



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 02/24/2021

ITEM NO: 3

DESK ITEM

DATE: February 24, 2021
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 R-1:8 Located at 16666 Topping Way. APN 532-09-018. Architecture and Site Application S-19-044. Property Owner/Applicant: Arthur Lin. Project Planner: Sean Mullin.

REMARKS:

Exhibit 12 includes additional public comment received between 11:01 a.m., Tuesday, February 23, 2021 and 11:00 a.m., and Wednesday, February 24, 2021.

EXHIBITS:

Previously received with the February 24, 2021 Staff Report:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. Color and materials board
5. Project Description and Letter of Justification
6. Consulting Architect's Report, dated January 7, 2020
7. Consulting Arborist's Report, dated January 17, 2020
8. Public comments received by 11:00 a.m., Friday, February 19, 2021
9. Development Plans, received January 28, 2021

Received with the February 24, 2021 Addendum Report:

10. Letter of Justification from applicant
11. Public comments received between 11:01 a.m., Friday, February 19, 2021 and 11:00 a.m., Tuesday, February 23, 2021

PREPARED BY: SEAN MULLIN, AICP
Associate Planner

Reviewed by: Planning Manager and Community Development Director

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SUBJECT: 16666 Topping Way/S-19-044

DATE: February 24, 2020

Received with this Desk Item Report:

12. Public comments received between 11:01 a.m., Tuesday, February 23, 2021 and 11:00 a.m., Wednesday, February 24, 2021

Sent: Tuesday, February 23, 2021 11:11 AM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: 16666 Topping Way

Dear Mr. Mullin,

Our house is across the street and to the right of the proposed construction if you are facing 16666 Topping Way. We are at 16647 Topping Way and we recently remodeled our house. We have many concerns with the size of the house, the height of the house and the look of the house compared to other houses on the street. One of my biggest concerns is the size of the proposed house. Most of the houses on Topping Way are single-story houses with much less square footage. There is no house on the street close to the square footage of the proposed construction. The size of the house seems more consistent with houses on Englewood that have wider and deeper lots. The two houses on either side of 16666 Topping Way are both one-story houses, without basements. Our house and the house to the left of us are both single-story homes as well two lots to the right of us. This proposed construction would not be keeping with the size and look of houses on our street. Another concern is that the proposed construction will severely impact our views of the hillside. The views of the hills is one of the reasons why we moved to Los Gatos and one of the features that distinguishes our town from other towns. Blocking out the view of the hills will adversely affect us as well as the beauty of our neighborhood.

My husband and I will be reviewing all of the documents included in the agenda for tomorrow's meeting and will send you a more detailed letter outlining our concerns.

Thank you,
Michele Stefan
16647 Topping Way

Sent: Tuesday, February 23, 2021 12:04 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Cc: robinmatlock@gmail.com
Subject: Fwd: 16666 Topping Way Plan Concerns

Hello Sean,

Please find the email below regarding the proposed development of the property located at 16666 Topping Way. This letter was submitted to Mr. Lin on January 5, 2020, with no response.

Thank you very much,

Eric Koch
Robin Matlock
16678 Topping Way, Los Gatos, CA 95032

----- Forwarded message -----
Date: Sun, Jan 5, 2020 at 5:32 PM
Subject: 16666 Topping Way Plan Concerns

Dear Mr. Lin,

We've had a chance to review the plans for the house on 16666 Topping Way. First, we are supportive that a new home will be built and excited about the value that brings to the neighborhood after seeing the property in disrepair.

We do have a few concerns regarding the current design we would like you to consider.

First, the overall size of the home. It feels "ginormous" and out of proportion to the rest of the neighborhood by a sizeable margin. We understand bigger is better, bigger is more valuable, but there is a character to our street, and this house is so large, it feels that character is compromised. Further, the size is so significant, our view of the mountains will be significantly obstructed.

Second, the intent to build a sunken patio. We see this a considerable risk depending on how this space could be used as a rental apartment, game room, etc. That part of the house butts right up to our living space, and outdoor patio area. An apartment, guest quarters, or a game room would introduce significant noise and traffic that would alter our experience. An emergency exit for the basement feels reasonable. We are also concerned with how safely your team will be able to dig for this basement so close to the property line and with confined space requirements being met for the construction workers.

Again, we are happy a new home is being developed. And we recognize there are lots of considerations. We are good neighbors and will work with you to find solutions that work for both of us.

Thanks,
Robin Matlock & Eric Koch

Sent: Tuesday, February 23, 2021 1:04 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: Architecture and Site Application S-19-044

Dear Sean Mullin,

On behalf of my husband and myself, who reside across the street of the proposed new construction at 16666 Topping Way, we have had a chance to review the plans for the proposed new construction. We are supportive a new home to be built and the value that brings to the neighborhood, especially having to look at the current structure and site which is in complete disrepair and an eyesore to the neighborhood attracting homeless and teens looking for a fun place to hang out. We have several concerns regarding the current design that we would like considered when this plan is up for review and discussion.

The overall size of this structure of 7000k sq ft, is gargantuan and is more than double of almost every house that is currently on Topping Way, even second story dwellings, and is completely out of proportion with the neighborhood. It is a large, bulky design with stone all over the front of the house which isn't consistent or compatible with the design style and look and feel of the neighborhood. The enormous footprint of 7000k sq feet of this structure **WILL** significantly impede our beautiful view of the foothills but more importantly, since the height of the building is just below the max 30' ft height, the windows on the second story look directly **down** into our bedroom windows of the Master Bedroom and our daughters room which is also located on the second floor, therefore compromising our personal privacy as home owners (along with our neighbors). Additionally concerning is the large sunken patio, that is close to the fence line of our neighbors living space, and the potential increase in noise and people traffic that would alter their living significantly, in a negative fashion.

We fear that approving this size would set a precedent for all future build's in the area to be built this large, which would then make the neighborhood look like one long wall of structures, essentially walling in the street leaving very little view of the hills and beautiful greenery. The thought of this neighborhood turning into rows of mansions is concerning, while homes in the Stonybrook and Long Meadow neighborhoods are only building single story dwellings. This size home, would fit in much better on Englewood, or other areas where the lot sizes are over 20k.

Respectfully, we ask that our concerns outlined above, mainly for our privacy (and that of our neighbors) and space be considered for review by the LG planning department, and that we formally request this proposed construction plan be rejected and that the previously approved plans for the single story with basement be approved and reinstated.

Warmest Regards,
Karl and Kristine Malmshemer
16665 Topping Way, LG 95032

Sent: Tuesday, February 23, 2021 2:23 PM

To: Sean Mullin <SMullin@losgatosca.gov>

Subject: Planning Meeting Feb. 24 regarding 16666 Topping Way Hearing

Hi Sean,

I am getting my second Covid vaccine on Wednesday, and will probably not be able to attend the planning meeting. (My husband will be very busy managing our disabled son by himself!). I am still not supportive of the building plans, and not happy that Mr. Lin never responded to me when I emailed him a question last February concerning the property at his requested abc.aest gmail. (I did see his response to my email to you last year for the first time in the meeting agenda. I think that communication with us neighbors is not going well!).

Debbie Mar

Sent: Wednesday, February 24, 2021 10:38 AM
To: Sean Mullin <SMullin@losgatosca.gov>
Cc: markstefan@comcast.net; michelepstefan@gmail.com
Subject: FW: 16666 Topping way.

Dear Mr. Mullin:

We are writing to express our concern over the proposed property at 16666 Topping Way. I live across the street at 16647 Topping way. We are both graduates of Los Gatos High School and have a special connection with this town. After going away for school and starting a career, my wife and I returned to Los Gatos, and specifically to live in this neighborhood, because of the beauty of the town. The views of the hillside and the character of our neighborhood are what make it special. If this project is approved, it will permanently impact the neighborhood.

I understand that the first proposal for a massive house was not approved due to concerns about the size, among other things. That was the correct decisions then, and it should be the correct decision now. With the story poles up, I can see how our views of the hillside will vanish and be replaced with a massive structure. The beauty of the hillside and the character of the neighborhood and streets are what make it so unique. Please don't take that away from our community.

Allowing this building to be as big as proposed is going to leave a permanent scar on our neighborhood, a scar that the builder won't have to experience at after he has flipped the house and moved on to his next property.

Among the justifications for such a big property was that this is a "transitional" neighborhood with the new homes being built as two story homes. We strongly disagree with that. We finished remodeling our home just a few years ago and intentionally left it at one story to blend in to the character of the neighborhood. Approving this project will encourage other speculators to swoop in and overdevelop the properties in the neighborhood for a quick return.

I respectfully request that the planning commission reduce the size of the structure it will approve and consider what the longtime residents feel is acceptable. The previously proposed single story home is plenty big for this neighborhood.

Best Regards,
Mark and Michele Stefan

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