



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 05/13/2026

ITEM NO: 5

ADDDENDUM

DATE: May 12, 2026
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Consider a Request for Approval to Modify an Existing Conditional Use Permit for Expanded Hours of Operation in an Institution for Religious Observance (West Valley Muslim Association) on Property Zoned R-1:8. **Located at 16769 Farley Road.** APN 424-21-062. Categorically Exempt Pursuant to CEQA Guidelines Section 15301: Existing Facilities. Property Owner: West Valley Muslim Association, Osmar Ghafoor, President. Applicant: Razi Mohiuddin. Project Planner: Jocelyn Shoopman.

REMARKS:

A corrected version of the modified conditions of approval shown in track changes is included as Exhibit 38.

Public comments received between 3:01 p.m., Friday, May 8, 2026, and 3:00 p.m., Tuesday, May 12, 2026, are included as Exhibit 39.

EXHIBITS:

Previously Received with the March 25, 2026, Staff Report:

1. Location Map
2. Draft Resolution Making the Required Findings and Approving the Application Subject to the Conditionals of Approval (Included as Attachment A)
3. Conditional Use Permit U-89-11
4. Conditional Use Permit U-20-001; March 11, 2020, Planning Commission Staff Report; and March 11, 2020, Planning Commission Minutes
5. Letter of Justification
6. Neighborhood Outreach
7. Noise Analysis
8. Site Map
9. Applicant's Response to Public Comments Regarding Noise

PREPARED BY: Jocelyn Shoopman
Senior Planner

Reviewed by: Planning Manager, Community Development Director, and Town Attorney

10. Additional Information from the Applicant

11. Public Comments Received by 11:00 a.m., Friday, March 20, 2026, with Attachment A, Videos Provided as Part of Public Comments

Previously Received with the March 23, 2026, Addendum Report:

12. Public Comments Received Between 3:01 p.m., Friday, March 20, 2026, and 3:00 p.m., Monday, March 23, 2026

Previously Received with the March 24, 2026, Addendum Report 2:

13. Public Comments Received Between 3:01 p.m., Monday, March 23, 2026, and 3:00 p.m., Tuesday, March 24, 2026

Previously Received with the March 25, 2026, Desk Item Report:

14. Supplemental Information from the Applicant

15. Letter from the Applicant's Legal Counsel

16. Public Comments Received Between 3:01 p.m., Tuesday, March 24, 2026, and 11:00 a.m., Wednesday, March 25, 2026

Previously Received with the March 31, 2026, Staff Report:

17. Public Comments Received Between 11:01 a.m., Wednesday, March 25, 2026, and 3:00 p.m., Friday, March 27, 2026

Previously Received with the March 30, 2026, Addendum Report:

18. Public Comments Received Between 3:01 p.m., Friday, March 27, 2026, and 3:00 p.m., Monday, March 30, 2026

Previously Received with the March 31, 2026, Desk Item Report:

19. Additional Information from the Applicant's Legal Counsel

20. Supplemental Information from the Applicant's Noise Consultant

21. Applicant's Neighborhood Outreach

22. Applicant's Response to Public Comments

23. Public Comments Received Between 3:01 p.m., Monday, March 30, 2026, and 11:00 a.m., Tuesday, March 31, 2026

Previously Received with the April 22, 2026, Staff Report:

24. Applicant's Response to Neighborhood Group Meeting

25. Neighborhood Group's Response to Meeting with the Applicant

26. Public Comments Received Between 3:01 p.m., Tuesday, March 31, 2026, and 3:00 p.m., Friday, April 17, 2026

Previously Received with the April 20, 2026, Addendum Report:

27. Additional Information from the Neighborhood Group

28. Public Comments Received Between 3:01 p.m., Friday, April 17, 2026, and 3:00 p.m., Monday, April 20, 2026

Previously Received with the April 21, 2026, Addendum 2 Report:

29. Public Comments Received Between 3:01 p.m., Monday, April 20, 2026, and 3:00 p.m., Tuesday, April 21, 2026

Previously Received with the April 22, 2026, Desk Item Report:

30. Supplemental Information from the Applicant

31. Additional Information from the Applicant's Legal Counsel

32. Commissioner Comments

33. Public Comments Received Between 3:01 p.m., Tuesday, April 21, 2026, and 11:00 a.m., Wednesday, April 22, 2026

Previously Received with the May 13, 2026, Staff Report:

34. Draft Resolution Making the Required Findings and Approving the Application Subject to the Modified Condition of Approval (Included as Attachment A)

35. Modified Conditions of Approval, Track Changes

36. Applicant's Response to the New Conditions of Approval

37. Public Comments Received Between 11:01 a.m., Wednesday, April 22, 2026, and 3:00 p.m., Friday, May 8, 2026

Received with the May 12, 2026, Addendum Report:

38. Corrected Modified Conditions of Approval, Track Changes

39. Public Comments Received Between 3:01 p.m., Friday, May 8, 2026, and 3:00 p.m., Tuesday, May 12, 2026

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Planning Commission – ~~March 25~~ May 13, 2026
CONDITIONS OF APPROVAL

16769 Farley Road
Conditional Use Permit Application U-24-010

Requesting Approval to Modify an Existing Conditional Use Permit for Expanded Hours of Operation in an Institution for Religious Observance (West Valley Muslim Association) on Property Zoned R-1:8. APN 424-21-062. Categorically Exempt Pursuant to CEQA Guidelines Section 15301: Existing Facilities. Property Owner: West Valley Muslim Association, Osman Ghafoor, President. Applicant: Razi Mohiuddin.

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

A. General Conditions

1. Approval and Substantial Conformance

This application shall be completed in accordance with all conditions of approval and in substantial compliance with the approved plans. Any changes or modifications shall be approved by the Community Development Director, Development Review Committee (DRC), or the Planning Commission, depending on the scope.

2. Expiration

The approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the approval has been vested.

3. Lapse for Discontinuance

If the activity for which the Conditional Use Permit has been granted is discontinued for one (1) year, the approval lapses pursuant to Section 29.20.340 of the Zoning Ordinance.

4. Compliance Memorandum

A memorandum, consistent with Town practice, shall be prepared and submitted with the building permit detailing how each condition of approval will be addressed.

5. Interpretation and Implementation

No verbal interpretation, directive, or guidance shall be considered valid or binding for purposes of compliance with this Conditional Use Permit. The applicant shall not rely on any direction or approval unless it is documented in writing and expressly authorized by the Community Development Director.

6. Town Indemnity

Applicants are notified that Town Code Section 1.10.115 requires that any applicant who receives a permit or entitlement ("the Project") from the Town shall defend (with counsel approved by Town), indemnify, and hold harmless the Town, its agents, officers, and employees from and against any claim, action, or proceeding (including without limitation any appeal or petition for review thereof) against the Town or its agents, officers or employees related to an approval of the Project, including without limitation any related application, permit, certification, condition, environmental determination, other

approval, compliance or failure to comply with applicable laws and regulations, and/or processing methods (“Challenge”). Town may (but is not obligated to) defend such Challenge as Town, in its sole discretion, determines appropriate, all at applicant’s sole cost and expense.

Applicant shall bear any and all losses, damages, injuries, liabilities, costs and expenses (including, without limitation, staff time and in-house attorney’s fees on a fully-loaded basis, attorney’s fees for outside legal counsel, expert witness fees, court costs, and other litigation expenses) arising out of or related to any Challenge (“Costs”), whether incurred by Applicant, Town, or awarded to any third party, and shall pay to the Town upon demand any Costs incurred by the Town. No modification of the Project, any application, permit certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in such Challenge as Town, in its sole discretion, determines appropriate, all the applicant’s sole cost and expense. No modification of the Project, any application, permit certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in processing methods shall alter the applicant’s indemnity obligation.

7. Compliance Review

~~One year after the date of this approval, t~~The Planning Commission shall conduct an annual compliance review of the Conditional Use Permit~~one-time review to review any impacts of the increased hours.~~ This compliance review shall be completed at the applicant’s expense.

8. Compliance with Laws

The applicant shall comply with all applicable federal, state, and local laws, including the Town Code, as they may be amended from time to time. This includes, but is not limited to, compliance with all updated zoning, building, noise, traffic, parking, and environmental regulations enacted by the Town Council.

B. Use and Occupancy

8.9. Permitted Use

Operate an existing institution for religious observance. In addition to worship services, the applicant may use the facility for religious exercise, including but not limited to prayers, religious educational classes, Sunday school, as well as community events, charitable events, and other activities related to the religious mission of the institution. Facility may be rented to community members or by organizations providing educational, charitable, religious or other services for the benefit of the institution’s members.

9.10. Living Quarters

The leaders’ quarters shall not be used for any purpose other than living quarters for visiting scholars and/or leaders associated with the institution.

10.11. Occupancy Limits

On-site events shall be limited to the maximum building occupancy established by Fire and Building Code.

C. Hours of Facility Operations and Noise

11.12. General Hours

Hours of operation Services shall not begin earlier than 1.5 hours before sunrise or extend past 10:30 p.m. daily, except as specified in Condition 11.14, Seasonal Late-Hours Exception.

13. General Hours, Vehicle Limitation

Vehicles at the pre-sunrise and evening prayer services shall be limited to the number of on-site parking spaces.

12.14. Seasonal Late-Hours Exception

Thirty (30) day period during Ramadan, services may extend beyond 10:30 p.m. as follows:

- Until **11:30 p.m.** when sunset is before 7:30 p.m.
- Until **12:00 a.m.** when sunset is after 7:30 p.m.

The applicant shall maintain a publicly available website and list on an annual basis the dates seasonal late hours will be exercised for Ramadan. Seasonal-late hours in this Section are not transferable to another owner or use for which nighttime worship is not a component of their religion.

15. Seasonal Late-Hours, Vehicle Limitation

Vehicles at the pre-sunrise prayer service shall be limited to the number of on-site parking spaces. The evening prayer service shall be limited to the maximum building occupancy for the facility.

16. Lot Closure Rule

Notwithstanding the Quiet Hours limitation, the parking lot shall be vacated by 11:00 p.m. during general hours of operation and within 30 minutes of the end of the last service during seasonal late hours, with staff or volunteers reminding attendees to leave quietly. The lot can be opened two hours prior to sunrise for the pre-sunrise services.

17. Windows and Doors

Windows and doors on the west elevation shall remain closed when indoor services are taking place, except for ingress and egress to the building.

18. Deliveries

Deliveries by vehicles exceeding 26,000 pounds GVWR shall occur between 8:00 a.m. and 8:00 p.m., Monday through Saturday Friday.

19. Food Vendors

Only the interior of the parking lot shall be used for food vendors.

20. High Attendance Guidelines

At least thirty (30) days before any recurring or seasonal period of high attendance where on-site parking is insufficient to accommodate parking demand, the applicant shall provide members and attendees written reminders regarding:

- Respectful parking practices, including use of on-site spaces, carpooling where possible, and avoidance of spillover impacts on surrounding residential streets.
- Minimizing congregating in the parking lot to adhere to Quiet Hours requirements.
- Compliance with all applicable Conditions of Approval.

Documentation of this communication (e.g., copy of written notice, email, and posting on the facility's website) shall be maintained on file and made available to the Community Development Director upon request.

D. Noise

13.21. Noise Mitigation

~~Amplified outdoor sound which would be in violation of Town Code Section 16.20.015 is prohibited unless specifically authorized by the Community Development Director.~~

Quiet Hours are established as 10:00 p.m. – 8:00 a.m. daily. During Quiet Hours:

- a. **Noise Standard** – All activities shall comply with the Town's Noise Ordinance residential standard in effect at the time of the activity measured at the property line during 10:00 p.m. – 8:00am.
- a. **Parking Lot Operations** – During Quiet Hours when a service is not in session, the lot may only be used for ingress, egress, security, emergency access, or use by the leaders' quarters occupants.
- b. **Building Operations** – Windows facing residences shall remain closed during Quiet Hours. Doors facing residences shall remain closed during Quiet Hours, except when necessary to permit ingress and egress to the building for morning and nighttime services. Doors may be opened for the limited purpose of ingress and egress.
- ~~c. **Lighting** – All site and parking lot lighting shall be full cutoff, downward directed, and dimmed to security levels during Quiet Hours.~~
- ~~d-c.~~ **Signage and Communication** – The applicant shall maintain posted "Quiet Hours" signage and provide reminders to attendees regarding minimizing noise when leaving. Such signage specifying the established quiet hours shall be prominently displayed and appropriately maintained on the building in such a manner to ensure signs are clearly visible and easily readable at all times to individuals entering and exiting the building.

22. Noise Ordinance

The Noise Ordinance of the Town of Los Gatos is specifically adopted as conditions of approval for the Conditional Use Permit.

23. Amplified Sound

No outdoor amplified sound is permitted.

DE. Parking and Traffic

14.24. Monthly Communication

The applicant shall continue monthly outreach to members encouraging carpooling, use of on-site spaces, and to be sensitive to the concerns of the neighborhood residents.

15.25. Parking Lot Monitoring

For events anticipated to exceed available on-site parking, the applicant shall implement traffic management measures which may include parking attendants, directional signage, carpooling encouragement, or other measures. The applicant shall designate a person,

volunteer, or parking attendant to monitor on-site parking during any service or event expected to generate attendance that may approach or exceed available on-site parking capacity, [with training by the Los Gatos-Monte Sereno Police Department, if available](#).

The monitor shall make reasonable efforts to ensure that:

- a. All on-site spaces are utilized before attendees seek parking off-site.
- b. All vehicles parked on-site shall maintain emergency vehicle access.

16.26. Driveway Operations

During events expected to generate traffic volumes that may result in queuing or neighborhood spillover, both driveways shall be used for exiting the property, with traffic attendants provided as necessary to facilitate circulation. Applicant shall make accommodation to facilitate access by public safety resources when necessary. [The applicant is authorized to remove the right turn only sign at the end of the egress driveway. The applicant shall ensure that ingress and egress to neighboring driveways is preserved.](#)

27. Event Parking Overflow Plan

[For events where on-site parking is insufficient to accommodate parking demand, the applicant shall implement an overflow parking plan.](#)

28. Parking Lot Expansion

[The applicant shall submit an application to the Community Development Department for a parking lot expansion, as referenced in the March 25, 2026, Planning Commission staff report within six months of the final approval date and complete the construction improvements within one year of the final approval date. The parking lot expansion shall add at least 23 parking spaces. Within six months of the final approval date, the existing parking lot shall be repaired so that cracks, bumps, or other anomalies do not contribute to additional noise generation of passing vehicles. Thereafter the parking lot shall continue to be maintained to avoid conditions of such noise generation.](#)

F. Facilities and Site Design

17.29. Electric Gate

Any future modification to the existing electronic sliding gate, or installation of a new electronic sliding gate shall include sound ~~reducing dampening~~ approaches and technologies.

18.30. Landscape Plantings

~~Sufficient shrubs shall be planted and maintained to obscure vehicle headlights along fence lines abutting Chirco Drive, Corcel Court, and 16793 Farley Road~~[The applicant shall plant a hedgerow adjacent to all of its perimeter fences or alternatively plant a variety of native trees and shrubs for the purpose of sound and light mitigation, as approved by the Community Development Director within one year after the date of this approval of the final approval date. The proposed plantings shall be a minimum size of three gallons and the selected plantings shall grow two to four feet per year. The specific plantings shall be based on discussions with the applicant and the Community Development Director. The plantings shall be maintained at a height of eight feet. Additionally, the applicant shall](#)

offer to provide plantings or moveable barriers to the neighbor across the street in order to reduce headlight intrusion into the residential property across the street.

31. Portable Screening

Prior to the mature growth of landscape plantings, as detailed in Condition #30, the applicant shall obscure vehicle headlights on the perimeter properties to the facility through the use of privacy mesh, wind screens, or the use of portable planters/screening as proposed by Zayn Zaafran's letter dated, April 20, 2026, included in Exhibit 29 of the April 22, 2026, Planning Commission staff report packet.

32. Fencing

The applicant shall submit an application for a fence height exception to the Community Development Department for the purpose of increasing the height of existing fences around the perimeter of the property to eight feet for the purpose of mitigating noise and light pollution.

33. Pedestrian Ingress and Egress

The applicant shall complete its Building Permit application process to construct a door for the purpose of allowing pedestrian ingress and egress without walking through the parking lot within one year of the final approval date.

19.34. Lighting

All site and parking lot lighting shall be full-cutoff, downward directed, and ~~dimmed to security levels~~ at the Building Code minimum brightness level during Quiet Hours.

FG. Community Interface

20.35. Activity Calendar and Community Interface

The applicant shall maintain a publicly accessible website that includes information on services, programs, classes, and events open to its members. The website shall list a monthly calendar of scheduled events, which includes services offered and the hours when services are in session. ~~Contact information for facility representatives shall be available on the website.~~ The applicant's online calendar shall provide at least a 60-day notice in advance of events and activities scheduled to take place at the facility. The applicant shall provide contact information for multiple board members and staff on the applicant's website. The application shall explore setting up a single phone number that makes all neighborhood inquiries, comments, and complaints accessible by board members and staff.

36. Event Notice to Religious Institution Members

The applicant shall provide written notice to members of the religious institution five to 10 days prior to a scheduled event that is anticipated to have an attendance of 100 or more persons, reminding them of the speed limit on Farley Road, and neighboring streets, as well as a recommendation for carpooling, and to avoid generating noise while using public streets for ingress and egress. Car beeps from locking and unlocking vehicles are exempted as are the opening and closing of vehicle doors. Additionally, activities related to funerals are exempted from the requirement of notice to members of the religious institution under this condition.

Deliveries

Deliveries by vehicles exceeding 26,000 pounds GVWR shall occur between 8:00 a.m. and 8:00 p.m., Monday through Saturday.

21. Compliance Review

One year after the date of this approval, the Planning Commission shall conduct a one-time review to review any impacts of the increased hours. This compliance review shall be completed at the permittee's expense.

GH. Other Conditions

37. Santa Clara County Fire Department

The Santa Clara County Fire Department shall confirm the maximum occupancy limit for the religious institution and evaluate whether the present and proposed uses as described in the March 25, 2026, Planning Commission staff report packet are in compliance with the occupancy limits for the facility. The Santa Clara County Fire Department shall provide a written report concerning traffic safety on Farley Road and the adjoining streets during the Ramadan holiday.

38. Los Gatos-Monte Sereno Police Department

The applicant shall request that the Los Gatos-Monte Sereno Police Department provide increased patrols during Ramadan and post an electronic sign on Farley Road during Ramadan showing the speed limit.

22. High Attendance Guidelines

At least thirty (30) days before any recurring or seasonal period of high attendance where on-site parking is insufficient to accommodate parking demand, the permittee shall provide members and attendees written reminders regarding:

- a. Respectful parking practices, including use of on-site spaces, carpooling where possible, and avoidance of spillover impacts on surrounding residential streets.
- b. Minimizing congregation in the parking lot to adhere to Quiet Hours requirements.
- c. Compliance with all applicable Conditions of Approval.

Documentation of this communication (e.g., copy of written notice, email, and posting on the facility's website) shall be maintained on file and made available to the Community Development Director upon request.

23. Compliance with Laws

The permittee shall comply with all applicable federal, state, and local laws, including the Town Code, as they may be amended from time to time. This includes, but is not limited to, compliance with all updated zoning, building, noise, traffic, parking, and environmental regulations enacted by the Town Council.

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From: Kim Ratcliff <[REDACTED]>

Sent: Tuesday, May 12, 2026 2:33 PM

To: Jocelyn Shoopman <jshoopman@losgatosca.gov>; Gabrielle Whelan <GWhelan@losgatosca.gov>; Joel Paulson <jpaulson@losgatosca.gov>; Sean Mullin <SMullin@losgatosca.gov>; Planning <Planning@losgatosca.gov>

Subject: Additional conditions requested

Dear Planning Commission:

Thank you for working diligently to strike a balance between the applicant and neighbors in WVMA's CUP modification. As you likely know by now, we are the next door neighbors to WVMA. Because the faculty landlocks us on three sides, we are most negatively impacted. We disagree with the applicant's claim during the 4/22 meeting that he has "responded" to 11 of our claims.

We do appreciate the following conditions you've suggested and believe they will give us some relief including:

- no amplification,
- annual compliance review
- removal of right turn only signage.

However, there are critical gaps, including no condition stating a concrete TDM plan. Without a plan, spillover impacts on surrounding residential streets will continue. Even the South Bay Islamic Assoc. located Harris Street mosque (CUP attached) located next to Montague Expressway has a daily trip cap and it is zoned commercial/industrial.

We also ask that you re-open the meeting for limited purposes during the 5/13/26 meeting so we can share that there is language in some of the proposed conditions that conflicts in terms of operating hours (see below), and proposed conditions that we find to be unreasonable.

Additionally, we ask that this **decision be delayed** until the Town Engineer can conduct a site visit and monitor unsafe traffic conditions during Ramadan 2026. Two of the Planning Commissioners noted the unsafe conditions during Ramadan 2026. The Town Engineer did not witness firsthand the unsafe traffic conditions during Ramadan.

We discussed with Gabrielle Whelan that there is conflicting language Under Use and Occupancy in "Lot Closure" under #16. The condition below conflicts directly with #21 Noise Mitigation which states quiet hours are established at 10 pm - 8 am daily, specifically b. Parking Lot Operations which states during quiet hours, the lot may be used for ingress, egress, security, emergency access, etc.

Current Proposed Condition: Lot Closure Rule

- Notwithstanding the Quiet Hours limitation, the parking lot shall be vacated by 11:00 p.m. during general hours of operation and within 30 minutes of the end of the last service during seasonal late hours, with staff or volunteers reminding attendees to leave quietly. The lot can be opened two hours prior to sunrise for the pre-sunrise services.
- **Why it doesn't work:** In WVMA's 2020 CUP operating hours (prayers and Ramadan withstanding) is 8 am to 10 pm. The above condition allows them to operate until 10:30 (an extra ½ hour) plus an additional ½ to clear the lot until 11 pm. In their modification, the applicant asked to offer early morning and late evening prayers – not to extend their general operating hours.
- What we're asking: ***Operating hours remain the same as the 2020 CUP. All general activities year round outside daily prayers (and Ramadan) are limited to 8 am to 10 pm with WVMA's parking lot cleared by 10pm in adherence with the Town quiet hours curfew.***

Here are our additional priority condition requests:

- Traffic Demand Management (TDM): An annual TDM Plan must be submitted to the Town for approval. This plan must include measurable goals, strategies for carpooling, and a designated TDM Coordinator. The first annual TDM Plan is due September 1, 2026. Suggesting carpooling is currently clearly not working. Additionally, mandatory trained traffic directors directing Farley Road traffic during Ramdan per the Town code as traffic congestion extends beyond WVMA exit and entry up and down Farley.
- Eight-foot mature hedge planted between property line of 16793 Farley Road by Sept. 2026 to provide acoustic barrier to be approved by sound expert;; perhaps other sections can be executed in phases. The three gallon plants suggested now in the draft will only grow a foot or two a year and will not offer the immediate relief we seek.
- Prioritize repairing cracks in pavement along the entirety of length of the exit driveway next to our home (from the facility out to the street) to be repaired by September 2026 (perhaps the other parking lot sections can be completed in phases.)
- Limit special events with more than 100 attendees are limited to 4 per year with approval by Town planning and LG-MS PD. Faith Lutheran has this condition - see language:

CHURCH SPECIAL EVENT USES/HOURS. The property owner/church may have Special Events (i.e. any on-site activity exceeding 100 people that is not specifically authorized by this use permit) with at least 90 days prior notice and preapproval of the Town Police and Planning Departments. The property owner/church shall provide the Police and Planning Departments the purpose, proposed uses, dates, times, duration, and number of persons to attend the event. The property owner/church shall ensure that these uses comply with the requirements of the Town

Code, including but not limited to, the requirements of the Town's Noise Ordinance & Special Events Regulations.

CHURCH SPECIAL EVENTS TRAFFIC/PARKING CONTROL. If the Town determines that an onsite Special Event will generate more parking demand than can be reasonably accommodated by the existing on-site facilities, the property owner/church shall provide additional overflow parking which meets Town standards,.

- Vendor trucks to be placed on the East Side of property that borders vacant lots away from residences.
- Traffic monitors at exit driveway next to our home during Friday prayers so we don't get trapped in our driveway. This corrective action is required immediately.
- Bolster the barrier at the end of WVMA exit that is only 10 feet from our home to protect us from the constant 20-hour daily noise and light pollution we are subject to every day.
- No Street Loading: On-street obstructions, including passenger pick-ups, drop-offs, or queuing on Farley Road, are strictly prohibited.
- Lot Restrictions: Eight spaces in the parking lot immediately adjacent to the house at 16793 Farley Road property must be physically and substantially blocked off when the facility is not at peak capacity to protect neighbor privacy and safety effective immediately.

No resident should have to leave their home to escape traffic. No neighbor should have to risk their safety backing out of their own driveway. As it stands, we will be left with only four hours a day of quiet.

This is not about religion. It is not about discrimination. It is about fairness, accountability, and equal application of the Town's own rules.

Thank you,
Kim and Jim Ratcliff

November 08, 2013

Adnan Rasheed
325 North 3rd Street
San Jose, CA. 95112

Dear Adnan Rasheed:

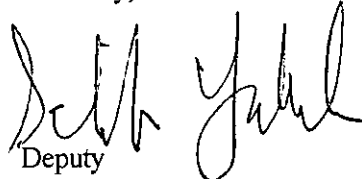
RE: Conditional Use Permit, File No. CP13-040, located on the West side of the terminus of Harris Way, 180 feet south of Montague Expressway (2345 Harris Way).

The enclosed is your copy of the Planning Commission's action on this Conditional Use Permit.

This permit may contain one or more conditions, such as revised plans, which must be met within a specific deadline. If conditions are not met the permit will automatically expire. Please read your permit carefully!

The Planning Commission's action taken on this permit or any of the conditions of this permit may be appealed by the applicant to the City Council by filing a Notice of Appeal and a \$2,232.00 fee. The appeal must be submitted in person and presented on the Notice of Appeal form available from this department on or before **5:00 p.m., November 18, 2013**. If you have any questions, please feel free to contact your Project Manager, Kristinae Toomians at (408) 535-6872 or by e-mail at kristinae.toomians@sanjoseca.gov.

Sincerely,


Deputy

cc: South Bay Islamic Association, 325 North 3rd Street, San Jose, CA. 95112

Enclosures

KT:ez

RESOLUTION NO. 13-059

Resolution of the Planning Commission of the City of San José granting, subject to conditions, a Conditional Use Permit to allow religious assembly on the second floor of an existing two-story industrial building with a warehouse/distribution facility on the ground floor on a 2.51 gross acre site located on the west side of the terminus of Harris Way, approximately 180 feet south of Montague Expressway (2345 Harris Way)

FILE NO. CP13-040

WHEREAS, pursuant to the provisions of Chapter 20.100 of Title 20 of the San José Municipal Code, on June 26, 2013, an application (File No. CP13-040) was filed for a Conditional Use Permit for the purpose of allowing religious assembly uses on that certain real property (hereinafter referred to as "subject property"), situated in the Industrial Park Zoning District, located on the west side of the terminus of Harris Way, approximately 180 feet south of Montague Expressway, San José (2345 Harris Way); and

WHEREAS, the subject property is all that real property described in Exhibit "A," which is attached hereto and made a part hereof by this reference as if fully set forth herein; and

WHEREAS, pursuant to and in accordance with Chapter 20.100 of Title 20 of the San José Municipal Code, this Planning Commission conducted a hearing on said application, notice of which was duly given; and

WHEREAS, at said hearing, this Planning Commission gave all persons full opportunity to be heard and to present evidence and testimony respecting said matter; and

WHEREAS, at said hearing this Planning Commission received and considered the reports and recommendation of the Director of Planning, Building and Code Enforcement; and

WHEREAS, at said hearing, this Planning Commission received in evidence a development plan for the subject property entitled, "South Bay Islamic Association" dated October 16, 2013. Said development plan is on file in the Department of Planning, Building and Code Enforcement and is available for inspection by anyone interested herein, and said development plan is incorporated herein by this reference, the same as if it were fully set forth herein; and

WHEREAS, said hearing was conducted in all respects as required by the San José Municipal Code and the rules of this Planning Commission;

NOW, THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN JOSÉ:

After considering evidence presented at the Public Hearing, the Planning Commission finds that the following are the relevant facts regarding this proposed project:

1. The site is located on the west side of the terminus of Harris Way, approximately 180 feet south of Montague Expressway, on a 2.51 gross acre parcel (2345 Harris Way).
2. The site is designated as Combined Industrial/Commercial on the Envision San Jose 2040 General Plan Land Use/Transportation Diagram.
3. The site is in the IP – Industrial Park Zoning District.
4. Religious assembly use may be allowed with the issuance of a Conditional Use Permit in the Industrial Park Zoning District when the property is designated Combined Industrial/Commercial on the General Plan Land Use/Transportation Diagram.
5. The site is encompassed by religious assembly to the east, industrial uses to the south, a gas station to the north, and a power substation and mobile home park to the west.
6. The site is currently developed with a 67,114 square foot two-story office building surrounded by surface parking and landscaping.
7. The proposed religious assembly will continue to use the 32,807 square foot ground floor for warehouse/storage use. 3,800 square feet of the second floor of the existing building will be used for religious assembly, with 27,053 square feet of office ancillary to the religious assembly use.
8. No physical expansion of the building is proposed.
9. The parking requirements for the religious assembly use are one (1) space per 30 square feet for the religious assembly room.
10. The assembly use requires 127 parking spaces and the warehouse/storage use requires 7 spaces. The 27,053 square feet of office will be ancillary to the assembly use.
11. The proposed site provides 163 parking spaces.
12. The Director of Planning found the project to be exempt from environmental review under Section 15301(a), Existing Facilities, of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA), which exempts projects which involve negligible or no expansion of an existing use.

This Planning Commission concludes and finds, based upon an analysis of the above facts that:

1. The proposed use at the location requested will not:
 - a. Adversely affect the peace, health, safety, morals or welfare of persons residing or working in the surrounding area; or
 - b. Impair the utility or value of a property of other persons located within the vicinity of the site; or
 - c. Be detrimental to public health, safety or general welfare; and

2. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and
3. The proposed site is adequately served:
 - a. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate; or by other forms of transit adequate to carry the kind and quantity of individuals such use would generate; and
 - b. By other public or private service facilities as are required; and

In accordance with the findings set forth above, a Conditional Use Permit to use the subject property for said purpose specified above and subject to each and all of the conditions hereinafter set forth is hereby granted. This Planning Commission expressly declares that it would not have granted this permit except upon and subject to each and all of said conditions, each and all of which conditions shall run with the land and be binding upon the owner and all subsequent owners of the subject property, and all persons who use the subject property for the use conditionally permitted hereby.

APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. **Acceptance of Permit.** Per Section 20.100.290(B), should the applicant fail to file a timely and valid appeal of this Permit within the applicable appeal period, such inaction by the applicant shall be deemed to constitute all of the following on behalf of the applicant:
 - a. Acceptance of the Permit by the applicant; and
 - b. Agreement by the applicant to be bound by, to comply with, and to do all things required of or by the applicant pursuant to all of the terms, provisions, and conditions of this permit or other approval and the provisions of Title 20 applicable to such Permit.
2. **Permit Expiration.** This Conditional Use Permit shall automatically expire four years from and after the date of adoption of the Resolution by the Planning Commission, or by the City Council on appeal, granting this Permit, if within such four-year period, the proposed use of this site has not commenced, pursuant to and in accordance with the provisions of this Conditional Use Permit. The date of adoption is the date the Resolution granting this Conditional Use Permit is approved by the Planning Commission. The Director of Planning may approve a Permit Adjustment/Amendment extending the permit in accordance with Title 20.
3. **Building Permit/Certificate of Occupancy.** Procurement of a Building Permit and/or Certificate of Occupancy from the Chief Building Official for the structures described or contemplated under this Permit shall be deemed acceptance of all conditions specified in this permit and the applicant's agreement to fully comply with all of said conditions.
4. **Change of Occupancy.** No change in the character of occupancy or change to a different group of occupancies as described by the Building Code shall be made without first obtaining a Certificate of Occupancy from the Chief Building Official, as required under San José Municipal Code Section 24.02.610, and any such change in occupancy must comply with all other applicable local and state laws.
5. **Conformance with Plans.** Construction and development shall conform to the approved development plans entitled, "South Bay Islamic Association," dated October 16, 2013, on file

with the Department of Planning, Building and Code Enforcement, and to the San José Building Code (San José Municipal Code, Title 24).

6. **Building Clearance for Issuing Permits.** Prior to the issuance of any Building Permit/Demolition Permit, the following requirements must be met to the satisfaction of the Chief Building Official:
 - a. *Construction Plans.* This permit file number, CP13-040, shall be printed on all plans submitted to the Building Division.
 - b. *Construction Plan Conformance.* A project construction plan conformance review by the Planning Division is required. Planning Division review for project conformance will begin with the initial plan check submittal to the Building Division. Prior to any building permit issuance, building permit plans shall conform to the approved Planning development permits and applicable conditions.
7. **Public Works Clearance:** Prior to the issuance of any Building permit, the applicant will be required to have satisfied all of the following Public Works conditions. The applicant is strongly advised to apply for any necessary Public Works permits prior to applying for Building permits.
 - a. *Minor Improvement Permit:* The public improvements conditioned as part of this Conditional Use Permit, if any, require the execution of a Minor Street Improvement Permit that guarantees the completion of the public improvements to the satisfaction of the Director of Public Works. This Minor Street Improvement Permit includes privately engineered plans, insurance, surety deposit, and engineering and inspection fees.
 - b. *Transportation:* The existing building has traffic credit for approximately 131 AM and 113 PM trips. The proposed use is consistent with the allowed traffic, so no further traffic analysis is required based on information submitted by the South Bay Islamic Association (letter dated May 20, 2013). However, any increase in uses generating additional traffic may require traffic analysis.
 - c. *Grading/Geology:* A Grading Permit may be required prior to the issuance of a Public Works clearance. A Grading Permit Exemption may be issued if the total quantity of cut or fill does not exceed one hundred fifty (150) cubic yards.
 - d. *Stormwater Runoff Pollution Control Measures:* This project must comply with the City's Post-Construction Urban Runoff Management Policy (Policy 6-29) which requires implementation of Best Management Practices (BMPs), which includes site design measures, source controls, and numerically-sized Low Impact Development (LID) stormwater treatment measures to minimize stormwater pollutant discharges. Since this project proposes less than 10,000 square feet of impervious surfaces, this project will not require numerically-sized Low Impact Development (LID) stormwater treatment control measures.
 - e. *Stormwater Peak Flow Control Measures:* The project is located in a non-Hydromodification Management area and is not required to comply with the City's Post-Construction Hydromodification Management Policy (Council Policy 8-14).
 - f. *Flood – Zone D:* The project site is not within a designated Federal Emergency Management Agency (FEMA) 100-year floodplain. Flood zone D is an unstudied area where flood hazards are undetermined, but flooding is possible. There are no City floodplain requirements for zone D.

- g. *Sewage Fees*: In accordance with City Ordinance all storm sewer area fees, sanitary sewer connection fees, and sewage treatment plant connection fees, less previous credits, are due and payable.
 - h. *Street Improvements (if applicable)*:
 - i) Applicant shall be responsible to remove and replace curb, gutter, and sidewalk damaged during construction of the proposed project.
 - ii) Remove and replace broken or uplifted curb, gutter, and sidewalk along project frontage.
 - i. *Electrical*: Existing electroliers along the project frontage will be evaluated at the public improvement stage and any street lighting requirements will be included on the public improvement plans.
8. **Compliance with Local and State Laws.** The subject use shall be conducted in full compliance with all local and state laws. No part of this approval shall be construed to permit a violation of any part of the San José Municipal Code or state laws. The Conditional Use Permit shall be subject to revocation if the subject use is conducted in such a manner as to cause a nuisance.
9. **Nuisance.** This use shall be operated in a manner which does not create a public or private nuisance. Any such nuisance must be abated immediately upon notice by the City.
10. **Landscaping.** Landscaped areas shall be maintained and watered and all dead plant material is to be removed and replaced by the permittee.
11. **Removing Graffiti.** The permittee shall promptly remove all graffiti on any structure within 48 hours. In the event the permittee fails to remove all graffiti from the structure within two business days following receipt of notification from the City, the City shall have the right to remove any graffiti and the permittee shall reimburse the City for all costs incurred for the removal within 30 days of receipt of a bill for the work done.
12. **Signs.** No signs are approved with this Permit.
13. **Refuse/Recycling.** All trash/recycling areas shall be effectively screened from view and covered, and maintained in an orderly state to prevent water from entering into the garbage and recycling containers. No outdoor storage is allowed/ permitted. Trash areas shall be maintained in a manner to discourage illegal dumping.
14. **Fire Safety.** Compliance with all applicable fire and building codes and standards relating to fire and panic safety shall be verified by the Fire Department during the Building Permit process to the satisfaction of the Fire Chief. Prior to Building Clearance, all requirements for fire safety shall be met to the satisfaction of the Fire Chief.
15. **Other Permits.** The permittee shall obtain and operate in conformance with the conditions of all permits required by other governmental agencies for the use.
16. **Permittee Responsibility.** The permittee shall ensure that the uses authorized by this Permit are implemented in conformance with all of the provisions of this Permit.
17. **Revocation, Suspension, Modification.** This Conditional Use Permit may be revoked, suspended or modified by the Planning Commission, or by the City Council on appeal, at any time regardless of who is the owner of the subject property or who has the right to possession

thereof or who is using the same at such time, whenever, after a noticed hearing in accordance with Part 3, Chapter 20.44, Title 20 of the San José Municipal Code it finds:

- a. A violation of any conditions of the Conditional Use Permit was not abated, corrected or rectified within the time specified on the notice of violation; or
- b. A violation of any City ordinance or State law was not abated, corrected or rectified within the time specified on the notice of violation; or
- c. The use as presently conducted creates a nuisance.

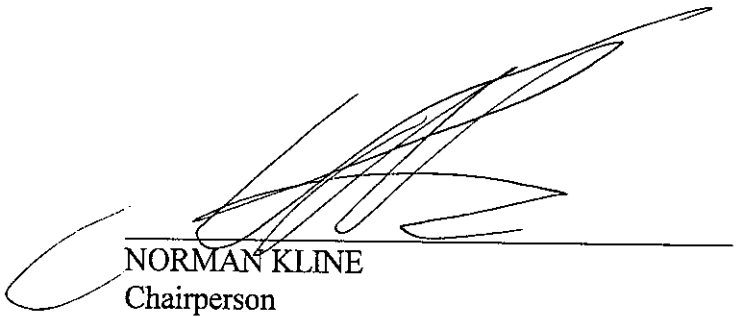
ADOPTED and issued this **6th day of November, 2013**, by the following vote:

AYES: KLINE, ABELITE, BIT-BADAL, KAMKAR, O'HALLORAN

NOES: NONE

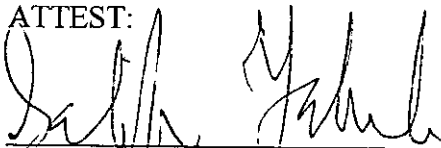
ABSENT: CAHAN, YOB

ABSTAIN: NONE



NORMAN KLINE
Chairperson

ATTEST:



JOSEPH HORWEDEL

Director of Planning, Building & Code Enforcement
Planning Commission Secretary

NOTICE TO PARTIES

The time within which judicial review must be sought to review this decision is governed by the provisions of the California Code of Civil Procedure Section 1094.6.

From: Erik Swanson <[REDACTED]>
Sent: Tuesday, May 12, 2026 1:15 PM
To: Jocelyn Shoopman <jshoopman@losgatosca.gov>
Subject: WVMA comments

Dear Ms. Shoopman,

God's peace be with you. I am writing as a friend of the WVMA and a pastor who serves in your sister city, Saratoga. I am aware of the work that the City Council is doing to update the conditional use permit with the Muslim community there. I am grateful for the work but am very worried about some of the requirements that are being put on them. I am raising my strong objection particularly to the four listed below. If there is freedom of religion in this country these conditions listed below are NOT the way forward. They put a vice on their freedom to practice as they choose. All of our religious communities would be hard pressed to follow all of these. Really? You are going to require them to turn people away if an event is really well attended?? Would you require that of a school or a city council meeting?? And to require 60 days advanced notice for a gathering over 100 people? What if the event is last minute- which happens quite often in the religious community? And to require them to refinish their parking lot when it could financially ruin the community? That seems far beyond the pale!! I know there is no way that our community could face that requirement. Just reading it from the outside, it seems very harsh and designed to constrain the community in almost punitive ways. I would strongly encourage you to reconsider these requirements and extend to them a more user friendly version without these harsh terms that any faith community would object to strongly! Thank you for your consideration and your work to provide Los Gatos with an inclusive and welcoming environment for all faith communities- including my friends and colleagues at WVMA.

Blessings, Rev. Erik Swanson

1. Attendance limits tied directly to parking lot capacity, requiring attendees to be turned away once the parking lot is full.
2. A requirement to provide 60 days' advance notice for events with attendance exceeding 100 people.
3. Extensive parking lot refinishing requirements at a substantial estimated cost (approximately \$1 million).
4. Mandatory written notices to members for events exceeding 100 attendees.

--

Rev. Erik Swanson
Westhope Presbyterian Church, Pastor
Follow us on Instagram at Westhope_Presbyterian

I refuse to accept the view that [humankind] is so tragically bound to the starless midnight of racism and war that the bright daybreak of peace and [siblinghood] can never become a reality. I believe that unarmed truth and unconditional love will have the final word.

(Rev. Dr. Martin Luther King, Jr.)

From: Mary Hogan <[REDACTED]>

Sent: Tuesday, May 12, 2026 9:06 AM

To: Planning <Planning@losgatosca.gov>; Jocelyn Shoopman <jshoopman@losgatosca.gov>; Alexa Nolder <ANolder@losgatosca.gov>; Chris Constantin <CConstantin@losgatosca.gov>; Gabrielle Whelan <GWhelan@losgatosca.gov>

Cc: Allen Meyer <AMeyer@losgatosca.gov>; Sean Mullin <SMullin@losgatosca.gov>; Joel Paulson <jpaulson@losgatosca.gov>; Town Manager <Manager@losgatosca.gov>

Subject: Addressing applicant concerns to proposed CUP U-24-010

Dear Members of the Town of Los Gatos Planning Commission,

The applicant has asserted that the proposed Conditional Use Permit ("CUP") conditions regarding attendance limits, event notification requirements, and parking-related operational controls are unprecedented and have not been applied to other religious institutions in the Town of Los Gatos. The Town's own CUP history demonstrates otherwise.

A review of previously approved religious facility CUPs confirms that Los Gatos has consistently imposed conditions regulating congregation size, parking capacity, traffic management, operational hours, and advance notification requirements where necessary to mitigate neighborhood impacts and protect public safety.

Most notably:

Religious Facility	Relevant CUP Conditions	Contradiction to Applicant Claim
Congregation Shir Hadash	Worship attendance capped at 250 regular attendees and 450 holiday attendees	Confirms congregation population limits are established precedent
Los Gatos Methodist Church	Congregation expressly limited based on available parking spaces	Direct precedent tying attendance to parking availability
Faith Lutheran Church	Worship attendance capped at 220 persons; 90-day advance notice and Town approval required for events exceeding 100 persons	Direct contradiction of claims regarding notice requirements and attendance limitations
Los Gatos Christian Church	90-day prior notice required for special events; congregation limited based on parking capacity	Confirms longstanding event notification and parking mitigation requirements
Calvary Church	Maximum worship seating established; parking management conditions imposed	Confirms operational and parking controls are standard Town practice

The record is therefore clear:

- Attendance limitations tied to parking capacity are not new;
- Advance notification requirements for larger events are not unique;
- Parking and traffic mitigation conditions have been routinely applied to religious institutions in Los Gatos for decades.

Importantly, several existing CUPs impose stricter requirements than those currently proposed, including 90-day notice periods and mandatory Town preapproval for larger gatherings.

The proposed conditions are therefore neither discriminatory nor unprecedented. They are consistent with established Town practice and reflect reasonable, legally defensible land use measures intended to balance institutional operations with neighborhood compatibility, traffic management, and public safety.

For these reasons, the applicant's "equal terms" and "substantial burden" assertions are not supported by the Town's historical CUP record.

Thank you for your time and consideration,

Mary Hogan

From: [REDACTED] <[REDACTED]>
Sent: Tuesday, May 12, 2026 12:45 AM
To: Gabrielle Whelan <GWhelan@losgatosca.gov>; Jocelyn Shoopman <jshoopman@losgatosca.gov>
Cc: Kim Ratcliff <[REDACTED]>; Joel Paulson <jpaulson@losgatosca.gov>
Subject: Re: Please re-open public hearing to consider Parking Lot Closure Rule Condition Request -- WVMA CUP Modification

Hello Gabrielle,

Thank you again for meeting with representatives of the Farley Road Neighborhood Coalition ("FRNC") on May 11, 2026. We appreciated the opportunity to discuss our primary concerns, areas where compromise may be possible, and recommendations intended to support a balanced and compatible outcome for the Town of Los Gatos, nearby residents, and the applicant, WVMA.

As discussed during the meeting, the original scope of the Conditional Use Permit ("CUP") modification request was presented as a limited operational adjustment intended to accommodate WVMA's five daily congregational prayer services. However, the current draft Conditions of Approval contained in the May 13, 2026 Planning Commission packet have evolved substantially beyond the scope and intent initially presented to the public during the March 25, 2026 Planning Commission hearing. In reviewing the Town's Planning Commission Meeting Packet for May 13, 2026, CONDITIONS OF APPROVAL for 16769 Farley Road, Conditional Use Permit Application U-24-010, the expanded hours are in excess of 947 hours of operation!

At the March 25 hearing, one of the neighborhood's most significant concerns centered on operating hours and preservation of residential quiet hours. FRNC residents consistently expressed the position that operational activity occurring during the Town's established quiet hours (10:00 p.m. to 8:00 a.m.) is incompatible with the surrounding Residential R-1:8 zoning district and inconsistent with maintaining the low-intensity residential character contemplated by the General Plan and Town zoning framework.

As reflected in the March 25, 2026 staff report, the applicant requested modifications to allow operations:

- Beginning 1.5 hours before sunrise, seven days per week;
- Extending beyond 10:30 p.m. daily; and
- During Ramadan, extending to 11:30 p.m. or 12:00 a.m., depending on sunset conditions.

At that stage, the project was represented as a targeted modification intended specifically to support the five daily prayer services.

The revised draft Conditions of Approval now included in the May 13 packet introduce substantially expanded operational flexibility, additional activities, duplicative and conflicting provisions, and language that appears difficult to administer and enforce. Collectively, the current draft no longer reflects a narrowly tailored operational adjustment, but instead represents a materially expanded use intensity with operational impacts extending to nearly continuous daily activity.

The Town's municipal framework requires that CUP findings demonstrate that a proposed use will be compatible with surrounding land uses, will not be detrimental to the public health, safety, or welfare, and will not adversely affect neighboring residential properties through excessive noise, traffic, lighting, or operational intensity. In its current form, the proposed Conditions of Approval do not appear to provide the clarity, specificity, or enforceability necessary to ensure ongoing compatibility with the surrounding residential neighborhood.

Further, the evolving list of conditions and operational allowances is creating a framework that appears increasingly difficult for:

- The Town to monitor and enforce;
- The applicant to consistently comply with; and
- Adjacent residents to reasonably coexist with in a low-density residential environment.

Importantly, WVMA purchased the property at 16769 Farley Road with full knowledge of the operational limitations and restrictions established under the existing CUP. Those limitations were part of the entitlement framework governing the property at the time of acquisition. For these reasons, FRNC respectfully requests that Planning Staff and the Planning Commission postpone adoption or approval of the proposed resolution until a complete, transparent, and evidence-based assessment of the project's full operational impacts can be conducted.

At present, the record lacks critical data necessary to support informed decision-making and CEQA-related operational analysis, including:

- Noise analysis during Ramadan operations;
- Traffic and circulation studies reflecting Ramadan attendance patterns;
- Lighting and neighborhood spillover analysis during predawn and late-night operations; and
- Empirical operational data evaluating the cumulative impacts associated with expanded activities and extended hours.

These omissions are particularly significant given that Ramadan operations represent the period of highest intensity and greatest potential neighborhood impact associated with the requested CUP modification.

Additionally, the revised Conditions of Approval now appear to expand operational hours beyond the scope originally presented in Application U-24-010 and beyond the operational framework discussed publicly at the March 25 hearing.

Based on the March 25 proposal:

- General operations represented approximately 670 additional annual operating hours; and
- Ramadan operations represented approximately 75 additional annual operating hours;
- For a total estimated increase of approximately 745–750 annual hours.

However, the May 13 revised draft appears to authorize an additional 195 hours beyond the original modification request through further extensions to daily operating periods. As drafted, the project effectively approaches operational availability exceeding 22 hours per day throughout the year.

This represents a substantial expansion in operational scope and intensity beyond what was initially presented as a limited accommodation for five daily prayer services. Such incremental expansion raises significant concerns regarding project creep, enforceability, neighborhood compatibility, and whether the revised operational framework remains consistent with the original project description evaluated by the Town and presented to the public.

FRNC respectfully requests that the Town carefully consider whether the current proposal, as revised, satisfies the Town's obligations to:

- Protect residential neighborhood character;
- Ensure compatibility with surrounding R-1:8 residential uses;
- Minimize adverse operational impacts;
- Maintain clear and enforceable CUP conditions; and
- Base discretionary land use decisions on complete and accurate evidence.

We appreciate your consideration of the neighborhood's concerns and remain willing to participate constructively in efforts to identify a balanced and sustainable solution for all interested parties.

Respectfully,



Reference notes:

1) The proposed resolution from the Planning Commission Staff 3/25/26

"the applicants seek a modification of the current CUP to expand the hours of operations to be: 1.5 hours before sunrise or extend past 10:30 p.m., seven days a week; and during the 30-day month of Ramadan, 1.5 hours before sunrise to 11:30 p.m., whenever the sunset is prior to 7:30 p.m., or until 12:00 a.m. whenever the sunset is after 7:30 p.m."

2) March 25, 2026

- General Hours (335 Days) - Currently 10:00 PM end time; No stated Predawn Hours
Proposed 10:30 PM end time; Predawn Hours 1.5 Hours prior to sunrise .

Representing an annual increase of half an hour for PM prayers and 1.5 hours for AM prayers for a total increase of 675 Hours Annually ($1.5 \times 335 = 670$)

- Ramadan (Seasonal) Hours (30 Days Annually) - Currently 11:00 PM end time; No stated Predawn Hours. Proposed 11:30 PM and 12:00 Midnight - based on sun set prior to or after 7:30 PM.; Predawn Hours 1.5 Hours prior to sunrise.

Representing an annual increase of an hour for PM prayers and 1.5 hours for AM prayers for a total increase of 75 Hours Annually ($2.5 \times 30 = 75$)

3) May 13, 2026 (Revised Draft)

- The new draft, Conditions of Approval language in the May 13, 2026 meeting packet for, goes beyond the initial intent of the project and now includes an ADDITIONAL 197.5 Hours, outside of the modification application's (U-24-010) hours of operation submitted in 2024.

These ADDITIONAL hours are outside of the parameters stated as part of the Town of Los Gatos' Resolution proposed in the March 25, 2026 Planning meeting and change the intent, and unfairly allow the project to have unplanned scope creep exceeding the request to support WVMA's five daily prayers in a congregation setting, without equal consideration to the obligation to the residents to act as a protector, ensuring safety and securing the fundamental rights of the residents. This further expands the hours of operation to a 22+ hours a day, 365 days a year, simply by adding a half an hour to ALL General hours ($335 \times 0.5 = 167.5$) and an additional hour to Ramadan (Seasonal) hours ($30 \times 1.0 = 30$).

From: Farley Road Neighborhood Coalition <[REDACTED]>

Sent: Tuesday, May 12, 2026 8:38 AM

To: Jocelyn Shoopman <jshoopman@losgatosca.gov>; Alexa Nolder <ANolder@losgatosca.gov>; Planning <Planning@losgatosca.gov>; Chris Constantin <CConstantin@losgatosca.gov>; Gabrielle Whelan <GWhelan@losgatosca.gov>

Cc: Allen Meyer <AMeyer@losgatosca.gov>; Sean Mullin <SMullin@losgatosca.gov>; Joel Paulson <jpaulson@losgatosca.gov>; Town Manager <Manager@losgatosca.gov>

Subject: Response to Draft Conditions of Approval (CUP U-24-010) and Request for Continuance

Dear Planning Commission,

The Farley Road Neighborhood Coalition (FRNC) has carefully reviewed the 38 Draft Conditions of Approval prepared by Town Planning Commission Staff. While we appreciate the progress made toward mitigating the impacts of the proposed expansion, many of the current drafts do not sufficiently protect the safety and quiet enjoyment of our R-1:8 residential neighborhood. As the Commission deliberates, we wish to remind the body of the fundamental purpose of our zoning, as established in the Town's own ordinances – The R-1 zone provides a means to create the best possible location and development standards for single-family dwellings, assure adequate light, air privacy and open space for each dwelling, minimize traffic and parking congestion, and reduce hazards from encroachment activity. (Ord. No. 1316, § 4.26.010, 6-7-76) To ensure the Town's actions are both effective and enforceable, we ask the Commission to address the following:

1. Review of the FRNC Response Matrix (Attachment A)

We have prepared a comprehensive line-by-line response to the Town's draft conditions. This document is intended to bridge the gap between high-level intent and on-the-ground enforceability.

- Column A/B: Town Condition # and Description.
- Column C: FRNC's position (Agree/Disagree).
- Column D: FRNC's required Proposed Language for all "Disagree" items.
- Column E: Specific commentary justifying our proposed changes.

2. Top Priority Conditions

Of the 38 conditions in the Town's draft and the four additional conditions we are proposing (Attachment B), the following are our highest priority for neighborhood preservation:

1. Condition #7: Compliance Review (Annual)
2. Condition #9: Permitted Use
3. Condition #11: Occupancy Limits
4. Condition #12: General Hours
5. Condition #13: General Hours, Vehicle Limitation
6. Condition #34: Lighting

7. Condition #14: Seasonal Late-Hours Exception
8. Condition #16: Lot Closure Rule
9. Condition #19: Food Vendors
10. Condition #21: Noise Mitigation
11. Condition #25: Parking Lot Monitoring
12. Condition #27: Event Parking Overflow Plan (TDM)
13. Condition #28: Parking Lot Expansion (Noise Mitigation)
14. Condition #30: Landscape Plantings
15. (New Proposed): Event Limitations
16. (New Proposed): Friday Service

3. Request to Delay Approval of Modified CUP U-24-010 Pending Independent Studies During Ramadan

We formally request that the Planning Commission delay the vote scheduled for May 13th, due to the fact that the current data and statistics (i.e. traffic, parking, noise, light pollution) provided by the applicant focus exclusively on the five daily prayers and are not inclusive of Seasonal (Ramadan) conditions or use for incremental activities.

The statistics presented fail to account for the true intensification of use or the full operational intensity associated with the applicant's proposed Conditional Use Permit modifications. Specifically, the analysis does not represent or adequately address the cumulative impacts generated by expanded activities beyond the five daily prayer services, including increased traffic volumes, noise, parking demand, extended hours of operation, and intensified site circulation — particularly during Ramadan and other activities when attendance materially increases. Further, the applicant's request substantially broadens the scope and frequency of on-site uses to include daily classes, summer camps, community events, charitable gatherings, lectures, and additional assembly activities. Collectively, these proposed expansions represent a significant intensification of use beyond what is reflected in the materials provided to the Town of Los Gatos Planning Commission. As presented, the data does not provide a complete or accurate operational picture sufficient to support a fully informed, evidence-based assessment of the project's true neighborhood, traffic, parking, and compatibility impacts.

Before a vote is taken, the Town must conduct:

- An Independent Traffic & Noise Study during Ramadan: This is the only way to capture the facility's "peak impact" and determine if the proposed mitigations are actually effective.
- Activity Capping: We ask the Town to establish a specific cap on additional activities beyond the five daily prayers to ensure the cumulative impact does not exceed the neighborhood's capacity.
- An Independent Light Study: This will provide a factual representation of the outdoor and streaming indoor light pollution emitting from the facility to the surrounding residents' homes.

4. Public Comment and Language Discrepancies

We request that the public comment period be reopened specifically to allow residents to address critical language discrepancies between the Town's draft and our proposed safety standards. Many of the current conditions are administratively vague and subject to conflicting interpretations; they require the specific, enforceable language found in our attached matrix to ensure neighborhood protections are not lost to ambiguity.

We urge the Commission to prioritize the health and safety of Los Gatos residents by ensuring these conditions are robust and based on accurate, comprehensive data.

Sincerely,

Farley Road Neighborhood Coalition (FRNC)

#	Condition	Disagree	Proposed Condition	Comment(s)
A. General Conditions				
1	Approval and Substantial Conformance This application shall be completed in accordance with all conditions of approval and in substantial compliance with the approved plans. Any changes or modifications shall be approved by the Community Development Director, Development Review Committee (DRC), or the Planning Commission, depending on the scope.	Agree		
2	Expiration The approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the approval has been vested.	Agree		
3	Lapse for Discontinuance If the activity for which the Conditional Use Permit has been granted is discontinued for one (1) year, the approval lapses pursuant to Section 29.20.340 of the Zoning Ordinance.	Agree		
4	Compliance Memorandum A memorandum, consistent with Town practice, shall be prepared and submitted with the building permit detailing how each condition of approval will be addressed.	Agree		
5	Interpretation and Implementation No verbal interpretation, directive, or guidance shall be considered valid or binding for purposes of compliance with this Conditional Use Permit. The applicant shall not rely on any direction or approval unless it is documented in writing and expressly authorized by the Community Development Director.	Agree		
6	Town Indemnity Applicants are notified that Town Code Section 1.10.115 requires that any applicant who receives a permit or entitlement ("the Project") from the Town shall defend (with counsel approved by Town), indemnify, and hold harmless the Town, its agents, officers, and employees from and against any claim, action, or proceeding (including without limitation any appeal or petition for review thereof) against the Town or its agents, officers or employees related to an approval of the Project, including without limitation any related application, permit, certification, condition, environmental determination, other EXHIBIT 35 approval, compliance or failure to comply with applicable laws and regulations, and/or processing methods ("Challenge"). Town may (but is not obligated to) defend such Challenge as Town, in its sole discretion, determines appropriate, all at applicant's sole cost and expense. Applicant shall bear any and all losses, damages, injuries, liabilities, costs and expenses (including, without limitation, staff time and in-house attorney's fees on a fully-loaded basis, attorney's fees for outside legal counsel, expert witness fees, court costs, and other litigation expenses) arising out of or related to any Challenge ("Costs"), whether incurred by Applicant, Town, or awarded to any third party, and shall pay to the Town upon demand any Costs incurred by the Town. No modification of the Project, any application, permit certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in such Challenge as Town, in its sole discretion, determines appropriate, all the applicant's sole cost and expense. No modification of the Project, any application, permit certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in processing methods shall alter the applicant's indemnity obligation.	Agree		
7	Compliance Review The Planning Commission shall conduct an annual compliance review of the Conditional Use Permit. This compliance review shall be completed at the applicant's expense.	Agree		
8	Compliance with Laws The applicant shall comply with all applicable federal, state, and local laws, including the Town Code, as they may be amended from time to time. This includes, but is not limited to, compliance with all updated zoning, building, noise, traffic, parking, and environmental regulations enacted by the Town Council.	Agree		

#	Condition	Disagree	Proposed Condition	Comment(s)
B. Use and Occupancy				
9	Permitted Use Operate an existing institution for religious observance. In addition to worship services, the applicant may use the facility for religious exercise, including but not limited to prayers, religious educational classes, Sunday school, as well as community events, charitable events, and other activities related to the religious mission of the institution. Facility may be rented to community members or by organizations providing educational, charitable, religious or other services for the benefit of the institution's members.	Disagree	Permitted Use Use is restricted to religious worship and related institutional activities only. All services, gatherings, and events must be held indoors only. There shall be no outdoor activities permitted on the property, without exception, including but not limited to outdoor prayer, socializing in the parking lot, or amplified sound. The facility may not be rented for any reason.	
10	Living Quarters The leaders' quarters shall not be used for any purpose other than living quarters for visiting scholars and/or leaders associated with the institution.	Disagree	Living Quarters The leader's quarters shall not be allowed for any use other than living quarters for leaders associated with the institution. The living quarters will never be rented to or occupied by any person who is not a leader of the congregation at 16769 Farley Road.	New language deviates from 2020 CUP; propose to use the same language and add "no rental" to the condition.
11	Occupancy Limits On-site events shall be limited to the maximum building occupancy established by Fire and Building Code.	Disagree	Capacity Management Total on-site occupancy is strictly limited to 720 people or the available on-site parking capacity (whichever is reached first). This number is derived from the 180-space on-site parking limit (4:1 ratio). In any instance where all 180 on-site parking stalls are occupied, no further occupants shall be permitted on-site, regardless of the building's maximum occupancy. In addition, compliance to the Santa Clara County Fire Department's Requirements, Condition #x, must be complied with.	
C. Facility Operations				
12	General Hours Services shall not begin earlier than 1.5 hours before sunrise or extend past 10:30 p.m. daily, except as specified in Condition 14, Seasonal Late-Hours Exception.	Disagree	General Daily Hours (Non-Ramadan) Operating Window: The facility is permitted to operate from 1.5 hours before sunrise until 10:00 PM. This supports the 5 daily prayers during non-Ramadan period. Vacate the Premises: All members, guests, and vehicles must exit the property—including the parking lot—by the 10:00 PM cutoff.	General Hours - All activities, minus Ramadan and 5 prayers Seasonal Late Hours
13	General Hours, Vehicle Limitation Vehicles at the pre-sunrise and evening prayer services shall be limited to the number of on-site parking spaces.	Agree		
14	Seasonal Late-Hours Exception Thirty (30) day period during Ramadan, services may extend beyond 10:30 p.m. as follows: ☐ Until 11:30 p.m. when sunset is before 7:30 p.m. ☐ Until 12:00 a.m. when sunset is after 7:30 p.m. The applicant shall maintain a publicly available website and list on an annual basis the dates seasonal late hours will be exercised for Ramadan. Seasonal-late hours in this Section are not transferable to another owner or use for which nighttime worship is not a component of their religion.	Disagree	Ramadan Exceptions Operating Window: During the annual, 30-day period of Ramadan, the following modified hours apply: Pre-Sunrise: Services may begin up to 1 hour before sunrise. Post-Sunset: Services may extend past the standard 10:00 PM cutoff, but are strictly capped at: 11:00 PM if sunset occurs before 7:30 PM. 11:30 PM if sunset occurs at or after 7:30 PM. Vacate the Premises: All members, guests, and vehicles must exit the property—including the parking lot—by the 11:00 PM or 11:30 PM cutoff based on sunset. Advance Notice: Specific dates and times for Ramadan services must be posted on the public website 365 days in advance.	
15	Seasonal Late-Hours, Vehicle Limitation Vehicles at the pre-sunrise prayer service shall be limited to the number of on-site parking spaces. The evening prayer service shall be limited to the maximum building occupancy for the facility.	Agree		

#	Condition	Disagree	Proposed Condition	Comment(s)
16	Lot Closure Rule Notwithstanding the Quiet Hours limitation, the parking lot shall be vacated by 11:00 p.m. during general hours of operation and within 30 minutes of the end of the last service during seasonal late hours, with staff or volunteers reminding attendees to leave quietly. The lot can be opened two hours prior to sunrise for the pre-sunrise services.	Disagree	Lot Closure Rule Vacate the Premises: refer to General Hours and Seasonal Hours conditions. Lot Restrictions: Portions of the parking lot immediately adjacent to the houses at 16793 Farley Road, 16761, 16771, 16781 Corcel Court properties must be physically and substantially blocked off when the facility is not at peak capacity to protect neighbor privacy and safety effective immediately.	
17	Windows and Doors Windows and doors on the west elevation shall remain closed when indoor services are taking place, except for ingress and egress to the building.	Agree		
D. Noise				
18	Deliveries Deliveries by vehicles exceeding 26,000 pounds GVWR shall occur between 8:00 a.m. and 6:00 p.m., Monday through Friday.	Disagree	Deliveries Deliveries by vehicles exceeding 26,000 pounds GVWR shall occur between 8:00 a.m. and 6:00 p.m., Monday through Friday. All loading, unloading, and staging must be conducted exclusively on the east side of the property. Use of the westside driveway for any delivery or service-related activity is strictly prohibited.	
19	Food Vendors Only the interior of the parking lot shall be used for food vendors.	Disagree	Usage of Parking Lot All activities must be held inside; parking lot and outside areas are restricted to parking, ingress and egress from building(s). Indoor Only: All event-related activities, including guest congregation, food service, and amplified sound, shall occur strictly within the interior of the permanent primary structure. No outdoor events, tents, or outdoor congregation areas are permitted.	
20	High Attendance Guidelines At least thirty (30) days before any recurring or seasonal period of high attendance where on-site parking is insufficient to accommodate parking demand, the applicant shall provide members and attendees written reminders regarding: a. Respectful parking practices, including use of on-site spaces, carpooling where possible, and avoidance of spillover impacts on surrounding residential streets. b. Minimizing congregating in the parking lot to adhere to Quiet Hours requirements. c. Compliance with all applicable Conditions of Approval. Documentation of this communication (e.g., copy of written notice, email, and posting on the facility's website) shall be maintained on file and made available to the Community Development Director upon request.	Agree		

#	Condition	Disagree	Proposed Condition	Comment(s)
21	Noise Mitigation Quiet Hours are established as 10:00 p.m. – 8:00 a.m. daily. During Quiet Hours: a. Noise Standard – All activities shall comply with the Town's Noise Ordinance residential standard in effect at the time of the activity measured at the property line during 10:00 p.m. – 8:00am. b. Parking Lot Operations – During Quiet Hours when a service is not in session, the lot may only be used for ingress, egress, security, emergency access, or use by the leaders' quarters occupants. c. Building Operations – Windows facing residences shall remain closed during Quiet Hours. Doors facing residences shall remain closed during Quiet Hours, except when necessary to permit ingress and egress to the building for morning and nighttime services. Doors may be opened for the limited purpose of ingress and egress. d. Signage and Communication – The applicant shall maintain posted "Quiet Hours" signage and provide reminders to attendees regarding minimizing noise when leaving. Such signage specifying the established quiet hours shall be prominently displayed and appropriately maintained on the building in such a manner to ensure signs are clearly visible and easily readable at all times to individuals entering and exiting the building.	Agree		
22	Noise Ordinance The Noise Ordinance of the Town of Los Gatos is specifically adopted as conditions of approval for the Conditional Use Permit.	Agree	Propose language to revert to 2020 CUP. In order to avoid incremental disturbance of neighbors, due to the religious prayers 'extended hours' during General Hours and Seasonal Late-Hours, WINDOWS on the west elevation shall always remain closed (see U-20-001 and U-89-11), and DOORS shall remain closed except for ingress and egress to the building. All Windows/Doors on the West side remain closed for all services. ec. 16.20.010. Curfew noise disturbance. (a) Except for any professional refuse collection agency acting pursuant to a franchise agreement with the Town or regional agency, no persons shall between the hours of 10:00 p.m. and 8:00 a.m. make, cause, suffer or permit to be made any noise disturbance which: (1) Is made within one hundred (100) feet of any building or place regularly used for sleeping purposes; or (2) Disturbs any person(s) within hearing distance of such noise. (b) No persons shall make, cause, suffer or permit to be made any noise or sounds which: (1) Are unreasonably disturbing or physically annoying to people of ordinary sensitivity or which are so harsh or prolonged or unnatural or unusual in their use, time or place as to cause physical discomfort to a person(s); or (2) Are not necessary in connection with an activity which is otherwise lawfully conducted. (Ord. No. 1852, § II(11.30.010), 5-20-91; Ord. No. 2356, § VII, 4-2-24) The intent of the establishment of the R1 zones in our town: Sec. 29.40.380. Intent. The R-1 zone provides a means to create the best possible location and development standards for single-family dwellings, assure adequate light, air privacy and open space for each dwelling, minimize traffic and parking congestion, and reduce hazards from encroachment of industry and commercial activity. (Ord. No. 1316, § 4.26.010, 6-7-76)	
23	Amplified Sound No outdoor amplified sound is permitted.	Agree		
E. Parking and Traffic				
24	Monthly Communication The applicant shall continue monthly outreach to members encouraging carpooling, use of on-site spaces, and to be sensitive to the concerns of the neighborhood residents.	Agree		

#	Condition	Disagree	Proposed Condition	Comment(s)
25	Parking Lot Monitoring For events anticipated to exceed available on-site parking, the applicant shall implement traffic management measures which may include parking attendants, directional signage, carpooling encouragement, or other measures. The applicant shall designate a person, volunteer, or parking attendant to monitor on-site parking during any service or event expected to generate attendance that may approach or exceed available on-site parking capacity, with training by the Los Gatos-Monte Sereno Police Department, if available. The monitor shall make reasonable efforts to ensure that: a. All on-site spaces are utilized before attendees seek parking off-site. b. All vehicles parked on-site shall maintain emergency vehicle access.	Disagree	Parking lot monitoring will be a part of Traffic & Parking Plan Item #27.	Who is liable if it is a volunteer? The town? WVMA?
26	Driveway Operations During events expected to generate traffic volumes that may result in queuing or neighborhood spillover, both driveways shall be used for exiting the property, with traffic attendants provided as necessary to facilitate circulation. Applicant shall make accommodation to facilitate access by public safety resources when necessary. The applicant is authorized to remove the right turn only sign at the end of the egress driveway. The applicant shall ensure that ingress and egress to neighboring driveways is preserved.	Disagree	Driveway Operations During events expected to generate traffic volumes that may result in queuing or neighborhood spillover, both driveways shall be used for entering and exiting the property, with traffic attendants provided as necessary to facilitate circulation. Applicant shall make accommodation to facilitate access by public safety resources when necessary. Replace "Turn Right Only" to "Turn Left Only" signage at the exit to steer vehicle flow away from residential zones. Utilize both driveways for vehicles entering facility's parking (Right Turn into both driveways) of parking lot to minimize queing and congestion on Farley Road, backing up to LG Blvd.	

#	Condition	Disagree	Proposed Condition	Comment(s)
27	Event Parking Overflow Plan For events where on-site parking is insufficient to accommodate parking demand, the applicant shall implement an overflow parking plan.	Disagree	Traffic & Parking Plan <u>Traffic Demand Management (TDM):</u> An annual TDM Plan must be submitted to the Town for approval. This plan must include measurable goals, strategies for carpooling, and a designated TDM Coordinator. The first annual TDM Plan is due September 1, 2026. <u>Onsite Registration System:</u> The applicant shall maintain a mandatory parking registration system for all attendees to effectively manage overflow and enhance traffic safety. This system must ensure that on-site capacity is never exceeded and provide the necessary data for accurate Traffic Demand Management (TDM) reporting. <u>On-Site First:</u> All available on-site parking spaces must be fully utilized before any off-site or overflow options are engaged. Shuttle service to be provided for members who park at nearby off-site parking lots to prohibit on-street obstructions, including pick-up and drop-offs on Farley Road. <u>Emergency Access:</u> All vehicles parked on-site shall maintain emergency vehicle access. <u>High-Attendance Staffing:</u> For all high-attendance events, the venue must contract a professional, bonded, and insured private security firm. These paid personnel are required to manage parking operations, direct traffic flow, maximize lot efficiency, and actively prevent neighborhood spillover. <u>Public Streets:</u> Overflow parking onto Farley Road or any surrounding feeder streets (Corcel Court, Flintridge, Chirco, Izorah, Frank) is strictly prohibited. <u>No Street Loading:</u> On-street obstructions, including passenger pick-ups, drop-offs, or queuing on Farley Road, are strictly prohibited. <u>Signage:</u> The applicant shall post clear signage at all exits reminding attendees that street parking is prohibited and that violators may be subject to facility-enforced penalties or towing. <u>Overflow Parking:</u> Any parking needs exceeding the 180-space on-site capacity must be pre-arranged via a formal, written contract with an off-site provider. Proof of this contract must be submitted to the Town 30 days prior to use. <u>Professional Management:</u> Professional traffic control must be present during peak entry and exit times to ensure Farley Road does not become congested or obstructed. <u>Lot Restrictions:</u> Portions of the parking lot immediately adjacent to the house at 16793 Farley Road property must be physically and substantially blocked off when the facility is not at peak capacity to protect neighbor privacy and safety effective immediately. <u>Exit Visibility:</u> The facility must clear all obstructions at the WVMA exit to eliminate the blind spot. This ensures residents at 16793 Farley Road can safely see oncoming traffic and exit their driveway without being trapped or endangered; this corrective action is required effective immediately.	Event parking overflow should be part of an overall traffic & parking plan
28	Parking Lot Expansion The applicant shall submit and application to the Community Development Department for a parking lot expansion, as referenced in the March 25, 2026, Planning Commission staff report within six months of the final approval date and complete the construction improvements within one year of the final approval date. The parking lot expansion shall add at least 23 parking spaces. Within six months of the final approval date, the existing parking lot shall be repaired so that cracks, bumps, or other anomalies do not contribute to additional noise generation of passing vehicles. Thereafter the parking lot shall continue to be maintained to avoid conditions of such noise generation.	Disagree	Parking Lot Expansion The applicant shall submit and application to the Community Development Department for a parking lot expansion, as referenced in the March 25, 2026, Planning Commission staff report within six months of the final approval date and complete the construction improvements within one year of the final approval date. The parking lot expansion shall add at least 23 parking spaces. Within six months of the final approval date, the existing exit driveway pavement cracks next to 16793 Farley Road (including facility) in first phase, and subsequent phases can include parking lot shall be repaired so that cracks, bumps, or other anomalies do not contribute to additional noise generation of passing vehicles. Thereafter the parking lot shall continue to be maintained to avoid conditions of such noise generation.	
F. Facilities and Site Design				

#	Condition	Disagree	Proposed Condition	Comment(s)
29	Electric Gate Any future modification to the existing electronic sliding gate, or installation of a new electronic sliding gate shall include sound dampening approaches and technologies.	Agree		
30	Landscape Plantings The applicant shall plant a hedgerow adjacent to all of its perimeter fences or alternatively plant a variety of native trees and shrubs for the purpose of sound and light mitigation, as approved by the Community Development Director within one year of the final approval date. The proposed plantings shall be a minimum size of three gallons and the selected plantings shall grow two to four feet per year. The specific plantings shall be based on discussions with the applicant and the Community Development Director. The plantings shall be maintained at a height of eight feet. Additionally, the applicant shall offer to provide plantings or moveable barriers to the neighbor across the street in order to reduce headlight intrusion into the residential property across the street.	Disagree	Landscape Plantings The applicant shall submit a plan to the Community Development Director for a uniform landscaping installation of mature evergreen, privacy hedge (minimum of 8 feet in height) adjacent to all of its perimeter fences for the purpose of sound and light mitigation, as approved by the Community Development Director within six (6) months of the final approval date. The proposed plantings shall be a minimum size of 15 gallons and the selected plantings shall grow two to four feet per year. The specific plantings will be recommended by the Town of Los Gatos Parks and Public Works Dept to include native species and shrubs and include discussions with the applicant, Farley Road Neighborhood Coalition, and the Community Development Director. The plantings shall be maintained at a height of eight feet. Thereafter the landscaping shall continue to be maintained for all residents' homes affected by light and noise pollution. Additionally, the applicant shall offer to provide plantings or moveable barriers to the neighbor across the street in order to reduce headlight intrusion into the residential property across the street.	
31	Portable Screening Prior to the mature growth of landscape plantings, as detailed in Condition #30, the applicant shall obscure vehicle headlights on the perimeter properties to the facility through the use of privacy mesh, wind screens, or the use of portable planters/screening as proposed by Zayn Zaafran's letter dated, April 20, 2026, included in Exhibit 29 of the April 22, 2026, Planning Commission staff report packet.	Agree		Need date to implement
32	Fencing The applicant shall submit an application for a fence height exception to the Community Development Department for the purpose of increasing the height of existing fences around the perimeter of the property to eight feet for the purpose of mitigating noise and light pollution.	Disagree	Fencing The applicant shall submit an application to the Community Development Department for a fence height exception for the purpose of increasing the height of existing fences around the perimeter of the property to eight feet for the purpose of mitigating noise and light pollution within six (6) months of the final approval date and complete the fencing improvements within one year of the final approval date. The fencing improvements shall be coordinated with each neighbor sharing a fence with WVMA property lines. Thereafter the fencing shall continue to be maintained to avoid conditions of light and noise pollution to residents' homes.	
33	Pedestrian Ingress and Egress The applicant shall complete its Building Permit application process to construct a door for the purpose of allowing pedestrian ingress and egress without walking through the parking lot within one year of the final approval date.	Agree		

#	Condition	Disagree	Proposed Condition	Comment(s)
34	Lighting All site and parking lot lighting shall be full-cutoff, downward directed, and at the Building Code minimum brightness level during Quiet Hours.	Disagree	LIGHTING Applicant's lighting for all outdoor and indoor must comply with the Los Gatos Town Lighting ORDINANCE 2312; CA Government Ordinance 2022 Energy Code Outdoor Lighting Requirements California Energy Commission - which will include remedying the expired outdoor lighting permits (3) on file with the Town of Los Gatos: E22-161; PRE22-01163; PRE22-01102). Outdoor: Applicant to submit permit request to comply with Town and State Government requirements. The Applicant must ensure the following conditions for lighting intensity and hours, particularly during evening services, to maintain the residential character of the neighborhood: any high-visibility lighting will be installed and equipped with strict nuisance prevention to avoid light trespass into neighboring homes. The design requires full-cutoff fixtures, lower mounting heights, and lower color temperatures to meet "Dark Sky" requirements common in residential areas. A compliant plan will include the following elements: 1) Parking Lot (15 ft. poles): LED (approx. 12,000–14,000 lumens) placed a minimum of 30-40 feet apart, positioned to focus lighting downward and fully inward, pointing at the facility rather than toward adjacent homes, and never any directed upward or outward facing light sources. Indoor: To avoid any impact to sleep in the residential neighborhood, the facility will maintain window coverings on all west side windows to be closed from sunset to sunrise to avoid facility lighting from streaming into homes and yards adjacent to the facility's property lines. Prior to final approval, require the Applicant to retain a qualified, Town-approved lighting consultant and submit a mitigation plan including the evaluation of existing and projected light spillover and pollution impacts to residential properties that share a common property line with the facility, that will be submitted within six months of adoption of this application request, and implemented within one year of the adoption of this application request. Note: 3 Permits on file with Town, for "Outdoor Lights/Replacing and Installing Outdoor Lights" Expired-tbc: E22-161 (Issued 10/21/2022); PRE 22-01163 (PeApplication Accepted 10/6/2022); PRE 22-01102 (Processing 9/21/2022). For Reference: Los Gatos R-1 (Single-Family Residential) zone regulations require that all permanent exterior lighting at religious facilities be shielded, down-directed, and designed to avoid glare or spillover onto adjacent residential properties. Bulbs must not be directly visible from nearby homes, and fixtures should generally be decorative.	
G. Community Interface				
35	Activity Calendar and Community Interface The applicant shall maintain a publicly accessible website that includes information on services, programs, classes, and events open to its members. The website shall list a monthly calendar of scheduled events, which includes services offered and the hours when services are in session. The applicant's online calendar shall provide at least a 60- day notice in advance of events and activities scheduled to take place at the facility. The applicant shall provide contact information for multiple board members and staff on the applicant's website. The application shall explore setting up a single phone number that makes all neighborhood inquiries, comments, and complaints accessible by board members and staff.	Disagree	Activity Calendar and Community Interface The applicant shall maintain a publicly accessible website that includes information on services, programs, classes, and events open to its members. The website shall list a monthly calendar of scheduled events, which includes services offered and the hours when services are in session. The applicant's online calendar shall provide at least a 60- day notice in advance of events and activities scheduled to take place at the facility. The applicant shall provide contact information for multiple board members and staff on the applicant's website. The applicant will provide contact details for the onsite Property Manager, defined as a designated manager of any given service or event, whom must be on-site during all operating hours to serve as the primary point of contact for the Town and neighbors.	

#	Condition	Disagree	Proposed Condition	Comment(s)
36	Event Notice to Religious Institution Members The applicant shall provide written notice to members of the religious institution five to 10 days prior to a scheduled event that is anticipated to have an attendance of 100 or more persons, reminding them of the speed limit on Farley Road, and neighboring streets, as well as a recommendation for carpooling, and to avoid generating noise while using public streets for ingress and egress. Car beeps from locking and unlocking vehicles are exempted as are the opening and closing of vehicle doors. Additionally, activities related to funerals are exempted from the requirement of notice to members of the religious institution under this condition.	Disagree	Event Notice to Religious Institution Members The applicant shall provide written notice to members of the religious institution five to 10 days prior to a scheduled event that is anticipated to have an attendance of 100 or more persons, reminding them of the speed limit on Farley Road, and neighboring streets, as well as a recommendation for carpooling, not parking on Farley and neighboring streets, and to avoid generating noise while using public streets for ingress and egress. Car beeps from locking and unlocking vehicles are exempted as are the opening and closing of vehicle doors. Additionally, activities related to funerals are exempted from the requirement of notice to members of the religious institution under this condition.	
H. Other Conditions				
37	Santa Clara County Fire Department The Santa Clara County Fire Department shall confirm the maximum occupancy limit for the religious institution and evaluate whether the present and proposed uses as described in the March 25, 2026, Planning Commission staff report packet are in compliance with the occupancy limits for the facility. The Santa Clara County Fire Department shall provide a written report concerning traffic safety on Farley Road and the adjoining streets during the Ramadan holiday.	Disagree	Santa Clara County Fire Department The Santa Clara County Fire Department shall confirm the maximum occupancy limit for the religious institution and evaluate whether the present and proposed uses as described in the March 25, 2026, Planning Commission staff report packet are in compliance with the occupancy limits for the facility, within three (3) months of the final approval date. The Santa Clara County Fire Department shall provide a written report concerning traffic safety on Farley Road and the adjoining streets during the Ramadan holiday, at the next Planning Commission Meeting as an agenda item no sooner than 30 days after Ramanda and no later than 90 days after Ramadan.	
38	Los Gatos-Monte Sereno Police Department The applicant shall request that the Los Gatos-Monte Sereno Police Department provide increased patrols during Ramadan and post an electronic sign on Farley Road during Ramadan showing the speed limit.	Agree		

#	Condition	Proposed Condition
	Event Limitations	Organized Gathering Restrictions: All organized gatherings -including, but not limited to, Eid, festivals, weddings, receptions, fundraisers, or private events—shall be restricted to a maximum of four (4) occurrences per calendar year and are subject to the following mandatory requirements: Indoor Only: All event-related activities, including guest congregation, food service, and amplified sound, shall occur strictly within the interior of the permanent primary structure. No outdoor events, tents, or outdoor congregation areas are permitted. No Staggered Attendance: Events must have a fixed start and end time with a single group of attendees; "rolling" or "staggered" arrivals/departures to bypass capacity limits are prohibited. Operating Hours: All operations, including set-up, guest attendance, and tear-down, shall be limited to the hours of 8:00 AM to 10:00 PM, inclusive of all cars entering and vacating the parking lot for the event. Parking: All guest, staff, and vendor vehicles shall be contained exclusively within designated on-site parking stalls. Off-site, overflow, or street parking is strictly prohibited. Public Scheduling: The annual event calendar must be posted on the facility's public website twelve (12) months in advance. (A one-time exception is granted for 2026, requiring only six (6) months' advance posting). Neighbor Notification: The operator shall provide written notice at least thirty (30) calendar days prior to each event to all residents and property owners within a 1,000-foot radius of the property lines. Notice must include the event date, times, and a 24-hour phone number for a live, on-site coordinator.
	No Expansion	No Permitted Square Footage Expansion of the existing facility or out buildings. The total gross square footage of the existing primary structure and any accessory buildings shall be strictly limited to the current permitted square footage and parcel #. No expansion will be allowed within 1K feet of existing structure, <i>No additional parcel may be acquired for expansion.</i>
	Traffic Demand Management Plan	An annual TDM Plan must be submitted to the Town for approval. This plan must include measurable goals, strategies for carpooling, and a designated TDM Coordinator. The first annual TDM Plan is due September 1, 2026. Onsite Registration System: The applicant shall maintain a mandatory parking registration system for all attendees to effectively manage overflow and enhance traffic safety. This system must ensure that on-site capacity is never exceeded and provide the necessary data for accurate Traffic Demand Management (TDM) reporting.
	Friday Service	Friday Service: The facility shall continue to offer only one Friday Jumu'ah service session. Returning to the previous three-session model is strictly prohibited.

From: Kim Ratcliff <[REDACTED]>
Sent: Tuesday, May 12, 2026 7:35 AM
To: Gabrielle Whelan <GWhelan@losgatosca.gov>
Subject: Religious Institutions Infrastructure Study + mosque comparison

Dear Gabrielle,

Per our conversation yesterday, we hit on an important point about other LG religious institutions: they simply don't have the intensity and density that WVMA has. You said that they don't have that many people coming which is true. That reality coupled with WVMA's severe parking deficit and 1,000% increase in traffic (per Stump) over the previous Jehovah's Witness facility seems like super important data when considering RLUIPA. WVMA is a new, unique model that previous CUP's have not had to address and we hope that will be taken into consideration.

Attached is the study.

Bay Area Residential Zone

Feature	WVMA (Los Gatos)	Masjid Al-Noor	Evergreen (EIC)	Yaseen (Belmont)	SBIA (Downtown)
Address	16769 Farley Rd	1755 Catherine St	2486 Ruby Ave	621 Masonic Way	325 N 3rd St
Hours	8am - 10pm	5:40am - 9:30pm	~5:40am - 10pm	~4:30am - 11pm	~6am - 10pm
Zone	R-1:8 (Single-Family)	R1-6L(Single-Family)	R-1-8(Single-Family)	R-2 (Duplex/Multi)	R-M (Multi-Family)
Street Classification	Local Residential	Local Residential	Collector Road	Residential/Industrial	Urban Residential
Infrastructure Strain	Middle of a residential block. No sidewalks, street lights, stop signs.	With sidewalks, street lights, stop signs.	Ruby is a collector road with cross street Tully Road that is an arterial road.	Masonic is a multi-lane collector road, functions as a transition road from residential to commercial zone	High-capacity urban roadway designed for density and frequent turnover.]

Thanks,
Kim

Date: March 30, 2026

To: Town of Los Gatos Planning Commission

From: Christine Kerst, member of Farley Road Neighborhood Coalition

Subject: Analysis of Institutional Intensity vs. Residential Infrastructure (Farley Road Corridor)

To the Honorable Members of the Commission,

I am submitting the attached comparative analysis of the operational scale of religious institutions within R-1 (Single-Family Residential) zones in Los Gatos and Monte Sereno. I respectfully request that the Commission consider these findings when evaluating any modifications to the Conditional Use Permit or operational hours for the WVMA site.

The purpose of this analysis is to assess whether the current and proposed intensity of use at 16769 Farley Road is consistent with the surrounding neighborhood character and existing infrastructure. The findings indicate that the scale of activity has reached a level that is not well aligned with those conditions.

This analysis was conducted following the March 25, 2026 Planning Commission meeting, during which the Farley Road site was compared to other institutions located in R-1 zones. All data used in this report is drawn from publicly available sources.

The report includes an “Impact Score” to evaluate the six sites analyzed. This score is intended to measure how the intensity of use at each location relates to the capacity of its surrounding environment. In this context, a lower score reflects a greater imbalance between use and infrastructure. The Farley Road site received a score of 2 out of 10, the lowest among the sites reviewed.

While the Town’s General Plan allows quasi-public assembly uses in residential zones through Conditional Use Permits, such uses rely on the assumption that surrounding infrastructure can safely accommodate associated traffic, lighting, and noise. As reflected in the data, Farley Road remains a semi-rural residential street. Unlike other institutions located on fully improved collector streets—such as Los Gatos Boulevard or Daves Avenue—Farley Road lacks key safety features, including sidewalks, centerline striping, and adequate street lighting, which are typically necessary to support higher-intensity and evening uses.

Farley Road Institutional Impact Study

An Analysis of Infrastructure vs. Intensity

Prepared for: Town of Los Gatos Planning Commission
Date: March 30, 2026

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Infrastructure Compatibility Scoring Rubric

Infrastructure Compatibility Scoring Rubric

This rubric assesses the suitability of a residential street to support high-intensity (1,000+ person) assembly.

Category	High Score (8-10)	Medium Score (4-7)	Low Score (1-3)
Pedestrian Safety	Continuous sidewalks on both sides; ADA-compliant curbs/gutters.	Intermittent sidewalks; some pedestrian separation from traffic.	No sidewalks; pedestrians must walk in the active roadway.
Roadway Geometry	40ft+ width; clear double-yellow striping; dedicated turn lanes.	34-38ft width; some striping; standard residential collector.	~30ft width; no center-line striping; "rural" lane profile.
Emergency Access	Clear 20ft+ travel way even with on-street parking.	Standard access; limited bottlenecks during peak.	Shoulder parking narrows road below Fire Code "clear" minimums.
Environmental Mitigation	High ambient street lighting; commercial/buffer zones for homes.	Standard residential lighting; moderate setback from homes.	Low-light "rural" profile; headlights sweep directly into home windows.

Rubric Application: Farley Road (WVMA)

Pedestrian Safety: 1/10 (No sidewalks).

Roadway Geometry: 2/10 (30ft width with no striping is insufficient for 180-car surges).

Emergency Access: 3/10 (Peak-hour congestion on narrow lanes risks Fire/EMS delays).

Environmental Mitigation: 2/10 (Low-light area makes vehicle headlights significantly more intrusive).

Final Weighted Average: 2/10

Institutional Infrastructure and Parking Analysis

Institution	Impact Score	Fronting Street	Max Capacity	Parking Spots	Parking Capacity Utilization	Sidewalks	Street Lighting	Striping	Street Width
WVMA	2 / 10	Farley Rd	1,217	180	169%	0%	Limited	None	~30 ft
Calvary Church	10 / 10	LG Blvd	1,680	467	90%	100%	High	Arterial	~80 ft
First Baptist	7 / 10	Daves Ave	250	65	96%	50%	Standard	Dbl Yellow	~40 ft
UU Fellowship	5 / 10	Old Blossom Hill	100	21	119%	20%	Standard	None	~30 ft
Faith Lutheran	9 / 10	Ferris Ave	200	55	91%	100%	Full	None	~34 ft
Venture Christian	4 / 10	Hicks Rd	2,500	600*	104%	0%	Limited	Dbl Yellow	~36 ft

* Venture Christian reports "over 600 parking spots." Calculation assumes 600 spots.

Column F: Formula for Parking Capacity Utilization (%) = (Total number of members/4 People Per Vehicle/Total Parking Spaces) x 100.

Assumes 4 passengers per vehicle.

Column G: Percentage of street that have sidewalks.

Summary of Findings: Institutional Impact Analysis

1. Infrastructure Deficit (The "Sidewalk Gap")

A comparison of local worship centers reveals a significant disparity in pedestrian safety.

- **The Standard:** Institutions like **Faith Lutheran (Ferris Ave)** operate on streets with full urban improvements: curbs, gutters, and sidewalks on both sides.
- **The Farley Gap:** Farley Road features **0% sidewalk connectivity**. This forces parishioners and residents alike into the paved roadway. In a residential R-1 zone, the introduction of hundreds of vehicles into a "shared-use" roadway (cars and pedestrians in the same space) creates an inherent safety conflict not found at other local sites.

2. Visual & Lighting Discordance

- **Night-Time Sensitivity:** Because Farley Road is a low-density residential pocket with limited street lighting, it has a very low "ambient light floor."
- **Impact:** Vehicle headlights and site-access lighting from 100+ vehicles during evening or pre-dawn prayer cycles (specifically during Ramadan) create a "pulsing" light pollution effect. This is significantly more intrusive on an unimproved lane than it is on an arterial like **Los Gatos Blvd** or an improved collector like **Daves Ave**, where existing streetlights and traffic signals already set a higher ambient light level.

3. Roadway Geometry and Striping

- **Lack of Definition:** Most institutional sites in the 95032 area are fronted by roads with a Double-Yellow Center Line, which dictates traffic flow and speed.
- **Farley Road Constraints:** At approximately 30 feet wide and lacking a center line, Farley Road functions as a "minor residential" street. When peak-hour traffic occurs, the lack of striping leads to "road creep," where vehicles utilize the entire width of the pavement, endangering parked cars and residents.

4. Parking-to-Capacity Ratio

- **Operational Density:** The West Valley Muslim Association has a low parking-to-capacity ratio (180 spots for 1,217 people). This requires excessive street parking overflow, increasing on-site intensity.
- **The Paradox:** Concentrating a large volume of vehicles onto a street that lacks the "geometry" (width and striping) of a collector street creates a bottleneck effect that is inconsistent with the R-1 zoning intent.

Conclusion

The data suggests that the WVMA site on Farley Road is operating at an **Arterial Intensity** on **Rural-Residential Infrastructure**.

Key Observations: Infrastructure and Safety Analysis

1. The "Sidewalk Gap" and Pedestrian Risk

The data reveals a critical safety disparity. While institutions like **Faith Lutheran (Ferris Ave)** operate on streets with 100% sidewalk coverage, **Farley Road has 0% sidewalk connectivity**. This requires all foot traffic—including parishioners and neighborhood children using the "Safe Route to School" for Fisher Middle School—to share the active roadway with vehicle surge traffic.

2. Incompatibility of Roadway Geometry

Most high-capacity institutions in the 95032 area are fronted by roads with a double-yellow center line and widths of 36–80 feet. Farley Road is a narrow (~30 ft) residential lane with no striping. This geometry is insufficient to handle the "surge flow" of 180 vehicles exiting a single lot simultaneously, creating a bottleneck that can impede emergency vehicle access (Fire/EMS). This *does not account for overflow parking on neighborhood streets*, which further constrains roadway capacity.

3. Environmental Nuisance and Ambient Light Floor

Farley Road is a low-density residential pocket with a "rural" light profile. Unlike institutions on commercial-adjacent lots like **Calvary Church**, the Farley Road site lacks high-intensity street lighting to buffer the impact of vehicle headlights. During late-night or pre-dawn services, headlights "sweep" directly into the windows of the **12 directly fronting homes to create a significant visual nuisance**.

4. Operational Density vs. Neighborhood Character

The **Impact Score of 2/10** for 16769 Farley Rd reflects a "concentrated intensity" paradox. The ability to park 180 cars on-site actually increases the impact on the neighborhood, as it funnels a massive volume of traffic onto an unimproved, narrow residential road in a very short window of time. Again, this does not take into account the overflow parking on neighborhood streets.

Institutional Infrastructure and Parking Analysis: Impact Scoring Methodology

The **Impact Score** (also referred to as a **Safety or Infrastructure Compatibility Score**) is a weighted metric designed to quantify how well a street's physical infrastructure supports the intensity of the institution sitting on it.

In this model, the score is calculated on a scale of **1 to 10**, where **10** represents a "Perfect Match" (infrastructure fully supports the use) and **1** represents a "Severe Mismatch" (high-intensity use on a low-capacity street).

How the Score is Calculated

The score is derived from three primary categories, each weighted by its importance to neighborhood safety and character:

1. Pedestrian Safety (33.3% of Score)

This is a critical factor.

- **High Score (9–10):** Continuous sidewalks on both sides of the street, protected curbs, and gutters (e.g., **Faith Lutheran**).
- **Low Score (1–3):** Zero sidewalks, requiring pedestrians and surge traffic to share the same narrow pavement (e.g., **WVMA/Farley Rd**).

2. Roadway Geometry & Flow (50% of Score)

This measures the street's ability to handle "surge" traffic (cars arriving/leaving all at once).

- **High Score:** Wide lanes (40ft+), clear double-yellow striping, and dedicated turn lanes or bike lanes (e.g., **First Baptist/Daves Ave**).
- **Low Score:** Narrow lanes (~30ft), no center-line striping, and informal shoulder parking that restricts emergency vehicle access (e.g., **Farley Rd**).

3. Environmental Mitigation (16.7% of Score)

This assesses the "nuisance" factors like light and noise.

- **High Score:** Modern street lighting that creates a high "ambient floor," and commercial buffers that protect residential windows from headlight sweeps (e.g., **Calvary Church**).
- **Low Score:** "Rural" light profiles where every car headlight is a significant intrusion into neighboring homes due to the lack of existing streetlights.

Score Analysis: Why the Farley Road Score is a "2"

While the **WVMA** has a modern parking lot, the "Impact Score" looks at the Street Interface. Because Farley Road has no sidewalks, no striping, and high residential headlight intrusion, it receives a low score. This score **does not take into account** overflow parking on neighborhood streets needed to accommodate WVMA's 1,217 members.

The WVMA building is high-intensity, but the road it sits on is low-intensity. This is an infrastructure mismatch.

All information in this report was obtained via publicly reported information available on the internet. The findings included here assume the information provided via these records and reports is accurate and factual.

From: Mary Hogan <[REDACTED]>

Sent: Monday, May 11, 2026 9:06 PM

To: Planning <Planning@losgatosca.gov>; Jocelyn Shoopman <jshoopman@losgatosca.gov>; Gabrielle Whelan <GWhelan@losgatosca.gov>; Joel Paulson <jpaulson@losgatosca.gov>; Sean Mullin <SMullin@losgatosca.gov>

Subject: Reply to applicant concern on modification request of CUP U-20-001

Dear Planning Commission,

I am writing to address a concern raised by the applicant, West Valley Muslim Association (WVMA), in the agenda packet for the Town of Los Gatos Planning Commission meeting scheduled for Wednesday, May 13, 2026.

The proposed condition requiring an annual review is appropriate and necessary given the documented pattern of violations and neighborhood impacts over the past three years. As reflected in the record, there have been numerous reported infractions and neighbor complaints, including 34 submitted violations involving noncompliance with Town ordinances. The applicant has previously acknowledged to a neighbor that rules were knowingly broken (see neighbor's public remarks from the 3/25 meeting at 3:59. He said. *"When I spoke with [applicant] Razi [Mohiuddin]...the very first time I talked to him my concern was the hours and he willingly admitted that they [West Valley Muslim Association] willingly admitted that they disregard the time limit. He had no intention to stop that. I reported this in an email to Jocelyn [Shoopman] in 2024 and I'm disappointed that the Town of Los Gatos has not enforced this."*) Despite the repeated nature of these violations, there has been little to no meaningful corrective action, enforcement, or accountability imposed by the Town, compliance officers, or law enforcement. As a result, residents have had limited confidence that complaints submitted to the Town are being effectively addressed.

In particular, many of the most significant issues occur during evening hours, especially during Ramadan, when there appears to be insufficient reporting and enforcement capacity available after 6:00 p.m. Until the Town establishes a reliable and responsive process for receiving complaints, conducting timely compliance reviews, and enforcing applicable conditions and ordinances, a yearly annual review remains necessary to help ensure ongoing compliance and accountability.

Thank you for your consideration,

Mary Hogan

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Mary Hogan

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From: Farley Road Neighborhood Coalition <[REDACTED]>

Sent: Monday, May 11, 2026 7:31 PM

To: Jocelyn Shoopman <jshoopman@losgatosca.gov>; Alexa Nolder <ANolder@losgatosca.gov>; Planning <Planning@losgatosca.gov>; Chris Constantin <CConstantin@losgatosca.gov>; Gabrielle Whelan <GWhelan@losgatosca.gov>

Cc: Allen Meyer <AMeyer@losgatosca.gov>; Sean Mullin <SMullin@losgatosca.gov>; Joel Paulson <jpaulson@losgatosca.gov>; Town Manager <Manager@losgatosca.gov>

Subject: Opposition to WVMA's Objections Regarding CUP U-24-010

Dear Planning Commission,

We are writing to formally oppose the objections raised by the West Valley Muslim Association (WVMA) regarding the Draft Conditions of Approval for Application U-24-010. While the applicant suggests these conditions are unprecedented and discriminatory under RLUIPA, a review of Town precedent and the applicant's own financial capacity proves otherwise. Under the RLUIPA framework, the Commission's proposal should be upheld based on the following:

1. Consistency with Local Precedents (Equal Terms)

A central theme of WVMA's objection is the claim that they are being subjected to unique, discriminatory monitoring. This is factually incorrect. As an example, the applicant specifically objects to the Annual Compliance Review, yet this is a standard administrative tool used by the Town for high-intensity uses in residential zones.

The CUPs for Hillbrook School (Los Gatos), the MCA (Santa Clara), and the Islamic Association of Immigrants (Hayward) all contain similar compliance review requirements. By maintaining this condition, the Town is not "singling out" the WVMA; it is applying the same level of oversight it has historically required from other institutions to ensure neighborhood compatibility.

2. Rebuttal of "Substantial Financial Burden"

The applicant argues that the \$1 million cost for parking lot repairs and site mitigations is a "tremendous expense" that burdens their religious exercise. However, in Exhibit C Neighborhood Outreach, WVMA committed to the Town that they would address root damage and refinish the parking lot. Additionally, WVMA's own internal communications to their community (dated May 8, 2026) tells a different financial story:

- **Expansion Capacity:** The WVMA has entered into a purchase agreement for a second facility at 20125 Bolinger Road, Cupertino, for \$16.5 million.
- **Liquidity:** The WVMA states they are contributing \$8 million from their own Building, Endowment, and Operations Funds toward this purchase and plan to spend an additional \$500,000 on immediate improvements.

- **Generational Assets:** They describe their financial position as strong enough to acquire what they call a "generational asset."

An organization with \$8 million in liquid reserves and the capacity to lead a \$17 million acquisition cannot legally claim that a \$1 million safety and noise mitigation requirement at their Los Gatos site—repairs necessitated by their own request for increased intensity—is a "substantial burden." Under RLUIPA, financial costs that are within an organization's means to pay as a "cost of doing business" do not constitute a violation.

3. Compelling Government Interest & Neighborhood Impact

The Town has a compelling interest in protecting the safety and health of its residents. The current intensity of operations already causes significant sleep disruption and safety concerns for residents. The proposed conditions are the least restrictive means to balance the WVMA's desire for expansion of use with the neighborhood's right to peace and safety. Removing these mitigations would shift the "substantial burden" entirely onto the residents, effectively rendering their homes unlivable.

Conclusion

The 38 conditions represent a fair, legal, and precedented compromise. I urge the Planning Commission to reject the applicant's request to strip these essential protections and to finalize the CUP with all conditions intact.

Sincerely,

FRNC

From: Farley Road Neighborhood Coalition <[REDACTED]>

Sent: Monday, May 11, 2026 8:38 AM

To: Jocelyn Shoopman <jshoopman@losgatosca.gov>; Alexa Nolder <ANolder@losgatosca.gov>; Planning <Planning@losgatosca.gov>; Chris Constantin <CConstantin@losgatosca.gov>; Gabrielle Whelan <GWhelan@losgatosca.gov>

Cc: Allen Meyer <AMeyer@losgatosca.gov>; Sean Mullin <SMullin@losgatosca.gov>; Joel Paulson <jpaulson@losgatosca.gov>; Town Manager <Manager@losgatosca.gov>

Subject: Re: Evidence of Noise Impact at WVMA – Request for CUP Prohibition of Outdoor Amplified Sound

Hello,

Sharing 3 additional CUPs for reference:

1. CUP U-16-002 [Bar Method Fitness Studio](#) 40 conditions
2. CUP U-02-04 [Los Gatos Christian Church](#) 36 conditions
3. CUP-U-15-015 [Kumon Learning Center](#) 34 conditions

On Thu, May 7, 2026 at 2:53 PM Farley Road Neighborhood Coalition <[REDACTED]> wrote:

Dear Planning Commissioners,

As you consider the Conditional Use Permit (CUP) for the West Valley Muslim Association (WVMA), I am submitting the [enclosed video evidence](#) to document the real-world impact that outdoor events at this site have on our residential neighborhood.

This recording provides a clear "before and after" comparison of how sound travels from the property:

- 0:00 – 01:44: Chanting begins. Even without speakers, the sound is already clearly audible from neighboring residential properties.
- 01:45 – End: Amplification is turned on. At this point, there is a significant and jarring increase in both volume and reach, illustrating how quickly a ceremony becomes an intrusive neighborhood disturbance.

Our neighborhood was not designed for this level of intensity. This video demonstrates that even moderate outdoor activity is audible, and once amplified, it becomes overwhelming. We have found that "light" restrictions or self-monitoring are ineffective at protecting the peace and quiet of our homes.

Even the applicant himself told you "all of our prayer services are held indoors, with no amplified outdoor sound." (WVMA CUP summary, 3/24/26.) So this condition should not be burdensome.

We respectfully urge the Planning Commission to include a clear and enforceable Condition of Approval (CUP) that strictly prohibits outdoor amplified sound. Relying on anything less would fail to preserve the residential character of this community.

Thank you for your commitment to maintaining the balance between facility use and neighborhood livability.

Sincerely,

FRNC