

FROM THE PLANNING COMMISSION MINUTES OF NOVEMBER 12, 2009

7. SPECIAL USE PERMIT

c. **S07-0019/Olde Coloma Theatre** submitted by COLOMA CRESCENT PLAYERS, INC. (Agent: Robert Laurie) 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 15323 of the CEQA Guidelines)**

Jason Hade informed the Commission that staff was requesting a continuance to the January 14, 2010 meeting to allow time to resolve some issues. The primary issue is the parking and the applicant has not provided an agreement for off-site parking. Mr. Hade stated that at the next meeting a revised Staff Report with new conditions would be provided. He also indicated that one public comment had been received with included concerns with the parking.

Jerry Griffin/neighbor surrounds the parcel on three sides and voiced the following concerns: fire/life safety issues (i.e., inadequate exit doors); location of 3,000-gallon water tank; plans not drawn by licensed professional; and requested realistic timelines for certain conditions (i.e., fire/life safety) to be met since building is currently occupied. Pierre Rivas indicated that Mr. Griffin raised some valid issues on the timing and staff will review that closely.

County Counsel Paula Frantz explained that the building is currently occupied per the Board's motion to allow that while the applicants pursue a Special Use Permit. This item came before the Commission as a Code Enforcement issue and never had the necessary permits to operate. This has been on-going for approximately 2 ½ years and has been very episodic.

In response to Commissioner Pratt's inquiry to staff's request for a continuance, County Counsel Frantz stated that she had met with staff after reviewing the Staff Report and conditions. She felt that a more appropriate CEQA section should be used and disagreed with the parking issue being deferred.

Tina Lingford/neighbor inquired on the following: (1) Where did the hours of operation come from since noise is an issue?; (2) Why is the applicant benefiting from illegal grading for the parking area?; and (3) Who is going to enforce the conditions when this is over?

Chair Mathews stated that this has been a part of the Coloma Valley for a long time and that should be taken into consideration.

Commissioner Heflin had no problem with the continuance request but that it needed to be resolved on January 14, 2010.

Commissioner Rain would like the hours of operation reviewed more closely to ensure that there is a balance.

Discussion ensued between Commissioner Pratt, County Counsel Frantz and staff regarding the school bus/tour bus parking concerns. Commissioner Pratt inquired who the contact person was for the Coloma Crescent Players (applicant) and staff informed him that it was unclear who exactly the contact person was now and that Robert Laurie was no longer the applicant's agent.

Mr. Rivas indicated that little effort has come from the applicant in completing this project, so staff is diligently moving forward with it.

Commissioner Pratt directed staff to inform the applicant that they need to be present at the next meeting and this needs to be resolved or it will be forwarded to Code Enforcement.

Applicant/Agent was not present.

No further discussion was presented.

Motion: Commissioner Pratt moved, seconded by Commissioner Rain, and carried (4-0), to continue the item to the January 14, 2010, meeting.

AYES: Heflin, Rain, Pratt, Mathews

NOES: None

ABSENT: Tolhurst