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 an 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 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.

Santa Rosa • Santa Cruz • Livermore

We'll Get The Permit!

Civil & Structural Engineering • Surveying • Septic • Planning • Permit Assistance • Violation Resolution

www.hoganls.com

877-544-2104
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
UPC17-004 CONDITIONS OF APPROVAL AND KEY NOTES

40. Prior to occupancy or issuance of a Use Permit Certificate to operate, the applicant/operator shall advise the Orchard in the County of Sonoma, free of encumbrances, and of sufficient width as necessary to maintain the conditions described below. This condition shall not include the existing driveways or exceed the minimum requirements to contain the required improvements.

41. Prior to occupancy or issuance of a Use Permit Certificate to operate, the applicant/developer shall dedicate sidewalks as a part of the property. The applicant/developer must have prepared an easement deed, together with the required descriptions, and will submit it to the County Surveyor for review and approval. A copy of the recorded deed shall be submitted to the Land Development Section prior to issuance of these conditions.

42. Prior to occupancy or issuance of a Use Permit Certificate to operate, the applicant/developer shall place a minimum eight (8) feet wide drive on the existing roadway from the northwestern boundary to the property entrance on Arnold Drive. The driveway shall be laid out in the minimum section used for sidewalks as per County Standard 220 and be constructed such that it extends back to the existing side. The concrete pad shall be accessible to the public while maintaining compliance with accessibility guidelines.

43. Prior to occupancy or issuance of a Use Permit Certificate to operate, the applicant/developer shall construct sidewalks at all roadways serving the property to meet ADA requirements as necessary, along the property’s frontage on both Arnold Drive and Madonna Road.

44. Prior to occupancy or issuance of a Use Permit Certificate to operate, existing curb ramps shall be upgraded to ADA compliant pedestrian ramps. Refer to Chapter 7 Plan as a reference for details.

45. Prior to occupancy or issuance of a Use Permit Certificate to operate, the applicant/developer shall provide a report prepared by a civil engineer containing sufficient information to demonstrate that the existing facilities are in compliance with the current ADA requirements. The report shall be submitted to the Land Development Section prior to issuance of these conditions. The report shall identify the project by preparing a project number and methodology for the preparation of the report. The applicant/developer shall obtain an engineering permit and required certification of the design (such as the sidewalk ramps and pedestrian ramp replacement noted in the previous conditions) prior to issuance of these conditions.

46. The applicant/developer shall install side streets in the northern end of the sidewalk on Arnold Drive per Sonoma County Department of Transportation and Public Works Construction Standards 220.

47. The applicant/developer shall submit a request to the Board of Supervisors within 30 days of approval for any changes or additions to the approved site plan. The approval shall include planning, fire and engineering permits issued by the Department of Transportation and Public Works (DTPW).

48. The applicant/developer shall submit a request to DTPW within 30 days of approval for the installation of street signs and shall pay the installation fees within 14 days of request by DTPW.

LOE FIREHOUSE - 15499 Arnold Drive