

AGENDA ITEM: 2.

DATE: 05-21-12

STAFF REPORT

REVIEW OF CONDITIONAL USE PERMIT NO. 11-10

DATE: May 21, 2012

TO: Lancaster Planning Commission

FROM: Planning Department

APPLICANT: Tully Huffaker (Industry Theater)

LOCATION: 43145 Business Center Parkway, #103

REQUEST: Review of a Conditional Use Permit to continue to operate a concert venue/nightclub with on-sale consumption of alcoholic beverages (Alcoholic Beverage Control Type 42, on-sale beer and wine - public premises), and a request for waiver under Section 17.42.040.C of the Lancaster Municipal Code to allow the sale of beer and wine within 300 feet of a religious assembly area, in the LI (Light Industrial) Zone

RECOMMENDATION: Receive and file report.

BACKGROUND AND STATUS: On November 21, 2011, the Planning Commission approved conditional Use Permit No. 11-10, with the added condition that Tully Huffaker (Industry Theater) be subject to a review six months after commencement date to ensure the protection of neighboring tenants from any adverse effects.

Tully Huffaker (Industry Theater) has yet to obtain an Alcoholic Beverage Control License; therefore, no alcohol has been sold. The City (Code Enforcement) has received no complaints within the six-month period. The Sheriff's department has been called to the site for minor routine calls, such as a medical rescue, petty theft to a vehicle, and a verbal disturbance. Staff attempted to contact Pastor Marsh three times, and have received no response. Due to the lack of any complaints from the neighboring tenants, staff is recommending that the Conditional Use Permit remain in effect with the no further review required.

Respectfully submitted,

Christopher Aune, Assistant Planner

Attachment:
PC Staff Report for November 21, 2011