

**LICENSE AND PERMIT HEARING BOARD
MINUTES**

**July 14, 2011 at 8:30 A.M.
245 EAST BONITA AVENUE
CITY COUNCIL CONFERENCE ROOM, CITY HALL**

PRESENT

*Dan Coleman, Director of Development Services
Blaine Michaelis, City Manager
Curt Morris, Mayor
Krishna Patel, Director of Public Works
Jim Schoonover, Planning Commission
John Sorcinelli, Public Member at Large*

ABSENT

Scott Dilley, Chamber of Commerce

CALL TO ORDER

Jim Schoonover called the regular meeting of the Development Plan Review Board to order at 9:23 a.m. so as to conduct regular business in the City Council Conference Room.

HEARING ITEMS

John Sorcinelli recused himself from participating in the following item, Entertainment Special Permit 11-01.

Entertainment Special Permit 11-01

A request to allow live music entertainment in conjunction with a restaurant use at Clayton Brewing Co. located at 661 W. Arrow Highway.

APN: 8386-007-073

Zone: Creative Growth 1 (CG-1)

Paul and Dena Smith, applicant, was present
Margie and Don Green, residents, was present

Associate Planner Espinoza stated that the applicants are proposing to allow live entertainment in conjunction with their restaurant use at Clayton Brewing Co. He noted that the entertainment would include no more than three musicians performing (trio) at one time with the performances being no longer than two and half hours long ending at

9:00 p.m. or earlier. He noted their current hours of operation, per Conditional Use Permit (CUP) 11-04 are Monday thru Saturday 7:00 a.m. to 10:00 p.m. and Sunday 8:00 a.m. to 9:00 p.m. He added that the Planning Commission recently approved the applicant's request for a Type 41, on-site sale of beer and wine. He stated that the noise level will be kept at a level that would not disturb the adjacent tenants and/or exceed the City's Noise Ordinance. He stated that the business occupies 2,857 sq. ft. and added that the applicant is not proposing to construct a raised stage area. He noted that the stage area will be designated where there is an existing sitting area. He pointed out that if the applicant would like to expand their business hours, they would need to return to the Planning Commission for approval per the CUP 11-04. He explained that if Clayton Brewing Co. would like to extend their hours beyond what is allowed a few times a year, Staff will accommodate them by issuing a Temporary Use Permit and added that the permit will be allowed 4 times a year within a calendar year. He stated that he received a phone call from Brad Umansky, Leasing Agent for the Property Management Company, concerned with some issues but was clarified when he read the staff report and added that he supported the item.

Mr. Morris asked if the Temporary Use Permit (TUP) will be available to other businesses.

Associate Planner Espinoza replied that issues have come up with other business; thus it resulted in allowing a TUP for certain CUP approvals. He noted that a Conditional Use Permit is set in stone and cannot be amended and that is why a TUP has been recommended. He added that this will be an option for future Conditional Use Permits of a business who wants to occasionally extend their hours of operation for special events.

Mr. Morris commended Staff's resolution in using a Temporary Use Permit.

Mr. Schoonover asked if Clayton Brewing Co. is limited to live music.

Paul Smith, Applicant, responded that it will just be music and no other entertainment.

MOTION: Moved by Blaine Michaelis, seconded by Jim Schoonover to approve with standard conditions.

Motion carried 5-1-0-1 (Dilley Absent and Sorcinelli Abstain)

ADJOURNMENT

There being no further business the meeting was adjourned at 9:30 a.m.