

# **MEETING DATE: 8/1/05**

ITEM NO.
ADDENDUM

10

## COUNCIL AGENDA REPORT

T		7	
11	$\Lambda$	וי	н•
. ,	~		

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: MICHAELT. 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. Difu, 19720 Oakmont Drive, Los Gatos, CA 95033 Michael T. Cobler, 900 E. Campbell Avenue, Campbell, CA 95008

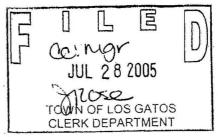
BNL:SLB:mdc

N:\DEV\CNCLRPTS\2005\42elm.ad2.wpd

PREPARED BY:	BUD N. LORTZ DIRECTOR OF COMMI	UNITY DEVELOPME	NT	
Reviewed by: <u>የち</u>	Assistant Town Manager	Ok Town Attorney	Clerk_	Finance
	Community Development	Rev	ised: 7/28/05	
Reformatted: 5/30/02			_	**

 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 29<sup>th</sup>, 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 29<sup>th</sup>.
- 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. Peren Walker	/ 1155 Merrill	Mealope	Parere	
	2. Barbara Millin	1944 EMERSON	Palo Alto	Byrully	<u> </u>
	3. CHARLES M. HOROWIT	2602 BERGENE 1	ONE FORECOY	Theres If John	
	4. Deignia Ottou	ra 4609 Fairwa	y De Soquel	Deignia att	pioc
	5. Paul D. ande	EUS 2039 FORFSPI	(US FOR 29)	ISIS SECULOU	_
	6. Pour Foth	5025 BLOSSIM GARDEN	s Ciè =	Beyran Fogo	_
	7. Julies Sectiones	219 Ruchmohe	Lane 354-49	47 Julie Guti	erh
7	8. Jun Jente	~ 3220 Redg and	-SANTSE 270	50 Junge	
<i>(</i> .	9. Celia Lany	532 Peppy Way a	tes 831-687-014	16 Celen Cary	
	10. FRED BARARI	1941 HAMILTON AUG	408-377-98	55 Jam Ban	<u> </u>
e P	11. LAILA MUNIF-	18729 METIER C	WRT 408-376-	985 - olltui	2
	12. Anna Mathiasson	16298 Cleander Ar	<u> </u>		<u>.                                    </u>
	13. Java Barsten	123 Central Ac. 1	G 408-395-3	808 to Roust	
	7111	4 715 Corsu 1/4 4	408-778-24		_
	15. alyua ahmadtada	h 715 Cassa Place	M4 403-778-2		_
	16. Divana Myll	er 598 Maynut St	SJ 408-297	7/10 Dun Mil	<del></del> -
	17. RILK Hildebrand	1468 Cherry Guiden	1 Lane 765-659	15 · J Mij-	_
	16. Divana Myll 17. Rick Hildebrand Tim Shere	er 15480 Fencind	tell \$67/	010 Have	

18. J. Byron Flesh 3345 Benton St. Sc 243-985 J. Tyl
19. Sandy Comburn 725 Jenny Ct. S.J. Such Combur
20. Lin Leman 1335 Elain Ave Camp 908 Confi
21. Bill Jen 1335 ElANAVECEMPLE ( 4506 Rely)
22. Renel yannon 2469 Kinefield Wey SI CA9074 Denuly
23. Evan Sider 3261 Marte Sereno Tenn Frement, (A94539
24. TIFFANY BOITZ 148 New YorkAve Los Gatos Ct 395-2992 Siffamy Partz
25. Cathoin Boose 103 ROSE CHELECH LG 356-9791 (Ill last)
26. Michelle Martin 307 N. Santa Cruz Ave 395-0731 Dellata
27. Michael Cronse 1520 California st #1, 5. K. 8600 748-3490 Mil
28. MATHIN DRADIO 6436 SONOPUNGE MAN RAT. 402 G17501 1873
29. Eriva Brand 80 Warnwright Dr. ST 408/28-0757 France
30. Marthew Reade 890 Wainwright DR ST 408 283-0759 De ST 408 283-0759
31. Gileen Turner 1621 Walters Are 408374 your ETCL
32. Grang winer 1621 Welter Ave Jugar
33. <u>Lisa Pardini</u> 301 Fanmar Way #5 831 2515478 Aisalandi
34. Kearly 22 Heatage Cost Campbell Kert fr
35. Eva bol 22 Herrage Con Campbell Fra Give
36. Whedernerer 18400 bier look Rd A 40 950%. V. Agudennerer
37. S. Galthay 116 woxcaster hop to Gatos & Allthury.
38. Jom Torrey 14200 Cunchester R. 95032 & dist
39(thing Colon) 16791 Churco Of hos God Church Color ()
40. Van Le (6/68 Bussum HI Kdl6 95032 (-) 41. Gay Kolegat 15731 Newson As Captage 95014 Da Hh
7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7
42 LUCITH LEXH 122 TOWNE 18RINE 95032 SUN MUNICIPALITY CON CONTRACTION CONTRACTIONS
431 XUF GINCUSSI STO WIN DEVILLY WOT 99030 TOUSEMENTED  44. JEFF WARK 168 TOWNE TERRACE 95032 XMD Walk
45. AllisonStin. P.O. Dox 2319 9:203)
13. 711 2017 7

46. Jessie lenteria 810 Old DICHART BILO SUIL STEMBERGE
47. Kehecca Weld 5831 Chambertin 691.0766 flepecer Will
48. Susan Testa 17599 Bruce Ave 395.7749 St. Dista
49. Figha Kaigman 74 Recicling Rd Campbell 559-8A17 glora flagner
50. Cache Edward WhiteRose Fre Pollon
51 N. Garanton Smith, 17268 ZENA W. MONE 95030
52 Mannon rederson 24 Greag Ct. Los Gatos Sheet
53. Sma Vida 5969 Soroly Lave SI- In Colo
54. Cin Habet Julius Schollies Rd Loc Golos Tighteelts
55. Both Berger 12500 Green MedauCH. Sayotoga Belolz
56. Cn. 5 tar Andrew 2983 Ferrongton to Rox 363-1380 Est
57. Pet O Cahill mo 19850 Old Scate Cra Amy 408 5200 AD Jun
58. Fabian Okanski MD 62 Pennsylvania Ave 403-354-793
59. Courtney Hammet 2900 Coxford Avr. San Use (408) 200-8539 Court entrumed
60. Susan Melall 2704 Parsons Miked 209-722-1908 Susan Wall
60. ON SUMO COL 2/0 / O Chi 20103 / WORLD 201 / 1/201040 O WWWITH COLY
61. [our McCall 2784 Paisons (209) 722-1908 04000
61. Tom McCall 2784 Passons (209) 722-1908 (209) 62. FIMI (44719 15505 Palus Verdes NI 354-7994 June (4440) 63. Parm Havris 1650 15 nouvers Are 353:8895 Communications
61. Tom McCall 2784 Passons (209) 722-1908 (209) 62. FIMI (44719 15505 Palus Verdes NI 354-7994 June (4440) 63. Parm Havris 1650 15 nouvers Are 353:8895 Communications
61. Tom McCall 2784 Passons (209) 722-1908 (209) 62. FIMI (44/119 15505 Palus Verdes NI 354-7994 JUNI (44/119 63. Ram Howris 165al 2 nghunod Are 358.8895 Emmy Sec. 64. Kazina Garcit 200 N. Rodeo Gover 10 245-5762 Languages Sec.
61. Tom MCall 2789 facsons (209) 122-1908 (100) 62. FIMI (4tting 15505 Palus Verdes NI 354-1994 June (4tting 63. Ram Howris 165al 2 ngunod Are 359.8895 Onmono 64. Kazina Gracit 200 N. Rodeo Gracia D 8213 295-5762 Knim Scott. Flavor 4035 Treline (100) Circle (100) 33-1050 Hange the reduce
61. Com McCall 2784 Parsons (209) 122-1908 (100) 62. FIMI (4HT)19 15505 Palus Verdes II 354-7994 June (4thous) 63. Parm Howris 165al Englus Are 359.8895 Enmonted 64. KAZINA GRACIA 200 N. RODEO GOVER DO 245-5762 Long Section of Circle (910313-1017) Afairark Hericale 65. Flaila Levi circle 4133 Treliques Circle (910313-1017) Afairark Hericale 66. PART SAORT 209 MORE AVE. 41081741-21041 Pai Solin COSC ATOS
61. Tom McCall 2784 Parsons (209) 722-1908 (1906) 62. FIME (4HTING 15505 Palus Verdes NI 354-1994 JUNE (HTTA) 63. Ram Howris 165al 2 nghund Are 359-8895 Onmarion 64. KAZINA GRACIA 200 N. RODEO Gracia DO 245-5762 Languary Scott. 65. Flaire Herround 4133 Free view Circle (910213-1667) Island Kterrodu 66. PART SAORT 209 MORE AVE. 4031741-2141 Jai Sich 67.
61. Com MCall 2784 Passons (209) 122-1908 Senter 1800 62. FIMI (HITING 15505 Palus Verdes II 354-7994 JiMI (HITING 63. RAM HOWN'S 16501 ENGLINED AND 359-8895 ENMANDED 64. KARINA GRACIA 200 N. RODEO GWILLED (821) 245-5762 from Senter 1800 N. RODEO GWILLED (110) 23-1097 Hawar Hervall 66. PART SAORT 209 MORE AVE 4081741-2141 Pai Sodn 66. PART SAORT 209 MORE AVE 4081741-2141 Pai Sodn 67.
61. Com MCall 2784 Parsons (209) 722-1908 62. FIME (147119 15505 Palus Verdes NI 354-7994 JiMI (44) 63. Ram Havris 16521 Englined Are 358:8895 Enmonted 64. Karzina Garrit 200 W. Rodeo Garris RD 8205-5762 from Se 65. Flathe Perroune 4035 Free way Circle (91033-1067) Alawark Perroune 66. PART SAORT 209 MORE AVE. 4081741-2141 Pai Soln 67. 68. 69.
61. Com McCall 2789 Parsons (209) 722-1908  62. FIMI (HHILD SSOS Palus Verdes II 354-7994 JUME (HATA)  63. Ram Howris 16521 Englined Are 359.8895 Environments  64. KARINA CHARCIA LODIN RODED CHICARD (18023-1622 from Scots)  65. Flavor Ferrence 41335 Fellower Circle (18023-1607) Hawark Hericale  66. PART SAORT 209 MORE AVE 4081741-2141 Pai Sidn  67.  68.  69.  70.
61. Com McCall 2784 Parsons (209) 722-1908 July Color South South States of 354-1994 July Little Color Falls Verdes 18 354-1994 July Little Color Falls Verdes 18 354-1994 July Little Color Falls Color Col
61. Com McCal 2784 facsons (209) 722-1908 62. FIMI (1411) 9 15505 Palus Verdes NI 354-7994 JUNI (441) 63. RAM HOWIS 16501 Engund Are 358.8895 ONMORE 64. KAZINA CHARCH LODIN. RODED CHICA DE 295-5762 from Sec. 65. Flavia Ferrance 4133 Fellewill Circle (1160)33-1011 Afairack terrade 66. PART. SAORT. 209 MORE AVE. 4081741-2141 Pai Sodn 67. 68. 69. 70. 71.
61. Com McCall 2784 Parsons (209) 722-1908 July Color South South States of 354-1994 July Little Color Falls Verdes 18 354-1994 July Little Color Falls Verdes 18 354-1994 July Little Color Falls Color Col

## 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

	•	16		
Name	Address	Phone	Signature	
1. Virginia M. Bellaudla	1440 Harriet Ave Campbell	364-2248	Jany Allawale	
2. Angela Gavin	15206 Flim Park H Monte Service	354-7340	Angela Abavia	
3. Beathe Bell	2313 Sto Kes, Sarfose	998-3474	ReBoll	
4. Amarase Manroe	16839 Frank Ave Los Ga	los 356-4369	Quaris Allin.	
5			<i>'</i> )	
6	***************************************			
7.	· · · · · · · · · · · · · · · · · · ·			
0				
9.				
10.				
	•		• • • •	
13				
		-		
15				
16.		-		
17				