



TOWN OF LOS GATOS
PLANNING COMMISSION STAFF REPORT
Meeting Date: March 26, 2014

ITEM NO: 2

PREPARED BY: Jennifer L. Savage, Associate Planner
jsavage@losgatosca.gov

APPLICATION NO: Conditional Use Permit Application U-14-002

LOCATION: **81 W. Main Street** (south side of W. Main Street, approximately 340 feet southeast of N. Santa Cruz Avenue)

**APPLICANT/
CONTACT PERSON:** Anna Pizzo

PROPERTY OWNER: Vermont Building, LLC/Sue Farwell

APPLICATION SUMMARY: Requesting approval to modify a Conditional Use Permit to increase seating and provide full alcoholic beverage service for a restaurant (Zona Rosa) on property zoned C-2:LHP. APN 529-01-025.

DEEMED COMPLETE: March 12, 2014
FINAL DATE TO TAKE ACTION: September 12, 2014

RECOMMENDATION: Forward Conditional Use Permit U-14-002 to the Town Council with a recommendation of approval, subject to the conditions contained in this report.

PROJECT DATA:

General Plan Designation: Central Business District
Zoning Designation: C-2:LHP – Central Business District, Landmark and Historic Preservation Overlay
Applicable Plans & Standards: General Plan; Central Los Gatos Redevelopment Plan; Alcoholic Beverage Policy
Parcel Size: 10,890 square feet
Surrounding Area:

	Existing Land Use	General Plan	Zoning
North	Commercial	Central Business District	C-2:LHP
East	Commercial	Central Business District	C-2:LHP
South	Commercial	Central Business District	C-2
West	Commercial	Central Business District	C-2:LHP

CEQA: The project is Categorically Exempt pursuant to Section 15301 of the State Environmental Guidelines as adopted by the Town because the project consists of permitting an existing facility involving negligible use beyond the existing use.

FINDINGS:

- As required by Section 15301 of the State Environmental Guidelines as adopted by the Town that this project is Categorically Exempt.
- As required by Section 29.20.190 of the Town Code for granting a Conditional Use Permit.
- As required by Section IV.B of the Redevelopment Plan for the Central Los Gatos Redevelopment Project that it meets the use set forth in the Town's General Plan.

CONSIDERATIONS: None.

ACTION: Forward Conditional Use Permit U-14-002 to the Town Council with a recommendation of approval, subject to the conditions contained in this report.

EXHIBITS:

1. Location Map
2. Findings and Considerations
3. Recommended Conditions of Approval
4. Existing Conditional Use Permit
5. Concentration Map
6. Written Description (four pages), received February 12, 2014
7. Development Plans (one page), received February 12, 2014

BACKGROUND:

The proposed project would occupy a commercial space previously occupied by a restaurant, the MMoon Empanadas. The subject space is one of five commercial spaces located on the property.

The amended Alcoholic Beverage Policy (ABP) was adopted by the Town Council in September 2001. The purpose of the ABP is to provide parameters for alcoholic beverage service and direction through a General Policy and a Specific Policy. Staff analyzed the proposed Conditional Use Permit (CUP) modification against the ABP.

PROJECT DESCRIPTION:

A. Conditional Use Permit

The applicant is requesting approval to modify the existing CUP (Exhibit 4) to increase the number of seats and provide full alcoholic beverage service. The applicant is proposing to increase the seating from six seats to 26 seats. The current CUP does not permit alcoholic beverage service; the applicant is proposing full alcoholic beverage service.

The current CUP allows operation between 6:00 a.m. and 11:00 p.m., seven days a week; the proposed hours of operation would be 10:00 a.m. to 10:00 p.m., seven days a week. The applicant provided a written description (Exhibit 6) and development plans (Exhibit 7) describing the proposal.

The service and sale of alcoholic beverages requires a Conditional Use Permit. Since the use involves on-site consumption of alcohol, the Planning Commission shall make a recommendation to the Town Council, who will be the final deciding body pursuant to the ABP.

When reviewing a Conditional Use Permit (CUP), the deciding and recommending bodies should consider the information in the applicant's business plan; however, the key consideration should be the explicit proposed use since the business plan can change from owner to owner. The explicit use may be, and is often, defined in the recommended conditions of approval as a "use" condition. The CUP runs with the land, and the deciding and recommending bodies should review applications based on the explicit use as opposed to the applicant or the applicant's business plan.

B. Location and Surrounding Neighborhood

The project site is located on the south side of W. Main Street, approximately 340 feet southeast of N. Santa Cruz Avenue (Exhibit 1). The property is surrounded by commercial uses; residential uses are located on the second floor to the west.

C. Zoning Compliance

The zoning designation allows food and alcoholic beverage service subject to the approval of a Conditional Use Permit.

ANALYSIS:

A. Project Summary

The applicant is requesting to operate a 1,225 square foot quality restaurant with 26 seats

and full alcoholic beverage service. Zona Rosa's is currently located in San Jose and serves farm-to-table Mexican cuisine. The subject location would be the second location for Zona Rosa. No food counter or stand-alone bar is proposed. Drinks would consist of beer, wine, and, limited cocktails and sangrias.

The applicant is proposing hours of operation from 10:00 a.m. to 10:00 p.m., seven days a week.

The applicant provided a written description (Exhibit 6) and development plans (Exhibit 7) describing the proposal. The applicant is not proposing to change the exterior of the building.

B. Alcoholic Beverage Policy

Purpose

The requirements contained in the ABP are intended to protect nearby residential neighborhoods, while maintaining 'the viability of our commercial centers.' The policy provides assurance that hours of operation will be regulated for a variety of reasons, including proximity to residential neighborhoods and concentration of alcoholic beverage serving establishments within one area.

The site is located on the south side of W. Main Street, approximately 340 feet southeast of N. Santa Cruz Avenue. The nearest residence to the west is on the second floor approximately 90 feet away at 135 W. Main Street. The alcoholic beverage service will cease no later than 10:00 p.m., which would reduce potential impacts to the nearby residences.

A map illustrating the concentration of business serving or selling alcohol in the vicinity of the subject property is attached as Exhibit 5.

General Policy

The ABP's General Policy contains eight requirements. Requirement 1 is not applicable because the proposal does not include a stand-alone or separate bar. Requirements 2 and 3 are not applicable to the subject application because there will be no entertainment. Requirements 4 and 5 do not apply because the applicant would not operate after 10:00 p.m. Requirement 8 is not applicable to the subject application because there will be no outdoor seating.

Requirement No. 5 states an establishment serving alcoholic beverages is subject to five provisions related to alcohol service. The provisions are included as conditions of approval.

Requirement No. 7 defines a meal as 'a combination of food items selected from a menu.' The proposed project would offer food items from a menu and a sample menu is included in Exhibit 6.

Specific Policy

The Specific Policy has two requirements that address alcoholic beverage service at restaurants. The first is that alcoholic beverages may only be served with meals. A condition of approval is included in Exhibit 3 to require meal service with alcoholic beverages. The second is not applicable because the use would not include a restaurant with a separate bar.

C. Parking

The subject property has credit for 39 parking spaces in the Parking Assessment District. As shown below, the proposed use and the existing uses would meet the parking requirements.

W. Main Street Address	Business Name	Type of Use	Square Feet	No. of Seats	Required Parking
65	Nimbus Salon	personal service	1,225		4.1
81	Zona Rosa	restaurant	1,225	26	6.5
91/101	LG Roasting	restaurant	2,450	58	14.5
109	Pizza Simpatico	retail/wine establishment/caf�	1,300*	31	9.5*
Total Required Parking					35
On-site Parking Provided					0
Parking Assessment District Credits					39

*Use requires 520 square feet of retail space. Parking is calculated for 31 seats plus 520 square feet of retail space ($31/4 + 520/300 = 7.8 + 1.7 = 9.5$).

D. Traffic

The project would continue a high turnover sit-down restaurant use. The project would result in an increase of 97 ADT (average daily trips), zero AM peak trips, and eight PM peak trips. Traffic mitigation fees and community benefit are required.

Staff is currently working with the applicant regarding the community benefit and this matter will be discussed further at the Planning Commission meeting. Condition #10 of Exhibit 3 will need to be modified to reflect the community benefit offered by the applicant and accepted by the Town.

E. Conditional Use Permit Findings

In order to grant approval of a Conditional Use Permit, the deciding body must make the following findings:

- (1) The proposed use of the property is essential or desirable to the public convenience or welfare; and
- (2) The proposed use will not impair the integrity and character of the zone; and
- (3) The proposed use would not be detrimental to public health, safety or general welfare; and
- (4) The proposed use of the property is in harmony with the various elements or objectives of the General Plan and the purposes of the Town Code.

In regards to finding one, the applicant explains in their written description that the use would add variety to the existing Mexican restaurant concepts currently in the downtown area with a light eating concept that would be well received by locals and visitors. In regards to the second finding, the use will not impair the integrity of the zone since the use will be in a commercial zone. In regards to finding three, the use will not be detrimental to public health safety or general welfare because the use will be subject to provisions of the Alcoholic Beverage Policy and conditions placed on the permit will mitigate potential impacts. In regards to the final finding, the proposed use meets the objectives of the General Plan and Town Code as discussed within this report.

F. General Plan

The goals and policies of the 2020 General Plan applicable to this project include but are not limited to:

- Policy LU-2.1 – Minimize vehicle miles traveled for goods and services by allowing and encouraging stores that provide these goods within walking distance of neighborhoods in Los Gatos.
- Policy LU-9.2 – Maintain a variety of commercial uses, including a strong Downtown commercial area combined with Los Gatos Boulevard and strong neighborhood commercial centers to meet the shopping needs of residents and preserve the small-town atmosphere.
- Policy LU-10.1 – Encourage the development and retention of small businesses and independent stores and shops Downtown that are consistent with small-town character and scale.

G. Environmental Review

The project is Categorically Exempt pursuant to Section 15301 of CEQA as adopted by the Town, which exempts permitting an existing facility involving negligible use beyond the existing use. No significant effect on the environment will occur since the project uses an existing structure with no increase in floor area.

H. Redevelopment Plan for the Central Los Gatos Redevelopment Project Area

The Redevelopment Plan contains a Redevelopment Land Use Map that designates proposed land uses to be permitted in the Central Los Gatos Redevelopment Project Area. The subject property is designated commercial and, per the Redevelopment Plan, shall be used for the general commercial uses set forth and described in the Town's General Plan. The proposed use falls under general commercial uses.

PUBLIC COMMENTS:

At this time, the Town has not received any public comment.

SUMMARY AND RECOMMENDATION:

A. Summary

Staff recommends conditions of approval consistent with the applicant's proposed use regarding the operating hours, number of seats, and alcoholic beverage service. As conditioned, the site has adequate parking to accommodate the existing and proposed uses. The proposed use would close by 10:00 p.m. The proposed application is in conformance with Town Code and is supported by the General Plan.

At the writing of this report, the community benefit offering has not been finalized by the applicant. As noted earlier in this report, this matter will be discussed at the Planning Commission meeting.

B. Recommendation

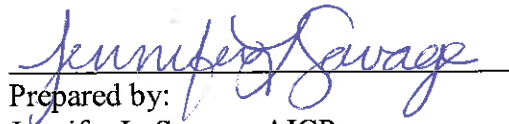
The Alcoholic Beverage Policy gives the hearing body discretion to approve alcoholic beverage sales and service when the proposal will not negatively impact residential neighbors, alcohol related incidents will not occur, and when the application will provide a positive impact to the commercial area. Based on the evidence submitted by the applicant, staff believes this application meets these requirements.

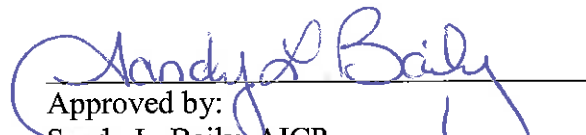
If the Planning Commission finds merit with the proposed project and the community benefit offered by the applicant, it should:

1. Find that the proposed project is categorically exempt, pursuant to Section 15301 of the California Environmental Quality Act as adopted by the Town (Exhibit 2); and
2. Make the required findings as required by Section 29.20.190 of the Town Code for granting approval of a Conditional Use Permit (Exhibit 2); and
3. Make the required finding as required by Section IV.B of the Redevelopment Plan for the Central Los Gatos Redevelopment Project that it meets the use set forth in the Town's General Plan (Exhibit 2); and
4. Recommend approval to Town Council of Conditional Use Permit application U-14-002 with the conditions contained in Exhibit 3. Condition #10 of Exhibit 3 will need to be modified to reflect the community benefit offered by the applicant and accepted by the Town.

If the Commission has concerns with the proposed use, it can:

1. Continue the matter to a date certain with specific direction; or
2. Recommend approval of the application to Town Council with additional and/or modified conditions; or
3. Recommend denial of the application to Town Council.

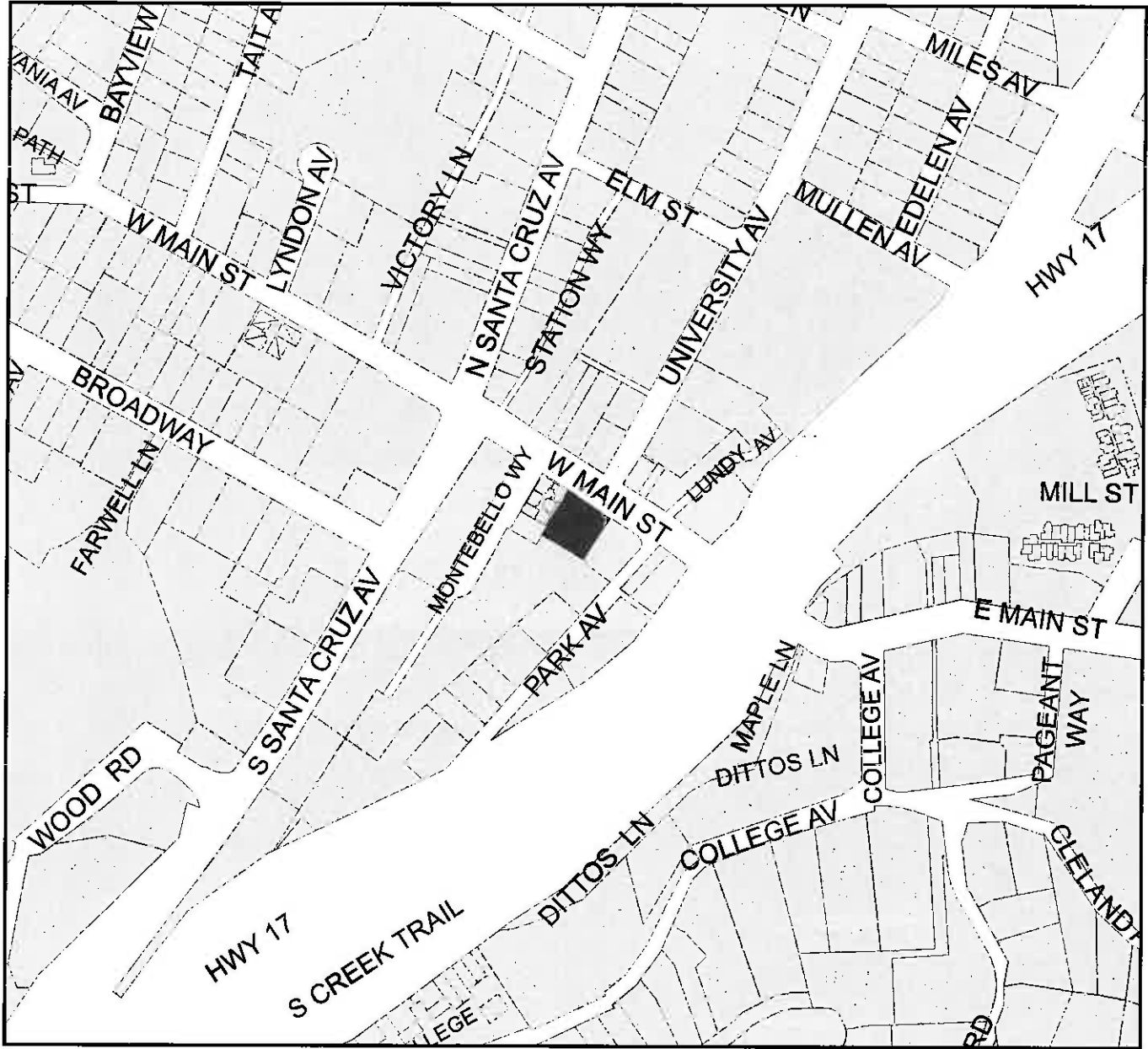

Prepared by:
Jennifer L. Savage, AICP
Associate Planner


Approved by:
Sandy L. Baily, AICP
Director of Community Development

SLB:JS:cgt

cc: Anna Pizzo, 1411 The Alameda, San Jose, CA 95126
Vermont Building, LLC/Sue Farwell, 113 Edelen Avenue, Los Gatos, CA 95030

81 W. Main Street



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REQUIRED FINDINGS FOR:

81 W. Main Street

Conditional Use Permit U-14-002

Requesting approval to modify a Conditional Use Permit to increase seating and provide full alcoholic beverage service for a restaurant (Zona Rosa) on property zoned C-2:LHP. APN 529-01-025.

PROPERTY OWNER: Vermont Building, LLC/Sue Farwell

APPLICANT: Anna Pizzo

FINDINGS

Required finding for CEQA:

- The project is Categorically Exempt pursuant to Section 15301 of the State Environmental Guidelines as adopted by the Town. No significant effect on the environment will occur since the project uses an existing structure with no increase in floor area.

Required findings for a Conditional Use Permit:

- As required by Section 29.20.190 of the Town Code for granting a Conditional Use Permit:

The deciding body, on the basis of the evidence submitted at the hearing, may grant a conditional use permit when specifically authorized by the provisions of the Town Code if it finds that:

- (1) The proposed use of the property is essential or desirable to the public convenience or welfare in that the use would add variety to the existing Mexican restaurant concepts currently in the downtown area with a light eating concept that would be well received by locals and visitors; and
- (2) The proposed use will not impair the integrity and character of the zone in that the use will be in a commercial zone; and
- (3) The proposed use would not be detrimental to public health, safety or general welfare in that the use will be subject to provisions of the Alcoholic Beverage Policy and conditions placed on the permit will mitigate potential impacts; and
- (4) The proposed use of the property is in harmony with the various elements or objectives of the General Plan and the purposes of the Town Code as discussed within the March 26, 2014, Planning Commission Staff Report.

Required finding for the Redevelopment Plan for the Central Los Gatos Redevelopment Project Area:

- That the proposed project is consistent with the Redevelopment Plan for the Central Los Gatos Redevelopment Project Area (Section IV.B) in that the subject property is designated commercial and the proposed use falls under commercial uses.

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CONDITIONS OF APPROVAL – March 26, 2014

81 W. Main Street

Conditional Use Permit U-14-002

Requesting approval to modify a Conditional Use Permit to increase seating and provide full alcoholic beverage service for a restaurant (Zona Rosa) on property zoned C-2:LHP. APN 529-01-025.

PROPERTY OWNER: Vermont Building, LLC/Sue Farwell

APPLICANT: Anna Pizzo

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

Planning Division

1. **APPROVAL:** This application shall be completed in accordance with all of the conditions of approval listed below. Any changes or modifications shall be approved by the Director of Community Development, the Development Review Committee, the Planning Commission, or the Town Council depending on the scope of the changes.
2. **EXPIRATION OF APPROVAL:** The Conditional Use Permit application will expire two years from the date of approval unless it is used before expiration. Section 29.20.335 defines what constitutes the use of an approval granted under the Zoning Ordinance.
3. **LAPSE FOR DISCONTINUANCE:** If the activity for which the Conditional Use Permit has been granted is discontinued for a period of one (1) year the approval lapses.
4. **USE:** The approved use is a high turnover sit-down restaurant with full alcoholic beverage service.
5. **SEATING:** The maximum number of seats is 26. Outdoor seating is not permitted.
6. **HOURS OF OPERATION:** Maximum hours of operation 10:00 a.m. to 10:00 p.m., seven days a week.
7. **LIVE ENTERTAINMENT:** No live entertainment or amplified music is allowed.
8. **ALCOHOL SERVICE:** The service of alcohol is permitted only with meals. A meal is defined as a combination of food items selected from a menu (breakfast, brunch, lunch, or dinner). Appetizers such as popcorn, nachos, pretzels, potato skins, relish trays, etc. (hot or cold) are not meals. No separate bar is allowed and alcoholic beverage service is not allowed outside.
9. **ALCOHOLIC BEVERAGE POLICY:** The applicant shall be subject to comply with any new requirements in the Town's Alcoholic Beverage Policy within six (6) months from the date of the change in policy.
10. **COMMUNITY BENEFIT:** The applicant has offered the following community benefit to offset traffic impacts created by the proposed project: to be determined. The community benefit shall be submitted to the Town prior to issuance of building permits or commencement of operation, whichever occurs first.
11. **SIGN PERMIT:** A Sign Permit from the Los Gatos Community Development Department must be obtained prior to any changes to existing signs or installation of new signs.
12. **CERTIFICATE OF USE AND OCCUPANCY:** A Certificate of Use and Occupancy from the Los Gatos Community Development Department must be obtained prior to commencement of use.

13. BUSINESS LICENSE: A business license from the Town of Los Gatos Finance Department must be obtained prior to the commencement of any new or change of use.
14. TOWN INDEMNITY: Applicants are notified that Town Code Section 1.10.115 requires that any applicant who receives a permit or entitlement from the Town shall defend, indemnify, and hold harmless the Town and its officials in any action brought by a third party to overturn, set aside, or void the permit or entitlement. This requirement is a condition of approval of all such permits and entitlements whether or not expressly set forth in the approval, and may be secured to the satisfaction of the Town Attorney.

Building Division

15. PERMITS REQUIRED: A Building Permit shall be required for the any alterations to the existing commercial building. Separate permits are required for electrical, mechanical, and plumbing work as necessary.
16. CONDITIONS OF APPROVAL: The Conditions of Approval must be blue-lined in full on the cover sheet of the construction plans. A Compliance Memorandum shall be prepared and submitted with the building permit application detailing how the Conditions of Approval will be addressed.
17. SIZE OF PLANS: Four sets of construction plans, maximum size 24" x 36".
18. TITLE 24 ACCESSIBILITY – COMMERCIAL: For any proposed tenant improvements, on-site parking and general path of travel shall comply with the latest California Title 24 Accessibility Standards. Work shall include, but not be limited to, accessibility to building entrances from parking facilities and sidewalks. The building shall be upgraded to comply the latest California Title 24 Accessibility Standards. Necessary work shall be first investigated by the design Architect and then confirmed by Town staff.
19. APPROVALS REQUIRED: The project requires the following departments and agencies approval before issuing a building permit:
 - a. Community Development – Planning Division: Jennifer Savage (408) 399-5702
 - b. Santa Clara County Fire Department: (408) 378-4010
 - c. County Environmental Health Department: (408) 885-4200

TO THE SATISFACTION OF THE CHIEF OF POLICE:

20. UNIFORMED SECURITY: Uniformed privately provided security guards may be required in or around the premises by the Chief of Police if alcohol related problems recur that are not resolved by the licensed owner.
21. CONSULTATION AND TRAINING: At the discretion of the Chief of Police, periodic meetings will be conducted with representatives from the Police Department for on-going employee training on alcoholic beverage service to the general public.
22. TRAINING MANUAL: The restaurant operator shall use an employee training manual that addresses alcoholic beverage service consistent with the standards of the California Restaurant Association.
23. DESIGNATED DRIVER PROGRAM: The restaurant operator shall actively promote a designated driver program such as complimentary non-alcoholic beverages for designated drivers.
24. POSTING OF TAXICAB TELEPHONE NUMBERS: Taxicab telephone numbers shall be posted in a visible location.



TOWN of LOS GATOS
PLANNING DEPARTMENT
(408) 354-6872

October 25, 1993

Stephanie Fazell & Shannon Welch
615 Blossom Hill Road, #46
San Jose, CA 95032
Los Gatos, CA

RE: 81 W. Main Street
Conditional Use Permit Application U-93-11

Requesting permission to operate a restaurant on property zoned C-2 LHP.
APPLICANTS: Stephanie Fazell & Shannon Welch
PROPERTY OWNER: Sue Farwell

At its meeting of October 13, 1993, the Town of Los Gatos Planning Commission approved the above referenced application, subject to the following conditions:

TO THE SATISFACTION OF THE PLANNING DIRECTOR:
(Planning Section)

1. Hours of operation shall be from 6 A.M. to 11 P.M. seven days a week.
2. Maximum number of seats shall not exceed six.
3. No alcoholic beverages shall be served or sold.
4. No outside seating shall be provided.
5. All meals served on-site shall be on re-usable utensils.
6. Any take-out food shall be served in recyclable containers.
7. The tenant shall monitor the sidewalk area in front of the business and dispose of any litter which is in the vicinity.

(Engineering Section)

8. A well information questionnaire (available through the Counter Technician) shall be completed.
9. All requirements of the County Health Department and West Valley Sanitation District shall be met regarding the interception, separation, or pretreatment of effluent from the restaurant.

TO THE SATISFACTION OF THE DIRECTOR OF BUILDING & ENGINEERING SERVICES:

10. All work in the public right-of-way will require a Construction Encroachment Permit.
11. Any existing sanitary sewer lateral proposed for reuse shall be televised and approved by West Valley Sanitation District.
12. A sanitary sewer lateral clean-out shall be installed at the property line.

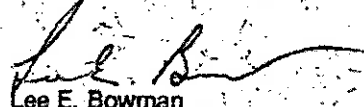
Stephanie Fazell & Shannon Weich - Page 2
81 W. Main Street/U-93-11
October 25, 1993

Pursuant to Section 29.20.320 of the Town Code, this approval will expire two years from the date of this approval (expires October 13, 1995) unless the approval is used before expiration. Section 29.20.335 defines what constitutes the use of an approval granted under the Zoning Ordinance.

PLEASE NOTE: Pursuant to Section 29.20.275 of the Town Code, this approval may be appealed to the Town Council within 10 days of the date the approval is granted. Therefore, this action for approval should not be considered final, and no permits by the Town will be issued until the appeal period has passed.

Reasonable extensions of time not exceeding one year may be granted upon application to and approval by the Planning Commission. Extensions can be granted only if approved by the Commission prior to the expiration of the approval. Therefore, it is recommended that applications for time extension be filed with the Planning Department at least sixty days prior to the expiration of the approval.

Enclosed you will find Important Information to assist you in completing your project. If you have any questions, please contact Sandy Baily of this department at (408) 354-6873.



Lee E. Bowman
Planning Director

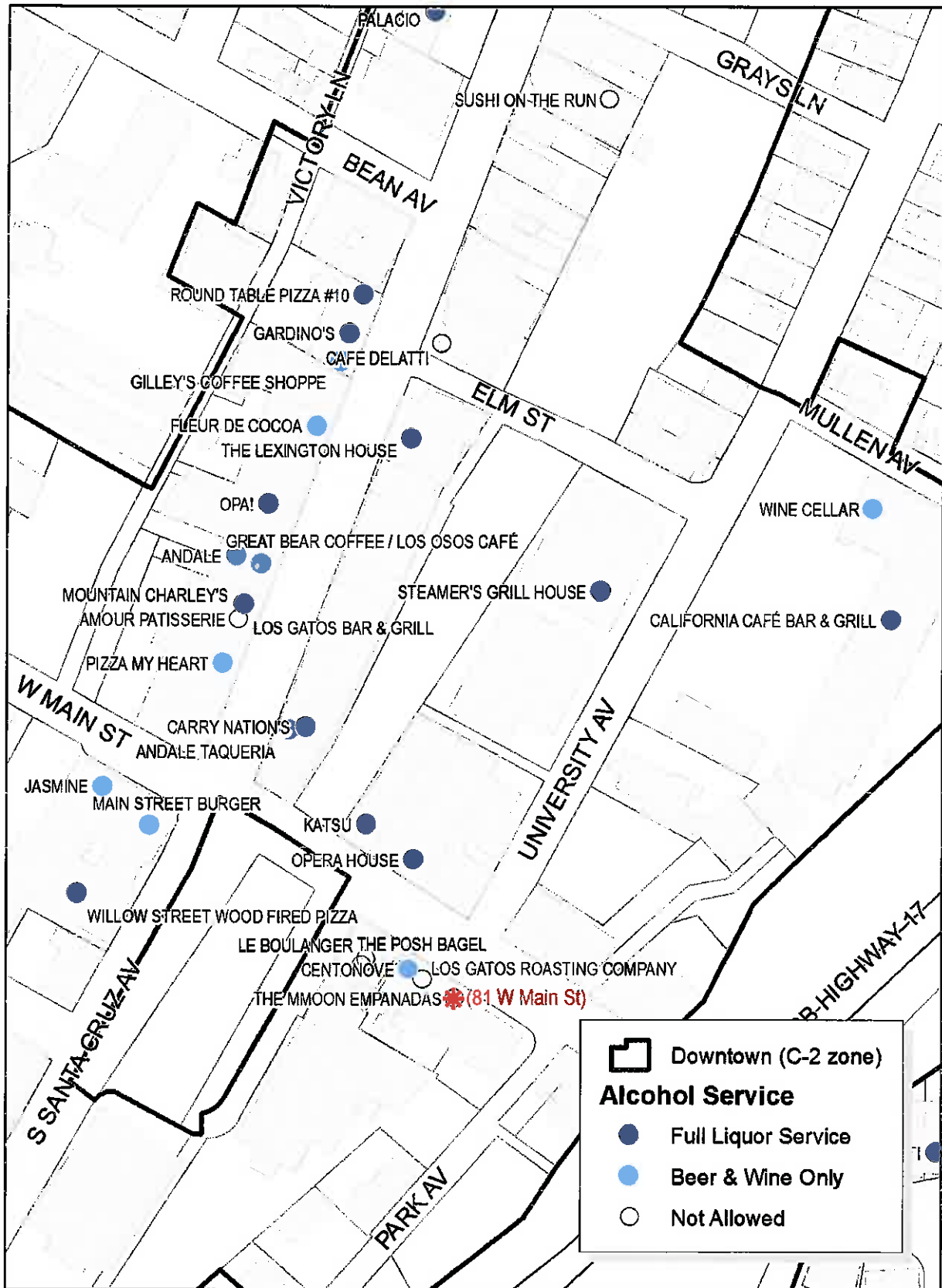
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Enclosure

cc: Development Review Committee (6)
Santa Clara County Assessor, County Government Center, 70 West Hedding Street, San Jose 95110
Sue Farwell

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DOWNTOWN ALCOHOL SERVICE MAP



0 250 500 Feet

Source: Town of Los Gatos
Date: March 6, 2014

EXHIBIT 5

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To: Town of Los Gatos

Re: Written Description of Proposed Project

We are pleased to submit a Conditional Use Permit application for Zona Rosa Restaurant. We are proposing to modify the restaurant existing CUP for 81 West Main Street (formerly occupied by The Mmoon Empanadas – existing CUP attached – Ref. U-93-11). We are requesting consideration to modify the existing restaurant CUP to increase seating from 6 to 26 with a full liquor license. The request has taken into consideration the Town of Los Gatos policies and plans to provide a unique and quality dining experience that offers a sit down food service along with a selection of limited cocktails, beer and wine. The property has sufficient parking within the district. The owner of the building has authorized the increase.

PARKING

The property (91, 101, & 109 W. Main Street) currently has 39 parking credits in the Parking Assessment District. The parking credit allocations for the existing and proposed uses are shown below. The CUP request to increase 20 additional seats would require using 5 of the 8 parking spaces allotted to the building under the parking assessment district in accordance to town policy.

W. Main Street Address	Business Name	Type of Use	Square Feet	No. of Seats	Required Parking
65	Nimbus Salon	personal service	1,225		4.1
81	Blendz Juice Bar	restaurant	1,225	6	1.5
91/101	LG Roasting	restaurant	2,450	58	14.5
109	Pizza Simpatico	restaurant/bar	1,300	44	11.0
	Total Required Parking				31.
	On-site Parking Provided				0
	Parking Credits				39

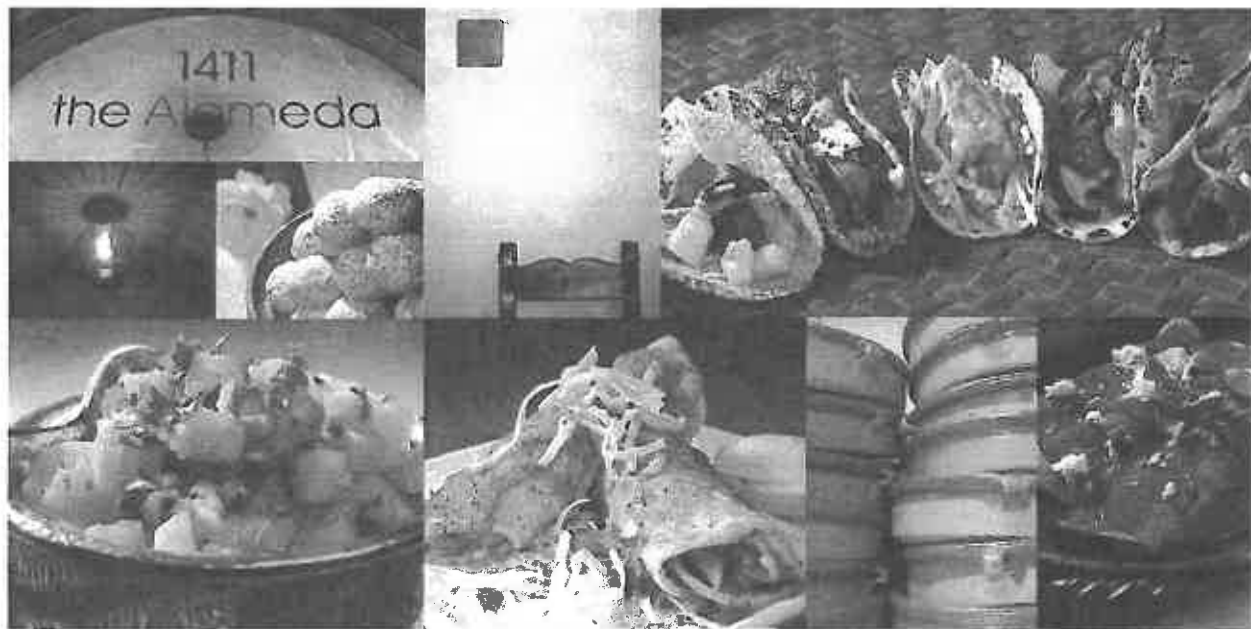
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FEB 12 2014

**TOWN OF LOS GATOS
PLANNING DIVISION
EXHIBIT 6**

HISTORY – CONCEPT

Zona Rosa serves upscale farm-to-table Mexican Cuisine. Our first location opened in the San Jose Rose Garden in July 2012. Zona Rosa brings a new healthy style of cuisine that the community of Los Gatos would appreciate and welcome. Our menu is rooted in the traditions of Mexican cuisine and we combine flavors and ingredients in innovative ways that reflect modern Mexico. We specialize in seasonal dishes ensuring that our food is always fresh and new. Our recipes evolve with our customers and push the boundaries of taste, texture and flavors. All our food is made from scratch. For example, we feature a hand pressed organic blue and yellow corn tortilla. We use fresh locally sourced ingredients in our food and beverages. Many of our recipes are inspired by our respective families and date back several generations steeped in both Mexican and Italian Heritage.



The ambiance at the Los Gatos will have the same feel inside taking advantage of the original brick interior. There will be no changes to the outside of the building.

ZONA ROSA CUISINE

Our request for an increase in seating is consistent with our sit down restaurant concept. We feel that we can add to the Los Gatos food community:

- ✓ Different. There are currently three other Mexican concepts in Los Gatos: Andale, Pedro's & Palacio. We feel that our concept will add variety (menu attached for your review).
- ✓ Established. We have a successful established restaurant that is well received by the community: 4 star yelp rated with 165 reviews (see media article attached).
- ✓ Small Bites. Our concept is in line with food trends that favor eating light and eating right. This concept will be well received by locals and by visitors to the town.

RECEIVED

Feb 12 2014

**TOWN OF LOS GATOS
PLANNING DIVISION**

LIQUOR LICENSE – ABC POLICY

We are requesting consideration of a full liquor license. Zona Rosa is not requesting a food counter or any stand alone bar seating. All beverages will be served by the wait staff only, as a compliment to lunch and dinner service. We will provide limited unique cocktails and sangrias that are fresh and seasonal to compliment our cuisine and pair with our menu.

- We have attached a copy of our San Jose drink menu. Our intent is to mirror what we offer in our San Jose location.
- Zona Rosa is accordance with the Town Alcohol Policy by not incorporating a stand alone bar or a food counter that could be construed as a "bar" in our design. Zona Rosa will provide table seating with full food service in Los Gatos, following the same concept we currently offer in the Rose Garden.
- Alcoholic Beverages will be served with meals only.
- Zona Rosa – San Jose Restaurant is in good standings with City of San Jose and ABC.
- Hours of Operation will be 10 A.M. to 10 PM (Monday to Sunday). We have no intention of staying open late under any circumstance.



COMMUNITY

Zona Rosa intends to add value to the community by:

- Supporting the local farmers market, purveyors and residents
- Employing local whenever possible
- Creating a healthy place to work and dine
- Supporting community events and local schools

RECEIVED

FEB. 12 2014

**TOWN OF LOS GATOS
PLANNING DIVISION**

SUMMARY

We believe that Zona Rosa will become a destination restaurant in Los Gatos that will add to the charm of the downtown district. Our unique combination of inspired Mexican cooking and relaxing atmosphere has the elements that will make Zona Rosa well received in the community and a lasting tradition of great food for years to come.

I have spoken in length to the Town of Los Gatos Planning Staff, other business owners in Los Gatos and fully understand the desire by the Town Council and the Planning Commission that the Town does not want to add drinking establishments in Los Gatos, but rather encourage successful businesses. By allowing responsible alcohol service in a full sit down dining experience, the Town of Los Gatos will transform a "high turn over" existing restaurant CUP into a quality small restaurant CUP with full table service.

I have carefully considered the hours and type of service to place Zona Rosa in the category of sit down table service with no stand alone bar; the closing hours are early on all nights so that they do not conflict with the Town's late night alcohol policy. The ability to serve limited and unique cocktails is critical to the success of Zona Rosa, and you respectfully request the Planning Commission and the Town Council approve of the requested changes to the existing restaurant CUP for 81 W. Main Street.

Anna Pizzo – Executive Chef Owner/Chris Pizzo - Owner

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FEB 12 2014

**TOWN OF LOS GATOS
PLANNING DIVISION**

ANTOJITOS - STARTERS

- TRES SALSAS smoked cashew, skil p'ak (pumpkin seed) habanero + titos-salsa with house-made chips 4.
- GUACAMOLE avocado, jalapeño, cilantro, lime 8 topped with niman ranch crisped bacon, roasted pistachios 9
- ZR NACHOS house made tortilla chips, mole negro, black beans, queso fresco, poblano crema, pico de gallo 9 w/carnitas 13
- AGUACATE FRITO panko fried avocado-wedges, chipotle cream dipping sauce 9.
- QUESO FUNDIDO-grilled oaxacan cheese, tomatillo sauce, shiitake mushrooms, warm house made tortillas 11.
- QUESADILLA DE VERDURA S roasted jalapeno, pasilla chile, shiitake mushrooms, epazote, oaxaca queso, blue corn tortilla 11
- SOPA del DIA carrot chile and cilantro soup, niman ranch pork & beef meatballs 10.
- SOPA DE ESQUITEZ vegetable broth, roasted corn, chile serrano, avocado, lime, tortilla chips, queso broncha 9
- ENSALADA DE CESAR mixed greens, roasted corn, queso añejo, avocado, jalapeño vinaigrette - yellow corn totopos 11
- pan-seared skirt steak 17.5 sautéed shrimp 17.5 blackened salmon 17.5
- ENSALADA TEMPORADA seasonal greens, avocado, mango, papaya, candied pistachio, citrus dressing 10.5 Shrimp/17.5

MARISCOS

- TOSTADAS ATUN AHI sushi grade ahi tuna, avocado, crispy leeks, chipotle crema - served on 2 crispy tortillas 13
- CRAB CEVICHE marinated dungeness crab+shrimp, lime, cucumber, cilantro, jalapeno, avocado, 2 crispy tortillas 12.5
- DEL MAR mussels, mexican sweet scallops, shrimp, guajillo chile, white wine, blanco tomato chorizo sauce, warm bolillo 18.

TAQUERIA - served two up

- CALLOS royal sweet scallops, asparagus chipotle serrano glaze, blue corn tortilla 12.
- COSTILLAS guajillo chile braised niman ranch baby-back ribs, cabbage, tomatillo avocado salsa 11.
- CHIMICHURRI niman ranch skirt steak pan seared, fingerling potatoes, chimichurri sauce 12.
- CAMARONES shrimp tempura, fennel, apple napa cabbage slaw, avocado 12
- CARNITAS niman ranch braised pork, cabbage salad, pickled red onion, guacamole, chile de molcajete 11
- SALMON wild salmon filet blackened, shiitake mushroom + corn relish, cilantro aioli, crisped bacon 13.
- VERDURAS wited cabbage, fennel, brussels sprouts, shallots, fingerling potato, chile, cilantro crema, toasted pecans 11.
- CHORIZO Y MOLE NEGRO pork chorizo, mole negro, black bean puree, sweet potatoes 11
- HUEVOS Y PAPAS scrambled eggs, potatoes y poblano chile, seasonal greens, queso fresco, cilantro crema 10.

CAZUELA SPECIALS

- ENCHILADAS de POLLO mary's free range chicken, mole colorado, queso fresco, crema 12.5
- ENCHILADAS de ALBONDIGAS niman ranch pork + beef meatballs, mole colorado, artisan cheeses 13.
- ENCHILADAS de PATO mary's free range duck + mole negro, oaxacao + queso fresco 13.
- BLUE CORN ENCHILADA sweet potato, poblano chile, caramelized onion, broncha cheese, tomatillo + poblano almond pesto 13.5
- CARNE ASADA Y HONGOS niman ranch skirt steak, shiitake, green beans, chipotle crema, house-made tortillas 15.
- PASILLA CHILE RELLENO niman ranch pork, chorizo, black beans, wild rice, butternut squash artisan cheeses, warm tortillas 13
- TAMAL FRITO de PUERCO niman ranch pork, mole verde, white alubia beans, queso fresco 12.

DE LADO - SIDES

- FRIOLES rancho gordo heirloom beans, steak, bacon, chipotle chile 5. WHITE ALUBIA BEANS sweet potato + mexican spices 5.
- ELOTE roasted corn, chipotle aioli, queso fresco 5. PAPAS Jalapeno Mashed 6. Tortillas 2.5 Additional Salsa y cremas \$) .50

COCTELES

Margarita tequila blanco, lime, agave, curacao 9.

Palomoesque tequila anejo, grape fruit, honey, lime 10.

Padrino tequila blanco, pressed cilantro, jalapeno, lime, agave, cointreau 9.

Bloody Rosa vodka, tomato puree, spices, tobasco, bacon celery garnish 10.

El Pepino vodka, cucumber, mint, simple syrup, lime 10.

Cosmo Temporada vodka, blood orange, triple sec, simple syrup, lime 9.

CERVEZA- BEER

Bohemia, Dos XX Lager, Lagunitas IPA, Lagunitas Little Sumpin, Tecate in-a can

Negra Modelo, Victoria, Lagunitas SEASONAL 4.75

Two Chile Chavala tecate fresh lime + ginger + tomatillos + pasilla + jalapeno chiles 7.

Classic Michelada pressed lime juice + 2 tabasco + clamato + salted rim 7.

VINO - WINE

Sangria Clara protocolo blanco, oranges, mango, mint 9/35

Sangria Seasonal vina borgia (red wine), green apples, citrus 9/35

ESPUMOSO - SPARKLING

Prosecco Jeio Brut Italy 8/33

Agua Fresca Mimosa Jeio, prosecco, seasonal agua fresca + muddled berries 9/32

BLANCO - WHITE

2011 La Cana Rias Baixas, Albarino Spain 10/35

2010 J Loar Riverstone Chardonnay 8/15/39

TINTO - RED

2010 David Bruce Central Coast, Petite Syrah 13/45

2008 Travieso Amaranta Syrah 13/43.

2010 Ancient Peaks Paso Robles, Cabernet 10/35

2008 Travieso El Chupacabras (Red Blend) 9/35

2008 Borsao Berola (Red Blend) 13/46

2011 Monte Otom Garnacha, Spain 8/32

2011 Rioja Protocolo Tino Spain 9/28

2011 Zinfandel Ancient Peaks Paso Robles 10/35

2010 Anna Bella Napa Valley, Cabernet 13/45

HOUSE MADE BEVERAGES

HIBISCUS TEA dried hibiscus flowers + cinnamon + fresh squeezed orange 3.5 Saratoga Bottle Water 3.5

ALMOND HORCHATA rice, almonds, cinnamon 3.75 CAFE de LA OLLA cinnamon, agave nectar syrup 3.5

MEXICAN HOT CHOCOLATE milk, chile de arbol + crushed almonds + barra chocolate 4.

CAFE de LA OLLA cinnamon, agave nectar syrup 3.5 Mexican Coca Cola, Jarritos Mandarin, Diet Coke 3.5

AGUA FRESCA freshly-squeezed fruit juice 4. SEASONAL LIMEADE agua fresca + sparkling lemonade, basil 5.

Review: San Jose's Zona Rosa serves upscale, farm-to-table Mexican cuisine

By Jennifer Graue

Correspondent

POSTED: 08/19/12 12:00PM PST | UPDATED: 10 MONTHS AGO

Americans tend to make assumptions about Mexican restaurants: that they are cheap and cheerful; that the food is fast and filling; and that the chips and salsa are free and free-flowing.

So it takes a brave restaurateur to buck the stereotypes by celebrating the nuances of Mexican cuisine and using outstanding locally sourced seasonal food. The daring Anna Zamora-Pizzo and Susan Gentile have done just that with Zona Rosa, a small farm-to-table eatery in San Jose's Rose Garden neighborhood. The menu features local produce, sustainable seafood and humanely raised meat, as well as tortillas and sopes made in house as they are ordered.

Zona Rosa opened last summer with a limited dinner menu. Now the restaurant also serves lunch Tuesday through Friday, and brunch Saturday and Sunday. Pizzo, who learned to cook alongside her mother and grandmother, uses family recipes and draws inspiration from the cooking of her husband's Italian family.

The restaurant is cozy, with seating for about two dozen -- though plans are in place to double the capacity by expanding into a space next door. In warmer weather, there are a few sidewalk tables. The decor is a mix of rustic, vintage and modern touches: white stucco walls; tables and chairs of reclaimed wood; jewel-toned, vintage glass light shades; and a word mural of menu items on a black wall above the bar.

We had made reservations, and were seated immediately by the front window, the restaurant's quietest spot. Our pleasant server had a great knowledge of the menu, which is divided into appetizers, tacos and cazuelas (dishes served in small casseroles dishes, such as enchiladas). The wine and beer is small, and there's no liquor -- so don't come hankering for margaritas. Sangria and wine cocktails, include a refreshing mojito (\$9), made with Prosecco instead of rum. There's also non-alcoholic horchata, fresh-squeezed agua fresca and a hibiscus tea.

We ordered chips and three salsas that proved well worth the \$4 cost. The chips are pan-fried, as I witnessed passing through the kitchen on my way to the bathroom. They arrived at the table still warm, not oily, with some puffed up -- a treat you never experience with mass-produced chips. One salsa, the delicious tomato-based variety, is from Pizzo's father's recipe; another -- the sikil p'ak, a pumpkin seed version from the Yucatan -- tasted wonderfully vibrant with cilantro and a touch of habanero.

The guacamole (\$8) was familiar and fresh. But the version topped with crisp bacon and pistachios (\$9) was irresistible. Crab ceviche (\$12.50), served on two crisp tortillas, had a great zing from lime juice balanced by a smear of chipotle crema on the tortillas.



A carne asada dish is featured in the foreground of this photo at the Zona Rosa restaurant in the Rose Garden neighborhood in San Jose, Calif. on Friday, March 15, 2013. (Gary Reyes/ Staff) (Gary Reyes)

Carnitas comes as an appetizer on tacos (\$15) or a sope (\$10). (A sope is a round masa boat -- thicker than a tortilla, crisp on the outside with a slightly soft interior.) The sope absorbed the juices from the braised pork for a near perfect union.

The tacos, served two to a plate, are all so appealing it was torture trying to decide which to order; they merit enough return trips to try them all. At lunch, we settled on scallop (\$11, \$16 at dinner), which were battered, fried and served with perfect quarter-inch cubes of butternut squash on a blue corn tortilla. I kept coming back for just one more bite.

Enchiladas, filled with juicy, free range chicken (\$12.50, \$17.50 at dinner), are topped with just the right amount of a mild and slightly sweet mole colorado.

Blue corn masa crepes (\$16) are a good vegetarian option at dinner. Lighter in texture than tortillas thanks to the addition of an egg, the crepes are filled with seasonal veggies (kale and butternut squash, at our meal) and topped with almonds and a cream-herb sauce.

The carne asada (\$18.50) was unlike any I'd had. Zona Rosa elevates this dish from an agreeable inexpensive cut of meat to something truly special. Marinated cubes of skirt steak were cooked precisely to medium and served with shitake mushrooms and crisp-tender green beans in a chipotle cream sauce.

At dinner, both the tacos and cazuelas are served with a choice of Rancho Gordo heirloom beans, cooked with bacon or sauteed potatoes. At lunch they're available separately as sides (\$6 each). Order the potatoes at lunch, but skip the beans -- which are cooked fresh each day, but by noon they haven't had enough time to develop the rich pot liquor found in the dinner serving. At night, order one of each; they're equally good.

At lunch, the pumpkin buñuelos with horchata ice cream (\$8) weren't quite perfect, as they had been at dinner -- warm, crisp on the outside and cake-like inside. They are quite possibly the finest representation of a doughnut I've ever had at a restaurant.

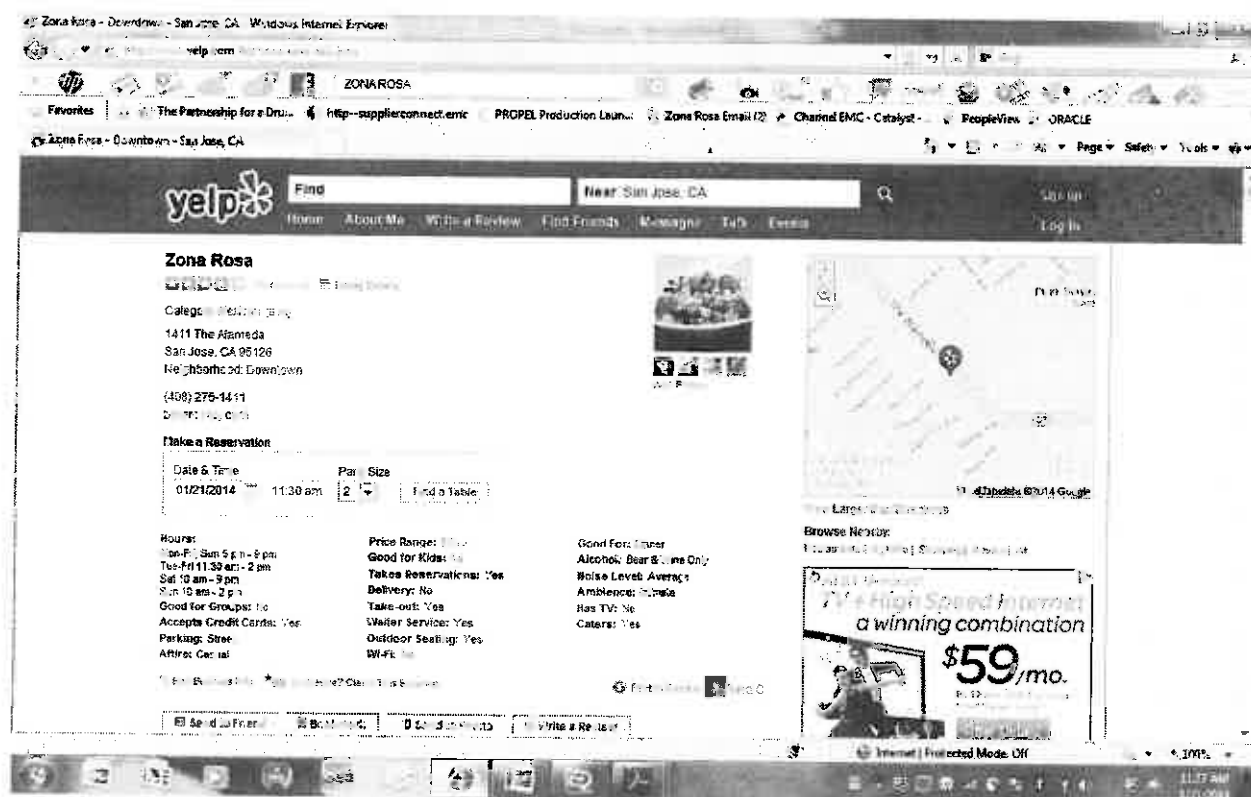
Those waiting for fine-dining version of Mexican cuisine will find everything coming up roses at Zona Rosa.

Email Jennifer Graue at features@mercurynews.com.

Zona Rosa

1411 The Alameda, San Jose
408-275-1411, www.zonarosasj.com

* * *



1/19/2014 1 check-in here

This place has EXCELLENT food, PERIOD.

So the mrs. and I are out on a date and since our departure from Berkeley and Oakland I've been craving something similar to Fonda which is one of my favorite mexican tapas places in Berkley.

We show up on a Saturday night around 8PM... without a reservation. DO NOT make this same mistake. READ THIS NOW -- MAKE A RESERVATION because there are only 10 tables in the whole place and it was packed.

So we didn't make a reservation, we were quoted a 45 min wait -- so we walked over to Wine Affairs to grab a quick drink. After we finished our round we were seated at a two top that was somewhat squished next to a bunch of other people. Granted -- this place is COZY... here's where it all became worth it. I order a house margarita and though there's not as much in the glass for the price -- the taste is phenomenal. We grabbed some "3 salsa chips" which were PERFECT in flavor ranging from super spicy to sweet mild.

I ordered the Duck Mole enchiladas and the mrs. ordered the salmon fish tacos. I swear I have never had better mexican food, except maybe in Cancun in a small village from a grandmother cooking for me at home. THIS PLACE IS FANTASTIC and I'm fairly confident you could order anything here and be happy. The price is a little steep, so you won't be stopping by everynight but it's great for a date night.

1/12/2014

Loved the decor and the size of the place for a date night dinner.

The food is delicious and appropriately portioned. I had the carmitas tacos and my husband had chimichurri steak tacos.

Only disappointment is they were out of my first and second choice of wine. However service was impeccable. They moved us after we sat down next to a really loud group and offered tastes of food I wasn't sure of.

Looking forward to going back for brunch.

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BUILDING DATA SUMMARY

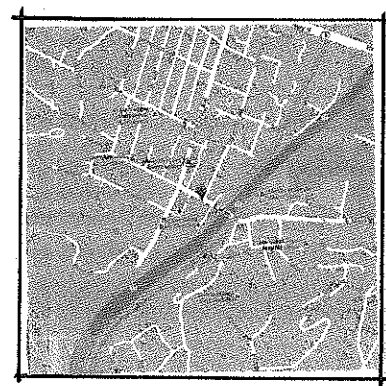
A.P.N.: 529-01-025
 Jurisdiction: Town of Los Gatos
 Zoning: C-2, Central Business District
 Occupancy: B
 Site Area: N/A
 Construction Type: VB
 Remodel Area: 60.0 s.f.
 Occupant Load: Seating: 13, Total: 26

SCOPE OF WORK

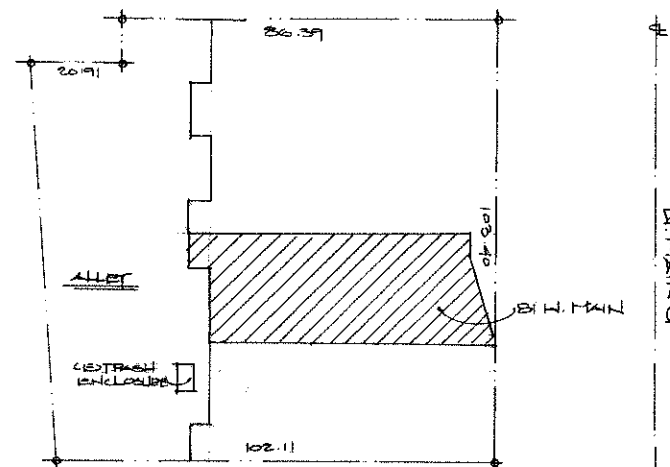
Remove 30 linear feet of existing countertop, construct 10 linear feet of 6' high pony wall, relocate 2 duplex outlets from Point of Sale to new pony wall. Existing space includes walls, floor, ceiling assembly, lighting, HVAC, full kitchen and all equipment, accessible entry door with push actuator & required signage, accessible restroom.

APPLICABLE CODES

All work shall comply with 2013 CBC, CEC, CFC

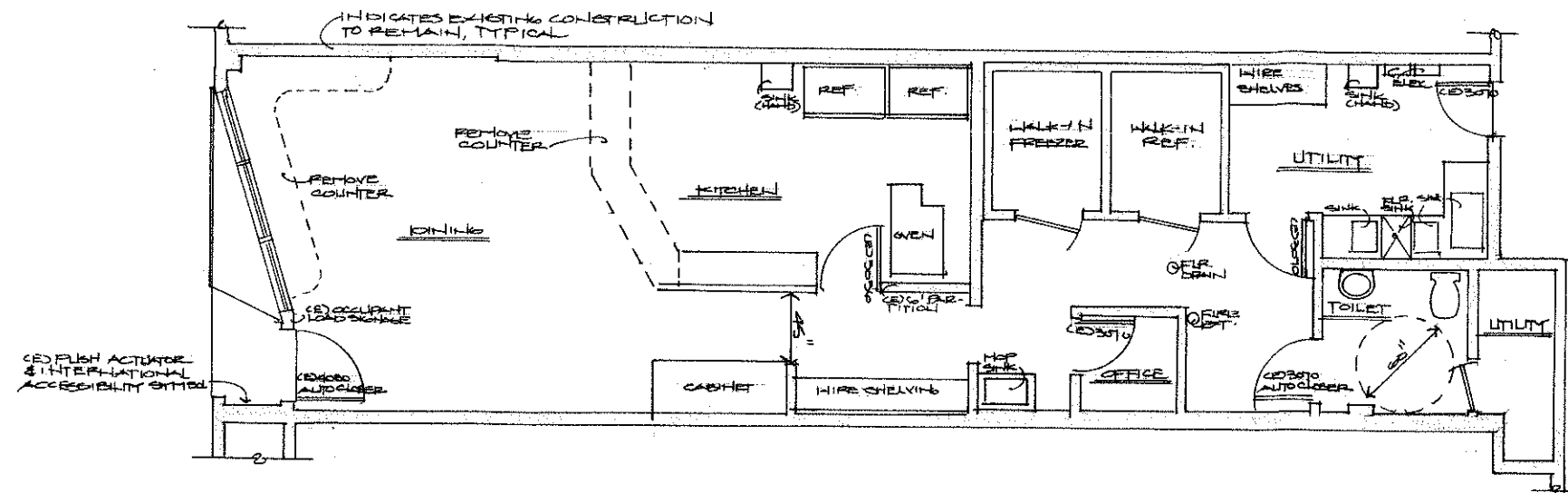


VICINITY MAP

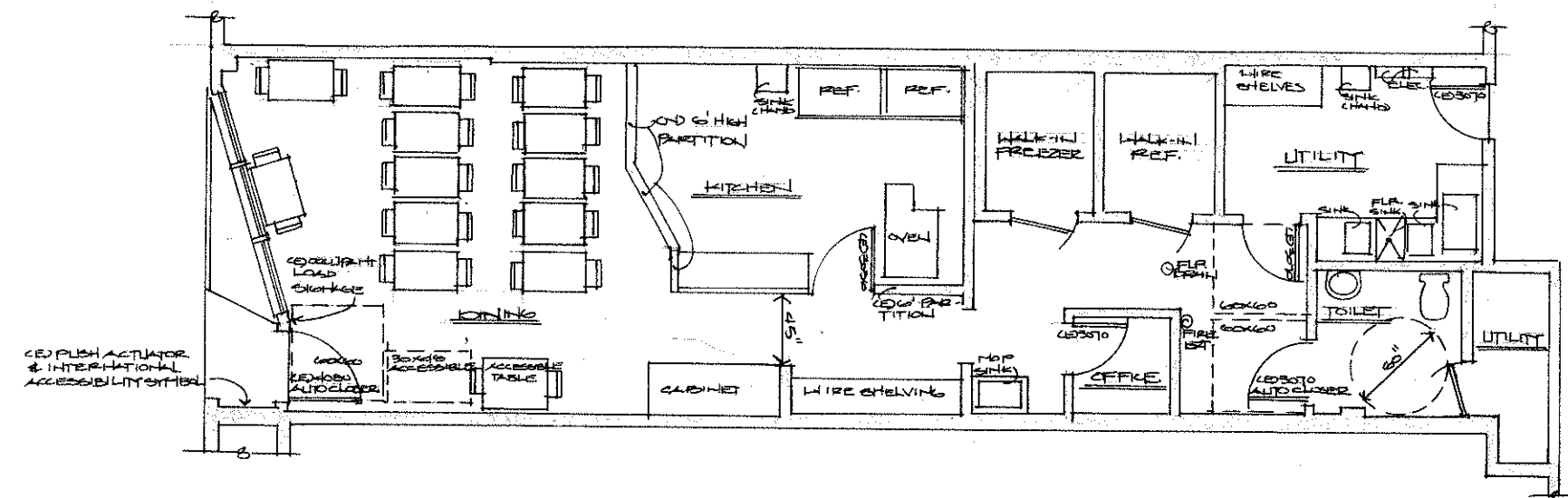


SITE PLAN
 SCALE: 1" = 20'

W. Main Street Address	Business Name	Type of Use	Square Feet	No. of Seats	Required Parking
65	Nimbus Salon	personal service	1,225	160	4.1
81	Zona Rosa	restaurant	1,225	260	6.5
91/101	LG Roasting	restaurant	2,450	58	14.5
109	Pizza Simpatico	restaurant/bar	1,300	44	11.0
Total Required Parking					35
On-site Parking Provided					0
Parking Credits					39



AS-BUILT/DEMOLITION PLAN
 SCALE: 1/4" = 1'-0"



NEW PLAN
 SCALE: 1/4" = 1'-0"

RECEIVED

FEB 12 2014

TOWN OF LOS GATOS
 PLANNING DIVISION

CUP 4-14-002

EXHIBIT 7

LAURA WINTER
 DESIGN • DRAFTING • SPACE PLANNING
 98 ATLAS AVENUE • SAN JOSE, CA 95128
 (408) 971-8606

TECHNICAL IMPROVEMENTS FOR
ZONA ROSA
 81 WEST MAIN STREET
 LOS GATOS, CA 95030

DRAWN BY: L.R.H. 2.10.14