



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 05/28/2025

ITEM NO: 1

**DRAFT
MINUTES OF THE PLANNING COMMISSION MEETING
MAY 28, 2025**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, May 28, 2025, at 7:00 p.m.

MEETING CALLED TO ORDER AT 7:00 PM

ROLL CALL

Present: Chair Emily Thomas, Vice Chair Kendra Burch, Commissioner Jeffrey Barnett, Commissioner Susan Burnett, Commissioner Joseph Sordi, Commissioner Rob Stump

Absent: Commissioner Steve Raspe

PLEDGE OF ALLEGIANCE

VERBAL COMMUNICATIONS

None.

CONSENT ITEMS (TO BE ACTED UPON BY A SINGLE MOTION)

1. Approval of Minutes – May 14, 2025

MOTION: **Motion by Commissioner Stump** to approve adoption of the Consent Calendar. **Seconded by Vice Chair Burch.**

VOTE: **Motion passed unanimously.**

PUBLIC HEARINGS

2. 10 Charles Street

Fence Height Exception Application FHE-23-001

APN 532-36-022

Property Owner/Applicant/Appellant: Firouz Pradhan

Project Planner: Sean Mullin

Consider an Appeal of a Community Development Director Decision to deny a Fence Exception Request for an existing fence partially located in the Town's right-of-way and

exceeding the height limitations within the required front yard and street-side yard setbacks on property zoned R-1D. Categorically exempt pursuant to CEQA Guidelines Section 15303: New Construction or Conversion of Small Structures.

Sean Mullin, Planning Manager, presented the staff report.

Opened Public Comment.

Firouz Pradhan, Appellant

On March 12th the Planning Commission unanimously voted to direct me to go back and try to work with staff and neighbors to find a workable solution to address the visibility and safety concerns. I had several discussions with my neighbor Michelle Huntley and she was extremely supportive and we came up with a workable solution. I have had discussions with Jenna on Charles Street and she wasn't even aware there was a problem with respect to visibility. The solution we recommended is pushing the fence back by 3 feet, 9 inches, and clipping the corners to significantly enhance the visibility, and Jenna said this solves the problem. I got the same response from Douglas Olcott, Saeed Nejad, and Kent, except in Kent's case there was no follow-up letter as was the case with the other neighbors who all submitted letters to the Town expressing their support. Another neighbor, Kevin Chesney, was initially not comfortable at all with the solution and said he would raise an objection. I tried to reach out to Matt Daily, but was not able to reach him until this morning. Gary Heap, Town Engineer, said he would not support our solution and wants us to do a 30-foot triangle from face-of-curb at Los Gatos Boulevard to face-of-curb at Charles Street, which we did and it solved the problem. Three days later I received a letter from Mr. Heap saying he had been mistaken and that the 30 feet has to be measured from the property corner and not from the curb corner. I met with town staff and there is no way we could do what the code requires. I urge the Planning Commission to allow us to use the solution we arrived at with Gary Heap.

Kevin Chesney

I reside at 2 Charles Street, adjacent to the subject property. I urge the Commission to deny this fence exception, because it poses a real risk to pedestrian safety and undermines the community standards. In his addendum the applicant asserts that all neighbors support the proposed fence, with the exception of me, but this is inaccurate. Other neighbors like Matthew Daily and Ken Anderson have also expressed concerns. The fence encroaches into the Town's right-of-way, exceeds height limits, and violates visibility standards. The intersection is traveled daily by children on foot and bikes and they should not have to navigate a blind corner caused by a noncompliant fence. Granting this appeal would send that message that safety regulations are flexible and it is acceptable to build first and seek forgiveness later. I urge the Commission to support staff's recommendation and deny this appeal.

Michelle Huntley

I live at 263 Los Gatos Boulevard. The only issue is whether this is safe or not safe. The new proposal of moving the fence back and angling the corners would help me, but I can't

speak for the people on the Charles Street side. I don't know if this fence would be safe or not. It is a big improvement from my side, but the Charles Street side has a lot more traffic. I ask that whatever is decided, be very specific and include future protections, because we have had agreements in the past and things have not turned out as discussed. It must be decided if this fence is safe or not, because that is all that matters.

Doug Olcott

I live at 300 Charles Street. I wrote a second letter in support of the changes to the fence, moving the fence back from Los Gatos Boulevard and clipping the corner. I also recommended another minor change, to put reflectors on that fence, because I have driven into Charles Street from the intersection on Los Gatos Boulevard at night and have hit the curb there, which cannot be seen well at night. The Town has not put up any lights or reflectors on that corner. I have suggested to the applicant that he put reflectors on his fence and he has agreed to do that.

Saeed Nejad

I live on Charles Street. I regret having this dispute regarding the fence, because it seems strange to have a very nice home, and yet we are still disputing over the fence. Both options that I looked at, A and B, do provide good visibility. The visibility actually increases, and if a vehicle stops at the stop sign, they can easily see both sides, but as far as the code and regulations are concerned, it is up to the experts on the Planning Commission. As far as I am concerned, I think safety is manageable.

Firouz Pradhan, Appellant

In January 2023, Public Works sent an email to Planning saying Engineering supports this exception, and because of the width of the sidewalk and planter strip it provides the space for the driveway turning into Los Gatos Boulevard; therefore, it is my opinion that the height and open design of the proposed fence does not create a safety hazard. As recently as May 8th the same Public Works and Engineering looked at the triangle and said this definitely solves the visibility problem and they would support the fence exception. Mr. Olcott acknowledged and sent a letter to the Town saying the presence of the current fence in the right-of-way and following the direction of the curb provides more visibility while entering Charles Street, thereby reducing the risk factor. The other issue is Matt Daily and an accident, an issue that was exaggerated. I reached out to Mr. Daily this morning and had a long conversation with him. He said the accident occurred when there was a 6-foot opaque construction fence that wrapped around the property completely, and the police determined the accident was not his fault, but the fault of the other driver. There was another letter that said we changed the address from Los Gatos Boulevard to 10 Charles Street, and that is completely false. My request is to follow the 30'x30' triangle worked out in one of the exhibits with the Public Works staff. I can lower the fence to 3 feet in that triangle, get all the bushes and trees we planted out and have no plants more than 3 feet, and I am confident that would solve the problem.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Barnett** to deny the appeal of a Community Development Director decision to deny a Fence Exception Request for 10 Charles Street. **Seconded by Commissioner Burnett.**

VOTE: **Motion passed 5-1 with Chair Thomas dissenting.**

3. Fire Hazard Severity Zones Map

General Plan Amendment Application GP-25-01

Town Code Amendment A-25-03

Applicant: Town of Los Gatos

Project Location: Town Wide.

Consider making a recommendation to the Town Council to approve the Fire Hazard Severity Zones Map Ordinance and Resolution to comply with the State Government Code Section 51178 and an Amendment to the General Plan Hazards and Safety Element to incorporate the Fire Hazard Severity Zones Map. Adoption of this ordinance and resolution is exempt pursuant to CEQA, Section 15268, in that it is required by the State.

Chief Hector Estada, Santa Clara County Fire, provided a presentation.

Opened Public Comment.

There were no comments from the public.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Vice Chair Burch** to forward a recommendation to the Town Council to approve the Fire Hazard Severity Zones Map Ordinance and Resolution to comply with State Government Code Section 51178 and an amendment of the General Plan Hazards and Safety Element to incorporate the Fire Hazard Severity Zones Map. **Seconded by Commissioner Stump.**

VOTE: **Motion passed unanimously.**

REPORT FROM THE COMMUNITY DEVELOPMENT DEPARTMENT

Joel Paulson, Director of Community Development

- Town Council met on May 27, 2025, and approved the Dio Dekka project at 143-151 East Main Street.
- Town Council will meet June 3, 2025, in a special meeting to consider the Genuine Automotive project at 15349 Los Gatos Boulevard.

SUBCOMMITTEE REPORTS/COMMISSION MATTERS

Historic Preservation Committee

Commissioner Burnett

- HPC met on May 28, 2025, and considered eight items:
 - o Two homes requesting to be removed from the Historic Inventory, but the HPC recommended they be kept in the inventory.
 - o An additional home also requested to be removed from the Historic Inventory and the HPC recommended the home be removed.
 - o Two homes for approval of exterior alterations. The HPC recommended both for approval.
 - o One home came for a preliminary review before submitting an application.

ADJOURNMENT

The meeting adjourned at 8:58 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the May 28, 2025 meeting as approved by the Planning Commission.

/s/ Vicki Blandin

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