

January 27, 2006

Dear Planning Commission,

I am writing in support of Teri Hope's application for revisions to the Los Gatos Coffee Roasting Company Conditional Use Permit. I am the current teen leader of the Under 21 Club, a youth-run group in Los Gatos dedicated to sponsoring events that showcase diverse teen talent while providing safe social alternatives. The Los Gatos community has expressed a sincere interest in supporting its youth and events like those we sponsor. The Los Gatos Coffee Roasting Company is an ideal location for such events if a few adjustments could be made in the venue's conditional use permit.

What We're About

The Under 21 Club grew out of the community project *Alive...and Loving Life (ALL)* after Los Gatos High School student Eric Quesada was killed November 26, 2002 in an alcohol related car accident. Our group is committed to the A.L.L. Vision:

"A safe community committed to sharing responsibility for each other while supporting youth to be healthy, capable and confident in life."

To prevent another tragedy like this, the Under 21 Club formed to help young people have fun in a safe and constructive way. Over many months we worked with a multitude of community members, local officials and downtown business owners to find a way to allow teens to have fun as responsible members of the community (i.e. not pushing them into a dark corner of town to have their fun). Partnership between teens, adults, the Town and local businesses is at the core of our effort. What we developed was a plan for events, which fostered a variety of passions and interests. With five successful events under our belt, we have seen the growing enthusiasm throughout the young community, and we would like to continue; however, the restrictions of the Conditional Use Permits have halted our events for eight months. We are eager resume this effort, providing a unique opportunity for the young community, and so we write with our requests for the Coffee Roasting Company's revised permit.

What We Would Like To Do

General Framework:

- What: acoustic or softly amplified "Open Mic Nights"; performances will run on a schedule with time restrictions and a sign-up sheet
- Where: All three rooms of the Los Gatos Coffee Roasting Company
- When: Weekend nights (most likely Friday) during the school year and week nights during summer; until 11pm or midnight; once or twice a month; year-round
- Who: for students under the age of 21.

Details:

The events will have adult supervision and we will work with the LG Police Department to ensure that the events run safely. There will always be at least 2 to 3 Coffee Roasting Company employees present. Absolutely no alcohol will be tolerated in the venue or involved with the events. We will serve small dinner food, snacks, soda, and coffee drinks prepared by Los Gatos Coffee Roasting Company employees.

January 27, 2006

Dear Los Gatos Planning Commission,

Words cannot describe the amazing feeling of being able to share my music in an intimate setting among my peers and my community. As a native Los Gatan and a representative of the teenage population, I cannot stress enough the lack of activities and events for teens to participate in, especially ones that are music related. Only a handful of the musicians at the high school are actually provided with opportunities to share their music with their peers. The events held by the Under 21 Club at the Los Gatos Coffee Roasting Company are a much-needed creative outlet for the countless artists who have nowhere to perform.

Attending the first Open Mic Night inspired me to start creating my own music. For over a year and a half, my friend Barbara Nerness and I have been writing songs and performing them within the confines of my garage. Being essentially too small for the more popular local venues, such as the Catalyst and San Jose Skate, and with school concerts such as Unplugged only being held once a year, the Under 21 Club events were our ideal and only venue. It's extraordinary to be performing only five feet away from an audience filled with your friends, classmates, and members of your community. It was wonderful being able to share something so personal with my peers. Had these events never been held, I probably never would have started writing music or found this outlet of expression.

It was so upsetting to find out that we couldn't have any more of these shows at the Coffee Roasting Company because of the permit restrictions. While trying to continue the Open Mic Nights at the Venue was a noble effort, the atmosphere just wasn't the same. There were no kids enjoying the free beverages, and, most importantly, it felt like we were being shoved into a corner, out of sight and out of hearing. One of the best things about the Coffee Roasting Company was that we were in the middle of town, where we could feel a part of the community. Furthermore, passersby could actually observe a bunch of teenagers enjoying themselves in a non-alcoholic, non-disruptive environment, which I think sends out a very important and positive message.

If you're still not sure whether or not to grant the Coffee Roasting Company a conditional use permit, I hope you'll consider these few points. The permit would allow an outlet for the creativity of the town's youth, whether a person is a practicing musician or someone who simply feels like jumping on the mic for some free-form poetry. The Open Mic Nights also provide a positive atmosphere for kids searching for entertainment apart from drugs and alcohol. Finally, it helps to make teens feel welcomed in the community, something that the Alive and Loving Life Program and the Under 21 Club have been striving to obtain for nearly 3 years. To restrict the Roasting Company's application would risk stifling the creativity and jeopardize the trust of some of the most important people in Los Gatos—it's youth.

Marissa Lyman
Singer/Songwriter
El Gato Editor-in-Chief
Los Gatos High School Senior
17-year Los Gatos Resident

RESOLUTION 2001 - 106

RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF LOS GATOS
AMENDING THE TOWN'S ALCOHOLIC BEVERAGE POLICY

WHEREAS, the sale of alcoholic beverages, if not regulated, can jeopardize public safety, result in an increase of calls for police services and compromise the quality of life for Town residents; and

WHEREAS, The Town Council wants to balance the regulation of alcoholic beverage service and protection of residential neighborhoods with the goal of maintaining a vibrant and successful Downtown and commercial areas throughout Los Gatos; and

WHEREAS, the Town Council held a study session on July 2, 2001 to discuss issues relating to service of alcoholic beverages; and

WHEREAS, the Town Council has indicated a desire to review all applications for new alcohol service or change in existing service, and a need to amend the existing Alcohol Policy,

THEREFORE BE IT RESOLVED: the Town Council of the TOWN OF LOS GATOS does hereby adopt the amended Alcoholic Beverage Policy attached hereto as Exhibit A.

POLICY REGULATING THE CONSUMPTION AND SERVICE OF ALCOHOLIC BEVERAGES

I. Purpose

The consumption or service of alcoholic beverages, if not regulated, can jeopardize public safety; result in an increase of calls for police services and compromise the quality of life for Town residents. This policy provides parameters for alcoholic beverage service, particularly addressing late night service when alcohol related incidents are most likely to occur and when the disturbances to Town residents is least tolerable.

The service of alcoholic beverages, with or without meals, past 10 PM is a discretionary privilege to be determined on a case by case basis. The following provisions are intended to balance the protection of residential neighborhoods in close proximity to commercial districts and still maintain the viability of our commercial centers in which restaurants have an essential role. Hours of operation may be regulated based on an establishment's proximity to residential neighborhoods or schools, the concentration of establishments in an area serving alcoholic beverages or for other reasons that may arise at the public hearing.

The deciding body may approve a conditional use permit to serve alcoholic beverages based on the merits of the application and subject to the following requirements:

II. General policy

1. The Town shall continue to strongly discourage new applications for stand alone bars or restaurants with separate bars.
2. The Town shall continue to discourage applications for entertainment establishments serving alcoholic beverages.
3. Entertainment in association with an eating or drinking establishment may be allowed if standards and a permit process are adopted.
4. Alcoholic beverage service for new conditional use permit applications or applications for modification of a conditional use permit shall not be allowed:
 - A. After 11 PM Sunday through Thursday, except for holidays and evenings before holidays.
 - B. After 1 AM Friday, Saturday, holidays or evenings before holidays.

An existing establishment with a conditional use permit in good standing allowed to serve alcoholic beverages past the hours stated above may continue to operate under their existing hours of operation.

III. Specific Policy

1. Restaurants:

Alcoholic beverages may only be served with meals.

2. Restaurants With Separate Bars:

Alcoholic beverage service is permitted in the dining area only in conjunction with meal service. Meal service shall be available until closing or 11 PM Sunday through Thursday and until 12 midnight Friday, Saturday, holidays and evenings before holidays, whichever is earlier, if late night bar service is available. Specific hours of operation for each establishment are determined upon issuance of a conditional use permit.

IV. Review Process

1. Proposals for new bars or restaurants with bars and all requests for new alcohol service or a change to existing service shall be reviewed by the Planning Commission. The Commission will make a recommendation to the Town Council and the Council shall have final review authority.

2. Changes in ownership for businesses involving service of alcoholic beverages shall be reviewed by the Community Development Department. The following process will be followed:

a. The Director of Community Development shall contact the new business owner to make them aware of the conditions of approval attached to the Use Permit for the location.

b. One year following issuance of a business license, surrounding/impacted property owners shall be notified and any comments regarding the operation of the business shall be solicited.

c. If the Director of Community Development becomes aware of any alcohol related impacts on the surrounding neighborhood, the Director shall review the operation of the business to determine whether there is a violation of the use permit.

ORDINANCE 2021

ORDINANCE OF THE TOWN OF LOS GATOS
AMENDING CHAPTER 29 TO PROVIDE A MORE COMPREHENSIVE REVIEW OF
ADDITIONAL RESTAURANT USE IN THE DOWNTOWN AREA

THE TOWN COUNCIL OF THE TOWN OF LOS GATOS DOES ORDAIN AS
FOLLOWS:

SECTION I-

The C-2 (Central Business District Commercial) zone of the Town of Los Gatos contains a mix of retail, restaurant, and associated uses that sustains the economic vitality and historic atmosphere of the area, and is an essential part of the community. However, too many restaurants concentrated in this one area would displace retail uses that are vital to continued success and to having businesses that attract Town residents throughout the day. This ordinance is intended to discourage the displacement of retail uses by restaurant uses by requiring the Planning Commission to conduct a careful review of all applications for new restaurant uses in the C-2 zone through the public hearing process.

SECTION II

Section 29.10.020 is amended to read as follows:

Bar means a drinking place where alcoholic beverages and snacks are served; possibly with entertainment such as music, television screens, video games or pool tables.

Restaurant, fast food means a restaurant with a large carry-out clientele, long hours of service, some open for breakfast but all open for lunch and dinner, and high turnover rates for eat-in customers.

Restaurant, high turnover (sit-down) means a restaurant with turnover rates generally of less than one hour, is usually moderately priced and frequently belong to a restaurant chain, generally serve breakfast, lunch and dinner, and are sometimes open 24 hours a day.

Restaurant, quality means a restaurant of high quality and with turnover rates usually of at

Rachel Peled - Fwd: Request to Modify CUP for 91, 101 and 109 W. Main Street

From: Marilyn Cosden
To: Bud Lortz; Rachel Peled; Randal Tsuda
Date: 04/17/2006 8:48 AM
Subject: Fwd: Request to Modify CUP for 91, 101 and 109 W. Main Street

FYI.

Marilyn D. Cosden
Administrative Secretary
Community Development Department
Town of Los Gatos
408/354-6874
Email: mcosden@losgatosca.gov

>>> <srobbins-druian@inetmail.att.net> 4/15/2006 11:54 AM >>>

TO: Los Gatos Town Planning Department and Planning Commission
CC: Los Gatos Town Council

FROM: Sallie Robbins-Druian & Jay Druian
Owners
The French Cellar
32 East Main Street

RE: Request to Modify CUP for 91, 101 and 109 W. Main Street by applicant Teri Hope

Dear Planning Department, Planning Commissioners and Town Council Members,

There are no two people in our community who admire and respect Teri Hope more than Jay and myself. Throughout the years we have mutually supported each other in matters of business, we have donated to her causes, and raised our positive voices for her special Town of Los Gatos projects. Her contributions of time and creativity to the community are countless, and her success as a businesswoman is obvious. We consider her a friend and she knows we will support her when we can. So it is with great difficulty, that we must voice our concerns regarding this modification. Both as members of the community and as business owners.

As owners of The French Cellar, we are not comfortable with her requests as stated. Her request for a Wine Bar and extended hours trouble us. In 2004, we applied for a modification of our CUP for approval to hold private events, our wine appreciation classes and a tasting bar. It was made extremely clear by the Planning Department, that the Town would not approve a Wine Bar per se, only a Wine Tasting Bar. And that hours of operation in a mixed-use neighborhood must end at 9:30 PM. Let me clarify that our normal hours of operation do not extend past 6 PM, except for our wine appreciation classes every other week, and occasional private parties. It is obvious that the impact of a Wine Bar versus a Wine Tasting Bar is significant in areas that have apartment rental units above such businesses. We see the addition of a full-time day and evening Wine Bar or a Wine Tasting Bar at this location, adversely impacting the surrounding neighborhood, notwithstanding obvious

Invitations were mailed on April 10, 2006 to 70 addresses, including residents, property owners and business owners surrounding Los Gatos Coffee Roasting Company. The majority of addresses were obtained from the Town's planning department and included properties in the immediate vicinity of Los Gatos Coffee Roasting Company.

Guests totaled 48 individuals including; a resident Regina Love from 135 W. Main Montebello Terrace apartments (above Le Boulanger), neighboring business manager Marie Tallman of The Opera House, and Shannon McDonough, owner of Blendz at 81 West Main, all were present through the course of the meeting. Chief of Police Scott Seaman stopped in briefly at the beginning of the gathering but did not stay long.

Guests were treated to a sampling of products including; gourmet cheeses cured meats, olives and crackers along with a tasting of locally produced wines from Silver Mountain Winery.

Teri Hope addressed the group at 7:15 PM. Teri gave an over view of her business history and future vision, and outlined the specifics of the CUP application.

Teri introduced Jacqui Kemp, a high school senior and coordinator of the Under 21 Club. Jacqui briefly explained the history of the club and its mission. Jacqui announced that there would be a "test" event held on Friday April 21st from 7 to 10 PM to allow neighbors to become familiar with the activity and observe the function and provide feedback should they have any concerns.

Teri introduced Faun Skyles, a food and wine professional, who will be the wine and cheese buyer for the proposed project. Faun spoke briefly about her culinary career and the products she envisioned being carried.

Teri introduced Mary Lindsey, of the Santa Cruz Mountain Viticulture association. Mary talked about the association and her relationship with the local wine community. Mary summarized her talk by saying that the association was enthusiastic about Teri's project and believed it to be of value to local growers, vintners and the Los Gatos community.

Teri opened up the meeting to questions from the audience that included:

Q. How late will live music be played?

A. *Live music will end by 9:30 PM*

Q. What alcohol beverages are planned to be sold and/or served?

A. *Only wine will be sold. No beer or other liquors will be sold or served.*

Q. What kind of music & entertainment will happen at the Under 21 events?

A. *Acoustic music and open mic poetry.*

Q. How will alcohol be kept from the Under 21 event attendees?

A. *The retail wine sales area will be segregated by gate and security system installed to prohibit access. Adult supervision will be present at all times and the surrounding area will be patrolled to prohibit congregating in the parking lot or back alley.*

Teri closed the discussion and circulated 41 handout packets, which included contact information for her self, the Planning Commission and the Town Council as well as the dates of the upcoming public hearing. Guests were treated to coffee, chocolate fondue, biscotti and lemon bars. Meeting was adjourned at 8:00 PM

RECEIVED

APR 21 2006

TOWN OF LOS GATOS
PLANNING DIVISION

C-2 Establishments with Alcohol Service

	No.	Dir	Street	Suite	APN	Name of Business
1	208		Bachman Ave		51014050	C.B. Hannegan's
2	42		Elm Street		52903035	Café Rouge
3	165		Los Gatos-Saratoga Ave		52904083	Baker's Square
4	235		Los Gatos-Saratoga Ave		51014074	Diner of Los Gatos
5	25	E	Main Street		52928036	I Gatti
6	29	E	Main Street		52928036	2wenty-9ine East Main Café
13	160	W	Main Street		52903020	Valeriano's Italian Restaurant
14	6	N	Santa Cruz Ave		52803047	Andale
15	8	N	Santa Cruz Ave		52803046	Carry Nation's
16	9	N	Santa Cruz Ave		51044077	Pizza My Heart
18	19	N	Santa Cruz Ave		51044068	Great Bear Coffee
20	20	S	Santa Cruz Ave	204	51045075	Jasmine Restaurant
22	20	S	Santa Cruz Ave	218	51045075	Willow Street Pizza
23	21	N	Santa Cruz Ave		51044036	Andale
25	47	N	Santa Cruz Ave		51044030	Gilley's Coffee Shop
26	51	N	Santa Cruz Ave		51044030	Gardino's Ristorante Italino
27	57	N	Santa Cruz Ave		51044030	Round Table Pizza
29	115	N	Santa Cruz Ave		51017065	Chart House Restaurant
30	130	N	Santa Cruz Ave		52903044	Los Gatos Brewing Company
31	133	N	Santa Cruz Ave		51017062	Tandoori Oven
32	135	N	Santa Cruz Ave		51017062	Kamakura Restaurant
33	137	N	Santa Cruz Ave		51017061	The Green Papaya
34	140	S	Santa Cruz Ave		51045065	Toll House
35	151	N	Santa Cruz Ave		51017060	Maki Yaki
36	206	N	Santa Cruz Ave		52904089	Forbes Mill Steakhouse
39	316	N	Santa Cruz Ave		52904090	Pedro's
40	330	N	Santa Cruz Ave		52904040	Transilvania Romanian Restaurant
41	336	N	Santa Cruz Ave		52904041	Sushi Yokohama
43	340	N	Santa Cruz Ave		52904042	Los Gatos Café
44	354	N	Santa Cruz Ave		52904091	Los Gatos Double D's Sports Grille
45	31		University Ave		52902044	Steamer's Grillhouse
46	50		University Ave		52902044	California Café Bar & Grill
47	50		University Ave	23	52902044	Wine Cellar Restaurant
48	320		Village Lane		52904048	Manresa Restaurant
49	368		Village Lane		52904053	Café Marcella Wine Bar & Restaurant

Total: 49

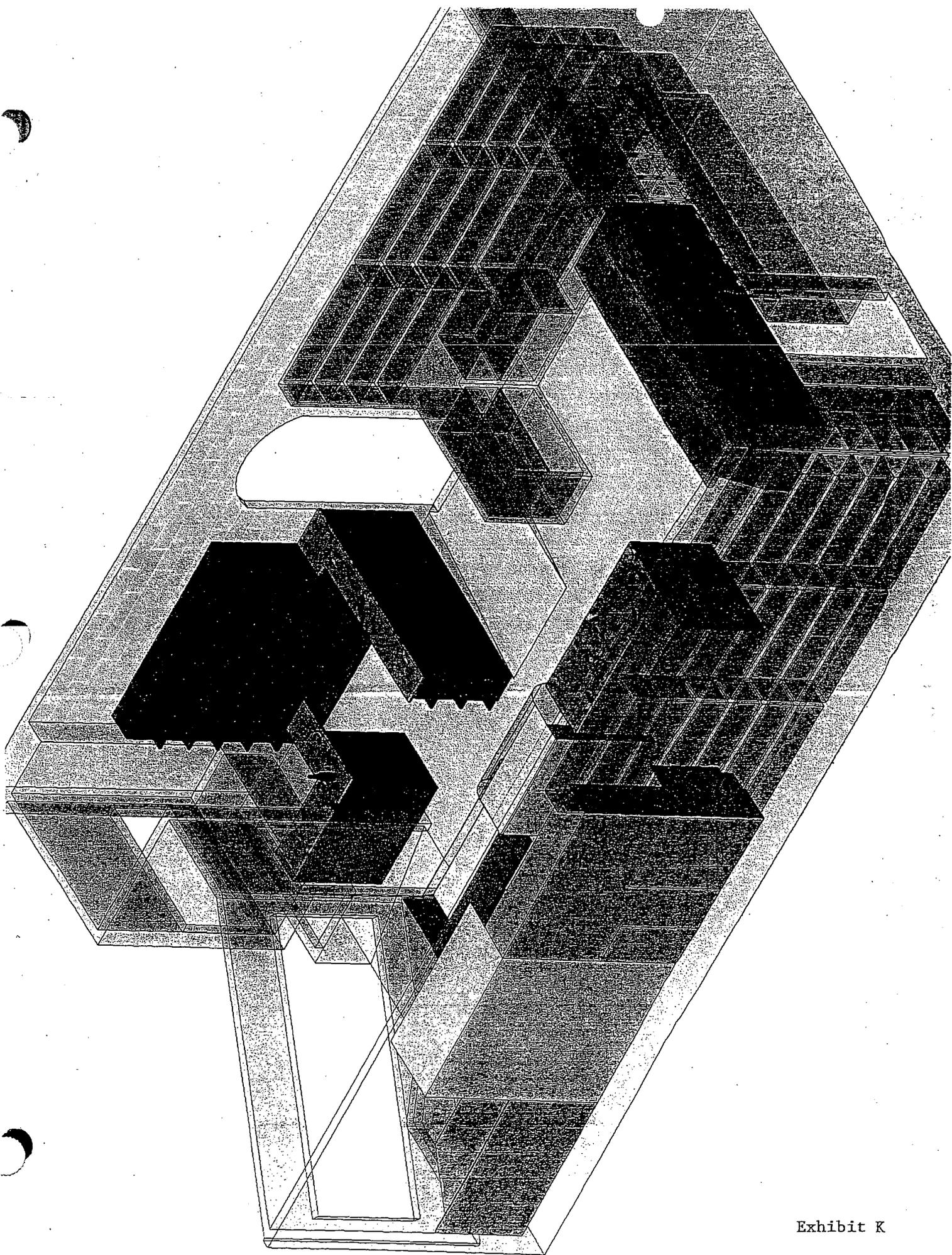
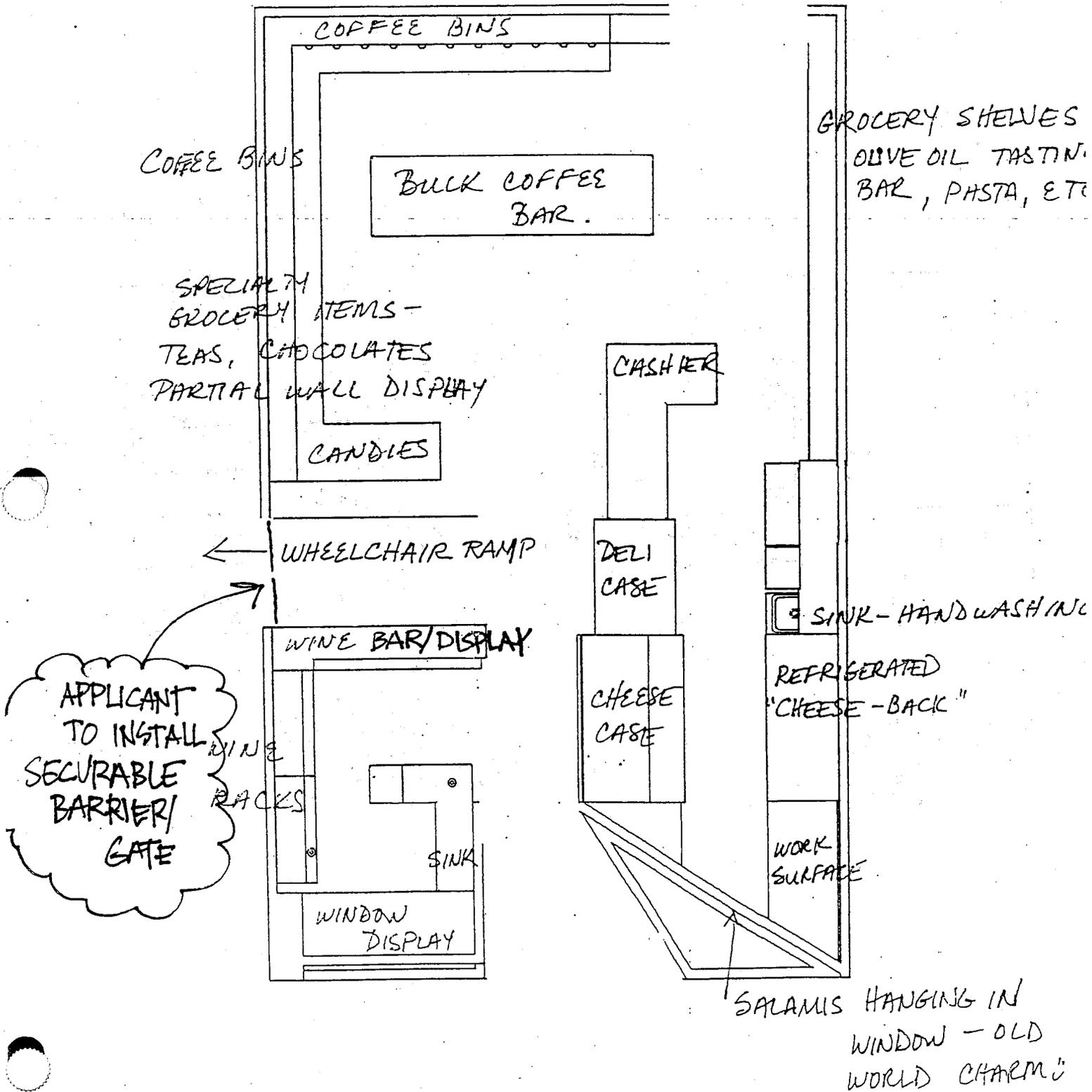


Exhibit K

109 WEST MAIN STREET, LOS GATOS



Date: April 26, 2006
For Agenda Of: April 26, 2006
Agenda Item: 1
DESK ITEM

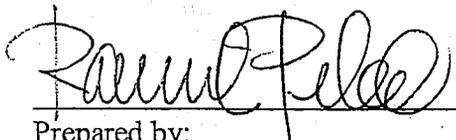
REPORT TO: The Planning Commission
FROM: The Director of Community Development
LOCATION: 91, 101 and 109 W. Main Street
Conditional Use Permit U-06-12

Requesting approval to modify a conditional use permit to change the hours of operation, allow special events, deli, off-site beer and wine sales and wine bar on property zoned C-2. APN 529-01-025.
PROPERTY OWNER: Sue Farwell
APPLICANT: Teri Hope

EXHIBITS: A-L. Previously Submitted
M. Revised Recommended Conditions of Approval, (2 pages)
N. E-mail letter from applicant to neighboring business owner, (3 pages), received, April 24, 2006.
O. Seven letters from neighbors in support of the proposed project (9 pages), received April 21, 2006 and April 26, 2006.

REMARKS:

Attached are revised recommended Conditions of Approval with corrections and modifications to Conditions 1,3,4,5,6,7 (Exhibit M). The applicant submitted a follow-up letter to a letter of opposition from a neighboring business owner that was included in the staff report (Exhibit N). Attached are letters in support of the proposed project (Exhibit O).



Prepared by:
Rachel B. Peled, Assistant Planner



Approved by:
Bud N. Lortz,
Director of Community Development

BNL:RT:RP

N:\DEV\REPORTS\2006\91,101,109W.MainSt.Desk1.wpd

10. SPECIAL EVENTS.

Special Event	Event Type
Under 21 Club Events (Alive and Loving Life)	A maximum of 12 events per year. Amplified music and open microphone. Alcohol not permitted during hours of scheduled youth group events. Adult supervision provided for each Under 21 Club event. Music shall end at 9:30 PM.
Poetry/Music Weekend Evening Events	A maximum of 10 events per year. One event per month scheduled on a weekend evening. Poetry and amplified music. Alcohol service not permitted during hours of weekend events. Music shall end at 9:30 PM.
Community Meetings	Weekly community meetings (including the Los Gatos Art Association Board, co-op nude figure drawing group, and wine appreciation lecture group) held within non-business hours. Music, alcohol, and food service not permitted. Events will not go past 10 PM.
Los Gatos Roasting Company Annual Events	Two Los Gatos Roasting Company events per year, by invitation only. Amplified music and alcohol permitted. Music shall end at 9:30 PM.

11. WINDOW CURTAINS. Opaque window curtains must be placed in all storefront windows during nude figure drawing classes.

TO THE SATISFACTION OF THE DIRECTOR OF BUILDING & ENGINEERING:

12. TRAFFIC IMPACT MITIGATION FEE. A traffic mitigation fee shall be paid for an additional 126 ADT prior to the issuance of a Certificate of Use and Occupancy. \$13,008.96 shall be paid within 30-days of Town Council approval of the CUP.

TO THE SATISFACTION OF THE CHIEF OF POLICE:

13. 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.

14. 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.

15. 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.

16. DESIGNATED DRIVER PROGRAM: The restaurant operator shall actively promote a designated driver program such as complimentary non-alcoholic beverages for designated drivers.

17. POSTING OF TAXICAB TELEPHONE NUMBERS: Taxicab telephone numbers shall be posted in a visible location.

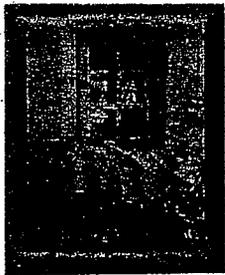
application which describes all of the elements I wish to include in my specialty grocery market concept. My vision is to establish a specialty grocery market in my store which will feature artisan cheeses, pates, prosciutto, olives, olive oils, tapenades and charcuterie. I also wish to sell a line of local boutique wines by the bottle and I would like to do sampling to help sell the wine. However, I am not proposing a "wine bar" per se, but rather a gourmet grocery store that includes wine in its product line and wine sampling. The business model is most comparable to an Oakville Grocery or AG Ferrari type operation on a smaller scale.

I think I understand, from our recent conversations and your letter addressed to the Town, that the wine sampling aspect of my application is your primary concern. I also understand that you did not get the full approval you were hoping for in your 2004 application for a modification of your CUP. I'm sure you must have been very disappointed that you did not receive the full measure of your request. I sympathize with you and I know others do as well.

I want to assure you that I have worked with the Town staff over the past weeks to understand the local requirements and restrictions regarding the wine license aspects of my application. I am partnering with a person who has a great deal of experience in the business so I do have the support of a seasoned professional. I have met with neighborhood residents to get feedback about my proposal. As a result I am setting a 9:30 pm limit on any wine service. I will not be having live music or entertainment during hours of wine service to avoid a bar-like atmosphere. I do have a commercial trash compactor and a recycling program in place. We will be paying a substantial Traffic Mitigation fee to the town even though the planning dept determined that the traffic impact generated is considered minor.

I do believe that the community will welcome the return of a quality cheese & gourmet grocery operation in the heart of the downtown and that it will serve the customers who already frequent my store, the farmers market and three bakeries near my shop, will find it a welcome addition.

I do wish I had your blessings, but if I do not, I will respect your opinion



LA RUSTICANA *d'Orsa* VINEYARDS

Town of Los Gatos Civic Center
Los Gatos Planning Department
110 E. Main Street
Los Gatos, Ca. 95031

April 21, 2006

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APR 21 2006

TOWN OF LOS GATOS
PLANNING DIVISION

Attn: Los Gatos Planning Commissioners

Re: Los Gatos Coffee Roasting Company
Conditional Use Permit Modification Application

Commissioners:

This letter is written in support of Teri Hope and her Los Gatos Coffee Roasting Company's Conditional Use Permit Modification Application. She is applying for a gourmet grocery and delicatessen with on-site tasting and sampling by measured pour.

First let us address the applicant herself. Teri Hope has become a business icon in Los Gatos. Her Los Gatos Roasting Co. has become the symbol of life in our town. Somehow through good times and bad Teri has been able to keep her business thriving and exciting. People gather to meet and greet there. Business deals are made there. Relationships start there. The Roasting Company is the heart of town. Teri is the quintessential example of a successful woman in business. And she has been doing this for a VERY long time. Not only that, but she has been an ardent supporter of the community, serving on numerous charities and events designed to help both the arts and Los Gatos in general. This is a woman with as good a track record as you could hope to find. Words that apply here are, "TRUST" and "INTEGRITY".

All that being said, the concept itself is dearly needed. There is no convenient place to pick up food in the heart of town. This would be a welcome addition. As to the wine tasting and sales: This is certainly not a new idea. The concept is a tried and true one used in numerous communities throughout the state and the surrounding area. These are business models which are considered assets to their communities. Los Gatos is the gateway to one of the finest wine regions in the world. The town has the unique opportunity to support the region and help itself at the same time.

Exhibit 0

Marilyn Cosden - (no subject)

From: <RpBravo@aol.com>
To: <planning@losgatosca.gov>
Date: 4/26/2006 10:18:14 AM
Subject: (no subject)

To: Los Gatos Planning Commission,

Byington Winery & Vineyards in Los Gatos supports Teri Hope's application to allow wine sales, a wine bar and gourmet deli at the present Los Gatos Coffee Roasting Company location. We feel that this business will be an asset to the town of Los Gatos and a service to its residents, and is in keeping with the Town's high-end retail character. As a local winery and resident of Willow Glen we are very supportive of the Town of Los Gatos and Willow Glen as we frequent both places regularly, we would like continue to be part of the Town's vitality and success. We would also like to be part of Teri's success, and wish her the best in her new endeavor.

Rod P. Bravo
GM/CFO
Byington Winery & Vineyards, Inc.
21850 Bear Creek Road
Los Gatos, CA 95033
Tel 408-354-1111 x 202
Fax 408-354-2782

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APR 26 2006

TOWN OF LOS GATOS
PLANNING DIVISION

Rachel Peled - Teri Hope's proposal for wine tasting bar

From: "Diana Jensen" <Diana@testarossa.com>
To: <planning@losgatosca.gov>
Date: 04/25/2006 2:11 PM
Subject: Teri Hope's proposal for wine tasting bar
CC: <mary@lindsaypr.com>,
<terihope@losgatoscoffee.com>

To whom it may concern:

Testarossa Vineyards in Los Gatos supports Teri Hope's application to allow wine sales, a wine bar and gourmet deli at the present Los Gatos Coffee Roasting Company location. We feel that this business will be an asset to the town of Los Gatos and a service to its residents, and is in keeping with the Town's high-end retail character. As a local winery we are very supportive of the Town of Los Gatos and would like to be part of the Town's vitality and success. We would also like to be part of Teri's success, and wish her the best in her new endeavor.

Best regards,

Diana Jensen

Diana Jensen
Testarossa Vineyards
diana@testarossa.com
testarossa.com
Phone: 408-354-6150 x16
Fax: 408-354-8250
Cell: 408-391-6677

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APR 26 2006

TOWN OF LOS GATOS
PLANNING DIVISION

Subject: CUP Application for Los Gatos Roasting Company

On Wednesday, April 26th the Los Gatos Coffee Roasting Company will be going before the Planning Commission with a request to upgrade their existing Conditional Use Permits. The information for this piece was obtained from a handout used at a meeting for those people who have businesses or live in the immediate area of the 3 storefronts that make up the LGRC. It included the elements of the project as well as the outline for the CUP application. Please read the information, share it with your neighbors and answer the data questions at the end. We will take the information gathered and submit it to the Planning Commission prior to the meeting so that they will have a sense of the opinions of the merchants in the downtown corridor on this matter.

1. Los Gatos Coffee Roasting Company Application Information:

Teri Hope has been operating the Los Gatos Coffee Roasting Company on W. Main Street since 1982. The business occupies three spaces with access for flow between them (including wheelchair). Teri is looking to make changes to her original business model while still maintaining the coffee business. Included in the request are a change to the operating hours (expansion) and changes to the products and services they provide.

The application consists of the following:

1. Standardizing the CUPs for the three spaces.
2. Standardizing the operating hours for the three spaces – The requested hours would extend to 10 PM seven days a week.
3. Allow special event functions, some with live music including:
 - a. Poetry and live music – low volume amplification (maximum 12 annually)
 - b. Co-op drawing group, weekly meetings, no music
 - c. Monthly Under 21 Club functions with live music and open microphone
 - d. Annual LGRC events (twice annually) by invitation, include live music
4. Allow retail gourmet grocery & deli products to be added in the section that is now the specialty coffee section. They would continue to sell the coffees, teas & retail items but would add specialty foods as well as take-out cheese & charcuterie platters.
5. Allow on site:
 - a. Off-site sales of regional wines by the bottle
 - b. Allow on-site wine tasting area for measured pour sampling & wine appreciation classes and wine served by the glass with food items
 - c. Allow on-site service of wine by the glass with food.

NOTE: The wine site would be locked and secured and strictly off limits after hours during youth activities in the adjoining spaces.

NOTE: When there are events with live music, no alcohol will be sold/available.

There is no request for additional seating in any of the three spaces.

In her summary to the application, the applicant submits that the request meets the Town's criteria in the following ways:

- a. Use is desirable to public convenience and welfare
- b. Use will not impact the integrity or character of the zone
- c. Use will not be detrimental to public health or safety
- d. Use preserves the mix of land use without over concentration
- e. Use is in harmony with the various elements and objectives of the General Plan.

REQUIRED FINDINGS FOR

91, 101 and 109 W. Main Street
Conditional Use Permit U-06-12

Requesting approval to modify a conditional use permit to change the hours of operation, allow special events, deli, off and on- site beer and wine sales and wine bar on property zoned C-2. APN 529-01-025.
PROPERTY OWNER: Sue Farwell
APPLICANT: Teri Hope

- 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 uses of the property are essential or desirable to the public convenience or welfare; and
 - (2) The proposed uses will not impair the integrity and character of the zone; and
 - (3) The proposed uses would not be detrimental to public health, safety or general welfare; and
 - (4) The proposed uses of the property are in harmony with the various elements or objectives of the General Plan and the purposes of the Town Code.
- That the work proposed is consistent with the Redevelopment Plan for the Central Los Gatos Redevelopment Project Area (Section IV.B).
 - As required by Section 15301 of the State Environmental Guidelines as adopted by the Town that this project is Categorically Exempt.

RECOMMENDED CONDITIONS OF APPROVAL FOR:

91, 101 and 109 W. Main Street
Conditional Use Permit U-06-12

Requesting approval to modify a conditional use permit to change the hours of operation, allow special events, deli, off and on- site beer and wine sales and wine bar on property zoned C-2. APN 529-01-025.

PROPERTY OWNER: Sue Farwell

APPLICANT: Teri Hope

TO THE SATISFACTION OF THE PLANNING DIRECTOR:

(Planning Section)

1. **APPROVAL:** This application shall be completed in accordance with all of the conditions of approval listed below and in substantial compliance with the plans approved and noted as Exhibit L in the report to the Planning Commission. Any changes or modifications made to the approved plans shall be approved by the Director of Community Development or the Planning Commission, depending on the scope of the changes.
2. **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.
3. **USE:** The approved use is a coffee shop-restaurant, delicatessen, wine bar, and specialty retail. Store A contains the wine bar, deli counter, off-site sales of wine, and specialty grocery/coffee retail uses. Stores B and C contain the espresso bar and coffee shop uses. The use shall be consistent with the description contained in the letter from Teri Hope dated April 21, 2006 (Exhibit D).
4. **NUMBER OF SEATS:** The maximum number of seats for the restaurant shall not exceed 52 seats and 6 seats on the outdoor benches in front of Store B and C. No additional seats will be allowed outside of restaurant.
5. **HOURS OF OPERATION:** Maximum hours of operation for the restaurant shall be 6:00 a.m. to 10:00 p.m. seven days a week. The wine service bar will operate from 11:00 a.m. to 9:30 p.m. during normal business hours. Wine bar service not permitted during the following special events: Under 21 Events, Poetry/Music Weekend Events, and Community Meetings.
6. **ALCOHOL SERVICE:** The service of wine by the glass for the restaurant 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.
7. **WINE TASTING:** Wine tasting is permitted at the wine bar located at the front of Store A as shown on Exhibit L of the report to Planning Commission. No seats are permitted at the wine bar. The maximum sample size for the wine tasting shall not exceed one ounce. Packaged snacks may be served as part of the wine tasting.
8. **SECURABLE BARRIER.** The applicant must install a securable barrier between Store 'A' and Store B as show on Exhibit L to the satisfaction of the Community Development Director. The barrier must be secured during all special events that do not permit the service of alcohol.
9. **LIVE ENTERTAINMENT:** No live entertainment shall be provided during the service of alcohol.

ATTACHMENT 4

TO THE SATISFACTION OF THE CHIEF OF POLICE:

13. **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.
14. **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.
15. **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.
16. **DESIGNATED DRIVER PROGRAM:** The restaurant operator shall actively promote a designated driver program such as complimentary non-alcoholic beverages for designated drivers.
17. **POSTING OF TAXICAB TELEPHONE NUMBERS:** Taxicab telephone numbers shall be posted in a visible location.

From: Reuel Warkov <rjwarkov@comcast.net>
To: <terihope@losgatoscoffee.com>
Date: 05/29/2006 7:02:53 PM
Subject: Letter of Support for Granting the New Permit Requests of the Los Gatos Coffee Roasting Company

Dear Teri,

I am delighted to hear of your latest effort to enhance the downtown business community and quality of life in Los Gatos. I have long thought that downtown would benefit from having a retail location focused on wines from our local wineries. Your concept provides the opportunity to experience and enjoy locally produced wines without having to travel into the mountains. The economic benefit to the local community and the small area producers is obvious. I am truly appreciative of your efforts in this regard and strongly urge the Los Gatos Town Council to grant you the necessary permit(s) for you to succeed in this venture. With so many local businesses leaving town, I applaud your determination to look for ways of bringing people downtown and creating opportunity for local producers. The Los Gatos Coffee Roasting Company is such an integral part of the spirit of Los Gatos and has always given so much back to our town. I wholeheartedly support the Los Gatos Coffee Roasting Company's effort to expand in this way and support the town granting all necessary permits for the retail sale of wine as well as permits for consumption on the premises.

I am out of town this week on business and am unable to attend the Council meeting, but offer this letter as my testimony in favor of the Roasting Company's requests to the Town Council.

Sincerely,

Reuel Warkov
269 Marchmont Dr.
Los Gatos, CA 95032

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CC: <mwasserman@losgatosca.gov>, <jpirzynski@losgatosca.gov>, <dmcnut@losgatosca.gov>, <sglickman@losgatosca.gov>, <bspector@losgatosca.gov>

ATTACHMENT 5