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Planning Department <planning@edcgov.us>

2 pages

P21-0005/El Dorado Senior Village Apartments

1 message

Monique Plubell <monique_plubell@hotmail.com>
To: "planning@edcgov.us" <planning@edcgov.us>

Wed, Jan 19, 2022 at 9:16 AM

To the El Dorado Zoning Administrator:

We are residents of Crossbill Ln. and are extremely concerned about the El Dorado Senior Village Apartment project and its effects on our neighborhood (Dorado Woods). Our HOA President, John Edwards, recently moved out of State and was the person who kept our residents informed of the updates to this project. We fear that now that he is gone and we do not have a new President yet that many of the residents are unaware of the current changes with the El Dorado Senior Village Apartments. We have taken it upon ourselves to ensure that the neighborhood, as many of the residents were against such a large scale project back when Mr. Davies had originally proposed it, are aware of the changes and it is our hope that they will express any concerns with this project they may have.

We understand that Mr. Davies original Design Review Permit DR20-0001 was reviewed and approved by the Planning Commission on August 27, 2020 in accordance with the provisions of SB35 (streamlined ministerial approval for affordable housing). Now that the property has changed ownership and Mr. Oleshko is requesting a revision to the plans shouldn't this be something that needs to go back to the Planning Commission for review? The scope and size of this proposed development is beyond reasonable for this area. It is obvious that the developers are committed to building the largest project possible squeezed into an 8 acre parcel. The intent of these Bay Area investors is to build it, sell it and get out of town. And now they are trying to use SB35 to get approval when this project as designed is not in compliance with objective standards to qualify for SB35.

It is unfortunate that through the SB35 process, the public seems to have zero voice. There has been little communication with the surrounding residents for this "modification" to the original plans. We have had no opportunity to comment or discuss any aspect of the new design and the only reason we have any information is that small little notice that went out to residents within 1000 feet of the project site regarding the meeting on January 19, 2022 with the Zoning Administration. If you were to look back into the records on this project, we are sure that you will find numerous letters from concerned neighbors in the area, not just in the Dorado Woods subdivision, but the surrounding area. It feels as if our concerns were overlooked when Mr. Davies resubmitted his proposal under SB35 when in fact we believe a large number of residents have extremely valid concerns.

We have lived in our home off Crossbill Ln. for almost 18 years and we have seen the dramatic increase in traffic over the years especially with the High School just around the corner. How can this project comply with the General Plan's policy concerning Level of Service "F" conditions that currently exist on the Hwy 49 corridor. Traffic is already an issue on Koki Ln. with it being the main access point to Union Mine High School. Everyday there is traffic congestion not only in the mornings during drop off and in the late afternoon when school gets out but when there are extracurricular activities being held. According to the plans there is an access point on Koki Ln. and we cannot understand how traffic would not be impacted. Not to mention the access point on Pleasant Valley Rd and how dangerous that will be seeing as though it's on a very dangerous corner and cars already speed through there. We fear an onset of traffic accidents on both Koki Ln. and Pleasant Valley Rd. Curious how the High School District feels about this seeing as though Koki Ln. is the access point to Union Mine School. This will drastically affect the students, teachers, etc. who utilize the school.

Another huge concern is fire. We all saw the devastation the Caldor fire brought and the fear and panic residents had trying to flee their homes. At this time, our neighborhood (Dorado Woods) has one way in and one way out on Koki Ln. We have a locked gate in the neighborhood that goes through to Page Ln. and the only other escape route would be through Union Mine High School, and again gates are locked. How are we are to safely evacuate should the need arise? We can't even imagine the gridlock on Koki Ln. with not only the residents of our subdivision but the residents of this rather large community all trying to exit via Koki Ln. onto Pleasant Valley Rd. The risk to lives would be too great in our opinion.

A development of this magnitude is a detriment to the residents of Dorado Woods. The additional noise from apartments, commercial buildings, resident traffic, HVAC units, delivery, employee and emergency traffic in and out, the intrusion of the lighting required for the parking lots and for security purposes and the potential to draw in the homeless will be overwhelming. We don't believe it's the intent of the neighbors to try and stop development of this

property however we believe most would like to see a more scaled down community enhanced project. Shoving a project of this magnitude into an 8 acre parcel surrounded by single family homes is a typical Bay Area development tactic with no respect and no regard for the residents and our local rural neighborhood that we enjoy and is why we purchased our homes.

At this time, we ask that you please look into the project with the Planning Department to ensure that is in compliance with the objective standards and that it truly does qualify for SB35 before it's just automatically approved. This will forever change the lives of those of us living in the surrounding areas and we feel we should have a voice.

We appreciate you taking the time to listen to our concerns.

Respectfully,

~Monique Plubell & Chris Philipps



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Planning Department <planning@edcgov.us>

5 pages

Tentative Map Approval P21-0005/EI Dorado Senior Village Apartments

1 message

Sue Taylor <sue-taylor@comcast.net>

Wed, Jan 19, 2022 at 1:10 PM

To: Planning Department <planning@edcgov.us>

Cc: Robert Peters <robert.peters@edcgov.us>, Karen Garner <karen.l.garner@edcgov.us>, Gina Hamilton <gina.hamilton@edcgov.us>, Bret Sampson <bret.sampson@edcgov.us>, Matthew Aselage <matthew.aselage@edcgov.us>, David Livingston <david.livingston@edcgov.us>, Kathleen Markham <kathleen.markham@edcgov.us>, Patricia Soto <patricia.soto@edcgov.us>, Krystina Baudrey <krystina.baudrey@edcgov.us>, Nathan Pinkston <nathan.pinkston@edcgov.us>, "Hidahl, John" <bosone@edcgov.us>, "Novasel, Sue" <bosfive@edcgov.us>, "Parlin, Lori" <bosfour@edcgov.us>, "Thomas, Wendy" <bosthree@edcgov.us>, "Turnboo, George" <bostwo@edcgov.us>, "Clerici, John" <john.clerici@edcgov.us>, "Nevis, Andy" <andy.nevis@edcgov.us>, "Payne, Kris" <kpayne@edcgov.us>, "Ross, Amanda" <aross@edcgov.us>, "Vegna, John" <jvegna@edcgov.us>

Dear Decision makers,

This is a second submittal in which I thought I would help to clarify the findings to disallow SB35, but then I found more issues with this process so the attachment is longer than planned. Basically please consider the findings that disallow the use of SB35 and require this project to move forward to the Planning Commission for further review, especially considering the change from requiring annexation into the EiD Distirct to on-site septic where I do not see the areas required for distribution.

Thank you,

Sue Taylor

 P21-0005_Comments 1-19-21.pdf
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1-19-21

To County Staff, Officials, and Decision Makers:

I was about to send a simplified comment to show the deciding body on this project how to make the findings that this project does not qualify for SB35, and upon more research have discovered more violations of county codes with this project.

First, the project is conflicting in that on the revised map it shows an entire modification of the plan, yet the request is asking for a parcel split. The DR20-2001 conditions of approval required the parcels to be merged. Thus, splitting the parcel is a revision of the approved project. Also, as "Sec. 130.50.030 - Review Authority for Allowed Uses and Permit Decisions" states revisions to an approved permit or authorization shall be decided by the review authority of original jurisdiction:

Revisions to an Approved Permit or Authorization ³	130.54.070	Decide	Dec
Specific Plan	130.56.020	—	—
Temporary Mobile Home Permit	130.52.050	Issue	—
Temporary Use Permit	130.52.060	Decide	—
Variance	130.52.070	—	Dec

NOTES:

¹ The review authority will consider a discretionary application and make a recommendation for decision to

² Where two deciding review authorities are indicated, such as for Conditional Use Permits, the review authority determined by the complexity of the project.

³ Revisions to an approved project shall be decided by the review authority of original jurisdiction.

The developer appears to have chosen 149 units in order to avoid the 180 day timeline that is required for 150 units. By this decision the County nor the Public have the time for a detailed review or can there be an appeal if this is approved. Thus, the County is left with no other option than to deny the use of SB35 in order to correct the enormous fallacies with this project. The most outrageous is allowing on-site sewage, extreme density and lack of road capacity.

So to go along with the requirement that this project must be hear by the Planning Commission:

From SB35: 65913.4. (c) Any design review or public oversight of the development may be conducted by the local government's planning commission or any equivalent board or commission responsible for review and approval of development projects, or the city council or board of supervisors, as appropriate. That design review or public oversight shall be objective and be strictly focused on assessing compliance with criteria required for streamlined projects, as well as any reasonable objective design standards published and adopted by ordinance or resolution by a local jurisdiction before submission of a development application, and shall be broadly applicable to development within the jurisdiction. That design review or public oversight shall be completed as follows and shall not in any way inhibit, chill, or preclude the ministerial approval provided by this section or its effect, as applicable:

- (1) Within 90 days of submittal of the development to the local government pursuant to this section if the development contains 150 or fewer housing units.
- (2) Within 180 days of submittal of the development to the local government pursuant to this section if the development contains more than 150 housing units.

Findings to deny SB35:

65913.4.

- (a) A development proponent may submit an application for a development that is subject to the streamlined, ministerial approval process provided by subdivision (b) and not subject to a conditional use permit if the development satisfies all of the following objective planning standards:

(5) The development, excluding any additional density or any other concessions, incentives, or waivers of development standards granted pursuant to the Density Bonus Law in Section 65915, is consistent with objective zoning standards and objective design review standards in effect at the time that the development is submitted to the local government pursuant to this section. For purposes of this paragraph, "objective zoning standards" and "objective design review standards" mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. These standards may be embodied in alternative objective land use specifications adopted by a city or county, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances, subject to the following:

(A) A development shall be deemed consistent with the objective zoning standards related to housing density, as applicable, if the density proposed is compliant with the maximum density allowed within that land use designation, notwithstanding any specified maximum unit allocation that may result in fewer units of housing being permitted.

(B) In the event that objective zoning, general plan, or design review standards are mutually inconsistent, a development shall be deemed consistent with the objective zoning standards pursuant to this subdivision if the development is consistent with the standards set forth in the general plan.

The development is not consistent with the standards set forth in the General Plan as was documented with my submittal yesterday.

Regarding, "For purposes of this paragraph, "objective zoning standards" and "objective design review standards" mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal."

Per DR20-0001:

Encroachment permits will be required from both the EDC Department of Transportation and Caltrans.

This project requires off-site lands to be acquired.

Grading/construction of improvements may not proceed until the appropriate permits or agreements are obtained and the grading/improvement plans reflect any necessary change or modification to reflect such permits or agreements.

El Dorado County Environmental Management Division (EMD)

Environmental Health Unit:

27. If separate facilities are planned for the community center and bed and breakfast that will provide food to residents at the retail level, a permit to operate and service request to review and approve any food facility plans prior to construction and operation will be required. Recreational health facilities including swimming pools and spas will also be required to submit a service request and architectural plans for review and approval by this Department prior to construction. Recreational health facilities available to the public are required to be constructed and operated according to the requirements of the California Health and Safety, Building, and Electrical Codes.

Hazardous Materials Unit:

28. In the application packet submitted on 5/26/2020, the facility plan indicates there will be two swimming pools onsite and a restaurant. The swimming pools may utilize reportable quantities of hazardous materials to maintain their water quality. If the facility utilizes any chemicals in excess of reportable quantities the facility will be required to create an account in CERS (California Environmental Reporting System), submit the required documentation into CERS and obtain a CUPA permit from EMD to store hazardous materials within 30 days of becoming operational.

The applicant shall apply to the El Dorado LAFCO for annexation into the EID service area. (For sewer and water). This must be done prior to submitting submittal of project improvement plans to the district.

The EID Facility Improvement letter was issued on 8-8-2018 and was good for 3 years. The letter has expired and requires the developer to apply for a new letter (this actually makes the develop application incomplete).

Easements for utilities must be acquired.

A wildland Fire Safe Plan must be developed and approved by the Fire District.

Final approval of reduced fire safe setbacks must be granted by CalFire and the Fire District prior to issuance of building permits.

Building and Fire Plans: Building, fire sprinkler, and fire alarm plans shall be reviewed and approved by the Fire Department prior to respective permit issuance. The plans shall provide the use and occupancy classification for each building for future comments in regards to fire sprinklers, fire alarms, exiting, occupant loads, and other fire and life safety features. There shall be a designated plan page that shows all Fire Lanes as required by the El Dorado County Regional Fire Protection Standard B-004 "No Parking-Fire Lane" and the fire code official.

There are 73 Conditions of Approval for this Development in which many of the conditions will involve "personal or subjective judgment by a public official". I have given the county multiple examples of how the project does not meet objectives standards or in which the project involves judgement by personal and public officials.

This project can move forward as with any other project that meets the County's General Plan, Zoning Ordinance and Health and Safety Codes. Please deny the use of SB35 and move this to be heard at the Planning Commission in order for a more detailed review especially in the use of an on-site septic system on this property without the required areas for distribution. (This area is prone to flooding).

Thank you again for your consideration,

Sue Taylor