

**DEVELOPMENT REVIEW COMMITTEE – March 16, 2021**  
**CONDITIONS OF APPROVAL**

**35 W. Main Street**  
**Conditional Use Permit Application U-21-001**

**Requesting approval for a new restaurant (Sharetea) on property zoned C-2:LHP. APN 529-01-026.**

**PROPERTY OWNER: Joella Conover**

**APPLICANT: David Johnson**

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 and in substantial compliance with the approved plans. Any changes or modifications to the approved plans shall be approved by the Community Development Director, DRC or the Planning Commission depending on the scope of the changes.
2. EXPIRATION: The approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the approval has been vested.
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 pursuant to Section 29.20.340 of the Zoning Ordinance.
4. USE: A restaurant including outdoor seating is permitted.
5. HOURS OF OPERATION: The hours of operation shall be limited to 8:00 a.m. to 10:00 p.m., seven days a week.
6. DELIVERIES: Deliveries shall be limited to the hours of 6:00 a.m. to 10:00 p.m., Monday through Friday.
7. LIVE ENTERTAINMENT: Live entertainment until 10:00 p.m. is permitted in conformance with the Town Policy regulating Late Night Entertainment.
8. CERTIFICATE OF USE AND OCCUPANCY: A Certificate of Use and Occupancy must be obtained prior to commencement of use.
9. 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.
10. 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.
11. COMPLIANCE MEMORANDUM: A memorandum, in compliance with standard Town practice, shall be prepared and submitted with the building permit detailing how the conditions of approval will be addressed.