



August 9, 2022

Revised Letter of Justification and Description

400 Surmont Drive – Parcel 1

This project proposes the construction of a new, one-story, 3,683 SF, single-family residence (4 bedrooms, 3.5 bath) with a detached, 996 SF, 3-car garage with no basement. The house has no attic area over 7-feet. The project is under the allowable 5,700 SF allowable FAR (reduced for slope), as well as the max building height of 25-feet.

The property is in a semi-rural area and is a transitional parcel to a more suburban neighborhood. The proposed style of the home is best described as Mediterranean inspired, with shallow pitched hipped roofs and details such as thicker exposed roof tails at the eave, wrought iron accents, wood posts and corbels, clay attic gable vents, and a smooth handed stucco. Materials of caliber are used throughout and include green clad windows with a transitional mullion pattern, wood posts, a natural mission style clay roof tile, and wrought iron. The materials and colors selected meet the LRV requirements and rich wood tones are used on specific details to further enhance the character and tie to the natural landscape (see the attached materials palette page).

The home is designed to maintain as many trees on the property as possible and sited to protect the uphill neighbor's views to the valley floor as well as not to loom over or cast shadow on the downhill neighbor (see shadow study). The single-story structure also runs parallel to the contour lines and the footprint is adjusted to step around existing mature trees. The house is sited to navigate the difference between the footprint of the existing downhill home and proposed new uphill home. The overall bulk and mass of the home is broken up with a mix of materials that enhance the character, steps in the floorplan allowing the hipped roofs to set back and shift in certain places, and covered porches at both the front and rear. The garage structure is also attached, creating a friendly entry court, a sense of procession along the property, and further reduces grading. The larger garage is buried into the hillside and has a staggered set of doors to reduce its bulk and mass as well.

400 Surmont Drive – Parcel 2

This project proposes the construction of a new, one-story, 3,450 SF, single-family residence (4 bedrooms, 3.5 bath) with a detached, 671 SF, 3-car garage with no basement. The house has 713 SF of attic area over 7-feet for a total of 4,834 SF. The project is under the allowable 5,500 SF allowable FAR (reduced for slope), as well as the max building height of 25-feet.





The property is in a semi-rural area and is a transitional parcel to a more suburban neighborhood. The proposed style of the home is best described as Modern Farmhouse with natural / rustic touches, and richer paint colors, harkening to the more pastoral setting. The parcel immediately uphill from the project is a true ranch, with barns and rural character, therefore the proposed style is selected to transition between the ranch property and a more suburban neighborhood. Materials of caliber are used throughout and include board and batten, horizontal siding, belly bands to transition materials properly, clad windows with a transitional mullion pattern and painted wood trim, as well as natural stained wood wrapped posts, beams, and guard rails. The roof provides another natural element with a Class A treated wood shingled roof and complimenting matte black standing seam elements as an accent where appropriate, such as porches. The materials and colors selected meet the LRV requirements and natural wood tones are used on specific details to further enhance the character and tie into the landscape (see the attached materials palette page).

The home is designed to maintain as many trees on the property as possible and sited to protect the uphill neighbor's views to the valley floor as well as not to loom over or cast shadow on the downhill neighbor (see shadow study). The single-story structure also runs parallel to the contour lines and the footprint is adjusted to step around existing mature trees. The overall bulk and mass of the home is broken up with a mix of materials that enhance the character, roof planes that are not monotonous and are bound by lower slung porch roofs at the front and rear. The garage structure is also attached, creating a friendly entry court, and a sense of procession along the property, and further reduces grading, and overall massing.

Hillside Design Guidelines Justification – Parcel 1 + Parcel 2

Design guidelines for Hillside, as well as Town of Los Gatos, were considered and met in most aspects for these two proposed homes with a few exceptions justified by the civil engineer and noted on the plans (Parcel 1 sheets A3.2/Elevation 2, A4.4/Section C, Parcel 2 sheets A4.1/Section A + B, A4.2/Section C) and listed below under Exceptions Requested. The homes would add character to the existing neighborhood while maintaining the Town's standards and should be approved as submitted. While the homes are larger than its immediate neighbors, they are sited to reduce bulk and mass, single-story and site sensitive. The parcel locations have a radically different feel and size compared to the "neighborhood" as deemed by the Town, so proportionally are modest and work as transitional lots/buildings. While both parcels are "visible", they are minimally so- less than 50%, and combined with meeting the HDG for materials blend into the hillside significantly better than both older and newer adjacent homes. Privacy impacts with the neighbor at 200 Surmont have been minimized by angling the house to avoid being parallel with the adjacent properties. The landscape plans provide screening with shrubs and trees concentrated at the front porch and dining area. This house (parcel 1) is a single-story residence and window sizes are well proportioned to the style and size (no large

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gable windows). The windows of the nook and great room are further from the property line and adjacent properties. Landscaping on both parcels conceal the home.

The roof pitches for both lots/homes have been reduced to meet the 25-foot height limit (lot 1 reduced from 5:12 to 4:12, and lot 2 reduced from 8:12 to 6:12), and sufficient landscaping has been added to provide screening to adjacent properties (uphill and downhill).

FAR (Floor Area Ratio)

Zoned HR-2.5

The immediate neighborhood for this project is a mix of zoning districts (HR-2.5, R-1:20 and R-1:10) and varying lot sizes (HR-2.5 ranging from 530,095 SF – 57, 840 SF, R-1 ranging from 21,228 SF – 10, 170 SF). The lots for these two projects (Parcel 1 + Parcel 2) are larger than the R1 properties yet significantly smaller than the others zoned HR-2.5. See diagram 1 + diagram 2.

Visibility Analysis

Addressed in separate letters by TS Civil Engineering (dated November 16, 2021) and S3 Design (dated March 21, 2022).

Attached Garage (vs Breezeway)

The garage attachment for both parcels have been redesigned (and are no longer breezeways).

Parcel 1 – The garage is attached to the house with an enclosed, non-conditioned hallway (no longer a breezeway since more than 50% of the perimeter (of the hallway) is enclosed).

Parcel 2 - Per multiple conversation with planning, the interpretation of breezeway is no longer met. The garage connection (covered walkway) to the house has been reduced. The garage is attached since the length of the connection is less than the width (6'-6" length and 7'-9" width).

See Additional Justification enclosed (excerpts from TS Civil Engineering).

Exceptions Requested

Parcel 1

1. Height of the lowest finished floor exceeds 3' above existing grade along the north elevation (roughly 5' - Sheets A3.1, A3.4, A4.2).
2. Cut to the rear of the residence for the yard area appears to be roughly 8' per sheet A3.2 and A4.4.
3. Roughly 9' cut behind the residence shown on Section D-D of Sheet C-8 (and 5' but above retaining wall – cut needs to measure down to base of retaining wall).
4. Earthwork summary:
 - a. 5' cut for access road
 - b. 4' fill for driveway

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c. 6' cut for rear yard

Parcel 2

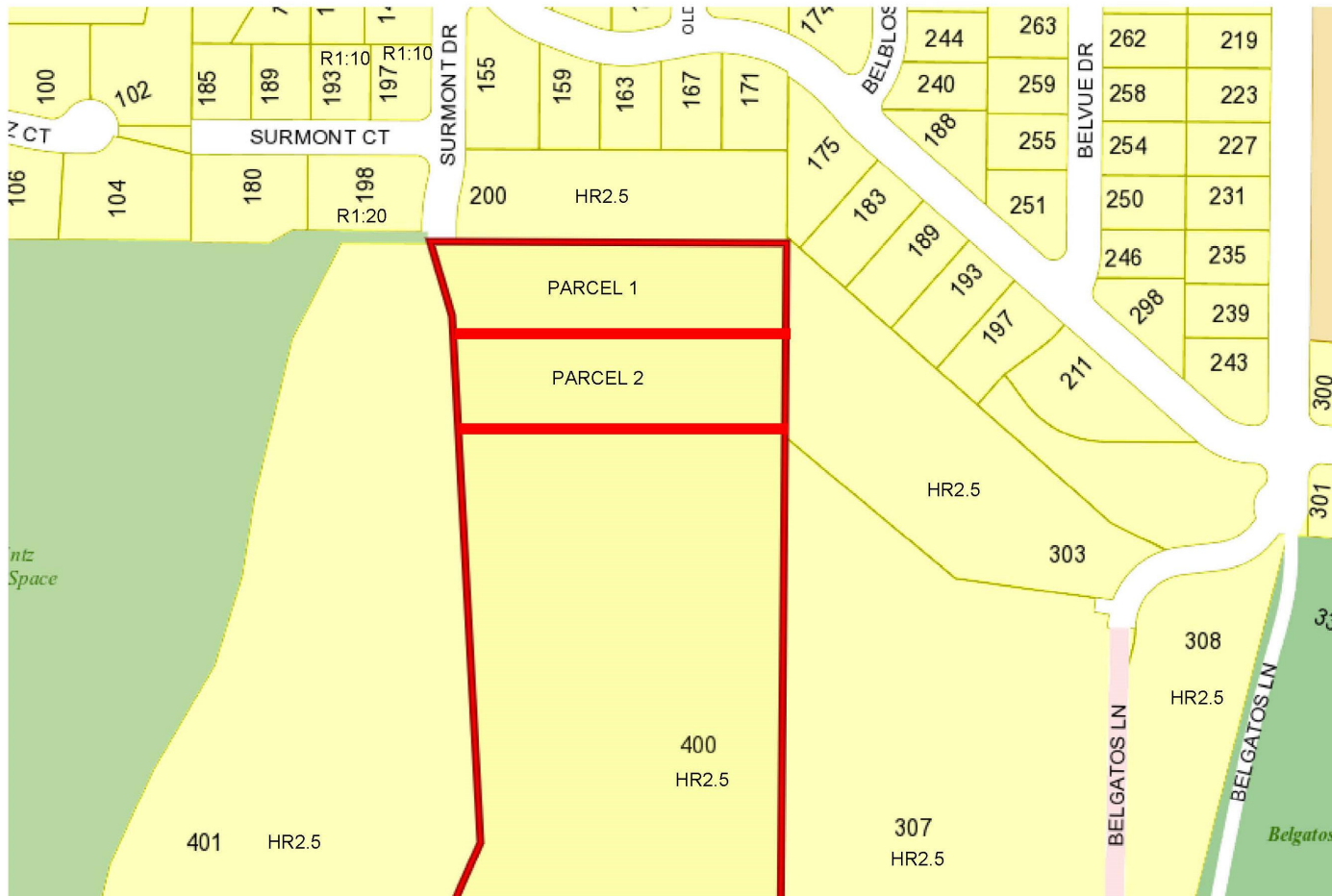
1. Height of lowest finished floor exceeds 3' above existing grade along the north elevation (roughly 6.5' – Sheet A3.1, A3.2, A3.4, A4.1)
2. Cut to the rear of the residence (appears to be roughly 9' per Sheet A4.1 and A4.2)
3. 6' retaining wall to the east of the garage (C-9)
4. 4' fill for driveway (Section A-A on C-9)
5. Roughly 9' cut behind the residence shown on Section B-b of sheet C-9 (and 5' but above retaining wall – cut needs to shown down to the base of retaining wall)
6. Earthwork Summary:
 - a. 5' fill for turnaround
 - b. 5' cut for rear yard

Best regards,

Bess Wiersema
Principal + Owner, Studio3

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Address	Zoning	House	Garage	Total FAR (with garage credit)	Lot Size	FAR	No. of Stories	Year Built
Parcel 1 (Proposed)	HR-2.5	3,683	996	4,279	60,752	0.070	1	n/a
Parcel 2 (Proposed)	HR-2.5	4,163	671	4,434	57,840	0.077	1	n/a
400 Surmont Drive	HR-2.5	2,798	600	2,998	530,095	0.006	1	1929
401 Surmont Drive	HR-2.5	1,960	440	2,000	520,341	0.004	1	1961
200 Surmont Drive	HR-2.5	3,050	816	3,466	66,974	0.052	1	1980
303 Belgatos Lane	HR-2.5	3,250	615	3,465	123,389	0.028	1	2019
307 Belgatos Lane	HR-2.5	6,495	2430	8,525	464,785	0.018	2	1997
308 Belgatos Lane	HR-2.5	4,165	1349	5,114	84,070	0.061	2	1987
198 Surmont Ct	R-1:20	2,742	657	3,399	18,080	0.152	1	1965
180 Surmont Ct	R-1:20	4,007	1135	5,142	21,228	0.189	2	1965
197 Surmont Ct	R-1:10	3,474	720	4,194	10,170	0.342	2	1966
155 Surmont Dr	R-1:10	4,340	562	4,902	20,763	0.209	1	1961



April 29, 2022

Additional Justification (Excerpts for TS Civil Engineering)

Town of Los Gatos HDS & G

Parcel 1

1. Height of the lowest finished floor exceeds 3' above existing grade along the north elevation (roughly 5' - Sheets A3.1, A3.4, A4.2).

One of the most frequent complaints of aging American homeowners is "too many stairs." The Parcel 1 residence was anticipated as one-story and thus it has a wider footprint than a more visible two-story design. The house footprint sits across approximately 12' of vertical grade differential while internal floor level changes absorb with approximately 5' of height with short stairways from the garage to the external deck on the east. We have done our best to minimize the external grading that would be visible around the residence perimeter with the use of terraced walls at the rear yard and natural undulating slopes below the house. Along the north wall, we have included shallow fill slopes to mask the underfloor area and only 40' of the 100' length is at 5' above existing grade. The complex matrix of grading depth, building height, and terraced retaining walls results in this exception which is the least significant within that hierarchy. An exception is respectfully requested.

2. Cut to the rear of the residence for the yard area appears to be roughly 8' per sheet A3.2 and A4.4.

We do believe that the allowed terraced wall detail within the HDS&G depicts an 8' cut at the face of the first wall, to which we comply. However, again, given the multiple depth of grading constraints noted above, the terraced wall area has been compressed horizontally to minimize the amount and depth of grading to provide for a minimum safe perimeter pathway width of 6'. This allows for fire department ladder placement and a "wetband" of landscape for fire suppression. Finally, the highest top of retaining wall is at the roof eave level and as such, any and all of the rear yard grading is fully masked by the residence from off-site views. An exception is requested.

3. 8' cut for detached garage (C-8)

The architect has creatively redesigned the breezeway to the Town specifications for length and width and added half walls and railings to qualify the garage as "attached." Consequently, the allowed excavation is 8' deep. No exception is required.

4. Roughly 9' cut behind the residence shown on Section D-D of Sheet C-8 (and 5' but above retaining wall – cut needs to measure down to base of retaining wall).

This is previously discussed in item 2 above where an exception is requested.

5. 6' cut for detached garage (section C-C of C-8), and earthwork summary shows 8'.

The garage is attached and a max cut of 8' is allowed. The plan and table have been revised to show 7' proposed cut.

Parcel 1 - Table 1
Maximum Graded Cuts and Fills

Site Element	Allowed Cut*	Proposed Cut	Allowed Fill*	Proposed Fill
House and attached garage	8'**	8'	3'	-
Driveways*	4'	5'	3'	4'
Other (decks, yards) *	4'	6'	3'	-

* Combined depths of cut plus fill for development other than the main residence shall be limited to 6 feet.

** Excludes below grade square footage pursuant to Section 29.40.072 of the Town Code.

6. Earthwork summary:

a. 5' cut for access road

We contend that the 4' cut maximum is no longer valid now that as of April 2021, Santa Clara County Fire has significantly upsized their turnaround requirements and now requires the entire approach at 5% slope. The previous standard was that the "L- shape" of the turnaround was restricted to 5% slope and the approach driveway could be up to 20% slope. These standards surprisingly evolve with changes in personnel at Fire. They are also apparently the result of strict enforcements by CALFIRE of PRC 4290. Additionally, this is an access road that is subject to the policies for "design flexibility" within the Los Gatos Hillside Specific Plan and not governed by the HDS&G standards for driveways. The depth of cut non-conformance is limited to 160 SF at the interface of the lower FDT with the Parcel 2 driveway and does not result in a prominent visual scar on the hillsides. An exception is requested.

b. 4' fill for driveway

This occurs at the driveway where it intersects the parking area for the Parcel 1 garage. Note that we previously reduced the driveway width at this location due to a 5' fill. We really can't squeeze this any further, but have provided an undulating slope at the base of the retaining wall to mask this fill, resulting in a net wall height of 3'. An exception is requested.

c. 8' cut for detached garage

Pursuant to architectural revisions to the breezeway, the garage is now attached to the house.

d. 6' cut for rear yard

This is again the terraced wall condition with minimized fire ladder perimeter access around the rear of the house. The area that is non-compliant is 70' x 3' at the extreme southeast corner behind the house, which is virtually invisible to anyone. Exception requested.

Parcel 2

1. Height of lowest finished floor exceeds 3' above existing grade along the north elevation (roughly 6.5' – Sheet A3.1, A3.2, A3.4, A4.1)

Again, similar to Parcel 1, a one-story residence has a slightly larger footprint but is obviously at least 10'-12' shorter than a two-story residence design. So it is a matter of balance of visibility versus grading. To paraphrase the words of former Los Gatos Mayor, Randy Attoway, "I'd rather see a one time grading impact from foundation excavation for a week rather than stare at a 35' tall building for more than 60 years." Such is the case here as to underfloor clearance that is merely 5' where 3' maximum is recommended. We have marked 40' of that length with a trapezoidal shaped short 3' tall fill retaining wall below the house. There is a 30' length that is non-compliant in a location that is invisible to any downslope neighborhood.

2. Cut to the rear of the residence (appears to be roughly 9' per Sheet A4.1 and A4.2)
While we are allowed an 8' cut at the rear of the residence we could have buried the rear of the house against a retaining wall. This would have compromised the floor plan and the window placement on the rear wall. Extensive moisture protection for the a large retaining wall would also have been required. We might have created a long light well 10' away from the house but that would result in a sterile concrete area devoid of any landscaping. We also looked at adding a third wall to the two terraced walls, but this proved to be more excavation to merely reduce the wall height. Our current proposal of two terraced walls with a fire ladder platform and landscape wetband around the residence is preferred for fire safety and aesthetics. The area of non-compliance is merely 70' long by 7' wide at the invisible southeast corner of the residence. An exception is requested.
3. 6' retaining wall to the east of the garage (C-9)
The attached garage is buried 8' at the southeast corner and this is merely a 20' long transition from the 8' garage wall to the 4' yard wall. Exception requested for this minor variation.
4. 4' fill for driveway (Section A-A on C-9)
This is required to balance the cut and fill across the massive 3600 SF Fire Department Turnaround which is the size of a 7-11 Convenience Store parking lot. We have done our best to mask the fill with that same trapezoidal wall used at the high crawl space. This is merely an area of 100 SF. Exception requested.
5. Roughly 9' cut behind the residence shown on Section B-b of sheet C-9 (and 5' but above retaining wall – cut needs to shown down to the base of retaining wall)
Same as 2 above.
6. Earthwork Summary:
 - a. 5' cut for driveway (this item was justified in the response letter, but this information needs to be included in the Letter of Justification).
See prior item I Parcel 1-6.a

b. 5' fill for turnaround

This fire department turnaround sits diagonally across 80' of slope varying from existing ground elevation of 396 to 412 or 16' vertical. The strict 5% maximum slope imposed by Fire would reconcile only $80 \times 5\% = 4'$ of the 16' differential. We can absorb 7' of the remaining 12' which results in a 5' fill on the downhill side of the FDT. The size and slope of the FDT are non-negotiable and you cannot help but wonder if Fire intends to dispatch the ladder truck to this site. However, with the current wildfire hazard caused by the worst 22 year drought period in the last 1200 years in California, there is no reason to skimp on fire protection standards. Exception requested.

c. 5' cut for rear yard

See previous discussion above.

Driveway + Grading

The HDS&G allows for 5' high retaining walls, but only cuts of 4' and fills of 3'. That has always seemed peculiar. In any event, we are requesting grading exceptions to Table 1 as follow:

Table 1
Maximum Graded Cuts and Fills

Site Element	Cut*	Fill*
House and attached garage	8'**	3'
Accessory Building*	4'	3'
Tennis Court*	4'	3'
Pool*	4'***	3'
Driveways*	4'	3'
Other (decks, yards) *	4'	3'

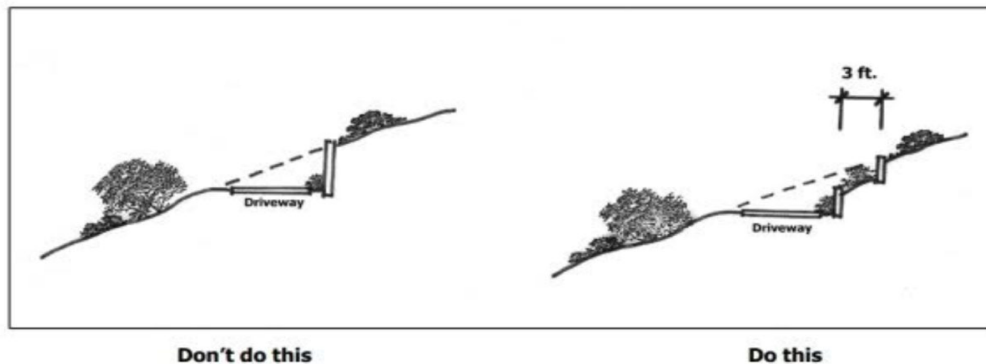
* Combined depths of cut plus fill for development other than the main residence shall be limited to 6 feet.

** Excludes below grade square footage pursuant to Section 29.40.072 of the Town Code.

*** Excludes excavation for pool.

Lot 2 driveway cut depth exceeds 4' due to the need to minimize overall grading. The 20% slope aids the reduction of grading, but the over 4' cut can't be avoided over 5' wide by a 35' length (from 368 to 374) at the 3' shoulder at the face of wall. This area is for drainage control and landscaping, Landscaping at walls is dictated by the HDS&G - Retaining Wall section.

We dispute that the cut depth at the rear yard is non-compliant as the grading exactly matches the HDS&G terraced wall detail pasted below:



The maximum fill depth of the Parcel 2 garage is 1.5' which is less than 3'. Any grading associated with the fire department turnarounds are simply off-limits for criticism as the 2004 HDS&G have not been updated since Santa Clara County Fire enlarged their FDT's on April 27, 2121. An 80' long turnaround within a 20% ground slope sits on a 16' grade differential. If the new surface is to be 5% that is merely a drop of 4', leaving 12' to reconcile. If the garage is cut 8' and the FDT slopes only 4', then there is an unresolved grade differential remaining of 4', which is non-compliant if filled. In summary, the FDT's are now massive flat areas within hillside settings. We suggest that FDT's should be allowed the same cut and fill standards.

Driveway

All visible grading at the access road and driveways are curvilinear and contoured to blend with the natural terrain. This is utilizing retaining walls under 5' tall. Lot 1 has undulating fill slopes, masking the underfloor area at the house. All slopes will be treated with erosion control and native grasses per the landscape plan. The only proposed slopes that might appear "manufactured" are in the invisible rear yards.

Access Road and Fire Department Hammerhead

Town Council direction at the CDAC Meeting in January 2019 suggested that an independent access road of limited width in-lieu of a public street would be preferable. We have followed that direction by designing a common access road serving only the two new lots. We have avoided impacts on the drainage swale and with the allowed narrowing to 12' of pavement at the end of Surmont Drive, we have now avoided impact on the juniper bushes (within the public right of way) at the Cosentino frontage at 200 Surmont Drive.

The amount of pavement is 50% of that which may have been required for a 30' wide public street. the 20% slope conforms perfectly for the initial 100' length of road to the fire department turnaround (FDT) with cuts and fills limited to 1' and 2' as directed by the Town HDS&G and LGHSP.

The FDT has fills of only 1' (3' allowed) and 3.9 cut at the southwest corner where 4' is allowed in compliance with the HDS&G.

Parcel 1 -- Driveway

This driveway is only 130' long from the FDT to the garage parking turnaround. Fills are limited to 3' maximum depth and 5' retaining wall. The turnaround is a full FDT with a slope of merely 1.5%.

Parcel 1 -- Garage & Residence

The parcel 1 garage has a maximum cut of 8' in the southeast corner. The front northwest corner complies to grade with just 1' of fill. The parcel 1 residence is oriented parallel to the existing contours (that vary from 373 to 384, or 11' differential). The floor plan steps up 5' from porch to master bedroom with two terraced 4' walls in the rear yard that resolve the remaining 6' vertical of the 11' differential. Fills on Lot 1 are limited to a pasting on masking slopes at the entry and northeast decks to mask the underfloor clearance of 5'. The slope heights are merely 6' tall and will be naturally undulated.

Lot 2 -- Driveway Grading

Again, this driveway is under 300' long at 170' from the shared FDT. The Santa Clara County Fire Marshal - Rob Campbell, has specifically allowed a 20% longitudinal slope due to the fully compliant FDT's at either end of the driveway. The driveway meanders at 20% across the face of a natural 25% slope, cuts are limited to 4' in depth and fills are 4' deep. 70' and 80' long retaining walls of varying heights from 1.5' to maximum 5' for fill retention are designed on the north side of the driveway. These walls are virtually invisible to any public views from Surmont Drive and the neighborhood. Minimizing the wall length to 50' maximum is not warranted.

The Lot 2 residence is also oriented parallel to the contours (straddling the 401 to 414 contours, or 13' differential). The pad and floor levels in the residence absorbs 5' of the grade change, while two rear yard terraced walls of 3.5' height (and slope between) absorb the other 8' of grade differential. The Lot 2 garage has a 7.5' cut where 8' is allowed and is a daylight design with front slab at existing grade (of 406.5).

The lot building sites and driveway routes were the initial consideration prior to lot design. The 30% slope line or LRDA has framed to possible building sites. The residences were oriented with their long axis slightly northwesterly and parallel to the existing terrain with minimized width in the north to south direction. As is always the case, the local fire department turnarounds generate the bulk of grading volume and elevation differential due to typical width of 40' in 25% terrain, which results in a 10' grade differential. Everyday vehicle access platform slopes 5% maximum which only resolves 2' of the grade differential, while the remaining 8' requires retaining walls and graded slopes.

HDS&G Section III-A-7 (grading techniques).

The exposed cut and fill slopes of the driveway shoulders will appear as natural due to the meandering alignment of the driveways. Retaining walls, where utilized, are under 5' height and can be masked with undulating backfill as shown on plans. The fire truck wheel loads warrant retaining walls for slope stability purposes. The rear yard retaining walls are utilitarian and visible to only the homeowner. However, there are no aesthetic issues with these walls since they will be fully landscaped and not locally or regionally visible.

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