




MEETING DATE: 8/1/05
ITEM NO.
ADDENDUM 10

COUNCIL AGENDA REPORT

DATE: July 28, 2005

TO: MAYOR AND TOWN COUNCIL

FROM: DEBRA J. FIGONE, TOWN MANAGER 

SUBJECT: CONSIDER A REQUEST TO MODIFY A CONDITIONAL USE PERMIT TO EXPAND AN EXISTING RESTAURANT, ADD ADDITIONAL SEATS AND FOR AN ALTERNATING USE OF PARKING ON PROPERTY ZONED C-2. APN 529-03-035. PROPERTY LOCATION: 42/44 ELM STREET
PROPERTY OWNER: MICHAEL T. COBLER APPLICANT: NICHOLAS A. DIFU

REMARKS:

Attached is a petition (Attachment 10) requesting that the Conditional Use Permit not be modified.

The report for this item states that the restaurant is expanding into an adjacent personal service space. This space is currently occupied by Biba Salon for Children. Salone Isis is not part of the restaurant expansion which is located adjacent to Biba Salon.

Attachments:


- 1 - 9 Previously Submitted
- 10. Petition (five pages) received July 28, 2005.

Distribution:

Nicholas A. Difur, 19720 Oakmont Drive, Los Gatos, CA 95033
Michael T. Cobler, 900 E. Campbell Avenue, Campbell, CA 95008

BNL:SLB:mdc

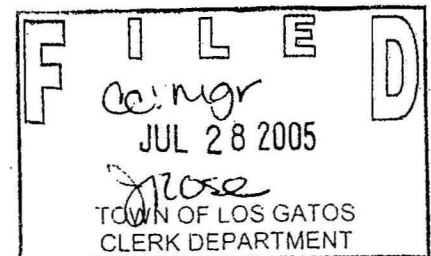
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PREPARED BY: BUD N. LORTZ 
DIRECTOR OF COMMUNITY DEVELOPMENT

Reviewed by: PSJ Assistant Town Manager OK Town Attorney _____ Clerk _____ Finance
✓ Community Development Revised: 7/28/05 3:19 pm

Friday, July 22, 2005

Citizens of Los Gatos and Patrons of Biba and Café Rouge:



Two wonderful Los Gatos establishments are about to be evicted and replaced! Cafe Rouge and Biba Salon for Children are neighboring businesses on 42 and 44 Elm Street, Los Gatos.

I was recently informed of a request before the town council that will eliminate Cafe Rouge and Biba Salon for Children and replace them with yet another "fine dining restaurant". The wording on the notice says "Consider a request to modify a Conditional Use Permit *to expand an existing restaurant,...*" This is misleading as Cafe Rouge will **not** be expanded, it will be replaced.

If you do not want to see this happen please do the following:

1. Sign the petition being taken at Café Rouge and Biba Salon by Friday, July 29th, 12 noon, or write your own letter to the Town Council, P.O. Box 949, Los Gatos, 95031 to be received on or before Friday, July 29th.
2. Attend the Public Hearing that will decide the fate of these two businesses on Monday, August 1, 2005, 7pm, in the Council Chambers, 110 East Main Street, Los Gatos.

If you want to keep these two businesses in Los Gatos, then make sure the town council knows you do **not** want to modify the current Conditional Use Permit for 42 and 44 Elm Street.

Thank you for helping to keep Los Gatos community friendly!

A Fellow Concerned Citizen,

Gini Bellawala

To: Town Council of Los Gatos

Re: 42 and 44 Elm Street, Modifying Conditional Use Permit U-05-013

We, the undersigned, ask you to refuse modifying the Conditional Use Permit for 42 and 44 Elm Street. The wording on the notice "to expand an existing restaurant" is misleading. The result will not be that the current restaurant, *Café Rouge*, be expanded; it would be evicted and replaced! We do not want one "fine dining restaurant" to displace both of the current businesses – *Café Rouge* and *Biba's Salon for Children*.

Help keep Los Gatos a diverse community of businesses that bring local residents together to play, shop, receive services and eat. Keep Los Gatos community friendly! Vote against modifying the Conditional Use Permit U-05-013.

Sincerely,

The Undersigned

Name	Address	Phone	Signature
1. Peggy Walker	1155 Merrill Meadows		Peggy Walker
2. Barbara Milia	1944 Emerson Palo Alto		Barbara Milia
3. Charles H. Horowitz	602 Broadway Lane Foster City		Charles H. Horowitz
4. Virginia Ottoway	4609 Fairway Dr. San Jose, Virginia Ottoway		Virginia Ottoway
5. Paul D. Anders	2039 Forbes Ave	408-2945117	Paul D. Anders
6. Ben Feltz	5025 Blossom Gardens Cir		Ben Feltz
7. Julie P. Pattiery	219 Rushmore Lane	354-4947	Julie P. Pattiery
8. Jim Jander	3220 Redwood St SAN JOSE	270-9507	Jim Jander
9. Celia Casey	532 Peppy Way Aptos	831-687-0146	Celia Casey
10. Fred Garani	1941 Hamilton Ave	408-377-9855	Fred Garani
11. LAILA MUNIF	18729 METLER COURT	408-376-0855	Laila Munif
12. Anna Matthiasson	16298 Cleander Ave		Anna Matthiasson
13. Jana Barsten	123 Central Ave. LG	408-305-3808	Jana Barsten
14. Amir Ahmadzadeh	715 Corsa Place	408-778-2432	Amir Ahmadzadeh
15. Aliya Ahmadzadeh	715 Corsa Place	408-778-2432	Aliya Ahmadzadeh
16. Diana Miller	598 Maymont St. S.J.	408-297-7170	Diana Miller
17. Rick Hildebrand	1468 Cherry Garden Lane	265-6545	Rick Hildebrand
Tim Sherer	15480 Peach Hill Rd	8671010	Tim Sherer

18. J. Byron Fleck 3345 Benton St. SC 243-9835 J. B. Fleck
19. Sandy Cornburn 725 Jenny Ct. S.J. Sandy Cornburn
20. Ken Leman 1335 Elain Ave Camp 9008 Ken Leman
21. Bill Fern 1335 Elain Ave Campbell 9508 Bill Fern
22. Renee Yannon 2408 Kingfield Way SJ CA 95074 Renee Yannon
23. Evans SINGER 3261 Monte Sereno Terr Fremont, CA 94539 Evans SINGER
24. Tiffany Boltz 148 New York Ave Los Gatos CA 395-2992 Tiffany Boltz
25. Cathleen Beosel 103 Ross Creek Ct LG 356-9791 Cathleen Beosel
26. Michelle Martin 307 N. Santa Cruz Ave 395-0731 Michelle Martin
27. Michael Crouse 1520 California St #1, S.R. 860-748-3490 Michael Crouse
28. NATHAN ARON 6436 Stoneridge Ave RA. 402 617 501 1873 Nathan Aron
29. Enka Brand 890 Wainwright Dr. SJ 408/283-0757 Enka Brand
30. Matthew Beade 890 Wainwright DR SJ 408-283-0759 Matthew Beade
31. Gileen Turner 1621 Walters Ave 4083744017 Gileen Turner
32. Giang Turner 1621 Walters Ave Giang Turner
33. Lisa Pardini 301 Fanmar Way #5 831-251-5478 Lisa Pardini
34. Keah Jell 22 Heritage Court Campbell Keah Jell
35. Eira Gin 22 Heritage Court Campbell Eira Gin
36. V. Bridemeyer 16400 Oakwood Rd #40 95030 V. Bridemeyer
37. J. Greenway 116 Worcester Loop Los Gatos J. Greenway
38. Tom Torrey 14700 Winchester Dr. 95032 Tom Torrey
39. Chris (C) D 16791 Chorro Ct Los Gatos Chris (C) D
40. Van Le 16168 Blossom Hill Rd 95032 Van Le
41. Gary Kleggart 15731 Nansen Ave ^{Capitola CA 95014} 95014 Gary Kleggart
42. LUCIETH LEACH 122 TOWN TERRACE 95032 LUCIETH LEACH
43. Lois Anderson 210 University Ave 95030 Lois Anderson
44. JEFF WARK 168 Towne Terrace ⁹⁵⁰³⁰⁻⁸⁶⁸⁻⁹⁷⁰⁴ 95032 JEFF WARK
45. Allison Stein P.O. Box 2319 95031 Allison Stein

46. Jessie Penner 810 Old Orchard Rd 310-5411 Jessie Penner
47. Rebecca Wild 5831 Chamberlin 691-0766 Rebecca Wild
48. Susan Testa 17599 Bruce Ave 395-7749 Susan Testa
49. Frank Kwikman 74 Peridley Rd Campbell 559-8A17 Frank Kwikman
50. Cathy Edwards ~~Chute Road~~ ^{PERDLEY} ~~Cam~~ ^{PERDLEY} Cathy Edwards
51. N. Bannister-Smith 17268 ZENA AVE, MORE 95030 N. Bannister-Smith
52. Shannon Pedersen 241 Gregg Ct, Los Gatos ^{SEBENO} Shannon Pedersen
53. Gina Kidd 5969 Sandy Lane ST. Gina Kidd
54. Erin Hoeltz 24145 Schulties Rd ^{408 353-5509 95033} Erin Hoeltz
55. Beth Berger 12500 Green Meadow Ln. ^{JAVATOPE} Beth Berger
56. Ch. Starkind 2983 Kensington Rd 363-1380 Ch. Starkind
57. Pat O Cahill MD 19850 Old Santa Cruz Hwy ^{Los Gatos 395 408 5202} Pat O Cahill MD
58. Fabian Okonski MD 62 Pennsylvania Ave 408-354-793 Fabian Okonski MD
59. Courtney Hammett 2900 Oxford Ave. San Jose 408 740-8539 Courtney Hammett
60. Susan McCall 2794 Parsons Merced 209-722-1908 Susan McCall
61. Tom McCall 2784 Parsons (209) 722-1908 Tom McCall
62. Fiona Cutting 15505 Palos Verdes Dr 354-7994 Fiona Cutting
63. Ram Harris 16521 Engwood Ave 358-8895 Ram Harris
64. KARINA GARCIA 200 N. RODEO GUNIA RD ^{(821) 345-5762} KARINA GARCIA
65. Flora Perreine 4033 Freeway Circle 910 33-6676 Flora Perreine
66. PART SADRIS 209 MORE AVE. ^{LOS GATOS} 408 741-2141 PART SADRIS
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To: Town Council of Los Gatos

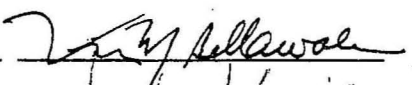
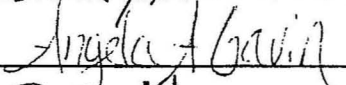
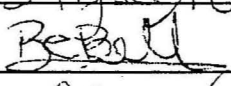
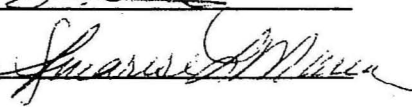
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Help keep Los Gatos a diverse community of businesses that bring local residents together to play, shop, receive services and eat. Keep Los Gatos community friendly! Vote against modifying the Conditional Use Permit U-05-013.

Sincerely,

The Undersigned

Name	Address	Phone	Signature
1. Virginia M. Bellawala	1440 Harriet Ave Campbell	364-2248	
2. Angela Gavin	15206 Elm Pkwy Monte Sereno	354-7340	
3. Beatriz Bell	2313 Stokes, San Jose	998-3474	
4. Amarose Monroe	110839 Frank Ave Los Gatos	356-4369	
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