



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 04/23/2025

ITEM NO: 3

DESK ITEM

DATE: April 23, 2025
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: 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. **Located at 10 Charles Street.** APN 532-36-022. Categorically Exempt Pursuant to CEQA Guidelines Section 15303: New Construction or Conversion of Small Structures. Fence Height Exception Application FHE-23-001. Property Owner/Applicant/Appellant: Firouz Pradhan. Project Planner: Sean Mullin.

REMARKS:

Exhibit 13 includes comments received from the applicant.

Exhibit 14 includes public comments received between 11:01 a.m., Tuesday, April 22, 2025, and 11:00 a.m., Wednesday, April 23, 2025.

EXHIBITS:

Exhibits previously received with the April 22, 2025, Addendum Report:

12. Public Comments received between 11:01 a.m., Friday, April 18, 2025, and 11:00 a.m., Tuesday, April 22, 2025

Exhibit received with this Desk Item Report:

2. 13. Comments received from the applicant
14. Public Comments received between 11:01 a.m., Tuesday, April 22, 2025, and 11:00 a.m., Wednesday, April 23, 2025

PREPARED BY: Erin M. Walters
Senior Planner

Reviewed by: Community Development Director

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From: Firoz Pradhan [REDACTED]
Sent: Tuesday, April 22, 2025 11:34 PM
To: Joel Paulson <jpaulson@losgatosca.gov>
Cc: Alexa Nolder <ANolder@losgatosca.gov>; Sean Mullin <SMullin@losgatosca.gov>; Erin Walters <EWalters@losgatosca.gov>; Firoz Pradhan <[REDACTED]>
Subject: Planning Commission - Continuation of Hearing - 10 Charles St

[EXTERNAL SENDER]

Dear Joel.

As per our conversation earlier today, I would humbly request you to inform the Planning Commission of my prior communication to the Town regarding my unavailability to attend the Planning Commission hearing scheduled for tomorrow, both through an email to Sean Mullin on April 3rd, as well as in person on March 12th, immediately upon the Commission ordering a continuation. This was due to a longstanding family commitment, more specifically being that my son and his family are visiting our home tonight - for a week-long stay - for the first time since the passing away of my wife.

As the Planning Commission is aware, during last month's hearing, the Commission recommended that I work collaboratively with the concerned neighbors and Town staff to develop a mutually agreeable mitigation plan. I have taken this recommendation very seriously, and reached out to the two neighbors who expressed the most concern during the previous meeting, and we are scheduled to meet next Thursday (May 1st) to discuss and finalize a mitigation plan that addresses their concerns while preserving the key elements of the safety & security, and to do so in consultation with the Planning Staff. The order entailed that we return to the Planning Commission with an established plan for their consent. I also understand that Staff shall recommend to the Planning Commission that Wednesday, May 28th be the date set up for this to occur.

I would also like you to assure the Commission that I remain fully committed to resolving this matter in a timely and constructive manner. I have no intention of delaying the process, and I am actively working with all stakeholders to arrive at a responsible solution.

I respectfully ask that no action be taken on my appeal in tomorrow's meeting in my absence, and that the Commission be made aware of both my scheduling conflict and my good faith efforts to comply with their guidance set forth in the last hearing.

Thank you for your attention to this matter, and for your continued support in helping bring this issue to a fair and collaborative resolution.

Warm regards,
Firoz Pradhan

10 Charles St

Los Gatos, CA 95032

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-----Original Message-----

From: Kent Anderson [REDACTED]
Sent: Tuesday, April 22, 2025 1:58 PM
To: Erin Walters <EWalters@losgatosca.gov>
Subject: 10 Charles St. Fence

[EXTERNAL SENDER]

Hi Erin,

I own [REDACTED] Los Gatos Blvd. (next door across Charles). I worked in a home office there. Once a month I would witness an accident on the corner. That fence has made it far worse. The road expands into 2 lanes there doubling the amount of traffic. Additionally the sidewalk is full of kids on their way to Van Meter Elementary and Fisher Middle School every morning and high school kids on the way home every afternoon.

I have talked and talked to Firoouz and nothing. He knows it should be 15' from the curb and 30' from the corner. It isn't even close to that. It's right up to the sidewalk and 1' from the curb.

Please be sure the fence is removed asap.

Thank You,

Kent Anderson

Enclosed is a copy of the letter I sent to Sean Mullins and Steve Raspe on the historical preservation committee

Kent Anderson
[REDACTED] Los Gatos Blvd.
Los Gatos, CA 95032

Steve Raspe
Historical Preservation Committee
110 E. Mian St.
Los Gatos, CA 95030

April 7, 2025

Dear Mr. Raspe,

I am writing to you concerning the fence built at 10 Charles St. I have had numerous conversations and meeting with Firoouz and my other neighbors discussing this. All the houses in this courtyard are upset about this.

I was shocked to hear it said there was no opposition to this. The house is really 268 Los Gatos Blvd. It was only recently changed to make it appear that it is not on the boulevard.

It represents a historic home on the entrance to our city. There is an ordinance that protects the sight lines of these homes in order to maintain the beauty of our town. Simply renaming the lots address does not do away with the set backs and sight lines that need to be preserved and enforced.

This particular fence is exceeding dangerous. As it is I have witnessed almost 1 accident a month right on that corner. There is a tremendous amount of traffic right there. The road expands into two lanes right inn from of the house and it is difficult to see both lanes before pulling into traffic.

This fence conceals the sidewalk entirely making it impossible to see a anyone coming on the sidewalk in that direction. Van Meter elementary in right down the street and Fisher is around the corner from that. We have hundreds of kids some on bikes and scooter that cross right there daily.

In the afternoon the high school kids zoom past there as well. This fence need to be removed to the 15' setback that is required and angled to 45% no closer that 30' at the corner it self. And bushes interfering with this sight line also need to be removed. There is no reason to allow this. I would be surprised if it does lead to a serious accident in the near future.

Sincerely,

Kent Anderson
cc. Sean Mullins