

CITY OF CALISTOGA
DEC 1 0 2009
CITY MANAGER

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December 1, 2009

City of Calistoga
James C. McCann, City Manager
1232 Washington Street
Calistoga, CA 94515

Dear Mr. McCann:

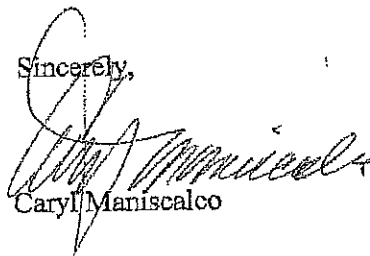
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I represent Mitch Hawkins in the appeal of the Planning Commissions approval of the request of La Prima Pizza to expand their use permit to include live music as part of their business. As I'm sure you know, there has been a lot of contention concerning this issue. Many people have come to commission meetings to speak out against the expanding of the use permit. While some of the Nunez' tenants and family members and a couple of the musicians involved have spoken in favor of the expanded permit, saying that they would love to go have a drink and listen to music, a large majority of the people who spoke at the meetings were strongly opposed to it, for several very solid reasons, ranging from noise to litter, to the many prior violations of the use permit by La Prima, and the fact that this expanded use permit is in violation of the liquor license and several other laws and ordinances. There are also issues with parking which can't simply be addresses by encouraging this business to allow cars to park in their vacant field without review by CalTrans and other interested agencies. I won't go into further detail here, but we believe that a full hearing on this appeal is necessary to address the concerns of the community.

Neither Mr. Hawkins nor I will be available on December 15, 2009 and therefore request that the Council continue this matter to a date when we can attend. We had spoken to Sue Sneddon and she mentioned that January 19, 2010, would be a good time for this matter to be on the agenda. Mr. Hawkins and I have both cleared our calendars for that date and request that the matter be sent on the agenda for that meeting

Thank you for your attention to this matter.

Sincerely,



Caryl Maniscalco

cc: Sue Sneddon, City Clerk