



**TOWN OF LOS GATOS  
PLANNING COMMISSION  
REPORT**

MEETING DATE: 02/25/2026

ITEM NO: 3

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DATE: February 20, 2026  
TO: Planning Commission  
FROM: Joel Paulson, Community Development Director  
SUBJECT: Consider a Request for Approval for Site Improvements Requiring a Grading Permit and a Conditional Use Permit for a Vineyard Greater than 3,000 Square Feet on Property Zoned HR-2½. **Located at 16135 Cerro Vista Drive.** APN 537-30-018. Architecture and Site Application S-25-036 and Conditional Use Permit Application U-25-006. Exempt Pursuant to the CEQA Section 15303(a): New Construction or Conversion of Small Structures, and Section 15304: Minor Alterations to Land. Property Owner: Ruben Caballero. Applicant: Gary Kohlsaar. Project Planner: Suray Nathan.

BACKGROUND:

On January 28, 2026, the Planning Commission discussed the item and received public testimony (Exhibit 13). The Planning Commission continued the item to a date certain of February 25, 2026, to obtain further clarification regarding the applicant's request to create a crawlspace for the proposed outdoor kitchen.

DISCUSSION:

A. Architecture and Site Analysis

The project scope remains consistent with that presented to the Planning Commission on January 28, 2026, except for an added crawlspace below the outdoor kitchen accessed by a stairway on the east side (Exhibit 15).

Grading

The applicant proposes site work with cumulative grading quantities exceeding 50 cubic yards, which requires a Grading Permit. The revised Grading Plan includes 231 cubic yards of cut required to create the 576-square foot crawlspace below the proposed outdoor kitchen. The crawlspace would have a ceiling height of six feet, seven inches and would provide space for mechanical equipment and storage (Exhibit 14, Sheet A-13). The grading for the

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Assistant Planner

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Reviewed by: Planning Manager and Community Development Director

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crawlspace is in addition to the 10 cubic yards of cut required for the patio and the five cubic yards of cut for the vineyard (Exhibit 15, Sheet A-5). The following table provides a summary of the proposed grading quantities that count toward a Grading Permit.

<b>Site Grading Summary (cubic yards)</b>		
	Cut	Fill
Outdoor Kitchen	231	0
Porch/Patio	10	45
Vineyard	5	0
Pool Decking	0	63
<b>Total</b>	<b>246</b>	<b>108</b>

Exceptions to the Hillside Development Standards and Guidelines

The added crawlspace and access stairway require cuts exceeding the depth standards of the HDS&G. The applicant is requesting an exception to this standard and provided a revised Letter of Justification with an added discussion for the new crawl space (Exhibit 14). The applicant proposes a maximum cut depth of seven feet, 10 inches for the creation of the crawlspace below the proposed outdoor kitchen (Exhibit 15, Sheets A-5, A-6, and A-13). The following table illustrates the proposed cut and fill depths for the project.

<b>Maximum Graded Cuts and Fills Depth</b>				
<b>Site Element</b>	<b>Proposed Cut Depth</b>	<b>Max Allowed Cut Depth</b>	<b>Fill</b>	<b>Max Allowed Fill</b>
Outdoor Kitchen	7'-10"	4'	2'	3'
Porch/Patio	1'	4'	3'	3'
Vineyard	1'	4'	1'	3'
Pool Decking	0	4'	3'	3'

Trees

The proposed crawlspace was included in the project scope when the Town Consulting Arborist originally reviewed the project. The Arborist Report notes that an adjacent 18-inch Oak tree (#178) would experience moderate-to-high impacts resulting from the construction activities. The Consulting Arborist provided recommendations for tree preservation and protection (Exhibit 9).

PUBLIC COMMENTS:

At the time of preparation of this report, no public comments have been received.

CONCLUSION:

A. Summary

The applicant submitted a Letter of Justification for the proposed crawlspace below the proposed outdoor kitchen and for the grade depth of cut exception (Exhibit 14). The revised development plans (Exhibit 15) reflect the changes the applicant discussed with the Planning Commission at the January 28, 2026, meeting.

B. Recommendation

Based on the summary above, staff recommends approval of the Architecture and Site and CUP applications subject to the recommended conditions of approval included as Exhibit 3. If the Planning Commission finds merit in the request, 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(a): New Construction or Conversion of Small Structures, and Section 15304: Minor Alterations to Land (Exhibit 12);
2. Make the finding as required by Section 29.20.190 of the Town Code for granting a Conditional Use Permit (Exhibit 12);
3. Make the finding as required by Section 29.40.0320 of the Town Code for granting a Fence Height Exception (Exhibit 12);
4. Make the finding that the project complies with the objective standards of Chapter 29 of the Town Code (Zoning Regulations) (Exhibit 12);
5. Make the finding that the project complies with the Hillside Development Standards and Guidelines except for the requested exception to height of finished floor above existing grade and grading depths (Exhibit 12);
6. Make the considerations as required by Section 29.20.150 of the Town Code for granting approval of an Architecture and Site application (Exhibit 12); and
7. Approve Architecture and Site Application S-25-036 and Conditional Use Permit Application U-25-006 with the recommended conditions of approval contained in Exhibit 3 and the revised development plans in Exhibit 15.

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:

Previously distributed with the January 28, 2026, Staff Report:

1. Location Map
2. Required Findings
3. Recommended Conditions of Approval
4. Project Description and Letter of Justification, Conditional Use Permit
5. Letter of Justification, Fence Height Exception
6. Letter of Justification, Grade Height Exception
7. Site Photos
8. Consulting Arborist's Report, dated August 26, 2025
9. Applicant's Response to Neighborhood Outreach
10. Development Plans

Previously received with the January 28, 2026, Desk Item Report:

11. Public comments received between 11:01 a.m., Tuesday, January 27, 2026, and 11:00 a.m., Wednesday, January 28, 2026

Received with this Staff Report:

12. Revised Required Findings
13. January 28, 2026 Draft Planning Commission Meeting Minutes
14. Letter of Justification, Depth of Cut Exception
15. Revised Development Plans