



**TOWN OF LOS GATOS  
PLANNING COMMISSION  
REPORT**

MEETING DATE: 05/27/2020

ITEM NO: 2

DATE: May 22, 2020  
TO: Planning Commission  
FROM: Joel Paulson, Community Development Director  
SUBJECT: Consider Approval of a Request for Demolition of an Existing Single-family Residence, Construction of a New Single-family Residence, and Site Improvements Requiring a Grading Permit on Property Zoned HR-2½ Located at 15310 Suviev Drive. APN 537-24-024. Architecture and Site Application S-19-025. Property Owners: James and Holly Vergara. Applicant: Camargo and Associates, Inc. Project Planner: Sean Mullin.

**RECOMMENDATION:**

Consider approval of a request for demolition of an existing single-family residence, construction of a new single-family residence, and site improvements requiring a grading permit on property zoned HR-2½ located at 15310 Suviev Drive.

**PROJECT DATA:**

General Plan Designation: Hillside Residential  
Zoning Designation: HR-2½  
Applicable Plans & Standards: General Plan; Hillside Development Standards and Guidelines  
Parcel Size: 2.59 acres  
Surrounding Area:

	Existing Land Use	General Plan	Zoning
North	Residential	Hillside Residential	HR-2½
South	Residential	Hillside Residential	HR-2½
East	Residential	Hillside Residential	RC
West	Undeveloped	Hillside Residential	HR-2½

**PREPARED BY:** Sean Mullin, AICP  
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 15303: New Construction.

FINDINGS:

- As required, the project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction.
- As required, that other than the exception to maximum cut depths, the project complies with the Hillside Development Standards and Guidelines.
- As required, the project complies with the Hillside Specific Plan.

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 property is located on the east side of Suviev Drive, approximately 2,500 feet from the intersection of Suviev Drive and Shannon Road (Exhibit 1). The subject property is approximately 2.59 acres (112,820 square feet) and developed with a 1,987 square-foot single-family residence, 932 square-foot guest house, 882 square-foot carport, and swimming pool. The Architecture and Site application has been referred to the Planning Commission because the proposed residence has been deemed visible, as defined by the Hillside Development Standards and Guidelines (HDS&G).

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The subject property is approximately 2.59 acres, located on the east side of Suviev Drive and developed with a single-family residence, guest house, carport, and swimming pool. Single-family hillside residential development surrounds the property. The existing developed building pad is located close to Suviev Drive and is relatively flat. From the building pad, the property descends approximately 65 feet to the east and ascends

PROJECT DESCRIPTION (continued):

approximately 60 feet to the south. The Least Restrictive Development Area (LRDA) is concentrated in the western portion of the property.

B. Project Summary

The applicant is proposing to construct a new 5,203 square-foot one-story single-family residence with an attached 927 square-foot garage (Exhibit 9). The proposed residence would be located within the area of the existing development and within the LRDA. The proposed residence would be at least 54 percent visible from the viewing area located at Blossom Hill Road and Los Gatos Boulevard, and would have a maximum height of 18 feet. The project requires an exception to the maximum cut depths allowed by the HDS&G.

C. Zoning Compliance

A single-family residence is permitted in the HR-2½ zone. The proposed residence is in compliance with the allowable floor area, height, setbacks, and on-site parking requirements for the property.

DISCUSSION:

A. Architecture and Site Analysis

The applicant is proposing to construct a new 5,203 square-foot one-story single-family residence with an attached 927 square-foot garage. The project proposes a contemporary architectural style incorporating materials to blend with the surrounding natural environment. Proposed materials include a standing seam metal roof, integral colored stucco, natural stone veneer siding, composite wood siding, and metal windows and trim. A color and materials board is included with this staff report (Exhibit 4). The applicant has provided a Written Description/Letter of Justification detailing the project and the requested exception to maximum allowable cut depths allowed by the HDS&G (Exhibit 5).

B. Building Design

The Town's Consulting Architect reviewed the proposed residence and noted that the residence is well designed with materials and details appropriate to the contemporary architectural style (Exhibit 6). The Consulting Architect had no issues or concerns with the design of the residence and stated that "the height is limited to one story, and the proposed footprint is similar to other nearby homes." The Consulting Architect raised a concern with the proposed secondary driveway north of the residence citing that the Residential Design Guidelines discourage unnecessary paved surfaces. The Residential Design Guidelines

DISCUSSION (continued):

state that secondary driveways may be considered for larger lots with wide street frontages where the width of the total driveway footprint is less than 50 percent of the parcel width and, if allowed, substantial landscaping should be provided along the street frontage. The street frontage of the 2.59-acre property is approximately 437 feet and the proposed driveway frontage is 94 feet, or 21 percent of the property frontage. Additionally, the Landscape Planting Plan (Exhibit 9, Sheet L-1) shows that the majority of the street frontage along the driveway would be significantly landscaped. The applicant indicates in their Letter of Justification (Exhibit 5) that the secondary driveway would:

- Eliminate the need to back out directly into the roadway or perform a three-point turn to exit the property;
- Provide for additional off-street parking; and
- Utilize an existing driveway approach on their neighbor’s property for which they have an easement.

C. Height

As discussed below, the proposed residence would be visible from several perspectives within the Blossom Hill Avenue and Los Gatos Boulevard viewing area. Heights of visible homes are limited by the HDS&G to a maximum of 18 feet and the proposed project would comply with this regulation. Additionally, the HDS&G limit the low-to-high height of a residence to 35 feet. The proposed residence would comply with this limitation having a maximum low-to-high height of 22 feet. The height of the proposed residence is summarized in the table below.

<b>Building Height</b>		
	<b>Proposed</b>	<b>Maximum Allowed per HDS&amp;G</b>
Height	18 feet	18 feet
Low-to-High Height	22 feet	35 feet

D. Neighborhood Compatibility

Pursuant to the HDS&G, the maximum allowable floor area for the subject property is 6,000 square feet. The table below reflects the current conditions of the homes in the immediate area and the proposed project.

DISCUSSION (continued):

FAR Comparison - Neighborhood Analysis							
Address	Zoning	Residential SF*	Garage SF**	Total SF***	Gross Lot Area SF	FAR	No. of Stories
15275 Suview Dr	HR-2½	3,980	1,018	4,598	463,478	0.01	1
15305 Suview Dr	HR-2½	4,998	750	5,348	186,436	0.03	2
15284 Suview Dr	HR-2½	4,655	960	5,215	162,914	0.03	1
15300 Suview Dr	HR-2½	4,200	1,296	5,096	172,933	0.03	1
15299 Top of the Hill Rd	RC	6,482	2,208	8,290	696,960	0.01	2
15350 Suview Dr	HR-2½	5,789	576	5,965	55,756	0.11	2
15400 Suview Dr	HR-2½	6,735	1,008	7,343	330,620	0.02	2
300 Happy Acres Rd	HR-2½	2,138	650	2,388	39,000	0.06	2
<b>15310 Suview Dr (e)</b>	<b>HR-2½</b>	<b>2,919</b>	<b>324</b>	<b>2,919</b>	<b>112,820</b>	<b>0.03</b>	<b>1</b>
<b>15310 Suview Dr (p)</b>	<b>HR-2½</b>	<b>5,079</b>	<b>907</b>	<b>5,586</b>	<b>112,820</b>	<b>0.05</b>	<b>1</b>
<p>* Residential square footage includes the residence and detached accessory structures, except garages.</p> <p>** The garage square footage numbers are gross and do not include the allowed 400-square-foot exemption.</p> <p>***The total square footage numbers do not include below grade square footage and do not include up to 400 square feet of exempt garage square footage.</p>							

The nine properties in the immediate area are developed with one- and two-story residences and include a mix of architectural styles. The property sizes within the immediate area range from 0.9 to 16 acres. Based on Town and County records, the total square footage of the residences located in the immediate area range from 2,388 square feet to 8,290 square feet. The applicant is proposing a total square footage of 5,586 square feet on a 2.59-acre parcel. The proposed project would be the sixth largest in terms of total square footage and the seventh largest in terms of FAR.

E. Site Design

The subject property is approximately 2.59 acres, located on the east side of Suview Drive. The developed building pad is located close to Suview Drive and is relatively flat. From the building pad, the property descends approximately 65 feet to the east and ascends approximately 60 feet to the south. The LRDA is concentrated in the western portion of the property. The proposed project is concentrated in areas that are already developed with structures or landscaping. The proposed residence stretches north-to-south, utilizing the LRDA and stepping up with the grade from the garage to the main portion of the residence. A new driveway would provide access from the east side of Suview Drive to the attached garage. Outdoor living areas are concentrated at the rear of the residence and include patios and a swimming pool.

DISCUSSION (continued):

F. Tree Impacts

The development plans were reviewed by the Town Arborist who identified 11 protected trees within the project area (Exhibit 7). The project proposes to remove three protected trees and the Town Arborist has provided recommendations for the protection of the eight trees to remain. If the project is approved, tree protection measures would be implemented prior to construction and maintained for the duration of construction activity. Planting of replacement trees and/or payment of in-lieu fees would be required prior to issuance of a Certificate of Occupancy pursuant to Town Code. Arborist recommendations for tree protection have been included in the Conditions of Approval to mitigate impacts to protected trees (Exhibit 3).

Trees Proposed for Removal			
Tree Number	Species	Size	Condition
1	Redwood	10-inch	Good health with nice vigor
9	Walnut	48-inch	Good health with nice vigor, although heavy lean
11	Pomegranate	36-inch	Good health

G. Visibility

Pursuant to the HDS&G, a visible home is defined as a single-family residence where 24.5 percent or more of an elevation can be seen from any of the Town's established viewing areas. The applicant's visibility analysis provides three perspectives of the proposed residence as viewed from the viewing area located at Blossom Hill Road and Los Gatos Boulevard (Exhibit 9, Sheet V-001). The three perspectives show that the proposed residence would be 54 percent, 76 percent, and 81 percent visible. Pursuant to the requirements of the HDS&G, visible homes shall not exceed a height of 18 feet. Also, the light reflectivity value (LRV) of all exterior materials may not be averaged, must be considered individually, and may not exceed 30. The proposed residence would meet the height and LRV limitations for visible homes, having a maximum height of 18 feet and individual exterior materials not exceeding an LRV of 30, as shown on the provided color and materials board (Exhibit 4).

H. Grading

The Site Planning Section of the HDS&G limits grading cut depths to a maximum depth of four feet. Due to the constraints of the site, the applicant is requesting an exception to this standard to allow a five-foot cut depth in the area just west of the proposed garage (Exhibit 9). The applicant has included a Letter of Justification (Exhibit 5) addressing the requested

DISCUSSION (continued):

exception, stating that the increased cut depth would address the driveway's interaction with the sloping roadway along this section of Suview Drive and would allow for a driveway with a reduced slope. The project also includes site improvements with grading quantities exceeding 50 cubic yards, which require approval of a Grading Permit. The Town's Parks and Public Works Engineering staff have included a condition of approval requiring submittal and evaluation of a Grading Permit in parallel with the required Building Permits (Exhibit 3).

I. Neighbor Outreach

The applicant reached out to their neighbors and provided copies of the several responses they received (Exhibit 8).

J. CEQA Determination

The project is Categorical Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction.

PUBLIC COMMENTS:

Story poles and signage were installed on the site by March 6, 2020, in anticipation of a March 25, 2020 hearing date. Due to the COVID-19 pandemic and subsequent Santa Clara County Shelter in Place Order, the March 25, 2020 hearing was cancelled, and the story poles remained in place. On April 20, 2020, the property owner requested permission to remove the story poles given the length of time the poles had been installed and the impacts to the use of their outdoor areas during the Shelter in Place Order. This request was approved with the condition that the applicant provide detailed photos of the installed story poles, which staff posted on the Town's website (<https://www.losgatosca.gov/DocumentCenter/View/24509/15310-Suview-Drive-Story-Pole-Photos>). No public comments have been received at this time.

CONCLUSION:

A. Summary

The applicant is requesting approval of an Architecture and Site application for demolition of an existing single-family residence, construction of a new single-family residence, and site improvements requiring a grading permit. The project is well designed and compatible with the properties in the immediate area. The project is consistent with the Zoning and General Plan Land Use Designation for the property. Due to the constraints of the site, the applicant is requesting an exception to the maximum cut depths for a limited area adjacent

CONCLUSION (continued):

to the proposed garage. Otherwise, the project complies with the applicable HDS&G, and Hillside Specific Plan.

B. Recommendation

Based on the analysis above, staff recommends approval of the Architecture and Site application subject to the recommended conditions of approval (Exhibit 3). If the Planning Commission finds merit with the proposed project, it should:

1. Make the finding that the proposed project is Categorically Exempt, pursuant to the adopted Guidelines for the implementation of the California Environmental Quality Act, Section 15303: New Construction (Exhibit 2);
2. Make the finding that due to the constraints of the site, an exception to the maximum allowable cut depths is appropriate, and the project is otherwise in compliance with the applicable sections of the Hillside Development Standards and Guidelines (Exhibit 2);
3. Make the finding that the project complies with the Hillside Specific Plan (Exhibit 2);
4. Make the considerations as required by Section 29.20.150 of the Town Code for granting approval of an Architecture and Site application (Exhibit 2); and
5. Approve Architecture and Site Application S-19-025 with the conditions contained in Exhibit 3 and the development plans in Exhibit 9.

C. Alternatives

Alternatively, the Commission can:

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

EXHIBITS:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. Color and Materials board
5. Project Description and Letter of Justification, dated December 11, 2019
6. Consulting Architect's Report, dated June 5, 2019
7. Town Arborist's Report, dated July 18, 2019
8. Applicant's neighbor outreach efforts
9. Development Plans, received February 20, 2020