

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1	Revised Conditions of Approval
Attachment 2	Revised Findings
Exhibit A	Site Plan
Exhibit B	Floor Plan
Exhibit C	Acoustical Analysis
Exhibit D	Aerial Photograph
Exhibit E	Environmental Checklist and Discussion of Impacts

ATTACHMENT 1 REVISED CONDITIONS OF APPROVAL

FILE NUMBER S05-0030

REVISED CONDITIONS OF APPROVAL

Staff recommends the amendments to Conditions 1 and 3, and the addition of Conditions 5 and 6. The amendments are intended to address changes in the project description requested by the applicant, parking calculation amendments, the Commissions request for no alcoholic beverages onsite, and inclusion of two new mitigation measures.

MITIGATION MEASURES

The following mitigation measures are required as a means to reduce potential significant environmental effects to a level of insignificance:

1. Prior to finaling of building permits, signs labeled “NO PARKING FROM 10:00 PM TO 7:00 AM” shall be placed at the 16 parking spaces adjacent to the southern section of the sound wall as shown on the submitted site plan.
2. Removable parking barriers shall be placed on the 16 parking spaces adjacent to the southern section of the sound wall as shown on the submitted site plan, an hour before evening performances are to begin.

CONDITIONS OF APPROVAL

El Dorado County Planning Services

1. The project, as approved, consists of the following:

A live theater with 265 ~~258~~ seats, and 4 handicap spaces, located at Assessors Parcel Number 108-390-03. Hours of operation shall be 9:00 a.m. to 9:30 ~~9:00~~ p.m. seven days a week. All occupants of the building, including patrons, crew, and cast, must exit the parking lot by 10:00 p.m.
2. All site improvements shall conform to the site plan(s) attached as Exhibits A ~~D~~ and B ~~E~~.
3. The applicant/developer shall provide a minimum of 76 ~~87~~ on-site parking spaces. No more than 35 percent of the total parking may be identified as “compact” spaces, and a minimum of 3 ~~4~~ spaces must be designated as “handicap” only parking. All on-site parking shall meet the parking lot design standards contained in Section 17.18.030 of County Code. Parking spaces shall not be placed in front of roll up doors on the two buildings on-site.

4. If the project will include the sale or give-away of food, including prepackaged food or beverages, the applicant shall be required to meet the minimum requirements of the Health and Safety Code – California Uniform Retail Food Facilities Law (CURFFL). Prior to construction of the facility, plans and a permit shall be submitted to the El Dorado County Department of Environmental Management for review and approval.
5. No alcoholic beverages shall be served on the premises.
6. The applicant shall enter into parking covenants with the parcels to the north and south (Assessor's Parcel Numbers 108-250-19 and 108-250-21) prior to occupancy and subject to review and approval by the Deputy Director of Planning.

ATTACHMENT 2 REVISED FINDINGS

FILE NUMBER S05-0030

Based on the review and analysis of this project by staff and affected agencies, and supported by the amendments and evidence in the record, the following findings can be made:

FINDINGS FOR APPROVAL

1.0 CEQA FINDING

1.1 The Planning Commission has considered the Mitigated Negative Declaration together with the comments received and considered during the public hearing process. The Mitigated Negative Declaration reflects the independent judgment of the Planning Commission and has been completed in compliance with CEQA and is adequate for this proposal.

1.2 The Planning Commission finds that through feasible conditions and mitigation placed upon the project, impacts on the environment have been eliminated or substantially mitigated.

1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of Planning Services at 2850 Fairlane Court, Placerville, CA.

1.4 Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

2.0 ADMINISTRATIVE FINDINGS

Special Use Permit application S05-0030 has been requested for the purpose of converting an existing commercial warehouse to a 265 seat live theater. No new construction other than tenant improvement is proposed at the subject parcel. Hours of operation are to be 9:00 a.m. to 9:30 p.m. seven days a week with all occupants, including patrons, cast, and crew, exiting the parking lot by 10:00 p.m. The Special Use Permit shall only be approved or conditionally approved if all of the following findings are made.

2.1.1 The proposed use is not considered detrimental to the public health, safety, and welfare, or injurious to the neighborhood.

The use is found to comply with the requirements of County Code Section 17.22.500, Special Use Permits, and County Code Section 17.35, Research and Development Zone District, and the proposed use is not considered detrimental to the public health, safety, and welfare, or injurious

to the neighborhood, based on the conclusions contained in the addendum and the analysis of potential impacts in the Initial Study.

2.2.2 The proposed use is consistent with the policies in the 2004 El Dorado County General Plan.

The proposed use is consistent with the policies in the El Dorado County General Plan because the applicant has amended and mitigated the project to be in compliance with County regulations addressing noise as required by the General Plan.