

(Distributed at meeting)

PC 1/14/10  
#7.6



Craig Sandberg  
<craig@sandberglaw.net>  
01/12/2010 05:21 PM

To "lou.rain@edcgov.us" <lou.rain@edcgov.us>, "vineyard@dkcellars.com" <vineyard@dkcellars.com>, "tom.heflin@edcgov.us" <tom.heflin@edcgov.us>, "walter.mathews@edcgov.us" <walter.mathews@edcgov.us>, "walter.mathews@edcgov.us" <walter.mathews@edcgov.us>, "charlene.tim@edcgov.us" <charlene.tim@edcgov.us>  
cc "jason.hade@co.el-dorado.ca.us" <jason.hade@co.el-dorado.ca.us>, Carol Fallon <carollee13@sbcglobal.net>, Dennis Tipton <detipton@comcast.net>, "planning@edcgov.us" <planning@edcgov.us>

bcc

Subject Olde Coloma Resort

To all of the Planning Commissioners and Staff,

I regret getting this to you so late, but I have only recently gotten involved when the Board of the Crescent Players got the final conditions of approval for the project and they realized it would be the demise of the Theatre. We have scrambled to put together the attached proposal and will look forward to discussing it with the Commission on Thursday. Please give me a call if you have any questions or concerns.

Craig



Commission Ltr 1-12-10.pdf



New Parking Plan.pdf

**Craig M. Sandberg**  
Law Offices of Craig M. Sandberg

1-916-357-6698 Work  
craig@sandberglaw.net

1024 Iron Point Road  
Folsom, CA 95630

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January 12, 2010

Members of the Planning Commission  
County of El Dorado  
2850 Fairlane Court  
Placerville, CA 95667

VIA E-Mail

Re: Olde Coloma Theatre

Dear Members of the Commission:

I was recently informed of the potential plight of the Olde Coloma Theatre and the problems that have been encountered primarily related to parking at the theater site. I was asked by the Board of Directors of the Coloma Crescent Players to review the special use permit conditions recently received from staff and provide my thoughts and comments. In reviewing the proposed conditions it became clear that the expense of compliance would be financially infeasible for this small organization. I agreed to represent the Crescent Players and on their behalf request that the uniqueness of this use be taken into consideration in applying the various conditions.

The Coloma Crescent Players is a non-profit volunteer organization that has taken on the care and use of the Olde Coloma Theatre as a labor of love. The Olde Coloma Theatre is one of three melodrama theaters in operation in California and of only a handful of others throughout the nation. It has been an attraction for visitors to the Coloma gold discovery area for over thirty years and has provided a lasting memory for over a generation of fourth graders that have attended plays at the Olde Coloma Theatre as part of their California history lessons. Throughout the history of the Theatre it has managed to remain self sustaining through volunteer efforts which included all local actors performing all original melodramas written by local people. It is safe to say that the Olde Coloma Theatre is a local institution which deserves to be preserved and I hope that you agree that the goal of this exercise should be to find a way to keep the Theatre open while mitigating the concerns of the neighbors.

My review of the record indicates that the necessity of a use permit was the result of a determination that the Theatre lost its status as a legal non-conforming use due to the changed circumstance of losing some of its "onsite" parking. We think it follows that parking be the focus of the use permit and other aspects of the use which have been in existence for all of this time be respected as an existing use. For instance,

there is no suggestion that the building be modified or enlarged so there should be no implication relating to the building or fire codes that regulate new or modified structures. We believe that the Commission has considerable discretion in reviewing this use permit as it is essentially a modification of an existing use.

With respect to parking the Crescent Players have engaged the services of an architect to review the site and provide a plan for achieving the maximum available parking spaces on the site. The proposed parking plan is attached for your review. The plan will involve grading for which a grading permit will be obtained and the removal of an oak tree which sits in the middle of the parking area. This plan results in 29 parking spaces, which provides enough parking to cover nearly all of the needs of the Theatre throughout the year. Over the last two years the Crescent Players have kept records on the size of the audience and the number of cars at every evening and seasonal performance. The result is that there have only been a couple of performances where more than 29 cars had to be parked. On both of those occasions all of the cars were kept completely within the property through creative parking supervised by parking attendants at all performances. Our proposal is that the parking area be expanded as indicated in the attached exhibits and that on those occasions where it is anticipated that larger audiences will be in attendance, such as the Halloween show and the final Christmas shows, a special event permit will be obtained from the Park Service to accommodate the additional needs. This is more practical than a continuing agreement for parking which carries with it an ongoing monthly cost when the actual need may only occur a few times per year, if at all. The theater has discussed such an arrangement with the State Park and has begun the application process in anticipation of the Halloween show next fall. Parking attendants will be utilized at all performances to ensure that cars are not parked along Monument Road or on the neighbors' property. These arrangements relate only to the evening and seasonal performances open to the general public.

An important element of the services provided by the Crescent Players are the school performances held during the late winter and spring. These do not present a car parking problem since the kids come to Coloma on buses. There have been occasions when the buses dropped the children off in front of the Theatre and then parked at the State park down the street. This was generally done at the election of the bus drivers or at such times as buses bringing children for a performance arrive before the buses for the prior performance have left. This has not been a problem for at least two years, as scheduling of performances has been modified to allow adequate time between performances to ensure that the buses delivering children (no more than two at a time)

will not arrive before the children from the prior performances have departed. Additionally, participating schools have been informed that the buses must be parked on the Theatre property during the performances. This will eliminate any concerns regarding buses stopping on Monument Road.

With respect to occupancy limitations, we request that the current occupancy of 149 be retained for the school performances, since the occupancy limitation suggested by staff is based on parking and parking will not be the issue with school performances. Although the Crescent Players would prefer that the occupancy be maintained for evening performances as well, they respectfully request that it be reduced to no lower than 120. It is very unusual to have that many at a performance, but it can occur. Such occurrences however are usually the result of attendance by the residents of group homes or retirement homes where the patrons arrive by passenger van, thus resulting in a large audience with a relatively few number of vehicles.

Over the last two seasons the Crescent Players have worked to address some of the concerns expressed by the neighbors in correspondence to the Planning Department. The lighting at the site has been replaced, providing for downcast lighting with motion sensors and the removal of the older sodium vapor fixtures which remained on all night. They have instituted procedures at the Theatre where the actors and stage crews are not allowed to remain outside the building between acts or appearances after dark, thus cutting down on noise emanating from the property. As mentioned above, parking monitors have been utilized to prevent patrons from parking on the road, or utilizing the neighbor's driveway as a turnaround. These efforts were made specifically to minimize impacts on the two neighbors of the Theatre and these efforts will continue.

With respect to specific conditions suggested in the staff report we make the following comments and requests.

1. The maximum occupancy increased to 149. Hours of operation to be extended to 10:30 pm at which time all patrons will have left the premises. Inside work crews can be there longer as necessary to prepare the Theatre for the next day. Onsite parking spaces shall be provided consistent with the new Exhibit E.

3. It is our understanding that the Developer Services fees were waived by the Board of Supervisors.

8. The parking lot will be expanded to 29 spaces as provided in the revised Exhibit E.

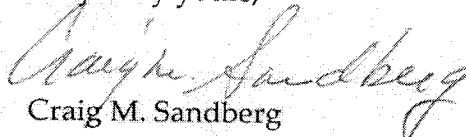
9. Revised to provide; *"No off-site parking on property adjacent to the theatre shall be permitted. In the event of special events at the theatre which will result in overflow parking, a special event permit shall be obtained from the California State Park to allow for parking on Park property."*

16. The first and last sentences of this condition should be eliminated. A fire alarm system is not necessary or a legal requirement for the continuation of occupancy of the building. It has been determined that the fire alarm sought by the District will cost over \$8,000 for installation and \$140 per month. This is a budget killer for a small organization such as the Crescent Players. However, a person can be designated for the "fire watch" during all performances, although some instruction will be required to determine what the required reports should look like.

17, 18 & 19. These conditions should be eliminated. This is an existing building and there is no legal requirement that its use be continued only if a hydrant is installed. Likewise, the knox box is expensive and requires an entire rekeying of the building. Once again, these are budget killers.

The Olde Coloma Theatre is a community asset with a thirty plus year history which must be preserved. The commitment by the Crescent Players to make the improvements to the parking area will substantially deplete their resources, but will effectively deal with the primary reason why this matter is even being considered by the Commission. Over the past two years, efforts have been made to mitigate the impacts the Theatre may have on the neighbors and the Crescent Players are committed to continue those efforts. On behalf of the Crescent Players we respectfully request that you grant the use permit with the modifications we have suggested as part of this proposal.

Very truly yours,

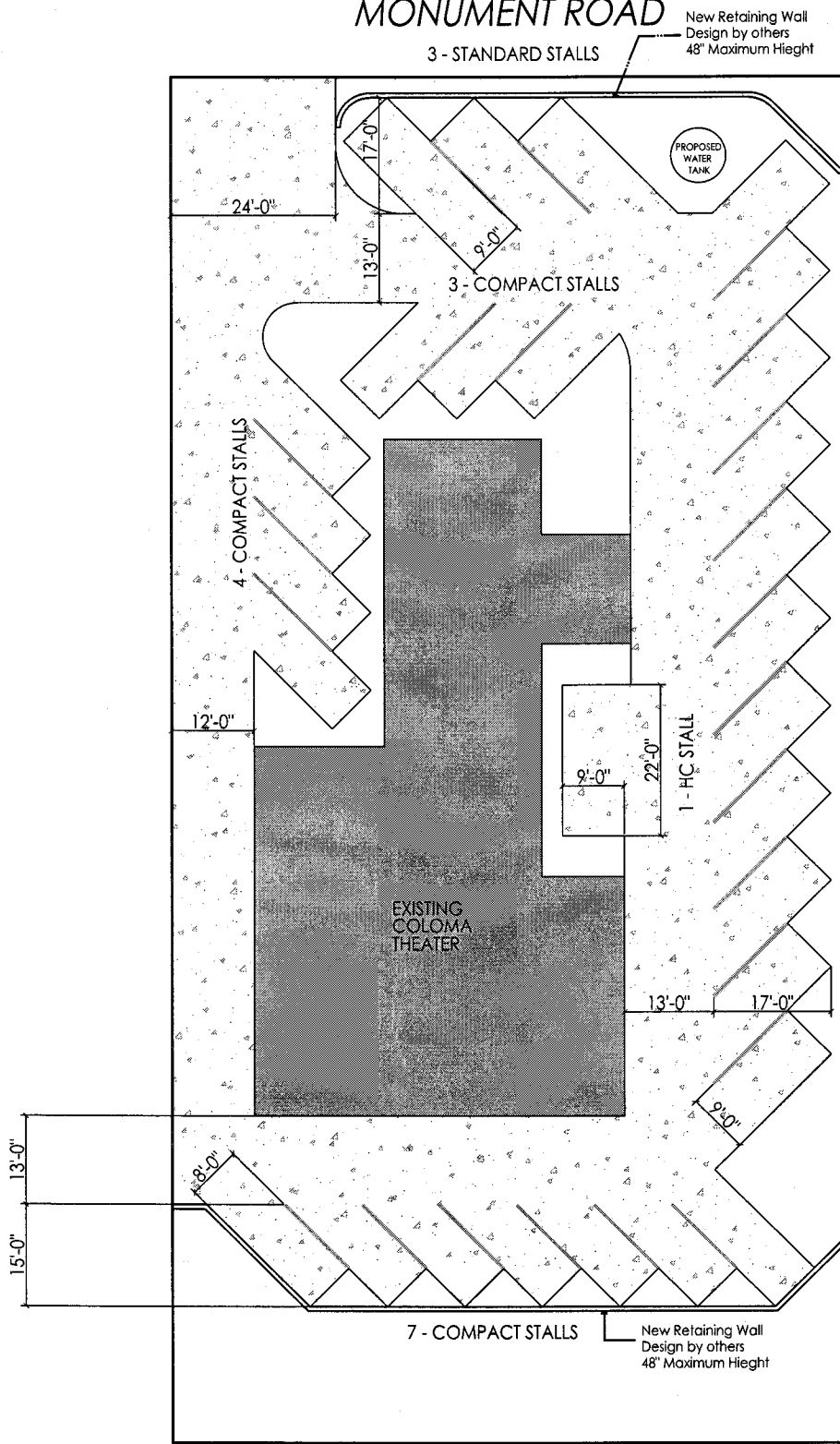
  
Craig M. Sandberg

CMS/ms

Cc: Jason Hade

# EXHIBIT E

## MONUMENT ROAD



**PARKING SUMMARY**

STANDARD STALLS	14
COMPACT STALLS	14
HANDICAP STALL	1
<b>TOTAL STALLS</b>	<b>29</b>



Olde Coloma Theatre 380 Monument Road Coloma, California	<h3>PARKING PLAN</h3>	SCALE: 1" = 30'-0" DATE: 01.06.2010
		10-0538 1.6

PC 2/25/10  
#9



Craig Sandberg  
<craig@sandberglaw.net>  
02/23/2010 02:40 PM

To "lou.rain@edcgov.us" <lou.rain@edcgov.us>, "vineyard@dkcellars.com" <vineyard@dkcellars.com>, "tom.heflin@edcgov.us" <tom.heflin@edcgov.us>, "walter.mathews@edcgov.us" <walter.mathews@edcgov.us>, "alan.tolhurst@edcgov.us" <alan.tolhurst@edcgov.us>  
cc "jason.hade@co.el-dorado.ca.us" <jason.hade@co.el-dorado.ca.us>, "charlene.tim@edcgov.us" <charlene.tim@edcgov.us>, "paula.frantz@edcgov.us" <paula.frantz@edcgov.us>  
bcc

Subject Olde Coloma Theatre

Gentlemen,

As suggested by the Planning Commission we met with the Park representatives including the Regional Manager, Scott Nakaji. We had a great meeting and after the Park officials had heard what we needed, they were extremely helpful and agreed to work with the Theatre. Because the need for the overflow parking will be needed only sporadically, Mr. Nakaji felt that entering into a long term contract made no sense and that the matter could be handled through cooperation with local staff. I asked for documentation of that agreement and Mr. Nakaji provided the attached letter. He also indicated that he would provide a "blanket permit" with a single fee, which would allow for the one week notice requirement, rather than applying for a new event permit each time parking may be needed. All in all it was a great meeting and we appreciate the help from Park staff.

We are also working on alternatives to the use of the Park property. A neighboring landowner with parking available on their property has offered to provide an overflow parking arrangement and we are in the process of obtaining a written memorandum of agreement. Further, we are working with Dan Crandall who is operating a shuttle service in the Coloma area. He has expressed the willingness to provide the shuttle service from designated offsite parking areas, as well as other destination locations such as area campgrounds and inns, to the Theatre. This will be a huge benefit to the community and cut down on parking needs, as well.

Dennis Barksdale has volunteered the services of his company, Claybar engineering to provide civil work on the site. I note he has sent you an earlier email expressing his concern about having a completed site/parking plan available by Thursday. I hope to have completed agreements for the Commission by Thursday, but we may have to ask for your indulgence once again to complete details. Obviously, we have had an outpouring of support from the community that may get us to where we have to be.

Craig

Craig M. Sandberg  
Law Offices of Craig M. Sandberg  
1024 Iron Point Road  
Folsom, CA 95630  
1-916-357-6698  
craig@sandberglaw.net

10-0538.1.7



DEPARTMENT OF PARKS AND RECREATION  
Gold Fields District  
7806 Folsom Auburn Road  
Folsom, CA 95630

Ruth Coleman, Director

February 22, 2010

Carol Fallon  
Olde Coloma Theatre  
3461 Robin Lane, Suite 3  
Cameron Park, CA 95862

Dear Ms. Fallon,

It was a pleasure meeting with you and Craig Sandberg last week regarding overflow parking at Marshall Gold Discovery State Historic Park (MGDSHP) for night time performances at the Olde Coloma Theatre.

We feel that we will be able to work with the theater to provide limited overflow parking for occasional Friday and Saturday night and Sunday matinee performances. From our discussion it is my understanding that the Olde Coloma Theatre will be able to provide adequate parking on its own premises for the majority of these performances and while there may be a need to occasionally utilize MGDSHP for overflow parking, the theater anticipates it to be minimal (approximately two to three times per year). Because of the anticipated minimal need we feel that it is feasible to allow overflow parking through a special event permit.

The theater will be required to submit a special event permit application a minimum of one week in advance of each requested date. Approval of the permit is subject to facility availability and may be subject to change based on changing needs of the theater. Local staff at MGDSHP will work to assist you with the special event permits.

State Parks believes that the Olde Coloma Theatre is a benefit to the greater Coloma community as it provides a service within the historic town that we cannot provide to the public. We are pleased to be able to work with the theater so it can continue to conduct these educational and entertaining performances.

If you have any questions please feel free to contact me at (916) 988-0205.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott S. Nakaji".

Scott S. Nakaji  
Gold Fields District Superintendent

Cc: Chris Fridrich, Acting Park Superintendent



PC 2/25/10  
#9

Jason R Hade/PV/EDC  
02/23/2010 11:50 AM

To Charlene M Tim/PV/EDC@TCP  
cc Roger P Trout/PV/EDC@TCP, Pierre Rivas/PV/EDC@TCP,  
Paula F Frantz/PV/EDC@TCP, "Gary Baldock"  
<BaldockG@eldoradocountyfire.com>  
bcc

Subject Fw: Olde Coloma Theater

FYI.....

Jason R. Hade, AICP  
Senior Planner  
Planning Services  
El Dorado County Development Services Department  
2850 Fairlane Court  
Placerville, CA 95667

530.621.5874 (phone)  
530.642.0508 (fax)  
jason.hade@edcgov.us

----- Forwarded by Jason R Hade/PV/EDC on 02/23/2010 11:42 AM -----



"Dennis Barksdale"  
<dcb@claybar.com>  
02/23/2010 11:28 AM

To <jason.hade@edcgov.us>  
cc <vineyard@dkcellars.com>, <lou.rain@edcgov.us>,  
<tom.heflin@edcgov.us>, <walter.mathews@edcgov.us>,  
<alan.tolhurst@edcgov.us>, "Craig Sandberg"  
<craig@sandberglaw.net>, "Carol Fallon"  
<carollee13@sbcglobal.net>, "Dennis Tipton"  
<detipton@comcast.net>  
Subject Olde Coloma Theater

Jason,

As I mentioned on the phone conversation:

I have donated my time to help the Olde Coloma Theater folks prepare a boundary survey, site plan, and a grading and drainage plan for the theater site.

We (my crew) has visited the site two partial days and been rained out 3 other times working on the project. We have also started from scratch with the boundary information acquisition and the collection of deeds and documents related to the parcel. Placer Title Company has supplied the information free of charge at my request but this has taken some time to assemble. We therefore do not have the plan completed for the County to review. We have also tried to meet with the Fire Department, but have not yet been successful due to scheduling conflicts.

I therefore request that the Planning Commission meeting for the project be rescheduled to March 11th. I will have the work completed and delivered to the County by the March 4th to allow the staff and the

Commissioners a little time to review our work.

I apologize for the delay. I will attend the Planning Commission meeting if you think it useful.

Please call me if you have any questions.

Respectfully,

Dennis Barksdale, P.E.  
Claybar Engineering Inc.  
9354 Elk Grove-Florin Road  
Elk Grove, CA 95624  
916-684-7301

PC 3/11/10  
#12

Jason R Hade/PV/EDC  
03/05/2010 03:50 PM

To Charlene M Tim/PV/EDC@TCP  
cc  
bcc  
Subject Fw: Olde Coloma Theater

Hi Char,

Please forward this information to the Planning Commission for next Thursday's hearing.

Thanks.

Jason R. Hade, AICP  
Senior Planner  
Planning Services  
El Dorado County Development Services Department  
2850 Fairlane Court  
Placerville, CA 95667

530.621.5874 (phone)  
530.642.0508 (fax)  
jason.hade@edcgov.us

----- Forwarded by Jason R Hade/PV/EDC on 03/05/2010 03:49 PM -----



"Dennis Barksdale"  
<dcb@claybar.com>  
03/05/2010 01:30 PM

To <jason.hade@edcgov.us>  
cc "Carol Fallon" <carollee13@sbcglobal.net>, "Dennis Tipton"  
<detipton@comcast.net>, "Craig Sandberg"  
<craig@sandberglaw.net>  
Subject Olde Coloma Theater

Jason,

Here is the preliminary on-site parking plan for the Olde Coloma Theater. I have a call into Gary Baldock regarding the fire alarm system and the water tank elements of the use permit. Gary is off today and returns Monday. I will email him today with this document and specifications I would like to use on the fire alarm system and the tank.

I will have the record of survey completed by Wednesday and will email you a copy for your file. I will then send a copy for review and checking to the County Survey Department.

Please call me if you have any questions or comments.

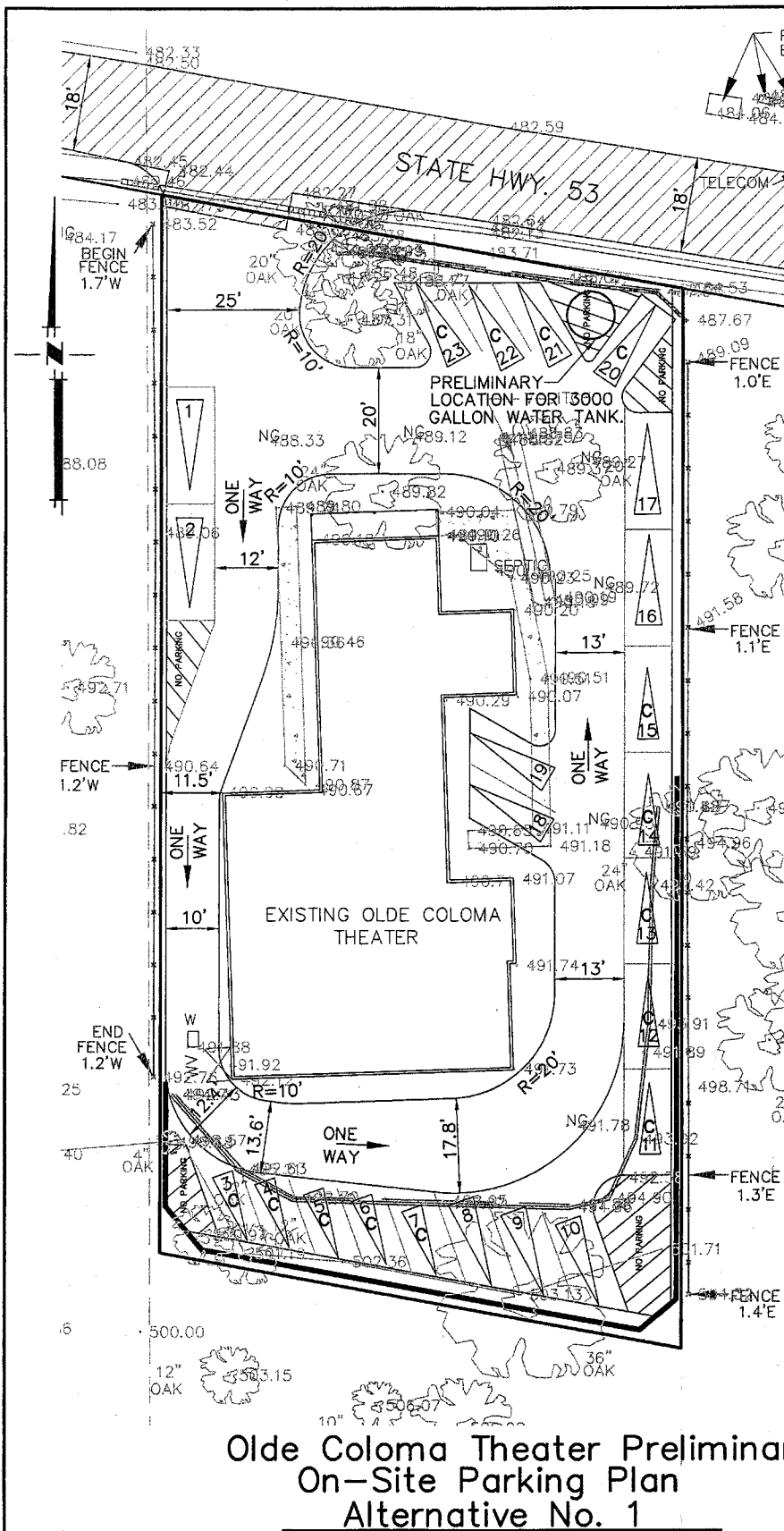
Thanks

Dennis Barksdale, P.E.

Claybar Engineering Inc.  
9354 Elk Grove-Florin Road  
Elk Grove, CA 95624  
916-684-7301



Olde Coloma Theater On-Site Parking Plan Alternative No. 1.pdf



**PARKING SUMMARY**

COMPACT STALLS - 14  
 REGULAR STALLS - 9  
 TOTAL STALLS - 23

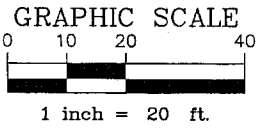
**LEGEND**


R= - RADIUS  
 C - COMPACT

**NOTES**

- 1) THE PARKING PLAN IS BASED ON THE EL DORADO COUNTY OFF-STREET PARKING AND LOADING REGULATIONS (CHAPTER 17.18) FOR PARKING STALL WIDTHS AND LENGTHS AND DRIVE AISLE WIDTH.
- 2) COMPACT STALLS ARE 8 FEET WIDE AND 15 FEET DEEP. REGULAR STALLS ARE 9 FEET WIDE AND 18 FEET DEEP. THE STALL ANGLE IS 60°.
- 3) THE DRIVE AISLE SHALL BE MARKED AS A "ONE WAY" DRIVEWAY AND ALSO MARKED "NO PARKING-DO NOT BLOCK".
- 4) THE BOUNDARY OF THE PARCEL HAS BEEN SURVEYED AND A RECORD OF SURVEY MAP FOR THE PARCEL WILL BE FILED WITH EL DORADO COUNTY BY MARCH 15, 2010.
- 5) THE PRELIMINARY WATER TANK LOCATION IS SUBJECT TO REVIEW AND APPROVAL OF THE EL DORADO COUNTY FIRE PROTECTION DISTRICT.

**Olde Coloma Theater Preliminary On-Site Parking Plan Alternative No. 1**



Prepared By:  
 **CLAYBAR ENGINEERING INC.**  
 9354 ELK GROVE-FLORIN ROAD  
 ELK GROVE, CA 95624  
 Ph.: 916-684-7301  
 Fax: 916-684-2627

Memorandum of Agreement

PC 3/11/10  
#12

This Memorandum of Agreement, dated for reference purposes February 18, 2010, is by and between Marjorie Sanborn, doing business as the Coloma Country Inn ("Sanborn") and the Coloma Crescent Players, Inc. a non-profit association ("Players") operating the Olde Coloma Theatre.

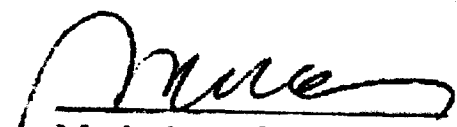
Recitals

- A. Sanborn owns and operates a facility in Coloma known as the Coloma Country Inn, which has a parking area large enough to accommodate approximately 40 vehicles for occasional weddings and other events.
- B. The Players operate, on a non-profit basis, the Olde Coloma Theatre ("Theatre") located near the Coloma Country Inn.
- C. The County of El Dorado has determined that the Theatre does not have adequate onsite parking to comply with the County's parking ordinance and Sanborn has agreed that the Theatre may use the Coloma Country Inn's parking area as overflow parking for the Theatre when necessary.

Agreement

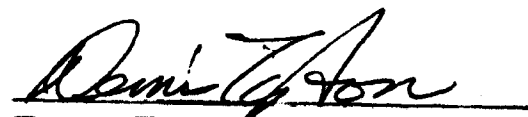
- 1. Sanborn has agreed that the Players may direct its clientele to the Coloma Country Inn parking lot on those occasions when there is not enough onsite Theatre parking to accommodate the attending audience. The Players understand that there will be occasions that the Coloma Country Inn may host weddings or other events during which the Coloma Country Inn parking will not be available. The parties will confer on upcoming schedules on a regular basis in order to identify conflicting events so that the Players may make other arrangements for potential overflow parking.
- 2. The Players shall indemnify and hold Sanborn harmless from any claims or liability, including attorneys fees, which may arise due to the use of the Coloma Country Inn property for parking by the Theatre's patrons, volunteers or cast. Further, the Players will be responsible for any damage that may occur on the Coloma Country Inn property caused by use of the property by the patrons, volunteers or staff of the Theatre.

Coloma Country Inn

  
Marjorie Sanborn

PLANNING DEPARTMENT  
RECEIVED  
10 MAR 10 PM 1:52

Coloma Crescent Players, Inc.

  
Dennis Tipton, Board President