



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 09/23/2026

ITEM NO: 4

DATE: September 18, 2026
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Consider a Request for Approval to Construct a New Single-Family Residence and Site Improvements Requiring a Grading Permit on Vacant Property Zoned HR-2½. **Located at 233 Forrester Road.** APN 537-21-010. Architecture and Site Application S-26-010. Categorically Exempt Pursuant to CEQA Guidelines Section 15303: New Construction. Property Owner: Valy Jalalian, Hilow Road LLC. Applicant: Gary Kohlsaas. Project Planner: Jocelyn Shoopman.

RECOMMENDATION:

Consider a request for approval to construct a new single-family residence and site improvements requiring a Grading Permit on vacant property zoned HR-2½, located at 233 Forrester Road.

PROJECT DATA:

General Plan Designation: Hillside Residential
Zoning Designation: HR-2½, Hillside Residential (40,000 square feet minimum)
Applicable Plans & Standards: General Plan; Hillside Development Standards and Guidelines; and Hillside Specific Plan
Parcel Size: 84,263 square feet (1.93 acres)
Surrounding Area:

	Existing Land Use	General Plan	Zoning
North	Residential	Hillside Residential	HR-1 and HR-2½
South	Residential	Hillside Residential	HR-2½
East	Residential	Hillside Residential	HR-2½
West	Residential	Hillside Residential	HR-2½

PREPARED BY: Jocelyn Shoopman
Senior Planner

Reviewed by: Planning Manager, Community Development Director, and Town Attorney

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.
- The project meets the objective standards of Chapter 29 of the Town Code (Zoning Regulations).
- As required, that other than the exceptions to grading depths, retaining wall length, and the building located outside of the least restrictive development area (LRDA), the project complies with the Hillside Development Standards and Guidelines (HDS&G).
- As required, the project complies with the Hillside Specific Plan (HSP).

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 north side of Forrester Road (Exhibit 1). The subject property is vacant and approximately 1.93 acres (84,263 square feet) with an average slope of 32.9 percent.

On July 7, 2025, the Town approved a Senate Bill 9 (SB 9) Urban Lot Split (ULS) for the property located at 233 Forrester Road. The ULS divided a 4.8-acre lot into two parcels: a 125,007-square foot lot developed with an 8,085-square foot single-family residence and 1,200-square foot garage; and the subject property, an 84,263-square foot vacant lot. The subject property is zoned HR-2½ and complies with the minimum lot area and lot width.

The Architecture and Site application has been referred to the Planning Commission based on the applicant's request for exceptions to the grading depth, retaining wall length, and LRDA.

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The subject property is located on the north side of Forrester Road (Exhibit 1). Single-family residential development surrounds the property on all sides.

B. Project Summary

The applicant proposes construction of a two-story residence with an attached three-car garage. A portion of the proposed residence and attached garage would be located outside of the LRDA. The proposed residence would not be visible from any of the Town's established viewing platforms, pursuant to the HDS&G. The project requires a Grading Permit for site improvements for earthwork quantities exceeding 50 cubic yards. The project also requires exceptions to the grading depth, retaining wall length, and LRDA.

C. Zoning Compliance

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

DISCUSSION:

A. Architecture and Site Analysis

The applicant proposes construction of a new 5,973-square foot, two-story residence with a 752-square foot attached three-car garage (Exhibit 9). The applicant has provided a Letter of Justification detailing the project and the requested exceptions to the requirements of the HDS&G (Exhibit 4). A summary of the floor area for the proposed residence is included in the following table.

	Proposed Square Footage	Counts Towards Floor Area
First Floor	3,134 sf	3,134 sf
Second Floor	2,487 sf	2,487 sf
Attached Garage*	752 sf	352 sf
Total	6,373 sf	5,973 sf

** Pursuant to the HDS&G garages up to 400 square feet in area are not included in the floor area ratio calculation.*

The proposed residence would be situated in the flattest area of the lot that is located at the southernmost portion, adjacent to Forrester Road (Exhibit 1). Approximately 105 square feet of the residence and 38 square feet of the attached garage are proposed to be located

outside of the LRDA. The maximum height of the proposed residence is 25 feet, where a maximum of 25 feet is allowed by the HDS&G for nonvisible homes. The project requires a Grading Permit for site improvements with earthwork quantities exceeding 50 cubic yards. The project also requires exceptions to the grading depth, retaining wall length, and LRDA.

B. Building Design

The applicant proposes a traditional mediterranean style residence with subdued colors to blend with the surrounding hillside environment. Proposed exterior materials include: a two-piece clay roof; smooth coat stucco; stone accent walls, cast limestone lintels; and wrought iron handrails (Exhibit 4). The proposed exterior materials comply with the HDS&G standard for nonvisible homes.

The Town's Consulting Architect reviewed the proposed residence and noted that the home is very well designed with good attention to forms and details appropriate to the style (Exhibit 5).

The Consulting Architect identified two issues and concerns and provided one recommendation for changes to better align the project with the immediate neighborhood (Exhibit 5). These are detailed below, along with the applicant's responses (Exhibit 6).

1. Windows need further clarification to assure that they are consistent with Residential Design Guidelines 3.7.3 and 3.7.4.

Applicant Response: *The windows are now shown with a two-inch minimum recess. The windows are now labeled aluminum clad, wood framed. The grids on the windows may be hard to see in the color elevations; the glass has been lightened to make them more apparent. The elevation notes now also call out the minimum mullion thickness. Wood trim would not be appropriate on a stucco finished house.*

2. Clarification is needed on the scale and shapes of the proposed exposed rafter tails and corbels. In some drawings they appear appropriate in size and scale but not so much in others.

Applicant Response: *The thickness of the rafter tails and corbels is now labeled on the elevation callouts. This is what is pictured on the elevations and renderings on the cover sheet.*

3. Work with the applicant to review the details for windows and supporting rafters and corbels.

Applicant Response: *Details for the windows, rafters, and corbels described above.*

C. Neighborhood Compatibility

Based on Town and County records, the residences in the immediate neighborhood range in size from 4,594 square feet to 9,802 square feet. The FAR ranges from 0.01 to 0.12. The applicant is proposing 5,621-square foot residence with a 752-square foot attached garage on a 84,263-square foot parcel (0.07 FAR). When accounting for the 400-square foot garage credit, the total proposed countable square footage is 5,973 square feet. Pursuant to the Town Code, the maximum allowable floor area for the subject property is 6,000 square feet, less the 400-square foot garage credit. The following table reflects the current conditions of the homes in the immediate area and the proposed project.

Address	Zoning	House SF	Garage SF*	Total SF	Gross Lot Size	FAR	No. of Stories
229 Forrester Rd.	HR-2½	5,773	567	6340	145,412	0.04	2
227 Forrester Rd.	HR-2½	4,639	756	5395	103,878	0.04	2
235 Forrester Rd.	HR-2½	4,594	836	5430	78,805	0.06	2
237 Forrester Rd.	HR-2½	5,623	893	6516	125,598	0.04	2
239 Forrester Rd.	HR-2½	9,802	1,012	10,814	460,038	0.02	2
15651 Kennedy Rd.	HR-2½	6,026	1,000	7,026	412,907	0.01	1
230 Forrester Rd.	HR-2½	5,598	924	6,540	74,872	0.07	2
226 Forrester Rd.	HR-2½	5,122	909	6,031	43,173	0.12	2
233 Forrester Rd.	HR-2½	8,085	1,200	9,285	125,007	0.06	1
233 Forrester Rd. (P) - Vacant	HR-2½	5,621	752	6,373	84,263	0.07	2
* The garage square footage does not reflect the allowed 400-square-foot exemption.							

D. Site Design

The vacant property is approximately 84,263 square feet and is located on the north side of Forrester Road (Exhibit 1).

The property has an average slope of 32.9 percent with steep topography towards the rear of the site (Exhibit 4). The property contains an existing drainage pond that is proposed to be filled in, with on-site drainage proposed to be re-routed as part of the application. Due to the existing topography of the site, the majority of the LRDA is concentrated in the southernmost portion of the lot, adjacent to Forrester Road.

Approximately 105 square feet of the residence and 38 square feet of the attached garage are proposed to be located outside of the LRDA.

The proposed site design requires approval of several exceptions to the HDS&G, including:

- Grading depth shall not exceed four feet of cut;

- Retaining walls should not run in a straight continuous direction for more than 50 feet without a break, offset, or planting pocket; and
- Buildings shall be located within the LRDA.

Grading Depth:

The HDS&G limits the grading depth outside of the footprint of a primary residence to four feet of cut. The proposed site work includes cut depths of up to four feet, nine inches for the residence, up to eight feet, one inch for the driveway, and up to six feet, five inches for the rear yard.

The proposed turnaround is required by the Santa Clara County Fire Department due to the fact that there is no firetruck turnaround available on Forrester Road. Based on this existing condition, the applicant is proposing a firetruck turnaround to be placed on-site within the driveway, the garage has been placed directly adjacent to the turnaround to maximize efficiency (Exhibit 4). Due to the existing slope and limited areas of LRDA, there is no way for the proposal to comply with the HDS&G grading depth limit while also meeting the Santa Clara County Fire Department requirements for a firetruck turnaround.

Towards the uphill portion of the home, cut depths of up to six feet, five inches are proposed in order to accommodate pedestrian access around the residence. The applicant states that the areas have been kept to the bare minimum to gain access around the house, while being necessary to provide structural separation between the house, retaining of the hill above, and providing adequate site drainage (Exhibit 4).

This application has been reviewed and approved by the Town's Engineering Division and the Santa Clara County Fire Department.

The project also includes site improvements with grading quantities exceeding 50 cubic yards, which requires 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).

Retaining Wall Length:

The HDS&G includes a guideline that a retaining wall should not run in a straight continuous direction for more than 50 feet without a break, offset, or planting pocket to break up the long flat horizontal surface. The applicant's Letter of Justification describes the exception request, stating that there is only one wall located along the rear of the residence that is more than 100 feet from the front property line and is completely hidden from offsite views as it is located five feet from the residence (Exhibit 4). The applicant states that the wall is needed to prevent the house from directly supporting the adjacent hillside which would result in structural and drainage challenges for the residence.

Buildings Outside of the LRDA:

The HDS&G includes a standard requiring that buildings be located in the LRDA. Due to the existing topography of the site, the majority of the LRDA is concentrated in the southernmost portion of the lot, adjacent to Forrester Road (Exhibit 9).

Approximately 105 square feet of the residence and 38 square feet of the attached garage would be located outside of the LRDA. In their Letter of Justification, the applicant describes that there is a limited narrow swath of LRDA for the site, and that the limited LRDA is almost certainly man made in part to create the existing drainage pond (Exhibit 4). The applicant states that only a minor portion of the home and garage are located outside of the LRDA, and that the proposed home is in-keeping with the immediate neighborhood in terms of floor area and massing.

E. Tree Impacts

The development plans were reviewed by the Town's Consulting Arborist who inventoried three protected trees within the project area (Exhibit 7). The project proposes removal of three protected trees to accommodate the new residence and driveway. The Landscape Plans indicate that 27, 24-inch box trees will be planted on site to offset the proposed tree removal.

F. 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.

PUBLIC COMMENTS:

Story poles and project signage were installed on the site by August 25, 2026, in advance of the September 23, 2026, Planning Commission hearing. The applicant's neighborhood outreach efforts are included in Exhibit 8.

CONCLUSION:

A. Summary

The applicant is requesting approval of an Architecture and Site application to construct a new single-family residence and site improvements requiring a Grading Permit on a vacant property. The residence is well designed and compatible with 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 exceptions to grading depths, retaining wall length, and LRDA, and has provided a Letter of Justification discussing these requested exceptions (Exhibit 4). Aside from the requested exceptions, the

project complies with the Zoning Code, Hillside Development Standards and Guidelines, and Hillside Specific Plan.

B. Recommendation

Based on the analysis above, and if the Planning Commission agrees with the applicant's justification for exceptions to the grading depth, retaining wall length, and LRDA, the Commission can take the actions below to approve the Architecture and Site application:

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 the project complies with the objective standards of Chapter 29 of the Town Code (Zoning Regulations) (Exhibit 2);
3. Make the finding that due to the constraints of the site, exceptions to grading depths, retaining wall length, and building located outside of the LRDA are appropriate, and the project is otherwise in compliance with the Hillside Development Standards and Guidelines (Exhibit 2);
4. Make the finding that the project complies with the Hillside Specific Plan (Exhibit 2);
5. 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
6. Approve Architecture and Site Application S-26-010 with the conditions contained in Exhibit 3 and the development plans in Exhibit 9.

C. Alternatives

Alternatively, the Planning 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. Letter of Justification
5. Consulting Architect's Report
6. Applicant's Response to Consulting Architect's Report
7. Consulting Arborist's Report
8. Neighborhood Outreach
9. Development Plan