



**TOWN OF LOS GATOS**  
**CONCEPTUAL DEVELOPMENT**  
**ADVISORY COMMITTEE REPORT**

MEETING DATE: 02/12/2025

ITEM NO: 2

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DATE: February 7, 2025

TO: Conceptual Development Advisory Committee

FROM: Joel Paulson, Community Development Director

SUBJECT: Consider a Request for Preliminary Review of a Proposal for Subdivision of One Lot into Three Lots on Property Zoned HR-2½. Located at 401 Surmont Drive. APN 527-20-002. Conceptual Development Advisory Committee Application CD-24-001. Property Owner: Srikanth Kasa. Applicant: Jason Chan. Project Planner: Ryan Safty.

**ROLE OF THE CONCEPTUAL DEVELOPMENT ADVISORY COMMITTEE:**

The Conceptual Development Advisory Committee (Committee) advises a prospective applicant on the overall consistency of a project with Town policies prior to submitting a formal application and investing in the development review process. The Committee also endeavors to identify the potential issues that will need to be addressed during the development review process should the applicant wish to submit an application. The issues identified by the Committee are not intended to be all-inclusive and other additional issues may be identified during the formal development review process.

None of the Committee's comments are binding on the Town and in no way are they intended to indicate whether the project will be received favorably by the various review bodies that are charged with evaluating and deciding the application. As noted in this report, if an application is filed, technical analysis would need to be done during the evaluation of the proposal. In addition, public input is a required and essential component in the development review process. Notice has been sent to residents and property owners within 500 feet of the project site. In addition to the public comments received at this meeting, all applicants are strongly encouraged to hold neighborhood meetings to receive input as the design of the project evolves should they decide to proceed with the development review process.

**PREPARED BY:** Ryan Safty  
Associate Planner

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PROJECT DESCRIPTION:

The applicant has submitted an application (Attachment 2), project description (Attachment 3), and conceptual plans (Attachment 5) for 401 Surmont Drive, a 12.28-acre property located approximately 1,300 feet south of Blossom Hill Road at the end of Surmont Drive (Attachment 1). The applicant is proposing to subdivide this property into three lots, and has shown potential property line locations, potential building footprints, and roadways serving each proposed lot in Attachment 5. The property contains an existing single-family residence and accessory building.

A similar application proposing subdivision into three lots was reviewed by the Planning Commission in 1980 (Attachment 6). The application proposed a 30,000-gallon water storage tank with individual pump systems to each lot. The Town's policy was for all new development to be served by a public water system; and therefore, the Planning Commission denied the application.

The subject property has two active building permits: B24-0524, issued on November 26, 2024, is for the renovation of the existing residence and an addition of a new electric panel; and P24-125, issued on July 10, 2024, is for the installation of a new water lateral from the existing meter at the bottom of the property to the existing residence. The water lateral plans are included at the end of the conceptual plans provided in Attachment 5.

The adjacent property to the east (210, 220, and 400 Surmont Drive) received approval of a subdivision application in 2020 to subdivide one larger, similarly sized lot into three lots.

Key elements of the proposed project are as follows:

- Subdivide the lot into three lots with the existing single-family residence to be retained on Lot 1; and
- Construct new roadways and driveways, ranging from 12 feet to 26 feet in width.

EXISTING GENERAL PLAN, ZONING, AND PLANNING AREA:

1. General Plan designation: Hillside Residential designation provides for very low density, rural, large lot or cluster, single-family residential development. This designation allows for development that is compatible with the unique mountainous terrain and vegetation of parts of Los Gatos.
2. Surrounding General Plan designations: Low Density Residential to the north; and Hillside Residential to the east, west, and south.
3. Zoning designation: HR-2½ (Hillside Residential).
4. Surrounding zoning designations: R-1:20 (Single-Family Residential) to the north; HR-2½ to the east; and HR-1:PD to the west and south.

EXISTING CONDITIONS:

1. The project site is approximately 12.28 acres.
2. The project site is located at the southern terminus of Surmont Drive (Attachment 1).
3. Surrounding land uses: Residential uses are located to the north and east; and vacant hillside property is located to the west and south of the subject property.

POTENTIAL CONSIDERATIONS AND ISSUES:

The following is a brief list of issues and topics for consideration by the Committee. Staff has not reached conclusions on these topics. Staff is identifying them here to help frame the discussion and to solicit input. The main question for the Committee is whether or not the applicant's concept for the project creates a high-quality plan appropriate for Los Gatos in this location. If an application is filed, staff would evaluate the technical issues.

1. General Plan
  - a. General Plan Policy LU-1.3 states, "To preserve existing trees, natural vegetation, natural topography, riparian corridors, and wildlife habitats, and promote high quality, well-designed, environmentally sensitive, and diverse landscaping in new and existing developments."
  - b. General Plan Policy LU-4.2 states, "Allow development only with adequate physical infrastructure (e.g. transportation, sewers, utilities, etc.) and social services (e.g. education, public safety, etc.)."
  - c. General Plan Policy LU-6.5 states, "The type, density, and intensity of new land use shall be consistent with that of the immediate neighborhood."
  - d. General Plan Policy LU-6.8 states, "New construction, remodels, and additions shall be compatible and blend with the existing neighborhood."
  - e. General Plan Policy CD-14.1 states, "Minimize development and preserve and enhance the rural atmosphere and natural plant and wildlife habitats in the hillsides."
  - f. General Plan Policy CD-14.2 states, "Limit hillside development to that which can be safely accommodated by the Town's rural, two-lane roads."
  - g. General Plan Policy CD-14.3 states, "Effective visible mass shall be reduced through such means as stepping structures up and down the hillside, following topographical contours, and limiting the height and mass of wall planes. A maximum of two stories shall be visible from every elevation."
  - h. General Plan Policy OSPR-2.3 states, "In all hillside subdivisions, the dedication of open space in fee or as an easement shall be required to protect unique natural features, habitats, and movement corridors."
  - i. General Plan Policy HAZ-2.10 states, "Limit hillside development, specifically in VHFHSZ's, to mitigate wildfire risk."

2. Zoning

- a. Project site is zoned HR-2½ and is surrounded by residentially zoned lots as described above.
- b. Slope Density: The minimum land area required for each dwelling unit in any subdivision in an HR zone is determined by the slope density formula in Section 29.40.250 of the Town Code. Based on the average slope and lot size, the slope density formula would allow up to three units on a lot of this size. The applicant is proposing to subdivide into three lots, which under the HR zone, would allow three single-family residences with one on each new lot. It is worth noting that pursuant to State Accessory Dwelling Unit (ADU) and Senate Bill 9 (SB 9) law, each lot could potentially add three more units, for a total of four on each new lot (12 units total).
- c. Height: The maximum allowable height of a principal building in the HR Zone is 30 feet. The proposed height is not specified in the preliminary plans.
- d. Setbacks: The required front setback for the zone is as follows: front setback of 30 feet; side setback of 20 feet; and rear setback of 25 feet. It appears that the proposal would comply with these setbacks; however, setbacks are not noted in the preliminary plans.
- e. Minimum Lot Area: The minimum lot area in the HR zone is 40,000 square feet (not to be confused with the required minimum land area for each dwelling unit in a subdivision as noted above). Each of the three lots would be larger than 40,000 square feet.
- f. Trails: Trail dedication and construction will be required as a part of the subdivision and development application, in accordance with Town Code Section 29.10.06706 and 29.40.285, as the Hillside Specific Plan shows a trail running east-west through the middle of the property.
- g. The maximum allowable floor area will need to be determined when a formal application is submitted. Based on the approximate lot sizes and slopes provided in Attachment 5, the maximum floor area allowances would be as follows:
  - a. Lot 1: 6,000 square feet, plus 1,200 sf for an ADU or SB 9 unit.
  - b. Lot 2: 5,900 square feet, plus 1,200 sf for an ADU or SB 9 unit.
  - c. Lot 3: 5,800 square feet, plus 1,200 sf for an ADU or SB 9 unit.

3. Hillside Development Standards and Guidelines

- a. Any new construction or grading on this property must be reviewed for compliance with the Town's Hillside Development Standards and Guidelines (HDS&G), including but not limited to: maximum cut and fill amounts; construction within the Least Restrictive Development Area (LRDA); retaining wall heights; exterior colors; etc. As noted in Attachment 3, exceptions to the cut and fill standards would be required for the Santa Clara County Fire Department (SCCFD) roadway requirements. The conceptual building footprints in Attachment 5 show that only the Lot 2 footprint would be fully within the LRDA.

- b. Although Town Code for HR zones allows a maximum building height of 30 feet, the HDS&G further restricts building heights to 25 feet. Additionally, ridgeline and homes deemed to be visible from established viewing areas in Town are further limited to 18 feet in height. A visibility analysis will be required to determine allowable building heights.
  - c. Trails Standard: All new subdivision applications shall be reviewed for compliance with the Trails Section of the Los Gatos and Santa Clara County General Plans.
4. Hillside Specific Plan
- a. The property is located within Sub-Area 1 (Blossom Hill Road) of the Los Gatos Hillside Specific Plan, which states the following, “This sub-area presently lacks adequate circulation and utility services. Approximately one-half of the area has slopes exceeding 50%. The developed properties are generally along the boundaries of the sub-area and are mostly one acre or less. The existing circulation system is characterized by overly long cul-de-sacs. The remainder of this sub-area was included within the Urban Service Area Boundary in 1980. This area should receive special emphasis for future annexations. The ultimate density for Sub-area 1 shall be from 2½ to 10 acres per dwelling, with a minimum lot size of one acre. The interim density without full services should be a minimum of 10 acres per dwelling.” The conceptual proposal would have full services and would comply with the ultimate density and minimum lot size as the subdivision would have an average of approximately four acres per dwelling, and each lot would be over an acre.
  - b. Chapter 2 – Facilities Services – Sewage Disposal Services: Sewer service shall be by sanitary sewer whenever practical.
  - c. Chapter 2 – Facilities Services – Domestic Water Supply Services: Water service shall be provided by a recognized public utility whenever possible. In the event that service is not available, service by a private mutual water company or individual wells or springs may be acceptable.
  - d. Chapter 3 – Circulation – Driveway Standards: Driveways serving one residence should have 12-foot minimum width plus 3 feet of shoulder width (15 feet total); however, the deciding body may determine that an 18-foot minimum width is necessary. A common driveway serving two single-family residences should have an 18-foot minimum width plus 3-foot shoulders on each side. This requirement may be reduced to 18-foot minimum if the Town Engineer or County Surveyor determines that the shoulders could be replaced with retaining walls and curbs. Limit of driveway length should be 300 feet unless the deciding body can make specific findings for deviation and can place additional conditions to reduce hazards such as turnouts and secondary accesses. Other standards regarding length, grades, and minimum curve radius are to be determined by the Town Engineer or County Surveyor with advice and recommendation from other appropriate Town or County departments. No more than two dwelling units should be served from a common driveway.

- e. Chapter 3 – Circulation – Access Roads: Access roads as used herein are defined as roads connecting a parcel of land being considered for development to the nearest improved public road. Access roads shall meet the following development standards:
    - i. 2-3 dwelling units: 18-foot AC paved roadway with three-foot shoulder;
    - ii. 4-6 dwelling units: 20-foot AC paved roadway with three-foot shoulder; and
    - iii. 7 or more dwelling units: 24-foot paved roadway with three-foot shoulder.
  - f. Chapter 3 – Circulation – On-Site Parking and Turnaround Areas: Parking and maneuvering areas for emergency vehicles should be provided as required by the Central Fire District. In addition to those parking spaces in garages or carports, not less than four on-site parking spaces shall be provided where roadways are not designed to permit parking. Driveways may be used to provide this parking, except where all or a substantial part of any residence is in excess of one hundred fifty (150) feet from a safe and adequate access road.
  - g. Chapter 4 – Open Space – Open Space Easements: Open space easements shall be required by the deciding body for hillside subdivisions in accordance with the topographical, ecological, aesthetic, and other conditions pertinent to the making of such easements.
  - h. Chapter 4 – Open Space – Trails: The development of a hillside trail network is an important goal of the Town of Los Gatos to increase public recreational opportunities as well as maximize access to regional parks and open space preserves. The trails shall be designed for pedestrian and equestrian use and for bicycle use where practical. All new subdivision applications shall be reviewed for compliance with the Trails section of the Los Gatos and Santa Clara County General Plans. Trail easement dedication to the Town and construction of trails shall be a condition of subdivision approval. Wherever possible CCR's or maintenance districts shall be developed or formed so expenses of trail maintenance will be borne by property owners in the subdivision.
5. Conceptual Design
- a. Lot configuration: The proposed subdivision configuration would not follow the neighborhood pattern and would not be a standard rectangular shape.
  - b. Lot frontage: The lot frontage requirement is determined by the Community Development Director during plan review (Town Code Sec. 29.10.087) since the HR zone does not specify minimum lot frontage. Lot frontage is not identified in the preliminary plans. It appears that frontage would need to be met via easements along the shared driveway, or via one of the existing private roads abutting the property if it is determined that the property has vehicular access rights on them.
  - c. Building Footprints: It appears that the conceptual building footprints would not be fully within the LRDA and therefore need an exception to the HDS&G.

- d. Water Supply: The previous subdivision application at this address was denied in 1980 based on the inability to provide adequate water supply. The applicant's letter in Attachment 3 states that this concern has been addressed based on the utility plans in Attachment 5 and letter from West Valley Sanitation District in Attachment 4. However, the letter simply states that water service installation would not require a permit from West Valley Sanitation District, not necessarily that water supply can be provided. That said, as mentioned above, the property has an active permit for the installation of a new water lateral.
  - e. Home Designs and Sizes: As noted in Attachment 3, the applicant is requesting feedback from the Committee on home designs and sizes and whether they should be similar across the lots.
  - f. Trolley Option: As noted in Attachment 3, the applicant is inquiring if the Committee would support a "larger-than-standard parking structure" at the base of Lot 3 (northern edge of the lot, near Surmont Drive) with a trolley system connecting the residence to the parking structure. It is worth noting that even if the Committee could support this, staff does not believe SCCFD would.
6. Parking and Circulation
- a. Roadways: The application does not specify if a private roadway or driveways are proposed, as they have different standards. Does the Committee have a preference?
  - b. Driveway Slope: The HDS&G limits the maximum slope of a driveway to 15 percent. Portions of the driveway/roadway would exceed this maximum.
  - c. Fire Standards: The application will have to comply with SCCFD PRC4290 requirements for new residential dwelling units in the high fire hazard zones. Firetruck turnarounds will be required.
  - d. Parking: Two parking spaces per dwelling unit area required. Additionally, the Town's Hillside Specific Plan requires four guest parking spaces per property. Parking numbers and locations are not identified in the preliminary plans.
  - e. Access: Based on the plans, it's not clear if the subject property connects to Surmont Drive. The applicant will need to confirm access rights.
7. Traffic
- a. A traffic analysis will determine whether a traffic study or mitigation fees will be required.
8. Hazards
- a. Fault Line: The Town's GIS system shows that the Shannon Fault line runs through the property. Any proposed work within this fault zone will need review by a Geologic and Geotechnical Consultant.
  - b. High Fire: The property is located within the Very High Fire Hazard Severity Zone and must comply with relevant SCCFD standards.

9. Environmental Review

- a. The project would need to be reviewed for compliance with the California Environmental Quality Act as grading, tree removals, and construction near a fault line would all be proposed. Additionally, between 400 Surmont and 401 Surmont Drive is an ephemeral drainage that will need biological review for any construction adjacent to the top of bank.

10. Trees

- a. The conceptual roadway and building footprints would result in impacts to protected trees. Any development application will be reviewed by the Town's Consulting Arborist to ensure that the Town's Tree Protection Ordinance is complied with.

ATTACHMENTS:

1. Location Map
2. Conceptual Development Advisory Committee Application
3. Project Description Letter
4. West Valley Sanitation District Letter
5. Conceptual Plans
6. Town Records - 1980 Subdivision Application