

CITY OF CALISTOGA
STAFF REPORT

TO: CHAIRMAN MANFREDI AND PLANNING COMMISSIONERS

FROM: KEN MACNAB, SENIOR PLANNER

MEETING DATE: SEPTEMBER 23, 2009

SUBJECT: CONDITIONAL USE PERMIT (U 2000-06(A)) TO AMEND USE PERMIT U 2000-06 TO ALLOW AMPLIFIED MUSIC AND LIVE ENTERTAINMENT AT LA PRIMA PIZZA RESTAURANT

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3 **REQUEST**
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5 **U 2000-06(A):** Consideration of a Conditional Use Permit application requesting an amendment
6 to Use Permit U 2000-06 to allow amplified music and live entertainment indoors or outdoors
7 any time during business hours at property located at 1923 Lake Street (APN 011-535-010)
8 within the “CC-DD”, Community Commercial-Design District Overlay Zoning District. This
9 proposed action is exempt from the California Environmental Quality Act (CEQA) under Section
10 15301 of the CEQA Guidelines. *(This item was continued from the Planning Commission*
11 *Meeting of August 12, 2009.)*
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13 **BACKGROUND**
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15 On August 12, 2009, the Planning Commission considered a Conditional Use Permit application
16 submitted by the owners of La Prima Pizza restaurant requesting an amendment to Use Permit
17 U 2000-06 to allow amplified music and live entertainment indoors or outdoors any time during
18 business hours at property located at 1923 Lake Street. After receiving a report and
19 presentation from staff and in consideration of oral and written testimony from members of the
20 public, the Planning Commission appointed a sub-committee to review the operating
21 parameters recommended by staff and assist the applicant in working with nearby residents to
22 identify acceptable terms under which live entertainment could be permitted at the restaurant.
23 The Planning Commission then continued the item for further discussion at a regularly
24 scheduled meeting in September, 2009.
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26 **UPDATE**
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28 Since August 12, 2009, the appointed subcommittee has reviewed the operating parameters for
29 live entertainment that were recommended by staff and made several revisions (Attachment 1).
30 The intent of the subcommittee’s review and revision is to establish a “bottom line” that the
31 subcommittee is willing to recommend for Commission approval. It is the hope of the
32 subcommittee that with this understanding, neighbors and the business owners will be able to
33 hold a productive discussion on the suggested bottom line parameters and work together to

34 tailor the suggested parameters to the satisfy the interests of both the residents and the
35 business owner.
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37 Planning staff met with the applicant to review the revisions forwarded by the subcommittee on
38 September 8, 2009. The applicant indicated their willingness to accept the suggested revisions,
39 but also expressed an interest in presenting their own modifications to the revised operating
40 parameters for consideration by the neighborhood (Attachment 2).
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42 The next steps in the review process are to conduct a test live entertainment event and hold a
43 follow-up neighborhood meeting. A test live entertainment event will be held on Friday,
44 September 25, 2009, between the hours of 6:00 p.m. and 9:00 p.m. The event will include
45 indoor and outdoor events. Noise measurements will be taken at various locations during the
46 event in an effort to assess noise levels/impacts to nearby residences.
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48 Following this event, a neighborhood meeting will be held on Tuesday, September 29, 2009, at
49 6:00 p.m. in the Community Center to review observations made during the test live
50 entertainment event and discuss potential operating parameters.
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52 Notice of both events has been sent to property owners within 300 feet of the business and to
53 parties who submitted correspondence in response to the Use Permit amendment request.
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55 Staff with Applicant consent is requesting that the Planning Commission continue its review of
56 this item to the regularly scheduled meeting of October 14, 2009, to allow time for additional
57 staff evaluation and for further discussion between the business owner and the neighbors.
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59 **RECOMMENDATION**

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61 Continue the Public Hearing to October 14, 2009.
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64 **ATTACHMENTS**

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- 66 1. Subcommittee's recommendation on operating parameters for live entertainment
67 at La Prima Pizza
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 - 69 2. Applicant's proposed modifications to the operating parameters recommended by
70 the subcommittee.
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