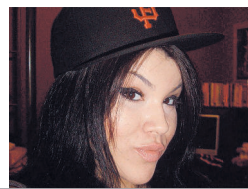


# LOCAL NEWS



**PAGE 2**  
Reward increased to find driver in hit-and-run

WWW.MERCURYNEWS.COM/COMMUNITY » SEARCH FOR LOCAL EVENTS, SUBMIT PHOTOS AND VIDEOS

103 SECTION B

## Let's give Lou's Village a chance

When my wife and I bought our first home more than 30 years ago, we picked a street within walking distance of downtown Willow Glen. Of all the neighborhood business districts in San Jose, Lincoln Avenue conveyed the most authentic hometown feel.

Though we've long since moved to the Shasta-Hanchett neighborhood, I still pay attention to Willow Glen. So when the controversy about Lou's



**SCOTT HERHOLD**  
COLUMNIST

Village burst into the open at a community meeting that drew 140 people, I had to investigate.

The issue boils down to this: How late should a respected San Jose restaurant be allowed to operate in a neighborhood business district where bars generally close at midnight? Should city officials err on the side of the owners or heed the fears of nearby residents who have been burned before?

When Lou's operated for nearly 60 years on San Carlos Street, the closing time was 2 a.m. The new restaurant's owners, Tom and Tim Muller, want the same closing time for a much smaller place in Willow Glen. They say they don't want to shove patrons out the door.

The old Lou's, which closed five years ago, was an iconic San Jose place, founded in 1946 by three ex-firefighters. Over the years, it attracted luminaries to San Jose (and, in a little-known fact, helped the comedic career of Kevin Pollak). As anchor tenants in the new Willow Glen Square development at Willow and Lincoln avenues, the Mullers are making a major investment in the new Lou's.

### Sensitive turf

But it is arguable that Willow Glen is more sensitive turf than San Carlos Street, particularly along Blewett Avenue, where neighbors recall the raucous operations of Beavers, a dance club at 1180 Lincoln Ave. that flouted regulations.

So who's right? The folks who say that staying open until 2 will send drunks onto their streets? Or those who say we need an option for a late-night place to eat and drink?

The Mullers are good guys: They're dedicated to working with the neighbors. At 3,150 square feet, their new place is much smaller than Beavers. As a restaurant, it will not have loud music. A sound wall and parking garage will help ease the burden on Blewett, which runs parallel to Lincoln.

"The community isn't going to know that we exist in that location," says Tim Muller. I think he's right: The development by Alex Beyer, of Palo Alto, is high-grade. I trust the Mullers to run their place well.

### Bad actors

At the community meeting, the fans of a 2 a.m. closing far outnumbered the critics. That doesn't mean, however, that the folks on Blewett have no credible arguments. They point out that the right to stay open until 2 goes with the property, not the business. What happens if the Mullers sell to a less responsible operator who hawks pizza rolls with loads of liquor?

Lou's supporters say there are mechanisms in the city code for dealing with bad operators. But if you live on Blewett, you retain less faith in the city's ability to crack down.

What's right? The Mullers might have to compromise on closing time: 1 a.m., maybe. And Planning Director Joe Horwedel, who makes the call, might explicitly flag how the city will handle nuisance complaints. He has to consider precedent on Lincoln Avenue.

But we should do nothing but encourage the investment that Lou's represents. As an iconic San Jose place, it deserves both a new birth and a new berth. "People want to go there," says Councilman Pierluigi Oliverio. And he's right.

Contact Scott Herhold at [sherhold@mercurynews.com](mailto:sherhold@mercurynews.com) or 408-275-0917.

## LOS GATOS

# Spotlight put on priest

Witness says church had suspicions, which could help defendant

By Tracey Kaplan  
[tkaplan@mercurynews.com](mailto:tkaplan@mercurynews.com)

In a surprising admission Wednesday, a Catholic Church employee testified that the Los Gatos priest attacked by a man who claimed the cleric sexually molested him as a child is indeed on a list the church keeps of alleged molesters.

The acknowledgment by Mary Margaret Eden won't change the fact that Judge David A. Cena is likely Thursday to decide there is enough evidence to hold Will Lynch, 44, over for trial for what has been portrayed as a revenge beating. And it has long been known that the Sa-

cred Heart retirement and medical center in Los Gatos where the Rev. Jerry Lindner resides has become a place for the church to house clerics suspected of abusing children.

But by quickly drawing out damaging information about the priest, Lynch's attorney Pat Harris achieved several goals. Most important, he can use the fact that the church has classified the priest as an alleged molester to try to win sympathy for Lynch from jurors in the upcoming trial, potentially reducing the chances they'll



GARY REYES/MERCURY NEWS

Defendant Will Lynch walks past supporters.

See **PRIEST**, Page 4

## THE STARS ARE IN TOWN

# Take a shot, sign a lot



PATRICK TEHAN/MERCURY NEWS PHOTOGRAPHS

Country singer Clay Walker, from left, and actors Andy Garcia and Bill Murray increased the star power Wednesday at Pebble Beach.

## Autograph hounds out in full force at pro-am golf tourney

By Julia Prodis Sulek  
[jsulek@mercurynews.com](mailto:jsulek@mercurynews.com)

PEBBLE BEACH — Sure, there are plenty of fans who came to the AT&T Pebble Beach National Pro-Am on Wednesday seeking a quick celebrity autograph on their golf hats or programs.

But those folks are amateurs. Gary Carrera of Fremont and his buddy Fernando Diaz from Campbell are hard-core.

"I collect autographs of famous people because it's a drug. I'm addicted to it," said Carrera, a 38-year-old electrician at Stanford. "I could get one guy a hundred times and still want to get him again. It's

### ONLINE EXTRA

See more photos from Pebble Beach at [www.mercurynews.com/extra](http://www.mercurynews.com/extra).

like a kid going to Disneyland."

And Pebble Beach on Wednesday — the site of the 3M Celebrity Challenge, in which the likes of Bill Murray, Kevin Costner, Andy Garcia and Craig T. Nelson played five holes for charity — was easy pickings.

Carrera, Diaz and about another dozen memorabilia collectors showed up with

See **PEBBLE**, Page 5



Fernando Diaz, left, and Gary Carrera show off photos they had autographed during the 3M Celebrity Challenge event on Wednesday.

## MEMORABLE FIELD TRIP

# An introduction to the opera has children singing its praises

Arts Express program brings kids to rehearsal  
By Sue McAllister  
[smcallister@mercurynews.com](mailto:smcallister@mercurynews.com)

Even with an audience of a few hundred elementary and high school students filling the seats, the gleaming California Theatre was hushed when opera singers first took the stage Wednesday morning in a special performance of a comic tale of love, deception and triumph.

"All is silent," sang the character Fiorello — in Italian — as his boss, Count Almaviva, prepared to serenade his girlfriend-to-be. "No one is around who would disturb our song."

Though few of the students attending this dress rehearsal of Op-



KAREN T. BORCHERS/MERCURY NEWS

Carol Presley and son Gabe Lavendel watch the performance.

era San Jose's "Barber of Seville" had ever attended an opera, they stuck with the story for hours, glancing back and forth from the English

See **OPERA**, Page 2

## SAN JOSE BUDGET

# Resistance to tax increases easing, city survey shows

Cuts in employee pay still favorite option  
By John Woolfolk  
[jwoolfolk@mercurynews.com](mailto:jwoolfolk@mercurynews.com)

The latest city poll on San Jose's budget mess found residents still favoring cuts in employee compensation over reducing city services or raising taxes. But it also found residents warming to the idea of new tax measures.

"The reality of the city's budget situation may be sinking in," said David Metz of Fairbank, Maslin, Maullin, Metz and Associates, a polling firm that has conducted past surveys for the city. He added that he found "increasing willingness among the public" to consider new tax

measures and once-unthinkable service reductions.

But the San Jose City Council, which unanimously accepted the survey report at its Tuesday meeting, made no move to pursue a new tax measure, even as the city confronts a \$110 million shortfall in the next budget, which must be adopted in June. The results indicated that while most voters might entertain the notion of new taxes, firm support for the increased levies was well below a majority.

"These numbers aren't enough to give anyone a lot of confidence," Councilman Sam Liccardo said.

See **SURVEY**, Page 4

SAN JOSE

# Reward in hit-run case grows

Teen's condition still critical; family offers \$5,000 to ID driver

By Lisa Fernandez

lfernandez@mercurynews.com

There has been such an outpouring of sympathy for an 18-year-old San Jose woman struck by a car and then dragged 2,000 feet by a hit-and-run driver that the family has been able to increase their reward to \$5,000.



Luna

J o s e Luna, 23, Erika Luna's brother, said he's received a lot of support from friends and strangers who all want to help find the driver in the crash that injured his sister Sunday at 2:37 a.m. at Tierra Buena Drive and Fontaine Road behind a Chuck E. Cheese's.

Erika Luna is still in critical condition with breathing

tubes, her brother said, but her eyes have opened and she's been able to talk a little bit.

Still, her family doesn't want to press her for details about what happened the morning she was out with her boyfriend, on her way to eat some tamales.

Based on information from the victim and her boyfriend, Luna was hit by a gray or silver minivan or sport-utility vehicle. The driver was male.

The Luna family first offered a reward of \$2,000. But after their story was broadcast in the news, online and by word of mouth this week, the reward has swelled to \$5,000 for anyone who gives information that leads to the arrest of the driver.

In addition, the San Jose Police Officers' Association has opened an account for anyone who wants to help with Luna's long medical journey. Her pelvic bones were broken, and her family is unsure whether she will be



MARIA J. ÁVILA LÓPEZ/MERCURY NEWS

Chris Wang, left, offers Roberto Araujo a flier describing a \$2,000 reward for information leading to the hit-and-run driver who injured Erika Luna. An outpouring of support has enabled Luna's family to raise the reward to \$5,000.

able to walk again.

Anyone with information about the driver may call the San Jose Police Department's traffic investigation unit at 408-277-4654 or Silicon Valley Crime Stoppers at 408-947-STOP.

Donations for Luna's recovery may be made by check payable to SJPOA-CF. Checks may be mailed to

the San Jose Police Officers' Association, 1151 N. Fourth St., San Jose, CA 95112. Put "Erika Luna" in the memo line. Or donations may be made online through www.sjpoa.com. The Luna family has created a Web page for Erika at www.erikaluna.org.

Contact Lisa Fernandez at 408-920-5002.

CUPERTINO

# Mining firm's grandfather rights preserved

By Matt Wilson

mwilson@bayareanews.com

At a packed hearing to help guide future decisions about land use by Lehigh Permanente Quarry, the Santa Clara County Board of Supervisors this week unanimously agreed that operators had "vested rights" for numerous parcels in unincorporated Cupertino.

The decision will allow the quarry to continue business as usual on parts of 2,656 acres of property without the need for most county-issued use permits.

Mining and quarrying on the site dates back to the early 1900s, long before Santa Clara County had its first zoning ordinance in

1937. The county has long said that portions where the quarry operated predated county regulations and were grandfathered in, so they did not require use permits. The Board of Supervisors hearing was held to determine whether and to what extent the quarry had a legal non-conforming use for surface-mining activities.

The Permanente Quarry is a limestone and aggregate mining operation in the Santa Clara County foothills located just beyond the borders of incorporated Cupertino. The mine has a single large pit where limestone and aggregate are excavated.

The meat of the hearing was to determine to what

degree mining occurred on some parcels before county enforcement occurred. Lehigh officials argued that even if mining was not being done explicitly in one parcel, that there was still other uses like transportation roads, administrative offices and storage space. It was argued that these uses were integral to the overall quarrying process. Lehigh officials used aerial photographic evidence from multiple decades showing various activity related to mining on the parcels.

The decision Tuesday did not grant any land-use authorization; however, the decision will guide the process for future consideration of land-use approvals on the

site, according to county staff. Determining which parcels remain grandfathered will help the quarry and county determine which parts of the property will require a use permit.

Residents packed the Board of Supervisors chambers, forcing a second meeting room to be opened where the proceedings were televised. More than 100 speaker cards were filled out and public comment lasted approximately two hours. There was an even split between Lehigh supporters and opponents during the public hearing. Lehigh employees quickly filled up the seating, leaving many residents standing along the side.

# Opera

Continued from Page 1

translations projected above the stage to the colorful action on it.

"Being here for my first time, I really like it," said 11-year-old Caitlynn Guzman, a sixth-grader at Jeanne Meadows Elementary in San Jose. During intermission, she said her favorite part of the opera to that point was the fight scene between the disguised Almaviva and the conniving Dr. Bartolo — that, and marveling at how fast the stage had been transformed from an outdoor courtyard to an indoor living room when the curtain went down briefly in the first act.

Lisa Gattuso, one of Guzman's teachers, said coming to the opera gives her students a chance to see a world to which they get little or no exposure in their neighborhoods, or even at school.

"Maybe it will spark an interest in somebody out there in music or theater," she said, referring to the students milling around the theater at intermission. "The initial response I got from them was they thought they were going to hate it — 'Oh opera, I'm going to fall asleep.'" But every year, she said, the opera performance is one of the favorite field trips of the kids.

The visit — by students from about a dozen parochial, private and public schools in San Jose, Cupertino, Santa Cruz and Los Altos — was sponsored by Arts Express. Since 1978, that program, funded by the city of San Jose and a variety of local arts groups, has brought more than 150,000 local students to opera performances, students who otherwise probably would not have been able to afford to see an opera, said Lettie Smith of Opera San Jose. Facing extreme city budget cuts, Arts Express is seeking new funding.

In a world where so much of kids' entertainment is electronic, says Smith, an outreach coordinator, "it's wonderful for them to be in

the theater and experience live human beings on the stage."

The students did some fidgeting and slumping as they watched singers cavort through a plot set to music by Rossini. But they laughed in all the right places, including when tenor Michael Dailey, as Almaviva, poked fun at the control-freak Dr. Bartolo, calling him Dr. Bartender and Dr. Barbecue (jokes that appeared to work in both Italian and English).

Now in his third season as a resident artist with Opera San Jose, Dailey told a reporter that his own musical experience began with playing violin and trombone in sixth grade band class. But he gave those up when his family moved to a district in which students had to rent their instruments, and he could not afford the cost. During high school in Virginia Beach, Va., he sang in the choir. When he was 17, a friend took him to his first opera, the tragic "Rigoletto"; he was so moved by the end of the performance that he knew he had to give the opera world a try.

Dailey, who is African-American, said he hoped that seeing a black opera singer might inspire some students to follow their artistic dreams. "I hope they take away that this is an art form that is for everybody," he said.

Seventh-grader Joseph Fontillas was among those feeling inspired. Like Dailey, he used to play trombone, but quit because he moved to a school with no band program.

"The music brought out my soul for playing music again," he said at intermission. "I might want to watch this again, maybe with my family. They've never seen an opera before, so I'd like to bring them here sometime."

Opera San Jose will present eight public performances of "Barber of Seville" at the California Theatre, Friday through Feb. 27. For information, visit www.operasj.org.

Contact Sue McAllister at 408-920-5833.

**Mobile Intelligence: Tweets from our Newsrooms.**

- Twitter.com/mercnews
- Twitter.com/insidebayarea
- Twitter.com/CTtimes

BayAreaNewsGroup

**Complete Kitchen Remodel**

Cherry • Maple • Beech  
Granite Slab Countertop

Includes: Remove old and install new cabinets, Granite countertop, 4" backsplash & Haul away garbage.  
Plumbing: Hook up the Appliances.

**\$5,800**  
Huge Selection!

We also offer Bathroom Remodeling and Flooring

131 E Brokaw Rd., San Jose 95112  
Showroom Open Mon-Sun: 8am-6pm • Lic.#957373  
sales@RationalKitchen.com • Se habla español

Call Now for a FREE Estimate  
**408-628-2752**  
www.RationalKitchen.com

**Medi-Cal Questions?**  
Your best protection is to know how the law works, what your rights are, and how you can be sure your assets are protected. Get the answers you need in

**Consumer's Guide to Medi-Cal Planning & Division of Assets**

Order your **FREE** copy today!  
Phone: (408) 356-9200  
Online: [www.attorneyoffice.com](http://www.attorneyoffice.com)

**SAS** TRIPAD® COMFORT

WEDGE HEEL DRESS MOC  
Made in the USA

Easier for women

Come in and have your feet measured. We have a large selection of sizes and widths to fit your foot in SAS comfort.

MEN'S SIZES		WOMEN'S SIZES	
SLIM	8-15	SLIM	6-12
NARROW	7-15	NARROW	6-12
MEDIUM	6-15	MEDIUM	4-12
WIDE	6-15	WIDE	5-12
W-WIDE	6-15	W-WIDE	5-12

**SAS Shoes**  
3953 Stevens Creek Blvd.  
Santa Clara, CA 95051  
(408) 615-0186  
(Between Saratoga Ave. and Kiely)

**Our 20<sup>th</sup> year PRINTING SPECIALS**

**500 - 2 Color 8.5 x 11 Flyers or Stationery \$65**

**1000 - Black and White Envelopes #10/#9 \$49**

**250 - Full Color Business Cards with UV Coating \$19**

**BANNERS, SIGNS & CAR WRAPS**  
Best Prices • Best Quality

**AB Press**  
In Business Since 1973

**3¢ B/W 8.5 x 11 Copies 20lbs (minimum order of 500 copies)**  
**19¢ Color 8.5 x 11 Copies 20lbs (minimum order of 100 copies)**

(all artwork must be provided by customer) Special prices expire 3/13/2011

toll free: 888-907-7377 • phone: 408-885-1500  
print@abpress.com • 615 Stockton Ave., San Jose CA 95126

**Place your ad on the desktops, tabletops, laptops and laps of your best customers.**

BayAreaNewsGroup SOLUTIONIST ADVERTISING / **YAHOO!**

For all your advertising solutions, call Stephanie Roberts at 408.920.5762