



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 02/24/2021

ITEM NO: 3

ADDENDUM

DATE: February 23, 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 10 includes a Letter of Justification from the applicant discussing the size of the proposed residence in the context of the surrounding neighborhood. Exhibit 11 includes additional public comment received between 11:01 a.m., Friday, February 19, 2021 and 11:00 a.m., Tuesday, February 23, 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 this 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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From: Arthur Lin <arthur.aest@gmail.com>
Sent: Monday, February 22, 2021 11:22 AM
To: Sean Mullin <SMullin@losgatosca.gov>
Cc: Steve Yang <sya1618@sbcglobal.net>
Subject: Re: Planning commission meeting

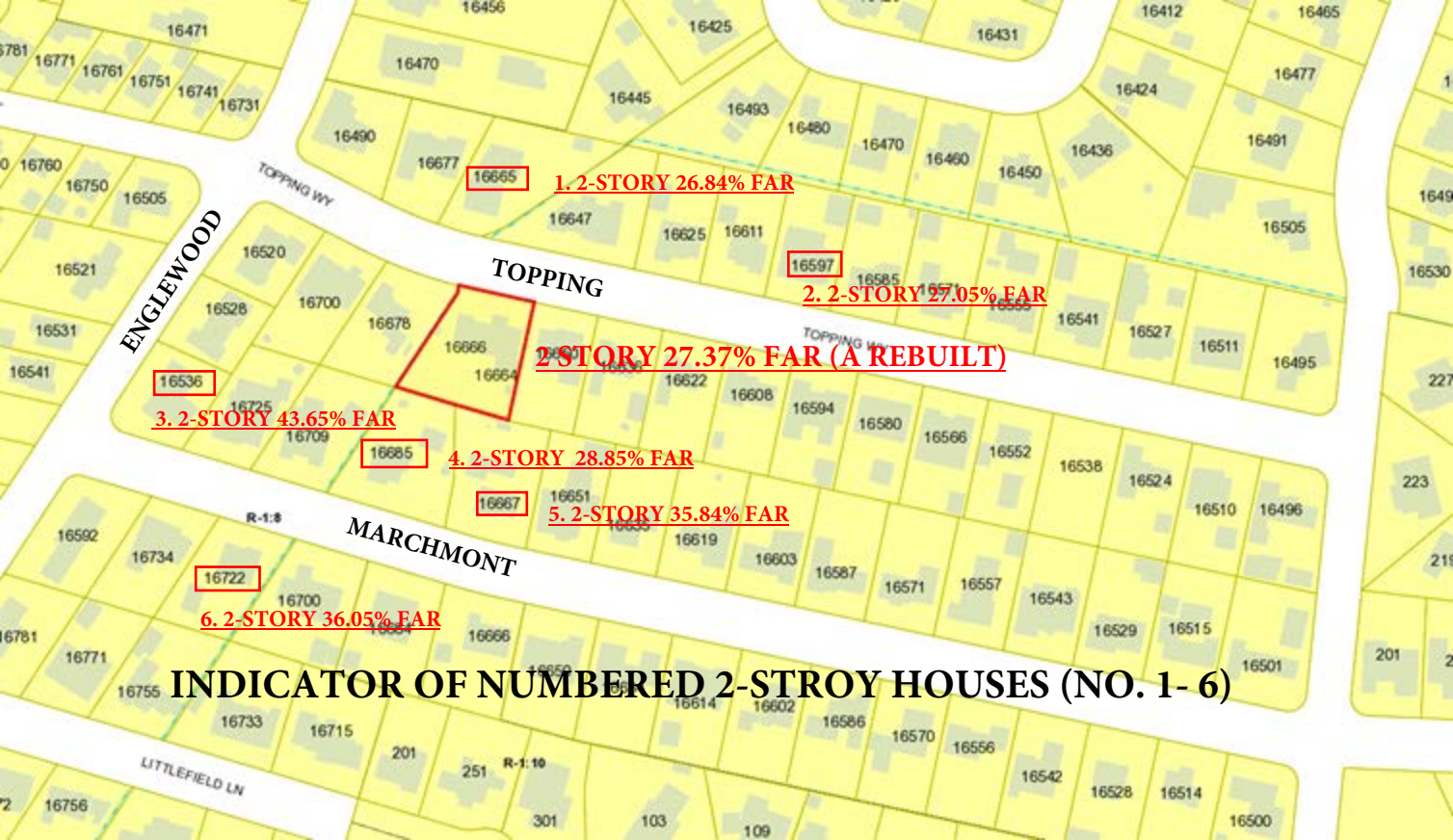
It is not unreasonable to design and propose a 2 story 3976 SF residence on 16666 Topping Way with a FAR 27.37%.

The proposed building has neither the biggest house square footage, nor the highest FAR in the Topping Way locale. There are several homes that are bigger, in the 4100 – 4400 SF range, and quite a few houses with FAR calculations that are in the mid-30s range, including one that is 43.65%. The proposed house is 3976 SF with a FAR of 27.37% and is sitting on the largest lot at 14528 SF. There are currently only two homes in the table that have a smaller FAR calculation. Furthermore, the proposed house is well within the city building setbacks and height limit. Because the proposed design of 16666 Topping Way is the largest within the Town of Los Gatos definition of the immediate neighborhood regulation, the square footage seems out of proportion to the surrounding homes, but it is important to keep in mind that the house directly behind, 16685 Marchmont Dr., is even larger at 4,160SF, has a higher FAR of 28.85, and is sitting at a 2 feet higher elevation.

The Town of Los Gatos Planning Department has already indicated that they are in support of this project as per the design submitted. The square footage proposed for 16666 Topping Way may seem like a high number, but there are quite a few homes in the area that are at a near or even higher square footage. The proposed design is proportionate to the size of the parcel and will only enhance the value and aesthetic of the neighborhood.

	Address	APN	lot size	house size	Year	Garage	Story	FAR	1st floor	2nd floor
[E]	16666 Topping Way Los Gatos, CA 95032	532-09-018	14960	1,384	1948			9.25%		
[N]	16666 Topping Way Los Gatos, CA 95032		14528	3,976	2021	749	2	27.37%	2448	1528
1	16665 Topping Way, Los Gatos, CA 95032	532-09-012	13974	3751	1948 / 2009	612	2	26.84%		
2	16597 Topping Way Los Gatos, CA 95032	532-09-008	9975	3,575	1997 / 1997	816	2	35.84%		
	16678 Topping Way, Los Gatos, CA 95032	532-09-017	11770	3,238	2006			27.51%		
	16622 Topping Way Los Gatos, CA 95032	532-09-021	10275	3,163	2007			30.78%		
	16566 Topping Way Los Gatos, CA 95032	532-09-025	10275	3,579	1947 / 1947	447	1	34.83%		
3	16536 Englewood Ave Los Gatos, CA 95032	532-09-046	9579	4,181	1949 / 2010	548	2	43.65%		
4	16685 Marchmont Dr Los Gatos, CA 95032	532-09-043	14420	4,160	1948 / 2006	630	2	28.85%		
5	16667 Marchmont Dr Los Gatos, CA 95032	532-09-042	13662	3,696	2005 / 2006	677	2	27.05%		
6	16722 Marchmont Dr Los Gatos, CA 95032	532-08-003	12215	4,404	2006 / 2006	806	2	36.05%		

REFER TO INDICATOR BELOW FOR HIGHLIGHTED HOUSE LOCATIONS



16665

1. 2-STORY 26.84% FAR

16597

2. 2-STORY 27.05% FAR

16666
16664

3. 2-STORY 27.37% FAR (A REBUILT)

16536

3. 2-STORY 43.65% FAR

16685

4. 2-STORY 28.85% FAR

16667

5. 2-STORY 35.84% FAR

16722

6. 2-STORY 36.05% FAR

INDICATOR OF NUMBERED 2-STROY HOUSES (NO. 1- 6)

February 22, 2021,

Attn: Sean Mullin and the Town of Los Gatos Planning Commission.

Re: Concern to be addressed at the Public hearing on February 24, 2021 regarding the proposed new construction at 16666 Topping Way. Two issues to be addressed: One for the town and one for the builder:

Concern for the town of Los Gatos:

I am a contractor / builder and have lived on Topping Way for 29 years. My home is diagonal to the house at 16666 Topping Way. I have seen tremendous changes in the neighborhood with what is being allowed to be built as a spec home. There are some lots over 3/4 acres that can justify placing a 7,000 sq ft home (5000 sq ft above ground and a 2000 sq ft basement), but, the lots on Topping way and Hilow are not these lots. The continuous approval of these giant two-story homes is setting a precedent for other builders to sweep in and design the same. The results for these contractors are getting the most for their money with no concern to the neighborhood or the neighbors. The issue at hand is that these homes are blocking the view of the foothills and creating shade that changes the ecosystem of the surrounding yards. One of the positive attributes of buying a home in Los Gatos is the beauty of living near the foothills. Paying the premium prices that we do for our homes should not be overlooked. With streets that have walls of high two stories homes, this appeal is lost. Houses are losing their value and the beauty of viewing the Los Gatos foothills is being destroyed. If you review the homes just two blocks over on Stonybrook and in the Longmeadow community, which have much larger lots, you will see there are no two-story original homes or additions. How are these large homes being allowed in the nearby neighborhoods? I understand that in the past that many of these pockets of neighborhoods were in the Santa Clara County jurisdiction and approved by the Santa Clara County Planning Commission, but this is no longer the case and this needs to stop.

Concern for Mr. Lin (builder):

The original proposed plans that were submitted to the town in 2017 - 18 by you for a one story 3200 + sq ft home is more accurate and appropriate for this size lot and does not block the hillside views, nor block the sun of the neighbor's yards. If you are comparing the houses that are being build on Englewood that sit on 1/2 acre lots, you are comparing apples to oranges. You are asking to build a home that is double the size of any two story on Topping Way and would be the largest home, including the homes on the 1/2 acre lots in the surrounding neighborhood. I am all for new homes, but suggest the original smaller plan be approved.

Thank you
Concerned neighbor

Sent: Tuesday, February 23, 2021 10:30 AM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: Feedback on 16666 Topping Proposal

Mr. Mullin, I am writing to share my concerns about the proposed property development plan for 16666 Topping Way. I own and occupy the property at 16667 Marchmont Drive, directly to the rear of the Topping property. I wrote when the initial plans were submitted and I attended the commissions meeting relating to the property to voice my concerns at that time. I believed we had resolution to many of the issues that were raised, namely the size and height of the structure, and the garage doors opening to the rear of the property. At the time I also raised a concern about the position of the structure on the lot, feeling that it was too close to the rear fence, but this was not addressed in the resolution.

Now, over two years later there is a new proposal that reverses many of the items that we had resolved in the first proposal, namely the size of the structure and the 2nd floor more specifically. Obviously I am disappointed that these concerns have been ignored in the new proposal. That said, I am very happy to see that the new proposal has the structure sitting further forward on the property.

I find this process frustrating. I am not sure why issues that were raised and addressed in the past are being ignored now. I am pleased that the position of the structure now addresses my concern, though I am mystified by how this process is being managed. My primary concern is and has always been my privacy. A second floor creates line of site into my yard and house. Aside from a fence, there is nothing to obstruct the view between the properties. To that end I would strongly urge the city either revert the plan back to a one story structure or require the planting of trees along the rear fence.

As I said, I am a bit mystified by the process here. If you require that my concerns be documented in writing or submitted in some other form to be formally considered please let me know.

Thank you,
Nick Besbeas