extreme or High on the ISA Tree Risk Rating Matrix as set forth in the ISA Tree Risk Assessment Best Management Practices, or successor publication

11: Within building footprint
(7) Except for properties within the hillsides, the retention of the protected tree would result in reduction of the otherwise-permissible building envelope by more than twenty-five (25) percent.

13: Within building footprint
(3) The tree is crowding other protected trees to the extent that removal or severe pruning is necessary to ensure the long-term viability of adjacent and more significant trees.
(7) Except for properties within the hillsides, the retention of the protected tree would result in reduction of the otherwise-permissible building envelope by more than twenty-five (25) percent.

14: Within driveway apron
Street Tree
Existing street trees will be replaced with 6 new street trees.
(4) The retention of the tree restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly situated properties, and the applicant has demonstrated to the satisfaction of the Director or deciding body that there are no reasonable alternatives to preserve the tree.

15: Site improvements
Street Tree
Existing street trees will be replaced with 6 new street trees.
(1) The tree is dead, severely diseased, decayed or disfigured to such an extent that the tree is unable to recover or return to a healthy and structurally sound condition.

17: Severe impacts from building construction, grading, and site improvements
(4) The retention of the tree restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly situated properties, and the applicant has demonstrated to the satisfaction of the Director or deciding body that there are no reasonable alternatives to preserve the tree.

19: Within building footprint
(4) The retention of the tree restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically

experienced by owners of similarly situated properties, and the applicant has demonstrated to the satisfaction of the Director or deciding body that there are no reasonable alternatives to preserve the tree.
(7) Except for properties within the hillsides, the retention of the protected tree would result in reduction of the otherwise-permissible building envelope by more than twenty-five (25) percent.

20: Within building footprint
(1) The tree is dead, severely diseased, decayed or disfigured to such an extent that the tree is unable to recover or return to a healthy and structurally sound condition.
(4) The retention of the tree restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly situated properties, and the applicant has demonstrated to the satisfaction of the Director or deciding body that there are no reasonable alternatives to preserve the tree.
(7) Except for properties within the hillsides, the retention of the protected tree would result in reduction of the otherwise-permissible building envelope by more than twenty-five (25) percent.

25: Within excavation footprint for building and site wall
(1) The tree is dead, severely diseased, decayed or disfigured to such an extent that the tree is unable to recover or return to a healthy and structurally sound condition.
(4) The retention of the tree restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly situated properties, and the applicant has demonstrated to the satisfaction of the Director or deciding body that there are no reasonable alternatives to preserve the tree.
(7) Except for properties within the hillsides, the retention of the protected tree would result in reduction of the otherwise-permissible building envelope by more than twenty-five (25) percent.

34: Within building footprint
(4) The retention of the tree restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly situated properties, and the applicant has demonstrated to the satisfaction of the Director or deciding body that there are no reasonable alternatives to preserve the tree.
(7) Except for properties within the hillsides, the retention of the protected tree would result in reduction of the otherwise-permissible building envelope by more than twenty-five (25) percent.

38: Site Improvements
(1) The tree is dead, severely diseased, decayed or disfigured to such an extent that the tree is unable to recover or return to a healthy and structurally sound condition.
(4) The retention of the tree restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly situated properties, and the applicant has demonstrated to the satisfaction of the Director or deciding body that there are no reasonable alternatives to preserve the tree.
(7) Except for properties within the hillsides, the retention of the protected tree would result in reduction of the otherwise-permissible building envelope by more than twenty-five (25) percent.

42: Within building footprint
(4) The retention of the tree restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly situated properties, and the applicant has demonstrated to the satisfaction of the Director or deciding body that there are no reasonable alternatives to preserve the tree.
(7) Except for properties within the hillsides, the retention of the protected tree would result in reduction of the otherwise-permissible building envelope by more than twenty-five (25) percent.

43: Within building footprint
(4) The retention of the tree restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly situated properties, and the applicant has demonstrated to the satisfaction of the Director or deciding body that there are no reasonable alternatives to preserve the tree.
(7) Except for properties within the hillsides, the retention of the protected tree would result in reduction of the otherwise-permissible building envelope by more than twenty-five (25) percent.

44: Within building footprint
(4) The retention of the tree restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly situated properties, and the applicant has demonstrated to the satisfaction of the Director or deciding body that there are no reasonable alternatives to preserve the tree.
(7) Except for properties within the hillsides, the retention of the protected tree would result in reduction of the otherwise-permissible building envelope by more than twenty-five (25) percent.

45: Within excavation footprint for site wall
(4) The retention of the tree restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly situated properties, and the applicant has demonstrated to the satisfaction of the Director or deciding body that there are no reasonable alternatives to preserve the tree.

Large Protected proposed to be removed:

9: Within building footprint
(4) The retention of the tree restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly situated properties, and the applicant has demonstrated to the satisfaction of the Director or deciding body that there are no reasonable alternatives to preserve the tree

12: Within building footprint
(1) The tree is dead, severely diseased, decayed or disfigured to such an extent that the tree is unable to recover or return to a healthy and structurally sound condition.
(7) Except for properties within the hillsides, the retention of the protected tree would result in reduction of the otherwise-permissible building envelope by more than twenty-five (25) percent.

16: Severe impacts from building construction, grading, and site improvements
(4) The retention of the tree restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly situated properties, and the applicant has demonstrated to the satisfaction of the Director or deciding body that there are no reasonable alternatives to preserve the tree.

18: Within building footprint
(4) The retention of the tree restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly situated properties, and the applicant has demonstrated to the satisfaction of the Director or deciding body that there are no reasonable alternatives to preserve the tree

21: Within building footprint
(1) The tree is dead, severely diseased, decayed or disfigured to such an extent that the tree is unable to recover or return to a healthy and structurally sound condition.
(4) The retention of the tree restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly situated properties, and the applicant has demonstrated to the satisfaction of the Director or deciding body that there are no reasonable alternatives to preserve the tree.

24: Within building footprint
(4) The retention of the tree restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly situated properties, and the applicant has demonstrated to the satisfaction of the Director or deciding body that there are no reasonable alternatives to preserve the tree
(7) Except for properties within the hillsides, the retention of the protected tree would result in reduction of the otherwise-permissible building envelope by more than twenty-five (25) percent.

39: Within building footprint
(1) The tree is dead, severely diseased, decayed or disfigured to such an extent that the tree is unable to recover or return to a healthy and structurally sound condition.
(4) The retention of the tree restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly situated properties, and the applicant has demonstrated to the satisfaction of the Director or deciding body that there are no reasonable alternatives to preserve the tree.
(7) Except for properties within the hillsides, the retention of the protected tree would result in reduction of the otherwise-permissible building envelope by more than twenty-five (25) percent.

The overall intent of the development is to provide a building and facility that is of sustainable design and meets current building code and efficiency standards.

Specific applicable goals and policies in the Los Gatos 2020 General Plan:

ENV-1 To preserve and protect native plants and plant communities in the Town, and promote the appropriate use of local, native plants in habitat restoration and landscaping.

ENV-5 To protect and preserve watersheds and water quality.

ENV-6 To conserve the water resources of the Town and promote the efficient use of water to ensure an adequate water supply for the Town's plant and wildlife populations as well as human populations.

ENV-7 To encourage the use of recycled and reclaimed water.

ENV-8 Meet all wastewater treatment demands and federal and State regulations.

ENV-9 To minimize the amount of stormwater runoff, as well as to protect and improve the water quality of runoff.

ENV-10 To promote recycling and reuse as well as reduction in demand.

ENV-11 To conserve landfill space.

ENV-12 To conserve the air resources of the Town and maintain and improve acceptable air quality in Los Gatos.

ENV-13 To promote a sustainable community that protects environmental resources and the climate to prevent negative impacts to future generations.

ENV-14 To reduce overall greenhouse gas (GHG) emissions to 1990 levels by 2020.

ENV-15 To encourage sustainable procurement, extended producer responsibility and innovative strategies to become a zero-waste Town.

ENV-16 To foster development that reduces the use of nonrenewable energy resources and expands the use of renewable resources and alternative fuels.

ENV-17 To promote green buildings that minimize consumption of energy and natural resources.

Los Gatos Sustainability Plan (2012)
Sustainability measures pertaining to energy efficiency standards will be provided in accordance with the Town of Los Gatos' goals. The proposed project will meet all current Title 24 and Green Building Standard requirements, along with aiming to achieve LEED Silver certification.

In compliance with the Los Gatos Sustainability Plan, the project will include support for pedestrian and bicycle connections, shuttle operations for residents of the assisted living and memory care facility, in addition to the overall traffic impacts of being a reduction in comparison to the previously entitled office building. The project will meet water use efficiency through the utilization of water efficient fixtures and the Water Efficient Landscape Ordinance (WELO). Solar orientation and photovoltaic systems will be

included to provide renewable energy resource to the project. A construction Waste Management plan will monitor and implement construction waste from the project and provide recycle and salvaged construction material. The overall development will include multiple approaches to be an example of sustainable building and operation within in the Town of Los Gatos.

Specific applicable goals and policies in the Los Gatos 2012 Sustainability Plan:

TR-1 Support for Pedestrians, Bicyclists, and Transit. Promote walking, bicycling, and transit through the following:

a. Require all new buildings, excluding single-family homes, to include a principal functional entry that faces a public space such as a street, square, park, paseo, or plaza, in addition to any entrance from a parking lot, to encourage pedestrian foot traffic.

b. Require new projects, excluding single-family homes, to include pedestrian or bicycle through-connections to existing sidewalks and existing or future bicycle facilities, unless prohibited by topographical conditions.

c. Seek grant funding to establish a Safe Routes to School (SR2S) Program to increase more student walking and biking trips. The program may include: conducting school walking audits, improving nearby pedestrian and bicycle facilities, implementing nearby traffic-calming measures, implementing school bus, vanpool, and carpools to school, implementing walking buses to schools, coordinating school schedules to not overlap with peak commute times, conducting traffic studies for specific schools for more efficient drop-off and pick-up activity at schools (e.g. staggered schedules, changing on-street parking to loading zones, and more), and increasing speed enforcement around schools.

d. Design and implement affordable traffic-calming measures on specific streets to dissuade Highway 17 cut-through traffic and attract pedestrian and bicycle traffic.

e. Implement transit access improvements through sidewalk/crosswalk safety enhancements and bus shelter improvements.

TR-3 Fixed-Route Shuttle. Provide a fixed-route shuttle system to the downtown area from key residential areas, employment and commercial centers, Vasona Light Rail, and Vasona Park.

TR-4 Bicycle Facilities and Programs. Provide for new bicycle facilities and programs through the following:

a. Install new bicycle facilities throughout the existing Town street network to close bicycle network gaps, as identified in General Plan.

b. Require bicycle parking facilities and on-site showers in major nonresidential development and redevelopment projects. Major development projects include buildings that would accommodate more than 50 employees, whether in a single business or multiple tenants; major redevelopment projects include projects that change 50 percent or more of the square footage or wall space.

TR-6 TR-6 Vehicle Circulation, Parking, and Idling Reduction Programs. Support trip reduction and the use of electric vehicles through the following:

a. Encourage a voluntary Employer Commute Trip Reduction Program for new and existing development. This would be a multi-strategy program that encompasses a combination of individual measures, such as rideshare programs, discounted transit programs, end-

of-trip facilities (e.g. showers and lockers), encouraging telecommuting, and preferential parking permit programs. As part of this program, encourage employers to allow commuters to pay for transit with pre-tax dollars.

b. Encourage new non-residential development to include designated or preferred parking for vanpools, carpools, and electric vehicles.

GB-3 Incentives for Green Building Certification. Allow greater development flexibility and other incentives (e.g. permitting related) for LEED Silver certification or equivalent GreenPoint rating, for example, by giving green projects priority in plan review and processing.

GB-4 Solar Orientation Require measures that reduce energy use through solar orientation by taking advantage of shade, prevailing winds, landscaping, and sun screens.

RE-3 Renewable Energy Generation in Projects Require that new or major rehabilitations of commercial, office, or industrial development greater than or equal to 20,000 square feet in size incorporate solar or other renewable energy generation to provide 15 percent or more of the project's energy needs. Major rehabilitations are defined as remodeling/additions of 20,000 square feet of office/retail commercial or 100,000 square feet of industrial floor area. Remove regulatory barriers to incorporating renewable energy generation.

RE-5 Solar Ready Features Where feasible, require that all new buildings be constructed to allow for the easy, cost-effective installation of future solar energy systems. "Solar ready" features should include: proper solar orientation (i.e. south facing roof area sloped at 20° to 55° from the horizontal); clear access on the south sloped roof (i.e. no chimneys, heating vents, or plumbing vents); electrical conduit installed for solar electric system wiring; plumbing installed for solar hot water system; and space provided for a solar hot water storage tank.

EC-3 Energy-Efficient Outdoor Lighting Require outdoor lighting fixtures to be energy-efficient. Require parking lot light fixtures and light fixtures on buildings to be on full cut-off fixtures, except emergency exit or safety lighting, and all permanently installed exterior lighting shall be controlled by either a photocell or an astronomical time switch. Prohibit continuous all night outdoor lighting in construction sites unless required for security reasons. Revise the Town Code to include these requirements.

EC-10 Heat Gain Reduction Require all new development and major rehabilitation (i.e. additions or remodels of 20,000 square feet of office/retail commercial or 100,000 square feet of industrial floor area) projects to incorporate any combination of the following strategies to reduce heat gain for 50 percent of the non-roof impervious site landscape, which includes roads, sidewalks, courtyards, parking lots, and driveways: shaded within five years of occupancy; paving materials with a Solar Reflectance Index (SRI) of at least 29; open grid pavement system; and parking spaces underground, under deck, under roof, or under a building. Any roof used to shade or cover parking must have an SRI of at least 29.

WW-1 Water Use and Efficiency Requirements For new development, require all water use and efficiency measures identified as voluntary in the California Green Building Standards Code, and consider more stringent targets. California Green Building Standards Code requirements include: 1) reduce indoor potable water use by 20 percent after meeting the Energy Policy Act of 1992 fixture performance requirements, and 2) reduce outdoor potable water use by 50 percent from

a calibrated mid-summer baseline case, for example, through irrigation efficiency, plant species, recycled wastewater, and captured rainwater. Establish Town requirements for discretionary projects regarding watering timing, water-efficient irrigation equipment, water-efficient fixtures, and offsetting demand so that there is no net increase in imported water use. Include clear parameters for integrating water conservation infrastructure and technologies, including low-flush toilets and low-flow showerheads. As appropriate, partner with local water conservation companies on the development and implementation of this measure.

WW-3 Bay Friendly Landscaping Require new development to use native plants or other appropriate noninvasive plants that are drought-tolerant, as described in the Bay Friendly Landscaping Guidelines, available at StopWaste.org and BayFriendlyCoalition.org.

WW-4 Water Efficient Landscape Ordinance Update Review and update the Town's Water Efficient Landscape Ordinance with improved conservation programs and incentives for non-residential customers that are consistent with the Tier 1 water conservation standards of Title 24.

SW-1 Construction Waste Diversion Revise the existing construction and demolition ordinance to require at least 50 percent diversion (i.e. reuse or recycling) of non-hazardous construction waste from disposal.

SW-3 Salvaged, Recycled-Content, and Local Construction Materials Encourage the use of salvaged and recycled-content materials and other materials that have low production energy costs for building materials, hard surfaces, and non-plant landscaping. Require sourcing of construction materials locally, as feasible.

Conditional Use Permit Findings:

The proposed development for the project site will provide a building that is reflective of existing residential homes throughout the Town with Italian revival influenced architecture, but will incorporate sustainable design and features. The intent of the design is to create the look of three separate homes with open space and landscaping but function as an interconnected assisted living and memory care facility.

The site is currently being underutilized with the existing the single-family homes that are outdated and not designed in a sustainable or energy efficient manner sought by the Los Gatos 2020 General Plan or the Los Gatos Sustainability Plan.

The proposed Senior Assisted Living and Memory Care Facility would not be detrimental to public health, safety, or general welfare of the Town. In comparison, the previously entitled office project provided 128 spaces of parking and had a greater impact of daily trips generated and were a concern to the neighborhood, whereas the newly proposed project is providing 54 parking spaces due to the limited need of the vehicles by the senior care clientele and the facility provided shuttle service. The traffic analysis conducted for the proposed project concluded that the project would not create any significant VMT impacts, due to the lower vehicle trips that would not cause any adverse impacts to the nearby signals, would not create any queuing storage deficiencies at the studied intersections, or create any impacts to pedestrians, bicyclists, or transit facilities.

The project is designed to be harmonious with the Town of Los Gatos and the existing neighborhood. The architectural and sustainable elements are in keeping with the General Plan policies and goals, as discussed above, and would provide a signature care facility for the Town of Los Gatos.

Neighborhood Outreach:
Swenson reached out to multiple community stakeholders including council members, neighbors, planning staff, the Community Health and Senior Services Commission, Los Gatos Saratoga Recreation, and the Los Gatos / Saratoga Services Providers, to better understand the need, desire and overall fit of the proposed project.

- **February - March 2020:**
  Swenson conducted outreach to the Town Councilmembers regarding input and any concerns for the two original proposed concepts of a Mixed-Use Apartment building or a Senior Care Facility.

- **March 9, 2020:**
  At the suggestion of Planning Staff and Councilmembers, Swenson reached out to the neighboring residential complex University Oaks. The meeting consisted of a discussion between preferred concept uses, challenges and concerns of the entitled Office Building project, massing, design, and operational concerns of the two separate proposed uses.

- **June 10, 2020:**
  Swenson took part in a Community Development Advisory Committee Meeting to gain direction on the preferred use of the two concepts. Swenson received feedback from Planning Staff, Committee Members, and neighbors.

- **October 8, 2020:**
  Video Conference with University Oak Neighbors about overall design and building location, and desired changes.

- **October 27, 2020:**
  Community Health and Senior Services Commission to discuss local and regional need for the care facility.

- **November 2, 2020:**
  Los Gatos Saratoga Recreation to discuss local and regional need for the care facility.

- **November 10, 2020:**
- Los Gatos / Saratoga Services Providers to discuss local and regional need for the care facility.

- **June 27, 2021:**
  Swenson met via video conference call, with Planning Staff present, with a single neighbor from the University Oaks development who requested to discuss the development proposal and architectural design of the building.

In an effort to design a project that fits within the neighborhood and is compatible, Swenson listened to each of these comments and general feedback received. Swenson has adjusted its design, building footprint, and height accordingly in an effort to achieve community support and a project viability.

Benefits to the Community:

The proposed Senior Assisted Living and Memory Care project is a high-quality facility that provides a much-needed service to the increasing senior population within the Town of Los Gatos and surrounding areas, and will help the Town of Los Gatos meet its Regional Housing Needs Assessment allocation goals. The facility will offer living options and onsite care for senior residents looking to downsize and transition into supportive care services. As the population of Los Gatos, the surrounding community, and the region continues to age, it is necessary to provide continued care options and alternatives. The new development will provide a healthy environment to those residing at the facility, but also provide a project that is in keeping with the town and community expectations for overall design, character and sustainable standards, without impact to traffic and vehicle congestion.

Thank you for your time and consideration,

Jessie Bristow
Development Project Manager
Swenson

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MARKET STUDY

Winchester Assisted Living - Proposed
15860 Winchester Boulevard
Los Gatos, Santa Clara County, CA 95030

As of August 1, 2023

Prepared For:

Swenson
777 N 1st Street, 5th Floor
San Jose, CA 95112

Prepared By:

Cushman & Wakefield Western, Inc.
Valuation & Advisory
400 Capitol Mall, Suite 1800
Sacramento, California 95814

Cushman & Wakefield File ID: 23-38032-900320-001

EXHIBIT 8

Winchester Assisted Living - Proposed

15860 Winchester Boulevard

Los Gatos, Santa Clara County, CA 95030

Cushman & Wakefield Western, Inc.
400 Capitol Mall, Suite 1800
Sacramento, California 95814
cushmanwakefield.com

August 3, 2023

Mr. Mike Black
Senior Development Manager
Swenson
777 N 1st Street, 5th Floor
San Jose, CA 95112

Re: Market Study
In an Market Study Report

Winchester Assisted Living - Proposed
15860 Winchester Boulevard
Los Gatos, Santa Clara County, CA 95030

C&W File ID: 23-38032-900320-001

Dear Mr. Black:

In fulfillment of our agreement as outlined in the Letter of Engagement, we are pleased to transmit our market study on the property referenced above. Accompanying this letter is a report that contains a detailed identification of the property, factual data concerning the property and its surroundings, comparable market data, appropriate analyses, and conclusion. Please note that Cushman & Wakefield Western, Inc. is not part of the development team, owner of the subject, nor affiliated with any member of the development team engaged in the development of the property. This report has been prepared in accordance with the Code of Ethics and Standards of Professional Practice of the Appraisal Institute. Further, the report is intended to comply with the Uniform Standards of Professional Appraisal Practice.

This report was prepared for Swenson and is intended only for their specified use. It may not be distributed to or relied upon by other persons or entities without written permission of Cushman & Wakefield Western, Inc.

The market study analyzes the market conditions for a proposed 125 unit, assisted living/memory care facility to be situated on a 1.31-acre parcel of land in Los Gatos, Santa Clara County, CA.

As agreed with the Client of this report, we have not made a physical inspection of the site of this proposed assisted living/memory care facility. However, we are familiar with Los Gatos and its market area having worked on numerous senior housing properties throughout the greater Silicon Valley region. This information has been used in the study of need and demand for new assisted living/memory care units.

Our review covered the following areas as outlined by the scope of work:

- Research of the proposed site and its neighborhood;
- Site characteristics;
- Determination of the subject's primary market area;
- Research of the competing assisted living/memory care facilities in the defined primary market area;
- Confirmation of census mix by payor type, rental structure, occupancy level, and resident characteristics at the competing facilities;
- Analysis of senior demographics in the subject's primary market area;
- Determination of market support for the subject as a proposed assisted living/memory care project through the analysis of demographics and market conditions.

Extraordinary Assumptions

For a definition of Extraordinary Assumptions please see the Glossary of Terms & Definitions. The use of extraordinary assumptions, if any, might have affected the assignment results.

- We have assumed the facility will obtain the licenses and certifications as described in the report.
- It is assumed that the proposed improvements are constructed in a quality manner in accordance with the information communicated to us by the developer. If the design or quality differs from that which has been considered herein, the conclusions could be impacted accordingly.

Hypothetical Conditions

For a definition of Hypothetical Conditions please see the Glossary of Terms & Definitions. The use of hypothetical conditions, if any, might have affected the assignment results.

- Our achievable rental rate conclusions are based upon the subject being complete and stabilized for its proposed use as of the current date.

We have no interest in the project or relationship with the ownership or sponsorship entities and our compensation is not contingent on this project being approved and/or funded.

This letter is invalid as an opinion of value if detached from the report, which contains the text, exhibits, and Addenda.

Respectfully submitted,

CUSHMAN & WAKEFIELD WESTERN, INC.

Jordan H. Cline
Senior Director
Senior Housing/Healthcare Industry Group
CA Certified General Appraiser
License No. AG036234
License Expiration Date January 27, 2025
jordan.cline@cushwake.com
916-677-1250 Office Direct

Gerald V. Rasmussen, MAI, FRICS
Executive Managing Director/National Practice Leader
Senior Housing/Healthcare Industry Group
CA Certified General Appraiser
License No. AG043979
License Expiration Date June 10, 2024
gerald.rasmussen@cushwake.com
203-326-5884 Office Direct

Summary of Salient Facts and Conclusions

The following is an executive summary of the information that we present in more detail in the report.

BASIC INFORMATION	
Common Property Name:	Winchester Assisted Living - Proposed
Address:	15860 Winchester Boulevard Los Gatos, CA, 95030
County:	Santa Clara

SITE INFORMATION		
Land Area:	**Square Feet**	**Acres**
Total Land Area:	56,889	1.31
Site Shape:	Rectangular	
Site Topography:	Gentle Slope	
Frontage:	Good	
Site Utility:	Good	

PROPERTY INFORMATION - AS PROPOSED	
Type of Property:	Assisted Living/Memory Care
Building Area	
Number of Units:	125 Units
Gross Building Area:	81,633 SF
Quality:	Good
Assessment Information:	
Assessing Authority	Santa Clara County
Assessor's Parcel Identification	529-11-013, -038, -039 & -040

DATE OF PROPERTY AND MARKET RESEARCH	
Start Date of Research:	August 1, 2023

Market Area Characteristics

- **Occupancy**: The current reported occupancy of the Primary Market Area comparables surveyed, which were not in lease-up, ranged from 88 to 100 percent. Rent 1 and 6 were in lease-up and were between 24 and 68 percent occupied. None of the facilities surveyed were underperforming.
- **Payor Characteristics**: For assisted living/memory care, the only payor type is private pay. State-pay or Medicaid is not a payor source for assisted living/memory care.
- **Proposed Inventory**: Bascom Senior Living and Cambrian Park Plaza Assisted Living are both in planning process of two assisted living/memory care facilities that will include 253 units. These are anticipated to be completed in 2026. These are both located within three miles of the subject. Upon completion, these will be a direct competition to the subject. However, the subject property would have a full year of leasing prior to having overlapping absorption timelines.
- **Barriers to Entry**: State approval or certificate of need (CON) is not required for development of new

assisted living/memory care units in CA. The site proposed for the subject facility would accommodate a development such as that proposed.

- The current zoning would appear to allow for development of a project such as the subject, subject to a conditional use permit and two variance requests. Detailed zoning studies are typically performed by a zoning or land use expert, including attorneys, land use planners, or architects. This study is not intended to be a detailed determination of compliance, as that determination is beyond the scope of this assignment, as agreed to with the client.
- We are not aware of any other potential barriers to entry in this marketplace.

Market Feasibility

The occupancy for competitive assisted living/memory care units in the proposed subject's Primary Market Area is currently averaging 92 percent, excluding the two facilities in lease-up. Operators in this market indicated that they have not found the need to offer concessions to stimulate or maintain occupancies.

Assisted Living Units

The following chart summarizes the asking rates for assisted living units in the proposed subject's Primary Market Area that were described previously.

Assisted Living

	Unadjusted Market Range		Unadjusted Market Average	
Unit Type	Unit Size (SF)	$/Month	Unit Size (SF)	$/Month
Studio	300 - 500	$4,590 - $6,720	362 - 380	$5,568 - $5,568
One-Bedroom	450 - 745	$5,000 - $9,220	547 - 568	$7,238 - $7,238

	Market Range	Market Averages
	$/SqFt/Month	$/SqFt/Month
Studio	$10.79 - $19.76	$11.46 - $19.76
One-Bedroom	$10.06 - $18.08	$10.54 - $18.08

The data indicates an overall range for assisted living units from approximately $4,590 to $9,220 per month, or $10.06 to $19.76 per square foot per month, depending upon unit type. The indicated ranges include a base level of assisted living services. The upper end of the range for each unit type is represented by property's that are generally the newer facilities offering a full range of assisted living services, while the lower ends of the range are reflected by facilities of a lesser quality and/or offering reduced services in the monthly rent.

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

		Subject Range	Subject Range
Unit Type	Unit Size (SF)	$/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 Units

The following chart summarizes the asking rates for memory care units in the proposed subject's Primary Market Area that were described previously.

Memory Care								
	Unadjusted Market Range				Unadjusted Market Average			
Unit Type	Unit Size (SF)			$/Month			Unit Size (SF)	$/Month		
Studio	132	-	445	$6,300	-	$15,000	283 - 317	$9,794	-	$10,194

	Market Range $/SqFt/Month			Market Averages $/SqFt/Month		
Studio	$14.16	-	$98.48	$14.16	-	$74.24

The data indicates an overall range for memory care units from approximately $6,300 to $15,000 per month or $14.16 to $98.48 per square foot per month, depending upon unit type. The indicated ranges include a base level of personal care services. The upper end of the range for each unit type is represented by property's that are generally the newer facilities offering a full range of memory care services with all-inclusive care, while the lower ends of the range are reflected by facilities of a lesser quality and/or offering reduced services in the monthly rent.

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								
				Subject Range			Subject Range			
Unit Type	Unit Size (SF)			$/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.

Furthermore, these estimated rents are based on rates currently being received in the marketplace and, as the subject is proposed and would not likely be completed for at least 18 to 24 months, they likely do not represent potentially higher rates that may be achieved at that point in time.

Facility Design Review - Assisted Living/Memory Care

All of the assisted living/memory care facilities in this market offer well-appointed living accommodations offering, studio and one-bedroom living units. The proposed subject facility will compete at the upper-range of the marketplace, and the facility design and appointments are consistent with the operator's proposed resident targeting.

The facility's centrally located common area includes the following:

- Lobby
- Lounges
- Two dining rooms
- Fitness center
- Theater
- Library
- Activities room
- Game room

There are also a number of smaller lounge areas planned throughout the campus. The facility will offer separate common areas for assisted and memory care residents. We have provided copies of the floor plans and site plans in the addenda.

According to the American Seniors Housing Association (ASHA), new construction projects typically provide common area ratios equate to approximately 40 percent common area for assisted living.

Based on the proposed unit configuration, the subject's common area ratio is 38 percent, which appears in line with the marketplace.

Subject's Strengths and Weaknesses

Subject's Strengths:

- Age/Condition/Design: The existing product type in the subject's Primary Market Area is generally older more modestly appointed and reflect more basic living designs. The subject sponsors plan on developing a facility generally similar to the top-end of the existing product type.
- Age/Condition/Design: The subject sponsors plan on developing a facility targeting a high-end price point, and accommodations will be modernly appointed, at or above the level of polish as found at the upper-end of the marketplace. The subject facility will accept both private pay residents only. Our survey of the marketplace found a shortage of affordable accommodations for seniors.
- Care Offered: The facility will offer assisted living and memory care. This will allow many residents to age in place.
- Demographics: Between 2022 and 2027, the population within the PMA is expected to increase by 0.16 percent per year, according to Experian Marketing Solutions. While this is below the national rate 0.67 percent per year for the same period, the population will increase through construction and absorption. The demographic and market data indicate that there appears to be adequate demand for the proposed subject in its Primary Market Area. The existing facilities, although inferior to comparable with the proposed subject, appear to be performing well.
- Seniors as a Percentage of the Population: In 2022, 8.7 percent of the PMA's total population was above the age of 75. This is above the national average of 7.0 percent. However, the 75+ cohort is expected to grow at an annual rate of 2.9 percent, which is below the national rate of 4.0 percent.

Subject's Weaknesses:

- Proposed Competition: Bascom Senior Living and Cambrian Park Plaza Assisted Living are both in planning process of two assisted living/memory care facilities that will include 253 units. These are anticipated to be completed in 2026. These are both located within three miles of the subject. Upon completion, these will be a direct competition to the subject. However, the subject property would have a full year of leasing prior to having overlapping absorption timelines.
- Barriers to Entry/Possibility of New Competition: There is an ample supply of available properties in the PMA which are available for redevelopment into senior housing. Considering that, as well as the positive population growth trends, there will continually be the possibility of new supply being added to the area.
- Absorption Risk: The property is anticipated to open in the year 2025 and the PMA will also have two other new projects anticipated to open during the subject's absorption timeline. This will place added competitive pressures to the subject.

Conclusions

The well-appointed facilities in this market appear to be performing well and we expect this to continue as the demographics point to a continuation of the growth of the senior market. The proposed facility is considered to represent a very marketable project in the context its Primary Market Area. Based on this, as well as the design and resident accommodations planned, the project should meet with good success if developed within a reasonable period of time.

Property Photographs

AERIAL PHOTO

WESTERN ELEVATION

NORTHERN ELEVATION

SOUTHERN ELEVATION

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Introduction

Scope of Work

Overview

This market study required collecting primary and secondary data relative to the subject property. The depth of the analysis is intended to be appropriate in relation to the significance of the issues as presented herein. We did not make a physical inspection of the subject property. We investigated the general regional economy as well as the specifics of the subject property's local area. Our analysis covered the following areas:

- Research of the proposed site and its neighborhood;
- Site characteristics;
- Determination of the subject's primary market area;
- Research of the competing assisted living/memory care facilities in the defined primary market area;
- Confirmation of census mix by payor type, rental structure, occupancy level, and resident characteristics at the competing facilities;
- Analysis of senior demographics in the subject's primary market area;
- Determination of market support for the subject as a proposed assisted living/memory care project through the analysis of demographics and market conditions.

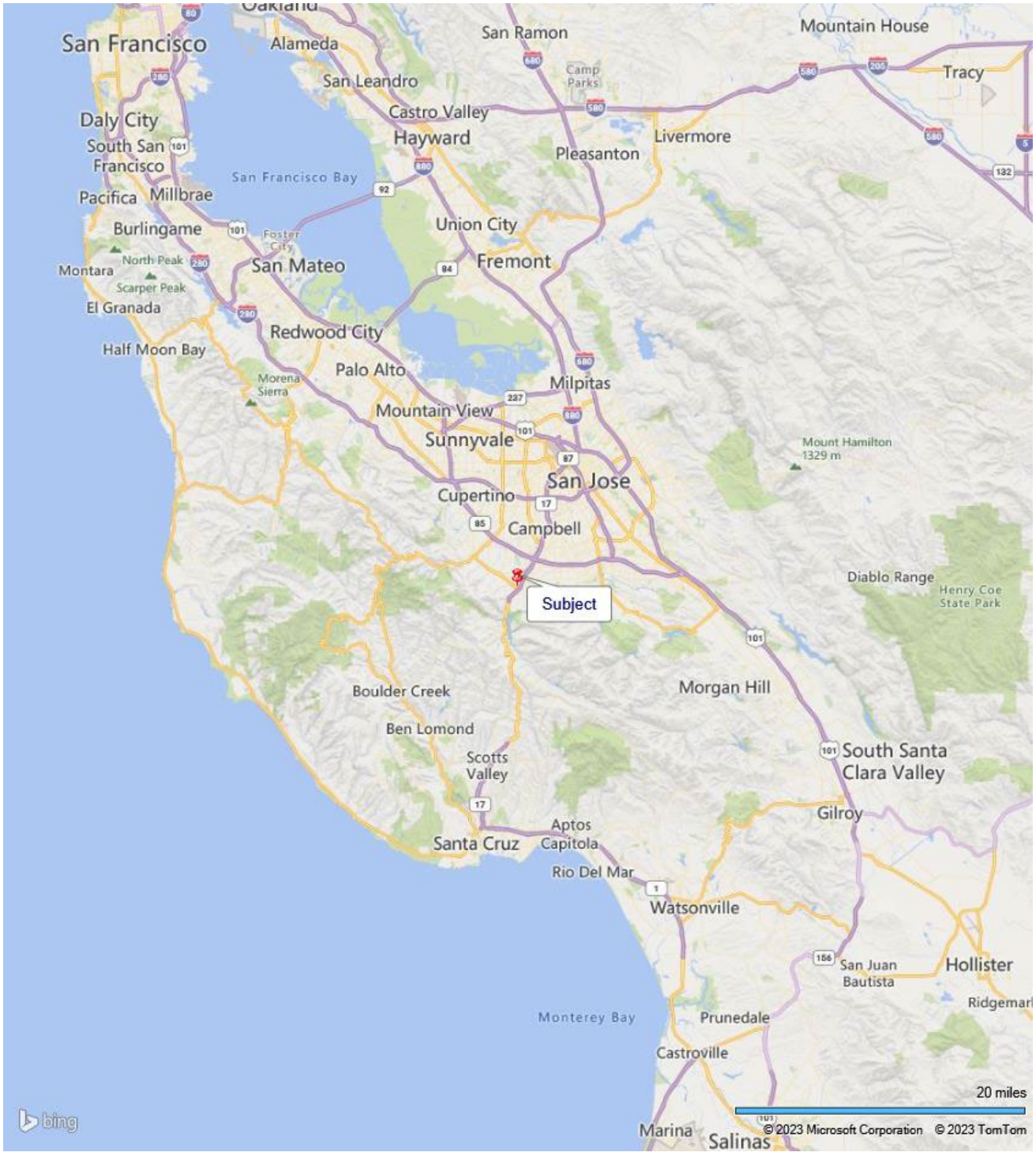
The data have been analyzed and confirmed with sources believed to be reliable, in the normal course of business, leading to the conclusions set forth in this report. The process involved utilizing generally accepted market-derived methods and procedures considered appropriate to the assignment.

Cushman & Wakefield Western, Inc. has an internal Quality Control Oversight Program. This Program mandates a "second read" of all market study reports. Assignments prepared and signed solely by designated members (MAIs) are read by another MAI who is not participating in the assignment. Assignments prepared, in whole or in part, by non-designated appraisers require MAI participation, Quality Control Oversight, and signature.

For this assignment, Quality Control Oversight was provided by Gerald V. Rasmussen, MAI, FRICS. In addition to a qualitative assessment of the market study report, Gerald V. Rasmussen, MAI, FRICS is a signatory to the market study report and concurs in the conclusions set forth herein.

Regional Analysis

REGIONAL MAP



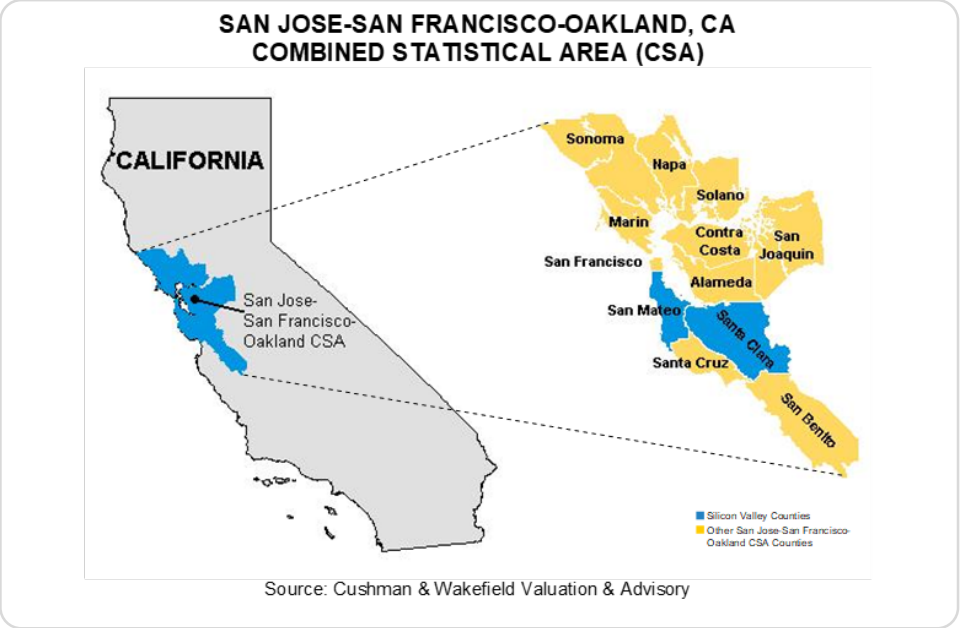
Silicon Valley Regional Market Analysis

Introduction

Silicon Valley encompasses 1,740 square miles of land and is comprised of San Mateo County and Santa Clara County. San Mateo County is essentially the peninsula formed by the San Francisco Bay and the Pacific Ocean (save for the city and county of San Francisco at its northern tip). Santa Clara County lies at the south end of the San Francisco Bay and is much larger geographically than San Mateo County. Silicon Valley is part of the greater San Jose-San Francisco-Oakland Combined Statistical Area (CSA).

Map

The following map highlights the Silicon Valley within the San Jose-San Francisco-Oakland CA Combined Statistical Area (CSA):



Source: Cushman & Wakefield Valuation & Advisory

Macro Trends

The economy continues to recover and evolve from the impacts of the pandemic and the economic crisis that followed. Right now, inflation remains elevated and the Federal Reserve's interest rate hikes are further compounding market volatility. With this, it is important to take in mind that data lags, and industry participants are still trying to accurately determine some of the effects these events will, or have had, on the commercial real estate market. In other sections of the report, we will discuss these effects and impacts on the immediate market and subject property in as much detail as possible. For this market analysis section of the report, we ask that you keep in mind that some macro trends may not affect the subject property directly.

Current Trends

Silicon Valley is one of the top commercial real estate markets in the United States and the region is recovering faster than the rest of the Bay Area. Behind an improving employment situation, the Silicon Valley region contains a total labor force of roughly 1.5 million individuals, according to the Joint Venture Silicon Valley's Institute for

Regional Studies, and is at its highest level since February 2020 as of March 2023. Additionally, the unemployment rate in the Silicon Valley measured 3.1% at the end of March 2023, rising 0.6 percentage points in a year-over-year comparison. Comparatively, the unemployment rate for the state of California was 4.8% and 3.6% for the nation over the same period. Furthermore, San Mateo County maintained the lowest unemployment rate in California, with an unemployment rate of 2.8%, and Santa Clara County ended March 2023 with an unemployment rate, at 3.2%.

Further highlights are as follows:

- In June 2020, San Jose city council approved the CityView Plaza in downtown San Jose. Jay Paul Co. plans to convert the nine buildings into a roughly 3.8 million square foot modern office campus. The project is expected to build six interconnected buildings, with nearly two acres of outdoor bridges and roof gardens, two-story connecting bridges and an 80,000-square-foot fitness facility. The first phase includes the 19-story Tower A near Market Street and Park Avenue, which is slated for completion by fourth quarter 2024. Once completed it is expected to accommodate up to 17,000 employees. Demolition of the former Bank of California at 199 Park Avenue started in late 2021 to make way for CityView Plaza. Recently, the state Court of Appeal confirmed that the city of San Jose's decision to demolish several buildings on the eight acre site of CityView Plaza after facing backlash from preservationists that opposed the project.
- In May 2023, Silicon Valley Bank (SVB) was forced to shut down as the bank's investment decreased in value and the bank's clients withdrew large amounts of money as the national economy faced challenges brought on by the Federal Reserve's multiple interest rate increases over the last year. This was one of the largest bank closures since the financial crisis of 2008. Prior to the shutdown, SVB was the sixteenth-largest bank in the United States. The bank saw consistent growth throughout the pandemic but high inflation and rising interest rates made many of SVB's customers face financial troubles, which led them to withdraw funding from their accounts. This forced SVB to sell some of the bank's investments at a loss, losing $1.8 billion, to cover the withdrawals. In March 2023, the parent company of SVB, SVB Financial Group, filed for bankruptcy and First Citizens Bank bought all the deposits and loans the failed bank later that month.
- Silicon Valley faced a wave of layoffs through year-end 2022 as Amazon and other tech giants located in the region are dealing with cost-cutting actions to support long term growth. Amazon is laying off over 18,000 jobs companywide and Salesforce announced that it would be shedding 10% of its staff as these tech firms struggle in the current economic environment. Higher interest rates have hurt hiring in the tech sector as well as a lack of demand for tech products. Additionally, tech layoffs rose 649% in 2022, according to a report by Challenge, Gray & Christmas. The early stages of the COVID-19 pandemic drove revenue and companies hired too many and too fast, leading to the current situation. Major employers to announce job cuts in the Silicon Valley include Google, Meta, Cisco Systems and Twitter.
- Rapid growth among tech firms and others pushed demand for office, retail and industrial space, increasing rents, and encouraged developers to build. Google is redeveloping its 875,000 square feet North Bayshore property that will include office, residential, retail and community spaces. In June 2019, Google announced it will repurpose $750 million of Mountain View's campus to rezone for residential use and $250 million for the financing of 1,400 affordable housing units. The plans for construction call for the development to be completed in eight phases. The first two phases are expected to add 3,000 homes. Additionally, Google expects to build out the massive development over the next 30 years and the tech giant's proposal will commit $42 million for transportation upgrades and a large conservation area to preserve the natural habitat.

- A new office building is being built by Hunter Storm, the main developer of Coleman Highline, as demand for office space by tech companies continues to rise in the Silicon Valley. Hunter Storm has been approved to deliver a 292,500 square foot office building on a 4.5 acre lot at 1155 Coleman Avenue. The developer was approved by the San Jose Planning Department in May 2023. Construction is set to begin at some point in 2023 and the new office building will be able to accommodate more than 1,000 employees. The new building will complete the Coleman Highline campus, which includes 1.5 million square of office space, two hotels, retail space and 1,600 apartment units. Roku, Verizon Communications and TikTok have already established office footprints at Coleman Highline and the new building is likely to attract another notable office tenant. Additionally, the developer's confidence in the Silicon Valley remains strong as Cityline Sunnyvale, a mixed-use project, is entering its final phase of construction. Once completed, Cityline Sunnyvale will deliver more than one million square feet in new office space in the heart of Sunnyvale's financial district.

Demographic Characteristics

Both Santa Clara and San Mateo counties are highly desirable but expensive places to live, which is reflected in the region's demographics. Moody's Analytics reports that the cost of living in the Silicon Valley is 78% higher when compared to the U.S. Silicon Valley residents have annual incomes that are almost double the national average. Because of the region's R&D and high-tech industries, it is recognized as having one of the most educated populations in the nation.

The following chart compares the demographic characteristics of Silicon Valley with those of the United States:

Demographic Characteristics
Silicon Valley vs. United States
2022 Estimates

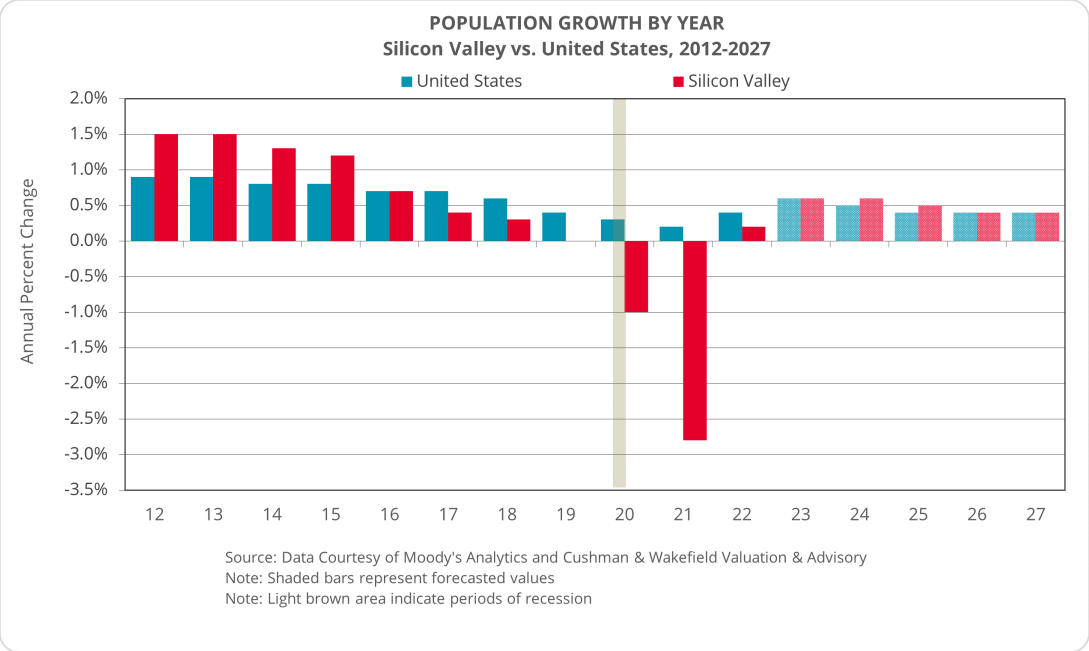
Characteristic	Silicon Valley	United States
Median Age (years)	38	39
Average Annual Household Income	$191,838	$96,357
Median Annual Household Income	$137,076	$66,422
Households by Annual Income Level:		
<$25,000	8.5%	18.2%
$25,000 to $49,999	9.9%	20.0%
$50,000 to $74,999	9.8%	17.4%
$75,000 to $99,999	8.8%	13.3%
$100,000 plus	63.0%	31.1%
Education Breakdown:		
< High School	11.3%	12.1%
High School Graduate	14.6%	27.1%
College < Bachelor Degree	22.6%	28.8%
Bachelor Degree	27.8%	19.7%
Advanced Degree	23.7%	12.2%

Source: © 2022 Experian Marketing Solutions, Inc. •All rights reserved• Cushman & Wakefield Valuation & Advisory

Population

The Silicon Valley regional population growth has trailed national population growth, averaging 0.2% annually from 2012 through 2022. During the same time period, Silicon Valley's population growth has trailed national population expansion by an average of 40 basis points and is forecast to increase to an average annual growth rate of 0.5% through 2027. Over the decade, Silicon Valley's population grew at a lower rate compared to the nation due to weak performance from the following counties: San Mateo (0.0%).

The following chart compares population growth between Silicon Valley and the United States:



The following table shows Silicon Valley's annualized population growth:

Annualized Population Growth
Silicon Valley
2012-2027

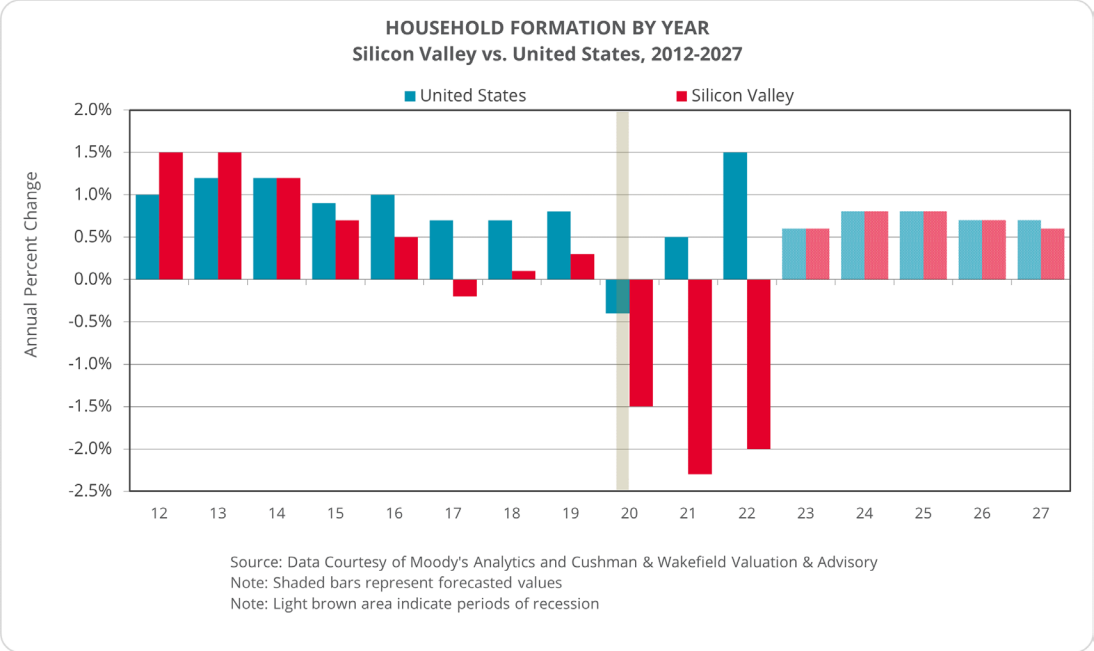
Population (000's)	2012	2022	Forecast 2023	Forecast 2027	Compound Annual Growth Rate 12-22	Compound Annual Growth Rate 23-27
United States	314,688.6	333,287.6	335,190.6	340,522.0	0.6%	0.4%
Silicon Valley	**2,579.6**	**2,623.5**	**2,640.4**	**2,691.1**	**0.2%**	**0.5%**
San Mateo County	740.0	740.4	746.8	769.0	0.0%	0.7%
Santa Clara County	1,839.7	1,883.1	1,893.6	1,922.1	0.2%	0.4%

Source: Data Courtesy of Moody's Analytics, Cushman & Wakefield Valuation & Advisory

Households

Generally, a region's household formation trends are directly tied to its overall population growth, as an increase in the population drives demand for real estate. From 2012 through 2022, the Silicon Valley regional household formation growth rate has trailed national expansion, averaging -0.2% annually. In the same ten-year period, Silicon Valley's household formation growth has trailed national growth by an average of 100 basis points and is forecast to increase to an average annual growth rate of 0.7% through 2027.

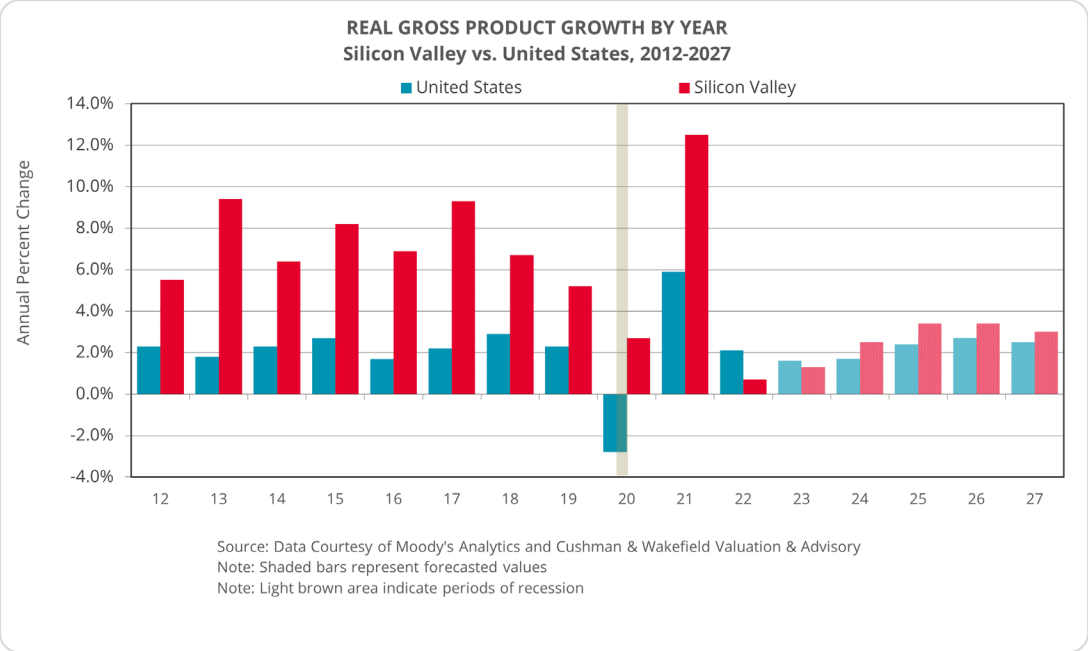
The chart below compares household formation growth between Silicon Valley and the United States:



Gross Metro Product

Gross Metro Product (GMP) is defined as the market value of all final goods and services produced within a metropolitan area, and when compared to the nation's Gross Domestic Product (GDP), can determine shifting economic trends in a given region. Economic growth in Silicon Valley has beat national economic expansion over the decade, averaging 6.8% annually from 2012 through 2022. Over the decade, Silicon Valley GMP has beat national expansion by an average of 470 basis points and is forecast to decrease to an average annual growth rate of 3.1% through 2027.

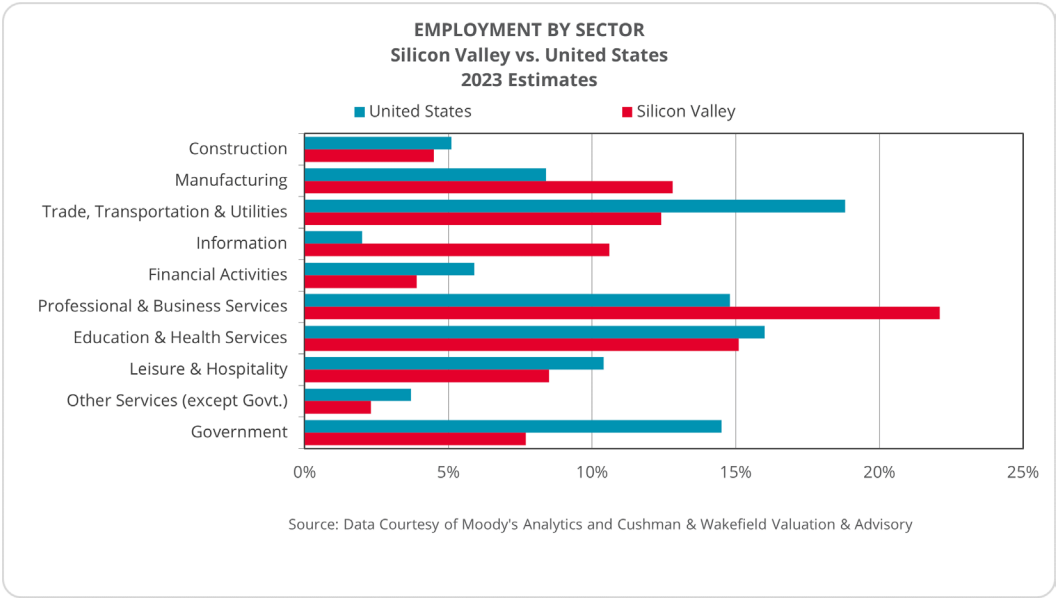
The chart below compares gross product growth by year for Silicon Valley and the United States:



Employment Distribution

The Professional & Business Services sector dominates Silicon Valley as the largest employment sector with roughly 22.1% of the regional workforce, compared to 14.8% on the national level. Silicon Valley offers a diverse mix of industry employment with the Education & Health Services and Manufacturing sectors accounting for 15.1% and 12.8% of total employment, respectively. Together, these three industries comprise 50% of the region's share of employment.

The following chart compares non-farm employment sectors for Silicon Valley and the United States:



Major Employers

The following table lists Silicon Valley's largest employers:

Major Employers
Silicon Valley

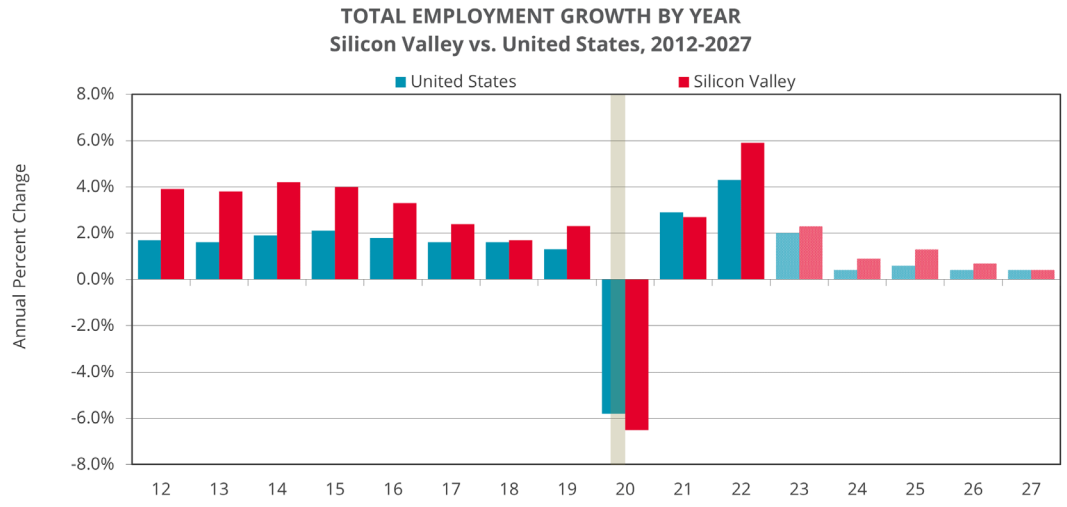
Company	No. of Employees	Business Type
Apple Inc.	25,000	Technology
Alphabet Inc.	20,000	Technology
Stanford University	16,919	Education
Cisco Systems Inc.	15,700	Telecommunications
Kaiser Permanente	12,500	Healthcare
Intel Corporation	10,801	Healthcare
Tesla Inc.	10,000	Manufacturing
Facebook Inc.	9,385	Technology
University of California, Berkley	8,258	Education
Oracle Corporation	6,750	Technology

Source: Silicon Valley Business Journal and Cushman & Wakefield Valuation & Advisory

Employment Growth

From 2012 through 2022, the Silicon Valley regional employment growth has beat national expansion, averaging 2.3% annually. During the same time period, Silicon Valley's employment growth has beat national expansion by an average of 100 basis points and is forecast to decrease to an average annual growth rate of 0.8% through 2027. Over the decade, Silicon Valley's employment grew at a higher rate compared to the nation due to strong performance from the following counties: San Mateo (2.6%).

The following chart illustrates employment growth for Silicon Valley and the United States:

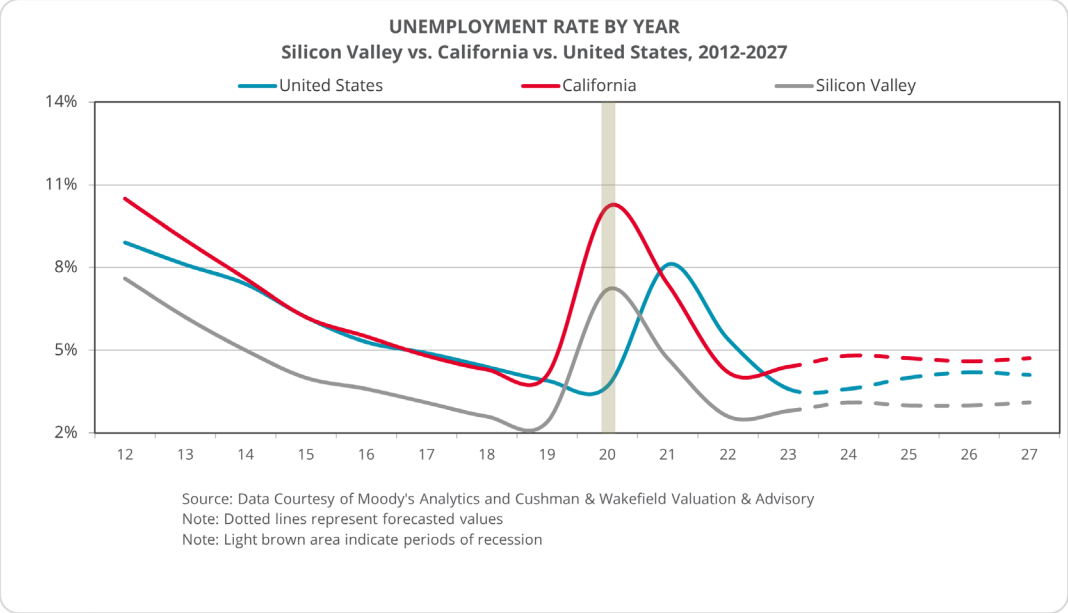


Source: Data Courtesy of Moody's Analytics and Cushman & Wakefield Valuation & Advisory
Note: Shaded bars represent forecasted values
Note: Light brown area indicate periods of recession

Unemployment

From 2012 through 2022, the Silicon Valley regional unemployment rate decreased at an average annual rate of 10.2%, compared to the nation's unemployment rate which decreased at an average annual rate of 7.7%. Silicon Valley's unemployment rate is forecast to increase by an average annual rate of 2.3% between 2023 and 2027. The following counties contributed to the decrease in Silicon Valley's unemployment rate over the decade: Santa Clara (-10.5%).

The graph below illustrates unemployment rates for Silicon Valley, the State of California, and the United States:



Conclusion

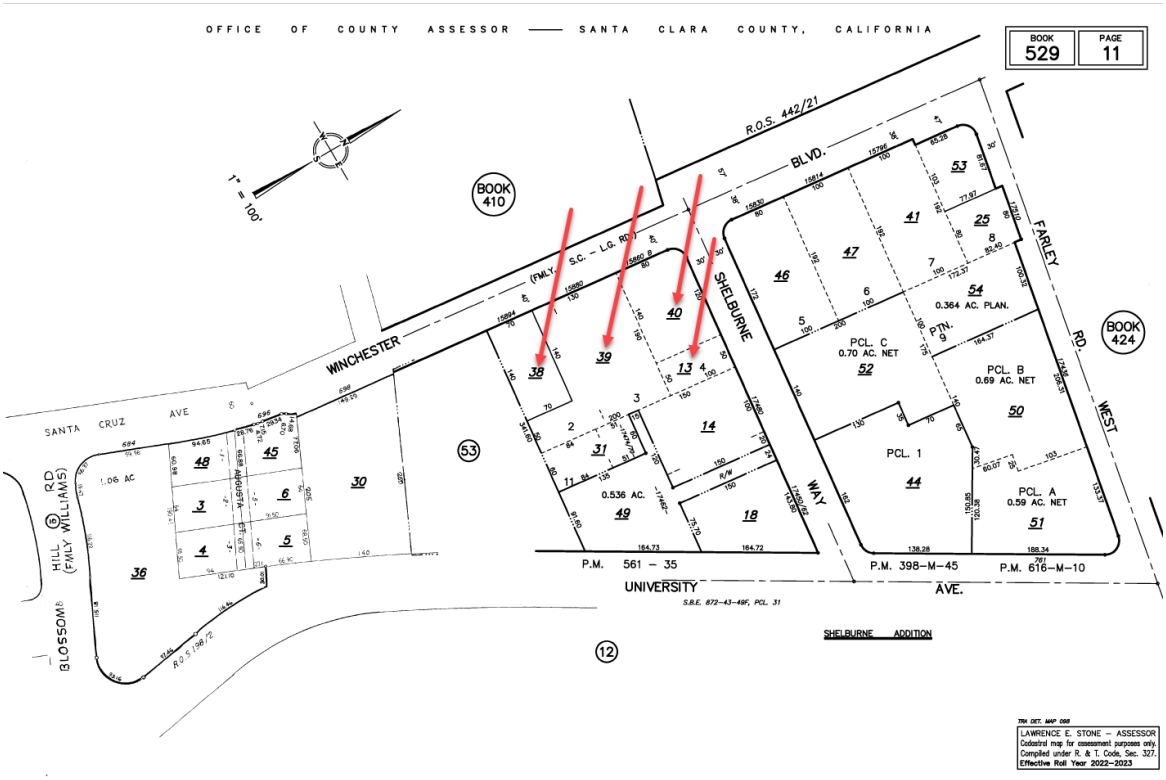
Silicon Valley’s economy is one of the strongest metropolitan regions in the nation, aided by high-value-added technology services, rising payrolls, and healthy consumer confidence. At the end of March 2023, the region saw its unemployment trend higher over the previous year, climbing to 3.1% but sits below state and national levels. On the downside, however, are regulatory burdens, high business and living costs, along with rising land costs in the region. Additionally, Silicon Valley’s tech sector is dealing with mass layoffs from the some of the region’s top employers like Meta and Twitter. These factors lead some companies to move to less expensive locations and others moved outside California, where there are tech workforces such as Utah, Washington, Texas and Oregon. The collapse of SVB in March 2023 also created significant headwinds for the financial sector in the region and nationally. Moreover, companies have embraced work from home and hybrid work models, a trend that is likely to continue moving forward, allowing residents to leave the region for more affordable areas nearby Silicon Valley. Nevertheless, Silicon Valley’s exceptionally talented workforce, ability to attract capital, and legacy of entrepreneurship will guide it through a period of adjustment to high costs that are a consequence of its own success. Through the near term, Silicon Valley’s recovery will closely mirror that of the U.S., but job growth is expected to slow over the same period as recession fears disrupt investment in hiring and market activity.

Site Description

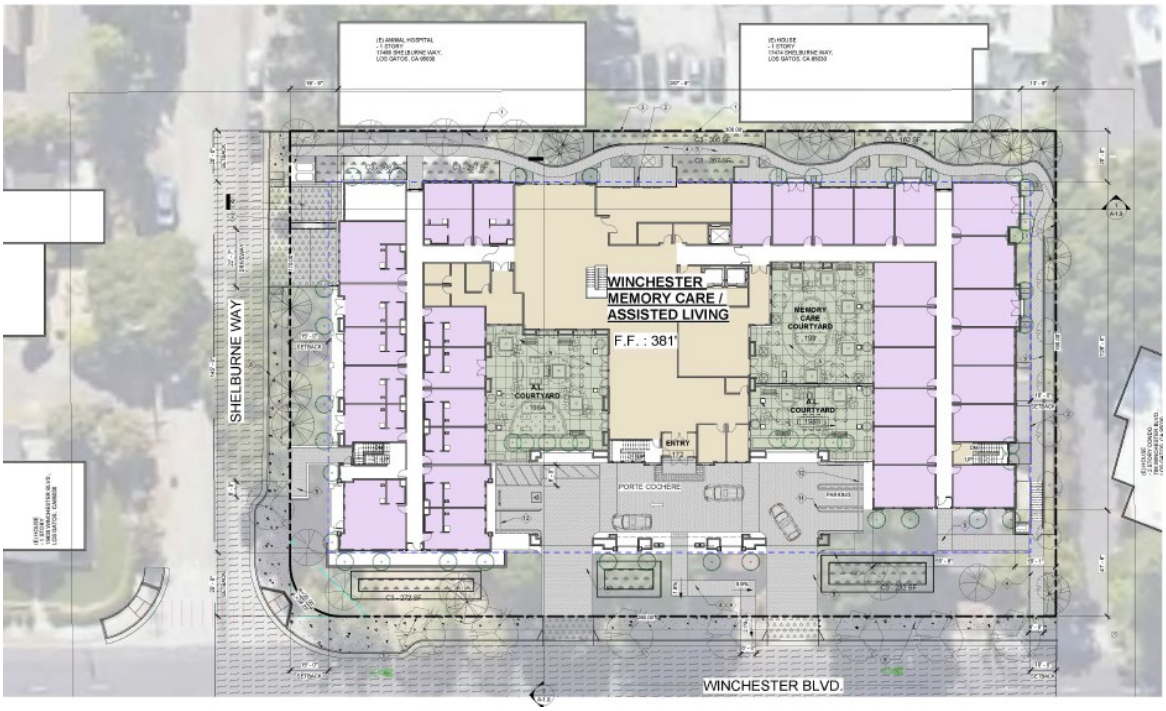
Location:	15860 Winchester Boulevard Los Gatos, Santa Clara County, CA 95030 The property is located at the southeast corner of Winchester Boulevard and Shelburne Way.
Shape:	Rectangular
Topography:	Gentle slope
Land Area:	1.310 acres
Frontage:	Good
Access:	Good
Visibility:	Good
Soil Conditions:	We did 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.
Flood Panel:	National Flood Insurance Rate Map Community Panel Number 06085C-0376-H (5/18/09).
Flood Zone:	FEMA Zone X500: Areas of moderate flood hazard from the principal source of flood in the area and determined to be between the limits of the 1.0 percent annual chance floodplain and the 0.2 percent annual chance floodplain. Mandatory flood insurance purchase requirements may apply. The flood zone determination and other related data are provided by a third-party vendor deemed to be reliable. If further details are required, additional research is required that is beyond the scope of this analysis.

Wetlands:	We were not given a wetlands survey. If subsequent engineering data reveal the presence of regulated wetlands, it could materially affect property value. We recommend a wetlands survey by a competent engineering firm.
Seismic Hazard:	The site is not located in a seismic hazard area. The entire region, however, is prone to earthquake activity.
Hazardous Substances:	We observed no evidence of toxic or hazardous substances during our inspection of the site. However, we are not trained to perform technical environmental inspections and recommend the services of a professional engineer for this purpose.
Overall Functionality:	The subject site appears to be functional for the intended senior housing use.

TAX MAP



SITE PLAN


WINCHESTER
MEMORY CARE /
ASSISTED LIVING
F.F. : 381'
SHELBURNE WAY
WINCHESTER BLVD.
MEMORY CARE COURTYARD
XL COURTYARD
ENTRY
PORTE COCHERE

Improvements Description

The subject site is located in a suburban area of Los Gatos, Santa Clara County, CA. The site area, based on the information provided, contains 1.31 acres. The site has a gentle slope, has good utility, good access, good frontage and good visibility.

The proposed unit mix is as follows.

UNIT MIX
Winchester Assisted Living - Proposed

Description	No. Units	No. Primary Beds*	Unit Sq.Ft.	Total Sq.Ft.
Assisted Living				
Studio	101	101	393	39,711
One-Bedroom	6	6	589	3,531
Subtotals/Averages	**107**	**107**	**404**	**43,242**
Memory Care				
Studio	18	18	409	7,353
Subtotals/Averages	**18**	**18**	**409**	**7,353**
Totals	**125**	**125**	**405**	**50,595**

Preliminary design characteristics for the proposed property indicates the facility will contain approximately 125 units and will be licensed for at least 125 assisted living beds.

As proposed, the 2-3-story building will contain approximately 81,633± square feet of gross building area. Design features to the property would include restaurant style dining, private dining room, movie theatre, lounge and game rooms, library, crafts room, activities room, sitting and socializing common areas, library, outdoor courtyards, etc. Units would have full amenities, including good quality cabinetry, countertops, kitchenettes (AL only), washer/dryer appliances, forced air heating/air conditioning, walk-in closets, fire and smoke monitors, and personal emergency response systems.

Unit Sizes

We reviewed recent construction projects of Class A assisted living communities and found the following unit size ranges:

- Studio – 300 sq. ft. for a standard design and 450 sq. ft. for a Studio Deluxe unit;
- One-Bedroom – 450 sq. ft. to 750 sq. ft. and up to 950 for a large unit with a den;
- Two-Bedroom – 600 sq. ft. to over 1,000 sq. ft. for a large unit with a den and two bathrooms;

Independent living units will be commensurately larger, accounting for a full kitchen as well as the addition of larger living spaces, washer/dryer, and typically a balcony.

Communities targeting a lower-pricing structure will typically fall towards the lower-end of this sq. ft. range.

Common Area Ratios

We have summarized in the following table historical design characteristics for the three traditional senior living property types.

DESIGN CHARACTERISTICS						
	Independent Living		Assisted Living		CCRCs	
	Common Area	Rentable Area	Common Area	Rentable Area	Common Area	Rentable Area
2009	33.3%	66.7%	42.0%	58.0%	27.4%	72.6%
2010	33.2%	66.8%	42.2%	57.8%	26.8%	73.2%
2011	33.7%	66.3%	43.3%	56.7%	29.6%	70.4%
2012	29.7%	70.3%	34.9%	65.1%	24.5%	75.5%
2013	32.4%	67.6%	42.6%	57.4%	31.1%	68.9%
2014	32.2%	67.8%	41.2%	58.8%	33.6%	66.4%
2015	32.4%	67.6%	48.3%	51.7%	26.5%	73.5%
2016	32.0%	68.0%	45.4%	54.6%	24.1%	75.9%
2017	30.1%	69.9%	45.9%	54.1%	28.5%	71.5%
2018	28.0%	72.0%	42.0%	58.0%	28.0%	72.0%
2019	26.0%	74.0%	40.0%	60.0%	26.0%	74.0%
2020	31.0%	69.0%	40.0%	60.0%	37.0%	63.0%
Averages	31.2%	68.8%	42.3%	57.7%	28.6%	71.4%
Subject	**---**	**---**	**38.0%**	**62.0%**	**---**	**---**

Source: American Seniors Housing Association (ASHA)

As seen, the average common area ratio for assisted living/memory care facilities is near 40 percent of the total building area. Common area ratios for all senior housing have remained relatively consistent over the last decade.

Based on the proposed unit configuration, the subject's common area ratio is 38 percent, which appears reasonable based on ASHA standards.

Senior Living Industry Overview

Independent Living

Congregate care or independent living units are designed for seniors who pay for some congregate services (i.e. housekeeping, transportation, meals, etc.) as part of the monthly fee or rental rate, and who require little, if any, assistance with activities of daily living. Residents of congregate/independent living units may also receive some health care services provided by in-house staff or an outside agency. Congregate units may be part of an "age in place" residence, a property that provides assisted living services, or a continuing care retirement community.

Independent living communities, particularly rental communities, are the least heavily monitored and the least governed by state regulations of all senior housing communities. In some states, this has resulted in a fair degree of flexibility in providing additional services.

Over the last decade, retirement communities have been attracting an older and somewhat frailer population than originally anticipated. The average age of entrance into an independent living facility is between the late 70's and early 80's, rather than the late 60's and early 70's as originally anticipated.

Assisted Living

The emergence of assisted living in the 1990s as an option in the long-term care continuum for elders represented the convergence of social, political, economic and treatment trends. Prior to this time, most dependent seniors had only two long-term care options: be cared for by a family member or enter an institutionalized nursing home. Today, these limited options are inadequate to serve the diverse needs of the elderly population. For many elderly, individual nursing homes are overly intensive, expensive and institutional. In response, assisted living is a favored form of long-term care for those seniors with moderate to intermediate care needs.

Although the general characteristics and philosophy behind assisted living are consistent throughout the country, there is no consensus on a legal definition of this term. Some states enacted laws using the term assisted living; however, in most jurisdictions, licensure statutes contain a variety of programs and services. In referring to residential housing and services, most state licensing laws use terms such as: adult homes, personal care homes, homes for the aged, supportive living facilities, residential care facilities, board and care homes, elderly group homes, congregate care housing and senior housing.

Typically, a resident will have a compact studio or efficiency apartment with a private bathroom. The living space may or may not include a kitchenette (sink and small refrigerator), a living room or storage space. Economics generally dictate the size of the private living space, which can range from a small one-room efficiency of less than 300 square feet to a large two-bedroom apartment of 750± square feet or larger.

Assisted living residences also provide for a considerable amount of common space for the residents. Newer assisted living facilities generally allocate approximately 40 percent of the total gross square footage of the building to common areas. Such space includes dining rooms, libraries, lounges, activity centers, kitchens and laundry rooms. The size of an assisted living facility depends on many variables, including market forces and site constraints. Most new freestanding facilities typically provide 40 to 100+ units.

The level of service in assisted living facilities varies substantially. However, there are certain basic services generally offered including:

- 24-hour a day on-site supervision or access to an emergency call system;
- Two or three meals and regular snacks are available;
- Light housekeeping and laundry services are available;

- Some level of daily personal care from the facility staff;
- A personalized health care plan delineating how a resident's health care needs may be addressed; and
- Recreational activities, social services and transportation resources.

An objective of assisted living is to enable residents to age in-place. Thus, the level of personal care, congregate services or health care services may be adjusted upwards as needed. However, this may prove difficult if residents need increasing amounts of nursing care since state law may limit or prohibit skilled nursing care in assisted living facilities. Despite this issue, there is a growing trend by states to extend the scope of assisted living services far into the long-term care continuum.

The typical assisted living resident needs assistance with approximately two ADLs. While the number of ADLs with which a person needs assistance is used clinically as a measure of dependency, such dependency does not necessarily mean that medical care is required. In assisted living facilities, residents generally have at least one ADL dependency, and it is not uncommon that they have as many as three or four.

Memory Care

In a 2020 study by the Alzheimer's Association (2020 Alzheimer's Disease Facts and Figures), Alzheimer's disease is the most common cause of dementia among people age 65 and older, accounting for 60 to 80 percent of cases. The report indicates that studies have consistently shown that active management of Alzheimer's and other dementias can improve the quality of life of affected individuals and their caregivers.

The risk factors for dementia and Alzheimer's disease are age, genetics and family history. Age is the greatest of these three risk factors. The percentage of those with Alzheimer's dementia increases dramatically with age:

- 3 percent of people age 65-74
- 17 percent of people age 75-84
- 32 percent of people age 85 or older

Currently, an estimated 5.8 million Americans aged 65 or older have Alzheimer's disease. Of these 5.8 million, 80 percent are age 75 or older. The number of Americans with Alzheimer's is increasing every year because of the steady growth in the older population, and this number will continue to increase and escalate rapidly in the coming years as the baby boom generation ages.

The report further found:

- Of people aged 85+, 32 percent have Alzheimer's disease.
- In 2011, the first baby boomers turned 65. By 2029, all baby boomers will be at least 65 years old.
- By 2025, the number of people age 65 and older with Alzheimer's disease is estimated to reach 7.1 million — a 22 percent increase from the 5.8 million age 65 and older currently affected in 2020.
- In 2020, the 85-years-and-older population includes about 2.1 million people with Alzheimer's disease, or 35 percent of the Alzheimer's population. When the first wave of baby boomers reaches age 85 (in 2031), over 3.0 million people age 85 and older will have Alzheimer's.
- Total annual payments for health care, long-term care and hospice for people with Alzheimer's disease and other dementias are projected to increase from $305 billion in 2020 to more than $1.1 trillion in 2050 (in 2020 dollars). Medicare and Medicaid currently cover most of the costs of care.
- Studies indicate that people age 65 and older survive an average of four-to-eight years after a diagnosis of Alzheimer's dementia, yet some live as long as 20 years with Alzheimer's dementia.

Occupancy Patterns

Occupancy data compiled by the American Seniors Housing Association (ASHA), and published in *The State of Seniors Housing 2022,* for the various senior housing community types (congregate, assisted and CCRCs) has been summarized in the following table.

MEDIAN STABILIZED OCCUPANCY RATES (NATIONAL)
Senior Housing Facilities - All Communities

Property Type	2016	2017	2018	2019	2020	2021
Independent Living						
(Independent Only)	93.2%	89.6%	89.2%	87.3%	84.2%	80.9%
(Independent With Assisted Living)	91.6%	89.9%	87.5%	90.1%	84.5%	82.0%
Assisted Living						
(Assisted Only)	88.7%	89.5%	90.2%	88.2%	82.4%	78.4%
(Assisted with Memory Care)	89.4%	89.3%	90.2%	86.5%	81.9%	81.4%
CCRCs (for & non-profit)	90.5%	89.9%	90.0%	89.4%	84.7%	85.4%
All Communities	90.2%	89.7%	89.6%	87.8%	82.9%	81.1%

Source: American Seniors Housing Association

The above table shows median performance. For upper quartile performance, occupancy levels were about 10 percent higher than the above, showing an “All Communities” average of 92.0 percent for the upper quartile.

The above metrics exclude properties opened less than two years, as these are assumed to be in lease up. Further, due to the impact from the pandemic, the publication also excluded facilities that reported figures below 65 percent, as those are assumed to be distressed.

According to the NIC MAP® Data Service, Q1 of 2023 performance reflected:

- Independent Living occupancy was 85.2 percent in Q1 2023, unchanged from the prior quarter. Occupancy is 450 bps below its pre-pandemic level of 89.7 percent.
- Assisted Living occupancy in Q1 2023 was 81.2 percent, up 70 bps from the prior quarter. Occupancy still low by historic standards and is at 330 bps below its pre-pandemic level of 84.5 percent in Q1 2020.
- Nursing home occupancy was 81.3 percent in Q1 2023, an increase of 130 bps from the prior quarter. This improvement in occupancy has been greater for nursing care than assisted living or independent living, but the overall decline in occupancy for nursing care since the pandemic was more severe. Occupancy is still well below the pre-pandemic occupancy of 86.6 percent in the first quarter of 2020.
- CCRC occupancy was 87.3 percent in Q1 2023, an increase of 20 bps from the prior quarter. Entrance-fee CCRCs continued to significantly outperform their rental-based counterparts in terms of occupancy at 88.8 percent versus 84.3 percent.

The average length of stay in a senior housing facility also varies with the facility type. Following is a table that sets forth the average length of stay, based on data compiled by ASHA and published in *The State of Seniors Housing 2022*.

AVERAGE RESIDENT LENGTH OF STAY (Stated In Months)											
Property Type	**2011**	**2012**	**2013**	**2014**	**2015**	**2016**	**2017**	**2018**	**2019**	**2020**	**2021**
Independent	29.2	37.9	31.2	32.0	31.1	32.1	35.9	37.3	34.0	n/a	30.8
Assisted Living	21.7	22.0	21.5	23.4	20.8	22.2	26.9	22.4	24.4	25.2	20.2
Memory Care	21.3	n/a	n/a	n/a	n/a	n/a	16.2	16.6	17.1	19.1	n/a
Comb. Assisted & Memory Care	n/a	23.9	24.1	23.0	21.9	21.4	20.9	23.0	20.9	22.3	22.1
All CCRC (excl. SNF)	64.2	71.5	78.0	70.8	59.0	55.9	63.0	71.5	58.0	110.5	77.7
Entrance Fee CCRC - IL Units	91.9	98.5	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Entrance Fee CCRC - AL Units	27.5	29.8	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a

Source: American Seniors Housing Association

For independent living property types, the average length of stay has decreased slightly in 2021 but assisted and memory care length of stays have remained relatively consistent.

Absorption Trends

In our experience, typical patterns for initial absorption of new residents for all facility types is strong in the first month, but then tapers off during the following months and second and third years.

Absorption rates are influenced by the strength of the residential market, as prospective residents choose to delay entry, or are unable to move as they await the sale of their home.

According to the NIC MAP® Data Service, Q1 of 2023 monitor report, absorption in Q4 reflected the seventh consecutive quarter that absorption exceeded inventory growth.

The pace of inventory growth appeared to decelerate in Q1, with inventory increasing by 1,016 IL units, and 1,098 AL/MC units. This continues to be relatively weak by historical standards and has contributed to the increase in occupancy. In Q1 2023, there were about 35,300 units remaining in the construction pipeline, down 29.7 percent from the fourth quarter of 2019 prior to the pandemic.

Acquisition Market

According to *The Senior Care Acquisition Report, 27th Edition 2022,* published by Irving Levin Associates, Inc., after two years into the COVID-19 pandemic, the seniors housing industry hit an occupancy low in early 2021, but began to recover throughout the year. However, the recovery has been uneven due to variants and labor issues, protracting the time needed to stabilize occupancy.

New construction starts have slowed considerably, which should help existing communities fill empty beds. Demographics will be a boon to the seniors housing industry, but not for at least another five years.

Acquisition activity in 2021 nearly matched 2019's volume (443 versus 455 deals), based on publicly announced transactions. Including the off-market deals, deal volume likely topped 600 transactions in 2021.

The debt markets loosened in 2021, enabling buyers to buy at such a pace and such a scale. The transaction process also eased throughout the year, as property visits resumed, due diligence could be completed, and bid-ask spreads came down. Activity really began to surge at the end of 2020, when 126 transactions were announced in the fourth quarter.

Buyers flocked to the market in 2021 to acquire properties offering attractive yields, especially compared with other commercial real estate sectors. Skilled nursing deal activity dropped off in 2021, accounting for just 30 percent of all deals in 2021 versus 42 percent in 2020. Meanwhile, assisted living/memory care communities rose in prominence, from 33 percent of all deals in 2020 to a plurality of 44 percent in 2021. Independent living remained

the same at 11 percent of both years' deal activity, while active adult/age-restricted apartments fell in proportion from 11 percent to 9 percent. Lastly, CCRC's made up 6 percent of sales in 2021, versus 3 percent in 2020.

There were four deals worth over $1 billion in 2021, compared with none in 2020. The largest was DigitalBridge Group's $3.21 billion sale of its healthcare assets, including a large MOB portfolio and nine hospital assets, to an investment group that includes two real estate investment firms: Highgate Capital Investments and Aurora Health Network. Ventas' $2.3 billion, or $185,000 per unit, acquisition of New Senior Investment Group was next, followed by Welltower's purchase of Holiday Retirement's entire owned portfolio of 86 independent living communities for $1.58 billion, or $152,000 per unit. Finally, Harrison Street Real Estate Capital acquired 24 seniors housing communities formerly owned by Healthpeak Properties for $1.2 billion, or $547,000 per unit.

As such, numerous sales like these helped lower the average price paid per unit in the seniors housing sector to $182,300, from $196,000 in 2020 and $244,200 in 2019, a record-high. That is a 7 percent decrease in the average. Dealmakers pointed out that there were simply very few sales of stabilized, high-quality communities in 2021, as those owners had more power to raise monthly rent to offset increased labor and care costs.

But as construction costs remain high, more investors looking to increase their seniors housing holdings will inevitably turn to the acquisition market, thereby pushing prices back up. If the sector can continue to make occupancy gains in 2022, and labor costs level off, then average values could rise significantly.

The report indicated the following average price points for IL/AL properties:

AVERAGE PRICE PER UNIT FOR IL/AL			
	IL/AL	IL Only	AL Only
2012	$156,800	$138,800	$164,000
2013	$164,000	$191,950	$150,600
2014	$208,200	$246,800	$188,700
2015	$189,900	$192,900	$189,200
2016	$206,700	$228,200	$193,650
2017	$223,200	$230,100	$221,250
2018	$203,400	$238,100	$186,400
2019	$244,200	$233,600	$248,400
2020	$196,200	$232,500	$174,700
2021	$182,300	$177,400	$186,800

Source: The Senior Care Acquisition Report, 27th Edition, 2022

For combined independent/assisted living, the report indicates that the volume of "B" quality assets sold in 2021 helped to lower the average price paid to $182,300 per unit in 2021, compared with $196,200 in 2020. Dealmakers pointed out that there were simply very few sales of stabilized, high-quality communities in 2021.

For the upper quartile (25 percent grouping of highest priced unit sales), was $200,353 per unit in 2020, compared with $245,499 per unit in 2020. Here again, the dearth of high-quality property sales caused the upper quartile to fall. As a comparison, the upper quartile typically ranged from $325,000 to $360,000 per unit pre-COVID-19.

For assisted living in 2021, “A” properties sold for an average of $386,200 per unit in 2021, down from $405,100 per unit in 2020. We note that the supply for high-quality “A” assets dried up in 2021 as most operators stayed on the sidelines. Demand was strong, but there was a very limited supply of these assets in 2021. For Class “B” assets, the average sale price increased in 2021 to $152,500 per unit, as compared to $119,100 in 2020.

Other statistics are shown in the chart below:

Assisted Living Operating/Valuation Statistics: "A" vs. "B" vs. "C" Properties Sold in 2021			
	"A" Properties	"B" Properties	"C" Properties
Average NOI per Unit	$17,500	$10,400	$6,700
Average Operating Margin	19.2%	19.4%	16.0%
Average Occupancy	75.4%	77.0%	75.0%
Average Cap Rate	7.3%	7.8%	7.9%

Source: The Senior Care Acquisition Report, 27th Edition, 2022

For assisted living in 2020, the “A” properties saw an average NOI per unit of $17,500, down from $26,000 per unit in 2020. However, both “B” and “C” properties saw an increase in their NOI, up from $8,600 in 2020 to $10,400 in 2021 for “B” properties, and up from $3,600 in 2020 to $6,700 in 2021 for “C” properties.

Independent Living Operating/Valuation Statistics: "A" vs. "B" vs. "C" Properties Sold in 2021			
	"A" Properties	"B" Properties	"C" Properties
Average NOI per Unit	$14,200	$8,500	$4,800
Average Operating Margin	37.0%	30.0%	22.0%
Average Occupancy	76.0%	75.0%	72.0%
Average Cap Rate	4.8%	6.9%	7.9%

Source: The Senior Care Acquisition Report, 27th Edition, 2022

In terms of region, the report indicated the following performance:

AVERAGE PRICE PER UNIT FOR IL/AL			
	2019	2020	2021
Northeast	$263,700	$232,600	$226,400
Southeast	$267,100	$200,300	$178,300
North Central	$142,100	$118,500	$151,200
South Central	$178,000	$172,000	$148,900
West	$293,300	$240,400	$247,800

Source: The Senior Care Acquisition Report, 27th Edition, 2022

The West region had the highest average price per unit at $247,800, reflecting high land costs, high barriers to entry and high-income markets. Most regions failed to surpass their 2019 average per-unit prices.

CA Assisted Living Environment

Definition and Licensure

The California Department of Social Services, Community Care Licensing Division (CCLD), is the State Agency responsible for approving, monitoring, and regulating Residential Care Facilities for the Elderly (RCFE) per the California Code of Regulations, Title 22, Division 6, Chapter 8. California also has Adult Residential Facilities (ARF) which regulated by the California Code of Regulations, Title 22, Division 6, Chapter 6.

Any individual or legal entity providing or intending to provide care and supervision to the elderly in a residential facility must obtain a current valid license. A license is not transferable. The licensee must notify the licensing agency and all residents receiving services, or their representatives, in writing as soon as possible and in all cases at least 30 days prior to the transfer of the property or business, or at the time that a bona fide offer is made, whichever period is longer. In all other instances, including a change in licensee, type of license, or location of the facility, the licensee must notify the licensing agency and all residents receiving services, or their responsible persons, in writing as soon as possible and in all cases at least 30 days prior to the effective date of that change. In the case of change of ownership or licensee a new application for license must be submitted by the prospective new licensee.

Statewide Statistics

As of February 2023, California has 7,336 licensed RCFEs in the State with 164,497 beds, 111 licensed RCFE-CCRCs with 34,883 beds, 5,686 licensed ARFs with 38,372 beds, and 92 ARFs with Special Health Care Needs that have 439 beds.

Dementia Requirements

RCFEs may admit residents who are diagnosed by a physician as having dementia if certain requirements are met, including annual medical assessment, adequate supervision, enhanced physical plant safety requirements, and an appropriate activity program.

Public Financing

The Assisted Living Waiver (ALW) was approved in 2009 and was funded through 2014 then extended until February 28, 2024. The ALW is a Home and Community-Based Services waiver that was created by legislation that directed the California Department of Health Care Services to develop and implement the project to test the efficacy of assisted living as a Medi-Cal benefit.

The goal of the ALW is to:

- Facilitate a safe and timely transition for Medi-Cal eligible seniors and persons with disabilities from a nursing facility to a community home-like setting in a RCF, an ARF or public subsidized housing, utilizing ALW services; and
- Offer eligible seniors and persons with disabilities, who reside in the community, but are at risk of being institutionalized, the option of utilizing ALW services to develop a program that will safely meet his/her care needs while continuing to reside in a RCF, ARF, or public subsidized housing.

To be eligible for ALW, an individual must meet all of the following criteria: age 21 or older; have full-scope Medi-Cal eligibility with zero share of cost; have care needs equal to those of Medi-Cal-funded residents living and receiving care in nursing facilities; willing to live in an assisted living facility or public subsidized housing; and willing to live in an assisted living setting located in one of the following counties providing ALW services: Alameda, Contra

Costa, Fresno, Kern, Los Angeles, Orange, Riverside, Sacramento, San Bernardino, San Diego, San Francisco, San Joaquin, San Mateo, Santa Clara and Sonoma.

The ALW requirement considers both the applicant's income as well as their assets. Medi-Cal reimburses for the services provided to residents enrolled in the ALW, however the resident is required to pay room and board. In 2023, for those with the Social Security Income (SSI) of $1,477.83, the personal need allowance for the participant's personal needs is $35.00. Each participant must be assessed by an R.N. Care Coordinator from a Care Coordination entity. The assessment will determine the participants' Tier of Care. The payment rates by tier are:

PAYMENT RATES	
Assisted Living Services:	
Tier 1	$84/participant/day
Tier 2	$101/participant/day
Tier 3	$115/participant/day
Tier 4	$133/participant/day
Tier 5	$200/participant/day
Care Coordination	$320/month
Nursing Home Transition Coordination	$1,600

Management and Operations Overview

Management Overview

According to the developer, they have not yet selected their operating partner for the subject property. It was noted that they will choose a seasoned operator to manage the property, targeting is at the high-end of the private pay marketplace. This market study assumes competent management will be in place.

Regulations and Health Matters

The facility will be licensed as a Residential Care Facility for the Elderly (RCFE) by the CA Department of Social Services. The facility will be licensed for at least 125 assisted living beds. Typically, newer facilities are licensed for additional beds to allow for a spouse to reside in the same unit (i.e. second persons).

State Monitoring

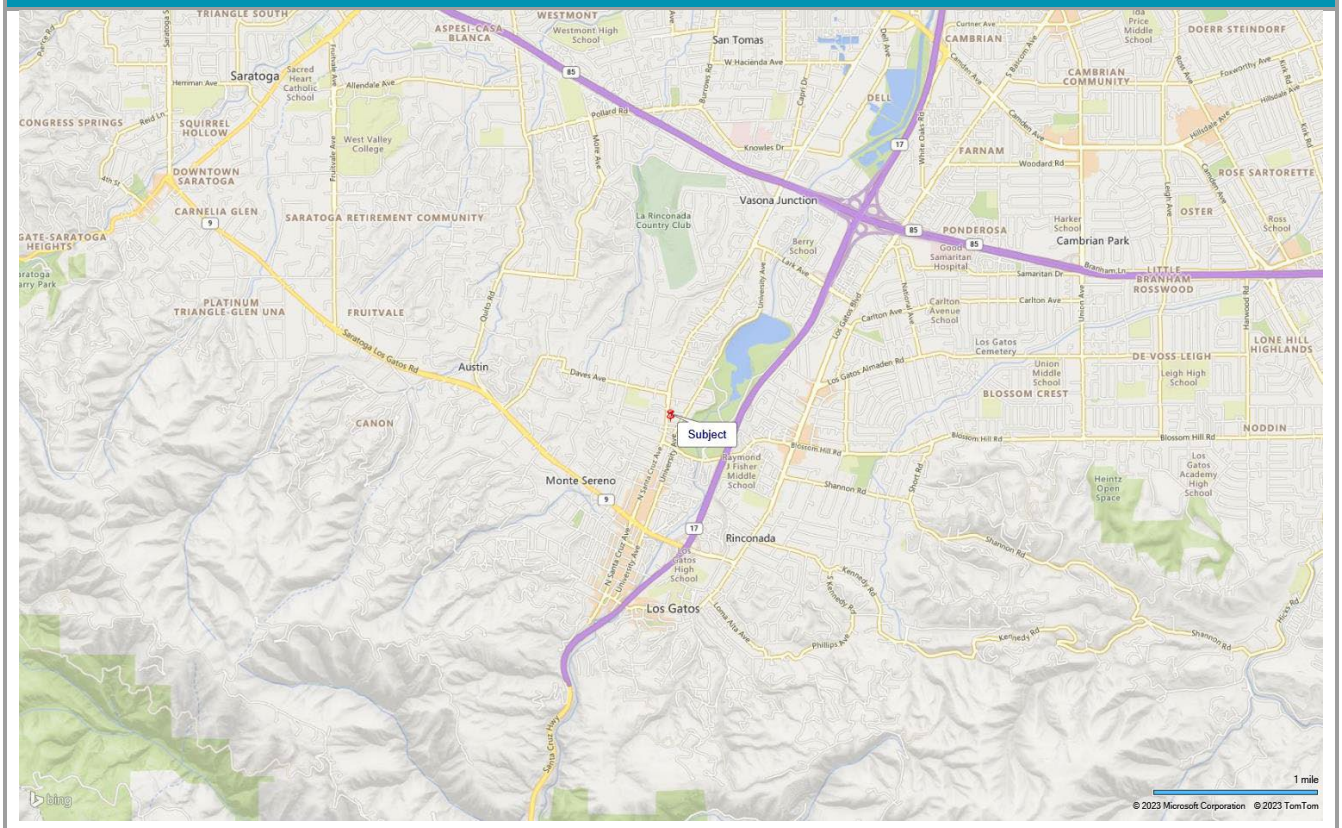
The State of CA regularly surveys licensed assisted living/memory care facilities. Proper adherence to state regulations is assumed.

Competitive Market Analysis

Location Overview

The property is located in the community of Los Gatos. Generally, the boundaries of the immediate area are Highway 85 to the north, Highway 9 to the south, Los Gatos Boulevard to the east and Quito Road to the west. The Central Business District is ¼ mile south the subject property.

LOCAL MAP



Neighborhood Analysis

The facility is located in a suburban location in an area characterized by residential and commercial development. Land in the subject's neighborhood is approximately 95 percent developed, with most improvements in good condition. The age of the improvements vary widely with some houses still in use that appear to date to the 1940s, as well as some newer residential developments that appear to date to the last 10-20 years. Overall the local area appears to be complementary to the subject facility.

Nearby and Adjacent Uses

- North Single-family residences and various office and commercial uses
- South Multi-family residences and various commercial uses
- West Single-family residences
- East Vet clinic, offices and various commercial uses

Special Hazards or Adverse Influences

There are no detrimental uses in the local area that would impact the subject's use. The general area is not subject to flooding according to FEMA maps. No unusual noise pollution was observed. No noxious odors were observed at or near the subject and none were reported.

Access

Local area accessibility is generally good, relying on the following transportation arterials:

Local:	The subject property is accessed along Winchester Boulevard, a moderately trafficked roadway. The subject is located in close proximity to Highway 17, which travels northward into San Jose and southward into the community of Santa Cruz. The subject also enjoys good proximity to other moderately trafficked arterials traversing the town and county.
Regional:	The subject is located approximately seven miles from egress/ingress to Interstates 280 and 880, and these arterials provide the most convenient north-south travel connection to other major arterials including access to Interstate 680 and Highway 101, approximately 10 miles to the northeast of the subject.
Transportation Systems:	The subject is located in a suburban market area, and the primary method of transportation is automobile. Public transportation is available through the Valley Transportation Authority (VTA) bus system, which serves Los Gatos as well as a number of suburban communities.

Medical Services

There are also numerous medical clinics and private physician offices in the PMA. The subject's location is mostly residential but with good proximity to a main medical services corridor in the town. The Good Samaritan Hospital is located approximately 1 ½ miles northeast of the subject. The hospital and surrounding on-campus buildings offer a full range of medical services including primary care, specialty care, imaging and out-patient surgery. In addition, a full service 24-hour emergency room is available as well as life flight transportation, when necessary.

Location Attributes Conclusion

Based on our review of the facility and their offering, the subject's location appears to be a suitable location for the facility, and the neighborhood is conducive to the proposed use.

Primary Market Area

The first step in analyzing the competitive market for the subject is delineating its primary market area (PMA). The PMA is typically described as either a defined radius around the subject, zip codes, or it can be the county or township in which the property is located.

In order to delineate the subject's PMA, our analysis evaluated industry trends, an interview with the subject's management, as well as representatives at the competitive properties we used in our analysis. We also consider natural boundaries; density of the population; work and commuting patterns; location of retail, health and service centers; locations of other housing options; and major transportation corridors.

Physical Barriers

There are no significant physical barriers in the immediate proximity of the subject that are believed to limit the subject's market area.

Psychological Barriers

The subject's market area is not constrained by any known psychological barriers.

Industry Trends

National surveys conducted by two senior housing associations regarding relocation trends for senior housing is presented below. These figures denote the percentage and distances involved of residents who have relocated to a senior housing project.

RELOCATION TRENDS – SENIOR LIVING FACILITIES

	ASSISTED LIVING	ASSISTED & MEMORY CARE	ASSISTED & INDEPENDENT LIVING	CCRC
Under 5 Miles	40.0%	26.7%	43.5%	52.2%
5 – 10 Miles	20.4%	34.7%	20.0%	16.4%
11 – 25 Miles	20.0%	16.7%	15.3%	13.4%
26 – 50 Miles	7.3%	6.0%	5.9%	6.0%
Over 50 Miles	12.4%	16.0%	15.3%	11.9%

Source: AAHSA – 2009 Overview of Assisted Living

Both assisted and independent living facilities exhibit similar relocation patterns, while facilities with memory care exhibit wider relocation patterns, typical as often families will need to travel further to find a secured memory care facility to meet their needs.

Local Trends

Considering the physical and psychological barriers, population density, discussions with market participants, and the competing facilities' concentration, we have determined the PMA of the subject to encompass an area of a 5-mile radius from the site. In this market, we believe that the majority of demand will come from the PMA. Discussions with operators and market participants indicate 75 percent of the residents will emanate from the PMA. Although a property like the subject may also attract residents from outside of the area, the geographic 5-mile radius is considered to represent the primary draw for the subject.

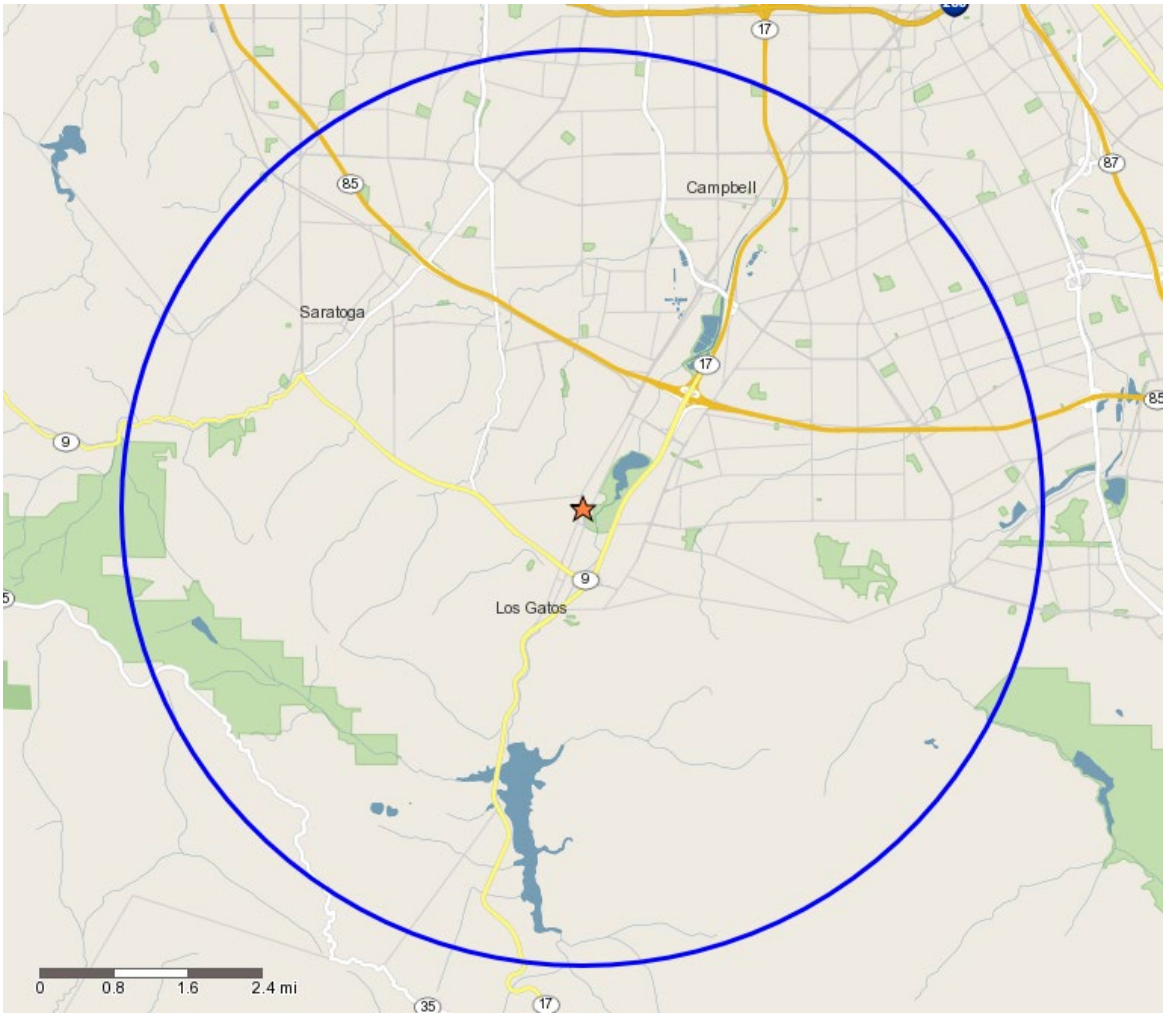
Residents also relocate to Los Gatos to either retire or be near their adult children that work in the area. Adult children are often the driving force in the decision making process for their parents.

Market Area Delineation Conclusion

Based on our knowledge of the local market, we have determined the PMA of the subject to encompass an area of approximately 5-mile radius of the site.

The map of the PMA is shown below.

PRIMARY MARKET AREA MAP



Supply/New Construction

Existing Facilities

Because of the subject's levels of personal care services, and type of amenities, personal care or boarding homes in the market do not generally compete directly with the subject. However, the following charts detail the number of senior living units in the subject's market area that pose direct and indirect competition to the subject. We note that the table may include facilities located in both the subject's primary market area and secondary market area for all known properties offering the product types studied in this report.

MARKET AREA SUPPLY							
Facility Name	Distance from Subject in Miles	Competitive Percentage	Total IL	Total AL	Total MC	Total Units	In PMA?
Comparables							
Belmont Village Los Gatos	2.52	52%	0	119	27	146	Yes
Merrill Gardens at Campbell	3.58	38%	0	126	24	150	Yes
Campbell Village	3.61	38%	0	59	13	72	Yes
Palm Villas Campbell	2.60	51%	0	0	24	24	Yes
Cedar Creek Alzheimers and Dementia Care Center	1.54	67%	0	0	29	29	Yes
MorningStar at West Valley	4.83	26%	0	0	41	41	Yes
Other Inventory							
Villa Fontana	4.02	34%	0	71	25	96	Yes
Our Lady Of Fatima Villa	3.25	42%	0	37	0	37	Yes
Saratoga Retirement Community	2.44	53%	143	88	14	245	Yes
The Terraces Of Los Gatos	1.03	77%	175	45	16	236	Yes
Princess Lodge	2.31	55%	0	0	16	16	Yes
Westgate Villa Assisted Living / westwoods	4.08	33%	0	32	0	32	Yes
SUBJECT		100%	0	107	18	125	Yes
Totals			318	684	247	1,249	
Total Computed % Competitive Inventory			**210**	**371**	**125**	**706**	

** PMA - Primary Market Area*

***Assumptions and Methodology for Determining Comparable Properties**: All known properties offering the product types studied in this report are listed. Properties not considered reasonably comparable to the subject project may be excluded from the competing unit count for purposes of calculating supply. Also, adjustments in competing unit counts are made to all competing properties in the column labeled "Competitive Percentage" which represents the area of overlapping circles using Pythagorean theorem.*

The above chart reflects all inventory overlapping the subject's PMA. We included the distance from the subject, which provides a 'Competitive Percentage' figure, calculated based on the percentage of overlap of each property's PMA, assuming a PMA identical to that of the subject. This percentage is presented here, and will be used further on to apply to isolate existing inventory for our supply and demand analysis.

Selection of Comparables

The subject's PMA includes a total of 13 communities; however, we selected our survey comparables based on both proximity as well as similarity of the facility. We excluded several 6-bed room and board facilities as they are inferior to the subject will not compete with the subject property.

Proposed Units

Regarding planned or pending projects in the subject's PMA, discussions with local providers and municipal planning departments indicated that there are two comparable assisted living facilities planned at this time. Because of the retirement draw of the market area, it would be reasonable to assume that the PMA could possibly see some new development through the mid-term.

Our analysis will only include those facilities likely to be complete within the coming 24-36 months. These facilities are set forth in the following table.

COMMUNITIES UNDER CONSTRUCTION OR PROPOSED								
Facility Name	Distance from Subject in Miles	Competitive Percentage	Total IL	Total AL	Total MC	Total Units	In PMA?	Year Complete
SUBJECT		100%	0	107	18	125	Yes	2025
Bascom Senior Living	3.75	36%	0	93	0	93	Yes	2026
Cambrian Park Plaza Assisted Living	2.98	46%	0	160	0	160	Yes	2026
Totals			0	360	18	378		

TOTAL EXISTING & UNDER CONSTRUCTION OR PROPOSED				
Facility Name	Total IL	Total AL	Total MC	Total Units
Total 2022 Computed % Competitive Inventory	210	371	125	706
Total 2023 Computed % Competitive Inventory	210	371	125	706
Total 2024 Computed % Competitive Inventory	210	371	125	706
Total 2025+ Inventory	210	584	143	938

** PMA - Primary Market Area*

Assumptions and Methodology for Determining Comparable Properties: All known properties offering the product types studied in this report are listed. Properties not considered reasonably comparable to the subject project may be excluded from the competing unit count for purposes of calculating supply. Also, adjustments in competing unit counts are made to all competing properties in the column labeled "Competitive Percentage" which represents the area of overlapping circles using Pythagorean theorem.

Occupancy Patterns

Industry Statistics

Occupancy data compiled by the American Seniors Housing Association (ASHA), and published in *The State of Seniors Housing 2022,* for the various senior housing community types (congregate, assisted and CCRCs) has been summarized in the following table.

MEDIAN STABILIZED OCCUPANCY RATES (NATIONAL) Senior Housing Facilities - All Communities						
Property Type	**2016**	**2017**	**2018**	**2019**	**2020**	**2021**
Independent Living						
(Independent Only)	93.2%	89.6%	89.2%	87.3%	84.2%	80.9%
(Independent With Assisted Living)	91.6%	89.9%	87.5%	90.1%	84.5%	82.0%
Assisted Living						
(Assisted Only)	88.7%	89.5%	90.2%	88.2%	82.4%	78.4%
(Assisted with Memory Care)	89.4%	89.3%	90.2%	86.5%	81.9%	81.4%
CCRCs (for & non-profit)	90.5%	89.9%	90.0%	89.4%	84.7%	85.4%
All Communities	90.2%	89.7%	89.6%	87.8%	82.9%	81.1%

Source: American Seniors Housing Association

The above table shows median performance. For upper quartile performance, occupancy levels were about 10 percent higher than the above, showing an “All Communities” average of 92.0 percent for the upper quartile.

The above metrics exclude properties opened less than two years, as these are assumed to be in lease up. Further, due to the impact from the pandemic, the publication also excluded facilities that reported figures below 65 percent, as those are assumed to be distressed.

Competitive Market Area

The following table summarizes the competitive properties and their reported occupancy levels. Please note that not all of these properties may fall within the defined market area of the subject; however, earlier in this section, we defined the total competitive supply in the subject’s primary market area for all known properties offering the product types studied in this report.

The below chart reflects only the inventory we surveyed as rental comparables. We will further on include the total other inventory within the subject’s PMA for our supply/demand analysis.

DEFINED COMPETITIVE FACILITIES		
Facility Name	**Total AL+MC**	**Occupancy Level**
Belmont Village Los Gatos	146	68%
Merrill Gardens at Campbell	150	88%
Campbell Village	72	88%
Palm Villas Campbell	24	100%
Cedar Creek Alzheimers and Dementia Care Center	29	93%
MorningStar at West Valley	41	24%
SUBTOTAL	**462**	**77%**
Subject	125	0%
SUBTOTAL + SUBJECT	**587**	**60%**

Facility Name	**Total MC Only**	**Occupancy Level**
Belmont Village Los Gatos	27	68%
Merrill Gardens at Campbell	24	88%
Campbell Village	13	88%
Palm Villas Campbell	24	100%
Cedar Creek Alzheimers and Dementia Care Center	29	93%
MorningStar at West Valley	41	24%
SUBTOTAL	**158**	**71%**
Subject	18	0%
SUBTOTAL + SUBJECT	**176**	**64%**

The current reported occupancy of the comparables surveyed, which were not in lease-up, ranged from 88 percent to 100 percent. The subject is expected to compete at the upper-end of the marketplace.

The Belmont Village Los Gatos facility opened in 2022 and remains in lease-up with 99 of their 146 units occupied. MorningStar at West Valley recently opened in July 2023 and was reported to have filled 10 of their 41 units.

We also compared the subject's local market performance to that of their overall MSA, shown below.

MARKET OVERVIEW

MAJORITY AL

METRO TRENDS

	Existing Inventory		Occupancy		Quarterly Supply and Demand		Under Construction Inventory		
Period	# Properties	# Units/Beds	All Properties	Stabilized	Absorption	Inventory Growth	# Properties	# Units/Beds	YoY Rent Growth[1]
2Q2023	33	2,843	79.7%	81.4%	7	3	7	781	3.2%
1Q2023	33	2,840	79.5%	81.8%	65	-3	7	781	7.1%
4Q2022	33	2,843	77.2%	79.8%	67	-8	7	781	8.9%
3Q2022	33	2,851	74.6%	79.6%	37	-19	7	781	9.6%
2Q2022	33	2,870	72.8%	84.4%	109	147	7	781	7.4%
1Q2022	32	2,723	72.8%	81.8%	-107	-6	5	539	2.4%
2021	32	2,729	76.5%	81.7%	73	284	5	539	3.3%
2020	30	2,445	82.4%	83.3%	-87	175	3	441	1.0%
2019	30	2,270	92.6%	94.0%	88	90	2	294	4.3%

MAJORITY AL

Submarket	Stabilized Occupancy	YoY Rent Growth	AL Average Rent per Unit	MC Rent per Unit	Construction vs. Inventory	Inventory	Penetration	Yearly Absorption	Yearly Inventory Growth
San Benito	Protected	Protected	Protected	No Data	0.0%	25	1.2%	Protected	0
Santa Clara	81.4%	3.1%	$8,635	$11,490	27.7%	2,818	4.1%	176	-27

Source: NIC MAP ® Data Service

According to the NIC MAP® Data Service, Q2 of 2023 Metro Market Report, the average occupancy rate for stabilized properties that are mostly assisted living across the San Jose MSA is 81.4 percent. The occupancy is slightly above the national occupancy of 80.0 percent for assisted living within primary markets suggesting the larger market is similarly competitive than other primary markets around the country. However, the occupancies of the facilities in the PMA show slightly higher occupancy levels, indicating the need for additional assisted living beds, similar to the subject property.

Senior Demographics

We evaluated the current and future market potential by analyzing demographic trends and the supply of senior housing in the facility's market area. As discussed earlier, although a property like the subject may also attract residents from outside of the area, the geographic market area within a radius of approximately 5-mile is considered to represent the primary draw for the subject.

Demographic data used in our analysis was provided by © 2022 Experian Marketing Solutions, Inc. •All rights reserved•. The data includes figures for the most recent census year in 2010, 2022 estimates and projections for the years 2027 and 2032. For purposes of this analysis, we relied upon the 2022 estimates for current demographic information.

Senior Population/Growth Rates

An analysis of the PMA's senior population and growth demographics for the subject's primary area (PMA) relative to the U.S. will yield insight into the nature of the PMA, as shown in in the following chart.

POPULATION STATISTICS	PMA - Miles 5 Miles		USA		GROWTH RATES	PMA - Miles 5 Miles		USA	
2010	Population	%	Population	%	2010-2027	Total	Annual	Total	Annual
Total *	244,509		308,745,632		Total *	2.9%	0.2%	11.5%	0.6%
65+	34,156	14.0%	40,267,997	13.0%	65+	47.5%	2.3%	61.3%	2.9%
75+	16,601	6.8%	18,554,562	6.0%	75+	50.4%	2.4%	53.5%	2.6%
85+	5,075	2.1%	5,493,435	1.8%	85+	54.5%	2.6%	34.6%	1.8%
2022	Estimate				2010-2022				
Total *	249,517		333,040,841		Total *	2.0%	0.2%	7.9%	0.6%
65+	44,648	17.9%	56,175,236	16.9%	65+	30.7%	2.3%	39.5%	2.8%
75+	21,623	8.7%	23,371,819	7.0%	75+	30.2%	2.2%	26.0%	1.9%
85+	7,086	2.8%	6,730,574	2.0%	85+	39.6%	2.8%	22.5%	1.7%
2027	Projection				2022-2027				
Total *	251,540		344,351,218		Total *	0.8%	0.2%	3.4%	0.7%
65+	50,369	20.0%	64,940,768	18.9%	65+	12.8%	2.4%	15.6%	2.9%
75+	24,962	9.9%	28,484,173	8.3%	75+	15.4%	2.9%	21.9%	4.0%
85+	7,841	3.1%	7,394,641	2.1%	85+	10.7%	2.0%	9.9%	1.9%

* Total population unadjusted for age * Total population unadjusted for age

Source: © 2022 Experian Marketing Solutions, Inc. •All rights reserved•

C&W Projection - Applying 2022-2027 growth rate to trend to 2032									
2032					2027 - 2032				
Total *	253,579		356,045,706		Total *	0.8%	0.2%	3.4%	0.7%
65+	56,822	22.4%	75,074,065	21.1%	65+	12.8%	2.4%	15.6%	2.9%
75+	28,817	11.4%	34,714,804	9.8%	75+	15.4%	2.9%	21.9%	4.0%
85+	8,676	3.4%	8,124,228	2.3%	85+	10.7%	2.0%	9.9%	1.9%

As seen from the data, the senior population is growing moderately in terms of absolute numbers and as a percentage of total population.

In 2022, 8.7 percent of the PMA's total population was above the age of 75. This is above the national average of 7.0 percent. However, the 75+ cohort is expected to grow at an annual rate of 2.9 percent, which is below the national rate of 4.0 percent. Over the next five years, the total 75+ population growth is expected to be 15.4 percent in the subject's PMA as compared to 21.9 percent nationally.

Aging of baby boomers contributed to a significant increase of 5,470 people (+31.2 percent) in the 65-74 population between 2010 and 2022. As this group ages, most cohorts age 65+ are predicted to see increases in the PMA over the next five years, particularly the 65-74 and 75-84 age groups, which are projected to grow 10.3 percent (2,382 people) and 17.8 percent (2,584 people) respectively.

Comparatively on a national basis, the 65-74 and 75-84 age groups are projected to grow 11.1 percent and 26.7 percent between 2022 and 2027. The subject's PMA indicates a lower percentage growth of elderly population as compared to the national average.

Adult Children Population/Growth Rates

We also analyzed population trends for what the industry refers to as "adult children." This segment of the population generally plays a significant role in the placement of a senior in a senior housing facility. This is especially true as many seniors or elderly will relocate to be near their adult children or relatives. This fact is widely recognized by senior housing operators who indicate that market areas exhibiting a higher concentration of adults

between the age of 45 and 65 can generally support a much larger supply of senior housing than would be shown through analyzing only the percentage of seniors currently residing in the market area. This situation is more prevalent with regard to higher levels of care such as assisted living and nursing. The following charts summarize the population and growth statistics for the subject's primary area (PMA) relative to the U.S. for these age groups.

POPULATION STATISTICS - ADULT CHILDREN				
	PMA		USA	
2010	Population	%	Population	%
Total *	244,509		308,745,632	
45-64	71,491	29.2%	81,489,472	26.4%
2022				
Total *	249,517		333,040,841	
45-64	73,832	29.6%	83,695,846	25.1%
2027				
Total *	251,540		344,351,218	
45-64	71,969	28.6%	81,973,135	23.8%

* Total population unadjusted for age

GROWTH RATES - ADULT CHILDREN				
	PMA		USA	
2010-2027	Total	Annual	Total	Annual
Total *	2.9%	0.2%	11.5%	0.6%
45-64	0.7%	0.0%	0.6%	0.0%
2010-2022				
Total *	2.0%	0.2%	7.9%	0.6%
45-64	3.3%	0.3%	2.7%	0.2%
2022-2027				
Total *	0.8%	0.2%	3.4%	0.7%
45-64	-2.5%	-0.5%	-2.1%	-0.4%

* Total population unadjusted for age

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C&W Projection - Applying 2022-2027 growth rate to trend to 2032				
2032				
Total *	253,579		356,045,706	
45-64	70,153	27.7%	80,285,883	22.5%

2027 - 2032				
Total *	0.8%	0.2%	3.4%	0.7%
45-64	-2.5%	-0.5%	-2.1%	-0.4%

During the next five years the PMA's adult child population is expected to decline at a rate of -0.51 percent annually. Comparatively on a national basis, the 45-64 age group is projected to decline by -0.42 percent between 2022 and 2027.

Millennials have surpassed baby boomers as the nation's largest living generation, according to population estimates released in April 2016 by the U.S. Census Bureau. Millennials, whom we define as those ages 18-34 in 2016, now number 75.4 million, surpassing the 74.9 million baby boomers (ages 51-69). For a few more years, Gen Xers are projected to remain the "middle child" of generations – caught between two larger generations of the millennials and the boomers. Thus, the aging of baby boomers past the age of 65 coupled with the smaller Gen Xers generation accounts for the national decline of the 45-64 age group.

Overall, adult children are expected to contribute positively towards living options for the subject and its market area.

Income and Households

In addition to the absolute number and growth of the elderly population, the number of households with appropriate income levels will dictate the actual population available to support the subject. Statistics on income levels are typically presented by the household. We note that in the case of the elderly, most households include at least a single adult. For comparison purposes it is therefore reasonable to utilize the household statistics. Furthermore, the housing cost and income requirements for a second person are significantly less than the primary occupant.

Compared with the competition, the subject's quoted monthly rates fall within the upper portion of the range. To afford the various accommodations at the subject, we estimate that an average annual income of $91,800 would be necessary. For this calculation, we utilized the subject's entry point of a private studio unit at $6,500 per month or $78,000 per year, as calculated in the Income Capitalization Approach to value. We assumed that a resident would spend approximately 85 percent of their income on housing, meals and utilities. The balance of the income is required for taxes, insurance, and personal needs. By dividing the $78,000 by 85 percent we arrive at an average income of $91,800, rounded.

This is a conservative assumption given that there are a significant number of elderly who are receiving some form of adult child subsidy. Furthermore, these indicators are somewhat skewed given that recent findings suggest that the elderly are spending down their assets (liquid assets such as stocks and bonds) and other income from the sale of their house while residing in senior living facilities. Given the relatively short term of stay anticipated in these facilities, it is reasonable to assume that there would be a greater spend-down of assets. Reference is made to the findings in the State of Seniors Housing Report, 2022 published by the Americans Senior Housing Association (ASHA), which cites the average length of stay in an assisted living facility to be approximately 20 months and independent living facilities indicated 31 months.

This same report reflected an average length of stay of 78 months within the independent and assisted living combined components of a CCRC, however, entrance fee CCRCs typically exhibit a longer length of stay than their rental CCRC counterparts.

The indicated income level does not account for child subsidies or a sale of a home. According to the Experian report, approximately 64.7 percent of the householder population are homeowners in the PMA and the median housing value was reported to be $1,000,000 in 2022. Given that the elderly population typically own their residence free and clear, it is reasonable to assume that there would be additional income available from the sale of a residence, which could be amortized over the length of stay. Given the average price of a house and that the majority of the elderly own their houses free and clear, we assumed that this cash would provide for additional income of say $20,500 annually or a safe rate of return of 2.00 percent of the investment (2.00 percent x $1,000,000).

Additionally, we considered the contribution of other payment sources. In our review of the 2009 Overview of Assisted Living, we find the following:

PRIMARY PAYMENT SOURCES

	ASSISTED LIVING	ASSISTED & MEMORY CARE	ASSISTED & INDEPENDENT LIVING	CCRC
Self	59.1%	63.5%	82.6%	77.9%
Family	9.8%	14.7%	7.0%	5.9%
Long-Term Care Insurance	6.3%	7.1%	3.5%	5.9%
Medicaid	18.9%	12.2%	5.8%	4.4%
SSI / State Supplement	3.8%	1.9%	1.2%	0.0%
VA	0.7%	0.0%	0.0%	0.0%
Unknown	1.4%	0.6%	0.0%	5.9%

Source: Overview of Assisted Living, a collaborative research project of AAHSA, ASHA, ALFA, NCAL & NIC

After accounting for home ownership ($91,800 - $20,500 = $71,300), as well as the contribution by family, insurance, etc., an annual income qualifier of $71,300 per year is indicated.

We considered the estimated rental rates of the subject's inventory, as well as the average rental rates of the competitive inventory, against which the penetration ratio study is computed. Along with adjustments for the sale of a home, accelerated drawdown of assets and contributions from family members, we applied the following income qualifiers for our upcoming demand analysis:

- $75,000 for assisted living and memory care inventory;

Income qualifying households are shown in the below table:

INCOME STATISTICS				
Income Qualifying Households				
	PMA - Miles 5 Miles		USA	
Assisted Living/Memory Care Qualification:				**$ 75,000**
2022	**Total**	**%**	**Total**	**%**
* Total 65+	26,003	---	34,905,651	---
65+	14,805	56.9%	11,152,082	31.9%
75+	6,693	25.7%	4,148,791	11.9%
2027				
* Total 65+	29,054	---	40,134,723	---
65+	19,133	65.9%	15,802,110	39.4%
75+	9,185	31.6%	6,468,872	16.1%

* Unadjusted for Income

INCOME STATISTICS - GROWTH RATES				
Income Qualifying Households				
	PMA - Miles 5 Miles		USA	
65+	**Total**	**Annual**	**Total**	**Annual**
* Total 65+	11.7%	2.2%	15.0%	2.8%
65+	29.2%	5.3%	41.7%	7.2%
75+	37.2%	6.5%	55.9%	9.3%

* Unadjusted for Income

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For assisted living and memory care, we found that for households with incomes over $75,000 within our PMA in 2022, there were 14,805 for the 65+ age group and 6,693 for the 75+ age group. The number of households earning $75,000 or more in the PMA is anticipated to increase over the next five years at an annual average rate of 5.3 percent for age 65+ households and 6.5 percent per year for age 75+ households.

Overall, these figures appear to be consistent with population trends.

Introduction to Penetration Analysis

Penetration rates help measure the degree to which a market is either underserved or saturated. The analysis determines the needed capture rate of the qualified market to achieve stabilized occupancy. A needed component of this analysis is the market's stabilized occupancy level. At any given time, a particular market's occupancy level may be impacted by new inventory which is still in lease-up, reflecting an overall occupancy level which is not considered stable. Generally a barometer indicating a healthy market for a penetration analysis, for developers of these communities, would be from 91 percent to 95 percent. We consider a market occupancy level of 91 percent or higher to bode favorably in our penetration analysis conclusion.

The current reported occupancy of the comparables surveyed, which were not in lease-up, ranged from 24 percent to 100 percent. Average occupancy levels of the facilities we surveyed were 76.8 percent for assisted and memory care beds, and 70.8 percent for memory care alone.

Overall the subject's market occupancy level appears to be in line with a good market for potential development or expansion. However, in the next sections, we will examine the individual components comprising the market's supply and demand, as well as forecasts for the next five years.

We note that penetration rates should be considered in context of other market factors, as not all markets have the same utilization rates of senior housing. Other considerations in our analysis include:

- Occupancy levels in the market;
- Absorption experience, especially if the market's vacancies are concentrated in older obsolete stock while new inventory is enjoying swift absorption;
- The number of proposed units in the primary market area, as multiple projects in lease-up at the same time may result in protracted absorption periods;

- The design of the assisted living units at the project and alternatives for potential assisted living residents, for example, if the subject's units will meet a specific targeted need which is currently lacking;
- The internal demand if offered in a continuing care setting, or if the new facility will be adjacent to a strong feeder source;
- Wait list activity;
- Length of stay;
- Market awareness, as the utilization rates of senior housing differ in different regions;
- The developer's specific marketing plans and brand draw;

We will discuss our findings in the upcoming penetration analysis.

Comparison of Supply and Demand Estimates

Assisted Living

Demand for assisted living housing is need driven, which reduces the qualified market to only the portion of seniors who need assistance. According to data from the *Summary Health Statistics for the U.S. Population: National Health Interview Survey*, 2012 by the U.S. Department of Health and Human Services, about 4.9 adults between 65-74 years of age required the help of another person with activities of daily living such as eating, dressing, or bathing. Among adults aged 75 and over, about 11 percent required the help of another person with ADLs.

We estimate that households with incomes of $75,000 or more in the PMA would qualify for private pay assisted living. As previously discussed, we estimate that a portion of demand for assisted living units (25 percent) will come from outside of the PMA.

The following table summarizes our conclusions of supply and demand for assisted living.

DEMAND ESTIMATES FOR ASSISTED LIVING (INCLUSIVE OF MEMORY CARE)									
		2022 Age of Householder		2023 Age of Householder		2024 Age of Householder		2027 Age of Householder	
		65-74	75+	65-74	75+	65-74	75+	65-74	75+
Households with Incomes Greater Than:	$ 75,000	8,112	6,693	8,479	7,060	8,846	7,427	9,947	9,185
*Multiplied by Potential Capture Rate**		2.0%	11.0%	2.0%	11.0%	2.0%	11.0%	2.0%	11.0%
Equals Potential Demand		162	736	170	777	177	817	199	1,010
Potential Demand in PMA		898		946		994		1,209	
Plus Demand From Outside PMA @25%		299		315		331		403	
Equals Total Demand Potential		1,198		1,262		1,325		1,612	
Minus Existing and Pending Competitive Supply		496		496		496		728	
Total Unmet Demand Potential		702		766		829		885	

*The potential capture rate is derived from data from the Summary Health Statistics for the U.S. Population: National Health Interview Survey, 2012 by the U.S. Department of Health and Human Services. The capture rate used is the percentage of seniors needing assistance with ADLs.

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Our analysis shows that the PMA has an under-supply of assisted living in the current year, with unmet demand for 702 beds indicated. This is supported by the occupancies among the competitive assisted living facilities.

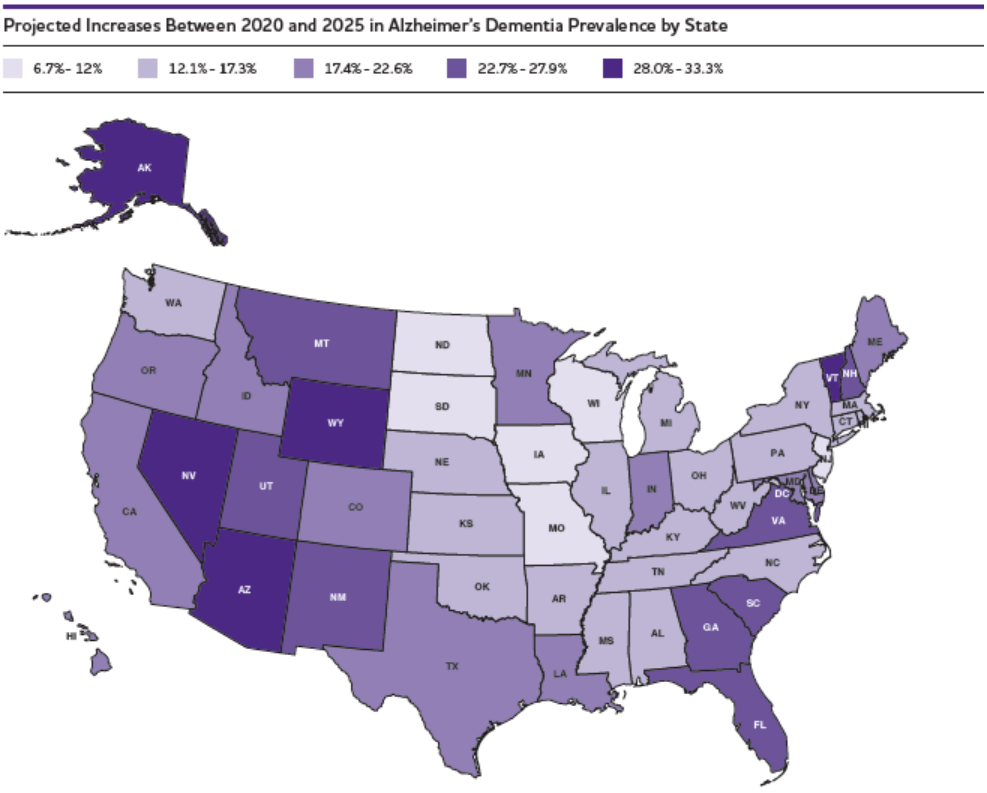
There are three facilities (including the subject) that are expected to be delivered within the next 24-36 months. The addition of these communities will likely impact occupancies among stabilized communities in the short term but should be readily absorbed by the market within two years of opening.

Memory Care

Demand for memory care is a subset of overall assisted living demand. The facility's license for assisted living is often the same for memory care; however, some states require added certification for facilities with a secured unit. Furthermore, it is not uncommon for a facility to adapt the rooms in servicing either standard assisted living or memory care, based on the demands of the marketplace.

We previously determined demand for all assisted living, including memory care.

According to the NIC MAP® Data Service, Q4 of 2022 CBSA Segment Report indicated that there were 475,447 assisted living units and 167,847 memory care units in the top 141 metro markets. Thus, the combined assisted living and memory care supply was 643,294 units. The memory care assisted living supply figure in turn equated to 26.1 percent of the total assisted living supply. The average occupancy of stabilized communities, excluding those in lease-up, was 82.1 percent for assisted living and 82.0 percent for memory care, indicating that demand between the two segments is near a balanced level.



Change from 2020 to 2025 for Washington, D.C.: 1.1%

Created from data provided to the Alzheimer's Association by Weuve et al.[A5,205]

As shown in the figures above, from 2020-2025, every state across the country is expected to experience an increase of at least 6.7 percent in the number of people with Alzheimer's due to increases in the population age 65 and older. The West and Southeast are expected to experience the largest percentage increases in people with Alzheimer's from 2020-2025.

According to one study using data from the Established Populations for Epidemiologic Study of the Elderly (EPESE), approximately 491,000 people age 65 or older will develop Alzheimer's dementia in the United States in 2020.

The typical percentage allocation of secured memory care assisted living units among major operators such as Atria Senior Living, Brookdale Senior Living Inc., and Sunrise Senior Living, Inc. is 30 percent of total assisted living units. Based upon this, we will estimate demand for memory care at 30 percent of total assisted living demand.

We estimate that households with incomes of $75,000 or more in the PMA would qualify for private pay memory care. The following table summarizes our conclusions of supply and demand for memory care assisted living.

DEMAND ESTIMATES FOR MEMORY CARE ASSISTED LIVING									
		2022 Age of Householder		2023 Age of Householder		2024 Age of Householder		2027 Age of Householder	
		65-74	75+	65-74	75+	65-74	75+	65-74	75+
Households with Incomes Greater Than:	$ 75,000	8,112	6,693	8,479	7,060	8,846	7,427	9,947	9,185
*Multiplied by Potential Capture Rate**		2.0%	11.0%	2.0%	11.0%	2.0%	11.0%	2.0%	11.0%
Equals Potential Demand		162	736	170	777	177	817	199	1,010
Potential Demand in PMA		898		946		994		1,209	
Plus Demand From Outside PMA @25%		299		315		331		403	
Equals Total Demand Potential		1,198		1,262		1,325		1,612	
*Multiplied by Potential MC Specific Capture Rate (30%)***		359		378		398		484	
Minus Existing and Pending Competitive Supply		125		125		125		143	
Total Unmet Demand Potential		234		253		272		340	

*The potential capture rate is derived from data from the Summary Health Statistics for the U.S. Population: National Health Interview Survey, 2012 by the U.S. Department of Health and Human Services. The capture rate used is the percentage of seniors needing assistance with ADLs.

**Based on the typical percentage allocation of secured memory care assisted living units among major operators such as Atria Senior Living, Brookdale Senior Living Inc., and Sunrise Senior Living, Inc.

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Our analysis shows that the PMA has an under-supply of memory care assisted living in the current year, with unmet demand for 234 beds indicated. This is supported by the occupancies among the competitive memory care assisted living facilities.

Conclusion

Considering the physical and psychological barriers, population density, discussions with market participants, and the competing facilities' concentration, we have determined the PMA of the subject to encompass an area of approximately 5-mile radius of the site. In this market, we assumed that 75 percent of the residents will come from this PMA.

In 2022, 8.7 percent of the PMA's total population was above the age of 75. This is above the national average of 7.0 percent. However, the 75+ cohort is expected to grow at an annual rate of 2.9 percent, which is below the national rate of 4.0 percent. In terms of the seniors housing market, the market area is considered to be an aging-in-place market.

Overall our findings for the subject's PMA reflected positive population and senior demographics trends, as well as positive growth of seniors as a share of population, as the early cycle of the baby boomers contributes to shifting population trends. However, during the next five years nationally and in most markets, we will see a decline of the 45-64 age groups, considered the adult children population for most senior housing prospective residents.

Our analysis shows that the PMA has an under-supply of assisted living/memory care inventory in the current year. This is supported by the occupancies among the competitive facilities, which reported occupancy levels of 92 percent for assisted and memory care beds, excluding those in lease-up. These occupancies are above the national occupancy of 86.5 percent for assisted living within primary markets suggesting the market is similarly competitive than other primary markets around the country.

Based on the PMA demographics, existing seniors housing occupancies, and the aging senior housing product currently in place, there appears to be a need for the subject in the PMA. Given the proposed location, amenities, services and design, the subject should be capable of reaching and maintaining a stabilized occupancy up to 24 months following completion of construction.

Assumptions and Limiting Conditions

"Report" means the market study or consulting report and conclusions stated therein, to which these Assumptions and Limiting Conditions are annexed.

"Property" means the subject of the Report.

"C&W" means Cushman & Wakefield, Inc. or its subsidiary that issued the Report.

"Appraiser(s)" means the employee(s) of C&W who prepared and signed the Report.

The Report has been made subject to the following assumptions and limiting conditions:

- No opinion is intended to be expressed and no responsibility is assumed for the legal description or for any matters that are legal in nature or require legal expertise or specialized knowledge beyond that of a real estate appraiser. Title to the Property is assumed to be good and marketable and the Property is assumed to be free and clear of all liens unless otherwise stated. No survey of the Property was undertaken.
- The information contained in the Report or upon which the Report is based has been gathered from sources the Appraiser assumes to be reliable and accurate. The owner of the Property may have provided some of such information. Neither the Appraiser nor C&W shall be responsible for the accuracy or completeness of such information, including the correctness of estimates, opinions, dimensions, sketches, exhibits and factual matters. Any authorized user of the Report is obligated to bring to the attention of C&W any inaccuracies or errors that it believes are contained in the Report.
- The opinions are only as of the date stated in the Report. Changes since that date in external and market factors or in the Property itself can significantly affect the conclusions in the Report.
- The Report is to be used in whole and not in part. No part of the Report shall be used in conjunction with any other analyses. Publication of the Report or any portion thereof without the prior written consent of C&W is prohibited. Reference to the Appraisal Institute or to the MAI designation is prohibited. Except as may be otherwise stated in the letter of engagement, the Report may not be used by any person(s) other than the party(ies) to whom it is addressed or for purposes other than that for which it was prepared. No part of the Report shall be conveyed to the public through advertising, or used in any sales, promotion, offering or SEC material without C&W's prior written consent. Any authorized user(s) of this Report who provides a copy to, or permits reliance thereon by, any person or entity not authorized by C&W in writing to use or rely thereon, hereby agrees to indemnify and hold C&W, its affiliates and their respective shareholders, directors, officers and employees, harmless from and against all damages, expenses, claims and costs, including attorneys' fees, incurred in investigating and defending any claim arising from or in any way connected to the use of, or reliance upon, the Report by any such unauthorized person(s) or entity(ies).
- Except as may be otherwise stated in the letter of engagement, the Appraiser shall not be required to give testimony in any court or administrative proceeding relating to the Property or the Appraisal.
- The Report assumes (a) responsible ownership and competent management of the Property; (b) there are no hidden or unapparent conditions of the Property, subsoil or structures that render the Property more or less valuable (no responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them); (c) full compliance with all applicable federal, state and local zoning and environmental regulations and laws, unless noncompliance is stated, defined and considered in the Report; and (d) all required licenses, certificates of occupancy and other governmental consents have been or can be obtained and renewed for any use on which the value opinion contained in the Report is based.
- The physical condition of the improvements considered by the Report is based on visual inspection by the Appraiser or other person identified in the Report. C&W assumes no responsibility for the soundness of structural components or for the condition of mechanical equipment, plumbing or electrical components.

- The forecasted potential gross income referred to in the Report may be based on lease summaries provided by the owner or third parties. The Report assumes no responsibility for the authenticity or completeness of lease information provided by others. C&W recommends that legal advice be obtained regarding the interpretation of lease provisions and the contractual rights of parties.
- The forecasts of income and expenses are not predictions of the future. Rather, they are the Appraiser's best opinions of current market thinking on future income and expenses. The Appraiser and C&W make no warranty or representation that these forecasts will materialize. The real estate market is constantly fluctuating and changing. It is not the Appraiser's task to predict or in any way warrant the conditions of a future real estate market; the Appraiser can only reflect what the investment community, as of the date of the Report, envisages for the future in terms of rental rates, expenses, and supply and demand.
- Unless otherwise stated in the Report, the existence of potentially hazardous or toxic materials that may have been used in the construction or maintenance of the improvements or may be located at or about the Property was not considered in arriving at the opinion of value. These materials (such as formaldehyde foam insulation, asbestos insulation and other potentially hazardous materials) may adversely affect the value of the Property. The Appraisers are not qualified to detect such substances. C&W recommends that an environmental expert be employed to determine the impact of these matters on the opinion of value.
- Unless otherwise stated in the Report, compliance with the requirements of the Americans with Disabilities Act of 1990 (ADA) has not been considered in arriving at the opinion of value. Failure to comply with the requirements of the ADA may adversely affect the value of the Property. C&W recommends that an expert in this field be employed to determine the compliance of the Property with the requirements of the ADA and the impact of these matters on the opinion of value.
- If the Report is submitted to a lender or investor with the prior approval of C&W, such party should consider this Report as only one factor, together with its independent investment considerations and underwriting criteria, in its overall investment decision. Such lender or investor is specifically cautioned to understand all Extraordinary Assumptions and Hypothetical Conditions and the Assumptions and Limiting Conditions incorporated in this Report.
- In the event of a claim against C&W or its affiliates or their respective officers or employees or the Appraisers in connection with or in any way relating to this Report or this engagement, the maximum damages recoverable shall be the amount of the monies actually collected by C&W or its affiliates for this Report and under no circumstances shall any claim for consequential damages be made.
- If the Report is referred to or included in any offering material or prospectus, the Report shall be deemed referred to or included for informational purposes only and C&W, its employees and the Appraiser have no liability to such recipients. C&W disclaims any and all liability to any party other than the party that retained C&W to prepare the Report.
- Any estimate of insurable value, if included within the agreed upon scope of work and presented within this report, is based upon figures derived from a national cost estimating service and is developed consistent with industry practices. However, actual local and regional construction costs may vary significantly from our estimate and individual insurance policies and underwriters have varied specifications, exclusions, and non-insurable items. As such, we strongly recommend that the Client obtain estimates from professionals experienced in establishing insurance coverage for replacing any structure. This analysis should not be relied upon to determine insurance coverage. Furthermore, we make no warranties regarding the accuracy of this estimate.
- By use of this Report each party that uses this Report agrees to be bound by all of the Assumptions and Limiting Conditions, Hypothetical Conditions and Extraordinary Assumptions stated herein.

Certification

We certify that, to the best of our knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- We have no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.
- We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- Our engagement in this assignment was not contingent upon developing or reporting predetermined results.
- Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this market study.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with Uniform Standards of Professional Appraisal Practice and the Code of Professional Ethics and Standards of Professional Practice of the Appraisal Institute.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- Jordan H. Cline and Gerald V. Rasmussen, MAI, FRICS did not physically inspect the property.
- We have not performed prior services involving the subject property within the three-year period immediately preceding the acceptance of the assignment.
- No one provided significant real property market study assistance to the persons signing this report.
- As of the date of this report, Gerald V. Rasmussen, MAI, FRICS has completed the continuing education program of the Appraisal Institute.
- As of the date of this report, Jordan H. Cline has completed the Standards and Ethics Education Requirement for Practicing Affiliates of the Appraisal Institute.

Jordan H. Cline
Senior Director
Senior Housing/Healthcare Industry Group
CA Certified General Appraiser
License No. AG036234
License Expiration Date January 27, 2025
jordan.cline@cushwake.com
916-677-1250 Office Direct

Gerald V. Rasmussen, MAI, FRICS
Executive Managing Director/National Practice Leader
Senior Housing/Healthcare Industry Group
CA Certified General Appraiser
License No. AG043979
License Expiration Date June 10, 2024
gerald.rasmussen@cushwake.com
203-326-5884 Office Direct

Glossary of Terms and Definitions

The following definitions of pertinent terms are taken from The Dictionary of Real Estate Appraisal, Seventh Edition (2022), published by the Appraisal Institute, as well as other sources.

Exposure Time

1. The time a property remains on the market. 2. The estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective estimate based on an analysis of past events assuming a competitive and open market. See also marketing time.

Extraordinary Assumptions

An extraordinary assumption is defined by the *USPAP* (2022-2023 Edition) as “an assignment-specific assumption as of the effective date regarding uncertain information used in an analysis which, if found to be false, could alter the appraiser’s opinions or conclusions.”

Uncertain information might include physical, legal, or economic characteristics of the subject property; or conditions external to the property, such as market conditions or trends; or the integrity of data used in an analysis.

Hypothetical Conditions:

A hypothetical condition is defined by the *USPAP* (2022-2023 Edition) as “a condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis.” Hypothetical conditions are contrary to known facts about physical, legal, or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis.

Marketing Time

An opinion of the amount of time it might take to sell a real or personal property interest at the concluded market value level during the period immediately after the effective date of an appraisal. Marketing time differs from exposure time, which is always presumed to precede the effective date of an appraisal. (Advisory Opinion 7 of the Appraisal Standards Board of The Appraisal Foundation and Statement on Appraisal Standards No. 6, “Reasonable Exposure Time in Real Property and Personal Property Market Value Opinions” address the determination of reasonable exposure and marketing time.) See also exposure time.

Market Rent

The most probable rent that a property should bring in a competitive and open market reflecting all conditions and restrictions of the lease agreement, including permitted uses, use restrictions, expense obligations, term, concessions, renewal and purchase options, and tenant improvements (TIs).

Addenda Contents

Addendum A: Senior Demographics
Addendum B: Property Exhibits
Addendum C: Qualifications of the Market Analysts

Addendum A:
Senior Demographics

CW Senior Life Summary for My Site, 15860 Winchester Blvd, Los Gatos, CA, 95030, trade area of 5 mile(s):

Senior Life Summary Report

Date: July 28, 2023

Population by Age

	5 mile(s)					
5 Year Projection Total Population	251,540					
Current Year Total Population	249,517					
2000 Census Total Population	242,040					
2010 Census Total Population	244,509					
Growth 2000 to 2010	1.02%					
Description	2000 Census	%	Current Estimate	%	5 Year Projection	%
Total Population	242,040		249,517		251,540	
Age 45 - 54	34,854	14.40%	38,598	15.47%	36,561	14.54%
Age 55 - 64	22,808	9.42%	35,234	14.12%	35,408	14.08%
Age 65 - 74	16,327	6.75%	23,025	9.23%	25,407	10.10%
Age 75 - 84	9,743	4.03%	14,537	5.83%	17,121	6.81%
Age 85+	3,368	1.39%	7,086	2.84%	7,841	3.12%
Age 65+	29,437	12.16%	44,648	17.89%	50,368	20.02%
Household Income by Age of Householder						
Median Household Income	$92,648		$188,698		$215,946	
Householder Age 65 - 74	9,378		12,754		13,893	
Income < $ 15,000	870	9.28%	720	5.64%	555	4.00%
Income $ 15,000 - $24,999	1,026	10.94%	643	5.04%	589	4.24%
Income $ 25,000 - $34,999	994	10.60%	661	5.18%	585	4.21%
Income $ 35,000 - $49,999	1,367	14.58%	921	7.22%	808	5.82%
Income $ 50,000 - $74,999	1,883	20.08%	1,696	13.30%	1,408	10.13%
Income $ 75,000 - $99,999	1,065	11.35%	1,464	11.48%	1,243	8.95%
Income $ 100,000 - $124,999	621	6.62%	1,060	8.31%	1,002	7.21%
Income $ 125,000 - $149,999	490	5.22%	833	6.53%	863	6.21%
Income $ 150,000 - $199,999	530	5.66%	1,654	12.97%	2,087	15.02%
Income $ $200,000+	532	5.67%	3,100	24.31%	4,752	34.21%
Median Household Income	$54,654		$104,947		$144,780	
Householder Age 75 - 84	NA		8,828		10,299	
Income < $ 15,000	NA	NA	1,051	11.91%	915	8.88%
Income $ 15,000 - $24,999	NA	NA	709	8.03%	685	6.65%
Income $ 25,000 - $34,999	NA	NA	719	8.14%	651	6.32%
Income $ 35,000 - $49,999	NA	NA	776	8.79%	784	7.61%
Income $ 50,000 - $74,999	NA	NA	1,144	12.95%	1,067	10.36%
Income $ 75,000 - $99,999	NA	NA	781	8.85%	793	7.70%
Income $ 100,000 - $124,999	NA	NA	647	7.33%	753	7.31%
Income $ 125,000 - $149,999	NA	NA	520	5.89%	674	6.55%
Income $ 150,000 - $199,999	NA	NA	594	6.72%	888	8.63%
Income $ $200,000+	NA	NA	1,888	21.38%	3,089	30.00%
Median Household Income	NA		$76,535		$110,186	
Householder Age 85 and Older	NA		4,421		4,862	
Income < $ 15,000	NA	NA	509	11.51%	423	8.69%
Income $ 15,000 - $24,999	NA	NA	342	7.74%	304	6.26%
Income $ 25,000 - $34,999	NA	NA	388	8.77%	351	7.23%
Income $ 35,000 - $49,999	NA	NA	359	8.12%	324	6.66%
Income $ 50,000 - $74,999	NA	NA	560	12.66%	473	9.73%
Income $ 75,000 - $99,999	NA	NA	396	8.96%	349	7.18%
Income $ 100,000 - $124,999	NA	NA	437	9.89%	485	9.97%
Income $ 125,000 - $149,999	NA	NA	302	6.83%	354	7.29%
Income $ 150,000 - $199,999	NA	NA	183	4.13%	297	6.10%
Income $ $200,000+	NA	NA	945	21.37%	1,503	30.90%
Average Household Income	$109,772		$214,120		$254,390	
Median Household Income	$81,779		$160,024		$191,309	
Per Capita HH Income*	$41,196		$80,765		$95,965	
Median Value	$506,899		$1,000,000		$1,000,000	
Owner Occupied	59,950		60,737		61,163	
Renter Occupied	30,885		33,163		33,539	

* Current Year Per Capita HH Income = Aggregate Household
** Not all 2000 variables are available in 2010 data.

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Demographic Trend Summary for My Site, 15860 Winchester Blvd, Los Gatos, CA, 95030, trade area of 5 mile(s):

Demographic Trend Summary
Geography: 5 mile(s)
Date: July 28, 2023

	2000		2010		2022		2027		Percent Change	
	Census	%	Census	%	Estimate	%	Projection	%	2000 to 2010	2022 to 2027
Total Population	242,040		244,509		249,517		251,540		1.0%	0.8%
Total Households	90,835		91,512		93,900		94,702		0.7%	0.9%
Employed Civilian Population 16+	125,326		115,108		138,170		143,469		-8.2%	3.8%
Blue Collar	25,170	20%	23,258	20%	27,770	20%	28,663	20%	-7.6%	3.2%
White Collar	100,156	80%	91,850	80%	110,400	80%	114,806	80%	-8.3%	4.0%
Q3 2022 Employees	n/a		n/a		85,265		n/a		n/a	n/a
Q3 2022 Establishments*	n/a		n/a		11,453		n/a		n/a	n/a

Population by Age

	2000		2010		2022		2027		Percent Change	
	Census	%	Census	%	Estimate	%	Projection	%	2000 to 2010	2022 to 2027
0 to 4	15,483	6.4%	14,743	6.0%	12,142	4.9%	12,052	4.8%	-4.8%	-0.7%
5 to 14	33,673	13.9%	33,215	13.6%	29,884	12.0%	28,435	11.3%	-1.4%	-4.8%
15 to 19	13,435	5.6%	15,114	6.2%	15,275	6.1%	14,733	5.9%	12.5%	-3.5%
20 to 24	10,390	4.3%	11,136	4.6%	12,138	4.9%	13,355	5.3%	7.2%	10.0%
25 to 34	35,149	14.5%	27,055	11.1%	30,545	12.2%	29,308	11.7%	-23.0%	-4.1%
35 to 44	46,811	19.3%	37,598	15.4%	31,053	12.4%	31,319	12.5%	-19.7%	0.9%
45 to 54	34,854	14.4%	43,008	17.6%	38,598	15.5%	36,561	14.5%	23.4%	-5.3%
55 to 64	22,808	9.4%	28,483	11.6%	35,234	14.1%	35,408	14.1%	24.9%	0.5%
65 to 74	16,327	6.7%	17,555	7.2%	23,025	9.2%	25,407	10.1%	7.5%	10.3%
75 to 84	9,743	4.0%	11,526	4.7%	14,537	5.8%	17,121	6.8%	18.3%	17.8%
85+	3,368	1.4%	5,075	2.1%	7,086	2.8%	7,841	3.1%	50.7%	10.6%
Median Age	37.7		41.0		43.1		44.0		8.8%	2.0%

Households by Income

	2000		2010		2022		2027		Percent Change	
	Census	%	Census	%	Estimates	%	Projections	%	2000 to 2010	2022 to 2027
$0 - $15,000	5,737	6.3%	5,574	6.1%	4,139	4.4%	3,192	3.4%	-2.8%	-22.9%
$15,000 - $24,999	4,775	5.3%	5,326	5.8%	2,820	3.0%	2,484	2.6%	11.5%	-11.9%
$25,000 - $34,999	5,921	6.5%	5,270	5.8%	3,374	3.6%	2,842	3.0%	-11.0%	-15.8%
$35,000 - $49,999	9,009	9.9%	7,921	8.7%	4,472	4.8%	3,834	4.0%	-12.1%	-14.3%
$50,000 - $74,999	16,238	17.9%	12,057	13.2%	7,785	8.3%	6,104	6.4%	-25.7%	-21.6%
$75,000 - $99,999	12,848	14.1%	10,738	11.7%	7,717	8.2%	6,080	6.4%	-16.4%	-21.2%
$100,000 - $149,999	17,532	19.3%	19,656	21.5%	13,924	14.8%	12,022	12.7%	12.1%	-13.7%
$150,000 +	18,869	20.8%	24,970	27.3%	49,667	52.9%	58,143	61.4%	32.3%	17.1%
Average Hhld Income	$109,772		$138,445		$214,120		$254,390		26.1%	18.8%
Median Hhld Income	$81,779		$97,361		$160,024		$191,309		19.1%	19.6%
Per Capita Income	$41,196		$51,961		$80,765		$95,965		26.1%	18.8%

*Establishment counts include D&B business location records that have a valid telephone, known SIC code and D&B rating as well as exclude cottage industries (businesses that operate from a residence)

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Addendum B:
Property Exhibits

PROJECT INFORMATION

PROJECT ADDRESS:	15860 - 15894 WINCHESTER BLVD., LOS GATOS, CALIFORNIA 95030
ACCESSOR PARCEL NUMBERS:	529-11-13 529-11-38 529-11-39 529-11-40
TYPE OF CONSTRUCTION :	IB - FULLY SPRINKLERED PER NFPA 13 (SEPARATE PERMIT)
OCCUPANCY GROUP :	R2.1
SITE AREA :	56,889 S.F. (1.31 ACRES)

NO PUBLIC FUNDS FOR THIS PROJECT

APPLICABLE CODES:

2019 CALIFORNIA GREEN BUILDING STANDARDS CODE (MANDATORY MEASURES)
2019 CALIFORNIA BUILDING CODE
2019 CALIFORNIA MECHANICAL CODE
2019 CALIFORNIA ELECTRICAL CODE
2019 CALIFORNIA PLUMBING CODE
2019 CALIFORNIA FIRE CODE
2019 CALIFORNIA ENERGY CODE

DEFERRED SUBMITTALS LIST:

THE FOLLOWING ITEMS ARE A DEFERRED SUBMITTAL:

- FOR THE PURPOSES OF THIS SECTION, DEFERRED SUBMITTALS ARE DEFINED AS THOSE PORTIONS OF THE DESIGN THAT ARE NOT SUBMITTED AT THE TIME OF THE APPLICATION AND THAT ARE TO BE SUBMITTED TO THE BUILDING OFFICIAL WITHIN A SPECIFIED PERIOD.

- DEFERRAL OF ANY SUBMITTAL ITEMS SHALL HAVE PRIOR APPROVAL OF THE BUILDING OFFICIAL. THE ARCHITECT OR ENGINEER OF RECORD SHALL LIST THE DEFERRED SUBMITTALS ON THE PLANS AND SHALL SUBMIT THE DEFERRED SUBMITTAL DOUCMENTS FOR REVIEW BY THE BUILDING OFFICIAL.

- SUBMITTAL DOCUMENTS FOR DEFERRED SUBMITTAL ITEMS SHALL BE SUBMITTED TO THE ARCHITECT OR ENGINEER OF RECORD WHO SHALL REVIEW THEM AND FORWARD THEM TO THE BUILDING OFFICIAL WITH A NOTATION INDICATING THAT THE DEFERRED SUBMITTAL DOCUMENTS HAVE BEEN REVIEWED AND THAT THEY HAVE BEEN FOUND TO BE IN GENERAL CONFORMANCE WITH THE DESIGN OF THE BUILDING. THE DEFERRED SUBMITTAL ITEMS SHALL NOT BE INSTALLED UNTIL THEIR DESIGN AND SUBMITTAL DOCUMENTS HAVE BEEN APPROVED BY THE BUILDING OFFICIAL.

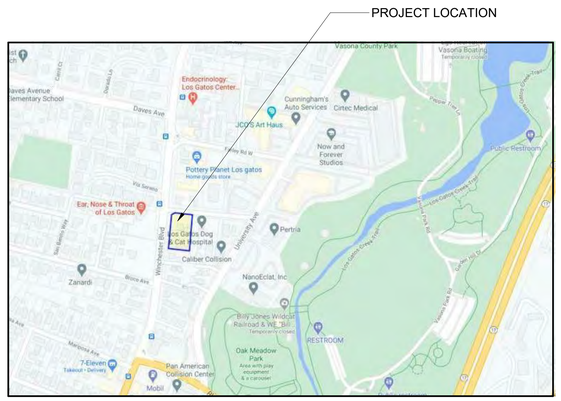
THE FOLLOWING ITEMS WILL BE DEFERRED SUBMITTALS:

1. FIRE SPRINKLERS
2. FIRE ALARM SYSTEM
3. EMERGENCY RESPONDER RADIO COVERAGE
4. TWO-WAY COMMUNICATION SYSTEM

WINCHESTER MEMORY CARE / ASSISTED LIVING

15860 - 15894 WINCHESTER BLVD., LOS GATOS, CALIFORNIA 95030

VICINITY MAP:



PROJECT DIRECTORY:

DEVELOPMENT
SWENSON
777 NORTH FIRST STREET, 5TH FLR
SAN JOSE, CA 95112

MIKE BLACK
mike@swenson.com
PH: (408) 938-6322
FX: (408) 998-1737

JESSIE BRISTOW
jbristow@swenson.com
PH: (831) 475-7100
FX: (831) 475-4544

ARCHITECT
SWENSON
777 NORTH FIRST STREET, 5TH FLR
SAN JOSE, CA 95112

DANIEL SELL
dan@swenson.com
PH: (408) 938-6338
FX: (408) 287-2356

DAVID MEADS
dmeads@swenson.com
PH: (408) 938-6384
FX: (408) 287-2356

CIVIL ENGINEER
BKF ENGINEERS
980 9th STREET, SUITE 2300
SACRAMENTO, CA 95814

KEVIN WONG
kwong@bkf.com
PH: (916) 556-5800
FX: (916) 556-5899

LANDSCAPE
DILLION DESIGN ASSOCIATES
LANDSCAPE ARCHITECTURE
849 ALMAR AVE., #C162
SANTA CRUZ CA 95060

MIKE DILLION
ddastudio@ddasite.com
PH: (408) 221-2516

GEOTECHNICAL ENGINEER
CORNERSTONE EARTH GROUP
1259 OAKMEAD PARKWAY
SUNNYVALE, CA 94085

STEPHEN OHLSEN, P.E.
sohlsen@cornerstoneearth.com
PH: (408) 245-4600 - EXT. 125

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A-0.0 TITLE SHEET
A-0.1 BLUEPRINT FOR A CLEAN BAY
A-0.2 PROJECTION INFORMATION
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T-4 ARBORIST REPORT

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PROJECT DESCRIPTION:

THE DESIGN INTENT FOR THIS PROJECT WAS TO CONVEY A HILLSIDE ESTATE FEEL WITH AN ITALIAN REVIVAL INFLUENCE THAT FEATURES SUCH ELEMENTS AS A TILED ROOF WITH DEEP SET DECORATIVE EAVES, PICTURE FRAMED WINDOWS, SYMMETRICAL FACADES, COLUMNS, AND BALUSTRADES. WHEN PLANNING THIS PROJECT WE WANTED TO MAINTAIN THE ORIGINAL RHYTHM OF THE NEIGHBORHOOD BY REPLACING THE EXISTING THREE HOMES ON THE SITE WITH A STRUCTURE THAT REFLECTED THE SAME THREE PART RHYTHM FACING ONTO WINCHESTER BOULEVARD. THESE THREE SEGMENTS OF THE BUILDING ARE LOCATED IN ROUGHLY IN THE SAME LOCATION AS THE ORIGINAL HOMES WITH THE MOST SOUTHERN OF THESE WINGS STEPPING DOWN TO SECOND STORY. THIS WAS DONE AS A WAY OF CREATING VISUAL INTEREST THROUGH ASYMMETRY AS WELL AS A WAY TO SEGUE BETWEEN OUR PROJECT AND THE NEIGHBORING TOWNHOMES TO THE SOUTH OF OUR DEVELOPMENT. OUR PROJECT STEPS DOWN EVEN FURTHER ON EITHER END OF THE BUILDING ENTRANCE WITH A FRAMED ENTRY / EXIT TO THE PORTE COCHERE.

THIS SENIOR HOUSING PROJECT CONSIST OF 18 MEMORY CARE UNITS AND 107 ASSISTED LIVING UNITS FOR A COMBINED TOTAL OF 125 UNITS. IN ADDITION TO THESE LIVING UNITS, THIS PROJECT HAS TWO SEPARATE DINING ROOMS, A COMMERCIAL KITCHEN, THEATER, LIBRARY, GREAT ROOM, AND OTHER COMMON USE SPACES THROUGHOUT. THE OUTDOOR SPACES INCLUDE BOTH COMMON USE AREAS WHICH CONSIST OF THREE DIFFERENT LANDSCAPED COURTYARDS AT THE FIRST FLOOR PODIUM LEVEL AS WELL AS PRIVATE USE PATIOS OFF OF THE GROUND FLOOR GARDEN UNITS TO THE SOUTH AND EAST OF OUR PROJECT.

SWENSON ARCHITECTURE
777 N. 1st Street, 5th Floor, San Jose, CA 95112 (408) 287-2356 Robert Hightower, Architect - C26048

Consultant:

Revisions:

Revision Schedule

1	Planning Response #1	07/20/21
3	Planning Response #3	12/10/21
4	Planning Response #4	04/04/22

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WINCHESTER MEMORY CARE / ASSISTED LIVING
PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA

TITLE SHEET

Date: APRIL 01, 2021
Scale: AS NOTED
Drawn by: DM, EY, IL
Job #: 20-9215
Sheet: A-0.0

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

1 SITE PLAN
1/16" = 1'-0"

N

GENERAL NOTES :

A. ROOF RAINWATER LEADERS ARE TO BE DISCHARGED ONTO ENERGY DISSIPATERS (SPLASH BLOCKS) AT ALL LOCATIONS. NO IMPROVEMENTS SHALL OBSTRUCT OR DIVERT RUNOFF TO THE DETRIMENT OF AN ADJACENT DOWNSTREAM OR DOWN SLOPE PROPERTY. INSTEAD, STORMWATER TO BE TREATED ONSITE BY MEANS OF BIOTREATMENT. PLEASE SEE CIVIL STORMWATER MANAGEMENT PLAN FOR MORE INFORMATION.

PLAN KEYNOTE :

1. PROPERTY LINE
2. SETBACK LINE
3. SPLIT FACE CMU WALL ADJACENT TO NEIGBOR'S WALL, 6'-0" H. TYP.
4. ACCESSIBLE WALK
5. PAVER; S.L.D.
6. CONCRETE SIDEWALK; S.C.D.
7. TRASH STAGING AREA
8. LOADING AREA
9. KNOX KEY SWITCH; FINAL LOCATION TO BE APPROVED BY FIRE DEPT.
10. 6' HEIGHT METAL GATE AND FENCE
11. DOUBLE STRIPING PER TOWN CODE §. 29.10.115(D)(7)
12. CONTINUOUS CURB WHEEL STOP PER TOWN CODE §. 29.10.155(H)(1)
13. BICYCLE RACK; RIBBON STYLE ITO HOLD FIVE BIKES PER RACK

PLAN LEGEND :

EXISTING TREE, SEE ARBORIST REPORT (SHEET T-2 TO T-4) FOR SIZE AND LOCATION

TREE NUMBER, SEE SHEET T-1 AND SEE ARBORIST REPORT (SHEET T-2 TO T-4)

BIO SWALE GRASS (C3 AREA) SEE CIVIL SHEET C5.1 STORMWATER CONTROL PLAN FOR SPECIFICS AND CALCULATIONS

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

SWENSON ARCHITECTURE
77774 1st Street, 5th Floor San Jose, CA 95112 (408) 887-0848 Robert Nightower, Architect - C26048

Consultant:

Revisions:

Revision Schedule

1	Planning Response #1	07/20/21
2	Planning Response #2	11/01/21
3	Planning Response #3	12/10/21
4	Planning Response #4	04/04/22

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WINCHESTER MEMORY CARE / ASSISTED LIVING
PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA

SITE PLAN

Date: APRIL 01, 2021
Scale: AS NOTED
Drawn by: DM, EY, IL
Job #: 20-9215
Sheet: A-1.1

1 GROUND FLOOR PLAN
3/32" = 1'-0"

Room Legend

- A
- B
- C
- CONFERENCE
- CORRIDOR
- ELECTRICAL RM
- ELEV
- ELEV LOBBY
- ELV MACH
- GARAGE
- GENERATOR
- LAUNDRY
- LIB. STOR.
- LIBRARY
- LOADING DOCK
- MAINTENANCE
- OFFICE
- R.R.
- RESOURCE RM
- SALES
- SERVICE ELEV
- STAFF LOUNGE
- STAIR 1
- STAIR 3
- STAIR 4
- STORAGE
- THEATER
- TRASH
- WATER / BOILER

PLAN LEGEND :

EXISTING TREE, SEE ARBORIST REPORT (SHEET T-2 TO T-4) FOR SIZE AND LOCATION

TREE NUMBER, SEE SHEET T-1 AND SEE ARBORIST REPORT (SHEET T-2 TO T-4)

BIO SWALE GRASS (C3 AREA) SEE CIVIL SHEET C5.1 STORMWATER CONTROL PLAN FOR SPECIFICS AND CALCULATIONS

PLAN KEYNOTE :

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4. ACCESSIBLE WALK
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9. KNOX KEY SWITCH; FINAL LOCATION TO BE APPROVED BY FIRE DEPT.
10. 6' HEIGHT METAL GATE AND FENCE
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12. CONTINUOUS CURB WHEEL STOP PER TOWN CODE §. 29.10.155(H)(1)
13. BICYCLE RACK; RIBBON STYLE ITO HOLD FIVE BIKES PER RACK

RESIDENTIAL ROOMS - GROUND FLOOR

NAME	NUMBER	AREA
A	014	353 SF
A	016	385 SF
A	017	353 SF
A	018	353 SF
A	019	353 SF
A	020	353 SF
A	023	360 SF
A	024	360 SF
A	025	360 SF
A	026	360 SF
A: 10		3592 SF
B	012	469 SF
B	021	496 SF
B	022	496 SF
B: 3		1461 SF
C	013	578 SF
C: 1		578 SF
Grand total: 14		5631 SF

GENERAL NOTES :

A. ROOF RAINWATER LEADERS ARE TO BE DISCHARGED ONTO ENERGY DISSIPATERS (SPLASH BLOCKS) AT ALL LOCATIONS. NO IMPROVEMENTS SHALL OBSTRUCT OR DIVERT RUNOFF TO THE DETRIMENT OF AN ADJACENT DOWNSTREAM OR DOWN SLOPE PROPERTY. INSTEAD, STORMWATER TO BE TREATED ONSITE BY MEANS OF BIOTREATMENT. PLEASE SEE CIVIL STORMWATER MANAGEMENT PLAN FOR MORE INFORMATION.

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

SWENSON ARCHITECTURE
77774 1st Street, Ste Room Ste Jules, CA 92192 (408) 887-0848, Robert Hightower, Architect, C26048

Consultant:

Revisions:

Revision Schedule

1	Planning Response #1	07/20/21
2	Planning Response #2	11/01/21
4	Planning Response #4	04/04/22

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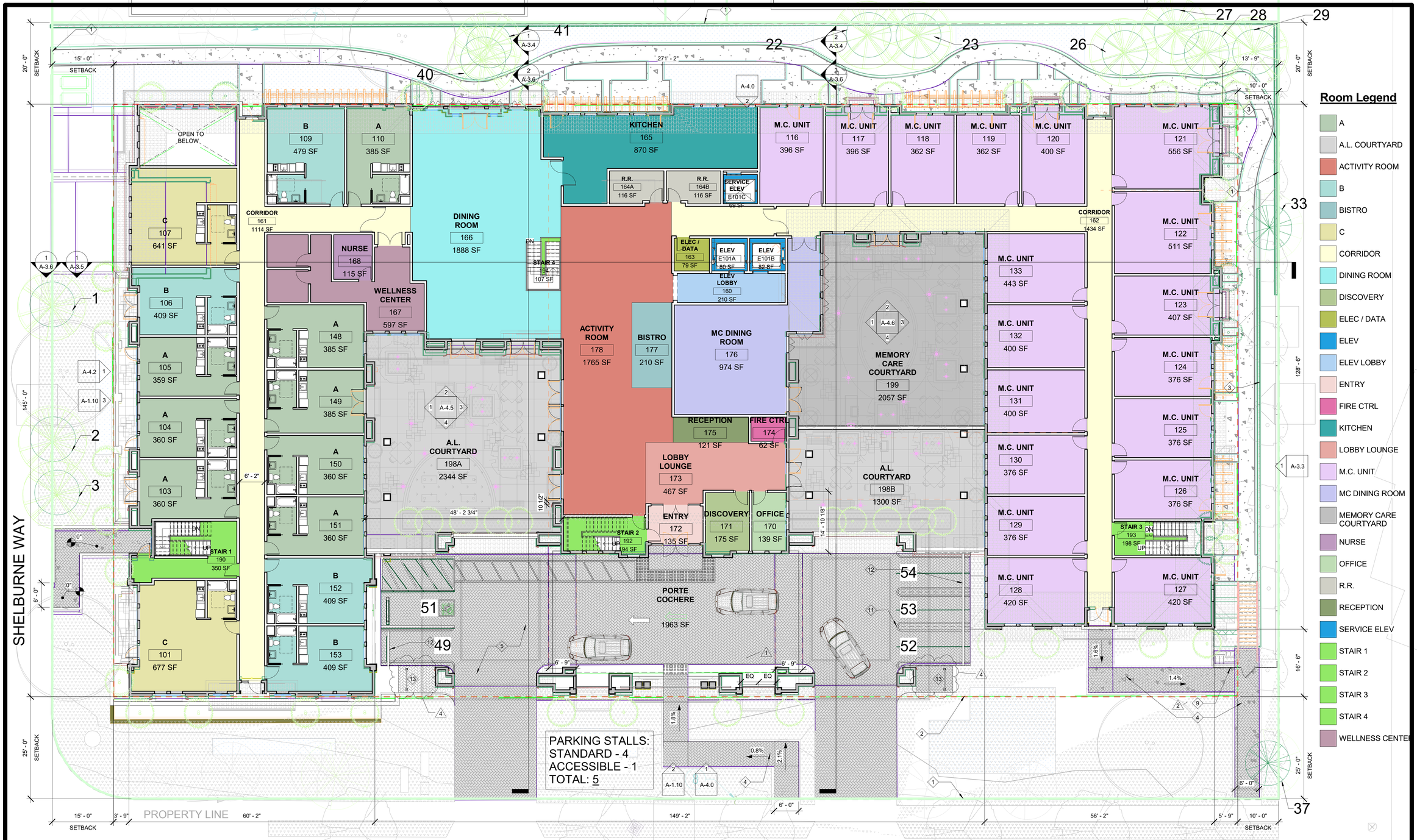
WINCHESTER MEMORY CARE / ASSISTED LIVING
PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA

GROUND FLOOR

Date: APRIL 01, 2021
Scale: AS NOTED
Drawn by: DM, EY, IL
Job #: 20-9215
Sheet: A-2.0



Room Legend

- A
- A.L. COURTYARD
- ACTIVITY ROOM
- B
- BISTRO
- C
- CORRIDOR
- DINING ROOM
- DISCOVERY
- ELEC / DATA
- ELEV
- ELEV LOBBY
- ENTRY
- FIRE CTRL
- KITCHEN
- LOBBY LOUNGE
- M.C. UNIT
- MC DINING ROOM
- MEMORY CARE COURTYARD
- NURSE
- OFFICE
- R.R.
- RECEPTION
- SERVICE ELEV
- STAIR 1
- STAIR 2
- STAIR 3
- STAIR 4
- WELLNESS CENTER

PLAN KEYNOTE :

1. PROPERTY LINE
2. SETBACK LINE
3. SPLIT FACE CMU WALL ADJACENT TO NEIGBOR'S WALL, 6'-0" H. TYP.
4. ACCESSIBLE WALK
5. PAVER; S.L.D.
6. CONCRETE SIDEWALK; S.C.D.
7. TRASH STAGING AREA
8. LOADING AREA
9. KNOX KEY SWITCH; FINAL LOCATION TO BE APPROVED BY FIRE DEPT.
10. 6' HEIGHT METAL GATE AND FENCE
11. DOUBLE STRIPING PER TOWN CODE §. 29.10.115(D)(7)
12. CONTINUOUS CURB WHEEL STOP PER TOWN CODE §. 29.10.155(H)(1)
13. BICYCLE RACK; RIBBON STYLE tTO HOLD FIVE BIKES PER RACK

PLAN LEGEND :

EXISTING TREE, SEE ARBORIST REPORT (SHEET T-2 TO T-4) FOR SIZE AND LOCATION

TREE NUMBER, SEE SHEET T-1 AND SEE ARBORIST REPORT (SHEET T-2 TO T-4)

BIO SWALE GRASS (C3 AREA) SEE CIVIL SHEET C5.1 STORMWATER CONTROL PLAN FOR SPECIFICS AND CALCULATIONS

01 - FIRST FLOOR
3/32" = 1'-0"

RESIDENTIAL ROOMS - FIRST FLOOR		
NAME	NUMBER	AREA
A	103	360 SF
A	104	360 SF
A	105	359 SF
A	110	385 SF
A	148	385 SF
A	149	385 SF
A	150	360 SF

RESIDENTIAL ROOMS - FIRST FLOOR		
NAME	NUMBER	AREA
A	151	360 SF
A: 8		2955 SF
B	106	409 SF
B	109	479 SF
B	152	409 SF
B	153	409 SF
B: 4		1707 SF

RESIDENTIAL ROOMS - FIRST FLOOR		
NAME	NUMBER	AREA
C	101	677 SF
C	107	641 SF
C: 2		1319 SF
M.C. UNIT	116	396 SF
M.C. UNIT	117	396 SF
M.C. UNIT	118	362 SF

RESIDENTIAL ROOMS - FIRST FLOOR		
NAME	NUMBER	AREA
M.C. UNIT	119	362 SF
M.C. UNIT	120	400 SF
M.C. UNIT	121	556 SF
M.C. UNIT	122	511 SF
M.C. UNIT	123	407 SF
M.C. UNIT	124	376 SF

RESIDENTIAL ROOMS - FIRST FLOOR		
NAME	NUMBER	AREA
M.C. UNIT	125	376 SF
M.C. UNIT	126	376 SF
M.C. UNIT	127	420 SF
M.C. UNIT	128	420 SF
M.C. UNIT	129	376 SF
M.C. UNIT	130	376 SF

RESIDENTIAL ROOMS - FIRST FLOOR		
NAME	NUMBER	AREA
M.C. UNIT	131	400 SF
M.C. UNIT	132	400 SF
M.C. UNIT	133	443 SF
M.C. UNIT: 18		7351 SF
Grand total: 32		13331 SF

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

SWENSON ARCHITECTURE
77774 1st Street, 5th floor Ben Jones CA 95192 (408) 887-0848 Robert Hightower, Architect - C28048

Consultant:

Revisions:

Revision Schedule

1	Planning Response #1	07/20/21
2	Planning Response #2	11/01/21
4	Planning Response #4	04/04/22

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PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA

1ST FLOOR

Date: APRIL 01, 2021
Scale: AS NOTED
Drawn by: DM, EY, IL
Job #: 20-9215
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1 SECOND FLOOR PLAN
3/32" = 1'-0"

N

Room Legend

- A
- B
- C
- CORRIDOR
- ELEC / DATA
- ELEV
- ELEV LOBBY
- HOUSEKEEPING
- JANITOR CLOSET
- LOUNGE
- SALON / THERAPY
- STAIR 1
- STAIR 2
- STAIR 3

RESIDENTIAL ROOMS - SECOND FLOOR		
NAME	NUMBER	AREA
A	204	360 SF
A	205	360 SF
A	207	369 SF
A	210	385 SF
A	211	353 SF
A	212	353 SF
A	213	353 SF
A	214	353 SF
A	215	385 SF
A	217	385 SF
A	218	353 SF
A	219	353 SF
A	220	390 SF
A	223	390 SF
A	224	360 SF

RESIDENTIAL ROOMS - SECOND FLOOR		
NAME	NUMBER	AREA
A	225	360 SF
A	226	390 SF
A	230	360 SF
A	231	360 SF
A	232	385 SF
A	234	378 SF
A	235	390 SF
A	236	353 SF
A	237	353 SF
A	242	390 SF
A	243	360 SF
A	244	360 SF
A	245	385 SF
A	247	385 SF
A	248	385 SF

RESIDENTIAL ROOMS - SECOND FLOOR		
NAME	NUMBER	AREA
A	250	360 SF
A	251	360 SF
A: 32		11817 SF
B	201	446 SF
B	202	400 SF
B	203	400 SF
B	206	446 SF
B	209	479 SF
B	222	496 SF
B	227	446 SF
B	228	446 SF
B	229	409 SF

RESIDENTIAL ROOMS - SECOND FLOOR		
NAME	NUMBER	AREA
B	233	426 SF
B	238	400 SF
B	239	446 SF
B	240	429 SF
B	241	400 SF
B	246	463 SF
B	249	417 SF
B	252	400 SF
B	253	446 SF
B: 18		7795 SF
C	208	595 SF
C	216	511 SF
C	221	539 SF
C: 3		1645 SF
Grand total: 53		21257 SF

SWENSON
ARCHITECTURE
77774 1st Street, 5th Floor San Jose, CA (408) 287-0848 Robert Hightower, Architect - C26048

Consultant:

Revisions:

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2ND FLOOR

Date: APRIL 01, 2021
Scale: AS NOTED
Drawn by: DM, EY, IL
Job #: 20-9215
Sheet: A-2.2

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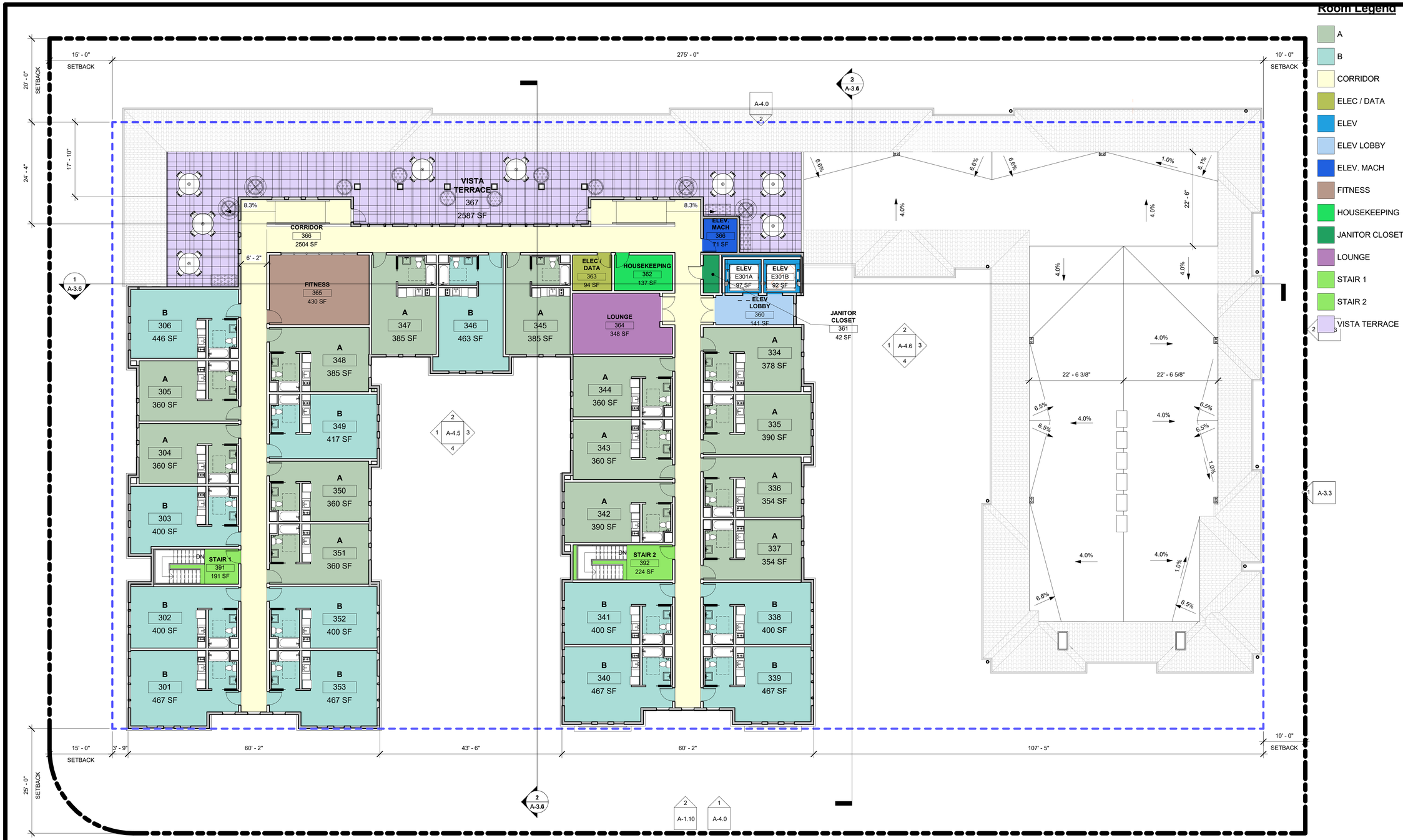

Room Legend

- A
- B
- CORRIDOR
- ELEC / DATA
- ELEV
- ELEV LOBBY
- ELEV. MACH
- FITNESS
- HOUSEKEEPING
- JANITOR CLOSET
- LOUNGE
- STAIR 1
- STAIR 2
- VISTA TERRACE

1 THIRD FLOOR
3/32" = 1'-0"

N

RESIDENTIAL ROOMS - THIRD FLOOR		
NAME	NUMBER	AREA
A	304	360 SF
A	305	360 SF
A	334	378 SF
A	335	390 SF
A	336	354 SF
A	337	354 SF
A	342	390 SF
A	343	360 SF
A	344	360 SF
A	345	385 SF
A	347	385 SF

RESIDENTIAL ROOMS - THIRD FLOOR		
NAME	NUMBER	AREA
A	348	385 SF
A	350	360 SF
A	351	360 SF
A: 14		5180 SF
B	301	467 SF
B	302	400 SF
B	303	400 SF
B	306	446 SF
B	338	400 SF
B	339	467 SF
B	340	467 SF

RESIDENTIAL ROOMS - THIRD FLOOR		
NAME	NUMBER	AREA
B	341	400 SF
B	346	463 SF
B	349	417 SF
B	352	400 SF
B	353	467 SF
B: 12		5196 SF
Grand total: 26		10376 SF

RESIDENTIAL ROOMS - THIRD FLOOR		
NAME	NUMBER	AREA

SWENSON ARCHITECTURE
77774 1st Street, Ste Room Ste Jules, CA (760) 112 - (424) 287-(2648) Robert Hightower, Architect - C(25048)

Consultant:

Revisions:
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PLANNING REVIEW NO. 21 1724
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3RD FLOOR

Date: APRIL 01, 2021
Scale: AS NOTED
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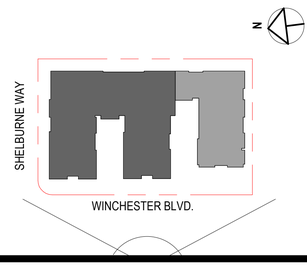
Job #: 20-9215

Sheet: A-2.3

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

RENDERING - WEST ELEVATON (WINCHESTER BOULEVARD)



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RENDERING - WEST ELEVATON

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Sheet: A-5.1

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RENDERING - PERSPECTIVE FROM WINCHESTER BOULEVARD LOOKING NORTH - EAST

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RENDERING - PERSPECTIVE FROM
WINCHESTER

Date: APRIL 01, 2021
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Job #: 20-9215
Sheet: A-5.2

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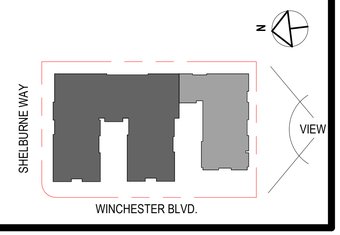
RENDERING - SOUTH ELEVATION



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15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA
RENDERING - SOUTH ELEVATION

Date: APRIL 01, 2021
Scale: AS NOTED
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Job #: 20-9215
Sheet: A-5.3

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

RENDERING - PERSPECTIVE OF GARDEN / GROUND LEVEL UNITS

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ARCHITECTURE
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RENDERING - PERSPECTIVE FROM GARDEN/GROUND LEVEL UNIT

Date: APRIL 01, 2021
Scale: AS NOTED
Drawn by: DM, EY, IL
Job #: 20-9215
Sheet: A-5.4

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

RENDERING - NORTH ELEVATON (SHELBURNE WAY)

SWENSON ARCHITECTURE
7774 Ivy Street, 5th floor San Jose, CA 95112 (408) 887-0848 Robert Hightower Architect - C25048

Consultant:

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RENDERING - NORTH ELEVATON (SHELBURNE WAY)

Date: APRIL 01, 2021
Scale: AS NOTED
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Job #: 20-9215
Sheet: A-5.5

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

1 RENDERING - PERSPECTIVE FROM SHELBURNE WAY LOOKING SOUTH - WEST
12" = 1'-0"

SWENSON ARCHITECTURE
77774 1st Street, 5th floor San Jose, CA 95112 (408) 887-0848 Robert Nightower, Architect - C26048

Consultant:

Revisions:

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RENDERING - PERSPECTIVE FROM SHELBURNE

Date: APRIL 01, 2021
Scale: AS NOTED
Drawn by: DM, EY, IL
Job #: 20-9215

Sheet: A-5.6

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RENDERING - AERIAL FROM SHELBURNE

SWENSON ARCHITECTURE
7774 Ice Street, 5th floor San Jose, CA 95112 (408) 887-0848 Robert Nightower Architect - C26048

Consultant:

Revisions:

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RENDERING - AERIAL FROM
SHELBURNE

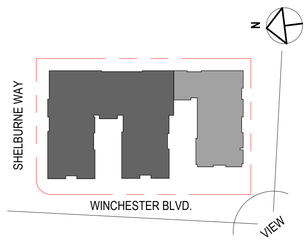
Date: APRIL 01, 2021
Scale: AS NOTED
Drawn by: DM, EY, IL
Job #: 20-9215

Sheet:

A-5.7

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

RENDERING - AERIAL FROM WINCHESTER



SWENSON ARCHITECTURE
77774 1st Street, 5th floor San Jose, CA 95112 (408) 887-0848 Robert Nightower Architect - C26048

Consultant:

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RENDERING - AERIAL FROM WINCHESTER

Date: APRIL 01, 2021
Scale: AS NOTED
Drawn by: DM, EY, IL
Job #: 20-9215
Sheet: A-5.8

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

Addendum C:
Qualifications of the Market Analysts

Jordan H. Cline Senior Director

Practice Group Member – Senior Housing | Healthcare Industry Group
Practice Group Member – Automotive Dealership Group
Practice Group Member – Industrial Specialty Group
Practice Group Member – Retail Specialty Group
Practice Group Member – Living Practice Group

Valuation & Advisory
Cushman & Wakefield Western, Inc.

Professional Expertise

Mr. Cline is a Certified General Real Estate Appraiser with over 20 years of appraisal experience. Mr. Cline has completed previous work throughout all of Northern California and Northern Nevada. Appraisal and consulting assignments have included single and multifamily residential (apartments, Low-Income Housing Tax Credits, and mobile home parks), commercial (retail and office), industrial (warehouse and manufacturing), cold storage facilities, restaurants (fast food and sit down), senior care (independent, assisted living, skilled nursing, congregate care and room and board), healthcare (MOB's, ambulatory and plastic surgery centers, locked psychiatric hospitals, and behavioral health facilities), service stations (gas station, c-store and car wash), car washes (self-serve, flex-serve and full-service), auto dealerships, movie theaters, hotels and motels, mini-storage (self-storage) facilities, vacant land (improved and unimproved) and residential subdivision (feasibility and valuation).

In 2022, Mr. Cline personally prepared valuations on numerous properties exceeding $4.1 billion in aggregate value and 18.6 million square feet.

Mr. Cline began his real estate appraisal career in January 2003 at his father's residential appraisal firm, Placer Appraisal/WHC Review, as a Real Estate Analyst in Colfax, California with responsibilities including timely appraisals of land, single family residences and two to four-unit residential income properties and performed administrative compliance audits for various banks.

In July 2003, Mr. Cline originally joined Cushman & Wakefield in San Jose, California as an Associate with responsibilities including data collection, research, and assisting Senior Appraisers with report production.

In May 2004, Mr. Cline moved to the Sacramento, California area and began working as a Real Estate Analyst at BEC Appraisal & Consulting, Inc. in Folsom, California with responsibilities including the appraisal of industrial and commercial property, including shopping centers, office buildings and residential properties over five units throughout Northern California. In October 2007, Mr. Cline was promoted to Vice President/Senior Appraiser at BEC Appraisal & Consulting, Inc. with responsibilities including managing client relationships, procuring new clients and assignments, providing assistance to and overseeing trainee appraisers and production of commercial appraisals of industrial and commercial property.

In January 2013, Mr. Cline rejoined Cushman & Wakefield in Sacramento, California as an Associate Director where he was responsible for managing client relationships, procuring new clients and assignments and production of commercial appraisals of industrial and commercial property throughout Northern California and Northern Nevada. Mr. Cline was promoted to Director in March 2015 and Senior Director in June 2020 within Valuation & Advisory.

Memberships, Licenses, Professional Affiliations and Education

- Practicing Affiliate, Appraisal Institute (#444403)
- Certified General Real Estate Appraiser in the following states:
  - California – AG036234
  - Nevada – A.0206873-CG
- Attended Sierra College and completed the following real estate courses:
  - Real Estate Principles
  - Real Estate Appraisal Procedures
  - Real Estate Appraisal
  - Real Estate Finance
- As of the current date, Mr. Cline has completed the requirements under the continuing education program of the Appraisal Institute. Appraisal coursework includes but is not limited to the following:
  - Real Estate Appraisal Principles
  - Real Estate Appraisal Procedures
  - Basic Income Capitalization
  - National Uniform Standards of Professional Practice, USPAP 2022-2023 Update
  - National Uniform Standards of Professional Practice, USPAP
  - Business Practices and Ethics
  - Fundamentals of Separating Real Property, Personal Property, and Intangible Business Assets
  - Appraisal of Assisted Living Facilities
  - Appraisal of Medical Office Buildings
  - Appraisal of Automotive Dealerships
  - Green Buildings: Principles & Concepts
  - Appraisal of Fast-Food Facilities
  - Appraisal of REO and Foreclosure Properties
  - Managing Appraiser Liability
  - That's a Violation

Other Accomplishments and Awards

- Eagle Scout, Boys Scouts of America
- Committee Member & Cubmaster for Pack 555 of the Boy Scouts of America in Rocklin, California
- Scoutmaster for Troop 220 of the Boy Scouts of America in Rocklin, California
- Golden Empire Council – Boy Scouts of America – Discovery District Assistant Finance Chair
- Beaded Wood Badge trained participant
- Staff member for Whitney Jr Wildcats youth football program

CALIFORNIA

Business, Consumer Services & Housing Agency

BUREAU OF REAL ESTATE APPRAISERS

REAL ESTATE APPRAISER LICENSE

Jordan H. Cline

has successfully met the requirements for a license as a residential and commercial real estate appraiser in the State of California and is, therefore, entitled to use the title:

"Certified General Real Estate Appraiser"

This license has been issued in accordance with the provisions of the Real Estate Appraisers' Licensing and Certification Law.

BREA APPRAISER IDENTIFICATION NUMBER: AG 036234

Effective Date: January 28, 2023
Date Expires: January 27, 2025

Angela Jemmott, Bureau Chief, BREA

3068829

THIS DOCUMENT CONTAINS A TRUE WATERMARK - HOLD UP TO LIGHT TO SEE "CHAIN LINK"

NEVADA

APPRAISER CERTIFICATE

STATE OF NEVADA DEPARTMENT OF BUSINESS AND INDUSTRY

NOT TRANSFERABLE **REAL ESTATE DIVISION** **NOT TRANSFERABLE**

This is to Certify That : JORDAN H CLINE **Certificate Number:** A.0206873-CG

Is duly authorized to act as a CERTIFIED GENERAL APPRAISER **from the issue date to the expiration date at the business address stated here in, unless the certificate is sooner revoked, cancelled, withdrawn, or invalidated.**

Issue Date: January 27, 2022 **Expire Date:** January 31, 2024

In witness whereof, THE DEPARTMENT OF BUSINESS AND INDUSTRY, REAL ESTATE DIVISION, by virtue of the authority vested in Chapter 645C of the Nevada Revised Statues, has caused this Certificate to be issued with its Seal printed thereon. This certificate must be conspicuously displayed in place of business.

FOR: CUSHMAN & WAKEFIELD WESTERN, INC
1621 ALBATROSS WAY
ROCKLIN, CA 95765

REAL ESTATE DIVISION

SHARATH CHANDRA
Administrator

Gerald V. Rasmussen, MAI, FRICS Executive Managing Director

Valuation & Advisory
Practice Group Leader | Senior Housing / Healthcare
Cushman & Wakefield of Connecticut, Inc.

Professional Expertise

Mr. Rasmussen joined Cushman & Wakefield of Connecticut, Inc. in November of 2001. He is the National Practice Leader for the Valuation & Advisory Senior Housing/Healthcare Industry group. As Practice Group Leader, he oversees a team of 35 professional appraisers, all of whom have extensive senior housing and healthcare experience. Combined, the group has completed in excess of 10,000 healthcare related valuation assignments.

Prior to joining Cushman & Wakefield in 2001, Mr. Rasmussen worked for BA Appraisals, Inc. in New York City where he was a Senior Appraiser from January 1985 until 1986. In August of 1986, he began working for Moran & Associates, Inc. in Stamford, CT until November 2001 when he joined Cushman & Wakefield's Valuation & Advisory.

Mr. Rasmussen has been a member of the Connecticut Real Estate Appraisal Commission since April, 1996. He has been involved with and written decisions that have impacted not only the laws of Connecticut, but have impacted the appraisal industry on a national basis.

He has been a member and an officer of the Connecticut Chapter of the Appraisal Institute serving as its President in 2000. He received the prestigious Louise Lee and Y.T. Lum Award from the Appraisal Institute's Education Trust Fund as the Honoree of the Year in 2001. He has been recognized numerous times by the Connecticut Chapter of the Appraisal institute for his contributions to the Real Estate Appraisal community.

Mr. Rasmussen has been a Board Member and officer including serving as President of the Connecticut Real Estate Education Foundation. This group funds various programs and studies that have impacted the appraisal community and the industry.

Memberships, Licenses, Professional Affiliations and Education

- Designated Member, Appraisal Institute (MAI 8203). As of the current date, Gerald V. Rasmussen, MAI has completed the requirements of the continuing education program of the Appraisal Institute.
- Fellow, Royal Institution of Chartered Surveyors (FRICS)
- Commissioner, Acting Chairman, State of Connecticut Real Estate Appraisal Commission
- Bachelor of Science in Business Administration, Long Island University, Cum Laude

- Certified General Real Estate Appraiser in the following states:

State	License Number
Alabama	G00866
Alaska	134750
Arizona	31710
Arkansas	CG-3351
California	AG043979
Colorado	CG100023222
Connecticut	RCG.0000510
Delaware	X1-0000640
Georgia	330331
Hawaii	CGA 1176
Idaho	CGA-4521
Illinois	553001939
Indiana	CG40801017
Iowa	CG03284
Kansas	G-3141
Kentucky	5222
Louisiana	G4152
Maine	CG1749
Maryland	32215
Massachusetts	5613
Michigan	1201073219
Minnesota	40527154
Mississippi	GA-893
Missouri	2017017862
Montana	REA-RAG-LIC-10306

State	License Number
Nebraska	CG212178R
Nevada	A.0207542-CG
New Hampshire	NHCG-745
New Jersey	42RG00160200
New Mexico	03555-G
New York	46000001881
North Carolina	A6766
North Dakota	CG-21758
Ohio	2008000510
Oklahoma	13246CGA
Oregon	C001178
Pennsylvania	GA003449
Rhode Island	CGA.0A01362
South Carolina	AB .6415 CG
South Dakota	1430CG
Tennessee	4306
Texas	TX-1337775-G
Utah	6825683-CG00
Vermont	80.0075939
Virginia	4001013534
Washington	1101813
Washington D.C.	GA12052
West Virginia	CG439
Wisconsin	1412-10
Wyoming	AP-1645

Other Awards and Achievements

- Fair market rent reset between these two companies of 179 Skilled Nursing and Long Term Acuity Hospitals (LTAC) located in 35 states.
- A multi-year tax appeal of a high-end Continuing Care Retirement Community.
- Portfolios: He has been involved with a significant number of the largest portfolios occurring in the marketplace in the past year. These include portfolios of Skilled Nursing, Assisted Living and dementia facilities.
- Mr. Rasmussen has also been involved with the revaluation of all commercial properties in Stamford, Connecticut, Wallingford, Connecticut and Glen Cove, New York for tax assessment purposes.
- His experience has included a significant amount of court testimony, having been qualified as an expert witness in the U.S. Federal Bankruptcy, New York State Supreme, Connecticut Superior and Connecticut Housing Courts

CALIFORNIA

Business, Consumer Services & Housing Agency

BUREAU OF REAL ESTATE APPRAISERS

REAL ESTATE APPRAISER LICENSE

Gerald V. Rasmussen

has successfully met the requirements for a license as a residential and commercial real estate appraiser in the State of California and is, therefore, entitled to use the title:

"Certified General Real Estate Appraiser"

This license has been issued in accordance with the provisions of the Real Estate Appraisers' Licensing and Certification Law.

BREA APPRAISER IDENTIFICATION NUMBER: AG 043979

Effective Date: June 11, 2022
Date Expires: June 10, 2024

Loretta Dillon

Loretta Dillon, Deputy Bureau Chief, BREA

3063839

THIS DOCUMENT CONTAINS A TRUE WATERMARK - HOLD UP TO LIGHT TO SEE "CHAIN LINK"

NEVADA

APPRAISER CERTIFICATE

STATE OF NEVADA DEPARTMENT OF BUSINESS AND INDUSTRY

NOT TRANSFERABLE **REAL ESTATE DIVISION** **NOT TRANSFERABLE**

This is to Certify That : GERALD V RASMUSSEN **Certificate Number:** A.0207542-CG

Is duly authorized to act as a CERTIFIED GENERAL APPRAISER **from the issue date to the expiration date at the business address stated here in, unless the certificate is sooner revoked, cancelled, withdrawn, or invalidated.**

Issue Date: July 22, 2021 **Expire Date:** July 31, 2023

In witness whereof, THE DEPARTMENT OF BUSINESS AND INDUSTRY, REAL ESTATE DIVISION, by virtue of the authority vested in Chapter 645C of the Nevada Revised Statues, has caused this Certificate to be issued with its Seal printed thereon. This certificate must be conspicuously displayed in place of business.

FOR: CUSHMAN & WAKEFIELD OF CONNECTICUT INC
107 ELM ST 8TH FLOOR
STAMFORD, CT 06902

REAL ESTATE DIVISION

SHARATH CHANDRA
Administrator

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CDG
CANNON
DESIGN
GROUP

ARCHITECTURE PLANNING URBAN DESIGN

May 4, 2021

Mr.. Diego Mora
Community Development Department
Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95031

RE: 15860 Winchester Blvd.

Dear Diego:

I reviewed the drawings, and evaluated the site context. I am familiar with the site from my review of a previous development proposal in 2015. My comments and recommendations are as follows:

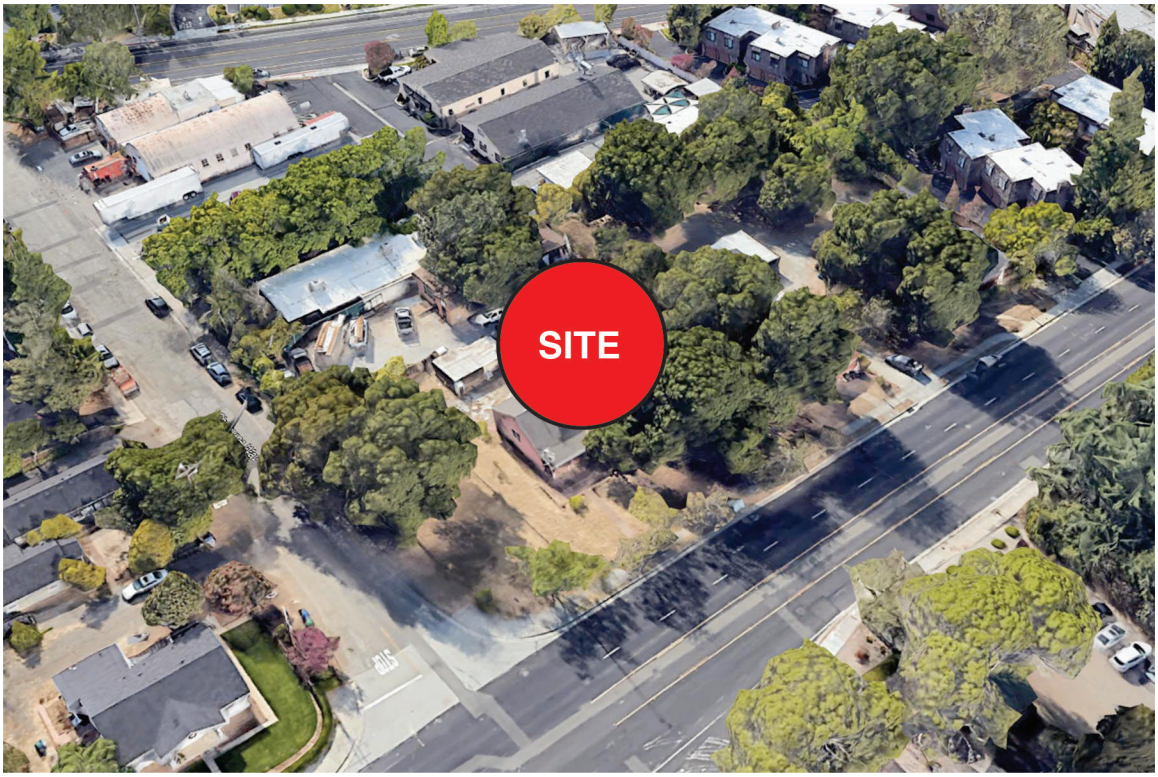
Neighborhood Context

The site is composed of three adjacent lots fronting on Winchester Blvd., and one site fronting on Shelburne Way. Commercial uses are to the east, and nearby Winchester Blvd. frontages are occupied by a mix of residential and commercial uses. Photos of the site and surrounding neighborhood are shown on the following page.

700 LARKSPUR LANDING CIRCLE . SUITE 199 . LARKSPUR . CA . 94939

TEL: 415.331.3795
CDGPLAN@PACBELL.NET

EXHIBIT 9



View to the site from corner

Structure across Shelburne Way from site

View across Winchester Blvd.

View across Winchester Blvd.

ISSUES AND CONCERNS

The proposed Memory Care and Assisted Living facility is divided into three major wings with connecting groups of rooms along the east edge of the site. The design with the three major wings allows the large building mass to be broken up into a scale along Winchester Blvd. that improves its comparability with the surroundings buildings framework along Winchester Blvd. - see aerial sketch below.

The project has much to admire and little or nothing to be concerned about. Some of the building details that contribute to its design unity and high quality of design include the following.

- Wide roof overhangs with trim and exposed rafter tails.
- Top floor color and trim that will work to reduce the visual mass of the building.
- Inset balconies which strengthen the residential scale and character of the project.
- Hip and shed roofs at the second level that break up the building's visual mass.
- Sensitive treatment of the loading bay on Shelburne Way.
- Trellises and other high quality details that enhance the visual richness of the facades and residential scale and character of the building.
- Design detailing and landscaping of the taller retaining walls on the north and south facades.

RECOMMENDATIONS

I do not have any recommendations for changes.

Diego, please let me know if you have any questions, or if there are other issues that I did not address.

Sincerely,
CANNON DESIGN GROUP

Larry L. Cannon

ARBORIST REPORT

WINCHESTER ASSISTED LIVING

15860 WINCHESTER BLVD
LOS GATOS, CALIFORNIA

Submitted to:

Swenson
777 North 1st Street, 5th Floor
San José, CA 95112

Prepared by:

David L. Babby
Registered Consulting Arborist® #399
Board-Certified Master Arborist #WE-4001B

February 10, 2021

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EXHIBITS

EXHIBIT	TITLE
A	TREE INVENTORY TABLE (five sheets)
B	SITE MAP (one sheet)
C	PHOTOGRAPHS (seven sheets)

1.0 INTRODUCTION

Swenson is planning to construct a three-story, assisted living facility at 15860 Winchester Blvd, Los Gatos. The site occupies the southeast corner of Shelburne Way and Winchester Blvd, and is comprised of three separate parcels with the addresses of 15860, 15880 and 15894 Winchester Blvd (each parcel contains single-family residences and accessory structures to be demolished). As part of their planning submittal, Swenson has retained me to prepare this *Arborist Report*, and specific tasks executed are as follows (to conform with 29.10.1000 and 29.10.1005 of the Town Code):

- Visit the site, performed on 1/14/21, 1/18/21 and 2/8/21, to identify and obtain photos of "protected trees"[1] located within and immediately adjacent to where development activities are planned (captures the entire project site).
- Determine each tree's trunk diameter at 54 inches above natural grade (rounded to the nearest inch). Trees with more than one diameter listed are formed by multiple trunks.
- Estimate each tree's height and average canopy spread (rounded to nearest fifth).
- Ascertain each tree's health and structural integrity, and assign an overall condition rating (e.g. good, fair, poor or dead).
- Designate each tree's suitability for preservation (e.g. high, moderate or low).
- Utilize tree numbers assigned for a prior office building proposal from nearly 10 years ago. Tags with engraved, corresponding numbers were affixed onto any trees with missing or non-readable ones.
- Identify tree numbers, recommended fencing locations and anticipated removals on the site map in Exhibit B; base map is a copy of A-1.2, dated 11/4/20, by Swenson.
- Identify which are defined by Town Code as a "large protected tree."[2]
- Appraise the monetary values of protected trees planned for retention.
- Review the progress plan set by Swenson to ascertain potential impacts and removals (the set contains various dates from October 2020 to January 2021).
- Provide protection measures to help mitigate or avoid impacts to retained trees.
- Prepare a written report that presents the aforementioned information, and submit via email as a PDF document.

[1] Section 29.10.0960 of the Town Code defines a protected tree as having a ≥4" diameter trunk at 54" above natural grade. Exempt from this provision are fruit- and nut-bearing trees with trunk diameters <18", as well as select tree types listed within Section 29.10.0970(2) and having trunk diameters <24" (pursuant to Section 29.10.0970 of the Code).

[2] Section 29.10.0955 of the Town Code defines a large protected tree as any *Quercus* sp., *Aesculus californica* or *Arbutus menziesii* with a diameter ≥24", or any other species with a diameter of ≥48" (measured at 54" above natural grade).

2.0 TREE COUNT AND COMPOSITION

Thirty-five (35) trees of seven various species were inventoried for this report. They are sequentially numbered as 1-5, 7-25, 27, 29, 34 and 38-45,[3] and the table below identifies their names, assigned numbers, counts and percentages.

NAME	TREE NUMBER(S)	COUNT	% OF TOTAL
Coast live oak	1-3, 8, 9, 11-13, 16-18, 20-25, 27, 29, 34, 39, 41-45	26	74%
Goldenrain tree	38	1	3%
Holly oak	10	1	3%
Lemon bottlebrush	19	1	3%
London plane tree	5, 7, 14, 15	4	11%
N. California black walnut	4	1	3%
Valley oak	40	1	3%
	Total	**35**	**100%**

Specific information regarding each tree is presented within the inventory table in Exhibit A. The trees' locations and assigned numbers are identified on the site map in Exhibit B, and photographs are presented in Exhibit C.

As illustrated on the above table, the site is populated predominantly by native oaks, specifically coast live (with 74% of the total) and valley oak (an additional 3%).

[3] The gaps in sequential numbering are due to a select number of trees either being exempt from inclusion per the Town Code or having been removed; they include #6, 26, 28, 30-33 and 35-37.

Seven (7) trees are located within the public right-of-way and are regarded as street trees; they include #1-3, 5, 7, 14 and 15. Trees #1 thru 3 are large coast live oaks along Shelburne Way, and their trunks span the property boundary. The other four, namely #5, 7, 14 and 15, are relatively small London planes aligning Winchester Blvd, within the Town's planter strip between the street curb and sidewalk.

As previously mentioned, all 35 are defined as protected trees per Town Code. Of these, the following 10 are defined as large protected trees: #2, 3, 9, 12, 16, 18, 21, 24, 39 and 41 (see footnote 2, page 1, of this report).

Note that the trunk locations of trees #44 and 45 were added to the map in Exhibit B and represent only rough approximations (versus surveyed locations).

On the map in Exhibit B, I have denoted trees already removed, as well as those exempt from inclusion within the tree inventory.

3.0 SUITABILITY FOR TREE PRESERVATION

Each tree has been assigned either a "high," "moderate" or "low" suitability for preservation rating as a means to cumulatively measure its existing health; structural integrity; anticipated life span; remaining life expectancy; prognosis; location; size; particular species; tolerance to construction impacts; growing space; frequency of care needed; and safety to property and persons within striking distance. Descriptions these ratings are presented below; the high category is comprised of 9 trees (or 26%), the moderate category 24 (or 68%), and the low category 2 (or 6%).

High: Applies to #3, 9, 16-18, 24, 34, 39, 39 and 42.

These trees appear relatively healthy and structurally stable; have no apparent, significant health issues or structural defects; present a good potential for contributing long-term to the site; and seemingly require only periodic or regular care and monitoring to maintain their longevity and structural integrity. They are typically the most suitable for retaining and incorporating into the future landscape.

Moderate: Applies to #1, 2, 5, 78, 11-15, 19-23, 25, 27, 29, 38, 40, 41 and 43-45.

These trees contribute to the site, but at levels less than those assigned a high suitability; might have health and/or structural issues which may or may not be reasonably addressed and properly mitigated; and frequent care is typically required for their remaining lifespan. They may be worth retaining if provided proper care, but not seemingly at significant expense or major design revisions.

Low: Applies to #4 and 10.

These trees have weak, multi-trunk structures comprised of stump sprouts, and there are no tree care measures to reasonably mitigate the risk (i.e. beyond likely recovery). As a general guideline, these trees should be removed regardless of future development, and any which are retained require frequent monitoring and care throughout their remaining lifespans to minimize risk to any persons or property within striking distance.

4.0 POTENTIAL TREE DISPOSITION

Implementing the proposed progress plan will result in the following tree disposition:

- **Remove** (26 in total): #4, 5, 7-21, 24, 25, 34, 38, 39 and 42-45.
- **Retain** (9 in total): #1-3, 22, 23, 27, 29, 40 and 41.

4.1 Proposed Removals

The table below, and continued on the next page, summarizes underlying reasons for removing the 26 trees (and on the map in Exhibit B, an "X" is placed across each trunk); reasons are solely based on my review of the architectural progress plan set, and additional impacts will likely be realized once civil plans are reviewed. Protection measures to help mitigate or avoid impacts to the 9 trees planned for retention are presented within Section 6.0 of this report.

TREE #	NAME	DIAM. (in.)	REASON(S) FOR REMOVAL
4	N. California black walnut	10, 8, 8, 7	Weak structure, site improvements
5	London plane tree	7	Site improvements
7	London plane tree	7	Site improvements
8	Coast live oak	10	Within building footprint
9	Coast live oak	30	Within building footprint
10	Holly oak	8, 7, 6	Weak structure, within building footprint
11	Coast live oak	11, 8	Within building footprint
12	Coast live oak	26	Within building footprint
13	Coast live oak	8, 6	Within driveway footprint
14	London plane tree	7	Within driveway apron
15	London plane tree	7	Site improvements
16	Coast live oak	26	Severe impacts from building construction, grading, and site improvements

Table continued:

TREE #	NAME	DIAM. (in.)	REASON(S) FOR REMOVAL
17	Coast live oak	23	Severe impacts from building construction, grading, parking lot and site improvements
18	Coast live oak	29	Within building footprint
19	Lemon bottlebrush	7	Within building footprint
20	Coast live oak	7	Within building footprint
21	Coast live oak	20, 14, 13	Within building footprint
24	Coast live oak	17, 16	Within building footprint
25	Coast live oak	17	Within excavation footprint for building and site wall
34	Coast live oak	16	Within building footprint
38	Goldenrain tree	20	Site improvements
39	Coast live oak	26	Within building footprint
42	Valley oak	23	Within building footprint
43	Coast live oak	14	Within building footprint
44	Coast live oak	4	Within building footprint
45	Coast live oak	5	Within excavation footprint for site wall

4.2 Potential Impacts to Retained Trees

My review of the architectural progress plans reveals the 9 oak trees proposed for retention can likely be sufficiently protected by adhering to recommendations presented within Section 6.0 of this report; they include #1-3, 22, 23, 27, 29, 40 and 41. An analysis of impacts, as derived by my review of the progress plan set, follows.

Tree #1, a 19-inch diameter coast live oak aligning Shelburne Way, will sustain a high level of impacts. Root loss will occur during excavation for the parking garage and building foundation at 14 feet south of its trunk, as well as building the parking lot entry a short distance of only 7 feet east of is trunk. To minimize root loss, it is critical that no overexcavation or compaction is needed beyond the wet section of drive entry between the street and building. Also, quite notably, roughly 40-percent of the tree's southern canopy will require pruning for building construction clearance, to encompass a 14-inch diameter limb, an 8-inch diameter limb, and reduction of a 9-inch diameter one.

Tree #2, a multi-trunk (33" and 15") coast live oak along Shelburne Way, will sustain a moderate level of impacts. Root loss will occur around 12 feet south of its trunk for the parking garage and building foundation. Pruning to achieve clearance for building construction will account for a roughly 20-percent of its total canopy, to include removing the low southeast limb overhanging the existing driveway, and several branches 3 to 5 inches in diameter.

Tree #3, a multi-trunk (28" and 20") coast live oak also along Shelburne Way, will sustain a moderate to high level of impacts. Root loss for the underground garage will occur around 10 feet from its trunk. Pruning to achieve building clearance will account for a tolerable 15-percent of its total canopy, to consider removing two, south-growing limbs with diameters of 11 and 12 inches, as well as several other small ones.

Tree #22, a 15-inch diameter coast live oak along the rear boundary, grows with a pronounced directly towards the future building, extending nearly 10 west from its base. When considering the proposed building is around 15 feet from its base, building clearance may become an issue during construction and/or long-term, requiring nearly all branches along the canopy's west side being pruned away. Root loss for excavation will occur at a tolerable distance of nearly 11 feet away. If protected, I estimate a high to moderate level of potential impacts.

Tree #23, a 17-inch diameter coast live oak also along the rear boundary, is roughly the same distance from the building as #22, and potential impacts appear low. Only small branches will require pruning to achieve building clearance, and my root loss estimation is the same as for #22.

Trees #27 and 29, both coast live oaks with trunk diameters of 15 and 17 inches, respectively, are setback sufficiently from the building to be adequately protected with only minor impacts. Regarding pruning, #27 will require one 5-inch diameter limb to be removed for building and construction clearance, representing a minor section for the tree.

Trees #40 and 41 are situated only a few feet apart at grade, #40 being a valley oak with a 17-inch trunk diameter, and #41 a coast live oak with a 26-inch trunk diameter. Root loss during building excavation is tolerable. For pruning, #40 will lose roughly 30-percent of its total canopy to achieve building clearance, namely, three south-growing limbs with diameters between 5 and 7 inches. Tree #41 will only require the loss of small branches overhanging the existing shed below.

5.0 APPRAISED TREE VALUES

The monetary values of the nine trees planned for retention have been appraised to conform with Section 29.10.1000(c)(3a) of the Los Gatos Town Code. Individual values are listed within the last column of Exhibit A, and their combined total equals $52,000. Values were calculated using the *Trunk Formula Technique* derived from the *Guide for Plant Appraisal, 10th Edition*, 2019.

6.0 TREE PROTECTION MEASURES

Recommendations presented within this section consider plans reviewed, and serve as protection measures to help mitigate or avoid impacts to trees being retained. They should be carefully followed and incorporated into project plans, and I (hereinafter "project arborist") should be consulted in the event any cannot be feasibly implemented.

6.1 Design Guidelines

1. The Tree Protection Zone (TPZ) for each retained tree shall be up to or within 6 feet from the proposed building foundation, and distances in all other directions from the trunks equal to 7 to 10 times the trunk diameters (all distances are intended to be obtained the closest edge, face of, their outer perimeter at soil grade). A TPZ is intended to restrict or highly limit the following activities within the specified distances: overexcavation, subexcavation, trenching, compaction, mass and finish-grading, soil scraping, tilling, ripping, swales, bioswales, storm drains, dissipaters, equipment cleaning, stockpiling and dumping of materials, and equipment and vehicle operation. In the event an impact encroaches slightly within a setback, it can be reviewed on a case-by-case basis by the project arborist to determine whether measures can sufficiently mitigate the impacts to less-than-significant levels.

2. For trees being retained, review setbacks proposed on plans for grading, utility, hardscape, compaction, trenching, subexcavation and overexcavation, and compare to the TPZ parameters specified above. Where conflicts exist, consult with the project arborist to identify opportunity for increasing setbacks and/or possibly mitigating impacts to achieve a reasonable assurance of protection.

3. Per Section 29.10.1000(C.1) of the Ordinance, a copy of this or a future report providing tree protection measures must be incorporated into the final set of project plans; titled Sheets T-1, T-2, etc. (“Tree Protection Instructions”); and referenced on all site-related project plans. Additionally, all site-related plans should contain notes referring to this report for tree protection measures.

4. Add assigned tree numbers and locations to the architectural, civil and landscape site-related plans.

5. Construction of the driveway immediately east of #1's trunk shall require no excavation or compaction beyond the driveway/wall limit. Any fill placed beyond the driveway/wall (i.e. towards the tree) shall not exceed 24 inches from the edge.

6. Specify on the demolition plan to abandon and cut off at existing soil grade all existing, unused lines, pipes and manholes within a TPZ.

7. Route all underground utilities and services (e.g. electrical) beyond TPZs. Where this is not feasible, the section of line(s) within a TPZ should be directionally-bored by at least 4 feet below existing grade, tunneled using a pneumatic air device (such as an AirSpade®), or installed by other means (e.g. pipe-bursting) to avoid an open trench. The ground above any tunnel must remain undisturbed, and access pits and above-ground infrastructure (e.g. splice boxes, meters and vaults) established beyond TPZs.

8. The permanent and temporary drainage design, including downspouts, should not require water being discharged within the trees' driplines.

9. Bioswales, storm drains and swales shall be established well-beyond TPZs.

10. On the erosion control design, specify that any straw wattle or rolls shall require a maximum vertical soil cut of 2 inches for their embedment, and are established as close to canopy edges as possible (and not against a trunk).

11. Avoid specifying the use of herbicides use within a TPZ; where used on site, they should be labeled for safe use near trees. Also, liming shall not occur within 50 feet from a tree's canopy.

12. On the final site plan, represent the future staging area and route(s) of access to be beyond unpaved areas beneath or near canopies.

13. Adhere to the following additional landscape guidelines:
    a. Plant material installed beneath oak canopies must be drought-tolerant, limited in amount, and placed at least 5+ feet from their trunks. Plant material installed beneath canopies of other trees should be at least 24 inches from their trunks.
    b. Introducing regular irrigation within the root zones of oaks can, overtime, impose adverse impacts and should be avoided. Rather, irrigation installed for new plant material beneath their canopies should be low-volume, applied irregularly (such as only once or twice per week), and temporary (such as <three years). Irrigation should not strike within 6 inches from the trunks of existing trees, and not applied against trunks of new trees.
    c. Establish irrigation and lighting features (e.g. main line, lateral lines, valve boxes, wiring and controllers) to avoid trenching within a TPZ. In the event this is not feasible, route them in a radial direction to a tree's trunk, and terminate a specific distance from a trunk (versus crossing past it). In certain instances, an AirSpade® may be required to avoid root damage, and any Netafim tubing used should be placed on grade, and header lines installed as mentioned above. Note that routes shall be reviewed with the project arborist prior to any trenching occurring.
    d. Design any new site fencing or fence posts to be at least 2 to 5 feet from a tree's trunk (depends on the trunk size, growth pattern and prior impacts).
    e. Avoid tilling, ripping and compaction within TPZs.
    f. Establish any bender board or other edging material within TPZs to be on top of existing soil grade (such as by using vertical stakes).
    g. Utilize a 3- to 4-inch layer of coarse wood chips or other high-quality mulch for new ground cover beneath canopies (gorilla hair, bark or rock, stone, gravel, black plastic or other synthetic ground cover should be avoided).

6.2 Before Demolition, Grading and Construction

14. Supply water to the root zones of oaks being retained. The methodology, frequency and amounts can be reviewed with the project arborist, and several possible methodologies including flooding the ground inside an 8-inch tall berm, soaker hoses, or deep-root injection. Note in the event dewatering is required for this project, the watering program shall be more intensive than otherwise needed (i.e. will require greater frequency and/or volume).

15. Stake the limits of grading, utility routes, irrigation routes, etc. (whether all at once or various phases) for review by the project arborist prior to ground disturbance.

16. Conduct a site meeting with the general contractor and project arborist several weeks or months prior to demolition for the purpose of reviewing protections measures presented in this report, such as tree fencing and trunk wrap protection, routes of access, staging, pruning, staking, watering, mulching, tree removals, etc.

17. Prior to demolition, install tree protection fencing where shown on the map in Exhibit B. Fencing shall consist of 6-foot tall chain link mounted on 2-inch diameter, galvanized iron posts driven at least 2 feet into the ground, kept in place throughout construction, and removed or modified only under the knowledge and direct consent of the project arborist. Note fencing may require reconfiguration for several additional phases, such as demolition, grading, utility installation and building construction, etc. (all to be reviewed with the project arborist).

18. Prior to demolition, affix and maintain 8.5- by 11-inch warning signs along each side of fencing opposite the trees' trunks (can be discussed with project arborist beforehand): "WARNING - Tree Protection Zone - this fence shall not be removed and is subject to penalty according to Town Code 29.10.1025."

19. Prune retained trees prior to demolition and/or shoring. The work shall be highly selective, targeted, and performed under direction of the project arborist. Additionally, all work shall be conducted in accordance with the most recent ANSI A300 standards, and by a California state-licensed tree service contractor (D-49) that has an ISA certified arborist in a supervisory role, carries General Liability and Worker's Compensation insurance, and abides by ANSI Safety Operations.

20. Prior to removing trees and the initial site meeting, paint an "X" on their trunks to allow review and confirmation with the project arborist (tree tags correspond with tree numbers). Also, ensure the removal process does not damage retained trees.

21. Establish the staging and cleanout area(s), as well as all routes of access beyond unpaved areas beneath tree canopies. Where challenges arise, review them beforehand with the project arborist to determine whether any measures can be employed to sufficiently mitigate the potential impacts.

22. Spread, and replenish as needed throughout the entire construction process, a 4- to 5-inch layer of coarse wood chips (¼- to ¾-inch in size) from a tree-service company over unpaved ground within designated-fenced areas.

23. The removal of stumps, whether old or new, located within TPZs shall be performed with a stump grinder (versus being extracted with heavy equipment and inadvertently damaging roots of trees otherwise being retained).

24. Where applicable, ivy should be manually cleared off and at least 5 feet from the trees' trunks (or manually removed from planters altogether). Also, the removal of existing groundcover, plants, shrubs, etc. within TPZs shall only be manually done.

25. Clear soil to expose the buried root collars[4] of trees #1, 23, 27, 40 and 41 This work must be manually and carefully performed to avoid damaging the trunk and roots during the process, and preferably by a tree-service company using an AirSpade to avoid unnecessary root and/or trunk damage.

26. Fertilization may benefit a tree's health, vigor and appearance. If applied, however, soil samples should first be obtained to identify the pH levels and nutrient levels so a proper fertilization program can be established. I further recommend any fertilization is performed under the direction and supervision of a certified arborist, and in accordance with the most recent ANSI A300 Fertilization standards.

6.3 During Demolition, Grading and Construction

27. Abandon the portions of chain link fence embedded within the trunks of #1 thru 3, as well as the top rail within #2's trunk; the material can be cut at the trunk, and avoid damaging the bark during the process.

[4] A "root collar" is the distinct swollen area near the ground where buttress roots and the main trunk merge.

28. Any authorized access, digging or trenching within designated-fenced areas shall be by foot-traffic only, manually performed under supervision by the project arborist, and without the use of heavy equipment or tractors.

29. Take great care during demolition of existing hardscape and other equipment/features to avoid damaging a tree's trunk, canopy, soil and roots within a TPZ, including ground underlying existing features.

30. Great care must also be taken by equipment operators, including shoring operations, to position their equipment to avoid trunks and branches, including the scorching of foliage. Any tree damage or injury should be reported to the project arborist for review of treatment.

31. Avoid using tree trunks as winch supports for moving or lifting heavy loads, as well as for tying rope, cables, chains or other items around.

32. Spoils generated during digging shall not be piled or spread on unpaved ground within a TPZ, rather temporarily pile them on plywood or a tarp.

33. Prior to installing shoring and mechanically excavating for the underground portion of garage, drive entry and building foundation, manually excavate a 1-foot wide trench along the perimeter of where soil excavation will occur closest to the a tree's trunk for the following distances: 15 feet for #1, 22, 23, 27, 29, 40 and 41, and 25 feet for #2 and 3 (the purpose is to avoid breaking and damaging roots closer to trunks than otherwise needed). Excavation should occur down to a 24-inch depth or required subgrade, whichever is less, and all ≥2-inch diameter roots cleanly severed by hand using a new and sharp handsaw and/or loppers at 90° to the direction of root growth against the tree side of the trench. All soil beyond the trench (i.e. away from the tree) can then be mechanically excavated using heavy equipment, remaining outside the fenced area(s). Alternatively, the use of a stump grinder could be utilized precisely where a curb/gutter and any overcut (12" max) will be established. Advise the project arborist when this work is scheduled so observations of cut roots can be made. Exposed roots surfaces should be kept continually moist, perhaps by draping burlap over the cut face and applying water daily or twice daily.

34. Unless otherwise specifically authorized by the project arborist, any open trenches needed for irrigation, lighting, etc. within TPZs shall either be through utilizing and AirSpade,® and all roots (all sizes) exposed during the process retained, not damaged, and kept continually moist and covered (e.g. a burlap) until the trench is backfilled.

35. Avoid damaging or cutting roots with diameters of ≥2 inches without prior assessment by the project arborist. Should roots of this size become encountered, within one hour of exposure, they should either be covered by burlap that remains continually moist until the root is covered by soil. If they are approved for cutting, cleanly severe at 90° to the angle of root growth against the cut line (using loppers or a sharp hand saw), and then immediately after, the cut end either buried with soil or covered by a plastic sandwich bag (and secured using a rubber band, and removed just before backfilling). Roots encountered with diameters <2 inches and requiring removal can be cleanly severed at right angles to the direction of root growth.

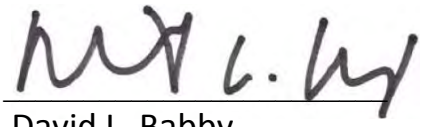
36. Digging holes for fence posts and light fixtures within a TPZ shall be manually performed using a post-hole digger, and in the event a root ≥2 inches in diameter is encountered during the process, the hole should be shifted over by 12 inches and the process repeated.

37. Dust accumulating on trunks and canopies during dry weather periods may need to be periodically washed away if directed by the project arborist (e.g. every 4 months).

38. Avoid disposing harmful products (such as cement, paint, chemicals, oil and gasoline) beneath canopies or anywhere on site that allows drainage within or near TPZs. Herbicides should not be used with a TPZ; where used on site, they should be labeled for safe use near trees. Avoid liming within 50 feet of a tree's canopy.

7.0 ASSUMPTIONS AND LIMITING CONDITIONS

- The scope of work assigned for this report pertains solely to trees listed in Exhibit A. I hold no opinion towards other trees on or surrounding the project area.
- All information presented herein reflects the trees' sizes and conditions as viewed from the ground and project site on 1/14/21, 1/18/21 and 2/8/21.
- The documented condition and suitability ratings of dormant trees are subject to change once the trees can be observed following their seasonal regrowth of leaves.
- My observations were performed visually without probing, coring, dissecting or excavating.
- I cannot provide a guarantee or warranty, expressed or implied, that deficiencies or problems of any trees or property in question may not arise in the future.
- No assurance can be offered that if all my recommendations and precautionary measures (verbal or in writing) are accepted and followed the desired results may be achieved.
- I cannot guarantee or be responsible for the accuracy of information provided by others.
- I assume no responsibility for the means and methods used by any person or company implementing the recommendations provided in this report.
- The information provided herein represents my opinion. Accordingly, my fee is in no way contingent upon the reporting of a specified finding, conclusion or appraised value.
- The site map presented in Exhibit B is solely intended to identify the inventoried trees' locations, assigned numbers, and fencing locations.
- This report is proprietary to me and may not be copied or reproduced in whole or part without prior written consent. It has been prepared for the sole and exclusive use of the parties to who submitted for the purpose of contracting services provided by Arbor Resources.
- If any part of this report or copy thereof be lost or altered, the entire evaluation shall be invalid.

Prepared By:  Date: February 10, 2021

David L. Babby

Registered Consulting Arborist® #399

Board-Certified Master Arborist® #WE-4001B

CA Licensed Tree Service Contractor #796763 (C61/D49)

EXHIBIT A:

TREE INVENTORY TABLE

(five sheets)

TREE INVENTORY TABLE

TREE/ TAG NO.	TREE NAME	SIZE			CONDITION				Suitability for Preservation (High/Moderate/Low)	Large Protected Tree	Street	Removal	Appraised Value
		Trunk Diameter (in.)	Height (ft.)	Canopy Spread (ft.)	Health Condition (100%=Best, 0%=Worst)	Structural Integrity (100%=Best, 0%=Worst)	Form (100%=Best, 0%=Worst)	Overall Condition (Good/Fair/Poor/Dead)					
1	Coast live oak (*Quercus agrifolia*)	19	35	35	80%	60%	30%	Fair	Moderate		X		$4,900
	Comments: Grows along #2's canopy and has asymmetrical form. Buried root collar. Large ivy stem around lower trunk and ivy in canopy. Chain link fence is embedded in trunk (do not tear out). Street tree - base spans property boundary.												
2	Coast live oak (*Quercus agrifolia*)	33, 15	50	60	60%	40%	40%	Fair	Moderate	X	X		$14,800
	Comments: Asymmetrical crown grows NE. The 15" diameter trunk emerges at grade and forms a weak attachment with larger trunk. Deadwood. Chain link fence and top rail are embedded in trunk (do not tear out). Has an extended low limb over driveway. Street tree - base spans property boundary.												
3	Coast live oak (*Quercus agrifolia*)	28, 20	50	45	70%	40%	40%	Fair	High	X	X		$13,200
	Comments: Asymmetrical canopy. Multiple stems originate at 3' high. Infested by Western sycamore borers. Chain link fence is embedded in trunk (do not tear out). Street tree - base spans property boundary.												
4	N. California black walnut (*Juglans hindsii*)	10, 8, 8, 7	25	35	30%	30%	40%	Poor	Low			X	-
	Comments: Multiple trunks emerge at grade and represent stump sprouts. Extensive decay at past where two prior trunks previously grew. Extensive dieback and large deadwood. Dormant.												
5	London plane tree (*Platanus × hispanica*)	7	25	25	60%	60%	50%	Fair	Moderate		X	X	-
	Comments: Street tree. Dormant.												
7	London plane tree (*Platanus × hispanica*)	7	25	20	60%	60%	40%	Fair	Moderate		X	X	-
	Comments: Street tree. Dormant.												
8	Coast live oak (*Quercus agrifolia*)	10	30	20	80%	50%	30%	Fair	Moderate			X	-
	Comments: Trunk bifurcates at 4' high. Crowded-growing conditions at edge of #3's canopy.												

TREE INVENTORY TABLE

TREE/ TAG NO.	TREE NAME	SIZE			CONDITION				Suitability for Preservation (High/Moderate/Low)	Large Protected Tree	Street	Removal	Appraised Value
		Trunk Diameter (in.)	Height (ft.)	Canopy Spread (ft.)	Health Condition (100%=Best, 0%=Worst)	Structural Integrity (100%=Best, 0%=Worst)	Form (100%=Best, 0%=Worst)	Overall Condition (Good/Fair/Poor/Dead)					
9	Coast live oak (*Quercus agrifolia*)	30	50	60	90%	40%	70%	Good	High	X		X	-
	Comments: Trunk bifurcates at 5' high and forms a weak attachment between codominant leaders. Asymmetrical crown is dominant towards south.												
10	Holly oak (*Quercus ilex*)	8, 7, 6	50	30	70%	30%	40%	Poor	Low			X	-
	Comments: Multiple trunks represent stump sprouts. Narrow form and a low canopy (nearing a few feet from grade).												
11	Coast live oak (*Quercus agrifolia*)	11, 8	45	15	60%	40%	30%	Fair	Moderate			X	-
	Comments: Asymmetrical canopy with narrow form. Leggy crown.												
12	Coast live oak (*Quercus agrifolia*)	26	60	50	60%	50%	70%	Fair	Moderate	X		X	-
	Comments: Three leaders share same union at 3' high. Deadwood. Partially buried root collar.												
13	Coast live oak (*Quercus agrifolia*)	8, 6	30	15	60%	40%	30%	Poor	Moderate			X	-
	Comments: Asymmetrical canopy sweeps W and is within #9's. Crowded-growing conditions. Buried root collar. Adjacent to a prior old, decaying walnut tree stump.												
14	London plane tree (*Platanus × hispanica*)	7	20	20	60%	40%	40%	Fair	Moderate		X	X	-
	Comments: Street tree. Sweeps away from #11's canopy. Dormant.												
15	London plane tree (*Platanus × hispanica*)	7	15	20	50%	40%	30%	Poor	Moderate		X	X	-
	Comments: Street tree. Irregular form. Deadwood. Dormant.												
16	Coast live oak (*Quercus agrifolia*)	26	50	40	80%	60%	70%	Good	High	X		X	-
	Comments: Trunk sweeps or leans away from home then towards vertical. Opposite lean side is a pronounced buttress root. Large girdling roots at low side of base. Partially buried root collar. Deadwood. Excessive limb weight in lower canopy. Ground slopes gently down away from trunk.												

TREE INVENTORY TABLE

TREE/ TAG NO.	TREE NAME	SIZE			CONDITION				Suitability for Preservation (High/Moderate/Low)	Large Protected Tree	Street	Removal	Appraised Value
		Trunk Diameter (in.)	Height (ft.)	Canopy Spread (ft.)	Health Condition (100%=Best, 0%=Worst)	Structural Integrity (100%=Best, 0%=Worst)	Form (100%=Best, 0%=Worst)	Overall Condition (Good/Fair/Poor/Dead)					
17	Coast live oak (*Quercus agrifolia*)	23	45	40	80%	50%	40%	Fair	High			X	-
	Comments: Trunk is ~6' from home.												
18	Coast live oak (*Quercus agrifolia*)	29	15	45	80%	60%	50%	Good	High	X		X	-
	Comments: Base is within 18" of, and trunk leans away from adjacent home.												
19	Lemon bottlebrush (*Callistemon citrinus*)	7	10	10	60%	40%	40%	Fair	Moderate			X	-
	Comments: Within patio area.												
20	Coast live oak (*Quercus agrifolia*)	7	25	25	80%	30%	60%	Fair	Moderate			X	-
	Comments: Large decaying wound at union of two remaining leaders at 11' high. Numerous old pruning wounds.												
21	Coast live oak (*Quercus agrifolia*)	20, 14, 13	50	50	80%	30%	60%	Fair	Moderate	X		X	-
	Comments: Spoils piled at base, and adjacent concrete pads are raised. Small deadwood. Very weak attachment between the 20" and 14" trunks.												
22	Coast live oak (*Quercus agrifolia*)	15	15	25	70%	40%	30%	Fair	Moderate				$1,700
	Comments: Pronounced westerly lean, then sweeps towards vertical. Deadwood. Buried root collar.												
23	Coast live oak (*Quercus agrifolia*)	17	45	20	70%	40%	30%	Poor	Moderate				$2,200
	Comments: Sinuous trunk and slightly leans towards north. Deadwood. Buried root collar.												
24	Coast live oak (*Quercus agrifolia*)	17, 16	45	35	70%	40%	70%	Fair	High	X		X	-
	Comments: Trunk bifurcates at 2.5' high into codominant leaders (okay spacing at attachment).												

TREE INVENTORY TABLE

TREE/ TAG NO.	TREE NAME	SIZE			CONDITION				Suitability for Preservation (High/Moderate/Low)	Large Protected Tree	Street	Removal	Appraised Value
		Trunk Diameter (in.)	Height (ft.)	Canopy Spread (ft.)	Health Condition (100%=Best, 0%=Worst)	Structural Integrity (100%=Best, 0%=Worst)	Form (100%=Best, 0%=Worst)	Overall Condition (Good/Fair/Poor/Dead)					
25	Coast live oak (*Quercus agrifolia*)	17	55	35	40%	60%	60%	Poor	Moderate			X	-
	Comments: Trunk is covered by dead ivy. Asymmetrical form. Has a very sparse, lower canopy, possibly from oak worm infestation this past year (monitor every 3 to 6 months for any improvement or further decline).												
27	Coast live oak (*Quercus agrifolia*)	~15	35	30	70%	50%	30%	Fair	Moderate				$2,200
	Comments: Leans west and has irregular form. Buried root collar. Trunk is covered by ivy.												
29	Coast live oak (*Quercus agrifolia*)	12	20	15	60%	60%	40%	Fair	Moderate				$1,700
	Comments: Leans SE, and is under crowded-growing conditions.												
34	Coast live oak (*Quercus agrifolia*)	16	40	40	70%	50%	60%	Fair	High			X	-
	Comments: Has somewhat of an asymmetrical canopy.												
38	Goldenrain tree (*Koelreuteria paniculata*)	20	35	35	60%	50%	50%	Fair	Moderate			X	-
	Comments: Dormant. Pile of spoils near trunk. Multiple leaders emerge at 4' high and form a sinuous crown. Deadwood.												
39	Coast live oak (*Quercus agrifolia*)	26	35	35	70%	40%	70%	Fair	High	X		X	-
	Comments: Slight lean E. Has many large, old decaying wounds from prior cuts.												
40	Valley oak (*Quercus lobata*)	17	50	35	70%	50%	40%	Fair	Moderate				$5,900
	Comments: Base is 2' from #41's trunk. Crowded-growing conditions. Partially buried root collar. Mostly dormant. Excessive limb weight.												
41	Coast live oak (*Quercus agrifolia*)	26	45	40	70%	40%	30%	Fair	Moderate	X			$5,400
	Comments: Crown sweeps towards S. Crowded-growing conditions. Partially buried root collar.												

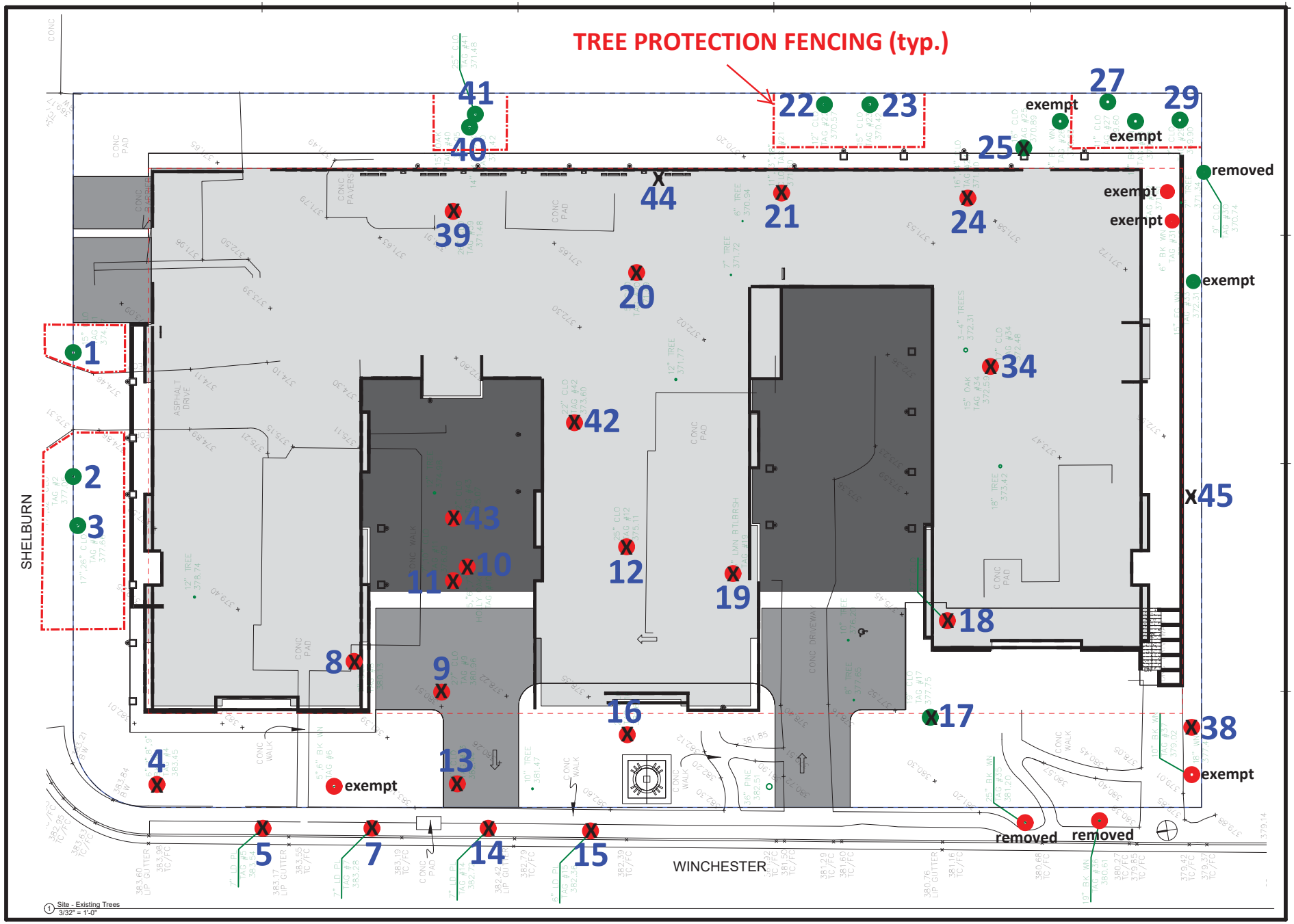
TREE INVENTORY TABLE

TREE/ TAG NO.	TREE NAME	SIZE			CONDITION				Suitability for Preservation (High/Moderate/Low)	Large Protected Tree	Street	Removal	Appraised Value
		Trunk Diameter (in.)	Height (ft.)	Canopy Spread (ft.)	Health Condition (100%=Best, 0%=Worst)	Structural Integrity (100%=Best, 0%=Worst)	Form (100%=Best, 0%=Worst)	Overall Condition (Good/Fair/Poor/Dead)					
42	Coast live oak (*Quercus agrifolia*)	23	50	55	70%	60%	70%	Fair	High			X	-
	Comments: Root collar is partially buried by spoils. Excessive limb weight towards S. Has an elevated canopy.												
43	Coast live oak (*Quercus agrifolia*)	14	40	30	70%	40%	30%	Poor	Moderate			X	-
	Comments: Pronounced lean and crowded-growing conditions. Trunk bifurcates at 14' high with good spacing between leaders. Large pile of moist soil is piled against trunk. Base grows against wood fence.												
44	Coast live oak (*Quercus agrifolia*)	4	25	10	60%	40%	40%	Fair	Moderate			X	-
	Comments: Added to map. Has a codominant top. Buried root collar. Very high canopy.												
45	Coast live oak (*Quercus agrifolia*)	5	30	10	60%	70%	60%	Fair	Moderate			X	-
	Comments: Added to map. Trunk's base is 12" from garage foundation, and canopy nears roof.												

EXHIBIT B:

SITE MAP

(one sheet)



SWENSON
777 N. 1st Street, San Jose, CA 95112 - (408) 287-0246

Consultant:

Revisions:

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SWENSON BUILDER

WINCHESTER ASSISTED LIVING
WINCHESTER AND SHELBURN
SITE - EXISTING TREES

Date: 11/04/20
Scale: 3/32" = 1'-0"
Drawn by: Author
Job #: 9215-70-103
Sheet
A-1.2

EXHIBIT C:

PHOTOGRAPHS

(seven sheets)

Photo Index

Page C-1: #1 thru 3

Page C-2: #4, 5, 7 thru 11

Page C-3: #12 thru 16

Page C-4: #17 thru 21

Page C-5: #22 thru 25, 27, 29

Page C-6: #34, 38 thru 41

Page C-7: #42 thru 45

#1

#3
#2
#1

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#1

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#44

#45

May 25, 2021

Diego Mora
Community Development Department
110 E. Main Street
Los Gatos CA 95030

Monarch Consulting Arborists

Richard Gessner
P.O. Box 1010 – Felton, CA 95018
1 831 331 8982
www.monarcharborists.com

Summary

The arborist's report contains the information required by the ordinance. The plan set does not contain an adequate T-1 sheet indicating tree protection measures and fence locations.

Introduction

Background

I was asked by the Town of Los Gatos to review the plan set and arborist's report for APNs 529-11-013, -038, -039 and -040. 15860 Winchester Boulevard.

Assignment, Limits, Purpose and Use

1. Provide a peer review of the Arborist Report prepared by Arbor Resources (Arborist David L. Babby) dated February 10, 2021.
2. Assess the tree and site conditions for consistency in the report and plan set regarding numbers, species, size, location, condition, and suitability for preservation. Site visit performed on May 13, 2021.
3. The following plan set was reviewed for this assignment: Site Plan A-1.1, A-1.2.

This report is to help provide information regarding the provided arborist's report and plans with reference to the trees. The report is to be used by Town of Los Gatos, the Town's agents, and the property owners and owner's agents to help determine deficiencies within the documents regarding the trees.

Observations

Arborist's Report

The arborist's report provided contains the information typical for a pre development assignment and the judgments are believed to be true and accurate.

The report is complete and contains the required components as indicated in ordinance section 29.10.1000 - New property development.

Plan Set

The A-1.2 sheet is in effect the T-1 Sheet as required by the ordinance as in section 29.10.1000 - New property development section (c) (1) "…Tree Preservation Instructions (Sheet T-1). Sheet T-1 shall be referenced on all relevant sheets (civil, demolition, utility, landscape, irrigation) where tree impacts from improvements may be shown to occur;".

The sheet is rudimentary and indicates the protection fence locations.

Conclusion

The report is complete and contains the information required by the ordinance. The expected impacts are discussed and I agree with the assessment.

The T-1 sheet should indicate the exact locations of the tree protection fence and any other relevant information regarding the recommendations form the report and ordinance requirements stated in Section 29.10.1005. - Protection of Trees During Construction. The A-1.2 sheet should include all the protection recommendations as indicated in the report and not just the fence locations. In addition the relevant protection ordinance language and any other arborist guidelines shall be placed on the sheet.

Tree numbers shall be placed on the plans sheets including any civil drawings. At this time the civil plans do not indicate the existing tree numbers. In addition tree protection should be placed on this plan as well.

Recommendations

Have the applicant create the T-1 sheet including fence location and any other relevant recommendations from the arborist's report. Place relevant tree numbers on the civil plans and indicate those to be removed with a large "X".

Qualifications, Assumptions, and Limiting Conditions

Any legal description provided to the consultant is assumed to be correct. Any titles or ownership of properties are assumed to be good and marketable. All property is appraised or evaluated as though free and clear, under responsible ownership and competent management.

All property is presumed to be in conformance with applicable codes, ordinances, statutes, or other regulations.

Care has been taken to obtain information from reliable sources. However, the consultant cannot be responsible for the accuracy of information provided by others.

The consultant shall not be required to give testimony or attend meetings, hearings, conferences, mediations, arbitration, or trials by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services.

This report and any appraisal value expressed herein represent the opinion of the consultant, and the consultant's fee is not contingent upon the reporting of a specified appraisal value, a stipulated result, or the occurrence of a subsequent event.

Sketches, drawings, and photographs in this report are intended for use as visual aids, are not necessarily to scale, and should not be construed as engineering or architectural reports or surveys. The reproduction of information generated by architects, engineers, or other consultants on any sketches, drawings, or photographs is only for coordination and ease of reference. Inclusion of said information with any drawings or other documents does not constitute a representation as to the sufficiency or accuracy of said information.

Unless otherwise expressed: a) this report covers only examined items and their condition at the time of inspection; and b) the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that structural problems or deficiencies of plants or property may not arise in the future.

Certification of Performance

I Richard Gessner, Certify:

That I have personally inspected the tree(s) and/or the property referred to in this report, and have stated my findings accurately. The extent of the evaluation and/or appraisal is stated in the attached report and Terms of Assignment;

That I have no current or prospective interest in the vegetation or the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved;

That the analysis, opinions and conclusions stated herein are my own;

That my analysis, opinions, and conclusions were developed and this report has been prepared according to commonly accepted Arboricultural practices;

That no one provided significant professional assistance to the consultant, except as indicated within the report.

That my compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party, nor upon the results of the assessment, the attainment of stipulated results, or the occurrence of any other subsequent events;

I further certify that I am a Registered Consulting Arborist® with the American Society of Consulting Arborists, and that I acknowledge, accept and adhere to the ASCA Standards of Professional Practice. I am an International Society of Arboriculture Board Certified Master Arborist®. I have been involved with the practice of Arboriculture and the care and study of trees since 1998.

Richard J. Gessner

ASCA Registered Consulting Arborist® #496
ISA Board Certified Master Arborist® WE-4341B
ISA Tree Risk Assessor Qualified

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MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

Section 15097 of the California Environmental Quality Act (CEQA) requires all State and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a "mitigated negative declaration" or specified environmental findings related to environmental impact reports.

The following is the Mitigation Monitoring and Reporting Program (MMRP) for the Winchester Assisted Living and Memory Care Facility Project (proposed project). The intent of the MMRP is to ensure implementation of the mitigation measures identified within the Initial Study/Mitigated Negative Declaration (IS/MND) for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this MMRP shall be funded by the applicant.

COMPLIANCE CHECKLIST

The MMRP contained herein is intended to satisfy the requirements of CEQA as they relate to the IS/MND for the proposed project, prepared by the Town of Los Gatos. This MMRP is intended to be used by Town staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMRP were developed in the IS/MND that was prepared for the proposed project. The MMRP will provide for monitoring of construction activities as necessary and in-the-field identification and resolution of environmental concerns.

The proposed project IS/MND presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the proposed project. Mitigation is defined by CEQA Guidelines, Section 15370, as a measure that:

- Avoids the impact altogether by not taking a certain action or parts of an action;
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation;
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment;
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project; or
- Compensates for the impact by replacing or providing substitute resources or environments.

Monitoring and documenting the implementation of mitigation measures will be coordinated by the Town of Los Gatos. The applicant will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMRP. The Town will be responsible for monitoring compliance.

MITIGATION MONITORING AND REPORTING PROGRAM

The following table indicates the item number, the checklist questions the measure is designed to address, the measure text, the monitoring agency, implementation schedule, and an area for sign-off indicating compliance.

MITIGATION MONITORING AND REPORTING PROGRAM WINCHESTER ASSISTED LIVING AND MEMORY CARE FACILITY PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
IV-a	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	*IV-1* *A pre-construction survey for nesting birds shall be conducted by a qualified biologist within a 250-foot buffer around the project site boundaries, if feasible, not more than three days prior to site disturbance during the breeding season (February 1st to August 31st). If site disturbance commences outside the breeding season, a pre-construction survey for nesting birds is not required. Survey results shall be submitted to the Town of Los Gatos Community Development Department. If active nests of migratory birds are not detected within approximately 250 feet of the project site, further mitigation is not required. If nesting birds are detected, the applicant shall implement Mitigation Measure IV-2.*	Town of Los Gatos Community Development Department	No more than three days prior to site disturbance during the breeding season (February 1st to August 31st).	
		IV-2 *If nesting raptors or other migratory birds are detected on or adjacent to the site during the survey, an appropriate construction-free buffer shall be established around all active nests. Actual size of buffer would be determined by the project biologist, and would depend on species, topography, and type of activity that would occur in the vicinity of the nest. Typical buffers are 25 feet for non-raptors and up to 250 feet for raptors. The project buffer shall be monitored periodically by the project biologist to ensure compliance. After the nesting is completed, as determined by the biologist, the buffer shall no longer be required. Buffers shall remain in place for the duration of the breeding season or until a qualified biologist has confirmed that all chicks have fledged and are independent of their parents. Proof of*	Town of Los Gatos Community Development Department	During construction, if nesting raptors or other migratory birds are detected on or adjacent to the site during the pre-construction survey.	

MITIGATION MONITORING AND REPORTING PROGRAM WINCHESTER ASSISTED LIVING AND MEMORY CARE FACILITY PROJECT						
Item Number	**Checklist Question**	**Mitigation Measure**		**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
			compliance with this Mitigation Measure shall be provided to the Town of Los Gatos Community Development Department prior to recommencing construction within the buffer area.			
IV-e	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	*IV-3*	*The applicant shall comply with the Town of Los Gatos Tree Protection Ordinance and a tree removal permit shall be obtained from the Town for the removal of any on-site trees that qualify as a protected tree. If the trees proposed for removal are found to be in good condition, and the tree removal permit is granted primarily for the convenience of the applicant, then the full cost and responsibility of such removal shall be borne by the applicant including planting of replacement trees.* *Where replanting is impractical or infeasible, the property owner may pay an in-lieu fee in an amount approved by the Town Council. New trees planted on site shall have a trunk diameter of more than 1.5 inches. The above noted requirements shall be completed to the satisfaction of the Town of Los Gatos Parks and Public Works Department.*	Town of Los Gatos Parks and Public Works Department	Prior to any tree removal.	
		IV-4	*The project applicant shall comply with all recommendations included in the Arborist Report prepared for the proposed project by Arborist Resources (2021) to ensure that tree protection measures are incorporated into the project design and construction. Recommended tree protection measures include, but are not limited to, establishing tree protection zones (TPZs) and setbacks for each*	Town of Los Gatos Parks and Public Works Department Qualified Arborist	The language of this measure shall be included on all project improvement plans, prior to the initiation of construction.	

MITIGATION MONITORING AND REPORTING PROGRAM WINCHESTER ASSISTED LIVING AND MEMORY CARE FACILITY PROJECT						
Item Number	**Checklist Question**	**Mitigation Measure**		**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
			protected tree; installing tree protection fencing around each TPZ which would include warning signs stating, "WARNING - Tree Protection Zone - this fence shall not be removed and is subject to penalty according to Town Code 29.10.1025"; avoiding damaging or cutting roots with a diameter of two or more inches; avoiding the use of herbicides; establishing staging, cleanout areas, and all routes of access beyond unpaved areas beneath tree canopies; and conducting a site meeting with the general contractor and project arborist several weeks or months prior to demolition for the purpose of reviewing all tree protection measures. All relevant recommendations included in the Arborist Report shall be noted on project Improvement Plans. Compliance with the recommended tree protection measures shall be monitored by the Town of Los Gatos Parks and Public Works Department and a qualified arborist.			
V-b; V-c	Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 15064.5; or disturb any human remains, including those interred outside of dedicated cemeteries	*V-1*	*If historic or archeological resources are encountered during subsurface excavation activities, all construction activities within a 100-foot radius of the resource shall cease until a qualified archaeologist determines whether the resource requires further study. The Town shall require that the applicant include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Any previously undiscovered resources found during construction shall be recorded on appropriate California Department of Parks and Recreation forms and evaluated for significance in terms*	Town of Los Gatos Community Development Department	During construction, if historic or archeological resources are encountered during subsurface excavation activities.	

MITIGATION MONITORING AND REPORTING PROGRAM WINCHESTER ASSISTED LIVING AND MEMORY CARE FACILITY PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		of California Environmental Quality Act (CEQA) criteria by a qualified archaeologist. Potentially significant cultural resources consist of, but are not limited to, stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. *If the resource is determined to be significant under CEQA, the Town and a qualified archaeologist shall determine whether preservation in place is feasible. Such preservation in place is the preferred mitigation. If such preservation is infeasible, the qualified archaeologist shall prepare and implement a research design and archaeological data recovery plan for the resource. The archaeologist shall also conduct appropriate technical analyses, prepare a comprehensive written report and file it with the appropriate information center (California Historical Resources Information System), and provide for the permanent curation of the recovered materials.*			
		V-2 *If human remains, or remains that are potentially human, are found during construction, all work shall be halted immediately within 200 feet, and a professional archeologist shall ensure reasonable protection measures are taken to protect the discovery from disturbance. The archaeologist shall notify the Contra Costa County Coroner (per §7050.5 of the State Health and Safety Code). The provisions of §7050.5 of the*	Town of Los Gatos Community Development Department County Coroner NAHC, if County Coroner	During construction, if human remains, or remains that are potentially human, are found.	

MITIGATION MONITORING AND REPORTING PROGRAM WINCHESTER ASSISTED LIVING AND MEMORY CARE FACILITY PROJECT						
Item Number	**Checklist Question**	**Mitigation Measure**		**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
			California Health and Safety Code, §5097.98 of the California Public Resources Code, and Assembly Bill 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, then the Coroner will notify the Native American Heritage Commission (NAHC), which then will designate a Native American Most Likely Descendant (MLD) for the project (§5097.98 of the Public Resources Code). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the applicant does not agree with the recommendations of the MLD, the NAHC can mediate (§5097.94 of the Public Resources Code). If an agreement is not reached, the qualified archaeologist or MLD must rebury the remains where they will not be further disturbed (§5097.98 of the Public Resources Code). This will also include either recording the site with the NAHC or the appropriate Information Center, using an open space or conservation zoning designation or easement, or recording a reinternment document with the county in which the property is located (AB 2641). Work cannot resume within the no-work radius until the lead agency, through consultation as appropriate, determines that the treatment measures have been completed to the Town's satisfaction.	determines remains are Native American		
VII-ai; VII-aii	Directly or indirectly cause potential substantial adverse effects, including the	*VII-1*	*The project applicant shall include all relevant 2019 CBSC standards, as recommended by the Design-Level Geotechnical Investigation prepared by Cornerstone Earth Group (2021)*	Town of Los Gatos Community	Included on all project improvement plans, prior to the	

MITIGATION MONITORING AND REPORTING PROGRAM WINCHESTER ASSISTED LIVING AND MEMORY CARE FACILITY PROJECT						
Item Number	**Checklist Question**		**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
	risk of loss, injury, or death involving: Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area based on other substantial evidence of a known fault; or strong seismic ground shaking?		*on all project improvement plans to ensure that the recommended standards for development of foundations, subsurface improvements, etc. are incorporated into the project design and construction. All project improvement plans shall be reviewed by a licensed engineer and approved by the Town of Los Gatos Community Development Department and the Town's Engineer.*	Development Department Town Engineer	initiation of construction.	
VIII-a; VIII-b	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses?	*VIII-1*	*The following requirements shall be noted on project improvement plans, subject to review and approval by the Town of Los Gatos Community Development Department:* • *The proposed project shall be designed such that the project is built all-electric, and natural gas infrastructure shall be prohibited on-site; and* • *A minimum 10 electric vehicle (EV) capable parking spaces shall be included on-site, consistent with the Tier 2 CALGreen standards.*	Town of Los Gatos Community Development Department	Included on all project improvement plans, prior to the initiation of construction.	
IX-b	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of	*IX-1*	*Following demolition and prior to issuance of a grading permit, a sampling grid shall be superimposed across the site and discrete shallow samples shall be collected. The samples shall be tested for organochlorine pesticides to determine whether Regional Water Quality Control Board Environmental Screening Levels (ESLs) are exceeded in any*	Town of Los Gatos Parks and Public Works Department SCCDEH	Following demolition and prior to issuance of a grading permit.	

MITIGATION MONITORING AND REPORTING PROGRAM WINCHESTER ASSISTED LIVING AND MEMORY CARE FACILITY PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
	hazardous materials into the environment?	*samples. The applicant shall submit a report to the Parks and Public Works Department for review and approval that includes, but is not limited to, sampling activities performed, relevant ESLs for identified contaminants, summary of contaminated concentrations, and locations where ESLs are exceeded, if any. If ESLs are exceeded in on-site soils, the impacted areas shall be removed and properly disposed of under oversight by the Santa Clara County Department of Environmental Health (SCCDEH) prior to issuance of a grading permit; and proof of remediation under SCCDEH oversight shall be provided to the Town of Los Gatos Parks and Public Works Department prior to grading. For larger quantities of soils that are non-hazardous, subject to approval by the Town of Los Gatos Parks and Public Works Department, such soils may generally be placed under interior roads, parking areas, or buildings during normal grading operations, and verification of proper handling and disposal.*			
		IX-2 Prior to issuance of a demolition permit for on-site structures, the project applicant shall consult with certified Asbestos and/or Lead Risk Assessors to complete an asbestos and lead survey. The completed asbestos and lead survey shall be submitted to the Town of Los Gatos Building Department for review and approval. If asbestos-containing materials or lead-containing materials are not discovered during the survey, further mitigation related to asbestos-containing materials or lead-	Town of Los Gatos Building Department SCCDEH	Prior to issuance of a demolition permit for on-site structures.	

MITIGATION MONITORING AND REPORTING PROGRAM WINCHESTER ASSISTED LIVING AND MEMORY CARE FACILITY PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		containing materials shall not be required. If asbestos-containing materials and/or lead-containing materials are discovered by the survey, the project applicant shall prepare a work plan to demonstrate how the on-site asbestos-containing materials and/or lead-containing materials shall be removed in accordance with current California Occupational Health and Safety (Cal-OSHA) Administration regulations and disposed of in accordance with all CalEPA regulations, prior to the demolition and/or removal of the on-site structures. The plan shall include the requirement that work shall be conducted by a Cal-OSHA registered asbestos and lead abatement contractor in accordance with Title 8 CCR 1529 and Title 8 CCR 1532.1 regarding asbestos and lead training, engineering controls, and certifications. The applicant shall submit the work plan to the Town for review and approval. The Town has the right to defer the work plan to the SCCDEH for additional review. Materials containing more than one (1) percent asbestos that is friable are also subject to BAAQMD regulations. Removal of materials containing more than one (1) percent friable asbestos shall be completed in accordance with BAAQMD Section 11-2-303.			
XIII-a	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local	*XIII-1*	*Prior to approval of demolition permits the following requirements shall be noted on project improvement plans, subject to review and approval by the Town of Los Gatos Community Development Department:*	Town of Los Gatos Community Development Department	Noted on improvement plans, prior to approval of demolition permits.	

MITIGATION MONITORING AND REPORTING PROGRAM WINCHESTER ASSISTED LIVING AND MEMORY CARE FACILITY PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
	general plan or noise ordinance, or applicable standards of other agencies?	• ***Operational and Situational Controls:*** ○ *All work on-site shall be restricted to the hours of 8:00 AM to 8:00 PM Weekdays, and 9:00 AM to 7:00 PM weekends and Holidays, pursuant to the requirements of the Town of Los Gatos Noise Ordinance.* ○ *All exterior stationary equipment shall be kept at least 100 feet from neighboring property lines unless acoustically shielded.* ○ *Material deliveries shall not be allowed on Sundays or Federal Holidays.* ○ *Cranes shall be located at least 100 feet from any neighboring property line with the exception of cranes or lifts necessary to dismantle scaffolding.* ○ *Material movement along the east and south sides of the site shall be minimized.* ○ *Stockpiles shall be located adjacent to neighbors as much as possible to help shield people from on-site noise generation.* ○ *Music shall not be audible off-site.* ○ *Dirt berming and stockpiling materials shall occur whenever*			

MITIGATION MONITORING AND REPORTING PROGRAM WINCHESTER ASSISTED LIVING AND MEMORY CARE FACILITY PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		possible to reduce noise to sensitive receptor locations. ○ *Mobile equipment such as haul trucks, and concrete trucks, shall be kept off of local streets near residences as much as possible.* ○ *Vehicle paths shall be graded smooth as rough roads and paths can cause significant noise and vibration from trucks (particularly empty trucks) rolling over rough surfaces. Loud bangs and ground-borne vibration can occur.* • ***Interior Work:*** ○ *For interior work, the windows of the interior spaces facing neighbors where work is being performed shall be kept closed while work is proceeding.* ○ *Noise generating equipment indoors shall be located within the building to use building elements as noise screens.* • ***Equipment:*** ○ *<u>Earth Removal:</u> Use scrapers as much as possible for earth removal, rather than the noisier loaders and hauling trucks.* ○ *<u>Backfilling:</u> Use a backhoe for backfilling, as it is quieter than either dozers or loaders.* ○ *<u>Ground Preparation:</u> Use a motor grader rather than a*			

MITIGATION MONITORING AND REPORTING PROGRAM WINCHESTER ASSISTED LIVING AND MEMORY CARE FACILITY PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		bulldozer for final grading. Wheeled heavy equipment is less noisy than track equipment. Use wheeled equipment rather than track equipment whenever possible, with the exception of work within the vibration distances shown in Table IV of the Noise Assessment Study. The soil conditions at the site indicate that wheeled equipment may generate higher levels of ground vibration than tracked equipment. Small, rubber tracked equipment, such as skid steers, would produce the lowest levels of noise and vibration ○ *Building Construction: Nail guns shall be used where possible as they are less noisy than manual hammering.* ○ *Generators and Compressors: Use generators, compressors and pumps that are housed in acoustical enclosures rather than weather enclosures or none at all.* ○ *Use temporary power service from the utility company in lieu of generators wherever possible.* ○ *All stationary equipment shall be rated no higher than 85 dBA*			

MITIGATION MONITORING AND REPORTING PROGRAM WINCHESTER ASSISTED LIVING AND MEMORY CARE FACILITY PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		at 25 feet under the equipment's most noisy condition. ○ *Circular saws, miter/chop saws and radial arm saws shall be used no closer than 50 feet from any residential property line unless the saw is screened from view by any and all residences using an air-tight screen material of at least two pounds per sf surface weight, such as three-quarter-inch plywood.* ○ *Use electrically powered tools rather than pneumatic tools whenever possible.* ○ *Mitigation of the construction phase noise at the site can be accomplished by using quiet or "new technology" equipment.* ○ *The greatest potential for noise abatement of current equipment shall be the quieting of exhaust noises by use of improved mufflers.* ○ *All internal combustion engines used at the project site shall be equipped with a type of muffler recommended by the vehicle manufacturer.* ○ *All equipment shall be in good mechanical condition so as to minimize noise created by faulty or poorly maintained*			

MITIGATION MONITORING AND REPORTING PROGRAM WINCHESTER ASSISTED LIVING AND MEMORY CARE FACILITY PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		engines, drive-trains and other components. Worn, loose or unbalanced parts or components shall be maintained or replaced to minimize noise and vibration. ○ *Use wheeled equipment rather than tracked equipment whenever possible.* ○ *Use the lowest vibration inducing equipment when within the distance limits shown in Table IV of the Noise Assessment Study. Small grading and earth moving equipment, such as "Bobcat" size equipment shall be used.* • ***Noise Complaint Management:*** ○ *The project applicant shall designate a noise complaint officer. The officer shall be available at all times during construction hours by both telephone and email. Signs shall be posted at site entries.* ○ *Notify, in writing, all residential and noise sensitive commercial neighbors within 300 feet of the site of construction. The notification shall contain the name, phone number, and email address of the noise complaint officer. A flyer may be placed at the doors of the residences.*			

MITIGATION MONITORING AND REPORTING PROGRAM WINCHESTER ASSISTED LIVING AND MEMORY CARE FACILITY PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		○ *A log of all complaints shall be maintained. The logs shall contain the name and address of the complainant, the date and time of the complaint, the nature/description of the noise source, a description of the remediation attempt or the reason remediation could not be attempted.*			
XIII-b	Generation of excessive groundborne vibration or groundborne noise levels?	*Implementation of the previous Mitigation Measure XIII-1.*	See Mitigation Measure XIII-1.	See Mitigation Measure XIII-1.	
XVII-a	Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	*XVII-1 The following requirements shall be noted on project improvement plans, subject to review and approval by the Town of Los Gatos Parks and Public Works Department:* • *A minimum of one long term and three short term bicycle parking spaces shall be included on-site, consistent with the VTA Bicycle Technical Guidelines; and* • *A new crosswalk shall be installed to cross Shelburne Way at Winchester Boulevard. The crosswalk shall meet the standards of the Town of Los Gatos.*	Town of Los Gatos Parks and Public Works Department	Included on all project improvement plans, prior to their approval.	
XVII-c; XVII-d	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or	*XVII-3 The following requirement shall be noted on project improvement plans, subject to review and approval by the Town of Los Gatos Parks and Public Works Department:*	Town of Los Gatos Parks and Public Works Department	Included on all project improvement plans, prior to their approval.	

MITIGATION MONITORING AND REPORTING PROGRAM WINCHESTER ASSISTED LIVING AND MEMORY CARE FACILITY PROJECT					
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	incompatible uses (e.g., farm equipment); or Result in inadequate emergency access?	• *Red curbs shall be implemented adjacent to both sides of the project driveways to prohibit parking and ensure adequate sight distance.*			
XVIII-a; XVIII-b	Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is: listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or a resource determined by the lead agency, in its discretion and supported by substantial	*XVIII-1 Implement Mitigation Measures V-1 and V-2.*	See Mitigation Measures V-1 and V-2.	See Mitigation Measures V-1 and V-2.	

MITIGATION MONITORING AND REPORTING PROGRAM WINCHESTER ASSISTED LIVING AND MEMORY CARE FACILITY PROJECT					
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	evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.				

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PROJECT INFORMATION

PROJECT ADDRESS:	**15860 - 15894 WINCHESTER BLVD., LOS GATOS, CALIFORNIA 95030**
ACCESSOR PARCEL NUMBERS:	**529-11-13 529-11-38 529-11-39 529-11-40**
TYPE OF CONSTRUCTION :	**IB - FULLY SPRINKLERED PER NFPA 13 (SEPARATE PERMIT)**
OCCUPANCY GROUP :	**R2.1**
SITE AREA :	**56,889 S.F. (1.31 ACRES)**

NO PUBLIC FUNDS FOR THIS PROJECT

APPLICABLE CODES:

2019 CALIFORNIA GREEN BUILDING STANDARDS CODE (MANDATORY MEASURES)
2019 CALIFORNIA BUILDING CODE
2019 CALIFORNIA MECHANICAL CODE
2019 CALIFORNIA ELECTRICAL CODE
2019 CALIFORNIA PLUMBING CODE
2019 CALIFORNIA FIRE CODE
2019 CALIFORNIA ENERGY CODE

DEFERRED SUBMITTALS LIST:

THE FOLLOWING ITEMS ARE A DEFERRED SUBMITTAL:

- FOR THE PURPOSES OF THIS SECTION, DEFERRED SUBMITTALS ARE DEFINED AS THOSE PORTIONS OF THE DESIGN THAT ARE NOT SUBMITTED AT THE TIME OF THE APPLICATION AND THAT ARE TO BE SUBMITTED TO THE BUILDING OFFICIAL WITHIN A SPECIFIED PERIOD.

- DEFERRAL OF ANY SUBMITTAL ITEMS SHALL HAVE PRIOR APPROVAL OF THE BUILDING OFFICIAL. THE ARCHITECT OR ENGINEER OF RECORD SHALL LIST THE DEFERRED SUBMITTALS ON THE PLANS AND SHALL SUBMIT THE DEFERRED SUBMITTAL DOUCMENTS FOR REVIEW BY THE BUILDING OFFICIAL.

- SUBMITTAL DOCUMENTS FOR DEFERRED SUBMITTAL ITEMS SHALL BE SUBMITTED TO THE ARCHITECT OR ENGINEER OF RECORD WHO SHALL REVIEW THEM AND FORWARD THEM TO THE BUILDING OFFICIAL WITH A NOTATION INDICATING THAT THE DEFERRED SUBMITTAL DOCUMENTS HAVE BEEN REVIEWED AND THAT THEY HAVE BEEN FOUND TO BE IN GENERAL CONFORMANCE WITH THE DESIGN OF THE BUILDING. THE DEFERRED SUBMITTAL ITEMS SHALL NOT BE INSTALLED UNTIL THEIR DESIGN AND SUBMITTAL DOCUMENTS HAVE BEEN APPROVED BY THE BUILDING OFFICIAL.

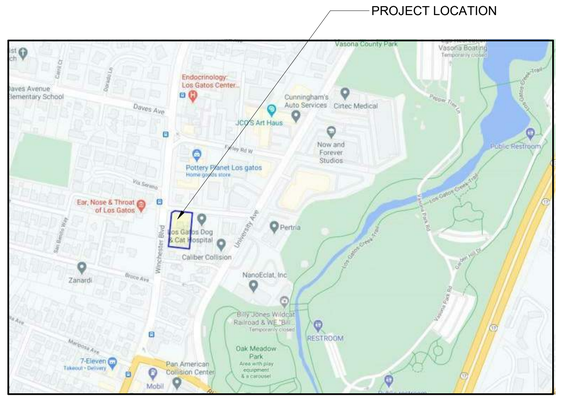
THE FOLLOWING ITEMS WILL BE DEFERRED SUBMITTALS:

1. FIRE SPRINKLERS
2. FIRE ALARM SYSTEM
3. EMERGENCY RESPONDER RADIO COVERAGE
4. TWO-WAY COMMUNICATION SYSTEM

WINCHESTER MEMORY CARE / ASSISTED LIVING

15860 - 15894 WINCHESTER BLVD., LOS GATOS, CALIFORNIA 95030

VICINITY MAP:



PROJECT DIRECTORY:

DEVELOPMENT
SWENSON
777 NORTH FIRST STREET, 5TH FLR
SAN JOSE, CA 95112

MIKE BLACK
mike@swenson.com
PH: (408) 938-6322
FX: (408) 998-1737

JESSIE BRISTOW
jbristow@swenson.com
PH: (831) 475-7100
FX: (831) 475-4544

ARCHITECT
SWENSON
777 NORTH FIRST STREET, 5TH FLR
SAN JOSE, CA 95112

DANIEL SELL
dan@swenson.com
PH: (408) 938-6338
FX: (408) 287-2356

DAVID MEADS
dmeads@swenson.com
PH: (408) 938-6384
FX: (408) 287-2356

CIVIL ENGINEER
BKF ENGINEERS
980 9th STREET, SUITE 2300
SACRAMENTO, CA 95814

KEVIN WONG
kwong@bkf.com
PH: (916) 556-5800
FX: (916) 556-5899

LANDSCAPE
DILLION DESIGN ASSOCIATES
LANDSCAPE ARCHITECTURE
849 ALMAR AVE., #C162
SANTA CRUZ CA 95060

MIKE DILLION
ddastudio@ddasite.com
PH: (408) 221-2516

GEOTECHNICAL ENGINEER
CORNERSTONE EARTH GROUP
1259 OAKMEAD PARKWAY
SUNNYVALE, CA 94085

STEPHEN OHLSEN, P.E.
sohlsen@cornerstoneearth.com
PH: (408) 245-4600 - EXT. 125

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PROJECT DESCRIPTION:

THE DESIGN INTENT FOR THIS PROJECT WAS TO CONVEY A HILLSIDE ESTATE FEEL WITH AN ITALIAN REVIVAL INFLUENCE THAT FEATURES SUCH ELEMENTS AS A TILED ROOF WITH DEEP SET DECORATIVE EAVES, PICTURE FRAMED WINDOWS, SYMMETRICAL FACADES, COLUMNS, AND BALUSTRADES. WHEN PLANNING THIS PROJECT WE WANTED TO MAINTAIN THE ORIGINAL RHYTHM OF THE NEIGHBORHOOD BY REPLACING THE EXISTING THREE HOMES ON THE SITE WITH A STRUCTURE THAT REFLECTED THE SAME THREE PART RHYTHM FACING ONTO WINCHESTER BOULEVARD. THESE THREE SEGMENTS OF THE BUILDING ARE LOCATED IN ROUGHLY IN THE SAME LOCATION AS THE ORIGINAL HOMES WITH THE MOST SOUTHERN OF THESE WINGS STEPPING DOWN TO SECOND STORY. THIS WAS DONE AS A WAY OF CREATING VISUAL INTEREST THROUGH ASYMMETRY AS WELL AS A WAY TO SEGUE BETWEEN OUR PROJECT AND THE NEIGHBORING TOWNHOMES TO THE SOUTH OF OUR DEVELOPMENT. OUR PROJECT STEPS DOWN EVEN FURTHER ON EITHER END OF THE BUILDING ENTRANCE WITH A FRAMED ENTRY / EXIT TO THE PORTE COCHERE.

THIS SENIOR HOUSING PROJECT CONSIST OF 18 MEMORY CARE UNITS AND 107 ASSISTED LIVING UNITS FOR A COMBINED TOTAL OF 125 UNITS. IN ADDITION TO THESE LIVING UNITS, THIS PROJECT HAS TWO SEPARATE DINING ROOMS, A COMMERCIAL KITCHEN, THEATER, LIBRARY, GREAT ROOM, AND OTHER COMMON USE SPACES THROUGHOUT. THE OUTDOOR SPACES INCLUDE BOTH COMMON USE AREAS WHICH CONSIST OF THREE DIFFERENT LANDSCAPED COURTYARDS AT THE FIRST FLOOR PODIUM LEVEL AS WELL AS PRIVATE USE PATIOS OFF OF THE GROUND FLOOR GARDEN UNITS TO THE SOUTH AND EAST OF OUR PROJECT.

SWENSON ARCHITECTURE
77774 1st Street, 5th floor San Jose, CA 95112 (408) 287-0848 Robert Hightower, Architect - C26048

Consultant:

Revisions:

Revision Schedule

1	Planning Response #1	07/20/21
3	Planning Response #3	12/10/21
4	Planning Response #4	04/04/22

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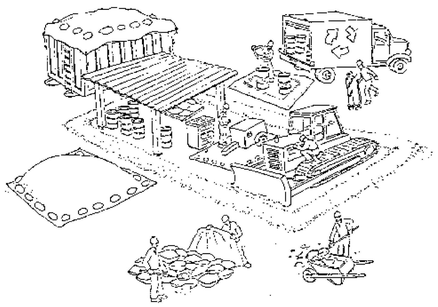
WINCHESTER MEMORY CARE / ASSISTED LIVING
PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA

TITLE SHEET

Date: APRIL 01, 2021
Scale: AS NOTED
Drawn by: DM, EY, IL
Job #: 20-9215
Sheet: A-0.0

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022
EXHIBIT 13

Pollution Prevention — It's Part of the Plan



Make sure your crews and subs do the job right!

Runoff from streets and other paved areas is a major source of pollution in San Francisco Bay. Construction activities can directly affect the health of the Bay unless contractors and crews plan ahead to keep dirt, debris, and other construction waste away from storm drains and local creeks. Following these guidelines will ensure your compliance with local ordinance requirements.

Materials storage & spill cleanup

Non-hazardous materials management

- ✓ Sand, dirt, and similar materials must be stored at least 10 feet from catch basins, and covered with a tarp during wet weather or when rain is forecast.
- ✓ Use (but don't overuse) reclaimed water for dust control as needed.
- ✓ Sweep streets and other paved areas daily. Do not wash down streets or work areas with water!
- ✓ Recycle all asphalt, concrete, and aggregate base material from demolition activities.
- ✓ Check dumpsters regularly for leaks and to make sure they don't overflow. Repair or replace leaking dumpsters promptly.

Hazardous materials management

- ✓ Label all hazardous materials and hazardous wastes (such as pesticides, paints, thinners, solvents, fuel, oil, and antifreeze) in accordance with city, state, and federal regulations.
- ✓ Store hazardous materials and wastes in secondary containment and cover them during wet weather.
- ✓ Follow manufacturer's application instructions for hazardous materials and be careful not to use more than necessary. Do not apply chemicals outdoors when rain is forecast within 24 hours.
- ✓ Be sure to arrange for appropriate disposal of all hazardous wastes.

Spill prevention and control

- ✓ Keep a stockpile of spill cleanup materials (rags, absorbents, etc.) available at the construction site at all times.
- ✓ When spills or leaks occur, contain them immediately and be particularly careful to prevent leaks and spills from reaching the gutter, street, or storm drain. Never wash spilled material into a gutter, street, storm drain, or creek!
- ✓ Report any hazardous materials spills immediately! Dial 911 or your local emergency response number.

Vehicle and equipment maintenance & cleaning

- ✓ Inspect vehicles and equipment for leaks frequently. Use drip pans to catch leaks until repairs are made; repair leaks promptly.
- ✓ Fuel and maintain vehicles on site only in a bermed area or over a drip pan that is big enough to prevent runoff.
- ✓ If you must clean vehicles or equipment on site, clean with water only in a bermed area that will not allow rinsewater to run into gutters, streets, storm drains, or creeks.
- ✓ Do not clean vehicles or equipment on-site using soaps, solvents, degreasers, steam cleaning equipment, etc.

Earthwork & contaminated soils

- ✓ Keep excavated soil on the site where it is least likely to collect in the street. Transfer to dump trucks should take place on the site, not in the street.
- ✓ Use hay bales, silt fences, or other control measures to minimize the flow of silt off the site.
- ✓ Avoid scheduling earth moving activities during the rainy season if possible. If grading activities during wet weather are allowed in your permit, be sure to implement all control measures necessary to prevent erosion.
- ✓ Mature vegetation is the best form of erosion control. Minimize disturbance to existing vegetation whenever possible.
- ✓ If you disturb a slope during construction, prevent erosion by securing the soil with erosion control fabric, or seed with fast-growing grasses as soon as possible. Place hay bales down-slope until soil is secure.
- ✓ If you suspect contamination (from site history, discoloration, odor, texture, abandoned underground tanks or pipes, or buried debris), call your local fire department for help in determining what testing should be done.
- ✓ Manage disposal of contaminated soil according to Fire Department instructions.

Dewatering operations

- ✓ Reuse water for dust control, irrigation, or another on-site purpose to the greatest extent possible.
- ✓ Be sure to call your city's storm drain inspector before discharging water to a street, gutter, or storm drain. Filtration or diversion through a basin, tank, or sediment trap may be required.
- ✓ In areas of known contamination, testing is required prior to reuse or discharge of groundwater. Consult with the city inspector to determine what testing to do and to interpret results. Contaminated groundwater must be treated or hauled off-site for proper disposal.

Saw cutting

- ✓ Always completely cover or barricade storm drain inlets when saw cutting. Use filter fabric, hay bales, sand bags, or fine gravel dams to keep slurry out of the storm drain system.
- ✓ Shovel, absorb, or vacuum saw-cut slurry and pick up all waste as soon as you are finished in one location or at the end of each work day (whichever is sooner!).
- ✓ If saw cut slurry enters a catch basin, clean it up immediately.

Paving/asphalt work

- ✓ Do not pave during wet weather or when rain is forecast.
- ✓ Always cover storm drain inlets and manholes when paving or applying seal coat, tack coat, slurry seal, or fog seal.
- ✓ Place drip pans or absorbent material under paving equipment when not in use.
- ✓ Protect gutters, ditches, and drainage courses with hay bales, sand bags, or earthen berms.
- ✓ Do not sweep or wash down excess sand from sand sealing into gutters, storm drains, or creeks. Collect sand and return it to the stockpile, or dispose of it as trash.
- ✓ Do not use water to wash down fresh asphalt concrete pavement.

Concrete, grout, and mortar storage & waste disposal

- ✓ Be sure to store concrete, grout, and mortar under cover and away from drainage areas. These materials must never reach a storm drain.
- ✓ Wash out concrete equipment/trucks off-site or designate an on-site area for washing where water will flow onto dirt or into a temporary pit in a dirt area. Let the water seep into the soil and dispose of hardened concrete with trash.

- ✓ Divert water from washing exposed aggregate concrete to a dirt area where it will not run into a gutter, street, or storm drain.
- ✓ If a suitable dirt area is not available, collect the wash water and remove it for appropriate disposal off site.

Painting

- ✓ Never rinse paint brushes or materials in a gutter or street!
- ✓ Paint out excess water-based paint before rinsing brushes, rollers, or containers in a sink. If you can't use a sink, direct wash water to a dirt area and spade it in.
- ✓ Paint out excess oil-based paint before cleaning brushes in thinner.
- ✓ Filter paint thinners and solvents for reuse whenever possible. Dispose of oil-based paint sludge and unusable thinner as hazardous waste.

B A S M A A Bay Area Stormwater Management Agencies Association

Bay Area Stormwater Management Agencies Association (BASMAA)
1-888-BAYWISE

Storm drain polluters may be liable for fines of up to $10,000 per day!

SWENSON ARCHITECTURE
77774 1st Street, Rancho Mirage, CA 92270 | (424) 287-0848 | Robert Hightower, Architect - C26048

Consultant:

Revisions:

Revision Schedule		
1	Planning Response #1	07/20/21

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WINCHESTER MEMORY CARE / ASSISTED LIVING
PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA
BLUEPRINT FOR A CLEAN BAY

Date: APRIL 01, 2021
Scale: AS NOTED
Drawn by: DM, EY, IL
Job #: 20-9215
Sheet: A-0.1

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

NET AREA (SF) PER UNIT / FLOOR

CONFIGURATION	UNIT TYPE	GROUND FLOOR	1ST FLOOR	2ND FLOOR	3ND FLOOR	TOTAL AREA (SF)
MEMORY CARE						
	MC1	0	724	0	0	724
	MC2	0	1,880	0	0	1880
	MC3	0	792	0	0	792
	MC4	0	1,200	0	0	1200
	MC5	0	407	0	0	407
	MC6	0	840	0	0	840
	MC7	0	443	0	0	443
	MC8	0	511	0	0	511
	MC9	0	556	0	0	556
	TOTAL	0	7,353	0	0	7,353
ASSISTED LIVING						
STUDIO	A1	1765	0	2,824	706	5295
STUDIO	A2	1440	1,800	3,600	2160	9000
STUDIO	A3	0	0	369	0	369
STUDIO	A4	0	0	378	378	756
STUDIO	A5	385	1,155	2,695	1155	5390
STUDIO	A6	0	0	1,950	780	2730
	TOTAL	3590	2,955	11,816	5179	23540
PREM. STUDIO	B1	0	0	2,000	2000	4000
PREM. STUDIO	B2	0	1,227	409	0	1636
PREM. STUDIO	B3	0	0	417	417	834
PREM. STUDIO	B4	0	0	426	0	426
PREM. STUDIO	B5	0	0	3,122	446	3568
PREM. STUDIO	B6	0	0	463	463	926
PREM. STUDIO	B7	467	0	0	1868	2335
PREM. STUDIO	B8	0	479	479	0	958
PREM. STUDIO	B9	992	0	496	0	1488
	TOTAL	1459	1,706	7,812	5194	16171
1 BEDROOM	C1	0	0	511	0	511
1 BEDROOM	C2	0	0	539	0	539
1 BEDROOM	C3	575	0	0	0	575
1 BEDROOM	C4	0	0	595	0	595
1 BEDROOM	C5	0	634	0	0	634
1 BEDROOM	C6	0	677	0	0	677
	TOTAL	575	1311	1645	0	3531
	TOTAL	5,624	13,325	21,273	10,373	**50595**

	047B	RESTROOM				62	
	048	RESOURCE ROOM				169	
	049	SALES OFFICE				116	
	050	SALES OFFICE				115	
BELOW GRADE	091	STAIR 1					152
	093	STAIR 3				453	
	094	STAIR 4				134	
		MISC.				265	
		RESIDENTIAL - TOTAL NET AREA			5,624		
		(BELOW GRADE) **BASEMENT AREA TOTAL**					18,532
		(ABOVE GRADE) **FLOOR AREA TOTAL**			5,624	7,889	13,513
1ST FLOOR		(COMMON AMENTIES & MEMORY CARE)					
	E101A	ELEVATOR				80	
	E101B	ELEVATOR				82	
	E101C	SERVICE ELEVATOR				69	
	160	ELEV LOBBY				210	
	161	CORRIDOR				1,114	
	162	CORRIDOR				1,434	
	163	ELEC / DATA				79	
	164A	RESTROOM - WOMEN'S				116	
	164B	RESTROOM - MEN'S				116	
	165	KITCHEN				870	
	166	DINING ROOM				1,888	
	167	WELLNESS CENTER				597	
	168	NURSE OFFICE				115	
	170	OFFICE				139	
	171	DISCOVERY				175	
	172	ENTRY				135	
	173	LOBBY LOUNGE				467	
	174	FIRE CONTROL				62	
	175	RECEPTION				121	
	176	MC DINING ROOM				974	
	177	BISTRO				210	
	178	ACTIVITY ROOM				1,765	
	191	STAIR 1				350	
	192	STAIR 2				194	
	193	STAIR 3				198	
	194	STAIR 4				107	
		COVERED EXTERIOR / ATICULATION					1,481
		PORTE COCHERE					1,963
NOT INCLUDED	198A	A.L. COURTYARD		*(OUTDOOR - OPEN TO THE SKY)*			2,346
NOT INCLUDED	198B	A.L. COURTYARD		*(OUTDOOR - OPEN TO THE SKY)*			1,300
NOT INCLUDED	199	A.L. COURTYARD		*(OUTDOOR - OPEN TO THE SKY)*			2,057
		MISC.					
		RESIDENTIAL - TOTAL NET AREA			13,325		
		(OUTDOOR - OPEN TO THE SKY - NOT INCLUDED) **FLOOR AREA TOTAL**					5,703
"INCLUDED IN LOT COVERAGE"		*(INTERIOR)* **FLOOR AREA TOTAL**			13,325	11,667	24,992
"INCLUDED IN LOT COVERAGE"		*(COVERED EXTERIOR)* **FLOOR AREA TOTAL**			COVERED EXTERIOR / ATICULATION		1,481
"INCLUDED IN LOT COVERAGE"		*(COVERED EXTERIOR)* **FLOOR AREA TOTAL**			PORTE COCHERE		1,963
"TOTAL LOT COVERAGE"		**FLOOR AREA TOTAL**					28,436
2ND FLOOR		(ASSISTED LIVING)					
	E201A	ELEVATOR				97	
	E201B	ELEVATOR				92	
	260	ELEV LOBBY				141	
	261	JANITOR CLOSET				42	
	262	HOUSEKEEPING				136	
	263	ELEC / DATA				93	
	264	SALON / THERAPY				350	
	265	LOUNGE				435	
	266	CORRIDOR				3,639	
	291	STAIR 1				191	
	292	STAIR 2				224	
	293	STAIR 3				192	
	MISC.					972	
		RESIDENTIAL - TOTAL NET AREA			21,273		
		(INTERIOR) **FLOOR AREA TOTAL**			21,273	6,604	27,877
3RD FLOOR		(ASSISTED LIVING)					
	E301A	ELEVATOR				97	
	E301B	ELEVATOR				92	
	360	ELEV LOBBY				141	
	361	JANITOR CLOSET				42	
	362	HOUSEKEEPING				137	
	363	ELEC / DATA				94	
	364	LOUNGE				348	
	365	FITNESS				435	
	366	CORRIDOR				2,504	
NOT INCLUDED	367	VISTA TERRACE		*(OUTDOOR - OPEN TO THE SKY)*			2,587
	391	STAIR 1				191	
	392	STAIR 2				224	
	MISC.					573	
		RESIDENTIAL - TOTAL NET AREA			10,373		
		(OUTDOOR - OPEN TO THE SKY - NOT INCLUDED) **FLOOR AREA TOTAL**					2,587
		(INTERIOR) **FLOOR AREA TOTAL**			10,373	4,878	15,251

REQUIRED RESIDENTIAL PARKING

MARKET TYPE	UNIT TYPE	UNIT COUNT	FACTOR	TOTAL PARKING STALLS
			(1 PER 2.5 BEDS)	
	ASSISTED LIVING	107	0.4	42.8
	MEMORY CARE	18	0.4	7.2
TOTAL REQUIRED		125		**50**

PROPOSED ON SITE PARKING

LEVEL	TYPE	STANDARD	ACCESSIBLE	PARKING STALLS
BASEMENT GARAGE		47	2	49
1ST FLOOR		4	1	5
TOTAL PROVIDED				**54**
			TOTAL CAR STALLS	54
			TOTAL REQUIRED	50
			SURPLUS	**4**

BUILDING AREA SUMMARY

LEVEL	ROOM NUMBER	USE	NET AREA	GROSS AREA AREA (SF) SUBTOTAL	GROSS AREA AREA (SF) SUBTOTAL
GROUND		(ASSISTED LIVING)			
	E001A	ELEVATOR		98	
	E001B	ELEVATOR		98	
	E001C	SERVICE ELEVATOR		72	
	E002	ELEVATOR MACH		53	
BELOW GRADE	030	GARAGE			17,116
	031	LOADING DOCK		675	
	032	TRASH		419	
BELOW GRADE	033	WATER/BOILER			451
BELOW GRADE	034	GENERATOR			288
BELOW GRADE	035	ELECTRICAL ROOM			484
BELOW GRADE	036	STORAGE			41
	037	CORRIDOR		2,106	
	038	CORRIDOR		210	
	039	ELEVATOR LOBBY		343	
	040A	LIBRARY		637	
	040B	LIBRARY STORAGE		55	
	041	THEATER		720	
	042	LAUNDRY		242	
	043	MAINTENANCE		182	
	044	STAFF LOUNGE		408	
	045	CONFERENCE		123	
	046	OFFICE		72	
	047A	RESTROOM		62	

WINCHESTER MEMORY CARE / ASSISTED LIVING

PROJECT DATA SUMMARY

Monday, November 1, 2021

ADDRESS:	15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA 95030
APN:	529-11-013, 529-11-038, 529-11-039, & 529-11-040
GENERAL PLAN LAND USE DESIGNATION:	OFFICE PROFESSIONAL
SPECIFIC PLAN	
DENSITY (DWELLING UNITS / ACRE):	CURRENTLY: 95.4
ZONING:	O (OFFICE)
PROPOSED MAXIMUM HEIGHT:	+/- 50' - 1"

AREA INCLUDED IN LOT COVERAGE	
1. FIRST FLOOR INTERIOR AREA (RESIDENTIAL & COMMON AREA)	CURRENT LOT COVERAGE AREA (SF): 28,436
2. COVERED EXTERIOR / ATICULATION AREA	CURRENT LOT COVERAGE: 49.98%
3. PORTE COCHERE	TARGET LOT COVERAGE: 50.00%
	CURRENT DELTA PERCENTAGE: -0.02%
SEE "INCLUDED IN LOT COVERAGE" ON 1ST FLOOR AREA CALCULATIONS	CURRENT DELTA SQUARE FOOTAGE: -8.68

SITE AREA SUMMARY

ACCESSOR PARCEL NUMBER		SQUARE FEET	ACRES
EXISTING LOTS:	529-11-013, 529-11-038, 529-11-039, & 529-11-040	56,889	1.31
TOTAL		56,889	1.31

GROSS AREA / FAR CALCULATION

FAR (GROUND FLOOR TO THIRD FLOOR) - ***BASEMENT NOT INCLUDED***

GROSS AREA	**SF**
GROUND FLOOR	13,513
FIRST FLOOR	24,992
SECOND FLOOR	27,877
THIRD FLOOR	15,251
GROSS FLOOR AREA INCLUDED	81,633
FAR:	1.43

PROPOSED UNIT SIZE / PERCENTAGE / COUNT

CONFIGURATION	UNIT TYPE	PROPOSED UNIT AREA (SF)	GROUND FLOOR	1ST FLOOR	2ND FLOOR	3ND FLOOR		TOTAL	PROPOSED PERCENTAGE
MEMORY CARE									
	MC1	362		2				2	1.6%
	MC2	376		5				5	4.0%
	MC3	396		2				2	1.6%
	MC4	400		3				3	2.4%
	MC5	407		1				1	0.8%
	MC6	420		2				2	1.6%
	MC7	443		1				1	0.8%
	MC8	511		1				1	0.8%
	MC9	556		1				1	0.8%
MEMORY CARE AVERAGE		**409**	**0**	**18**	**0**	**0**	SUBTOTAL	**18**	14.4%
ASSISTED LIVING									
STUDIO	A1	353	5		8	2		15	12.0%
STUDIO	A2	360	4	5	10	6		25	20.0%
STUDIO	A3	369			1			1	0.8%
STUDIO	A4	378			1	1		2	1.6%
STUDIO	A5	385	1	3	7	3		14	11.2%
STUDIO	A6	390			5	2		7	5.6%
STUDIO AVERAGE		**368**	**10**	**8**	**32**	**14**	SUBTOTAL	**64**	51.2%
PREM. STUDIO	B1	400			5	5		10	8.0%
PREM. STUDIO	B2	409		3	1			4	3.2%
PREM. STUDIO	B3	417			1	1		2	1.6%
PREM. STUDIO	B4	426			1			1	0.8%
PREM. STUDIO	B5	446			7	1		8	6.4%
PREM. STUDIO	B6	463			1	1		2	1.6%
PREM. STUDIO	B7	467	1			4		5	4.0%
PREM. STUDIO	B8	479		1	1			2	1.6%
PREM. STUDIO	B9	496	2		1			3	2.4%
PREM. STUDIO AVERAGE		**437**	**3**	**4**	**18**	**12**	SUBTOTAL	**37**	29.6%
1 BEDROOM	C1	511			1			1	0.8%
1 BEDROOM	C2	539			1			1	16.7%
1 BEDROOM	C3	575	1					1	0.9%
1 BEDROOM	C4	595			1			1	0.8%
1 BEDROOM	C5	634		1				1	0.8%
1 BEDROOM	C6	677		1				1	0.8%
1 BEDROOM AVERAGE		**589**	**1**	**2**	**3**	**0**	SUBTOTAL	**6**	4.8%
ASSISTED LIVING AVERAGE		**404**	**14**	**14**	**53**	**26**		**107**	85.6%
PROJECT AVERAGE		**405**	**14**	**32**	**53**	**26**	**TOTAL**	**125**	100%

SWENSON ARCHITECTURE
77774 1st Street, Ste 100, Rancho Mirage, CA 92270 | (424) 287-0848 | Robert Highsmith, Architect - C28048

Consultant:

Revisions:

Revision Schedule

1	Planning Response #1	07/20/21
2	Planning Response #2	11/01/21

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SWENSON BUILDER

WINCHESTER MEMORY CARE / ASSISTED LIVING
PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA

PROJECTION INFORMATION

Date: APRIL 01, 2021
Scale: AS NOTED
Drawn by: DM, EY, IL
Job #: 20-9215
Sheet: A-0.2

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

1 Site - Existing Trees
1/16" = 1'-0"

TREE LEGEND :

	TOTAL EXISTING TREES TO BE REMOVED:	26
	TOTAL EXISTING TREES TO BE REMAIN:	9
	TOTAL EXISTING TREES TO BE EXEMPT AND REMOVED:	3
	TOTAL EXISTING TREES TO BE EXEMPT AND REMAIN:	4
- · -	TREE PROTECTION FENCING	
#	TREE NUMBER, SEE ARBORIST REPORT (SHEET T-2 TO T-4)	
X	TREE TO BE REMOVED PER ARBORIST REPORT (SHEET T-2 TO T-4)	

LARGE PROTECTED TRESS: #2, 3, 9, 12, 16, 18, 21, 24, 39 and 41

SEE ARBORIST REPORT (SHEET T-2 TO T-4_FOR ADDITIONAL TREE PROTECTION INFORMATION)

SWENSON ARCHITECTURE
77774 1st Street, 5th floor San Jose, CA (408) 887-0848 Robert Hightower, Architect - C25048

Consultant:

Revisions:

Revision Schedule		
1	Planning Response #1	07/20/21

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WINCHESTER MEMORY CARE / ASSISTED LIVING
PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA

SITE - EXISTING TREES

Date: APRIL 01, 2021
Scale: AS NOTED
Drawn by: DM, EY, IL
Job #: 20-9215
Sheet: T-1

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

ARBOR RESOURCES
professional consulting arborists and tree care

ARBORIST REPORT

WINCHESTER ASSISTED LIVING
15860 WINCHESTER BLVD
LOS GATOS, CALIFORNIA

Submitted to:

Swenson
777 North 1st Street, 5th Floor
San José, CA 95112

Prepared by:

David L. Babby
Registered Consulting Arborist® #399
Board-Certified Master Arborist #WE-4001B

February 10, 2021

p.o. box 25295, san mateo, california 94402 • email: arborresources@comcast.net
phone: 650.654.3351 • cell: 650.274.3656 • licensed contractor #796763

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7.0	ASSUMPTIONS AND LIMITING CONDITIONS	16

EXHIBITS

EXHIBIT	TITLE
A	TREE INVENTORY TABLE (five sheets)
B	SITE MAP (one sheet)
C	PHOTOGRAPHS (seven sheets)

1.0 INTRODUCTION

Swenson is planning to construct a three-story, assisted living facility at 15860 Winchester Blvd, Los Gatos. The site occupies the southeast corner of Shelburne Way and Winchester Blvd, and is comprised of three separate parcels with the addresses of 15860, 15880 and 15894 Winchester Blvd (each parcel contains single-family residences and accessory structures to be demolished). As part of their planning submittal, Swenson has retained me to prepare this *Arborist Report*, and specific tasks executed are as follows (to conform with 29.10.1000 and 29.10.1005 of the Town Code):

- Visit the site, performed on 1/14/21, 1/18/21 and 2/8/21, to identify and obtain photos of "protected trees"[1] located within and immediately adjacent to where development activities are planned (captures the entire project site).
- Determine each tree's trunk diameter at 54 inches above natural grade (rounded to the nearest inch). Trees with more than one diameter listed are formed by multiple trunks.
- Estimate each tree's height and average canopy spread (rounded to nearest fifth).
- Ascertain each tree's health and structural integrity, and assign an overall condition rating (e.g. good, fair, poor or dead).
- Designate each tree's suitability for preservation (e.g. high, moderate or low).
- Utilize tree numbers assigned for a prior office building proposal from nearly 10 years ago. Tags with engraved, corresponding numbers were affixed onto any trees with missing or non-readable ones.
- Identify tree numbers, recommended fencing locations and anticipated removals on the site map in Exhibit B; base map is a copy of A-1.2, dated 11/4/20, by Swenson.
- Identify which are defined by Town Code as a "large protected tree."[2]
- Appraise the monetary values of protected trees planned for retention.
- Review the progress plan set by Swenson to ascertain potential impacts and removals (the set contains various dates from October 2020 to January 2021).
- Provide protection measures to help mitigate or avoid impacts to retained trees.
- Prepare a written report that presents the aforementioned information, and submit via email as a PDF document.

[1] Section 29.10.0960 of the Town Code defines a protected tree as having a ≥4" diameter trunk at 54" above natural grade. Exempt from this provision are fruit- and nut-bearing trees with trunk diameters <18", as well as select tree types listed within Section 29.10.0970(2) and having trunk diameters <24" (pursuant to Section 29.10.0970 of the Code).

[2] Section 29.10.0955 of the Town Code defines a large protected tree as any *Quercus* sp., *Aesculus californica* or *Arbutus menziesii* with a diameter ≥24", or any other species with a diameter of ≥48" (measured at 54" above natural grade).

2.0 TREE COUNT AND COMPOSITION

Thirty-five (35) trees of seven various species were inventoried for this report. They are sequentially numbered as 1-5, 7-25, 27, 29, 34 and 38-45,[3] and the table below identifies their names, assigned numbers, counts and percentages.

NAME	TREE NUMBER(S)	COUNT	% OF TOTAL
Coast live oak	1-3, 8, 9, 11-13, 16-18, 20-25, 27, 29, 34, 39, 41-45	26	74%
Goldenrain tree	38	1	3%
Holly oak	10	1	3%
Lemon bottlebrush	19	1	3%
London plane tree	5, 7, 14, 15	4	11%
N. California black walnut	4	1	3%
Valley oak	40	1	3%
	Total	**35**	**100%**

Specific information regarding each tree is presented within the inventory table in Exhibit A. The trees' locations and assigned numbers are identified on the site map in Exhibit B, and photographs are presented in Exhibit C.

As illustrated on the above table, the site is populated predominantly by native oaks, specifically coast live (with 74% of the total) and valley oak (an additional 3%).

[3] The gaps in sequential numbering are due to a select number of trees either being exempt from inclusion per the Town Code or having been removed; they include #6, 26, 28, 30-33 and 35-37.

Seven (7) trees are located within the public right-of-way and are regarded as street trees; they include #1-3, 5, 7, 14 and 15. Trees #1 thru 3 are large coast live oaks along Shelburne Way, and their trunks span the property boundary. The other four, namely #5, 7, 14 and 15, are relatively small London planes aligning Winchester Blvd, within the Town's planter strip between the street curb and sidewalk.

As previously mentioned, all 35 are defined as protected trees per Town Code. Of these, the following 10 are defined as large protected trees: #2, 3, 9, 12, 16, 18, 21, 24, 39 and 41 (see footnote 2, page 1, of this report).

Note that the trunk locations of trees #44 and 45 were added to the map in Exhibit B and represent only rough approximations (versus surveyed locations).

On the map in Exhibit B, I have denoted trees already removed, as well as those exempt from inclusion within the tree inventory.

3.0 SUITABILITY FOR TREE PRESERVATION

Each tree has been assigned either a "high," "moderate" or "low" suitability for preservation rating as a means to cumulatively measure its existing health; structural integrity; anticipated life span; remaining life expectancy; prognosis; location; size; particular species; tolerance to construction impacts; growing space; frequency of care needed; and safety to property and persons within striking distance. Descriptions these ratings are presented below; the high category is comprised of 9 trees (or 26%), the moderate category 24 (or 68%), and the low category 2 (or 6%).

High: Applies to #3, 9, 16-18, 24, 34, 39, 39 and 42.
These trees appear relatively healthy and structurally stable; have no apparent, significant health issues or structural defects; present a good potential for contributing long-term to the site; and seemingly require only periodic or regular care and monitoring to maintain their longevity and structural integrity. They are typically the most suitable for retaining and incorporating into the future landscape.

Moderate: Applies to #1, 2, 5, 78, 11-15, 19-23, 25, 27, 29, 38, 40, 41 and 43-45.
These trees contribute to the site, but at levels less than those assigned a high suitability; might have health and/or structural issues which may or may not be reasonably addressed and properly mitigated; and frequent care is typically required for their remaining lifespan. They may be worth retaining if provided proper care, but not seemingly at significant expense or major design revisions.

Low: Applies to #4 and 10.
These trees have weak, multi-trunk structures comprised of stump sprouts, and there are no tree care measures to reasonably mitigate the risk (i.e. beyond likely recovery). As a general guideline, these trees should be removed regardless of future development, and any which are retained require frequent monitoring and care throughout their remaining lifespans to minimize risk to any persons or property within striking distance.

4.0 POTENTIAL TREE DISPOSITION

Implementing the proposed progress plan will result in the following tree disposition:

- **Remove** (26 in total): #4, 5, 7-21, 24, 25, 34, 38, 39 and 42-45.
- **Retain** (9 in total): #1-3, 22, 23, 27, 29, 40 and 41.

4.1 Proposed Removals

The table below, and continued on the next page, summarizes underlying reasons for removing the 26 trees (and on the map in Exhibit B, an "X" is placed across each trunk); reasons are solely based on my review of the architectural progress plan set, and additional impacts will likely be realized once civil plans are reviewed. Protection measures to help mitigate or avoid impacts to the 9 trees planned for retention are presented within Section 6.0 of this report.

TREE #	NAME	DIAM. (in.)	REASON(S) FOR REMOVAL
4	N. California black walnut	10, 8, 8, 7	Weak structure, site improvements
5	London plane tree	7	Site improvements
7	London plane tree	7	Site improvements
8	Coast live oak	10	Within building footprint
9	Coast live oak	30	Within building footprint
10	Holly oak	8, 7, 6	Weak structure, within building footprint
11	Coast live oak	11, 8	Within building footprint
12	Coast live oak	26	Within building footprint
13	Coast live oak	8, 6	Within driveway footprint
14	London plane tree	7	Within driveway apron
15	London plane tree	7	Site improvements
16	Coast live oak	26	Severe impacts from building construction, grading, and site improvements

Table continued:

TREE #	NAME	DIAM. (in.)	REASON(S) FOR REMOVAL
17	Coast live oak	23	Severe impacts from building construction, grading, parking lot and site improvements
18	Coast live oak	29	Within building footprint
19	Lemon bottlebrush	7	Within building footprint
20	Coast live oak	7	Within building footprint
21	Coast live oak	20, 14, 13	Within building footprint
24	Coast live oak	17, 16	Within building footprint
25	Coast live oak	17	Within excavation footprint for building and site wall
34	Coast live oak	16	Within building footprint
38	Goldenrain tree	20	Site improvements
39	Coast live oak	26	Within building footprint
42	Valley oak	23	Within building footprint
43	Coast live oak	14	Within building footprint
44	Coast live oak	4	Within building footprint
45	Coast live oak	5	Within excavation footprint for site wall

4.2 Potential Impacts to Retained Trees

My review of the architectural progress plans reveals the 9 oak trees proposed for retention can likely be sufficiently protected by adhering to recommendations presented within Section 6.0 of this report; they include #1-3, 22, 23, 27, 29, 40 and 41. An analysis of impacts, as derived by my review of the progress plan set, follows.

Tree #1, a 19-inch diameter coast live oak aligning Shelburne Way, will sustain a high level of impacts. Root loss will occur during excavation for the parking garage and building foundation at 14 feet south of its trunk, as well as building the parking lot entry a short distance of only 7 feet east of is trunk. To minimize root loss, it is critical that no overexcavation or compaction is needed beyond the wet section of drive entry between the street and building. Also, quite notably, roughly 40-percent of the tree's southern canopy will require pruning for building construction clearance, to encompass a 14-inch diameter limb, an 8-inch diameter limb, and reduction of a 9-inch diameter one.

Tree #2, a multi-trunk (33" and 15") coast live oak along Shelburne Way, will sustain a moderate level of impacts. Root loss will occur around 12 feet south of its trunk for the parking garage and building foundation. Pruning to achieve clearance for building construction will account for a roughly 20-percent of its total canopy, to include removing the low southeast limb overhanging the existing driveway, and several branches 3 to 5 inches in diameter.

Tree #3, a multi-trunk (28" and 20") coast live oak also along Shelburne Way, will sustain a moderate to high level of impacts. Root loss for the underground garage will occur around 10 feet from its trunk. Pruning to achieve building clearance will account for a tolerable 15-percent of its total canopy, to consider removing two, south-growing limbs with diameters of 11 and 12 inches, as well as several other small ones.

Tree #22, a 15-inch diameter coast live oak along the rear boundary, grows with a pronounced directly towards the future building, extending nearly 10 west from its base. When considering the proposed building is around 15 feet from its base, building clearance may become an issue during construction and/or long-term, requiring nearly all branches along the canopy's west side being pruned away. Root loss for excavation will occur at a tolerable distance of nearly 11 feet away. If protected, I estimate a high to moderate level of potential impacts.

Tree #23, a 17-inch diameter coast live oak also along the rear boundary, is roughly the same distance from the building as #22, and potential impacts appear low. Only small branches will require pruning to achieve building clearance, and my root loss estimation is the same as for #22.

Trees #27 and 29, both coast live oaks with trunk diameters of 15 and 17 inches, respectively, are setback sufficiently from the building to be adequately protected with only minor impacts. Regarding pruning, #27 will require one 5-inch diameter limb to be removed for building and construction clearance, representing a minor section for the tree.

Trees #40 and 41 are situated only a few feet apart at grade, #40 being a valley oak with a 17-inch trunk diameter, and #41 a coast live oak with a 26-inch trunk diameter. Root loss during building excavation is tolerable. For pruning, #40 will lose roughly 30-percent of its total canopy to achieve building clearance, namely, three south-growing limbs with diameters between 5 and 7 inches. Tree #41 will only require the loss of small branches overhanging the existing shed below.

5.0 APPRAISED TREE VALUES

The monetary values of the nine trees planned for retention have been appraised to conform with Section 29.10.1000(c)(3a) of the Los Gatos Town Code. Individual values are listed within the last column of Exhibit A, and their combined total equals $52,000. Values were calculated using the *Trunk Formula Technique* derived from the *Guide for Plant Appraisal, 10th Edition*, 2019.

6.0 TREE PROTECTION MEASURES

Recommendations presented within this section consider plans reviewed, and serve as protection measures to help mitigate or avoid impacts to trees being retained. They should be carefully followed and incorporated into project plans, and I (hereinafter "project arborist") should be consulted in the event any cannot be feasibly implemented.

6.1 Design Guidelines

1. The Tree Protection Zone (TPZ) for each retained tree shall be up to or within 6 feet from the proposed building foundation, and distances in all other directions from the trunks equal to 7 to 10 times the trunk diameters (all distances are intended to be obtained the closest edge, face of, their outer perimeter at soil grade). A TPZ is intended to restrict or highly limit the following activities within the specified distances: overexcavation, subexcavation, trenching, compaction, mass and finish-grading, soil scraping, tilling, ripping, swales, bioswales, storm drains, dissipaters, equipment cleaning, stockpiling and dumping of materials, and equipment and vehicle operation. In the event an impact encroaches slightly within a setback, it can be reviewed on a case-by-case basis by the project arborist to determine whether measures can sufficiently mitigate the impacts to less-than-significant levels.

2. For trees being retained, review setbacks proposed on plans for grading, utility, hardscape, compaction, trenching, subexcavation and overexcavation, and compare to the TPZ parameters specified above. Where conflicts exist, consult with the project arborist to identify opportunity for increasing setbacks and/or possibly mitigating impacts to achieve a reasonable assurance of protection.

3. Per Section 29.10.1000(C.1) of the Ordinance, a copy of this or a future report providing tree protection measures must be incorporated into the final set of project plans; titled Sheets T-1, T-2, etc. ("Tree Protection Instructions"); and referenced on all site-related project plans. Additionally, all site-related plans should contain notes referring to this report for tree protection measures.

4. Add assigned tree numbers and locations to the architectural, civil and landscape site-related plans.

5. Construction of the driveway immediately east of #1's trunk shall require no excavation or compaction beyond the driveway/wall limit. Any fill placed beyond the driveway/wall (i.e. towards the tree) shall not exceed 24 inches from the edge.

6. Specify on the demolition plan to abandon and cut off at existing soil grade all existing, unused lines, pipes and manholes within a TPZ.

7. Route all underground utilities and services (e.g. electrical) beyond TPZs. Where this is not feasible, the section of line(s) within a TPZ should be directionally-bored by at least 4 feet below existing grade, tunneled using a precumatic air device (such as an AirSpade®), or installed by other means (e.g. pipe-bursting) to avoid an open trench. The ground above any tunnel must remain undisturbed, and access pits and above-ground infrastructure (e.g. splice boxes, meters and vaults) established beyond TPZs.

8. The permanent and temporary drainage design, including downspouts, should not require water being discharged within the trees' driplines.

9. Bioswales, storm drains and swales shall be established well-beyond TPZs.

10. On the erosion control design, specify that any straw wattle or rolls shall require a maximum vertical soil cut of 2 inches for their embedment, and are established as close to canopy edges as possible (and not against a trunk).

11. Avoid specifying the use of herbicides use within a TPZ; where used on site, they should be labeled for safe use near trees. Also, liming shall not occur within 50 feet from a tree's canopy.

12. On the final site plan, represent the future staging area and route(s) of access to be beyond unpaved areas beneath or near canopies.

13. Adhere to the following additional landscape guidelines:
    a. Plant material installed beneath oak canopies must be drought-tolerant, limited in amount, and placed at least 5+ feet from their trunks. Plant material installed beneath canopies of other trees should be at least 24 inches from their trunks.
    b. Introducing regular irrigation within the root zones of oaks can, overtime, impose adverse impacts and should be avoided. Rather, irrigation installed for new plant material beneath their canopies should be low-volume, applied irregularly (such as only once or twice per week), and temporary (such as <three years). Irrigation should not strike within 6 inches from the trunks of existing trees, and not applied against trunks of new trees.
    c. Establish irrigation and lighting features (e.g. main line, lateral lines, valve boxes, wiring and controllers) to avoid trenching within a TPZ. In the event this is not feasible, route them in a radial direction to a tree's trunk, and terminate a specific distance from a trunk (versus crossing past it). In certain instances, an AirSpade® may be required to avoid root damage, and any Netafim tubing used should be placed on grade, and header lines installed as mentioned above. Note that routes shall be reviewed with the project arborist prior to any trenching occurring.
    d. Design any new site fencing or fence posts to be at least 2 to 5 feet from a tree's trunk (depends on the trunk size, growth pattern and prior impacts).
    e. Avoid tilling, ripping and compaction within TPZs.
    f. Establish any bender board or other edging material within TPZs to be on top of existing soil grade (such as by using vertical stakes).
    g. Utilize a 3- to 4-inch layer of coarse wood chips or other high-quality mulch for new ground cover beneath canopies (gorilla hair, bark or rock, stone, gravel, black plastic or other synthetic ground cover should be avoided).

6.2 Before Demolition, Grading and Construction

14. Supply water to the root zones of oaks being retained. The methodology, frequency and amounts can be reviewed with the project arborist, and several possible methodologies including flooding the ground inside an 8-inch tall berm, soaker hoses, or deep-root injection. Note in the event dewatering is required for this project, the watering program shall be more intensive than otherwise needed (i.e. will require greater frequency and/or volume).

15. Stake the limits of grading, utility routes, irrigation routes, etc. (whether all at once or various phases) for review by the project arborist prior to ground disturbance.

16. Conduct a site meeting with the general contractor and project arborist several weeks or months prior to demolition for the purpose of reviewing protections measures presented in this report, such as tree fencing and trunk wrap protection, routes of access, staging, pruning, staking, watering, mulching, tree removals, etc.

17. Prior to demolition, install tree protection fencing where shown on the map in Exhibit B. Fencing shall consist of 6-foot tall chain link mounted on 2-inch diameter, galvanized iron posts driven at least 2 feet into the ground, kept in place throughout construction, and removed or modified only under the knowledge and direct consent of the project arborist. Note: fencing may require reconfiguration for several additional phases, such as demolition, grading, utility installation and building construction, etc. (all to be reviewed with the project arborist).

18. Prior to demolition, affix and maintain 8.5- by 11-inch warning signs along each side of fencing opposite the trees' trunks (can be discussed with project arborist beforehand): "WARNING - Tree Protection Zone - this fence shall not be removed and is subject to penalty according to Town Code 29.10.1025."

19. Prune retained trees prior to demolition and/or shoring. The work shall be highly selective, targeted, and performed under direction of the project arborist. Additionally, all work shall be conducted in accordance with the most recent ANSI A300 standards, and by a California state-licensed tree service contractor (D-49) that has an ISA certified arborist in a supervisory role, carries General Liability and Worker's Compensation insurance, and abides by ANSI Safety Operations.

20. Prior to removing trees and the initial site meeting, paint an "X" on their trunks to allow review and confirmation with the project arborist (tree tags correspond with tree numbers). Also, ensure the removal process does not damage retained trees.

21. Establish the staging and cleanout area(s), as well as all routes of access beyond unpaved areas beneath tree canopies. Where challenges arise, review them beforehand with the project arborist to determine whether any measures can be employed to sufficiently mitigate the potential impacts.

22. Spread, and replenish as needed throughout the entire construction process, a 4- to 5-inch layer of coarse wood chips (½- to ¾-inch in size) from a tree-service company over unpaved ground within designated-fenced areas.

23. The removal of stumps, whether old or new, located within TPZs shall be performed with a stump grinder (versus being extracted with heavy equipment and inadvertently damaging roots of trees otherwise being retained).

24. Where applicable, ivy should be manually cleared off and at least 5 feet from the trees' trunks (or manually removed from planters altogether). Also, the removal of existing groundcover, plants, shrubs, etc. within TPZs shall only be manually done.

25. Clear soil to expose the buried root collars[4] of trees #1, 23, 27, 40 and 41 This work must be manually and carefully performed to avoid damaging the trunk and roots during the process, and preferably by a tree-service company using an AirSpade to avoid unnecessary root and/or trunk damage.

26. Fertilization may benefit a tree's health, vigor and appearance. If applied, however, soil samples should first be obtained to identify the pH levels and nutrient levels so a proper fertilization program can be established. I further recommend any fertilization is performed under the direction and supervision of a certified arborist, and in accordance with the most recent ANSI A300 Fertilization standards.

6.3 During Demolition, Grading and Construction

27. Abandon the portions of chain link fence embedded within the trunks of #1 thru 3, as well as the top rail within #2's trunk; the material can be cut at the trunk, and avoid damaging the bark during the process.

[4] A "root collar" is the distinct swollen area near the ground where buttress roots and the main trunk merge.

SWENSON
ARCHITECTURE
777 N. 1st Street, 5th Floor, San Jose, CA 95112 (408) 287-2345 Robert Highsmith, Architect - C26546

Consultant:

Revisions:

Revision Schedule		
1	Planning Response #1	07/20/21

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SWENSON BUILDER

WINCHESTER MEMORY CARE /
ASSISTED LIVING
PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA

ARBORIST REPORT

Date: APRIL 01, 2021
Scale: AS NOTED
Drawn by: DM, EY, IL
Job #: 20-9215
Sheet: T-2

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

28. Any authorized access, digging or trenching within designated-fenced areas shall be by foot-traffic only, manually performed under supervision by the project arborist, and without the use of heavy equipment or tractors.

29. Take great care during demolition of existing hardscape and other equipment/features to avoid damaging a tree's trunk, canopy, soil and roots within a TPZ, including ground underlying existing features.

30. Great care must also be taken by equipment operators, including shoring operations, to position their equipment to avoid trunks and branches, including the scorching of foliage. Any tree damage or injury should be reported to the project arborist for review of treatment.

31. Avoid using tree trunks as winch supports for moving or lifting heavy loads, as well as for tying rope, cables, chains or other items around.

32. Spoils generated during digging shall not be piled or spread on unpaved ground within a TPZ, rather temporarily pile them on plywood or a tarp.

33. Prior to installing shoring and mechanically excavating for the underground portion of garage, drive entry and building foundation, manually excavate a 1-foot wide trench along the perimeter of where soil excavation will occur closest to a tree's trunk for the following distances: 15 feet for #1, 22, 23, 27, 29, 40 and 41, and 25 feet for #2 and 3 (the purpose is to avoid breaking and damaging roots closer to trunks than otherwise needed). Excavation should occur down to a 24-inch depth or required subgrade, whichever is less, and all ≥2-inch diameter roots cleanly severed by hand using a new and sharp handsaw and/or loppers at 90° to the direction of root growth against the tree side of the trench. All soil beyond the trench (i.e. away from the tree) can then be mechanically excavated using heavy equipment, remaining outside the fenced area(s). Alternatively, the use of a stump grinder could be utilized precisely where a curb/gutter and any overcut (12" max) will be established. Advise the project arborist when this work is scheduled so observations of cut roots can be made. Exposed roots surfaces should be kept continually moist, perhaps by draping burlap over the cut face and applying water daily or twice daily.

34. Unless otherwise specifically authorized by the project arborist, any open trenches needed for irrigation, lighting, etc. within TPZs shall either be through utilizing and AirSpade,® and all roots (all sizes) exposed during the process retained, not damaged, and kept continually moist and covered (e.g. a burlap) until the trench is backfilled.

35. Avoid damaging or cutting roots with diameters of ≥2 inches without prior assessment by the project arborist. Should roots of this size become encountered, within one hour of exposure, they should either be covered by burlap that remains continually moist until the root is covered by soil. If they are approved for cutting, cleanly severe at 90° to the angle of root growth against the cut line (using loppers or a sharp hand saw), and then immediately after, the cut end either buried with soil or covered by a plastic sandwich bag (and secured using a rubber band, and removed just before backfilling). Roots encountered with diameters <2 inches and requiring removal can be cleanly severed at right angles to the direction of root growth.

36. Digging holes for fence posts and light fixtures within a TPZ shall be manually performed using a post-hole digger, and in the event a root ≥2 inches in diameter is encountered during the process, the hole should be shifted over by 12 inches and the process repeated.

37. Dust accumulating on trunks and canopies during dry weather periods may need to be periodically washed away if directed by the project arborist (e.g. every 4 months).

38. Avoid disposing harmful products (such as cement, paint, chemicals, oil and gasoline) beneath canopies or anywhere on site that allows drainage within or near TPZs. Herbicides should not be used with a TPZ; where used on site, they should be labeled for safe use near trees. Avoid liming within 50 feet of a tree's canopy.

7.0 ASSUMPTIONS AND LIMITING CONDITIONS

- The scope of work assigned for this report pertains solely to trees listed in Exhibit A. I hold no opinion towards other trees on or surrounding the project area.
- All information presented herein reflects the trees' sizes and conditions as viewed from the ground and project site on 1/14/21, 1/18/21 and 2/8/21.
- The documented condition and suitability ratings of dormant trees are subject to change once the trees can be observed following their seasonal regrowth of leaves.
- My observations were performed visually without probing, coring, dissecting or excavating.
- I cannot provide a guarantee or warranty, expressed or implied, that deficiencies or problems of any trees or property in question may not arise in the future.
- No assurance can be offered that if all my recommendations and precautionary measures (verbal or in writing) are accepted and followed the desired results may be achieved.
- I cannot guarantee or be responsible for the accuracy of information provided by others.
- I assume no responsibility for the means and methods used by any person or company implementing the recommendations provided in this report.
- The information provided herein represents my opinion. Accordingly, my fee is in no way contingent upon the reporting of a specified finding, conclusion or appraised value.
- The site map presented in Exhibit B is solely intended to identify the inventoried trees' locations, assigned numbers, and fencing locations.
- This report is proprietary to me and may not be copied or reproduced in whole or part without prior written consent. It has been prepared for the sole and exclusive use of the parties to who submitted for the purpose of contracting services provided by Arbor Resources.
- If any part of this report or copy thereof be lost or altered, the entire evaluation shall be invalid.

Prepared By: David L. Babby
Registered Consulting Arborist® #399
Board-Certified Master Arborist® #WE-4001B
CA Licensed Tree Service Contractor #796763 (C61/D49)

Date: February 10, 2021

EXHIBIT A:

TREE INVENTORY TABLE

(five sheets)

ARBOR RESOURCES
professional consulting arborists and tree care

TREE INVENTORY TABLE

TREE/ TAG NO.	TREE NAME	SIZE: Trunk Diameter (in.)	SIZE: Height (ft.)	SIZE: Canopy Spread (ft.)	CONDITION: Health Condition (100%=Best, 0%=Worst)	CONDITION: Structural Integrity (100%=Best, 0%=Worst)	CONDITION: Form (100%=Best, 0%=Worst)	CONDITION: Overall Condition (Good/Fair/Poor/Dead)	Suitability for Preservation (High/Moderate/Low)	Large Protected Tree	Street	Removal	Appraised Value
1	Coast live oak (*Quercus agrifolia*)	19	35	35	80%	60%	30%	Fair	Moderate		X		$4,900
	Comments: Grows along #2's canopy and has asymmetrical form. Buried root collar. Large ivy stem around lower trunk and ivy in canopy. Chain link fence is embedded in trunk (do not tear out). Street tree - base spans property boundary.												
2	Coast live oak (*Quercus agrifolia*)	33, 15	50	60	60%	40%	40%	Fair	Moderate	X	X		$14,600
	Comments: Asymmetrical crown grows NE. The 15" diameter trunk emerges at grade and forms a weak attachment with larger trunk. Deadwood. Chain link fence and top rail are embedded in trunk (do not tear out). Has an extended low limb over driveway. Street tree - base spans property boundary.												
3	Coast live oak (*Quercus agrifolia*)	28, 20	50	45	70%	40%	40%	Fair	High	X	X		$13,200
	Comments: Asymmetrical canopy. Multiple stems originate at 3' high. Infected by Western sycamore borers. Chain link fence is embedded in trunk (do not tear out). Street tree - base spans property boundary.												
4	N. California black walnut (*Juglans hindsii*)	10, 8, 8, 7	25	35	30%	30%	40%	Poor	Low			X	-
	Comments: Multiple trunks emerge at grade and represent stump sprouts. Extensive decay at past where two prior trunks previously grew. Extensive dieback and large deadwood. Dormant.												
5	London plane tree (*Platanus × hispanica*)	7	25	25	60%	60%	50%	Fair	Moderate		X	X	-
	Comments: Street tree. Dormant.												
7	London plane tree (*Platanus × hispanica*)	7	25	20	60%	60%	40%	Fair	Moderate		X	X	-
	Comments: Street tree. Dormant.												
8	Coast live oak (*Quercus agrifolia*)	10	30	20	80%	50%	30%	Fair	Moderate			X	-
	Comments: Trunk bifurcates at 4' high. Crowded-growing conditions at edge of #3's canopy.												

Site: 15860 Winchester Blvd., Los Gatos
Prepared for: Swenson
Prepared by: David L. Babby ***1 of 5*** ***February 10, 2021***

ARBOR RESOURCES
professional consulting arborists and tree care

TREE INVENTORY TABLE

TREE/ TAG NO.	TREE NAME	SIZE: Trunk Diameter (in.)	SIZE: Height (ft.)	SIZE: Canopy Spread (ft.)	CONDITION: Health Condition (100%=Best, 0%=Worst)	CONDITION: Structural Integrity (100%=Best, 0%=Worst)	CONDITION: Form (100%=Best, 0%=Worst)	CONDITION: Overall Condition (Good/Fair/Poor/Dead)	Suitability for Preservation (High/Moderate/Low)	Large Protected Tree	Street	Removal	Appraised Value
9	Coast live oak (*Quercus agrifolia*)	30	50	60	90%	40%	70%	Good	High	X		X	-
	Comments: Trunk bifurcates at 5' high and forms a weak attachment between codominant leaders. Asymmetrical crown is dominant towards south.												
10	Holly oak (*Quercus ilex*)	8, 7, 6	50	30	70%	30%	40%	Poor	Low			X	-
	Comments: Multiple trunks represent stump sprouts. Narrow form and a low canopy (nearing a few feet from grade).												
11	Coast live oak (*Quercus agrifolia*)	11, 8	45	15	60%	40%	30%	Fair	Moderate			X	-
	Comments: Asymmetrical canopy with narrow form. Leggy crown.												
12	Coast live oak (*Quercus agrifolia*)	26	60	50	60%	50%	70%	Fair	Moderate	X		X	-
	Comments: Three leaders share same union at 3' high. Deadwood. Partially buried root collar.												
13	Coast live oak (*Quercus agrifolia*)	8, 6	30	15	60%	40%	30%	Poor	Moderate			X	
	Comments: Asymmetrical canopy sweeps W and is within #9's. Crowded-growing conditions. Buried root collar. Adjacent to a prior old, decaying walnut tree stump.												
14	London plane tree (*Platanus × hispanica*)	7	20	20	60%	40%	40%	Fair	Moderate		X	X	-
	Comments: Street tree. Sweeps away from #11's canopy. Dormant.												
15	London plane tree (*Platanus × hispanica*)	7	15	20	50%	40%	30%	Poor	Moderate		X	X	-
	Comments: Street tree. Irregular form. Deadwood. Dormant.												
16	Coast live oak (*Quercus agrifolia*)	26	50	40	80%	60%	70%	Good	High	X		X	-
	Comments: Trunk sweeps or leans away from home then towards vertical. Opposite lean side is a pronounced buttress root. Large girdling roots at low side of base. Partially buried root collar. Deadwood. Excessive limb weight in lower canopy. Ground slopes gently down away from trunk.												

Site: 15860 Winchester Blvd., Los Gatos
Prepared for: Swenson
Prepared by: David L. Babby ***2 of 5*** ***February 10, 2021***

ARBOR RESOURCES
professional consulting arborists and tree care

TREE INVENTORY TABLE

TREE/ TAG NO.	TREE NAME	SIZE: Trunk Diameter (in.)	SIZE: Height (ft.)	SIZE: Canopy Spread (ft.)	CONDITION: Health Condition (100%=Best, 0%=Worst)	CONDITION: Structural Integrity (100%=Best, 0%=Worst)	CONDITION: Form (100%=Best, 0%=Worst)	CONDITION: Overall Condition (Good/Fair/Poor/Dead)	Suitability for Preservation (High/Moderate/Low)	Large Protected Tree	Street	Removal	Appraised Value
17	Coast live oak (*Quercus agrifolia*)	23	45	40	80%	50%	40%	Fair	High			X	-
	Comments: Trunk is ~6' from home.												
18	Coast live oak (*Quercus agrifolia*)	29	15	45	80%	60%	50%	Good	High	X		X	-
	Comments: Base is within 18" of, and trunk leans away from adjacent home.												
19	Lemon bottlebrush (*Callistemon citrinus*)	7	10	10	60%	40%	40%	Fair	Moderate			X	-
	Comments: Within patio area.												
20	Coast live oak (*Quercus agrifolia*)	7	25	25	80%	30%	60%	Fair	Moderate			X	-
	Comments: Large decaying wound at union of two remaining leaders at 11' high. Numerous old pruning wounds.												
21	Coast live oak (*Quercus agrifolia*)	20, 14, 13	50	50	80%	30%	60%	Fair	Moderate	X		X	-
	Comments: Spoils piled at base, and adjacent concrete pads are raised. Small deadwood. Very weak attachment between the 20" and 14" trunks.												
22	Coast live oak (*Quercus agrifolia*)	15	15	25	70%	40%	30%	Fair	Moderate				$1,700
	Comments: Pronounced westerly lean, then sweeps towards vertical. Deadwood. Buried root collar.												
23	Coast live oak (*Quercus agrifolia*)	17	45	20	70%	40%	30%	Poor	Moderate				$2,200
	Comments: Sinuous trunk and slightly leans towards north. Deadwood. Buried root collar.												
24	Coast live oak (*Quercus agrifolia*)	17, 16	45	35	70%	40%	70%	Fair	High	X		X	-
	Comments: Trunk bifurcates at 2.5' high into codominant leaders (okay spacing at attachment).												

ARBOR RESOURCES
professional consulting arborists and tree care

TREE INVENTORY TABLE

TREE/ TAG NO.	TREE NAME	SIZE: Trunk Diameter (in.)	SIZE: Height (ft.)	SIZE: Canopy Spread (ft.)	CONDITION: Health Condition (100%=Best, 0%=Worst)	CONDITION: Structural Integrity (100%=Best, 0%=Worst)	CONDITION: Form (100%=Best, 0%=Worst)	CONDITION: Overall Condition (Good/Fair/Poor/Dead)	Suitability for Preservation (High/Moderate/Low)	Large Protected Tree	Street	Removal	Appraised Value
25	Coast live oak (*Quercus agrifolia*)	17	55	35	40%	60%	60%	Poor	Moderate			X	-
	Comments: Trunk is covered by dead ivy. Asymmetrical form. Has a very sparse, lower canopy, possibly from oak worm infestation this past year (monitor every 3 to 6 months for any improvement or further decline).												
27	Coast live oak (*Quercus agrifolia*)	~15	35	30	70%	50%	30%	Fair	Moderate				$2,200
	Comments: Leans west and has irregular form. Buried root collar. Trunk is covered by ivy.												
29	Coast live oak (*Quercus agrifolia*)	12	20	15	60%	60%	40%	Fair	Moderate				$1,700
	Comments: Leans SE, and is under crowded-growing conditions.												
34	Coast live oak (*Quercus agrifolia*)	16	40	40	70%	50%	60%	Fair	High			X	-
	Comments: Has somewhat of an asymmetrical canopy.												
38	Goldenrain tree (*Koelreuteria paniculata*)	20	35	35	60%	50%	50%	Fair	Moderate			X	-
	Comments: Dormant. Pile of spoils near trunk. Multiple leaders emerge at 4' high and form a sinuous crown. Deadwood.												
39	Coast live oak (*Quercus agrifolia*)	26	35	35	70%	40%	70%	Fair	High	X		X	-
	Comments: Slight lean E. Has many large, old decaying wounds from prior cuts.												
40	Valley oak (*Quercus lobata*)	17	50	35	70%	50%	40%	Fair	Moderate				$5,900
	Comments: Base is 2' from #41's trunk. Crowded-growing conditions. Partially buried root collar. Mostly dormant. Excessive limb weight.												
41	Coast live oak (*Quercus agrifolia*)	26	45	40	70%	40%	30%	Fair	Moderate	X			$5,400
	Comments: Crown sweeps towards S. Crowded-growing conditions. Partially buried root collar.												

February 10, 2021

ARBOR RESOURCES
professional consulting arborists and tree care

TREE INVENTORY TABLE

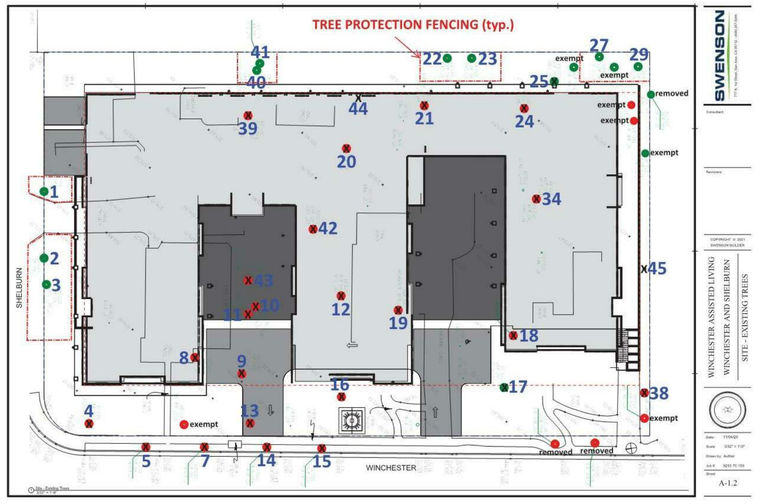
TREE/ TAG NO.	TREE NAME	SIZE: Trunk Diameter (in.)	SIZE: Height (ft.)	SIZE: Canopy Spread (ft.)	CONDITION: Health Condition (100%=Best, 0%=Worst)	CONDITION: Structural Integrity (100%=Best, 0%=Worst)	CONDITION: Form (100%=Best, 0%=Worst)	CONDITION: Overall Condition (Good/Fair/Poor/Dead)	Suitability for Preservation (High/Moderate/Low)	Large Protected Tree	Street	Removal	Appraised Value
42	Coast live oak (*Quercus agrifolia*)	23	50	55	70%	60%	70%	Fair	High			X	-
	Comments: Root collar is partially buried by spoils. Excessive limb weight towards S. Has an elevated canopy.												
43	Coast live oak (*Quercus agrifolia*)	14	40	30	70%	40%	30%	Poor	Moderate			X	-
	Comments: Pronounced lean and crowded-growing conditions. Trunk bifurcates at 14' high with good spacing between leaders. Large pile of moist soil is piled against trunk. Base grows against wood fence.												
44	Coast live oak (*Quercus agrifolia*)	4	25	10	60%	40%	40%	Fair	Moderate			X	-
	Comments: Added to map. Has a codominant top. Buried root collar. Very high canopy.												
45	Coast live oak (*Quercus agrifolia*)	5	30	10	60%	70%	60%	Fair	Moderate			X	-
	Comments: Added to map. Trunk's base is 12" from garage foundation, and canopy nears roof.												

Site: 15860 Winchester Blvd., Los Gatos
Prepared for: Swenson
Prepared by: David L. Babby ***5 of 5*** ***February 10, 2021***

EXHIBIT B:

SITE MAP

(one sheet)



SWENSON ARCHITECTURE
777 N. 1st Street, Ste 410 · San Jose, CA 95112 · (408) 287-0849 · Robert Highsmith, Architect · C28534

Consultant:

Revisions:

Revision Schedule		
1	Planning Response #1	07/20/21

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WINCHESTER MEMORY CARE / ASSISTED LIVING
PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA
ARBORIST REPORT

Date: APRIL 01, 2021
Scale: AS NOTED
Drawn by: DM, EY, IL
Job #: 20-9215
Sheet: T-3

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

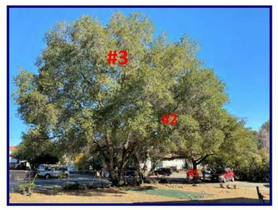
EXHIBIT C:

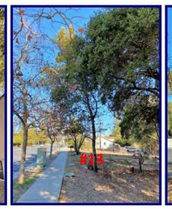
PHOTOGRAPHS

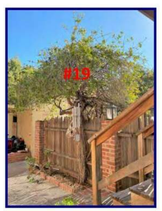
(seven sheets)

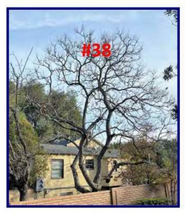
Photo Index

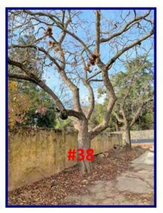
Page C-1: #1 thru 3
Page C-2: #4, 5, 7 thru 11
Page C-3: #12 thru 16
Page C-4: #17 thru 21
Page C-5: #22 thru 25, 27, 29
Page C-6: #34, 38 thru 41
Page C-7: #42 thru 45

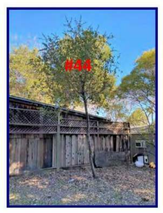












SWENSON ARCHITECTURE
77774 1st Street, 5th floor San Jose, CA 95112 (408) 887-0848 Robert Hightower Architect - C26048

Consultant:

Revisions:

Revision Schedule		
1	Planning Response #1	07/20/21

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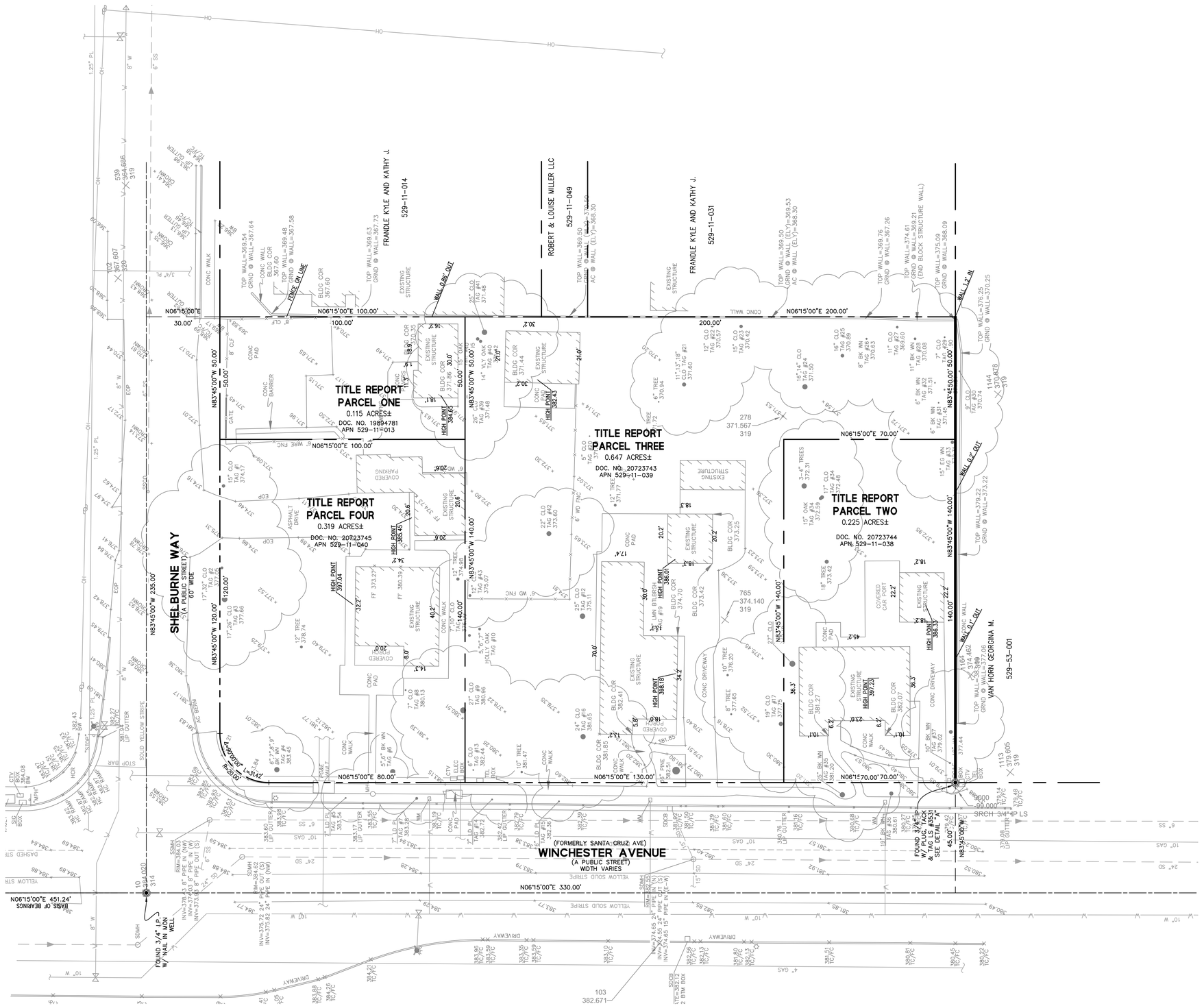
WINCHESTER MEMORY CARE / ASSISTED LIVING
PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA
ARBORIST REPORT

Date: APRIL 01, 2021
Scale: AS NOTED
Drawn by: DM, EY, IL
Job #: 20-9215
Sheet: T-4

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022



ABBREVIATIONS ? LEGEND

BK WN	=	BLACK WALNUT
BW	=	BACK OF WALK
CLF	=	CHAIN LINK FENCE
CLO	=	COAST LIVE OAK
CONC	=	CONCRETE
CTV	=	CABLE TELEVISION
EG WN	=	ENGLISH WALNUT
ELEC	=	ELECTRIC
EOP	=	EDGE OF PAVEMENT
FC	=	FACE OF CURB
IN	=	INSIDE OF BOUNDARY
OUT	=	OUTSIDE OF BOUNDARY
LD PN	=	LONDON PLANE
LMN BTLBRSH	=	LEMON BOTTLE BRUSH
MPH	=	MILE PER HOUR
SDMH	=	STORM DRAIN MANHOLE
SIG	=	SIGNAL
SSMH	=	SANITARY SEWER MANHOLE
TC	=	TOP OF CURB
WD FNC	=	WOOD FENCE
WN	=	WALNUT
⟵	=	GUY WIRE
	=	FIRE HYDRANT
⋈	=	WATER VALVE
	=	SIGN
	=	POWER POLE

NOTES

ALL DISTANCES AND DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

BENCHMARK

LG 21: DISC IN MONUMENT WELL AT THE EASTERLY INTERSECTION OF UNIVERSITY AVENUE AND SHELBURNE WAY

ELEVATION = 351.65' (TOWN OF LOS GATOS DATUM)

BASIS OF BEARINGS

THE BEARING N6°15'00"E OF THE CENTERLINE OF WINCHESTER BOULEVARD, BETWEEN FOUND MONUMENTS, AS SAID BEARING IS SHOWN ON PARCEL MAP, FILED FOR RECORD ON JANUARY 21, 1975 IN BOOK 350 OF MAPS AT PAGE 46, RECORDS OF SANTA CLARA COUNTY, WAS TAKEN AS THE BASIS OF BEARINGS FOR THIS SURVEY.

SWENSON
777 N. 1st Street, San Jose, CA 95112 - (408) 287-0246

Consultant:

BKF
300 FRANK OGAWA PLAZA
SUITE 380
OAKLAND, CA 94612
(510) 899-7300
www.bkf.com

Revisions:

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WINCHESTER ASSISTED LIVING
WINCHESTER AND SHELBURN
EXISTING CONDITIONS

PLANNING RESUBMITTAL
NOVEMBER 1, 2021

Date: 11/01/21
Scale: 1" = 20'-0"
Drawn by: AR
Job #: 9215-70-103
Sheet
C-1.1

LOT MERGER SITE PLAN
FOR PLANNED DEVELOPMENT PURPOSES
WINCHESTER MEMORY CARE & ASSISTED LIVING
LOS GATOS, SANTA CLARA COUNTY, CALIFORNIA

LEGEND

- STORMWATER TREATMENT MEASURE
- VEHICULAR CONCRETE 6" PCC OVER 6" CLASS II AB
- PEDESTRIAN CONCRETE 4" PCC OVER 4" CLASS II AB
- ASPHALT CONCRETE 3" AC OVER 10" CLASS II AB TI=5.5, R=15
- 2" AC GRIND AND OVERLAY (1)
- PERMEABLE CONCRETE
- DETECTABLE WARNING SURFACE (TRUNCATED DOMES)
- PROPOSED PROPERTY LINE
- EXISTING PROPERTY LINE

KEYNOTES

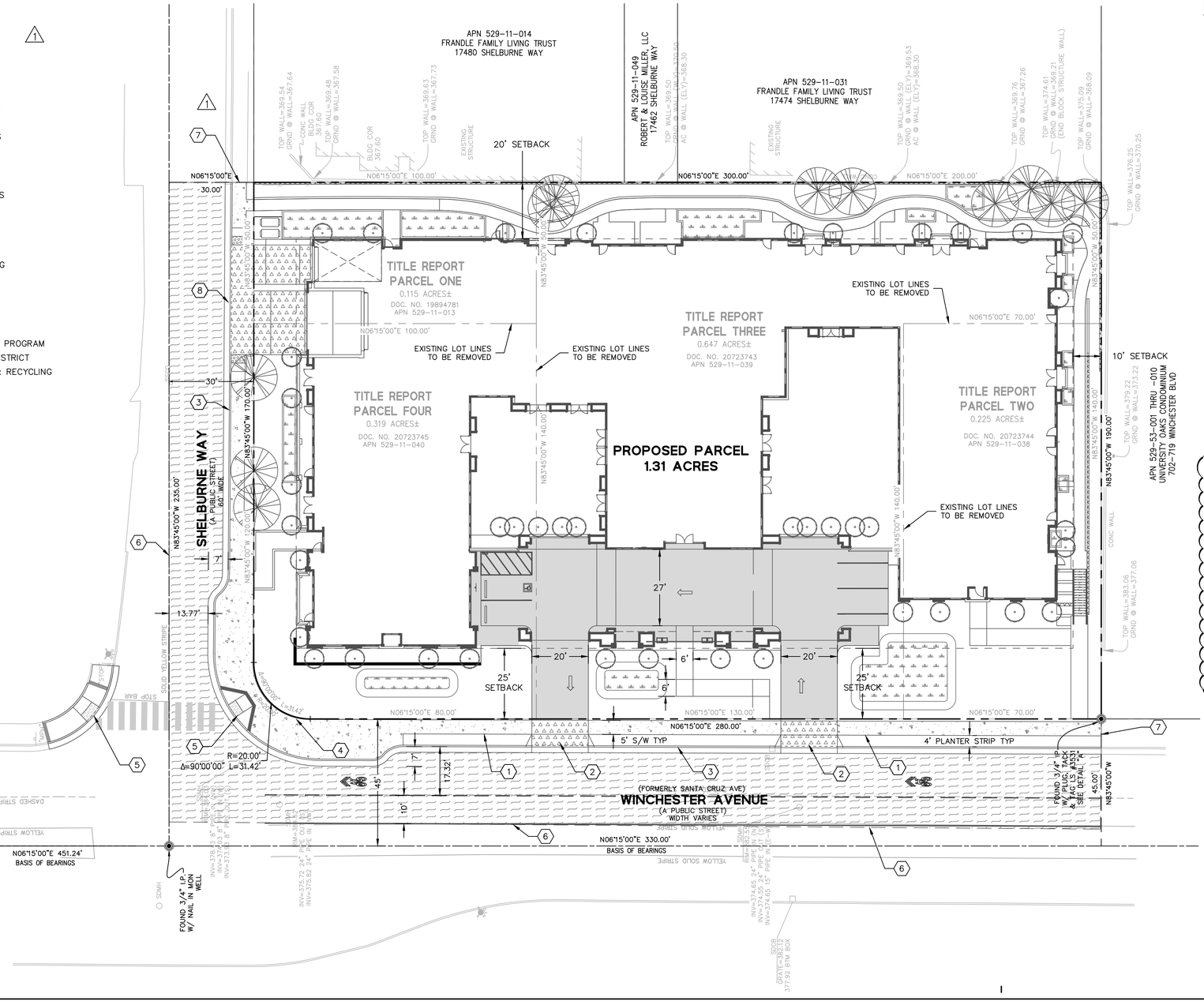
(1) 5' WIDE DETACHED SIDEWALK PER TOWN OF LOS GATOS STANDARD PLAN
(2) COMMERCIAL DRIVEWAY APPROACH PER TOWN OF LOS GATOS STANDARD PLAN
(3) CURB AND GUTTER PER TOWN OF LOS GATOS STANDARD PLAN
(4) CORNER SIGHT TRIANGLE TOWN OF LOS GATOS STANDARD PLAN
(5) ACCESSIBLE CURB RAMP TOWN OF LOS GATOS STANDARD PLAN
(6) WEDGE CUT TO CONFORM
(7) DOWEL TO EXISTING CONCRETE
(8) CURB CUT DRIVEWAY APPROACH FOR PARKING GARAGE AND TRASH ENCLOSURE ACCESS

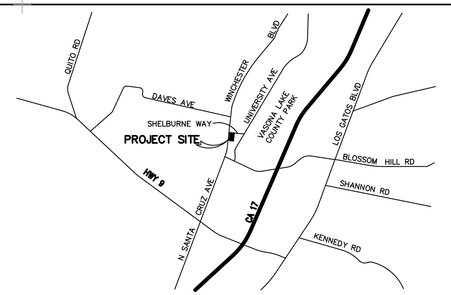
UTILITY NOTES

WATER SUPPLY:	SAN JOSE WATER COMPANY
STORM DRAINAGE:	WEST VALLEY CLEAN WATER PROGRAM
SANITARY SEWER:	WEST VALLEY SANITATION DISTRICT
GARBAGE COLLECTION:	WEST VALLEY COLLECTION & RECYCLING
GAS:	PACIFIC GAS & ELECTRIC
ELECTRIC:	PACIFIC GAS & ELECTRIC
TELEPHONE:	AT&T/VERIZON CALIFORNIA
CABLE:	COMCAST

ABBREVIATIONS

AB	AGGREGATE BASE
AC	ASPHALT CONCRETE
APN	ASSESSORS PARCEL NUMBER
BW	BACK OF WALK
CC	CONCRETE
DCDA	DOUBLE CHECK DETECTOR ASSEMBLY
DMA	DRAINAGE MANAGEMENT AREA
EX	EXISTING
FDC	FIRE DEPARTMENT CONNECTION
FF	FINISH FLOOR
FG	FINISH GRADE
FH	FIRE HYDRANT
FL	FLOW LINE
FW	FIRE WATER
GB	GRADE BREAK
INV	INVERT
LF	LINEAR FEET
LG	LIP OF GUTTER
MIN	MINIMUM
POC	POINT OF CONNECTION
PR	PROPOSED
PT	POINT
RPPA	REDUCED PRESSURE PRINCIPLE ASSEMBLY
S	SLOPE
SAD	SEE ARCHITECTURAL DRAWINGS
SD	STORM DRAIN
SDAD	STORM DRAIN AREA DRAIN
SDCO	STORM DRAIN CLEANOUT
SDDI	STORM DRAIN DROP INLET
SDMH	STORM DRAIN MANHOLE
SF	SQUARE FEET
SPD	SEE PLUMBING DRAWINGS
SSD	SEE STRUCTURAL DRAWINGS
SS	SANITARY SEWER
SSCO	SANITARY SEWER CLEANOUT
SSMH	SANITARY SEWER MANHOLE
STM	STORMWATER TREATMENT MEASURE
TC	TOP OF CURB
TH	THRESHOLD
TI	TRAFFIC INDEX
TW	TOP OF WALL
W	WATER
WM	WATER METER
WV	WATER VALVE





VICINITY MAP
N.T.S.

PROJECT DATA

1. PROJECT ADDRESS: 15860, 15880, 15894 WINCHESTER BLVD., AND SHELBURNE WAY, LOS GATOS, CA
2. ASSESSORS PARCEL NO.: 529-11-013, 038, 039 AND 040
3. EXISTING LAND USE: RESIDENTIAL/COMMERCIAL
4. PROPOSED LAND USE: COMMERCIAL
5. EXISTING ZONING: O-OFFICE
6. PROPOSED ZONING: O-PD
7. GROSS ACREAGE: 1.31 ACRES
8. ESTIMATED AREA OF LAND DISTURBANCE: 1.31 ACRES
9. EXISTING NUMBER OF BUILDINGS: 9 RESIDENTIAL/CARPORTS/SHEDS
10. NUMBER OF BUILDINGS REMOVED: 9
11. PROPOSED NUMBER OF HOMES: 1 MULTI-FAMILY FACILITY
12. PROPOSED NUMBER OF PARKING GARAGE: 1
13. FLOOD ZONE: X, FIRM PANEL 376 OF 830, MAP NUMBER 06085C0376H, DATED 05/18/2009.
14. PROJECT WATERSHED: VASONA RESERVOIR AND LOS GATOS CREEK
15. BASIS OF BEARINGS:
    THE BEARING S83°18'46"E OF THE MONUMENT LINE OF THE SHELBURNE WAY, AS SHOWN ON THAT CERTAIN MAP FILED IN THE OFFICE OF THE RECORDER OF SANTA CLARA COUNTY, STATE OF CALIFORNIA, IN BOOK "U" OF MAPS AT PAGES 34 AND 35, WAS USED AS THE BASIS OF BEARINGS SHOWN ON THIS MAP.
16. BENCHMARK LG 21: BRASS DISK IN MONUMENT WELL AT EASTERY INTERSECTION OF UNIVERSITY AVENUE AND SHELBURNE WAY. ELEVATION: 351.65 (TOWN OF LOS GATOS DATUM)
17. COVENANTS, CONDITIONS AND RESTRICTIONS (CC&R'S) WILL BE PROVIDED TO CLARIFY RIGHTS ACROSS COMMON AREAS, ACCESS RIGHTS, MAINTENANCE RESPONSIBILITIES, PARKING USE, ETC.
18. AVERAGE SLOPE OF EXISTING SITE: 7%

PRELIMINARY EARTHWORK QUANTITY

PRELIMINARY EARTHWORK QUANTITIES

	CUT (CY)	FILL (CY)	NET (CY)
GARAGE	6845	0	6845 CUT
DRIVEWAY	85	132	47 FILL
WALKWAY	272	28	244 CUT
LANDSCAPE	215	150	65 CUT
TOTAL	7417	310	7287 CUT

*EARTHWORK QUANTITIES ARE SHOWN FOR PLANNING PURPOSES ONLY. CONTRACTOR SHALL PERFORM THEIR OWN EARTHWORK CALCULATION.

GENERAL INFORMATION

OWNER: GREEN VALLEY CORP. D.B.A SWENSON
777 N. 1ST STREET, 5TH FLOOR
SAN JOSE, CA 95112
(408) 287-0246

MAP PREPARED BY: BKF ENGINEERS
ENGINEERS, SURVEYORS & PLANNERS
(510) 899-7300
300 FRANK OGAWA PLAZA, SUITE 380
OAKLAND, CA 94612

GRAPHIC SCALE
(IN FEET)
1 inch = 20 ft.

SWENSON
777 N. 1st Street, San Jose, CA 95112 - (408) 287-0246

Consultant:
BKF
300 FRANK OGAWA PLAZA
SUITE 380
OAKLAND, CA 94612
(510) 899-7300
www.bkf.com

Revisions:

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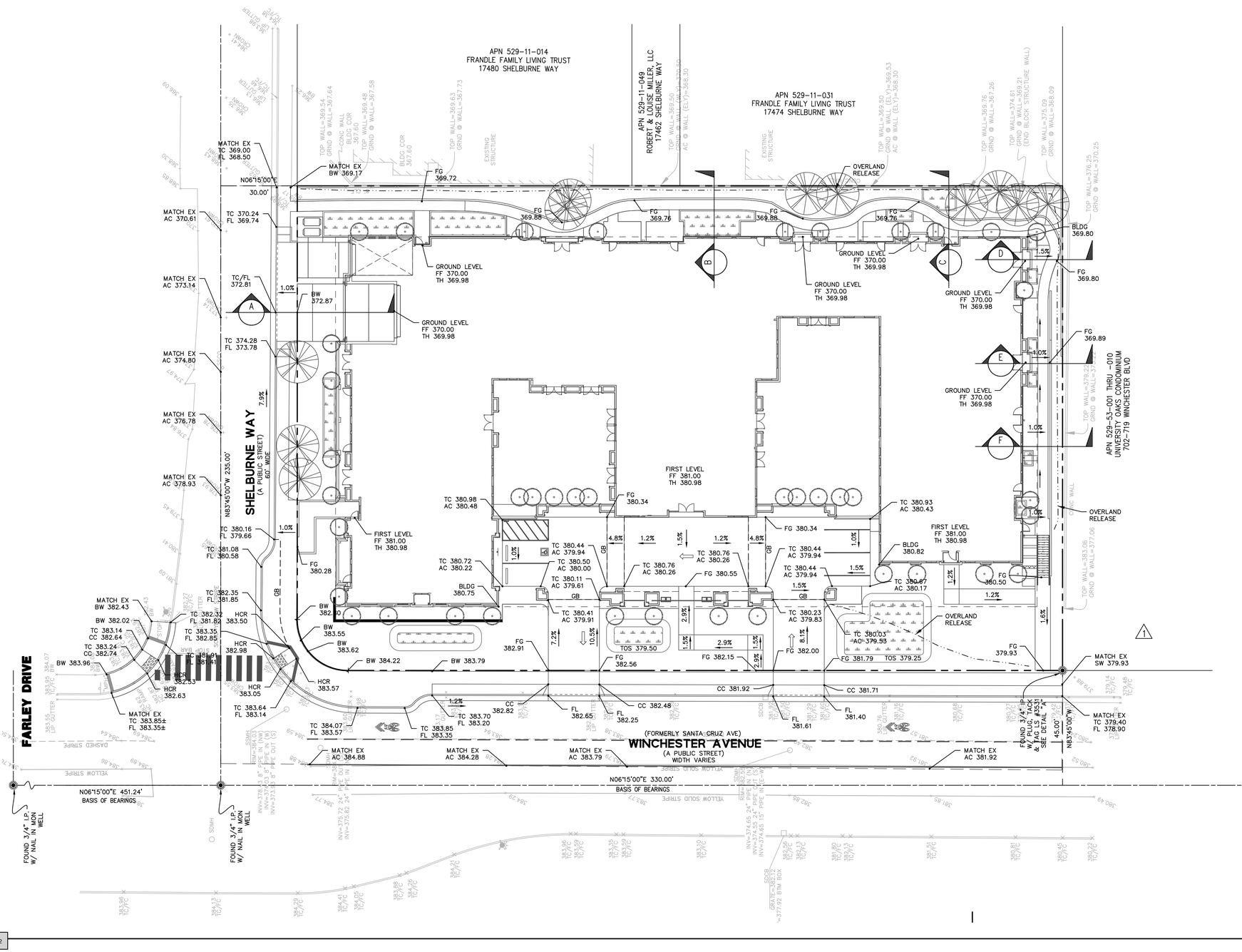
WINCHESTER ASSISTED LIVING
WINCHESTER AND SHELBURN
LOT MERGER SITE PLAN

PLANNING RESUBMITTAL
NOVEMBER 1, 2021

Date: 11/01/21
Scale: 1" = 20'-0"
Drawn by: AR
Job #: 9215-70-103
Sheet
C-2.1



GRADING NOTES

1. PROPOSED SITE PLAN AND UTILITIES HAS BEEN SCREENED FOR CLARITY.
2. GRADING WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE TECHNICAL SPECIFICATIONS AND THE REQUIREMENTS AND RECOMMENDATIONS CONTAINED IN THE PROJECT GEOTECHNICAL REPORT.
3. THE CONTRACTOR SHALL EXERCISE EXTREME CARE TO CONFORM TO THE LINES, GRADES, SECTIONS, AND DIMENSIONS AS SET FORTH ON THESE PLANS. GRADED AREAS SHALL CONFORM TO THE VERTICAL ELEVATIONS SHOWN WITHIN TOLERANCE OF ONE-TENTH OF A FOOT IN LANDSCAPED AREAS AND TWO-HUNDREDTHS OF A FOOT IN HARDSCAPED OR PAVED AREAS. WHERE GRADED AREAS DO NOT CONFORM TO THESE TOLERANCES, THE CONTRACTOR SHALL BE REQUIRED TO DO CORRECTIVE GRADING, AT NO EXTRA COST TO THE OWNER.
4. CONTRACTOR SHALL FIELD VERIFY FINISHED FLOOR ELEVATIONS OF EXISTING BUILDINGS PRIOR TO STARTING CONSTRUCTION.
5. CONTRACTOR SHALL TAKE CAUTION WHEN GRADING ADJACENT TO EXISTING BUILDINGS, TO PROTECT EXISTING FOUNDATIONS AND TO NOT TO COVER EXISTING VENTS.
6. RIMS OF UTILITY STRUCTURES SHALL BE ADJUSTED TO FINISHED GRADE IN AREAS OF RE-GRADING. IN PAVED AREAS, ELEVATION DIFFERENCE SHALL NOT BE MORE THAN ¼ INCH BETWEEN RIMS AND ADJACENT SURFACE.
7. WHERE IMPROVEMENTS INVOLVE ADA ACCESSIBILITY, CONTRACTOR'S ATTENTION IS DIRECTED TO THE FOLLOWING PARAMETERS THAT NEED TO BE MET WITH THE FINISHED CONSTRUCTION:
   a. WALKWAYS SHALL HAVE A MAXIMUM LONGITUDINAL SLOPE OF 4.9% AND A MAXIMUM CROSS SLOPE OF 2%.
   b. LANDINGS SHALL HAVE A MAXIMUM SLOPE OF 2% IN ALL DIRECTIONS, INCLUDING DIAGONAL.
   c. ADA PARKING STALLS AND STRIPED AISLE SHALL HAVE A MAXIMUM SLOPE OF 2% IN ALL DIRECTIONS, INCLUDING DIAGONAL.
   d. TRANSITIONS BETWEEN PROPOSED IMPROVEMENTS AND EXISTING CONDITIONS SHALL BE SMOOTH AND FREE OF ABRUPT CHANGES.

*** CONTRACTOR SHALL FIELD VERIFY EXISTING GRADES AT CONFORMS PRIOR TO FORMING/AC WORK.**

LEGEND

OVERLAND RELEASE

PROPERTY LINE

ABBREVIATIONS

AC	ASPHALT CONCRETE
BW	BACK OF WALK
CC	CONCRETE
DCDA	DOUBLE CHECK DETECTOR ASSEMBLY
DMA	DRAINAGE MANAGEMENT AREA
EX	EXISTING
FDC	FIRE DEPARTMENT CONNECTION
FF	FINISH FLOOR
FH	FIRE HYDRANT
FL	FLOW LINE
FW	FIRE WATER
GB	GRADE BREAK
INV	INVERT
LF	LINEAR FEET
PT	POINT
RPPA	REDUCE PRESSURE PRINCIPLE ASSEMBLY
SD	STORM DRAIN
SDCO	STORM DRAIN CLEANOUT
SDDI	STORM DRAIN DROP INLET
SDMH	STORM DRAIN MANHOLE
SS	SANITARY SEWER
SSCO	SANITARY SEWER CLEANOUT
SSMH	SANITARY SEWER MANHOLE
STM	STORMWATER TREATMENT MEASURE
TC	TOP OF CURB
TH	THRESHOLD
W	WATER
WM	WATER METER
WV	WATER VALVE (GATE VALVE)

GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.

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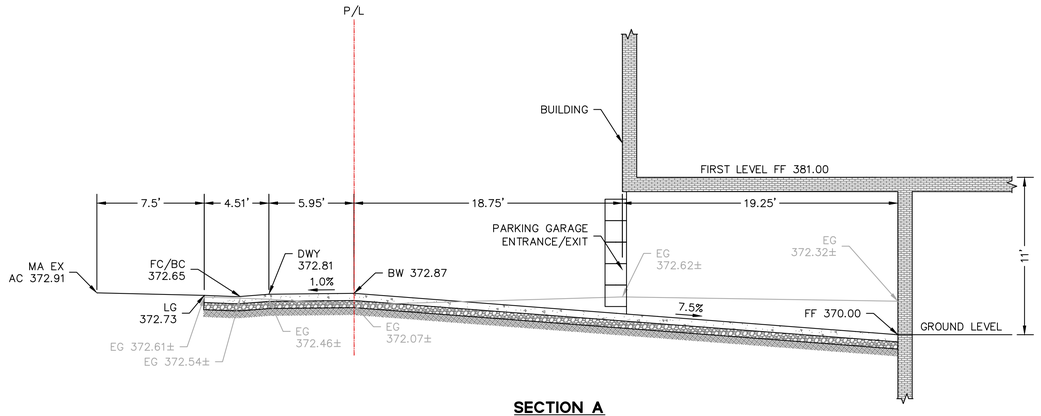

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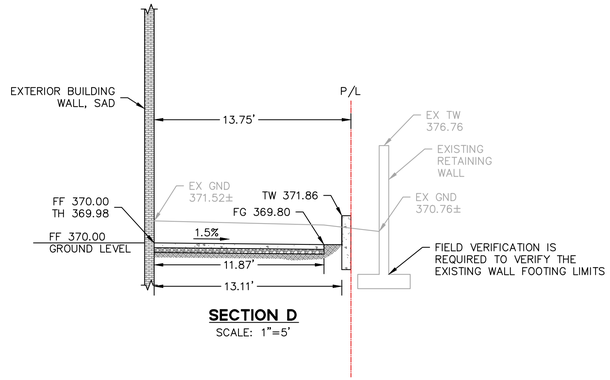

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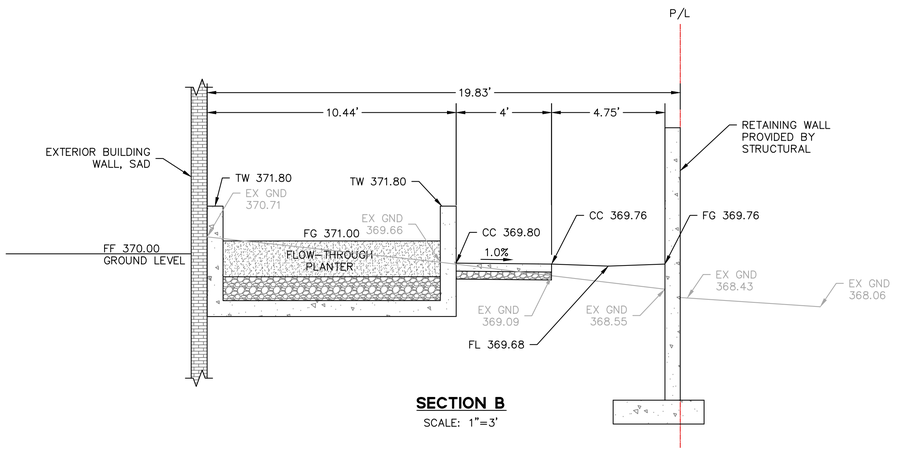

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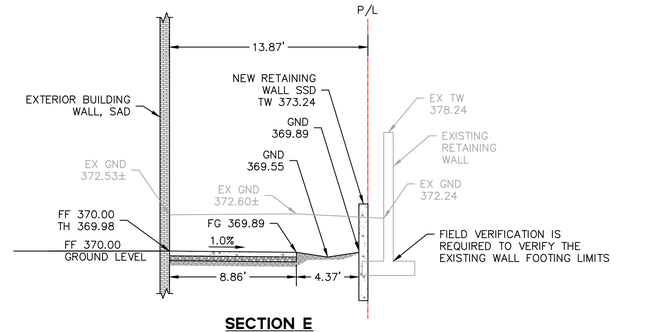

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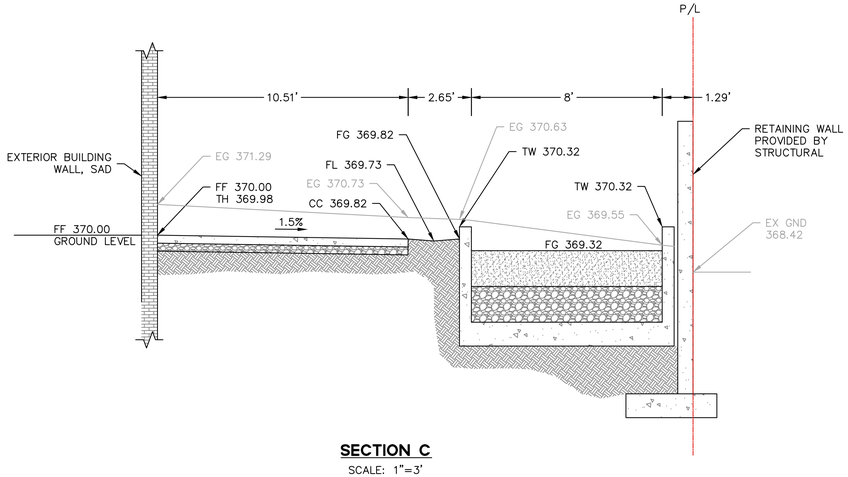

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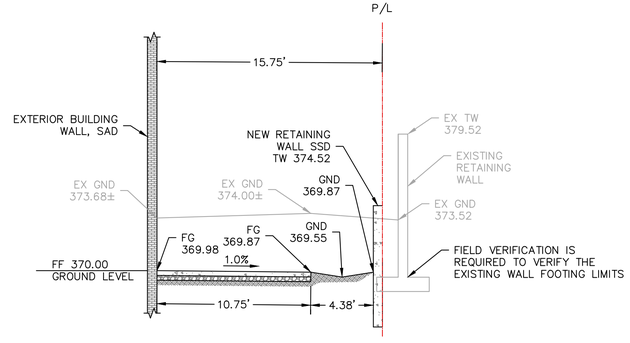

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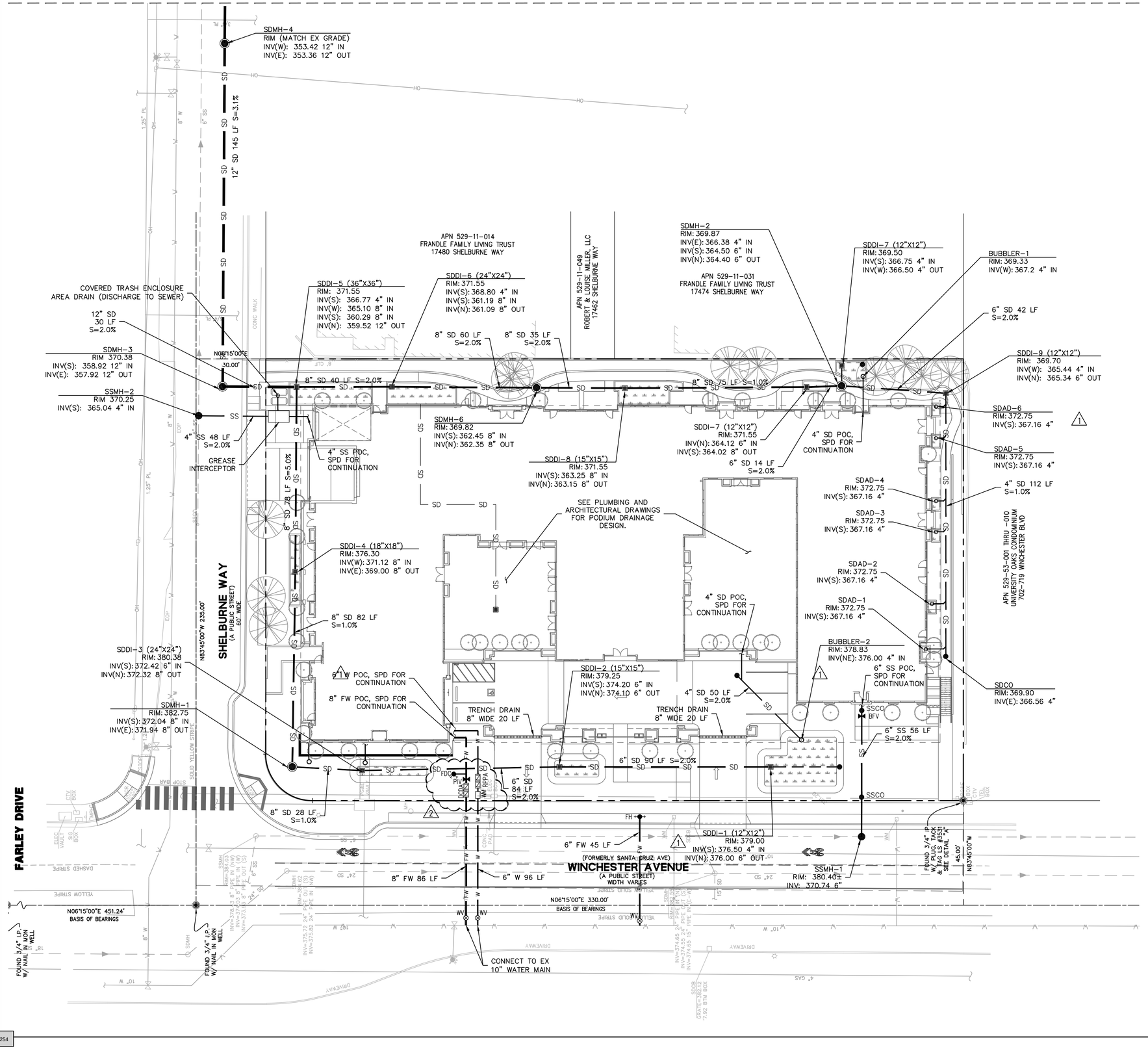
SEE SHEET C4.2 FOR CONTINUATION



LEGEND AND SYMBOLS

SD	PR STORM DRAIN LINE, SEE DETAIL X/CX.X
	PR PERFORATED PIPE, SEE DETAIL X/CX.X
SS	PR SANITARY SEWER LINE, SEE DETAIL X/CX.X
FW	PR FIRE WATER LINE, SEE DETAIL X/CX.X
W	PR DOMESTIC WATER LINE, SEE DETAIL X/CX.X
SDDI	PR STORM DRAIN DROP INLET, SEE DETAIL X/CX.X
SDAD	PR AREA DRAIN, SEE DETAIL X/CX.X
SDMH	PR STORM DRAIN MANHOLE, SEE DETAIL X/CX.X
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WV	PR GATE VALVE, SEE DETAIL X/CX.X
WM	PR WATER METER, SEE DETAIL X/CX.X
RPPA	PR RPPA BACKFLOW PREVENTER, SEE DETAIL X/CX.X
DCDA	PR DCDA BACKFLOW PREVENTER, SEE DETAIL X/CX.X
FDC	PR FIRE DEPARTMENT CONNECTION, SEE DETAIL X/CX.X
PIV	PR POST INDICATOR VALVE, SEE DETAIL X/CX.X
FH	PR FIRE HYDRANT, SEE DETAIL X/CX.X

UTILITY NOTES

1. PROPOSED SITE PLAN HAS BEEN SCREENED FOR CLARITY.
2. RIM ELEVATIONS FOR EXISTING UTILITY STRUCTURES SHALL BE RAISED TO PROPOSED SURFACE ELEVATIONS. EXISTING STRUCTURES LOCATED WITHIN PROPOSED VEHICULAR ROADWAY, AN H-20 TRAFFIC-RATED TOP SHALL BE USED TO REPLACE THE EXISTING TOP OF THE ADJUSTED STRUCTURE.
3. PROTECT ALL EXISTING UTILITIES AND SITE FEATURES FROM BEING DAMAGED, UNLESS OTHERWISE NOTED. ALL UTILITIES AND IMPROVEMENTS THAT BECOME DAMAGED DURING CONSTRUCTION SHALL BE COMPLETELY RESTORED AT NO ADDITIONAL COST TO THE OWNER AND TO THE SATISFACTION OF THE ENGINEER.
4. THE EXISTING UTILITY LINES AND STRUCTURES SHOWN ON THESE PLANS ARE DERIVED FROM RECORD DATA, UNDERGROUND UTILITY SURVEY AND/OR SURFACE OBSERVATION AND ARE APPROXIMATE ONLY. ACTUAL LOCATION AND SIZE, TOGETHER WITH THE PRESENCE OF ANY ADDITIONAL UTILITY LINES AND STRUCTURES NOT SHOWN ON THIS PLAN, SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR DURING CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE OWNER IMMEDIATELY UPON DISCOVERY OF ANY DISCREPANCIES BETWEEN EXISTING CONDITIONS IN THE FIELD AND INFORMATION SHOWN ON THESE PLANS.
5. THRUST BLOCKS SHALL BE INSTALLED AT ALL BENDS AND TEES ON WATER MAINS & FIRE SERVICE LINES. CONTRACTOR MAY USE RESTRAIN JOINTS INSTEAD OF THRUST BLOCKS AT ALL BENDS AND TEES. CONTRACTOR SHALL BE RESPONSIBLE TO CALCULATE THE RESTRAIN JOINT LENGTH.
6. EXISTING UNDERGROUND UTILITIES, INCLUDING THOSE MARKED UNKNOWN, ARE BASED ON SURVEY COMPLETED BY OTHERS AND PROVIDED TO BKF ENGINEERS FOR INCLUSION IN PLANS.
7. EXISTING PIPE LINES MAY HAVE CATHODIC PROTECTION. CONTRACTOR SHALL ENSURE THAT ALL CONNECTIONS TO EXISTING PIPE LINES ARE ELECTRICALLY COMMON WITH THE PIPE LINE.
8. CONTRACTOR SHALL FIELD VERIFY LOCATION AND ELEVATION OF ALL EXISTING UTILITIES PRIOR TO THE START OF CONSTRUCTION.
9. LENGTH OF PIPES ARE HORIZONTAL DISTANCES FROM CENTER TO CENTER OF STRUCTURES, ROUNDED TO THE NEAREST FOOT AND ARE SHOWN FOR ENGINEERING CALCULATIONS ONLY. CONTRACTOR SHALL ESTIMATE THEIR OWN PIPE LENGTHS PRIOR TO BIDDING.
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11. ALL STORM DRAIN INLETS AND CATCH BASINS SHALL BE LABELED

GRAPHIC SCALE

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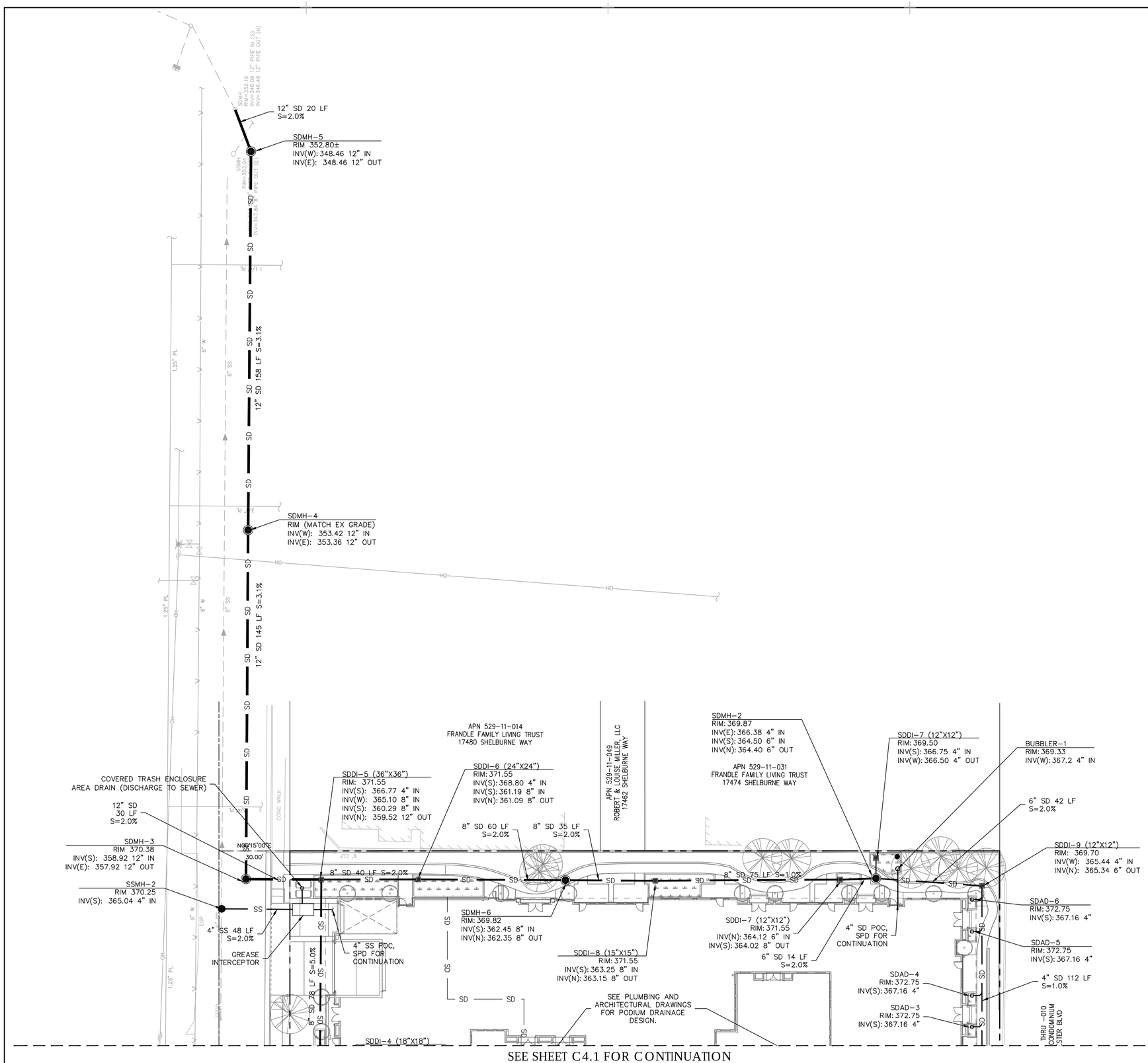

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GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.

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LEGEND

STORMWATER TREATMENT MEASURE

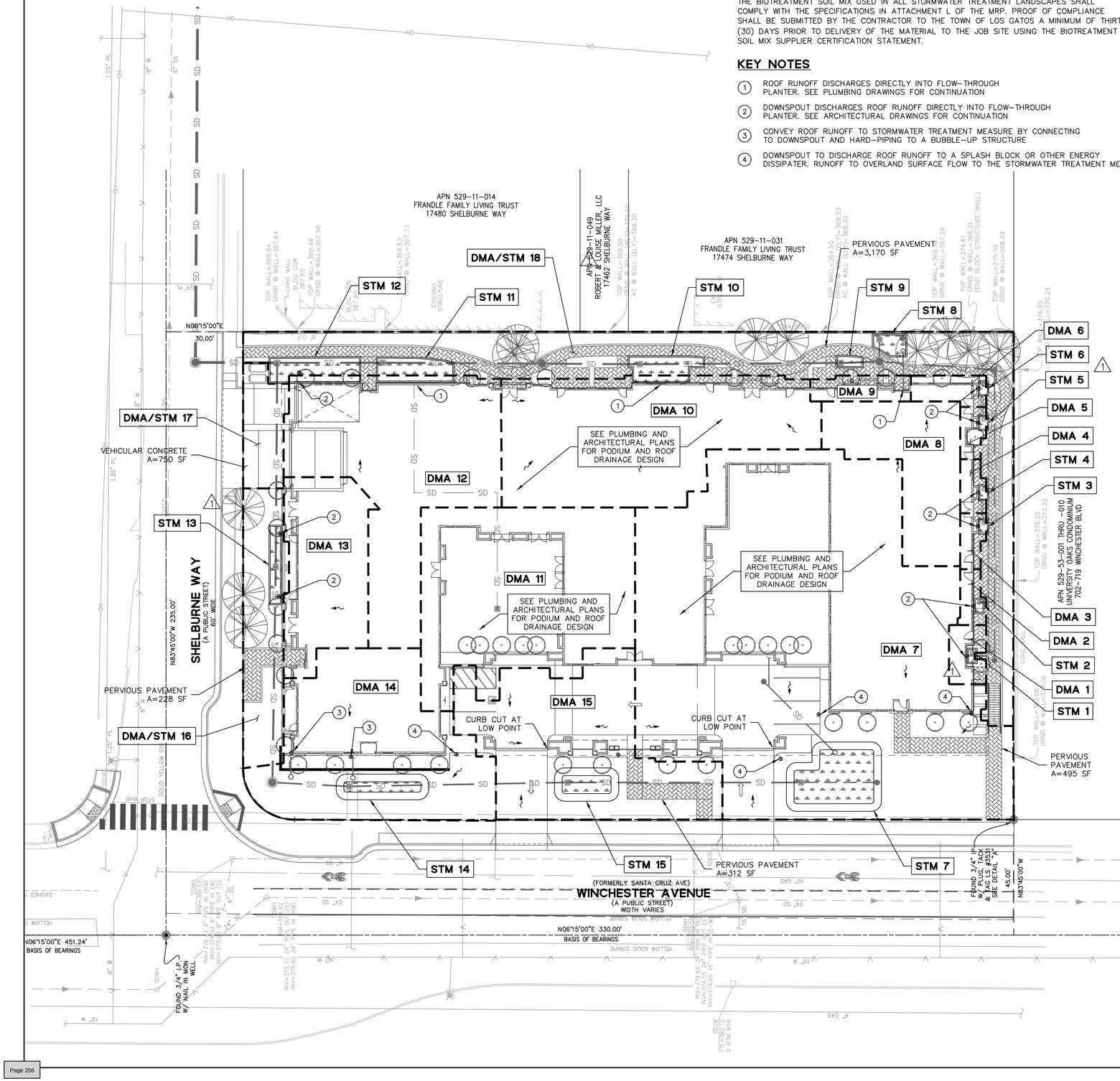
DRAINAGE MANAGEMENT AREA

NOTES

THE BIOTREATMENT SOIL MIX USED IN ALL STORMWATER TREATMENT LANDSCAPES SHALL COMPLY WITH THE SPECIFICATIONS IN ATTACHMENT L OF THE MRP. PROOF OF COMPLIANCE SHALL BE SUBMITTED BY THE CONTRACTOR TO THE TOWN OF LOS GATOS A MINIMUM OF THIRTY (30) DAYS PRIOR TO DELIVERY OF THE MATERIAL TO THE JOB SITE USING THE BIOTREATMENT SOIL MIX SUPPLIER CERTIFICATION STATEMENT.

KEY NOTES

1. ROOF RUNOFF DISCHARGES DIRECTLY INTO FLOW-THROUGH PLANTER. SEE PLUMBING DRAWINGS FOR CONTINUATION
2. DOWNSPOUT DISCHARGES ROOF RUNOFF DIRECTLY INTO FLOW-THROUGH PLANTER. SEE ARCHITECTURAL DRAWINGS FOR CONTINUATION
3. CONVEY ROOF RUNOFF TO STORMWATER TREATMENT MEASURE BY CONNECTING TO DOWNSPOUT AND HARD-PIPING TO A BUBBLE-UP STRUCTURE
4. DOWNSPOUT TO DISCHARGE ROOF RUNOFF TO A SPLASH BLOCK OR OTHER ENERGY DISSIPATER. RUNOFF TO OVERLAND SURFACE FLOW TO THE STORMWATER TREATMENT MEASURE.



PERVIOUS AND IMPERVIOUS SURFACES COMPARISON TABLE

TOTAL SITE (ACRES):	1.31	TOTAL AREA OF SITE DISTURBED (ACRES):	1.31
IMPERVIOUS SURFACES	EXISTING CONDITION OF SITE AREA DISTURBED (SQUARE FEET)	PROPOSED CONDITION OF SITE AREA DISTURBED (SQUARE FEET)	
		REPLACED	NEW
ROOF AREAS	8,122	12,654	24,392
PARKING	1,435	0	0
SIDEWALKS AND PATHS	9,215	620	3,362
TOTAL IMPERVIOUS SURFACES:	18,772	13,274	25,339
PERVIOUS SURFACES			
LANDSCAPE AREA	38,140	11,006	1,278
PERVIOUS PAVING	0	0	4,220
OTHER PERVIOUS SURFACES (GREEN ROOF, ETC)	0	0	0
TOTAL PERVIOUS SURFACES:	38,140	11,006	5,498
TOTAL PROPOSED REPLACED + NEW IMPERVIOUS SURFACES:			40,408
TOTAL PROPOSED REPLACED + NEW PERVIOUS SURFACES:			16,504

STORMWATER TREATMENT MEASURE SUMMARY

DRAINAGE MANAGEMENT AREAS	STORMWATER TREATMENT MEASURE	IMPERVIOUS SURFACE (SQ. FT.)	SIZING FACTOR	TREATMENT REQUIRED (SQ. FT.)	TREATMENT PROVIDED	PROPOSED TREATMENT CONTROLS	CONFORMS TO SIZE STANDARD?
1	1	321	0.04	13	15	FLOW-THROUGH PLANTER	YES
2	2	200	0.04	8	15	FLOW-THROUGH PLANTER	YES
3	3	197	0.04	8	15	FLOW-THROUGH PLANTER	YES
4	4	197	0.04	8	15	FLOW-THROUGH PLANTER	YES
5	5	188	0.04	8	15	FLOW-THROUGH PLANTER	YES
6	6	318	0.04	13	15	FLOW-THROUGH PLANTER	YES
7	7	13,126	0.04	525	570	BIORETENTION	YES
8	8	2,120	0.04	85	87	FLOW-THROUGH PLANTER	YES
9	9	382	0.04	16	35	FLOW-THROUGH PLANTER	YES
10	10	5,228	0.04	210	267	FLOW-THROUGH PLANTER	YES
11	11	5,432	0.04	218	248	FLOW-THROUGH PLANTER	YES
12	12	5,062	0.04	203	320	FLOW-THROUGH PLANTER	YES
13	13	2,290	0.04	92	120	FLOW-THROUGH PLANTER	YES
14	14	2,500	0.04	100	120	BIORETENTION	YES
15	15	2,907	0.04	117	132	BIORETENTION	YES

THE STORMWATER TREATMENT CONTROL MEASURES ARE SIZED IN ACCORDANCE WITH THE FLOW-BASED DESIGN CRITERIA OF THE MUNICIPAL REGIONAL STORMWATER PERMIT PROVISION C.3.D. THE "UNIFORM INTENSITY APPROACH" IS THE SPECIFIC METHOD USED TO SIZE EACH TREATMENT MEASURE.

SITE DESIGN MEASURES

DRAINAGE MANAGEMENT AREAS	STORMWATER TREATMENT MEASURE	TYPE OF SITE DESIGN MEASURE	LANDSCAPING (SQ. FT.)	PERVIOUS PAVEMENT (SQ. FT.)	IMPERVIOUS SURFACE (SQ. FT.)	TOTAL AREA (SQ. FT.)
16	16	SELF-TREATING AREA	1,515	228	0	1,743
17	17	DRAINS TO SEWER	0	0	750	750
18	18	SELF-TREATING AREA	3,570	3170	0	6,740

GRAPHIC SCALE

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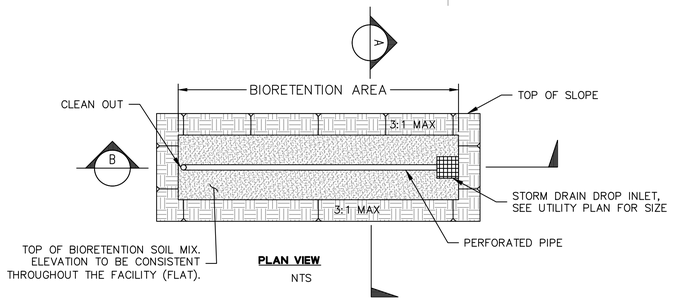
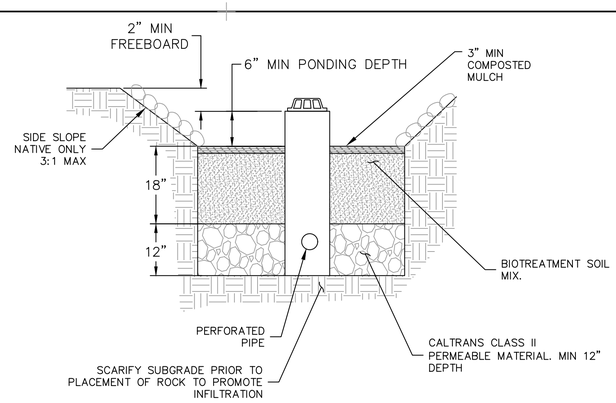


PLAN VIEW
NTS



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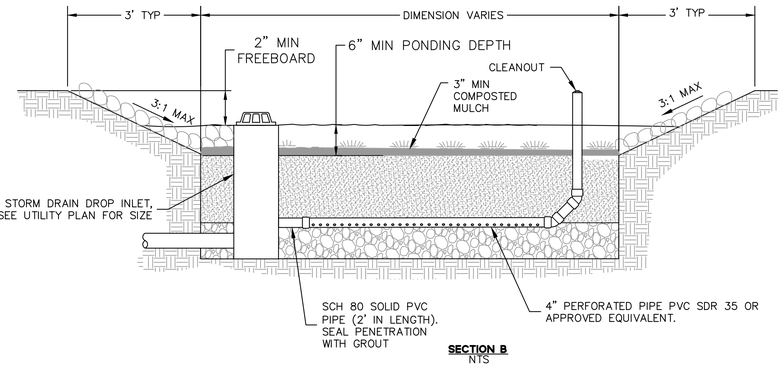

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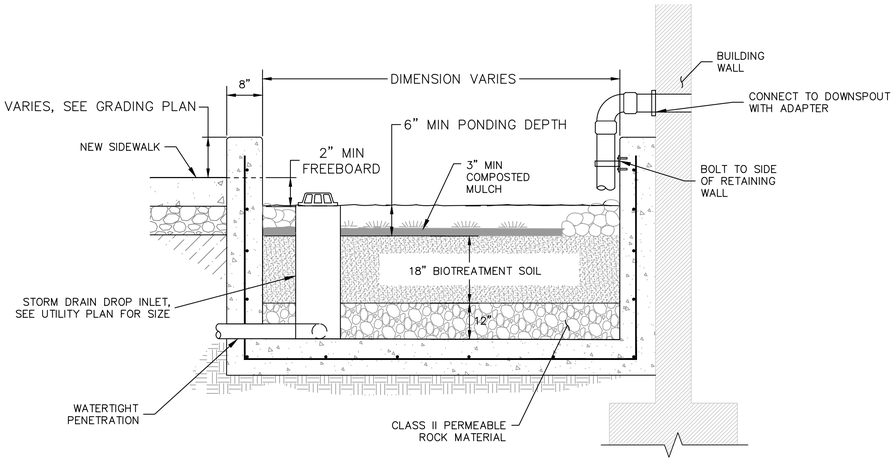
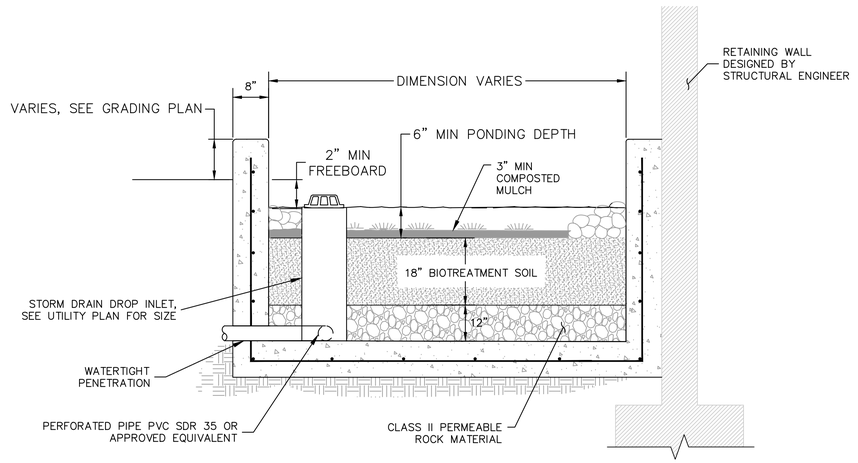
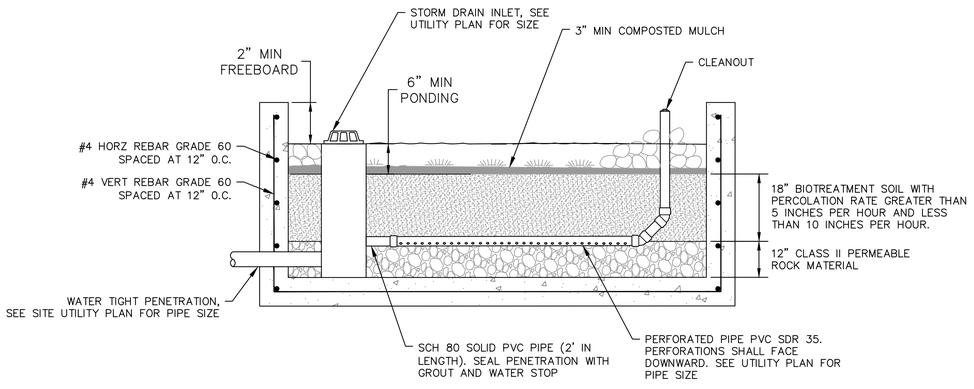


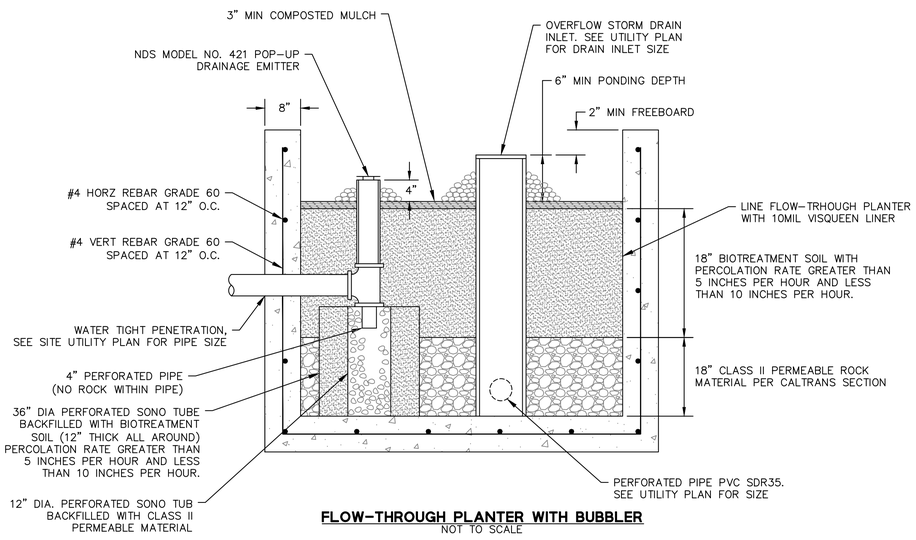
FLOW-THROUGH PLANTER ADJACENT TO BUILDING
NOT TO SCALE



FLOW-THROUGH PLANTER ADJACENT TO RETAINING WALL
NOT TO SCALE



TYPICAL FLOW-THROUGH PLANTER
NOT TO SCALE



FLOW-THROUGH PLANTER WITH BUBBLER
NOT TO SCALE

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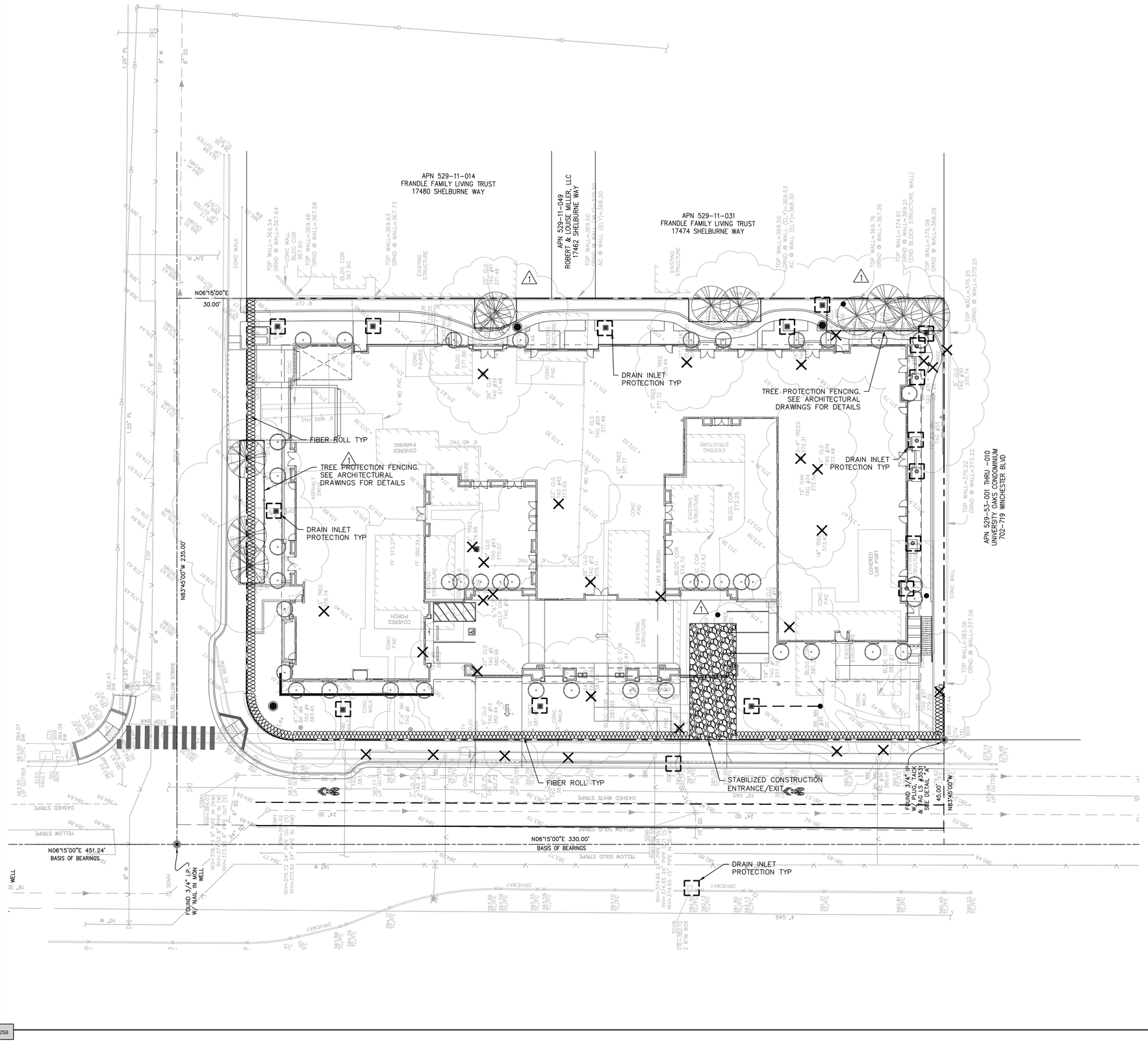
WINCHESTER ASSISTED LIVING
WINCHESTER AND SHELBURN
TYPICAL STORMWATER DETAILS

PLANNING RESUBMITTAL
NOVEMBER 1, 2021

Date: 11/01/21
Scale: 1" = 20'-0"
Drawn by: AR
Job #: 9215-70-103
Sheet
C-5.2



LEGEND

- STORM DRAIN INLET PROTECTION
- FIBER ROLL
- STABILIZED CONSTRUCTION ENTRANCE/EXIT
- TREE PROTECTION FENCING
- TREES TO BE REMOVED. TREE REMOVAL FOR REFERENCE, SEE ARCHITECTURAL TREE PROTECTION PLAN AND ARBORIST REPORT.

EROSION CONTROL NOTES:

1. ALL TREE TO BE PRESERVED SHALL BE PROTECTED WITH MINIMUM 5–FOOT HIGH FENCES. FENCES ARE TO BE MOUNTED ON 2–INCH DIAMETER GALVANIZED IRON POSTS, DRIVEN INTO THE GROUND TO A DEPTH OF AT LEAST 2 FEET, AT NO MORE THAN 10 FOOT SPACING. TREE FENCING SHALL BE ERECTED BEFORE ANY DEMOLITION, GRADING OR CONSTRUCTION BEGINS AND REMAIN IN PLACE UNTIL THE FINAL INSPECTION.
2. REFERENCE: "CALIFORNIA STORM WATER BEST MANAGEMENT PRACTICE (BMP) HANDBOOK", LATEST EDITION.
3. CONSTRUCTION AREAS SHOWN ARE CONCEPTUAL. ACTUAL PLACEMENT TO BE DETERMINED BY CONTRACTOR BASED ON CURRENT BEST MANAGEMENT PRACTICES. CONTRACTOR SHALL SUBMIT A CONSTRUCTION STAGING PLAN.
4. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IN EFFECT AND MAINTAINED BY THE CONTRACTOR ON A YEAR–ROUND BASIS UNTIL ALL DISTURBED AREAS ARE STABILIZED UNLESS OTHERWISE PERMITTED BY THE CITY INSPECTOR.
5. AS PART OF THE GRADING OPERATIONS, THE CONTRACTOR SHALL ENSURE THAT THE SITE IS WATERED PRIOR TO THE COMMENCEMENT OF GRADING.
6. ALL INLETS RECEIVING STORM WATER RUNOFF FROM THE PROJECT AREA MUST BE EQUIPPED WITH REQUIRED INLET PROTECTION.
7. ALL PAVED AREAS SHALL BE KEPT CLEAR OF EARTH MATERIALS AND DEBRIS. THE SITE SHALL BE MAINTAINED SO AS TO MINIMIZE SEDIMENT LADEN RUNOFF ENTERING THE STORM DRAIN SYSTEM.
8. ALL CONCRETE SLURRY SHALL BE CONTAINED IN CONCRETE WASH–OUT AREAS DESIGNATED ON–SITE.
9. STOCKPILED EARTHEN MATERIAL SHALL BE EITHER COVERED WITH A TARP OR WATERED SUFFICIENTLY TO ELIMINATE DUST.
10. TEMPORARY EROSION CONTROLS TO STABILIZE ALL DENUDED AREAS UNTIL PERMANENT EROSION CONTROLS ARE ESTABLISHED.
11. DELINEATE WITH FIELD MARKERS CLEARING LIMITS, EASEMENTS, SETBACKS, SENSITIVE OR CRITICAL AREAS, BUFFER ZONES, TREES, AND DRAINAGE COURSES.
12. PERFORM CLEARING AND EARTH MOVING ACTIVITIES ONLY DURING DRY WEATHER.
13. USE SEDIMENT CONTROLS OR FILTRATION TO REMOVE SEDIMENT WHEN DEWATERING AND OBTAIN ALL NECESSARY PERMITS.
14. PROTECT ALL STORM DRAIN INLETS IN VICINITY OF SITE USING SEDIMENT CONTROLS SUCH AS BERMS, FIBER ROLLS, OR FILTERS.
15. TRAP SEDIMENT ON–SITE, USING BMPS SUCH AS SEDIMENT BASINS OR TRAPS, EARTHEN DIKES OR BERMS, SILT FENCES, CHECK DAMS, SOIL BLANKETS OR MATS, COVERS FOR SOIL STOCK PILES, ETC.
16. DIVERT ON–SITE RUNOFF AROUND EXPOSED AREAS; DIVERT OFF–SITE RUNOFF AROUND THE SITE (E.G., SWALES AND DIKES).
17. PROTECT ADJACENT PROPERTIES AND UNDISTURBED AREAS FROM CONSTRUCTION IMPACTS USING VEGETATIVE BUFFER STRIPS, SEDIMENT BARRIERS OR FILTERS, DIKES, MULCHING, OR OTHER MEASURES AS APPROPRIATE.
18. LIMIT CONSTRUCTION ACCESS ROUTES AND STABILIZE DESIGNATED ACCESS POINTS.
19. NO CLEANING, FUELING, OR MAINTAINING VEHICLES ON–SITE, EXCEPT IN A DESIGNATED AREA WHERE WASHWATER IS CONTAINED AND TREATED.
20. STORE, HANDLE, AND DISPOSE OF CONSTRUCTION MATERIALS/WASTES PROPERLY TO PREVENT CONTACT WITH STORMWATER.
21. CONTRACTOR SHALL TRAIN AND PROVIDE INSTRUCTION TO ALL EMPLOYEES/SUBCONTRACTORS RE: CONSTRUCTION BMPS.
22. CONTROL AND PREVENT THE DISCHARGE OF ALL POTENTIAL POLLUTANTS, INCLUDING PAVEMENT CUTTING WASTES, PAINTS, CONCRETE, PETROLEUM PRODUCTS, CHEMICALS, WASHWATER OR SEDIMENTS, RINSE WATER FROM ARCHITECTURAL COPPER, AND NON–STORMWATER DISCHARGES TO STORM DRAINS AND WATERCOURSES.
23. **LOCATION OF CONSTRUCTION ACTIVITIES IS PRELIMINARY AND SHALL BE SUPERSEDED BY FINALIZED CONSTRUCTION ACTIVITY LOCATIONS, SHOWN/UPDATED BY CONTRACTOR.**

GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.

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777 N. 1st Street, San Jose, CA 95112 - (408) 287-0246

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300 FRANK OGAWA PLAZA
SUITE 380
OAKLAND, CA 94612
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WINCHESTER ASSISTED LIVING
WINCHESTER AND SHELBURN
EROSION CONTROL PLAN

PLANNING RESUBMITTAL
NOVEMBER 1, 2021

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C-6.1

INTERIM EROSION CONTROL MEASURES

(USE AS APPLICABLE TO YOUR PROJECT.)

NOTES:

1. IT IS THE RESPONSIBILITY OF THE OWNER/CONTRACTOR TO INSURE THAT NO MUD OR SILTATION LEAVES THE PROJECT SITE.
2. INTERIM EROSION CONTROL MEASURES MUST BE COMPLETED AND IN PLACE BY OCTOBER 1.
3. ALL INTERIM EROSION CONTROL MEASURES MUST BE CONTINUOUSLY MAINTAINED THROUGHOUT THE OCTOBER 1 TO APRIL 15 RAINY SEASON.
4. CALL THE INSPECTION LINE AT (408) 399-5760 BY SEPTEMBER 15 FOR INSPECTION OF EROSION CONTROL DEVICES. CALL 24 HOURS IN ADVANCE. INCLUDE GRADING PERMIT NUMBER.
5. IF EROSION CONTROL MEASURES ARE NOT IN PLACE AS REQUIRED OR NOT MAINTAINED, ALL WORK SHALL CEASE UNTIL EROSION CONTROL MEASURES ARE REMEDIED.

MEASURES:

1. INSTALL SILT FENCE. PROVIDE DETAIL, SHOW LOCATION ON PLANS AND ADD NOTES AS NEEDED.
2. SEED EXPOSED AREAS PER TOWN SPECIFICATIONS. SEE BELOW.
3. INSTALL DRAINAGE MEASURES INCLUDING CATCH BASINS, ENERGY DISSIPATORS, ETC. PROVIDE DETAIL, SHOW LOCATIONS ON PLANS, AND ADD NOTES AS NEEDED.
4. INSTALL CHECK DAMS, SEDIMENT TRAPS AND BASINS, TEMPORARY SWALES.
5. INSTALL JUTE NETTING OVER SEEDED AND MULCHED SLOPES.
6. COVER BARE SLOPES WITH STRAW BLANKETS.

SEEDING SPECIFICATIONS:

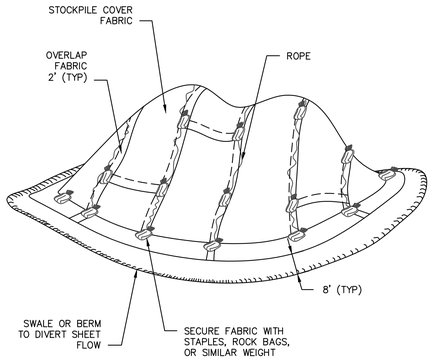
1. SEED AND MULCH WILL BE APPLIED BY OCT 1 TO ALL DISTURBED SLOPES AND TO ALL CUTS AND FILL SLOPES WITHIN OR ADJACENT TO PUBLIC RIGHTS-OF-WAY AS DIRECTED BY TOWN ENGINEER.
2. SEED AND FERTILIZER WILL BE APPLIED HYDRAULICALLY OR BY HAND AT THE RATES SPECIFIED BELOW. ON SLOPES, STRAW WILL BE APPLIED BY BLOWER OR BY HAND AND ANCHORED IN PLACE BY PUNCHING OR WITH JUTE NETTING.

ITEM	POUNDS/ACRE
"Blando" brome	30
Annual rye grass	20
Fertilizer (16-20-0 & 15% sulfur)	500
Straw	4,000

3. SEEDED AREAS WILL BE REPAIRED, RESEEDED AND MULCHED, IF DAMAGED.

APPROVED BY	DATE		INTERIM EROSION CONTROL NOTES	STD. PLAN NO.
	JUNE 2004			255
TOWN ENGINEER				

INTERIM EROSION CONTROL NOTES
N.T.S.

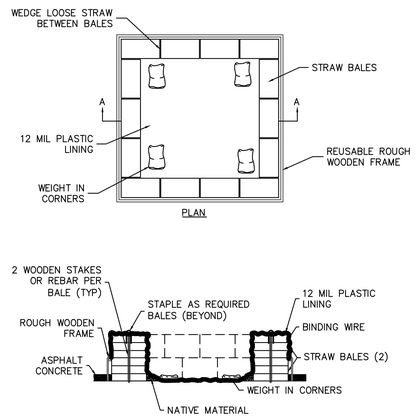


PERSPECTIVE

APPROVED BY	DATE		TEMPORARY STOCKPILE COVER	STD. PLAN NO.
	JUNE 2004			257
TOWN ENGINEER				

ST-257.DWG

TEMPORARY STOCKPILE COVER
N.T.S.

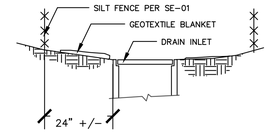


PLAN

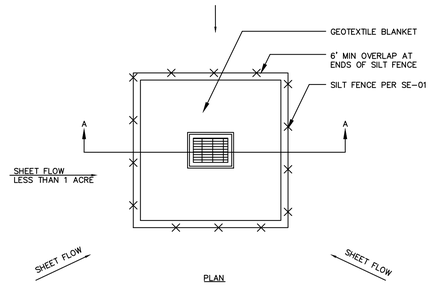
SECTION A-A

APPROVED BY	DATE		TEMPORARY CONCRETE WASHOUT FACILITY	STD. PLAN NO.
	JUNE 2004			256
TOWN ENGINEER				

TEMPORARY CONCRETE WASHOUT FACILITY
N.T.S.



SECTION A-A

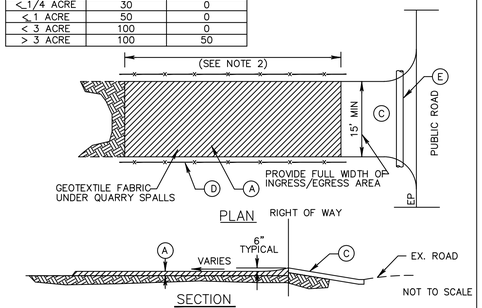


PLAN

NOTES:
1. FOR USE IN AREAS WHERE GRADING HAS BEEN COMPLETED AND FINAL SOIL STABILIZATION AND SEEDING ARE PENDING SHAPE BASIN SO THAT LONGEST INFLOW AREA FACES LONGEST LENGTH OF TRAP
2. NOT APPLICABLE IN PAVED AREAS
3. NOT APPLICABLE WITH CONCENTRATED FLOWS

SE-10 STORM DRAIN INLET PROTECTION – TYPE 1
N.T.S.

PROJECT SIZE	LENGTH OF	
	CRUSHED ROCK	ATB
<1/4 ACRE	30	0
< 1 ACRE	50	0
< 3 ACRE	100	0
> 3 ACRE	100	50



(A) 4" CRUSHED ROCK WITH GEOTEXTILE MATERIAL UNDERNEATH.
(B) THE MINIMUM LENGTH SHALL BE LENGTHENED AS NECESSARY TO ENSURE MATERIAL IS NOT TRACKED INTO THE PUBLIC RIGHT-OF-WAY. ALTERNATE CONSTRUCTION ENTRANCES WILL BE ALLOWED WITH APPROVAL OF THE CITY ENGINEER ON A CASE BY CASE BASIS, WHERE PHYSICAL SITE CONDITIONS AND SIZE DICTATE.
(C) ATB DRIVEWAY RAMP, OR SITE ACCESS ROAD 20' WIDE MIN. SEE TABLE ABOVE FOR REQUIRED LENGTH.
(D) INSTALL ORANGE BARRIER FENCE TO DIRECT TRAFFIC ONTO CONSTRUCTION ENTRANCE
(E) INSTALL 12" MIN. DIA. CULVERT IF A ROADSIDE DITCH IS PRESENT.

NOTES:

1 SURFACE WATER – ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE PIPED ACROSS THE ENTRANCE IF PIPING IS IMPRACTICAL, A MOUNTABLE BERM WITH 5:1 SLOPES WILL BE PERMITTED.

2 MAINTENANCE – THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING AND REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHT-OF-WAY MUST BE REMOVED IMMEDIATELY.

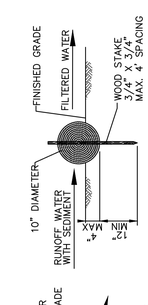
3 WHEELS SHALL BE CLEANED TO REMOVE SEDIMENT PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY. WHEN WASHING IS USED, IT SHALL BE DONE ON AN AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.

4 PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

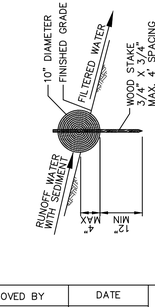
APPROVED BY	DATE		STABILIZED CONSTRUCTION ENTRANCE	STD. PLAN NO.
	JUNE 2004			250
TOWN ENGINEER				

STABILIZED CONSTRUCTION ENTRANCE
N.T.S.

NOT TO SCALE



ENTRENCHMENT DETAIL IN FLAT AREA



ENTRENCHMENT DETAIL IN SLOPE AREA

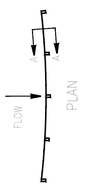
NOTES:

1. STRAW ROLL INSTALLATION REQUIRES THE PLACEMENT AND SECURE STAKING OF THE ROLL IN A TRENCH, 3" TO 4" DEEP.
2. ADJACENT ROLLS SHALL TIGHTLY ABUT.
3. RUNOFF MUST NOT BE ALLOWED TO RUN UNDER OR AROUND STRAW ROLL.
4. STRAW ROLLS SHALL BE PLACED ON SLOPES @ MAX. 25' SPACING.

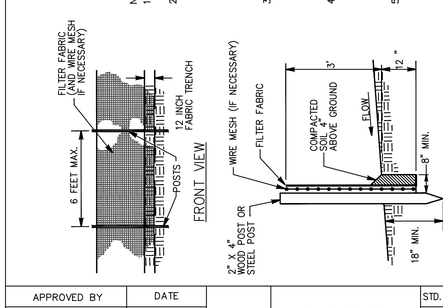
APPROVED BY	DATE		STRAW ROLL	STD. PLAN NO.
	JUNE 2004			253
TOWN ENGINEER				

STRAW ROLL
N.T.S.

NOT TO SCALE

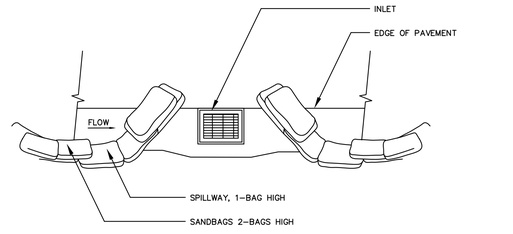


NOTES:
1. SILT FENCE SHALL BE CONSTRUCTED LONG ENOUGH TO EXTEND ACROSS THE EXPECTED FLOW PATH.
2. FILTER FABRIC SHALL BE PROPYLENE, NYLON, POLYESTER OR ETHYLENE YARN WITH A MINIMUM TENSILE STRENGTH OF 50 LBS. PER LINEAR FOOT AT 20 PERCENT MAXIMUM ELONGATION AND CONTAIN A MINIMUM OF 85% BY WEIGHT/VOLUME BASED ON SIEVE ANALYSIS, BUT IS NOT FINER THAN AN EQUIVALENT OPENING SIZE OF 70, WHEN STANDARD STRENGTH FABRIC IS USED A WIRE MESH SUPPORT SHALL BE SECURELY FASTENED TO THE UPSLOPE SIDE OF POSTS.
3. SUPPORT POSTS SHALL BE A MINIMUM 4.5' LONG 2" X 4" WOOD POSTS OR 1" SECTION FENCE POSTS DRIVEN A MINIMUM OF 18 INCHES INTO THE GROUND AT A MAXIMUM SPACING OF 6 FEET. FABRIC SHALL BE SECURELY FASTENED TO POSTS WITH 1 INCH STAPLES OR 16 GAUGE WIRE TIES SPACED A MAXIMUM OF 6 INCHES APART.
4. A 12 INCH FABRIC TRENCH SHALL BE EXCAVATED ALONG PROPOSED LINE OF SILT FENCE. BOTTOM AND TOP EDGE OF THE FABRIC SHALL EXTEND TO AND ACROSS THE BOTTOM OF THE TRENCH. THE TRENCH SHALL BE BACKFILLED TO 4 INCHES ABOVE GROUND WITH FILTER FABRIC.
5. CONTRACTER SHALL MAKE INSPECTIONS WEEKLY DURING THE WET SEASON, MONTHLY DURING THE DRY SEASON AND IMMEDIATELY AFTER EACH RAINFALL TO DETERMINE IF REPAIRS AND/OR SEDIMENT REMOVAL IS NECESSARY. SEDIMENT SHALL BE REMOVED BEFORE IT HAS REACHED ONE THIRD THE HEIGHT OF THE FILTER FABRIC.

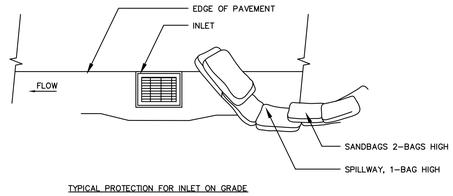


APPROVED BY	DATE		SILT FENCE	STD. PLAN NO.
	JUNE 2004			251
TOWN ENGINEER				

SILT FENCE
N.T.S.



TYPICAL PROTECTION FOR INLET ON SUMP



TYPICAL PROTECTION FOR INLET ON GRADE

NOTES:
1. INTENDED FOR SHORT TERM USE
2. USED TO INHIBIT STORM WATER FLOW
3. ALLOW FOR PROPER MAINTENANCE AND CLEANUP
4. BAG MUST BE REMOVED AFTER ADJACENT OPERATION IS COMPLETED
5. NOT APPLICABLE IN AREAS WITH HIGH SILTS AND CLAYS WITHOUT FILTER FABRICS

SE-10 STORM DRAIN INLET PROTECTION – TYPE 3
N.T.S.

SWENSON
777 N. 1st Street, San Jose, CA 95112 - (408) 287-0246

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BKF
300 FRANK OGAWA PLAZA
SUITE 380
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EROSION CONTROL DETAILS

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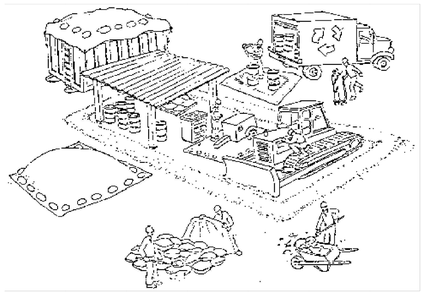
Pollution Prevention — It's Part of the Plan



Make sure your crews and subs do the job right!

Runoff from streets and other paved areas is a major source of pollution in San Francisco Bay. Construction activities can directly affect the health of the Bay unless contractors and crews plan ahead to keep dirt, debris, and other construction waste away from storm drains and local creeks. Following these guidelines will ensure your compliance with local ordinance requirements.

Materials storage & spill cleanup

Non-hazardous materials management

- ✔ Sand, dirt, and similar materials must be stored at least 10 feet from catch basins, and covered with a tarp during wet weather or when rain is forecast.
- ✔ Use (but don't overuse) reclaimed water for dust control as needed.
- ✔ Sweep streets and other paved areas daily. Do not wash down streets or work areas with water!
- ✔ Recycle all asphalt, concrete, and aggregate base material from demolition activities.
- ✔ Check dumpsters regularly for leaks and to make sure they don't overflow. Repair or replace leaking dumpsters promptly.

Hazardous materials management

- ✔ Label all hazardous materials and hazardous wastes (such as pesticides, paints, thinners, solvents, fuel, oil, and antifreeze) in accordance with city, state, and federal regulations.
- ✔ Store hazardous materials and wastes in secondary containment and cover them during wet weather.
- ✔ Follow manufacturer's application instructions for hazardous materials and be careful not to use more than necessary. Do not apply chemicals outdoors when rain is forecast within 24 hours.
- ✔ Be sure to arrange for appropriate disposal of all hazardous wastes.

Spill prevention and control

- ✔ Keep a stockpile of spill cleanup materials (rags, absorbents, etc.) available at the construction site at all times.
- ✔ When spills or leaks occur, contain them immediately and be particularly careful to prevent leaks and spills from reaching the gutter, street, or storm drain. Never wash spilled material into a gutter, street, storm drain, or creek!
- ✔ Report any hazardous materials spills immediately! Dial 911 or your local emergency response number.

Vehicle and equipment maintenance & cleaning

- ✔ Inspect vehicles and equipment for leaks frequently. Use drip pans to catch leaks until repairs are made; repair leaks promptly.
- ✔ Fuel and maintain vehicles on site only in a bermed area or over a drip pan that is big enough to prevent runoff.
- ✔ If you must clean vehicles or equipment on site, clean with water only in a bermed area that will not allow rinsewater to run into gutters, streets, storm drains, or creeks.
- ✔ Do not clean vehicles or equipment on-site using soaps, solvents, degreasers, steam cleaning equipment, etc.

Earthwork & contaminated soils

- ✔ Keep excavated soil on the site where it is least likely to collect in the street. Transfer to dump trucks should take place on the site, not in the street.
- ✔ Use hay bales, silt fences, or other control measures to minimize the flow of silt off the site.
- ✔ Avoid scheduling earth moving activities during the rainy season if possible. If grading activities during wet weather are allowed in your permit, be sure to implement all control measures necessary to prevent erosion.
- ✔ Mature vegetation is the best form of erosion control. Minimize disturbance to existing vegetation whenever possible.
- ✔ If you disturb a slope during construction, prevent erosion by securing the soil with erosion control fabric, or seed with fast-growing grasses as soon as possible. Place hay bales down-slope until soil is secure.
- ✔ If you suspect contamination (from site history, discoloration, odor, texture, abandoned underground tanks or pipes, or buried debris), call your local fire department for help in determining what testing should be done.
- ✔ Manage disposal of contaminated soil according to Fire Department instructions.

Dewatering operations

- ✔ Reuse water for dust control, irrigation, or another on-site purpose to the greatest extent possible.
- ✔ Be sure to call your city's storm drain inspector before discharging water to a street, gutter, or storm drain. Filtration or diversion through a basin, tank, or sediment trap may be required.
- ✔ In areas of known contamination, testing is required prior to reuse or discharge of groundwater. Consult with the city inspector to determine what testing to do and to interpret results. Contaminated groundwater must be treated or hauled off-site for proper disposal.

Saw cutting

- ✔ Always completely cover or barricade storm drain inlets when saw cutting. Use filter fabric, hay bales, sand bags, or fine gravel dams to keep slurry out of the storm drain system.
- ✔ Shovel, absorb, or vacuum saw-cut slurry and pick up all waste as soon as you are finished in one location or at the end of each work day (whichever is sooner!).
- ✔ If saw cut slurry enters a catch basin, clean it up immediately.

Paving/asphalt work

- ✔ Do not pave during wet weather or when rain is forecast.
- ✔ Always cover storm drain inlets and manholes when paving or applying seal coat, tack coat, slurry seal, or fog seal.
- ✔ Place drip pans or absorbent material under paving equipment when not in use.
- ✔ Protect gutters, ditches, and drainage courses with hay bales, sand bags, or earthen berms.
- ✔ Do not sweep or wash down excess sand from sand sealing into gutters, storm drains, or creeks. Collect sand and return it to the stockpile, or dispose of it as trash.
- ✔ Do not use water to wash down fresh asphalt concrete pavement.

Concrete, grout, and mortar storage & waste disposal

- ✔ Be sure to store concrete, grout, and mortar under cover and away from drainage areas. These materials must never reach a storm drain.
- ✔ Wash out concrete equipment/trucks off-site or designate an on-site area for washing where water will flow onto dirt or into a temporary pit in a dirt area. Let the water seep into the soil and dispose of hardened concrete with trash.

- ✔ Divert water from washing exposed aggregate concrete to a dirt area where it will not run into a gutter, street, or storm drain.
- ✔ If a suitable dirt area is not available, collect the wash water and remove it for appropriate disposal off site.

Painting

- ✔ Never rinse paint brushes or materials in a gutter or street!
- ✔ Paint out excess water-based paint before rinsing brushes, rollers, or containers in a sink. If you can't use a sink, direct wash water to a dirt area and spade it in.
- ✔ Paint out excess oil-based paint before cleaning brushes in thinner.
- ✔ Filter paint thinners and solvents for reuse whenever possible. Dispose of oil-based paint sludge and unusable thinner as hazardous waste.

Bay Area Stormwater Management Agencies Association (BASMAA)
1-888-BAYWISE

Storm drain polluters may be liable for fines of up to $10,000 per day!

SWENSON
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300 FRANK OGAWA PLAZA
SUITE 380
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(510) 899-7300
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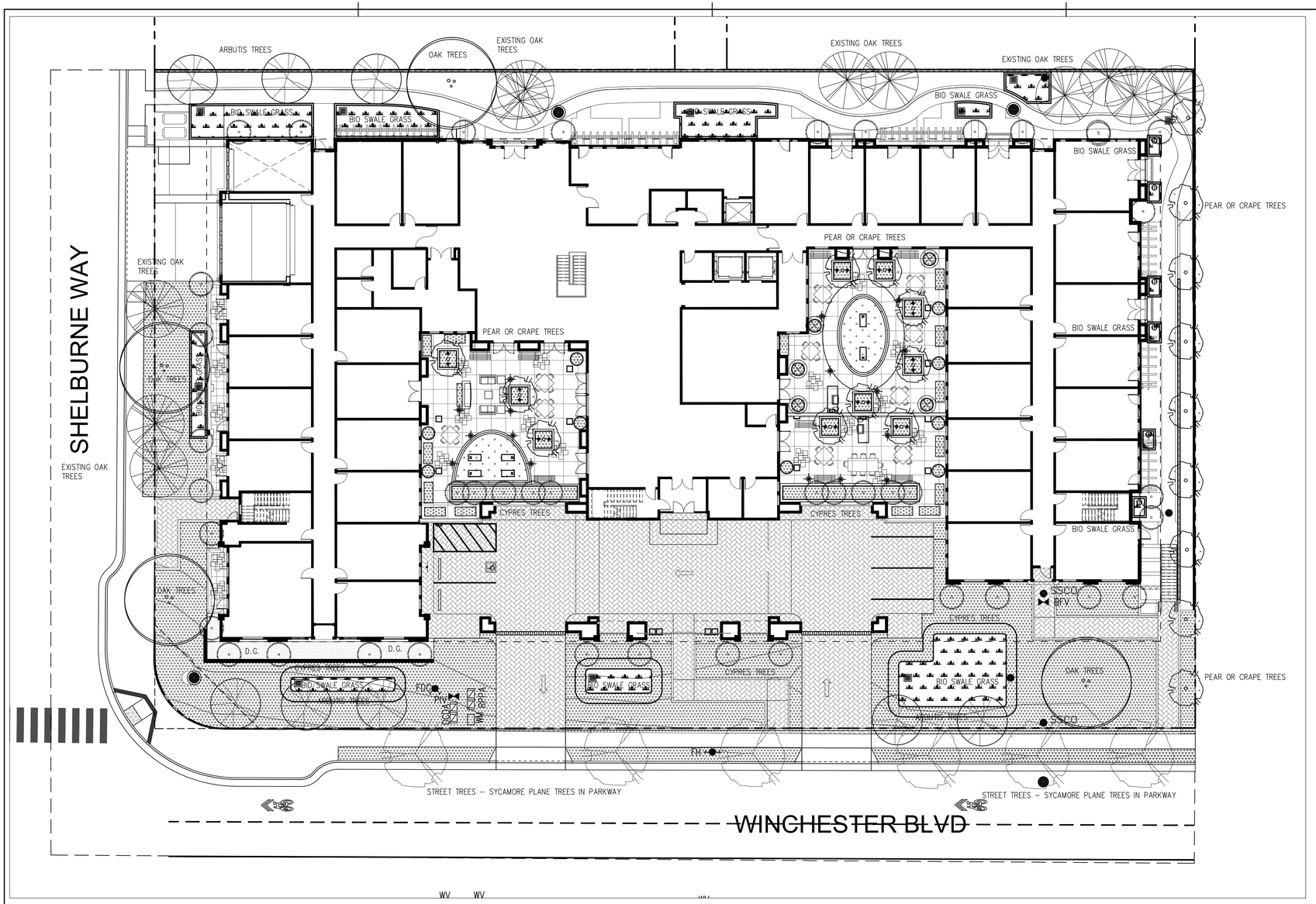
WINCHESTER ASSISTED LIVING
WINCHESTER AND SHELBURN
POLLUTION PREVENTION

PLANNING RESUBMITTAL
NOVEMBER 1, 2021

Date: 11/01/21
Scale: 1" = 20'-0"
Drawn by: AR
Job #: 9215-70-103
Sheet
C-6.3



STREET FRONTAGE & GROUND LEVEL ENTRANCE AREA
SEE GROUND LEVEL UNIT AREA SHT. LS2.0

1" = 16'-0"
0'2' 8' 16' 32'

SITE LEGEND

SYMBOL	DESCRIPTION
	PROPOSED PODIUM & GROUND SCAPE EQUIPMENT [4.1]
	PROPOSED BENCHES, TABLES & BARBEQUE COUNTER TOP. [4.0]
	PROPOSED TUFF-TURF PLAY AREA RESILIENT SURFACE [3.1]
	PROPOSED CONCRETE PAVING / PAVER STONES [1.0] PROPOSED PERVIOUS CONCRETE PAVING / PAVERS, SEE CIVIL PLANS FOR LOCATIONS
	PROPOSED STEEL FENCING / GATES TO MATCH ARCH. RAIING [2.1] PROPOSED GOOD NEIGHBOR FENCE @ PL TYP.
	POTS & CMU PODIUM PLANTERS W/ DRAINS [2.2]
	PROPOSED FLOW THROUGH & PLANTING AREAS [1.1]

SITE SCHEDULE

1.0 HARDSCAPE & PLANTING

[1.0] PROVIDE ACCESSIBLE PATH OF TRAVEL FROM COMMON AREAS TO STREET SCAPE AREAS. PROVIDE PATH TO PODIUM AREAS, TRASH ENCLOSURES & MAILBOXES. SEE ARCH & CIVIL

[1.1] PROVIDE PLANTING & IRRIGATION

2.0 STRUCTURES & FENCING

[2.0] PROVIDE FLOW THROUGH PLANTER. SCD

[2.1] PROVIDE FENCING / GATES. SEE ARCH & CIVIL

[2.2] PROVIDE TREE GRATES, POTS & PLANTERS

3.0 AMENITY EQUIPMENT

[3.0] PROVIDE ACCESSIBLE EQUIPMENT

[3.1] PROVIDE RECREATIONAL TUFF TURF AREA

[3.2] PROVIDE LANDSCAPE LIGHTING

4.0 SITE FURNISHING

[4.0] PROVIDE ACCESSIBLE BENCH, TABLES & BARBEQUE GRILLS & TRASH RECEPTICLES

[4.1] BIKE RACKS & SURF RACKS

TREE QUANITIES FOR SITE AND COURTYARDS

SEE ARBORIST REPORT FOR EXISTING TREE BOTANICAL NAMES, SIZES & PROTECTION / REMOVAL

DESCRIPTION	QUANTITY	NOTES
EXISITNG MATURE TREES TO REMAIN ON SITE	12	MATURE OAKS @ SHELBURNE WAY & REAR PL
PROPOSED TREES	56 20	TREES PLACED IN GROUND TREES PLACED ON PODIUM
PROPOSED STREET TREES	6	TREES IN WINCHESTER BLVD. PARKWAY

SEE PLANT LEGENDS FOR TYPICAL PROPOSED TREE NAMES & SIZES

SEE SHT LS-4.0 FOR PLANTER / POT, IRRIGATION & PLANTING LEGENDS

SEE SHT LS-5.0 & LS-6.0 FOR MATERIAL & PLANTING IMAGES

SWENSON
777 N. 1st Street, 5th Floor San Jose, CA 95112 - (408) 897-0848

Consultant:

DILLON DESIGN ASSOCIATES
LANDSCAPE ARCHITECTURE
849 ALMAR AVE #C-162 SANTA CRUZ CA 95060
E-MAIL ddostudio@ddosite.com
(831) 420-1648
URBAN DESIGN
SITE PLANNING
GREEN BUILDING CLN 1910

Revisions:

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WINCHESTER ASSISTED LIVING
WINCHESTER AND SHELBURNE
SCHEMATIC LANDSCAPE

REGISTERED LANDSCAPE ARCHITECT
MICHAEL B. DILLON
1910
SIGNATURE
EXPIRES 04/30/24
STATE OF CALIFORNIA

Date: 02/28/21
Scale: AS SHOWN
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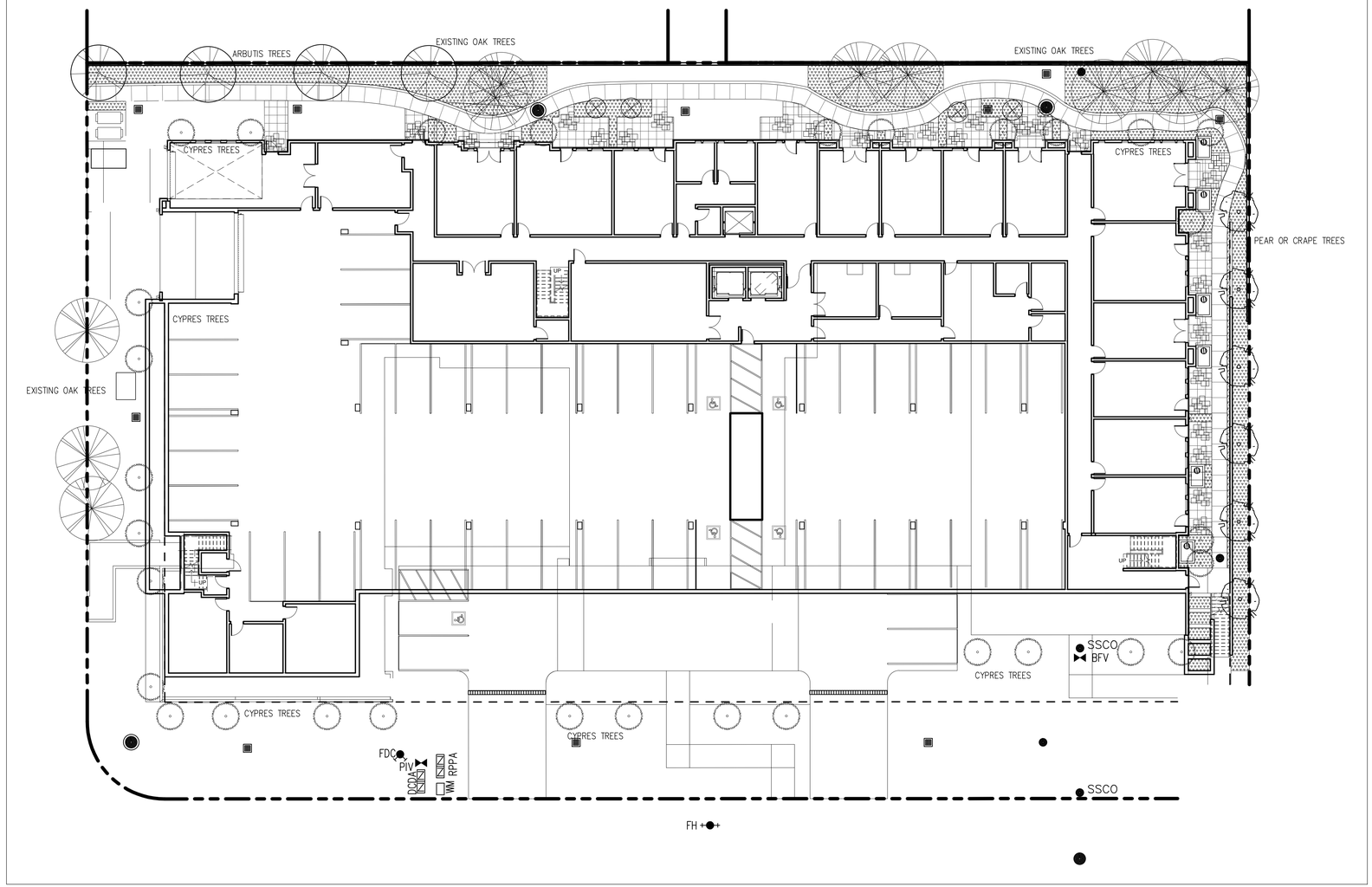
LS-1.0

PLANNING RESUBMITTAL #4 - 03.16.2022



GARAGE & GROUND LEVEL ENTRANCE AREA
SEE FIRST LEVEL ENTRANCE AREA SHT. LS1.0

N

1" = 16'-0"

0'1' 8' 16' 32'

SITE LEGEND

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	PROPOSED PODIUM & GROUND SCAPE EQUIPMENT [4.1]
	PROPOSED BENCHES, TABLES & BARBEQUE [4.0] COUNTER TOP.
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[4.1] BIKE RACKS & SURF RACKS

SEE SHT LS-4.0 FOR LIGHTES / POTS, IRR1GATION & PLANTING LEGENDS

SEE SHT LS-5.0 & LS-6.0 FOR MATERIAL & PLANTING IMAGES

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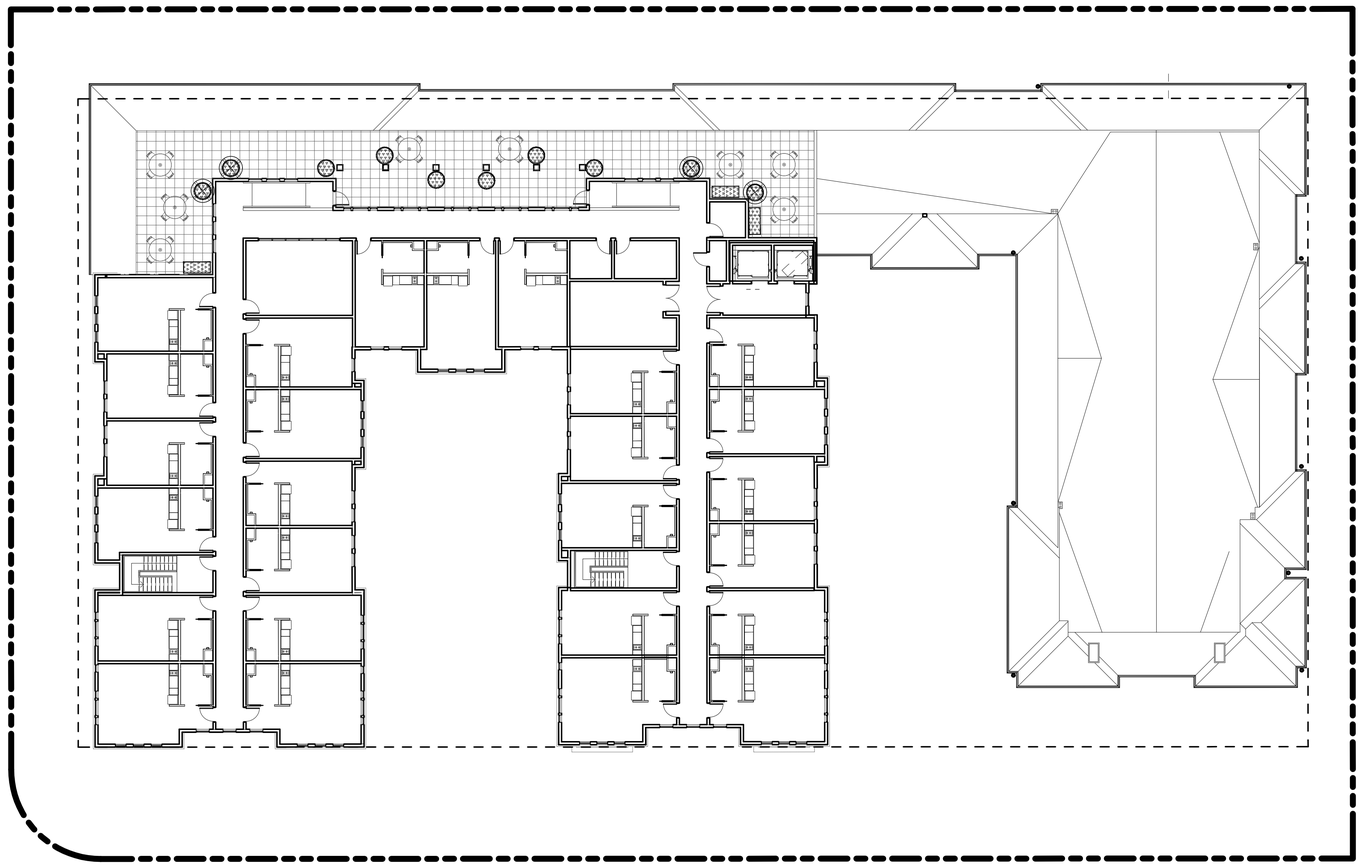
PLANNING RESUBMITTAL #4 - 03.16.2022



3RD FLOOR ROOF DECK

1" = 16'-0"

0'2' 8' 16' 32'

SITE LEGEND

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	PROPOSED BENCHES, TABLES & BARBEQUE COUNTER TOP. 4.0
	PROPOSED TUFF-TURF PLAY AREA RESILIENT SURFACE 3.1
	PROPOSED CONCRETE PAVING / PAVER STONES 1.0 PROPOSED PERVIOUS CONCRETE PAVING / PAVERS, SEE CIVIL PLANS FOR LOCATIONS
	PROPOSED STEEL FENCING / GATES TO MATCH ARCH. RAIING 2.1 PROPOSED GOOD NEIGHBOR FENCE @ PL TYP.
	POTS & CMU PODIUM PLANTERS W/ DRAINS 2.2
	PROPOSED FLOW THROUGH & PLANTING AREAS 1.1

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PLANNING RESUBMITTAL #4 - 03.16.2022

IRRIGATION LEGEND

SYM.	MANUFAC.	MODEL NO.	DESCRIPTION	PSI	RAD./SPAC	GPM
0.50	RAINBIRD	NEW 1400 SERIES ADJ. FULL	BUBBLERS – INSTALL IN WATER 18" DEEP TUBES SIZE & ADJUST AS NEEDED @ 40 PSI TYP.		15 GAL 2–0.5 GPM 24" BX 2–0.5 GPM	
	RAINBIRD SDI 6" UNDER SOIL & MULCH, 3" UNDER SOD	XFS–06–12	LAWN TUBING W/ 12" OC @ 0.6 GPH & 12" ROW SPACING GRND COVER TUBING W/ 12" OC @ 0.6 GPH & 18" ROW SPACING INSTALL PER MANUFACTURERS SPECIFICATIONS. SEE TYP DETAILS. CONTRACTOR TO DESIGN BUILD SSI–LINE, VALVE & LATERAL SYSTEM W/ MANF'R REP.			20 psi @ 0.6 gph
	HUNTER ECO–MAT SDI 4" UNDER SOIL	PLD TUBING – 14" w/ check valveS	DRIPPER TUBING W/ 14" OC @ .6 GPH @ 14" ROW SPACING INSTALL PER MANUFACTURERS SPECIFICATIONS. SEE TYP DETAILS. CONTRACTOR TO DESIGN BUILD SDI–LINE, VALVE & LATERAL SYSTEM W/ MANF'R REP.			20 psi @ 0.6 gph
	RAINBIRD	XCZ–LF–100–PRB	REMOTE CONTROL VALVE –SIZE AS NOTED @ SDI VALVES USE LOW FLOW XCZ–LF–100–PRB–COM W/ 1 QUICK CHECK BASKET FILTERS & POP–UP SDI OPERATION INDICATORS			
	NIBCO		LINE SIZED GATE VALVE			
	WILKINS	(E)–2" SIZE	PRESSURE BACKFLOW PREVENTER W/ PRESSURE REG. & FROST BLANKET SEE PLUMBING DRAWINGS FOR LOCATION ON WALL INSTALLATION			
	RAINBIRD	33DNP	3/4" QUICK COUPLER VALVES FOR MAINTENANCE			
	PVC & COPPER	1 1/2" MAIN	SCH 40 AS NEEDED IN BULG & @ GRADE, SPD			
	PVC & COPPER	LATERAL LINE	LATERAL LINE – 3/4" MIN. SIZE COPPER & SCH 40 PVC TYPICAL SEE PLUMBING PLAN FOR BUILDING PENETRATIONS ETC.			
	RAINBIRD CONTROL WIRE	FLOW SENSOR & VALVES	RUN WIRE FOR C1 UNDER WALKS & IN PLANTERS IN 1" SCH 80 CONDUIT USE METAL CONDUIT INTO BLDG TO CONNECT TO CONTROLLER			
	PW PIPE OR =	–	CLASS 315 PVC SLEEVE –2" LARGER THAN PIPE RUNNING THROUGH IT			
C	RAINBIRD 18	ESP–LXMEF W/ ESP–LXMSM18 ETC–LX–ET ETM–RMK & RG	INSTALL ET MANAGER & FLOW SENSOR @ MASTER VALVE MODULES INSTALL MOISTURE SENSOR CARTRIDGE RUM TO LAWN / STATION 10 RUN WIRE TO FLOW SENSOR, MASTER VALVE & RAIN GAUGE			
W	WATER METER	1 1/2" SIZE	VERIFY W/ WATER DEPARTMENT SIZE & STATIC PRESSURE @ (E)			
S	RAINBIRD FLOW SENSOR	FS100B	1" FLOW SENSOR W/ MASTER VALVE, CLOSED 2 GPM SENSOR MINIMUM MAY REQUIRE 2 STATIONS RUN COMBINATION			
M	RAINBIRD	1" BRASS	MASTER VALVE, OPRN			
POC	CONNECTION	WATER METER	SEE BACKFLOW DEVICE FOR PRESSURE REGULATOR			

MWELO / AB 1881 IRRIGATION PLAN NOTES:

1. LANDSCAPE MAINTENANCE IRRIGATION TO BE INSPECTED AS FOLLOWS:
   A) APRIL – OCTOBER, WEEKLY & NOVEMBER – MARCH, MONTHLY.
   B) TWICE A YEAR AT A MINIMUM FOR INSPECTING HEADS, FILTERS & VALVES.
2. PLANT ESTABLISHMENT PERIOD TO BE 1 YEAR WHICH INCLUDES APRIL – OCTOBER.
3. IRRIGATION SCHEDULE (BY AUDITOR) SHALL CONSIDER EACH OF THE FOLLOWING:
   A) IRRIGATION INTERVAL & RUN TIMES.
   B) NUMBER OF CYCLES, ESPECIALLY FOR BUBBLERS, TO AVOID RUNOFF
   C) AMOUNT OF APPLIED WATER SCHEDULED TO BE APPLIED PER MONTH.
   D) APPLICATION RATE SITTINGS
   E) ROOT DEPTH SETTINGS TO BE VERIFIED AS 12" FOR SMALL SHRUBS & 24" FOR TREES.
   F) PLANT TYPE VIA HYDROZONE SETTINGS IE SHADE (NORTH) & WIND (NORTH WEST)
   G) SOIL ANALYSIS AND AMENDED SOIL TYPE SETTINGS.
   H) IRRIGATION UNIFORMITY FOR BUBBLERS PER PLANT CONTAINER SIZE & STATURE.
4. IRRIGATION SCHEDULE TO INCLUDE NON PEAK TIMES VERIFY BETWEEN 11 PM & 3 AM
5. VERIFY WEATHER SENSOR IS AUTOMATICALLY INTEGRATED WITH CONTROLLERS.

PLANTER / POT LEGEND – MEDITERREAN (MT)

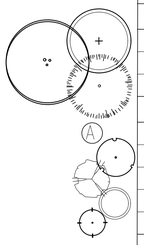
KEY	PRODUCT NAME	DESCRIPTION	Dia.	Length	Width	Heigth	Quan.
1	MT ROUND	COLOR TERRA 10, GLOSS FINISH COLOR , ORANGE PEEL FINISH*					
2	MT RECTANGULAR	FIRST FLOOR / COURTYARD COLOR TERRA 10, GLOSS FINISH					
3	MT RECTANGULAR	FIRST FLOOR / COURTYARD COLOR TERRA 10, GLOSS FINISH					
4	MT RECTANGULAR	FIRST FLOOR / COURTYARD COLOR TERRA 10, GLOSS FINISH					

NOTE: SPACING BETWEEN ADJACENT PLANTERS TO BE 6" TYP. OR AS APPROVED PRIOR TO FILLING.
SUBMIT SAMPLE OF FINISHES TO MATCH ADJACENT ARCHITFCTURAL FEATURES

ALL PLANTERS TO BE MANUFACTURED AND SUPPLIED BY:
OLD TOWN FIBERGLASS, INC.
767 NORTH HARITON STREET ORANGE, CA 92868 OLDTOWNFIBERGLASS.COM (714) 633–3732

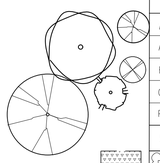
PLANTER SOIL MIX TO BE AS SPECIFIED FOR TREES & SHRUBS AS FOLLOWS:
USE TMT 'TERRA VIDA LIVING SOIL' MIX FROM GRADE TO 18" DEPTH.
USE TMT PLANTER SOIL BASE MEDIA MIX FROM 18" DEPTH TO BOTTOM OF PLANTER.
TMT ENTERPRISES, INC., 1996 OAKLAND ROAD, SAN JOSE, CA 95131 (408) 432–0429
ALL CONTAINERS TO BE COMPACTED W/ SOIL MIX PER IRRIGATION DRAINAGE & WP DETAILS

PLANT LEGEND (options) – NATURALIZED AREAS (OAK WOODLAND & MIXED EVERGREEN FOREST PLANT COMMUNITIES)



SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QUAN	W.UCOLS ZONE	NATIVE PLANT	DROUGHT TOLERANT	INVASIVE SPECIES	NOTES
TREES									
AES CAL	AESCULUS californica	CALIFORNIA BUCKEYE	24" BX	X	VL	Y	Y	N	SUN TO PT SUN, SPRING BLOOM 20–40' X 30', STRESS DECIDUOUS
QUE AGR	QUERCUS agrifolia, Standard	COAST LIVE OAK	48" BX 60" BX	X X	VL	Y	Y	N	SUN, WIND RESISTANT 50' X 60', EVERGREEN
SEQ SEM	SEQUOIA sempervirens 'Aptos Blue'	COAST REDWOOD	36" BX	X	H	Y	N	N	SUN TO PT SUN, WIND BREAK 70–100' X 15–20', EVERGREEN
SMALL TREES & SHRUBS									
ARC DEN	ARCTOSTAPHYLOS d. 'H. McMinn'	HOWARD MCMINN MANZANITA	15 GAL	X	L	Y	Y	N	SUN, SCREEN 7–10' x 7–10', EVERGREEN, CLAY OK
CEA RAY	CEANOTHUS 'Ray Hartman' multi	RAY HARTMAN CEANOTHUS	24" BX	X	L	Y	Y	N	SUN TO PT SHADE, SPRING BLOOM 15' X 12', EVERGREEN, CLAY OK
CER OCC	CERCIS occidentalis multi	WESTERN REDBUD	24" BX	X	VL	Y	Y	N	SUN TO PT SUN, SPRING BLOOM 15' X 10', DECIDUOUS, CLAY
HET ARB	HETEROMELES arbutifolia	TOYON	15 GAL	X	VL	Y	Y	N	SUN/PT SHADE, SCREEN 15' x 10', EVERGREEN, CLAY
RHA CAL	RHAMNUS californica	COFFEEBERRY	15 GAL	X	L	Y	Y	N	SUN TO PT SHADE 8' x 8', EVERGREEN, CLAY
GROUNDCOVER & BIORETENTION									
ACH MIL	ACHILLEA millefolium White	COMMON YARROW	1 GAL	X	L	Y	Y	N	SUN 2' x 3', EVERGREEN
JUN PAT	JUNCUS patens 'Elk Blue'	ELK BLUE CALIFORNIA RUSH	1 GAL	X	L	Y	Y	N	SUN TO PT SHADE 2' X 2'
POL MUN	POLYSTICHUM munitum	WESTERN SWORD FERN	5 GAL	X	M	Y	Y	N	SHADE, UNDER REDWOOD 4' x 3', EVERGREEN
BIO RET	BIORETENTION PLANTING IRIS douglasiana JUNCUS patens 'Elk Blue' BOUTELOUA gracilis DESCHAMPSIA cespitosa MUHLENBERGIA rigens MIMULUS aurantiacus MIMULUS cardinalis PENSTEMON spp.	DOUGLAS IRIS ELK BLUE CALIFORNIA RUSH BLUE GRAMA GRASS TURFED HAIR GRASS DEERGRASS COMMON MONKEYFLOWER SCARLET MONKEYFLOWER BEARDED TONGUE	4" POT MIN.	X	L	Y	Y	N	NO MULCH TO BE PLACED IN BIORETENTION AREA BIORETENTION SOD W/ DELTA BLUEGRASS
MULCH	MULCH (IN ALL PLANTERS EXCEPT BIORETENTION AREA)	PREMIUM MULCH DK BROWN		3" DEPTH					VISION RECYCLING (831) 479–7857 USE JUTE MESH UNDER MULCH @ > 4:1

PLANT LEGEND – DEVELOPED AREAS (PROJECT ENTRY & COURTYARDS)



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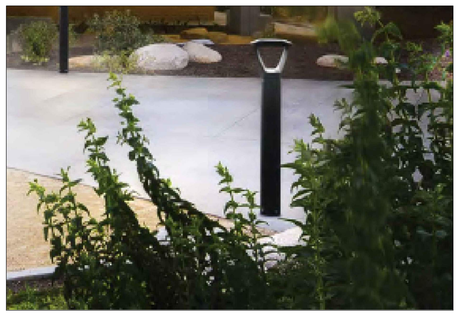
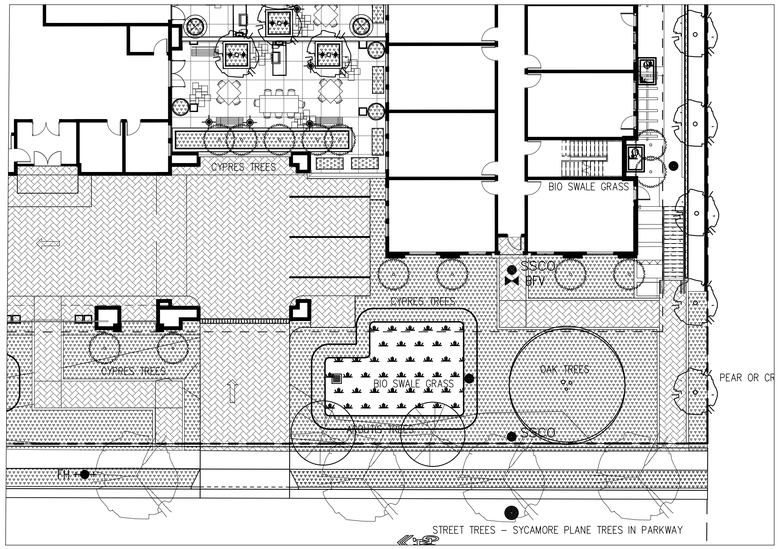
TREES									
ACE PAL	ACER palmatum 'Aoyagi'	AOYAGI JAPANESE MAPLE	24" BX	X	M	N	N	N	FULL TO PT SUN, FALL COLOR 10' X 8', DECIDUOUS, ADD 'SANGOKAKU
ACE RUB	ACER rubrum 'Armstrong'	ARMSTRONG RED MAPLE	48" BX	X	M	N	N	N	FULL SUN TO PT SHADE, FALL COLOR 50–60' X 15–25', DECIDUOUS
BET NIG	BETULA nigra 'Little King'	RIVER BIRCH DWARF	15 GAL	X	H	N	N	N	PART TO FULL SUN 10' X 8', DECIDUOUS
COR FLO	CORNUS florida 'Rubra'	RUBRA DOGWOOD	36" BX	X	M	N	N	N	SHADE 25' X 20', DECIDUOUS
PLA ACE	PLATANUS acerifolia 'Columbia'	LONDON PLANE TREE	24" BX	X	L	N	Y	N	SUN TO PT SUN 40' X 30', DECIDUOUS
SHRUBS, PERENNIALS, VINES									
DIS BUC	DISTICTUS buccinatoria	BLOOD RED TRUMPET VINE	5 GAL	X	M	N	Y	N	SUN TO PT SUN 25', EVERGREEN
FIC PUM	FICUS pumila	CREEPING FIG	5 GAL	X	M	N	Y	N	SUN TO PT SUN 25', EVERGREEN
LOR PET	LOROPETALUM chinense 'Suzanne'	SUZANNE FRINGE FLOWER	5 GAL	X	L	N	Y	N	PT SUN TO SHADE 3–4' X 3–4', EVERGREEN
NAN DOM	NANDINA domestica 'Gulf Stream'	DWARF HEAVENLY BAMBOO	5 GAL	X	L	N	Y	N	PT SUN 3 1/2' X 3', EVERGREEN
PAR TRI	PARTHENOCISSUS tricuspidata	BOSTON IVY	5 GAL	X	L	N	Y	N	PT SUN TO PT SHADE 30' LONG, DECIDUOUS
POL MUN	POLYSTICHUM munitum	WESTERN SWORD FERN	5 GAL	X	M	Y	Y	N	SHADE, UNDER REDWOOD 4' x 3', EVERGREEN
RHO SNE	RHODODENDRON x 'Sneezy'	RHODODENDRON	5 GAL	X	M	N	Y	N	PT SHADE TO FULL SHADE 4' x 4', EVERGREEN
RIB SAN	RIBES sanguineum glutinosum	PINK FLOWERING CURRANT	5 GAL	X	L	Y	Y	N	PT SUN TO SHADE 5' X 4', DECIDUOUS
ROS NOA	ROSA x 'Noaschnee'	WHITE GROUNDCOVER ROSE	1 GAL	X	M	N	N	N	SUN 2' X 3', EVERGREEN
TRA JAS	TRACHELOSPERMUM jasminoides	STAR JASMINE	5 GAL	X	M	N	Y	N	PT SUN TO PT SHADE 4' X 4', EVERGREEN
WOO FIM	WOODWARDIA fimbriata	GIANT CHAIN FERN	5 GAL	X	M	Y	Y	N	PT SUN TO DEEP SHADE 4–5' X 3'
GROUNDCOVER & BIOSWALE									
HEU MIC	HEUCHERA micrantha	CREVICE ALUMROOT	1 GAL	X	M	Y	Y	N	PT SUN TO SHADE, LOW H20 IN SHADE 1–2' X 3'
IRI DOU	IRIS douglasiana	DOUGLAS IRIS	1 GAL	X	L	Y	Y	N	SUN TO PT SUN 2' X 2'
RIB VIB	RIBES viburnifolium	CATALINA CURRANT	1 GAL	X	L	Y	Y	N	SHADE, UNDER OAKS 3' X 5', EVERGREEN
SEM TEC	SEMPERVIVUM 'Hardy Mix'	HARDY MIX HENS & CHICKS	FLAT	X	L	N	Y	N	SUN TO PT SHADE 2"–5", EVERGREEN
CAR TUM	CAREX tumulicola	FOOTHILL SEDGE	1 GAL	X	L	Y	Y	N	SUN/PT SHADE 1–2' X 1–2'
SOD	SOD RECREATIONAL TURF GRASS	90% – 10% TALL FESQUE W/ 10% BLUE GRASS	SOD	X	H	N	N	N	SHADE TOLERANT BY DELTA BLUEGRASS
MULCH	MULCH (IN ALL PLANTERS EXCEPT BIORETENTION AREA)	PREMIUM MULCH DK BROWN	3" DEPTH						VISION RECYCLING (831) 479–7857 USE JUTE MESH UNDER MULCH @ > 4:1





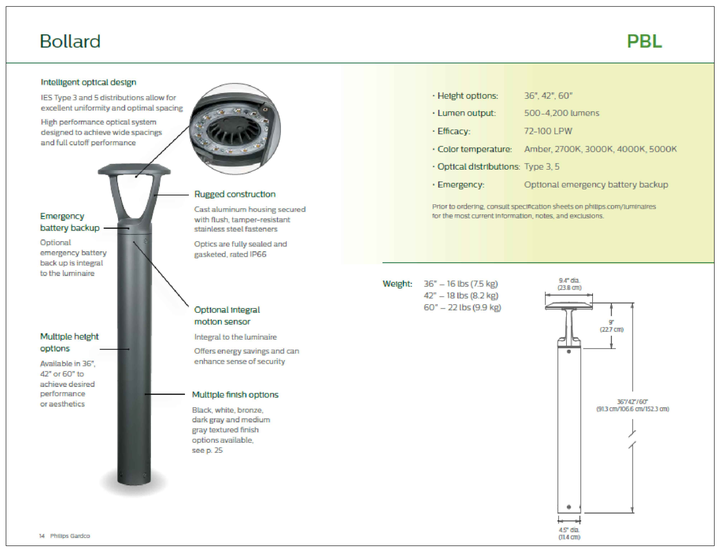
TYPICAL PLANTING SCHEMATIC

N 1" = 16'–0"
0'1' 8' 16' 32'

PLAZAS LIGHT LEGEND

SEE ARCHITECTURAL FOR BUILDING LIGHTS & CIVIL FOR STREET LIGHTING

SYM	DESCRIPTION	MANUF'R	NOTES
	BOLLARD LIGHT @ PAVING	PHILIPS	42" TALL 9.4" ALUM. HEAD W/ LED LAMPS
	WALL SCONCE @ BBQ COUNTER	PHILIPS	8' TO 10' HIGH, 15" ALUM. BODY W/ LED LAMPS
	UP LIGHTS @ SPECIMEN TREES	LUMENS	ACCENT ON FOR ACTIVITY HOURS ONLY



LED BOLLARD LIGHT

SEE SHT LS–5.0 & LS–6.0 FOR MATERIAL & PLANTING IMAGES

SWENSON
777 N. 1st Street, 5th Floor San Jose, CA 95112 - (408) 287-0846

Consultant:

DILLON DESIGN ASSOCIATES
LANDSCAPE ARCHITECTURE
849 ALMAR AVE #C-162 SANTA CRUZ CA 95060
E-MAIL ddastudio@ddasite.com
(831) 429-1648
URBAN DESIGN
SITE PLANNING
GREEN BUILDING CLN 1910

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WINCHESTER ASSISTED LIVING
WINCHESTER AND SHELBURNE
SCHEMATIC LEGENDS

REGISTERED LANDSCAPE ARCHITECT
MICHAEL B. DILLON
1910
SIGNATURE
EXPIRES 04/30/24
STATE OF CALIFORNIA

Date: 02/28/21
Scale: AS SHOWN
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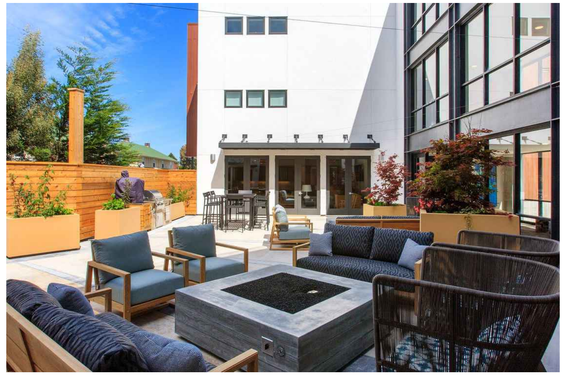
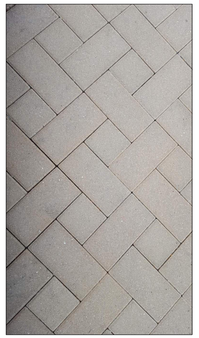
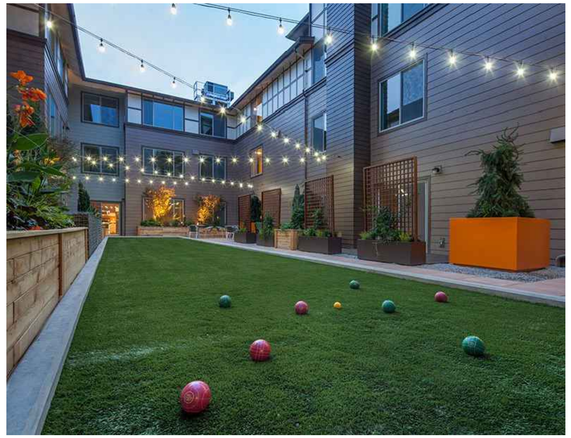
Job #:
Sheet
LS-4.0

PLANNING RESUBMITTAL #4 - 03.16.2022



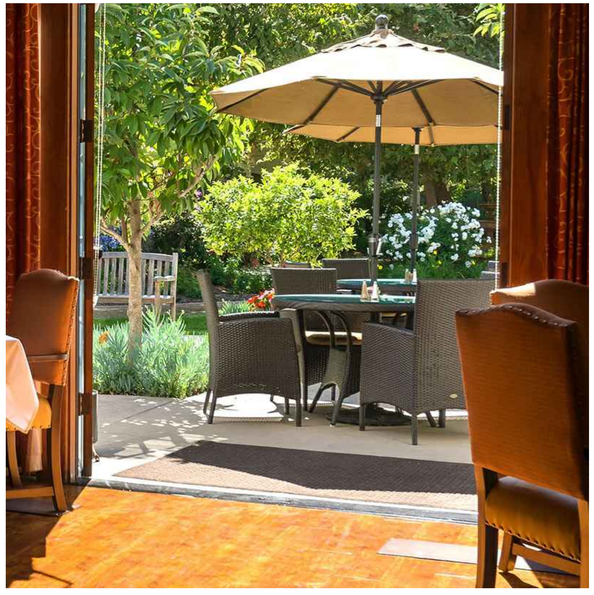


Spaces for Social Interaction



Spaces for Active Recreation

Spaces for Quiet Contemplation



Indoor–Outdoor Connection

* Create strong indoor–outdoor connections to encourage residents to use & enjoy community spaces.

* Create a hierarchy of spaces for public, semi–public & private use experiences.

* Provide spaces for resident physical activity.

* Bring Nature into the space for resident mental health & well–being.

DESIGN CONCEPT

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777 N. 1st Street, 5th Floor, San Jose, CA 95112 - (408) 897-0648

Consultant:

DILLON DESIGN ASSOCIATES
LANDSCAPE ARCHITECTURE
849 ALMAR AVE #C-162 SANTA CRUZ CA 95060
E-MAIL ddostudio@ddosite.com
(831) 420-1648
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WINCHESTER AND SHELBURNE
SCHEMATIC MATERIALS

REGISTERED LANDSCAPE ARCHITECT
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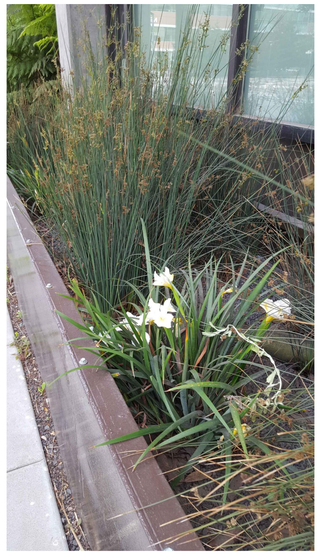

JUNCUS, IRUS & CARIX

ARBUTUS 'MARINA'

CERCIS CANADENSIS

STREET TREES – PLANE TREE (SYCAMORE)

QUERCUS AGRIFOLIA – EXISTING OAKS

Existng Oaks and Native Type Trees

GRASSES @ BIO DRAINS

Bio Retention and Flow through Planters

LAGERSTROEMIA INDICA

PYRUS CALLERYANA
'CHANTICLEER PEAR'

ITALIAN CYPRESS

LANTANA

SALVIA LEUCANTHA

AGAVE & FLAX

WISTERIA VINE

RED TRUMPET VINE

BOSTON IVY VINE

* Create strong indoor–outdoor connections to encourage residents to use & enjoy community spaces.

* Bring Nature into the space for resident mental health & well–being.

Familiar Plant Species of Regional Significance

DESIGN CONCEPT

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777 N. 1st Street, 5th Floor, San Jose, CA 95112 - (408) 897-0848

Consultant:

DILLON DESIGN ASSOCIATES
LANDSCAPE ARCHITECTURE
849 ALMAR AVE #C-162 SANTA CRUZ CA 95060
E-MAIL ddostudio@ddosite.com
(831) 420-1648
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STATE OF CALIFORNIA

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LS-6.0

PLANNING RESUBMITTAL #4 - 03.16.2022

1 SITE PLAN
1/16" = 1'-0"

N

GENERAL NOTES :

A. ROOF RAINWATER LEADERS ARE TO BE DISCHARGED ONTO ENERGY DISSIPATERS (SPLASH BLOCKS) AT ALL LOCATIONS. NO IMPROVEMENTS SHALL OBSTRUCT OR DIVERT RUNOFF TO THE DETRIMENT OF AN ADJACENT DOWNSTREAM OR DOWN SLOPE PROPERTY. INSTEAD, STORMWATER TO BE TREATED ONSITE BY MEANS OF BIOTREATMENT. PLEASE SEE CIVIL STORMWATER MANAGEMENT PLAN FOR MORE INFORMATION.

PLAN KEYNOTE :

1. PROPERTY LINE
2. SETBACK LINE
3. SPLIT FACE CMU WALL ADJACENT TO NEIGBOR'S WALL, 6'-0" H. TYP.
4. ACCESSIBLE WALK
5. PAVER; S.L.D.
6. CONCRETE SIDEWALK; S.C.D.
7. TRASH STAGING AREA
8. LOADING AREA
9. KNOX KEY SWITCH; FINAL LOCATION TO BE APPROVED BY FIRE DEPT.
10. 6' HEIGHT METAL GATE AND FENCE
11. DOUBLE STRIPING PER TOWN CODE §. 29.10.115(D)(7)
12. CONTINUOUS CURB WHEEL STOP PER TOWN CODE §. 29.10.155(H)(1)
13. BICYCLE RACK; RIBBON STYLE ITO HOLD FIVE BIKES PER RACK

PLAN LEGEND :

EXISTING TREE, SEE ARBORIST REPORT (SHEET T-2 TO T-4) FOR SIZE AND LOCATION

TREE NUMBER, SEE SHEET T-1 AND SEE ARBORIST REPORT (SHEET T-2 TO T-4)

BIO SWALE GRASS (C3 AREA) SEE CIVIL SHEET C5.1 STORMWATER CONTROL PLAN FOR SPECIFICS AND CALCULATIONS

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ARCHITECTURE
77774 1st Street, Ste Room Ste Jose, CA 95112 (408) 887-0848 Robert Nightower Architect - C26048

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1	Planning Response #1	07/20/21
2	Planning Response #2	11/01/21
3	Planning Response #3	12/10/21
4	Planning Response #4	04/04/22

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PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA

SITE PLAN

Date:
APRIL 01, 2021
Scale:
AS NOTED
Drawn by:
DM, EY, IL
Job #:
20-9215
Sheet
A-1.1

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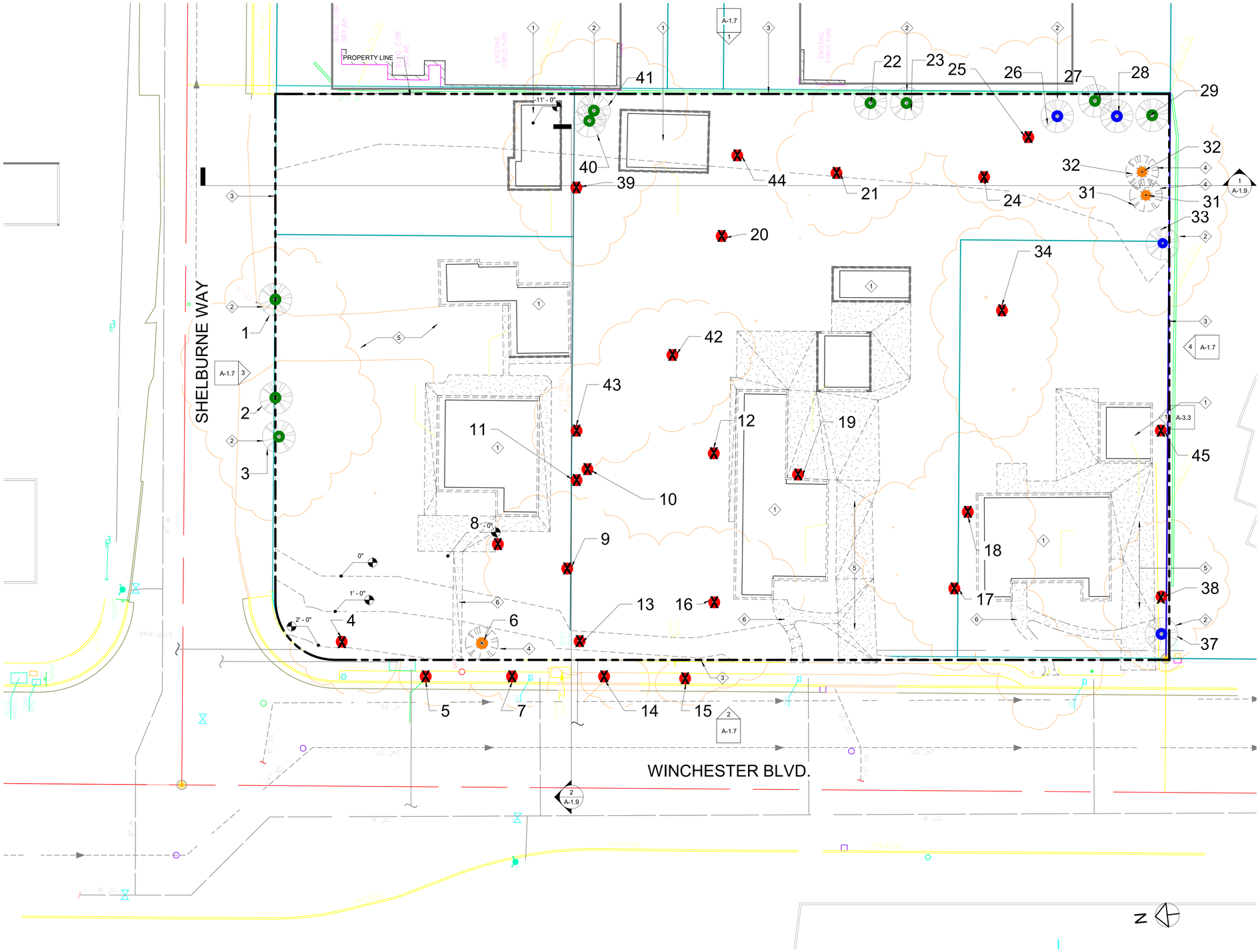

1 SITE PLAN - EXISTING
1/16" = 1'-0"

DEMOLITION KEYNOTE :

1. EXISTING BUILDING AND FOUNDATION TO BE DEMOLISHED
2. EXISTING TREE TO REMAIN. SEE SHEET 1 / T-1
3. PROPERTY LINE
4. EXISTING TREE TO BE REMOVED. SEE SHEET 1 / T-1
5. EXISTING DRIVEWAY TO BE REMOVED.
6. EXISTING CONCRETE WALKWAY TO BE REMOVED.

TREE NUMBER, SEE EXISITING TREES (SHEET T-1) AND ABORIST REPORT (SHEET T-2 TO T-4) FOR TREE PROTECTION INFORMATION

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SITE - DEMOLITION

Date: APRIL 01, 2021
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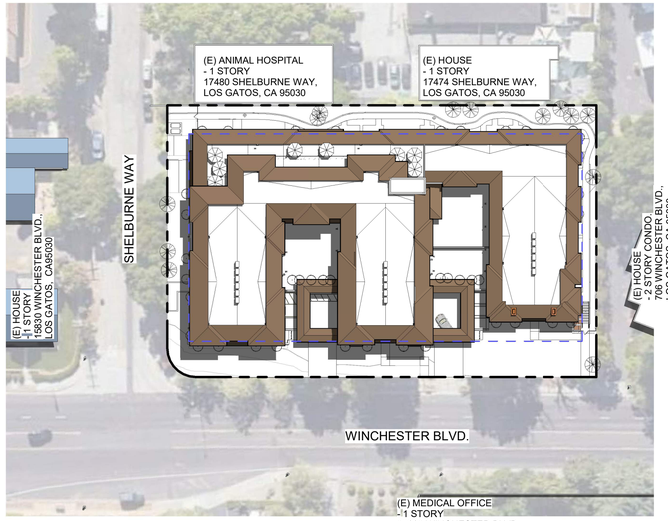
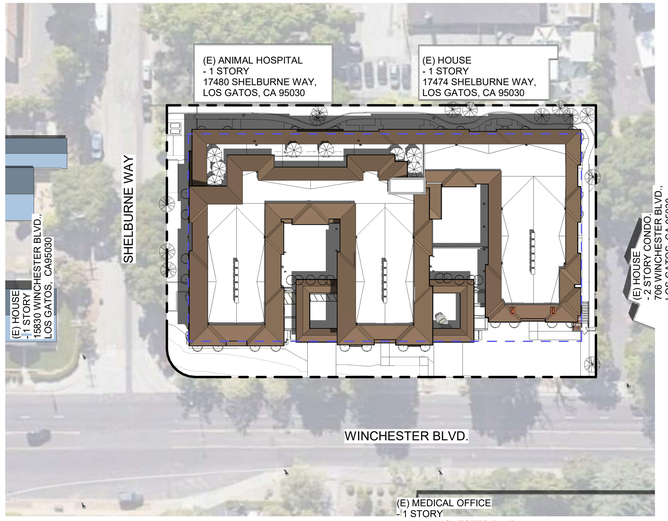
Job #: 20-9215
Sheet: A-1.3

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

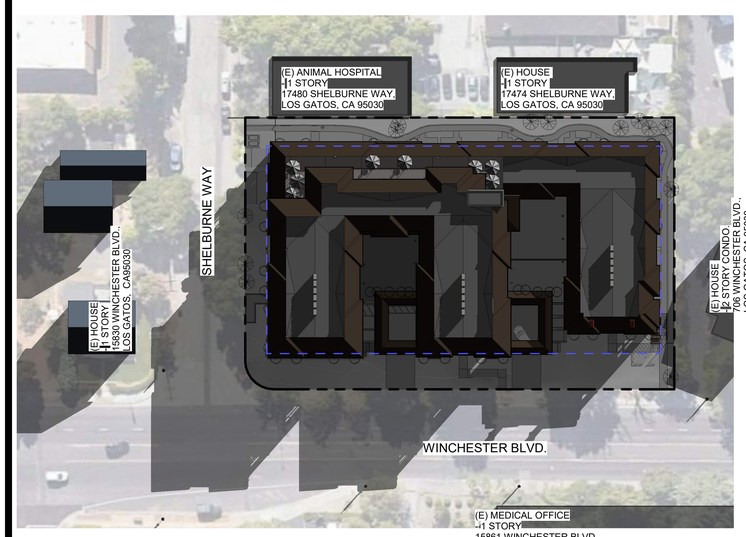
1 SHADOW STUDY - JUNE 21 - 9AM
1" = 50'-0"



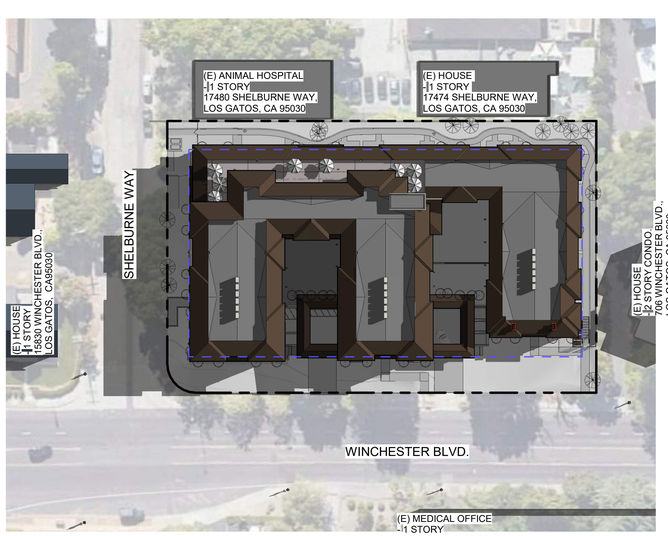
2 SHADOW STUDY - JUNE 21 - 12PM
1" = 50'-0"



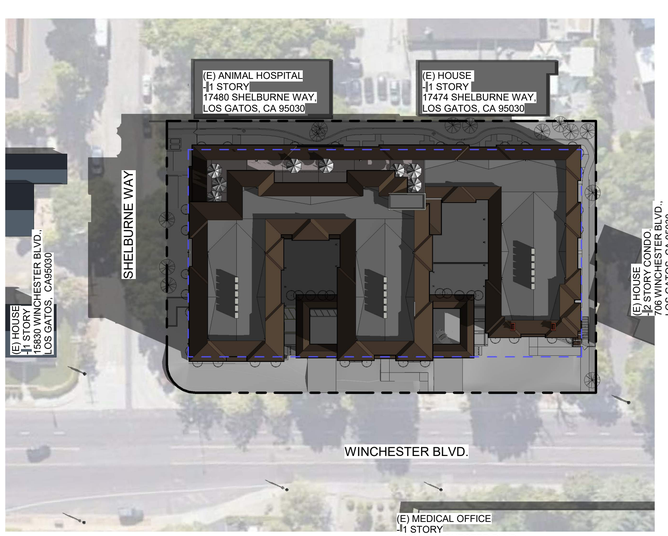
3 SHADOW STUDY - JUNE 21 - 3PM
1" = 50'-0"



4 SHADOW STUDY - DECEMBER 21 - 9AM
1" = 50'-0"



5 SHADOW STUDY - DECEMBER 21 - 12PM
1" = 50'-0"



6 SHADOW STUDY - DECEMBER 21 - 3PM
1" = 50'-0"

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ARCHITECTURE
77774 1st Street, Ste 100 Rancho Mirage, CA 92270 (424) 287-0348 Robert Hightower, Architect - C26048

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SHADOW STUDY

Date: APRIL 01, 2021
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Job #: 20-9215
Sheet: A-1.4

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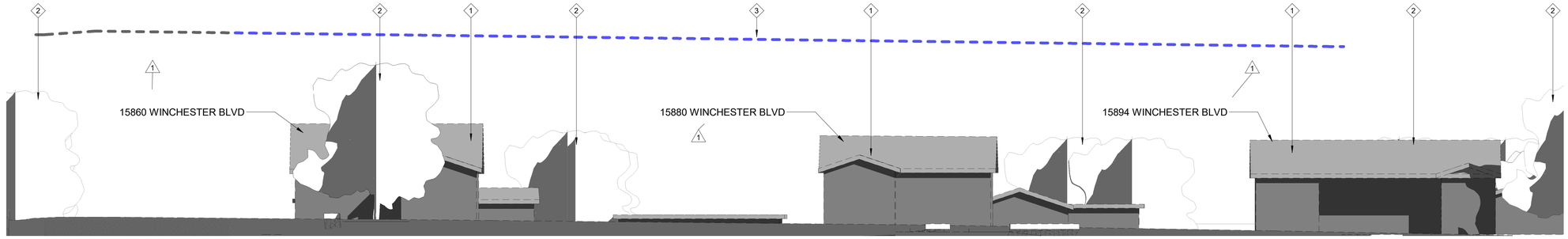
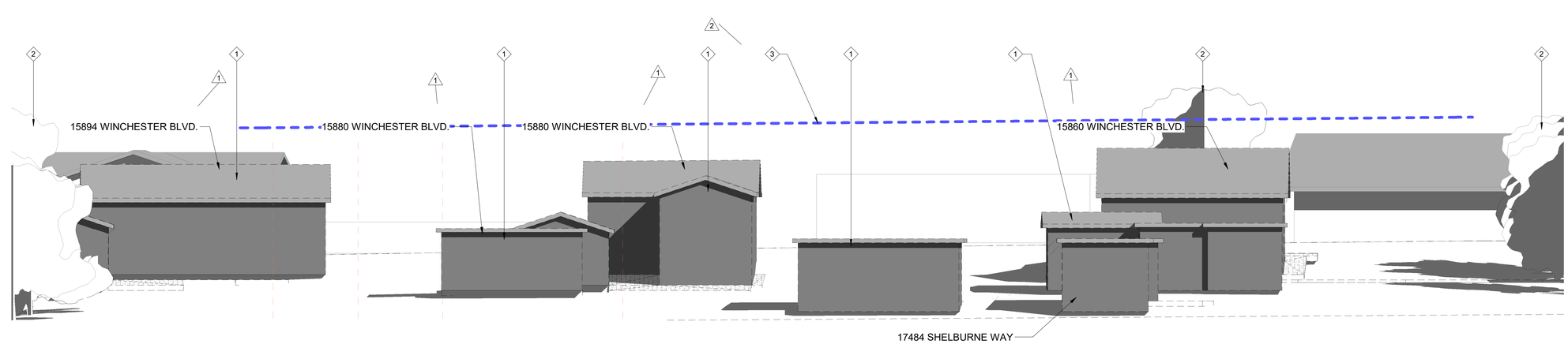


1 WEST - WINCHESTER ELEVATION 3/32" EXISTING
3/32" = 1'-0"



2 EAST - FACING RESIDENTIAL ELEVATION 3/32" EXISTING
3/32" = 1'-0"

ELEVATON KEYNOTE :

1. EXISTING BUILDING AND FOUNDATION TO BE DEMOLISHED
2. EXISTING TREE TO REMAIN. SEE SHEET 1 / T-1
3. MAXIMUM PROPOSED BUILDING HEIGHT - 35'-0" ABOVE GRADE
4. EXISTING TREE TO BE REMOVED. SEE SHEET 1 / T-1

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77774 1st Street, 5th floor, San Jose, CA 95112 (408) 287-0848, Robert Nightower, Architect - C26048

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WINCHESTER MEMORY CARE / ASSISTED LIVING
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15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA

OVERALL EXISTING ELEVATIONS

Date: APRIL 01, 2021
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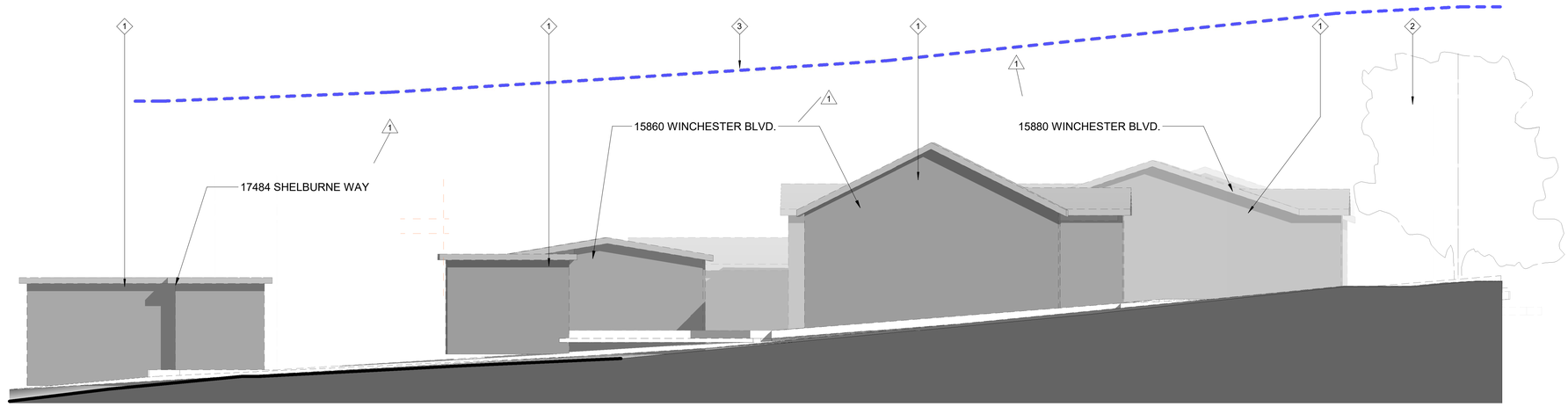
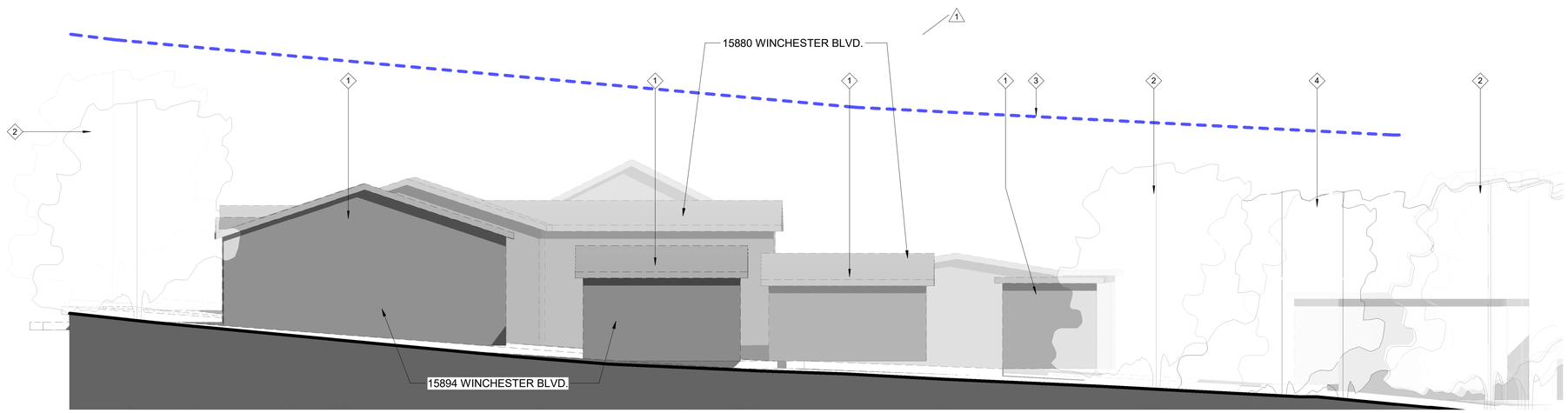
Sheet: A-1.5

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022



1 NORTH - SHELBURN ELEVATION EXISTING
1/8" = 1'-0"



2 SOUTH - FACING RESIDENTIAL (NEIGHBOR VIEW) EXISTING
1/8" = 1'-0"

ELEVATON KEYNOTE :

1. EXISTING BUILDING AND FOUNDATION TO BE DEMOLISHED
2. EXISTING TREE TO REMAIN. SEE SHEET 1 / T-1
3. MAXIMUM PROPOSED BUILDING HEIGHT - 35'-0" ABOVE GRADE
4. EXISTING TREE TO BE REMOVED. SEE SHEET 1 / T-1

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OVERALL EXISTING ELEVATIONS

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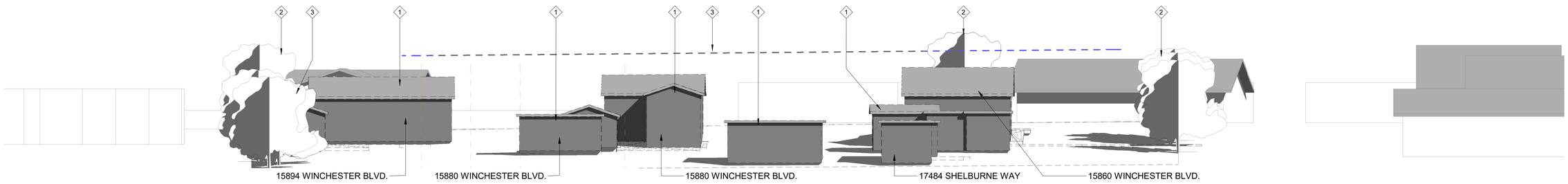
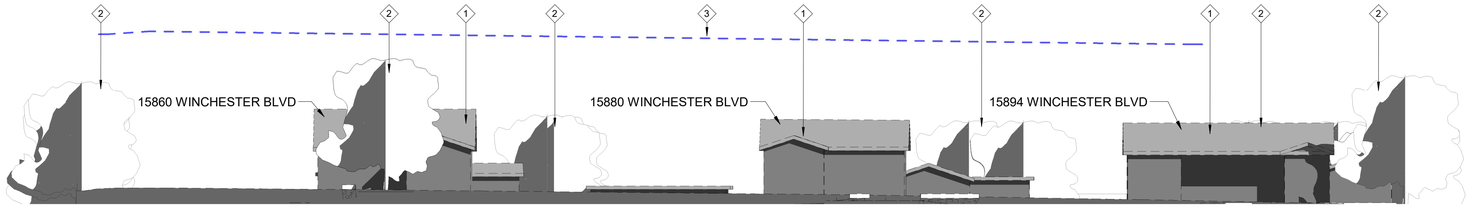


1 EAST - FACING RESIDENTIAL ELEVATION 1/16" EXISTING
1/16" = 1'-0"

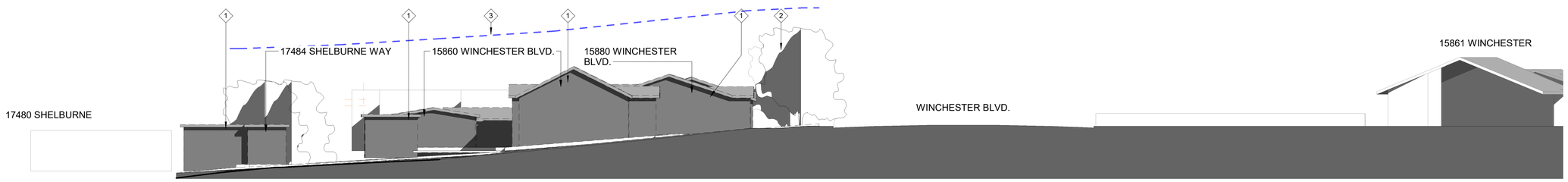
15830 WINCHESTER



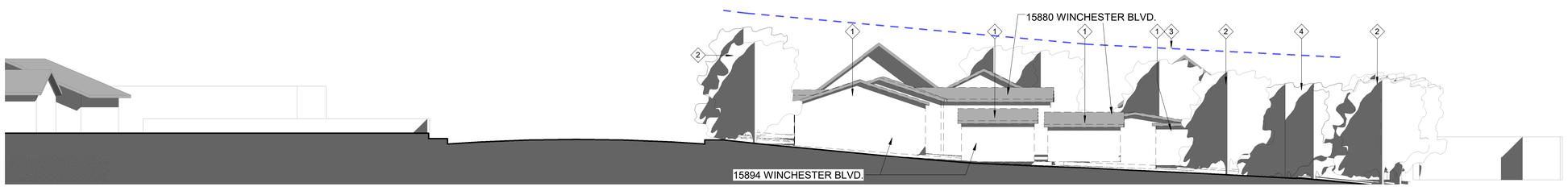
SHELBURNE WAY

706-708 WINCHESTER

2 WEST - WINCHESTER ELEVATION 1/16" EXISTING
1/16" = 1'-0"



3 NORTH - SHELBURN ELEVATION EXISTING 1/16"
1/16" = 1'-0"



4 SOUTH - FACING RESIDENTIAL (NEIGHBOR VIEW) EXISTING 1/16"
1/16" = 1'-0"

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77774 1st Street, Ste Room Ste Jose, CA (831)112 (408)887-0848 Robert Nightower Architect - C28048

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OVERALL EXISTING ELEVATIONS

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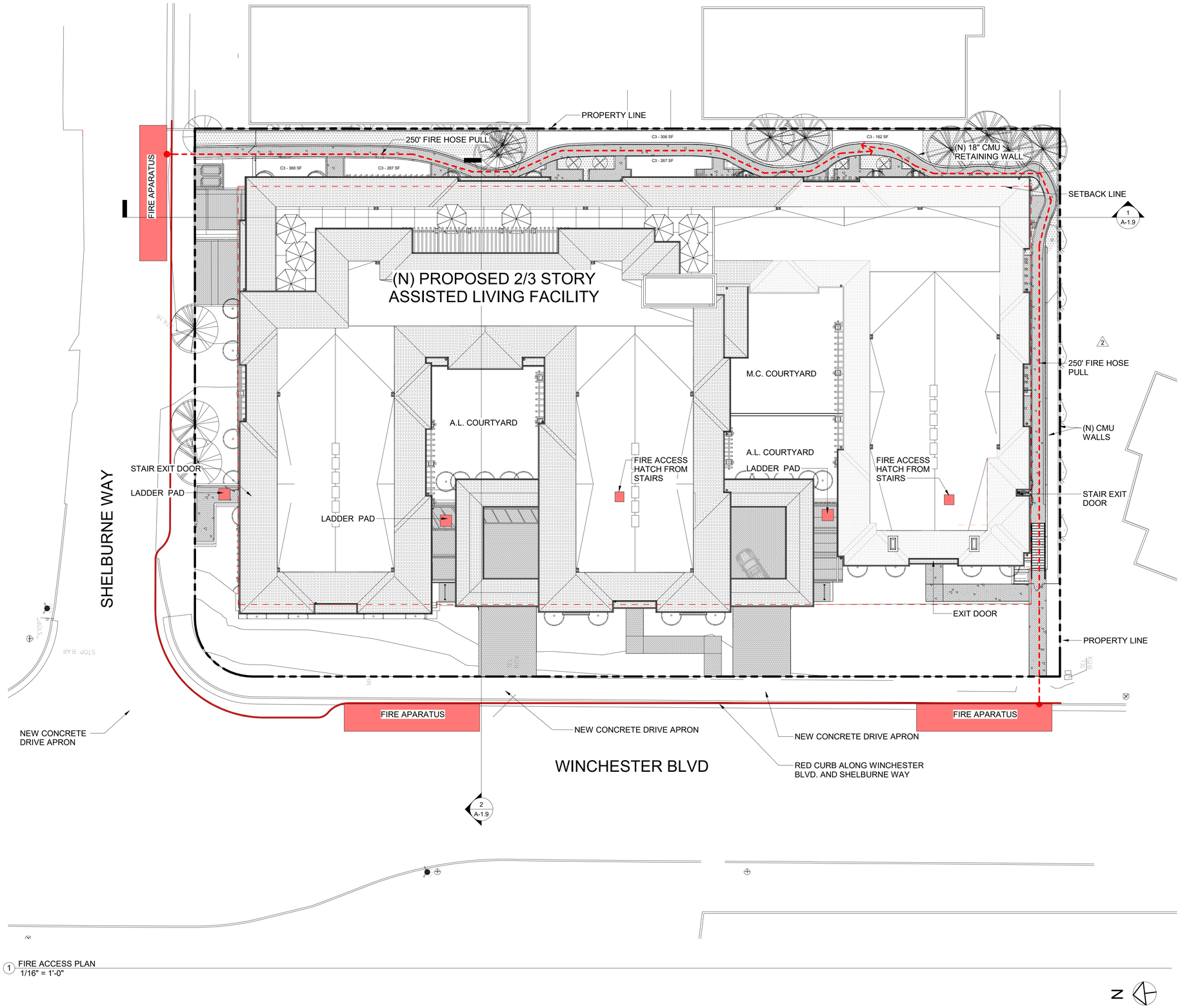

1 FIRE ACCESS PLAN
1/16" = 1'-0"

FIRE DEPARTMENT GENERAL NOTES:

1. **FIRE SPRINKLERS REQUIRED:** APPROVED AUTOMATIC SPRINKLER SYSTEMS IN NEW AND EXISTING BUILDINGS AND STRUCTURES SHALL BE PROVIDED IN THE LOCATIONS DESCRIBED IN THIS SECTION OR IN SECTIONS 903.2.1 THROUGH 903.2.19 WHICHEVER IS THE MORE RESTRICTIVE. FOR THE PURPOSES OF THIS SECTION, FIREWALLS AND FIRE BARRIERS USED TO SEPARATE BUILDING AREAS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CALIFORNIA BUILDING CODE AND SHALL BE WITHOUT OPENINGS OR PENETRATIONS. 1. IN OTHER THAN RESIDENTIAL BUILDINGS WHICH REQUIRE THE INSTALLATION OF FIRE SPRINKLERS FOR ALL NEW BUILDINGS ACCORDING TO THE CALIFORNIA RESIDENTIAL CODE, AN AUTOMATIC SPRINKLER SYSTEM SHALL BE PROVIDED THROUGHOUT ALL NEW BUILDINGS AND STRUCTURES.

2. **FIRE ALARM SYSTEM REQUIRED:** A MANUAL AND AUTOMATIC FIRE ALARM SYSTEM SHALL BE INSTALLED IN GROUP R-2, R-2.1, R-2.2 OCCUPANCIES.

3. **TIMING OF INSTALLATION:** WHEN FIRE APPARATUS ACCESS ROADS OR A WATER SUPPLY FOR FIRE PROTECTION IS REQUIRED TO BE INSTALLED, SUCH PROTECTION SHALL BE INSTALLED AND MADE SERVICEABLE PRIOR TO AND DURING THE TIME OF CONSTRUCTION EXCEPT WHEN APPROVED ALTERNATIVE METHODS OF PROTECTION ARE PROVIDED. TEMPORARY STREET SIGNS SHALL BE INSTALLED AT EACH STREET INTERSECTION WHEN CONSTRUCTION OF NEW ROADWAYS ALLOWS PASSAGE BY VEHICLES IN ACCORDANCE WITH SECTION 505.2. CONSTRUCTION DOCUMENTS. CONSTRUCTION DOCUMENTS FOR PROPOSED FIRE APPARATUS ACCESS, LOCATION OF FIRE LANES, SECURITY GATES ACROSS FIRE APPARATUS ACCESS AND CONSTRUCTION DOCUMENTS AND HYDRAULIC CALCULATIONS FOR FIRE HYDRANT SYSTEMS SHALL BE SUBMITTED TO THE FIRE DEPARTMENT FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION. CFC SEC. 501.3, 501.4.

4. **TWO-WAY COMMUNICATION SYSTEM:** TWO-WAY COMMUNICATION SYSTEMS SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH ALL CURRENT EDITIONS OF NFPA 72, THE CALIFORNIA ELECTRICAL CODE, THE CALIFORNIA FIRE CODE, THE CALIFORNIA BUILDING CODE, AND THE CITY OR TOWN ORDINANCES, POLICIES, AND STANDARDS WHERE A TWO-WAY SYSTEM IS BEING INSTALLED. [SCCFD STANDARD DETAILS & SPECIFICATIONS, C-1]. OTHER STANDARDS ALSO CONTAIN DESIGN/INSTALLATION CRITERIA FOR SPECIFIC LIFE SAFETY RELATED EQUIPMENT. THESE OTHER STANDARDS ARE REFERRED TO IN NFPA 72.1

5. **EMERGENCY RESPONDER RADIO COVERAGE IN NEW BUILDINGS:** ALL NEW BUILDINGS SHALL HAVE APPROVED RADIO COVERAGE FOR EMERGENCY RESPONDERS WITHIN THE BUILDING BASED UPON THE EXISTING COVERAGE LEVELS OF THE PUBLIC SAFETY COMMUNICATION SYSTEMS OF THE JURISDICTION AT THE EXTERIOR OF THE BUILDING. THIS SECTION SHALL NOT REQUIRE IMPROVEMENT OF THE EXISTING PUBLIC SAFETY COMMUNICATION SYSTEMS. REFER TO CFC SEC. 510 FOR FURTHER REQUIREMENTS. EMERGENCY RADIO RESPONDER COVERAGE REQUIREMENTS APPLIES TO ALL BUILDINGS. [SCCFD STANDARD DETAILS & SPECIFICATIONS, C-2].

6. **WATER SUPPLY REQUIREMENTS:** POTABLE WATER SUPPLIES SHALL BE PROTECTED FROM CONTAMINATION CAUSED BY FIRE PROTECTION WATER SUPPLIES. IT IS THE RESPONSIBILITY OF THE APPLICANT AND ANY CONTRACTORS AND SUBCONTRACTORS TO CONTACT THE WATER PURVEYOR SUPPLYING THE SITE OF SUCH PROJECT, AND TO COMPLY WITH THE REQUIREMENTS OF THAT PURVEYOR. SUCH REQUIREMENTS SHALL BE INCORPORATED INTO THE DESIGN OF ANY WATER-BASED FIRE PROTECTION SYSTEMS, AND/OR FIRE SUPPRESSION WATER SUPPLY SYSTEMS OR STORAGE CONTAINERS THAT MAY BE PHYSICALLY CONNECTED IN ANY MANNER TO AN APPLIANCE CAPABLE OF CAUSING CONTAMINATION OF THE POTABLE WATER SUPPLY OF THE PURVEYOR OF RECORD. FINAL APPROVAL OF THE SYSTEM(S) UNDER CONSIDERATION WILL NOT BE GRANTED BY THIS OFFICE UNTIL COMPLIANCE WITH THE REQUIREMENTS OF THE WATER PURVEYOR OF RECORD ARE DOCUMENTED BY THAT PURVEYOR AS HAVING BEEN MET BY THE APPLICANT(S). 2016 CFC SEC. 903.3.5 AND HEALTH AND SAFETY CODE 13114.7.

7. **ADDRESS IDENTIFICATION:** NEW AND EXISTING BUILDINGS SHALL HAVE APPROVED ADDRESS NUMBERS, BUILDING NUMBERS OR APPROVED BUILDING IDENTIFICATION PLACED IN A POSITION THAT IS PLAINLY LEGIBLE AND VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. THESE NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND. WHERE REQUIRED BY THE FIRE CODE OFFICIAL, ADDRESS NUMBERS SHALL BE PROVIDED IN ADDITIONAL APPROVED LOCATIONS TO FACILITATE EMERGENCY RESPONSE. ADDRESS NUMBERS SHALL BE ARABIC NUMBERS OR ALPHABETICAL LETTERS. NUMBERS SHALL BE A MINIMUM OF 4 INCHES (101.6 MM) HIGH WITH A MINIMUM STROKE WIDTH OF 0.5 INCH (12.7 MM). WHERE ACCESS IS BY MEANS OF A PRIVATE ROAD AND THE BUILDING CANNOT BE VIEWED FROM THE PUBLIC WAY, A MONUMENT, POLE OR OTHER SIGN OR MEANS SHALL BE
USED TO IDENTIFY THE STRUCTURE. ADDRESS NUMBERS SHALL BE MAINTAINED. CFC SEC. 505.1

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ARCHITECTURE
77774 1st Street, Ste Floor San Jose, CA 95112 (408) 887-0848 Robert Nightower Architect, C28048

Consultant:

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PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA

FIRE ACCESS PLAN

Date: APRIL 01, 2021
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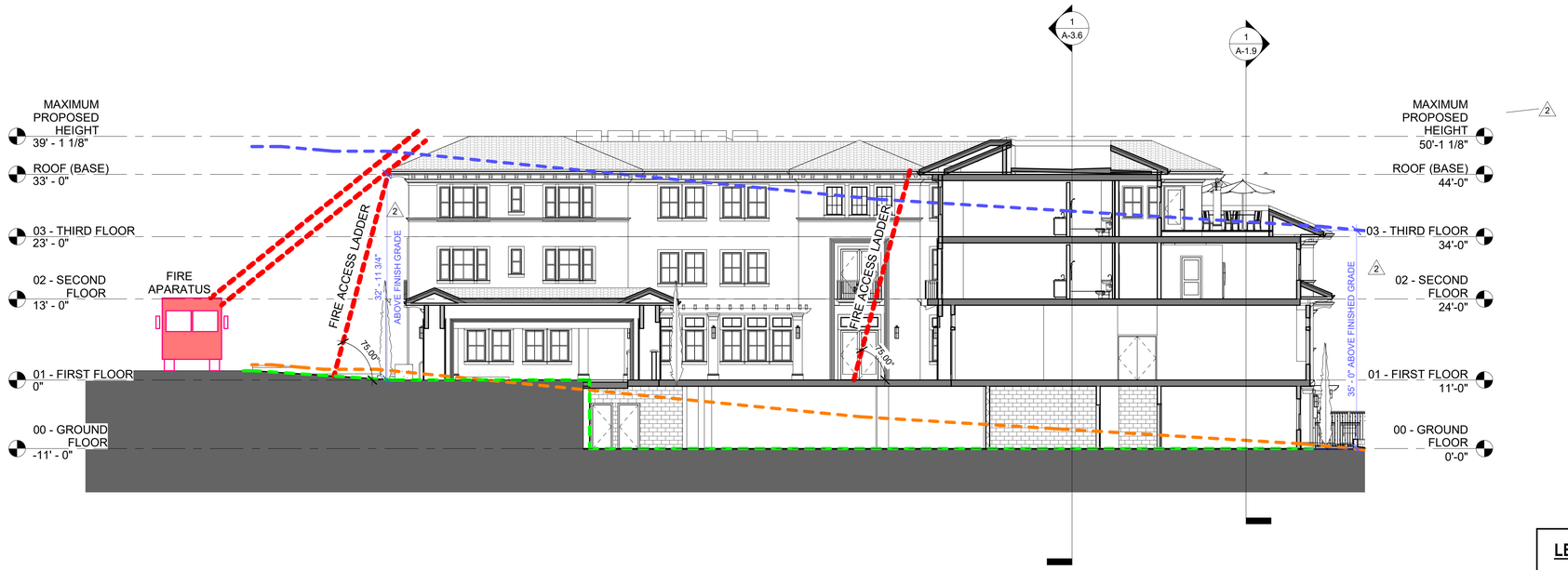
Job #: 20-9215
Sheet: A-1.8

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

1 Section 32 - FIRE ACCESS
3/32" = 1'-0"



2 Section 33 - FIRE ACCESS
3/32" = 1'-0"

LEGEND:

- MAXIMUM ALLOWED HEIGHT (35' ABOVE NATURAL GRADE)
- NATURAL GRADE
- FINISH GRADE
- VARIANCE AREA

SWENSON ARCHITECTURE
77774 1st Street, Ste Room Ste Jose, CA 95112 (408) 887-0848 Robert Hightower, Architect - C25048

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FIRE ACCESS SECTIONS

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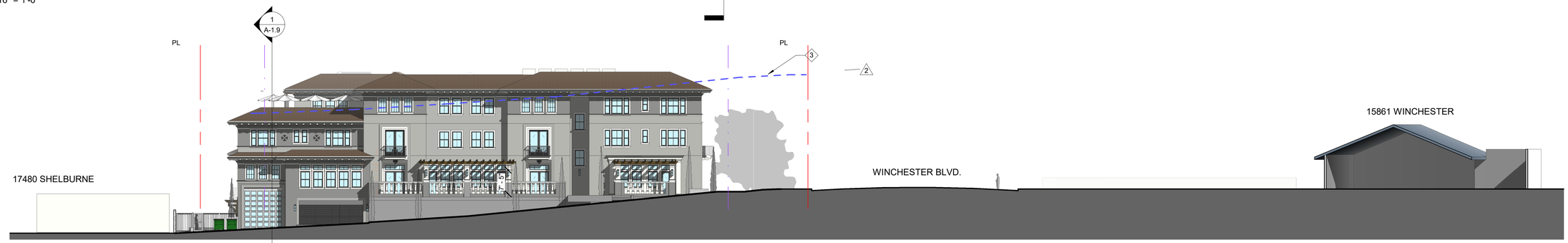
DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

2 WEST - WINCHESTER ELEVATION
1/16" = 1'-0"



3 NORTH - SHELBURN ELEVATION
1/16" = 1'-0"

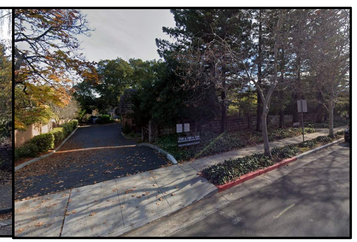
ELEVATON KEYNOTE :

1. EXISTING BUILDING AND FOUNDATION TO BE DEMOLISHED
2. EXISTING TREE TO REMAIN. SEE SHEET 1 / T-1
3. MAXIMUM PROPOSED BUILDING HEIGHT - 35'-0" ABOVE GRADE
4. EXISTING TREE TO BE REMOVED. SEE SHEET 1 / T-1

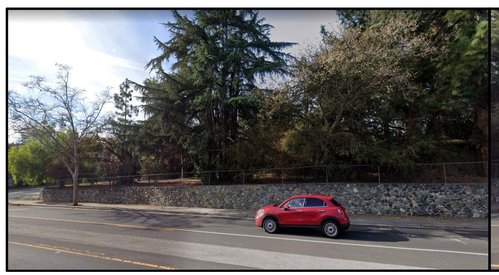
15830 WINCHESTER BLVD

15830 WINCHESTER BLVD

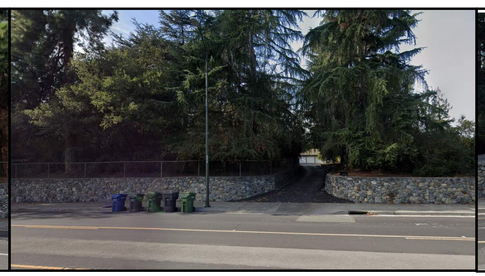
17480 SHELBURNE WAY



706-708 WINCHESTER BLVD



15891 WINCHESTER BLVD



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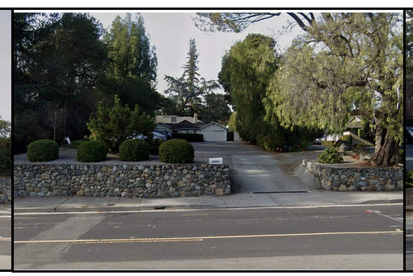
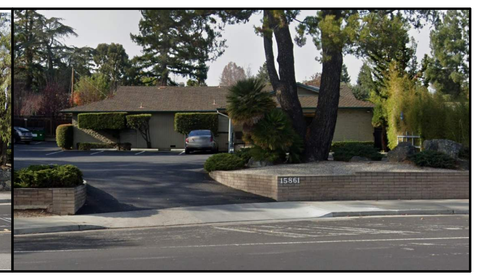


15881 WINCHESTER BLVD



15861 WINCHESTER BLVD

STREETSCAPE PHOTOS

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77774 1st Street, 5th floor San Jose, CA 95112 (408) 887-0848 Robert Hightower, Architect - C26048

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PLANNING REVIEW NO. 21 1724
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STREETSCAPE ELEVATIONS & PHOTOS

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DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

1 GROUND FLOOR PLAN
3/32" = 1'-0"

Room Legend

- A
- B
- C
- CONFERENCE
- CORRIDOR
- ELECTRICAL RM
- ELEV
- ELEV LOBBY
- ELV MACH
- GARAGE
- GENERATOR
- LAUNDRY
- LIB. STOR.
- LIBRARY
- LOADING DOCK
- MAINTENANCE
- OFFICE
- R.R.
- RESOURCE RM
- SALES
- SERVICE ELEV
- STAFF LOUNGE
- STAIR 1
- STAIR 3
- STAIR 4
- STORAGE
- THEATER
- TRASH
- WATER / BOILER

PLAN LEGEND :

EXISTING TREE, SEE ARBORIST REPORT (SHEET T-2 TO T-4) FOR SIZE AND LOCATION

TREE NUMBER, SEE SHEET T-1 AND SEE ARBORIST REPORT (SHEET T-2 TO T-4)

BIO SWALE GRASS (C3 AREA) SEE CIVIL SHEET C5.1 STORMWATER CONTROL PLAN FOR SPECIFICS AND CALCULATIONS

PLAN KEYNOTE :

1. PROPERTY LINE
2. SETBACK LINE
3. SPLIT FACE CMU WALL ADJACENT TO NEIGBOR'S WALL, 6'-0" H. TYP.
4. ACCESSIBLE WALK
5. PAVER; S.L.D.
6. CONCRETE SIDEWALK; S.C.D.
7. TRASH STAGING AREA
8. LOADING AREA
9. KNOX KEY SWITCH; FINAL LOCATION TO BE APPROVED BY FIRE DEPT.
10. 6' HEIGHT METAL GATE AND FENCE
11. DOUBLE STRIPING PER TOWN CODE §. 29.10.115(D)(7)
12. CONTINUOUS CURB WHEEL STOP PER TOWN CODE §. 29.10.155(H)(1)
13. BICYCLE RACK; RIBBON STYLE ITO HOLD FIVE BIKES PER RACK

RESIDENTIAL ROOMS - GROUND FLOOR

NAME	NUMBER	AREA
A	014	353 SF
A	016	385 SF
A	017	353 SF
A	018	353 SF
A	019	353 SF
A	020	353 SF
A	023	360 SF
A	024	360 SF
A	025	360 SF
A	026	360 SF
A: 10		3592 SF
B	012	469 SF
B	021	496 SF
B	022	496 SF
B: 3		1461 SF
C	013	578 SF
C: 1		578 SF
Grand total: 14		5631 SF

GENERAL NOTES :

A. ROOF RAINWATER LEADERS ARE TO BE DISCHARGED ONTO ENERGY DISSIPATERS (SPLASH BLOCKS) AT ALL LOCATIONS. NO IMPROVEMENTS SHALL OBSTRUCT OR DIVERT RUNOFF TO THE DETRIMENT OF AN ADJACENT DOWNSTREAM OR DOWN SLOPE PROPERTY. INSTEAD, STORMWATER TO BE TREATED ONSITE BY MEANS OF BIOTREATMENT. PLEASE SEE CIVIL STORMWATER MANAGEMENT PLAN FOR MORE INFORMATION.

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77774 1st Street, Ste Room Ste-Jose, CA 95112 (408) 887-0848 Robert Hightower Architect - C28048

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GROUND FLOOR

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Room Legend

- A
- A.L. COURTYARD
- ACTIVITY ROOM
- B
- BISTRO
- C
- CORRIDOR
- DINING ROOM
- DISCOVERY
- ELEC / DATA
- ELEV
- ELEV LOBBY
- ENTRY
- FIRE CTRL
- KITCHEN
- LOBBY LOUNGE
- M.C. UNIT
- MC DINING ROOM
- MEMORY CARE COURTYARD
- NURSE
- OFFICE
- R.R.
- RECEPTION
- SERVICE ELEV
- STAIR 1
- STAIR 2
- STAIR 3
- STAIR 4
- WELLNESS CENTER

PLAN KEYNOTE :

1. PROPERTY LINE
2. SETBACK LINE
3. SPLIT FACE CMU WALL ADJACENT TO NEIGBOR'S WALL, 6'-0" H. TYP.
4. ACCESSIBLE WALK
5. PAVER; S.L.D.
6. CONCRETE SIDEWALK; S.C.D.
7. TRASH STAGING AREA
8. LOADING AREA
9. KNOX KEY SWITCH; FINAL LOCATION TO BE APPROVED BY FIRE DEPT.
10. 6' HEIGHT METAL GATE AND FENCE
11. DOUBLE STRIPING PER TOWN CODE §. 29.10.115(D)(7)
12. CONTINUOUS CURB WHEEL STOP PER TOWN CODE §. 29.10.155(H)(1)
13. BICYCLE RACK; RIBBON STYLE tTO HOLD FIVE BIKES PER RACK

PLAN LEGEND :

EXISTING TREE, SEE ARBORIST REPORT (SHEET T-2 TO T-4) FOR SIZE AND LOCATION

TREE NUMBER, SEE SHEET T-1 AND SEE ARBORIST REPORT (SHEET T-2 TO T-4)

BIO SWALE GRASS (C3 AREA) SEE CIVIL SHEET C5.1 STORMWATER CONTROL PLAN FOR SPECIFICS AND CALCULATIONS

01 - FIRST FLOOR
3/32" = 1'-0"

RESIDENTIAL ROOMS - FIRST FLOOR		
NAME	NUMBER	AREA
A	103	360 SF
A	104	360 SF
A	105	359 SF
A	110	385 SF
A	148	385 SF
A	149	385 SF
A	150	360 SF

RESIDENTIAL ROOMS - FIRST FLOOR		
NAME	NUMBER	AREA
A	151	360 SF
A: 8		2955 SF
B	106	409 SF
B	109	479 SF
B	152	409 SF
B	153	409 SF
B: 4		1707 SF

RESIDENTIAL ROOMS - FIRST FLOOR		
NAME	NUMBER	AREA
C	101	677 SF
C	107	641 SF
C: 2		1319 SF
M.C. UNIT	116	396 SF
M.C. UNIT	117	396 SF
M.C. UNIT	118	362 SF

RESIDENTIAL ROOMS - FIRST FLOOR		
NAME	NUMBER	AREA
M.C. UNIT	119	362 SF
M.C. UNIT	120	400 SF
M.C. UNIT	121	556 SF
M.C. UNIT	122	511 SF
M.C. UNIT	123	407 SF
M.C. UNIT	124	376 SF

RESIDENTIAL ROOMS - FIRST FLOOR		
NAME	NUMBER	AREA
M.C. UNIT	125	376 SF
M.C. UNIT	126	376 SF
M.C. UNIT	127	420 SF
M.C. UNIT	128	420 SF
M.C. UNIT	129	376 SF
M.C. UNIT	130	376 SF

RESIDENTIAL ROOMS - FIRST FLOOR		
NAME	NUMBER	AREA
M.C. UNIT	131	400 SF
M.C. UNIT	132	400 SF
M.C. UNIT	133	443 SF
M.C. UNIT: 18		7351 SF
Grand total: 32		13331 SF

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

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77774 1st Street, 5th floor San Jose, CA (408) 887-0848 Robert Highsmith, Architect, C28048

Consultant:

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1ST FLOOR

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1 SECOND FLOOR PLAN
3/32" = 1'-0"

N

RESIDENTIAL ROOMS - SECOND FLOOR		
NAME	NUMBER	AREA
A	204	360 SF
A	205	360 SF
A	207	369 SF
A	210	385 SF
A	211	353 SF
A	212	353 SF
A	213	353 SF
A	214	353 SF
A	215	385 SF
A	217	385 SF
A	218	353 SF
A	219	353 SF
A	220	390 SF
A	223	390 SF
A	224	360 SF

RESIDENTIAL ROOMS - SECOND FLOOR		
NAME	NUMBER	AREA
A	225	360 SF
A	226	390 SF
A	230	360 SF
A	231	360 SF
A	232	385 SF
A	234	378 SF
A	235	390 SF
A	236	353 SF
A	237	353 SF
A	242	390 SF
A	243	360 SF
A	244	360 SF
A	245	385 SF
A	247	385 SF
A	248	385 SF

RESIDENTIAL ROOMS - SECOND FLOOR		
NAME	NUMBER	AREA
A	250	360 SF
A	251	360 SF
A: 32		11817 SF
B	201	446 SF
B	202	400 SF
B	203	400 SF
B	206	446 SF
B	209	479 SF
B	222	496 SF
B	227	446 SF
B	228	446 SF
B	229	409 SF

RESIDENTIAL ROOMS - SECOND FLOOR		
NAME	NUMBER	AREA
B	233	426 SF
B	238	400 SF
B	239	446 SF
B	240	429 SF
B	241	400 SF
B	246	463 SF
B	249	417 SF
B	252	400 SF
B	253	446 SF
B: 18		7795 SF
C	208	595 SF
C	216	511 SF
C	221	539 SF
C: 3		1645 SF
Grand total: 53		21257 SF

Room Legend

- A
- B
- C
- CORRIDOR
- ELEC / DATA
- ELEV
- ELEV LOBBY
- HOUSEKEEPING
- JANITOR CLOSET
- LOUNGE
- SALON / THERAPY
- STAIR 1
- STAIR 2
- STAIR 3

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77774 1st Street, 5th floor San Jose, CA (408) 287-0848 Robert Hightower, Architect - C26048

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2ND FLOOR

Date: APRIL 01, 2021
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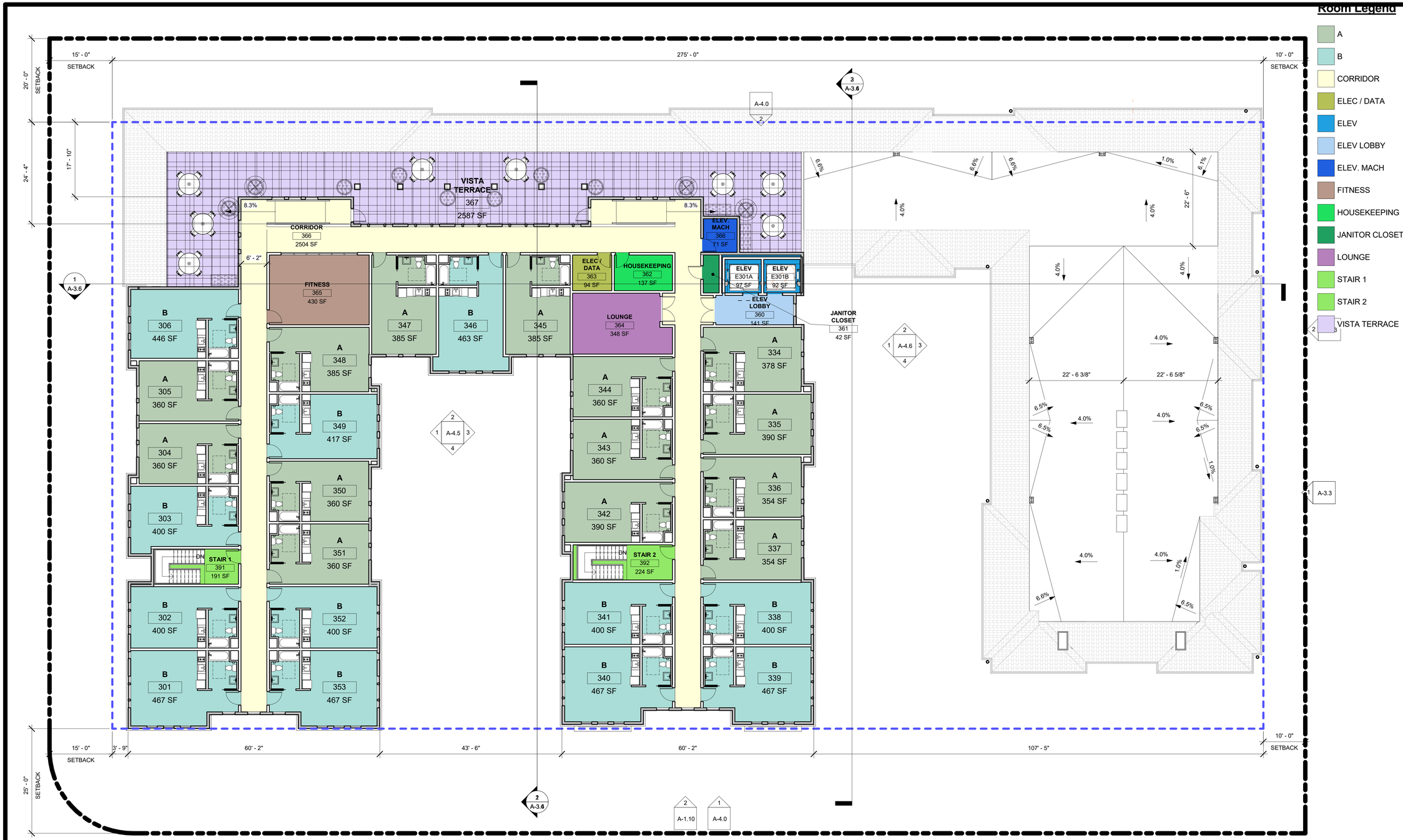

1 THIRD FLOOR
3/32" = 1'-0"

N

Room Legend

- A
- B
- CORRIDOR
- ELEC / DATA
- ELEV
- ELEV LOBBY
- ELEV. MACH
- FITNESS
- HOUSEKEEPING
- JANITOR CLOSET
- LOUNGE
- STAIR 1
- STAIR 2
- VISTA TERRACE

RESIDENTIAL ROOMS - THIRD FLOOR

NAME	NUMBER	AREA
A	304	360 SF
A	305	360 SF
A	334	378 SF
A	335	390 SF
A	336	354 SF
A	337	354 SF
A	342	390 SF
A	343	360 SF
A	344	360 SF
A	345	385 SF
A	347	385 SF

RESIDENTIAL ROOMS - THIRD FLOOR

NAME	NUMBER	AREA
A	348	385 SF
A	350	360 SF
A	351	360 SF
A: 14		5180 SF
B	301	467 SF
B	302	400 SF
B	303	400 SF
B	306	446 SF
B	338	400 SF
B	339	467 SF
B	340	467 SF

RESIDENTIAL ROOMS - THIRD FLOOR

NAME	NUMBER	AREA
B	341	400 SF
B	346	463 SF
B	349	417 SF
B	352	400 SF
B	353	467 SF
B: 12		5196 SF
Grand total: 26		10376 SF

RESIDENTIAL ROOMS - THIRD FLOOR

NAME	NUMBER	AREA

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77774 1st Street, Ste Room Ste Jules CA 95112 (408) 887-0848 Robert Hightower Architect - C25048

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3RD FLOOR

Date: APRIL 01, 2021
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Sheet: A-2.3

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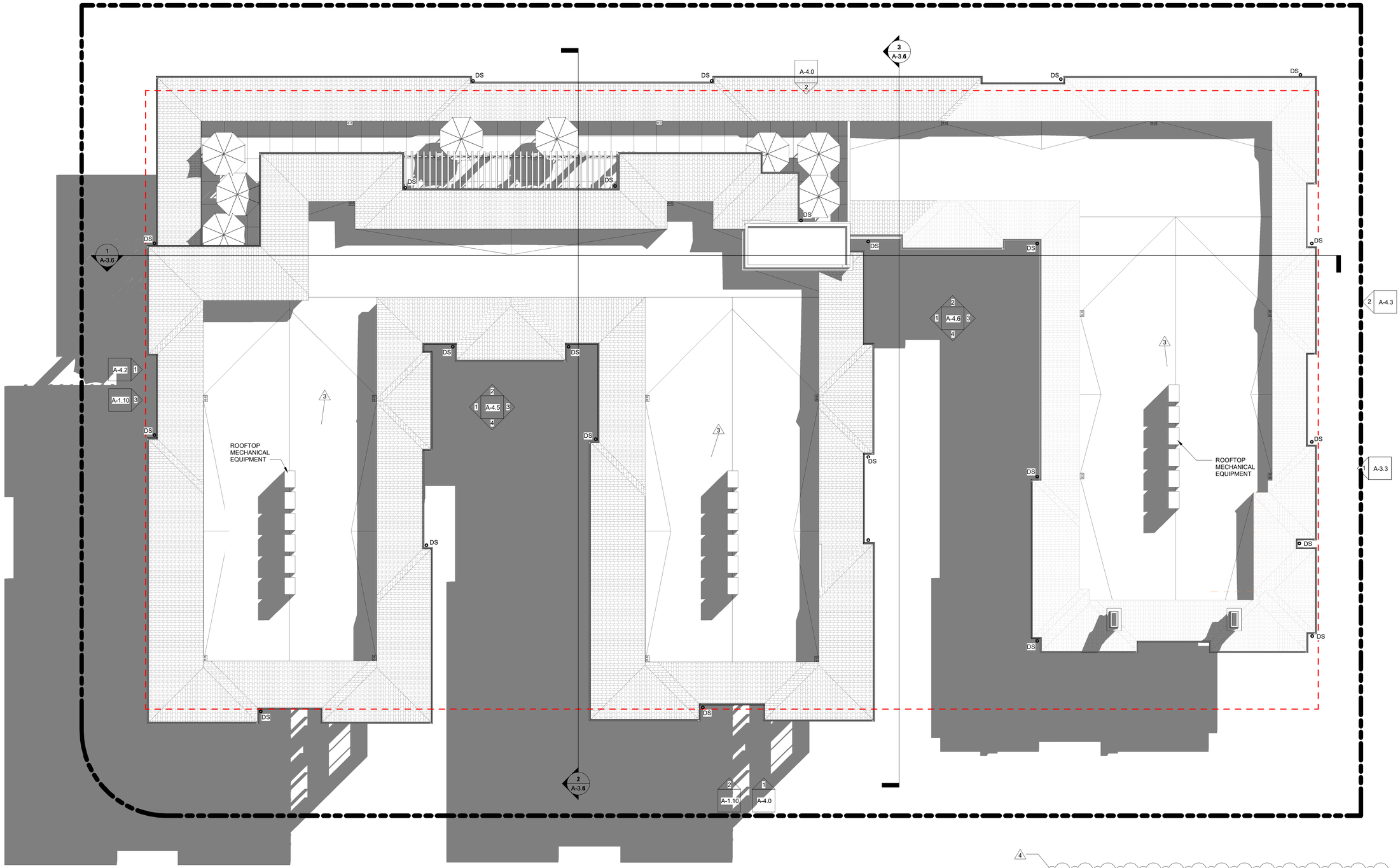

1 ROOF (BASE)
3/32" = 1'-0"

N

4

GENERAL NOTES :

A. ROOF RAINWATER LEADERS ARE TO BE DISCHARGED ONTO ENERGY DISSIPATERS (SPLASH BLOCKS) AT ALL LOCATIONS. NO IMPROVEMENTS SHALL OBSTRUCT OR DIVERT RUNOFF TO THE DETRIMENT OF AN ADJACENT DOWNSTREAM OR DOWN SLOPE PROPERTY. INSTEAD, STORMWATER TO BE TREATED ONSITE BY MEANS OF BIOTREATMENT. PLEASE SEE CIVIL STORMWATER MANAGEMENT PLAN FOR MORE INFORMATION.

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77774 1st Street, 5th floor San Jose, CA (408) 887-0848 Robert Hightower, Architect - C25048

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ROOF

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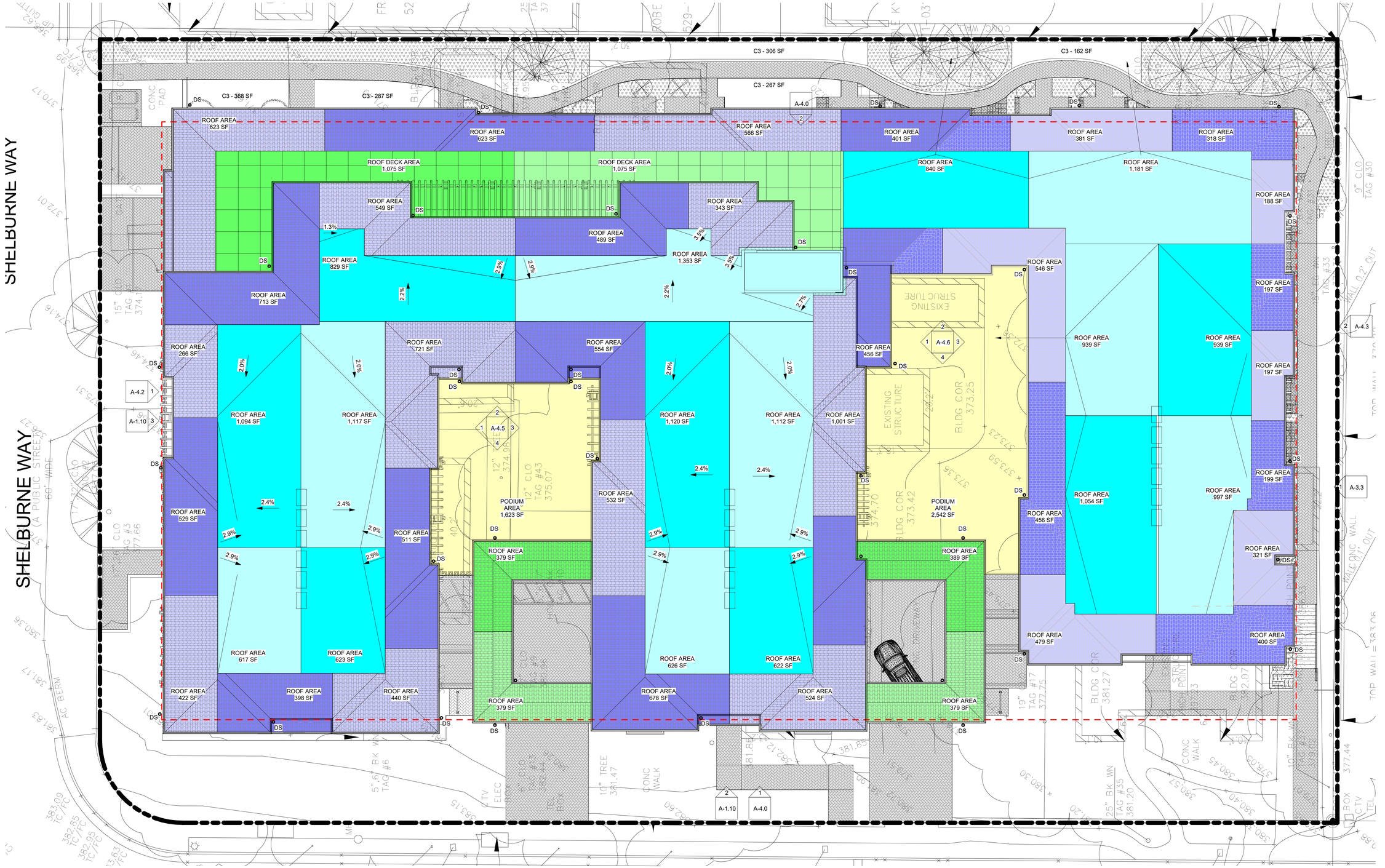

1 ROOF DRAIN AREA PLAN - REVISED DMAs
3/32" = 1'-0"

N

GENERAL NOTES :

A. ROOF RAINWATER LEADERS ARE TO BE DISCHARGED ONTO ENERGY DISSIPATERS (SPLASH BLOCKS) AT ALL LOCATIONS. NO IMPROVEMENTS SHALL OBSTRUCT OR DIVERT RUNOFF TO THE DETRIMENT OF AN ADJACENT DOWNSTREAM OR DOWN SLOPE PROPERTY. INSTEAD, STORMWATER TO BE TREATED ONSITE BY MEANS OF BIOTREATMENT. PLEASE SEE CIVIL STORMWATER MANAGEMENT PLAN FOR MORE INFORMATION.

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

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77774 1st Street, 5th floor Ste-Jose, CA (831) 212 - (408) 887-0848, Robert Highsmith, Architect, C28048

Consultant:

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4	Planning Response #4	04/04/22

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WINCHESTER MEMORY CARE / ASSISTED LIVING
PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA

ROOF DRAIN AREA PLAN

Date: APRIL 01, 2021
Scale: AS NOTED
Drawn by: DM, EY, IL
Job #: 20-9215
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TO HELP REDUCE THE BUILDING MASS, WE REMOVED THIS PORTION OF THE BUILDING AND LOWERED THE THIRD FLOOR UNITS ABOVE IT DOWN TO THIS LEVEL

1 RENDERING - NORTH ELEVATON (SHELBURNE WAY) WITHOUT REDUCE UNITS
12" = 1'-0"

2 RENDERING - NORTH ELEVATON (SHELBURNE WAY) REDUCE UNITS
12" = 1'-0"

SWENSON ARCHITECTURE
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RENDERING - NORTH ELEVATIONS COMPARISION

Date: APRIL 01, 2021
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Sheet: A-3.0

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

1 EAST - VIEW OF ORIGINAL PROPOSED STRUCTURE FROM GARDEN WALKWAY
1/8" = 1'-0"

2 EAST - VIEW OF REDUCED PROPOSED STRUCTURE FROM GARDEN WALKWAY
1/8" = 1'-0"

3 NORTH - SHELBURNE PERSPECTIVE
1/8" = 1'-0"

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ARCHITECTURE
77774 1st Street, 5th floor San Jose, CA 95112 (408) 287-0848 Robert Highower, Architect - C26048

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15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA
RENDERING - EAST ELEVATIONS COMPARISION

Date: APRIL 01, 2021
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Sheet: A-3.1

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

1 NORTH - SHELBURN ELEVATION - VARIANCE EXHIBIT
1/8" = 1'-0"

2 NORTH - SHELBURNE ELEVATON
1/8" = 1'-0"

LEGEND:

- MAXIMUM ALLOWED HEIGHT (35' ABOVE NATURAL GRADE)
- NATURAL GRADE
- FINISH GRADE
- VARIANCE AREA

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

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NORTH - SHELBURNE ELEVATION - VARIANCE EXHIBIT

Date: APRIL 01, 2021
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A-3.2

1 SOUTH - FACING RESIDENTIAL (NEIGHBOR VIEW) - VARIANCE EXHIBIT
1/8" = 1'-0"

2 SOUTH - FACING RESIDENTIAL
1/8" = 1'-0"

LEGEND:

- MAXIMUM ALLOWED HEIGHT (35' ABOVE NATURAL GRADE)
- NATURAL GRADE
- FINISH GRADE
- VARIANCE AREA

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77774 1st Street, 5th floor San Jose, CA (831) 212 - (408) 887-0848 Robert Hightower, Architect - C26048

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SOUTH - FACING RESIDENTIAL
ELEVATIONS - VARIANCE EXHIBIT

Date: APRIL 01, 2021
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Job #: 20-9215
Sheet: A-3.3

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

1 NORTH / SOUTH SECTION 1
1" = 10'-0"

2 NORTH / SOUTH SECTION 2
1" = 10'-0"

ELEVATION KEYNOTE :

1. SPANISH TILE ROOF
2. RAFTER TAIL
3. CORNICE
4. ROOF GUTTER
5. CEMENT PLASTER WITH PAINT FINISH - SHERMAN WILLIAMS 7066 GRAY MATTERS
6. CEMENT PLASTER WITH PAINT FINISH- SHERMAN WILLIAMS 7067 CITYSCAPE
7. EXTERIOR WALL TRIM
8. FIXED WINDOW
9. SINGLE HUNG WINDOW
10. CASEMENT WINDOW
11. SINGLE DOOR
12. DOUBLE DOOR
13. BRACED WOOD TRELLIS
14. ARCHITECTURAL COLUMN
15. CORNICE CROWN
16. EXTERIOR CHANDELIER
17. LINEAR CARRIAGE LIGHT
18. BELLY BAND
19. PATIO METAL RAILING
20. COURTYARD WALL
21. CHIMNEY - CEMENT PLASTER FINISH, EXTERIOR TRIM, COPPER CROWN
22. SPLIT FACE CMU WALL ADJACENT TO NEIGBOR'S WALL, 6'-0" TYP.
23. CURTAIN WALL
24. NOT USED
25. ROLL UP GATE
26. GEOMETRIC SCREEN
27. CORBEL - SPANISH
28. ROLL UP DOOR WITH FROSTED GLASS PANELS
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30. EXISTING GRADE
31. PROPOSED GRADE
32. MAXIMUM ALLOWED HEIGHT (35' ABOVE NATURAL GRADE)

LEGEND:

- MAXIMUM ALLOWED HEIGHT (35' ABOVE NATURAL GRADE)
- NATURAL GRADE
- FINISH GRADE
- VARIANCE AREA

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77774 1st Street, 5th floor Ben Lomo, CA 95192 (408) 887-0848 Robert Hightower, Architect - C25048

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15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA

BUILDING SECTIONS

Date: APRIL 01, 2021
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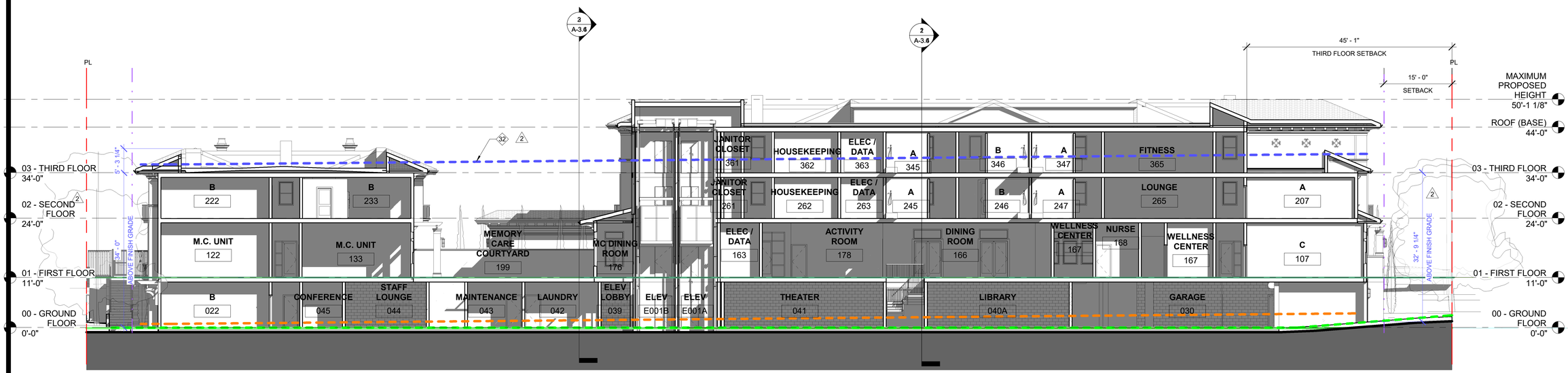
Job #: 20-9215

Sheet: A-3.4

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022



1 EAST / WEST SECTION
3/32" = 1'-0"

ELEVATION KEYNOTE :

1. SPANISH TILE ROOF
2. RAFTER TAIL
3. CORNICE
4. ROOF GUTTER
5. CEMENT PLASTER WITH PAINT FINISH - SHERMAN WILLIAMS 7066 GRAY MATTERS
6. CEMENT PLASTER WITH PAINT FINISH- SHERMAN WILLIAMS 7067 CITYSCAPE
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LEGEND:

- MAXIMUM ALLOWED HEIGHT (35' ABOVE NATURAL GRADE)
- NATURAL GRADE
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15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA

BUILDING SECTIONS

Date: APRIL 01, 2021
Scale: AS NOTED
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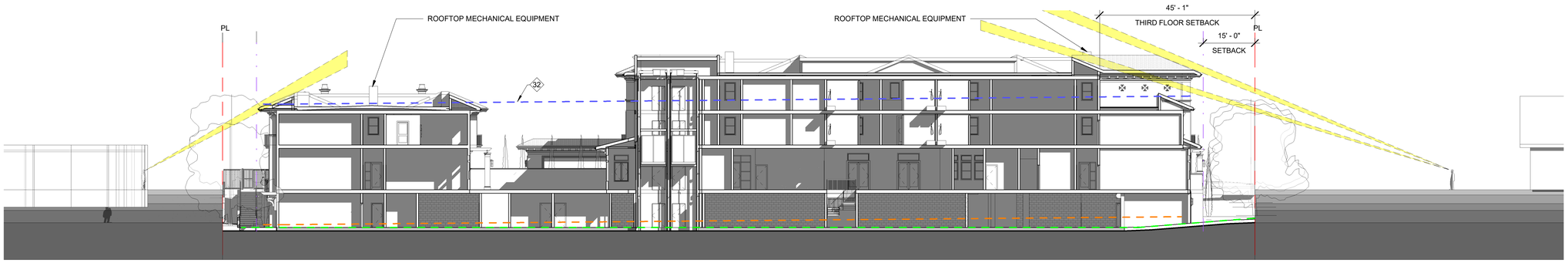
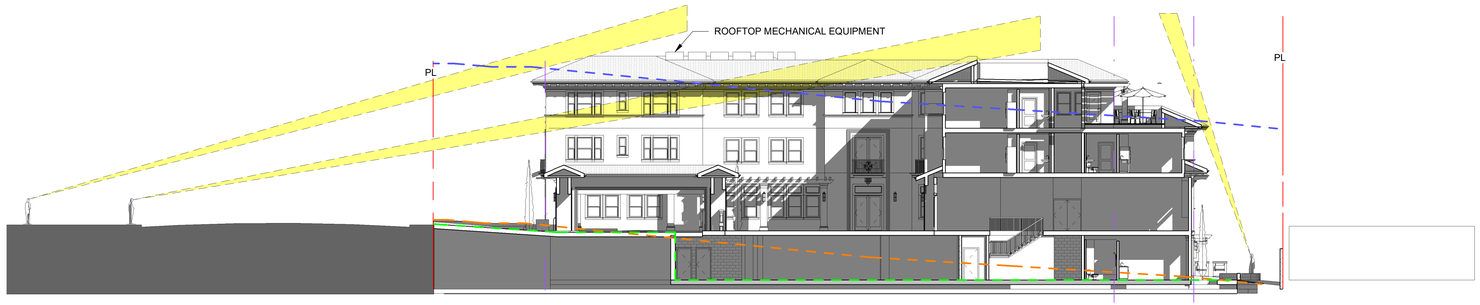
Sheet: A-3.5

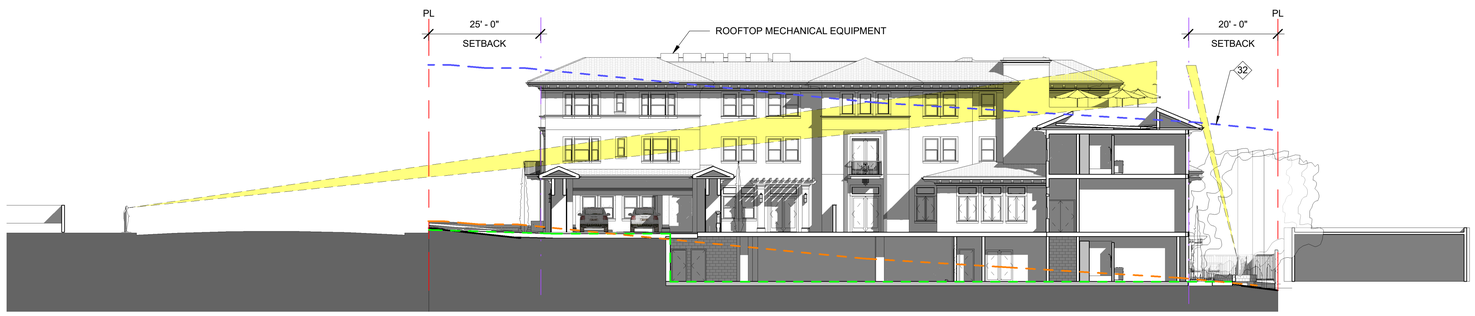
DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022



1 EAST / WEST SECTION - SIGHT LINE EXHIBIT
1/16" = 1'-0"



2 NORTH / SOUTH SECTION 1 - SIGHT LINE EXHIBIT
1/16" = 1'-0"



3 NORTH / SOUTH SECTION 2 - SIGHT LINE EXHIBIT
1/16" = 1'-0"

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WINCHESTER MEMORY CARE / ASSISTED LIVING
PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA
ROOF SCREEN ANALYSIS - BUILDING SECTIONS

Date: APRIL 01, 2021
Scale: AS NOTED
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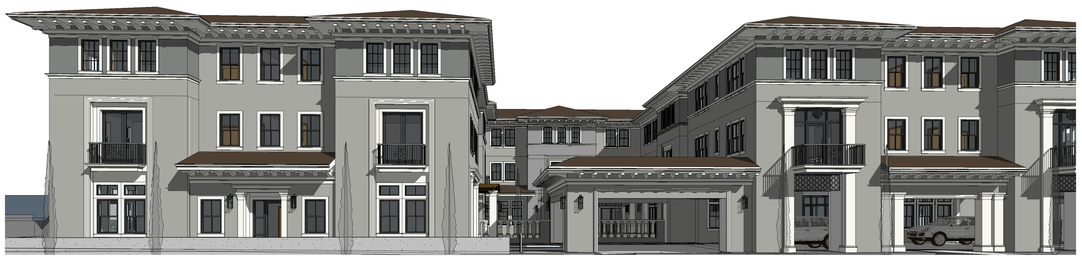
DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

1 3D View 4

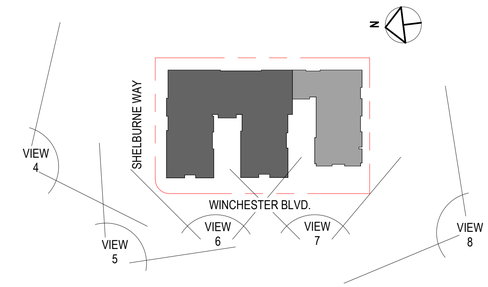
2 3D View 5



3 3D View 6

4 3D View 7

5 3D View 8



KEY PLAN
1" = 100'-0"

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ROOF SCREEN ANALYSIS - PERSPECTIVES

Date: APRIL 01, 2021
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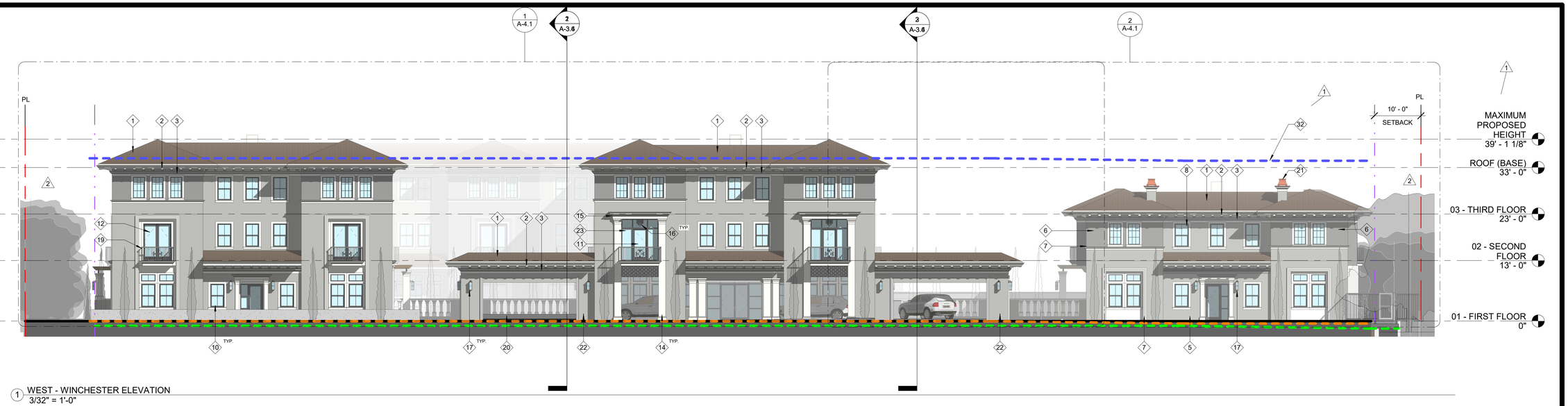
Job #: 20-9215

Sheet: A-3.7

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022



1 WEST - WINCHESTER ELEVATION
3/32" = 1'-0"

2 EAST - FACING RESIDENTIAL ELEVATION
3/32" = 1'-0"

ELEVATION KEYNOTE :

1. SPANISH TILE ROOF
2. RAFTER TAIL
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LEGEND:

- MAXIMUM ALLOWED HEIGHT (35' ABOVE NATURAL GRADE)
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- VARIANCE AREA

SWENSON ARCHITECTURE
77774 1st Street, 5th floor Ben Jones CA 95112 (408) 887-0848 Robert Highsmith Architect C28048

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1	Planning Response #1	07/20/21
2	Planning Response #2	11/01/21

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WINCHESTER MEMORY CARE / ASSISTED LIVING
PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA

OVERALL BUILDING ELEVATIONS

Dates:
APRIL 01, 2021
Scale:
AS NOTED
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Job #:
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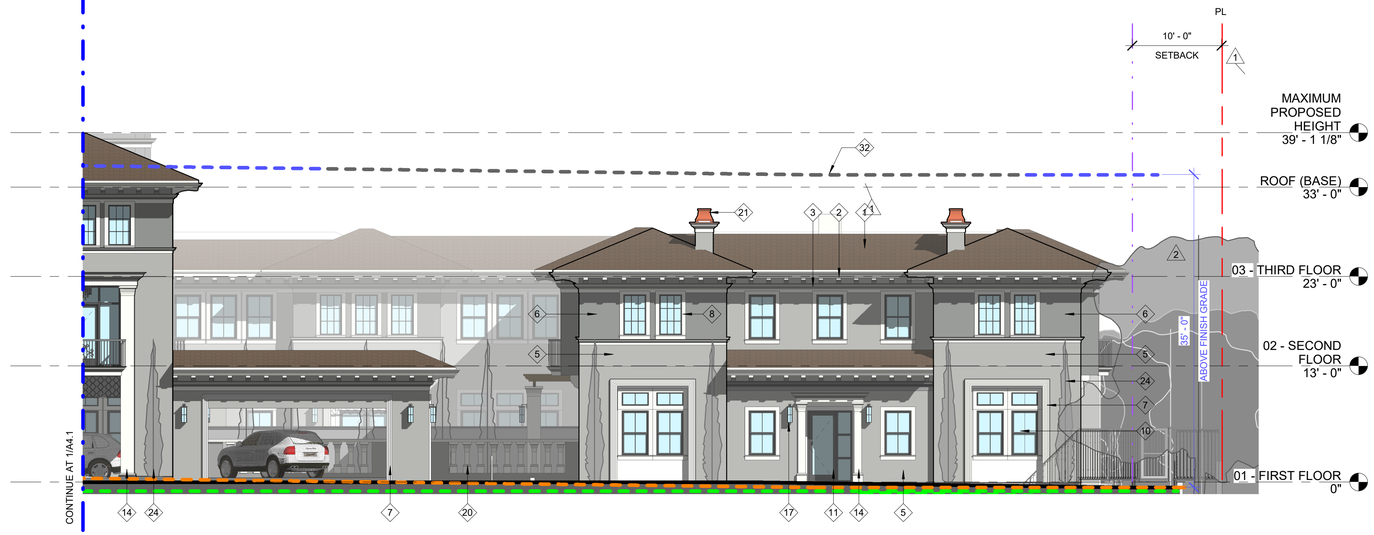
DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

1 WEST - WINCHESTER ELEVATION - AL
1/8" = 1'-0"



2 WEST - WINCHESTER ELEVATION - MC
1/8" = 1'-0"

GENERAL NOTES :

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LEGEND:

- MAXIMUM ALLOWED HEIGHT (35' ABOVE NATURAL GRADE)
- NATURAL GRADE
- FINISH GRADE
- VARIANCE AREA

SWENSON ARCHITECTURE
77774 1st Street, 5th floor San Jose, CA (408) 887-0848 Robert Hightower, Architect - C26048

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3	Planning Response #3	12/10/21

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WINCHESTER MEMORY CARE / ASSISTED LIVING
PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA

BUILDING ELEVATIONS - WEST

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DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

1 NORTH - SHELBURN ELEVATION
1/8" = 1'-0"

GENERAL NOTES :

A. ROOF RAINWATER LEADERS ARE TO BE DISCHARGED ONTO ENERGY DISSIPATERS (SPLASH BLOCKS) AT ALL LOCATIONS. NO IMPROVEMENTS SHALL OBSTRUCT OR DIVERT RUNOFF TO THE DETRIMENT OF AN ADJACENT DOWNSTREAM OR DOWN SLOPE PROPERTY. INSTEAD, STORMWATER TO BE TREATED ONSITE BY MEANS OF BIOTREATMENT. PLEASE SEE CIVIL STORMWATER MANAGEMENT PLAN FOR MORE INFORMATION.

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LEGEND:

- MAXIMUM ALLOWED HEIGHT (35' ABOVE NATURAL GRADE)
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WINCHESTER MEMORY CARE / ASSISTED LIVING
PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA
BUILDING ELEVATIONS - NORTH

Date: APRIL 01, 2021
Scale: AS NOTED
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DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

1 SOUTH - FACING RESIDENTIAL (NEIGHBOR VIEW)
1/8" = 1'-0"

2 SOUTH - FACING RESIDENTIAL
1/8" = 1'-0"

GENERAL NOTES :

A. ROOF RAINWATER LEADERS ARE TO BE DISCHARGED ONTO ENERGY DISSIPATERS (SPLASH BLOCKS) AT ALL LOCATIONS. NO IMPROVEMENTS SHALL OBSTRUCT OR DIVERT RUNOFF TO THE DETRIMENT OF AN ADJACENT DOWNSTREAM OR DOWN SLOPE PROPERTY. INSTEAD, STORMWATER TO BE TREATED ONSITE BY MEANS OF BIOTREATMENT. PLEASE SEE CIVIL STORMWATER MANAGEMENT PLAN FOR MORE INFORMATION.

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27. CORBEL - SPANISH
28. ROLL UP DOOR WITH FROSTED GLASS PANELS
29. LOCATION OF TRASH / RECYCLE PAD FOR ON SITE BIN STAGING FOR COLLECTION DAY USE ONLY. BINS TO BE STORED IN TRASH ROOM BEHIND LOADING ROOM ON NON COLLECTION DAYS.
30. EXISTING GRADE
31. PROPOSED GRADE
32. MAXIMUM ALLOWED HEIGHT (35' ABOVE NATURAL GRADE)

LEGEND:

- MAXIMUM ALLOWED HEIGHT (35' ABOVE NATURAL GRADE)
- NATURAL GRADE
- FINISH GRADE
- VARIANCE AREA

SWENSON ARCHITECTURE
77774 1st Street, 5th floor San Jose, CA 95112 (408) 887-0848 Robert Nghiem Architect - C26048

Consultant:

Revisions:

Revision Schedule		
1	Planning Response #1	07/20/21
2	Planning Response #2	11/01/21
3	Planning Response #3	12/10/21

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WINCHESTER MEMORY CARE / ASSISTED LIVING
PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA
BUILDING ELEVATIONS - SOUTH

Date: APRIL 01, 2021
Scale: AS NOTED
Drawn by: DM, EY, IL
Job #: 20-9215
Sheet: A-4.3

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

1 EAST - FACING RESIDENTIAL ELEVATION - MC
1/8" = 1'-0"

2 EAST - FACING RESIDENTIAL ELEVATION - AL
1/8" = 1'-0"

GENERAL NOTES :

A. ROOF RAINWATER LEADERS ARE TO BE DISCHARGED ONTO ENERGY DISSIPATERS (SPLASH BLOCKS) AT ALL LOCATIONS. NO IMPROVEMENTS SHALL OBSTRUCT OR DIVERT RUNOFF TO THE DETRIMENT OF AN ADJACENT DOWNSTREAM OR DOWN SLOPE PROPERTY. INSTEAD, STORMWATER TO BE TREATED ONSITE BY MEANS OF BIOTREATMENT. PLEASE SEE CIVIL STORMWATER MANAGEMENT PLAN FOR MORE INFORMATION.

ELEVATION KEYNOTE :

1. SPANISH TILE ROOF
2. RAFTER TAIL
3. CORNICE
4. ROOF GUTTER
5. CEMENT PLASTER WITH PAINT FINISH - SHERMAN WILLIAMS 7066 GRAY MATTERS
6. CEMENT PLASTER WITH PAINT FINISH- SHERMAN WILLIAMS 7067 CITYSCAPE
7. EXTERIOR WALL TRIM
8. FIXED WINDOW
9. SINGLE HUNG WINDOW
10. CASEMENT WINDOW
11. SINGLE DOOR
12. DOUBLE DOOR
13. BRACED WOOD TRELLIS
14. ARCHITECTURAL COLUMN
15. CORNICE CROWN
16. EXTERIOR CHANDELIER
17. LINEAR CARRIAGE LIGHT
18. BELLY BAND
19. PATIO METAL RAILING
20. COURTYARD WALL
21. CHIMNEY - CEMENT PLASTER FINISH, EXTERIOR TRIM, COPPER CROWN
22. SPLIT FACE CMU WALL ADJACENT TO NEIGBOR'S WALL, 6'-0" TYP.
23. CURTAIN WALL
24. NOT USED
25. ROLL UP GATE
26. GEOMETRIC SCREEN
27. CORBEL - SPANISH
28. ROLL UP DOOR WITH FROSTED GLASS PANELS
29. LOCATION OF TRASH / RECYCLE PAD FOR ON SITE BIN STAGING FOR COLLECTION DAY USE ONLY. BINS TO BE STORED IN TRASH ROOM BEHIND LOADING ROOM ON NON COLLECTION DAYS.
30. EXISTING GRADE
31. PROPOSED GRADE
32. MAXIMUM ALLOWED HEIGHT (35' ABOVE NATURAL GRADE)

LEGEND:

- MAXIMUM ALLOWED HEIGHT (35' ABOVE NATURAL GRADE)
- NATURAL GRADE
- FINISH GRADE
- VARIANCE AREA

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Consultant:

Revisions:

Revision Schedule		
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WINCHESTER MEMORY CARE / ASSISTED LIVING
PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA

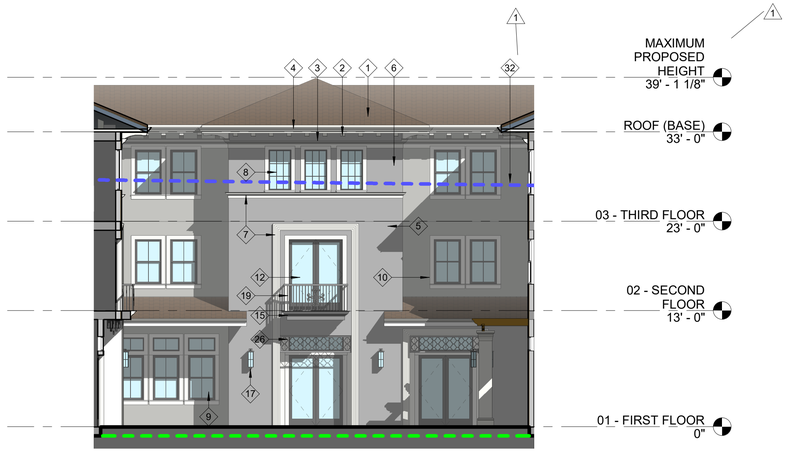
BUILDING ELEVATIONS - EAST

Date: APRIL 01, 2021
Scale: AS NOTED
Drawn by: DM, EY, IL
Job #: 20-9215

Sheet: A-4.4

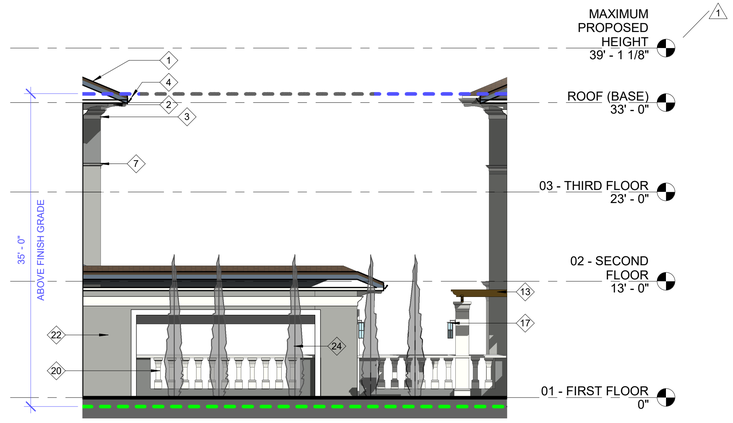
DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

1 AL COURTYARD - NORTH
1/8" = 1'-0"



2 AL COURTYARD - EAST
1/8" = 1'-0"

3 AL COURTYARD - SOUTH
1/8" = 1'-0"



4 AL COURTYARD - WEST
1/8" = 1'-0"

ELEVATION KEYNOTE :

1. SPANISH TILE ROOF
2. RAFTER TAIL
3. CORNICE
4. ROOF GUTTER
5. CEMENT PLASTER WITH PAINT FINISH - SHERMAN WILLIAMS 7066 GRAY MATTERS
6. CEMENT PLASTER WITH PAINT FINISH- SHERMAN WILLIAMS 7067 CITYSCAPE
7. EXTERIOR WALL TRIM
8. FIXED WINDOW
9. SINGLE HUNG WINDOW
10. CASEMENT WINDOW
11. SINGLE DOOR
12. DOUBLE DOOR
13. BRACED WOOD TRELLIS
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15. CORNICE CROWN
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LEGEND:

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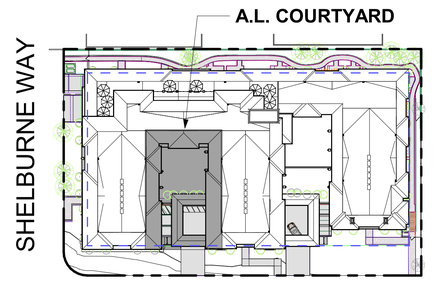
- NATURAL GRADE
- FINISH GRADE
- VARIANCE AREA



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Revision Schedule		
1	Planning Response #1	07/20/21

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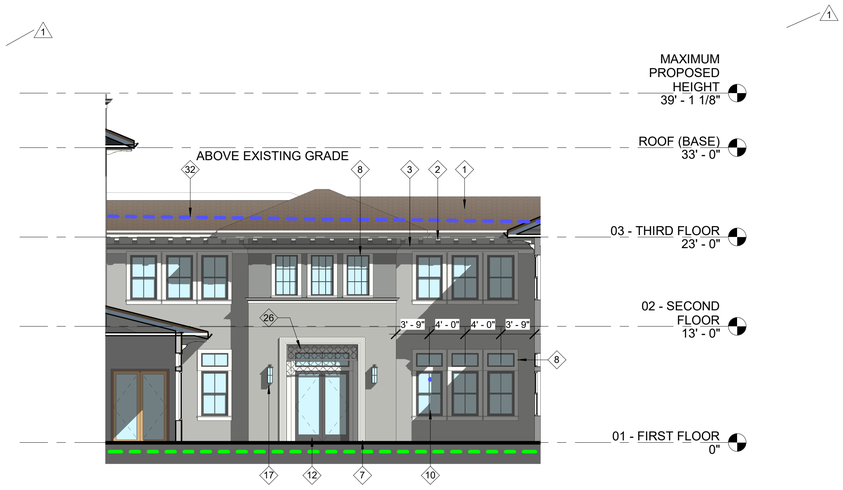
WINCHESTER MEMORY CARE / ASSISTED LIVING
PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA

COURTYARD ELEVATIONS - ASSISTED LIVING

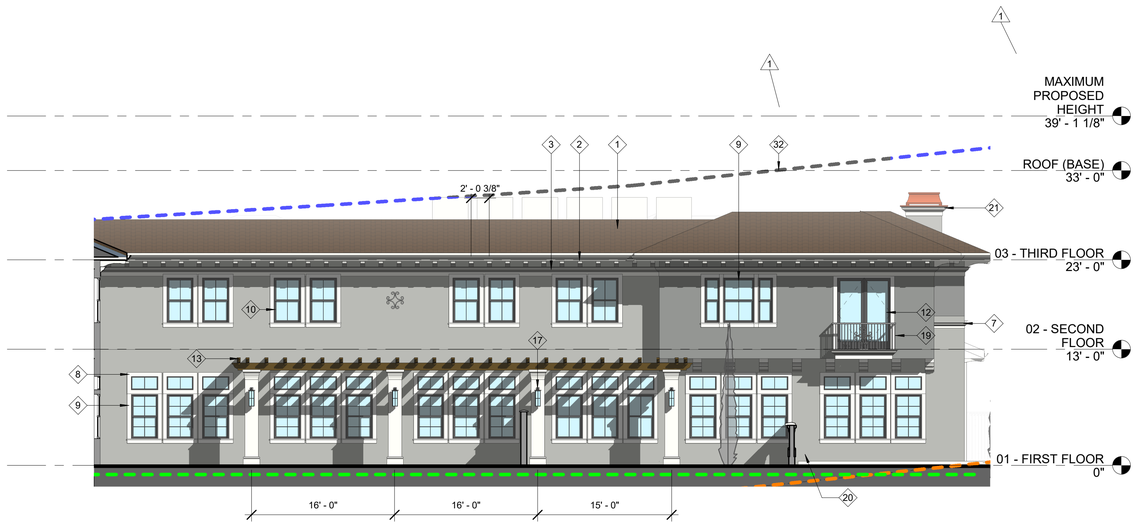
Date: APRIL 01, 2021
Scale: AS NOTED
Drawn by: DM, EY, IL
Job #: 20-9215
Sheet: A-4.5

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

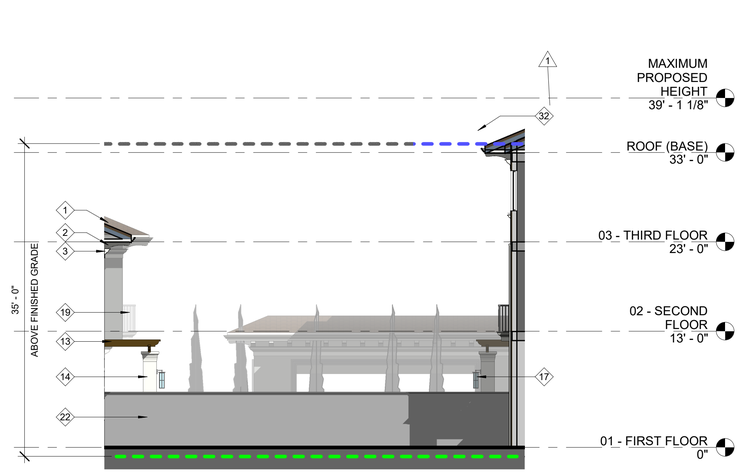
1 MEMORY CARE COURTYARD - NORTH
1/8" = 1'-0"



2 MEMORY CARE COURTYARD - EAST
1/8" = 1'-0"



3 MEMORY CARE COURTYARD - SOUTH
1/8" = 1'-0"



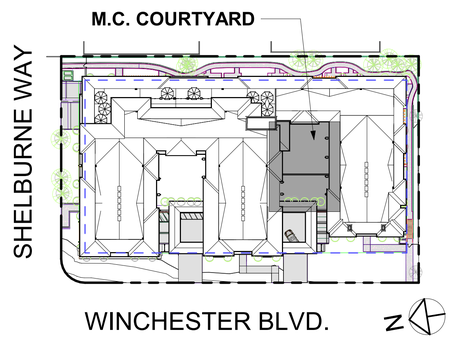
4 MEMORY CARE COURTYARD - WEST
1/8" = 1'-0"

ELEVATION KEYNOTE :

1 SPANISH TILE ROOF	13 BRACED WOOD TRELLIS	25 ROLL UP GATE
2 RAFTER TAIL	14 ARCHITECTURAL COLUMN	26 GEOMETRIC SCREEN
3 CORNICE	15 CORNICE CROWN	27 CORBEL - SPANISH
4 ROOF GUTTER	16 EXTERIOR CHANDELIER	28 ROLL UP DOOR WITH FROSTED GLASS PANELS
5 CEMENT PLASTER WITH PAINT FINISH - SHERMAN WILLIAMS 7066 GRAY MATTERS	17 LINEAR CARRIAGE LIGHT	29 LOCATION OF TRASH / RECYCLE PAD FOR ON SITE BIN STAGING FOR COLLECTION DAY USE ONLY. BINS TO BE STORED IN TRASH ROOM BEHIND LOADING ROOM ON NON COLLECTION DAYS.
6 CEMENT PLASTER WITH PAINT FINISH- SHERMAN WILLIAMS 7067 CITYSCAPE	18 BELLY BAND	30 EXISTING GRADE
7 EXTERIOR WALL TRIM	19 PATIO METAL RAILING	31 PROPOSED GRADE
8 FIXED WINDOW	20 COURTYARD WALL	32 MAXIMUM ALLOWED HEIGHT (35' ABOVE NATURAL GRADE)
9 SINGLE HUNG WINDOW	21 CHIMNEY - CEMENT PLASTER FINISH, EXTERIOR TRIM, COPPER CROWN	
10 CASEMENT WINDOW	22 SPLIT FACE CMU WALL ADJACENT TO NEIGBOR'S WALL, 6'-0" TYP.	
11 SINGLE DOOR	23 CURTAIN WALL	
12 DOUBLE DOOR	24 NOT USED	

LEGEND:

- MAXIMUM ALLOWED HEIGHT (35' ABOVE NATURAL GRADE)
- NATURAL GRADE
- FINISH GRADE
- VARIANCE AREA



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Consultant:

Revisions:

	Revision Schedule	
1	Planning Response #1	07/20/21

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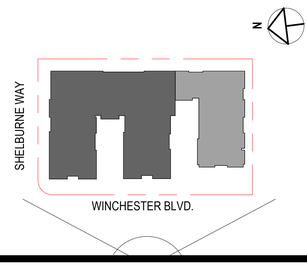
WINCHESTER MEMORY CARE / ASSISTED LIVING
PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA
COURTYARD ELEVATIONS - MEMORY CARE

Date: APRIL 01, 2021
Scale: AS NOTED
Drawn by: DM, EY, IL
Job #: 20-9215
Sheet: A-4.6

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

RENDERING - WEST ELEVATON (WINCHESTER BOULEVARD)



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PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA

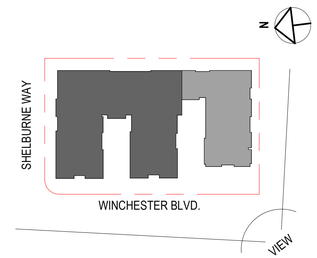
RENDERING - WEST ELEVATON

Date: APRIL 01, 2021
Scale: AS NOTED
Drawn by: DM, EY, IL
Job #: 20-9215

Sheet: A-5.1

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

RENDERING - PERSPECTIVE FROM WINCHESTER BOULEVARD LOOKING NORTH - EAST



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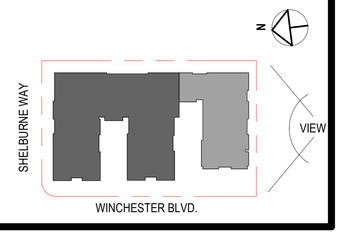
PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA

RENDERING - PERSPECTIVE FROM
WINCHESTER

Date: APRIL 01, 2021
Scale: AS NOTED
Drawn by: DM, EY, IL
Job #: 20-9215
Sheet: A-5.2

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

RENDERING - SOUTH ELEVATION



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WINCHESTER MEMORY CARE /
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PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA

RENDERING - SOUTH ELEVATION

Date: APRIL 01, 2021
Scale: AS NOTED
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DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

RENDERING - PERSPECTIVE OF GARDEN / GROUND LEVEL UNITS

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PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA

RENDERING - PERSPECTIVE FROM GARDEN/GROUND LEVEL UNIT

Date: APRIL 01, 2021
Scale: AS NOTED
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Sheet: A-5.4

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

RENDERING - NORTH ELEVATON (SHELBURNE WAY)

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WINCHESTER MEMORY CARE / ASSISTED LIVING
PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA
RENDERING - NORTH ELEVATON (SHELBURNE WAY)

Date: APRIL 01, 2021
Scale: AS NOTED
Drawn by: DM, EY, IL
Job #: 20-9215

Sheet: A-5.5

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

1 RENDERING - PERSPECTIVE FROM SHELBURNE WAY LOOKING SOUTH - WEST
12" = 1'-0"

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15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA

RENDERING - PERSPECTIVE FROM SHELBURNE

Date: APRIL 01, 2021
Scale: AS NOTED
Drawn by: DM, EY, IL
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DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

RENDERING - AERIAL FROM SHELBURNE

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

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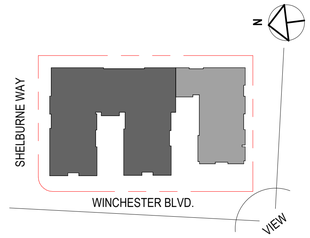
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA

RENDERING - AERIAL FROM
SHELBURNE

Date:
APRIL 01, 2021
Scale:
AS NOTED
Drawn by:
DM, EY, IL
Job #:
20-9215
Sheet
A-5.7

RENDERING - AERIAL FROM WINCHESTER



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PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA

RENDERING - AERIAL FROM WINCHESTER

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Scale: AS NOTED
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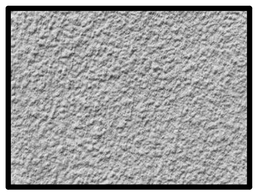
Job #: 20-9215

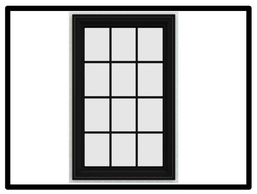
Sheet: A-5.8

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

MATERIALS ARE REFERENCED BY LETTER



A : CEMENT PLASTER
FINISH : SAND



B : VINYL WINDOW

C : STUCCO FOAM TRIM

D : METAL RAILING

E : PERCAST BALUSTERS
BALUSTERS TO HAVE SQUARED PROFILE TO MATCH COLMNS

F: SPANISH TILE ROOF
COLOR :

G : COPPER CHIMMEY CAP

H : TUSCAN COLUMN CAPITAL
COLUMN TO HAVE SQUARED PROFILE

COLORS ARE REFERENCED BY NUMBER:

1 : SHERWIN-WILLIAMS
SW 7757
HIGH REFLECTIVE WHITE

2 : SHERWIN-WILLIAMS
SW 7674
PEPPERCORN

3 : SHERWIN-WILLIAMS
SW 7067
CITYSCAPE

4 : SHERWIN-WILLIAMS
SW 7066
GRAY MATTERS

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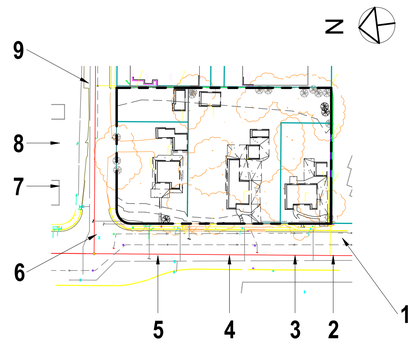
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA

MATERIALS AND COLORS

Date: APRIL 01, 2021
Scale: AS NOTED
Drawn by: DM, EY, IL
Job #: 20-9215
Sheet: A-6.1

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022



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WINCHESTER MEMORY CARE /
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PLANNING REVIEW NO. 21 1724
15860 - 15894 WINCHESTER BLVD., LOS GATOS, CA

PHOTOS OF PROPERTY

Date:
APRIL 01, 2021
Scale:
AS NOTED
Drawn by:
DM, EY, IL
Job #:
20-9215

Sheet

A-7.1

DEVELOPMENT REVIEW RESUBMITTAL #4 : APRIL 4, 2022

From: Joseph Gemignani [redacted]
Sent: Sunday, April 25, 2021 6:47 PM
To: Jennifer Armer <JArmer@losgatosca.gov>
Cc: Diego Mora <DMora@losgatosca.gov>
Subject: 15860 Winchester Blvd

Hi Jennifer and Diego,

I reviewed the development proposal for the site at 15860 Winchester Blvd and I absolutely love it. I think it is a beautiful looking project and fits in nicely to the character of Los Gatos. This is 100 percent better than the office development proposal for this same site proposed two or three years ago.

I hope it receives a positive review from you and the Planning Commission as well.

This is one of the best projects I've seen in quite some time.

Joseph

EXHIBIT 14

From: Samira Shokrgozar [redacted]
Sent: Wednesday, October 12, 2022 10:17 AM
To: Jennifer Armer <JArmer@losgatosca.gov>
Subject: Winchester Assisted Living/Memory Care Facility

EXTERNAL SENDER

Hi Jennifer,

I am writing to express my displeasure at the height of the story poles at 15860 Winchester Blvd. I live on [redacted] which is across from this address on the other side of Winchester. This new building cuts into our serene mountain view which we cherish and is a huge reason we bought this home (I have taken pictures which I can email over).

Additionally, I worry about all the increased traffic this will cause. We have 2 young children who often play on our quiet cul de sac and I can imagine all the extra cars that will now start turning on our street or parking on our street because of this development.

Also, I can imagine that with this type of building we will constantly be hearing emergency and trash vehicles on a daily basis. With young children, getting a sound sleep is crucial.

Please let me know if this is the right place to voice my concerns or if I should be emailing someone else.

Thank you,
Samira Fishwick

From: Lauren Roseman [redacted]
Sent: Tuesday, October 25, 2022 11:26 AM
To: Council <Council@losgatosca.gov>; Town Manager <Manager@losgatosca.gov>
Subject: Written comments for Nov 1st Town Council Meeting

EXTERNAL SENDER

Attached are my comments in regards to the proposed development of 15980 Winchester Blvd. Please confirm they will be added to the public comments on this project.

Thanks,
Lauren Roseman

October 25, 2022

Lauren Roseman
[redacted]
Monte Sereno, CA 95030
[redacted]

Town Council
Town of Los Gatos
110 E. Main St.
Los Gatos, CA 95030

Dear Los Gatos Town Council,

I am writing to express my concern over the proposed development of 15890 Winchester Blvd. While I welcome the project in general, the scale and size are concerning. The previous proposal entailed a 2-story office building with a maximum height of 31 ft, according to plan documents. The current proposal is a 3-story building that reaches 39 feet at the top of the roofline facing Winchester Blvd and 50 feet at the rear of the building. This is significantly higher than any other building in the area, including the 2-story building housing the Palo Alto Medical Foundation at 15720 Winchester Blvd. The height is out of scale and size with the neighborhood where nothing appears to reach more than two stories.

Please consider modifying the height of the building to be consistent with the rest of the area along Winchester Blvd.

Kind regards,

Lauren Roseman

From: Joseph Gemignani [redacted]
Sent: Wednesday, January 11, 2023 3:50 PM
To: Jennifer Armer <JArmer@losgatosca.gov>
Subject: 15860 Winchester

EXTERNAL SENDER

Hi Jennifer,

I want to express my support for the project at 15860 Winchester Blvd. This is the first project I'm actually excited about for this location. Other proposals for this site, over the years, did not fit well with the adjacent neighborhood.

I think the architecture is absolutely beautiful and would be a welcomed addition to the town. I would hope the City does not change the architecture such as removing the tile roof.

I think this is the best proposal I have seen for our town in the last four years. I also totally support a project that helps or seniors.

Thanks for reading my letter,

Joseph

From: A KUMAR
Sent: Monday, July 24, 2023 5:14 PM
To: Planning <Planning@losgatosca.gov>
Subject: Re: Re 15860-15894 Winchester @Shelbourne Proposed Project

[EXTERNAL SENDER]
Greetings,
As previously communicated the proposed structure needs ample parking space both for their Staff and guests as currently we have a major parking space limitation on our residential properties within the vicinity of this proposed building
. Currently there are 2 vehicles, a white truck with Furniture for over 10 days on Winchester across from this project and a red truck that the owner and employee for this project removes its steering when parked from evening on overnite . Is this the kind of activity that we should be looking forward to on our residential streets .No assurance of security patrol will work . unless only permitted parking is adopted on our streets and no overnight parking on residential streets . This is a major security issue .Our LGMS police already have their hand full .
Please give Careful consideration on Exterior illumination and lights emitting from windows , no imposing views into our backyards privacy .
Hopefully vehicle entrance is limited from Shelburne and possibly a turn signal lane from winchester and University to Shelburne ,

Thanks
Adesh Kumar
Resident [redacted] since 1984

1 August 2023

Los Gatos Planning Commission
Town of Los Gatos

Dear Chair Barnett and Commission Members,

I am writing in support of the proposed Winchester Memory Care/Assisted Living facility at 15860 Winchester Blvd. The opinions contained in this letter are strictly my own and are not intended to represent the views of community groups I participate in.

I believe the increasing population of older adults in Los Gatos and their associated needs would be well served by expansion of memory care and assisted living resources for our residents. Assuming the Planning Commission finds that the proposed facility meets the Town's standards, I would encourage members to support this proposal for the benefit of our older adults with special needs.

Respectfully yours,
Tom Picraux

S. Tom Picraux
[redacted]
Los Gatos, CA 95032

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DATE: August 8, 2023

TO: Planning Commission

FROM: Joel Paulson, Community Development Director

SUBJECT: Requesting Approval for 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 O. **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.

REMARKS:

Exhibit 15 includes public comment received between 11:01 a.m., Friday, August 4, 2023, and 11:00 a.m., Tuesday, August 8, 2023.

EXHIBITS:

Previously received under separate cover:

1. Mitigated Negative Declaration with Appendices A through F (available online at https://www.losgatosca.gov/15860WinchesterBoulevard)

Previously received with August 9, 2023 Staff Report:

2. Location Map
3. Required Findings
4. Draft Conditions of Approval for Architecture and Site, Variance, and Lot Merger

PREPARED BY: Jennifer Armer, AICP
Planning Manager

Reviewed by: Community Development Director

EXHIBITS (continued):

5. Draft Conditions of Approval for Conditional Use Permit
6. Project Description
7. Letter of Justification
8. Market Study
9. Town's Consulting Architect Report
10. Applicant's Arborist Report by Arbor Resources
11. Town's Consulting Arborist Peer Review by Monarch Consulting Arborists
12. Mitigation Monitoring and Reporting Program
13. Development Plans
14. Public comments received by 11:00 a.m., Friday, July 21, 2023

Received with this Addendum Report:

15. Public Comment received between 11:01 a.m., Friday, August 4, 2023, and 11:00 a.m., Tuesday, August 8, 2023.

From: Georgina Van Horn
Sent: Monday, August 7, 2023 5:27 PM
To: Planning <Planning@losgatosca.gov>
Subject: Planning Commission Mtg Wed. Aug. 9

[EXTERNAL SENDER]

Dear Planning Commission,

This email is concerning the Architecture and Site Applcatiom S-21-008 15860 Winchester Blvd. I live at [redacted]. one of the two closest townhouses at the [redacted].

The building proposed for the site is enormous! It comes almost to our wall that separates the two properties. It would overwhelm the entire area south of Daves Ave. and a main entrance into town. Winchester Blvd. from Lark is lined with trees to Daves. From that point all the buildings are low and mostly behind trees.

We at the [redacted] have worked to keep us looking like a woodsy area because of the parks right across the street from us on University Ave. Also to keep our small town feel.

My townhouse door faces the huge side of the two to three story building. They would be looking into my upstairs three bedroom windows and I would be able to see into their windows.

The town has a 40% coverage. They are asking for 50%. Looking at the front of the building it looks like it takes the whole lot. We should be able to see that it only covers 40%!

I ask you to please consider these many factors. Having a building that size would not only impact this whole area but also many lives.

Thank you for all your work for our town.

Sincerely,
Georgina Van Horn

EXHIBIT 15

From: Demian Raspall [redacted]
Sent: Monday, August 7, 2023 7:05 PM
To: Planning <Planning@losgatosca.gov>; Jennifer Armer <JArmer@losgatosca.gov>
Cc: Dave Weigand; Karen Vincent
Subject: Swenson's Development Proposal for 15860 Winchester Boulevard [S-21-008, U-21-010, V-21-003, M-22-008]

[EXTERNAL SENDER]
Dear Members of the Conceptual Design Advisory Committee,

I am the serving president of the University Oaks Homeowners Association. Our community is located directly adjacent to the proposed development by Swenson.

On behalf of our homeowners, I kindly request the attached pdf letter to be included in the packet for the CDAC meeting, and thoughtfully considered when reviewing Swenson's application.

Please don't hesitate to contact me if you have any questions.

Respectfully,

Demian Raspall
on behalf of University Oaks Homeowners.

Ref: Architecture and Site Application S-21-008, Conditional Use Permit U-21-010, Variance Application V-21-003, Subdivision Application M-22-008

University Oaks Condominium Association
707 University Ave
Los Gatos, CA 95032

Planning Commission
Town of Los Gatos
110 E. Main St.
Los Gatos, CA 95030

August 7th 2023
Via electronic mail

Ref: 15860 Winchester Boulevard

Dear Members of the Conceptual Design Advisory Committee,

We would like to share our concerns regarding the proposed project on the adjacent parcels to our community. We believe this project, as presented, is not a good fit for our town. This situation is amplified by the developer's lack of interest in being a good neighbor.

Lack of communication

- Swenson has been developing this project for the last few years. However, the last communication we had with them was in **October 2020** when they shared their preliminary design and we provided our initial feedback.
- For more than 30 months Swenson refined the project without seeking any feedback from our community.
- 2 weeks ago, in the midst of confusion with the hearing dates, they reached out to schedule a meeting with us. We held that meeting on August 2nd.
- Swenson shared, for the first time with us, their project plans in the application. Their general tone was "*this project is finalized, you can voice your concerns at the public hearing*".
- As far as we know, Swenson has not reached out to other members of the community either.

We are extremely disappointed with the way Swenson has treated us. Following our initial feedback in 2020 we have never been approached again. We have serious concerns with the design but we were never given an opportunity to discuss with them. They clearly had no interest in getting our input on their design.

Size of the building facing our community

- The proposed building is massive in size and has a very tall facade facing our University Oaks community.
- The buffer area between our community and Swenson's building is insufficient to provide visual screening and sound abatement.
- Swenson argues they kept only 2 stories facing our property but, in reality, because of the steep grade it is really a 3 story structure.
- Project is not designed with the neighborhood context or surrounding environment in mind, like the existing scale and character of surrounding structures. This area would be better suited with the established character of the area of single and two story residential and non-residential structures.

Additional concerns raised by members of our community include

- Density
- Parking/Traffic
- Bulk/Massing/Height
- Tree removal
- Visibility/Privacy
- Artificial Light Encroachment/Shadow Effect of Building

We would have liked an opportunity to sit with the developer, discuss our concerns and be given an opportunity to explore alternatives that can make their building compatible with our needs. Unfortunately, Swenson has avoided contact with our community and downplayed the size and impact of their project, with us and with the community at large, by avoiding outreach. It is not only disappointing but it also **sets a very bad precedent as to how land development could be conducted in our town**.

We understand it is the responsibility of our community to provide for senior housing, we also understand there is a reasonable standard of what needs to be provided and this project exceeds this standard significantly in respect to density, height, bulk, and overall compatibility within the surrounding community. **Had we been given an opportunity to discuss with the developer and attempt to unlock that middle ground, we could be approaching This Commission with different feedback.**

We thank you for your time and consideration of our concerns and look forward to your thoughts on the matter.

Yours truly,
Residents of University Oaks Homeowners Association.

From: Suzanne Rollin
Sent: Monday, August 7, 2023 8:47 PM
To: Planning <Planning@losgatosca.gov>; Jennifer Armer <JArmer@losgatosca.gov>
Subject: 15860 Winchester Boulevard

[EXTERNAL SENDER]

Dear Planning Commission:

I am writing to you regarding the proposed project for redevelopment located at 15860 Winchester Blvd. adjacent to the [redacted] where I have lived for over 25 years.

I recently attended a meeting of our homeowners association with a representative of Swenson and I have reviewed the presentation of their plans online. I wish to express my concerns:

The size of the proposed building relative to other buildings and residences on Winchester Blvd. is enormous. In addition, Swenson is asking for usage of 50% of the land vs. 40%. Swenson is also asking for a height variance in excess of 35 feet. The effect of the massive size of the proposed building, its height and 10 foot setback from the wall of our property will place our homes in a cavern. In addition, the proposed building will have residential units with windows that will look directly into some of our homes. Swenson's drawings and video of the proposed building do not illustrate what their building will look like next to our complex, resulting in a less than accurate illustration of the project.

It appears that Swenson is relying on a 2016 Traffic Operation Analysis that is very out of date. There is very heavy traffic on Winchester Blvd., particularly on weekends. The recent addition of the bike lanes has also affected traffic. My understanding is that in addition to the residents, there will be 24 employees at the building per shift, in addition to the traffic generated by deliveries and residents coming and going.

I am also concerned that the proposed building does not negatively impact the two very large and old oak trees (Large Protected Trees) on our property.

Sincerely,

Suzanne Rollin

[redacted]

Los Gatos, CA 95032

From: Eric Hulser
Sent: Tuesday, August 8, 2023 10:06 AM
To: Jennifer Armer <JArmer@losgatosca.gov>
Subject: Objection to 15860 Winchester Blvd

[EXTERNAL SENDER]
Hello Jennifer,

I am writing in opposition to the proposed project at 15860 Winchester Blvd. I apologize if there is another email I should send this to. This is the formal document I am submitting, and I will be presenting some additional slides tomorrow in-person at the council meeting.

Thank you,
Eric Hulser

Dear Council Members,

My name is Eric Hulser, I am writing on behalf of myself and my wife, Ashley Abercrombie Hulser, as well as my fellow homeowners in the [redacted] located at [redacted]. We are the nearest neighbors to the proposed project at 15860 Winchester Boulevard and are writing in strong opposition of this project plan's approval. They have submitted to the planning committee variance requests that go far above what is an acceptable adjustment and I intend to show plainly why these should be rejected.

Zoning Requirements

Firstly, this property is zoned for Office use. I understand that they have been granted a conditional use permit to build an assisted living facility - and we have aligned with them on that. However, these are no longer offices, these are going to be residential units - units with living rooms and bedrooms and courtyards for their residents, with units directly facing our homes in our property. Based on the project plans, this building aligns to the definition of an R-M zone, which defines requirements for assisted living facilities with courtyards as this project is proposing - as such, we should hold the building requirements to the same standard. For instance, in zoning for an Office, the height limit is 35 feet and the setback requirements from a side wall are 10 feet, which is what this plan is built toward. But in an R-M zone, there are specific callouts for buildings with living and bedroom windows facing a side wall, as this building will have. In that case the setback requirement is 20 feet, not 10. In addition, any parts of these buildings that are *not* over cellar parking should then have a 30 foot height limit as opposed to 35 feet. This may be zoned as an office, but they are not building an office, they are building a multi-family residential assisted living building, they cannot treat it as an office.

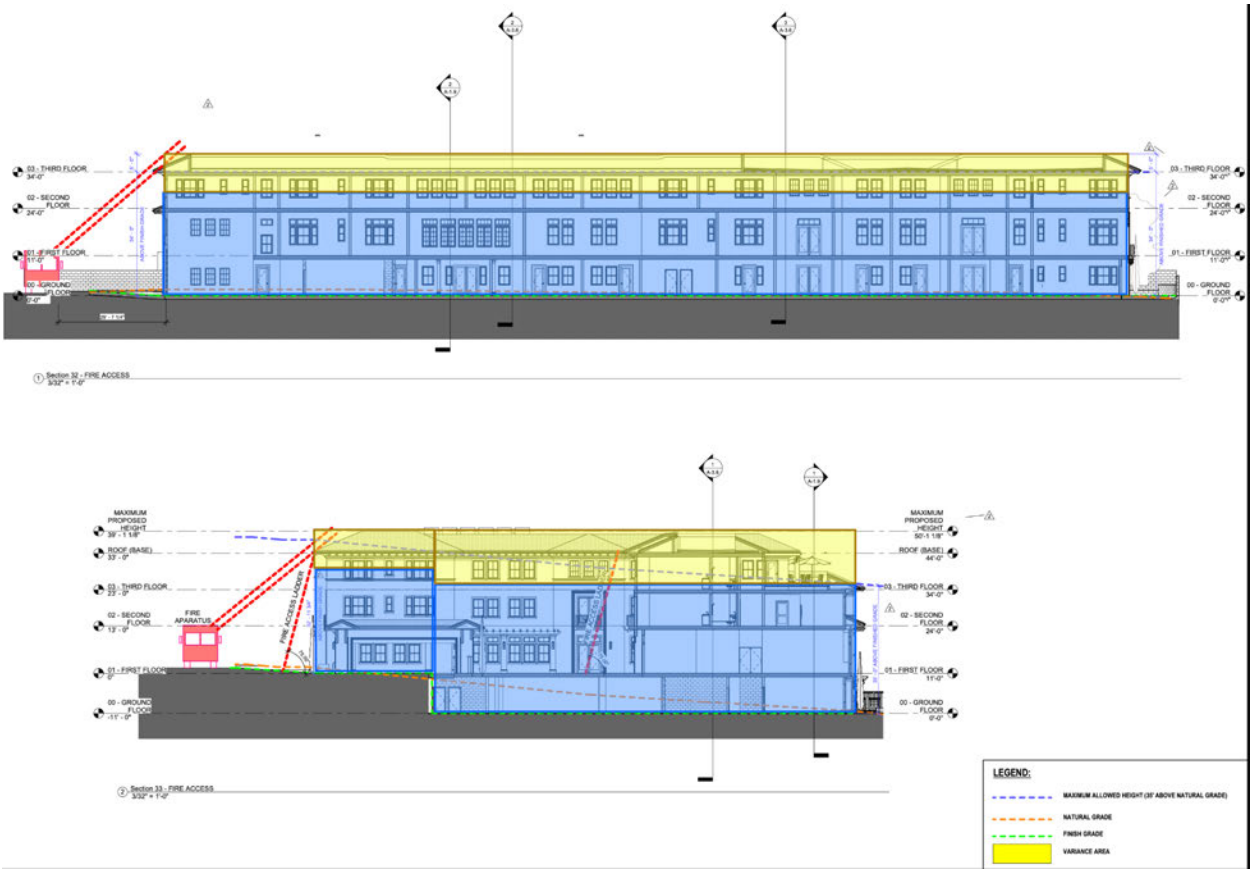
Variance Requests

Going then into the requests, the height variance that is being requested here is to exceed 35 feet - much of this building goes as high as 50 feet above the finished grade. This is not a slight variance, depending on the zoning requirement we set that is 15-20 feet above the height limit for our community. The net result of this is a building that is far larger than anything else on this street, and a size that has caused various other issues with this project already.

Image References

This view is on page 32 of the Project Plan submitted to the city. You can clearly see where they are claiming the Maximum Allowed Height, and it is called out as being above the natural grade - that is not the measurement, the finished grade is clearly lower and should be what is used per our zoning requirements.

This is a more accurate representation of this page and the variance request according to the R-M requirements, assuming this finished grade to be where the garage parking is located (so still 35’ in the back).



Similarly this is the view presented on page 43 of their project plan document, this would be the theoretical view from our property. However, again, this is a misrepresentation as this vantage point would only be achievable if you were *behind* our homes - it is rendered as though our property does not exist.

The second render clearly shows a height limit and attempts to portray that the building is underneath it in its entirety - going as far as completely omitting the building behind it as though it does not exist, and does not even align with the first image..

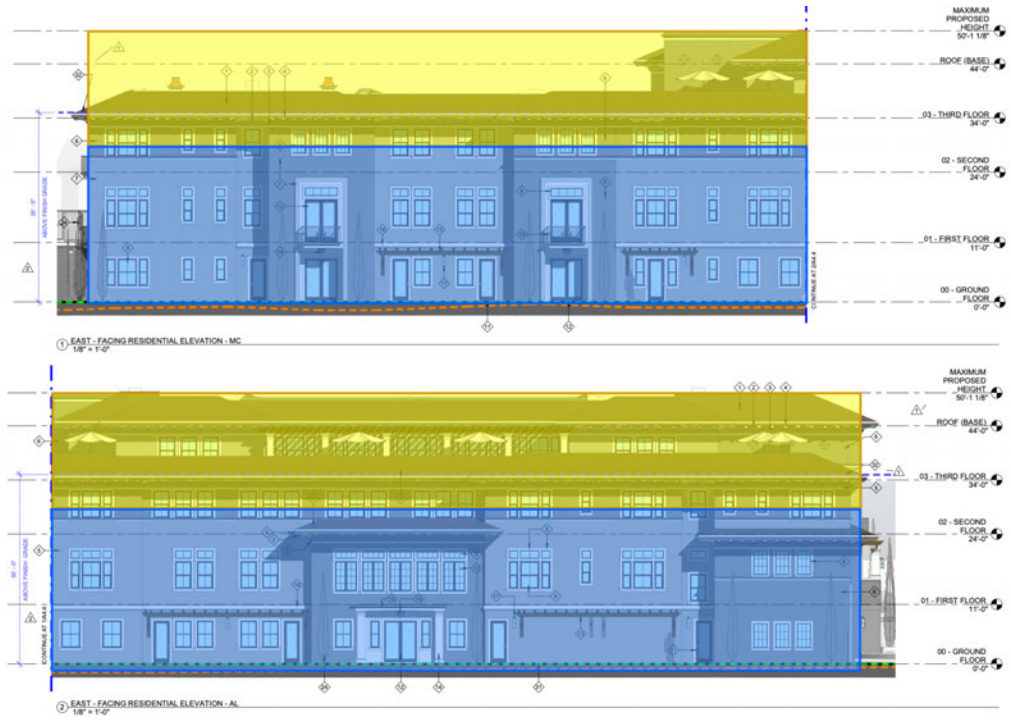
Overall, this rendering is blatantly false as that is *not* the height limit as shown below.

This view found on page 51 however gives the same vantage point, without the trees and walls from the render, which clearly shows the finished grade going well below the natural grade that they are claiming to be the height limit in the previous image - though their height limit line does adjust accordingly which shows they are aware of the discrepancy. Here, they conveniently do not include the variance area shading - they show it in yellow on their diagram, however do not fill it in, leading to a misrepresentation again that there is no variance area..

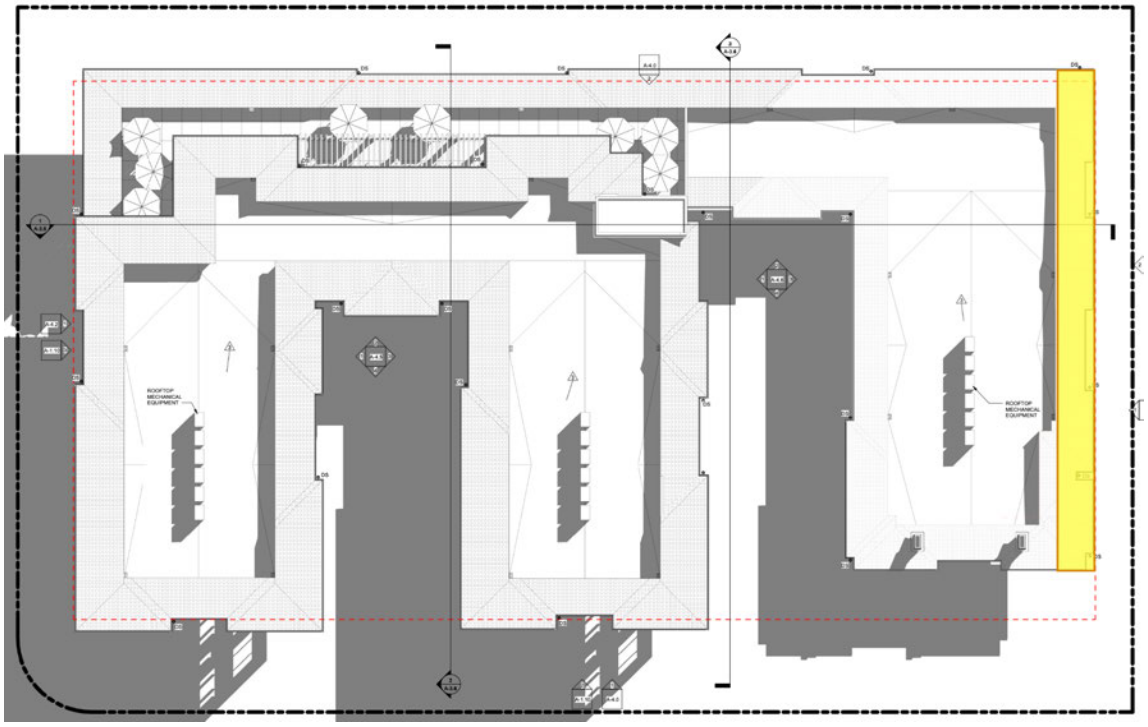
If we fill in the variance properly against the roofline (as per the zoning requirement which calls out the height being measured to the grade directly beneath that point) then we get a *very* different picture than the above renderings provided by the developer. Again, I would like to stress these are residential units *not* office rooms - those are living quarters coming out to a patio on that bottom floor, there is no cellar parking for this building, and thus *should* have a height limit of 30'.

From the rear however is where you truly see the size of this building and the insane amount above the height limit it is.

This roofline goes to 50’ above the finished grade, that is 15-20’ above the height limit, for a *large* percentage of this project.



In addition, when viewed from above, you can also see the 10’ setback limit, based on the other renders that show the redline being 10’ from the side wall. This whole building is 10’ too close to the side - given the fact that these are living patios and quarters for residents, it should be 20’ away.



These are a *lot* of variances that go well above the intended limits. In *addition* to these, this is a very large lot and yet still the developer is proposing to go over that as well using 28,436 square feet of their 56,889 square feet, above the limit by 10%. This is a *massive* project and it seems unfathomable to grant these requests given their size, impact and gross delta above the norm.

Netting Requirements + Public Opposition

Moving beyond the zoning limitations, we have already seen two variances granted for this project in addition to its conditional use permit - the first to avoid using netting to mark out the building lines and the second to avoid putting up additional flags when the builder failed to do it properly in the beginning. The *reason* they were unable to properly net this project is directly related to its size. It is so far above the limit that it created an unsafe condition for them to net. If they simply built a building to code then this would not have been an issue.

I would also like to call out that I was at the town hall meeting in April when the second variance was granted. I raised the point that this project is not garnering the appropriate attention within the community to raise awareness about the size and scope to drive a

proper opposition to it. The actions since seem to align with an attempt to thwart or dissuade this opposition. The poles that exist remain in a derelict state - the poles are leaning over, the flags are deteriorated. The developer was granted the second variance by the council citing the reasoning that it would take too long to fix due to the rains, erecting billboards would be faster. The hearing was in April, the billboards did not appear until late June or early July, I do not recall exactly when because the are so innocuous that it did not draw my attention, which was their explicit purpose and I was even looking for them. For someone not familiar with the project or area, simply driving down Winchester Boulevard to their home, they would likely not know it is there - let alone see the QR code to go view the movie.

In addition, the billboard had the incorrect date for the hearing (or we had the incorrect cards) however as of July 14th when we received our cards for the hearing, and up until the day of on the town's agenda, this hearing was stated for July 27th, not August 9th. Whether deliberate or accidental, or due to the length of time for the billboards to be erected, this undoubtedly created confusion for those who were following along to communicate their opposition.

Renderings

This leads me to the next point on the renderings. We met with the developer on August 2nd and brought up multiple objections to these views. Many of them do not properly show the building in context. These angles show vantage points that would be well farther removed from the side of the building they claim to represent, particularly where our community is concerned. The size and proximity of the building would not really allow for it because as stated, it is too tall and too close to show an accurate depiction from their side wall - it is virtually on top of our property. We will include videos from our community showing the true vantage point, and have asked for updates from the developer to show more of the building within proper scope and context of the community. Their video from their billboard does show a bit more, but none of the plans that are included on the towns website include that, so unless someone noticed this

signage and actively slowed themselves down to access that QR code link, they would not have seen it.

Traffic Operations Analysis

In addition to the variances, the size of this project will have a very large impact on traffic in the Los Gatos Community. As with numerous aspects of this project proposal, the traffic operations analysis that is being presented is outdated. This document references the “results of the intersection LOS analysis from the 2016 approved office development transportation study” and the fact that they claim there will not be a substantial change in impact to not perform an updated analysis. In addition the *Site Access and Circulation* analysis that accounts for the safety of pedestrians and cyclists was conducted on October 13th 2020. Given that this section is outlining the driveway site requirements and how to ensure a safe vantage point for vehicles to see cyclists, this needs to be revisited now that Winchester Boulevard has a new dedicated bike lane that was not present at the time of the initial study.

Beyond those oversights, we believe the trip estimation number provided needs to be revisited as well. The developer sites usage of ITE’s *Trip Generation Manual, Tenth Edition* as their source for trip estimation which was published in 2017. The *Eleventh Edition* of this manual was published in 2021 with more updated multimodal trip generation data and specifically calls out changes to the Assisted Living (254) and Congregate Care Retirement Community (255) rates in their *Updates to the Trip Generation Manual, 11th Edition* summary. These would have a direct impact on the estimations. The other objection we have with this calculation is that it only factors in the residential units - the number of beds and units within the facility and that due to the nature of the residents, there is likely to be less travel impact.

However, later in the same document they reference that the VTA would treat an Assisted Care facility more akin to a hospital. This is due to the staff working there and trips that will be generated as far as loading, unloading of supplies as well as visitors to the residents in the community. These trips will happen at all ours of the day, as it also states (however does not factor into the calculation) there will be as many as 24 employees per shift, which will need 24 hour staffing, which can generate upwards of 144 trips that are unaccounted for alone (24 employees x 3 shifts x 2 trips). There is no mention of just how many additional ancillary trips there may be, however given the amount of times loading and unloading are called out within

this document, it seems to be a valid assumption that there will be frequent occurrences - considerably more than an office in today's hybrid work environment.

Overall at minimum we would request this study to be redone with the latest data and sources as we cannot rely on an impact study performed over seven years ago based on data derived in 2017. Given the importance and focus that the city is placing on traffic, getting an updated and accurate assessment seems critical. Just in April at the town hall I joined, I saw constituent after constituent implore the council to improve the safety of our intersections after a young mother passed away after being hit right up the road by a vehicle on Blossom Hill. Any project that would see a net increase in our traffic so substantially should be heavily scrutinized in order to ensure we are keeping our community safe, and the *reason* we would see such a high increase with this project is directly correlated to its size, which is only enabled by granting these variance requests.

Protected Trees

The final point we would like to bring to the council's attention is the consideration of the two large oaks that exist on our property. The arborist study that the developer presented only assesses the impact to the trees directly on their property, however the construction of this new building - and the height of it - will likely have an impact on the trees in our community as well, given the obstruction to the sun and the potential shock impact to their root system as they sit less than 15 feet away from the adjoining property.

These oaks would be defined as protected under the town's Large Protected Tree definition as they are over Oaks over 24 inches in diameter. Any project that we undertake within our community we consult the arborist for to ensure no impact to these oaks, at minimum we would request the developer conduct an updated study to understand the impact to them and adjust any plans according to the findings.

Conclusion

Taken all together, we believe that the best course of action would be for the council to simply deny this project the variance requests they are seeking, and would deeply implore the members to vote as such. We have already supported the conditional use to build an assisted

living facility - let's simply require the building to be built properly according to our zoning requirements.

Approving these requests, and thus allowing this project to go forward despite the many limitations it breaks would seem grossly outside of the town's principles as well as set a precedent for other such massive developments in the future.

Denying these requests however would help (1) our town maintain the overall aesthetic and profile we're striving for, (2) ensure that traffic stays within moderation per the property size, (3) provide a building of appropriate size, scale and presentation for the community to properly consider and (4) ensure no undue risk to the natural environment that we're so proud of within our community.

We implore you to vote against the granting of these variance requests and the approval of this project as is all together.

Sincerely,
Ashley & Eric Hulser
[redacted]
Los Gatos, CA

8 August 2023

Los Gatos Planning Commission
Town of Los Gatos

Subject: Winchester Memory Care/Assisted Living Facility
Planning Commission 8/9/2023 Agenda Item #3

Dear Chair Barnett and Commission Members,

I am writing to **clarify and correct my letter of August 1, 2023** regarding the proposed Winchester Memory Care/Assisted Living Facility. I am in support of the facility as **originally approved** by the Planning Commission. The new proposal has greatly expanded the size of the original proposal which I do not support. While I support additional assisted living and memory care options in Los Gatos, I cannot support the newly proposed expansion of the Winchester facility on 15860 Winchester Blvd. The opinions contained in this letter are strictly my own.

Respectfully yours,
Tom Picraux

S. Tom Picraux
[redacted]
Los Gatos, CA 95032

From: Bryan Mekechuk
Sent: Tuesday, August 8, 2023 10:58 AM
To: Jennifer Armer <JArmer@losgatosca.gov>
Cc: Joel Paulson <jpaulson@losgatosca.gov>
Subject: 15860 Winchester Boulevard

[EXTERNAL SENDER]
Hi Jennifer,

Thank you for meeting with me yesterday.

This email is to advise you, and the Planning Commission, that I will submit a detailed letter setting forth my thoughts on the proposed development at 15860 Winchester Boulevard.

I fully understand and support Staff's recommendation of "Denial" for 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.

You will receive a detailed letter from me tomorrow, and I will attend the meeting tomorrow evening.

Best regards,

Bryan
--
Bryan Mekechuk
[redacted]

TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT

MEETING DATE: 08/9/2023

ITEM NO: 3

DESK ITEM

DATE: August 9, 2023

TO: Planning Commission

FROM: Joel Paulson, Community Development Director

SUBJECT: Requesting Approval for 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 O. **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.

REMARKS:

Exhibit 16 includes public comment received between 11:01 a.m., Tuesday, August 8, 2023, and 11:00 a.m., Wednesday, August 9, 2023.

The Staff Report inadvertently omitted reference to the Conceptual Development Advisory Committee (CDAC) review of preliminary plans for the proposed project, which occurred on June 10, 2020.

The agenda and link to the staff report are available online here:
https://www.losgatosca.gov/AgendaCenter/ViewFile/Agenda/_06102020-1692.

The meeting minutes are available here:
https://www.losgatosca.gov/AgendaCenter/ViewFile/Minutes/_06102020-1692

PREPARED BY: Jennifer Armer, AICP
Planning Manager

Reviewed by: Community Development Director

EXHIBITS:

Previously received under separate cover:

1. Mitigated Negative Declaration with Appendices A through F (available online at https://www.losgatosca.gov/15860WinchesterBoulevard)

Previously received with August 9, 2023 Staff Report:

2. Location Map
3. Required Findings
4. Draft Conditions of Approval for Architecture and Site, Variance, and Lot Merger
5. Draft Conditions of Approval for Conditional Use Permit
6. Project Description
7. Letter of Justification
8. Market Study
9. Town's Consulting Architect Report
10. Applicant's Arborist Report by Arbor Resources
11. Town's Consulting Arborist Peer Review by Monarch Consulting Arborists
12. Mitigation Monitoring and Reporting Program
13. Development Plans
14. Public comments received by 11:00 a.m., Friday, July 21, 2023

Previously received with the August 9, 2023 Addendum Report:

15. Public Comment received between 11:01 a.m., Friday, August 4, 2023, and 11:00 a.m., Tuesday, August 8, 2023.

Received with this Desk Item Report:

16. Public Comment received between 11:01 a.m., Tuesday, August 8, 2023, and 11:00 a.m., Wednesday, August 9, 2023.

Dear Planning Commission,

As a planner, I understand the importance of early and consistent engagement with affected neighbors of any new development project. This engagement allows neighbors to express their concerns to the project team and be part of the design process to ensure a project that is compatible and, most importantly, welcomed by the neighborhood.

As a planner *and an affected neighbor*, I am disappointed in the applicant and Town staff's lack of engagement, public outreach, and collaboration on this project.

Here are some points to consider in your deliberations:

1. The applicant only conducted one neighbor meeting, August 2nd (last Wednesday) with my community on this version of the project.

2. Town staff received no public comments on the draft IS/MND because they failed to notice the neighborhood adequately.

3. The applicant installed non-compliant story poles before receiving an exception and did not attempt to install the approved alternatives before receiving a second exception for the now-installed on-site project boards and video simulation (which no longer works as of writing this letter).

4. The project's Town webpage is cumbersome and lacks timely information like upload/revision date, making navigating the project application packet challenging, even for someone like me.

5. Town staff's project oversight is lacking and biased towards the applicant; sending an earlier (July 26, 2023) public hearing notice when the on-site boards states an August 9th hearing date is one example.

6. In Section G of staff's report, there is no mention of how the project does not meet the following 2020 General Plan Land Use Element policies (not an exhaustive list) : LU-1.1, 1.3, 1.4, 1.6, 1.8, 6.1 through 6.10, 7.2 through 7.4, 9.1, 9.9, 10.4

7. In Section G, Town staff references the 2040 General Plan in certain instances, but the application was submitted in 2021 and should only be subject to the 2020 General Plan.

8. The applicant does not provide any information about the facility's operations in the application, mostly because they have yet to idenfity a potential operator.

9. Town staff relies on the applicant-provided market study, which are solely intended to determine project financial feasibility and return on investment (ROI), to make required CUP findings.

10. Project design makes heavy assumptions about the facility's operations such as required number of units/beds, parking spaces, etc. without an identified operator or regulations for such facilities.

11. Assisted living facilities are regulated and licensed by the state. Still, no information in the application packet confirms this facility would meet regulatory requirements (market study makes vague statements such as "*this market study assumes competent management will be in place*" and "*proper adherence to state regulations is assumed*.")

12. This facility *"is targeting at the high-end of the private pay marketplace"* per the market study(page 35, PDF page 136); not what a reasonable person would consider affordable housing.

13. Project proposes senior housing, which would make this project not a pure commercial use but moreso a mixed-use development, which has additional Code requirements such as parking for each proposed use.

14. Variance findings cannot be made because the property does not have unique or extraordinary circumstances; the height and lot coverage exceedances are a pure disregard for Town development standards to make the project profitable

15. Applicant was aware, especially in light of the previous project's administrative record of proceedings, of the property's challenges to development and what a project that fits the neighborhood context would look like comparatively

16. Project does not fit within the neighborhood context of the surrounding community and does not conform to O Zone development standards

17. My community has always been available to discuss and collaborate with the applicant, but the applicant has made little effort to do so with us and other neighbors.

18. Town staff should of required more neighbor outreach from the early stages of this projects as a requirement before setting this project for hearing.

19. The applicant's August 2nd meeting was in vain; I do not realistically believe the applicant will make any changes to the projects based on my community's feedback this late in the process

20. I support the proposed assisted living use, but not the project as-designed.

In sum, I hope the above points will help you determine that this project should be recommended for denial not just based on staff's inability to make the required Variance findings, but for two other reasons: (1) general lack of compatibility with the surrounding neighborhood, and (2) a general lack of engagement, outreach, and collaboration with affected neighbors.

I look forward to continued engagement, outreach, and collaborative work with Swenson for a much-needed uses in our community.

Respectfully submitted,

Dylan Parker, [redacted]

From: James Parker
Sent: Tuesday, August 8, 2023 1:05 PM
To: Jennifer Armer <JArmer@losgatosca.gov>
Subject: Re: Swenson Public Comments

[EXTERNAL SENDER]
Hi Jennifer,

I have an additional question - why wasn't the staff report, meeting minutes, and public comments received for the June 2020 CDAC meeting not included in the packet? It is part of the administrative record of proceedings for the project and PC should be made aware of the CDAC's feedback and directions provided early on in the Town's review process in light of public comments received. I am hopeful this was an oversight and will be quickly corrected.

Please consider this email as additional public comments to forward as a desk item for the Wednesday PC hearing.

-Dylan Parker

From: James Parker
Sent: Wednesday, August 9, 2023 10:48 AM
To: Jennifer Armer <JArmer@losgatosca.gov>
Subject: Re: Swenson Public Comments

[EXTERNAL SENDER]
Hi Jennifer,

I have another supplemental public comment for today's Desk Item report (see below):

In my opinion, the project traffic analysis is inaccurate in many aspects:

1. Only weekday local traffic counts when weekend traffic should be taken into consideration. For example, Winchester and University become parking lots during peak summer beach cut through traffic. I have noticed this year alone (2023) that cut through traffic has increase dramatically both in volume and duration.

2. Traffic report does not reflect the reconfiguration of Winchester Boulevard conducted in late 2022, most notably the reduction of one northbound lane of travel and introduction of two buffered bike lanes on both sides. In my observations, I have noticed that this new configuration has increased traffic volumes during peak travel times (and during the hellacious beach traffic mentioned above).

3. Local traffic counts were conducted during the COVID-19 pandemic, when most people were not commuting or otherwise generating VMTs. The consultant instead uses a questionable tactic of adjusting the counts upward to match total volumes from a 2016 study conducted for the previous office building project. Perhaps more counts should of been conducted in 2023 to more accurately reflect current commute patterns in light of the COVID pandemic restrictions expiring or otherwise not being an determining factor of artificially lowering the counts.

This list could go on, but I am stopping at three points since I think is is quite evident with these comments, and the ones previously provided, that staff really was not reviewing these documents and or managing the application packet as thoroughly as I would expect as a fellow planner. All the items I have commented on thus I would customarily flag and comment to my applicants in the intial completeness (or what the Town calls deficiencies) review so they may correct before the project goes to hearing.

It also begs the question of who was peer reviewing these documents on the Town's behalf? It is commonplace for this size of project to have Town consultants do so, at the applicant's expense, to provide an unbiased third party opinion.

-Dylan Parker

Bryan J. Mekechuk/Jo-Anne Sinclair
[redacted]
Monte Sereno, CA 95030
[redacted]

August 9, 2023

Planning Commission
Town of Los Gatos
110 East Main Street
Los Gatos, CA 95030

Dear Commissioners:

Re: 15860 Winchester Boulevard
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-22-001d

We support Staff's recommendation of "Denial" for the applications noted above and request that the Planning Commission deny the applications.

For context, we own a house across Winchester Boulevard, less than 150 feet from the corner of Winchester and Shelburne Way, which is the North West corner of the proposed development. We have owned [redacted] since 1997. Also, we own a dwelling at [redacted] in Los Gatos. We have enjoyed living in the Los Gatos community for the past 20 years – we look forward to at least another 20 years in the same location.

My wife and family welcome the development of the proposed site provided it is an attractive and sustainable development that fits with Los Gatos. Attached to this letter are six (6) individual letters that we have written regarding this property since 2017.

As evidenced by these letters, the various and changing Applicants to develop this landmark property on Winchester Boulevard have created an immense amount of work by others to identify the problems and errors in the applications. This effort has been undertaken by residents in the Los Gatos community, Town Staff, the Planning Commission, and Town Council. The issues identified in the six letters that we have written have not been addressed by the Applicant.

In this application, Mr. Jessie Bristow of Swenson Builders is requesting approval for demolition of four residential buildings and associated detached structures, construction of an assisted living and memory care facility, variance from the maximum height and lot coverage for the zone, merger of four lots into one, and removal of large protected trees.

Swenson Builders has refused to work on the issues and communicate with the community. Specifically, there has been no neighborhood outreach. While the Town does not require applicants to communicate with the community, community outreach is a leading practice promoted by planning commissions in most jurisdictions so applicants can understand and address community concerns prior to public hearings.

Immediately after the public hearing in the Town Council meeting on April 4, 2023 regarding the Applicant's request for a Story Pole Policy exemption, I met with Mr. Bristow, gave him my personal contact information, and asked him to convene a neighborhood meeting that the residents of Via Sereno could attend. He indicated that I live in Monte Sereno, not Los Gatos, and input from a neighboring jurisdiction is not required. Jesse acknowledged my request then ignored me.

Regarding the findings that must be made to approve the individual applications[1] associated regarding the proposed development at 15860 Winchester Boulevard, please note the following:

Outdated and Stale Plans and Reports

First, please note that the findings by Staff are based on outdated and stale plans. Please refer to all dates in the documents, plans and reports. For example, the Winchester Memory Care Assisted Living sheets are dated April 1, 2021 and the Existing Conditions are dated November 1, 2021.

The letters from the Applicant are dated from December 13, 2021 and the latest revision date is August 2, 2022. The conditions and statements in the letters should be current, not stale (e.g., traffic conditions, bicycle conditions, neighborhood outreach and communications, etc.

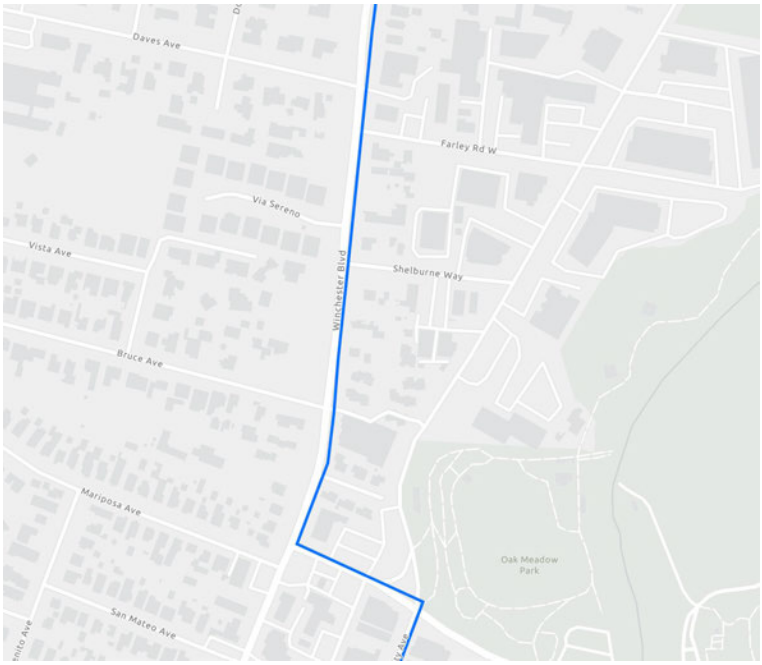
The traffic study referred to by the Applicant, and relied on by Staff in the findings, is noted under the caption, "Transportation Element". This traffic study is inaccurate and outdated. See also *Traffic Study by TJKM*.

Several of the required findings to support these applications are included in the Town's Consulting Architect Report by Cannon Design Group. This report is dated May 4, 2021 and is stale. The photographs and renderings do not include the Class IV bike lanes, which are an important and valuable feature of Winchester Boulevard. Findings should cannot be based on outdated reports.

High Pressure Natural Gas Pipeline under Winchester Boulevard

Since we live on Winchester Boulevard, we receive confidential communications regarding Pacific Gas & Electric's high pressure natural gas transmission pipeline that feeds the Town of Los Gatos is under the Northbound lane of Winchester Boulevard. This high pressure natural gas transmission line is similar to the transmission line that exploded in San Bruno on September 9, 2010, killing eight people.

Please refer to the map published by Pacific Gas & Electric below.



[1] 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.

On sheet A-2.0, the Water Boiler, Generator and Electrical Room will be 25 feet from the property line. The underground excavation for the underground garage will go further West from the finished wall. The location of Pacific Gas & Electric's high pressure natural gas transmission line is not noted on any of the plans (due to the confidential nature of such transmission lines).

The smaller the setback, the closer excavation will be to the underground transmission line. The Applicant should propose a setback that will include a safety factor that corresponds to the increased risk of disturbing the existing high pressure natural gas transmission line. The front setback proposed in the prior application was 35 to 44 feet along Winchester Boulevard – this should be considered as the underground setback as well.

Homeless Individual on Shelburne Way

The Town understands and estimates that there are an estimated 18 to 20 permanent homeless individuals that reside in Los Gatos. The Town has funded initiatives to help these individuals. At the same time, the Town has invested in justice, equity, diversity and inclusion (JEDI) consulting work.

Since we often walk on Shelburne Way, we have observed the permanent homeless person that lives in her car at the South West corner of Shelburne Way and University Avenue.

Previously, the Town approved a 30,070 sq ft, two-story office building and the Applicant proposes a 81,633 sq ft three-story facility. The larger the building at 15860 Winchester Boulevard, the more excavation and concrete will be needed. The volume of trucks and length of construction time will increase dramatically.

Consideration should be given to how the increase in size will affect this homeless individual.

Traffic Study by TJKM

The Traffic Impact Analysis Report by TJKM dated March 25, 2022 cannot be used for any findings to support these applications because it is wrong and outdated.

This report does not acknowledge or consider the effect of the existing Class IV bike lanes on Winchester Boulevard (see 3.3 Existing Bicycle Facilities). Further, Table 4 refers to intersection control as "Signal" at Winchester Boulevard & Shelburne Way, and University Avenue & Shelburne Way. These signals do not exist. Figure 6 is wrong.

Vehicle traffic timing and patterns associated with an assisted living and memory care facility, which operates 24 hours a day, 365 days per year, are materially different than traffic patterns associated with an office building. Both our mothers spend their final years in assisted living facilities and we observed the visitor patterns to the aging patients. Many of those visits are on weekends and during meal times. The children and grandchildren of aging patients visit often on weekends.

Although "beach traffic" is at its worst on Saturdays, it is significant on Sundays. Any traffic studies used in findings to support the applications must analyze and quantify the effect of staff and visitor traffic to 15860 Winchester relative to beach traffic. The traffic studies used do not consider such traffic patterns.

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As recommended by Staff, we ask that the Planning Commission deny the applications related to 15860 Winchester Boulevard.

Sincerely,

Bryan J. Mekechuk Jo-Anne Sinclair

Attachments

01/19/17 Letter to Planning Commission
01/24/17 Letter to Planning Commission – ADDENDUM
01/30/17 Letter to Doug Rich, Valley Oak Partners, LLC
10/14/17 Letter to Town Council
10/17/17 Letter to Town Council
10/22/22 Letter to Town Council

Bryan J. Mekechuk/Jo-Anne Sinclair
[redacted]
Monte Sereno, CA 95030
[redacted]
[redacted]

January 19, 2017

Planning Commission
Town of Los Gatos
110 East Main Street
Los Gatos, CA 95030

Dear Commissioners:

Re: 15860, 15880, 15894 Winchester Boulevard

We own a house across Winchester Boulevard, less than 150 feet from the corner of Winchester and Shelburne Way, which is the North West corner of the proposed development. We have owned [redacted] since 1997. In addition, we own a dwelling at [redacted] in Los Gatos. We have enjoyed living in the Los Gatos community for the past 20 years and we look forward to at least another 20 years in the same location.

My wife and family welcome the development of the proposed site provided it is an attractive and sustainable development that fits with Los Gatos. We were invited to, and attended the information session hosted by the applicant, then reviewed the story poles in December and January, and went through the complete application as filed with the Town of Los Gatos.

After reviewing all information available and based on living opposite the property, in our opinion the proposed development does not meet the required findings in order to be approved by the Planning Commission. Specifically, the proposed project does not meet the Commercial Design Guidelines regarding mass and scale.

Concerns

First, and foremost, one of the most desirable attributes of Los Gatos is its setting – Los Gatos is a small town that is framed by beautiful hillsides on each side of Los Gatos Creek. The town prides itself on maintaining its character and has approved developments that are consistent with its character and setting. Importantly, the Town of Los Gatos (and Monte Sereno) have managed the development of the surrounding hillsides to preserve their natural beauty for the enjoyment of everyone.

The Town of Los Gatos established Hillside Development Standards and Guidelines to manage the development of the hillsides around Los Gatos. The Planning Commission has invested significant time and resources to implement and maintain those guidelines, including the size and visibility of

structures and even lighting at night (consider 15680 Gum Tree Lane). The Planning Commission has been extremely diligent in protecting our hillsides.

Winchester Boulevard is one of the major arteries into Los Gatos and one has excellent views of the hillsides when going South on Winchester into Los Gatos.

The proposed development will box in that view and establish a precedent for building height of future developments along Winchester Boulevard. Specifically, the proposed application is to build to the maximum allowed height of 35 feet.

The Office Professional zone starts at the Southernmost part of the proposed development and continues North along Winchester to half way between Farley Road West and Pleasant View Avenue. The full block between Shelburne Way and Farley Road West may still be developed.

Underscoring the precedent that this proposed building will establish, the applicant has even included another two story building on the North side of Shelburne Way – see the sketch on sheet IM1.2.

Although set back from Winchester, the face of the building is a monolithic wall, broken with two open glass rooms looking down onto Winchester. While perhaps breaking the lines, these two features serve to block the views of the hillsides even more as these features are higher than the majority of the roofline.

The applicant stated in their covering letter, “Large glass openings complete the design while providing plenty of natural light and views of the hills to the east.” The applicant acknowledges the views and, by providing those views for their tenants, the proposed structure will blocking the views for everyone else.

While the application is consistent with the general plan and zoning and may follow the ‘letter of the law’, the application does not follow the ‘spirit of the law’ as set forth by the Town of Los Gatos. For example, it is desirable to have a transition to building heights and other dimensions at the perimeter of a zone and individual properties. Said differently, the general plan and zoning is not an algorithm – hence the need and role for a Planning Commission to review proposed developments, encourage community outreach and hold public hearings.

Approving the application with the maximum height will block views of the Los Gatos hillsides, which the Town of Los Gatos has committed to preserve.

Denying the application as submitted should not be a surprise to a developer in Los Gatos. Developers are encouraged to engage neighbors and other stakeholders prior to submitting their application to the Planning Commission.

The applicant hosted an information session on September 12, 2016. I attended that presentation and, with the others in the room, I found it difficult to understand the scale and scope as no cross sections or elevations were presented – it was somewhat abstract. Since then, the applicant has added additional information to their application (e.g., the sketch referred to earlier with the two story building on the North side of Shelburne Way.

At that meeting, I asked a number of questions and outlined four major concerns: (1) size and mass of the proposed structure; (2) traffic turning left into and left out of the at-grade parking from/to Winchester Boulevard; (3) traffic turning left from Winchester Boulevard onto Shelburne

Way for access into the underground parking; and (4) the loss of privacy related to a balcony at the North side of the proposed building on Shelburne Way.

Given that I articulated these issues, I expected the applicant to follow up with me, one way or another, since they requested my name and contact information from all attendees at the information session.

Since the meeting, I did not receive any further communications from the applicant. Upon reviewing the application as submitted to the Town of Los Gatos, none of my concerns were addressed whatsoever. Clearly, the information session was a perfunctory 'check the box' step in their application.

Considerations for Applicant

To support this application, which we would like to do, we offer the following for the applicant to consider:

1. Move the building East by approximately 10 feet and lower the maximum height above grade, as measured from Winchester Boulevard, to 25 feet. This will continue to allow views of the iconic hillsides on the East side of Los Gatos.
2. Integrate sustainability elements in the design. For example, consider future mounts for solar photovoltaic panels and even stationary storage (vs. generator back up). In their review of the conceptual plans on January 13, 2016, the Conceptual Development Advisory Committee commented, "LEED certification would be preferred." The applicant ignored this comment and has not outlined their reasons for doing so. Other applications in the Town of Los Gatos pursue various levels of LEED certification (e.g., Silver or Gold).
3. Protect the Coastal Oak trees on the property that are being saved. This would be accomplished by moving the building East and, to some extent, making the building length shorter (not as far North to the Coastal Oak on Shelburne Way).
4. Prohibit vehicles from turning left when entering or exiting the at grade parking.

Given the opportunity, we will meet with the applicant to review proposed alternatives and provide feedback.

* * * * * * *

It is in everyone's best interest to see the site developed in such a way as to add value to the developers, the surrounding neighborhood, and the Town of Los Gatos.

Sincerely,

Bryan J. Mekechuk Jo-Anne Sinclair

Bryan J. Mekechuk/Jo-Anne Sinclair
[redacted]
Monte Sereno, CA 95030
[redacted]
[redacted]

January 24, 2017

Planning Commission
Town of Los Gatos
110 East Main Street
Los Gatos, CA 95030

Dear Commissioners:

Re: 15860, 15880, 15894 Winchester Boulevard
For ADDENDUM

We are providing additional information to our letter dated January 19, 2017. In doing so, we reiterate the following:

My wife and family welcome the development of the proposed site **provided** it is an attractive and sustainable development that fits with Los Gatos. We do admire the style of the building.

To summarize this letter, we believe that the Planning Commission should **CONTINUE** the applications to a later date so the applicant can:

1. Provide information as requested (e.g., additional cross sections and elevations) and answer questions the applicant is unable to answer during the meeting.
2. Meet with interested members of the community and present information to them and receive their feedback (i.e., additional community outreach).
3. Update the Transportation Impact Analysis to include traffic flows to/from Daves Avenue Elementary School via Bruce Avenue.

If the Planning Commission must make a decision on January 25 then we ask that the Planning Commission **DENY** the applications.

Increase Community Outreach

Unfortunately, as with the North 40, the Planning Commission (and Council) probably recognize now that the public really doesn't get involved until story poles are put in place. Until then, many members of the community are reticent to review the plans in detail and focus on the proposed development. The only outreach in the community for this project was a meeting held on September 12, 2016. Two signs were erected when the story poles went up in December 2016, which is when the community really became aware of the project.

We are disappointed with the limited community outreach associated with this application. It was misleading to have the applicant's structural engineer at the meeting on September 12, 2016 and then see the applicant imply this person attended as a member of the community. Regardless of the intent, the financial interest should be disclosed to be transparent to staff and the Planning Commission.

On a positive note, the applicant did follow up with residents only immediately adjacent to the project, which they promised to do at the September 12 meeting.

We are offering to attend any future meetings and provide feedback to the applicant, and we believe others in the community may attend such meetings as well (similar to Alberto Way).

Provide Cross Sections and Elevations

During our review of the application, we found the single East/West and North/South cross sections to be inadequate to understand the application. In addition, we believe the maximum height of the building was stated incorrectly by the applicant as the highest point of the roof was noted at 414 ft whereas the actual highest point is almost 416 ft.

Further, the applicant shows the reference elevation for the 35 ft maximum building height in the North West corner of the project as 382 ft (see A2.0), and is 6-1/2 ft further West than most of the building. That may be fine for that part of the building – the reference elevation for the Southern portion of the building should be on the existing grade of the driveway, which is approximately 375 ft.

The reference elevation at the East side of the proposed building should be 372 ft. resulting in a maximum height of 407 ft. The applicant has picked a "high point" and carried the absolute maximum height across the property resulting in the proposed building exceeding the maximum allowable height for Office Professional.

The elevations shown on A4.0 are difficult to understand as the land is sloped and the reference points are not clear. The structure on the roof, behind the parapet, in the South East corner rises significantly above the line of the raised seam steel roof, which is shown on A2.0 to be 35 ft above grade.

Please refer to the attached sketches identifying the eight cross sections and elevations that we would like to see. For clarity, the reference elevations should be labeled on each drawing.

Perform Transportation Impact Analysis

Traffic studies are an estimate and are a starting point for any analysis. After reviewing the transportation impact analysis completed by Hexagon Transportation Studies, Inc., we identified significant gaps in the analysis and I spoke with the author of the report on Friday, January 19, 2017. While the author acknowledged our concerns, he stood by the conclusions (as one would expect).

The major gap in the analysis was understanding the traffic flows generated by Daves Avenue Elementary School. The traffic flows at the T intersection of Bruce Avenue and Winchester Boulevard, just steps South and across the street from the proposed development were not identified whatsoever in the analysis (see diagram below, taken from Figure 1 Site Locations and Study Intersections).

Although the Town of Los Gatos specifically requested that the impact on Daves Avenue be considered in the transportation impact analysis, the intent was probably to understand the impact on drop-off and pick-up at Daves Avenue Elementary School. The report included the following:

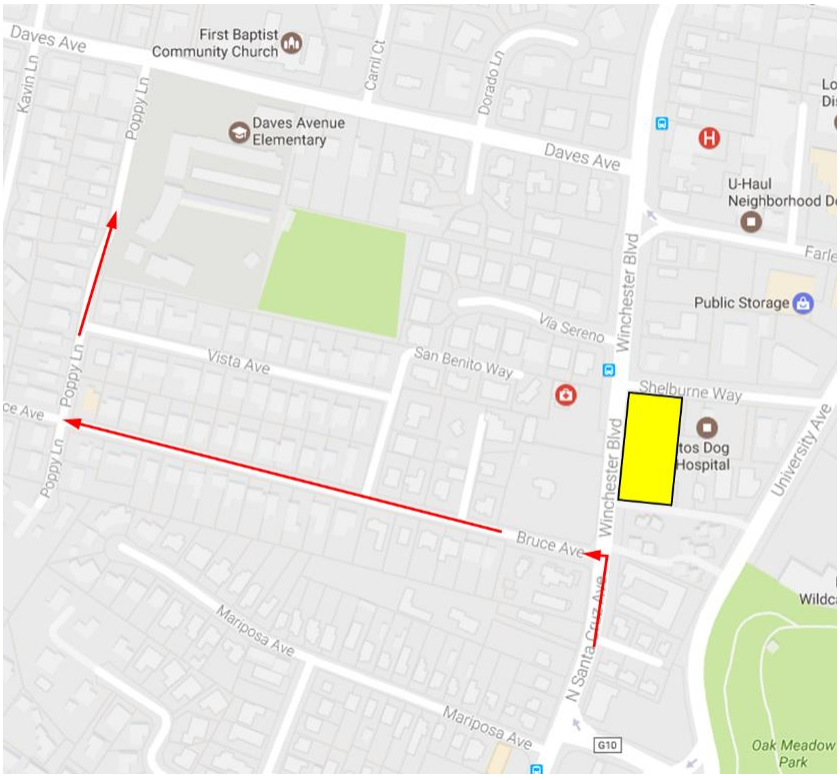
Project Impacts on Daves Avenue during School Peak Hours

Daves Avenue Elementary School is located approximately 2,000 feet west of the project site. At the request of the Town, a qualitative discussion of project impacts on Daves Avenue during peak morning drop-off and afternoon pick-up periods is provided.

Daves Avenue Elementary School currently begins classes at 8:15 AM for all grades and ends at approximately 2:30 PM for all grades on all weekdays except Wednesday, when students end classes at approximately 12:15 PM. Hexagon observed traffic operations on Daves Avenue during the peak school morning drop-off and afternoon pick-up hours. As discussed in Chapter 2, only minor congestion issues were observed, and the congestion lasted a period of approximately twenty to thirty minutes. During the school morning drop-off peak period, the proposed project is expected to generate three trips within an hour on eastbound Daves Avenue. During the school PM pick-up hours, office land uses typically generate little traffic, and the project is not assumed to generate any traffic on eastbound Daves Avenue. Overall, during both the morning drop-off and afternoon pick-up school peak periods, the proposed project is not expected to add a noticeable amount of traffic to eastbound Daves Avenue, which experiences minor congestion for the peak twenty to thirty minutes of school activity.

During both the morning drop-off and afternoon pick-up hours at Daves Avenue Elementary School, Hexagon observed that the majority of the drop-off and pick-up operations occurred on-site. Only a few parents dropped-off or picked-up their children while parked along Daves Avenue. Overall, students are being dropped-off and picked-up in a safe manner. Because the project is expected to add only three trips during the morning peak hour and no traffic during the afternoon school peak hour onto Daves Avenue, it is not expected that the proposed project would significantly affect the current drop-off and pick-up patterns and affect student safety.

The map below shows the streets in the vicinity; many drivers use Bruce Avenue when dropping off and picking up students at Daves Avenue Elementary School:



Failing to identify and analyze the traffic flows into and out of Bruce Avenue at Winchester damage the credibility of the analysis and conclusions of the entire report. Anyone familiar with the area understands the traffic routes surrounding drop-off (AM) and pick-up times (PM).

In addition, other student activities after school generate PM traffic by parents, teachers and staff, and others. Further, it is difficult to establish traffic patterns related to Daves Avenue Elementary School with only one data point (March 2016).

Restrict Entrance/Exit to At Grade Parking from Winchester Boulevard

The transportation impact analysis reviewed the Winchester entrance/exit to the at grade parking and states, "Sight distance requirements vary depending on the roadway speeds. The speed limit on Winchester Boulevard and Shelburne Way is 25 mph." Very few vehicles follow the posted speed limit on Winchester Boulevard. If actual vehicle speeds were only 25 mph then the recommendations regarding the entrance/exit could be plausible – in reality, vehicles are generally accelerating after the Blossom Hill/North Santa Cruz intersection and are going more than 30 mph where the entrance/exit would be located.

Fortunately, since there is a vehicle speed indicator for Northbound traffic on Winchester Boulevard, it would be easy to sample vehicle speeds to see how fast vehicles are actually going.

Allowing vehicles to turn left into or turn left out of the at-grade parking will be dangerous and an accident will occur. Prohibiting such left turns should be a condition of any proposed development.

In 2016, Traffic Flows are Dynamic, based on Smart Phone Apps

The data sources used by the traffic consultants and their methodology and analysis software completely ignores the increasing use of smart phone apps, including Waze, Google Maps and Apple Maps. These apps have changed the dynamic of traffic flows by moving traffic to alternative routes quickly when arteries are delayed, congested or blocked. These new technologies, which are increasingly available, affordable and functional, have been recognized by California lawmakers in establishing new laws regarding the use while driving, Unfortunately, the transportation analysis industry has failed to include the impact of these new technologies in their analyses. Hexagon (the traffic consulting firm) should have included a proviso and warning in their report stating that the use of smart phone apps has not been considered in their analysis or conclusions, which may cause material errors.

As the Planning Commission knows, minor delays in common traffic patterns are immediately recognized by smart phone apps; drivers going through Los Gatos as well as drivers living in Los Gatos rely on changing their route to save a small amount of time (because it takes little such effort). Smart phone apps that re-route traffic can make dramatic changes in traffic volumes quickly.

Although a peer review of the transportation impact analysis may have been completed, since the traffic study industry is based on traditional (obsolete) driver behavior, it is not surprising that this transportation impact analysis is fatally flawed by not considering driving patterns and routes influenced by smart phone apps.

Mitigated Negative Declaration – This Project Has a Substantial Adverse Effect on a Scenic Vista

EMC Planning Group Inc. prepared the Mitigated Negative Declaration dated November 2, 2016 for this project. This Monterey-based organization concluded that under "1. Aesthetics a) Would the project have a substantial adverse effect on a scenic vista?" there would be Less Than Significant Impact. We

disagree with this conclusion as the analysis fails to consider pedestrian traffic and a significant amount of other traffic on Winchester Boulevard, which now varies due to smart phone apps as described.

Statement of Reasons to Support Findings (page 2 of November 2016 report)

a. Have a substantial adverse effect on a scenic vista? (Less Than Significant Impact)

The scenic vista toward the Santa Cruz Mountains is already partially obscured under existing conditions and the proposed buildings would only affect a brief view of the mountains from westbound Winchester Boulevard, the proposed project would have a less-than-significant impact on a scenic vista.

Winchester runs North / South, not East / West … let's turn to what is this conclusion based on.

D. Evaluation of Environmental Impacts (page 17)

a. The Town of Los Gatos 2020 General Plan EIR (general plan EIR) identifies southward views of the Santa Cruz Mountains and ridgelines as the primary protected scenic vistas within the Town. Due to the heavily-wooded nature of the Town, these views are most prominent from the southbound lanes of the Town's major north-south running streets.

There are limited distant views of the Santa Cruz Mountains looking southward from Winchester Boulevard, but most currently available views of the mountains are perceivable when looking across Winchester Boulevard away from the project site and thus would not be obstructed by project development. Potential views of the ridgelines across the project site are mostly obstructed by existing development or tree cover along Winchester Boulevard. The mountains are briefly visible across the project site at the corner of Shelburne Avenue. The existing house at that corner is about 18 feet tall with a gable roof and is set back from Winchester Boulevard by about 30 feet and Shelburne Avenue by about 40 feet. The proposed project building would be approximately 20 feet closer to Shelburne Avenue and almost twice as tall. The proposed project would eliminate the brief view of the mountains from westbound Winchester Boulevard. The project proposes to maintain several existing trees along Winchester Boulevard and to plant new trees lining the street frontage where trees are proposed for removal. The tree planting would preserve comparable views to those existing on Winchester Boulevard.

The proposed project would slightly reduce views of the mountains, but would not result in significant impacts to any designated scenic vistas as identified in the general plan. Thus, impacts would be less than significant.

The authors of the report equate the views of trees that block the mountains (as stated above) as identical to a two-story building blocking views of the mountains. We disagree strongly.

The authors should consider pedestrians walking on the West side of Winchester Boulevard. The Town of Los Gatos promotes and motivates pedestrian activity – anything that make walking less pleasant, such as blocking and eliminating views of the mountains, should be evaluated negatively.

For drivers, the authors believe there is only a brief view. Coming from Monterey, the authors may not be familiar with traffic issues Southbound on Winchester Boulevard. The Planning Commission knows that, increasingly, there are lengthy traffic delays Southbound on Winchester Boulevard, especially in the summer with beach traffic and with smart phone apps promoting alternative routes including using Winchester Boulevard to avoid congestion on Highway 17. By lowering the building height, anyone caught in traffic when driving Southbound on Winchester will have (more than a fleeting) opportunity to enjoy a view of the mountains (especially on beautiful sunny days that are prime beach traffic days).

Everyone driving East on Via Sereno will lose the view of the mountains when stopped at the corner of Via Sereno and Winchester. The view from that corner of Via Sereno is not "brief."

Overall, we disagree with the author's conclusion that there is Less than Significant Impact and request the Planning Commission find the impact as "Potentially Significant Impact". Mitigating this impact may be achieved by lowering the height of the building.

Provide Buffer to Residential Areas

Although the applicant claims that there is a 78 ft buffer on the South side of the site, the "at grade" parking structure is, in reality, just under a one-story structure (the cross sections requested previously in this letter will illustrate this). When viewed from the South, the proposed building is massive as it is more than 35 ft height above the existing grade.

Policy LU-6.3 states, "Protect existing residential areas from adjacent nonresidential uses by assuring that buffers are developed and maintained."

For a project such as this, some type of tiered buffer would be more appropriate under Policy LU-6.3.

Sustainability as a Condition for Approval

Other than related to bicycles, the applicant has not volunteered to incorporate any sustainable elements beyond which are required by Title 24. Ignoring sustainability of this project is underscored by the applicant's avoiding the comment by the Conceptual Advisory Development Committee regarding applying for LEED certification (see memorandum dated January 6, 2016).

The windows and orientation of the building will result in significant solar heat gain from the Western sun, which is apparent from SP4.0. The project design does not prevent solar heat gain, which will result in higher energy consumption for the life of the building. Occupants will have high operating costs and require additional equipment, such as moveable window blinds, that will adversely affect the benefits of the west-facing windows while detracting from the building appearance.

Applying for LEED certification will require the applicant to consider all aspects of building design and construction, including resource consumption (e.g., energy and water), durability and environmental impact.

For such a development in one of the most travelled gateways into Los Gatos, LEED certification should be a requirement by the Planning Committee.

* * * * * * *

As stated previously, we believe it is in everyone's best interest to see an attractive and sustainable development that fits with Los Gatos so that it adds value to the developers, the surrounding neighborhood, and the Town of Los Gatos.

If this application is continued, we will meet with the applicant and discuss all items set forth in this letter.

Sincerely,

Bryan J. Mekechuk Jo-Anne Sinclair

Bryan J. Mekechuk
[redacted]
Monte Sereno, CA 95030
[redacted]
[redacted]

January 30, 2017

Mr. Doug Rich
Valley Oak Partners, LLC
734 The Alameda
San Jose, CA 95126

Dear Mr. Rich:

Re: 15860, 15880, 15894 Winchester Boulevard
Request for Information

We met on September 12, 2016 at the neighbor information session that you hosted at Los Gatos Lodge. Since then, you should have received copies of letters dated January 19, 2017 and January 24, 2017, and heard my public testimony on January 25, 2017.

The Planning Commission gave you specific directions to consult with neighbors and I have offered to provide you with feedback. To start, I ask you to:

1. Establish a date to meet with neighbors.
2. Review the maximum building height requirements as set forth by the Town of Los Gatos.
3. Provide cross sections showing existing grade and then provide cross sections showing the building perimeter and tallest points (as defined by the Town of Los Gatos codes).
4. Update the story poles with a contrasting color for any revisions to the building perimeter and profile.
5. Prepare a LEED checklist identifying the LEED points that this project would generate.

Each of these items are described below.

1. Establish a date to meet with neighbors

Please let me know when you would like to meet with your neighbors. Several people have asked me when the next meeting will be (they know that your project is on the March 22, 2017 Planning Commission agenda).

2. Review the maximum building height requirements as set forth by the Town of Los Gatos

At the January 25, 2017 Planning Commission meeting many people, including Commissioner Hudes and Mr. Paulson, felt your proposed building heights and building planes were confusing. I was puzzled by the reference on A2.0 of 382 ft with other elevations along the same building perimeter of 376 ft, which could result in a maximum building height of 411 ft at that plane (not 414 or 416 ft).

Since that meeting, I read the relevant Town of Los Gatos codes and noted the following:

Sec. 29.60.105. – Height. The maximum height of any principal building in an O or office zone is thirty-five (35) feet, and of any accessory building is fifteen (15) feet.

One must refer to the definition of height to see how it is measured (emphasis added):

Sec. 29.10.020. – Definitions.

Height means the height of all structures, excluding fences, shall be determined by the plumb vertical distance 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. For portions of a structure located directly above a cellar, the height measurement for that portion of the structure shall be measured as the plumb vertical distance from the existing natural grade to the uppermost point of the structure directly over that point in the existing natural grade. No point of the roof or other structural element within the exterior perimeter of the structure shall extend beyond the plane established by the maximum height plane except as allowed by section 29.10.090.

Grade, (natural) means the lowest point of ground elevation of undisturbed soil as measured from a known fixed reference height benchmark or as a height referenced from sea level.

Grade, (finished) means the lowest point of ground elevation of the finished surface of the ground after any construction or grading activities (including, but not limited to cut and fill of existing slopes) as measured from a known fixed reference height benchmark or as a height referenced from sea level.

Additional sections are as follows:

Sec. 29.10.090. – Height restriction, exception.

Towers, spires, elevator and mechanical penthouses, cupolas, wireless telecommunication antennas, similar structures and necessary mechanical appurtenances which are not used for human activity or storage may be higher than the maximum height permitted by the zone. The use of tower elements or similar structures to provide higher ceiling heights for habitable space shall be deemed as a use intended for human activity and is therefore not exempt from the maximum height restrictions of a zone.

Sec. 29.40.045. - Height determination on sloping lots.

Where the slope of a lot (measured in the general direction of the lot lines) is greater than one (1) foot rise or fall in seven (7) feet of horizontal distance from the street elevation at the property line, building height is limited to a plane parallel to the surface of the ground unaltered by grading (including excavation) for the building in question. The plane is at an elevation set by the rules of each zone. Building height is measured vertically from the grade to the highest point of the coping of a flat roof (slope one (1) in twelve (12) or less), or the deck line of a mansard roof, or to the highest gable of a pitched or hip roof.

After reviewing the height requirements and definitions, please incorporate the heights referenced from sea level in future diagrams for clarity within and across sheets in your application.

3. Provide cross sections showing existing grade and then provide cross sections showing the building perimeter and tallest points

Based on the Town of Los Gatos codes, please provide elevations (cross sections) of the natural grade that will be under the highest points of the roof and parking structure, showing the elevation of the natural grade above sea level. If you (or your architect) are using BIM (*Building Informational Modeling*)

software then this information should be easily and readily available. I use ArchiCAD and can "fly through" buildings and cut cross sections at any point. The shadow study diagrams on SP4.0 appear to be generated with BIM software.

Then, after you revise your building (if you choose to do so), based on the Town of Los Gatos codes, please provide elevations (cross sections) through the highest points of the roof and parking structure, showing the elevations of the roof relative to sea level.

In advance of the public meeting, please provide the eight cross sections that were requested in our letter to the Planning Commission dated January 24, 2017. Then, at the neighbor meeting you could present and explain the cross sections to help everyone attending to understand your proposal.

4. Update the story poles with a contrasting color for any revisions to the building perimeter and profile

After the wind and rain that we experienced recently, the story poles have sagged and are not indicative of the proposed project. If you revise the building structure and profile (e.g., location, heights, exterior features) then please update the story poles to reflect the changes. It would be very helpful to use a contrasting color, such as blue, to highlight the changes and make it easy and fast to understand.

5. Prepare a LEED checklist identifying the LEED points that this project would receive

During the Planning Commission meeting, Commissioner Hanssen asked you about pursuing LEED certification to which you responded that you represented that the project would pursue "LEED equivalent," going through all the steps except actual certification.

Commissioner Kane suggested that you could "score" your project without the actual, and costly, certification process. You responded that you would complete a LEED checklist. Your architectural firm, T Square Studio, has two LEED AP accredited architects and one of those, Chris Roberts, obtained LEED Gold certification for the NoHo III Office Building.

Presenting how your proposed building would score by using the LEED checklist would certainly demonstrate (by its score) your level of commitment to sustainability for this project.

Please complete the LEED checklist, even if only a first draft, so the neighbors can understand the sustainability elements of this project. The LEED checklist and corresponding score should be updated prior to approval by the Planning Commission and when applying for your building permit.

* * * * * * *

Please contact me by telephone [redacted]) or email regarding any part of this letter.

I look forward to hearing from you.

Sincerely,

Bryan J. Mekechuk

cc Jocelyn Puga, Associate Planner
Los Gatos Planning Commission

Bryan J. Mekechuk
[redacted]
Monte Sereno, CA 95030
[redacted]
[redacted]

October 14, 2017

Town Council
Town of Los Gatos
110 East Main Street
Los Gatos, CA 95030

Dear Town Council:

Re: 15860, 15880, 15894 Winchester Boulevard

My wife, Jo-Anne Sinclair, and I own a house across Winchester Boulevard, less than 150 feet from the corner of Winchester and Shelburne Way, which is the North West corner of the proposed development. We have owned [redacted] since 1997. In addition, we own a dwelling at [redacted] in Los Gatos. We have enjoyed living in the Los Gatos community for the past 20 years and we look forward to at least another 20 years in the same location.

My wife and family welcome the development of the proposed site provided it is an attractive and sustainable development that fits with Los Gatos. Further, the development should not block views of the Los Gatos hillsides, which the Town of Los Gatos is committed to preserve.

To date, I have attended information sessions hosted by the applicant, reviewed the story poles erected on the site, reviewed the complete application as filed with the Town of Los Gatos, attended all Planning Commission meetings where the application was on the agenda, and testified in public hearings.

The Planning Commission is extremely diligent when reviewing applications and seeks ways to approve proposed developments that will fit with Los Gatos. After an extensive and thorough review of the application in two meetings, the Planning Commission unanimously denied the application.

I ask the Town Council to deny the appeal. This letter sets forth the reasons why I believe the appeal should be denied.

Basis of Appeal

In the appeal, the applicant claims (emphasis added):

> As part of the motion for continuance at the January 25th hearing, Planning Commission requested that the applicant "consider architectural tweaks to lesson [sic] the perception of the height or consider reducing the height of the building" and to "consider moving the building back." All of these requested revisions were made and appropriately demonstrated at the subsequent hearing. Furthermore, the presentation demonstrated that existing views are substantially impacted by existing perimeter trees that are being retained by the project, and that the architectural changes to roof lines and building height were strategically located to address all areas not encumbered by existing trees.

Although the applicant stated that all these requested revisions were made in the plans submitted for the April 26, 2017 Planning Commission meeting, the applicant failed to state that they made one [egregious] change – creating a corner office with broad glass showing the spectacular views of the Los Gatos hillsides and impinging on the privacy of the existing adjacent residential properties.[1]

The applicant says that they complied with the architectural tweaks yet the applicant changed the South East corner of the proposed building at the last minute.

The appeal should be denied based on that misrepresentation alone.

Building Height is Understated

The applicant stated in their application covering letter (received by Town of Los Gatos Planning Division dated December 5, 2016), "Large glass openings complete the design while providing plenty of natural light and views of the hills to the east." The applicant acknowledged the importance and value of those views and, by providing those views for their tenants, the proposed structure will block the views for everyone else.

I raised the issue with the building height in the Planning Commission meeting on January 25, 2017.[2] After that meeting, I sent a letter to the applicant dated January 30, 2017 (attached). I hand delivered copies of the letter to the Town of Los Gatos showing that copies were for Jocelyn Puga and the Planning Commission. I understand that this letter was stamped and in the Town of Los Gatos file but it was never provided to the Planning Commission or Town Council.

In that letter to the applicant, I described my concerns regarding the building height in detail and requested cross sections showing elevations/heights above sea level so everyone, especially the staff and Planning Commission, could understand the building height. Based on my review of the project site and my review of the actual land survey as submitted by the applicant, and the applicant's decision to ignore my letter of January 30, 2017, I believe the applicant understated what the actual height of the building would be (references relative to sea level make elevations simple and easily comparable).

During my testimony on April 26, 2017 I referred to my letter (which the Planning Commission did not receive) and explained the issue.[3] Commissioner Hudes asked a question regarding why I thought the building height may exceed the height requirements. I answered the question by referring to the elevations on the tree inventory sheets so the Planning Commission could understand the elevations.[4]

* * * * * * *

Again, I ask that the Town Council support the decision of the Planning Commission and deny the appeal.

Sincerely,

Bryan J. Mekechuk

[1] April 26, 2017 Planning Commission Verbatim Minutes, page 36 lines 14 to 24, and page 39 lines 12 to 16.
[2] January 25, 2017 Planning Commission Verbatim Minutes, page 61 line 13 through page 62 line 3.
[3] April 26, 2017 Planning Commission Verbatim Minutes, page 36 line 24 through page 37 line 15.
[4] Ibid, page 39 line17 through page 40 line 14.

Bryan J. Mekechuk
[redacted]
Monte Sereno, CA 95030
[redacted]
[redacted]

October 17, 2017

Town Council
Town of Los Gatos
110 East Main Street
Los Gatos, CA 95030

Dear Town Council:

Re: 15860, 15880, 15894 Winchester Boulevard

This follows my letter dated October 14, 2017 where I reiterated my concern regarding the applicant understating the building height. With Attachment 18 added, the building height can be estimated with cross sections included in the applicant's original application.

Town Council should deny the appeal based on the height of the building. First, the building exceeds the maximum height allowed in Office zone, which is 35 ft. above natural grade. Second, even if the building complied with the maximum allowed height, the building blocks the views of the Los Gatos hillsides – those very hillsides that the Town is committed to preserve.

Regarding the building height, the applicant selected the highest point on the sidewalk to use as a reference point (383.84 ft.) and that reference point is used on the sheet "Reduced Building Heights". This sheet includes a note stating (emphasis added), "Building height as shown measured from sidewalk grade; building height measurement of project complies with Town Code." Sec. 29.10.020 states, "Height means the height of all structures, excluding fences, shall be determined by the plumb vertical distance 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."

The elevations of the natural grade are show as discrete points on the sheet "Building Shift Eliminated 2 Additional Trees Along Rear & Saved 1 Additional Tree Along Winchester". The maximum building height at any point may only be 35 ft. higher than any of those point elevations. The natural grade under the roof peak is 375 ft.

Starting from the sidewalk (383.84 ft.) the applicant shows the roof peak as 32 ft. 2 inches higher, or at an elevation of 416 ft. The elevation of the natural grade under the roof peak is 375 ft., resulting in a building height of 41 ft. This is 6 ft. higher than allowed by Los Gatos.

Again, I ask that the Town Council support the decision of the Planning Commission and deny the appeal.

Sincerely,

Bryan J. Mekechuk

Bryan J. Mekechuk/Jo-Anne Sinclair
[redacted]
Monte Sereno, CA 95030
[redacted]

October 30, 2022

Town Council
Town of Los Gatos
110 East Main Street
Los Gatos, CA 95030

Dear Town Council:

Re: Story Pole Exemption – 15860 Winchester Boulevard

Based on filings by the applicant, Town Council should deny the application for a story pole exemption.

Story poles indicate that an application has been submitted and is under consideration by the Town. Only after the applicant has filed accurate information reflecting existing and planned conditions at the site should Town Council consider, and accept, a request for a story pole exemption.

The applicant (1) omitted any reference, depiction or reference to the Class IV bike lanes from the drawings, renderings and photographs of the existing site and plans; (2) the traffic studies included in the application on the Town's website do not acknowledge or consider the effect of the existing Class IV bike lanes; and (3) the traffic study in Appendix F shows a traffic signal, which does not exist, controlling the Winchester/Shelbourne intersection. A brief, cursory review of the materials of the Town's website identified these deficiencies.

While one may advocate that having plans that omit existing conditions and traffic studies that do not consider Class IV bike lanes and have wrong traffic signals will not have a material effect on a request for a story pole exemption, Town Council should consider the precedent they are setting and the message they are sending to applicants, Town Staff, the Planning Commission, citizens and neighboring jurisdictions regarding the duty of care and accuracy required by the Town in filings on proposed developments.

Of material importance is that the staff report refers to "… variance from the maximum height and lot coverage for the zone ..." yet sheets A-4.2 and A-4.3 do not show any "Variance Area" in yellow while sheets A-3.2 and A-3.3 of identical elevations in the application highlight variance areas in yellow. This is misleading.

The application that was denied by the Planning Commission in 2017 and subsequently approved on appeal to Town Council had a two-story 30,070 sq ft office building with 128 parking spaces (87 below grade and 41 at grade). The front setback was 35 to 44 feet along Winchester. The proposed three-story building is 81,633 sq ft with 54 parking spaces (49 below grade and 5 at grade). The front setback is the minimum allowed, 25 feet, along Winchester.

The change in the project is staggering.

We ask that the Town Council deny the request for exemption until the applicant has prepared and filed documents that reflect existing conditions and include the variance locations on the plans.

Sincerely,

Bryan J. Mekechuk Jo-Anne Sinclair