



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 05/22/2024

ITEM NO: 4

DATE: May 17, 2024

TO: Planning Commission

FROM: Joel Paulson, Community Development Director

SUBJECT: Requesting Approval for Demolition of an Existing Single-Family Residence and Construction of a New Single-Family Residence on Property Zoned R-1:8. **Located at 16510 Topping Way.** APN 532-09-029. Architecture and Site Application S-23-016. Categorically Exempt Pursuant to the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures. Property Owner: Steve Bamberger and Susan McGovern. Applicant: Eric Beckstrom. Project Planner: Sean Mullin.

RECOMMENDATION:

Consider approval of a request for demolition of an existing single-family residence and construction of a new single-family residence on property zoned R-1:8, located at 16510 Topping Way.

PROJECT DATA:

General Plan Designation: Low Density Residential

Zoning Designation: R-1:8

Applicable Plans & Standards: General Plan; Residential Design Guidelines

Parcel Size: 10,960 square feet

Surrounding Area:

	Existing Land Use	General Plan	Zoning
North	Residential	Low Density Residential	R-1:8
South	Residential	Low Density Residential	R-1:8
East	Residential	Low Density Residential	R-1:8
West	Residential	Low Density Residential	R-1:8

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 (CEQA), Section 15303(a): New Construction or Conversion of Small Structures.

FINDINGS:

- The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act (CEQA), Section 15303(a): New Construction or Conversion of Small Structures.
- As required by Section 29.10.09030(e) of the Town Code for the demolition of an existing residence.
- The project complies with 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 property is located on the south side of Topping Way approximately 80 feet west of the intersection with Hilow Road (Exhibit 1). The property is approximately 10,960 square feet and is developed with an existing 1,755-square foot, single-story residence with a 478-square foot detached garage. The immediate neighborhood is comprised of one- and two-story residences.

On July 6, 2023, the applicant submitted an Architecture and Site application for the demolition of the existing single-family residence and detached garage, and construction of a new 3,105-square foot two-story residence with a 728-square foot attached garage.

The proposed project meets the technical requirements of the Town Code for floor area, building coverage, setbacks, parking, and height. The project is being referred to the Planning

BACKGROUND (continued):

Commission to consider the project's compliance with the Residential Design Guidelines for mass and bulk compared to other homes in the immediate neighborhood.

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The subject property is located on the south side of Topping Way approximately 80 feet west of the intersection with Hilow Road (Exhibit 1). The property is approximately 10,960 square feet and is developed with an existing 1,755-square foot, single-story residence with a 478-square foot detached garage. The immediate neighborhood is comprised of one- and two-story residences.

B. Project Summary

The applicant proposes demolition of the existing single-family residence and construction of a new 3,105-square foot two-story residence with a 728-square foot garage (Exhibit 12). In the context of the immediate neighborhood, the proposed residence would not be the first two-story, would not be the largest in terms of floor area ratio (FAR), and would not be the largest in terms of floor area.

C. Zoning Compliance

A single-family residence is permitted in the R-1:8 zone. The proposed residence complies with the allowable floor area, building coverage, setbacks, parking, and height requirements for the property. No exceptions are requested. Pursuant to Town Code, a new single-family residence requires approval of an Architecture and Site application.

DISCUSSION:

A. Architecture and Site Analysis

Pursuant to Town Code Section 29.40.075, the maximum allowable square footage for the 10,960-square foot property is 3,288 square feet for a residence and 910 square feet for a garage. The applicant proposes demolition of the existing single-family residence and construction of a new 3,105-square foot two-story residence with a 728-square foot garage (Exhibit 12).

The applicant has provided a Project Description detailing the project (Exhibit 4). The project proposes a traditional style residence with details that are consistent with the

DISCUSSION (continued):

neighborhood (Exhibit 12). Proposed exterior materials include: a composition shingle roof; standing seam metal roof; vertical and horizontal cementitious siding; stucco siding; metal-clad wood windows; wood brackets; and wood posts. The proposed residence includes an 1,824-square foot first story, a 1,281-square foot partial second story, and a 728-square foot attached garage. A summary of the floor area for the existing and proposed residence is included in the table below.

Floor Area Summary			
	Existing SF	Proposed SF	Allowed SF
Main Residence			
First Floor	1,755	1,824	--
Second Floor	--	1,281	--
Total	1,755	3,105	3,288
Below-Grade Area	0	0	--
Garage	478	728	910

B. Site Design

The applicant proposes demolition of the existing residence and detached garage, and construction of a new residence with an attached garage. The new residence would be located within the allowed building envelope with a front setback consistent with the existing and surrounding residences. An attached two-car garage would be located on the east side of the residence and served by a driveway located consistent with the existing driveway. The proposed site design provides a street presence that is consistent with the immediate neighborhood.

C. Building Design

The project consists of a traditional style residence with neutral colors and natural appearing materials. The proposed residence includes gable end and shed roof forms and a covered front porch. The residence includes projecting roof eaves and a partial second story that steps in from the first story to provide visual relief from the two-story massing. The proposed two-car garage has been separated into two bays, slightly offset from one another to add articulation along the front façade to minimize the visual impact of the street-facing garage doors. The carriage-style garage doors include windows to further integrate the garage into the overall design of the residence. The primary mass of the residence would be finished with vertical cementitious shiplap siding and stucco siding. Select portions of the residence would be finished with horizontal cementitious clapboard siding. The proposed residence includes a composition shingle roof and a standing seam

DISCUSSION (continued):

metal roof on the front porch and over the garage. Additional detailing includes metal-clad simulated divided-lite windows, door and window trim, wood brackets supporting the roof overhangs, and square posts supporting the front porch.

The Town's Consulting Architect reviewed the proposed residence on July 18, 2023 (Exhibit 5). In the report, the Consulting Architect noted that the proposed residence is very well designed in a traditional architectural style and with details that are consistent with the style and the diversity of this neighborhood. The Consulting Architect identified two issues and concerns and provided recommendations for changes to the original design to increase compatibility with the Residential Design Guidelines and the immediate neighborhood. In response to these recommendations, the applicant made modifications to the design of the residence and submitted two letters responding to the recommendations (Exhibit 6). The applicant also provided supplemental letters discussing the greater context of project site, justification for the height of the residence, and a detailed description of the form of the residence (Exhibits 7, 8, and 9). The Consulting Architect's issues and recommendations are provided below, followed by the applicant's response in *italics*. The full response by the applicant is included in Exhibit 6.

1. The proposed house has a partial second story. The majority of nearby homes are one story in height, but there are two homes in the immediate neighborhood with partial second stories. One of them has a two-story wall at its front façade, but it is screened from view by heavy tree landscaping and set back from the street. The second home has its second story embedded within its roof form. In both cases, the second floor façades are set much further back from the street than this proposed house.

Recommendation: Utilize a shed roof on the front and rear elevations in lieu of the proposed projecting gable roofs.

The proposed design is totally 'compatible' with gable roofs on the front and back. The sketches showing the proposed shed roofs 'dumbs' down the design and is unnecessary. It makes the house look 'ugly' and there is no benefit to the public from this suggestion. The design already makes use of shed dormers on the front and back to add character. The front has a central gable which is only 19' wide and is handsome and befitting of a Los Gatos house. The rear gable is 15'-6" wide and adds needed scale and variety. One only has to become familiar with the neighborhood on a short walk on Topping Way and the other streets to see that many houses have gables, many are on the front setback, etc. Los Gatos has a rich form vocabulary in the entire city and also within the neighborhood of: Englewood Avenue to Hilow Road with the cross streets, Topping Way, Marchmont Drive and Cardinal/Littlefield Lane.

DISCUSSION (continued):

The Architect lowered the entire house by 1'-3" by lowering the roof pitch. It makes no design sense to add the shed dormer idea of the Consulting Architect as the front of the house already has a shed dormer. The reason for the gable is to break up this shed form and the gable is totally consistent with other neighboring houses. It is what would have been built 100 years ago which is self-evident.

2. The windows shown are appropriate to the style, but the width of trim shown on the various windows is not consistent.

Recommendation: Provide consistent trim on all windows and doors consistent with Residential Design Guideline 3.7.4.

The proposed design has handsome trim throughout. Unfortunately, the first submission plans had a CAD layer turned off for two sets of windows on the right front. This layer is now turned back on-apologies (Exhibit 6).

D. Neighborhood Compatibility

The immediate neighborhood contains one- and two-story single-family residences. Based on Town and County records, the residences in the immediate area range in size from 964 square feet to 3,483 square feet. The FARs range from 0.09 to 0.30. Pursuant to Section 29.40.075 of the Town Code, the maximum FAR for the subject property is 0.30 (3,288 square feet). The proposed residence would have a FAR of 0.28 (3,105 square feet). The proposed residence would be the fourth largest in terms of house floor area and the third largest in terms of FAR. The table below reflects the current conditions of the homes in the immediate neighborhood:

FAR Comparison - Neighborhood Analysis							
Address	Zoning	Gross Lot Area SF	House SF*	Garage SF	Total SF**	House FAR	No. of Stories
16495 Topping Way	R-1:8	12,838	3,483	742	4,225	0.27	2
16496 Topping Way	R-1:8	11,782	1,899	559	2,458	0.16	1
16511 Topping Way	R-1:8	10,515	3,202	601	3,803	0.30	2
16524 Topping Way	R-1:8	10,960	964	400	1,364	0.09	1
16527 Topping Way	R-1:8	10,560	1,174	440	1,614	0.11	1
16538 Topping Way	R-1:8	10,960	3,214	672	3,886	0.29	1
16541 Topping Way	R-1:8	10,560	2,029	440	2,469	0.19	1
16510 Topping Way (e)	R-1:8	10,960	1,755	478	2,233	0.16	1
16510 Topping Way (p)	R-1:8	10,960	3,105	728	3,833	0.28	2

DISCUSSION (continued):

The proposed residence would comply with the maximum allowed floor area and height for the property; would not be the first two-story home in the immediate neighborhood; and would not be the largest home in the immediate neighborhood in terms of square footage or FAR.

The project proposes a two-story residence. The residence would not be the first two-story in the immediate neighborhood and is reflective of the surrounding neighborhood as well. The traditional architectural design responds to the context of the immediate neighborhood and the residences along Topping Way. The Residential Design Guidelines states that, in the context of a design's neighborhood compatibility, "the greatest attention will be given to the *immediate neighborhood* where nearby homeowners are most likely to be confronted with the new house on a daily basis, and where other residents driving by are most likely to see the new structure in the context of the nearby homes." The Residential Design Guidelines also include some consideration of the surrounding neighborhood, although less weight is given in the consideration of homes located at a greater distance from a project site. The Residential Design Guidelines emphasizes neighborhood compatibility "with the recognition that some change is inevitable, may be an improvement to the existing structures and/or neighborhood, and may be desired by the neighborhood."

Like many post-war neighborhoods in the Town, Topping Way is within a neighborhood experiencing transition as redevelopment replaces the original modest-sized residences with larger residences reflecting modern expectations. The lots on this block of Topping Way were created through the 1946 Kenwood Acres Subdivision and the original homes were constructed between 1947 and 1949. Many of the original homes have been added to or completely replaced. The proposed residence is 3,105 square feet and two stories. The size of the home and number of stories is consistent with those in both the immediate neighborhood and the newer homes along this block of Topping Way. The proposed project meets the technical requirements of the Town Code including allowable floor area, building coverage, setbacks, parking, and height requirements. In recognizing the transitional nature of the neighborhood, the Planning Commission could consider the project's compliance with the Residential Design Guidelines for mass and bulk compared to other homes in the immediate neighborhood with some consideration of the homes along Topping Way beyond the immediate neighborhood.

E. Grading

The project includes site improvements with cumulative grading quantities less than 50 cubic yards. A Grading Permit will not be required. Site improvements adjacent to the residence would require approximately 12.4 cubic yards of grading to address drainage and landscaping needs.

DISCUSSION (continued):

F. Tree Impacts

There are 17 trees located on the subject property, five of which are protected trees. No protected trees are proposed for removal and all are located at least 25 feet from proposed improvements. The recommended conditions of approval include a condition requiring tree protection measures for the protected trees consistent with Section 29.10.1005 of the Town Code (Exhibit 3). The rest of the trees on the property are fruit trees that are not defined as protected trees in the Town Code. Five of the 12 fruit trees are proposed for removal due to their proximity to proposed improvements. Pursuant to Section 29.10.0970 of the Town Code, fruit trees less than 18 inches in diameter may be removed without a tree removal permit.

G. Parking

Section 29.10.150(c)(1) of the Town Code requires that a single-family residence provide two off-street parking spaces. The proposed project includes an attached two-car garage to meet this requirement.

H. CEQA Determination

The Project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act (CEQA), Section 15303(a): New Construction or Conversion of Small Structures.

PUBLIC COMMENTS:

Story poles and project signage were installed on the site by April 11, 2024. The applicant provided a summary of their efforts to communicate with their neighbors, which is included as Exhibit 10. At the time this report was published, no public comments had been received.

CONCLUSION:

A. Summary

The applicant is requesting approval of an Architecture and Site application for demolition of the existing single-family residence, and construction of a new single-family residence. The project complies with the allowable floor area, building coverage, setbacks, parking, and height requirements for the property. No exceptions are requested. The residence would not result in the largest in the immediate neighborhood in terms of floor area or FAR, and would not be the first two-story residence in the immediate neighborhood. The project

CONCLUSION (continued):

is being referred to the Planning Commission to consider the compliance with the Residential Design Guidelines for mass and bulk compared to other homes in the immediate neighborhood.

B. Recommendation

Based on the analysis above, staff recommends that the Planning Commission consider 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(a): New Construction or Conversion of Small Structures (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 as required by the Town's Residential Design Guidelines that the project complies with the Residential Design Guidelines (Exhibit 2);
5. 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
6. Approve Architecture and Site application S-23-016 with the conditions contained in Exhibit 3 and the development plans in Exhibit 12.

C. Alternatives

Alternatively, the Commission can:

1. Continue the matter to a date certain with specific direction;
2. Approve the application with additional and/or modified conditions; or
3. Deny the application.

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SUBJECT: 16510 Topping Way/S-23-016

DATE: May 17, 2024

EXHIBITS:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. Project Description
5. Consulting Architect Review
6. Applicant's Response to Consulting Architect
7. Discussion of Greater Context of Project Site
8. Justification for Height
9. Discussion of Residence Form
10. Neighborhood Outreach
11. Site Photos
12. Development Plans