



**TOWN OF LOS GATOS  
PLANNING COMMISSION  
REPORT**

MEETING DATE: 12/08/2021

ITEM NO: 3

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DATE: December 3, 2021  
TO: Planning Commission  
FROM: Joel Paulson, Community Development Director  
SUBJECT: Requesting Approval for Construction of a Second Story Addition to an Existing Single-Family Residence on Property Zoned R-1:8. **Located at 16529 Marchmont Drive.** APN 532-09-033. Architecture and Site Application S-21-028. PROPERTY OWNERS/APPLICANTS: Brendon and Mary Cassidy. PROJECT PLANNER: Erin Walters.

RECOMMENDATION:

Denial.

PROJECT DATA:

General Plan Designation: Low Density Residential  
Zoning Designation: R-1:8  
Applicable Plans & Standards: General Plan, Residential Design Guidelines  
Parcel Size: 10,960 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

CEQA:

The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures.

PREPARED BY: Erin Walters  
Associate Planner

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Reviewed by: Planning Manager and Community Development Director

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FINDINGS:

- The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures.
- The project meets the objective standards of Chapter 29 of the Town Code (Zoning Regulations).
- The project is in compliance with the Residential Design Guidelines for single-family residences not located in hillside areas.

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 project site is located on the north side of Marchmont Avenue approximately 177 feet west of Hilow Road (Exhibit 1). The subject property is 10,960 square feet and developed with a single-story, 2,222-square foot single-family residence with a detached 520-square foot garage and 198-square foot pool room.

On March 13, 2021, the applicant submitted a Minor Residential Development application for the construction of a second story addition to an existing single-family residence. After review by staff, it was determined that the proposed project would result in the first second story in the immediate neighborhood based on Town and County records, as well as the largest house in terms of square footage and floor area ratio (FAR). The Minor Residential Development application was then converted to an Architecture and Site application and referred to the Planning Commission.

On March 17, 2021, an Accessory Dwelling Unit Permit (D-21-015) was approved to convert the existing detached garage and pool room into a new detached Accessory Dwelling Unit for the subject property.

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The subject property is 10,960 square feet, located on the north side of Marchmont Avenue approximately 177 feet west of Hilow Road (Exhibit 1). The property is developed with a single-family residence and a detached garage and pool room. Single-family residential development surrounds the property. This area was previously unincorporated County land.

B. Project Summary

The applicant proposes construction of a second story addition to an existing single-story residence (Exhibit 4).

C. Zoning Compliance

A single-family residence is permitted in the R-1:8 zone. The proposed residence is in compliance with the allowable floor area, height, setbacks, lot coverage, and on-site parking requirements for the property.

DISCUSSION:

A. Architecture and Site Analysis

The applicant proposes the construction of a new 1,381-square foot second story addition to an existing 2,222-square foot one-story residence. The proposed remodel includes converting a portion of the existing first story into an attached two car garage. The proposed two-story modern farmhouse style residence would be at total of 3,096-square feet with an attached 509-square foot two-car garage. The footprint of the building would not increase. The height of the proposed addition is 25 feet, 5 inches, where a maximum of 30 feet is allowed. The proposed Development Plans are included in Exhibit 14.

The existing 520-square foot detached garage and 198-square foot detached pool room will be converted into a new detached Accessory Dwelling Unit, per the approved Accessory Dwelling Unit Permit (D-21-015).

A summary of the floor area for the existing residence and proposed residence is included in the table below.

DISCUSSION (continued):

Floor Area Chart			
	Existing SF	Proposed SF	Maximum Allowed SF
Main House - 1 <sup>st</sup> Floor	2,222	1,715	
Main House - 2 <sup>nd</sup> Floor	0	1,381	
Detached Pool Room	198	0	
<b>Total</b>	<b>2,420</b>	<b>3,096</b>	<b>3,313</b>
Detached Garage	520	0	913
Attached Garage	0	<b>509</b>	913
Detached Accessory Dwelling Unit	0	<b>846</b>	1,096

The proposed project materials include new horizontal shiplap siding on the first floor and board and batten siding on the second floor. The project would have new wood framed exterior doors and windows painted black with wood trim. The front porch entry would be lowered with new wood front entry columns. A new composition shingle roof would match the existing roof color. The existing first floor and new second floor would have dark gray standing seam metal accent shed roofs over window boxes. The project Color and Materials Board is included in Exhibit 5.

The applicant has provided a Project Description and a Letter of Justification summarizing the project and discussing neighborhood compatibility of the proposed residence (Exhibit 4). The applicant has provided photographs of the existing site and photographs of the installed story poles with neighborhood context and are included in Exhibits 6 and 7.

B. Building Design

The applicant proposes construction of a second story addition and a remodel to an existing one-story house. The Town's Consulting Architect reviewed the proposed second story addition and noted that the addition is carried out in an identifiable traditional style with details appropriate to the style (Exhibit 8). The Town's Consulting Architect stated that while the proposed style is different from the original structure, the form, scale, and details would be a comfortable addition to the neighborhood. The Consulting Architect made six recommendations to address appropriateness of the proposed design elements for the home style and for the immediate neighborhood, and they are summarized below. The applicant's response to each recommendation follows in *italics* and is included in Exhibit 9.

1. Match the bedroom bay windows treatment including window proportions.
  - *The second-floor bay windows now match.*

2. Lower the entry gable.

Note: Off-center gable peak probably acceptable if the above two changes are made.

- *The entry gable has been lowered.*

DISCUSSION (continued):

3. Align the first-floor roof eaves.
  - *The first-floor bays and eaves have been aligned.*
4. Maintain the same roof covering as on the major portion of the house.
  - *The majority of roofing is composition, only the bay windows propose metal standing seam roofing.*
5. Provide horizontal trim at transitions between materials.
  - *Horizontal trim has been provided between siding materials.*
6. Match second floor ceiling height to that of the first floor.
  - *Both floors have nine-foot ceilings.*

On May 26, 2021, the Town's Consulting Architect reviewed the applicant's revisions and found the changes were largely consistent with the first report's recommendations (Exhibit 10). The Town's Consulting Architect provided four additional recommendations, which are summarized below. The applicant's response to each recommendation follows in *italics* and is included in Exhibit 11.

1. Increase the roof slope to be more consistent with the architectural style, and to reduce the cramped appearance of the bay windows relative to the facades and gable ends (an approximate 6/12 roof slope is shown on the illustration, but a somewhat lower slope might be acceptable).
  - *The roof slope has been increased to a 5/12 roof slope.*
2. Reduce the window size to be more consistent with the architectural style. The proposed second floor windows appear to be more than six feet in height with sills very close to the floor line. By contrast, the general standard for homes in this general traditional architectural style are smaller.
  - *The window size on the upper floor have been reduced.*
3. Match the second floor shed roofs to the main roof slope.
  - *The second floor shed roofs now match the main roof slope.*
4. Refine the entry to better integrate it with the overall design.
  - a. Improve the proportions, and match the gable insert more to the overall façade design and materials.
  - b. Lower the projecting entry eave to match that of the main roof.
  - c. Lower column capitals to better relate to human scale.

DISCUSSION (continued):

- *The entry porch roof has been lowered and transom window has been removed. Column capitals have been lowered and materials matched to the body of the house.*

The applicant has addressed all of the Consulting Architect's recommendations.

C. Neighborhood Compatibility

The subject property is 10,960 square feet and the maximum allowable floor area is 3,313 square feet for the residence and accessory structures, and 913 square feet for the garage. The maximum allowable FAR for the residence and any accessory structure is 0.30. The table below reflects the current conditions of the residences in the immediate neighborhood based on County records and the proposed project.

FAR Comparison - Neighborhood Analysis							
Address	Zoning	Residential SF	Garage SF	Total SF	Lot Area SF	Residential FAR	No. of Stories
16501 Marchmont Dr.	R-1:8	1,618	809	2,427	13,554	0.12	1
16515 Marchmont Dr.	R-1:8	2,571	0	2,571	10,960	0.23	1
16543 Marchmont Dr.	R-1:8	2,355	320	2,675	10,960	0.21	1
16557 Marchmont Dr.	R-1:8	2,179	520	2,699	10,960	0.20	1
16500 Marchmont Dr.	R-1:8	1,844	504	2,348	12,426	0.15	1
16514 Marchmont Dr.	R-1:8	928	240	1,168	11,200	0.08	1
16528 Marchmont Dr.	R-1:8	1,196	400	1,596	11,200	0.11	1
16542 Marchmont Dr.	R-1:8	1,548	546	2,094	11,200	0.14	1
16556 Marchmont Dr.	R-1:8	1,228	456	1,684	11,200	0.11	1
16570 Marchmont Dr.	R-1:8	2,809	455	3,264	11,200	0.25	1
<b>16529 Marchmont Dr. (E)</b>	R-1:8	<b>2,222</b>	<b>520</b>	<b>2,742</b>	<b>10,960</b>	<b>0.20</b>	<b>1</b>
<b>16529 Marchmont Dr. (P)</b>	R-1:8	<b>3,096</b>	<b>489</b>	<b>3,585</b>	<b>10,960</b>	<b>0.28</b>	<b>2</b>
* Residential square footage does not include garages.							
**The total square footage numbers do not include below grade square footage.							

The ten properties in the immediate neighborhood are developed with one-story residences and are examples of late 1940's and 1950's suburban ranch architecture. The property sizes within the immediate neighborhood range from 10,960 square feet to 13,554 square feet. Based on Town and County records, the residences in the immediate neighborhood range in size from 928-square feet to 2,809-square feet. The FAR of the residences in the immediate neighborhood range from 0.08 to 0.25. The applicant is proposing a 3,096-square foot residence and a FAR of 0.28 on a 10,960-square foot parcel. The proposed project would be the largest residence in terms of square footage by 287 square feet and the largest in terms of FAR by 0.03.

DISCUSSION (continued):

The applicant has provided a Letter of Justification for the proposed second story, the proposed size of the addition, and the neighborhood compatibility of the proposed residence (Exhibit 4).

The applicant states that although the immediate neighborhood consists of mainly one-story family residences, the residences located west on Marchmont Drive near Englewood Avenue are mostly two stories. The applicant notes that two-story homes are located on Topping, Englewood, Hilow, and Littlefield. The Town's Residential Design Guidelines define the immediate neighborhood as the two residences located on each side of the subject property and the five residences located across the street. The applicant provides examples of two-story residences in the neighborhood outside of the defined immediate neighborhood with sizes comparable or larger than the proposed residence (Sheet A3 of Exhibit 14).

The applicant states that although the neighborhood character includes smaller ranch style homes, there are examples of other architectural styles down the road on Marchmont Drive. The applicant states that the neighborhood is changing and that the proposed Modern Farmhouse style is a classic style that does not overwhelm the surrounding styles. The applicant describes the existing first floor of the house having a 29-foot front setback and the second story will be setback another four feet. The second story addition has been carefully articulated with different roof elevation lines and walls pushed in and out to break up each elevation. The second floor on both sides has been inset to provide additional relief. The overall height of the proposed residence is only an additional five feet, six inches taller than the current house.

The applicant has provided photographs of the installed story poles with neighborhood context and is included in Exhibit 7.

D. Shadow Study

The applicant's Architect has prepared a shadow study for the project as required when submitting for a new second story addition (Sheet A9 and A10, Exhibit 14). The neighbor located to the left of the subject property has expressed concerns that the new second story addition may shade their existing one-story roof solar panels. The applicant's architect prepared additional studies to show the potential shadowing impact to the solar panels. The applicant has been coordinating directly with the neighbor to off-set any solar loss, that might result from the second story addition by offering to install additional solar panels.

Staff coordinated with the Town Attorney and found nothing in the Town's Municipal Code that would prohibit or limit additions due to casting shadows on portions of existing solar

DISCUSSION (continued):

panels at different times of the year. State Law has a restriction that trees and shrubs may only block 10% of solar panels.

E. Tree Impacts

The Town's Consulting Arborist prepared a report for the site and made recommendations for the project (Exhibit 12). The project site contains 17 protected trees. The applicant is not proposing to remove any existing on-site trees and all trees are proposed to remain. Arborist recommendations for tree protection have been included in the Conditions of Approval (Exhibit 3).

F. Neighbor Outreach

The owners have indicated that they have shared the plans with surrounding neighbors as outlined in Exhibit 13.

G. CEQA Determination

The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures.

PUBLIC COMMENTS:

Story poles and signage were installed on the site and written notice was sent to property owners and tenants located within 300 feet of the subject property. At time of preparation of this report, no public comment has been received.

CONCLUSION:

A. Summary

The applicant is requesting approval of an Architecture and Site application for construction of a new second story addition to an existing single story single-family residence. The proposed residence would be the first second story, the largest in terms of square footage by 287 square feet, and the largest in terms of FAR by 0.03 in the immediate neighborhood. The project is in compliance with the objective standards of the Town Code related to allowable floor area, height, setbacks, lot coverage, and on-site parking requirements. The project was reviewed by the Town's Consulting Architect who provided recommendations to address the consistency of the project with the Residential Design Guidelines. The applicant addressed all of the Town's Consulting Architect's recommendations. The project



CONCLUSION (continued):

is consistent with the Zoning and General Plan Land Use designation for the property. The application was referred to the Planning Commission because the residence would be the first second story, and the largest in terms of square footage and FAR in the immediate neighborhood.

The applicant has provided a Project Description and Letter of Justification for the proposed second story addition, the design's compatibility with the immediate and surrounding neighborhood (Exhibit 4), and has highlighted several examples of residences in the neighborhood outside of the defined immediate neighborhood with sizes comparable to the proposed residence.

B. Recommendation

Based on the analysis above, staff recommends denial of the Architecture and Site application based on concerns related to size, neighborhood compatibility, and consistency with the Residential Design Guidelines, as discussed in this report.

C. Alternatives

Alternatively, the Commission can:

1. Approve the application by taking the following actions:
  - a. 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 or Conversion of Small Structures (Exhibit 2);
  - b. Make the finding that the project complies with the objective standards of Chapter 29 of the Town Code (Zoning Regulations) (Exhibit 2);
  - c. Make the finding that the project complies with the Residential Design Guidelines (Exhibit 2);
  - d. 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
  - e. Approve Architecture and Site application S-21-028 with the conditions contained in Exhibit 3 and the development plans in Exhibit 14.
2. Approve the applications with additional and/or modified conditions; or
3. Continue the matter to a date certain with specific direction.

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SUBJECT: 16529 Marchmont Drive/S-21-028

DATE: December 3, 2021

EXHIBITS:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. Project Description and Letter of Justification, dated January 14, 2021
5. Color and Materials Board
6. Site Photographs
7. Story Poles and Neighborhood Context Photographs
8. Consulting Architect's Report, dated March 22, 2021
9. Applicant's response to the recommendations of the Consulting Architect, May 5, 2021
10. Consulting Architect's Report, dated May 26, 2021
11. Applicant's response to the recommendations of the Consulting Architect, Sept 7, 2021
12. Consulting Arborist's Report, dated May 5, 2021
13. Applicant's Outreach Summary, dated August 16, 2021
14. Development Plans