



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 07/13/2022

ITEM NO: 3

DATE: July 8, 2022
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Requesting Approval for Demolition of an Existing Single-Family Residence, Construction of a New Single-Family Residence, and Site Improvements Requiring a Grading Permit on Property Zoned HR-1. **Located at 16484 S. Kennedy Road (Parcel 2).** APN 532-20-012. Architecture and Site Application S-21-032. PROPERTY OWNER: Justin Reilly. APPLICANT: Robin McCarthy, Architect. PROJECT PLANNER: Sean Mullin.

RECOMMENDATION:

Consider approval of a request for demolition of an existing single-family residence, construction of a new single-family residence, and site improvements requiring a Grading Permit on property zoned HR-1 located at 16484 S. Kennedy Road.

PROJECT DATA:

General Plan Designation: Hillside Residential
Zoning Designation: HR-1
Applicable Plans & Standards: General Plan; Hillside Development Standards and Guidelines
Parcel Size: 1.06 acres (46,107 square feet)
Surrounding Area:

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

PREPARED BY: Sean Mullin, AICP
Senior 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, Section 15303: New Construction.
- The project meets the objective standards of Chapter 29 of the Town Code (Zoning Regulations).
- As required by Section 29.10.09030 (e) of the Town Code for the demolition of existing structures.
- The project complies with the Hillside Development Standards and Guidelines (HDS&G).
- The project complies with the Hillside Specific Plan.

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 west side of S. Kennedy Road, approximately 400 feet southeast from the intersection of S. Kennedy Road and Bond Court (Exhibit 1). The property is comprised of two existing parcels: an undeveloped parcel fronting Los Cerritos Drive and a parcel fronting S. Kennedy Road currently developed with a single-family residence and detached garage (Exhibit 4). On November 10, 2020, the Development Review Committee approved a lot line adjustment between the two parcels to revise the shared property line from a north-south orientation to an east-west orientation, providing for two parcels with primary frontage along S. Kennedy Road and secondary frontage on Los Cerritos Drive (Exhibit 5). The revised property line would bisect the existing residence as shown in Exhibit 5. The approved lot line adjustment includes a condition that requires approval of an Architecture and Site application for demolition of the existing residence and construction of a new residence prior to recordation of the revised property configuration (Exhibit 6, Condition 3). The Draft Conditions of Approval for this Architecture and Site application also includes a condition requiring demolition of the existing residence prior to recordation of the approved lot line adjustment

BACKGROUND (continued):

and recordation of the approved lot line adjustment prior to issuance of a Building Permit for construction of the proposed residence (Exhibit 3, Condition 3).

Parcel 2 is approximately 46,107 square feet with an average lot slope of 16.62 percent. The parcel is screened by topography and existing vegetation so that any development would not be visible from any of the Town's viewing areas. The Architecture and Site application has been referred to the Planning Commission based on the size of the proposed residence.

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The subject parcel is approximately 46,107 square feet, located on the west side of S. Kennedy Road (Exhibit 1). Single-family hillside residential development surrounds the parcel. From S. Kennedy Road, the parcel descends approximately 21 feet to the lowest point at the center of the parcel. From this low area, the parcel ascends approximately 58 feet to the western property line adjacent to Los Cerritos Drive. The Least Restrictive Development Area (LRDA) is concentrated in the eastern half of the parcel.

B. Project Summary

The applicant proposes demolition of the existing single-family residence and detached garage (Exhibit 7) and construction of two new single-family residences on Parcel 1 and Parcel 2, as approved under the 2020 Lot Line Adjustment discussed above. The proposed development project on Parcel 1 will be considered separately by the Planning Commission.

On Parcel 2, the applicant proposes construction of a two-story residence with an attached three-car garage (Exhibit 14). The proposed residence would be located within the LRDA and would not be visible as defined by the HDS&G. The project requires a Grading Permit for site improvements with earthwork quantities exceeding 50 cubic yards. The project complies with the objective standards of the Town Code and is not requesting any exceptions from the HDS&G.

C. Zoning Compliance

A single-family residence is permitted in the HR-1 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

Pursuant to the HDS&G, when determining the maximum allowable floor area for a hillside property, the gross lot area is reduced based on its average slope. Parcel 2 is approximately 46,107 square feet with an average lot slope of 16.62 percent. Based on this average slope the net lot area is 35,392 square feet, which provides for a maximum allowable floor area of 6,000 square feet.

The applicant proposes demolition of the existing 1,969-square foot residence and 1,019-square foot detached garage, and construction of a new 5,465-square foot, two-story residence including an attached 910-square foot garage and a swimming pool (Exhibit 14). The project proposes a general Contemporary style residence with neutral colors and materials. Proposed exterior materials include a standing-seam metal roof, smooth coat stucco siding, stone veneer siding, metal windows and doors, wood columns and beams, and wood garage doors (Exhibit 8). The applicant has provided a Written Description/Letter of Justification detailing the project (Exhibit 9). The residence includes a 910-square foot attached garage, 510 square feet of which would count toward the total house floor area allowed for the property. A summary of the floor area for the proposed residence is included in the table below.

Floor Area	
Main Floor	3,110 sf
Upper Floor	2,355 sf
Garage	910 sf
Subtotal	6,375 sf
Garage Credit	(400 sf)
Total	5,975 sf

The proposed residence would be sited on the eastern portion of the parcel within the LRDA. The maximum height of the proposed residence is 24 feet, eight inches, where a maximum of 30 feet is allowed by the Town Code and a maximum of 25 feet is allowed by the HDS&G for nonvisible homes. The project requires a Grading Permit for site improvements for earthwork quantities exceeding 50 cubic yards. The project does not require any exceptions to the HDS&G.

B. Building Design

The applicant proposes a general Contemporary style residence with neutral colors and materials. Proposed exterior materials include a standing-seam metal roof, smooth coat stucco siding, stone veneer siding, metal windows and doors, wood columns and beams, and wood garage doors (Exhibit 14). Pursuant to the HDS&G, exterior colors for nonvisible

DISCUSSION (continued):

homes in the hillside area may not exceed an average light reflectivity value (LRV) of 30. The exterior colors will comply with the requirements of the HDS&G as reflected in Conditions 15 and 16 included in Exhibit 3.

The proposed residence has been designed with a central two-story mass and a projecting garage turned perpendicular to S. Kennedy Road (Exhibit 14). The central two-story mass is covered with a hip roof, while the garage and multiple projecting elements include gable-end roof forms. The majority of the residence is finished with smooth coat stucco siding. Stone veneer siding would be included on portions of all elevations. The main floor of the residence includes the primary living areas, an office, and a bedroom suite. The second floor includes three additional bedrooms and a main bedroom suite with a balcony on the rear elevation.

The Town's Consulting Architect reviewed the proposed residence on October 19, 2021 (Exhibit 10). In the report the Consulting Architect noted that the proposed residence is designed in a general Contemporary style with an estate home scale. The Consulting Architect identified several issues and concerns and provided recommendations for changes to the original design to increase compatibility with the 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 11). The Consulting Architect's issues and recommendations are provided below, followed by the applicant's response in *italics*.

Issues and Concerns:

1. The wide difference in roof slopes and heights, including 2:12 and 5:12 slopes, is visually awkward, and do not work well in creating a unified design. It appears as though a traditional style, large home has been scrunched down, unnecessarily except for a one-size-fits-all universal requirement in the Town's Hillside Standards and Design Guidelines. This variation in roof slopes is not consistent with Residential Design Guideline 3.5.1.

We have completely redesigned the roof system to create one unified roof slope to unify the roof pitches and eliminate complexity. We also increased the height of the roof slope to 3:12 to elevate the height of the roof so that it is more consistent with the Residential Design Guidelines 3.5.1 and 3.5.2. See revised exterior elevations Sheets A5-1 and A5-2.

DISCUSSION (continued):

2. The truncated roof ridge and full rear gable on the front of the house are awkward, and not consistent with the architectural style.

The truncated gable has been removed to eliminate the inconsistency with the architectural style. We have also unified the roof slope to one pitch and elevated the roof slope to 3:12 to elevate the height of the roof so that it is more consistent with the Residential Design Guidelines 3.5.1 and 3.5.2. See revised exterior elevations Sheets A5-1 and A5-2 and Roof Plan A4-1.

3. There are a number of places where materials are changed in the same plane or at an outside corner which is not consistent with Residential Design Guideline 3.8.4.

The termination in the stone base has been addressed by wrapping the stone veneer around so that it terminates into a wall as per Residential Design Guideline 3.8.4. See revised exterior elevations Sheets A5-1 and A5-2.

4. The two-story unarticulated wall on the right-side elevation is not consistent with Residential Design Guideline 3.3.3.

The truncated gable has been removed. The two-story unarticulated walls have also been modified for visual relief using a continuous lower roof eave that matches the front and rear lower roof eaves to be consistent with Residential Design Guideline 3.3.3. See revised exterior elevations Sheets A5-1 and A5-2.

5. There is an inconsistency in the use and color of belly band trims on the rear and side elevations.

The belly bands have been completely removed in favor a roof eave line at the first floor to create one continuous line around the home instead of breaking up the wall sections with a belly band to create continuity as per the Residential Design Guidelines. See revised exterior elevations Sheets A5-1 and A5-2.

Recommendations:

1. Terminate the front gable ridges further back from the front facade to reduce the visibility of the truncated form.

All truncated gables have been removed.

DISCUSSION (continued):

2. Coordinate the size and color of the belly band trim and add to all unarticulated two-story walls.

The belly bands have been completely removed in favor a roof eave line at the first floor to create one continuous line around the home instead of breaking up the wall sections with a belly band to create continuity as per the Residential Design Guidelines. See revised exterior elevations Sheets A5-1 and A5-2.

3. Strongly consider increasing the roof slopes to be more consistent with the proposed architectural style, and the slopes proposed on the home's front elevation. To achieve this, floor-to-ceiling heights may need to be reduced to conform with the building height limitations in the Hillside Development Standards and Guidelines.

We have completely redesigned the roof system to create one unified roof slope to unify the roof pitches and eliminate the complexity of the roof forms. In addition, we increased the height of the roof slope to 3:12 to elevate the height of the roof so that it is more consistent with the Residential Design Guidelines 3.5.1 and 3.5.2.

The applicant responded to the Consulting Architect's issues and recommendations through design revisions. Staff determined that the applicant adequately addressed all issues and concerns raised in the Consulting Architect's report.

C. Neighborhood Compatibility

Pursuant to the HDS&G, the maximum allowable floor area for the subject parcel is 6,000 square feet. The table below reflects the current conditions of the homes in the immediate area and the proposed project.

DISCUSSION (continued):

FAR Comparison - Neighborhood Analysis							
Address	Zoning	Gross Lot Area SF	Residential SF*	Garage SF	Total SF**	FAR	No. of Stories
16420 S. Kennedy Rd	HR-1	65,048	5,700	965	6,665	0.10	2
16440 S. Kennedy Rd	HR-1	43,632	7,313	864	8,177	0.19	2
16460 S. Kennedy Rd	HR-1	50,161	2,706	594	3,300	0.07	2
16461 S. Kennedy Rd	HR-1	105,818	0	0	0	0.00	0
16481 S. Kennedy Rd	HR-1	40,007	3,619	569	4,188	0.10	2
16491 S. Kennedy Rd	HR-1	191,972	5,268	1,408	6,676	0.03	2
16500 S. Kennedy Rd	HR-1	49,153	1,726	480	2,206	0.04	1
16505 S. Kennedy Rd	HR-1	53,448	4,496	630	5,126	0.10	2
16515 S. Kennedy Rd	HR-1	50,235	4,590	720	5,310	0.11	2
16520 S. Kennedy Rd	HR-1	69,131	5,799	1,092	6,891	0.10	1
16484 S. Kennedy Rd (E)	HR-1	46,107	1,969	1,019	2,988	0.06	1
16484 S. Kennedy Rd (P)	HR-1	46,107	5,465	910	6,375	0.14	2
* 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 properties in the immediate neighborhood are developed with one- and two-story residences and include a mix of architectural styles. The property sizes within the immediate neighborhood range from 0.9 to 4.4 acres. Based on Town and County records, the square footage of the residences located in the immediate neighborhood range from 1,726 square feet to 7,313 square feet. The applicant is proposing a 5,475-square foot residence with a 910-square foot attached garage on a 1.06-acre parcel, where a maximum total floor area of 6,000 square feet is allowed by the HDS&G. The proposed project would be the fifth largest in terms of total square footage and second largest in terms of FAR.

D. Site Design

The subject parcel is located on the west side of S. Kennedy Road. The parcel slopes downward from the road by approximately 11 feet to the center of the development area. The western portion of the parcel is heavily wooded with steep slopes climbing to Los Cerritos Drive. The eastern portion of the parcel includes the LRDA, within which all proposed development would occur.

A new driveway would provide access from the west side of S. Kennedy Road. The driveway would serve the three-car garage and four additional on-site guest parking spaces as required by the Hillside Specific Plan. The driveway is sited to limit tree impacts and removal. The driveway, motor court, and guest parking area require the removal of four protected trees as shown on Sheet L3.0 of Exhibit 14. The main residence and attached

DISCUSSION (continued):

garage, are sited adjacent to the motor court. A pathway on north side of the house provides exterior access to the side and rear yard areas. Outdoor living areas are concentrated at the rear of the residence and include patios, a covered porch, a shade structure, and a swimming pool.

E. Tree Impacts

The development plans were reviewed by the Town's Consulting Arborist who inventoried 32 protected trees within the project area on Parcel 2 and made recommendations for their preservation (Exhibit 12). The applicant responded to the recommendations of the Consulting Arborist by adjusting the locations of proposed utilities and adjusting the grading and driveway plans to limit impacts to the existing trees. Proposed tree removal is shown on Sheet L3.0 of Exhibit 14. Four protected trees are proposed for removal, three of which are species included in Appendix A of the HDS&G. Given the species and canopy size of the trees proposed for removal, 20 new trees are required to be planted on site, 10 of which must be selected from Appendix A of the HDS&G. The Landscape Plans indicate that 19 new trees will be planted on site, six of which are species included in Appendix A of the HDS&G. Staff has included a Condition of Approval that prior to issuance of a Building Permit the Landscape Planting Plan be updated to adequately address the tree replacement requirements of the Town Code (Exhibit 3, Condition 6).

If the project is approved, tree protection measures would be implemented prior to construction and maintained for the duration of construction activity. Arborist recommendations for tree protection have been included in the Conditions of Approval to mitigate impacts to protected trees (Exhibit 3).

F. Visibility

The parcel is screened by topography and existing vegetation and any development would not be visible from any of the Town's viewing areas.

G. Grading

The project includes site improvements with grading quantities exceeding 50 cubic yards, which requires approval of a Grading Permit. The new driveway, parking area, motor court, and side and rear yard areas would require 294 cubic yards of cut and 189 cubic yards of fill. The proposed grading plan does not require any exceptions from the HDS&G.

DISCUSSION (continued):

Site Grading Summary			
	Cut	Fill	Total
Driveway/parking	138	13	151
Side yard	65	69	134
Rear yard	91	107	198
Total	294	189	483

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).

H. Neighbor Outreach

The owners have indicated that they have been meeting with the surrounding neighbors to discuss the proposed project. A summary of their outreach efforts is included as Exhibit 13.

I. 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 June 1, 2022, in anticipation of the July 13, 2022, Planning Commission hearing. At the time of this report's preparation, the Town has not received any public comment.

CONCLUSION:

A. Summary

The applicant is requesting approval of an Architecture and Site application for demolition of an existing single-family residence, construction of a new a single-family residence, and site improvements requiring a Grading Permit. The project is well designed and compatible with the properties in the immediate area. The project is consistent with the Zoning and General Plan Land Use designation for the property. The project complies with the applicable sections of the HDS&G and Hillside Specific Plan.

CONCLUSION (continued):

B. Recommendation

Based on the analysis above, staff recommends approval of the Architecture and Site application subject to the recommended conditions of approval (Exhibit 3). If the Planning Commission finds merit with the proposed project, 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: New Construction (Exhibit 2);
2. Make the findings as required by Section 29.10.09030 (e) of the Town Code for the demolition of existing structures (Exhibit 2);
3. Make the finding that the project complies with the objective standards of Chapter 29 of the Town Code (Zoning Regulations) (Exhibit 2);
4. Make the finding that the project complies with the applicable sections of the Hillside Development Standards and Guidelines (Exhibit 2);
5. Make the finding that the project complies with the Hillside Specific Plan (Exhibit 2);
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 2); and
7. Approve Architecture and Site Application S-21-032 with the conditions contained in Exhibit 3 and the development plans in Exhibit 14.

C. Alternatives

Alternatively, the 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.

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SUBJECT: 16484 S. Kennedy Road (Parcel 2)/S-21-032

DATE: July 8, 2022

EXHIBITS:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. Existing Lot Configuration
5. Approved Lot Configuration
6. Conditions of Approval for Lot Line Adjustment M-20-006
7. Property Photos
8. Color and Materials Board
9. Project Description and Letter of Justification
10. Consulting Architect's Report
11. Applicant's Response to Consulting Architect's Report
12. Consulting Arborist's Report
13. Applicant's Neighbor Outreach Effort Summary
14. Development Plans