



**TOWN OF LOS GATOS  
PLANNING COMMISSION  
REPORT**

MEETING DATE: 11/13/2024

ITEM NO: 2

DATE: November 8, 2024  
TO: Planning Commission  
FROM: Joel Paulson, Community Development Director  
SUBJECT: Requesting Approval for Construction of a Single-Family Residence and Site Improvements Requiring a Grading Permit on a Vacant Property Zoned R-1:8. **Located at 15411 National Avenue.** APN 424-12-140. Architecture and Site Application S-23-033. Categorically Exempt Pursuant to CEQA Guidelines Section 15303: New Construction. Property Owner: Vyankatesh and Rammy Muddada. Applicant: Jose Rama. Project Planner: Erin Walters.

RECOMMENDATION:

Denial.

PROJECT DATA:

General Plan Designation: Low Density Residential  
Zoning Designation: R-1:8, Single-Family Residential  
Applicable Plans and Standards: General Plan, Residential Design Guidelines  
Gross Parcel Size: 13,209 square feet  
Net Parcel Size: 10,729 square feet

Surrounding Area:

	<b>Existing Land Use</b>	<b>General Plan</b>	<b>Zoning</b>
North	Residential	Low Density Residential	R-1:8
South	Residential	Low Density Residential	R-1:8
East	Residential and Office	Low Density Residential and Office Professional	R-1:8 and O
West	Residential	Low Density Residential	O:PD

PREPARED BY: Erin Walters  
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:

- The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, 15303: New Construction.
- The project meets the objective standards of Chapter 29 of the Town Code (Zoning Regulations).
- The project complies with the Residential 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 13,209 square-foot vacant rear flag lot is located on National Avenue between Los Gatos-Almaden Road and Blackwell Drive (Exhibit 1). The applicant submitted an Architecture and Site application for the construction of a single-family residence and associated site grading. The proposed project would result in the largest residence in terms of square footage, by 511 square feet, and the largest garage in terms of square footage, by 124 square feet, in the immediate neighborhood. The applicant has not addressed all of the Consulting Architect's recommendations. Public comment has also raised concerns regarding neighborhood compatibility, privacy, and landscaping. Due to the reasons listed above, the application has been referred to the Planning Commission for consideration.

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The subject property is 13,209 square feet, located on the westside of National Avenue approximately 152 feet south of Blackwell Drive (Exhibit 1). The property is a vacant rear flag lot, located behind a property with an existing one-story single-family residence. Single-family residential development surrounds the property with office and multi-family development located across the street on National Avenue, east of the subject site.

B. Project Summary

The applicant proposes construction of a two-story residence and site improvements requiring a Grading Permit (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 maximum allowable floor area, building height, setbacks, lot coverage, and on-site parking requirements for the property.

DISCUSSION:

A. Architecture and Site Analysis

The applicant proposes construction of a new 3,240-square foot, two-story residence with an attached 901-square foot, three car garage. The residence also includes 1,700 square feet of below grade square footage which includes a proposed 500-square foot Junior Accessory Dwelling Unit (JADU). The proposed JADU is not part of this application and requires a ministerial building permit. The height of the proposed residence is 30 feet, where a maximum of 30 feet is allowed. The applicant proposes a future detached 900 square foot Accessory Dwelling Unit (ADU). The proposed ADU is not part of this application and requires a ministerial building permit.

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

<b>Floor Area Summary</b>		
	<b>Proposed SF</b>	<b>Maximum Allowed SF</b>
<b>Main Residence</b>		
Second Floor	1,518	--
First Floor	1,722	--
<b>Total Countable</b>	<b>3,240</b>	<b>3,263</b>
Attached Garage	901	901
Below-Grade Area	1,700	Exempt
Below-Grade JADU	500	Located in Below Grade 500 max. Not part of this application.
Detached ADU	900	1,073 s.f. max. Not part of this application.

The applicant has provided a Scope of Work and a Letter of Justification summarizing the project (Exhibits 4 and 5), photographs of the existing site (Exhibit 6), and Development Plans included as Exhibit 11.

B. Building Design

The proposed two-story contemporary style residence has been designed with contrasting colors and materials. Proposed exterior materials include: a concrete tile roof; smooth stucco siding with stone wainscot sills; metal-clad wood windows with wood trim; iron doors; and metal garage doors (Sheet A4.3, Exhibit 11). The upper floor of the residence includes the main bedroom suite, and two-bedroom suites. The second-story bedroom windows on the north elevation include obscure glass for privacy. The lower floor of the residence includes a living room, additional bedroom suite and the attached three-car garage with storage. A covered patio is located off the lower rear elevation from the kitchen and great room space.

The Town's Consulting Architect reviewed the proposed residence in October 2023 and noted that the neighborhood contains a predominance of one-story homes designed in traditional styles. These homes are modest in scale and mass and have simple roof forms (Exhibit 7). The Town's Consulting Architect stated that the proposed house design appears to emulate a traditional Mediterranean home style, but is designed in much more generic design style with lack of consistency in its design treatment. This would not appear to be consistent with the Town's Residential Design Guidelines 3.2.1 and 3.2.2.

3.2.1 Select an architectural style with sensitivity to the surrounding neighborhood

3.2.2 Design for architectural integrity  
*Building massing, roof pitches, materials, window types and proportions, design features (e.g., roof dormers), and other architectural features should be consistent with the traditions of the selected style.*

The Consulting Architect made eight recommendations to simplify the design and bring it into greater compliance with the Town's Residential Design Guidelines. In response to these recommendations, the applicant made several modifications to the design of the residence, summarizing the changes in a written response (Exhibit 8). The Consulting Architect's issues and recommendations are provided below, followed by the applicant's response in italics.

Issues and Recommendations:

1. Provide an under-the-eave entry in lieu of the proposed stone tower.
  - *Revised the entry way from large tower to smaller stone entry way. Applicant investigated multiple homes in the surrounding that have been approved by the Town, that have a stone tower as an entry way. See Letter of Justification for image of house (Exhibit 8).*
2. Match the lower first floor roofing to the shingles on the main roof.
  - *Lower first floor roofing revised to match the shingles on the main roof.*

3. Add a projecting balcony at the second-floor elevation.
  - *Revised front elevation by removing the JADU from the second floor over the garage, reducing the bulky design and redesigned the roofline to accommodate a smoother transition.*
4. Extend the main roof form over the bay windows on the side elevations and use stucco in lieu of the proposed wood siding.
  - *Revised the north elevation by relocating the JADU to the basement level. That reduces the massing and blends the JADU entrance with the façade. Extended the main roof form over the bay windows on side elevations and use stucco in lieu of proposed wood siding. Revised the roof line to accommodate the extension of the bay windows at all locations.*
5. Provide projecting trim at the second-floor line around all sides of the home.
  - *The applicant investigated multiple homes in the surrounding area that do not have a belly band trim at the break of the first and second floors. See Letter of Justification for image of house (Exhibit 8).*
6. Provide a projecting stucco base around all façades.
  - *Revised the base to project from wall with a wainscot profile.*
7. Integrate the stair on the right-side elevation into the main building form.
  - *Stairs removed.*
8. Provide a visual screen on the deck side nearest the adjacent property line.
  - *Second story rear deck removed to address privacy.*

The applicant responded to the Consulting Architect's issues and recommendations through design revisions with the exception meeting the following recommendations:

- Recommendation 1 - Provide an under-the-eave entry in lieu of the proposed stone tower.
- Recommendation 5 - Provide projecting trim at the second-floor line around all sides of the home.

C. Neighborhood Compatibility

The subject rear flag lot has a net lot size of 10,728 square feet and the maximum allowable floor area is 3,263 square feet for the residence, and 901 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.

FAR Comparison - Neighborhood Analysis							
Address	Zoning	Residential SF	Garage SF	Total SF	Lot Area SF	Residential FAR	No. of Stories
373 Blackwell Dr.	R-1:8	2,693	489	3,182	10,180	0.26	2
377 Blackwell Dr.	R-1:8	2,693	468	3,161	9,883	0.27	2
381 Blackwell Dr.	R-1:8	2,173	411	2,584	10,303	0.21	1
15385 National Ave.	R-1:8	1,056	128	1,184	10,707	0.10	1
15415 National Ave.	R-1:8	1,719	317	2,036	8,060	0.21	1
15425 National Ave.	R-1:8	1,357	483	1,840	20,727	0.07	1
15439 National Ave.	R-1:8	2,386	777	3,163	9,655	0.25	1
15461 National Ave.	R-1:8	2,729	693	3,422	7,439	0.37	2
15899 Los Gatos Almaden Rd.	O	--	--	--	--	--	--
15400 National Ave.	O	--	--	--	--	--	--
279 De Soto Dr.	R-M: 5-12	--	--	--	--	--	--
<b>15411 National Ave. (E)</b>	<b>R-1:8</b>	--	--	--	<b>10,729</b>	<b>0.00</b>	--
<b>15411 National Ave. (P)</b>	<b>R-1:8</b>	<b>3,240</b>	<b>901</b>	<b>4,141</b>	<b>10,729</b>	<b>0.30</b>	<b>2</b>
* Residential square footage includes the residence and detached accessory structures, except garages.							
** The total square footage numbers do not include below grade square footage.							

The eight properties in the immediate neighborhood are developed with one- and two-story single-family residences located in the Single-Family Residential zone. The three properties located across the street from the subject property on National Avenue and are zoned Office and Multi-Family residential. These properties are not included in the immediate neighborhood comparison as they are not zoned single-family residential and are different uses, office and multi-family.

The property sizes within the immediate neighborhood range from 7,439 square feet to 20,727 square feet. Based on Town and County records, the residences in the immediate neighborhood range in size from 1,056 square feet to 2,729 square feet. The FAR of the residences in the immediate neighborhood range from 0.07 to 0.37. The applicant is proposing a 3,240-square foot residence and a FAR of 0.30 on a 10,729-square foot parcel. The proposed project has the second largest FAR in the immediate neighborhood. The proposed project would result in the largest residence in terms of square footage, by 511 square feet, and the largest garage in terms of square footage, by 124 square feet, in the immediate neighborhood.

The applicant has provided justification for proposing the largest residence and largest garage, in terms of square footage, in the immediate neighborhood (Exhibit 5). The applicant notes that the immediate neighborhood isn't uniform in terms of building age, style, or size. The presence of both older and newer structures with varying FARs can make it challenging to establish a benchmark for comparison structures. There is a two-story residence in the immediate neighborhood, built in 2017, that exceeds the maximum allowable FAR for the site. The applicant also describes that the immediate neighborhood includes a large hospital building at 15400 National Avenue. The justification includes that the uses on National Avenue are commercial, including multiple multi-story buildings, adding another layer of complexity to the neighborhood's composition and that the commercial nature of the area might further impact the comparison of FARs, especially when assessing residential properties.

The applicant's justification states that the unique configuration of the rear flag lot presents distinctive challenges and opportunities in adhering to zoning regulations while ensuring the proposed structure harmonizes with the immediate neighborhood. The applicant describes that the proposed design does not exceed the stipulated FAR and it remains in reasonable limits and is the result of conscientious planning to accommodate the needs of the multi-generational household without compromising the neighborhood's integrity. The applicant states that the design integrates architectural elements that contribute positively to the visual appeal and uniqueness of the area, aligning with the overarching aim of the Residential Design Guidelines.

D. Neighbor Outreach

The property owners have been in communication with the surrounding neighbors regarding the proposed project. A summary of their outreach efforts is included as Exhibit 10. Neighbors have provided public comment and raised concerns regarding the proposed two-story residence (Exhibit 12).

Based on the applicant's neighborhood outreach and the public comments received by staff three main issues have been raised:

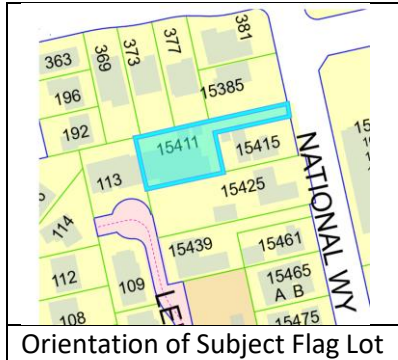
1. Neighborhood Compatibility – Height, bulk, and mass.
2. Privacy – Window placement, and balcony placement.
3. Landscaping – Location, height and maintenance of proposed trees.

The following sections discuss each topic.

E. Neighborhood Compatibility

Public comments include concerns regarding neighborhood compatibility with regards to height, bulk, and mass (Exhibit 12). The subject property is a rear flag lot. Three properties

located on Blackwell Drive, north of the subject flag lot, have rear yards that face the side of the proposed property and proposed residence.



The applicant has modified the second-floor massing on the northern elevation to reduce the bulk and mass of the building that faces the rear properties along Blackwell Drive. The applicant has removed the second-story rear balcony to further reduce massing and address privacy concerns.

F. Privacy

Public comments include concerns regarding privacy, including window placement, and balcony placement (Exhibit 12). To address privacy concerns the applicant has incorporated the following into the proposed design (Exhibit 10):

- Removal of second-story rear balcony;
- Use of obscure/frosted glass on the two-story bedroom windows located on north elevation facing the Blackwell Drive rear yards;
- Planting of evergreen trees to provide screening along the northern fence line;
- Retention and trimming of the existing large Oak tree at rear corner of the lot; and
- Proposed side yard setback provides between 80 to 120 feet of distance between the proposed two-story windows on the subject property and the existing two-story elevation windows at the rear of the Blackwell Avenue residences.

Exhibit 3 includes Condition of Approval #11, requiring the two second floor bedroom windows located on the northern elevation of the residence have frosted or obscure glass to provide privacy between the properties.

G. Landscaping

Public comments include concerns regarding proposed landscaping, including location of screening trees and species (Exhibit 12). To address privacy concerns the applicant has proposed planting five screening trees along the Blackwell Drive fence line (Sheet A0.12,



Exhibit 11). The proposed tree species is Leyland Cypress. Leyland Cypress trees are fast growing, upright in growth, and evergreen. Mature height can reach 50 to 60 feet tall with a mature spread of 15 to 20 feet.

Staff received two public comments expressing the following concerns about the proposed privacy trees to be planted along the Blackwell Drive fence:

- Drainage of rainwater onto the adjacent property;
- Ongoing maintenance of the trees;
- Tree height will not adequately screen the view from the second story; and
- Future detached ADU construction may interfere with the proposed privacy trees.

Exhibit 3 includes Condition of Approval #10, requiring that prior to obtaining a building final the property owner must plant five 24-gallon Leyland Cypress trees along the northern fence line to address privacy concerns. Privacy trees must be maintained by the property owner.

#### H. Tree Impacts

The Town's Consulting Arborist prepared a report for the site and made recommendations for the project (Exhibit 9). The project site contains six protected trees. Four trees are proposed to be removed due to the proposed location of the house and to accommodate the new driveway. Arborist recommendations for tree protection have been included in the Conditions of Approval (Exhibit 9). Tree #67 is located on the front parcel and is not part of this application.

#### I. Grading

The project 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).

#### J. Off-Site Improvements

The project includes off-site improvements requiring the applicant to install a new sidewalk, curb, and gutter along frontage of the parcel along National Avenue, tying into the existing condition to the north. In addition, applicant shall pave and/or restore pavement from the centerline to the newly constructed gutter along the National Avenue frontage per Condition of Approval 73, Exhibit 3.

#### K. 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 signage were installed on the site and written notice was sent to property owners and tenants located within 300 feet of the subject property. Public comments received by 11:00 A.M., Friday, November 8, 2024, are included as Exhibit 12.

CONCLUSION:

A. Summary

The applicant is requesting approval of an Architecture and Site application for construction of a new two-story single-family residence. The project is consistent with the Zoning and General Plan Land Use designation for the property. 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 proposed project would result in the largest residence in terms of square footage, by 511 square feet, and the largest garage in terms of square footage, by 124 square feet, in the immediate neighborhood. 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 responded to the Consulting Architect's issues and recommendations through design revisions with the exception meeting two recommendations. Public comment has raised outstanding concerns regarding neighborhood compatibility, privacy, and landscaping.

The applicant has provided a Scope of Work and a Letter of Justification for the proposed two-story residence, speaking to the design's compatibility with the immediate and surrounding neighborhood (Exhibits 4 and 5).

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 (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-23-033 with the conditions contained in Exhibit 3 and the development plans in Exhibit 11.
2. Approve the applications with additional and/or modified conditions; or
3. Continue the matter to a date certain with specific direction.

EXHIBITS:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. Scope of Work
5. Letter of Justification
6. Photographs of Site
7. Consulting Architect's Report
8. Applicant's Response to Consulting Architect
9. Consulting Arborist's Report
10. Applicant's Summary of Neighborhood Outreach
11. Development Plans
12. Public Comments received by 11:00 a.m., Friday, November 8, 2024

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