



June 17, 2021

RE: UPC17-0094 Loe Firehouse- Request to Modify Conditions of Approval

Dear Board of Supervisors,

At the BZA meeting where this project was approved unanimously 5-0 there was a lengthy discussion of the conditions for the use permit. The BZA was considering how to potentially adjust some of the conditions involving the sidewalk improvements.

The reasoning to try to adjust the sidewalk improvements conditions was because of the extreme expense and time delays that it would impose on this project that has already waited 4 years to be processed at great expense and sacrifice. Also. It was because of the disproportionality of the work and expense.

The applicant is agreeing to do all of the other conditions as they are written including building a bus stop, creating a bike locking area, and is also considering to voluntarily add a electric vehicle charging location.

The sidewalk improvements could be over \$150,000 due to the planning, engineering, and construction involved. This information is detailed below. This would also create a further delay that would cause more expense including mortgage and other carrying costs.

The BZA mentioned that the applicant could have the conditions adjusted to remove conditions 43, 44, 45 by the BOS and we hope it will be considered.

We are a local independent family business and have been swamped with expenses since starting in the processing in 2017. We have barely been able to hold on to this project through years of delays and we hope to be able to open as soon as we can without expensive conditions we cannot afford at the moment.

The BZA also discussed two options that could help us if the if the BOS is unwilling to grant the request to remove conditions 43, 44, 45. One mentioned idea was to allow the project to open without completing the expensive sidewalk work and give the business a few years to complete the sidewalks job. This would allow the applicant to open and start recouping so that the applicant will be able to afford the cost and distraction. Another idea that was mentioned was adjusting the traffic mitigation fee to offset some of the expense.

The conditions of the use permit state that no patron or employee may park on the street and must park in the parking lot if they are driving. So these people will not use the sidewalks. Anyone arriving by bus or bicycle may use the bus stop and bike lock areas that the applicant has agreed to build. There will be handicap parking in the parking lot. And inside, the building will be ADA compliant.

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The sidewalks are in good condition and serve the community well. The expensive adjustments are not needed by the patrons of the new use as they will mainly arrive by car and bicycle. Those walking to the building will be few and far between, and the sidewalks have been proven adequate for their use. We expect that handicapped persons will not have any problems with the current sidewalks and entries.

Attached is a sitemap of the scope of the work and the conditions that are related to the sidewalk and concrete (flat work) improvements listed in the conditions.

We conducted a preliminary site visit and based on our findings we estimated the expense of surveying, engineering and planning to be approximately \$21,500. The estimated expense for the construction hard costs is \$120,000-140,000. The estimated time delay to opening is 3 months, depending on the season.

Thank you for considering this request.



With Sincerity and Respect,

John Lobro

Loe Firehouse Glen Ellen

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CONDITION 42 & 48 Bus Stop and barricade. Check (e) tree for conflict 6-foot wide pad behind sidewalk.



CONDITION 43 & 45 Install sidewalk warp behind driveway apron



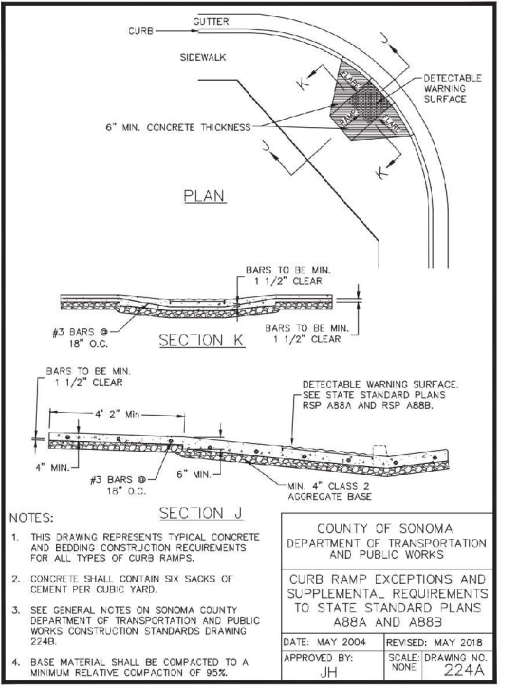
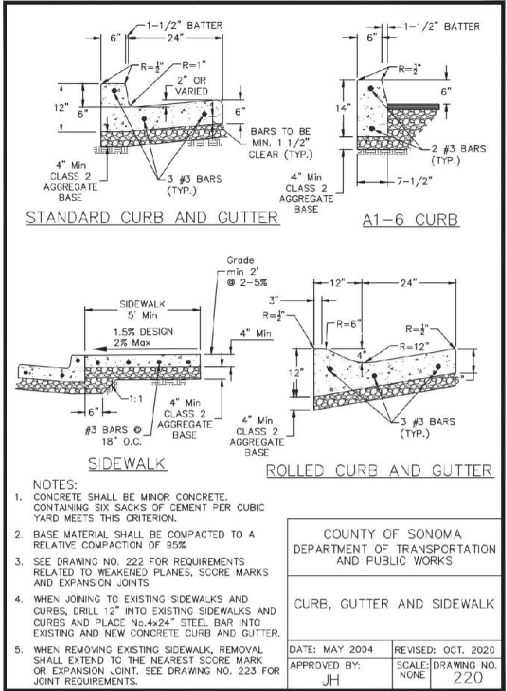
CONDITION 43 & 45 replace section of driveway apron w/ Sidewalk. Install sidewalk warp behind driveway apron



CONDITION 44 & 45 Install Compliant Curb Ramp

UPC17-0094 CONDITIONS OF APPROVAL AND KEY NOTES

- 40.** Prior to occupancy or issuance of a Use Permit Certificate to operate, the applicant/operator shall offer right-of-way to the County of Sonoma, free of encumbrances, and of sufficient width as necessary to contain the improvements described below. This condition shall be void if the existing right-of-way meets or exceeds the minimum requirement(s) to contain the required improvements.
- 41.** Prior to occupancy or issuance of a Use Permit Certificate to operate, the applicant/operator shall dedicate right-of-way as sidewalk easement. The Applicant shall have prepared an easement deed, together with the required descriptions and shall submit them to the County Surveyor for review and approval. A copy of the recorded deed shall be submitted to the Land Development Section of Permit Sonoma (PRMD) prior to clearance of these conditions.
- 42.** Prior to occupancy or issuance of a Use Permit Certificate to operate, the applicant/operator shall construct a minimum eight (8) foot long by six (6) foot wide concrete pad at the bus stop on the property's Arnold Drive frontage at the northerly boundary. The concrete pad shall be built to the minimum section used for sidewalk as per County Standard 220 and be constructed such that it abuts the back of the existing sidewalk. The concrete pad shall be Americans with Disabilities Act (ADA) compliant and connect to an ADA compliant sidewalk and will be used by Sonoma County Transit (SCT) to install a future small passenger shelter.
- 43.** Prior to occupancy or issuance of a Use Permit Certificate to operate, the applicant/operator shall construct sidewalk warps at all driveways accessing the property to meet ADA requirements as necessary, along the property's entire frontage on both Arnold Drive and Madrone Road.
- 44.** Prior to occupancy or issuance of a Use Permit Certificate to operate, existing curb ramps along the project frontage shall be upgraded to be ADA compliant pedestrian ramps. Refer to Caltrans Standard Plan RSP A88A and A88B, and Sonoma County Department of Transportation and Public Works Construction Standards 224A and 224B for details.
- 45.** Prior to occupancy or issuance of a Use Permit Certificate to operate, the applicant/operator shall provide a report prepared by a civil engineer containing sufficient information to demonstrate that the existing public facilities along the property's public street frontage meet the current ADA requirements. The report shall be submitted to the Land Development section at Permit Sonoma (PRMD; located at the Survey Counter). The report shall clearly identify the project by planning file number and assessor's parcel number. The Applicant shall obtain an encroachment permit and correct all identified deficiencies (such as the sidewalk warps and pedestrian ramp replacement noted in the previous conditions) prior to clearance of these conditions.
- 48.** The applicant/operator shall install a sidewalk barricade at the northerly end of the sidewalk on Arnold Drive per Sonoma County Department of Transportation and Public Works Construction Standards 229.
- 49.** The applicant/operator shall submit a request for a no parking zone along the project's entire frontage on Arnold Drive including improvements to paint/refresh red curbs and no parking signs, to be determined by Department of Transportation and Public Works. This request shall be directed to the Department of Transportation and Public Works (DTPW) within 30 days of approval and include the planning file number and a copy of the approved condition that the request is based upon. The Applicant shall pay the fees to process the request to the Board of Supervisors. If the Board approves the request, the Applicant shall pay for County installation of all signs/curb marking that are required resulting from the request following adoption of the ordinance authorizing the no parking zone. The Applicant shall submit this request to DTPW within 30 days of use permit approval, and shall pay the installation fees within 14 days of request by DTPW.



LOE FIREHOUSE - 15499 Arnold Drive