



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 05/28/2025

ITEM NO: 2

ADDENDUM

DATE: May 27, 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 20 includes public comments received between 11:01 a.m., Friday, May 23, 2025, and 11:00 a.m., Tuesday, May 27, 2025.

EXHIBITS:

Previously received with the March 12, 2025, Staff Report:

1. Location Map
2. Required Findings
3. Recommended Conditions of Approval if Appeal is Granted
4. Administrative Warning VL-22-578
5. Fence Height Exception Request – Letter of Justification
6. Email between Planning and Engineering staff
7. Annotated Site Plan Prepared by Staff
8. Fence Height Exception Denial Letter

PREPARED BY: Sean Mullin, AICP
Planning Manager

Reviewed by: Community Development Director

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SUBJECT: 10 Charles Street/FHE-23-001

DATE: May 27, 2025

- 9. Appeal of the Community Development Director Decision
- 10. Letter of Justification for Appeal
- 11. Traffic View Area Diagrams

Previously received with the April 23, 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

Previously received with the April 23, 2025, Desk Item Report:

- 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

Previously received with the May 28, 2025, Staff Report:

- 15. Modified Recommended Conditions of Approval
- 16. Regulated areas exhibit by staff
- 17. Applicant response letter, dated May 19, 2025
- 18. Applicant response letter, dated May 22, 2025
- 19. Public comments received between 11:01 a.m., Wednesday, April 23, 2025, and 11:00 a.m., Friday, May 23, 2025

Received with this Addendum Report:

- 20. Public comments received between 11:01 a.m., Friday, May 23, 2025, and 11:00 a.m., Tuesday, May 27, 2025

From: Saeed Malakooti [REDACTED]
Sent: Tuesday, May 27, 2025 10:16 AM
To: Sean Mullin <SMullin@losgatosca.gov>; [REDACTED]
Subject: 10 Charles St - Fence Issue

[EXTERNAL SENDER]

From: Saeed Nejad
[REDACTED]

To: Mr. Sean Mullin (Planning Manager)
Town of Los Gatos
110 E Main St.
Los Gatos, CA 95030

Dear Mr. Mullin,

I am writing this letter in reference to Mr. Firoz Pradhan, my neighbor residing at 10 Charles St. Los Gatos.

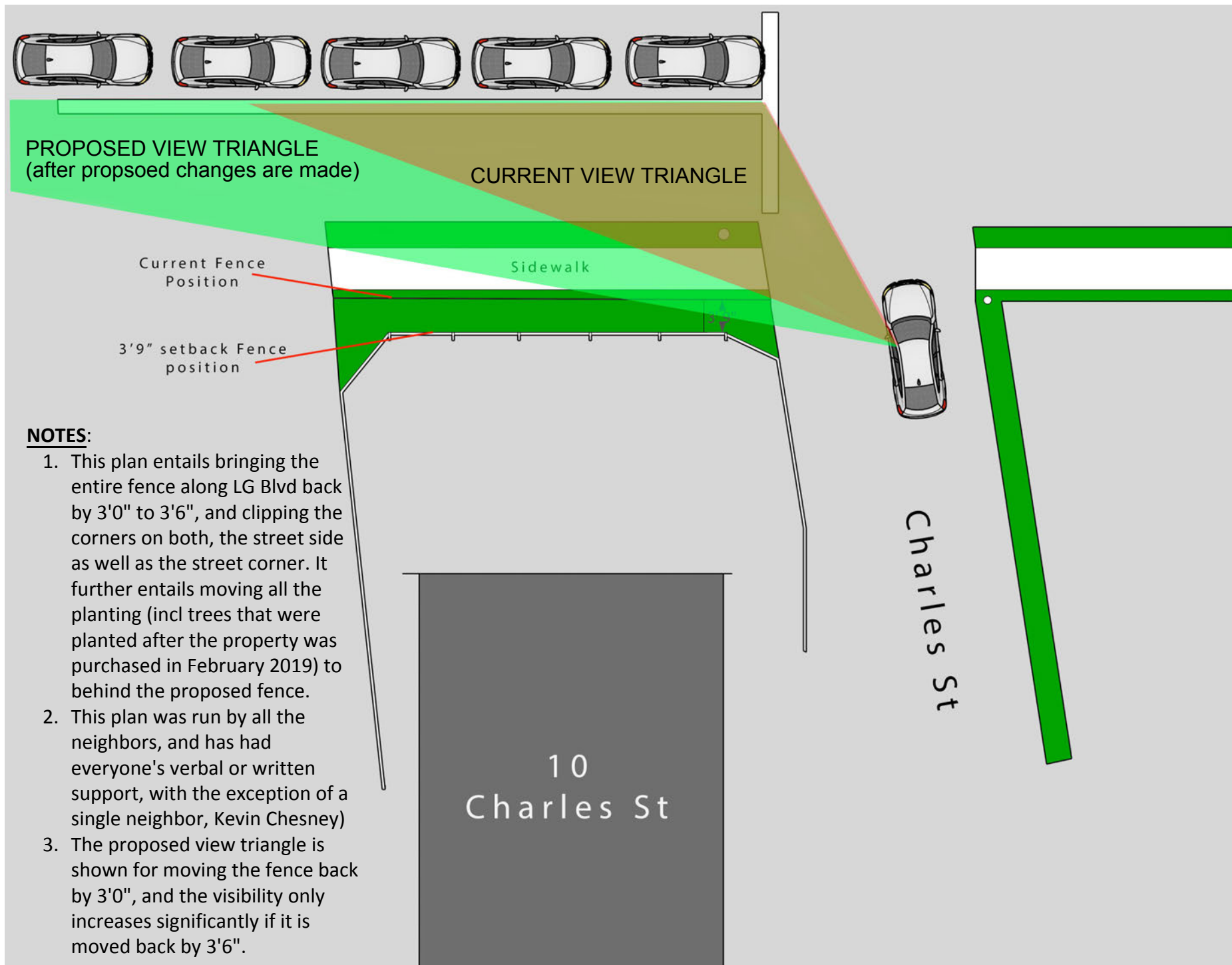
Although I have no issues with Mr. Pradhan's current fence position, after reviewing both Option A and Option B (as detailed in the attached drawings), it appears that visibility and safety could be significantly improved by implementing either option when entering or exiting Charles Street.

Furthermore, Mr. Pradhan has made a sincere effort to engage with all affected neighbors, addressing their concerns and seeking a workable solution.

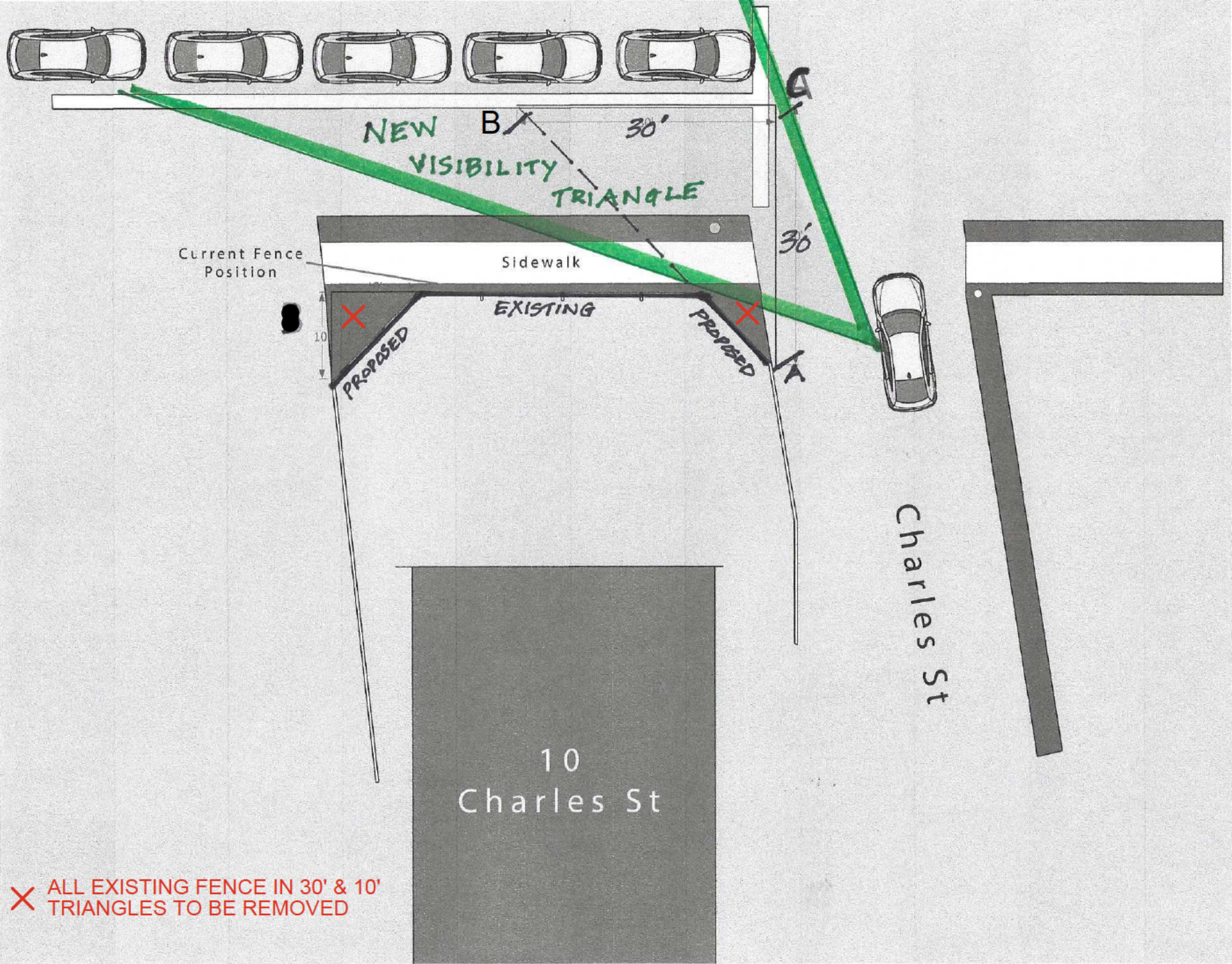
I hope this letter can be helpful in clarification of current fence wall concerns.. Please feel free to contact me if further information is needed.

Sincerely,
Saeed Nejad

OPTION A - MOVE FENCE ALONG LOS GATOS BLVD BY 3'6", AND CLIP CORNERS BY ELIMINATING THE EXISTING CORNER SECTIONS (BOTH ENDS)



OPTION B - Create 30' Triangle measured from the point at which the face of curb on Charles matching face of curb on Los Gatos Boulevard





Based upon discussions with the Town's Engineering & Public Works Department held on Thursday, May 8th, it is proposed that the existing fence section at the corner of Los Gatos Boulevard and Charles St be removed, and be replaced with a new fence section that is angled along the straight line drawn from point A to point B, established or located per Public Works guidance as follows:

..... Point A to Point C (Curb Corner): 30'0"; Point B to Point C (Curb Corner): 30'0" (Note: Points A, B & C are shown above).

- > The new fence section, along with the existing fence section that will be retained, is shown in dark black line on the next sheet, while the resulting enhanced visibility triangle (on both sides) is shown shaded in green color.
- > All plants and bushes that fall within the visibility triangle shall be removed or maintained to a height of 36" maximum, while all original trees that existed prior to February 2019 when the property was acquired shall be retained.
- > I humbly request that all existing plants, bushes and trees that are inside the proposed fence (i.e. outside the visibility triangle be allowed to be retained.
- > The existing fence design and specifications, including the large format lattice work, shall be retained for enhanced visibility, and shall not be replaced without the written approval of the Town of Los Gatos's Planning Department.



NEW VISIBILITY TRIANGLES

WITH 7'x7'
(TO PROTECT TREE)

WITH 10'x10'

Current Fence
Position

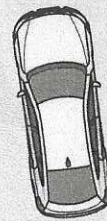
Sidewalk

A

30'

30'

10'



Charles St

10
Charles St

NOTE: A 7'x7' TRIANGLE IS SHOWN
AS IT WOULD ENABLE US TO
PROTECT A TREE (SEE PAGE 1)
AND STILL PROVIDE ADEQUATE VISIBILITY.



FENCE MODIFICATION AT INTERIOR PROPERTY (COMMON FENCE SHARED WITH MICHELLE)

The proposed fence modification plan is based upon a 10'x 10' triangle as directed by Public Works. However, constructing a fence along this path may interfere with the existing tree (shown in the picture above). Accordingly, an alternative is shown by constructing a visibility triangle using approximately 7'0" along Los Gatos Boulevard and 8'0" along the common shared fence so as to avoid any damage or disruption to the tree.

This option will also enable us to simply remove the two existing corner fence sections, and construct a new section connecting the two existing non-corner posts. Needless to say, while this significantly enhances visibility, and, hence, we feel it is a practical solution, we are open to implementing the 10' x 10' triangle if mandated.

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