

FROM THE PLANNING COMMISSION MINUTES OF APRIL 22, 2010

8. SPECIAL USE PERMIT

b. **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 & 3/11/10 meetings*]

Jason Hade summarized the events from the last meeting and discussed the Staff Memo dated April 5, 2010 which included attachments requested by the Commission. He stated that one public comment had been received on Tuesday.

Craig Sandberg/applicant's agent stated that they were pleased with the revised conditions and had no objections but did have a last minute request. Although it is not their intent to sell alcoholic beverages, there are fundraiser events (i.e., Chamber mixers, wine tasting) at the site that provide alcoholic beverages as refreshments to participants. To ensure that this is still allowed, they are requesting that the sentence "The sale of alcoholic beverages shall be prohibited." be removed from Condition #1. Pierre Rivas stated that the previous applicant's agent had included that language and staff had no objection to removing it.

Jerry Griffin/neighbor requested clarification on the parking spaces since there were not enough on-site per County Ordinance Section 17.18.040.F which he read into the record. There was significant discussion between Mr. Griffin and Commissioner Mathews regarding the issues identified in Mr. Griffin's letter. Mr. Griffin also requested clarification on why the Commission was allowing the expansion of a business without requiring compliance.

Mr. Rivas, in response to the on-site parking issue brought up by Mr. Griffin, stated that County Ordinance Section 17.18.040.D discusses increasing or decreasing the number of parking spaces required and read it into the record. He stated that this is a discretionary application and that the Commission does have the ability to decrease the amount of on-site parking with the caveat that the applicant has an agreement for off-site parking.

Commissioner Heflin requested clarification on Condition #8 regarding "off-street" and "on-site". Staff indicated that each meant the same thing but that the wording could be modified for better clarification.

Chair Rain informed the Commission that he had contacted Mr. Hade prior to the meeting to clarify the height of the retaining wall, which is 13 feet. He felt that at that height, the car lights should not get reflected into the neighbor's house.

Commissioner Pratt requested that staff create a chronological order of events/accomplishments so that if this project is taken to the Board of Supervisors, progress can be shown, particularly since there have been 6-7 years of Commission hearings. Chair Rain concurred and felt that it would be helpful.

No further discussion was presented.

Motion: Commissioner Mathews moved, seconded by Commissioner Pratt, and carried (4-0), to take the following actions: 1. Certify that the project is Categorically Exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines; and 2. Approve Special Use Permit S07-0019 based on the Findings and subject to the revised Conditions of Approval and revised site plan (Exhibit E) as modified: (a) Amend Condition #1 by deleting sentence regarding alcoholic beverages; and (b) Amend Condition #8 by replacing "off-street" with "off-street, on-site".

AYES: Heflin, Pratt, Mathews, Rain

NOES: None

ABSENT: Tolhurst

This action can be appealed to the Board of Supervisors within ten (10) working days.