

FROM THE PLANNING COMMISSION MINUTES OF MARCH 11, 2010

12. SPECIAL USE PERMIT

S07-0019/Olde Coloma Theatre submitted by COLOMA CRESCENT PLAYERS, INC. (Agent: Carol Fallon) to authorize the use of an existing building for live theatre performances with a maximum occupancy of 149 persons. The property, identified by Assessor's Parcel Number 006-290-04, consisting of 19,602 square feet, is located on the south side of Monument Road, approximately 100 feet west of the intersection with Cold Springs Road, in the Coloma area, Supervisorial District IV. *[Project Planner: Jason Hade]* (Categorical Exemption pursuant to Section 15301 of the CEQA Guidelines)** *[continued from 11/12/09 (item re-noticed), 1/14/10 & 2/25/10 meetings]*

Jason Hade presented the item to the Commission with a recommendation of approval and stated that the applicant had requested a continuance from the last meeting in order to allow more time to obtain the necessary items for the Commission. Mr. Hade said that staff was unable to provide any formal written analysis on the new revised site plan as it was submitted late so he gave a verbal analysis on it. In addition, the off-site agreement was just received by staff the day before and there was not sufficient time for review.

Commissioner Mathews voiced concern on taking action today when several required items were submitted late and there hadn't been adequate review time.

Craig Sandberg/applicant's agent felt that they have resolved issues regarding parking and fire. In regards to the parking issue, he stated the following has occurred: (1) Agreement with the Parks that no formal agreement is needed and would just require a one-week notice if off-site parking is needed at that location; (2) Off-site parking agreement with a nearby business; (3) Shuttle program in place that will be available to transport patrons from off-site locations to the venue; and (4) Expanding on-site parking and will include ADA parking spaces. Mr. Sandberg also spoke on the following fire issues: (1) Alarm: Gary Baldock, Deputy Fire Marshall for El Dorado Fire, agreed to amend requirements, conducted an inspection on exit doors and lighting for evacuations and agreed to allow 12 weeks for an alarm to be installed; (2) Tank: Deputy Fire Marshall Baldock discovered that there was a six-inch EID line on Monument Road and agreed to amend condition to allow up to one year for the installation of a fire hydrant; and (3) Knox Box: Fire Department agreed to amend Condition #19 to allow up to one year to meet this requirement. Deputy Fire Marshall Baldock spoke on these items that were agreed upon and stated that although he agreed to the time extension of up to one year for the installation of the fire hydrant, he was reluctant to go any further out on that timeline.

Mr. Sandberg requested that Condition #1 be amended to retain the requested 149 person capacity and have the hours of operation end at 10:30 p.m. for the entire week for patrons only. He also requested that the following be removed from this condition: (1) The 15 employee limit and (2) Reference to five special events. He also requested the deletion of Condition #14 as they are not altering the building and Building Services has no issues with the permit and ADA requirements are not an automatic requirement due to the special use permit. Commissioner Tolhurst cautioned the applicant that even if the ADA is not a building code, it is a civil rights

issue and even if the Commission did not impose that requirement, the theatre could be sued by a member of the public.

Gary Griffin/neighbor requested that the Commission continue this item to allow staff sufficient time to review the revised parking plan. He also voiced concern on the retaining wall and how the car lights will be shining directly into his house and that he would like some type of buffer provided.

Todd Schwenk supported this project and indicated that his fire alarm company was providing their services to the applicant at a discounted rate.

Carol Fallon/applicant's agent read a written statement from Pat Navarro who had to leave prior to this item being heard. Ms. Navarro was in support of the project.

The Commission discussed the 10:30 p.m. requested ending time and inquired on safety for employees parking off-site, historical hours of operation and County Noise Ordinance.

Commissioner Tolhurst voiced concern on the compact spaces and a specific corner in the revised site plan and stated staff would need time to tighten the conditions, but would be willing to conceptually approve the project.

Commissioner Pratt felt there were too many issues that needed to be resolved first and although progress was being made, he would like to see it one more time.

The Commission provided the following direction to staff for the Conditions of Approval:

- Condition #1: Amend to 149 persons; Amend ending time to 10:00 PM for Monday through Thursday; Change "occupants" to "patrons" and remove "including patrons, crew, and cast," in that same sentence; Remove sentence beginning with "Up to five special events..."; Remove sentence beginning with "Up to 15 employees..." and after review of revised site plan, adjust number of on-site parking spaces accordingly, taking into consideration about the concern with the specified corner and parking spaces 3 and 4 being too tight.
- Condition #8: Amend the number of parking spaces to make it consistent with Condition #1.
- Condition #9: Include reference to off-site parking agreement.
- Condition #14: Change "All" to "Any" and delete "and ADA".
- Condition #16: Change reference from "12 months" to "12 weeks".
- Condition #17: Change reference from "six months" to "one year" and delete reference to storage tank.
- Condition #18: Delete.
- Condition #19: Change reference from "three months" to "one year".

The Commission also directed staff to provide a map of the site showing the fence (and what type), topography, elevations, and general location of adjacent neighbors' houses.

No further discussion was presented.

Motion: Commissioner Mathews moved, seconded by Commissioner Tolhurst, and carried (5-0), to continue the item to the April 22, 2010, meeting.

AYES: Pratt, Heflin, Tolhurst, Mathews, Rain
NOES: None