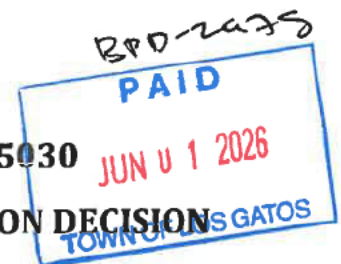


FILING FEES
\$538.00 (PLAPPEAL) Residential
\$2,161.00 (PLAPPEAL), per
Commercial, Multi-family, or
Tentative Map Appeal
TRANSCRIPTION \$500 (PLTRANS)

Town of Los Gatos
Office of the Town Clerk
110 E. Main St., Los Gatos CA 95030

APPEAL OF PLANNING COMMISSION DECISION

I, the undersigned, do hereby appeal a decision of the Planning Commission as follows: (PLEASE TYPE OR PRINT NEATLY)



RECEIVED
TOWN OF LOS GATOS

JUN 01 2026

CLERK DEPARTMENT

DATE OF PLANNING COMMISSION DECISION: 05/21/2026

PROJECT / APPLICATION NO: Conditional Use Permit, U-24-010 WVMA Property Zoned R-1:8 APN 424-21-062

ADDRESS LOCATION: 16769 Farley Road Los Gatos, CA 95032

Pursuant to the Town Code, any interested person as defined in Section 29.10.020 may appeal to the Council any decision of the Planning Commission.

Interested person means:

1. *Residential projects.* Any person or persons or entity or entities who own property or reside within 1,000 feet of a property for which a decision has been rendered, and can demonstrate that their property will be injured by the decision.
2. *Non-residential and mixed-use projects.* Any person or persons or entity or entities who can demonstrate that their property will be injured by the decision.

Section 29.20.275 The notice of appeal shall state specifically wherein it is claimed there was an error or abuse of discretion by the Commission or wherein its decision is not supported by substantial evidence in the record.

1. There was an error or abuse of discretion by the Planning Commission:

(Detail Attached) THE PLANNING COMMISSION ABUSED ITS DISCRETION BECAUSE IT FAILED TO FOLLOW 2020 GENERAL PLAN, TOWN CODE AND POLICIES IN APPROVING A PROJECT THAT WILL CAUSE:

SUBSTANTIAL HARM AND RESULT IN A SIGNIFICANTLY IMPAIRED RESIDENTIAL ENVIRONMENT AND SUBSTANTIALLY DIMINISHED HEALTH, SAFETY AND GENERAL WELFARE FOR NEIGHBORHOOD RESIDENTS. ; OR

2. The Planning Commission's decision is not supported by substantial evidence in the record:

(Detail Attached) THE PLANNING COMMISSION'S DECISION IS NOT SUPPORTED BY DATA AS THE EVIDENCE IN RECORD IS NOT REPRESENTATIVE OF THE APPROVED CONDITIONS DUE TO:

THERE IS NO INFORMATION OR DATA PROVIDED FOR PEAK TIMES, ADDITIONAL EVENTS OR ACTUAL DATES DURING RAMADAN.

IF MORE SPACE IS NEEDED, PLEASE ATTACH ADDITIONAL SHEETS.

IMPORTANT:

1. **Appellant is responsible for fees for transcription of minutes. A \$500.00 deposit is required at the time of filing.**
2. Appeal must be filed within ten (10) calendar days of Planning Commission Decision accompanied by the required filing fee. Deadline is 4:00 p.m. on the 10th day following the decision. If the 10th day is a Friday, the appeal must be filed by 1:00 P.M. If the 10th day a Saturday, Sunday, or Town holiday, then it may be filed on the workday immediately following the 10th day, usually a Monday.
3. The Town Clerk will set the hearing within 56 days of the date of the Planning Commission Decision (Town Ordinance No. 1967).
4. Once filed, the appeal will be heard by the Town Council.
5. **If the basis for granting the appeal is, in whole or in part, information not presented to or considered by the Planning Commission, the matter shall be returned to the Planning Commission**

PRINT NAME: Farley Road Neighborhood Coalition

SIGNATURE: [Redacted Signature]

DATE: June 1, 2026

ADDRESS: [Redacted Address]

PHONE: [Redacted Phone]

EMAIL: [Redacted Email]

***** OFFICIAL USE ONLY *****

DATE OF PUBLIC HEARING: _____

Pending Planning Department Confirmation

DATE TO SEND PUBLICATION: _____

DATE OF PUBLICATION: _____

DATE OF PLANNING COMMISSION DECISION: 05/21/2026

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1. There was an error or abuse of discretion by the Planning Commission: The Planning Commission abused its administrative discretion by approving expanded operational hours based on limited, flawed, myopic, applicant-funded data snapshots without evaluating the property's historical operational baseline or prior entitlements. The applicant previously sought and obtained approval for operational hours in 2020. Because the applicant's underlying fundamental religious practices have remained substantially unchanged, the 2020 application established the appropriate baseline for evaluating operational needs and set operational precedent.

By permitting additional early-morning and late-night operating hours through the current CUP Modification, without requiring a comprehensive analysis of why those hours were not requested, evaluated, or conditioned in 2020, the Commission effectively authorized a piecemeal expansion of use without any corresponding data representative of the expansion. This decision constitutes an error in the application of zoning and land use standards and fails to adequately protect the surrounding residential neighborhood from increased operational impacts.

2. The Planning Commission's decision is not supported by substantial evidence in the record: The Planning Commission's decision is not supported by substantial evidence in the record due to the Town relying on short-term, random traffic, noise, and operational studies funded by the applicant. These studies do not objectively represent actual peak-use conditions or real-world impacts, and therefore do not provide a reliable basis or substantial evidence for evaluating the impacts of the requested operational expansion.

Independent studies should have been conducted during the facility's highest-intensity periods, including peak morning and evening hours, Ramadan (30 days) inclusive of the peak days/nights in that month, Friday prayer services, and events when traffic, parking demand, noise, light pollution and neighborhood disruption are most likely to occur.

Additionally, the record demonstrates that the requested expansion extends beyond the operational parameters previously represented as necessary. In its April 29, 2025 Letter of Justification (Exhibit 5), the applicant requested authorization of the following specific baselines:

Current Language: Maximum hours of operation shall not extend past 10:00 p.m., except for 30 days during religious services for the month of Ramadan, which shall not extend past 11:00 p.m.

Requested Modification: Maximum hours of operation shall not begin prior to 1.5 hours before sunrise, or extend past 10:30 p.m., except for 30 days during Ramadan until 11:30 p.m. (when sunset is prior to 7:30 p.m.) or until 12:00 a.m. (when sunset is after 7:30 p.m.).

Crucially, the applicant is now also requesting an additional 30-minute "vacate and dispersal window" to allow vehicles to exit the parking lot **after the cutoff times**.

Collectively, these changes increase the duration and intensity of activity on the site beyond the previously approved limits and exceed beyond the applicant's letter of justification.

Because the record lacks independent, objective evidence evaluating the cumulative impacts of these expanded operational hours and associated vehicle dispersal periods during peak-use conditions, the findings supporting approval are not available as substantial evidence.