COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

48 Yaney Avenue, Sonora
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Sonora, CA 95370
(209) 533-5633
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TUOLUMNE COUNTY PLANNING COMMISSION
BOARD OF SUPERVISORS CHAMBERS, 4TH FLOOR
COUNTY ADMINISTRATION CENTER
2 SOUTH GREEN STREET
August 2, 2023
6:00 p.m.*

***The doors to the County Administration Center will be opened at 5:30 p.m.**

You may submit written comments by U.S. mail at 2 South Green Street, Sonora, CA 95370 or email (CDD@tuolumnecounty.ca.gov) for retention as part of the administrative record. Comments will not be read during the meeting.

PLANNING COMMISSION BUSINESS: 6:00 p.m.

1. Reports from Commissioners and Staff

** Reports are a brief oral report from a Committee or Commission member and/or County staff, and no Committee or Commission action will occur. This item is not intended to include in-depth presentations or reports, as those matters should be placed on an agenda for discussion**

2. Report from the Agricultural Advisory Committee Representative

3. Minutes of the Meeting of June 7, 2023

PUBLIC COMMENT: 15 minutes

The public may speak on any item not on the printed agenda. No action may be taken by the Commission.

PUBLIC HEARING: 6:00 p.m.

NEW ITEMS:

1. **DODD,** Ordinance for Zone Change RZ23-001 to rezone a 5.0± acre portion of three parcels totaling 22.91± acres from C-K (Commercial Recreation) to C-S (Special Commercial under Title 17 of the Tuolumne County Ordinance Code (TCOC).

The project site consists of three parcels totaling 22.91± acres located at 14660 Jacksonville Road, approximately 1.6± miles northwest of the intersection of Jacksonville Road and Twist Road. The project site is located within a portion of Section 2, Township 1 South, Range 14 East, Mount Diablo Baseline and Meridian, and within Supervisorial District 4. Assessor's Parcel Numbers 064-030-022, 064-030-024, and 064-03-026.

2. **SCHINDLER,**

1. Resolution for General Plan Amendment GPA21-005 to amend the land use designation of an 8.56± acre parcel from General Commercial (GC) to Mixed Use (MU).

2. Ordinance for Zone Change RZ21-012 to rezone an 8.56± acre parcel from C-1:MX (General Commercial:Mobilehome Exclusion Combining) to M-U (Mixed Use) district under Title 17 of the Tuolumne County Ordinance Code (TCOC).

3. Conditional Use Permit CUP22-011 to allow the development of up to 37 residential units on an 8.56± acre parcel.

4. Site Development Permit SDP22-007 to allow the phased development of housing with existing commercial space and associated infrastructure on an 8.56± acre parcel.

The project site is located at 18711 Tiffeni Drive in the community of Twain Harte, approximately 290± feet northeast of the intersection of Tiffeni Drive and Twain Harte Drive. The project site is located within a portion of Section 9, Township 2 North, Range 16 East, Mount Diablo Baseline and Meridian and within Supervisorial District 3. Assessor's Parcel Number 048-680-046.

The Minutes, Staff Reports, and environmental documents for the items referenced in this Agenda are available for review at the Tuolumne County Community Development Department Monday through Thursday, 8:00 a.m. 3:00 p.m., Fourth Floor, A.N. Francisco Building, 48 Yaney, Sonora, California, and online at **www.tuolumnecounty.ca.gov.**

Any other materials related to the items referenced in this Agenda that are provided by the County to the Planning Commissioners prior to the meeting are available for review at the Tuolumne County Community Development Department 48 Yaney, Sonora, California, and will be available at the meeting. Any materials provided to the Planning Commissioners during the meeting by the County will be available for review at the meeting, and materials provided by the public will be available for review at the Community Development Department the day following the meeting.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development Department at (209) 533-5633. Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting (28CFR Part 35 ADA Title II).

S:\Commissions\TCPC\2023\Agenda\8-2-2023 TCPC Agenda.doc

DODD

DATE: June 29, 2023

SURFACE/MINERAL RIGHTS OWNER: Barry and Rebecca Dodd
Phone: 818-317-3822

APPLICANT: Land and Structure
Phone: 209-532-5173

PROJECT AND LOCATION

PROJECT DESCRIPTION: Ordinance for Zone Change RZ23-001 to rezone a 5.0± acre portion of three parcels totaling 22.91± acres from C-K (Commercial Recreation) to C-S (Special Commercial) under Title 17 of the Tuolumne County Ordinance Code (TCOC).

LOCATION: The project site consists of three parcels totaling 22.91± acres located at 14660 Jacksonville Road, approximately 1.6± miles northwest of the intersection of Jacksonville Road and Twist Road. The project site is located within a portion of Section 2, Township 1 South, Range 14 East, Mount Diablo Baseline and Meridian, and within Supervisorial District 4. Assessor's Parcel Numbers 064-030-022, 064-030-024, and 064-03-026.

GENERAL PLAN: The project site is designated Special Commercial (SC) by the 2018 Tuolumne County General Plan. The existing C-K and proposed C-S zoning districts are compatible with the SC General Plan land use designation, as indicated in Table 1.3 of the Technical Background Report of the 2018 Tuolumne County General Plan.

ENVIRONMENTAL EVALUATION

On January 3, 2019, the Board of Supervisors certified an environmental impact report (EIR) for the Tuolumne County General Plan Update. The EIR for the General Plan Update was prepared as a program EIR under the provisions of Section 15168 of the *State CEQA Guidelines*. As a program EIR, the document adopted by the Board of Supervisors adequately addressed the potential environmental impacts associated with the comprehensive update of the County's constitution for growth including certain implementation activities and provided for streamlining of the environmental review process for projects proposed subsequent to the certification of the EIR. The proposed project entails rezoning the subject property consistent with the General Plan. The rezoning of parcels consistent with the General Plan was addressed in the EIR for the General Plan and, therefore, pursuant to Section 15162 of the *State CEQA Guidelines*, no additional review under the California Environmental Quality Act is required for the proposed Zone Change.

After reviewing the project and its setting, the Environmental Coordinator for the County of Tuolumne has determined that the project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the *State CEQA Guidelines* because the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The application consists of rezoning a 5.0± acre portion from one zoning district that is compatible with the General Plan land use designation to another zoning district that is also compatible with the existing General Plan land use designation.

Future discretionary entitlements, for land development or changes in use on these parcels, would be subject to additional environmental review to address the specifics of the project in question at that time.

RECOMMENDATION

1. Community Development Department Staff recommends approval of Zone Change RZ23-001 based upon the following findings as stated in Chapter 17.70 of the TCOC:

   A. The proposed Zone Change is consistent with the Tuolumne County General Plan.

   B. The proposed Zone Change is in accordance with the Tuolumne County Ordinance Code.

   C. The project site is suited to the uses permitted under the proposed zoning district.

   D. The potential significant environmental impacts of the proposed project were adequately addressed in a previously prepared Environmental Impact Report; therefore, no further environmental review is required for the project under the California Environmental Quality Act (CEQA) pursuant to Sections 15162 and 15061(b)(3) of the *State CEQA Guidelines*.

GENERAL INFORMATION

Site Description

1. The project site consists of three parcels totaling 22.91± acres located on Jacksonville Road. There is one well developed within the project site. The site is surrounded by public lands under the jurisdiction of the Bureau of Land Management (BLM) to the south and west that comprise Lake Don Pedro Reservoir. Elevations on site range from 1,260 feet above mean sea level along the eastern portion adjacent to Jacksonville Road to 1,150 feet above mean sea level along the western portion. The project site generally slopes westward towards Lake Don Pedro Reservoir. Table 1 below shows the existing project site conditions and configuration, and Table 2 below shows the proposed project configuration.

Table 1: Existing Project Site Configuration

Parcel	Zoning	Size (acres)	Development
064-030-026	C-K	1.50	Vacant
064-030-022	C-K	5.07	Vacant
064-030-024	C-K	16.33	Well

Project Description

2. An application for Zone Change RZ23-001 was submitted on January 4, 2023 to rezone the 5.0± acre portion to C-S. The 5.0± acre portion proposed to be rezoned is located within the northeast corner of the project site, directly adjacent to Jacksonville Road. The remaining 17.91± acres would retain the existing C-K zoning. An Exhibit Map for lot line adjustment T23-001 was submitted with the County Surveyor on January 4, 2023. Exhibit Maps are under the purview of the Tuolumne County Surveyor and a decision would be made at a later date. Following approval of the Zone Change and lot line adjustment, the parcel configuration would be as follows:

Table 2: Proposed Project Configuration

Old APN	Parcel	Zoning	Size (acres)	Development
064-030-026	Parcel 2A	C-S	5.0	Well
064-030-022	Parcel 3A	C-K	5.13	Vacant
064-030-024	Parcel 1A	C-K	12.78	Vacant

3. Both the C-K and C-S zoning districts are compatible with the existing SC General Plan land use designation. The proposed C-S zoning would allow different uses that what is allowed under the C-K zoning, as shown within Table 3 below in this report. The applicant has indicated that in the future they would like to develop the C-S parcel with an indoor boat and RV storage facility. This is a conditional use within the proposed C-S zoning and not an allowable use with the C-K zoning as it would most closely match a "mini-storage facility use." Any outdoor storage not fully enclosed within a building is also listed as a conditional use in the C-S zoning and not an allowable use in the C-K zoning. A Conditional Use Permit would be required to allow for the indoor boat storage facility and any associated outdoor storage, and this discretionary entitlement would be subject to additional environmental review at that time. The lot line adjustment would allow a more favorable configuration of the parcels and would locate the well within the parcel zoned C-S.

General Plan

4. The project site contains the Special Commercial (SC) General Plan land use designation. The SC designation provides for a variety of sales and service establishments which serve both the residents of Tuolumne County and its visitors in areas that do not have public water and sewer service. This designation is found primarily along highway corridors to provide commercial facilities that are easily accessible to the County's tourists. The site is located within an area that would not be readily serviced by public water or sewer and would require connection to on-site wells and on-site sewage disposal systems. The site is located along Jacksonville Road, which is a major collector road pursuant to the Tuolumne County General Plan. The minimum parcel size within the SC designation is two gross acres. Each of the parcels would be a minimum of two gross acres following the lot line adjustment.

5. Table 1.3 of the Technical Background Report of the 2018 Tuolumne County General Plan indicates that the existing SC General Plan land use designation on the project site is compatible with the existing C-K zoning and the proposed C-S zoning district. Therefore, the proposed project is consistent with the Tuolumne County General Plan.

Ordinance Code

6. The project site is currently zoned C-K. Zone Change RZ21-009 proposes to rezone a 5.0± acre portion from C-K to C-S. The purpose of the C-S district is to provide for a variety of sales and service establishments which serve both the residents and visitors in areas that do not have public water and sewer service. Development in this zone must comply with Title 15 of this code relative to fire safety standards and with applicable Federal, State and local regulations concerning the provision of water and sewage disposal to serve the development. The project site is located in an area without public water or sewer available to serve the site. Therefore, any future development would be served by on-site wells and on-site sewage disposal systems, which is consistent with the C-S zoning.

7. The minimum parcel size within both the C-K and C-S zoning districts is two gross acres in area and a minimum of one hundred feet in width at the front setback line. Each of the proposed parcels would meet the minimum size requirements following the lot line adjustment. Under the current configuration, APN 064-030-026 does not meet the minimum parcel size as it is 1.50± acres in size.

8. Many of the permitted uses within the C-K and C-S zoning are the same and have a corresponding use in the other district. The following uses are the only permitted uses that differ between the list of allowable permitted uses:

Table 3: Differences in Permitted Uses Within the C-K and C-S Zoning Districts

Uses in C-K and not C-S	Uses in C-S and not C-K
• Recreational structures and developments • Public utility distribution facilities • General farming and ranching • Roadside stand for the sale of agricultural products primarily from a farm or ranch located on the parcel or a combination of the parcel and other parcels under the same ownership all of which are located in the County	▪ Nurseries and greenhouses ▪ General recreational use incidental to the primary use of the parcel ▪ On and off-shore marina facilities ▪ Public transportation stations or depots ▪ Places of public assembly, social clubs, lodges and clubhouses ▪ Schools, churches, libraries, museums, art galleries, tourist information facilities ▪ Mortuaries, funeral homes, mausoleums, columbaria, and crematoria ▪ Professional offices ▪ Bars, without outdoor seating, not permitted within 200 feet of a residential district in accordance with Section 17.52.020 ▪ Animal hospitals, indoors ▪ Equipment repair facilities ▪ Enclosed storage of equipment and materials ▪ Commercial laundry or dry-cleaning plants ▪ Prospecting

9. Pursuant to Section 17.68.100 of the TCOC, a Site Development Permit would be required prior to any building project within the C-K and C-S zoning district. Any of the uses indicated above would trigger a Site Development Permit, in accordance with Chapter 17.68 of the TCOC as all the uses in the C-S above would include buildings or structures. Although the uses allowed in C-S and not in C-K listed above are permitted uses and do not require a Conditional Use Permit, per TCOC Section 17.68.100(B), they are subject to discretionary review with the requirement of a Site Development Permit. The applicant has indicated that in the future they wish to develop the site with indoor boat and RV storage facility, which is a conditional use in the C-S zoning district pursuant to Section 17.36.030(R) of the TCOC as the use most closely matches that of a mini-storage. Section 17.36.030(H) of the TCOC indicates that outdoor storage is also a conditional use in the C-S district. A Conditional Use Permit would be required for these uses, in accordance with Chapter 17.68 of the TCOC.

Wildlife and Habitat

10. Vegetation on the site includes live oaks, blue oaks, gray-foothill pines, manzanita, annual grasses, and brush. Most of the oaks within the area proposed for rezone were smaller and none would be considered old growth oaks based on their size. The Tuolumne County Wildlife Maps indicate that the project site contains the blue oak pine (bop), blue oak woodland (bow), and chamise chaparral (chc) habitat types. These three habitat types are

considered third priority habitats, which are common habitats of considerable value to wildlife. Approximately 1.34± acres or 5.9% of the project site is identified as bop habitat and approximately 1.13± acres or 4.9% of the project site is identified as chc habitat, pursuant to the wildlife maps. The remaining 20.43± acres or 89.2% of the site is identified as bow habitat.

11. Mitigation is not required for wildlife as the impacts are less than significant. The project consists of a rezone consistent with the existing General Plan land use designation. While the Zone Change would allow for different uses than what is currently allowable under the existing C-K zoning, the uses are similar in nature between the C-K and the C-S districts. Any future development would trigger either a Site Development Permit or Conditional Use Permit in which project specific impacts would be analyzed. Therefore, there would be no impact to wildlife or habitat.

12. The California Natural Diversity Database (CNDDB) was consulted for known locations of special status plant species and animal species. The CNDDB indicates the bald eagle *(Haliaeetus leucocephalus)* has been known to occur within the vicinity of the site, but not within the project site itself. Bald eagles are found near bodies of water and typically nest within large mature trees, cliffs, and other man-made structures. The proposed project consists of a Zone Change consistent with the General Plan. No development is proposed, and no trees are proposed to be removed. Therefore, there would be no impact to potential bald eagle habitat.

Cultural Resources

13. Chapter 14.10 of the TCOC indicates that when certain indicators are present on a site, a cultural resource study is required. No cultural resource indicators, as listed in Chapter 14.10 of the TCOC were found on the project site during site inspections by CDD staff or during the search of the Tuolumne County cultural resource database. Therefore, a cultural resource study was not required for the proposed project, in accordance with Chapter 14.10 of the TCOC.

Adjoiner Comments

14. Property owners within 1,000 feet of the project site were notified of the project via mail on January 24, 2023. A total of seven adjoining property owners were notified. In addition, the project Stakeholder Notification was posted on the County webpage and sent to local stakeholder groups. No responses were received from adjoining property owners, local stakeholders, or members of the public.

Public Agency Review

15. The application for Zone Change RZ23-001 was circulated to various State and County agencies. The Tuolumne Band of Me-Wuk Indians Tribal Council responded and indicated that they support the proposed Zone Change and have no concerns regarding the project. The Tuolumne Utilities District (TUD) responded and indicated that they have no comments or concerns regarding the project. The Tuolumne County Fire Prevention Division indicated they have no comments or conditions to incorporate. The California Department of Transportation (Caltrans), Engineering Division of the Department of Public Works, and Environmental Health Division provided comments, which are summarized below.

Caltrans

Caltrans provided comments on the application and recommended that the County continue to coordinate with Caltrans to address pedestrian safety and cumulative impacts of projects

throughout the County. They indicated that the nearest state highway is approximately 1.2 miles from the project site, and stipulated that, although unlikely, if any construction activities encroach within the Caltrans right-of-way, a Caltrans Encroachment Permit would be required.

Engineering Division
The Engineering Division reviewed the proposed project and indicated that future development of the parcels would require the project proponent to comply with commercial encroachment permit standards. Driveways would need to comply with Title 11 of the TCOC.

Environmental Health Division
The Environmental Health Division reviewed the proposed project and indicated that future development of parcels will require compliance with Chapters 13.04, 13.08 and 13.16 of TCOC for construction of on-site sewage treatment and disposal systems and water wells.

Zone Change Findings

16. Chapter 17.70 of the TCOC requires that evidence be shown that the proposed project meets the necessary findings for a zone change. Below are the required findings, and staff's responses to each requirement:

A. The proposed Zone Change is consistent with the Tuolumne County General Plan.

Consistency with the General Plan is discussed and demonstrated in #4 and #5 above in this report.

B. The proposed Zone Change is in accordance with the Tuolumne County Ordinance Code.

Consistency with the Tuolumne County Ordinance Code is discussed and demonstrated in #6, #7, #8, and #9 above in this report.

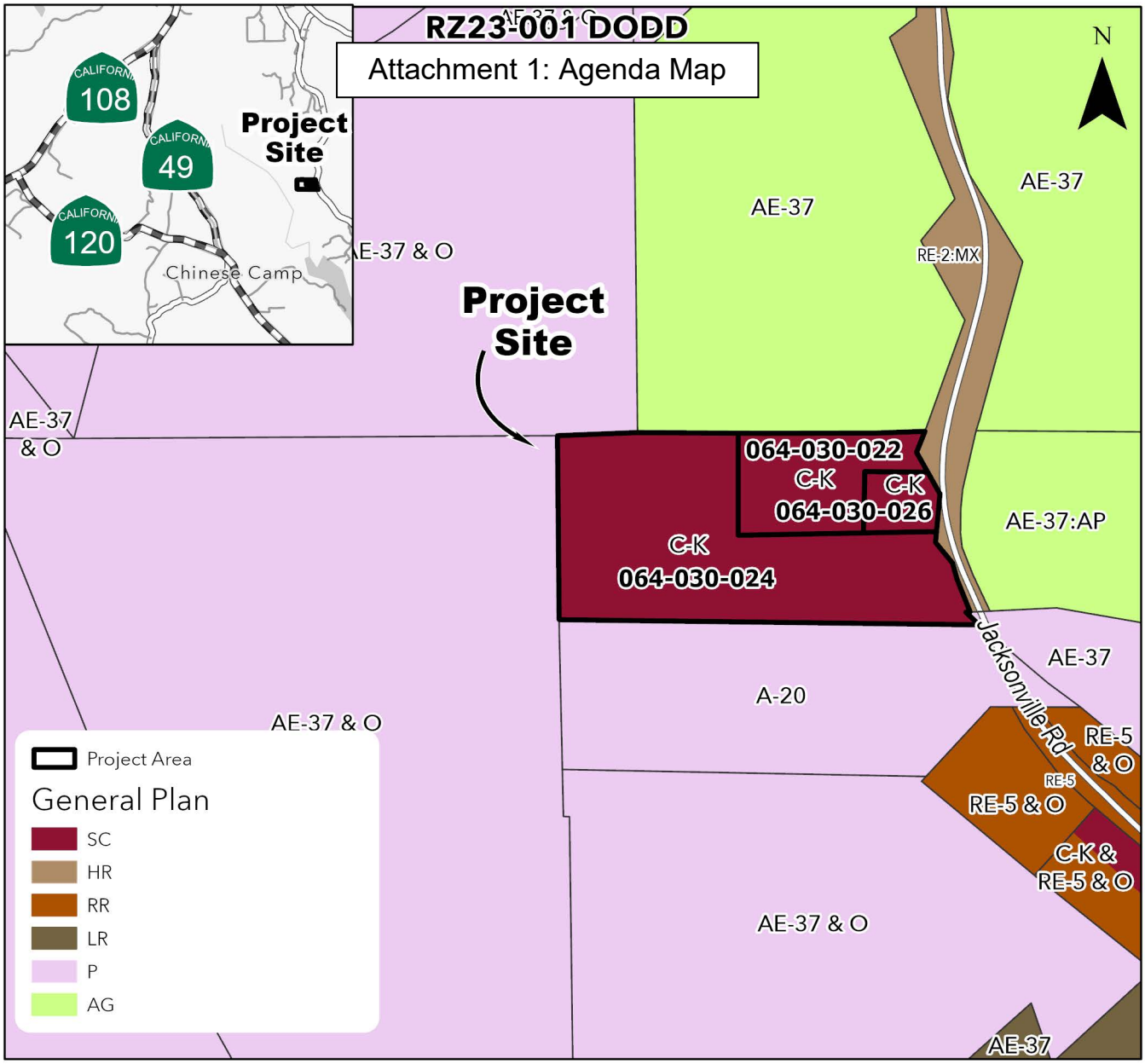
C. The project site is suited to the uses permitted under the proposed zoning district.

The project site conditions are discussed in #1 above in this report. The proposed C-S zoning district has been determined to appropriate for the site conditions. Please see #1, #2, #6, and #7 above in this report for additional information and evidence.

D. The potential significant environmental impacts of the proposed project were adequately addressed in a previously prepared Environmental Impact Report; therefore, no further environmental review is required for the project under the California Environmental Quality Act (CEQA) pursuant to Sections 15162 and 15061(b)(3) of the State CEQA Guidelines.

Please see the Environmental Analysis Section above in this report for analysis and evidence.

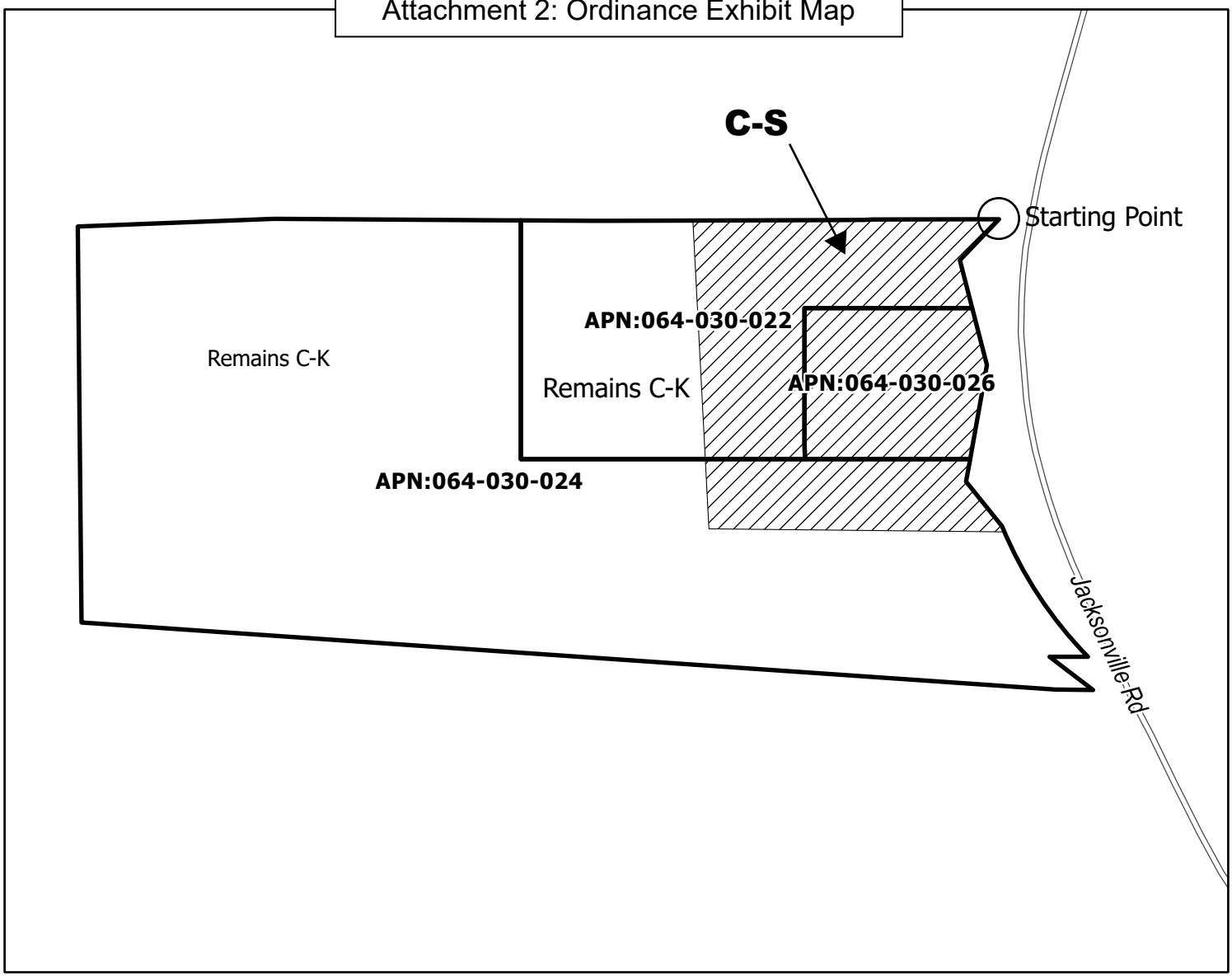
PREPARED BY: Natalie Rizzi, Senior Planner



Project: RZ23-001 DODD
Owner: Barry and Rebecca Dodd
Applicant: Land and Structure
APN: 064-030-022, 064-030-024, and 064-03-026
Acres: 22.91± acres
Current Zoning: C-K
Current General Plan Designation: Special Commercial
Project Description: Rezone a 5.0± acre portion of three parcels totaling 22.91± acres from C-K to C-S, 17.91 acres remaining C-K.

Exhibit "A"

Attachment 2: Ordinance Exhibit Map



Parcels: 64-030-022, 64-030-024, 64-030-026, as described in Exhibit "A" attached to the deed recorded in Tuolumne County Official Records in the office of the County Recorder of the County of Tuolumne, California on October 08, 2020, as Document Number 2020012755.

See attachment "A1" for the legal description of the area to be rezoned C-S.

Attachment 3: Lot Line Adjustment Exhibit Map

OWNER & SITE INFORMATION

OWNERS: BARRY & REBECCA DODD
7885 MESA DRIVE
SIMI VALLEY, CA 93063
(818) 317-3822

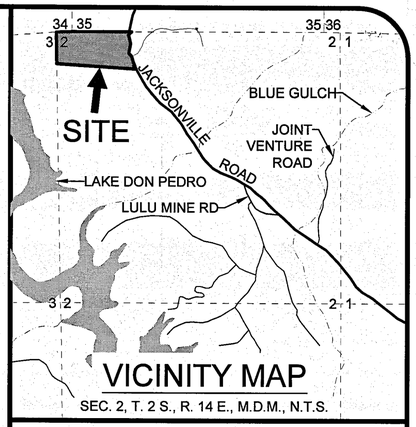
APN:	064-030-022	APN:	064-030-024	APN:	064-030-026
SITE ADDRESS:	VACANT LAND	SITE ADDRESS:	14660 JACKSONVILLE RD. JAMESTOWN, CA 95327	SITE ADDRESS:	VACANT LAND
EXISTING LOT SIZE:	±5.16 ACRES	EXISTING LOT SIZE:	±16.60 ACRES	EXISTING LOT SIZE:	±1.86 ACRES
VESTING DEED:	DOC. # 2020012755	VESTING DEED:	DOC. # 2020012755	VESTING DEED:	DOC. # 2020012755
MAP OF RECORD:	N/A	MAP OF RECORD:	N/A	MAP OF RECORD:	N/A
SEWER:	INDIVIDUAL SEPTIC SYSTEM	SEWER:	INDIVIDUAL SEPTIC SYSTEM	SEWER:	INDIVIDUAL SEPTIC SYSTEM
WATER:	PRIVATE WELL	WATER:	PRIVATE WELL	WATER:	PRIVATE WELL
EXISTING ZONING:	C-K	EXISTING ZONING:	C-K	EXISTING ZONING:	C-K
PROPOSED ZONING:	C-S	GENERAL PLAN:	SC	GENERAL PLAN:	SC
GENERAL PLAN:	SC				

NOTES

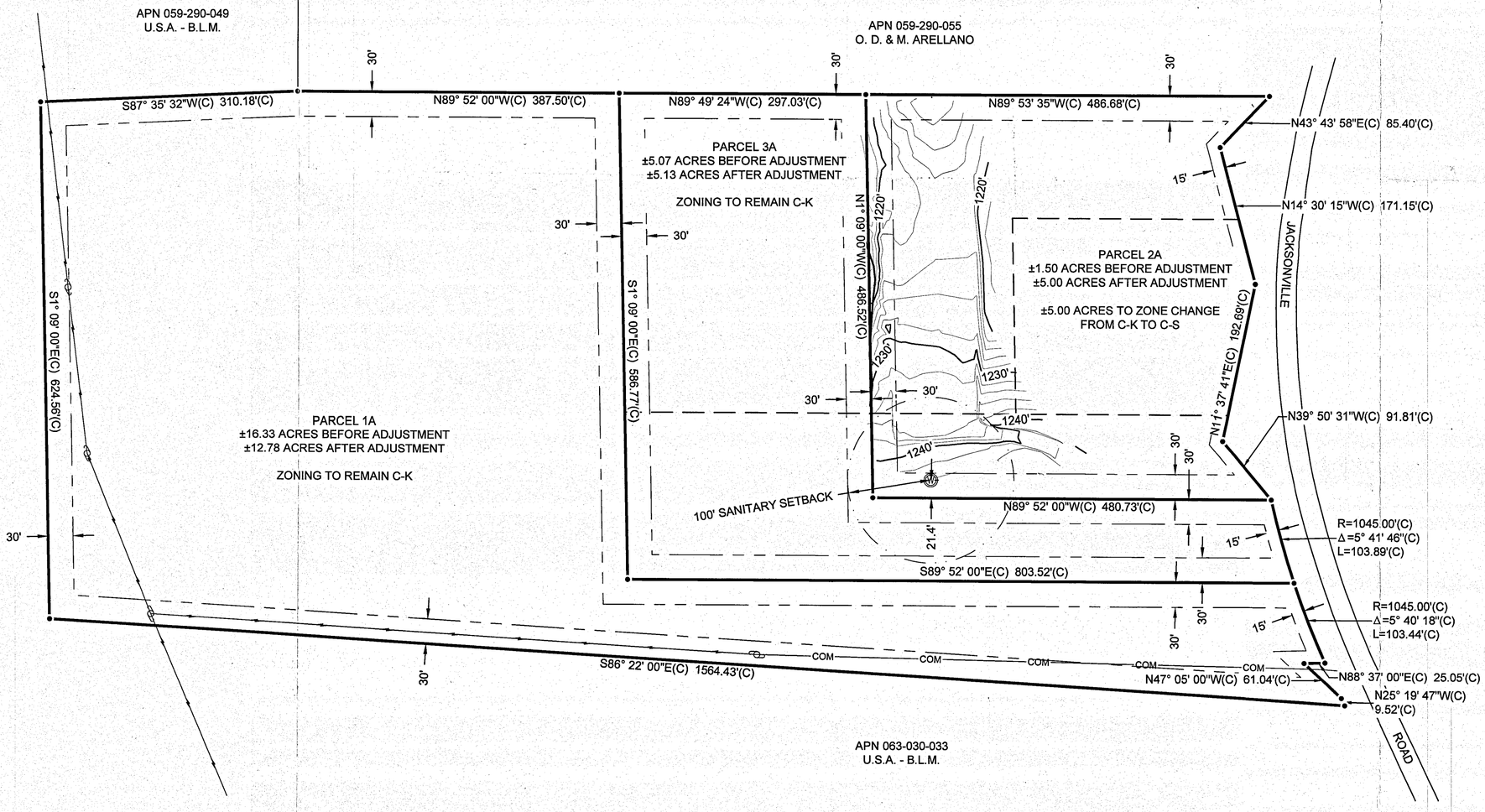
1) - ALL BEARINGS AND DISTANCES SHOWN ARE RECORD UNLESS OTHERWISE NOTED.
2) - THIS MAP DOES NOT CONSTITUTE A BOUNDARY SURVEY. ALL BEARINGS AND DISTANCES SHOWN ARE RECORD AS NOTED.
3) - CONTOUR INTERVAL IS 2'
4) - PRIOR TO COMMENCING ANY CONSTRUCTION ON THIS SITE IT IS ADVISED THAT ALL INVOLVED PARTIES REVIEW SECTION 8771 AND SECTION 8725 OF THE BUSINESS AND PROFESSION CODE, SECTION 605 OF THE CALIFORNIA STATE PENAL CODE AND SECTION 27581 OF THE GOVERNMENT CODE TO ENSURE THAT MONUMENT CONSERVATION HAS BEEN PROPERLY ADDRESSED.

LEGEND

- CALCULATED POSITION ONLY NOTHING FOUND OR SET
(C) - CALCULATED PER # 2020012755
- PROPERTY LINE TO BE REMOVED BY RESUBDIVISION
- DEFENSIBLE SPACE BUILDING SETBACK LINE
- POWER LINE
COM - COMMUNICATION LINE
- UTILITY POLE APPROXIMATE LOCATION
(W) - WELL



VICINITY MAP
SEC. 2, T. 2 S., R. 14 E., M.D.M., N.T.S.



LICENSED LAND SURVEYOR
RICHARD HENRY JAMES
No. 8550
STATE OF CALIFORNIA

RICHARD H. JAMES
P.L.S. 8550

1/3/2023
DATE

NORTH

100 0 50 100 200
(IN FEET)
1 inch = 100 ft.

JOB NO.:	DRAWN BY:	DWG NAME:	DATE:
20-08.18	TAH	EXHIBIT	12/21/2022

Land & Structure
SURVEYING | ENGINEERING | DESIGN

105 SOUTH STEWART STREET, SONORA, CA., 95370
T: 209.532.5173 F: 209 532 5220

EXHIBIT MAP AND ZONE CHANGE PLAT

BEING A RESUBDIVISION OF PARCEL 1, PARCEL 2 AND PARCEL 3 AS DESCRIBED IN VOLUME 190 OF OFFICIAL RECORDS AT PAGE 294 AND VOLUME 343 OF OFFICIAL RECORDS AT PAGE 569, ALL ON FILE IN THE OFFICE OF THE TUOLUMNE COUNTY RECORDER, LYING WITHIN A PORTION OF LOT 3 AND LOT 4, SECTION 2, TOWNSHIP 1 SOUTH, RANGE 14 EAST , MOUNT DIABLO MERIDIAN, IN THE UNINCORPORATED AREA OF TUOLUMNE COUNTY, STATE OF CALIFORNIA.

SHEET 1 OF 1

RECEIVED
JAN 04 2023
Community Development Department

TUOLUMNE ME-WUK TRIBAL COUNCIL

Post Office Box 699

TUOLUMNE, CALIFORNIA 95379

Telephone (209) 928-5300

Fax (209) 928-1677

February 16, 2023

Natalie Rizzi

Tuolumne County Community Development Department

2 South Green Street

Sonora, California 95370

RE: Zone Change RZ23-001

Assessor's Parcel Number: 064-030-022, 064-030-024, and 064-030-026

Dear Ms. Rizzi,

The Tribe is in receipt of your communication dated January 24, 2023, regarding the above referenced projects. Upon reviewing said documentation the Tribe agrees with the proposed zone changes for the above referenced parcels. We have no further concerns or comments currently.

Thank you for keeping us updated.

Best regards,

Kyle Cox

Cultural Resource Manager

(209) 928-5300

RECEIVED

FEB 22 2023

Community Development Department

From: Antonio Ramirez
To: Natalie Rizzi
Subject: Stakeholder Notification for Dodd RZ23-001
Date: Friday, January 27, 2023 2:07:09 PM

Natalie: We won't have any comments or objection to project Dodd RZ23-001. Do you need something formal?

Antonio Ramirez
Engineering Customer Service
Tuolumne Utilities District
p: 209-532-5536 x 511
a: 18885 Nugget Blvd | Sonora, CA 95370
e: aramirez@tudwater.com | w: www.tudwater.com

From: Planning Stakeholder Notifications <listserv@civicplus.com>
Sent: Tuesday, January 24, 2023 9:08 AM
To: Antonio Ramirez <ARamirez@tudwater.com>
Subject: New Agenda 1/24/2023 for www.tuolumnecounty.ca.gov

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Planning Stakeholder Notifications

Stakeholder Notification for Dodd (RZ23-001)… View in the Agenda Center

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COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

48 Yaney Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
(209) 533-5633
(209) 533-5616 (Fax)
(209) 533-5909 (Fax – EHD)
www.tuolumnecounty.ca.gov

Date: January 24, 2023

To: Interested Stakeholder

From: Tuolumne County Community Development Department

RE: Zone Change RZ23-001
Assessor's Parcel Number: 064-030-022, 064-030-024, and 064-030-026

The Community Development Department thanks you for your participation in the land development process in Tuolumne County. We value your comments and look forward to your continued participation in our planning process. This process provides information on your requirements and concerns to the applicant early in the review process. Involvement on your part can eliminate or minimize problems that could arise later.

Applicant: Barry and Rebecca Dodd

Project: The Community Development Department (CDD) has received an application for the following:

Zone Change RZ23-001 to rezone a 5.0± acre portion from C-K (Commercial Recreation) to C-S (Special Commercial) under Title 17 of the Tuolumne County Ordinance Code (TCOC).

Location: The project site consists of three parcels totaling 23.6± acres located at 14660 Jacksonville Road, approximately 1.6± miles northwest of the intersection of Jacksonville Road and Twist Road. The project site is located within a portion of Section 2, Township 1 South, Range 14 East, Mount Diablo Baseline and Meridian, and within Supervisorial District 4. Assessor's Parcel Numbers 064-030-022, 064-030-024, and 064-03-026.

Access: Jacksonville Road

Sewage Disposal Method: On-Site Sewage Disposal System

Water Source: Well

Fire Hazard Rating: Very High fire hazard severity zone

Additional Information:

1. Following approval of the Zone Change, the parcel configuration resulting from the proposed lot line adjustment adjust property boundaries between the three parcels would be as follows:

APN	Zoning	Size (acres)
064-030-026	C-S	5.0
064-030-022	C-K	5.13
064-030-024	C-K	12.78

   There would be no increase in the number of parcels. Two of the resulting parcels would retain the existing C-K zoning. The rezone would occur only withing a 5.0± acre portion of the project site.

2. The existing General Plan land use designation of Special Commercial (SC) is compatible with the C-S and C-K zoning districts.

Please return your comments to the CDD by **February 10, 2023**. Comments may be emailed to Natalie Rizzi, nrizzi@co.tuolumne.ca.us Comments may also be mailed to: 2 South Green Street, Sonora, CA 95370 or brought to the Community Development Department during normal business hours.

Staff Contact: Natalie Rizzi
Phone: (209) 533-5936
Email: nrizzi@co.tuolumne.ca.us

AGENCY: Tuolumne County Environmental Health Division

COMMENTS:

2. Future development of parcels will require compliance with Chapters 13.04, 13.08 and 13.16 of TCOC for construction of on-site sewage treatment and disposal systems and water wells.

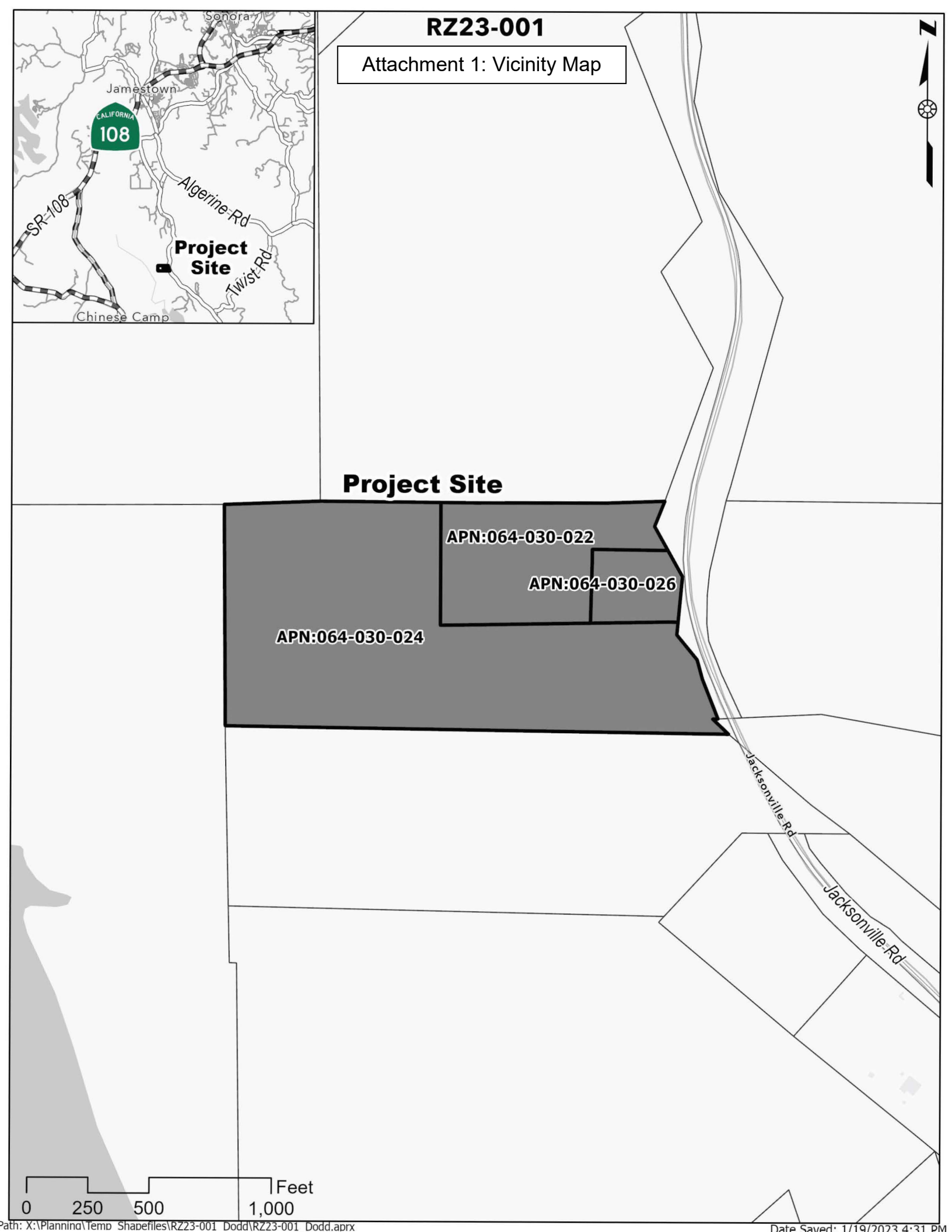
Please utilize the following link to sign up and receive future agenda notices that may include the above-mentioned project:
https://www.tuolumnecounty.ca.gov/list.aspx .

Planning Stakeholder Notification letters are now posted at the following link: https://www.tuolumnecounty.ca.gov/1512/Planning-Stakeholder-Notifications

All property owners within 1000 feet of the proposed project will be notified of future public hearings. Please note that all comments that are submitted are part of the public record for the project.

Signed by: _____

Agency: _____ Date: _____


RZ23-001
Attachment 1: Vicinity Map
Sonora
Jamestown
CALIFORNIA
108
SR-108
Algerine Rd
Project Site
Twist Rd
Chinese Camp
N
Project Site
APN:064-030-022
APN:064-030-026
APN:064-030-024
Jacksonville Rd
Jacksonville Rd
Feet
0
250
500
1,000
Path: X:\Planning\Temp_Shapefiles\RZ23-001_Dodd\RZ23-001_Dodd.aprx
Date Saved: 1/19/2023 4:31 PM

Attachment 2: Exhibit Map

OWNER & SITE INFORMATION

OWNERS: BARRY & REBECCA DODD
7885 MESA DRIVE
SIMI VALLEY, CA 93063
(818) 317-3822

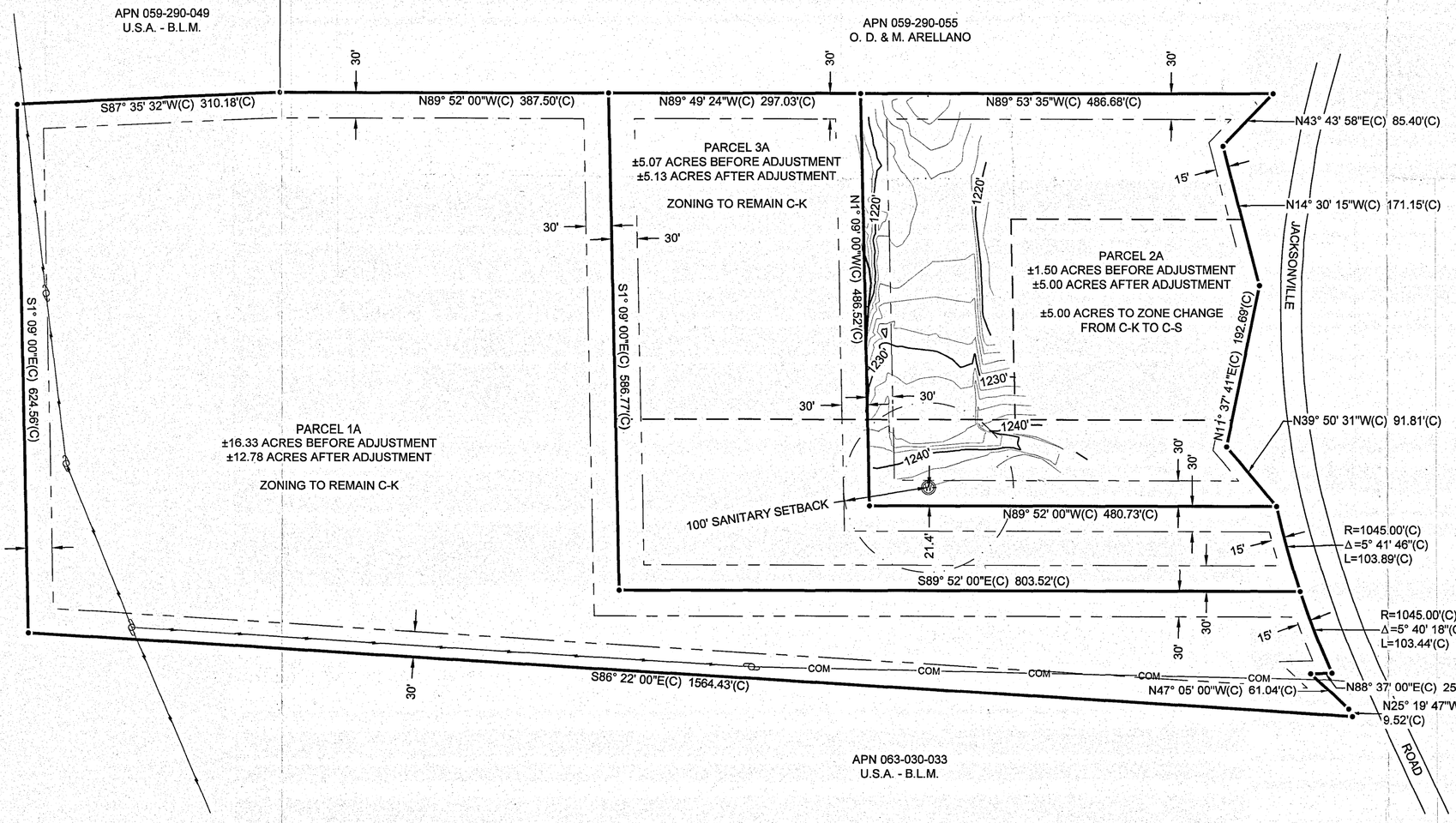
APN:	064-030-022	APN:	064-030-024	APN:	064-030-026
SITE ADDRESS:	VACANT LAND	SITE ADDRESS:	14660 JACKSONVILLE RD. JAMESTOWN, CA 95327	SITE ADDRESS:	VACANT LAND
EXISTING LOT SIZE:	±5.16 ACRES	EXISTING LOT SIZE:	±16.60 ACRES	EXISTING LOT SIZE:	±1.86 ACRES
VESTING DEED:	DOC. # 2020012755	VESTING DEED:	DOC. # 2020012755	VESTING DEED:	DOC. # 2020012755
MAP OF RECORD:	N/A	MAP OF RECORD:	N/A	MAP OF RECORD:	N/A
SEWER:	INDIVIDUAL SEPTIC SYSTEM	SEWER:	INDIVIDUAL SEPTIC SYSTEM	SEWER:	INDIVIDUAL SEPTIC SYSTEM
WATER:	PRIVATE WELL	WATER:	PRIVATE WELL	WATER:	PRIVATE WELL
EXISTING ZONING:	C-K	EXISTING ZONING:	C-K	EXISTING ZONING:	C-K
PROPOSED ZONING:	C-S	GENERAL PLAN:	SC	GENERAL PLAN:	SC
GENERAL PLAN:	SC				

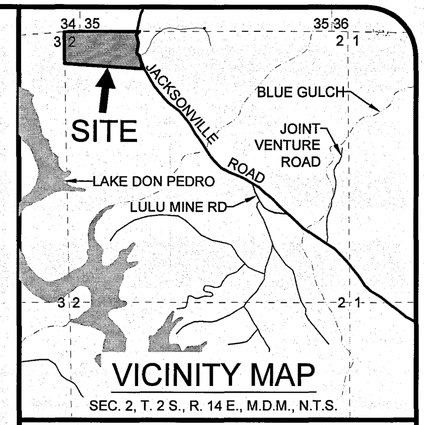
NOTES

1) - ALL BEARINGS AND DISTANCES SHOWN ARE RECORD UNLESS OTHERWISE NOTED.
2) - THIS MAP DOES NOT CONSTITUTE A BOUNDARY SURVEY. ALL BEARINGS AND DISTANCES SHOWN ARE RECORD AS NOTED.
3) - CONTOUR INTERVAL IS 2'
4) - PRIOR TO COMMENCING ANY CONSTRUCTION ON THIS SITE IT IS ADVISED THAT ALL INVOLVED PARTIES REVIEW SECTION 8771 AND SECTION 8725 OF THE BUSINESS AND PROFESSION CODE, SECTION 605 OF THE CALIFORNIA STATE PENAL CODE AND SECTION 27581 OF THE GOVERNMENT CODE TO ENSURE THAT MONUMENT CONSERVATION HAS BEEN PROPERLY ADDRESSED.

LEGEND

- • - CALCULATED POSITION ONLY NOTHING FOUND OR SET
- (C) - CALCULATED PER # 2020012755
- — — — — — - PROPERTY LINE TO BE REMOVED BY RESUBDIVISION
- ——— - DEFENSIBLE SPACE BUILDING SETBACK LINE
- ←——— - POWER LINE
- ———COM——— - COMMUNICATION LINE
- ⊕ - UTILITY POLE APPROXIMATE LOCATION
- Ⓦ - WELL





LICENSED LAND SURVEYOR
RICHARD HENRY JAMES
No. 8550
STATE OF CALIFORNIA

RICHARD H. JAMES
P.L.S. 8550

1/3/2023
DATE

NORTH

100 0 50 100 200
(IN FEET)
1 inch = 100 ft.

JOB NO.:	DRAWN BY:	DWG NAME:	DATE:
20-08.18	TAH	EXHIBIT	12/21/2022

Land & Structure
SURVEYING | ENGINEERING | DESIGN

105 SOUTH STEWART STREET, SONORA, CA., 95370
T: 209.532.5173 F: 209 532 5220

EXHIBIT MAP AND ZONE CHANGE PLAT

BEING A RESUBDIVISION OF PARCEL 1, PARCEL 2 AND PARCEL 3 AS DESCRIBED IN VOLUME 190 OF OFFICIAL RECORDS AT PAGE 294 AND VOLUME 343 OF OFFICIAL RECORDS AT PAGE 569, ALL ON FILE IN THE OFFICE OF THE TUOLUMNE COUNTY RECORDER, LYING WITHIN A PORTION OF LOT 3 AND LOT 4, SECTION 2, TOWNSHIP 1 SOUTH, RANGE 14 EAST , MOUNT DIABLO MERIDIAN, IN THE UNINCORPORATED AREA OF TUOLUMNE COUNTY, STATE OF CALIFORNIA.

SHEET 1 OF 1

RECEIVED
JAN 04 2023
Community Development Department

Department of Public Works

Kim MacFarlane, P.E.
Director

48 W. Yaney Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
209.533.5601
www.tuolumnecounty.ca.gov

ADMINISTRATION
Assistant to the Department Head
Emma Hawks
209.694.2718

AIRPORTS
Airports Manager
Benedict Stuth
209.533.5685

BUSINESS
Business Manager
Janelle Kostlivy
209.533.5972

ENGINEERING
Supervising Engineer
Blossom Scott-Heim, P.E.
209.533.5904

FLEET SERVICES
Fleet Services Manager
Mike Young
209.536.1622

GEOGRAPHIC INFORMATION SYSTEMS
GIS Coordinator
Madeline Amlin
209.533.6592

ROAD OPERATIONS
Road Superintendent
Mike Cognetti
209.533.5609

SOLID WASTE
209.533.5588

SURVEYING
County Surveyor
Warren Smith, L.S.
209.533.5626

MEMORANDUM

Date: January24, 2023

To: Natalie Rizzi, Senior Planner

From: Juan Maya, Engineer I JM
Blossom Scott-Heim, P.E., Supervising Engineer

Re: RZ23-01, Dodd
Assessor's Parcel Nos.: 064-030-022, 064-030-024, and 064-030-026
Jacksonville Road, Jamestown

The proposed Zone Change, RZ23-001, seeks to rezone parcel 064-030-026, from C-K (Commercial Recreational) to C-S (Special Commercial) under Title 17 of the Tuolumne County Ordinance Code. Parcels 064-030-022 and 064-030-024 will retain the existing C-K zoning.

The Department of Public Works has no comment on the proposed Zone Change item but wishes to make the following comments on the design and layout of the Exhibit Map and Zone Change Plan.

According to the submitted exhibit map, all three (3) parcels have property frontage to Jacksonville Road (County-maintained Road) but is not indicated whether they will be connecting to it. Further development of the mentioned parcels will require the owner to follow The County of Tuolumne Roads Minimum Standards for Encroachment Permits for Commercial Road Encroachments before connecting to Jacksonville Road. Additionally, development of driveways will have to adhere to the Title 11 of the Tuolumne County Ordinance Code.

P:\Development\Conditions of Approval\2023\RZ23-001 Dodd.docx

California Department of Transportation

OFFICE OF THE DISTRICT 10 PLANNING
P.O. BOX 2048 | STOCKTON, CA 95201
(209) 948-7325 | FAX (209) 948-7164 TTY 711
www.dot.ca.gov

February 8, 2023

Natalie Rizzi
Senior Planner
Tuolumne County Community
Development Department
48 Yaney Avenue
Sonora, CA 95370

TUO-120-PM R16.95
Recreation Development –
Zone Change RZ23-001

Dear Ms. Rizzi,

The California Department of Transportation (Caltrans) appreciates the opportunity to review and comment on the application for Zone Change (RZ23-001) to rezone a 5.0± acre portion from Commercial Recreation (C-K) to Special Commercial (C-S) under Title 17 of the Tuolumne County Ordinance Code (TCOC). The parcel configuration resulting from the proposed lot line adjustment adjust property boundaries between the three parcels: 064-030-022, 064-030-024, and 064-030-026. There would be no increase in the number of parcels. Two of the resulting parcels would retain the existing C-K zoning. The rezone would occur only within a 5.0± acre portion of the project site. The existing General Plan land use designation of Special Commercial (SC) is compatible with the C-S and C-K zoning districts.

The project site is located at 14660 Jacksonville Road, approximately 1.6± miles northwest of the intersection of Jacksonville Road and Twist Road. Assessor Parcel Number (APN) 064-030-022, 064-030-024, and 064-030-026.

Caltrans has the following comments:
Caltrans suggests that the County of Tuolumne continue to coordinate with Caltrans in identifying and addressing potential pedestrian safety and cumulative transportation impacts from this project and other developments near this location. This will assist Caltrans in ensuring that pedestrian, traffic safety, and quality standards are maintained for the traveling public on existing and future state transportation facilities in Tuolumne County.

Environmental
The closest highway to the project site is State Route (SR) 49, which is approximately 1.2 miles west of the project location. However, if any construction related activities do encroach into Caltrans Right of Way (ROW), the project proponent must apply for an Encroachment Permit to the Caltrans Encroachment Permit Office. All California

Environmental Quality Act (CEQA) documentation, with supporting technical studies, must be submitted with the Encroachment Permit Application. These studies will include an analysis of potential impacts to any cultural sites, historic properties, biological resources, hazardous waste locations, scenic highways, and/or other environmental resources within Caltrans Right of Way, at the project site(s).

Encroachment Permits
If any project activities encroach into Caltrans ROW, the project proponent must submit an application for an Encroachment Permit to the Caltrans District 10 Encroachment Permit Office. Appropriate environmental studies must be submitted with this application. For more information, please visit the Caltrans Website at: https://dot.ca.gov/programs/traffic-operations/ep/applications

If you have any questions or concerns, please contact Shiferaw Jemberie (209) 986-9635 (email: Shiferaw.jemberie@dot.ca.gov) or me at (209) 483-7234 (email: Gregoria.Ponce@dot.ca.gov).

Sincerely,

Gregoria Ponce'

Gregoria Ponce', Chief
Office of Rural Planning

c: David Ruby, Planning Manager, Tuolumne County Planning Department

SCHINDLER

SURFACE/MINERAL RIGHTS OWNER: Howard Schindler
Phone: 510-368-9300

APPLICANT: Erik Smith
Phone: 209-330-0300

DATE: July 7, 2023

PROJECT AND LOCATION

PROJECT DESCRIPTION:

1. Resolution for General Plan Amendment GPA21-005 to amend the land use designation of an 8.56± acre parcel from General Commercial (GC) to Mixed Use (MU).

2. Ordinance for Zone Change RZ21-012 to rezone an 8.56± acre parcel from C-1:MX (General Commercial:Mobilehome Exclusion Combining) to M-U (Mixed Use) district under Title 17 of the Tuolumne County Ordinance Code (TCOC).

3. Conditional Use Permit CUP22-011 to allow the development of up to 37 residential units on an 8.56± acre parcel.

4. Site Development Permit SDP22-007 to allow the phased development of housing within existing commercial space and associated infrastructure on an 8.56 ± acre parcel.

LOCATION: The project site is located at 18711 Tiffeni Drive in the community of Twain Harte, approximately 290± feet northeast of the intersection of Tiffeni Drive and Twain Harte Drive. The project site is located within a portion of Section 9, Township 2 North, Range 16 East, Mount Diablo Baseline and Meridian and within Supervisorial District 3. Assessor's Parcel Number 048-680-046.

GENERAL PLAN: The project site is designated General Commercial (GC) by the Tuolumne County General Plan land use diagrams. Table 1.3 of the Technical Background Report of the 2018 Tuolumne County General Plan indicates that the GC designation is consistent with the C-1 zoning district. The project proposes to amend the site to the MU designation, which is consistent with the proposed M-U zoning, pursuant to Table 1.3.

ENVIRONMENTAL EVALUATION

After reviewing the project and its setting, the Environmental Coordinator for the County of Tuolumne has determined that General Plan Amendment GPA21-005, Zone Change RZ21-012, Conditional Use Permit CUP22-011 and Site Development Permit SDP22-007 are exempt from review under the California Environmental Quality Act, pursuant to Section 15061(b)(3) of the *State CEQA Guidelines* because the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. None of the exceptions to the use of a categorical exemption found in Section 15300.2 of the *State CEQA Guidelines* apply to this project. Evidence for each of the exceptions to categorical exemptions is found below.

The General Plan Amendment and Zone Change are required to allow the 37 residential units in addition to the existing commercial uses on site. The project would be developed within the existing footprint of the buildings and parking lot and the developed area of the site would not be expanded beyond what is existing. Therefore, there would be no impact to wildlife habitat. There would be no impact to cultural resources as the Tuolumne County Database of Cultural Resources and previous literature did not identify any significant resources on site. Additionally, the project would not increase the developed footprint of the site or disturb any previously undisturbed areas. Daily traffic counts, peak traffic counts, and Vehicle Miles Traveled would be reduced following the conversion of existing office and retail commercial space into residential units. The site utilized public water and sewer, and would continue to do so with the proposed conversion. The utility provider indicated that there is adequate capacity for water. One pipeline upgrade is required to the sewer system to provide necessary capacity. A 335-foot segment of existing sewer main pipeline located within the Golf Club Drive right of way would need to be upgraded from a 10-inch to a 12-inch main. This has been incorporated into the project description. The upgrade to the sewer main would take place within a County road right-of-way where the existing main is, so there would be no further impacts associated with the scope of work. The size expansion would not result in additional capacity for the utility district to accommodate additional connections.

CEQA Exceptions to the Categorical Exemptions

(a) Location. Categorical exemptions are qualified by consideration of where the project is to be located -a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

The project site is currently developed with 83,300 square feet of retail commercial and office space, a paved parking lot containing approximately 307 parking spaces, and associated infrastructure. The project entails converting 44,000 square feet of existing space into 37 residential units. There would be no expansion of the developed area to accommodate the residential units. The site does not contain any sensitive habitat or critical habitat and does not contain any known special status species. There are no aquatic or riparian habitats on site. There are no delineated fault zones, known liquefaction zones, or seismic landslide zone as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map and no mapped faults on the County's Geographic Information System (GIS) are located on the site or vicinity.

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

There are no other existing commercial structures in the area that are akin to the shopping center that could be converted to housing in a manner similar to that proposed with this project. Additionally, the impacts from housing compared to those allowed in the C-1 district are overall less than those associated with a commercial use.

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

The project entails converting existing office and retail space to up to 37 residential units. The General Plan Amendment and Zone Change to Mixed Use would allow for the residential and commercial uses on the same parcel. The overall dwelling unit density is consistent with surrounding parcels, and the conversion of a portion of the square footage of the existing buildings

from commercial to residential use would foster a less intensive maximum overall occupancy potential. The proposed Mixed Use zoning would not introduce unusual or more intensive uses. The Mixed Use Zoning and would reduce the intensity and type of allowable commercial uses on site. The project would utilize standard construction practices. There are no unusual circumstances on site or with the project that would result in the activity having a significant impact.

(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

The project site is not located on a state scenic highway. There are no state-designated scenic highways in Tuolumne County. The portion of State Highway 108 closest to the project site is a locally-designated scenic route. However, there would be no impacts to State Highway 108, as the project site is located approximately 950 feet away at its closest point to the highway. Due to the distance, topography, and vegetation, the site is not visible from the highway. There are no improvements or modifications to the highway associated with the project. Therefore, there would be no impact.

(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

The parcel is not located on a site listed in accordance with Section 65962.5 of the Government Code.

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The Tuolumne County Database of Cultural Resources and previous site studies did not identify any significant resources on site. The structures on site were originally constructed in the 1980s, and are therefore not considered a historical resource as they are less than 50 years of age. No historical or cultural resources are present on the site.

RECOMMENDATION

1. Community Development Department Staff recommends approval of General Plan Amendment GPA21-005 based upon the following findings:

    A. The proposed General Plan Amendment is consistent with the Tuolumne County General Plan.

    B. The project site is suited to the uses permitted under the proposed land use designation.

    C. It is in the public interest to amend the Tuolumne County General Plan to allow use of the project site which is consistent with the policies and programs of the General Plan and the land use patterns of the area surrounding the project site.

    D. Amending the land use designation of the project site is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 153061(b)(3) of the *State CEQA Guidelines*.

2. Community Development Department Staff recommends approval of Zone Change RZ21-012 based upon the following findings:

   A. The proposed Zone Change is consistent with the Tuolumne County General Plan.

   B. The proposed Zone Change is in accordance with the Tuolumne County Ordinance Code.

   C. The project site is suited to the uses permitted under the proposed zoning districts.

   D. The project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 153061(b)(3) of the *State CEQA Guidelines*.

3. Community Development Department Staff recommends approval of Conditional Use Permit CUP22-011 based upon the following findings pursuant to Section 17.68.050 of the TCOC, subject to the attached conditions 1 through 60 and contingent upon approval of General Plan Amendment GPA21-005 and Zone Change RZ21-012:

   A. The proposed project is consistent with the Tuolumne County General Plan.

   B. The proposed project is in accordance with the Tuolumne County Ordinance Code.

   C. The proposed use will not overburden existing municipal facilities.

   D. The size and terrain of the project site are suitable for the proposed use.

   E. Under the circumstances of the particular case, the proposed use will not be substantially detrimental to the health, safety or general welfare of the persons residing or working in the neighborhood of such proposed use, or be substantially detrimental or injurious to property and improvements in the neighborhood.

   F. The project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 153061(b)(3) of the *State CEQA Guidelines*.

4. Community Development Department Staff recommends approval of Site Development Permit SDP22-007 based upon the following findings pursuant to Chapter 17.68 of the TCOC, subject to the attached conditions 1 through 60, and contingent upon approval of General Plan Amendment GPA21-005 and Zone Change RZ21-012:

   A. The proposed project is consistent with the Tuolumne County General Plan.

   B. The proposed project is in accordance with the Tuolumne County Ordinance Code.

   C. Under the circumstances of the particular use case, the proposed use will not be substantially detrimental to the health, safety or general welfare of the persons residing or working in the neighborhood of such proposed use or be substantially detrimental or injurious to property and improvements in the neighborhood.

   D. The project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 153061(b)(3) of the *State CEQA Guidelines*.

GENERAL INFORMATION

Site Description

1. The project site is located at 18711 Tiffeni Drive in Twain Harte, 290 feet northeast of the intersection of Tiffeni Drive and Twain Harte Drive. The project site is currently developed as the Twain Harte Village Shopping Center, with parking lot and associated infrastructure. The shopping center consists of 60,300 square feet of retail commercial building space, biased along the southern side of the site. The commercial space consists of one-story buildings. Along the eastern portion of the site there is a 23,000 square foot, two-story building utilized as office space. The existing buildings total 83,300 square feet of floor area on the 8.56± acre site. There is an existing paved parking lot with approximately 307 parking spaces and access routes. A publicly-dedicated easement for Michele Lane cuts through the site on the northern edge of the parking lot. The area of the site north of Michele Lane consisting of a vegetated earthen slope proceeding uphill towards the rear boundary of the residential lots of the Black Oak Estates subdivision is not to be disturbed by project activities.

2. Most of the site is developed and paved; however, there is natural vegetation along the northern portion of the site to the north of Michele Lane. Vegetation consists of incense cedars, ponderosa pines, annual grasses, and brush. There are landscape trees located within planter areas in the parking lot. Pacific Gas and Electric (PG&E) provides electricity to the site, and water and sanitary sewer services are provided by the Twain Harte Community Services District (THCSD). Trash service is provided by Waste Management. Storm drainage runoff collection is provided by a system of drain inlets and storm drain mains which fall under the purview of the Tuolumne County Public Works Department, Roads Division, and are located within the parking lot area. Some constant amount of water is introduced into this storm drainage system via a down drain from the existing Tuolumne Utilities District water conveyance ditch, which is located upslope of the shopping center on its eastern side. The project site is within the Black Oak Estates Subdivision.

3. There have been various entitlements issued on the site related to the shopping center. The Site Development Permit to allow the original development of the shopping center was approved by the Director on July 26, 1981. Site Development Permit SDP81-11 was approved on July 12, 1984, to allow an expansion of the shopping center. The Design Review Combining (:D) zoning was removed from the site by Ordinance 2195, which was approved by the Board of Supervisors on July 15, 1997. Prior to the adoption of Ordinance 2195, three Design Review Permits were approved in 1991, 1993, and 1995. A Conditional Use Permit was approved on February 9, 1988 to allow the placement of recycling bins on site. A Conditional Use Permit was approved on December 7, 1990, to allow the development of the entrance sign for the center. Conditional Use Permit 02CUP-21 was approved on January 27, 2003, to allow the use of a portion of the existing building space for a licensed day care facility.

Project Description

4. An application for General Plan Amendment GPA21-005 and Zone Change RZ21-012 was originally submitted on November 4, 2021, to amend the project site and five additional parcels to Mixed Use. No application for development or conversation to residential uses was included in the original November 2021 submittal, which was circulated for comments in January 2022. After discussions with staff, a revised application was submitted on September 14, 2022, to include Conditional Use Permit CUP22-011 and Site Development Permit SDP22-007. The Conditional Use Permit requested up to 54 residential units sited within the existing building structures. The Site Development Permit identified phased development of housing, including 18 new townhome units, new retail buildings, dog park,

playground, and exercise park amenities, and revisions to the parking lot layout. The September 14, 2022 revised submittal, which was circulated for comments in October 2023, removed the additional parcels as part of the project and only included the shopping center parcel. A revised application was submitted on April 18, 2023, removing the proposed row of townhomes and new retail buildings on the northern side of the project, limiting the construction to the use conversion within the existing buildings, and layout revisions to the parking lot. This is the current configuration and project scope being considered.

5. The current application only proposes to utilize the existing buildings and footprint on site to convert existing commercial space into residential apartment units. No new buildings are proposed on the site. The existing parking lot would be reconfigured and upgraded but would not be expanded beyond its current footprint. The project development would be phased. Phase 1 would consist of the conversion of the 23,000 square foot, two-story building on the eastern portion of the site into 21 residential units and upgrades to the parking lot (Attachment 2). Phase 2 would consist of the conversion of 21,000 square feet of the one-story building along the southeastern portion of the site into 16 residential units, if not occupied by commercial tenants at that time (Attachment 2).

6. Phase 1 would convert 23,000 square feet of space that has been used as general office space in the past into 21 residential units. The units in Phase 1 would consist of seven two-bedroom units and fourteen one-bedroom units. Phase I would also include upgrades and modifications of the parking lot circulation as well as landscaping. Phase 2 would convert 21,000 square feet of commercial retail space into 16 residential units. Phase 2 would consist of one one-bedroom unit, seven two-bedroom units, one three-bedroom/two-bathroom unit, and seven three-bedroom/one-bathroom units. The remaining 39,300 square feet of existing commercial space would be left for commercial uses. This area would not be modified other than receiving maintenance and upkeep work. The proposed Mixed Use General Plan designation and zoning district are required to allow for the proposed residential units and existing commercial uses on the same parcel.

General Plan

7. The project site is designated General Commercial (GC) by the Tuolumne County General Plan land use diagrams. The application proposed to amend the General Plan land use designation to MU (Mixed Use). Table 1.3 of the Technical Background Report of the 2018 Tuolumne County General Plan indicates that the proposed M-U zoning district is compatible with the MU General Plan land use designation.

8. The MU designation provides for a mixture of residential, commercial and recreational facilities in an urban setting. This designation is applied within urban areas where a mixture of these uses is desirable near transportation corridors, downtowns, defined community centers, major commercial centers, schools, and community services. The project site is located within the defined community of Twain Harte as indicated in the General Plan. The site is located near the Twain Harte Elementary School, downtown Twain Harte, and various community services, including a church and public park. There is an existing Tuolumne County Transit stop within the site that picks up passengers at Twain Harte Market. The Twain Harte Community Services District provides public water and sanitary sewer to the site. Therefore, the project would be consistent with the purpose and qualifiers of the MU General Plan land use designation.

9. Urban is defined in the 2018 General Plan as “areas that are characterized by residential densities exceeding one (1) dwelling unit per two acres and commercial development except on land designated on the General Plan land use diagrams as Special Commercial (SC).” Parcels directly north of the site, including the Black Oak Estates Subdivision are

zoned R-1 (Single Family Residential) and contain the LDR (Low Density Residential) General Plan designation. The parcels immediately adjacent to the project site range in size from 0.24 to 0.65 acres, and are all developed with single-family dwellings. Two parcels immediately to the west of the project site are zoned R-3 (Multiple Family Residential), and have the HDR (High Density Residential) General Plan designation. These parcels are 0.69 and 0.67 acres in size and are developed with multiple residences. Therefore, pursuant to the Tuolumne County General Plan definition, the site is considered urban, and is consistent with the MU designation.

10. Typical land uses in the MU land use designation are commercial facilities, single-family dwellings, and multi-family dwellings, such as duplexes, apartments, and senior housing. The project site is currently developed with retail and office space, which is consistent with the MU land use designation. Conditional Use Permit CUP22-011 and Site Development Permit SDP22-007 would allow the conversion of some of the existing commercial space to apartment units, which is a typical allowed use in the MU land use designation. The maximum residential density in the MU designation is 15 dwelling units per acre. Conditional Use Permit CUP22-011 is proposing the development of up to 37 dwelling units on a 8.56± acre parcel, which is consistent with the density of the MU General Plan land use designation.

11. The following Goals, Policies, and Implementation Programs of the 2018 Tuolumne County General Plan apply to the project.

Goal 1 A: *Protect and enhance the quality of life for all residents of Tuolumne County while facilitating growth and development to meet the present and future needs of the County's residents, visitors and businesses.*

Implementation Program 1.A.b: *Provide an appropriate range of land use designations to serve the needs of the residents of the County and designate an adequate amount of land in each land use category to provide a balanced pattern of development. Use overlay designations to recognize special features or characteristics of areas of the County that may affect development potential or create opportunities for conservation of special resources.*

General Plan Amendment GPA21-005 and Zone Change RZ21-012 would amend the project site to Mixed Use to allow for both commercial and residential uses on the site. Conditional Use Permit CUP22-011 and Site Development Permit SDP22-007 would allow for the development of up to 37 residential apartment units on site while keeping existing commercial uses. The residential units would be constructed within the already developed structures and footprint of the site. The project would support Goal 1A and Implementation Program 1.A.b.

Policy 1.A.4: *Focus urban growth in identified communities, emphasizing infill development and the intensified use of existing development.*

Policy 1.A.5: *Promote infill and clustered patterns of development that facilitate the efficient and timely provision of infrastructure and services.*

Policy 1.A.6: *Establish growth areas to provide community services and enhance the quality of life by providing for economic, housing and cultural opportunities within identified communities. Where possible, these growth areas should be placed near transit stops, commercial centers, and other services.*

Implementation Program 1.C.a: *Designate adequate land for commercial, recreational, industrial, business park and mixed use development within and near identified communities that have adequate infrastructure and services.*

The project site is located within the identified community of Twain Harte as indicated in the General Plan and is surrounded by other developed parcels. The project site is developed with existing retail space and is served by public water and sanitary sewer. The site is located adjacent to an elementary school, located near downtown Twain Harte, and there is an existing transit stop within the site. The proposed project would allow for the conversion of existing commercial space to residential apartment units. The project supports Policy 1.A.4, Policy 1.A.5, Policy 1.A.6 and Implementation Program 1.C.a of the Tuolumne County General Plan.

Goal 2A: *Maintain a variety of adequate sites to accommodate households of all types, characteristics, and income levels to meet Tuolumne County's share of the regional housing need.*

Approval of the project would allow for the development of up to 37 residential apartment units within currently vacant commercial space. The units range in size and bedroom types and could therefore be utilized by various household types, in support of Goal 2A.

Policy 2.A.1: *Continue to inventory environmentally unconstrained and compatibly zoned parcels throughout the county that are suitable for residential development. Consider walkability and distance to transportation nodes and public facilities, such as schools, when determining whether land is suitable for multi-family and other high and medium density housing development.*

The project site is suitable for the proposed residential units. As indicated in #8 above in this report, the project site is located within the defined community of Twain Harte and is located near a commercial center, elementary school, downtown Twain Harte, transit stop, and community services including a church and public park. The proximity of services would support the residential units and make it a suitable site for the development.

Implementation Program 2.D.n: *Designate land within identified communities for mixed use in areas that are close to public transportation routes, commercial centers and community facilities, such as parks. Consider allowing additional commercial facilities in the Mixed Use (M-U) zoning district of the Tuolumne County Ordinance Code. Provide incentives to encourage the creation of mixed use development. Incentives could include a streamlined permitting process, density bonuses, or reduced parking requirements. Promote flexibility in the application of parking standards to support mixed-use and transit-oriented development.*

The project entails a General Plan Amendment and Zone Change to Mixed Use zoning. The project site is located within the identified community of Twain Harte and is located near a commercial center, public elementary school, downtown Twain Harte, transit stop, and community services including a church and public park.

Policy 1.E.1: *Encourage and promote the development of housing for all income levels.*

The proposed project would allow for the development of up to 37 apartment units. The facility would consist of one-, two-, and three-bedroom units to provide housing options for various income levels.

Policy 2.A.3: *Encourage residential infill development through flexible development standards in areas of the county where adequate public facilities and services are already in place, taking into consideration the visual character of the neighborhood.*

The project site contains existing infrastructure, including public water and sewer facilities. The project site is already developed with existing commercial space, which would be converted into apartment units. The visual character would not significantly change as the exterior aesthetics of the building would be compatible with the existing design. The project would not expand beyond the existing developed footprint of the site.

Policy 3.A.3: *Continue to require new urban residential development with a density of one dwelling unit per two acres, or greater, and commercial development, except on land designated as Special Commercial (SC) by the General Plan land use diagrams, to be served with public water.*

Implementation Program 3.E.a: *Continue to require new urban residential development with a density of three dwelling units per acre, or greater, and commercial development, except that on land designated Special Commercial (SC) by the General Plan land use diagrams, to connect to public sewer.*

The project site contains an existing water and sewer service provided by the Twain Harte Community Services District (THCSD). The proposed project will be served public water and sewer by the THCSD, in support of Policy 3.A.3 and Implementation Program 3.E.a of the Tuolumne County General Plan. Please see the "Utilities" Section below in this report for additional information.

Tuolumne County Ordinance Code

12. The project site is zoned C-1:MX under Title 17 of the Tuolumne County Ordinance Code. The purpose of the C-1 zoning district is to provide for a variety of sales establishments which serve both residents and the traveling public. The application includes a Zone Change to M-U. The purpose of the M-U zoning district is to provide for a mixture of residential, commercial, and recreational facilities within an urban setting. It is intended that this district be established within urban areas, where a mixture of these uses is desirable near transportation corridors, downtowns, defined community centers, major commercial centers, schools, and community services. The project site is located within the defined community of Twain Harte as indicated in the General Plan. The site is located adjacent to Twain Harte Elementary school, downtown Twain Harte, and community services including a church and public park. There is a current Tuolumne County Transit stop within the site that picks up at Twain Harte Market. As indicated in #9 above in this report, the site is located in an area that meets the definition of urban as indicated in the General Plan. Development within the M-U district shall be served with public water, public sewer, paved streets and adequate police and fire protection according to the policies of the general plan. The Twain Harte Community Services District provides public water and sewer to the site. Therefore, the proposed M-U zoning is an appropriate zoning district for the site.

13. Permitted uses within the M-U zoning district include retail sales, indoor retail services, indoor, or shopping centers (under 15,000 square feet of gross floor area, maximum); professional offices; schools, places of worship, libraries, museums, art galleries, and tourist information facilities; and restaurants or take-out restaurants, with or without outdoor seating, in accordance with Section 17.52.020 relative to serving alcoholic beverages or providing entertainment. The project site is currently developed with a commercial shopping center which consists of indoor retail sales facilities, restaurants, and professional offices,

which are all permitted uses within the M-U zoning. The existing uses on site are consistent with the proposed M-U zoning district.

14. The minimum parcel size within the M-U district is 2,500 square feet. The site is 8.56 acres in size, which is consistent with the minimum parcel size requirements. The maximum residential density in the M-U district is 15 dwelling units per acre and up to 15 dwelling units per acre is a conditional use within the M-U zoning district. Conditional Use Permit CUP22-011 proposes to convert a portion of the existing commercial space of the parcel into up to 37 residential units, which is consistent with the density requirements. The applicant has applied for Site Development Permit SDP22-007, in accordance with Section 17.68.100 of the TCOC.

15. The project site contains the Mobile Home Exclusion Combining District. The :MX zoning district intended to be combined with any principal zoning district in which the use of older mobile homes as residences on individual parcels would conflict with the aesthetic, social or economic development of any such principal zoning district. The :MX zoning district provides additional regulations pertaining to the use and placement of mobile homes. The applicant is proposing to remove the :MX zoning from the site as the site is developed with stick-built structures and the project does not propose the use of mobile homes.

Twain Harte Design Guidelines

16. The project site is not located within the area that is subject to the Twain Harte Design Guidelines and does not contain the Design Review Combining zoning. Therefore, the project is not required to implement the criteria included in the design guidelines. While it is not a requirement, the site complies with many of the criteria of the Twain Harte Design Guidelines, as shown below.

Keep tree removal to a minimum. Wherever possible preserve specimen trees with a diameter of 12" or larger at breast height (4.5' above average ground level).

The proposed project would not require the removal of any trees. Additional landscaping will be incorporated into the project.

Roofing materials are metal, or shingles such as composition or clay/concrete tiles. Steep pitched roofs are preferable to avoid accumulations of snow and needles and to be compatible with the rustic atmosphere.

As shown in the elevations (Attachment 4), the buildings would keep the steep pitched roofs and varying rooflines.

Colors are earth, natural tones, or historic colors such as "barn red."

As shown in the elevations (Attachment 4) the proposed residential buildings would utilize tans and greens with the covered parking areas utilizing a historic red.

The height of new or improved structures shall complement the existing pattern of building heights. Buildings shall not exceed two stories. The maximum height for any commercial building is 50 feet.

The existing buildings are one and two stories and do not exceed 50 feet in height. This will not be modified by the proposed project.

Rooflines shall be designed to provide interest and variety. Steep pitched roofs are preferable to avoid accumulations of snow and needles and to be compatible with the rustic atmosphere.

The buildings contain varying rooflines and architectural features in the roof. The roofs are steeply pitched. The proposed project would keep these roofline features.

Off-Street Parking

17. The project site is currently developed with a paved parking lot with 307 parking spaces as counted on aerial photographs. Section 17.60.020(7) of the TCOC indicates that retail requires 8 parking spaces plus one space for each 250 square feet in excess of 1,000 square feet. There is a total of 83,300 square feet on site. Although 23,000 square feet has been utilized as office space, the zoning would allow for commercial retail uses. If the entire 83,300 square feet on site was fully utilized as commercial retail space, which triggers the most parking of all the potential commercial uses, a minimum of 337 parking spaces would be required. Based on current parking requirements for full build out of retail commercial uses, the site in its existing format does not meet the parking requirements, although the County does allow shared parking for multiple uses in one shopping center, which if the center was full, would be considered to achieve compliance. The applicant had originally planned to include upgrades to the parking lot and circulation and re-striping to increase the number of parking spaces as development in Phase 3. However, to ensure that the project complies with parking requirements of Chapter 17.60 of the TCOC, the project will be conditioned to require the parking lot upgrades and reorganization within Phase 1. The parking lot modifications would allow for better delineation of the residential parking areas and commercial parking areas. The applicant is proposing a total of 382 parking spaces on site, with 133 spaces for the residential portion and 249 for the commercial portion.

18. Section 17.60.020(2) of the TCOC indicates that for multiple family residences one-bedroom and two-bedroom units require 2 parking spaces and three-bedroom units require 2 and a half spaces. Phase 1 consists of seven two-bedroom units and fourteen one-bedroom units with 60,300 square footage of commercial space left. Therefore, the required parking spaces in Phase 1 would be as follows:

    14 one-bedroom units X 2 parking space = 28 parking spaces+
    7 two-bedroom units X 2 parking spaces = 14 parking spaces
    = 42 parking spaces for the residential portion of the site

    8 parking spaces + 1 space per 250 square feet (in excess of 1,000 square feet) for 60,300 square feet of commercial space
    = 245 spaces for the commercial portion

    Phase I would require a total of 287 parking spaces pursuant to Chapter 17.60. A total of 382 parking spaces are proposed on site, with 133 spaces for the residential portion and 249 for the commercial portion spaces would be on site, which meets this requirement.

19. Phase 2 would consist of one one-bedroom unit, seven two-bedroom units, one three-bedroom/two-bathroom unit, and seven three-bedroom/one-bathroom units and 39,300 square feet of remaining commercial space. Therefore, the required parking for Phase 2 is as follows:

    42 residential spaces for Phase 1

    1 one-bedroom unit X 2 parking space = 2 parking spaces+

7 two-bedroom units X 2 parking spaces = 14 parking spaces+
8 three-bedroom units X 2 ½ parking spaces = 20 parking spaces
= 36 parking spaces for the residential portion of Phase 2

8 parking spaces + 1 space per 250 square feet (in excess of 1,000 square feet) for 39, 300 square feet of commercial space
= 161 spaces for the commercial portion

Following the buildout of Phase 2, a total of 239 parking spaces would be required. The applicant is providing 382 parking spaces on site, with 133 spaces for the residential portion and 249 for the commercial portion spaces, which meets the requirements of Chapter 17.60.

	Total required spaces - residential	Total required spaces - commercial	Total provided residential spaces	Total provided commercial spaces
Phase 1	42	245	133	249
Phase 2	36	161	133	249

Traffic and Access

20. Access to the project site is provided via Tiffeni Drive and Michele Lane within existing driveway encroachments. A condition has been included to require an analysis for the encroachment and access roads prior to the issuance of the first Certificate of Occupancy. The analysis will consider the existing encroachments and driveways, sight lines, internal access roads, and any operation and safety functions. Roads and encroachments would need to meet current Title 11 standards prior to the issuance of a Certificate of Occupancy.

21. Pursuant to Section 3.54.040(D) of the TCOC, Traffic Impact Mitigation Fees (TIMF) shall only be required for additional development that was not calculated in the prior fee when a site is already developed. The site in its existing format consists of 23,000 square feet of office space and 60,300 square feet of commercial retail space. Phase I would convert the 23,000 square feet of office space into 21 multi-family residential units and Phase 2 would convert 21,000 square feet of commercial retail space into 16 multi-family residential units.

22. The *Institute of Traffic Engineers Trip Generation Manual, 11th Edition* (2021) was used to model estimated trip generation volumes for the project baseline (existing with full occupancy), Phase 1 development, and Phase 2 development. Trip Generation estimates were compiled using a worst-case scenario of highest single day (i.e., Saturday, Sunday, or Weekday) trip generation, as well as maximum peak hour trip generation indices available in the *ITE Manual* for each of the land uses.

23. With the existing retail and office uses in place, a project site worst-case baseline of 7,217 trips per day and 593 peak hour trips was estimated. The Phase 1 conversion of 23,000 square feet of existing office space into 21 residential apartment units, while maintaining the 60,300 square feet of existing retail space in the center lowered the worst-case number of trips per day to 7,145, and the peak hour trip generation to 570. The Phase 2 conversion of 21,000 square feet of the remaining existing retail space into 37 residential apartment units, reserving 39,300 square feet of retail space for ongoing retail use, further lowered the daily trip generation to 4,814 trips per day, and peak hour trip generation to 385 trips. The conversion of existing uses to residential uses would lower both the daily trip generation and peak hour trip generation. Pursuant to Section 3.54.040(D) of the TCOC, the project applicant would not be required to pay Traffic Impact Mitigation Fees.

24. The Tuolumne County Board of Supervisors adopted Resolution 74-20 on August 4, 2020, establishing thresholds for Vehicle Miles Traveled (VMT) analysis. The Tuolumne County VMT Screening Tool was utilized to model the project's estimated VMT. The tool indicated that the project's conversion from commercial use to residential use lessens VMT, and its overall estimated VMT is less than the Twain Harte subarea, and is therefore considered less than significant. No mitigation for VMT is required.

Utilities

25. The project site is located within the service boundaries of the Twain Harte Community Services District (THCSD) for water, sanitary sewer, fire protection, and parks and recreation services. THCSD reviewed the proposed project and indicated that the project would need to comply with all THCSD ordinances, regulations and policies, including the payment of connection, capacity and impact fees for water and sewer services, and payment of development impact fees applicable at the time of project permitting. Conditions have been incorporated into the project Conditions of Approval to ensure the projects' compliance with THCSD rules and regulations.

26. A water and sewer capacity study was conducted. The study concluded that there is adequate capacity for THCSD water to serve the project. To meet the sewer capacity requirements, THCSD indicated that a section of the existing sanitary sewer main would need to be upgraded. They indicated that a 335-foot-long segment of sanitary sewer main located within the Golf Club Drive right-of-way between Placer Drive and Muir Avenue would need to be upgraded from 10-inch diameter to 12-inch diameter (Attachment 5). With this upgrade, there would be adequate sewer capacity to serve the project.

27. THCSD Fire Division reviewed the project. The applicant is working with the Fire Division to meet any of their requirements triggered by the change in use. The project will include providing adequate fire access to the upper-level stories.

28. The project site is connected to Pacific Gas and Electric (PG&E) for electrical services. PG&E was sent a stakeholder notification for an opportunity to comment on the proposed project. PG&E did not provide a response. It is not expected that the proposed project would overburden the electrical services. The project site is currently provided trash collection service by Waste Management. Any future trash collection service would be continued to be provided by Waste Management. Conditions have been incorporated to ensure that the project would comply with regulations pertaining to trash collection service.

Cultural Resources

29. A cultural resource study is required when specific indicators are found on a project site. The Tuolumne County cultural resource database indicates that the site was surveyed in a previous study, which identified a potential resource along Twain Harte Drive identified as the Sonora-Mono Toll Road. This historic road is identified and described in the "Contextual History of Tuolumne County" prepared by Shelly Davis-King and Judith Marvin in 1994. The project site does not contain any remaining portions or traces of the roadway. The cultural resource database shows the resource located off site within the road right of way on Twain Harte Drive, which is outside the area of disturbance for the project. Development of the residential units and parking lot would not extend beyond the existing developed footprint of the site. One off-site improvement is required for the sewer main, which would not impact cultural resources as indicated in #30 below. The structures on site were originally constructed in the 1980s and are therefore not considered a historical resource as they are less than 50 years of age. Therefore, a cultural resource study was not required.

30. The project includes upgrading a 335-foot segment of existing sewer main pipeline located within the Golf Club Drive right of way from a 10-inch to a 12-inch main. The upgrade to the sewer main would take place within a County road right-of-way where the existing main is, so there would be no further impacts associated with the scope of work as the area has already been disturbed by the sewer main installation and construction of Gold Club Drive.

31. Future construction, grading, and excavation could potentially unearth subsurface cultural resources, therefore Conditional Use Permit CUP22-011 and Site Development Permit SDP22-007 will be conditioned to require investigation of any such discovered resources by a qualified archaeologist prior to any further construction, in accordance with Section 14.10.150 of the TCOC.

Biological Resources

32. The project site is not mapped under the Tuolumne County Wildlife Habitat Maps. Therefore, the CalFire Fire Resource Assessment Program (FRAP) maps were utilized for habitat mapping. The FRAP maps indicate that the project site contains the urban (urb), ponderosa pine (ppn), the mixed chaparral (mch), sierran mixed conifer (smc), and montane hardwood (mhw) habitat types. The urb habitat is considered a fourth priority habitat, a common habitat that is of relatively low value to wildlife. The remaining habitat types identified on the site are considered third priority habitats. The majority of the site contains the urb habitat. The urb habitat is the designation utilized for developed areas including residential, commercial, and industrial developments as well as landscaped parks and gardens. The urb habitat reflects the area of the site currently developed and is the area of the site that would be impacted by the project. Project activities would not encroach into the areas containing the ppn, mch, smc, or mhw habitats. Because the proposed construction would not increase the developed footprint beyond what is existing and already developed, there will be no project impacts to wildlife habitats.

33. The habitat identified within the area of the Golf Club Drive right of way required for sewer main upgrades consist of the urb, ags (annual grassland), and mhc (montane hardwood conifer). The urb and ags are considered fourth priority habitats and the mhc is considered a third priority habitat. The majority of the area contains the urb habitat type. Because the construction would take place within the Golf Club Drive right of way in the area where the existing sewer main is, there would be no impact to wildlife habitat.

34. The California Department of Fish and Game Natural Diversity Data Base (CNDDB) maps were consulted for known locations of special status plants or animal species. No special status species have been known to occur within the vicinity of the project site.

Public Outreach

35. Property owners within 1,000 feet were notified of the proposed project via mail on January 12, 2022, October 17, 2022, and May 1, 2023, due to project revisions and subsequent renotifications triggered by changes in project scope. Several special interest lists were also notified of the project and the project was widely shared within the community. The notice was posted on the Planning Stakeholder page and a separate project webpage was created. A community outreach meeting was held on March 22, 2023 to present the project and collect and address questions from the public. All individuals notified of the Stakeholder letters were sent a notice of the community meeting. Many comments were received leading up to and immediately following the March 22 meeting, as well as during each notification process. All comments received during the processing of the application are included in the packet. The comments are organized by when they were received, to help tie the comments to various revisions of the project application and its changing scope. Due to the three

project revisions, some of the earlier comments may pertain to concerns which have been alleviated or eliminated due to the subsequent change of project description or scope of work. Any comments received after the posting of the agenda will be forwarded prior to the hearing. Most comments received throughout the project focused on the following areas of concern.

Increased Traffic
Concerns were raised regarding increased traffic and impact to roadways. As discussed in the "Traffic and Access" Section above in this report, estimated daily traffic counts and peak hour traffic counts would be reduced by the conversion of existing retail commercial and office space to multi-family residential uses. The project's VMT would also be reduced by the conversion of portions of the existing commercial space to new residential units.

Traffic Safety
Concerns were raised regarding traffic safety. A condition has been included to require an analysis of the encroachment and access roads prior to the Certificate of Occupancy. The analysis will be required to look at the existing encroachments and driveways, sight lines, internal access roads, and any operational and safety details. Roads and encroachments will need to meet Title 11 standards prior to the issuance of a Certificate of Occupancy

Impacts to Twain Harte Community Services District Facilities
Concerns were raised regarding the impact to Twain Harte Community Services District facilities and a lack of capacity to serve the project's demand. THCSD has reviewed the proposed project and provided comments. A phone call was conducted in June 2023 with the THCSD General Manager to confirm the requirements of the project. THCSD indicated that a capacity study was conducted. The study found that there is adequate water capacity to serve the project. There would also be adequate sewer capacity, with the upgrade of a segment of existing sanitary sewer main, as discussed in the "Utilities" Section above in this report. This would be made a requirement of the project and a condition of approval. THCSD indicated the applicant is working with their Fire Division to ensure provision of adequate access and infrastructure. Please see the "Utilities" Section above for additional information.

Loss of Commercial Space
Concerns were raised regarding the loss of commercial space, and the impact it would have on businesses. Concerns were also raised, indicating the impact the loss of business would have on County revenues. The proposed M-U zoning would still allow for commercial uses. All of the existing businesses on site would fit permitted uses within the M-U district. When comparing the permitted uses between the proposed M-U zoning and existing C-1 zoning, the M-U zoning allows for uses that are more appropriate for proximity to residential uses and allows commercial uses that are lower in intensity and impacts. Concerns were also specifically raised for the loss of the existing supermarket. The change in zoning and general plan would not impact the use of the market, as it is a permitted use under the M-U zoning.

Condition of Site
Concerns were raised about the site becoming dilapidated, and about trash and junk being stored. Conditions have been incorporated to ensure proper collection and removal of trash, in accordance with Chapter 8.05 and Title 7 of the TCOC. Conditions have been incorporated to require maintenance of signage, including the off-site marquee sign located at the corner of Twain Harte Drive and Tiffeni Drive. Any future concerns regarding the condition of the site or storage of trash or junk would be referred to the County's Code Compliance Officer for processing consistent with established code compliance procedures outlined in Chapter 1.10 of the Ordinance Code.

Emergency Services
Concerns were raised about the impact to emergency services, specifically law enforcement. Law enforcement would be provided by the Tuolumne County Sheriff's office with enforcement along the State Highways would be provided by the California Highway Patrol (CHP). Dispatch prioritizes calls based on the significance and nature of the call. The project would convert existing commercial space into residential units, so the project would not introduce new need for emergency services in a previously vacant or unused parcel. Additionally, the project proponent is required to pay County Services Impact Fees in accordance with Chapter 17.50 of the TCOC. The County Services impact fee is collected and used specifically for emergency services, including sheriff, fire, and ambulance. Fire protection would be provided by THSCD. As discussed in the "Utilities" Section above in this report, the project proponent would be required to pay development fees to THCSD to go towards these services. The applicant is working with the THCSD Fire Division to meet any of their requirements triggered by the change in use.

Parking
Concerns were raised about insufficient parking. As indicated in the "Parking" Section above, as designed, the project would comply with Chapter 17.60 of the TCOC regarding parking. The project has been conditioned to require submittal of a parking plan to verify compliance. The proposed updates to the parking lot and circulation would distinguish between parking for the residential units and parking for the commercial areas.

Low Income
Concerns were raised about the site being low income or Section 8 housing. The applicant did not indicate that the apartments would be low income. Development incentives would be given to a project that includes low-income housing; this was not requested by the applicant. An applicant is not required to indicate the income level at which the apartments would be rented out.

Urban Definition
Concerns were raised about the site meeting the urban definition. Concerns were also addressed regarding the incompatibility of uses and residential density. Please see #9 above, for information how the site meets the definition of "urban," as indicated in the 2018 General Plan, and #8, for how the MU designation is appropriate for the site.

Aesthetics
Concerns were raised regarding the aesthetics of the renovated buildings. The project site is not located within the area that is subject to the Twain Harte Design Guidelines, nor does it contain the Design Review Combining zoning. Therefore, the project is not required to implement the criteria included in the adopted Twain Harte Design Guidelines. While it is not a requirement, the site actually complies with many of the criteria of the Twain Harte Design Guidelines, as indicated in the "Twain Harte Design Guidelines" Section above.

Noise
Concerns were raised about noise. The project was evaluated under Chapter 5 of the General Plan relative to noise. The project was found to be consistent with Chapter 5. The standard noise condition has been incorporated to limit exterior noise levels generated on the site, consistent with the General Plan. Additionally, the standard condition has been incorporated to limit the hours and days of construction to reduce impacts associated with construction noise.

Vacation Rentals
Concerns were raised that the residential units would be utilized for vacation rentals. Tuolumne County does not have a limit or maximum number of allowable vacation rentals.

Additionally, Tuolumne County does not regulate the length of a rental term. However, to address concerns and ensure the project is consistent with Board priorities relative to housing, a condition has been incorporated indicating that units cannot be rented for less than 30 days.

Phasing and CEQA
Concerns were raised regarding the current proposal trying to circumvent CEQA by not building the additional phases. The current application would allow up to 37 residential units. Any additional units in the future would require a Conditional Use Permit and a Site Development Permit to be obtained, and CEQA analysis of the proposed development of future improvements or uses would be analyzed. The current project's phases in their entirety were determined to be exempt from CEQA pursuant to Section 15061(b)(3). See the "Environmental Analysis" Section above for additional information.

Age Restriction
Some of the responses requested that the units be age restricted, and only rented out to age 55 and older. The project application did not indicate age-restricted housing. The County cannot restrict the age of potential renters for rentals, unless the applicant requests that in their application.

Michele Lane Access
Concerns were raised regarding Michele Lane. The off-site portion of Michele Lane is a County maintained; the portion located on site is publicly dedicated, but not County-maintained. The project would not generate increased traffic, and there would be no operational change to Michele Lane caused by the project.

Small Town Feel
Concerns were raised regarding the impact the project would have on the "small town feel" of Twain Harte. The project development would stay within the developed footprint of the site. Conditional Use Permit CUP22-011 and Site Development Permit SDP22-007 propose up to 37 units on an 8.56-acre site. This averages out to 4.3 dwelling units per acre, which is less than the overall density allowed in the R-1 (Single Family Residential) zoning, which surrounds the project site to the north and northwest. The overall density in the R-1 zoning is 6 dwelling units per acre. Therefore, the project is consistent with overall density in the area.

Pedestrian Facilities and Transportation
Concerns were raised regarding pedestrian facilities and public transportation. The Department of Public Works is requiring on-site pedestrian facilities along the project's Tiffeni Drive frontage as a condition of approval. The Tuolumne County Transit website indicates that there is an active bus stop within the shopping center on site.

Property Values
Concerns were raised regarding property values. Section 15064(e) of the California Environmental Quality Act states that economic and social changes resulting from a project shall not be treated as significant effects on the environment. Concerns expressed over the potential of this project to devalue nearby properties are considered a social or economic impact. Concerns about this issue may be raised during the public hearing process for this project when this project is heard by the Tuolumne County Planning Commission and Board of Supervisors.

On Site Manager
The comments indicated concern with there not being an on-site manager present and requested that one be required. A condition has been incorporated to require a manager for

the facility and that contact information be provided to the Land Use and Natural Resources Division.

Native American Consultation

36. Section 65352.3 of the Government Code requires city and county governments to consult with California Native American tribes to aid in the protection of traditional tribal cultural places during the processing of a General Plan Amendment. The intent of this law is to provide local tribes with an opportunity to participate in local land use decisions at an early planning stage in order to protect, or mitigate impacts to, cultural places. The county is required to notify tribes with traditional cultural places in the vicinity of the project site of the opportunity to consult regarding the proposed General Plan Amendment. The Native American Heritage Commission advised the County that tribes with traditional cultural places that include the project site include the Chicken Ranch Rancheria of Me-Wuk Indians, the Tule River Indian Tribe and the Nashville Enterprise Miwok-Maidu-Nishinam Tribe. While the NAHC list did not include the Tuolumne Band of Me-Wuk Tribe, the County included the Tribe for notification.

37. Letters offering the opportunity to consult regarding General Plan Amendment GPA21-005, Zone Change RZ21-012, Conditional Use Permit CUP22-011, and Site Development Permit SDP22-007 were sent to each of the four Tribes listed above on November 10, 2022. The tribes have 90 days from receipt of the initial notification to request consultation on the project. A second letter was mailed on June 26, 2023, approximately 45 days prior to consideration of the application by the Board of Supervisors. The purpose of the second letter is to offer each tribe the opportunity to comment on the project prior to final action on the application. To date, the Community Development Department has not received a response or request for consultation from any of the Tribes.

Advisory Agency Responses

38. The proposed project has been reviewed by several State and County agencies. The responses from advisory agencies are addressed in this report below and the project Conditions of Approval. The Tuolumne County Fire Prevention Division, California Department of Transportation (Caltrans), Twain Harte Community Services District, Central Sierra Environmental Resource Center (CSERC), Tuolumne County Building and Safety Division, Tuolumne County Air Pollution Control District, and Engineering Division of the Tuolumne County Public Works Department provided comments.

Fire Prevention Division

The Tuolumne County Fire Prevention Division reviewed the proposed project and provided conditions which have been incorporated into the conditions of approval for Conditional Use Permit CUP22-011 and Site Development Permit SDP22-007. These conditions include the requirement for fire flow, fire hydrants, sprinkler systems, and road standards.

California Department of Transportation (Caltrans)

Caltrans reviewed the proposed project during each revision phase. Caltrans indicated that if any project activities encroach into the State Highway right-of-way, an Encroachment Permit through their office would be required. Caltrans requested a Traffic Impact Study to evaluate impacts associated with increased traffic. A traffic memo was prepared by staff. As indicated in the “Traffic and Access” Section above in this report, the conversion of office and retail commercial space to multi-family residential would reduce daily traffic counts, reduce peak traffic trips, and reduce VMT. Therefore, there would be no impact to State Highway 108. Caltrans requested to review drainage plans if there would be a change to the site drainage patterns.

Twain Harte Community Services District
THCSD reviewed the proposed project and indicated that the project would need to comply with all THCSD ordinances, regulations and policies, including the payment of connection, capacity and impact fees for water and sewer services and development impact fees applicable at the time of project permitting. They indicated that the 335-foot-long segment of sanitary sewer main located within the Golf Club Drive right-of-way would need to be upgraded from 10-inch diameter to 12-inch (Attachment 5) to ensure sewer capacity. Conditions have been incorporated into the Conditions of Approval to ensure the project's compliance with THCSD rules and regulations. Please see the "Utilities" Section above in this report for additional information.

Central Sierra Environmental Resource Center
CSERC reviewed the project and provided comments throughout the application process. The comments received on the most recent project revision indicate that they support the project because the County needs housing and there would be no significant environmental impacts associated with the project. Their previous comments indicated concern with the construction of a new row of residential units and commercial space along the north side of the site. However, this proposed construction has been removed from the final project scope.

Building and Safety Division
The Building and Safety Division of the Community Development Department provided conditions which have been incorporated into the Conditions of Approval for Conditional Use Permit CUP22-011 and Site Development Permit SDP22-007. These conditions address ADA requirements, permit requirements, and limits to hours of construction.

Air Pollution Control District
The Tuolumne County Air Pollution Control District (APCD) reviewed the project and provided conditions, which have been incorporated into the Conditions of Approval for Conditional Use Permit CUP22-011 and Site Development Permit SDP22-007. These conditions address dust suppression, prohibition and regulations for serpentine gravel, regulations for equipment used during construction, restrictions on burning, and requirements for demolition of structures.

Engineering Division
The Engineering Division of the Department of Public Works reviewed the project and provided conditions, which have been incorporated into the Conditions of Approval for Conditional Use Permit CUP22-011 and Site Development Permit SDP22-007. These conditions address encroachments, drainage, parking, access, erosion and dust control, and sidewalk facilities.

General Plan Amendment Findings

39. Evidence and staff's response to each required finding of the General Plan application is discussed below.

A. The proposed General Plan Amendment is consistent with the Tuolumne County General Plan.

Consistency with the Tuolumne County General Plan is discussed and demonstrated in #7, #8, #9, #10, and #11 above in this report.

B. The project site is suited to the uses permitted under the proposed land use designation.

The existing and proposed uses are consistent with the MU General Plan land use designation. Please see #8, #9, and #10 above in this report for additional information and analysis of how the MU designation is appropriate for the site.

C. *It is in the public interest to amend the Tuolumne County General Plan to allow use of the project site which is consistent with the policies and programs of the General Plan and the land use patterns of the area surrounding the project site.*

Parcels in the vicinity contain the Mixed Use General Plan land use designation. Please see Attachment 1 for other parcels in the vicinity containing the MU General Plan land use designation. Additionally, the project site conditions and infrastructure is consistent with the intent of the Mixed Use designation. Please see #8, #9, and #10 above in this report for additional information and analysis.

D. *The project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 153061(b)(3) of the State CEQA Guidelines.*

Please see the response under "Environmental Evaluation" above in this report for evidence of an exemption under Section 15061(b)(3) of the *State CEQA Guidelines*.

Zone Change Findings

40. Chapter 17.70 of the TCOC requires that evidence be shown that the proposed project meets the necessary findings for a zone change. Below are the required findings, and staff's responses to each requirement:

A. *The proposed Zone Change is consistent with the Tuolumne County General Plan.*

Consistency with the Tuolumne County General Plan is discussed and demonstrated in #7, #8, #9, #10, and #11 above in this report.

B. *The proposed Zone Change is in accordance with the Tuolumne County Ordinance Code.*

Consistency with the Tuolumne County Ordinance Code is discussed and demonstrated in #12, #13, #14, #15, #17, #18, and #19 above in this report.

C. *The project site is suited to the uses permitted under the proposed zoning district.*

The project site conditions are discussed in #1 and #2 above in this report. The existing and proposed uses are consistent uses within the M-U zoning district. Please see #12, #13, #14, #15 above in this report for additional information and analysis on how the project site, existing uses, and proposed uses are compatible with the M-U zoning district.

E. *The project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 153061(b)(3) of the State CEQA Guidelines.*

Please see the response under "Environmental Evaluation" above in this report for evidence of an exemption under Section 15061(b)(3) of the *State CEQA Guidelines*.

Conditional Use Permit Findings

41. Section 17.68.050 of the TCOC requires that evidence be shown that the proposed project meets the necessary findings for a conditional use permit. Below are the required findings, and staff's responses to each point:

A. The proposed project is consistent with the Tuolumne County General Plan.

Consistency with the Tuolumne County General Plan is discussed and demonstrated in #7, #8, #9, #10, and #11 above in this report.

B. The proposed project is in accordance with the Tuolumne County Ordinance Code.

Consistency with the Tuolumne County Ordinance Code is discussed and demonstrated in #12, #13, #14, #15, #17, #18, and #19 above in this report.

C. The proposed project will not overburden existing municipal facilities.

Municipal facilities and utilities are discussed in #25, #26, #27, and #28 above in this report. The project would not overburden these services and there is capacity to serve the project.

D. The size and terrain of the project site are suitable for the proposed use.

The site topography is described in #1 and #2 of this report and the project description is described in #4, #5, and #6 of this report. The existing and proposed uses are consistent uses within the M-U zoning district, as discussed in #12, #13, #14, #15 above in this report. As indicated throughout this report, the project site is suitable for the proposed use.

E. The proposed project will not be substantially detrimental to the health, safety or general welfare of persons residing or working in the neighborhood of such proposed use or be substantially detrimental or injurious to property and improvements in the neighborhood.

The project has been conditioned to obtain building permits for the proposed conversion. The building permits will be reviewed for compliance with all applicable federal, state, and local regulations. A condition has been added to ensure compliance with THCSD's rules and regulations to ensure there is proper infrastructure for water and sewer services. There will be no handling or storage or hazardous materials. Therefore, the use of the site will not be substantially detrimental to the health, safety or general welfare of persons residing or working in the neighborhood.

F. The project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 153061(b)(3) of the State CEQA Guidelines.

Please see the response under "Environmental Evaluation" above in this report for evidence of an exemption under Section 15061(b)(3) of the *State CEQA Guidelines*.

Site Development Permit Findings

42. Chapter 17.68 of the TCOC requires that evidence be shown that the proposed project meets the necessary findings for a Site Development Permit. Below are the required findings, and staff's responses to each point:

A. The proposed project is consistent with the Tuolumne County General Plan.

Consistency with the Tuolumne County General Plan is discussed and demonstrated in #7, #8, #9, #10, and #11 above in this report.

B. The proposed project is in accordance with the Tuolumne County Ordinance Code.

Consistency with the Tuolumne County Ordinance Code is discussed and demonstrated in #12, #13, #14, #15, #17, #18, and #19 above in this report.

C. Under the circumstances of the particular use case, the proposed use will not be substantially detrimental to the health, safety or general welfare of the persons residing or working in the neighborhood of such proposed use or be substantially detrimental or injurious to property and improvements in the neighborhood.

The project has been conditioned to obtain building permits for the proposed conversion. The building permits will be reviewed for compliance with all applicable federal, state, and local regulations. A condition has been added to ensure compliance with THCSD's rules and regulations to ensure there is proper infrastructure for water and sewer services. There will be no handling or storage or hazardous materials. Therefore, the use of the site will not be substantially detrimental to the health, safety or general welfare of persons residing or working in the neighborhood.

D. The project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 153061(b)(3) of the State CEQA Guidelines.

Please see the response under "Environmental Evaluation" above in this report for evidence of an exemption under Section 15061(b)(3) of the *State CEQA Guidelines*.

PREPARED BY: Natalie Rizzi, Senior Planner

CONDITIONS OF APPROVAL
SCHINDLER
CONDITIONAL USE PERMIT CUP22-011 and
SITE DEVELOPMENT PERMIT SDP22-007

General Conditions:

1. LU — As a condition of the grant of approval of this Permit, and as a continuing condition of approval of the Permit, developer/permitee/applicant/property owner/subdivider, and the successor in interest shall defend, indemnify, save and hold harmless the County of Tuolumne, its elected and appointed officials, officers, agents, employees and volunteers from any and all claims, actions, proceedings, or liability of any nature whatsoever (including attorney's fees and costs awards) arising out of, or in connection with the County's review or approval of the application or project on which this condition is imposed, or arising out of or in connection with the acts or omissions of the above described person, and his/her/its agents, employees, or contractors, during any work performed in connection with the application or project. With respect to review or approval, this obligation shall also extend to any effort to attack, set aside, void, or annul the approval of the project including any contention the project approval is defective because a county ordinance, resolution, policy, standard, or plan is not in compliance with local, state or federal law. With respect to acts or omissions of the above described person and his/her/its agents, employees, or contractors, the obligation hereunder shall apply regardless of whether the County prepared, supplied, or approved plans, specifications or both. If the defense right is exercised, the County Counsel shall have the absolute right to approve any and all counsel employed to defend the County. To the extent the County uses any of its resources to respond to such claim, action or proceeding, or to assist the defense, the above described person will reimburse County upon demand. Such resources include, but are not limited to, staff time, court costs, County Counsel's time at its regular rate for non-County agencies, or any other direct or indirect cost associated with responding to, or assisting in defense of, the claim, action, or proceedings. For any breach of this obligation the County may, without notice, rescind its approval of the application or project to which this covenant/condition is attached. (TCOC Section 17.68.150)

2. ED — An Encroachment Permit shall be obtained from the Engineering Division of the Department of Public Works for any work within a County road right-of-way, including Tiffeni Drive and Michele Lane. Encroachments shall require an encroachment detail plan submitted for review and approval. (TCOC, Chapter 12.04)

3. ED — A Grading Permit from the Engineering Division of the Department of Public Works (DPW) shall be obtained if the applicable thresholds are met as indicated in Chapter 12.20 of the TCOC. (TCOC, Chapter 12.20)

4. BD — A Building Permit shall be obtained from the Building and Safety Division of CDD for all non-exempt structures, pursuant to Section 105 of the California Building Code. (CBC, Section 105)

5. LU — Parking lot circulation, upgrades, re-striping, and modifications originally proposed in Phase 3 shall be included in Phase 1 construction. (TCOC, Section 17.68.150)

Conditions to be met prior to the issuance of a grading permit by the Engineering Division of the Department of Public Works. If a grading permit is not required, conditions to be met prior to the issuance of a building permit:

6. ED — If a Grading Permit is required, a Grading Plan shall be submitted to the Engineering Division of the Department of Public Works for review and approval (TCOC, Section 12.20.140).

7. ED — Submit to the State Water Resources Control Board Storm Water Permitting Unit, a Notice of Intent (NOi) to obtain coverage under the General Construction Activity Storm Water Permit (California's National Pollutant Discharge Elimination System (NPDES) General Permit for construction related storm water discharge) for the disturbance of one acre or more. Disturbances of less than one acre may also require an NOi for coverage under the NPDES General Permit for construction related storm water discharge and the State Water Resources Control Board Water Permitting Unit shall be contracted for determination of permit requirements. Commercial and Industrial developments may require an NOi even if less than one acre and should be submitted to SWRCB. Obtain and NOi or an exemption from requirements.

8. ED — A Drainage Plan shall be submitted to the Engineering Division that addresses the following:

   a. The entire project site including the parking lot drainage.
   b. The increased runoff and effect to downstream drainages, culverts and adjacent property.
   c. On-site detention/retention shall be required; this feature may be proposed as subsurface under the parking. (TCOC Sections 11.04.050E; 12.20.300-12.20.360; 16.26.180).

9. ED — Provide proof that slope and drainage easements have been obtained or provided in such locations as necessary to accommodate cut and fill slopes, setbacks, and flow from the site. Also provide a 15-foot-wide drainage easement along all existing pipes that are not located in a road and public utility easement (TCOC, Sections 12.20.220, 12.20.230, and 16.24.180).

10. ED — The applicant shall submit an erosion control plan for any construction to take place (TCOC, Title 12).

11. ED — Verify that a Road and/or Public Utility Easement a minimum of 25 feet in width from the existing centerline of Tiffeni Drive as it abuts the project property has been dedicated. (TCOC, Section 17.68.150).

Conditions to be met prior to the issuance of a building permit by the Building and Safety Division of the Community Development Department:

12. BD — This project must comply with all applicable provisions of the Americans with Disabilities Act (ADA), and Chapters 11A and/or 11B of the California Building Code as applicable. (TCOC, Section 17.68.150)

13. THCSD/LU — Comply with all applicable ordinances, regulations, and policies of the Twain Harte Community Services District relative to water, sewer, fire protection, and

park and recreation services. This includes the payment of connection, capacity and impact fees for water and sewer services and the payment of development impact fees applicable at the time of permitting. Proof of meeting these requirements shall be provided to the Land Use and Natural Resources (LUNR) Division. (TCOC, Section 17.68.150)

14. THCSD/LU Plans to upgrade a 335-foot-long portion of sewer main on Golf Club Drive from a 10-inch diameter line to a 12-inch diameter line, as indicated in Attachment 5 of the staff report for the project shall be submitted. Applicable County permits shall be obtained for this work, including but not limited to building and encroachment permits. Plans shall also be reviewed by THCSD. Proof of meeting these requirements shall be provided to the LUNR Division. (TCOC, Section 17.68.150)

15. FPD The required fire flow for the proposed building is 1,500 gpm at 20-psi for 2 hours with Type V–B construction. If the building's construction type changes, the required fire flow shall also change. Fire flow is determined by the square footage of the largest building on site including all horizontal projections. A reduction of up to 75%, as approved, is allowed when the building is provided with an approved automatic sprinkler system. The resulting fire-flow shall not be less than 1,500 gallons per minute for 2 hours. (CFC Section 507.3)

16. FPD The required fire flow shall be on site, tested and approved by Tuolumne County Fire Prevention prior to the issuance of any building permits. (TCOC, Section 15.20.010)

17. FPD County Standard Dry Barrel Hydrant shall be available within 250 feet of the furthest portion of all proposed buildings measured by way of drivable access. Tuolumne County Fire Prevention shall approve all hydrant plans, locations, and installations. (TCOC Chapter 15.20)

18. FPD All R-2 occupancies shall be equipped with an automatic sprinkler system meeting all requirements of NFPA 13. Submit plans and calculations for the Automatic Engineered Fire Sprinkler System to Fire Prevention for review and approval prior to the issuance of a building permit or the installation of any portion of the system. Plan check fees are assessed upon completion of review. (TCOC Section 15.20.10)

19. FPD The Automatic Engineered Fire Sprinkler System shall be protected by an approved Automatic Electronic Fire Alarm System. The Automatic Electronic Fire Alarm System shall meet all the requirements of CFC 907.2.9 and NFPA 72 for such systems, and monitor water flow, main valve tamper, pull stations, smoke detectors. The system shall be monitored at an approved central station. Plans, specifications and listing numbers shall be submitted to Fire Prevention for review and approval prior to installation of any portion of the alarm.

20. LU A lighting plan shall be submitted to CDD prior to the installation of any exterior lighting. The lighting plan shall incorporate the following: direct the light downward to the area to be illuminated, install shields to direct light and reduce glare, utilize low rise light standards or fixtures attached to the buildings, and utilize low- or high-pressure sodium lamps instead of halogen type lights. The lighting plan shall comply with the International Dark Sky Association standards and fixtures shall have the International Dark Sky Fixture seal of approval. The lighting plan shall comply with the Twain Harte Design Guidelines. (TCOC,

Section 17.68.150)

21. LU — Submit a Landscape Plan to the Land Use and Natural Resources Division of the CDD for review and approval. The Plan shall be consistent with Chapter 15.28 of the Tuolumne County Ordinance Code. The landscape plan shall indicate the location of each plant proposed and other components of the landscaping. Native vegetation shall be maintained on site to the extent feasible. Credit will be given for retention of native vegetation and Open Space provided that an attractive appearance is maintained. (TCOC, Chapter 15.28)

22. ED/LU/BD — A parking area plan shall be submitted to the Engineering Division of the Department of Public Works for review and acceptance. Plans shall address internal traffic circulation, phasing, parking stall layout and include necessary striping, marking and signing. All parking areas and traveled ways on the site shall be paved, striped and lined in accordance with approved plans. The plans shall conform to the parking plans submitted in conjunction with Conditional Use Permit CUP22-011 and Site Development Permit SDP22-007.

23. APCD — Should serpentine or ultramafic rock be found on site, a Dust Mitigation Plan pursuant to Air District Rule 908 - *Asbestos ATCM*, shall be submitted to the Air District prior to any building or site work. *(TCAPCD ATCM 908 - Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations)*

24. APCD — Demolition or renovation of a structure that may disturb asbestos containing material shall require a survey and/or notification to the U.S. EPA and California Air Resources Board (CARB) as per the National Emissions Standards for Hazardous Air Pollutants (NESHAP). *(Asbestos NESHAP, 40 CFR Part 61, Subpart M, Section 61.145 Standard for Demolition and Renovation)*

Conditions to be met during the construction phase:

25. ED — Prior to the construction of any site improvements or grading on the site, all property corners shall be monumented and clearly visible. Where a clear line of sight between lot corners is not possible, appropriate markers shall be set along the property line to mark the boundaries while construction is in progress (TCOC, Section 12.20).

26. BD/LU — Hours of construction on the project site shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Saturday. Construction shall be prohibited on Sunday and County holidays. Exceptions to these hours this condition may be authorized by the Community Development Department Director. (TCOC, Section 17.68.150)

27. ED — All soils disturbed by clearing and grubbing and/or grading shall be reseeded or hydro-mulched or otherwise stabilized as soon as possible, and emergency erosion control measures shall be utilized as requested by County officials (TCOC, Title 12).

28. APCD — Existing County or State paved roads and streets adjacent to the construction site shall be cleaned as necessary to limit track out and prevent fugitive dust. *(TCAPCD Rule 505 - Conditional Approval)*

29. APCD — Any construction or site activities that create fugitive dust emissions shall implement dust suppression methods using either water or chemical

stabilizer/suppressants. A water truck or other dust suppression equipment shall be on site at all times. The frequency of dust suppression measures shall be dependent on whether visible dust emissions are present. *(TCAPCD Rule 505 - Conditional Approval)*

30. ED The Contractor shall be responsible for dust abatement during construction and development operations. A water truck or other watering device shall be on the project site on all working days when natural precipitation does not provide adequate moisture for complete dust control. Said watering device shall be used to spray water on the site at the end of each day and at other intervals, as need dictates, to control dust

31. APCD Any construction activities, road construction, road maintenance, or grading that disturbs naturally occurring asbestos, serpentine, or ultramafic rock shall be subject to TCAPCD Rules and Regulations, Regulation IX, Rule 908 unless specifically exempted under Sections (C) or (D) (3). All dust mitigation requirements shall be implemented and maintained throughout the duration of the construction or grading activity.

a. Requirements for Road Construction and Road Maintenance Activities:
   i. Equipment and operations must not cause any visible dust crossing project boundaries;
   ii. Unpaved roads, area subject to vehicle traffic, storage piles, and disturbed areas shall be kept adequately wetted, treated with dust suppressants, or covered with material that contains less than 0.25% asbestos;
   iii. Construction vehicle speeds shall be limited to 15 mph; and
   iv. Track out from any road construction project is prohibited on any paved public roadway.

32. APCD/ED Exposed serpentine gravel is prohibited on the project site, unless exempted pursuant to TCAPCD Rules and Regulations, Regulation IX, Rule 904 Section (F) or Rule 908 Section (C) or (D)(3). No person shall use apply, sell, supply, or offer for sale or supply any restricted material (as defined in subsection (I)(20) of Rule 904) for surfacing, unless it has been tested and determined to have an asbestos content that is less than 0.25 percent. Any roadway including road shoulders or any surface that is subject to vehicular travel or pedestrian access must be completely covered with non-restricted material. *(California Health and Safety Code, Sections 93105 and 93106)*

33. APCD Any aggregate rock used for surfacing material that contains greater than 0.25% asbestos shall be incorporated into or completely covered by asphalt concrete, Portland cement concrete, or other similarly cemented material. *(TCAPCD ATCM 904 - Asbestos ATCM for Surfacing Applications)*

34. APCD CARB mobile equipment regulations shall be adhered to for all diesel-fired mobile sources used at this site during construction. *(CCR Title 13 Section 2449 et al)*

35. APCD Any diesel-fired portable equipment used at this site during construction shall comply with the *ATCM for Diesel PM from Portable Engines Rated at 50 BHP or Greater. (CCR Title 17 Section 93116)*

36. LU If a cultural resource is discovered during the activities authorized by this Permit,

the person in possession of the parcel for which the permit was issued and all persons conducting any activity authorized by this permit shall comply with the following provisions:

A. The person discovering the cultural resource shall notify the Community Development Department by telephone within 24 hours of the discovery or the next working day if the department is closed.

B. When the cultural resource is located outside the area of disturbance, the Community Development Department shall be allowed to photo document and record the resource and construction activities may continue during this process. On parcels of two or more gross acres, the area of disturbance includes building pads, septic areas, driveways, or utility lines, grading and vegetation removal, plus 300 feet. On parcels of less than 2 gross acres, the area of disturbance equals the boundaries of the parcel.

C. When the cultural resource is located within the area of disturbance, all activities that may impact the resource shall cease immediately upon discovery of the resource. All activity that does not affect the cultural resource as determined by the Community Development Department may continue. A qualified professional, as defined in Section 17.04.657 of the Tuolumne County Ordinance Code, such as an archaeologist or an historian, shall be allowed to conduct an evaluative survey to evaluate the significance of the cultural resource.

D. When the cultural resource is determined to not be significant, the qualified professional or Community Development Department shall be allowed to photo document and record the resource. Construction activities may resume after authorization from the Community Development Department.

E. When a resource is determined to be significant, the resource shall be avoided with said resource having boundaries established around its perimeter by a qualified professional archaeologist or historian or a cultural resource management plan shall be prepared by a qualified professional to establish measures formulated and implemented in accordance with Sections 21083.2 and 21084.1 of the California Environmental Quality Act (CEQA) to address the effects of construction on the resource. The qualified professional shall be allowed to photo document and record the resource. Construction activities may resume after authorization from the Community Development Department. All further activity authorized by this permit shall comply with the cultural resources management plan.

A cultural resource is any building, structure, object, site, district, or other item of cultural, social, religious, economic, political, scientific, agricultural, educational, military, engineering or architectural significance to the citizens of Tuolumne County, the State of California, or the nation which is 50 years of age or older or has been listed on the National Register of Historic Places, the California Register of Cultural Resources, or the Tuolumne County Register of Cultural Resources. (TCOC, Section 14.10.150)

Conditions to be met prior to the Final Inspection or Certificate of Occupancy issued by the Building and Safety Division of the Community Development Department:

37. LU — The final project shall meet all requirements mandated by federal, state, or local law. Federal or state law may require additional obligations beyond those required by these conditions or local requirements, including additional analysis of environmental or other issues, over which the County has no control. (TCOC, Section 17.68.150)

38. BD/LU — All construction on the site shall adhere to the site plan approved by Tuolumne County. Any significant deviation from the plans shall require approval of supplemental plans submitted by the property owner. (TCOC, Section 17.68.150)

39. LU — If installed, signage shall adhere to the plans approved by CDD, including design, height, color, location, materials, and lightings. Any significant deviation from the plans shall require approval of supplemental plans. (TCOC, Section 17.68.150)

40. LU — A site inspection may be conducted by Community Development Department and Department of Public Works personnel to verify compliance with the conditions listed above. (TCOC, Section 17.68.150)

41. LU/BD — The applicable County Services Impact Fee shall be collected in accordance with Chapter 3.50 of the TCOC for the conversion to residential units. (TCOC, Chapter 3.50)

42. LU/ED — The parking lot shall be striped and lined in accordance with Chapter 17.60 of the TCOC and the approved parking area plan. All parking areas and traveled ways on the site shall be paved. (TCOC, Section 17.60.070)

43. ED — Drainage improvements shall be installed in accordance with approved drainage plans. (TCOC Sections 11.04, 11.12, 16.26.180)

44. ED — ADA-compliant sidewalk facilities, in addition to curb and gutter and appropriate pedestrian ramps shall be provided along the project's Tiffeni Drive frontage. (TCOC, Section 17.68.150)

45. ED — Verification shall be provided to the Engineering Division that all encroachments conform to all County requirements. A sight line analysis shall be submitted to ensure there are sufficient sight lines. All roads serving the site shall meet current Title 11 standards, including but not limited to road widths, right-of-way widths, traffic striping, marking, and signage. Verification shall be provided by a qualified professional. (TCOC, Title 11)

46. FPD/ED — Roads shall be provided within 150 feet of all portions of the exterior walls of the proposed buildings and shall meet all Title 11 requirements. (CFC Sections 503, TCOC Title 11)

47. FPD — Internal roads shall be constructed to have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 15 feet. The roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide all-weather driving capabilities. Signs shall be provided and maintained for fire apparatus access roads to identify such roads and prohibit the obstruction thereof or both. The

roads shall be posted with signs stating "No Parking Fire Lane" or other language as approved by Fire Prevention. The number and location of the signs shall be as approved by the Fire Prevention Bureau. Red striping on the exterior boundaries of fire access roads shall be used to identify areas of roads and prohibit vehicle obstruction. The configuration of the fire apparatus access roads shall be indicated on the site plan and shall be approved by Fire Prevention. (CFC Sections 503, TCOC Title 11)

48. FPD For dead-end fire apparatus access roads in excess of 150 feet in length, an area for turning fire apparatus around shall be provided as approved by Fire Prevention. (CFC Section 503)

On-going Conditions. The owner of the property at the time of construction or use shall be responsible for compliance with the following conditions:

49. LU The noise levels generated by the project shall be restricted to the following exterior noise limits as measured at the property line:

Zoning Classification of Receiving Property	Noise Level (dB) of Sound Source	
	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
MU, R-3, R-2, R-1, RE-1, RE-2, RE-3, RE-5, RE-10, C-O, C-1, C-S, BP	50 L_{eq}. (1 hour)[1]	45 L_{eq}. (1 hour)[1]

[1] L_{eq}. 1 hour refers to the average noise level measured over a one-hour period. (TCOC, Section 17.68.150)

50. LU The property owner shall be responsible for maintaining signage, including the sign located at the corner of Twain Harte Drive and Tiffeni Drive pertaining to the site. Signage shall receive regular maintenance so that they do not decay, fade, warp, chip or otherwise deteriorate in appearance. (TCOC, Section 17.62.030)

51. LU The buildings and infrastructure on site shall receive regular maintenance so as not to appear dilapidated or deteriorated. (TCOC, Section 17.58.150)

52. LU The residential units shall not be rented out for a period of less than 30 days. (TCOC, Section 17.68.150)

53. LU An on-site or off-site manager shall be provided for the facility. Information identifying the manager and their current contact information shall be provided to the Land Use and Natural Resources Division. (TCOC, Section 17.68.150)

54. FPD Fire apparatus access roads shall not be blocked in any manner, including parking of vehicles. (CFC Section 503)

55. SW If a business located on the project site generates more than four (4) cubic yards of solid waste per week, then recycling is required. Recycling can include subscribing to recycling service provided by the franchise hauler for the collection area, self-hauling recyclables to a recycling center or donating recyclables to a charitable cause. (CCR, Section 18837)

56. SW Excepting disruptions in normal refuse collection schedules, refuse shall not be allowed to remain on the premises for more than seven (7) days unless it is satisfactorily composted, used as animal food, used as soil amendments, or some other beneficial use, provided such use does not create a nuisance. (TCOC, Section 8.05.035)

57. SW The owner of any residential rental property shall contract with a permitted solid waste hauler, as defined in Section 7.30.010 of the TCOC, for the provision of solid waste removal and disposal services for such dwelling, or subscribe to a permitted solid waste hauler for the provision of solid waste services. All such owners shall maintain such a contract or subscription on an ongoing, continuous basis. (TCOC, Section 8.05.030(B))

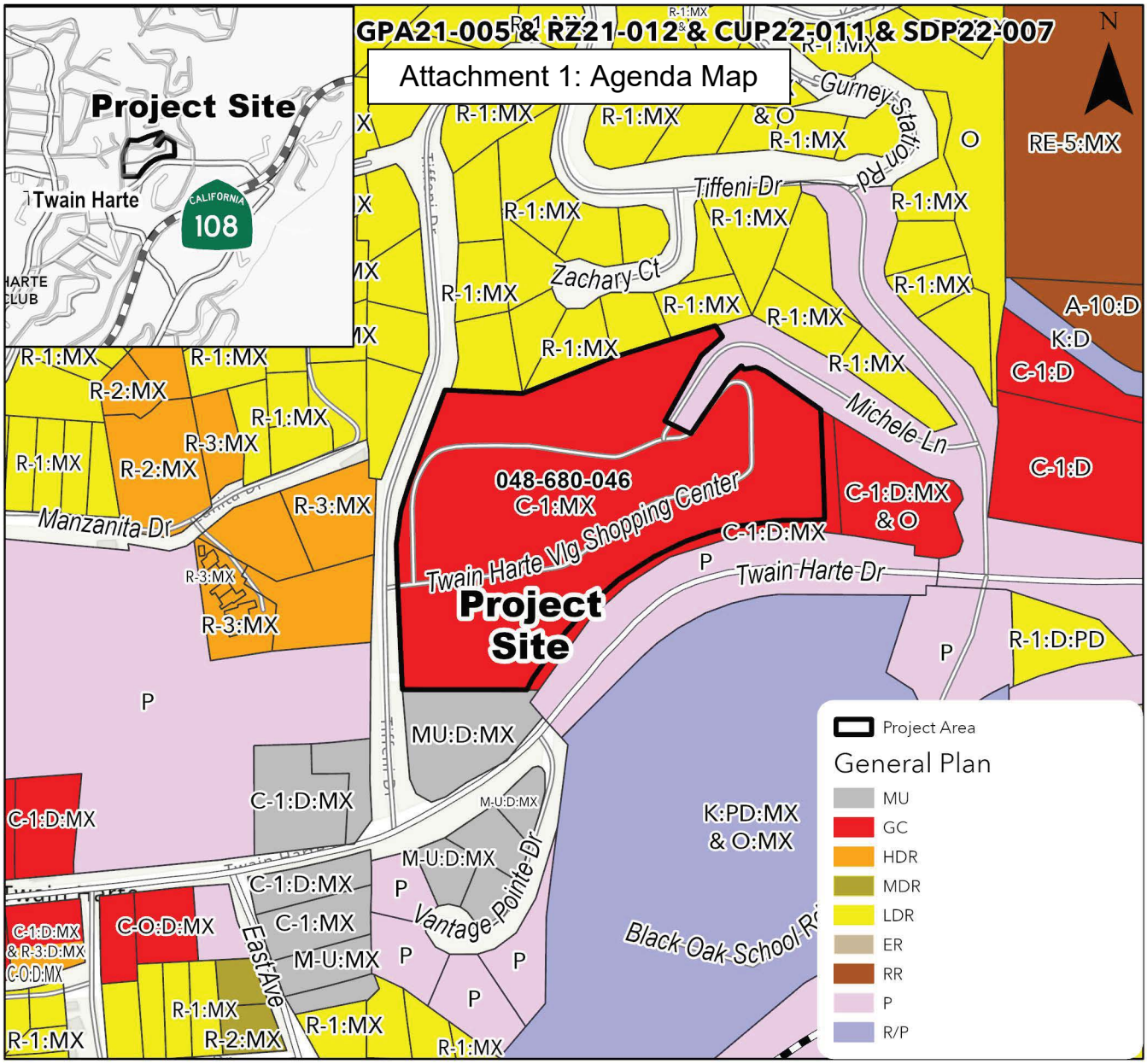
58. SW Property owners and/or tenants shall deposit all refuse, into standard containers which are nonabsorbent, watertight, vector-resistant, durable, easily cleanable, designed for the safe handling for the containment of refuse, and that are of an adequate size and in sufficient numbers to contain all refuse without overflowing. Standard containers shall be kept continuously closed except when refuse is being placed therein or removed therefrom and shall be kept in good, useful, and sanitary condition. (TCOC, Section 8.05.045(A))

59. APCD EPA certification shall be provided for any woodstoves proposed for use in structures on this real property. Fireplaces are discouraged. *(2018 General Plan, Implementation Program 12.C.a; CEQA, Chapter 15, Policy 15.C.1)*

60. APCD Open burning of vegetation for land clearing purposes shall be prohibited without a valid burn permit from the District. *(TCAPCD Rule 310.2(A) - Land Development Clearing)*

A Notice of Action shall be recorded for Conditions 1 through 60 to notify all owners of this parcel of the conditions of this entitlement and these responsibilities. Any violations observed by the Community Development Department during regular site inspections or in response to complaints shall be referred to the agency having jurisdiction over the condition for resolution or referred to the Code Compliance Officer for enforcement. (PRC, Section 21081.6; TCOC, Section 17.68.150)

COMMUNITY DEVELOPMENT DEPARTMENT CONTACT PERSON: Natalie Rizzi, Senior Planner



Project: GPA21-005 & RZ21-012 & CUP22-011 & SDP22-007
Owner: Howard Schindler
Applicant: Erik Smith
APN: 045-680-046
Acres: 8.56± acres
Current Zoning: C-1:MX
Current General Plan Designation: GC
Project Description: 1.Resolution for General Plan Amendment GPA21-005 to amend the land use designation of an 8.56± acre parcel from General Commercial (GC) to Mixed Use (MU). 2.Ordinance for Zone Change RZ21-012 to rezone an 8.56± acre parcel from C-1:MX (General Commercial:Mobilehome Exclusion Combining) to M-U (Mixed Use) district. 3.Conditional Use Permit CUP22-011 to allow the development of up to 37 residential units on an 8.56± acre parcel. 4.Site Development Permit SDP22-007 to allow the phased development of housing within existing commercial space and associated infrastructure on an 8.56 ± acre parcel

Path: X:\Planning\Temp_Shapefiles\GPA21-005_Schindler\GPA21-005_Schindler.aprx
Date Saved: 7/17/2023 11:52

Attachment 2: Site Plan



1 Site Plan Overview
1" = 50'-0"

RECEIVED
APR 18 2023
Community Development Department

These Construction Documents are official legal documents and are the sole property of Erik Karsten Smith. They are not to be used for any purpose other than the construction of this project. These Construction Documents are not to be copied in part or whole without the expressed written consent of Erik Karsten Smith. Any attempt to reproduce these Construction Documents without the expressed written consent of Erik Karsten Smith will result in legal action. Erik Karsten Smith reserves the right to protect his intellectual property.

Erik Karsten Smith
209-330-0300

REVISIONS

NO.	DATE	DESCRIPTION

Project Address

18711 Tiffeni Dr.
Twain Harte CA 95383

APN#048-680-046

Twain Harte Villages
Conditional Use Permit

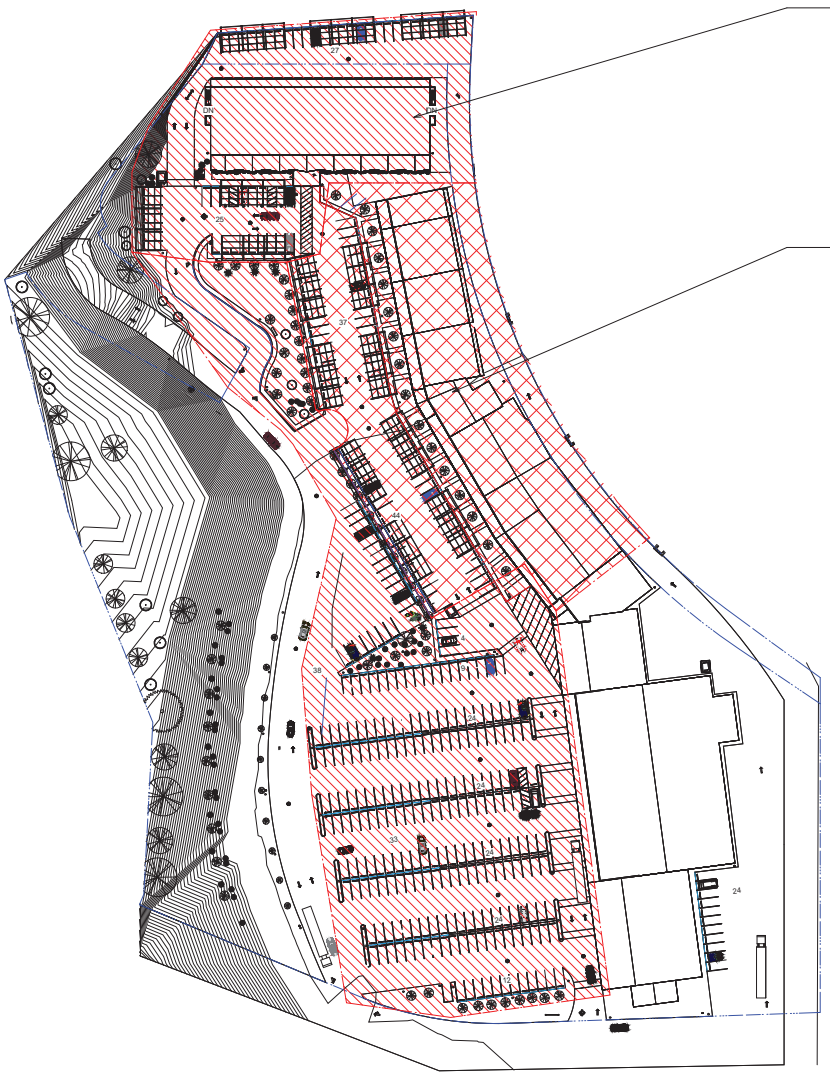
Site Plan Overview

C1

Scale
1" = 50'-0"

Submittal
07-15-2022

Attachment 3: Phased Site Plan



1 Site Construction Phases
1" = 50'-0"

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Erik Karstan Smith
209-230-0308

REVISIONS

NO.	DATE	DESCRIPTION

Project Address

18711 Tiffeni Dr.
Twain Harte CA 95383

APN#048-680-046

Twain Harte Villages
Conditional Use
Permit

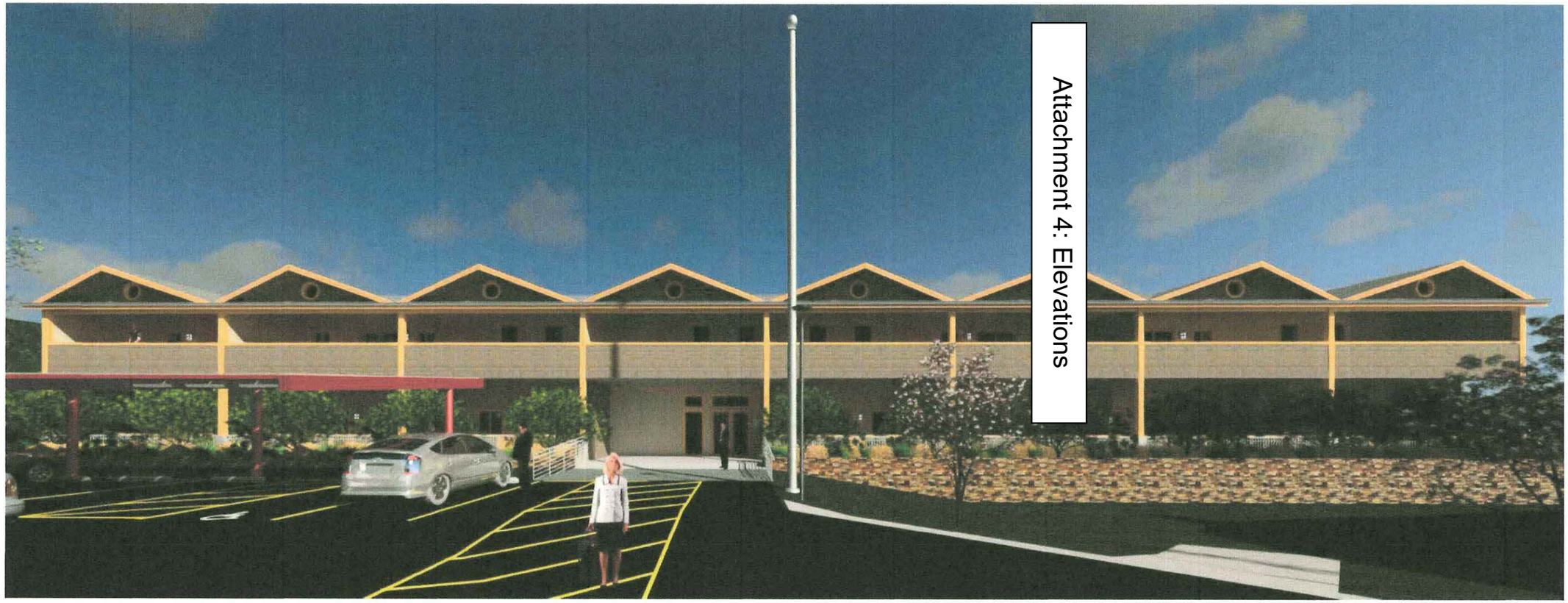
Construction
Phases

C2

Scale
1" = 50'-0"

Submittal
07-15-2022

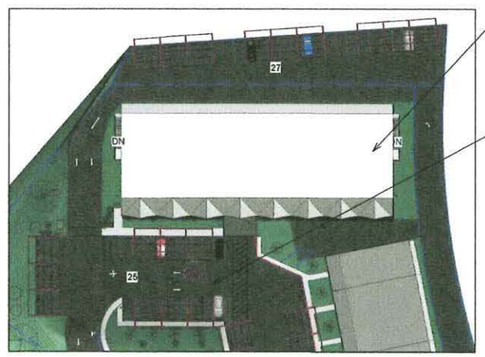
Attachment 4: Elevations



② Two Story Apartments Elevation 1
12" = 1'-0"



④ Two Story Perspective 1
12" = 1'-0"



2 Story Existing Building
7- 2 Bedroom Apartments
14- 1 Bedroom Apartments

Residential Parking Spaces

③ Site Plan Phase 1 Two Story Apartment
1" = 50'-0"

RECEIVED
APR 18 2023
Community Development Department

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Erik Karstan Smith
209-330-8300

REVISIONS		
NO.	DATE	DESCRIPTION

Project Address

18711 Tiffeni Dr.
Twain Harte CA 95383

APN#048-680-046

Twain Harte Villages Conditional Use Permit

Renderings at Two Story Apartment Phase 1

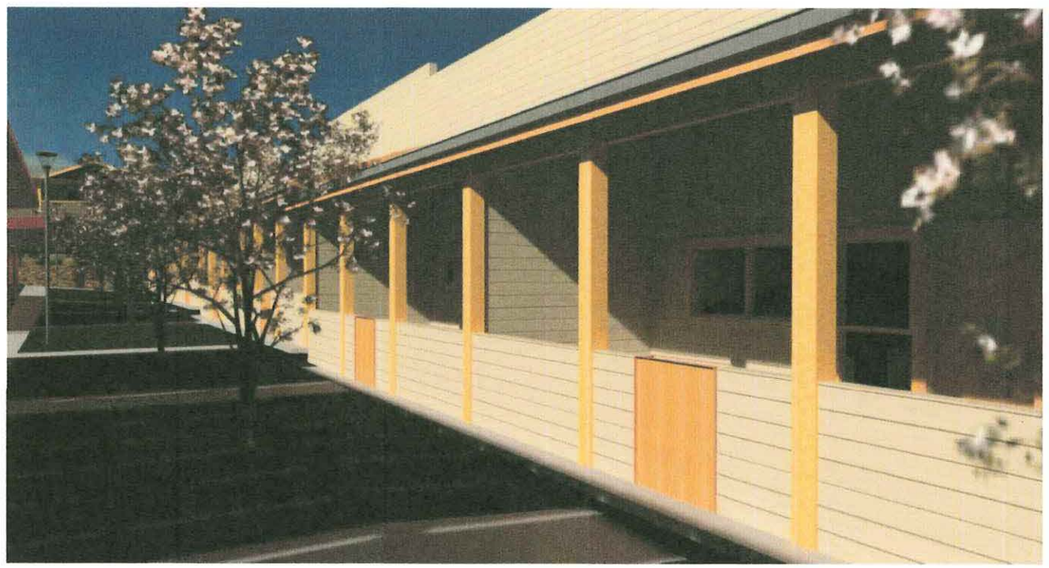
A0.3

Scale
As indicated

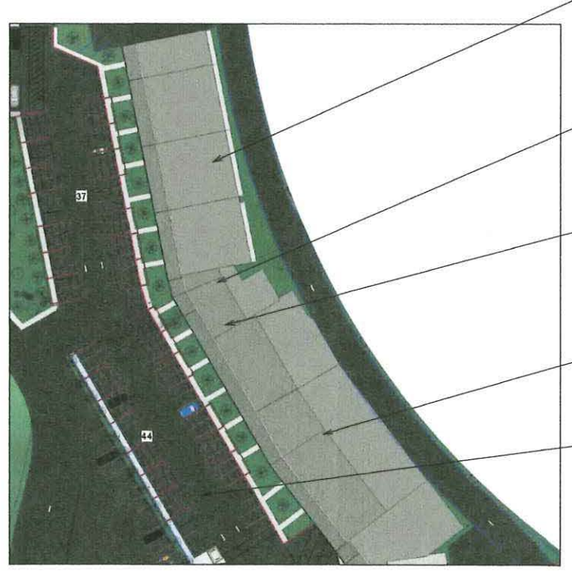
Submittal
07-15-2022



④ Elevation at Single Level Apartments_1
12" = 1'-0"



② Perspective at Single Level Apartments_1
12" = 1'-0"



③ Site Plan Phase 2 Single Level Apartments
1" = 50'-0"

1 Story Existing Building
7- 2 Bedroom 1 Bath Apartments

2 Story Existing Building
1- 1 Bedroom 1 Bath Apartment

2 Story Existing Building
1- 3 Bedroom 2 Bath Apartment

1 Story Existing Building
7- 3 Bedroom 1 Bath Apartments

Residential Parking Spaces

RECEIVED
APR 18 2023
Community Development Department

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Erik Karstan Smith
209-330-6300

REVISIONS

NO.	DATE	DESCRIPTION

Project Address

18711 Tiffeni Dr.
Twain Harte CA 95383

APN#048-680-046

Twain Harte Villages
Conditional Use Permit

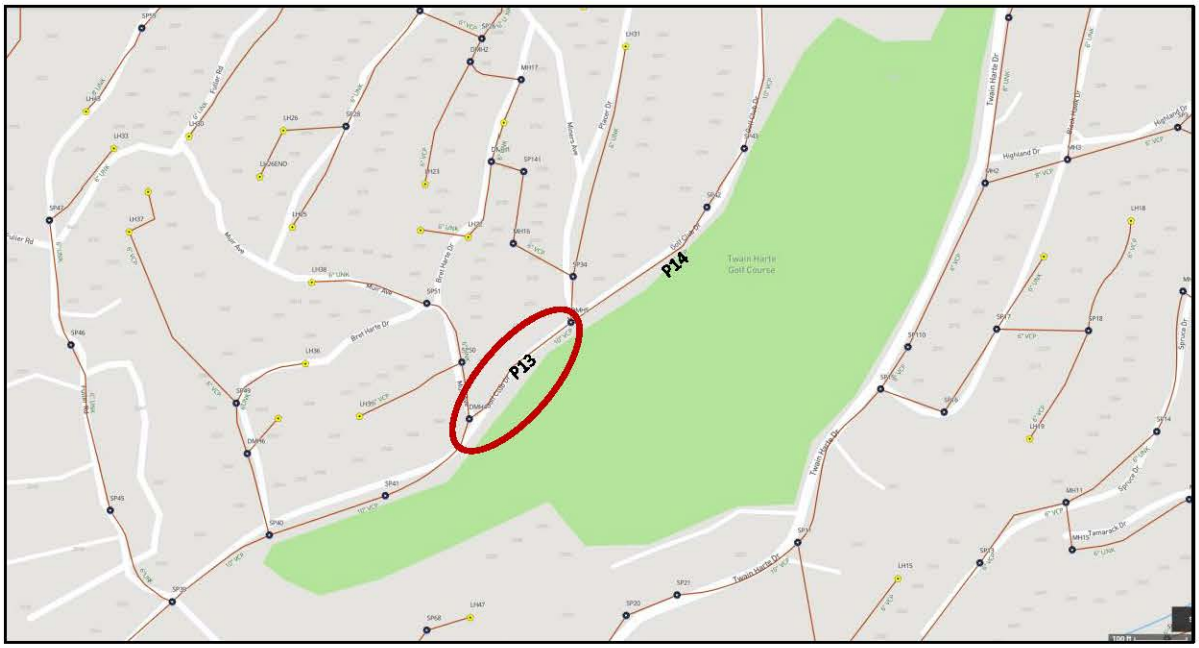
Renderings at Single Level Apartments Phase 2

A0.4

Scale
As indicated

Submittal
07-15-2022

Attachment 5: Offsite Sanitary Sewer System Upgrade Location



All Agency Comments Received Throughout Entire Application Process

Department of Public Works

Kim MacFarlane, P.E.
Director

48 W. Yaney Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
209.533.5601
www.tuolumnecounty.ca.gov

MEMORANDUM

Date: January 14, 2022

To: Cheydi Gonzales, Land Use Coordinator

From: David Ruby, Engineer

Re: GPA21-005 / RZ21-012, Schindler & Gevertz
Assessor's Parcel Nos.: 048-680-046, -053, and -067; 049-140-016, -039 and -049

The proposed actions consist of a General Plan amendment [GPA21-005] to amend the land use designation on four existing commercial (GC) parcels in Twain Harte to Mixed Use (MU), and a Rezone on six existing commercial (C-1) parcels to Mixed Use.

The Public Works Engineering Department does not have any comments regarding these proposed actions at this time.

P:\Development\Conditions of Approval\2021\GPA21-005-RZ21-012 Schindler-Gevertz 20220114.docx

AIRPORTS
Airports Manager
Benedict Stuth
209.533.5685

BUSINESS
Senior Accountant
Janelle Kostlivy
209.533.5972

ENGINEERING
Supervising Engineer
Blossom Scott-Heim, P.E.
209.533.5904

FLEET SERVICES
Fleet Services Manager
Mike Young
209.536.1622

GEOGRAPHIC INFORMATION SYSTEMS
GIS Coordinator
Madeline Amlin
209.533.6592

ROAD OPERATIONS
Road Superintendent
Mike Cognetti
209.533.5609

SOLID WASTE
Solid Waste Manager
Jim McHargue, REHS
209.533.5588

SURVEYING
County Surveyor
Warren Smith, L.S.
209.533.5626

Department of Public Works

Kim MacFarlane, P.E.
Director

48 W. Yaney Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
209.533.5601
www.tuolumnecounty.ca.gov

MEMORANDUM

Date: October 31, 2022

To: Cheydi Gonzales, Land Use Coordinator

From: Blossom Scott-Heim, P.E., Supervising Engineer BSH

Re: GPA21-005, RZ21-012, SDP-22-007 and CUP22-011, Howard Schindler and Saul Gervetz
Assessor's Parcel No.: 048-680-046

This application consists of a General Plan Amendment GPA21-005 to amend the land use designation of an 8.56± acre parcel from General Commercial (GC) to Mixed Use (MU), and a proposed zone change RZ21-012 to rezone a 8.56± acre parcel from C-1:MX (General Commercial: Mobilehome Exclusion Combining) to M-U (Mixed Use) district under Title 17 of the Tuolumne County Ordinance Code (TCOC).

Conditional Use Permit CUP22-011 would allow the development of 54 residential units and Site Development Permit SDP22-007 would allow the phased development of housing, consisting of 54 apartments, a new retail building, dog park, playground, water fountain, linear exercise park and associated infrastructure on an 8.56 ± acre parcel.

Encroachments onto Tiffeni Drive and Michele Lane are proposed for the project, which may require modification of the existing encroachments. The development will trigger a Traffic Impact Study, which should study and address internal circulation, parking design and layout, project trip generation and Vehicle Miles Traveled (VMT) analysis, sightline analysis from proposed driveway encroachments onto existing surface streets, and any warrants for other safety modifications (i.e., signage, striping, signals) to address project needs and/or impacts brought by the project, including any phasing.

The Public Works Engineering Division has no comment on the proposed General Plan Amendment or Zone Change actions.

The following conditions apply to this project:

ADMINISTRATION
Assistant to the Department Head
Emma Hawks
209.694.2718

AIRPORTS
Airports Manager
Benedict Stuth
209.533.5685

BUSINESS
Business Manager
Janelle Kostlivy
209.533.5972

ENGINEERING
Supervising Engineer
Blossom Scott-Heim, P.E.
209.533.5904

FLEET SERVICES
Fleet Services Manager
Mike Young
209.536.1622

GEOGRAPHIC INFORMATION SYSTEMS
GIS Coordinator
Madeline Amlin
209.533.6592

ROAD OPERATIONS
Road Superintendent
Mike Cognetti
209.533.5609

SOLID WASTE
209.533.5588

SURVEYING
County Surveyor
Warren Smith, L.S.
209.533.5626

1. A Grading Plan shall be submitted to the Engineering Division of the Department of Public Works for review and approval (TCOC, Section 12.20.140).

2. Submit to the State Water Resources Control Board Storm Water Permitting Unit, a Notice of Intent (NOI) to obtain coverage under the General Construction Activity Storm Water Permit (California's National Pollutant Discharge Elimination System (NPDES) General Permit for construction related storm water discharge) for the disturbance of one acre or more. Disturbances of less than one acre may also require an NOI for coverage under the NPDES General Permit for construction related storm water discharge and the State Water Resources Control Board Water Permitting Unit shall be contracted for determination of permit requirements. Commercial and Industrial developments may require an NOI even if less than one acre and should be submitted to SWRCB. Obtain and NOI or an exemption from requirements.

3. A Grading Permit shall be obtained from the Engineering Division of the Department of Public Works prior to any grading (TCOC, Section 12.20.050).

4. A Drainage Plan shall be required and address the concerns listed below (TCOC Sections 11.04.050E; 12.20.300-12.20.360; 16.26.180).

   a. The entire project site including the parking lot drainage.

   b. The increased runoff and effect to downstream drainages, culverts and adjacent property.

   c. On-site detention/retention shall be required; this feature may be proposed as subsurface under the parking area.

5. Provide proof that slope and drainage easements have been obtained or provided in such locations as necessary to accommodate cut and fill slopes, setbacks, and flow from the site (TCOC, Section 12.20.270-280).

   Also provide a 15-foot wide drainage easement along all existing pipes that are not located in a road and public utility easement (TCOC, Section 16.24.180).

6. An Encroachment Permit shall be obtained from the Engineering Division of the Department of Public Works for any work that may be proposed within the County road rights-of-way along Tiffeni Drive and Michele Lane (TCOC, Section 12.04).

7. A Parking Area Plan (TCOC, Sections 17.68.150; 17.60).

   a. The parking area plan shall be submitted to the Engineering Division of the Department of Public Works for review and acceptance. Plans shall address internal traffic circulation, phasing, parking stall layout and include necessary striping, marking and signing. All parking areas and traveled ways on the site shall be paved, striped and lined in accordance with approved plans. The parking plan shall be submitted in connection with the site grading and drainage plans.

8. Prior to the construction of any site improvements or grading on the site, all property corners shall be monumented and clearly visible. Where a clear line of sight between lot corners is not possible, appropriate markers shall be set along the property line to mark the boundaries while

construction is in progress (TCOC, Section 12.20).

9. All soils disturbed by clearing and grubbing and/or grading shall be reseeded or hydro-mulched or otherwise stabilized as soon as possible, and emergency erosion control measures shall be utilized as requested by County officials (TCOC, Title 12).

10. The applicant shall submit an erosion control plan for any construction to take place (TCOC, Title 12).

11. All parking areas and traveled ways on the site shall be paved (TCOC, Section 17.60.070 C).

12. Commercial driveways, meeting the requirements of Title 11 for onsite roads must be paved and extended to within 150 feet of all portions of all buildings (TCOC, Section 11.16.020).

    a. Encroachments shall require an encroachment detail plan submitted for review and approval.

13. Drainage improvements shall be installed in accordance with approved drainage plans. (TCOC Sections 11.04, 11.12, 16.26.180)

14. Exposed serpentine gravel is prohibited on the construction site. (17 California Code of Regulations, Section 93106)

15. The Contractor shall be responsible for dust abatement during construction and development operations. A water truck or other watering device shall be on the project site on all working days when natural precipitation does not provide adequate moisture for complete dust control. Said watering device shall be used to spray water on the site at the end of each day and at other intervals, as need dictates, to control dust (TCOC, Section 12.20.370).

16. Verify that a Road and/or Public Utility Easement a minimum of 25 feet in width from the existing centerline of Tiffeni Drive as it abuts the project property has been dedicated. (TCOC, Section 17.68.150).

17. ADA-compliant sidewalk facilities, in addition to curb and gutter and appropriate pedestrian ramps shall be provided along the project's Tiffeni Drive frontage.

18. All roads serving the development shall be improved to meet current Title 11 and Title 16 road standards and as required by the approved traffic study.

19. All Title 11 standard roads shall meet the following requirements:

    a. The Public Works Engineering Division shall be notified prior to commencement of road improvements. Quality control personnel will establish schedules for periodic inspections at the time the construction staking is inspected. Roads constructed without proper periodic inspections or not in conformance with approved plans are subject to rejection.

    b. The applicant shall provide adequate traffic striping, marking and signs during and after construction.

c. The developer shall give reasonable advance notice of commencement of construction and keep the Public Works Engineering Division informed of all changes in the construction schedule. After completion of the work, the applicant shall submit as-built plans.

d. Plan check and inspection fees, as required by Ordinance, shall be submitted to the Public Works Engineering Division prior to approval of improvements plans.

e. The developer shall remedy any defect in the improvements on any county, State, or Forest Service road arising from any faulty or defective materials or workmanship occurring within 12 months of the Department's acceptance of the work or formal acceptance by the Board of Supervisors. A maintenance warranty agreement shall be enacted when applicable (TCOC, Title 11).

Department of Public Works

Kim MacFarlane, P.E.
Director

48 W. Yaney Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
209.533.5601
www.tuolumnecounty.ca.gov

MEMORANDUM

Date: May 30, 2023

To: Natalie Rizzi, Senior Planner

From: Blossom Scott-Heim, P.E., Supervising Engineer BSH
Juan Maya, Engineer I

Re: GPA21-005, RZ21-012, SDP-22-007 and CUP22-011, Howard Schindler and Saul Gervetz
Assessor's Parcel No.: 048-680-046

This application consists of a General Plan Amendment GPA21-005 to amend the land use designation of an 8.56± acre parcel from General Commercial (GC) to Mixed Use (MU), and a proposed zone change RZ21-012 to rezone a 8.56± acre parcel from C-1:MX (General Commercial: Mobilehome Exclusion Combining) to M-U (Mixed Use) district under Title 17 of the Tuolumne County Ordinance Code (TCOC).

Conditional Use Permit CUP22-011 would allow the development of 37 residential units and Site Development Permit SDP22-007 would allow the phased development of housing, consisting of 37 apartments and 133 residential parking spaces. Additionally, the Site Plan submitted with the application illustrates existing retail buildings with 249 retail parking spaces within the 8.56 ± acre parcel.

Encroachments onto Tiffeni Drive and Michele Lane are proposed for the project, which may require modification of the existing encroachments. The development will trigger a Traffic Impact Study, which should study and address internal circulation, parking design and layout, project trip generation and Vehicle Miles Traveled (VMT) analysis, sightline analysis from proposed driveway encroachments onto existing surface streets, and any warrants for other safety modifications (i.e., signage, striping, signals) to address project needs and/or impacts brought by the project, including any phasing.

The Public Works Engineering Division has no comment on the proposed General Plan Amendment or Zone Change actions.

The following conditions apply to this project:

ADMINISTRATION
Assistant to the Department Head
Emma Hawks
209.694.2718

AIRPORTS
209.533.5685

BUSINESS
Business Manager
Janelle Kostlivy
209.533.5972

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Supervising Engineer
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Road Superintendent
Mike Cognetti
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SOLID WASTE
209.533.5588

SURVEYING
County Surveyor
Warren Smith, L.S.
209.533.5626

1. A Grading Plan shall be submitted to the Engineering Division of the Department of Public Works for review and approval (TCOC, Section 12.20.140).

2. Submit to the State Water Resources Control Board Storm Water Permitting Unit, a Notice of Intent (NOI) to obtain coverage under the General Construction Activity Storm Water Permit (California's National Pollutant Discharge Elimination System (NPDES) General Permit for construction related storm water discharge) for the disturbance of one acre or more. Disturbances of less than one acre may also require an NOI for coverage under the NPDES General Permit for construction related storm water discharge and the State Water Resources Control Board Water Permitting Unit shall be contracted for determination of permit requirements. Commercial and Industrial developments may require an NOI even if less than one acre and should be submitted to SWRCB. Obtain and NOI or an exemption from requirements.

3. A Grading Permit shall be obtained from the Engineering Division of the Department of Public Works prior to any grading (TCOC, Section 12.20.050).

4. A Drainage Plan shall be required and address the concerns listed below (TCOC Sections 11.04.050E; 12.20.300-12.20.360; 16.26.180).

   a. The entire project site including the parking lot drainage.

   b. The increased runoff and effect to downstream drainages, culverts and adjacent property.

   c. On-site detention/retention shall be required; this feature may be proposed as subsurface under the parking area.

5. Provide proof that slope and drainage easements have been obtained or provided in such locations as necessary to accommodate cut and fill slopes, setbacks, and flow from the site (TCOC, Section 12.20.270-280).

   Also provide a 15-foot wide drainage easement along all existing pipes that are not located in a road and public utility easement (TCOC, Section 16.24.180).

6. An Encroachment Permit shall be obtained from the Engineering Division of the Department of Public Works for any work that may be proposed within the County road rights-of-way along Tiffeni Drive and Michele Lane (TCOC, Section 12.04).

7. A Parking Area Plan (TCOC, Sections 17.68.150; 17.60).

   a. The parking area plan shall be submitted to the Engineering Division of the Department of Public Works for review and acceptance. Plans shall address internal traffic circulation, phasing, parking stall layout and include necessary striping, marking and signing. All parking areas and traveled ways on the site shall be paved, striped and lined in accordance with approved plans. The parking plan shall be submitted in connection with the site grading and drainage plans.

8. Prior to the construction of any site improvements or grading on the site, all property corners shall be monumented and clearly visible. Where a clear line of sight between lot corners is not possible, appropriate markers shall be set along the property line to mark the boundaries while construction is in progress (TCOC, Section 12.20).

9. All soils disturbed by clearing and grubbing and/or grading shall be reseeded or hydro-mulched or otherwise stabilized as soon as possible, and emergency erosion control measures shall be utilized as requested by County officials (TCOC, Title 12).

10. The applicant shall submit an erosion control plan for any construction to take place (TCOC, Title 12).

11. All parking areas and traveled ways on the site shall be paved (TCOC, Section 17.60.070 C).

12. Commercial driveways, meeting the requirements of Title 11 for onsite roads must be paved and extended to within 150 feet of all portions of all buildings (TCOC, Section 11.16.020).

    a. Encroachments shall require an encroachment detail plan submitted for review and approval.

13. Drainage improvements shall be installed in accordance with approved drainage plans. (TCOC Sections 11.04, 11.12, 16.26.180)

14. Exposed serpentine gravel is prohibited on the construction site. (17 California Code of Regulations, Section 93106)

15. The Contractor shall be responsible for dust abatement during construction and development operations. A water truck or other watering device shall be on the project site on all working days when natural precipitation does not provide adequate moisture for complete dust control. Said watering device shall be used to spray water on the site at the end of each day and at other intervals, as need dictates, to control dust (TCOC, Section 12.20.370).

16. Verify that a Road and/or Public Utility Easement a minimum of 25 feet in width from the existing centerline of Tiffeni Drive as it abuts the project property has been dedicated. (TCOC, Section 17.68.150).

17. ADA-compliant sidewalk facilities, in addition to curb and gutter and appropriate pedestrian ramps shall be provided along the project's Tiffeni Drive frontage.

18. All roads serving the development shall be improved to meet current Title 11 and Title 16 road standards and as required by the approved traffic study.

19. All Title 11 standard roads shall meet the following requirements:

    a. The Public Works Engineering Division shall be notified prior to commencement of road improvements. Quality control personnel will establish schedules for periodic inspections at the time the construction staking is inspected. Roads constructed without proper periodic inspections or not in conformance with approved plans are subject to rejection.

    b. The applicant shall provide adequate traffic striping, marking and signs during and after construction.

    c. The developer shall give reasonable advance notice of commencement of construction

and keep the Public Works Engineering Division informed of all changes in the construction schedule. After completion of the work, the applicant shall submit as-built plans.

d. Plan check and inspection fees, as required by Ordinance, shall be submitted to the Public Works Engineering Division prior to approval of improvements plans.

e. The developer shall remedy any defect in the improvements on any county, State, or Forest Service road arising from any faulty or defective materials or workmanship occurring within 12 months of the Department's acceptance of the work or formal acceptance by the Board of Supervisors. A maintenance warranty agreement shall be enacted when applicable (TCOC, Title 11).

Central Sierra Environmental Resource Center
Box 396, Twain Harte, CA 95383 • (209) 586-7440 • fax (209) 586-4986
Visit our website at: www.cserc.org or contact us at: johnb@cserc.org

November 3, 2022

Cheydi Gonzales, Quincy Yaley
Community Development Department
2 South Green Street
Sonora, CA 95370

To Cheydi and Quincy:

Our Center has reviewed the stakeholder notification and all of the materials now available on the County website concerning the conceptual plans for a significantly altered Twain Harte Shopping Center development project. As shown in the stakeholder notice, the applicants are asking for a General Plan Amendment to change that land use designation from General Commercial to Mixed Use, a Zone change from C-1:MX to M-U, a Site Development Permit to allow phased development of housing including 54 new apartments, a new retail building and infrastructure, as well as a Conditional Use Permit to allow the development of 54 residential units.

Our Center has intimate knowledge of the project site. Accordingly, we provide the following comments:

As an initial point of clarification, **we note that the Site Plan provided with the stakeholder notice only shows 55 apartments as spelled out in text, not 54 units. Please be aware of that apparent flaw in the project description or Site Plan.**

SPECIFIC COMMENTS

1) First and foremost, **CSERC supports the proposed plan to convert existing buildings from commercial retail to apartments.** In particular, we strongly support the proposed conversion of the 2-story mostly vacant existing building (the easternmost building) into fourteen 1-bedroom apartments and seven 2-bedroom apartments .

Similarly, our Center sees nothing but positive public benefits and no obvious negative impacts from converting the wing of existing vacant retail suites that stretch from the now-occupied Hatchet Throw business and that extend east toward the large two-story building that stands separate from other existing buildings at the Center. **We support the conversion of all of those**

existing retail units into the 16 proposed apartments as now outlined in the stakeholder notification.

IF THOSE TWO PROPOSED CONVERSIONS GAIN APPROVAL, THAT WILL ALLOW THE APPLICANTS TO CREATE 37 NEW APARTMENTS TO REPLACE THE VACANT, DETERIORATING OFFICE SUITES THAT NOW EXIST ON THE PROPERTY. WE SUPPORT THAT CONVERSION.

2) However, it is more controversial and poses potential negative impacts to allow the proposed construction of nine 2-story new buildings to create 18 new apartments on the currently forested steep slope and cutbank that lie along the northern portion of the overall 8.56 acre property.

In order for those nine new buildings to be constructed as shown on project materials, there will need to be significant grading and gouging out of the hillside slope, clearing of the forest vegetation, and a conversion of the existing perimeter road from its current location to where it would wind its way through the existing parking lot.

It is likely that due to that significant amount of grading and the placement of the nine 2-story units, there may be strong opposition or high levels of concern from members of the overall Twain Harte community, and almost certainly from the homeowners who now live directly upslope from the proposed location of the nine 2-story units. Having units jammed up against the hillside and carving into the hillside to squeeze in the units and the restaurant while retaining enough parking may result in major grading, sedimentation during wet periods into Twain Harte Lake due to the center's drain system, and other concerns.

While we raise our own concerns about the placement of those nine 2-story apartment buildings, **we strongly suggest that there is a middle ground, win-win option that can provide significant benefits to the applicants while reducing opposition to their plans.**

CSERC recommends that the applicants and planning staff modify the project to allow for the General Plan Amendment and the proposed Zone Change to be approved as currently desired by the applicants. But we recommend that the applicants revise their application for a Site Development Permit to make it in two Phases. The first Phase 1 Site Development Permit (the one that could accompany the GPA and the Zone Change) could be for 37 apartments and the restaurant facility. Just creating the significant conversion of the now-existing retail buildings to 37 apartment units will likely take extensive time to complete and accordingly will be a major task to implement. **By making the 37 apartments and the restaurant all that is proposed in aSite Development Permit in Phase 1, the revised proposal would eliminate nearly all public opposition that may otherwise come from gouging out the steep hillside and squeezing nine 2-story apartment structures all along that hillside.** At most, if Phase 1 is created as recommended, only a portion of that hillside would need to be bulldozed and recontoured to fit in the restaurant, and there would only be minor work for the perimeter road to be altered to swing around the new restaurant.

Our recommendation is that Phase II (the development of the nine 2-story apartment buildings) be contained in a separate Site Development Permit and a Separate Conditional Use permit and be submitted and brought forward for approval at a later time.

It is possible that after converting the retail buildings to 37 apartments that the applicants end up being grateful that they didn't move further to create an additional 18 units. Demand and economic return may be less than desired and hoped for.

But assuming that the Phase 1 conversion into 37 apartments does go smoothly, the applicants could then come back when appropriate with the Site Development Permit and Conditional Use Permit for Phase 2 (the nine 2-story apartment buildings and the grading needed for that construction). The General Plan land use designation would already allow the 9 buildings as would the Zoning. But any controversy over that portion of the overall development proposal would be put off into the future, without holding up the conversion of retail buildings to the 37 apartments. Any potential for legal challenges or strong opposition would be significantly reduced by this recommendation.

We respectfully suggest that as strong proponents of the conversion of retail to apartments, that it may be the best interest of the applicants to consider this recommendation. Either way, we support the conversion of existing buildings on the site to apartments.



Executive Director

Central Sierra Environmental Resource Center
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March 23, 2023

From John Buckley, Executive Director
Central Sierra Environmental Resource Center
P.O. Box 396
Twain Harte, CA 95383

To Natalie Rizzi, David Ruby, and Quincy Yaley
Community Development Department
2 South Green St.
Sonora, CA 95370

EARLY SCOPING INPUT FOR THE TWAIN HARTE SHOPPING CENTER PROJECT

To Natalie, David, and Quincy:

As you observed at the Twain Harte townhall meeting, there is certainly a lot of attention being given to the proposed project at the Twain Harte Shopping Center. CSERC is not submitting detailed comments at this stage of the planning process because CEQA analysis has not been completed and the various proposed conditions from the County have not yet been identified.

However, CSERC does provide the following response to Scoping for the project:

1) COMMUNITY COMMENTS OF OPPOSITION AND CONCERN WERE MAINLY MISGUIDED
In weeks prior to the Townhall session, members of our CSERC staff heard various Twain Harte area residents stating openly that they were highly opposed to "affordable housing" and "low income" people coming to Twain Harte because of the proposed apartments project at the Shopping Center.

First, it is discriminatory and elitist for existing area residents to oppose families or individuals with limited incomes from having housing in any part of our County. But far more relevant for County planning staff is the need to reject all of the misinformed statements made at the Townhall that objected to the project over fears of Section 8 or affordable housing of some kind. As explicitly stated by Quincy and by Howard at the meeting, the project before the County for consideration does not include any proposal for Section 8/affordable housing. Yet a large percentage of those attending stubbornly stuck to that theme – objecting to the project despite the fact that there is no such affordable housing being proposed.

Second, it was also frustrating that many highly vocal Townhall meeting speakers stated completely unfounded personal criticisms of Howard and past management at the Shopping Center as somehow being grounds for the County to not allow the new proposed Project. Because CSERC staff has personally interacted with nearly all of the past tenants at the Shopping Center over the last 30 years, we are aware that there has been an extremely wide range of reasons why past tenants have left. Foremost was the lack of sufficient customers coming to the upper portion of the Shopping Center from early fall through mid-spring. There simply weren't enough winter season customers to keep the restaurants, hair salon, sports bar, and so many other businesses operating with a profit.

The applicant for this current proposal should not need to "prove trust" to non-economically connected Twain Harte area residents who have based strong views on rumors or past heresay about why retail businesses closed. Shopping Centers have had stores close all over California due to online competition and less in-store shopping. Wintry weather and a lack of drive-by customers were often reasons shared by past tenants as to why their retail business failed.

Third, during 30 years of being a tenant at the Shopping Center, CSERC found the management of the Center to be responsive and interested in keeping tenants. We share that perspective and the information above because we strongly assert that it is not a legally relevant matter for CEQA or for Tuolumne County decision-making as to whether or not an owner should have done more (or less) to retain past retail clients. It is also not a popularity contest as to whether a small number of marginally informed area residents feel favorable toward the owner of the Shopping Center. **Scoping - and any county planning decision - should be based on facts and the potential negative or positive effects of the proposed project.**

CSERC Scoping Comments

1) ANALYSIS SHOULD COMPARE TO WHAT IS NOW ALLOWED BY EXISTING APPROVAL

It is CSERC's perspective that scoping analysis for issues affecting water use, sewer, traffic, noise, and other potential project effects should be carefully considered for whether the new proposal **is relatively the same** as what is now already approved with existing county approval, or to what degree the apartments and single brewhouse/restaurant retail site **will ADD** to what is already fully approved.

For example, if the approved, existing offices or retail units in the upper two-story building and in the long wing of one-story previous retail units were previously approved to utilize water and sewer for those commercial uses, CSERC believes that <u>the analysis for this new proposed renovation and conversion to apartments for those buildings should narrowly focus on whatever "additional" (if any) demands for water, sewer, parking spaces, transportation mitigation should be mitigated compared to already existing authorizations.</u>

<u>New analysis and new mitigation</u> requirements for traffic, noise, water and sewer demand, etc. <u>should certainly be assessed for the new two-story duplex units and the burner brewhouse and restaurant</u>. But given that past (existing) County authorization already approved full occupancy and use for all of the existing commercial/retail uses in the existing buildings, any new CEQA mitigation requirement should be solely for the additional impacts or demands. It is not

whether 50+ apartments may eventually result in XX demand for county services, but whether the change from potentially fully occupied commercial retail to potentially fully occupied apartments will result in higher or generally the same level of demand for county services.

2) CSERC believes that there needs to be analysis of whether the full project at build-out will result in numerous trade-off consequences that may be both negative and positive. For instance, on one hand the project at build-out may increase day-time noise in the project vicinity during the summer season if children or families are making use of the park space or the dog park. Dogs will bark. Kids may yell and whoop. But using that as an example, since the sounds of students at Twain Harte Elementary School playing outside can be regularly heard for a considerable distance away from the school many days, will the noisy sounds of kids or families playing at the new Park be inconsequential in comparison?

3) Will housing availability be beneficial? Our CSERC staff has heard directly from U.S. Forest Service, State Park, and other agency officials that they in the past two years they have been unable to fill sorely needed local area jobs with their agencies due to a lack of available housing in the County. Will having 50+ available apartments or duplex units available for potential new firefighters, foresters, State Park maintenance workers, or others have an effect that will more-or-less make up for a slightly elevated level of traffic or a slightly increased demand for county services?

WILL OR WON'T THE NEW PROPOSED PROJECT BE ANALYZED AS IN-FILL?

As was briefly mentioned at the Townhall session, this is the first major development proposal that our Center has reviewed in many years that would utilize an already-developed parcel rather than result in the need to clear a vacant parcel or sprawl outward into a new area.

To what degree does the utilization of an existing in-fill property help to mitigate various potential project effects? If this same number of new apartments and a new retail restaurant/brewhouse were proposed for an undeveloped site on the perimeter of a community, wouldn't the potential environmental, traffic, and county services demand be worse? Isn't infill and the utilization of an already disturbed parcel highly consistent with the goals and objectives of the County General Plan?

CLOSING

The more that a development proposal is located near existing residential and commercial development, the more likely it becomes that a segment of the local community will advocate for "no change" or "not in my backyard." Those local residents who have little or no concerns about renovating the Shopping Center were not motivated to show up to speak at the Townhall. Unfortunately, misinformation or false claims can become entrenched and fully believed by those who then show up with passionate objections to oppose filling the vacant buildings with apartments. It is our Center's hope that misinformation will not prevail and that this project will be fairly evaluated on its merits or its true potential effects. We will await the CEQA before taking a firm position on project phases or the entire project.



Executive Director

California Department of Transportation

OFFICE OF THE DISTRICT 10 PLANNING
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www.dot.ca.gov

February 2, 2022

Mrs. Cheydi Gonzales, Planner
Tuolumne County
Community Development Department
Sonora, CA 95370

TUO-108-PM 30.157
General Plan Amendment
GPA21-005
Zone Change RZ21-012

Mrs. Gonzales,

The California Department of Transportation (Caltrans) appreciates the opportunity to review and comment on the General Plan Amendment (GPA21-005) and Zone Change (RZ21-012) to amend the land use designations of six parcels from General Commercial (GC) to Mixed Use (MU) as follows: Amend a 8.56-acre Parcel 048-690-046 from GC to MU; Amend a Parcel 048-680-067 from GC to MU; Amend a 0.34-acre Parcel 048-680-053 from GC to MU; Amend a 0.28-acre Parcel 049-140-039 from GC to MU. Project consist of six parcels as follows: 048-680-046, 048-680-067, 048-680-053, 049-140-039, 049-140-049, 049-140-016. The project sites are located at 18711 Tiffeni Drive and 22990, 22984, 22930 Twain Harte Drive in the community of Twain Harte. It is approximately 3,000 feet from State Route (SR) 108 and Twain Harte Drive Intersection.

Caltrans has the following comments:

Travel Forecasting
Page 1 of the Stakeholder Notification, four parcels Assessor Parcel Numbers (APNs) 048-680-046, 048-680-067, 048-680-053, and 049-140-039) are identified for GP Land Use redesignation from General Commercial (G-C) to Mixed-Use (M-U). Those same four parcels plus an additional two parcels (APN's 049-140-049 and 049-140-016, for a combined total of six APN's) are to be rezoned from General Commercial (C-1) to Mixed-Use (M-U). For consistency, do APN's 049-140-049 and 049-140-016 also need to be identified for General Plan Land Use redesignation?

A Vehicle Miles Traveled (VMT) analysis is not required for General Plan Amendments and Zone changes, however a VMT analysis may be requested when any new developments of projects are proposed with these parcel (APN's) in question in the future.

Traffic Operations
Any future developments on these parcels need to be submitted to Caltrans for review.

Encroachments
If any future project construction activities encroach into Caltrans Right of Way (ROW), the project proponent must submit an application for an Encroachment Permit to the Caltrans District 10 Encroachment Permit Office. Appropriate environmental studies must be submitted with this application. These studies will include an analysis of potential impacts to any cultural sites, biological resources, hazardous waste locations, and/or other resources within Caltrans ROW at the project site(s). For more information please visit the Caltrans Website at:
https://dot.ca.gov/programs/traffic-operations/ep/applications

If you have any questions or would like to discuss these comments, please contact Michael Casas at (209) 986-9830 (Email: michael.casas@dot.ca.gov) or me at (209) 483-7234 (Email: gregoria.ponce@dot.ca.gov).

Sincerely,

Gregoria Ponce'

Gregoria Ponce', Chief
Office of Rural Planning

c: Quincy Yaley, Director, Tuolumne County Community Development Department

California Department of Transportation

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www.dot.ca.gov

October 28, 2022

Cheydi Gonzales
Land Use Coordinator
Tuolumne County Community
Development Department
48 Yaney Avenue
Sonora, CA 95370

TUO-108-PM 11.423
General Plan Amendment
GPA21-005, RZ21-012,
SDP22-007, and CUP22-011

Dear Ms. Gonzales,

The California Department of Transportation (Caltrans) appreciates the opportunity to review and comment on the proposed General Plan Amendment GPA21-005 and Zone Change RZ21-012 to amend the land use designation of an 8.56± acre parcel from General Commercial (GC) to Mixed Use (MU) and rezone from General Commercial Mobile home Exclusion Combining (C-1:MX) to Mixed Use (M-U) under Title 17 of the Tuolumne County Ordinance Code (TCOC). A Site Development Permit SDP22-007 and Conditional Use Permit CUP22-011 is also proposed to allow the phased development of housing, consisting of 54 apartments, a new retail building, dog park, playground, water fountain, linear exercise park and associated infrastructure and development of 54 residential units on the 8.56± acre parcel.

The project site is located at 18711 Tiffeni Drive in the community of Twain Harte on Assessor Parcel Number (APN) 048-680-046.

Caltrans has the following comments:
Caltrans suggests that the County of Tuolumne continue to coordinate with Caltrans in identifying and addressing potential pedestrian safety and cumulative transportation impacts from this project and other developments near this location. This will assist Caltrans in ensuring that pedestrian, traffic safety, and quality standards are maintained for the traveling public on existing and future state transportation facilities in Tuolumne County.

Traffic Operations
A Traffic Impact Study (TIS) will need to be submitted. The TIS needs to evaluate impacts to State Route (SR)108 due to increase in traffic from proposed project.

Hydrology
Based on existing topography, site runoff will not flow into Caltrans Right of Way (ROW). If there are any changes to the project or site drainage, we request to review and comment on those drainage plans.

Environmental
The project will occur approximately 0.25 mile from SR 108. However, if any construction related activities do encroach into Caltrans ROW, the project proponent must apply for an Encroachment Permit to the Caltrans Encroachment Permit Office. All California Environmental Quality Act (CEQA) documentation, with supporting technical studies, must be submitted with the Encroachment Permit Application. These studies will include an analysis of potential impacts to any cultural sites, historic properties, biological resources, hazardous waste locations, scenic highways, and/or other environmental resources within Caltrans Right of Way, at the project site(s).

If any project activities encroach into Caltrans Right of Way (ROW), the project proponent must submit an application for an Encroachment Permit to the Caltrans District 10 Encroachment Permit Office. Appropriate environmental studies must be submitted with this application. For more information, please visit the Caltrans Website at: https://dot.ca.gov/programs/traffic-operations/ep/applications

If you have any questions or concerns, please contact Shiferaw Jemberie (209) 986-9635 (email: Shiferaw.jemberie@dot.ca.gov) or me at (209) 483-7234 (email: Gregoria.Ponce@dot.ca.gov).

Sincerely,

Gregoria Ponce'

Gregoria Ponce', Chief
Office of Rural Planning

c: David Ruby, Planning Manager, Tuolumne County Planning Department

California Department of Transportation

OFFICE OF THE DISTRICT 10 PLANNING
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April 4, 2023

Natalie Rizzi
Senior Planner
Tuolumne County Community
Development Department
48 Yaney Avenue
Sonora, CA 95370

TUO-108-PM 11.423 Twain Harte Shopping Center Housing – GPA22-011, RZ21-012, SDP22-007, CUP22-011

Dear Ms. Rizzi,

The California Department of Transportation (Caltrans) appreciates the opportunity to review and comment on the Twain Harte Villages Site Plan. The site development consists of single story and two-story apartments.

The project site is located at 18711 Tiffeni Drive in the community of Twain Harte, approximately 290± feet northeast of the intersection of Tiffeni and Twain Harte Drive on Assessor Parcel Number 048-680-046.

Caltrans has the following comments:
Caltrans suggests that the County of Tuolumne continue to coordinate with Caltrans in identifying and addressing potential pedestrian safety and cumulative transportation impacts from this project and other developments near this location. This will assist Caltrans in ensuring that pedestrian, traffic safety, and quality standards are maintained for the traveling public on existing and future state transportation facilities in Tuolumne County.

Environmental
The project will occur approximately 0.25 mile from State Route (SR) 108, so there are no environmental concerns for Caltrans Right of Way (ROW). However, if the scope of work changes and construction related activities do encroach into Caltrans ROW, the project proponent must apply for an Encroachment Permit to the Caltrans Encroachment Permit Office. All California Environmental Quality Act (CEQA) documentation, with supporting technical studies, must be submitted with the Encroachment Permit Application. These studies will include an analysis of potential impacts to any cultural sites, historic properties, biological resources, hazardous waste locations, scenic highways, and/or other environmental resources within Caltrans ROW at the project site(s).

Traffic Operations
A Traffic Impact Study (TIS) will need to be submitted. The TIS needs to evaluate impacts to State Route (SR) 108 due to increase in traffic from proposed project.

Hydrology
Based on existing topography, site runoff will not flow into Caltrans ROW. We have no concerns or comments at this time. If there are any changes to project site drainage, we request to review drainage plans.

Encroachment Permits
If any project activities encroach into Caltrans ROW, the project proponent must submit an application for an Encroachment Permit to the Caltrans District 10 Encroachment Permit Office. Appropriate environmental studies must be submitted with this application. For more information, please visit the Caltrans Website at: https://dot.ca.gov/programs/traffic-operations/ep/applications

If you have any questions or concerns, please contact Shiferaw Jemberie (209) 986-9635 (email: Shiferaw.jemberie@dot.ca.gov) or me at (209) 483-7234 (email: Gregoria.Ponce@dot.ca.gov).

Sincerely,

Gregoria Ponce'

Gregoria Ponce', Chief
Office of Rural Planning

c: David Ruby, Planning Manager, Tuolumne County Planning Department

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April 4, 2023

Natalie Rizzi
Senior Planner
Tuolumne County Community
Development Department
48 Yaney Avenue
Sonora, CA 95370

TUO-108-PM 11.423 Twain Harte Shopping Center Housing – GPA22-011, RZ21-012, SDP22-007, CUP22-011

Dear Ms. Rizzi,

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Caltrans has the following comments:
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Traffic Operations
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If you have any questions or concerns, please contact Shiferaw Jemberie (209) 986-9635 (email: Shiferaw.jemberie@dot.ca.gov) or me at (209) 483-7234 (email: Gregoria.Ponce@dot.ca.gov).

Sincerely,

Gregoria Ponce'

Gregoria Ponce', Chief
Office of Rural Planning

c: David Ruby, Planning Manager, Tuolumne County Planning Department

COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

48 Yaney Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
(209) 533-5633
(209) 533-5616 (Fax)
(209) 533-5909 (Fax – EHD)
www.tuolumnecounty.ca.gov

Date: January 12, 2022

To: Interested Stakeholder

From: Tuolumne County Community Development Department

RE: General Plan Amendment GPA21-005 and Zone Change RZ21-012
Assessor's Parcel Numbers: 048-680-046,048-680-067,048-680-053,049-140-049,049-140-016,049-140-039

The Community Development Department thanks you for your participation in the land development process in Tuolumne County. We value your comments and look forward to your continued participation in our planning process. This process provides information on your requirements and concerns to the applicant early in the review process. Involvement on your part can eliminate or minimize problems that could arise later.

Applicant: Howard Schindler and Saul Gevertz
Project Manager: Erik Smith; erik@arksmithdesign.com

Project: The Community Development Department (CDD) has received an application for the following:

1. General Plan Amendment GPA21-005 to amend the land use designation of four parcels from General Commercial (GC) to Mixed Use (MU) as follows:

Assessor's Parcel Number (APN)	Acres±	CURRENT General Plan Designation	PROPOSED General Plan Designation	Location/Address
048-680-046	8.56±	GC	MU	18711 Tiffeni Drive
048-680-067	0.18±	GC	MU	Adjacent to 18711 Tiffeni Drive
048-680-053	0.34±	GC	MU	Adjacent to 18711 Tiffeni Drive
049-140-039	0.28±	GC	MU	22930 Twain Harte Drive

2. Zone Change RZ21-012 to rezone six parcels as follows:

APN	Acres±	CURRENT Zoning	PROPOSED Zoning	Location/Address
048-680-046	8.56±	C-1:MX	M-U:MX	18711 Tiffeni Drive
048-680-067	0.18±	C-1:D:MX:O	M-U:MX:O	Tiffeni Drive
048-680-053	0.34±	C-1:D:MX	M-U:D:MX	Tiffeni Drive
049-140-049	0.32±	C-1:D:MX	M-U:D:MX	22990 Twain Harte Drive
049-140-016	0.83±	C-1:D:MX	M-U:D:MX	22984 Twain Harte Drive
049-140-039	0.28±	C-1:D:MX	M-U:D:MX	22930 Twain Harte Drive

Legend:

C-1 = General Commercial
M-U = Mixed Use
D = Design Control Combining
MX = Mobilehome Exclusion Combining
O = Open Space

Location: The project site is located at 18711 Tiffeni Drive and 22990,22984,22930 Twain Harte Drive in the community of Twain Harte. Located within a portion of Section 9, Township 2 North, Range 16 East, Mount Diablo Baseline and Meridian. Located within Supervisorial District 3.

Please see the attached vicinity map for parcel locations.

Access: Tiffeni Drive/Twain Harte Drive

Sewage Disposal Method: Twain Harte Community Services District

Water Source: Twain Harte Community Services District Please see attached comments.

Fire Hazard Rating: High fire hazard severity zone Twain Harte Community Services District

Additional Information:

1. Permitted and Conditional uses for the proposed M-U district can be found at this link below: https://www.tuolumnecounty.ca.gov/DocumentCenter/View/435/Chapter-1730---Mixed-Use-District-or-MU-District?bidId=

2. General zoning information can be found here: https://www.tuolumnecounty.ca.gov/179/Planning

3. Within any mobilehome exclusion combining (:MX) district, no mobilehome may be used as a permanent residence on any individual parcel unless it is installed on a foundation system, has skirting around the mobilehome, and no more than ten years have elapsed between the date of the manufacture of the mobilehome and the date of the application for a building permit to install the mobilehome (TCOC 17.48.020).

4. Future uses on each property may require further evaluation, permits and review.

Please return your comments to the CDD by **January 26, 2022**. Comments may be emailed to Cheydi Gonzales, cgonzales@co.tuolumne.ca.us Comments may also be mailed to: 2 South Green Street, Sonora, CA 95370 or brought to the Community Development Department.

Staff Contact: Cheydi Gonzales
Phone: (209) 533-6641
Email: cgonzales@co.tuolumne.ca.us

AGENCY: _____

COMMENTS: _____

_____

_____

_____

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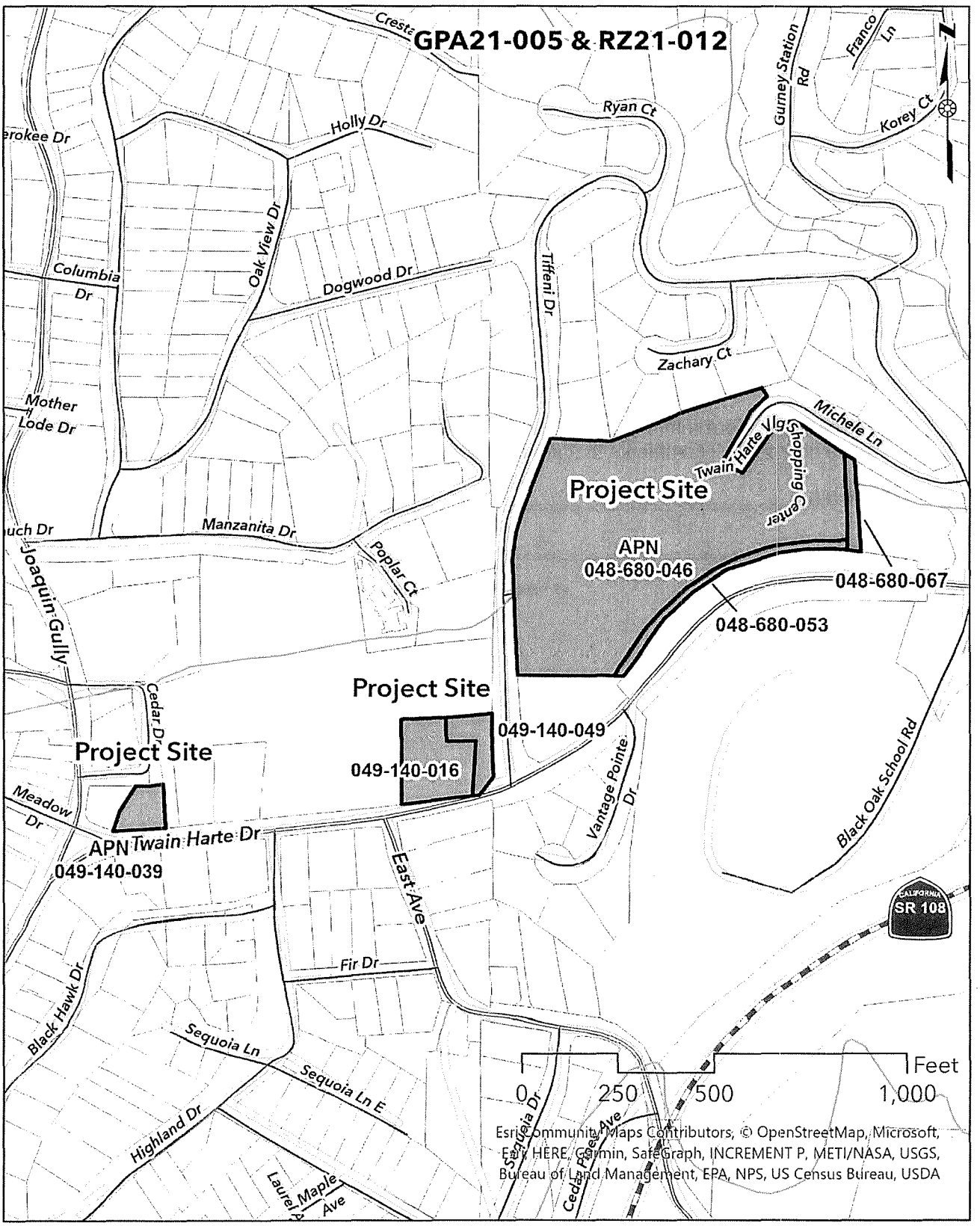
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All property owners within 1000 feet of the proposed project will be notified of future public hearings. Please note that all comments that are submitted are part of the public record for the project.

Signed by: _____

Agency: Tom Trott, Twain Harte Community Services District Date: 1/26/22

ATTACHMENT 1: VICINITY MAP



Twain Harte Community Services District

P.O. Box 649 ▪ Twain Harte, CA 95383
Phone: (209) 586-3172 ▪ Fax: (209) 586-0424
www.twainhartecsd.com

Directors: Gary Sipperley ▪ Kathryn deGroot ▪ Eileen Mannix ▪ Charlotte Bohlman ▪ Richard Knudson

January 26, 2022

TO: Cheydi Gonzales via Email

SUBJECT: Comments on General Plan Amendment GPA21-005
APN 048-680-046, 048-680-067, 048-680-053, 048-140-039

Dear Cheydi Gonzales:

Thank you for providing Twain Harte Community Services District (THCSD) the opportunity to comment on the proposed General Plan Amendment GPA21-005, which proposes to change the subject parcels from General Commercial to Mixed Use zoning. We have the following comments that we also ask that you communicate to the Applicant:

1. This project has the potential to significantly impact THCSD's services, especially water, sewer and fire protection. As such, we request to be involvement in the project planning and CEQA.

2. As the provider of Water, Sewer, Fire Protection, and Park and Recreation services to the subject parcels, any future projects or changes will be required to comply with all THCSD ordinances, regulations and policies, including the payment of connection, capacity and impact fees for water and sewer services and development impact fees applicable at the time of project permitting.

3. The types of potential development projects allowed by the proposed zone changes were not contemplated as part of the design of THCSD's water and sewer infrastructure. As such, future projects proposed under the new zoning may require the developer to construct significant upgrades to the THCSD's water and sewer system infrastructure to accommodate proposed projects.

4. The access and infrastructure at some of the sites are also not adequate to provide for fire safety of potential developments that could be proposed under the new zoning. Applicant should take note that significant infrastructure and access improvements may be required to provide for fire safety and to meet Fire Ordinances and Codes.

Please feel free to contact me by email (ttrott@twainhartecsd.com) with any questions.

Sincerely,

TOM C. TROTT
General Manager

Twain Harte Community Services District

P.O. Box 649 ▪ Twain Harte, CA 95383
Phone: (209) 586-3172 ▪ Fax: (209) 586-0424
www.twainhartecsd.com

Directors: Gary Sipperley ▪ Kathryn deGroot ▪ Eileen Mannix ▪ Charlotte Bohlman ▪ Richard Knudson

November 2, 2022

TO: Cheydi Gonzales via Email

SUBJECT: Comments on General Plan Amendment GPA21-005, RZ21-012, SDP22-007 and CUP22-011
APN 048-680-046

Dear Cheydi Gonzales:

Thank you for providing Twain Harte Community Services District (THCSD) the opportunity to comment on the subject proposed General Plan Amendment, Ordinance for Zone Change, Site Development Permit and Conditional Use Permit, which proposes to change the subject parcel from General Commercial to Mixed Use zoning and develop 54 residential units, retail building, dog park, playground, water fountain and linear exercise park. We have the following comments that we also ask that you communicate to the Applicant:

1. This project has the potential to significantly impact THCSD's services, especially water, sewer and fire protection. As such, we request to be involvement in the project planning and CEQA.

2. As the provider of Water, Sewer, Fire Protection, and Park and Recreation services to the subject parcels, any future projects or changes will be required to comply with all THCSD ordinances, regulations and policies, including the payment of connection, capacity and impact fees for water and sewer services and development impact fees applicable at the time of project permitting.

3. The proposed development cannot be constructed without the developer constructing significant upgrades to the THCSD's sewer system infrastructure to provide sufficient capacity for the project. At a minimum, the developer will be required to upsize an approximate 335-foot 10" sewer line on Golf Club Drive to a 12" line, among other possible upgrades to accommodate the development.

4. The access and infrastructure at some of the sites may not be adequate to provide for fire safety. Applicant should take note that significant infrastructure and access improvements may be required to provide for fire safety and to meet Fire Ordinances and Codes.

Please feel free to contact me by email (ttrott@twainhartecsd.com) with any questions.

Sincerely,

TOM C. TROTT
General Manager

Location: The project site is located at 18711 Tiffeni Drive and 22990,22984,22930 Twain Harte Drive in the community of Twain Harte. Located within a portion of Section 9, Township 2 North, Range 16 East, Mount Diablo Baseline and Meridian. Located within Supervisorial District 3.

Please see the attached vicinity map for parcel locations.

Access: Tiffeni Drive/Twain Harte Drive

Sewage Disposal Method: Twain Harte Community Services District

Water Source: Twain Harte Community Services District

Fire Hazard Rating: High fire hazard severity zone

Additional Information:

1. Permitted and Conditional uses for the proposed M-U district can be found at this link below: https://www.tuolumnecounty.ca.gov/DocumentCenter/View/435/Chapter-1730---Mixed-Use-District-or-MU-District?bidId=

2. General zoning information can be found here: https://www.tuolumnecounty.ca.gov/179/Planning

3. Within any mobilehome exclusion combining (:MX) district, no mobilehome may be used as a permanent residence on any individual parcel unless it is installed on a foundation system, has skirting around the mobilehome, and no more than ten years have elapsed between the date of the manufacture of the mobilehome and the date of the application for a building permit to install the mobilehome (TCOC 17.48.020).

4. Future uses on each property may require further evaluation, permits and review.

Please return your comments to the CDD by **January 26, 2022**. Comments may be emailed to Cheydi Gonzales, cgonzales@co.tuolumne.ca.us Comments may also be mailed to: 2 South Green Street, Sonora, CA 95370 or brought to the Community Development Department.

Staff Contact: Cheydi Gonzales
Phone: (209) 533-6641
Email: cgonzales@co.tuolumne.ca.us

AGENCY: TCFD

COMMENTS: None as proposed.

All property owners within 1000 feet of the proposed project will be notified of future public hearings. Please note that all comments that are submitted are part of the public record for the project.

Signed by: S. Lucas

Agency: TCPD Date: 1/26/22

Cooperative Fire Protection Services

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Dave Wood, County Fire Chief
Marc DiTullio, Assistant County Fire Chief

18440 Striker Ct. • Sonora, CA 95370
Tel: (209) 533-5100 • Fax: (209) 533-5103

October 31, 2022

To: Cheydi Gonzales, LUNR

From: Steve Gregory, Senior Fire Inspector

Re: Schindler-Gevertz GPA21-005, RZ21-012, SDP22-007 & CUP22-011

After reviewing the above-mentioned project, I offer the following comments:

Prior to the issuance of any building permits, conditions 1, 2 and 3 shall be addressed.

1. The required fire flow for the proposed building is 1,500 gpm at 20-psi for 2 hours with Type V –B construction. If the building's construction type changes, the required fire flow shall also change. Fire flow is determined by the square footage of the largest building on site including all horizontal projections. A reduction of up to 75%, as approved, is allowed when the building is provided with an approved automatic sprinkler system. The resulting fire-flow shall not be less than 1,500 gallons per minute for 2 hours. (CFC Section 507.3)
2. The required fire flow shall be on site, tested and approved by Tuolumne County Fire Prevention prior to the issuance of any building permits. (TCOC Chapter 15.20.010)
3. County Standard Dry Barrel Hydrant shall be available within 250 feet of the furthest portion of all proposed buildings measured by way of drivable access. Tuolumne County Fire Prevention shall approve all hydrant plans, locations and installations. (TCOC Chapter 15.20)
4. All R-2 occupancies shall be equipped with an automatic sprinkler system meeting all requirements of NFPA 13. Submit plans and calculations for the Automatic Engineered Fire Sprinkler System to Fire Prevention for review and approval prior to the issuance of a building permit or the installation of any portion of the system. Plan check fees are assessed upon completion of review. (TCOC Section 15.20.10)
5. The Automatic Engineered Fire Sprinkler System shall be protected by an approved Automatic Electronic Fire Alarm System. The Automatic Electronic Fire Alarm System shall meet all the requirements of CFC 907.2.9 and NFPA 72 for such systems, and monitor water flow, main valve tamper, pull stations, smoke detectors. The system shall be monitored at an approved central station. Plans, specifications and listing numbers shall be submitted to Fire Prevention for review and approval prior to installation of any portion of the alarm system. Plan check fees are assessed upon completion of review. (CFC Section 903.4)
6. Roads shall be provided within 150 feet of all portions of the exterior walls of the proposed buildings. The roads shall be constructed to have an unobstructed width of not less than 20

Dave Wood, County Fire Chief
Marc DiTullio, Assistant County Fire Chief
18440 Striker Ct. • Sonora, CA 95370
Tel: (209) 533-5100 • Fax: (209) 533-5103

feet and an unobstructed vertical clearance of not less than 15 feet. The roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide all-weather driving capabilities. Signs shall be provided and maintained for fire apparatus access roads to identify such roads and prohibit the obstruction thereof or both. The roads shall be posted with signs stating "No Parking Fire Lane" or other language as approved by Fire Prevention. The number and location of the signs shall be as approved by the Fire Prevention Bureau. Red striping on the exterior boundaries of fire access roads shall be used to identify areas of roads and prohibit vehicle obstruction. The configuration of the fire apparatus access roads shall be indicated on the site plan and shall be approved by Fire Prevention. Fire apparatus access roads shall not be blocked in any manner, including parking of vehicles. (CFC Sections 503, TCOC Title 11)

7. For dead-end fire apparatus access roads in excess of 150 feet in length, an area for turning fire apparatus around shall be provided as approved by Fire Prevention. (CFC Section 503)

A more in depth plan review will be conducted upon application for a building permit. If you have any questions regarding the above conditions, please do not hesitate to contact me at your convenience.

Building and Safety Division of CDD

1. This project must comply with all applicable provisions of the Americans with Disabilities Act (ADA), and Chapters 11A and/or 11B of the California Building Code as applicable.

2. Building Permits are required for all Non-Exempt structures being constructed on this project site pursuant to Section 105 of the California Building Code.

3. Hours of construction on the project site shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Saturday. Construction shall be prohibited on Sunday and County holidays. Exceptions to these hours this condition may be authorized by the Community Resources Director. (TCOC, Sections 12.20.380 and 17.68.150)

October 18, 2022

Cheydi Gonzales
Tuolumne County Community Development Department
2 South Green Street
Sonora, CA 95370

RE: Tuolumne County Air Pollution Control District (District) Comments - General Plan Amendment GPA21-005, RZ21-012, SDP22-007 and CUP22-011

Dear Cheydi Gonzales,

The Tuolumne County Air Pollution Control District (District) is providing the following comments for the general plan amendment GPA21-005, RZ21-012, SDP22-007 and CUP22-011 with a project site located at 18711 Tiffeni Drive Twain Harte.

1. Any construction or site activities that create fugitive dust emissions shall implement dust suppression methods using either water or chemical stabilizer/suppressants. A water truck or other dust suppression equipment shall be on site at all times. The frequency of dust suppression measures shall be dependent on whether visible dust emissions are present. *(TCAPCD Rule 505 - Conditional Approval)*

2. Should serpentine or ultramafic rock be found on site, a Dust Mitigation Plan pursuant to Air District Rule 908 - *Asbestos ATCM*, shall be submitted to the Air District prior to any building or site work. *(TCAPCD ATCM 908 - Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations)*

3. Any construction activities, road construction, road maintenance, or grading that disturbs naturally occurring asbestos, serpentine, or ultramafic rock shall be subject to TCAPCD Rules and Regulations, Regulation IX, Rule 908 unless specifically exempted under Sections (C) or (D) (3). All dust mitigation requirements shall be implemented and maintained throughout the duration of the construction or grading activity.
    a. Requirements for Road Construction and Road Maintenance Activities:
        i. Equipment and operations must not cause any visible dust crossing project boundaries;
        ii. Unpaved roads, area subject to vehicle traffic, storage piles, and disturbed areas shall be kept adequately wetted, treated with dust suppressants, or covered with material that contains less than 0.25% asbestos;
        iii. Construction vehicle speeds shall be limited to 15 mph; and
        iv. Track out from any road construction project is prohibited on any paved public roadway.

4. Exposed serpentine gravel is prohibited on the project site, unless exempted pursuant to TCAPCD Rules and Regulations, Regulation IX, Rule 904 Section (F) or Rule 908 Section (C) or

(D)(3). No person shall use apply, sell, supply, or offer for sale or supply any restricted material (as defined in subsection (I)(20) of Rule 904) for surfacing, unless it has been tested and determined to have an asbestos content that is less than 0.25 percent. Any roadway including road shoulders or any surface that is subject to vehicular travel or pedestrian access must be completely covered with non-restricted material. *(California Health and Safety Code, Sections 93105 and 93106)*

5. Any aggregate rock used for surfacing material that contains greater than 0.25% asbestos shall be incorporated into or completely covered by asphalt concrete, Portland cement concrete, or other similarly cemented material. *(TCAPCD ATCM 904 - Asbestos ATCM for Surfacing Applications)*

6. Existing county or State paved roads and streets adjacent to the construction site shall be cleaned as necessary to limit track out and prevent fugitive dust. *(TCAPCD Rule 505 - Conditional Approval)*

7. Open burning of vegetation for land clearing purposes shall be prohibited without a valid burn permit from the District. *(TCAPCD Rule 310.2(A) - Land Development Clearing)*

8. CARB mobile equipment regulations shall be adhered to for all diesel fired mobile sources used at this site during construction. *(CCR Title 13 Section 2449 et al)*

9. Any diesel fired portable equipment used at this site during construction shall comply with the *ATCM for Diesel PM from Portable Engines Rated at 50 BHP or Greater. (CCR Title 17 Section 93116)*

10. EPA certification shall be provided for any woodstoves proposed for use in structures on this real property. Fireplaces are discouraged. *(2018 General Plan, Implementation Program 12.C.a; CEQA, Chapter 15, Policy 15.C.1)*

11. Demolition or renovation of a structure may disturb asbestos containing material, which would require a survey and/or notification to the U.S. EPA and California Air Resources Board (CARB) as per the National Emissions Standards for Hazardous Air Pollutants (NESHAP). *(Asbestos NESHAP, 40 CFR Part 61, Subpart M, Section 61.145 Standard for Demolition and Renovation)*

If you have any questions or need additional information, please call me at (209) 533-6677 or email to yzardo@co.tuolumne.ca.us.

Sincerely,

Yousif Zardo
Deputy Air Pollution Control Officer

c. Kelle Schroeder, Air Pollution Control Officer

TUOLUMNE UTILITIES DISTRICT
18885 Nugget Blvd. | Sonora, CA 95370
(209) 532-5536 | www.tudwater.com

October 31, 2022

Tuolumne County Community Resources Agency
Attn: Cheydi Gonzales
2 S. Green St.
Sonora, CA 95370

RE: GPA21-005, RZ21-012, SDP22-007, CUP22-011, APN: 048-680-046.

To Whom It May Concern:

The following is in response to your letter to advisory agencies dated October 17, 2022. This letter is not a commitment to serve the proposed project; rather, it is to advise the County that the District could legally serve the proposed project and to provide information to assist the County regarding the District's sewer facilities. Sewer capacity is not reserved for the project until all capacity fees have been paid. The District is not obligated to serve the development until certain conditions are fulfilled, some of which are listed below. The project proponent is advised to contact the District as soon as possible to discuss the conditions of service and the associated fees.

WATER SYSTEM INFORMATION and CAPACITY

The Tuolumne Utilities District does not provide water service to this area. The project site may be located within the service area of the Twain Harte Community Services District.

Water Supply Capacity: Not Applicable.

Water Treatment Capacity: Not Applicable.

Water Storage Capacity: Not Applicable.

Water Pumping Capacity: Not Applicable.

Water Distribution Capacity: Not Applicable.

SEWER SYSTEM INFORMATION and CAPACITY

The Tuolumne Utilities District does not provide water service to this area. The project site may be located within the service area of the Twain Harte Community Services District.

Sewer Collection Capacity: Not Applicable.

Sewer Treatment Capacity: Not Applicable.

Sewer Disposal Capacity: The District receives wastewater from the Twain Harte Community Services District; the proposed development may result in additional impacts to the District's disposal facilities which may require mitigation.

CONDITIONS OF SERVICE:

Sewer

1. Sewer "Change In Use" Capacity Fees: The District receives wastewater from the Twain Harte Community Services District collection system. THCSD pays, to the District, wastewater capacity fees for new development in the THCSD's service area. The proposed project appears to be a "change in use" which may result in increased demands upon the District's disposal facilities. Future development at the proposed project site may require

prepayment the District's capacity fees to fund improvements to the disposal facilities of the District's Reclamation System due to limited capacity within this facility. Capacity fees would be proportional to anticipated demands exceeding the capacity currently allocated for the project site.

Prior to service by the District, the project proponent would be required to pay all applicable fees and charges. In cases where it is determined that existing District facilities do not contain sufficient capacity to serve the project, the project proponent would be required to construct or improve District facilities before service can be provided. The project proponent is advised to contact the District at the early stages of project development for an estimate of the "Change in Use" fees and/or charges. Fees and/or charges are subject to increases on July 1st annually.

Regards,

Antonio J. Ramirez
Engineering Services Technician
(209) 532-5536 Ext. 511

Comments Received During Initial Stakeholder Notification Circulated on January 12, 2022

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Thursday, January 27, 2022 7:02 AM
To: Kimberly Darr
Subject: RE: General Plan Amendment GPA21-005 and Zone Change RZ21-012

Greetings,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record pertaining to the project.

Should you have any questions pertaining to the application process please reach out to me directly.

Have a great day,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Kimberly Darr <kimberlyadarr@gmail.com>
Sent: Wednesday, January 26, 2022 12:26 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: RE: General Plan Amendment GPA21-005 and Zone Change RZ21-012

I received an interested stakeholder letter regarding the General Plan Amendment and zoning changes. As a Twain Harte property and business owner the wellbeing and long-term viability of Twain Harte's economy is important to both my business and my family. COVID 19 has changed the landscape of commercial real estate and I think communities would be smart to tackle the issue head on and create mixed use zoning wherever feasible. I do have concerns about the current state of the shopping center, the long term apparent deliberate vacancies and condition of the property but I support the concept of mixed use and find it a potential solution to utilizing empty commercial space.

Sincerely,

Kimberly Darr
22910 Twain Harte Drive
Twain Harte CA 95383

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Thursday, January 27, 2022 7:05 AM
To: Darren Daily
Subject: RE:

Greetings,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record pertaining to the project.

Should you have any questions pertaining to the application process please reach out to me directly.

Have a great day,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Darren Daily <darrendaily@gmail.com>
Sent: Wednesday, January 26, 2022 12:36 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject:

Hello Cheydi and all interested parties,

I would like to introduce myself in context of being a local Realtor, with my office in Twain Harte as well as a direct member of not just the county but as a full time resident of the township of Twain Harte (address can be provided). I have a history in the local ski industry as well as being the former General Manager of Staples in Sonora. I mention these items to show my experience and frustration as both a resident and an active employer in both Tuolumne County and Twain Harte in particular. In addition, my Wife is an experienced entrepreneur who has plans to expand a business into one of the existing shop fronts in the current shopping center. We as residents and business people have long been frustrated by the local attitude against change, of apparently, any kind. Our community has so much potential to have controlled, monitored, healthy growth. Many community residents feel any expansion will be to the detriment of our "quaint small community", yet at the same time these individuals do not seem to grasp that our county, especially the higher altitudes SURVIVES on the business that is brought in by visitors.

We need more business opportunities, both for the members of our community as well as the visitors to our area. We desperately need more available housing for existing community members and for the ability to bring in more residents to support a growing economy and infrastructure. This type of business proposal is the most encouraging attempt to solve some of our problems and exponentially add growth and health to both the community and economy. Ideas like eliminating or penalizing short term rentals in an attempt to create housing are the exact opposite. Removing the potential visitor economy would simply eliminate the need for housing as all the businesses would suffer and fail eliminating local jobs and exacerbating existing conditions.

--
Darren Daily
CA DRE #01778169
209-613-5927
Century 21 Wildwood Properties Inc.
Pinnacle Award for customer satisfaction

FB @ The Daily Realtor

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Tuesday, January 25, 2022 2:37 PM
To: Flora Moreno de Thompson
Subject: RE: Support of rezoning and development of Twain Harte Village Shopping Center

Greetings,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record pertaining to the project.

Should you have any questions pertaining to the application process please reach out to me directly.

Thank you,
Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Flora Moreno de Thompson <flo.mo.tho@gmail.com>
Sent: Saturday, January 22, 2022 8:06 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: Support of rezoning and development of Twain Harte Village Shopping Center

Hello,

My name is Flora Moreno de Thompson and our family owns a home in Twain Harte. I am writing in support of the proposed redevelopment of the Twain Harte Village Shopping Center to add housing.

There is not enough housing currently available in Twain Harte and surrounding areas. Higher density housing is needed to meet the needs of our community. I'm looking forward to seeing this project and its phases come to fruition.

Thank you for your time,
Flora Moreno de Thompson

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Wednesday, January 19, 2022 11:14 AM
To: Chris Riggins
Subject: RE: Comments re: General Plan Amendment GPA21-005 and Zone Change RZ21-012

Greetings,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be apart of the public record pertaining to the project. Should you have any questions please reach out to me directly.

Thank you and have a good day,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Chris Riggins <criggins@yahoo.com>
Sent: Saturday, January 15, 2022 6:32 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: Comments re: General Plan Amendment GPA21-005 and Zone Change RZ21-012

Agency: Self, Twain Harte CA home owners since 2001

Comments: The properties described in GPA21-005 include the property that currently houses the Twain Harte Market. The Twain Harte Market is, in my opinion, a local treasure. It is the best grocery store within many miles in either direction along Hwy 108 and needs to be kept for the benefit of Twain Harte and surrounding communities.

I understand the property owner's desire to make the property more profitable given that all but one or two businesses have managed to survive the Covid pandemic. If mixed use zoning means that the TH Market can be preserved and other uses for the property will be thoughtfully considered then that is fine. It is a high fire hazard area and of course California is suffering through yet another drought so concerted thought must be given to the other uses of the property including evacuation in the case of fire, water use, traffic, etc.

If I were allowed to vote on this plan, I would only vote yes if the mixed use plans for this property were well thought out for all of the things that I have mentioned above and fully documented in advance of the vote on GPA21-005.

Sincerely,

Michael C. and Katherine D. Riggins
Twain Harte CA property owners

From: Deborah Baird
To: Cheydi Gonzales
Subject: Twain Harte Market rezoning disageement
Date: Tuesday, April 12, 2022 2:03:39 PM

Dear Tuolumne County Council Members,

I am just below Twain Harte but frequent Twain Harte as well as Sonora. I love the Twain Harte community and feel it is a better representation of my location than Sonora which has grown quite a bit in the past years. The news about the rezoning for Twain Harte Market is very disheartening. I prefer to stop there especially when going north or to pick up something small. It will be a very sad day when they are gone and even sadder if high density housing will be replacing the only local grocery store spot in the area.

I would be worried that those who live above Twain Harte will be not only financially burdened by this change but also be put in a dangerous situation by the city during winter months. When there is snow the steep slope down from Twain Harte to Sonora is a dangerous road which you as the county will be forcing the residents to drive to get to the next closest grocery store.

I also agree that rezoning and allowing this property to no longer provide stores such as the grocery store and pharmacy would be a huge finacial burden to all the county residents east of Sonora all the way up the pass. We will be forced to drive an additional 10 miles to get to the grocery store. This may not sound horribly bad but if you add to the fact that the 2 closest grocery stores are also at 1,300' and 1,700' lower elevation that reduces fuel economy significantly. The average trips to a grocery store is 1.6 per week. This means the average person would take 6-7 trips a month. If each trip in gas requires 3 gallons more to get there and gas costs $5.50/gallon that is costing everyone about $115 per month more. This will hurt the community huge where most of our citizens are retired, low income and most can not afford or be ok with paying a $115 monthly fee just to go to a grocery store.

Another issue brought to my attention with rezoning and allowing high density housing is that you are also at the same time removing services needed to support those residence. The community may need more high density housing or low income housing but the location is not ideal in many perspectives. There is not the stores, healthcare, or other essential services that you find in larger populated areas such as Sonora. Twain Harte will only be left with a hardware store, restaurants and some small businesses. There will only be less local jobs with a higher population. This movement is backwards from sustainability. There will be no grocery store, pharmacy, hospital, food bank, etc. And the cost to go to those essential places in Sonora will be pricey in the cost of gas making low income a horrible idea especially when you are removing essential business in the process.

We need to have planning up along 108 that makes common sense. It is not just the grocery store that is being attacked. The loss of the pharmacy due to the process has been already detrimental. The pharmacy provided not only drugs but all sorts of crafts, clothing and I am sure good tax revenue for the county. I'm sure the pandemic has hit these businesses hard but the community needs these businesses and their services. It is our county's electives to ensure the citizens and developments are utilizing locations as best use not only for profit but for sustainability and positive growth.

We love our Tuolumne County and the Twain Harte community as well as Confidence, Long Barn, MiWok, Pinecrest, Strawberry and beyond. All of these and other small communities are being affected by this change and we need your help to correct it. What is the county's plan for supporting the communities east of Sonora? Please don't allow this rezoning at the Twain Harte Shopping Center without seriously assessing the best use for this location. To me it is a prime location for business, healthcare, activites, etc.

Do you realize that there are more than 221 vacation rentals available in the area? There are vacant homes available, managing types of rentals and businesses is essential for the county to maintain a healthy balance. Removing a prime essential business to add more housing is more of a band aid that will only leak and cause more festering in the current market.

It would be understandable if other stores were coming into the Twain Harte Shopping Center as change happens. The issues with rezoning in effect will be removing the stores, reducing the number of local jobs, increasing everyone in numerous communities' cost to get groceries, increasing population in high density where essential services are not close is a very poor planning move and putting all the residence east of Sonora in harm by forcing them to drive a dangerous road in winter to get to the grocery store when it really should not be necessary.

Please understand how this rezoning can and most certainly will have a negative impact on not only Twain Harte but every one of the communities east on the 108.

Thank you,
Deborah Baird

Location: The project site is located at 18711 Tiffeni Drive and 22990,22984,22930 Twain Harte Drive in the community of Twain Harte. Located within a portion of Section 9, Township 2 North, Range 16 East, Mount Diablo Baseline and Meridian. Located within Supervisorial District 3.

Please see the attached vicinity map for parcel locations.

Access: Tiffeni Drive/Twain Harte Drive

Sewage Disposal Method: Twain Harte Community Services District

Water Source: Twain Harte Community Services District

Fire Hazard Rating: High fire hazard severity zone

Additional Information:

1. Permitted and Conditional uses for the proposed M-U district can be found at this link below: https://www.tuolumnecounty.ca.gov/DocumentCenter/View/435/Chapter-1730---Mixed-Use-District-or-MU-District?bidId=

2. General zoning information can be found here: https://www.tuolumnecounty.ca.gov/179/Planning

3. Within any mobilehome exclusion combining (:MX) district, no mobilehome may be used as a permanent residence on any individual parcel unless it is installed on a foundation system, has skirting around the mobilehome, and no more than ten years have elapsed between the date of the manufacture of the mobilehome and the date of the application for a building permit to install the mobilehome (TCOC 17.48.020).

4. Future uses on each property may require further evaluation, permits and review.

Please return your comments to the CDD by **January 26, 2022**. Comments may be emailed to Cheydi Gonzales, cgonzales@co.tuolumne.ca.us Comments may also be mailed to: 2 South Green Street, Sonora, CA 95370 or brought to the Community Development Department.

Staff Contact: Cheydi Gonzales
Phone: (209) 533-6641
Email: cgonzales@co.tuolumne.ca.us

AGENCY: _____

COMMENTS: I am a new resident in Twain Harte as of July 2021. The main reason I bought in this community is because of its small community feel. I am 100% opposed to any type of MX - Mobile Home Zoning as well as Section 8 Housing. The shopping

Center C-1 zoning I am in favor of, as well as short term rentals, and residential units. Possible suggest could also be adult community 55 Plus. A resort type setting with part time rentals, condos & vacation opportunities bringing in more money to community and possibly more small retail & restaurant opportunity. Again I am 100% Against any type of Mobil Home or Section 8 Housing!!

All property owners within 1000 feet of the proposed project will be notified of future public hearings. Please note that all comments that are submitted are part of the public record for the project.

Signed by: Anette Garcia

Agency: _____ Date: 1/26/2021

April 11, y

Ms. C. Gonzales
2 South Green St.
Sonora, DA 95370

Dear Ms. Gonsales:

I am very concerned regarding some of the recent and upcoming changes at the Twain Harte Shopping Center. With the closure and reallocation of this properties current establishments it will seriously effect the Twain Harte Community as well as communities further up the mountain on Hwy 108. Twain Harte Market was the closest market that provided a full grocery store selection to the surrounding communities and all the communities on the west side of the Sonora Pass. With allowing this property to change its zoning it is also creating a serious community problem with available grocery stores. Many grocery stores have opened in the Sonora area but none have been opening in the more rural areas at higher elevations along the 108.

First issue with rezoning and allowing this property to no longer provide stores such as the grocery store and pharmacy would be that all the county residents east of Sonora all the way up the pass will be forced to drive an additional 10 miles to get to the grocery store. This may not sound horribly bad but if you add to the fact that the 2 closest grocery stores are also at 1,300’ and 1,700’ lower elevation that reduces fuel economy significantly. The average trips to a grocery store is 1.6 per week. This means the average person would take 6-7 trips a month. If each trip in gas requires 3 gallons more to get there and gas costs $5.50/gallon that is costing everyone about $115 per month more. This will adversely hurt the community.

Second issue with rezoning and allowing high density housing is that you are also at the same time removing services needed to support those residence. The community may need more high density housing or low income housing but the location is not ideal in many perspectives. There is not the stores, healthcare, or other essential services that you find in larger populated areas such as Sonora. Twain Harte will only be left with a hardware store, restaurants and some small businesses. There will only be less local jobs with a higher population. This movement is backwards from sustainability. There will be no grocery store, pharmacy, hospital, food bank, etc. And the cost to go to those essential places in Sonora will be pricy in the cost of gas making low income a horrible idea especially when you are removing essential business in the process.

Third reason the rezoning is a bad idea. It is not just the grocery store that is being attacked. The down sizing of the pharmacy due to the process has been already detrimental. The pharmacy provided not only drugs but all sorts of crafts, clothing and I am sure good tax revenue for the county. I'm sure the pandemic has hit these businesses hard but the community needs these businesses and their services. It is our counties electives to ensure the citizens and developments are utilizing locations as best use not only for profit but for sustainability and positive growth.

We love our Tuolumne County and the Twain Harte community as well as Confidence, Long Barn, MiWok, Pinecrest, Strawberry and beyond. All of these and other small communities are being effected by this change and we need your help to correct it. What is the counties plan for supporting the communities east of Sonora? Please don't allow this rezoning at the Twain Harte Shopping Center. I would appreciate a response regarding this matter including what the counties plans are for the Twain Harte area and how you plan to address the loss of the closest community grocery store. We have not seen any new grocery stores opening east of Sonora. What about the local crafts, sewing, kids toys, that the pharmacy provided on top of pharmaceuticals?

It would be understandable if other stores were coming in to the Twain Harte Shopping Center as change happens. The issues of rezoning in affect will be removing the stores, reducing the number of local jobs, increasing everyone in numerous communities cost to get groceries, increase population in high density where essential services are not close is a very poor planing move. Please understand how this rezoning can and most certainly will have a negative impact on not only Twain Harte but every one of the communities east on the 108.

Sincerely yours,

Brenda Bordwell

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Wednesday, February 9, 2022 7:13 AM
To: Sharon Wood
Subject: RE: GPA21-005 and Zone Change RZ21-012

Greetings,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record pertaining to the project.

Should you have any questions pertaining to the application process please reach out to me directly.

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Sharon Wood <sawood25@sbcglobal.net>
Sent: Saturday, February 5, 2022 7:30 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: GPA21-005 and Zone Change RZ21-012

We, as homeowners, are not pleased to hear that these general plan amendments are being sought to build low income, government subsidized apartments in Twain Harte. We are against the changes. We do not want dense housing in this area of single family homes.

Wayne and Sharon Wood
23109 Cresta Dr.
Twain Harte, CA 95383

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Thursday, February 3, 2022 12:57 PM
To: Cris Barsanti
Subject: RE: GPA21-005 and Zone Change RZ21-012 Modified Comment Letter -TH Center

Greetings,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record pertaining to the project.

Should you have any questions pertaining to the application process please reach out to me directly.

Have a great day,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Cris Barsanti <cbarsanti68@gmail.com>
Sent: Monday, January 31, 2022 12:15 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: GPA21-005 and Zone Change RZ21-012 Modified Comment Letter -TH Center

Cheydi Gonzales,
RE: GPA21-005 and Zone Change RZ21-012

As someone who follows land planning in the County, I have been made aware of a application for a General Plan Amendment and proposed Zone Change for the shopping center parcel in Twain Harte and a number of other parcels owned by the same applicants. The Mixed Use would allow for a wide range of uses including development of apartments, condominiums, etc. as well as the existing commercial and office space.

At this time, nothing in the Advisory Notice distributed by the Community Development Department contains any information about development plans that would follow approval of the GPA and Zone Change.

But the applicant's representative made a public presentation to the Twain Harte Homeowners Association in which he described plans by the property owners to not only convert existing offices at the shopping center to apartments, but also to clear the forested corner of the shopping center and construct a Phase II apartment building there behind the existing office complex. He also described the construction of a strip of multi-level buildings consisting of new condominiums and a restaurant/bar/entertainment complex in Phase III. The location of these buildings is across the parking lot from the Twain Harte Market, on a hillside below private homes.

Because the applicants have publicized their proposed development plans with specifics, even describing phases, it seems appropriate for the County to make at least a summary of that information available to interested members of the public who may comment on the proposed Mixed Use GPA and Zoning Change.

If a generic approval of the GPA and Zoning Changes is finalized by County supervisors, then all of the already publicized plans by the developers will then be consistent with the adjusted General Plan Designation and Zoning. Then there will be far less ability for concerned citizens to ask for changes or to oppose any portion of the new development. The proposed development plans will simply be pointed to by County planning staff as being fully consistent with the General Plan and Zoning.

This appears to be piecemeal planning. I urge the County to be transparent and open with interested county residents who follow land planning actions, project neighbors and other stakeholders by re-sending the advisory notification with at least a summary of the three phases of planned development that have already been made public by the property owners to the TH Homeowners Association. Those who don't have some connection to a member of the TH Homeowners Association may not have any clue as to what is being planned or any idea what approval of the GPA and Zone Change would trigger.

Thank you for considering my request.

Cris Barsanti


Virus-free. www.avast.com

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Wednesday, February 2, 2022 12:55 PM
To: Arkady Fridman
Subject: RE: Proposed Zoning Changes in Twain Harte

Greetings,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record pertaining to the project.

Should you have any questions pertaining to the application process please reach out to me directly.

Have a great day,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Arkady Fridman <afridman@afridman.com>
Sent: Wednesday, February 2, 2022 10:51 AM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: Proposed Zoning Changes in Twain Harte

Hi Cheydi - I wish this message finds you well. This email is in response to the proposed zoning changes in Twain Harte near the Twain Harte Market.

For context, I own three properties above the Twain Harte Market:

- 23220 Gurney Station Rd, Lot 2, Black Oak Estates Unit 3, APN 048-730-002-000 (primary home)
- 19050 Tiffeni Dr, Lot 31, Black Oak Estates 2, APN 048-680-065-000 (full-time rental)
- Lot 2 Gurney Station Rd APN #048-730-01

As a full-time resident of Twain Harte for 20 years, I posses grave concerns over the proposed zoning changes. In short, Howard Schindler does not maintain the properties he owns in our area. In fact, if you look at his properties APN 049-140-016 and APN 049-140-049, you can make an argument he is a slumlord. Further, even the Twain Harte Market had to file legal suit against Howard in order to repair the leaky roof just a few years ago, and Howard refuses to make additional repairs elsewhere in the center.

However, this email is not about Howard (a non resident of our county); instead, it's about what I have already done and plan to do given this proposal and the prospect of this proposal passing. First, after acquiring the rental property on Tiffeni a little over one year ago, I was planning to completely remodel the home, including roofing, decking,

landscaping, and basically almost a complete gutting of the inside…projects that would make the value of the home and other homes the neighborhood higher, not to mention bringing in permit revenue to Tuolumne County. In light of this zoning proposal, I put all of these projects on hold. Further, if the proposal passes, I will not invest any funds into maintaining both homes and will likely relocate my primary residence altogether. Other neighbors in our area are considering the same.

With that said, the county should consider the implication of a run-down apartment complex next to one of the most desirable areas in Twain Harte, with underground utilities. The home values have increased over the last few decades driving incremental revenue to our county from property taxes. A large scale apartment complex in the center will make the neighborhood less desirable, especially with any section 8 housing thereby preventing the county from increased property tax revenue. Additionally, the county should not consider a zoning change absent of an agreed upon improvements following the zoning change if one was to occur.

While I understand the desire for the county to develop more affordable housing, the proposed location will only diminish the charm of Twain Harte and the surrounding areas while also hurting the few remaining local business in town. I am yet to hear any local business owner support this change.

Should you have the desire to speak with me further, please do not hesitate to send an email and we can find time to speak live.

Best regards,
Arkady

Date, January 24, 2022

To: Tuolumne County Community Development Department

From: Concerned Resident of Twain Harte, CA

RE:RE: General Plan Amendment GPA21-005 and Zone Change RZ21-012
Assessor's Parcel Numbers:
048-680-046,048-680-067,048-680-053,049-140-049,049-140-016,049-140-039

In regards to this proposed zone changes on address 18711 Tiffeni Drive, I would like to submit my comments as a home owner that has lived near the Twain Harte Shopping Center for more than Forty years.

Before any rezoning is approved by the county I would hope the county does not act with haste. When the shopping center was originally built it took the county six years to give approval to build the shopping cneter. If any of the talk in town is true, it is possible Howard Schindler(owner of the Twain Harte Shopping Center) intends to convert a nearly empty shopping center into apartments.

A major Apartment complex could greatly change a town that has changed very little in the last Forty years. Before the county approves any rezoning I believe it would be in Twain Harte and the County of Tuolumne's best interest to get more details as to what the applicant intends.

Would it be low income housing? How many apartment units? Can the Twain Harte Water district handle supplying water and sewer services to said units?

Another truth of this situation that the county can answer is: has Howard Schindler given enough effort into making the Twain Harte Shopping Center thrive as it has in the past. The Twain Harte Shopping Center was half to fully occupied for most of it's history before Howard Schindler became its owner. His astronomical rents have recently chased two long standing businesses out of the TH Shopping center, another potential renter just chose to buy it's own building rather than rent in the Twain Harte shopping center because of the price of rent.

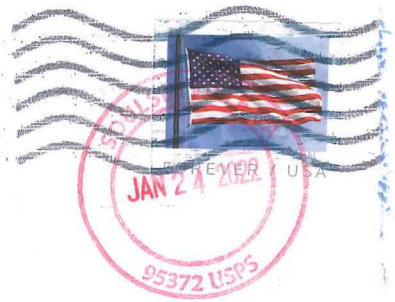
Thank you for your time. I hope this matter is addressed with the utmost care so Twain Harte can continue to be the quiet, and safe community it always has been.

-----Concerned Twain Harte Resident-------

RECEIVED
JAN 25 2022
Community Development
Department

15750 Ridgewood Dr.
Sonora CA. 95370

SACRAMENTO CA 957
25 JAN 2022 PM 2 L



RECEIVED
JAN 28 2022
Community Development Department

Tuolumne Co. C.D.D
Cheydi Gonzales
2 So. Green St.
Sonora CA. 95370

95370-451802

Location: The project site is located at 18711 Tiffeni Drive and 22990,22984,22930 Twain Harte Drive in the community of Twain Harte. Located within a portion of Section 9, Township 2 North, Range 16 East, Mount Diablo Baseline and Meridian. Located within Supervisorial District 3.

Please see the attached vicinity map for parcel locations.

Access: Tiffeni Drive/Twain Harte Drive

Sewage Disposal Method: Twain Harte Community Services District

Water Source: Twain Harte Community Services District

Fire Hazard Rating: High fire hazard severity zone

Additional Information:

1. Permitted and Conditional uses for the proposed M-U district can be found at this link below: https://www.tuolumnecounty.ca.gov/DocumentCenter/View/435/Chapter-1730---Mixed-Use-District-or-MU-District?bidId=

2. General zoning information can be found here: https://www.tuolumnecounty.ca.gov/179/Planning

3. Within any mobilehome exclusion combining (:MX) district, no mobilehome may be used as a permanent residence on any individual parcel unless it is installed on a foundation system, has skirting around the mobilehome, and no more than ten years have elapsed between the date of the manufacture of the mobilehome and the date of the application for a building permit to install the mobilehome (TCOC 17.48.020).

4. Future uses on each property may require further evaluation, permits and review.

Please return your comments to the CDD by **January 26, 2022**. Comments may be emailed to Cheydi Gonzales, cgonzales@co.tuolumne.ca.us Comments may also be mailed to: 2 South Green Street, Sonora, CA 95370 or brought to the Community Development Department.

Staff Contact: Cheydi Gonzales
Phone: (209) 533-6641
Email: cgonzales@co.tuolumne.ca.us

AGENCY: The Rock of Twain Harte, Inc.

COMMENTS: I support property owners rights as long as they are complying with zoning laws. I don't think this is in the best interest of Twain Harte. Re-zoning Commercial to mixed use zone. The plans include a minimum of 1 unit section 8 housing. Twain Harte is a beautiful place we would like

to see it stay that way. Our town demographics is retired & working individuals, plus tourist area. By re-zoning this area you are messing with the town dynamics. I'm pretty sure our infrastructure cannot support all these new apartments (water, sewage). Twain Harte has no room for business growth if this area is re-zoned. Every commercial lot in Twain Harte is in use. I hope this area remains commercial zoned and it gets a facelift.

Diane Davis

All property owners within 1000 feet of the proposed project will be notified of future public hearings. Please note that all comments that are submitted are part of the public record for the project.

Signed by: [signature]

Agency: The Rock of Twain Harte, Inc. Date: 1-25-22

RECEIVED
JAN 28 2022
Community Development Department

From: Robert E. Allen and Johanna Allen
18941 Sequoia Drive, Twain Harte, Ca. 95383
(209) 677-3618

To: Cheydi Gonzales
cgonzales@co.tuolumne.ca.us

Re: Rezoning property in Twain Harte

We are absolutely against this. We moved to Twain Harte for its charm and spent a considerable amount of money for our home. Multiple use and/or Section 8 housing will diminish property values in this area.

Robert E. Allen

Johanna Allen

January 19, 2022

RECEIVED
JAN 24 2022
Community Development Department

FAX - 209-533-5616

1/22/22

To: Tuolumne County Community Development Dept
48 Yaney Ave, Sonora, CA 95370

From: Mrs. J. R. Cowell, 23007 Joaquin Gilly Rd., Twain Harte
(don't have computer, just fax 1-209-586-2438

Subject: General Plan Amendment GPA21-005
and Zone Change RZ21-012

Position: I and my family are opposed to the request for the above subject ~~dos~~ due to the commerical impact on our community of Twain Harte.

We need our shopping center back the area of part of the above was a vibrant assest to Twain Harte and made it a real village shopping area - now it is a dump and most tenants have moved out. - some for good & other relocate.

The present landlord(s) have not done repairs as the should have over the years. (I'm a landlord too & would not have left this in ~~sta~~ such ill repair & I also ~~would~~ have reduced the rent. Revitalizing this (these) properties is too late to bring back business and we need it - Twain Harte is dying!

we don't need more housing - We Need Business(s) to support our welfare and community.

Location: The project site is located at 18711 Tiffeni Drive and 22990,22984,22930 Twain Harte Drive in the community of Twain Harte. Located within a portion of Section 9, Township 2 North, Range 16 East, Mount Diablo Baseline and Meridian. Located within Supervisorial District 3.

Please see the attached vicinity map for parcel locations.

Access: Tiffeni Drive/Twain Harte Drive

Sewage Disposal Method: Twain Harte Community Services District

Water Source: Twain Harte Community Services District

Fire Hazard Rating: High fire hazard severity zone

Additional Information:

1. Permitted and Conditional uses for the proposed M-U district can be found at this link below: https://www.tuolumnecounty.ca.gov/DocumentCenter/View/435/Chapter-1730---Mixed-Use-District-or-MU-District?bidId=

2. General zoning information can be found here: https://www.tuolumnecounty.ca.gov/179/Planning

3. Within any mobilehome exclusion combining (:MX) district, no mobilehome may be used as a permanent residence on any individual parcel unless it is installed on a foundation system, has skirting around the mobilehome, and no more than ten years have elapsed between the date of the manufacture of the mobilehome and the date of the application for a building permit to install the mobilehome (TCOC 17.48.020).

4. Future uses on each property may require further evaluation, permits and review.

Please return your comments to the CDD by **January 26, 2022**. Comments may be emailed to Cheydi Gonzales, cgonzales@co.tuolumne.ca.us Comments may also be mailed to: 2 South Green Street, Sonora, CA 95370 or brought to the Community Development Department.

Staff Contact: Cheydi Gonzales
Phone: (209) 533-6641
Email: cgonzales@co.tuolumne.ca.us

AGENCY: Twain Harte Chiropractic

COMMENTS: Twain Harte is a special town that should not be inundated by Low cost Housing or mobile homes!

RECEIVED
JAN 27 2022
Community Development Department

All property owners within 1000 feet of the proposed project will be notified of future public hearings. Please note that all comments that are submitted are part of the public record for the project.

Signed by: Twain Harte Chiropractic

Agency: P.O. Box 1548
Twain Harte, CA 95383

Date: JAN 19 2022

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Wednesday, January 26, 2022 9:35 AM
To: Glenn ARLANDS
Subject: RE: General Plan ammendment GPA21-005

Greetings Sandra,

It was nice to talk to you a short moment ago. Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record pertaining to the project.

Should you have any questions pertaining to the application process please reach out to me directly.

Have a great day,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Glenn ARLANDS <sgarlands@comcast.net>
Sent: Wednesday, January 26, 2022 9:21 AM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: General Plan ammendment GPA21-005

Hi Cheryl,

I strongly oppose the planned change to the 18711 Tiffeni Drive. This community need more not less commercial in the main part of town.

I would ask that before approved the following take place

1. environmental review
2. infrastructure review: water/power
3. public transportation
4. Have an open forum session for feedback from the community

I live on 18864 Manzanita.

Thank you for your consideration.

Sandra Tubbs
6507405314

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Thursday, January 27, 2022 7:07 AM
To: L. Ambrosini
Subject: RE: Comments on General Plan Amendment GPA21-005 and Zone Change RZ21-012 (Twain Harte)

Greetings Michael and Lisa Ambrosini,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record pertaining to the project.

Should you have any questions pertaining to the application process please reach out to me directly.

Have a great day,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: L. Ambrosini <lambrosini@outlook.com>
Sent: Wednesday, January 26, 2022 12:50 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: Comments on General Plan Amendment GPA21-005 and Zone Change RZ21-012 (Twain Harte)

Dear Ms. Gonzales,Please share the following remarks with members of the Tuolumne County Community Development Department regarding the subject of this message.Kind regards, Lisa

To Tuolumne County Community Development Department

The purpose of this correspondence is to express our strong opposition to the proposed *General Plan Amendment GPA21-005 and Zone Change RZ21-012* which includes multiple parcels in the community of Twain Harte. We are Twain Harte homeowners who are opposed to the rezoning of the parcels from general commercial property into multi-use/residential zoned parcels that could have a detrimental impact to our community.We believe the proposed change to the General Plan and rezoning of the four parcels should be denied as it will allow the addition of multi-family housing that will cause traffic and safety problems, create even fewer opportunities for small, locally-owned businesses to bring jobs to our area, and potentially lower the property values of the existing community.

Twain Harte is a resort community with many vacation homes and part-time residents. With limited work opportunities, additional permanent residents would increase traffic on our streets and Highway 108, which is of concern to all of Tuolumne County. There are few pedestrian sidewalks and no public transportation; limited parking is already a concern. Additional multi-family housing would put a strain on these and many other areas of

infrastructure in our mountain community. Further, Twain Harte needs small, locally-owned businesses to meet the needs of the current permanent and part-time residents, as well as to attract visitors. Rezoning approval would have a negative financial impact by eliminating potential commercial locations for, and jobs with, locally owned businesses.

Another concern is that property values could go down in the area if additional multi-family apartments or condominiums are allowed. For these reasons we urge you to disapprove the proposed rezoning and amendment to the General Plan.We have already experienced the closure of multiple businesses in the Twain Harte Village Shopping Center (one of the parcels proposed for rezoning). Perhaps the property owners should be encouraged work with our community to retain and attract retailers to benefit not only themselves, but Twain Harte and all of Tuolumne County.

Thank you for your consideration and continued service and support of the communities of Tuolumne County.Michael and Lisa Ambrosini18804 Manzanita DrTwain Harte

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Thursday, January 27, 2022 7:24 AM
To: lundrigan@bigvalley.net
Subject: RE: Opposition to General Plan Amendment / and Zone Change

Greetings Lee Lundrigan and Maren Lundrigan,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record pertaining to the project.

Should you have any questions pertaining to the application process please reach out to me directly.

Have a great day,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Lee Lundrigan <lundrigan127@gmail.com>
Sent: Wednesday, January 26, 2022 4:29 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: Opposition to General Plan Amendment / and Zone Change

Tuolumne County, California
Community Development Department
January 25, 2022

Attn: Staff Contact Cheydi Gonzales

OPPOSITION TO TWAIN HARTE REZONING and GENERAL PLAN AMENDMENT

My family opposes the amendment to the general plan and rezoning of Parcels as listed in the Jan. 12, 2022 memorandum *to Interested Stakeholders* and noted below.
We are homeowners at 22858 Black Hawk Drive, Twain Harte, CA and are interested stakeholders.

APN
048-680-046 GC to MU
048-680-067 GC to MU
048-680-053 GC to MU
049-140-039 GC to MU

048-680-046 C-1:MX to M-U:MX
048-680-067 C-1:D:MX:O to M-U:MX:O
048-680-053 C-1:D:MX to M-U:D:MX

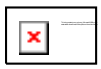
049-140-049 C-1:D:MX to M-U:D:MX
049-140-016 C-1:D:MX to M-U:D:MX
049-140-039 C-1:D:MX to M-U:D:MX

Twain Harte is foremost a vacation retreat of cabins and small homes used intermittently throughout the year by owners and as rentals. The property value is elevated when compared to real estate even 5 or 10 miles away. Traffic increases during celebrations and events, but is generally low. It does not have a revenue generating center with increased positions.

The building requested for rezoning would enable multifamily apartments which lower the value of single-family homes in the town. People who live in apartments are less desirable neighbors and more likely to engage in crime or other anti-social behavior. Apartments overburden schools, produce less revenue for local governments, and require more infrastructure support. Higher-density housing creates traffic congestion and parking problems. This type of rezoning would create a profound alteration to the cute town, vacation feel of a place which has become world renowned for its friendly, small, mountain atmosphere.

Please carefully weigh the burden this change is anticipated to create on existing home owners and do not allow it to go forward.

Thank you.
Lee Lundrigan and Maren Lundrigan
22858 Black Hawk Drive, Twain Harte, CA
Lundrigan@bigvalley.net
209-303-0011


Virus-free. www.avast.com

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Thursday, January 27, 2022 7:15 AM
To: Joleen Willis
Subject: RE: amendments and zoning changes at 18711 Tiffeni Dr, 22990, 2984, 22930 Twain Harte Drive

Greetings Joleen Willis,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record pertaining to the project.

Should you have any questions pertaining to the application process please reach out to me directly.

Have a great day,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Joleen Willis <joleenwillis@gmail.com>
Sent: Wednesday, January 26, 2022 2:55 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: amendments and zoning changes at 18711 Tiffeni Dr, 22990, 2984, 22930 Twain Harte Drive

Dear Cheydi,
Thank you so much for asking the opinion of the neighbors for their feedback regarding the amendments and zoning changes at 18711 Tiffeni Dr, 22990, 2984, 22930 Twain Harte Drive. I'm sure it's no small task fielding everyone's opinions!

I'm one of those neighbors within 1000 feet. Myself, along with many Twain Harte locals have several concerns.
My main concern is simply infrastructure. I fear our water, sewage, traffic, and fire danger cannot support mixed use zone. I also fear the zone change would negatively affect our ability to open businesses catering towards tourism.

-Our water system is old and already fragile.
-We don't want a stoplight that will change our quaint mountain town.
-We can't support the traffic on our old roads
-If there's a fire, there's only one main road in and out (although yes, I acknowledge there's 2 ways to 108)
-Mixed use does not support our tourism industry of tourism.
-myself and many friends have wanted to open brick and mortar businesses but have been unable to due to lack of affordable commercial rentals.
-changing the zone will negatively affect commercial businesses catering to tourism.

My preference would be to keep the zone commercial and to attract new businesses!

Thank you again for your time, it is appreciated,
Joleen Willis

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Thursday, January 27, 2022 7:03 AM
To: Geneva Crane
Cc: Geneva Crane; jgicrane@sbglobal.net
Subject: RE: General plan amendment Schindler/Gebertz

Greetings,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record pertaining to the project.

Should you have any questions pertaining to the application process please reach out to me directly.

Have a great day,
Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

-----Original Message-----
From: Geneva Crane <mamacrane@icloud.com>
Sent: Wednesday, January 26, 2022 12:30 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Cc: Geneva Crane <mamacrane@sbcglobal.net>; jgicrane@sbglobal.net
Subject: General plan amendment Schindler/Gebertz

To whom it may concern,

My husband and I have been full time residents of Twain Harte for over 20 years.
We own a property across the street from proposed parcel 049-140-039 and 049-140-016.

The proposal for these parcels are of great concern to us and we are in opposition of them, for the following reasons.
A day observing the hub of our town will reveal that the current zoning is what is most suitable for both of the above parcels.
There is constant traffic already absorbed by the main intersection and also the one on the corner near the shopping center.
There are school children walking, many existing businesses, as well as constant through traffic of cars and delivery trucks, etc.
To merely back out onto Twain Harte drive needs to be done cautiously and often creates back ups.
Additional housing and vehicles attributed to additional housing on these parcels would exacerbate this already saturated area, not to mention how severe winter weather makes accessibility even more challenging on this main thoroughfare.
Beyond traffic and pedestrian safety concerns, the aesthetic and purpose of our town hub must be a priority, it is what makes Twain Harte unique.

Our town draws in visitors to its small businesses of restaurants and shops, these businesses also provide daily services and supplies for local residents.
We are not a city or even a large town, we are a tiny mountain retreat, these proposals would fundamentally change that, as it would require that more infrastructure be made to accommodate additional housing.
Sidewalks, stop lights, wider roads, street lights, etc., that is the reality of the extensive costs that would be incurred by this proposal.
Is this county ready to pay for that?

This proposal does not serve the best interest of the members of Twain Harte and it's potential visitors alike.
Please do not approve this proposal.

Respectfully,
John and Geneva Crane

Sent from my iPhone

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Monday, January 31, 2022 7:34 AM
To: Elisabeth Holmgren
Cc: David Holmgren
Subject: RE: Re-Zoning Application for Downtown Twain Harte Properties

Greetings,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record. Staff will analyze public comments during the review period for this project.

Should you have any questions please reach out to me directly.

Sincerely,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Elisabeth Holmgren <em-h@pacbell.net>
Sent: Wednesday, January 26, 2022 1:20 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Cc: David Holmgren <davidb.holmgren@gmail.com>
Subject: Re-Zoning Application for Downtown Twain Harte Properties

To: Tuolumne Community Development Department
Attn: Cheydi Gonzales

RE: Applicant: Schindler/ Gevertz --Proposal For General Plan Amendments and Zoning Changes
To Downtown Twain Harte Properties

To Whom It May Concern:

Thank you for giving us an opportunity to present our point of view on the Schindler & Gervertz applications for zoning changes to several downtown Twain Harte properties and specifically the Twain Harte Shopping Center on Tiffany Lane.

We are deeply concerned that the extensive proposed changes to our small town through an expanded MU/ Mixed-Use zoning classification will have possible negative effects on our rural community that benefits from its quaint nature as a small resort town. While we see the need for increased business/commercial opportunities to serve our

full and part-time residents more efficiently, we believe that this could be achieved by remodeling the current buildings within the shopping center and provide reasonable instead of overly expensive leases for local businesses.

We have been concerned that the shopping center has not been managed in an efficient pro local business way that could serve our residents and guests. The latest moving/ closing of the Pharmacy &General Store is disappointing, and we are worried that the Twain Harte Market which is an essential positive part of our community is at risk of being pushed out as well in order to proceed with a Mixed-Use building structure. We believe that the proposed zoning changes and extended new building structures could have negative implications on our rural town and lead to property value losses as it may not serve the real needs of our community.

Therefore, we respectfully ask the Community Development Department to require an independent third-party Project Study that thoroughly evaluates the effectiveness of a "Mixed-Use" building design for our Twain Harte Community. Here are some fundamental questions that come to mind when looking at the vast changes proposed:

- Is the proposed plan compatible for our community and other uses in the area? For proper integration and increased vitality, a market analysis for each use – residential, commercial, cultural, institutional and/ or entertainment --- is needed to ensure relevant uses, scale, and location.

- A proper Market Analysis is important in determining the demand and supply positions of each use for our unique community of part time and full-time residents. For example, how much extra residential vs business or entertainment spaces would better meet the needs of our seasonally changing community.

- Such an analysis should be required and guide a careful determination with residential input (through public hearings etc.) of the most effective usage combination for the different "Mixed- Use" building elements.

- Also, as part of that process, guidelines should be set for what type of housing, entertainment, lodging and restaurants will be permitted to maintain our town's rural resort style character.

- Other important determining factors to be considered should be the increasing demands on the town's infrastructure from increased traffic and limited roadways to our already insufficient water resources.

- Safety should be the #1 priority for our small town and efficient pedestrian and bicycle access is usually encouraged in Mixed-Use developments but may be very hard to implement due to our rather narrow streets.

- Mixed-Use development also often advocates for efficient public transportation and/or gas stations, neither of which are now available. The town would also be in need of EV charging stations with the expanded downtown shopping/ living environment.

- The newly proposed development would also require considerably more parking spaces than currently available especially as the plans recommend more building vs open space development as part of the proposed Shopping Center Expansion.

In summary, we would like to urge the Community Development Department to require a thorough independent Project Analysis for the MU building developments proposed to ensure that changes will not have a negative impact on our community and its residents. What are the real needs and how can they best be met? Is such an expansion within our available resources or will it trigger other hardships that may make our town less desirable to the full-time and part -time residents our businesses depend on? Perhaps one option to look at is the renovation rather than rebuilding of the Twain Harte Shopping Center and occupy it with needed businesses and restaurants that give more vitality to our town and meet its real needs without the hardship of a reconstruction.

Thank you for your time and consideration.

Respectfully,

Elisabeth Holmgren

Part Time Twain Harte Resident

Since 1997

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Thursday, January 27, 2022 7:33 AM
To: Diana Walsh
Cc: mikewalshx4@yahoo.com
Subject: RE: The Community Development (CDD) application for applicant Howard Schindler and Saul Gervertz

Greetings,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record pertaining to the project.

Should you have any questions pertaining to the application process please reach out to me directly.

Have a great day,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Diana Walsh <diana@walsh.properties>
Sent: Wednesday, January 26, 2022 6:39 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Cc: mikewalshx4@yahoo.com
Subject: The Community Development (CDD) application for applicant Howard Schindler and Saul Gervertz

To Whom it may concern,

We have received the documentation and we are responding by the due date of January 26, 2022, regarding the notice received for the general plan amendment GPA21-005 and zone change RZ21-012.

Parcel numbers: 048-680-046
048-680-067
048-680-053
049-140-049
049-140-016
049-140-039

As a Twain Harte homeowner we STRONGLY DISAGREE with this proposed development and feel this DOES NOT benefit the historical town nor community for Twain Harte residents.

We also do not agree with the type of housing proposed and DO NOT APPROVE section 8 housing, Mobile Home or a Mobile Home Park! ABSOLUTELY NO!!!

The developer should focus on cleaning up this area while bringing life back to the shopping center and town. Our town and community would all benefit. Bringing in new business the shopping center would serve our community and create jobs for the local residents. The shopping center has been neglected over the years and nothing has been done to try and fill the vacant building(s). We have owned our home in Twain Harte for 13 years and feel this is what Twain Harte needs the most. The community deserves to have local business and we all would support the businesses!

Feel free to contact us with any questions.

Thank you,

Diana and Mike Walsh
18921 Sequoia Drive
Twain Harte CA 95383
650-678-8537

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Thursday, January 27, 2022 7:26 AM
To: 'Annette Garcia'
Subject: RE: Twain Harte Zoning Tiffani Dr/Twain Harte Dr

Greetings Annette Garcia,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record pertaining to the project.

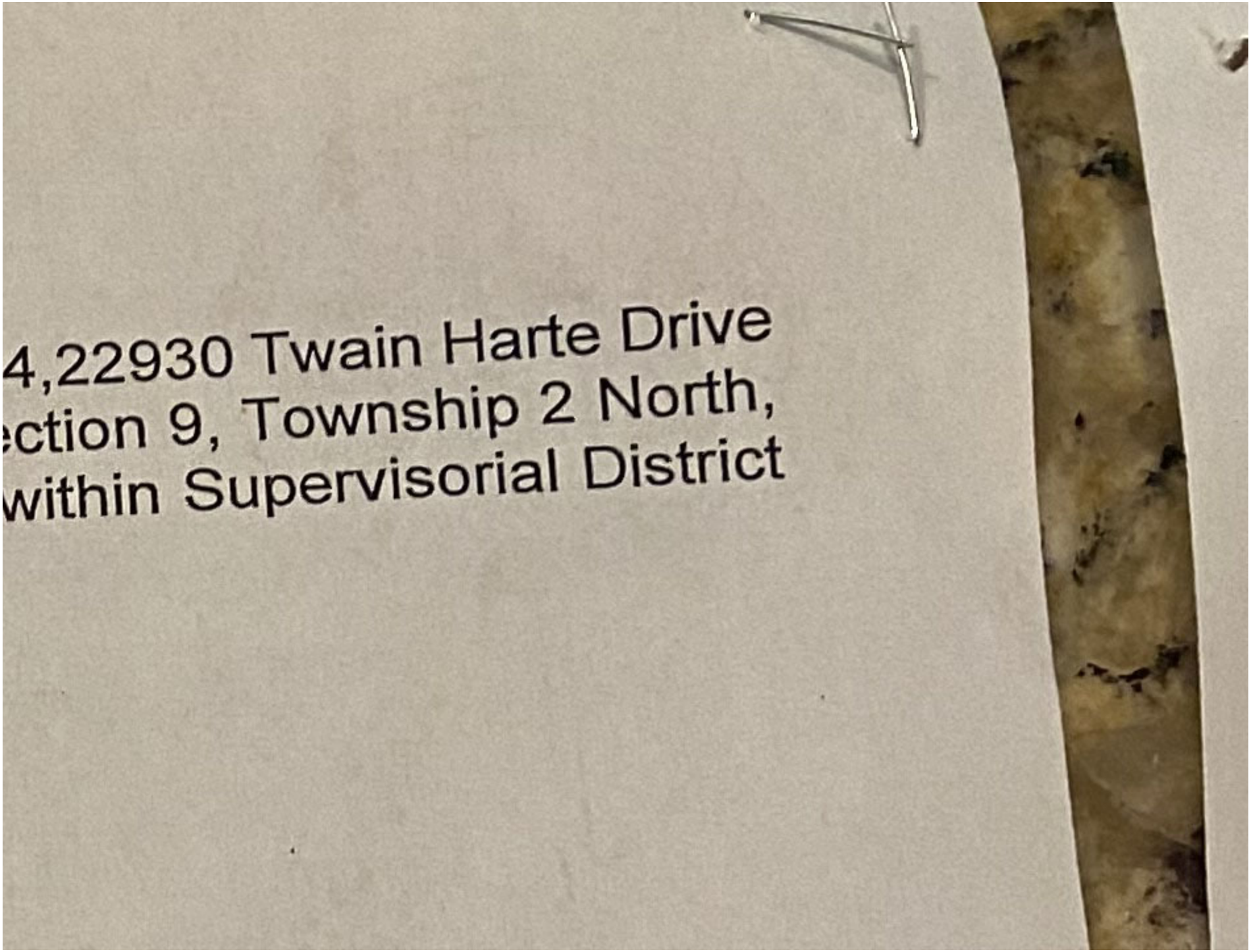
Should you have any questions pertaining to the application process please reach out to me directly.

Have a great day,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Annette Garcia <netgar@comcast.net>
Sent: Wednesday, January 26, 2022 6:17 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: Twain Harte Zoning Tiffani Dr/Twain Harte Dr

To whom it may Concern
Please see comments below in regards to new Zoning Development in Twain Harte
Annette Garcia


4,22930 Twain Harte Drive
ection 9, Township 2 North,
within Supervisorial District

, as well
ical units.
th communities
n their turn
unities

via email and US Mail

January 20, 2022

RECEIVED
JAN 25 2022
Community Development Department

Ms. Cheydi Gonzales
Land Use Technician
Tuolumne County Community Development Department
2 South Green Street
Sonora, CA 95370

Re: General Plan Amendment GPA21-005 and Zone Change RZ21-012

Dear Ms. Gonzales:

This letter is in response to your January 12th letter requesting comments to the referenced planning application. I am a homeowner within the Black Oaks Estates subdivision that abuts the shopping center parcel located at 18711 Tiffeni Drive. I have attempted to contact you prior to writing this letter by both phone and email (which included specific questions). My desire to speak with you was in large part because your January 12th letter provides no specific information on what is driving these specific proposed changes to the County's general plan, nor does it provide any information on what the applicant is contemplating in the form of a project. Twain Harte is not a job center, nor has it seen any significant population increase, so what has changed since the General Plan 2015 Update (which is applicable through 2030) to warrant such a significant change to this charming community?

I view the Twain Harte community as one of the jewels of Tuolumne County (County). The sign entering the community perhaps says it best, "a four seasons resort". The proposed planning change in my opinion is not consistent with the predominantly current single family usage in a country/rural setting that attracted me to purchase my home. I have been working on design documents for my home and seriously contemplating investing significant amount in its renovation/expansion, but this notice has given me significant pause, and has also stopped friends of mine who were considering retiring in the Twain Harte community from continuing their real estate search.

Given there is no project specific information provided in your letter, I must assume the worse from taking things to their limit within the proposed zoning. On the surface one may believe changing zoning of the current shopping center to what exists in the subdivision that surrounds it as reasonable. What is significantly different between the subject parcel and the surrounding subdivision is the parcel size. Within the subdivision, I would guess the average residential lot size to be near 1/2 acre, versus the shopping center and its adjacent parcels that would approach 9 acres. This would allow a multifamily complex based on 15 units/acre of **nearly 135 units**! Such a development would be totally inappropriate in the Twain Harte community, let alone adjoining the existing Black Oaks subdivision. The County's General Plan states that it promotes development that reflects the value and vision of the community. If this was a vision of the community, why was it not addressed in the county's 2015 General Plan Update? What has changed? Virtually nothing has changed that I have witnessed - no population increase, no increase in local Twain Harte jobs, no new single family homes. I see no changes other than the applicants desire to make money at the expense and impact of the Twain Harte community. There are numerous viable options within its current zoning for the applicants. If

residential use is a driver, an expansion of the subdivision with similar size lots/homes, with the balance of the land being used for a smaller reconfigured shopping center that hopefully retains the community's beloved Twain Harte Market and its County collected sales tax, would be acceptable to me and people I have spoken with.

If such a project was considered under the proposed planning changes requiring a general plan amendment, what CEQA actions are required by the County? The current shopping center may have a large water "capacity", but its actual "usage" of water and sewage over the last ten years is significantly less than 135 unit multifamily project. This is in a community where the water retailer has put up notices that we do not have a drop of water to waste. What impact will this amount of increase traffic have on marginally maintained county roads within the subdivision? What impact of traffic at the intersections of Tiffeni Drive and Twain Harte Drive; and for that matter at Twain Harte Drive and State Highway 108? The subdivision has unique sound transmission characteristics. Currently music from seasonal local concerts in the community park are quite loud in the subdivisions higher elevations. What sound mitigations will be instituted and how will current residents be assured they be maintained or enforced? Will the County assure and increase its sheriff patrols for these and other possible impacts?

On 1/18/22 I received an email from the "Twain Harte Homeowners Board". It is my understanding this Board/group has no legal capacity to represent its members, rather it is solely for small community projects and publication of a community newsletter. Because this group distributes its newsletter electronically it has an immediate outreach to the greater community. They stated in this email that the applicants for this project reached out to them via a "representative" to give their board a presentation of the applicant project plans (at their January board meeting); which based on their description it sounded like the applicant has quite specific project plans. For me it is extremely troubling that the project applicant has an apparent project plan that they either have not provided to the County, or more troubling, has the County elected not to share this information in their 1/12/22 letter? Perhaps even more troubling is that it was represented that the project applicant has hired an architect and has five bidders working toward its first phase that contemplates converting existing shopping center structure into multifamily residences; with an expectation starting construction before the end of year. **Has the County given this project applicant any project assurances before: 1) collecting public comments; 2) its April planning commission meeting that first reviews this application; 3) establishing CEQA requirements/approval; and 4) getting Board of Supervisors approval?**

Though this community board is certainly entitled their respective personal opinions about this proposal, I find it extremely inappropriate that they provided a qualified opinion to the community during a public comment period. The applicant has zero commitment/obligation to whatever project information they presented and could easily change their entire plan within the limits of final zoning changes/approvals. I fear that this board communication to the greater community **may limit feedback that may otherwise be collected during this public comment period**. I also fear that this **could of very well been the desired outcome by the applicant in making such a selected presentation**. The County should seriously consider providing a new notice and expanding its notice to a greater amount of Twain Harte Community residents. This email had a much greater reach than properties within a 1000ft from the project site. This is a significant planning change for the entire community that has now been made aware via this flawed communication. More time for responses should be provided given that **the applicant has indirectly clouded the project information available via this board communication to the community**, and likely the board's qualified comments/approval, intended or not, **may of persuaded many residents not to respond at all.**

I will close by restating that I have more questions than comments about this proposed planning change. Planning and zoning is the core of what makes the difference between desirable and undesirable communities. Such changes should be driven by identified factors in the County's General Plan that the overall community has vetted and bought into, not by individuals who simply see personal economic opportunity. To my understanding the applicants have had zero public outreach to explore what might be an acceptable planning solution. I do not count speaking with 8 board members who represent no one behind closed doors, as outreach, but perhaps a shrewd political move. An application that includes: 1) three non-contiguous parcels; 2) proposing to change an existing restaurant with significant history to multifamily zoning - is a "head scratch" and extremely unusual and suspect from my experience. This indicates to me that the application has nothing to do with good planning or betterment of the community, but rather an opportunistic economic grab by the applicants. **I strongly oppose this application, and believe there are much better planning solutions that would incorporate single family homes similar to what currently surrounds the shopping center.**

Sincerely,

George Getgen
APN - 04868018

cc: Supervisor Kirk; Quincy Yaley

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Tuesday, January 25, 2022 7:51 AM
To: Carol Hancock
Subject: RE: Twain Harte-Howard Schindler project

Greetings Carol,

The Community Development welcomes any public comment. We notify by the what addresses the assessor's office has on file for property owners. The deadline is to make sure we are processing applications in a timely manner. We can take public comment up until the day of a scheduled public hearing.

You will be notified when the project is scheduled before such hearing which probably will be around late spring. You have time to submit multiple comments if you wish.

As always, I am here if you have any further questions.

Thank you,
Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Carol Hancock <theharteofthekitchen@gmail.com>
Sent: Friday, January 21, 2022 2:02 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: Re: Twain Harte-Howard Schindler project

Thank You Cheydi,
I really believe that all business owners whether or not they own the building should be allowed to comment. Also Twain Harte residents. We just received this notice and the deadline is January 26th. Hopefully we will have more time for additional comments.
Thanks for your time and getting back to me. I appreciate it.
Carol Hancock

On Fri, Jan 21, 2022 at 1:10 PM Cheydi Gonzales <cgonzales@co.tuolumne.ca.us> wrote:

> Greetings Carol,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record. Staff will analyze public comments during the review period for this project.

Should you have any questions please reach out to me directly.

Thank you for your time,

Cheydi Gonzales, Land Use Coordinator

Land Use and Natural Resources Division

Tuolumne County Community Development Department

48 Yaney Avenue

Sonora,CA.95370

Email: cgonzales@co.tuolumne.ca.us

Website: https://www.tuolumnecounty.ca.gov/179/Planning

Phone: (209) 533-6641

From: Carol Hancock <theharteofthekitchen@gmail.com>
Sent: Thursday, January 20, 2022 3:04 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: Twain Harte-Howard Schindler project

Please see attached letter in regards to your letter dated 1-12-22

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Tuesday, January 25, 2022 8:13 AM
To: 'jfc790462'
Subject: RE: M-U property in Twain Harte

Greetings,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record pertaining to the project. Should you have any questions please reach out to me directly.

Best,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: jfc790462 <jfc790462@gmail.com>
Sent: Monday, January 24, 2022 4:31 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: M-U property in Twain Harte

I feel that it's fair to allow the existing property to be M-U.

I would be strongly opposed to any new construction on these properties.

Thank you.

John Fitzgerald
Twain Harte resident of 18 years

Sent from my Verizon, Samsung Galaxy smartphone

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Tuesday, January 25, 2022 8:04 AM
To: Joe Sanger
Subject: RE: proposed multiple housing

Greetings,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record pertaining to the project. Should you have any questions please reach out to me directly.

I will include your contact on the additional mailing list as well.

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Joe Sanger <jsanger@pacbell.net>
Sent: Saturday, January 22, 2022 12:38 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: proposed multiple housing

Good day Cheydi Gonzales

As a Twain Harte cabin owner for the past 47 years and having come to Twain Harte since I was 10 years old 1949. My cabin is located at 22820 Sierra Dr.
We are totally and completely against the proposed development. Twain Harte is not a place for Apartment housing it will ruin the ambiance found in Twain Harte and also the mountain feeling you get from being in Twain Harte
Please notify me of any meetings being held regarding this project
Thank you
Joe Sanger
jsanger@pacbell.net

1760 Wesley Ave
El Cerrito CA 94530

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Wednesday, January 26, 2022 7:51 AM
To: Jeannine Personal
Subject: RE: Re-Zoning Twain Harte Center

Greetings,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record pertaining to the project.

Should you have any questions pertaining to the application process please reach out to me directly.

Thank you,
Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

-----Original Message-----
From: Jeannine Personal <2jeannine@gmail.com>
Sent: Tuesday, January 25, 2022 7:58 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: Re-Zoning Twain Harte Center

I just saw that re-zoning of Twain Harte Center to low income housing is being considered. I have lived in Twain Harte since 1990 and used to enjoy the center when it had a gym, mail station, boutique, doctor, vet……. It is terrible watching how it is deteriorating. The owner needs incentives to get commercial tenants in there or sell it to someone who will. Maybe if he maintained it he could get tenants. The roof leaks on most the current tenants.

I think low income housing in Twain Harte will be a big mistake. There are not a lot of jobs here and the commute to available jobs would be expensive. I see more bonds and property fees/ taxes to burden existing homeowners on fixed or low income to make water and services available with upgrades. We don't have enough water now.
Why have affordable housing at 4000 ft elev ?? Well above the snow line ? What about our roads. More traffic, more decay…. You need to do a study and have some way of improving our infrastructure.

The center was built with the understanding it would be commercial and bring jobs to the area.

Please do not approve this re-zoning.

Jeannine Caldwell
19775 Westview Drive
Twain Harte

209-559-5727

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Tuesday, January 25, 2022 8:11 AM
To: Brita Harris
Cc: Dave Harris
Subject: RE: General Plan Amendment GPA21-005

Greetings,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record pertaining to the project.

Should you have any questions please reach out to me directly.

Best,
Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

-----Original Message-----
From: Brita Harris <britaharris@gmail.com>
Sent: Monday, January 24, 2022 2:48 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Cc: Dave Harris <drharris@rmhci.com>
Subject: General Plan Amendment GPA21-005

Good morning Cheryl.
I am responding for Kingdom Financial, 18860 Dogwood Drive, Dave & Brita Harris.
There are many good elements to this application.
However, our concerns include:

We prefer no options for any kind of mobile home or mobile structure as a permanent feature of this development.

Will ample public parking be available when the development is fully built out.

Thank you for consideration
Dave & Brita Harris

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Tuesday, January 25, 2022 8:17 AM
To: Mark Amaro
Cc: Anaiah Kirk
Subject: RE: REZONE

Greetings Mr. Amaro,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record pertaining to the project.
Should you have any questions pertaining to the application process please reach out to me directly.

Thank you,
Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Mark Amaro <markama@comcast.net>
Sent: Monday, January 24, 2022 9:46 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Cc: Anaiah Kirk <AKirk@co.tuolumne.ca.us>
Subject: REZONE

To the Community Development Department:

Thank you for your time in allowing me to share my thoughts regarding the proposed zoning changes on specific parcels in Twain Harte moving them from General Commercial to Mixed Use. I appreciate you allowing the community to voice any concerns regarding the issue and as a long time community member, I do have some deep concerns.

Changing the zoning plan is not something that should be taken lightly. I was present at the opening of the Twain Harte Shopping Center and it was an incredible day filled with promise as it met the needs of the community and provided space for businesses to grow. I understand, and can see, that times have changed…but I don't believe that we should forget about the importance of the shopping center's original purpose.

I would ask if we have done everything we can to create and support business growth? Have we reflected on questions such as; Have we supported the business growth within the area? Have we created a transparent, open dialogue with the local community? Are there ways that we can promote growth in expanding commercial industries? I feel that perhaps we could do more and the citizens of Twain Harte and Tuolumne County may need this visionary leadership to honor the past and maintain the identity of Twain Harte.

I also have questions regarding the applicants and their proposal to rezone. Have they been transparent enough in their reasons to request a rezone? Is this an opportunity to make Twain Harte better or is it an opportunity to exploit the

local community for a quick financial gain? I do not have the answers to these questions, but I do know that such questions should be asked as the future of the character of Twain Harte may be at stake.

In closing, I appreciate your time in allowing me to voice my concerns and I hope that as decisions are made, we do so in a way that honors the traditions of the past, meets the current needs of our community, and considers the future in a way that does not sacrifice the character of Twain Harte and Tuolumne County.

Once again, thank you for your time and service to our community.

Mark Amaro
P.O. Box 670
Mi Wuk Village Ca 95346

(H)209-586-2928
(C)925-872-0798

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Tuesday, January 25, 2022 8:15 AM
To: Susan McGuirk
Subject: RE: Twain Harte Mixed Use Parcel Proposition

Greetings Mike and Susan McGuirk,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record pertaining to the project. Should you have any questions please reach out to me directly.

Thank you,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Susan McGuirk <susanmcguirk@me.com>
Sent: Monday, January 24, 2022 6:25 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: Twain Harte Mixed Use Parcel Proposition

Cheydi Gonzales

This email is our response to the letter we received from the county dated 1/12/22 to inform us of proposed parcel changes in Twain Harte.

We have owned our home in Twain Harte for many, many years. What we love and what keeps us here is the culture of a small vacation town, rather than a city. We do not ant more stop signs or even worse a stop light. We have seen many changes over the years, but non like what is being proposed.These developers are pushing the town down a slippery slope. We believe a mixed use zone does not support our town's culture; rather is supports business developers' pocket books. Plus, we do not believe the infrastructure can support a mixed use plan. Our water, sewage and traffic will be drastically affected.The traffic will definitely affect where our home is located.

We want the shopping center and surrounding areas to remain commercial, not mixed use. We would suggest rather than raise rents and push businesses out for personal gain, they clean the area and attract new businesses.

Vacation families come to Twain Harte for its charm and for the many businesses in town ….. and these summer tourists definitely support the town's economy. As business disappear, so will vacationers. They will go and spend their money in other country towns, like Arnold, CA. Additionally, we believe if the culture of the town changes to a city, many people (like us) who own second homes in Twain Harte will sell, thus hurting the economy even more and drive down the the real estate market values.

It's a slippery slope. Does adding a few rentals really warrant changing the culture of our town?

This is probably already a done deal, but I strongly felt we had to voice my concerns. Plus, we really do not want to be forced to sell our home. I speak for 12 other friends who also own second homes in Twain Harte.

Please reconsider!!!!!!

Sincerely

Mike and Susan McGuirk
18854 Fir Drive
Twain Harte, CA

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Tuesday, January 25, 2022 2:43 PM
To: Matt and Drinda Brennan
Cc: eric@arksmithdesign.com
Subject: RE: Response to Twain Harte Zoning proposal

Greetings,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record pertaining to the project.
Should you have any questions pertaining to the application process please reach out via telephone to me directly.

Thank you,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Matt and Drinda Brennan <mattmtbr@comcast.net>
Sent: Monday, January 24, 2022 5:52 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Cc: eric@arksmithdesign.com; Matt and Drinda Brennan <mattmtbr@comcast.net>
Subject: Response to Twain Harte Zoning proposal

To whom it may concern,

Thank you for your letter to Interested Stakeholders, dated Jan. 12, 2022.

As the addressee of this letter and as a Twain Harte property owner, I do not support the General Plan Amendment (item 1), or the Zone Changes proposals (item 2).

Most, if not all Twain Harte residents doing downtown business are or will be impacted by the proposed changes. I am very disappointed that only residents within 1000 feet of the proposed project were notified and asked for feedback towards these important decisions. I believe we should have public meetings inviting all residents for input to your proposed changes. We are a community that cares about its future. Zoning and intended use of lands/property should be very transparent to all as these affect property values.

After receiving your letter, I had to "search the internet" to gain a better understanding of the project proposal, if the zoning changes were approved. To my disappointment I found nothing. I did receive an eMail from the Twain Harte Homeowners Association (THHOA) board dated January 18th which provided a more revealing vision for the possible future for Twain Harte.

I am, and many of my neighbors are "shocked and deeply saddened " at these proposals. Growth & changes to be like valley cities is not attractive or not welcomed.

To summarize my position:
1) I believe the intended uses of the properties should be discussed openly between property / landowner(s) and the public in several meetings. Such meetings should be facilitated by a by a professional meeting facilitator and attended by voting community officials.
2) Item 1 should come BEFORE the zoning proposal. The project is the driver not the zoning\
3) The THHOA Board does not speak on behalf of this community.
4) Growth & changes to be like valley cities is not attractive, as it comes with its problems too

Thank you,

Matthew Brennan
cell: (925) 384-3529

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Tuesday, January 25, 2022 2:47 PM
To: Greg Feduloff
Subject: RE: Twain Harte market

Greetings,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record pertaining to the project.
Should you have any questions pertaining to the application process please reach out to me directly.

Thank you,
Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Greg Feduloff <gregcarl257@gmail.com>
Sent: Monday, January 24, 2022 6:59 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: Twain Harte market

A resounding NO to any plan to create low income housing in this town.
There is no infrastructure or sentiment to support this.
My family built a cabin in this town in 1946. We have been paying taxes in this county since then. We have also been paying the THCSD exorbitant "hook-up fees" for who knows how long.
I feel this allows me to put in my "two cents".
I cannot condone this plan to change the landscape of this community for the benefit of a greedy landlord who wants a cash-out payday.

Location: The project site is located at 18711 Tiffeni Drive and 22990,22984,22930 Twain Harte Drive in the community of Twain Harte. Located within a portion of Section 9, Township 2 North, Range 16 East, Mount Diablo Baseline and Meridian. Located within Supervisorial District 3.

Please see the attached vicinity map for parcel locations.

Access: Tiffeni Drive/Twain Harte Drive

Sewage Disposal Method: Twain Harte Community Services District

Water Source: Twain Harte Community Services District

Fire Hazard Rating: High fire hazard severity zone

RECEIVED
JAN 28 2022
Community Development Department

Additional Information:

1. Permitted and Conditional uses for the proposed M-U district can be found at this link below: https://www.tuolumnecounty.ca.gov/DocumentCenter/View/435/Chapter-1730---Mixed-Use-District-or-MU-District?bidId=

2. General zoning information can be found here: https://www.tuolumnecounty.ca.gov/179/Planning

3. Within any mobilehome exclusion combining (:MX) district, no mobilehome may be used as a permanent residence on any individual parcel unless it is installed on a foundation system, has skirting around the mobilehome, and no more than ten years have elapsed between the date of the manufacture of the mobilehome and the date of the application for a building permit to install the mobilehome (TCOC 17.48.020).

4. Future uses on each property may require further evaluation, permits and review.

Please return your comments to the CDD by **January 26, 2022**. Comments may be emailed to Cheydi Gonzales, cgonzales@co.tuolumne.ca.us Comments may also be mailed to: 2 South Green Street, Sonora, CA 95370 or brought to the Community Development Department.

Staff Contact: Cheydi Gonzales
Phone: (209) 533-6641
Email: cgonzales@co.tuolumne.ca.us

AGENCY: To whom it may concern

COMMENTS: I am a senior that bought a retirement home here in Twain Harte and for the convience of a Pharmacy and Grocery Store! Now you take that convience away. So I have to disagree with the plan to change Twain Harte,
A Concerned resident.

All property owners within 1000 feet of the proposed project will be notified of future public hearings. Please note that all comments that are submitted are part of the public record for the project.

Signed by: A concerned resident

Agency: _____ Date: 1-24-2022

Location: The project site is located at 18711 Tiffeni Drive and 22990,22984,22930 Twain Harte Drive in the community of Twain Harte. Located within a portion of Section 9, Township 2 North, Range 16 East, Mount Diablo Baseline and Meridian. Located within Supervisorial District 3.

Please see the attached vicinity map for parcel locations.

RECEIVED
JAN 27 2022
Community Development Department

Access: Tiffeni Drive/Twain Harte Drive

Sewage Disposal Method: Twain Harte Community Services District

Water Source: Twain Harte Community Services District

Fire Hazard Rating: High fire hazard severity zone

Additional Information:

1. Permitted and Conditional uses for the proposed M-U district can be found at this link below: https://www.tuolumnecounty.ca.gov/DocumentCenter/View/435/Chapter-1730---Mixed-Use-District-or-MU-District?bidId=

2. General zoning information can be found here: https://www.tuolumnecounty.ca.gov/179/Planning

3. Within any mobilehome exclusion combining (:MX) district, no mobilehome may be used as a permanent residence on any individual parcel unless it is installed on a foundation system, has skirting around the mobilehome, and no more than ten years have elapsed between the date of the manufacture of the mobilehome and the date of the application for a building permit to install the mobilehome (TCOC 17.48.020).

4. Future uses on each property may require further evaluation, permits and review.

Please return your comments to the CDD by **January 26, 2022**. Comments may be emailed to Cheydi Gonzales, cgonzales@co.tuolumne.ca.us Comments may also be mailed to: 2 South Green Street, Sonora, CA 95370 or brought to the Community Development Department.

Staff Contact: Cheydi Gonzales
Phone: (209) 533-6641
Email: cgonzales@co.tuolumne.ca.us

AGENCY: _____

COMMENTS: I HEREBY OPPOSE this GPA21-005 LAND USE DISIGNATION.

TWAIN HARTE DOSNT WANT ANY MX OR MU ON THESE PARCELS. WE DO NOT WANT ANY SECTION 8 HABITATS either. There ARE NO services FOR these SECTION 8 Folks

-CONT'D—

Tuscin Heights was founded on "No Mobile Homes" in the 920's → 30's. Keep it that way.

Do NOT Allow MH!!

All property owners within 1000 feet of the proposed project will be notified of future public hearings. Please note that all comments that are submitted are part of the public record for the project.

Signed by: [signature]

Agency: Myself, a TH Resident Date: 1-23-2022

From,
Richard + Marilyn Knudson
P.O. Box 1395
Twain Harte, CA 95383

To Cheydi Gonzales

Attention: Community Development Department

Location: The project site is located at 18711 Tiffeni Drive and 22990,22984,22930 Twain Harte Drive in the community of Twain Harte. Located within a portion of Section 9, Township 2 North, Range 16 East, Mount Diablo Baseline and Meridian. Located within Supervisorial District 3.

Please see the attached vicinity map for parcel locations.

Access: Tiffeni Drive/Twain Harte Drive

Sewage Disposal Method: Twain Harte Community Services District

Water Source: Twain Harte Community Services District

Fire Hazard Rating: High fire hazard severity zone

Additional Information:

1. Permitted and Conditional uses for the proposed M-U district can be found at this link below: https://www.tuolumnecounty.ca.gov/DocumentCenter/View/435/Chapter-1730---Mixed-Use-District-or-MU-District?bidId=

2. General zoning information can be found here: https://www.tuolumnecounty.ca.gov/179/Planning

3. Within any mobilehome exclusion combining (:MX) district, no mobilehome may be used as a permanent residence on any individual parcel unless it is installed on a foundation system, has skirting around the mobilehome, and no more than ten years have elapsed between the date of the manufacture of the mobilehome and the date of the application for a building permit to install the mobilehome (TCOC 17.48.020).

4. Future uses on each property may require further evaluation, permits and review.

Please return your comments to the CDD by **January 26, 2022**. Comments may be emailed to Cheydi Gonzales, cgonzales@co.tuolumne.ca.us Comments may also be mailed to: 2 South Green Street, Sonora, CA 95370 or brought to the Community Development Department.

Staff Contact: Cheydi Gonzales
Phone: (209) 533-6641
Email: cgonzales@co.tuolumne.ca.us

AGENCY: _____

COMMENTS: This proposed zone change will have a huge negative impact on Twain Harte's future. We are opposed to this zone change without any details as to the full project. We have been property owners for 49 years and business owners for 29 years

We are not opposed to growth and development, but this zone change doesn't tell us the full plan. Howard Schindler and Saul Gevertz bought the Twain Harte Shopping Center when it was first built. Their track record has not been good. They have not kept up the buildings and parking lot. They have driven out all but 2 businesses due to high rent. We have been members of the Twain Harte Homeowner for 49 years. We understand the board approved the zone change without asking the members or to vote. We vote no to the zone change.

All property owners within 1000 feet of the proposed project will be notified of future public hearings. Please note that all comments that are submitted are part of the public record for the project.

Signed by: Marilyn Knudson + [signature]

Agency: _____ Date: 1-22-22

Rich + Marilyn Knudson
P.O. Box 1395
Twain Harte, CA 95383

RECEIVED
JAN 24 2022
Community Development
Department

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Friday, January 21, 2022 1:34 PM
To: lise lemonnier
Subject: RE: Twain Harte

Greetings Lise,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record. Staff will analyze public comments during the review period for this project.

Should you have any questions please reach out to me directly.

Thank you,
Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: lise lemonnier <lisecl@hotmail.com>
Sent: Friday, January 21, 2022 7:48 AM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: Twain Harte

I have lived in Twain Harte for over 45 years, I have paid my taxes for just as long. I do not agree with the new rezoning of the Twain Harte Shopping Center. Twain Harte has been known for it's quaintness and it's friendly community. Allowing this rezoning will be a detriment to our community,. Please consider those of us who actually live here and support each other. We are the ones that vote in this community.
Thank you
Lise Lemonnier

Please add my email address to get notifications on this project.

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Friday, January 21, 2022 1:35 PM
To: Buchanan Auto Electric
Subject: RE: General Plan Amendment GPA21-005 / Zone Change RZ21-012

Greetings Henry,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record. Staff will analyze public comments during the review period for this project.

I have added your contact address to the mailing list as well.

Should you have any questions please reach out to me directly.

Thank you,
Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Buchanan Auto Electric <Baeoakland@sbcglobal.net>
Sent: Friday, January 21, 2022 10:09 AM
To: 'Brian Edwards' <brian@bleoffice.com>; Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Cc: 'Scot Cru' <chilicru@yahoo.com>; 'Zachary Keener' <zakkeener@gmail.com>; 'Carolyn Keener' <carolyns.keener@gmail.com>; nikkischmidt6@yahoo.com; per_vinson@hotmail.com
Subject: RE: General Plan Amendment GPA21-005 / Zone Change RZ21-012

Hi Cheydi,

I agree with Brian's concerns and also oppose the rezoning for these properties. Please advise of any meeting or further information regrading this matter.

Thank you,
Henry Andreotti
18977 Ryan ct.
Twain Harte CA 95383

From: Brian Edwards <brian@bleoffice.com>
Sent: Thursday, January 20, 2022 5:04 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Cc: Scot Cru (chilicru@yahoo.com) <chilicru@yahoo.com>; Zachary Keener <zakkeener@gmail.com>; Baeoakland@sbcglobal.net; Carolyn Keener <carolyns.keener@gmail.com>; nikkischmidt6@yahoo.com;

per_vinson@hotmail.com
Subject: Re: General Plan Amendment GPA21-005 / Zone Change RZ21-012

Thanks! (and call me Brian) – please add everyone here to your notification list.

From: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Date: Thursday, January 20, 2022 at 5:02 PM
To: Brian Edwards <brian@bleoffice.com>
Cc: Scot Cru (chilicru@yahoo.com) <chilicru@yahoo.com>, Zachary Keener <zakkeener@gmail.com>, Baeoakland@sbcglobal.net <Baeoakland@sbcglobal.net>, Carolyn Keener <carolyns.keener@gmail.com>, nikkischmidt6@yahoo.com <nikkischmidt6@yahoo.com>, per_vinson@hotmail.com <per_vinson@hotmail.com>
Subject: RE: General Plan Amendment GPA21-005 / Zone Change RZ21-012

Of course! Let me know if anyone wants me to add them to my additional notification list I have going.

Always happy to help,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Brian Edwards <brian@bleoffice.com>
Sent: Thursday, January 20, 2022 4:52 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Cc: Scot Cru (chilicru@yahoo.com) <chilicru@yahoo.com>; Zachary Keener <zakkeener@gmail.com>; Baeoakland@sbcglobal.net; Carolyn Keener <carolyns.keener@gmail.com>; nikkischmidt6@yahoo.com; per_vinson@hotmail.com
Subject: Re: General Plan Amendment GPA21-005 / Zone Change RZ21-012

Thanks Cheydi (if I may use your first name!) – really appreciate your responsiveness. (Adding another couple of interested neighbors here, Per and Nikki Vinson, who also live on Ryan Court)

From: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Date: Thursday, January 20, 2022 at 3:47 PM
To: Brian Edwards <brian@bleoffice.com>
Cc: Scot Cru (chilicru@yahoo.com) <chilicru@yahoo.com>, Zachary Keener <zakkeener@gmail.com>, Baeoakland@sbcglobal.net <Baeoakland@sbcglobal.net>, Carolyn Keener <carolyns.keener@gmail.com>
Subject: RE: General Plan Amendment GPA21-005 / Zone Change RZ21-012

Good afternoon Mr. Edwards,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record pertaining to the project. As we spoke yesterday I have explained the process of such applications as the one you have been noticed for. We will continue to process this project and analyze comments during the review period of this project.

Should you have any questions please reach out to me directly.

Thank you and have a good day,

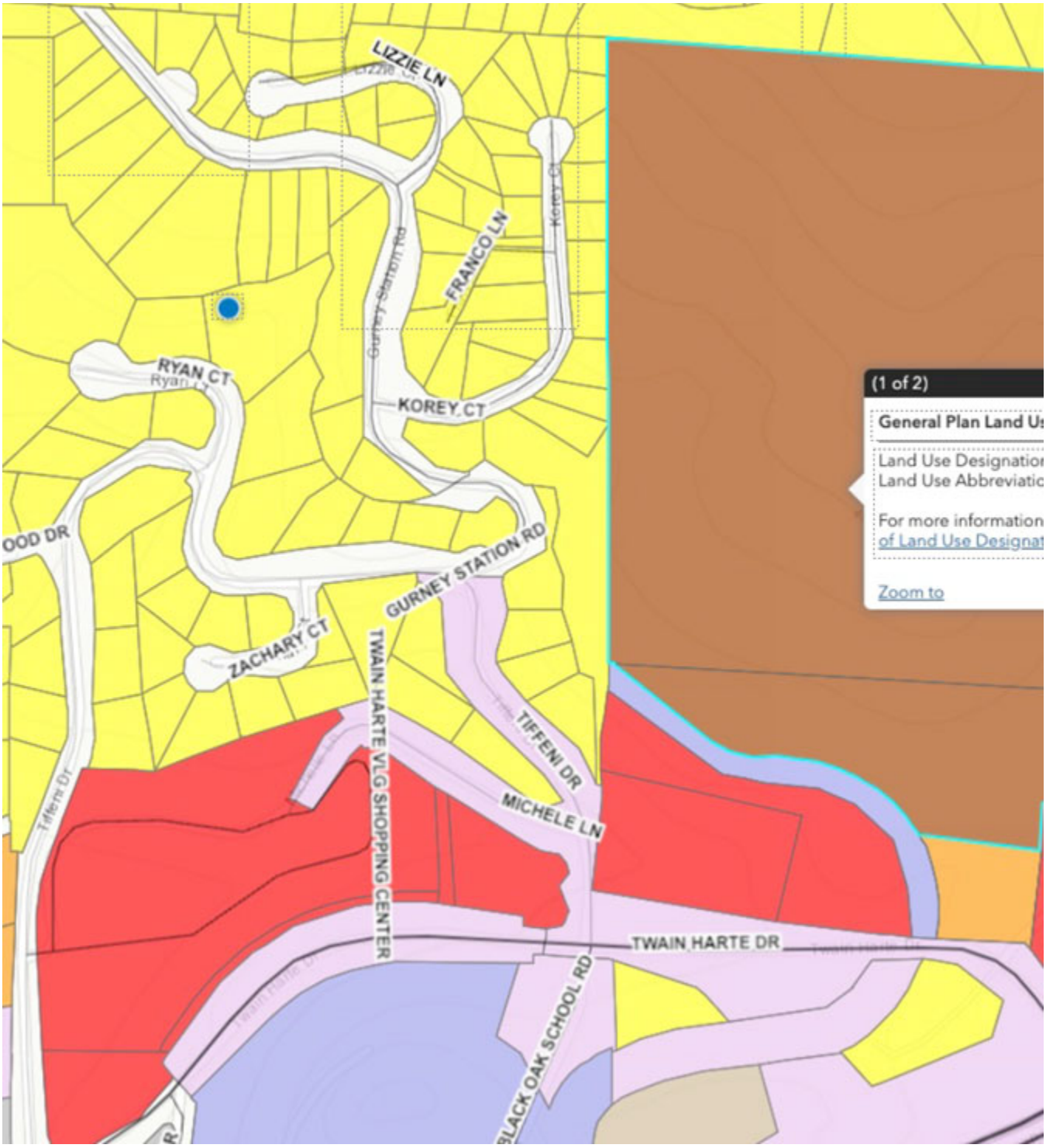
Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Brian Edwards <brian@bleoffice.com>
Sent: Wednesday, January 19, 2022 2:16 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Cc: Scot Cru (chilicru@yahoo.com) <chilicru@yahoo.com>; Zachary Keener <zakkeener@gmail.com>; Baeoakland@sbcglobal.net; Carolyn Keener <carolyns.keener@gmail.com>
Subject: General Plan Amendment GPA21-005 / Zone Change RZ21-012

Dear Ms Gonzales –

I am following up on our recent telephone conversation regarding the proposed General Plan Amendment GPA21-005 and Zone Change RZ21-012. There are multiple reasons why these changes should not be allowed. I will briefly outline those reasons here:

1. The proposed changes would mainly move these parcels from General Commercial (C-1) to Mixed Use (M-U). The most obvious objection to this change is that it violates the spirit (if not the letter) of County's zoning provisions. By its terms, M-U zoning is limited to "an **urban** setting". The rule expressly states that "It is intended that this district be established within **urban** areas". (Chap. 17.30.010) (emphasis added). While it is possible that Twain Harte is designated "urban" on a county map, it is obvious that Twain Harte is anything but urban in any meaningful sense of the word. Founded some 100 years ago as a mountain getaway in the heart of a forest, Twain Harte remains the epitome of a rural area. Current zoning remains consistent with that principle. For example, according to the Tuolumne County Zoning & Land Use Lookup website, one of the large parcels nearest to the proposed rezoning is explicitly zoned "**Rural** Residential":



Similarly, and as you can see above, most of the zoning near the subject parcels is R-1 (yellow). As you know, Chapter 17.18.010 states that the R-1 designation is "intended for **suburban** family homes". Even I can understand that when much of the local area has a suburban residential designation, while large other portions are expressly designated as "rural" (with many others zoned "public" or "agricultural"), that area is not truly "urban" in any meaningful way. And since Twain Harte is not truly urban, it does not need more M-U designated properties.

2. Even if an M-U designation is technically lawful, there is no reason for it. The current C-1 zoning across the subject parcels is more than adequate to permit reasonable commercial activity. Changing the zoning to M-U – especially on the large 048-680-046 (Twain Harte Village Shopping Center) parcel – and thus increasing the scope of commercial activity (including a potentially substantial increase in housing density on these parcels)—substantially increases the risk to the character of the community without adding any apparent community benefits.

3. While there are a handful of parcels with current M-U zoning in Twain Harte on the Tuolumne County Zoning & Land Use Lookup website, that does not justify creating more M-U zoning on the subject parcels – especially on the very large Twain Harte Village Shopping Center parcel. If anything, Twain Harte likely already has more M-U designed property than its population needs (or wants).

4. It is unclear why the zoning for the Twain Harte Village Shopping Center parcel should be changed. What was once (and could still be) a reasonably robust commercial enterprise is now a relative ghost town. Only 4 businesses remain, and as I understand it two of those (the Twain Harte Pharmacy and Mountain Liquor) are departing, which will leave only the Twain Harte Market and the Pizza Factory. Until the applicants explain why these businesses are leaving and why they have been unable to introduce any new businesses to the Shopping Center, there is no rational reason to reward them with even more liberal zoning (which could lead to even worse results).

5. By contrast to the Village Shopping Center, one business on another of the subject properties (parcel 049-140-039) is and has been a success: The Eproson House Restaurant. They don't need rezoning to continue the Eproson House, so the only reason they could be asking for it would be to eliminate it. This would be a travesty. The roots of the Eproson House go back to the 1940s, and the restaurant itself has been in operation since 1973 (prior to the current property ownership). It is a gathering place and a tradition for many residents of and visitors to the area. The current C-1 zoning is of course sufficient to allow the Eproson House to continue in operation. The requested change of zoning to M-U can only imply an intention to eliminate this iconic local business (just like the businesses have disappeared from the Twain Harte Village Shopping Center). If you want to ruin the character and tradition of Twain Harte, permitting a zoning change that could facilitate the elimination of the Eproson House is a great way to start.

6. Reviewing the potential uses under M-U zoning, it seems most likely that the applicants' intention is to create the conditional option to develop up to 15 dwelling units per acre (17.30.030.A), with the possibility of even more if additional units are secured through an affordable-housing density bonus (17.30.050). Given that the Shopping Center parcel alone is 8.5 acres, M-U rezoning could add at least 127 units just to that area. If there are an average of 3 occupants per unit that is another 380 people (or more, if density is increased for low-income housing). Are services sufficient to address the needs of such a dramatic population increase? Clearly not. Twain Harte has no police force (just occasional visits from a couple of Tuolumne County Sheriff's Department officers); Twain Harte has a very limited fire department; plus water, sewage, and garbage disposal will all be strained (if not overcome completely). The amount of traffic going in and out in mornings and afternoons – prime periods when children are in school at the adjacent Twain Harte Elementary – will likely increase, with corresponding risks. Twain Harte is already considered a "Disadvantaged Legacy Community" under the General Plan (see 2018 Tuolumne County General Plan, Technical Background Report, at pp. 73-75). It's irrational to risk making a disadvantaged community even *more* disadvantaged by increasing the population substantially. Creating more public spaces, redevelopment as R-1 private residential (consistent with the rest of the nearby community), or simply doing a better job managing the existing opportunities under C-1 regulations, all are far more attractive and valuable options to the community.

7. Decades of homeowners have relied on the mountain village, cabin-oriented nature of Twain Harte – with its relatively limited commercial footprint - in making their home purchases. If these parcels directly on the main road through town, are allowed to be rezoned as requested, which could very well lead to construction of urban-style housing units in a distinctly non-urban area, then those decades of reliance will have been thrown out the proverbial window. Property values – especially for the nearby homes – will almost certainly decline, damaging existing homeowners. I am one of those homeowners. My parents moved the family to this area in 1972; I graduated from Twain Harte Elementary (and Summerville High School) and have now returned after many years away. I bought my home on Ryan Court in Twain Harte for precisely the reasons so many others have: To be away from urban-style development, to live in a smaller place with less density, to enjoy a rural community. The applicants have plenty of opportunity to make money from their properties (if well run) with their existing C-1 zoning.

8. The proposed "MX" zoning is particularly baffling. If mobile homes (even newer ones, on foundations with skirts) are allowed right next to one of the two main entrances to Twain Harte, it would substantially diminish and detract from the rural appearance of the entrance. (There is already one uncontrolled situation at the entrance, which should be remediated before we even consider another.) Further, why should the two smaller parcels receive any designation that would permit mobile homes? It makes no sense.

I should note that I have just learned the applicants made a presentation about their plans to the Twain Harte Homeowners Board. They apparently want to turn one empty Shopping Center building into apartments then build another apartment building … and then maybe, just maybe, some years down the road they might build condos and genuine mixed-use facilities. However, that seems to be nothing but hopeful talk; the only assurance is they will add apartments to the area, adding pressure to services and permanently altering the rural, small-town character of Twain

Harte. They offered no reason for needing to rezone either of the smaller parcels and no assurances that their new plan will work out any better than the Shopping Center plan did.

I am copying this to just some of my family, friends and neighbors who object to the rezoning. They can weigh in additionally as they think best. In the meantime, thank you for your attention to this email. Kind regards,

-Brian Edwards
18998 Ryan Court
Twain Harte, CA 95383
(310) 488-5947

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Friday, January 21, 2022 1:30 PM
To: George Getgen
Cc: Anaiah Kirk; Quincy Yaley; 'George Getgen'
Subject: RE: Response to Planning Application in Twain Harte: General Plan Amendment GPA21-005 and Zone Change RZ21-012

Greetings Mr. Getgen,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record. Staff will analyze public comments during the review period for this project.

Should you have any questions please reach out to me directly.

Thank you,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: George Getgen <georgegetgen@comcast.net>
Sent: Thursday, January 20, 2022 5:58 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Cc: Anaiah Kirk <AKirk@co.tuolumne.ca.us>; Quincy Yaley <QYaley@co.tuolumne.ca.us>; 'George Getgen' <ggetgen@comcast.net>
Subject: Response to Planning Application in Twain Harte: General Plan Amendment GPA21-005 and Zone Change RZ21-012

Enclosed and pasted below is a copy my letter that responds to your 1/12/22 requesting comments to the subject planning item. Please provide me with an electronic response acknowledging receipt of my comments

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via email and US Mail
January 20, 2022

Ms. Cheydi Gonzales
Land Use Technician
Tuolumne County Community Development Department
2 South Green Street
Sonora, CA 95370

Re: General Plan Amendment GPA21-005 and Zone Change RZ21-012

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I view the Twain Harte community as one of the jewels of Tuolumne County (County). The sign entering the community perhaps says it best, "a four seasons resort". The proposed planning change in my opinion is not consistent with the predominantly current single family usage in a country/rural setting that attracted me to purchase my home. I have been working on design documents for my home and seriously contemplating investing significant amount in its renovation/expansion, but this notice has given me significant pause, and has also stopped friends of mine who were considering retiring in the Twain Harte community from continuing their real estate search.

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If such a project was considered under the proposed planning changes requiring a general plan amendment, what CEQA actions are required by the County? The current shopping center may have a large water "capacity", but its actual "usage" of water and sewage over the last ten years is significantly less than 135 unit multifamily project. This is in a community where the water retailer has put up notices that we do not have a drop of water to waste. What impact will this amount of increase traffic have on marginally maintained county roads within the subdivision? What impact of traffic at the intersections of Tiffeni Drive and Twain Harte Drive; and for that matter at Twain Harte Drive and State Highway 108? The subdivision has unique sound transmission characteristics. Currently music from seasonal local concerts in the community park are quite loud in the subdivisions higher elevations. What sound mitigations will be instituted and how will current residents be assured they be maintained or enforced? Will the County assure and increase its sheriff patrols for these and other possible impacts?

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phase that contemplates converting existing shopping center structure into multifamily residences; with an expectation starting construction before the end of year. **Has the County given this project applicant any project assurances before: 1) collecting public comments; 2) its April planning commission meeting that first reviews this application; 3) establishing CEQA requirements/approval; and 4) getting Board of Supervisors approval?**

Though this community board is certainly entitled their respective personal opinions about this proposal, I find it extremely inappropriate that they provided a qualified opinion to the community during a public comment period. The applicant has zero commitment/obligation to whatever project information they presented and could easily change their entire plan within the limits of final zoning changes/approvals. I fear that this board communication to the greater community **may limit feedback that may otherwise be collected during this public comment period**. I also fear that this **could of very well been the desired outcome by the applicant in making such a selected presentation**. The County should seriously consider providing a new notice and expanding its notice to a greater amount of Twain Harte Community residents. This email had a much greater reach than properties within a 1000ft from the project site. This is a significant planning change for the entire community that has now been made aware via this flawed communication. More time for responses should be provided given that **the applicant has indirectly clouded the project information available via this board communication to the community**, and likely the board's qualified comments/approval, intended or not, **may of persuaded many residents not to respond at all.**

I will close by restating that I have more questions than comments about this proposed planning change. Planning and zoning is the core of what makes the difference between desirable and undesirable communities. Such changes should be driven by identified factors in the County's General Plan that the overall community has vetted and bought into, not by individuals who simply see personal economic opportunity. To my understanding the applicants have had zero public outreach to explore what might be an acceptable planning solution. I do not count speaking with 8 board members who represent no one behind closed doors, as outreach, but perhaps a shrewd political move. An application that includes: 1) three non-contiguous parcels; 2) proposing to change an existing restaurant with significant history to multifamily zoning - is a "head scratch" and extremely unusual and suspect from my experience. This indicates to me that the application has nothing to do with good planning or betterment of the community, but rather an opportunistic economic grab by the applicants. **I strongly oppose this application, and believe there are much better planning solutions that would incorporate single family homes similar to what currently surrounds the shopping center.**

Sincerely,

George Getgen
APN - 04868018

cc: Supervisor Kirk; Quincy Yaley

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Friday, January 21, 2022 1:30 PM
To: George Getgen
Cc: Anaiah Kirk; Quincy Yaley; 'George Getgen'
Subject: RE: Response to Planning Application in Twain Harte: General Plan Amendment GPA21-005 and Zone Change RZ21-012

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Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record. Staff will analyze public comments during the review period for this project.

Should you have any questions please reach out to me directly.

Thank you,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: George Getgen <georgegetgen@comcast.net>
Sent: Thursday, January 20, 2022 5:58 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Cc: Anaiah Kirk <AKirk@co.tuolumne.ca.us>; Quincy Yaley <QYaley@co.tuolumne.ca.us>; 'George Getgen' <ggetgen@comcast.net>
Subject: Response to Planning Application in Twain Harte: General Plan Amendment GPA21-005 and Zone Change RZ21-012

Enclosed and pasted below is a copy my letter that responds to your 1/12/22 requesting comments to the subject planning item. Please provide me with an electronic response acknowledging receipt of my comments

---

via email and US Mail
January 20, 2022

Ms. Cheydi Gonzales
Land Use Technician
Tuolumne County Community Development Department
2 South Green Street
Sonora, CA 95370

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Sincerely,

George Getgen
APN - 04868018

cc: Supervisor Kirk; Quincy Yaley

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Friday, January 21, 2022 1:11 PM
To: Carol Hancock
Subject: RE: Twain Harte-Howard Schindler project

Greetings Carol,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record. Staff will analyze public comments during the review period for this project.

Should you have any questions please reach out to me directly.

Thank you for your time,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Carol Hancock <theharteofthekitchen@gmail.com>
Sent: Thursday, January 20, 2022 3:04 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: Twain Harte-Howard Schindler project

Please see attached letter in regards to your letter dated 1-12-22

Tuolumne County Community Development Department

Re: General Plan Amendment GPA21-005 & Zone Change RZ21-012

Assessor's Parcel Numbers: 048-680-046,048-680-067,048-680- 053,049, -140-016,049-140-039

We as business owners and commercial property owners we are **opposed** to this project. Howard Schindler has neglected all the listed in this General Plan Amendment for years, nor has he even tried to make rents affordable for new businesses to be able to get established in Twain Harte.

In speaking with the other businesses in downtown Twain Harte it seems that they did not receive this letter. We feel their voices should be allowed on this project whether they own the building they occupy or not. The businesses along with the homeowners in Twain Harte should be heard. It is unfair to send this letter to just the owners of the buildings as a good number of them do not even live in the community.

We additionally are concerned with the lack of detail as to what these zone changes are being made to accomplish. Why would Mr. Schindler want to change (for example) the zoning of a Restaurant property from Commercial to Multiple Use? Does that mean that he is looking at closing a successful Restaurant that helps draw people to our town to make it a multiple housing complex? Without more detail we feel that we would be asked to make a decision without real information.

It has been rumored that Mr. Schindler is looking to include Section 8 housing in one or more of his properties. This is of great concern for us as residents of Twain Harte with the fact that there is an Elementary and Middle School within feet from the properties that are listed within this General Plan Amendment request. Again, without more detail this just raises red flags for the community (us and the parents of the children in our small community).

Twain Harte is a resort community and as a business/property owner we rely on weekend/vacation individuals for our revenue.

The properties listed in this General Plan Amendment have been owned and neglected by Howard Schindler for years, decades. The Shopping Center is all but closed down with only two viable businesses are left in operation (Twain Harte Market & Pizza Factory) all other businesses have left. Mr. Schindler has not kept up the properties and/or made it affordable for businesses to stay in the properties. What makes anyone think that he will spend the money it will take to develop these properties now?

These are only a few concerns that we are noting but we feel strongly that the entire Twain Harte community (residents, businesses, schools, fire department and THCSD) should all be allowed to voice their opinion in this matter.

Allan & Carol Hancock

The Harte of the Kitchen
22966 Joaquin Gully Road
P O Box 590
Twain Harte, CA 95383

Cheydi Gonzales

From: eskee <eskee@jps.net>
Sent: Friday, January 21, 2022 2:34 PM
To: Cheydi Gonzales
Subject: TH Center
Attachments: TH center map 2022.pdf; letter to county Schindler.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Please see attached with regard
to my comments about the rezoning issue.
Thank You
Don Escallier

via email and US Mail

January 20, 2022

Ms. Cheydi Gonzales
Land Use Technician
Tuolumne County Community Development Department
2 South Green Street
Sonora, CA 95370

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Though this community board is certainly entitled their respective personal opinions about this proposal, I find it extremely inappropriate that they provided a qualified opinion to the community during a public comment period. The applicant has zero commitment/obligation to whatever project information they presented and could easily change their entire plan within the limits of final zoning changes/approvals. I fear that this board communication to the greater community **may limit feedback that may otherwise be collected during this public comment period**. I also fear that this **could of very well been the desired outcome by the applicant in making such a selected presentation**. The County should seriously consider providing a new notice and expanding its notice to a greater amount of Twain Harte Community residents. This email had a much greater reach than properties within a 1000ft from the project site. This is a significant planning change for the entire community that has now been made aware via this flawed communication. More time for responses should be provided given that **the applicant has indirectly clouded the project information available via this board communication to the community**, and likely the board's qualified comments/approval, intended or not, **may of persuaded many residents not to respond at all.**

I will close by restating that I have more questions than comments about this proposed planning change. Planning and zoning is the core of what makes the difference between desirable and undesirable communities. Such changes should be driven by identified factors in the County's General Plan that the overall community has vetted and bought into, not by individuals who simply see personal economic opportunity. To my understanding the applicants have had zero public outreach to explore what might be an acceptable planning solution. I do not count speaking with 8 board members who represent no one behind closed doors, as outreach, but perhaps a shrewd political move. An application that includes: 1) three non-contiguous parcels; 2) proposing to change an existing restaurant with significant history to multifamily zoning - is a "head scratch" and extremely unusual and suspect from my experience. This indicates to me that the application has nothing to do with good planning or betterment of the community, but rather an opportunistic economic grab by the applicants. **I strongly oppose this application, and believe there are much better planning solutions that would incorporate single family homes similar to what currently surrounds the shopping center.**

Sincerely,

George Getgen
APN - 04868018

cc: Supervisor Kirk; Quincy Yaley

Cheydi Gonzales

From: George Getgen <georgegetgen@comcast.net>
Sent: Thursday, January 20, 2022 5:58 PM
To: Cheydi Gonzales
Cc: Anaiah Kirk; Quincy Yaley; 'George Getgen'
Subject: Response to Planning Application in Twain Harte: General Plan Amendment GPA21-005 and Zone Change RZ21-012
Attachments: Planning Review Comments for TH Shopping Center.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Enclosed and pasted below is a copy my letter that responds to your 1/12/22 requesting comments to the subject planning item. Please provide me with an electronic response acknowledging receipt of my comments

---

via email and US Mail
January 20, 2022

Ms. Cheydi Gonzales
Land Use Technician
Tuolumne County Community Development Department
2 South Green Street
Sonora, CA 95370

Re: General Plan Amendment GPA21-005 and Zone Change RZ21-012

Dear Ms. Gonzales:

This letter is in response to your January 12th letter requesting comments to the referenced planning application. I am a homeowner within the Black Oaks Estates subdivision that abuts the shopping center parcel located at 18711 Tiffeni Drive. I have attempted to contact you prior to writing this letter by both phone and email (which included specific questions). My desire to speak with you was in large part because your January 12th letter provides no specific information on what is driving these specific proposed changes to the County's general plan, nor does it provide any information on what the applicant is contemplating in the form of a project. Twain Harte is not a job center, nor has it seen any significant population increase, so what has changed since the General Plan 2015 Update (which is applicable through 2030) to warrant such a significant change to this charming community?

I view the Twain Harte community as one of the jewels of Tuolumne County (County). The sign entering the community perhaps says it best, "a four seasons resort". The proposed planning change in my opinion is not consistent with the predominantly current single family usage in a country/rural setting that attracted me to purchase my home. I have been working on design documents for my home and seriously contemplating investing significant amount in its renovation/expansion, but this notice has given me significant pause, and has also stopped friends of mine who were considering retiring in the Twain Harte community from continuing their real estate search.

Given there is no project specific information provided in your letter, I must assume the worse from taking things to their limit within the proposed zoning. On the surface one may believe changing zoning of the current shopping center to what exists in the subdivision that surrounds it as reasonable. What is significantly different between the subject parcel and the surrounding subdivision is the parcel size. Within the subdivision, I would guess the average residential lot size to be near 1/2 acre, versus the shopping center and its adjacent parcels that would approach 9 acres. This would

allow a multifamily complex based on 15 units/acre of **nearly 135 units**! Such a development would be totally inappropriate in the Twain Harte community, let alone adjoining the existing Black Oaks subdivision. The County's General Plan states that it promotes development that reflects the value and vision of the community. If this was a vision of the community, why was it not addressed in the county's 2015 General Plan Update? What has changed? Virtually nothing has changed that I have witnessed - no population increase, no increase in local Twain Harte jobs, no new single family homes. I see no changes other than the applicants desire to make money at the expense and impact of the Twain Harte community. There are numerous viable options within its current zoning for the applicants. If residential use is a driver, an expansion of the subdivision with similar size lots/homes, with the balance of the land being used for a smaller reconfigured shopping center that hopefully retains the community's beloved Twain Harte Market and its County collected sales tax, would be acceptable to me and people I have spoken with.

If such a project was considered under the proposed planning changes requiring a general plan amendment, what CEQA actions are required by the County? The current shopping center may have a large water "capacity", but its actual "usage" of water and sewage over the last ten years is significantly less than 135 unit multifamily project. This is in a community where the water retailer has put up notices that we do not have a drop of water to waste. What impact will this amount of increase traffic have on marginally maintained county roads within the subdivision? What impact of traffic at the intersections of Tiffeni Drive and Twain Harte Drive; and for that matter at Twain Harte Drive and State Highway 108? The subdivision has unique sound transmission characteristics. Currently music from seasonal local concerts in the community park are quite loud in the subdivisions higher elevations. What sound mitigations will be instituted and how will current residents be assured they be maintained or enforced? Will the County assure and increase its sheriff patrols for these and other possible impacts?

On 1/18/22 I received an email from the "Twain Harte Homeowners Board". It is my understanding this Board/group has no legal capacity to represent its members, rather it is solely for small community projects and publication of a community newsletter. Because this group distributes its newsletter electronically it has an immediate outreach to the greater community. They stated in this email that the applicants for this project reached out to them via a "representative" to give their board a presentation of the applicant project plans (at their January board meeting); which based on their description it sounded like the applicant has quite specific project plans. For me it is extremely troubling that the project applicant has an apparent project plan that they either have not provided to the County, or more troubling, has the County elected not to share this information in their 1/12/22 letter? Perhaps even more troubling is that it was represented that the project applicant has hired an architect and has five bidders working toward its first phase that contemplates converting existing shopping center structure into multifamily residences; with an expectation starting construction before the end of year. **Has the County given this project applicant any project assurances before: 1) collecting public comments; 2) its April planning commission meeting that first reviews this application; 3) establishing CEQA requirements/approval; and 4) getting Board of Supervisors approval?**

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by individuals who simply see personal economic opportunity. To my understanding the applicants have had zero public outreach to explore what might be an acceptable planning solution. I do not count speaking with 8 board members who represent no one behind closed doors, as outreach, but perhaps a shrewd political move. An application that includes: 1) three non-contiguous parcels; 2) proposing to change an existing restaurant with significant history to multifamily zoning - is a "head scratch" and extremely unusual and suspect from my experience. This indicates to me that the application has nothing to do with good planning or betterment of the community, but rather an opportunistic economic grab by the applicants. **I strongly oppose this application, and believe there are much better planning solutions that would incorporate single family homes similar to what currently surrounds the shopping center.**

Sincerely,

George Getgen
APN - 04868018

cc: Supervisor Kirk; Quincy Yaley

From: Cheydi Gonzales
To: "Rosemary Merlo"
Subject: RE: General Plan Amendment GPA21-005 and Zone Change RZ21-012 / Schindler
Date: Wednesday, January 19, 2022 11:58:00 AM

Greetings,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record pertaining to the project. To answer some of your questions I have posed the following responses below:

1. Notification of projects is regulated by ordinance code per Chapter 17.68 specifically in section 17.68.130 (3.). The link is here: https://www.tuolumnecounty.ca.gov/DocumentCenter/View/2649/Chapter-1768---Permits-Variances-Amendments-and-Administrative-Procedure?bidId=

We only notify when the department receives an application.
If you have any questions pertaining to the processing of a project I am available via telephone to answer your questions.

Thank you for your time,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Rosemary Merlo <rmerlo@masonmac.com>
Sent: Wednesday, January 19, 2022 8:54 AM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: General Plan Amendment GPA21-005 and Zone Change RZ21-012 / Schindler

Dear Ms. Gonzales,

Here are my comments about this proposed change:

1. This is something that the entire Twain Harte community should have a voice in. This should not be relegated for discussion to those living within 1000 feet of the proposed development. There needs to be a community wide presentation with a Q&A…describing the development.
2. There is so little detail provided in the Community Development Department letter that it is impossible to know how this will affect the community overall.

3. Mr. Schindler was so ineffective renting the Tiffeni Drive shopping center that it raises considerable skepticism about what he could do with mixed use. Also, the fact that he left the shopping center unoccupied for most of its life does not suggest that he has the interests of the community at heart (whether, rumors being true, due to unrealistic rents).

R.Merlo

COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

48 Yaney Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
(209) 533-5633
(209) 533-5616 (Fax)
(209) 533-5909 (Fax – EHD)
www.tuolumnecounty.ca.gov

Date: January 12, 2022

To: Interested Stakeholder

From: Tuolumne County Community Development Department

RE: General Plan Amendment GPA21-005 and Zone Change RZ21-012
Assessor's Parcel Numbers: 048-680-046,048-680-067,048-680-053,049-140-049,049-140-016,049-140-039

The Community Development Department thanks you for your participation in the land development process in Tuolumne County. We value your comments and look forward to your continued participation in our planning process. This process provides information on your requirements and concerns to the applicant early in the review process. Involvement on your part can eliminate or minimize problems that could arise later.

Applicant: Howard Schindler and Saul Gevertz
Project Manager: Erik Smith; erik@arksmithdesign.com

Project: The Community Development Department (CDD) has received an application for the following:

1. General Plan Amendment GPA21-005 to amend the land use designation of four parcels from General Commercial (GC) to Mixed Use (MU) as follows:

Assessor's Parcel Number (APN)	Acres±	CURRENT General Plan Designation	PROPOSED General Plan Designation	Location/Address
048-680-046	8.56±	GC	MU	18711 Tiffeni Drive
048-680-067	0.18±	GC	MU	Adjacent to 18711 Tiffeni Drive
048-680-053	0.34±	GC	MU	Adjacent to 18711 Tiffeni Drive
049-140-039	0.28±	GC	MU	22930 Twain Harte Drive

2. Zone Change RZ21-012 to rezone six parcels as follows:

APN	Acres±	CURRENT Zoning	PROPOSED Zoning	Location/Address
048-680-046	8.56±	C-1:MX	M-U:MX	18711 Tiffeni Drive
048-680-067	0.18±	C-1:D:MX:O	M-U:MX:O	Tiffeni Drive
048-680-053	0.34±	C-1:D:MX	M-U:D:MX	Tiffeni Drive
049-140-049	0.32±	C-1:D:MX	M-U:D:MX	22990 Twain Harte Drive
049-140-016	0.83±	C-1:D:MX	M-U:D:MX	22984 Twain Harte Drive
049-140-039	0.28±	C-1:D:MX	M-U:D:MX	22930 Twain Harte Drive

Legend:

C-1 = General Commercial
M-U = Mixed Use
D = Design Control Combining
MX = Mobilehome Exclusion Combining
O = Open Space

Location: The project site is located at 18711 Tiffeni Drive and 22990,22984,22930 Twain Harte Drive in the community of Twain Harte. Located within a portion of Section 9, Township 2 North, Range 16 East, Mount Diablo Baseline and Meridian. Located within Supervisorial District 3.

Please see the attached vicinity map for parcel locations.

Access: Tiffeni Drive/Twain Harte Drive

Sewage Disposal Method: Twain Harte Community Services District

Water Source: Twain Harte Community Services District

Fire Hazard Rating: High fire hazard severity zone

Additional Information:

1. Permitted and Conditional uses for the proposed M-U district can be found at this link below: https://www.tuolumnecounty.ca.gov/DocumentCenter/View/435/Chapter-1730---Mixed-Use-District-or-MU-District?bidId=

2. General zoning information can be found here: https://www.tuolumnecounty.ca.gov/179/Planning

3. Within any mobilehome exclusion combining (:MX) district, no mobilehome may be used as a permanent residence on any individual parcel unless it is installed on a foundation system, has skirting around the mobilehome, and no more than ten years have elapsed between the date of the manufacture of the mobilehome and the date of the application for a building permit to install the mobilehome (TCOC 17.48.020).

4. Future uses on each property may require further evaluation, permits and review.

Please return your comments to the CDD by **January 26, 2022**. Comments may be emailed to Cheydi Gonzales, cgonzales@co.tuolumne.ca.us Comments may also be mailed to: 2 South Green Street, Sonora, CA 95370 or brought to the Community Development Department.

Staff Contact: Cheydi Gonzales
Phone: (209) 533-6641
Email: cgonzales@co.tuolumne.ca.us

AGENCY: Jeff Richard + Sandra Cavil 18918 Sequoia Dr. Twain Harte

COMMENTS: Serious concerns about honesty + intent of owners. 2 parcels are already used as Residential units, and they are a blight on the community. Disregard for current tenants, poor maintenance of properties demonstrated by owner does not illicit a favorable response from us, as local homeowners.

Does TH CSD have capacity for increased inflows of waste water etc is a concern also. Increasing the rent by huge amount to the TH Pharmacy, resulting in them closing was a large blow to the community. We loved that store and losing it will hurt the charm of our village. Takes the heart out of Twain Harte. Why should we trust that this owner has the best interests of Twain Harte in his thoughts!!??

All property owners within 1000 feet of the proposed project will be notified of future public hearings. Please note that all comments that are submitted are part of the public record for the project.

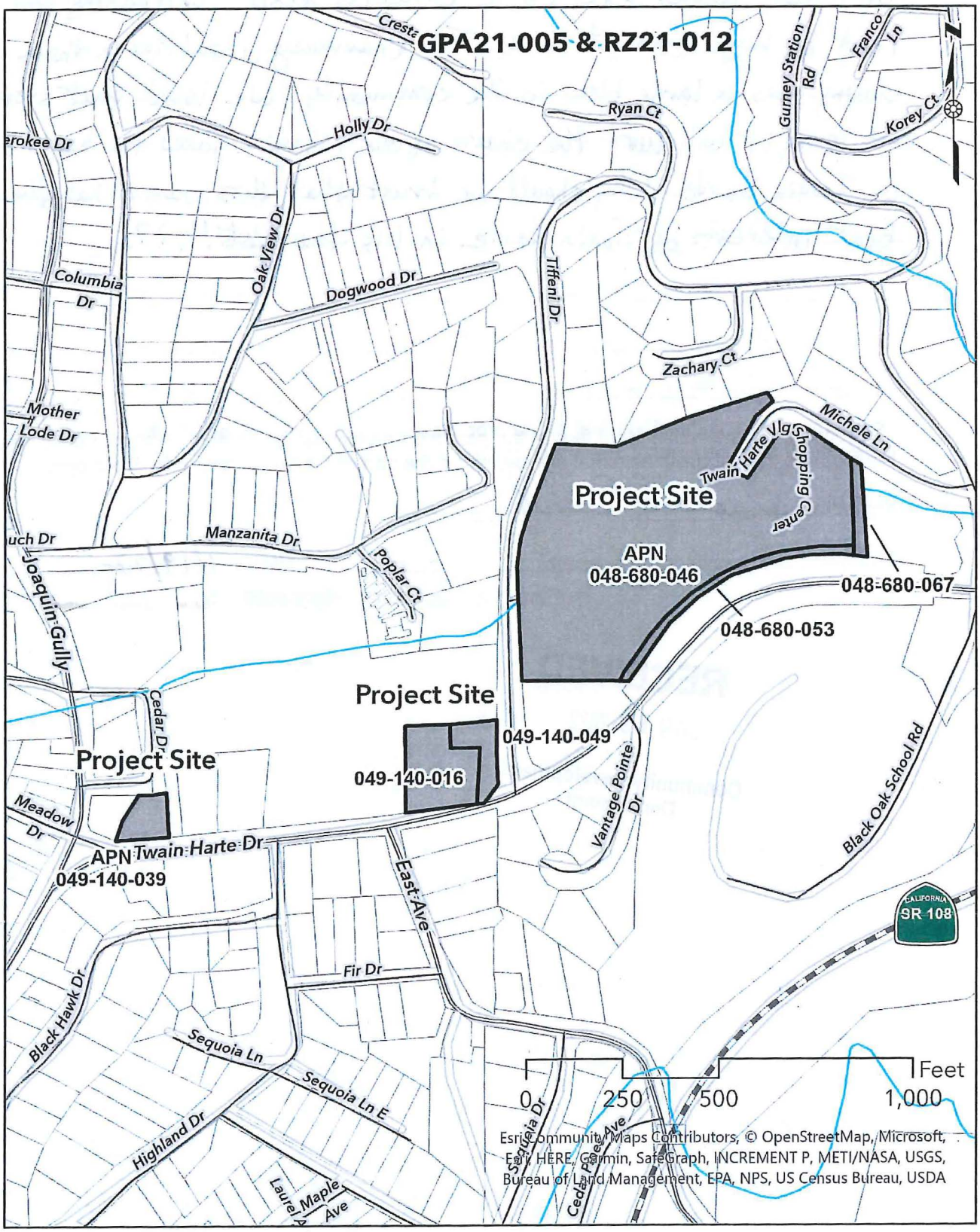
Signed by: Richard Cavil

Agency: _____ Date: 1/19/22

S:\Planning\PROJECTS\General Plan Amendment\2021\GPA21-005 (RZ21-012) Schindler\Application Review\Stakeholder Notification.docx

RECEIVED
JAN 19 2022
Community Development
Department

ATTACHMENT 1: VICINITY MAP



Cheydi Gonzales

From: George Getgen <georgegetgen@comcast.net>
Sent: Wednesday, January 19, 2022 5:26 PM
To: Cheydi Gonzales
Subject: Phone Call Message/General Plan Amendment GPA21 and Zone Change RZ21-012

Follow Up Flag: Follow up
Flag Status: Completed

Cheydi, my name is George Getgen and I left you a voice mail message early this afternoon requesting a return phone call at your earliest convenience.

After receiving your letter dated 1/12/22, I have major concerns and have spoken to several of my neighbors, which have similar concerns to mine. Virtually no information was provided in your letter about any specifics that the applicants may have, or what justification there is for a general plan amendment that was just updated in 2015. What has changed in this time period to justify such a change? What is the County's criteria/guidelines to determine or evaluate if such a change is warranted?

Mistrust is running very high with the people I have spoken with. Apparently the applicants have a specific plan and schedule that they have presented to a group/board that represents no one, but they put out a smoothly worded message to its homeowner email list concurrently to the County's request for comments.(I find this extremely odd to have a contractor and schedule in place before approval of a general plan amendment/ and CEQA requirements completed). This effort to me looks like an obvious effort to blunt public feedback. Does the County have any specifics to this plan the applicants are presenting? And if yes, why was this information not provided with your letter of 1/12/22? From my professional experience in land development, I would think an applicant would be proactive with the community to find what would be acceptable BEFORE making a plan or an application for such general plan amendment.

I have many questions I want to ask you before finalizing my formal response. As I stated in my voice message I would appreciate your prompt return phone call so I can draft and submit a formal response to this application in a timely fashion.

Sincerely,
George Getgen
925-455-6417
925-487-9416 (for text messages)

Sent from my iPad

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Thursday, January 20, 2022 3:47 PM
To: Brian Edwards
Cc: Scot Cru (chilicru@yahoo.com); Zachary Keener; Baeoakland@sbcglobal.net; Carolyn Keener
Subject: RE: General Plan Amendment GPA21-005 / Zone Change RZ21-012

Good afternoon Mr. Edwards,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record pertaining to the project. As we spoke yesterday I have explained the process of such applications as the one you have been noticed for. We will continue to process this project and analyze comments during the review period of this project.

Should you have any questions please reach out to me directly.

Thank you and have a good day,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

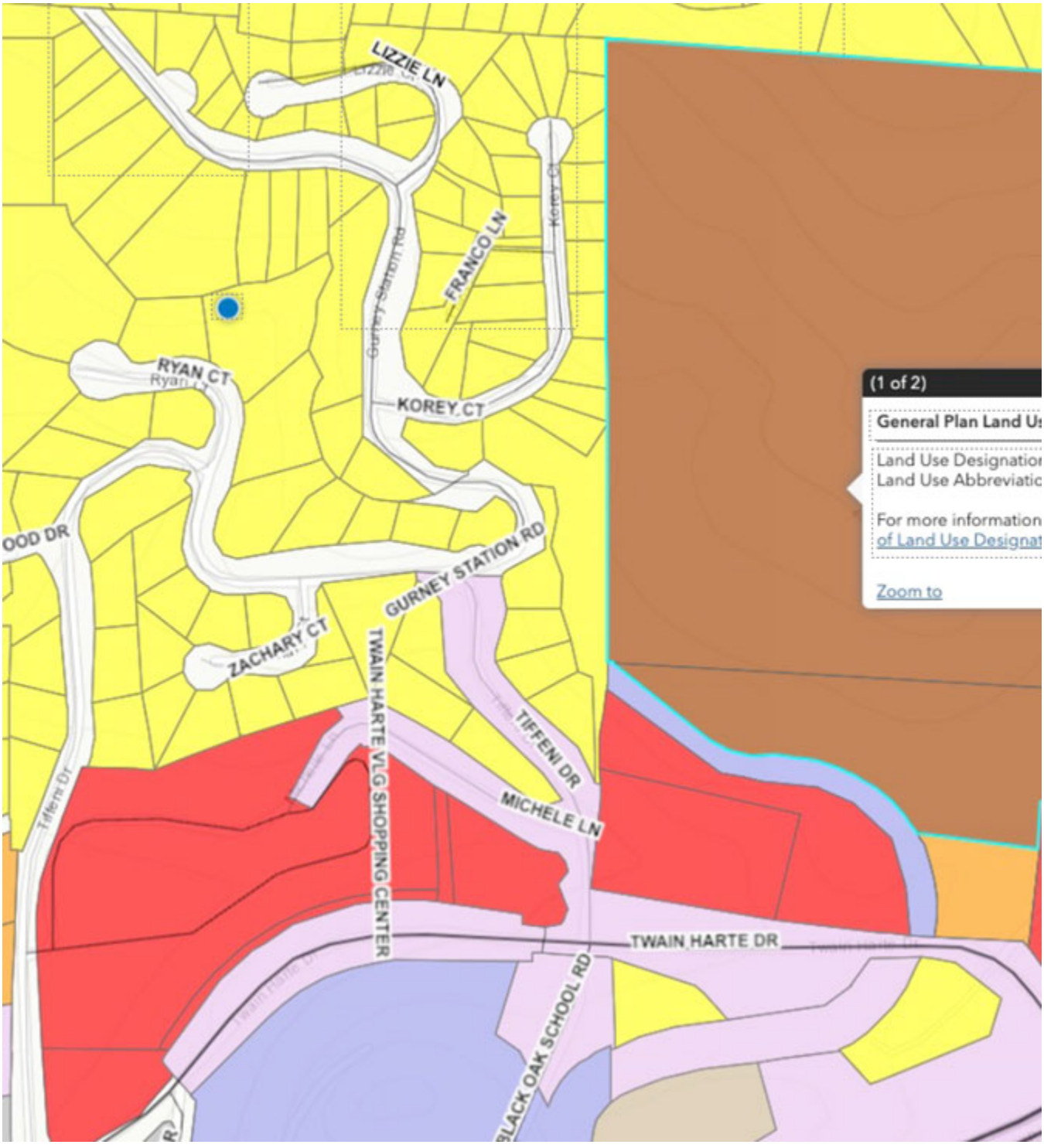
From: Brian Edwards <brian@bleoffice.com>
Sent: Wednesday, January 19, 2022 2:16 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Cc: Scot Cru (chilicru@yahoo.com) <chilicru@yahoo.com>; Zachary Keener <zakkeener@gmail.com>; Baeoakland@sbcglobal.net; Carolyn Keener <carolyns.keener@gmail.com>
Subject: General Plan Amendment GPA21-005 / Zone Change RZ21-012

Dear Ms Gonzales –

I am following up on our recent telephone conversation regarding the proposed General Plan Amendment GPA21-005 and Zone Change RZ21-012. There are multiple reasons why these changes should not be allowed. I will briefly outline those reasons here:

1. The proposed changes would mainly move these parcels from General Commercial (C-1) to Mixed Use (M-U). The most obvious objection to this change is that it violates the spirit (if not the letter) of County's zoning provisions. By its terms, M-U zoning is limited to "an **urban** setting". The rule expressly states that "It is intended that this district be established within **urban** areas". (Chap. 17.30.010) (emphasis added). While it is possible that Twain Harte is designated "urban" on a county map, it is obvious that Twain Harte is anything but urban in any meaningful sense of the word. Founded some 100 years ago as a mountain getaway in the heart of a forest, Twain Harte remains the epitome of a rural area. Current zoning remains consistent with that principle. For example, according to the Tuolumne County

Zoning & Land Use Lookup website, one of the large parcels nearest to the proposed rezoning is explicitly zoned "**Rural** Residential":



Similarly, and as you can see above, most of the zoning near the subject parcels is R-1 (yellow). As you know, Chapter 17.18.010 states that the R-1 designation is "intended for **suburban** family homes". Even I can understand that when much of the local area has a suburban residential designation, while large other portions are expressly designated as "rural" (with many others zoned "public" or "agricultural"), that area is not truly "urban" in any meaningful way. And since Twain Harte is not truly urban, it does not need more M-U designated properties.

2. Even if an M-U designation is technically lawful, there is no reason for it. The current C-1 zoning across the subject parcels is more than adequate to permit reasonable commercial activity. Changing the zoning to M-U – especially on the large 048-680-046 (Twain Harte Village Shopping Center) parcel – and thus increasing the scope of commercial

activity (including a potentially substantial increase in housing density on these parcels)—substantially increases the risk to the character of the community without adding any apparent community benefits.

3. While there are a handful of parcels with current M-U zoning in Twain Harte on the Tuolumne County Zoning & Land Use Lookup website, that does not justify creating more M-U zoning on the subject parcels – especially on the very large Twain Harte Village Shopping Center parcel. If anything, Twain Harte likely already has more M-U designed property than its population needs (or wants).

4. It is unclear why the zoning for the Twain Harte Village Shopping Center parcel should be changed. What was once (and could still be) a reasonably robust commercial enterprise is now a relative ghost town. Only 4 businesses remain, and as I understand it two of those (the Twain Harte Pharmacy and Mountain Liquor) are departing, which will leave only the Twain Harte Market and the Pizza Factory. Until the applicants explain why these businesses are leaving and why they have been unable to introduce any new businesses to the Shopping Center, there is no rational reason to reward them with even more liberal zoning (which could lead to even worse results).

5. By contrast to the Village Shopping Center, one business on another of the subject properties (parcel 049-140-039) is and has been a success: The Eproson House Restaurant. They don't need rezoning to continue the Eproson House, so the only reason they could be asking for it would be to eliminate it. This would be a travesty. The roots of the Eproson House go back to the 1940s, and the restaurant itself has been in operation since 1973 (prior to the current property ownership). It is a gathering place and a tradition for many residents of and visitors to the area. The current C-1 zoning is of course sufficient to allow the Eproson House to continue in operation. The requested change of zoning to M-U can only imply an intention to eliminate this iconic local business (just like the businesses have disappeared from the Twain Harte Village Shopping Center). If you want to ruin the character and tradition of Twain Harte, permitting a zoning change that could facilitate the elimination of the Eproson House is a great way to start.

6. Reviewing the potential uses under M-U zoning, it seems most likely that the applicants' intention is to create the conditional option to develop up to 15 dwelling units per acre (17.30.030.A), with the possibility of even more if additional units are secured through an affordable-housing density bonus (17.30.050). Given that the Shopping Center parcel alone is 8.5 acres, M-U rezoning could add at least 127 units just to that area. If there are an average of 3 occupants per unit that is another 380 people (or more, if density is increased for low-income housing). Are services sufficient to address the needs of such a dramatic population increase? Clearly not. Twain Harte has no police force (just occasional visits from a couple of Tuolumne County Sheriff's Department officers); Twain Harte has a very limited fire department; plus water, sewage, and garbage disposal will all be strained (if not overcome completely). The amount of traffic going in and out in mornings and afternoons – prime periods when children are in school at the adjacent Twain Harte Elementary – will likely increase, with corresponding risks. Twain Harte is already considered a "Disadvantaged Legacy Community" under the General Plan (see 2018 Tuolumne County General Plan, Technical Background Report, at pp. 73-75). It's irrational to risk making a disadvantaged community even *more* disadvantaged by increasing the population substantially. Creating more public spaces, redevelopment as R-1 private residential (consistent with the rest of the nearby community), or simply doing a better job managing the existing opportunities under C-1 regulations, all are far more attractive and valuable options to the community.

7. Decades of homeowners have relied on the mountain village, cabin-oriented nature of Twain Harte – with its relatively limited commercial footprint - in making their home purchases. If these parcels directly on the main road through town, are allowed to be rezoned as requested, which could very well lead to construction of urban-style housing units in a distinctly non-urban area, then those decades of reliance will have been thrown out the proverbial window. Property values – especially for the nearby homes – will almost certainly decline, damaging existing homeowners. I am one of those homeowners. My parents moved the family to this area in 1972; I graduated from Twain Harte Elementary (and Summerville High School) and have now returned after many years away. I bought my home on Ryan Court in Twain Harte for precisely the reasons so many others have: To be away from urban-style development, to live in a smaller place with less density, to enjoy a rural community. The applicants have plenty of opportunity to make money from their properties (if well run) with their existing C-1 zoning.

8. The proposed "MX" zoning is particularly baffling. If mobile homes (even newer ones, on foundations with skirts) are allowed right next to one of the two main entrances to Twain Harte, it would substantially diminish and detract from the rural appearance of the entrance. (There is already one uncontrolled situation at the entrance, which should be remediated before we even consider another.) Further, why should the two smaller parcels receive any designation that would permit mobile homes? It makes no sense.

I should note that I have just learned the applicants made a presentation about their plans to the Twain Harte Homeowners Board. They apparently want to turn one empty Shopping Center building into apartments then build

another apartment building … and then maybe, just maybe, some years down the road they might build condos and genuine mixed-use facilities. However, that seems to be nothing but hopeful talk; the only assurance is they will add apartments to the area, adding pressure to services and permanently altering the rural, small-town character of Twain Harte. They offered no reason for needing to rezone either of the smaller parcels and no assurances that their new plan will work out any better than the Shopping Center plan did.

I am copying this to just some of my family, friends and neighbors who object to the rezoning. They can weigh in additionally as they think best. In the meantime, thank you for your attention to this email. Kind regards,

-Brian Edwards
18998 Ryan Court
Twain Harte, CA 95383
(310) 488-5947

Cheydi Gonzales

From: Gary Sipperley <pcgary1@hotmail.com>
Sent: Tuesday, January 18, 2022 1:54 PM
To: Cheydi Gonzales
Subject: (General Plan Amendment GPA21-005 and Zone Change RZ21-012)

Follow Up Flag: Follow up
Flag Status: Flagged

AGENCY: COMMUNITY DEVELOPMENT DEPARTMENT (**General Plan Amendment GPA21-005 and Zone Change RZ21-012**)

COMMENTS: I write to strenuously object to the application for General Plan Amendment and Rezoning filed by Mr. Schindler and Mr. Gevertz. My reasons for objecting are as follows:

I have been president of the Twain Harte Area Chamber of Commerce for more than four of the past 20 years. Although I owned no business, I strongly believed that it was essential for our businesses to survive. The business community of Twain Harte is already fragile; there are currently a number of vacant business properties throughout our small business district. We have struggled to bring visitors to our community who would keep our businesses alive and prosperous. For the county to change the permitted uses of these parcels from "General Commercial" to "Mixed Use" would only exacerbate the struggles our businesses already face.

Given the uses that would be permitted under these changes, it is safe to assume Messrs. Schindler and Gevertz have no plans to erect an Emergency shelter *(17.30.020 [L])* or a Christmas tree farm *(17.30.030 [L])*. Thus, what is the motivation for this request?

In July 2019, I convened a meeting with Mr. Schindler and Cole Przbyla who had just been appointed as the County Economic Development Director (now Director of Innovation and Business Assistance), Bruce Erickson, CEO of Certified Scientific Instruments, Steve Campbell, Broker, Berkshire Hathaway Realty and Tom Trott, General Manager of the Twain Harte Community Services District. The purpose of that meeting was to assist and encourage Mr. Schindler in finding tenants for then-vacant spaces in the Twain Harte Village Shopping Center and, just as important, to help find businesses to improve the business climate of Twain Harte. Mr. Schindler was utterly unresponsive to any suggestions that would have increased his shopping center rentals. He acknowledged deficiencies in the center – leaky roofs, very poor signage for example – but committed to no actions that could improve that situation. I proposed offering one of the vacant spaces to the county as a rent-free space for the Twain Harte library branch as a draw to bring people to the center. His response: "How would I make any money on that?" even though he received no income from it at the time. This attitude casts strong doubt on his desire to take any actions that would be beneficial to Twain Harte.

During the same period, I met with the manager of Twain Harte Pharmacy who told me that they would be leaving the shopping center because of the poor condition of the building, disputes over parking responsibilities and their difficulty in dealing with Mr. Schindler. As you are no doubt aware, the pharmacy and liquor store are currently in the process of moving for these exact reasons.

At that meeting, Mr. Schindler floated the idea of converting at least a portion of the shopping center to apartments, and that is almost certainly his intention if the county grants his request. The "rumor" is that he intends to create "affordable" housing units in the shopping center, something that could be permitted under 17.30.050 *("Within any mixed use (MU) district, the maximum residential building intensity shall be fifteen (15) units per acre; however additional units are possible through a density bonus for the provision of affordable housing…")*. The "Conditional Uses" provision also states that "Up to fifteen dwelling units per acre" could be permitted. At 8.56 acres, the shopping center alone could theoretically be permitted for up to 128 units – or more if such housing were to be considered "affordable."

I have no idea what their plans are for the other properties included in this request; it is frightening to contemplate what his plans for the historically important Eproson House could be and what he could or would do with the other properties along Twain Harte Drive, but it is safe to assume that none of those plans would be of any benefit to the Twain Harte community – business or residential.

Twain Harte and Tuolumne County need housing. But that housing should not come at the price of damaging a business community that is already struggling.

Thus, I strongly urge the county to deny these requests. Thank you for your consideration.

Gary Sipperley
PO Box 1781
Twain Harte, CA 95383
209.768.5292

Cheydi Gonzales

From: Chili Cru <chilicru@yahoo.com>
Sent: Tuesday, January 18, 2022 10:14 AM
To: Cheydi Gonzales; Brian Edwards
Cc: Zachary Keener
Subject: Re: Proposed General Plan Amendment GPA21-005 and Zone Change RZ21-012
Attachments: Redevelopment Notice.pdf

Ms. Gonzales,

As a home owner in Twain Harte I strongly agree with Mr. Edwards comments and concerns about this proposed zoning change as it could have catastrophic consequences for our community. I am certain that when other home owners and business operators are made aware of the potential ramifications of this they will agree that this zoning change, as proposed, should NOT move forward.

Please add my name to what I am sure will be a growing list of concerned citizens objecting to this proposed amendment to the General Plan. I would also like to be made aware of the public hearing if and when it is set in order to voice my concerns in public alongside my fellow citizens of Twain Harte.

Best regards,

Chili Scot Cru
23009 Red Wing Trail
Twain Harte, CA 95383
209-677-9024

On Tuesday, January 18, 2022, 08:52:45 AM PST, Brian Edwards <brian@bleoffice.com> wrote:

Dear Ms. Gonzales,

Yesterday I received from a neighbor the attached documents indicating a desire to turn what appears to be the Twain Harte Market and two other parcels (one of which may be the iconic Eproson House restaurant) into Mixed Use residential (MU) that would permit newer mobile mobile homes installed on foundation systems (MX).

I don’t know why I did not receive this from the developers. I live at 18998 Ryan Court, less than 1,000 from the proposed project. I see there is a response deadline of January 26 – 8 days from now. That seems like a remarkably short period for a decision that would permanently alter the rural, resort nature of Twain Harte; potentially destroy an iconic business; and degrade property values in our rural area.

Is there any more information that you can share about these redevelopment plans? Thank you,

-Brian Edwards

PO Box 1567

Twain Harte, CA 95383

(310) 488-5947

Cheydi Gonzales

From: Chili Cru <chilicru@yahoo.com>
Sent: Tuesday, January 18, 2022 10:14 AM
To: Cheydi Gonzales; Brian Edwards
Cc: Zachary Keener
Subject: Re: Proposed General Plan Amendment GPA21-005 and Zone Change RZ21-012
Attachments: Redevelopment Notice.pdf

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Please add my name to what I am sure will be a growing list of concerned citizens objecting to this proposed amendment to the General Plan. I would also like to be made aware of the public hearing if and when it is set in order to voice my concerns in public alongside my fellow citizens of Twain Harte.

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Chili Scot Cru
23009 Red Wing Trail
Twain Harte, CA 95383
209-677-9024

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I don’t know why I did not receive this from the developers. I live at 18998 Ryan Court, less than 1,000 from the proposed project. I see there is a response deadline of January 26 – 8 days from now. That seems like a remarkably short period for a decision that would permanently alter the rural, resort nature of Twain Harte; potentially destroy an iconic business; and degrade property values in our rural area.

Is there any more information that you can share about these redevelopment plans? Thank you,

-Brian Edwards

PO Box 1567

Twain Harte, CA 95383

(310) 488-5947

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Friday, January 21, 2022 12:50 PM
To: CHARLOTTE SCHERER
Subject: RE: Proposed housing

Greetings,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record. Staff will analyze public comments during the review period for this project.

Should you have any questions please reach out to me directly.

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: CHARLOTTE SCHERER <cdscherer@me.com>
Sent: Sunday, January 16, 2022 11:16 AM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: Proposed housing

As twain harte cabin owners for the past 50 years (three cabins, the current one located at 23170 oak view) we are VEHEMENTLY opposed to the proposed development. Twain Harte is not a place for multiple housing. It will ruin the ambiance found there.

Please notify us of any meetings being held regarding this project.
Charlotte and bob scherer

581 augusta dr
Moraga, ca 94556..

Comments Received During Second Stakeholder Notification Circulated on October 17, 2022

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Monday, October 24, 2022 7:08 AM
To: Sharon Wood
Subject: RE: proposed project: APN-048-680-046

Good morning,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record. Staff will analyze public comments during the review period for this project.

Should you have any questions or would like to know more about the development process please reach out to me directly.

Best,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Sharon Wood <sawood25@sbcglobal.net>
Sent: Saturday, October 22, 2022 7:40 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: proposed project: APN-048-680-046

Cheydi Gonzales,

COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

48 Yaney Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
(209) 533-5633
(209) 533-5616 (Fax)
(209) 533-5909 (Fax – EHD)
www.tuolumnecounty.ca.gov

Date: October 17, 2022

To: Interested Stakeholder

From: Tuolumne County Community Development Department

RE: **REVISED APPLICATION**
General Plan Amendment GPA21-005, RZ21-012, SDP22-007 and CUP22-011
Assessor's Parcel Number: 048-680-046

The Community Development Department thanks you for your participation in the land development process in Tuolumne County. We value your comments and look forward to your continued participation in our planning process. This process provides information on your requirements and concerns to the applicant early in the review process. Involvement on your part can eliminate or minimize problems that could arise later.

Applicant: Howard Schindler and Saul Gevertz
Project Manager: Erik Smith; erik@arksmithdesign.com

Project: The Community Development Department (CDD) has received an application for the following:

1. Resolution for General Plan Amendment GPA21-005 to amend the land use designation of an 8.56± acre parcel from General Commercial (GC) to Mixed Use (MU).

2. Ordinance for Zone Change RZ21-012 to rezone a 8.56± acre parcel from C-1:MX (General Commercial: Mobilehome Exclusion Combining) to M-U (Mixed Use) district under Title 17 of the Tuolumne County Ordinance Code (TCOC).

3. Site Development Permit SDP22-007 to allow the phased development of housing, consisting of 54 apartments, a new retail building, dog park, playground, water fountain, linear exercise park and associated infrastructure on an 8.56 ± acre parcel.

4. Conditional Use Permit CUP22-011 to allow the development of 54 residential units on an 8.56± acre parcel.

Location: The project site is located at 18711 Tiffeni Drive in the community of Twain Harte, approximately 290± feet northeast of the intersection of Tiffeni and Twain Harte Drive. The project site is located within a portion of Section 9, Township 2 North, Range 16 East, Mount Diablo Baseline and Meridian and within Supervisorial District 3. Assessor's Parcel Number 048-680-046.

Access: Tiffeni Drive / Twain Harte Drive

Sewage Disposal Method: Twain Harte Community Services District (THCSD)

Water Source: THCSD

Fire Hazard Rating: Very High Fire Hazard Severity Zone

Additional Information:

1. On September 14, 2022, the CDD received a revised project application. The application

consists of development and conversion of a portion of the existing retail space of the Twain Harte Shopping Center into apartment and townhome-style housing.

2. Below is a link to Stakeholder Notification webpage where project information may be found. The full set of proposed site renderings and development plans for the Twain Harte Shopping Center can be found via the project link on the Planning Stakeholder Notification webpage.

   Planning Stakeholder Notification webpage:
   https://www.tuolumnecounty.ca.gov/1512/Planning-Stakeholder-Notifications

Please return your comments to the CDD by **October 31, 2022**. Comments may be emailed to Cheydi Gonzales, cgonzales@co.tuolumne.ca.us Comments may also be mailed to: 2 South Green Street, Sonora, CA 95370 or brought to the Community Development Department.

Staff Contact: Cheydi Gonzales
Phone: (209) 533-6641
Email: cgonzales@co.tuolumne.ca.us

AGENCY: _____

COMMENTS: My husband and I are not in favor of the proposed project for: APN-078-680-046 property site in any way, shape, or form.

Sharon + Wayne Wood 10-22-2022
23109 Cresta Dr.
Twain Harte, CA

Per Tuolumne County Ordinance Code, the CDD will only be notifying property owners within 500 feet via mail of future public hearings and will not notify individuals or agencies via email. The notification link below is the only way to request and receive email notifications.

To ensure future public hearing notifications are received, please utilize the link below to sign up in the Tuolumne County Notify Me Page to receive notices via email:

https://www.tuolumnecounty.ca.gov/list.aspx

Signed by: _____

Agency: _____ Date: _____

Cheydi Gonzales

From: Chris Stout <cstout73@yahoo.com>
Sent: Tuesday, October 25, 2022 12:41 PM
To: Cheydi Gonzales
Subject: Re: Twain Harte Villages Project

Thanks Cheydi. I'm just hoping the buildings look better with more character and style. We want buildings that make us want to live there. We don't want just more cookie cutter A frame apartments. Think mountain ski lodge. That would be beautiful.

Thanks again.
Chris

On Tuesday, October 25, 2022 at 12:34:49 PM PDT, Cheydi Gonzales <cgonzales@co.tuolumne.ca.us> wrote:

Greetings Chris,

Thank you for forwarding your comments. I will include your comments in the project file and they will be a part of the public record. Staff will analyze public comments during the review period for this project.

Should you have any questions or would like to know more about the development process please reach out to me directly.

Kind regards,

Cheydi Gonzales, Land Use Coordinator

Land Use and Natural Resources Division

Tuolumne County Community Development Department

48 Yaney Avenue

Sonora,CA.95370

Email: cgonzales@co.tuolumne.ca.us

Website: https://www.tuolumnecounty.ca.gov/179/Planning

Phone: (209) 533-6641

From: Chris Stout <cstout73@yahoo.com>
Sent: Tuesday, October 25, 2022 12:26 PM

To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: Twain Harte Villages Project

Good Afternoon Cheydi,

I just wanted to inform you that I reached out to Eric regarding the Twain Harte Villages project. See my message below.

Chris

----- Forwarded Message -----

From: Chris Stout <cstout73@yahoo.com>

To: erik@arksmithdesign.com <erik@arksmithdesign.com>

Sent: Tuesday, October 25, 2022 at 12:06:39 PM PDT

Subject: Twain Harte Villages Project

Good Morning Eric,

I've been around Twain Harte my whole life and remember when the shopping center did not exist. I love the shopping center and Twain Harte Market and have seen many businesses come and go over the years.

When I heard there was interest to develop the north side of the parking lot and hill side, I was very optimistic. Frankly, I would enjoy buying one of the apartments/condos (assuming they are for sale and not rent..?).

I just reviewed the plans and have some questions/comments. What is the inspiration for the style? I don't mind the Burner concept or style. Is there a business already agreed with to occupy that restaurant?

I do think the style of the homes needs improvement. What I mean is, for example, take a look at Northstar Ski Lodge area. See below. Look at the use of stone and wood beams and balconies to create interest and character and depth. The buildings shown for Twain Harte Villages look like military family living. The style needs improvement. Looks cheap. The south side of the buildings will be directly in the sunlight and as you know it gets hot there. The shingle style siding will not last. First it will fade in color. Trust me on that. Stone as much as possible on that side or add features to create shade. Help me understand the situation and why these homes lack style? Twain Harte is in the mountains and

mountain style homes that are modern are desirable. Twain Harte needs buildings that draw people to the town and to the mountains. These as is don't do that. I realize you are the project manager. I'm just trying to determine the inspiration for the style. Please let me know if there is someone else I should reach out to.

Thanks

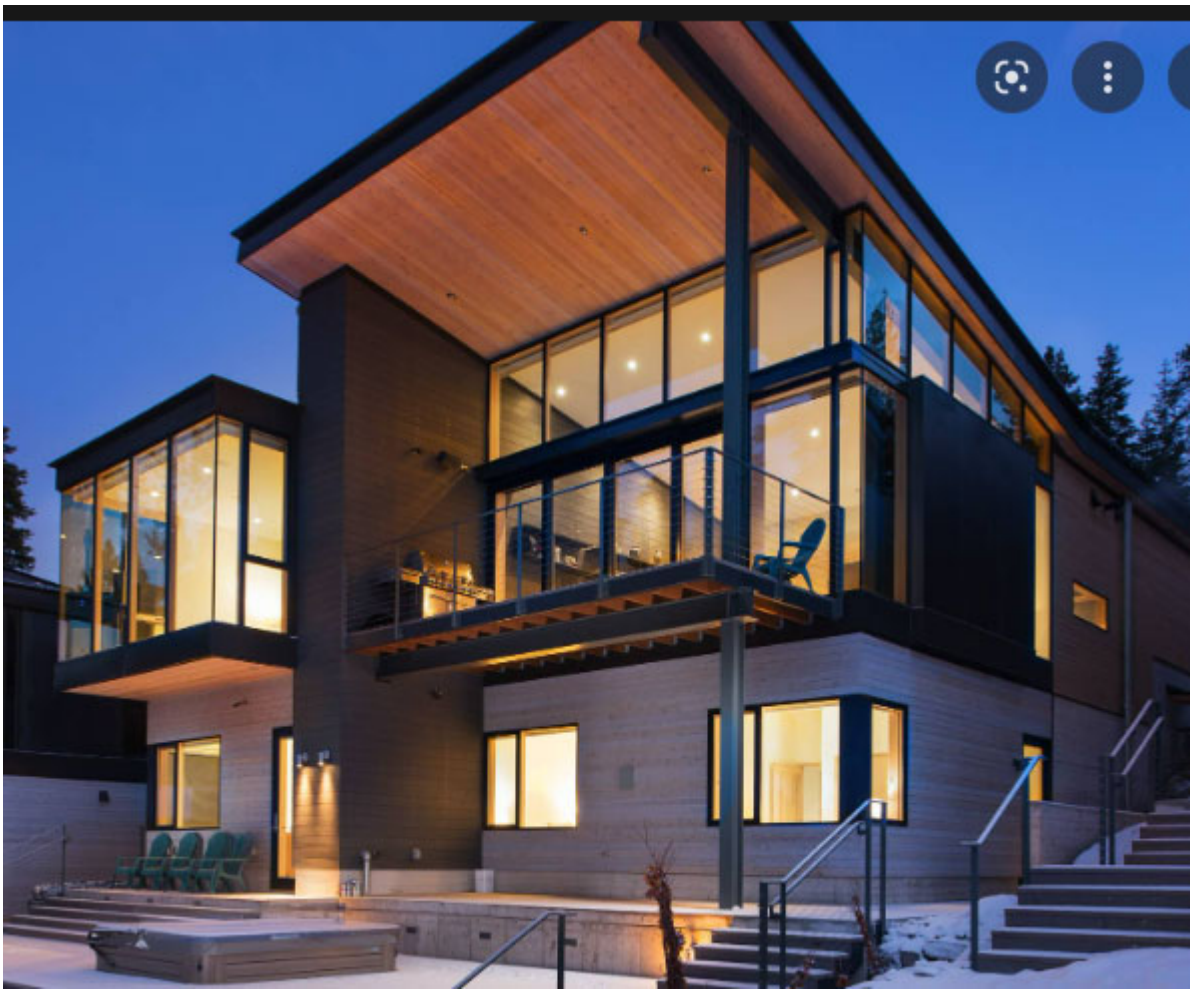
Chris




STARBU







Cheydi Gonzales

From: Cheydi Gonzales
Sent: Wednesday, October 26, 2022 2:21 PM
To: Rebecca Cohn
Subject: RE: Twain Harte Redevelopment Project

Greetings,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record. Staff will analyze public comments during the review period for this project.

Should you have any questions or would like to know more about the development process please reach out to me directly.

Best,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Rebecca Cohn <ponderosaparadiseth@gmail.com>
Sent: Tuesday, October 25, 2022 6:14 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: Fwd: Twain Harte Redevelopment Project

---------- Forwarded message ---------
From: **Rebecca Cohn** <ponderosaparadiseth@gmail.com>
Date: Tue, Oct 25, 2022, 5:44 PM
Subject: Twain Harte Redevelopment Project
To: <cgonzales@tuolumne.ca.us>

Hi Cheydi,

I am all for redeveloping this oversized parking lot however the plans In my view are horrendous. They need to fire the architect I get the impression he's never been to Twain Harte. The design for the apartments is redundant and visually undesirable. The dome is reminds me of something we see in Kazakhstan or or Kabul! What are they thinking? This should look like an alpine lodge for heavens sake.

Are we going to have a chance to vote on this?

Thanks,

Randy

OCT. 25, 2022

TO: CHEYDI GONZALES
TUOLUMNE CDD
RE: GPA21-005, RZ21-012,
SDP22-007, CUP22-011
APN 048-680-046
FROM: DON ESCALLIER

THE SHOPPING CENTER IN TWAIN HARTE (APN 048-680-046) IS CURRENTLY IN A STATE OF PARTIAL NEGLECT. MOST OF IT IS EMPTY AND DURING THE WINTER THERE WERE MULTIPLE ABANDONED CARS IN THE PARKING LOT FOR WEEKS AT A TIME. ONE WAS AN RV (WITH NO LICENSE PLATES) THAT HAD BEEN TOTALLY RANSACKED. ANOTHER WAS A DAMAGED SUV WITH A HOLE SMASHED INTO THE WINDSHIELD. NOW THERE ARE ALSO NUMEROUS BIRDS THAT LIVE IN THE EMPTY PORTIONS OF THE SHOPPING CENTER CREATING A MESS WITH THEIR NESTS AND DROPPINGS.

I LIVE IN THE PROPERTY IMMEDIATELY ADJACENT TO THE SHOPPING CENTER. I AM A HOME OWNER AND HAVE BEEN HERE FOR 17 YEARS. THERE IS A STRIP OF LAND BETWEEN THE CENTER'S PARKING LOT AND MY PROPERTY. I MAINTAIN MY PROPERTY SO THAT IT IS CLEARED AND AS FIRE SAFE AS POSSIBLE. I HAVE NEVER WITNESSED ANY CLEAN UP OR MAINTENANCE OF THE PROPERTY

OUTSIDE OF MY BOUNDARIES. IF ANY MULTIPLE UNIT PROPERTIES ARE APPROVED, I AM VERY CONCERNED ABOUT THE NEGATIVE IMPACT OF DOZENS OF ADDITIONAL PEOPLE ON AN AREA THAT IS ALREADY CHALLENGED.

I AM AN ACTIVE MEMBER OF THE COMMUNITY AND PARTICIPATE IN CIVIC GROUPS SUCH AS SIR's, ROTARY AND THE BLACK HAT FOUNDATION. I AM AWARE OF THE NEEDS OF THE COMMUNITY SUCH AS HOUSING, FOOD SECURITY AND TRANSPORTATION. BECAUSE OF MY WORK IN THE COMMUNITY GROUPS, I AM ALSO CONCERNED ABOUT THE VIABILITY OF THIS HOUSING PLAN IN PRACTICAL ASPECTS FOR PROPOSED RESIDENTS IN MATTERS SUCH AS TRANSPORTATION, EMPLOYMENT, PUBLIC SERVICES (FIRE, LAW ENFORCEMENT) AND OTHER IMPORTANT DETAILS.

ADDITIONALLY, IT IS POSSIBLE THAT THE UNITS COULD BE OFFERED AS SHORT TERM RENTALS. OBVIOUSLY, MANY HOMEOWNERS IN THIS AREA OFFER CABINS/HOMES FOR VACATION RENTALS BUT A LARGE NUMBER OF ADDITIONAL SHORT TERM RENTALS COULD ADD COMPLEXITY TO THIS PROPOSAL. I WOULD HOPE THAT THE PUBLIC SERVICES DEPARTMENTS WOULD BE CONSULTED TO

ENSURE THAT THEY COULD PROVIDE ADEQUATE PROTECTION FOR THE ENTIRE COMMUNITY.

DON ESCALLIER
18785 TIFFENI DR
TWAIN HARTE, CA 95383
eskee@jps.net
209-586-2280

JAN. 21, 2022

TO: CHEYDI GONZALES, CDD
FROM: D.J. ESCALLIER
RE: GPA21-005 & RZ21-012

MY WIFE AND I LIVE AT 18785 TIFFENI DR. (APN 048-680-037) IN TWAIN HARTE. THE FOLLOWING IS IN RESPONSE TO YOUR LETTER, DATED 1/12/22, WITH REGARD TO A GENERAL PLAN AMENDMENT AND ZONING CHANGE REQUESTED BY MR. HOWARD SCHINDLER. MY RESPONSE IS BASED ON INFORMATION I RECEIVED FROM YOUR OFFICE, AS WELL AS, INFORMATION I RECEIVED FROM THE TWAIN HARTE HOMEOWNERS ASSOC. THE INFORMATION I RECEIVED FROM THE HOMEOWNERS GROUP WAS PROVIDED TO THEM BY MR. CASEY McCAFFERY, A REPRESENTITIVE OF MR. SCHINDLER

1. **I AM AGAINST A CHANGE OF ZONING. I KNOW THAT HOMELESSNESS/AFFORDABLE HOUSING ARE AN ISSUE NATIONWIDE, BUT 12 TO 14 UNITS IN A CONVERTED OFFICE BUILDING FACING A SHOPPING CENTER PARKING LOT WILL NOT SOLVE THE PROBLEM. IF SUCH A ZONING CHANGE IS ALLOWED, WE HAVE NO GUARANTEE THAT MR. SCHINDLER WILL NOT TAKE ADVANTAGE OF FEDERAL FUNDING AND CONVERT ALL UNITS TO SECTION 8. I AM NOT OPPOSED TO THIS CONCEPT, BUT A SHOPPING CENTER IS CERTAINLY NOT AN APPROPRIATE LOCATION. WHEN WE BOUGHT OUR HOME 16 YEARS AGO, WE CERTAINLY NEVER THOUGHT OUR NEIGHBOR WOULD BE A FEDERAL HOUSING PROJECT.**

2. **PHASE 2 OF THE SCHINDLER PLAN IS A NEW UNIT TO BE BUILT BEHIND THE EXISTING BUILDING, WHICH IN MY OPINION WILL ONLY HAPPEN IF PHASE 1 IS COMPLETE.**

3. **PHASE 3 AFFECTS US DIRECTLY. A CONDO UNIT ON THE NORTH SIDE OF THE PARKING LOT, ACROSS FROM THE MARKET, PIZZA STORE, AND FORMER BANK, IS RIGHT ON THE SOUTHERN BORDER OF OUR LOT AND THE 048-680-046 PROPERTY. THAT AMOUNTS TO 152 FEET OF THE COMMON LOT LINE. IN THE 16 YEARS WE HAVE LIVED HERE, THE OPEN SPACE BETWEEN OUR PROPERTY LINE AND THE CENTER PARKING LOT HAS NEVER BEEN CLEANED AND HAS BEEN A FIRE HAZARD THAT FIRE DEPARTMENTS DO NOTHING ABOUT.**

THE BOTTOM LINE IS THAT NOTHING WILL HAPPEN IF THE ZONE CHANGE IS NOT PERMITTED, AND ALL 3 PHASES CAN HAPPEN IF THE CHANGE IS APPROVED.

MY VIEWS AND OPINION ARE BASED ON MY BACKGROUND AS BOTH A TENANT AND A LANDLORD. I LEASED SPACE IN A SIMILAR SIZE SHOPPING CENTER AS OWNER OF A RETAIL PHARMACY, AND I HAVE OWNED A COMMERCIAL BUILDING IN MERCED COUNTY WITH 13 TENANTS FOR OVER 40 YEARS.

DON ESCALLIER
18785 TIFFENI DR
TWAIN HARTE, CA 95383
eskee@jps.net

209-586-2280

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Thursday, October 27, 2022 7:10 AM
To: Kelley George
Subject: RE: Proposed Twain Harte Development

Greetings,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record. Staff will analyze public comments during the review period for this project.

Should you have any questions or would like to know more about the development process please reach out to me directly.

Best,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641
-----Original Message-----
From: Kelley George <kelleygeorge53@gmail.com>
Sent: Wednesday, October 26, 2022 4:43 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: Proposed Twain Harte Development

Hello Cheydi ,
As a resident of Twain Harte for a number of years, I find this project to be Ill-advised.
>First, there is already building space open for re-zoning for development, just across the street from this proposed project. Twain Harte shopping center has many square feet of space that could be turned into apartments. Much of this space has been empty for years, and as such is a waste. Transition of this could be done readily and for probably far less money.
>Second, this would result in much worse traffic issues as the corner of upper Tiffani drive and Twain Harte drive is difficult to turn onto safely as it is.
>Finally, the area in question is a delightful meadow with a seasonal stream and abundant wildlife. The stream does empty into Twain Harte lake as would likely have higher levels of pollutants entering the lake. The engineering to set up proper drainage would be a challenge and there are environmental questions regarding paving here as well.
Appreciate your consideration of my views and would be happy to discuss this with you if you so desire.
Sincerely
Kelley George
209-743-8232

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Thursday, October 27, 2022 2:20 PM
To: George Getgen
Cc: Kathleen Haff; Anaiah Kirk; BoardClerk
Subject: RE: Comments to General Plan Amendment GPA21-005, Zone Change RZ21-012,SDP22-007, and CUP22-011

Greetings Mr. Getgen,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record. Staff will analyze public comments during the review period for this project.

Should you have any questions or would like to know more about the development process please reach out to me directly.

Best,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: George Getgen <georgegetgen@comcast.net>
Sent: Thursday, October 27, 2022 12:28 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Cc: Kathleen Haff <khaff@co.tuolumne.ca.us>; Anaiah Kirk <AKirk@co.tuolumne.ca.us>; BoardClerk <boardclerk@co.tuolumne.ca.us>
Subject: Comments to General Plan Amendment GPA21-005, Zone Change RZ21-012,SDP22-007, and CUP22-011

October 27, 2022

Ms. Cheydi Gonzales
Land Use Technician
Tuolumne County Community Development Department
2 South Green Street
Sonora, CA 95370

Re: General Plan Amendment GPA21-005, Zone Change RZ21-012,SDP22-007, and CUP22-011

Dear Ms. Gonzales:

Below are my comments related to the referenced planning application, and are intended to be supplementary to my previous comments provided to you on January 20, 2022 regarding the applicants original application. I strongly oppose this application and urge its denial.

The reasons I urge you to deny this application are as follows:

- The proposed use is inconsistent with the single family use that surrounds this shopping center property.
- Impact on water and sewer service provided by Twain Harte Community Service District (which has signs through the community that it cannot spare a "drop of water"). This concern is reinforced by its General Manager, Tom Trott, to you in a January 26, 2022 correspondence where he states "*this **project has the potential to significantly impact THCSD's services,** especially water, sewer, and fire protection*". As I comment below, there will undoubtedly be a second phase to this project once the current Twain Harte Market lease expires; and the **CEQA should recognize this**.
- The track record of the current owner in its mismanagement of the shopping center should not be rewarded with rezoning for their economic gain at the expense of existing property owners in the community. Proposing to **retrofit existing retail space** (that appears to be up to 70 feet deep) **into residential space sounds architecturally problematic** (e.g. windows, exiting, appearance, etc.) vs. demolition with new buildings. To me this **has all the makings of a very low class development**.
- **Sound transmission** has unique characteristics within the Black Oak Subdivision. I can hear the concerts in Twain Harte Park louder on my deck, that I can from a block away from the park. How will the noise from a 150 -200 residents in this proposed development be **controlled and mitigated**?
- One of the requirements of M-U zoning is that it should be served by "***adequate police***". I know the one time I called the sheriff's department, the nearest patrol car was ~45 minutes away to respond to a prowler on my property. I raised this previously on General Plan Amendment GPA21-004. From what I heard of the Supervisor meeting via the internet, this concern was not discussed or addressed by the Supervisors. **This is a requirement of the M-U zoning and has to be satisfactorily addressed to the community, particularly given the scale of this project.**
- M-U zoning clearly states that "*it is intended that this district be established within **urban areas***". When I first met you I asked you what is the definition of "urban" in your zoning ordinance, and you stated that it was your understanding that the County used the U.S. Census Bureau definition. I previously raised the point to the Supervisors in the General Plan Amendment GPA21-004 that the U.S. Census Bureau has recently changed its definition of urban; and the **Twain Harte community is clearly rural under this new definition**.[i] As explained below in my endnote, despite a response from Director Yalely, it appears **"urban" is an undefined term in the Tuolumne County zoning ordinances**.
- The current zoning allows the subject property a wide array of uses. No explanation has been given why the current zoning is inadequate. One can only assume that this application is strictly driven by economics and not by good planning principles. The county's **updated General Plan did not propose any suggested land use for the Twain Harte Community**, but it made other changes in its General Plan to achieve its RHNA goals that were vetted and accepted.[ii]
- This proposed development could increase **community population by nearly 10%.** The majority of the residents of this development will need to commute to other parts of Tuolumne County, **impacting traffic** on Twain Harte traffic arteries and the connection points to State Highway 108. The Twain Harte Drive and 108 eastern intersection it already a very dangerous intersection, this development will only make it worse. **This needs to be address in the CEQA**.[iii]
- I see no proposed buffer between the development and the existing Black Oaks Subdivision with R-1 zoning.
- It appears that Tuolumne County has a RHNA goal of 525 units by August 21, 2024. This project would represent over 10%, which is an obvious temptation by the County to approve this project independent of good planning principles, or its impact to the current tax paying/voters that own properties in the Twain Harte Community - this to me is an obvious conflict of interest. It was apparent to me from the dialogue at the General Plan Amendment GPA21-004 supervisors hearing, that this was a real driver for the Supervisors. **This project is an entire different scale and should not be viewed as a RHNA "opportunity" by the county**[iv].
- It is my understanding that the Twain Harte Market has a lease that goes between 5-10 years. Assuming it relocates at the end of its lease or it is not renewed like happened to other businesses at the current center, what happens from a zoning perspective? To me it is obvious the applicant is assuming that there will be a second phase of its multi-family development. The impacts of the **project should be based the long term impacts**, or multi-family use in the commercial portion of the property, or at a absolute minimum strong restrictions should be placed that the commercial portion not be available to future multi-family development.

Lastly given the importance and impact of this proposed project to the Twain Harte community, I strongly urge you to **provide a courtesy notice of any and all public meetings** regarding this application **to the Twain Harte Homeowners Association**. They have the ability through email notifications to transmit information much timelier to the community. I am **copying Supervisor Kirk, and requesting that he provides you this authorization** to meet this request. I believe the Supervisors think that Twain Harte community does not care based the public hearing held on the adjoining property - nothing could be further from the truth! Thank you for your review and consideration of the points I raise above.

Sincerely,
George Getgen
18935 Ryan Court
Twain Harte, CA

[i] The 2020 census defines an urban area as "*an area will qualify as urban if it contains at least 2,000 housing units or has a population of at least 5,000*". It appears the Twain Harte population in 2019 was 2,310. After that Supervisor hearing where this issue was discussed (Supervisor Haff asked Director Yalely if this issue was "covered" within the legal planning documentation; her response was it was in three different places). I subsequently wrote Director Yalely on 5/18/22 and asked her to specifically point me to the legal definition that defines how "urban" is used in the M-U zoning ordinance. Her response to me on 5/23/22 was: "*Page B-52 of the General Plan Technical Background Report provides a definition of the word "urban*"". Normally when a definition is created within any legal document, it is referenced by capitalizing the term (e.g. Urban vs. urban), to denote that it is referring to the definition. In review of county's General Plan, the term "Urban" is never invoked. Further it appears that in the zoning ordinances, that Chapter 17.04 - Definitions, is the section where any "defined terms" applicable to the zoning ordinances should be placed. There is no definition for "Urban" in Chapter 17.04, nor is the term "Urban" capitalized in Chapter 17.30 - Mix Use, which leaves the definition to be its common meaning (e.g. Webster dictionary), or perhaps the most vetted definition in the country, the U.S. Census Bureau definition as you originally thought. In the County's General Plan (https://www.tuolumnecounty.ca.gov/DocumentCenter/View/11753/Vol-II-TBR--Final), on page 109 it states " ***The urban or rural area designations vary through the years based on the census data for each year***".

[ii] (https://www.tuolumnecounty.ca.gov/DocumentCenter/View/13316/County-of-Tuolumne-Housing-Element-2019-Update-Adopted-9-3-2019?bidId=) states on page 3-73 " *On January 3, 2019, Tuolumne County adopted a comprehensive update of the Tuolumne County General Plan. As part of the General Plan Update, the County identified areas appropriate for multiple-family housing. These areas are located primarily within the existing identified communities of the county where topography is conducive, public water and sewer systems are close by, schools, emergency services and commercial facilities are near-by, and public transportation is available*."

[iii] Though I know the county uses a factor of 2.4 people/unit for multi-family, this proposed development has 55 units (**I believe your 54 units is in error**). The development has 121 bedrooms per my count, and you state it has 170 residential parking spaces. I do not think it is a stretch that this development could have as many as 200 people living within it. That is nearly 10% increase to the community population.

[iv] Three statements in the County's General Plan seem to be particularly pertinent: 1)" *Balance property rights with the conservation of the environment and rural character of the County, which contributes to the quality of life of residents, encourages tourism*"; 2) " *The General Plan provides guidance in determining the appropriate or desirable locations for this growth, thereby preventing an unnecessarily scattered pattern of development* "; and 3) " *Promote the development of commercial uses to meet the present and future needs of Tuolumne County's residents and visitors and maintain economic vitality* "

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Monday, October 31, 2022 9:23 AM
To: Sandra Asquith
Subject: RE: General Plan Amendment GPA21-005, RZ21-12, SPD22-007 and CUP22-011

Greetings Sandra,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record. Staff will analyze public comments during the review period for this project.

Should you have any questions or would like to know more about the development process please reach out to me directly.

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

-----Original Message-----
From: Sandra Asquith <sandraasquith@comcast.net>
Sent: Friday, October 28, 2022 9:19 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: General Plan Amendment GPA21-005, RZ21-12, SPD22-007 and CUP22-011

To Whom It May Concern:

In Regards to parcel number APN046-680-046-000 located at 18711 Tiffeni Drive Twain Harte, CA95383 - AKA Twain Harte Village Shopping Center has an interested stakeholder wishing to make some major changes to their property.

Some Background: In 1978 Black Oak Investors sold the land mentioned above to Burton Propp Trust who in turn sold it to Howard Schindler and the Two Sixty Two Grand Associates LTD. In 1988 Howard Schindler hired Twain Harte Custom Builders to construct Twain Harte Village Shopping Center and in 1990's Twain Harte Custom Builders and turned the completed property back over to Howard Schindler.

Beginning in the mid 1990's the Twain Harte Village Shopping Center was a thriving business location and each retail and office location was full. Over the years, the owners continued to raise the rent until it became overpriced and the maintenance on the various structures has ben overlooked for several years. There are currently more than 20 retail and office spaces at this address and I believe only three are currently occupied.

In the past several years, the current owners have declined to maintain the property up to the minimum standards of the county by allowing abandon cars, campers and other items to be left in the parking lot and those have become eyesores until removed weeks/months later. The roofs continue to leak even though the owners have had some of the roofs repaired, tenants have moved out because of the excessive rent and the lack of maintenance (Twain Harte Pharmacy and Mountain Liquors)

Now the owners want to increase the buildings on the property by nine new two story buildings even though the infrastructure will not accommodate the new residential buildings. There currently is a lack of water for the local residents – the Twain Harte Community Services District is asking residents to limit the amount of water they use, asking us not water our lawns etc.; but yet, the county is being ask to permit 18 new three bedroom two bath apartments at this location. The sewer system needs to be overhauled because of the deteriorated condition, and I could go on and on about reasons why the additional buildings would be a BAD DECISION on the Planning Commissions part.

I would suggest that the structures there now be developed into "over 55" housing (maybe some low income) which would serve the community well, but to add additional construction would certainly not be in the best interest of the community of Twain Harte.

Thank you for your time and consideration.

Sandra J. Asquith
Asquith And Associates
PO Box 1596
Twain Harte, CA 95383
209-586-5565
SandraAsquith@comcast.net

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Monday, October 31, 2022 9:25 AM
To: Andy Van Hoogmoed
Subject: RE: General Plan Amendment GPA21-005, RZ21-012, SDP22-007 and CUP22-011. Assessor's Parcel Number: 048-680-046

Greetings Andy,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record. Staff will analyze public comments during the review period for this project.

Should you have any questions or would like to know more about the development process please reach out to me directly.

Best,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Andy Van Hoogmoed <andyvan@yahoo.com>
Sent: Saturday, October 29, 2022 9:16 AM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: General Plan Amendment GPA21-005, RZ21-012, SDP22-007 and CUP22-011. Assessor's Parcel Number: 048-680-046

Good morning Cheydi,

Thank you for the information on the development project located on Tiffany Drive and the opportunity to express my opposition to this project. As a property owner in Twain Harte, our family has always enjoyed the peace and quiet of a small community. My reason for opposition and concern is a project of this size will change the atmosphere of the small community by increased noise, traffic, crime, utilities, and water use. Questions arise such as the infrastructure of the utilities district's ability to accommodate a project of this size, and the school districts capability of meeting the needs of additional students. Will the increase in housing invite commercial retailers into the area, such as Dollar General, that will drive out local businesses that give Twain Harte its charm? Additional housing units will also have a direct effect on other services such as fire and police services, both of which are already taxed. The ongoing drought has depleted out water system to a point where conservation is a must, additional housing will surely add to that issue, this alone, is a major concern for everyone.

Thank you once again for the opportunity to express my opposition to this project.

Respectfully submitted,

Andy Van Hoogmoed
23299 Cresta Drive
Twain Harte, Ca.
(209)761-1986

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Monday, October 31, 2022 1:44 PM
To: Darline
Subject: RE: Revised Application To General Plan, Parcel Number 048-680-046

Greetings Darline,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record. Staff will analyze public comments during the review period for this project.

Should you have any questions or would like to know more about the development process please reach out to me directly.

Sincerely,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

-----Original Message-----
From: Darline <darlinec2b@yahoo.com>
Sent: Monday, October 31, 2022 11:53 AM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: Revised Application To General Plan, Parcel Number 048-680-046

My name is Darline Bellumori and I have received your notice as an Interested Stakeholder. Which brings me to my first suggestion. Because this application represents a significant change to the county's General Plan, I would hope that the county would find some mechanism to at least inform more of the population in Twain Harte. My brother, who lives close to me, had no idea of this proposal until I told him.

My late husband and I have owned a number of properties in Twain Harte, both residential and commercial, since 1997. We remodeled and restored a number of them and I now spend fifty percent of my time there. I still maintain the properties, which I consider to be important to the community.

I am very aware that all counties in California are under a mandate from the state to develop more housing. However, I am surprised that Twain Harte fits the bill of an urban area where high density housing should be developed. I did see where Twain Harte was not even an area that was designated as a possible locale for such an increase under the current Plan.

When we first bought property here, the shopping center was a vibrant place, with restaurants, the pharmacy, the liquor store, and many other local businesses— including an office services store, a doctor's office, and a used bookstore. This has slowly changed, as long deferred maintenance and expensive leases have caused business to relocate to other places in Twain Harte. This was previously true for a doctor's office and at least one restaurant, and more recently for

the pharmacy and liquor store. I have also known of prospective tenants that were not allowed to replace the businesses that left. I specifically recall that several years ago the grocery store had major roof leaks, so tarps and buckets were placed inside the store until the roof could be repaired. And maintenance appears to still be an issue throughout the center.

Unfortunately, the lack of tenants, as well as the lack of maintenance, leads me to believe that these trends were not coincidental, and they have definitely preceded the pandemic. Based on the ownership history, the proposed amount of dense housing and the loss of commercial space will continue to negatively affect Twain Harte, both for the property owners and the tourists who visit the small town that advertises itself as a four seasons resort community. I would estimate that there could be an increase in rental properties, a decrease in overall property values, and a potential loss of tourist dollars for both the town and the county.

Although it is probably tempting for the county to look at the short term and approve the Revised Application, I think it will do more harm than good in the long run in its current draft.

Respectfully Submitted,
Darline Bellumori

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Monday, October 31, 2022 1:46 PM
To: Frank Lucarelli
Subject: RE: Comments on GPA21-005, RZ21-012, SDP22-007, and CUP22-011

Greetings Lucarelli's,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record. Staff will analyze public comments during the review period for this project.

Should you have any questions or would like to know more about the development process please reach out to me directly.

Sincerely,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Frank Lucarelli <flucare@comcast.net>
Sent: Monday, October 31, 2022 1:10 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: Comments on GPA21-005, RZ21-012, SDP22-007, and CUP22-011

Thank you for the opportunity to provide comments on the application to change the land use designation for parcel 048-680-046. The building of 54 apartments in this parcel in no way aligns with the community of Twain Harte. Twain Harte is a sparsely populated community and wishes to stay that way. It is a resort community with vacationers, retirees, and families who want to make Twain Harte their destination to relax, and leave the fast paced world for a while. 54 apartments and their several hundred new inhabitants would go along way to negatively impact this way of life.

Yes people need to live somewhere, but having these families drive up Twain Harte grade everyday is not prudent for many reasons. Their jobs are not in Twain Harte. Where they shop everyday for food and essentials are not in Twain Harte. This will also further complicate emergency evacuation processes if their should be a large fire with hundreds of more residents.

There is a good reason why high density housing is not in Twain Harte. It is wrong for the community.

Sincerely, Frank and Patricia Lucarelli
510-468-3453

consists of development and conversion of a portion of the existing retail space of the Twain Harte Shopping Center into apartment and townhome-style housing.

2. Below is a link to Stakeholder Notification webpage where project information may be found. The full set of proposed site renderings and development plans for the Twain Harte Shopping Center can be found via the project link on the Planning Stakeholder Notification webpage.

   Planning Stakeholder Notification webpage:
   https://www.tuolumnecounty.ca.gov/1512/Planning-Stakeholder-Notifications

Please return your comments to the CDD by **October 31, 2022**. Comments may be emailed to Cheydi Gonzales, cgonzales@co.tuolumne.ca.us Comments may also be mailed to: 2 South Green Street, Sonora, CA 95370 or brought to the Community Development Department.

Staff Contact: Cheydi Gonzales
Phone: (209) 533-6641
Email: cgonzales@co.tuolumne.ca.us

AGENCY: _____

COMMENTS: NO, IT WILL LEAD TO SECTION 8 RESIDENTS, WITH NEWSOM GIVING THE OWNERS MONITARY ASSISTANCE FOR LOW INCOME HOUSING.
WE OWN 23025 TWAIN HARTE DRIVE.
NO, Dary R. Jones

ONE WATER METER SINCE 1954 - THEN WE GET CHARGED AT 369 PER MONTH 60 yrs LATER.

Susan Jones
WE PAY $369 PER MONTH TO TWAIN HARTE COMMUNITY SERVICES FOR 3 UNITS, 4 PEOPLE W/ ONE WASHER AND 3 TOILETS. HELP ME GET JUSTICE! Dary Jones

Per Tuolumne County Ordinance Code, the CDD will only be notifying property owners within 500 feet via mail of future public hearings and will not notify individuals or agencies via email. The notification link below is the only way to request and receive email notifications.

To ensure future public hearing notifications are received, please utilize the link below to sign up in the Tuolumne County Notify Me Page to receive notices via email:

https://www.tuolumnecounty.ca.gov/list.aspx

Signed by: Dary R. Jones

Agency: NEIGHBORING PROPERTY Date: Oct 30, 2022

consists of development and conversion of a portion of the existing retail space of the Twain Harte Shopping Center into apartment and townhome-style housing.

2. Below is a link to Stakeholder Notification webpage where project information may be found. The full set of proposed site renderings and development plans for the Twain Harte Shopping Center can be found via the project link on the Planning Stakeholder Notification webpage.

   Planning Stakeholder Notification webpage:
   https://www.tuolumnecounty.ca.gov/1512/Planning-Stakeholder-Notifications

Please return your comments to the CDD by **October 31, 2022**. Comments may be emailed to Cheydi Gonzales, cgonzales@co.tuolumne.ca.us Comments may also be mailed to: 2 South Green Street, Sonora, CA 95370 or brought to the Community Development Department.

Staff Contact: Cheydi Gonzales
Phone: (209) 533-6641
Email: cgonzales@co.tuolumne.ca.us

AGENCY: _____

COMMENTS: Twain Harte IS A town NOT A City And there should Be NO Apartments In A town like Twain Harte IT would Change The whole Feeling of the wonderful Town of Twain Harte

RECEIVED
OCT 31 2022
Community Development Department

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https://www.tuolumnecounty.ca.gov/list.aspx

Signed by: Joe Sonzer

Agency: _____ Date: 10-21-22

consists of development and conversion of a portion of the existing retail space of the Twain Harte Shopping Center into apartment and townhome-style housing.

2. Below is a link to Stakeholder Notification webpage where project information may be found. The full set of proposed site renderings and development plans for the Twain Harte Shopping Center can be found via the project link on the Planning Stakeholder Notification webpage.

   Planning Stakeholder Notification webpage:
   https://www.tuolumnecounty.ca.gov/1512/Planning-Stakeholder-Notifications

Please return your comments to the CDD by **October 31, 2022.** Comments may be emailed to Cheydi Gonzales, cgonzales@co.tuolumne.ca.us Comments may also be mailed to: 2 South Green Street, Sonora, CA 95370 or brought to the Community Development Department.

Staff Contact: Cheydi Gonzales
Phone: (209) 533-6641
Email: cgonzales@co.tuolumne.ca.us

As a home owner in Twain Harte we should have a say on projects such as these.
Richard + Marilyn Knudson

AGENCY: Home Owners and Concerned citizens

COMMENTS: We would like to invite the Development Department to visit this property as mentioned above. Howard and Saul have owned this property for over 20 year and you need to see the disrepair of the buildings. All the different amenties mentioned - dog park, playground, water fountain + exercise park — who will maintain them? Adding 54 apartments and new retail building — how will that be maintained? Will they charge the renters to keep it up and will they? They do not keep up what they have now. With all the wooden structures grouped together can the THFD be able to put a two story fire out? Water + sewer infractures will stress our already water supply — we are for growth but responsible growth + their track record has not been responsible

Per Tuolumne County Ordinance Code, the CDD will only be notifying property owners within 500 feet via mail of future public hearings and will not notify individuals or agencies via email. The notification link below is the only way to request and receive email notifications.

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https://www.tuolumnecounty.ca.gov/list.aspx

thminigolf@att.net
1-209-586-6338

Signed by: Marilyn Knudson, Richard Knudson

Agency: Home Owners + Concerned citizens Date: 10-27-22

consists of development and conversion of a portion of the existing retail space of the Twain Harte Shopping Center into apartment and townhome-style housing.

2. Below is a link to Stakeholder Notification webpage where project information may be found. The full set of proposed site renderings and development plans for the Twain Harte Shopping Center can be found via the project link on the Planning Stakeholder Notification webpage.

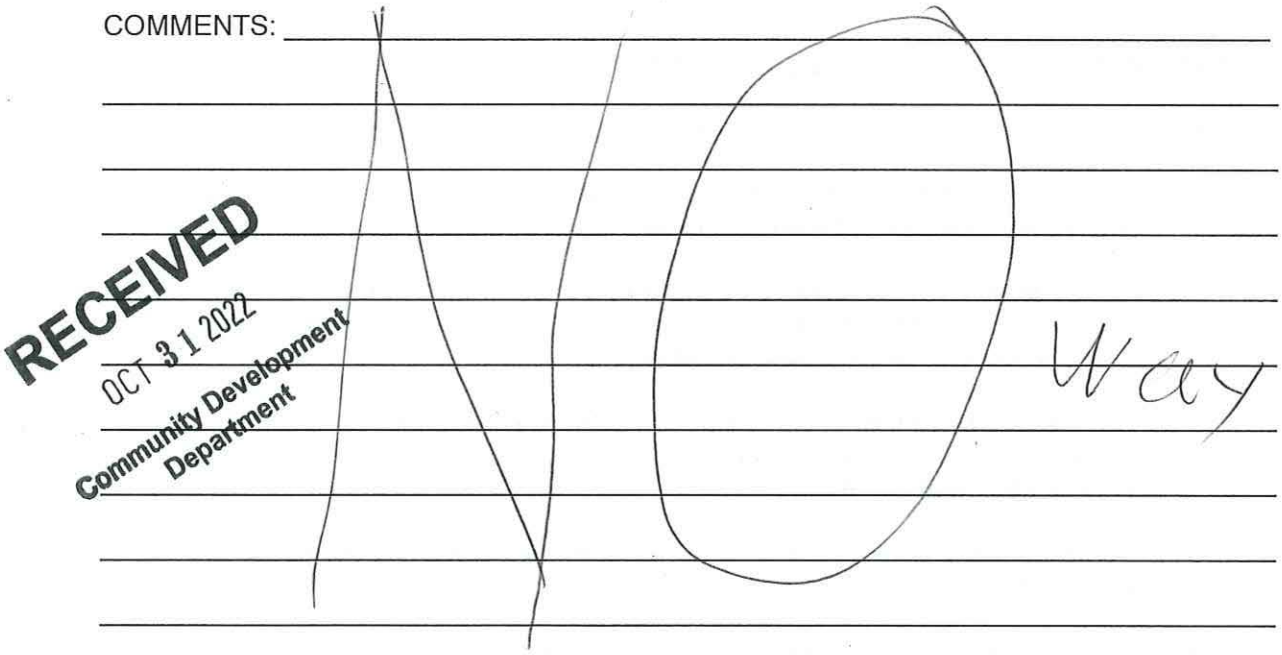
   Planning Stakeholder Notification webpage:
   https://www.tuolumnecounty.ca.gov/1512/Planning-Stakeholder-Notifications

Please return your comments to the CDD by **October 31, 2022**. Comments may be emailed to Cheydi Gonzales, cgonzales@co.tuolumne.ca.us Comments may also be mailed to: 2 South Green Street, Sonora, CA 95370 or brought to the Community Development Department.

Staff Contact: Cheydi Gonzales
Phone: (209) 533-6641
Email: cgonzales@co.tuolumne.ca.us

AGENCY: Sanger Arts

COMMENTS:



Per Tuolumne County Ordinance Code, the CDD will only be notifying property owners within 500 feet via mail of future public hearings and will not notify individuals or agencies via email. The notification link below is the only way to request and receive email notifications.

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https://www.tuolumnecounty.ca.gov/list.aspx

Signed by: [signature]

Agency: Sanger Arts Date: 10-23-22

consists of development and conversion of a portion of the existing retail space of the Twain Harte Shopping Center into apartment and townhome-style housing.

2. Below is a link to Stakeholder Notification webpage where project information may be found. The full set of proposed site renderings and development plans for the Twain Harte Shopping Center can be found via the project link on the Planning Stakeholder Notification webpage.

   Planning Stakeholder Notification webpage:
   https://www.tuolumnecounty.ca.gov/1512/Planning-Stakeholder-Notifications

Please return your comments to the CDD by **October 31, 2022**. Comments may be emailed to Cheydi Gonzales, cgonzales@co.tuolumne.ca.us Comments may also be mailed to: 2 South Green Street, Sonora, CA 95370 or brought to the Community Development Department.

Staff Contact: Cheydi Gonzales
Phone: (209) 533-6641
Email: cgonzales@co.tuolumne.ca.us

AGENCY: _____

COMMENTS: My husband and I are not in favor of the proposed project for: APN-078-680-046 property site in any way, shape, or form.

Sharon & Wayne Wood 10-22-2022
23109 Cresta Dr.
Twain Harte, CA

RECEIVED
OCT 31 2022
Community Development Department

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https://www.tuolumnecounty.ca.gov/list.aspx

Signed by: _____

Agency: _____ Date: _____

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Wednesday, November 2, 2022 11:07 AM
To: 'Marianne Freiwald'
Subject: RE: assessor's parcel 048-680-046 / Howard Schinler and Saul Gevertz

Greetings,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record. Staff will analyze public comments during the review period for this project.

Should you have any questions or would like to know more about the development process please reach out to me directly.

Sincerely,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: Marianne Freiwald <mfreiwald1@gmail.com>
Sent: Monday, October 31, 2022 2:36 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: RE: assessor's parcel 048-680-046 / Howard Schinler and Saul Gevertz

Dear Cheydi,

I have been a resident of Twain Harte for the past 40 years. I am a real estate agent with C21 in Twain Harte.

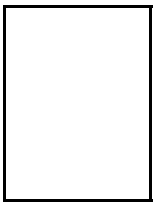
As a member of the community and active agent I felt strongly to express my concerns.

I fully understand the importance for additional housing for families and individuals in our community. The owner Howard has been operating the commercial property and it has seen alot of changes. Its been almost completely empty for a long time now and the recent vacancies have been a huge negative for our community and the empty space has created alot of concerns. I have personally seen the issues the current businesses have had with his commitment to keep the property in good condition. If I saw him being proactive and being an accountable landlord, I would not be expressing this concern.

My main concern is for the additional rentals and the current issues the current tenants have had. Will he maintain the properties to attract people that can experience a quality of life and safety?? He has not shown that in the past and I am not optimistic he will do it in the future. I believe in growth... affordability and our community attracts many families looking for a safe place to live and vacation. I hope my concerns are taken into consideration.

Thank-you

--



Marianne Freiwald
DRE#0138529

Quality Service Producer 2014, 2015
Masters Ruby Award 2014, Diamond Award 2015

Century 21 Wildwood Properties
209-352-1646 (Call or Text)
mfreiwald1@gmail.com
mariannesellsrealestate.com View Properties here!!

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Tuesday, November 1, 2022 8:14 AM
To: L. Ambrosini
Subject: RE: Revised Application Notice Dated 10/17/2022: Stakeholder Response

Greetings,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record. Staff will analyze public comments during the review period for this project.

Should you have any questions or would like to know more about the development process please reach out to me directly.

Respectfully,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

From: L. Ambrosini <lambrosini@outlook.com>
Sent: Monday, October 31, 2022 4:33 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: Revised Application Notice Dated 10/17/2022: Stakeholder Response

Re: APN 048680-046GPA CPA21005, RX21-012, SDP22007 & CUP22011

Dear Ms. Gonzales,Please share the following remarks with members of the Tuolumne County Community Development Department regarding the subject of this message.Kind regards, Lisa
To: Tuolumne County Community Development Department
The purpose of this correspondence is to express our continued opposition to the now revised application for the proposed *General Plan Amendment* as indicated above, which includes multiple parcels in the community of Twain Harte. As Twain Harte homeowners we are concerned this project will have a detrimental impact not only on Twain Harte, but potentially on Tuolumne County. We shared our opposition to the original proposal earlier this year. Our original concerns have only grown based on the proposed amendment to increase the size of the project.We respectfully request that the TCCDD deny the proposed amendment as the increase in the number of multi-family housing units and the elimination of existing retail space will potentially cause traffic and safety problems for the community.Twain Harte is a 'resort community' with many vacation homes and part-

time residents. There are limited work opportunities and additional permanent residents would increase traffic on our streets and Highway 108, which should be a concern to all of Tuolumne County. The increase in permanent residents would put a strain on many areas of infrastructure in our mountain community, including the sheriff and fire departments. Further, Twain Harte needs small, locally-owned businesses to meet the needs of the current permanent and part-time residents, as well as to attract visitors. Rezoning approval would have a negative financial impact by eliminating immediate opportunities for small, locally-owned businesses to bring jobs to our area by converting retail space to residential units in the primary shopping destination in town. Although the revised proposal includes new retail space in a later phase, there is no guarantee of when this space is expected to be completed or the anticipated cost to lease.

Another concern to homeowners is that property values could go down in the area if additional multi-family apartments or condominiums are allowed. As noted, the original proposal from January 2022 to convert existing retail space to residential units, now includes a new two-story building with 18 three-bedroom, two-bath units.For these reasons we urge you to disapprove the revised proposed rezoning and amendment to the General Plan.Thank you for your consideration and continued service and support of the communities of Tuolumne County.

Michael and Lisa Ambrosini18804 Manzanita DrTwain Harte

Cheydi Gonzales

From: Cheydi Gonzales
Sent: Wednesday, November 2, 2022 10:04 AM
To: rick Ramet
Subject: RE: Twain Harte market housing development

Greetings,

Thank you for your comments on the referenced project. I will include your comments in the project file and they will be a part of the public record. Staff will analyze public comments during the review period for this project.

Should you have any questions or would like to know more about the development process please reach out to me directly.

Sincerely,

Cheydi Gonzales, Land Use Coordinator
Land Use and Natural Resources Division
Tuolumne County Community Development Department
48 Yaney Avenue
Sonora,CA.95370
Email: cgonzales@co.tuolumne.ca.us
Website: https://www.tuolumnecounty.ca.gov/179/Planning
Phone: (209) 533-6641

-----Original Message-----
From: rick Ramet <raramet@gmail.com>
Sent: Monday, October 31, 2022 6:31 PM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: Twain Harte market housing development

Hi . I'm Richard Ramet . We've lived in Twain Harte for the last 24 years . We raised our two children and they have returned recently to raise there own . I'm a contractor here in town . We also recently bought a apartment building on Manznita dr . A real fixer that I'm working on to improve the neighborhood every extra time I have. That building is next to the school and the very rundown Twain Harte shopping center . The cabin we live in my grandparents built in 1949 . This town is a four seasons resort town as the sign says as you drive in . I've known Mr Schindler for many years. All of his properties are all very rundown. He only hires unlicensed help to put band-aids on his buildings . We walk by his current rentals on Twain Harte Dr and there's trash , rundown cars and abandoned cars . It's obvious that it's currently low income housing. I definitely don't disagree that we need more housing. I've reviewed his plans and feel that building less housing and improving some of the existing retail space into something that would benefit the new housing. The home owners in the Black Oak development did not buy there homes there to have low income high density housing building by a known slum lord . There homes value will definitely drop and unlikely to be able to sell there . If they wanted to live in that environment they would have move to that peacefully and quiet neighborhood. Infrastructure is definitely not up to the task of supporting the added pressure. Our roads here in Twain Harte are the worse in the nation . My street has barely been touched in 30 years. We need a mean 4x4 to serve it . TC can't support the roads , law enforcement, fire, water or sewer of this project. I'm sure the proposed new project will look good for the first few years. But in no time it will look like everything else he has in our town. If he cared about Twain Harte , TC or his tenants his property's would not all be in complete disarray. I'm in Twain Harte Rotary Club . We all strive to make our town and our community a better place . Mr Schindler only wants federal money to build low income housing to deepen his

pockets . Take a drive by his Twain Harte dr property or better yet walk by like I do . Enjoy how comfortable you feel.
Thank you for your time.
Rick Ramet
I’m available anytime at 209-743-3003

R.A.Ramet Construction

consists of development and conversion of a portion of the existing retail space of the Twain Harte Shopping Center into apartment and townhome-style housing.

2. Below is a link to Stakeholder Notification webpage where project information may be found. The full set of proposed site renderings and development plans for the Twain Harte Shopping Center can be found via the project link on the Planning Stakeholder Notification webpage.

   Planning Stakeholder Notification webpage:
   https://www.tuolumnecounty.ca.gov/1512/Planning-Stakeholder-Notifications

Please return your comments to the CDD by **October 31, 2022.** Comments may be emailed to Cheydi Gonzales, cgonzales@co.tuolumne.ca.us Comments may also be mailed to: 2 South Green Street, Sonora, CA 95370 or brought to the Community Development Department.

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Staff Contact: Cheydi Gonzales
Phone: (209) 533-6641
Email: cgonzales@co.tuolumne.ca.us

~~AGENCY~~: Resident Shirley Patz, Korey Ct.

COMMENTS: When I moved here 20 yrs. ago, this was a lovely quiet community with a Shopping Center of interesting shops. I had NEVER ever envisioned 54 apts. in it's place, with the noise and congestion accompanying it. I would never have bought here (1 block away) had I dreamed the Shopping Center would become apts, taking away from the charm of the area.

Hopefully, the designs of these 54 apts. will be more appealing than the last application.

Per Tuolumne County Ordinance Code, the CDD will only be notifying property owners within 500 feet via mail of future public hearings and will not notify individuals or agencies via email. The notification link below is the only way to request and receive email notifications.

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https://www.tuolumnecounty.ca.gov/list.aspx

Signed by: Shirley Patz

Agency: _____ Date: 10/27/22

consists of development and conversion of a portion of the existing retail space of the Twain Harte Shopping Center into apartment and townhome-style housing.

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Staff Contact: Cheydi Gonzales
Phone: (209) 533-6641
Email: cgonzales@co.tuolumne.ca.us

AGENCY: _____

COMMENTS: On Separate page

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Signed by: Callene Tavaniico

Agency: _____ Date: Oct 24, 2022

consists of development and conversion of a portion of the existing retail space of the Twain Harte Shopping Center into apartment and townhome-style housing.

2. Below is a link to Stakeholder Notification webpage where project information may be found. The full set of proposed site renderings and development plans for the Twain Harte Shopping Center can be found via the project link on the Planning Stakeholder Notification webpage.

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Staff Contact: Cheydi Gonzales
Phone: (209) 533-6641
Email: cgonzales@co.tuolumne.ca.us

AGENCY: _____

COMMENTS: On Separate page

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Signed by: Frank P Sotomayor

Agency: _____ Date: Oct 24 2022

We have lived in Twain Harte for fifty years, my husband, Frank Latronico,built the Twain Harte shopping center in 1982 seeing a need in the community, when we owned the center it was completely occupied by different businesses, restaurants, clothing stores, pharmacy and hardware store, to name a few, the community responded and supported it. Unfortunately circumstances required us to sell and unfortunately to the wrong person, that being Mr. Schindler, who owns many properties in the bay area where in lives, he has no allegiance to Twain Harte or Tuolumne county, he bought the center for a write off, and has managed with his greed to eliminate most of the tenets over the years by raising rents to unaffordable sums, he wanted everyone out, he succeeded in his plan with only two businesses remaining. We look at the lack of care and devastation at the once thriving businesses and he wishes he would have never built it.

Mr. Schindler swindled my husband forty years ago and he appears to continue his shady business ways. This proposal by Schindler is preposterous,we're already stressed on water, and who;s going to be able to afford to live there, no locals, unless he;s doing a section eight, which humor has it is his plan. will he hire locals to "REMODEL' or all out of town people? This project is a bad idea

Oct 24, 2022

Colleen Latronico

Frank P. Latronico

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Staff Contact: Cheydi Gonzales
Phone: (209) 533-6641
Email: cgonzales@co.tuolumne.ca.us

AGENCY: LOUIS MONTEMAYOR - RESIDENT 19040 MICHELE LN TWAIN HARTE

COMMENTS: I'M OPPOSED TO THIS PROJECT. I LIVE & FACE THE EAST END OF THIS SHOPPING CENTER/PROJECT SITE. I'VE LIVED ON MICHELE LN 33 YEARS. THE 2 ENTRANCES TO THE SHOPPING CENTER ARE TIFFENI DR & MICHELE LN. MICHELE LN IS A NARROW PUBLIC ST. COUNTY TRAFFIC ENGINEERS SHOULD SURVEY THE STREET & CONSIDER WIDENING MICHELE LN AT THE EXPENSE OF HOWARD SCHINDLER & SAUL GEVERTZ **NOT** AT TAX PAYER'S EXPENSE! EPA SHOULD STUDY NOISE POLLUTION, VEHICLE POLLUTION, HEAVY TRAFFIC THAT WILL EFFECT AREA RESIDENTS. SCHINDLER & GEVERTZ RESIDE IN BAY AREA & SHOULD BUILD THIS PROJECT NEXT TO THEIR HOME. PROJECT WILL LOOK LIKE A MOTEL 6. THE TRANQUILITY OF NEIGHBORHOOD WILL BE HEAVILY EFFECTED!!

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https://www.tuolumnecounty.ca.gov/list.aspx

Signed by: Jose Montemayor

Agency: RESIDENT Date: 10/29/2022

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NOV 2 2022
Community Development Department

Ms. Cheydi Gonzales
Land Use Technician
Tuolumne County Community Development Department
2 South Green Street
Sonora, CA 95370

Re: General Plan Amendment GPA21-005, Zone Change RZ21-012,SDP22-007, and CUP22-011

Dear Ms. Gonzales:

Below are my comments related to the referenced planning application, and are intended to be supplementary to my previous comments provided to you on January 20, 2022 regarding the applicants original application. I strongly oppose this application and urge its denial.

The reasons I urge you to deny this application are as follows:

- The proposed use is inconsistent with the single family use that surrounds this shopping center property.
- Impact on water and sewer service provided by Twain Harte Community Service District (which has signs through the community that it cannot spare a "drop of water"). This concern is reinforced by its General Manager, Tom Trott, to you in a January 26, 2022 correspondence where he states "*this **project has the potential to significantly impact THCSD's services,** especially water, sewer, and fire protection*". As I comment below, there will undoubtedly be a second phase to this project once the current Twain Harte Market lease expires; and the **CEQA should recognize this**.
- The track record of the current owner in its mismanagement of the shopping center should not be rewarded with rezoning for their economic gain at the expense of existing property owners in the community. Proposing to **retrofit existing retail space** (that appears to be up to 70 feet deep) **into residential space sounds architecturally problematic** (e.g. windows, exiting, appearance, etc.) vs. demolition with new buildings. To me this **has all the makings of a very low class development**.
- **Sound transmission** has unique characteristics within the Black Oak Subdivision. I can hear the concerts in Twain Harte Park louder on my deck, that I can from a block

away from the park. How will the noise from a 150 -200 residents in this proposed development be **controlled and mitigated**?

- One of the requirements of M-U zoning is that it should be served by "***adequate police***". I know the one time I called the sheriff's department, the nearest patrol car was ~45 minutes away to respond to a prowler on my property. I raised this previously on General Plan Amendment GPA21-004. From what I heard of the Supervisor meeting via the internet, this concern was not discussed or addressed by the Supervisors. **This is a requirement of the M-U zoning and has to be satisfactorily addressed to the community, particularly given the scale of this project.**
- M-U zoning clearly states that "*it is intended that this district be established within* ***urban areas***". When I first met you I asked you what is the definition of "urban" in your zoning ordinance, and you stated that it was your understanding that the County used the U.S. Census Bureau definition. I previously raised the point to the Supervisors in the General Plan Amendment GPA21-004 that the U.S. Census Bureau has recently changed its definition of urban; and the **Twain Harte community is clearly rural under this new definition**.[i] As explained below in my endnote, despite a response from Director Yalely, it appears **"urban" is an undefined term in the Tuolumne County zoning ordinances**.
- The current zoning allows the subject property a wide array of uses. No explanation has been given why the current zoning is inadequate. One can only assume that this application is strictly driven by economics and not by good planning principles. The county's **updated General Plan did not propose any suggested land use for the Twain Harte Community**, but it made other changes in its General Plan to achieve its RHNA goals that were vetted and accepted.[ii]
- This proposed development could increase **community population by nearly 10%.** The majority of the residents of this development will need to commute to other parts of Tuolumne County, **impacting traffic** on Twain Harte traffic arteries and the connection points to State Highway 108. The Twain Harte Drive and 108 eastern intersection it already a very dangerous intersection, this development will only make it worse. **This needs to be address in the CEQA**.[iii]
- I see no proposed buffer between the development and the existing Black Oaks Subdivision with R-1 zoning.
- It appears that Tuolumne County has a RHNA goal of 525 units by August 21, 2024. This project would represent over 10%, which is an obvious temptation by the County to approve this project independent of good planning principles, or its impact to the current tax paying/voters that own properties in the Twain Harte Community - this to

me is an obvious conflict of interest. It was apparent to me from the dialogue at the General Plan Amendment GPA21-004 supervisors hearing, that this was a real driver for the Supervisors. **This project is an entire different scale and should not be viewed as a RHNA "opportunity" by the county**[iv].

- It is my understanding that the Twain Harte Market has a lease that goes between 5-10 years. Assuming it relocates at the end of its lease or it is not renewed like happened to other businesses at the current center, what happens from a zoning perspective? To me it is obvious the applicant is assuming that there will be a second phase of its multi-family development. The impacts of the **project should be based the long term impacts**, or multi-family use in the commercial portion of the property, or at a absolute minimum strong restrictions should be placed that the commercial portion not be available to future multi-family development.

Lastly given the importance and impact of this proposed project to the Twain Harte community, I strongly urge you to **provide a courtesy notice of any and all public meetings** regarding this application **to the Twain Harte Homeowners Association**. They have the ability through email notifications to transmit information much timelier to the community. I am **copying Supervisor Kirk, and requesting that he provides you this authorization** to meet this request. I believe the Supervisors think that Twain Harte community does not care based the public hearing held on the adjoining property - nothing could be further from the truth! Thank you for your review and consideration of the points I raise above.

Sincerely,

George Getgen

18935 Ryan Court

Twain Harte, CA

HANK ANDREOTTI
18977 RYAN COURT.
THIS COULD NOT BE SAID ANY BETTER I AM IN FULL AGREEMENT THIS SIGNATURE STANDS THAT I AM OPPOSED OPPOSED TO THIS PROJECT!

---

[i] The 2020 census defines an urban area as "*an area will qualify as urban*

if it contains at least 2,000 housing units or has a population of at least 5,000". It appears the Twain Harte population in 2019 was 2,310. After that Supervisor hearing where this issue was discussed (Supervisor Haff asked Director Yalely if this issue was "covered" within the legal planning documentation; her response was it was in three different places). I subsequently wrote Director Yalely on 5/18/22 and asked her to specifically point me to the legal definition that defines how "urban" is used in the M-U zoning ordinance. Her response to me on 5/23/22 was: "*Page B-52 of the General Plan Technical Background Report provides a definition of the word "urban*"". Normally when a definition is created within any legal document, it is referenced by capitalizing the term (e.g. Urban vs. urban), to denote that it is referring to the definition. In review of county's General Plan, the term "Urban" is never invoked. Further it appears that in the zoning ordinances, that Chapter 17.04 - Definitions, is the section where any "defined terms" applicable to the zoning ordinances should be placed. There is no definition for "Urban" in Chapter 17.04, nor is the term "Urban" capitalized in Chapter 17.30 - Mix Use, which leaves the definition to be its common meaning (e.g. Webster dictionary), or perhaps the most vetted definition in the country, the U.S. Census Bureau definition as you originally thought. In the County's General Plan (https://www.tuolumnecounty.ca.gov/DocumentCenter/View/11753/Vol-II-TBR--Final), on page 109 it states " ***The urban or rural area designations vary through the years based on the census data for each year***".

[ii] (https://www.tuolumnecounty.ca.gov/DocumentCenter/View/13316/County-of-Tuolumne-Housing-Element-2019-Update-Adopted-9-3-2019?bidId=) states on page 3-73 " *On January 3, 2019, Tuolumne County adopted a comprehensive update of the Tuolumne County General Plan. As part of the General Plan Update, the County identified areas appropriate for multiple-family housing. These areas are located primarily within the existing identified communities of the county where topography is conducive, public water and sewer systems are close by, schools, emergency services and commercial facilities are near-by, and public transportation is available.*"

[iii] Though I know the county uses a factor of 2.4 people/unit for multi-family, this proposed development has 55 units (**I believe your 54 units is in error**). The development has 121 bedrooms per my count, and you state it has 170 residential parking spaces. I do not think it is a stretch that this development could have as many as 200 people living within it. That is nearly 10% increase to the community population.

[iv] Three statements in the County's General Plan seem to be particularly pertinent: 1)" *Balance property rights with the conservation of the environment and rural character of the County, which contributes to the quality of life of residents, encourages tourism*"; 2) " *The General Plan provides guidance in determining the appropriate or desirable locations for this growth, thereby preventing an unnecessarily scattered pattern of development* "; and 3) " *Promote the development of commercial uses to meet the present and future needs of Tuolumne County's residents and visitors and maintain economic vitality* "

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Community Development Department

consists of development and conversion of a portion of the existing retail space of the Twain Harte Shopping Center into apartment and townhome-style housing.

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Staff Contact: Cheydi Gonzales
Phone: (209) 533-6641
Email: cgonzales@co.tuolumne.ca.us

AGENCY: Homeowner within walking distance to TH Shopping Center

COMMENTS: I purchased my home, remodeled it and the sole purpose for buying it was it was walking distance to TH pharmacy, gym, TH market, my D.O. and toy shop along with a pizza place. Because you as an owner, developer do not have desire line in this area, all but two businesses have left because you did not provide maintenance yet continually kept increasing their rents. You would not want this proposal to be passed if you lived in my home full time. We already have to deal with theft, Broken vehicles abandoned because of low income, or free apartments existing here now. Adding an additional home for 200 plus low income, or tax payer paid residents is not okay. The theft, trespassing I already endure will triple and our homes near here will continually decrease in value. Please do not allow this to happen to our neighborhood Thank you.

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https://www.tuolumnecounty.ca.gov/list.aspx

Signed by: [signature] CDHAP

Agency: Homeowner Date: 11/02/2022

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NOV 07 2022
Community Development Department

10/31/22

To: Cheydi Gonzales
Tuolumne Cty. Community Development Dept.
From Julie He Cowell, 23300 Shadybrook Drive, Twain Harte
Subject. Revised Application for Twain Harte Shopping Center by Schindler & Geveritz.

Opinion! "Oppose" do not allow!

I oppose the project and land use and the rezoning proposed / designed by H. Schindler and S. Geveritz.

This plan / project / usage does not fit with the design & review process that was originally developed by the village of Twain Harte – it is not for the real improvements (retail) & well-being of this small community.

The property under consideration has turned into an eye-sore due to these gentlemen and their unreasonable rents – we now have a vacant row of retail (empty) stores that was a vital center of our community → → → the "last straw" was the dismantling of the Twain Harte Pharmacy / Variety Store.

Look at their other rental properties along Twain Harte Drive – the cars, the mattress & other rubish.

I'm not against housing – but we need "Seniors" not homeless – this is snow country & how will all this project be managed? snowplowed? Garabage dumpster pick-up. The market will vanish even with their present lease.

Please do not approve this project.

consists of development and conversion of a portion of the existing retail space of the Twain Harte Shopping Center into apartment and townhome-style housing.

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Staff Contact: Cheydi Gonzales
Phone: (209) 533-6641
Email: cgonzales@co.tuolumne.ca.us

AGENCY: _____

COMMENTS: _____

see attached letter.

Cheydi – Thanks for talking to me on phone – you were very helpful & had business but kind voice. Thanks for letting me mail this to you. JC.

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To ensure future public hearing notifications are received, please utilize the link below to sign up in the Tuolumne County Notify Me Page to receive notices via email: I made an e-mail on my brother's computer

https://www.tuolumnecounty.ca.gov/list.aspx

juliecowell@email.com

Signed by: Julie Cowell

Agency: Homeowner Date: 10/31/22

Comments Received Before and After the Townhall Meeting on March 22, 2023

Sandra and Larry Asquith
PO Box 1596
18853 Manzanita Drive
Twain Harte, CA 95383
209-591-3333

March 27, 2023

Community Development Department
Quincy Yaley, Director
Community Development Department
2 South Green Street
Sonora, CA 95370

Quincy:

I recently met you at the Community Workshop in Twain Harte and I wanted to follow up with a couple of items that concern my husband and me.

1. The environmental impact that Phase Three of the proposed development of the Twain Harte Village Shopping Center would be huge. A variety of fir trees would be removed, but my biggest concern is the grading and removing of the hillside on the non-developed portion of Michele Lane. There are well-established houses above that area. With our recent winter storms showing us that landslides are not out of the question in Twain Harte, I would hate to think that Howard's design and construction of new residential housing in Phase Three might be destroyed by hillside erosion with and by the housing above it. In this instance I would recommend his permit be issued negating the development of Phase Three and that Phase Three be removed from the permit.

2. We are certainly in need of housing in Tuolumne County and therefore, I would recommend that Phases One and Two be developed in the Twain Harte Village Shopping Center. Based on the demographics of Twain Harte and the 2020 census, there is a current population of 2,378, of which 1,069 folks are over 55 years of age. My recommendation would be that a Conditional Use be added to the permit limiting the development to accommodate Senior Living 55 years and older only. Bus transportation is available at the center, there is a full-service market at the center, and there is also prepared food available.

Something that Howard alluded to but needs to be included in conditional use, is on site management. With the addition of 36 housing units, it only seems feasible that management needs to be on site 24/7.

Thank you for your time and consideration. I hope this much needed improvement and housing addition can be a win/win for everyone.

Sincerely,

Sandra Asquith Larry Asquith

Sandra and Larry Asquith
sandraasquith@comcast.net

c: Planning Department
Planning Commission
Tuolumne County Supervisors

Sandra and Larry Asquith
PO Box 1596
18853 Manzanita Drive
Twain Harte, CA 95383
209-591-3333

March 27, 2023

Community Development Department
Quincy Yaley, Director
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Something that Howard alluded to but needs to be included in conditional use, is on site management. With the addition of 36 housing units, it only seems feasible that management needs to be on site 24/7.

Thank you for your time and consideration. I hope this much needed improvement and housing addition can be a win/win for everyone.

Sincerely,

Sandra Asquith Larry Asquith

Sandra and Larry Asquith
sandraasquith@comcast.net

c: Planning Department
Planning Commission
Tuolumne County Supervisors

From: Tim Harris
To: Natalie Rizzi
Subject: Re: TH shopping center workshop
Date: Thursday, March 16, 2023 2:27:47 PM

That's unfortunate, thank you for getting back to me. Here are concerns I have which hopefully you can incorporate for discussion at the meeting.

- **Parking** - how is the resident parking and commercial parking going to be enforced? I foresee apartment residents parking extra vehicles and those of their guests in the retail lot thus impacting those of us that want to go the store.
- **Design** of that awful looking "burners" structure. This design goes against Twain Hartes long history and effort to have new structures blend in with the rest of the community.(i.e. cal fire station, retail building next to 7-11.) I'm requesting this be reviewed & redesigned using the same criteria and goals.
- **Balcony space / Storage** for apartments. Requesting to redesign all balconies to face rear of buildings and provide storage lockers for every unit. Historically in most every case of apartment complexes anywhere you go balconies are utilized for storage rather than intend use, thus creating tremendous eyesore, and the community has no control or means to correct it.

I look forward to reponses to these concerns.

Thank you!
Tim Harris

> On Mar 16, 2023, at 2:01 PM, Natalie Rizzi <NRizzi@co.tuolumne.ca.us> wrote:
>
> Hello Tim,
>
> This meeting will be in person only. Please don't hesitate to contact me with any additional questions.
>
> Thank you,
>
> Natalie Rizzi
> Senior Planner
> Community Development Department
> Tuolumne County
> Office: (209) 533-5936
> Fax: (209) 533-5616
> Email: nrizzi@co.tuolumne.ca.us
> Planning Website: https://www.tuolumnecounty.ca.gov/179/Planning
>
> -----Original Message-----
> From: Tim Harris <tharris6463@sbcglobal.net>
> Sent: Thursday, March 16, 2023 12:21 PM
> To: Natalie Rizzi <NRizzi@co.tuolumne.ca.us>

Subject: TH shopping center workshop

Hi Natalie,
Is this meeting going to be available by zoom or other online platform? If so, please provide link.
Thanks, Tim

Sent from my iPhone

From: Brad Zook
To: Natalie Rizzi
Subject: Twain Harte Shopping Center
Date: Thursday, March 23, 2023 7:15:36 AM

Good morning,

My name is Brad Zook and I live just outside of Twain Harte. I attended the meeting last night regarding the Twain Harte shopping Center and have a number of concerns and ideas regarding the current purposed project. I would like to follow this project and provide my input as the project moves forward. How do I do this? Is there a project page I can go to or just send you my concerns/ideas?

Thanks, Brad

Sent from my iPad

From: Quincy Yaley
To: Natalie Rizzi
Subject: FW: Twain Harte Plaza Redevelopment Plan
Date: Thursday, March 30, 2023 2:40:56 PM

For the file.

-----Original Message-----
From: CANDACE WILSON <candacezook@aol.com>
Sent: Thursday, March 23, 2023 12:56 PM
To: Quincy Yaley <QYaley@co.tuolumne.ca.us>
Subject: Twain Harte Plaza Redevelopment Plan

I attended the meeting last night. Here are my issues:

1. Why would you allow a high density housing development in a low density population area? This development looks like something out of the Bay Area.

2. The developer destroyed that shopping plaza by over charging for leases. He has not made any improvements. He has let it turn into the vacant wasted space. His rental next to the plaza is trashed and he has not put a dime in the Eproson House. Why would you allow this developer to put a Bay Area type, high density housing development and think he would not let that turn into a wasteland in the next 10 years?

3. I would LOVE that plaza to be a mixed use center, but there needs to be an HOA. There needs to be pride of ownership and not just a slum lord rental guy from Oakland. The remodel of the existing buildings looks like a 60's elementary school in Los Angeles.

4. Can you mitigate half the amount of units. Can you mitigate he sells the new condo's? Maybe he can make enough money to make his rentals fit into the vibe of the community. Can you mitigate he can't control it (-:

5. I was around during the great neon sign wars in Twain Harte. I can't even imagine anyone letting this project as it stands go any farther.

I left before the questions. I bet that was brutal…….

From: Tib Warner
To: Natalie Rizzi
Cc: John Kinsfather
Subject: Village Center Project/Twain Harte
Date: Sunday, March 26, 2023 10:27:20 AM

> Dear Ms. Rizzi,
>
> The history and current actions of the Twain Harte shopping center owners demonstrate their attempt to turn their own management failure into a financial success. Changing the shopping center zoning from its current status into a multi use status would accomplish that. Lower income housing has an established demand and the property could be easily SOLD at considerable gain, once rezoning is complete. I see that as the most likely outcome. The result would change the character of Twain Harte and turn our town into the epicenter of lower income housing. The County has a responsibility to protect us from developers attempting zoning changes for their own financial gain. Lower income housing is of little benefit, if at the cost of our retail and commercial vitality. The current owners have never shown an interest in the prosperity of the shopping center or Twain Harte. Why would we expect them to at this time? As a related matter I would appreciate an explanation as to why the Eproson House property is being considered for rezoning by the same group.
>
> Thus, the current shopping center owners will say and do what it takes to get the zoning changed. Once done they have accomplished their goal of adding value to the real estate.
>
> And by the way, the County and Board of Supervisors has been silent on the short term rental wave washing over our community. Twain Hate fears the Board of Supervisors and the County will not protect us against out of area property owners seeking their own financial gain…whether it be developer friendly zoning changes at the shopping center or profiting from converting our housing stock into short term rentals. (One only look to other jurisdictions to see the importance of regulating short term rentals, enforcing those regulations, assuring TOT is collected, and protecting our long term housing stock.)
>
> Sincerely,
>
> Tib Warner

From: timschwartz@sbcglobal.net
To: Natalie Rizzi
Subject: Twain Harte Shopping Center meeting
Date: Wednesday, March 15, 2023 6:20:59 PM

Will the meeting on March 22nd be lived streamed ?

Tim Schwartz

From: John Kinsfather
To: Natalie Rizzi
Cc: Ladd Brunner; Hoag Nancy; Dawn Cronin; Juliana Canavan; Randy Waugh; Bruce Erickson; Tib Warner
Subject: Village Center Project/Twain Harte
Date: Saturday, March 25, 2023 9:26:00 AM

>
> : Village Center Project meeting.
>>>>
>>>> Twain Harte Homeowners Board which represents over 900 property owners in TH has a great many concerns regarding this project. We have not as yet had an opportunity to discuss Wednesdays meeting but will be doing so in the near future. My overall take was that the park, restaurant as such and the townhouses were a bit of a smoke screen to make the project look good and would never happen. I think they are looking to build out, as cheaply as possible, Phase one and two and that's it. Currently those 2 section make up the majority of the existing center and presently are a dead issue. I do not believe they have any intention of building out any additional phases as it would be cost return prohibitive. So what you will end up with is the current center as it is with apartments as opposed to retail space. Just my take for now as Homeowners Board will further discuss and evaluate our position on the proposed project. ~
> John A Kinsfather
> President
> Twain Harte Homeowners
>>>>
>>>>

From: Quincy Yaley
To: Natalie Rizzi
Subject: FW: Village Center Project meeting.
Date: Thursday, March 23, 2023 9:43:34 AM

For the project file please

-----Original Message-----
From: John Kinsfather <john911s40@gmail.com>
Sent: Thursday, March 23, 2023 9:37 AM
To: Anaiah Kirk <AKirk@co.tuolumne.ca.us>
Cc: Jeff Sorensen <sorensenlandscape@yahoo.com>; Nancy Sorensen <twainhartehomeowners@gmail.com>; Bill Bamford <corvair-bill@sbcglobal.net>; Tib Warner <tibwarner@sbcglobal.net>
Subject: Village Center Project meeting.

Anaiah~ Jeff and Nancy Sorensen, Bill Bamford and I, that I know of attended the meeting last night. Quincy Yaley did a very good job conducting the meeting and especially in not letting it get out of hand. We have not had an opportunity to discuss our take away as yet but will plan to do so. My overall take was that the park, restaurant as such and the townhouses were a smoke screen to make the project look good and would never happen. I think they are looking to build out, as cheaply as possible, Phase one and two and that's it. Currently those 2 section make up the majority of the existing center and presently are a dead issue. I do not believe they have any intention of building out any additional phases as it would be cost return prohibitive. So what you will end up with is the current center as it is with apartments as opposed to retail space. Just my take from what was shown and what was said. ~ JAK

There's something about the whirr and hum of fly fishing that casts out worry and reels in peace…..

From: Joleen Willis
To: Natalie Rizzi
Subject: regarding the Twain Harte Shopping Center meeting
Date: Thursday, March 23, 2023 5:23:01 PM

Hi Natalie,
I was told there may have been a recording made of the meeting on March 22 in twain Harte regarding the new plans for the shopping center. Is there anywhere that I can watch that online? Thank you!
joleen

From: Janine Smith
To: Natalie Rizzi
Subject: Twain Harte Center
Date: Friday, March 24, 2023 9:34:37 AM

Senior Planner Rizzi,

I just finished reading the articles about the shopping center in Twain Harte. I think that in general the conversion is a good thing. BUT, the drawings as seen in the Union Democrat, show buildings that are quite ugly! They do NOT fit in with the rustic and quaint atmosphere of the town of Twain Harte. Please require a more rustic facade of these buildings. Maybe the township will be more amenable to the project.

Janine Smith

From: Quincy Yaley
To: Tim Harris
Cc: Natalie Rizzi
Subject: RE: Twain Harte Shopping Center - Rezoning
Date: Monday, April 3, 2023 8:17:34 AM

Mr. Harris,

Thank you for your email. I will ensure it gets to our Project Manager for review and inclusion/consideration.

Respectfully,

Quincy Yaley

-----Original Message-----
From: Tim Harris <tharris6463@sbcglobal.net>
Sent: Saturday, April 1, 2023 11:03 AM
To: Quincy Yaley <QYaley@co.tuolumne.ca.us>
Subject: Twain Harte Shopping Center - Rezoning

Hello Ms. Yaley,

I'm writing with concerns of the proposal to rezone commercial property located at Twain Harte shopping center.

Sizable commercial space is limited in Twain Harte and along 108 in that vicinity. Rezoning to mixed use, along with addition of the apartment project will significantly impact long term needs for commercial space in Twain Harte. Demand for large commercial space will certainly change over time as technologies evolve, support for electric vehicles, healthcare services, and other needs still to be determined that will be vital to the community.

Placing apartments on top of commercial space is irreversible.

In addition, please don't lose sight of the fact that the property owner has made zero effort to maintain the shopping center, or his other properties in that area. All have all been in steady decline for decades and lends itself to the basis for vacancies. Placing apartments just adds to his list of unmaintained inventory and places Twain Harte Market in a vulnerable position.

I'm asking you to please carefully think through all short and long-term impacts of the property owners proposal in an effort to protect the best interest of the community, now and in future generations.

Thank you,

Tim Harris
18867 Dogwood Dr.
Twain Harte

From:	Bruce Erickson
To:	John Kinsfather; Natalie Rizzi
Cc:	Ladd Brunner; Hoag Nancy; Dawn Cronin; Juliana Canavan; Randy Waugh; Bruce Erickson; Tib Warner
Subject:	Re: Village Center Project/Twain Harte
Date:	Sunday, March 26, 2023 7:59:15 AM

Dear John – gracias – here's my rant:

Howard has one desire – to change the zoning, sell it and have someone else and build cheap housing there. He evidently owns 48% of the project and his other partners, if like him, want to rezone flip it and leave. Keep the zoneing -Just selling it as is to a legit buyer would be best.

The renderings were appalling, ugly ass and just plain stupid. Eric essentially doubled done on how expensive building is – and so following Howard's lead – he designed something cheap to build - therefore doing phase one is supposed to excite bankers to fund the rest – really? Arnie pointed out the lack of funding – he can't do it. Who would rent one of these chicken coops – only desparate people, margingalized. We need cheaper housing but not grouped in the center of town. Morebver, better jobs!! No one on the THSCD or the county board has ever created a job – maybe Haff but that's it – we are in trouble.

This is admitting he doesn't have the fund at all – he's hoping to rezone and sell – section 8 on quaaludes – what a horror show. It will be worse than now with an incubator for drug dealers etc.

And who will want to shop at the market.

His one house on TH drive has 7 cars jammed around it.

Howard is a liar and a sham – this is a turning point for TH and I think that meeting need to be a harbinger of TH's future – too bad Trott and Kirk had better things to do – We need to have a hard core work shop for a full Saturday lined out for this with a committee dedicated to hammering out our future – whether is it this, the effects of Air B&B, VRBO etc.
And well we are at it get the lumber yard fixed to ADA standard.

Howard need to be run out as a Commercial, Carpet Bagging Slum Lord - Look at the lovely blue roof on the PIZZA FACTORY. – Talk about wreaking your own investment.

FYI *we need to drill down on his touted taquerias in SF* – I suspect these are dumps, just like everything else he does. Any fixing up of basic safety and asthenic has to be done by the renter – cf the Eperson House – existing on a thread as one of the few places in TH to eat.

This has gone on for 20 years – he has to go.

One more thing – the county doesn't have manpower to enforce compliance – too understaffed and poor – look at the voters – no tax increase – they don't trust the sups.

From: John Kinsfather <john911s40@gmail.com>
Date: Saturday, March 25, 2023 at 9:26 AM
To: NRizzi@co.tuolumne.ca.us <NRizzi@co.tuolumne.ca.us>
Cc: Ladd Brunner <lkrlb44@yahoo.com>, Hoag Nancy <njhoag@mlode.com>, Dawn Cronin <twainhartegal@sbcglobal.net>, Juliana Canavan <jules.patricia.e@gmail.com>, Randy Waugh <flyfishguy7@att.net>, Bruce Erickson <bruce@certsci.com>, Tib Warner <tibwarner@sbcglobal.net>
Subject: Village Center Project/Twain Harte

>
> : Village Center Project meeting.
>>>>
>>>> Twain Harte Homeowners Board which represents over 900 property owners in TH has a great many concerns regarding this project. We have not as yet had an opportunity to discuss Wednesdays meeting but will be doing so in the near future. My overall take was that the park, restaurant as such and the townhouses were a bit of a smoke screen to make the project look good and would never happen. I think they are looking to build out, as cheaply as possible, Phase one and two and that's it. Currently those 2 section make up the majority of the existing center and presently are a dead issue. I do not believe they have any intention of building out any additional phases as it would be cost return prohibitive. So what you will end up with is the current center as it is with apartments as opposed to retail space. Just my take for now as Homeowners Board will further discuss and evaluate our position on the proposed project. ~
> John A Kinsfather
> President
> Twain Harte Homeowners
>>>>
>>>>

From: pat carter
To: Natalie Rizzi
Subject: Twain harte shopping center
Date: Saturday, March 25, 2023 12:34:24 PM

I have bought a cabin on Black Oak Drive.
As you know,growing a community takes alot of planning, the market and pizza place have shown such a need .Will housing really benefit the community, I would think considering condos as an alternative, this is a resort community ,people visit here to want simple life style. That's why we have our vacation home here. The design is like a Mall in Bay ,people don't want this .We would prefer small village with woodsey design. It will need restaurants, like a Togos or fast food place to draw people to come ,gift shops, I see alot of skiers that come to Dodge Ridge come for groceries, we are not against growth ,just want something that will enhance the area not low income apartments that will bring crime to our resort town. Pat and Dave Carter, Sonora.

From: Sandra Asquith
To: Natalie Rizzi
Subject: Twain Harte Village Shopping Center
Date: Thursday, April 13, 2023 1:25:41 PM
Attachments: Letter to Natlie re Howards Development.pdf

Hello Natalie:

I want to make a correction to supercede my last letter submitted suggestions on the Twain Harte Shopping Center Project. I understand my terminalogy was incorrect, therefore the correction.

Please see attached.

Sandra J. Asquith
Asquith And Associates
PO Box 1596
Twain Harte, CA 95383
209-586-5565
SandraAsquith@comcast.net

> ---------- Original Message ----------
> From: Sandra Asquith <sandraasquith@comcast.net>
> To: "nrizzi@co.tuolumne.ca.us" <nrizzi@co.tuolumne.ca.us>
> Date: 03/31/2023 3:04 PM
> Subject: Fwd: Twain Harte Village Shopping Center
>
>
> Natalie:
>
> Attached is a copy of a letter I sent to Q Yaley, D Ruby and the BOS group. Though you might need a copy.
>
> Sandra J. Asquith
> Asquith And Associates
> PO Box 1596
> Twain Harte, CA 95383
> 209-591-3333
> SandraAsquith@comcast.net
>
> > Subject: Twain Harte Village Shopping Center
> >
> >
> > Hello Quincy:
> >
> > Attached is some information I would like you to consider since we live within the designated neighborhood of the proposed zone change and remodel.
> >
> > Please keep us informed of any future meetings regarding this project.
> >
> > Thank you.
> >
> > Sandra and Larry Asquith
> > Asquith And Associates
> > PO Box 1596
> > Twain Harte, CA 95383
> > 209-591-3333

> > SandraAsquith@comcast.net

Village Shopping Center

Hello. My name is Sandra Asquith and along with my husband Larry, we live on Manzanita Drive and will be impacted by the decisions made regarding this proposed development.

First off, we want to thank everyone involved in this proposed development as it seems to have great benefits to the community although we feel modifications to the proposal are needed as follows.

1. Based on the demographics of Twain Harte, the remodel of the existing structures as proposed be made for Senior Living 55 years old and up, only. That would include:

   15 One Bedroom/One Bath Apartments
   14 Two Bedroom/One Bath Apartments
   7 Three Bedroom/One Bath Apartments
   1 Three Bedroom/Two Bath Apartment

2. There be **NO NEW STRUCTURES** added to the property.
3. There be a 24/7 manager on site.
4. Visitors may stay no longer than two weeks with approval from management.
5. There be a recreation room made available for games, and social gatherings.
6. There be an exercise room with some equipment.
7. There be a "green space" added at the upper end of the parking lot in front of the apartments.
8. The parking area remain the same with the exception of the green space mentioned above.
9. The only impact to the infrastructure would be to the sewer system and this has been discussed by the developers and the Twain Harte Community Services District so all parties are aware of what needs to be done.

Thank you for listening.

RECEIVED
MAR 22 2023
Community Development Department

Comments Received During Third Stakeholder Notification Circulated on May 1, 2023

MAY 5, 2023

TO: NATALIE RIZZI, CDD
FROM: D.J. ESCALLIER
RE: GPA21-005, RZ21-012
SDP22-007 & CUP22-011
APN 048-680-046

AS I STATED IN MY TWO PREVIOUS RESPONSES TO THIS ISSUE, (SEE ATTACHED) I OPPOSE ALL FOUR OF THE PROPOSED CHANGES REQUESTED BY THE APPLICANTS.

THIS 8.56 ACRE SITE HAS BEEN A SHOPPING CENTER SINCE IT WAS CONSTRUCTED, AND ACCORDING TO THE CDD'S NOTICE OF PROPOSED CHANGE, PHASE 2 WOULD BE CONVERTED TO RESIDENTIAL "IF NOT OCCUPIED BY COMMERCIAL TENANTS AT THE TIME." THIS IMPLIES THAT THE APPLICANTS WILL HAVE MORE OPTIONS WITH REGARD TO PROPERTY USE IF THE PROPERTY WERE TO BE RE-ZONED FOR MIXED USE.

THE BIGGEST ISSUES ARE THE GENERAL PLAN AMENDMENT (GPA) AND THE RE-ZONING (RZ). IF THESE ARE GRANTED, THE APPLICANTS (CURRENT OWNERS) OR ANY FUTURE OWNERS WOULD HAVE A RANGE OF OPTIONS, INCLUDING BED AND BREAKFAST, FAMILY DAY CAR, AND TRANSITION HOUSING, AMONG THE PERMITTED USES FOR MIXED ZONE PROPERTY AS LONG AS THE OWNERS STAY WITHIN THE PARAMETERS OF THE ZONING ORDINANCE.

ALTHOUGH THERE IS A NEED FOR AFFORDABLE RESIDENTIAL HOUSING IN TWAIN HARTE, I AM CONCERNED THAT THIS PROJECT WILL NOT RESULT FILLING THAT NEED, BUT WILL RESULT IN ADDITIONAL VACATION AND TRANSITIONAL HOUSING THAT THE LOCAL RESIDENTS CANNOT AFFORD.

DON ESCALLIER
18785 TIFFENI DR
TWAIN HARTE, CA 95383
eskee@jps.net
209-586-2280

California Department of Transportation

OFFICE OF THE DISTRICT 10 PLANNING
P.O. BOX 2048 | STOCKTON, CA 95205
(209) 948-7325 | FAX (209) 948-7164 TTY 711
www.dot.ca.gov

April 4, 2023

Natalie Rizzi
Senior Planner
Tuolumne County Community
Development Department
48 Yaney Avenue
Sonora, CA 95370

TUO-108-PM 11.423 Twain Harte Shopping Center Housing – GPA22-011, RZ21-012, SDP22-007, CUP22-011

Dear Ms. Rizzi,

The California Department of Transportation (Caltrans) appreciates the opportunity to review and comment on the Twain Harte Villages Site Plan. The site development consists of single story and two-story apartments.

The project site is located at 18711 Tiffeni Drive in the community of Twain Harte, approximately 290± feet northeast of the intersection of Tiffeni and Twain Harte Drive on Assessor Parcel Number 048-680-046.

Caltrans has the following comments:
Caltrans suggests that the County of Tuolumne continue to coordinate with Caltrans in identifying and addressing potential pedestrian safety and cumulative transportation impacts from this project and other developments near this location. This will assist Caltrans in ensuring that pedestrian, traffic safety, and quality standards are maintained for the traveling public on existing and future state transportation facilities in Tuolumne County.

Environmental
The project will occur approximately 0.25 mile from State Route (SR) 108, so there are no environmental concerns for Caltrans Right of Way (ROW). However, if the scope of work changes and construction related activities do encroach into Caltrans ROW, the project proponent must apply for an Encroachment Permit to the Caltrans Encroachment Permit Office. All California Environmental Quality Act (CEQA) documentation, with supporting technical studies, must be submitted with the Encroachment Permit Application. These studies will include an analysis of potential impacts to any cultural sites, historic properties, biological resources, hazardous waste locations, scenic highways, and/or other environmental resources within Caltrans ROW at the project site(s).

Traffic Operations
A Traffic Impact Study (TIS) will need to be submitted. The TIS needs to evaluate impacts to State Route (SR) 108 due to increase in traffic from proposed project.

Hydrology
Based on existing topography, site runoff will not flow into Caltrans ROW. We have no concerns or comments at this time. If there are any changes to project site drainage, we request to review drainage plans.

Encroachment Permits
If any project activities encroach into Caltrans ROW, the project proponent must submit an application for an Encroachment Permit to the Caltrans District 10 Encroachment Permit Office. Appropriate environmental studies must be submitted with this application. For more information, please visit the Caltrans Website at: https://dot.ca.gov/programs/traffic-operations/ep/applications

If you have any questions or concerns, please contact Shiferaw Jemberie (209) 986-9635 (email: Shiferaw.jemberie@dot.ca.gov) or me at (209) 483-7234 (email: Gregoria.Ponce@dot.ca.gov).

Sincerely,

Gregoria Ponce'

Gregoria Ponce', Chief
Office of Rural Planning

c: David Ruby, Planning Manager, Tuolumne County Planning Department

AGENCY: _____

COMMENTS: _____

We are not in favor of this project. It is going to change the entire small town, charming feel of Twain Harte. Will create more traffic, and put stress on T.H.C.S.D. facilities.

Signed by: Sharon Wood

Agency: _____ Date: 5-10-2023

AGENCY: _____

COMMENTS: _____

SEE ATTACHED

SEE VICINITY MAP

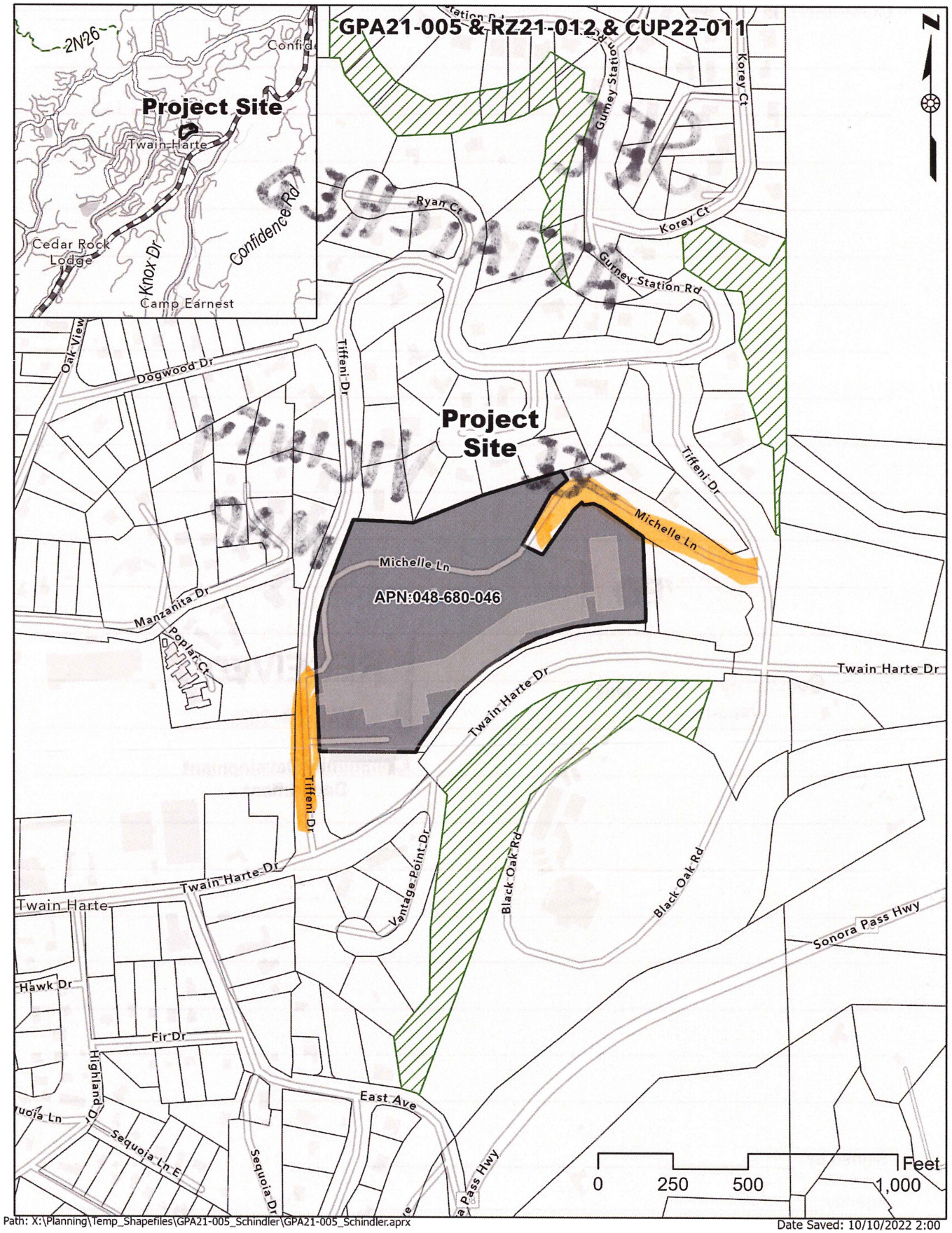
RECEIVED
MAY 16 2023
Community Development
Department

Signed by: _____

Agency: _____ Date: _____

– 2 ACCESS STREET –

Attachment 1: Vicinity Map



Path: X:\Planning\Temp_Shapefiles\GPA21-005_Schindler\GPA21-005_Schindler.aprx

Date Saved: 10/10/2022 2:00

County of Tuolumne
Community Developement Department

Revised Application Accessor's Parcel Number 048-680-046

Howard Schindler & Saul Gevertz
Project manager Erick Smith

Developement permit #SDP22-007

The 'Access' noted on document is COMPLETELY inaccurate and deceiving. The second access to the shopping center and planned project is also Michele Ln on the East end of shopping center. One may access Michele Ln on the first Tiffini exit on the right off of Twain Harte Dr. Once on Tiffini a short left turn brings you on to Michele Ln that feeds into the shopping center on the East side.

I have lived on Michele Ln for 34 years and the street is narrow and in dire need of repairs. Vehicle traffic

driving to and from the shopping center is quite heavy. VEhicles that travel on Michele Ln consist of delivery trucks, school buses, Waste Management trucks, County tranist vans and auto/truck traffic.

Because Michele Ln is a narrow street I have had 2 address posts struck by vehicles in the past 34 years.The posts are set off the street. This winter there were 6 ft snow berms on each side of Michele Ln that narrowed the street allowing for just one vehicle to travel on the street.

It is obvious Shindler and Smith failed to disclose Michele Ln as and 'Access' street to the shopping center or project to be developed. I find it deceitful on their part.

With the development of the apartments and townhouses there will be an increased flow of traffic on Michlele Ln as well as increased pollution and noise pollution.

I would expect a traffic survey be

conducted by the county street engineer to study expected traffic flow and monitor traffic to make safety recommendations pertaining to Michele Ln and increased traffic.

I feel the county board of supervisors should be aware of the impact of the apartment/townhouse project as should the Tuolumne County Community Development Department.

Should any steet modification be made to Michele Ln to accommodate increased traffic flow caused by project the expense should be incurred by Shindler and Gervertz and NOT at the tax payers expense.

I invite Natalie Rizzi to meet with me at my residence or any representative of the county street survey team for any discussion regarding my reply.

I may suggest Schindler and Gevertz as well as Erik Smith be 'transparent' with the residents of Twain Harte regarding this project and full honesty regarding true disclouser of

the facts.

Respectfully, Lou Montemayor



AGENCY: Tuolumne Heritage Committee

COMMENTS: A successful conversion of the shopping center and office building into a mixed use development involves good design. Our committee's comments are the same as those contained in our previous letter: Please provide the developer with the Twain Harte Design Guidelines which were developed with considerable public input and were approved by the board of supervisors. Whatever changes are planned for existing buildings would benefit from the ideas in the guidelines. Also, please require a landscaping plan. The appearance of the project would be greatly improved with the addition of cedar trees and other vegetation found in the area. Twain Harte is a community that was developed 100 years ago and as such is historic. Changes to the streetscape and to existing buildings need to fit in and perpetuate the kind of designs found in the area.

RECEIVED
MAY 09 2023
Community Development
Department

Signed by: [signature]

Agency: Tuolumne Heritage Committee Date: 5/4/23

From: John Kinsfather
To: Natalie Rizzi
Subject: More input on Twain Harte Village Sopping Center rezone.
Date: Tuesday, May 16, 2023 10:05:23 PM

Begin forwarded message:

From: Otto Giuliani <giuliani@jps.net>
Date: May 7, 2023 at 2:48:42 PM PDT
To: John Kinsfather <john911s40@gmail.com>

John,

The County can not support the current residents with the its limited resources. The streets are in terrible shape and adding more residents will just exasperate the situation. The County has gone to the voters twice in as many years seeking tax increases for police and fire and each time the voters have said no. Not a year goes by that the County bus not cutting the budget because of a deficit. So why would anyone in their right mind want to add additional demand on the finances of the county?

This developer has been using the shopping center as a tax write off for years. When he had tentants he ran them out with outrageous rent increases. The county needs to focus on raising revenue rather than increasing more demands on services. Housing does not pay for itself with enough taxes to support the additional services that any development will require.

While I would like to see the shopping center full and generating revenue for the county, leaving it vacant would be better than adding more people and demand on the underfunded budget.

If the county is hell bent on making a poor business decision it should at a minimum require a development agreement where they extract major concessions from the developer; ie requiring him to actively recruit business to the remaining store and retire he engage in long term leases. Once the county approves the zoning change without a development agreement the developer has won and the county goes that much farther in debt.

I know what I am speaking about since I have a Master in Public Administration and spent 42 years doing this work. Further, I have managed many big cities in California. I urge you and the Twain Harte Home Owners Association to strongly oppose this project and zone change. I am more than willing to address the group and talk about why this is a bad project for the county and Twain Harte.

Otto

Otto Giuliani
City Manager
Emeritas

giuliani@jps.net
209-352-3146

From:	George Getgen
To:	Natalie Rizzi
Cc:	Kathleen Haff; Anaiah Kirk; Ryan Campbell; David Goldemberg; Jaron Brandon
Subject:	Revisions to General Plan Amendment GPA21-005, RZ21-012, SDP22-007 and CUP22-011
Date:	Friday, May 12, 2023 9:47:01 AM

This email is in response to your May 1, 2023 correspondence that outlines revisions to General Plan Amendment GPA21-005, RZ21-012, SDP22-007 and CUP22-011 (for Assessor' Parcel Number 048-680-046.

The revisions to this application do not lessen my concerns about this application, but rather they greatly reinforces my concerns about the application and the applicant. **Bluntly I think the applicant is "playing both the community and the county", and exploiting the County Supervisor's thirst for any new housing** units regardless of Twain Harte community feedback or good planning principles.

At the town hall planning workshop held on 3/22/23 in Twain Harte, I had the following observations:

- There is a **major distrust of this applicant** by the community (and apparently for good reason)
- Shock that the **applicant was not committing to a comprehensive plan**, but rather would effectively build in phases for the purpose of doing whatever he decided he wanted to do based on economic winds of the moment/future
- A total **misrepresentation** by the "Project Manager" of **utility impacts** of the project (that was not addressed or corrected by the county planning staff facilitating this meeting). The County has on record from Twain Harte Community Service District Director a letter that is totally conflicting to the representations made by applicant's Project Manager at this meeting.

There is little doubt in my mind that the applicant is simply **attempting to minimize CEQA impacts for review** and doing what he feels give him the cheapest cost and the most future development flexibility. For me the **only thing worse at this property** than a multi family development that is inconsistent the surrounding single family uses; **is a hodgepodge development that has no forethought and essentially left to the future whims of the applicant**.

I feel strongly that the CEQA review of this project needs to be based on a worse case future development potential (i.e. - the whole parcel being utilize for maximum density multiple family development). I am more familiar with the NEPA process vs. CEQA, but I know with NEPA you need to review a project comprehensively, vs. skirting a project's full impact by simply proposing it be built in phases. Included in this review should be the grocery store portion of the parcel, the duration of its lease creates a strong likelihood that this applicant could easily want to convert its use to multi-family if he felt it served him.

In addition to my comments above, I stand by my previous correspondence/comments to the county regarding this project, as they are all still applicable. At the public workshop nothing was addressed by the county staff to my satisfaction regarding the requirement in the **M-U zoning** for addressing **"adequate police"** (the answer I heard from the county facilitator essentially acknowledged inadequate police was an issue for the entire county, let alone the remote rural community of Twain Harte where the applicant proposes to significantly increase its population). In addition based on the U.S. Census Bureau revised definition of (urban/rural) and an electronic word search of the entire planning ordinances and the updated General Plan documents; I believe the requirement that **M-U zoning is only applicable in "urban"** areas is legally indefensible within the County's ordinances (given no legal definition and numerous inconsistent references of urban and rural) and this raises serious concerns about the legality of its applicability for this application.

Thank you,

George Getgen

PS – Please confirm receipt of this email

From:	eskee
To:	Natalie Rizzi
Subject:	TH Shopping Ctr
Date:	Saturday, May 6, 2023 12:26:22 PM
Attachments:	TH shop. Tuol Co Letter 1.pdf TH shop Tuol Co Letter 2.pdf TH shop Tuol Co Letter May 5 2023.pdf

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Ms. Rizzi,
I've attached my response to the current request by the owners of the TH Shopping with regard to GPA & RZ changes.
Thank you for reaching out to landowners that might be impacted by the changes.
I've also attached my previous comments of Oct. 2022 and Jan. 2023.
Don Escallier
18785 Tiffeni Dr
TH 95383

From:	Brian Edwards
To:	Natalie Rizzi; Anaiah Kirk
Cc:	Chili Cru; Zachary Keener; per_vinson@hotmail.com; nikkischmidt6@yahoo.com; rmerlo@masonmac.com; baeoakland@sbcglobal.net; john911s40@gmail.com; Carolyn Edwards
Subject:	Re: Objections to Revised Application - assessor"s parcel number 048-680-046
Date:	Tuesday, May 16, 2023 2:39:37 PM

Adding Supervisor Kirk to this email so he can hear directly from just some of his constituents.

From: Brian Edwards <brian@bleoffice.com>
Date: Tuesday, May 16, 2023 at 2:34 PM
To: nrizzi@co.tuolumne.ca.us <nrizzi@co.tuolumne.ca.us>
Cc: Chili Cru <chilicru@yahoo.com>, Zachary Keener <zakkeener@gmail.com>, per_vinson@hotmail.com <per_vinson@hotmail.com>, nikkischmidt6@yahoo.com <nikkischmidt6@yahoo.com>, rmerlo@masonmac.com <rmerlo@masonmac.com>, baeoakland@sbcglobal.net <baeoakland@sbcglobal.net>, john911s40@gmail.com <john911s40@gmail.com>, Carolyn Edwards <carolyns.keener@gmail.com>
Subject: Objections to Revised Application - assessor's parcel number 048-680-046

Dear Ms. Rizzi

I believe that both I and those on cc are among the many Twain Harters who object to the massive increase in apartments that is being proposed for the Twain Harte Market property. The list of valid objections is long:

1. Another group of apartments has already been approved on an adjoining property. Together with the existing stock, those units are more than sufficient apartment and multi-family housing for a community the size of Twain Harte.

2. The existing owners have, by all accounts, been poor landlords and worse stewards of the property. I believe this record was made clear at the hearings on the adjoining parcel – they can't even properly maintain their current signage. Giving them yet another chance to create yet another set of problems hardly seems warranted by experience.

3. Adding that many apartments to the area will massively increase traffic along Twain Harte drive, immediately next to Twain Harte Elementary School and on a road where many people still walk. The odds of a significant (and potentially fatal) traffic accident increase accordingly.

4. As any drive around the area will tell you, there are several "eyesore" properties in the vicinity, with multiple cars parked on street, trash and debris laying about, etc. The board should not take my word for it – they should actually visit the area and see for themselves.

5. This will not – repeat, NOT – have any measurable impact on Twain Harte businesses. Most people who will occupy these small apartments are not likely to be shopping in Twain Harte, where the prices tend to be a bit higher than in Sonora. They will go down the hill to Wal Mart or other less expensive options in Sonora.

All this project will succeed going to do is create more traffic, more visual disturbances, and more pollution, all while damaging neighboring property values and increasing the likelihood of dangerous traffic incidents. This should NOT be approved, at least not in its current form.

Thank you for your inclusion of these objections in the file, and for bringing them to the attention of the board of supervisors.

Brian Edwards
18998 Ryan Court
Twain Harte, CA 95383
(310) 488-5947

Central Sierra Environmental Resource Center
Box 396, Twain Harte, CA 95383 • (209) 586-7440 • fax (209) 586-4986
Visit our website at: www.cserc.org or contact us at: johnb@cserc.org

May 16, 2023

From John Buckley, Executive Director
Central Sierra Environmental Resource Center
P.O. Box 396
Twain Harte, CA 95383

To Natalie Rizzi and Quincy Yaley
Community Development Department
2 South Green Street
Sonora, CA 95370

RE: Revised Application for Howard Schindler and Sal Gevertz
Twain Harte Village Shopping Center Phased Development

Dear Natalie and Quincy:

Our CSERC staff has reviewed the Revised Application from Schindler and Gevertz that is dated May 1, 2023. It is unfortunate for the applicants that the website page cited on page 2 of the stakeholder notification describes the "project specific webpage" that "has been created for the proposed project" – but in fact that webpage incorrectly shows the original four-Phase project along with all of the original plans and layout design instead of correctly showing the revised application that solely proposes to do Phase 1 and Phase 2... not Phase 3

Accordingly, the CDD, planning commissioners, and eventually the Board of Supervisors may see critical comment letters that end up being submitted describing opposition to the Revised Application because some members of the public still find the no-longer-valid original plans and original project description featured on the County website instead of a correct, scaled down two-phase revised application that solely converts commercial retail units to residential.

Moving past that problem, the advisory notification itself does make it clear that the new revised version of the project only applies for approval to convert existing commercial space into residential units. Phase 1 would convert the two-story building at the upper end of the shopping center into 21 residential units, and Phase 2 would convert the one-story commercial spaces into 16 residential units.

CSERC points out the following important points with these comments:

1) As noted in previous CSERC comments for this proposed project, out of all the major development proposals in the County that our Center has reviewed over more than three decades, this may be the only project that would not alter any natural habitat nor require new extension of water lines or sewer lines, nor require the construction of new parking areas or otherwise create new, potentially significant environmental impacts. Instead, the project simply proposes to change the use of long vacant existing structures into badly needed residential units.

Based on what was already legally allowed on this project site in terms of the full potential usage of each of the existing buildings at full build-out for intensive retail commercial business operations, the newly proposed conversion to residential use will almost certainly result in less overall traffic, less overall use of water, less wastewater, and less noise and disturbance than if all of the site's existing building spaces had actually been fully utilized for the original purpose of commercial retail. What was previously allowed for the project site will not be exceeded in terms of impacts by the revised application.

Key first point – The revised application proposes residential use of commercial retail buildings that already were allowed to operate at full capacity if the property owner had been fortunate enough to find enough tenants. **There will be no measurable or significant increase in potential project impacts by simply shifting the allowable use from commercial retail to residential. The fact that the existing buildings mostly sit vacant is irrelevant, since at any given time they already have authorized approval from the county to be full occupied and used for commercial retail. Approval of the revised application does not pose potential to result in new significant increased environmental impacts.**

2) At the public informational meeting in Twain Harte, many members of the public failed to focus comments on the proposed project (even before revision) and instead criticized how the Center has or hasn't catered to retail businesses or successfully brought in desirable local businesses. Some attendees rudely made personal criticisms of the applicants that were completely unfounded and unacceptable at a county meeting.

Nevertheless, the project applicants have now responded to the outcry over creating new buildings and the burner restaurant/brewery optional retail structure. The entire Phase 3 portion of the project has been dropped from the revised, current proposal. Whether or not the applicants at some time in the future may choose to go through the planning process again for approval of a Phase 3 development plan is no longer the question. The only action for County approval with the revised application is approval to change commercial retail buildings to residential use. **The applicants have made a significant concession to project critics and have dropped the proposal to construct new structures for this project planning application. They have been responsive to project critics.**

3) Tuolumne County desperately needs more apartments or townhome type units to provide residential housing not only for typical residential property seekers, but to also provide housing for new State Park employees, new Yosemite Park employees, new hires with the Stanislaus

National Forest, and new workers hired to do years' worth of ongoing fuel reduction and forest restoration treatments that are now being done by private contractor crews in the local national forest due to tens of millions of dollars of federal and state money being spent locally.

The County desperately needs more residential housing units. This is one of the most credible projects in years to propose to create such housing with relatively few major hurdles to move from project approval to reconstruction and conversion of the existing buildings.

New housing is critically needed. The project's planned amount of reconstruction and conversion work will benefit local contractors, workers, supply stores, and those who benefit from ripple effects. This new residential housing project should be unanimously approved by the Planning Commission and by County supervisors.

4) As now proposed with the revised application, the project applicants seek a General Plan Amendment to amend the land use designation to Mixed Use. They seek a Zone Change to Mixed Use, and they seek a Site Development Permit to allow the phased development of housing within existing commercial space and associated infrastructure. And finally, they seek a Conditional Use Permit to allow the development of up to 37 residential units.

CSERC supports each of those requested changes - the General Plan Amendment, the Zone Change, the Site Development Permit, and the Conditional Use Permit.

IN CLOSING

CSERC notes that for years each of the County supervisors has at times pointed to the inadequate amount of residential housing options in the County and has expressed a desire to increase housing opportunities. This project provides that important opportunity – and amazingly, the basic structures are already built and are in place to be retrofitted and converted to transition to residential units in far less time than if the site was starting from scratch.

CSERC openly supports this revised application and strongly presses Planning Commissioners and County Supervisors to see this as a first opportunity to transform vacant and nonproductive commercial retail units in the County into badly needed residential housing. We urge this revised application be approved with praise to the applicants for being willing to invest in the conversion of their property to residential use.



Executive Director

From:	Chili Cru
To:	Brian Edwards; Anaiah Kirk; Natalie Rizzi
Cc:	Zachary Keener; per_vinson@hotmail.com; nikkischmidt6@yahoo.com; rmerlo@masonmac.com; baeoakland@sbcglobal.net; john911s40@gmail.com; Carolyn Edwards
Subject:	Re: Objections to Revised Application - assessor"s parcel number 048-680-046
Date:	Wednesday, May 17, 2023 9:37:58 AM

Please note that as a fellow homeowner in Twain Harte, I concur with all of Mr. Edwards comments. We invite the Board to come spend a couple hours with local homeowners and see the what these "developers" have done in with their properties in Twain Harte and discuss the concerns many, many of us have.

Best regards.

CHILI SCOT CRU

On Wednesday, May 17, 2023 at 08:24:20 AM PDT, Natalie Rizzi <nrizzi@co.tuolumne.ca.us> wrote:

Good morning,

Thank you for your response on this. I have saved the response below to the project file so the concerns raised can be considered and addressed.

Please don't hesitate to contact me with any questions.

Thank you,

Natalie Rizzi

Senior Planner

Community Development Department

Tuolumne County

Office: (209) 533-5936

Cell: (209) 768-9857 (Tuesays and Thursdays)

Email: nrizzi@co.tuolumne.ca.us

Planning Website: https://www.tuolumnecounty.ca.gov/179/Planning

---

From: Brian Edwards <brian@bleoffice.com>

Sent: Tuesday, May 16, 2023 2:39 PM
To: Natalie Rizzi <NRizzi@co.tuolumne.ca.us>; Anaiah Kirk <AKirk@co.tuolumne.ca.us>
Cc: Chili Cru <chilicru@yahoo.com>; Zachary Keener <zakkeener@gmail.com>; per_vinson@hotmail.com; nikkischmidt6@yahoo.com; rmerlo@masonmac.com; baeoakland@sbcglobal.net; john911s40@gmail.com; Carolyn Edwards <carolyns.keener@gmail.com>
Subject: Re: Objections to Revised Application - assessor's parcel number 048-680-046

Adding Supervisor Kirk to this email so he can hear directly from just some of his constituents.

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Date: Tuesday, May 16, 2023 at 2:34 PM
To: nrizzi@co.tuolumne.ca.us <nrizzi@co.tuolumne.ca.us>
Cc: Chili Cru <chilicru@yahoo.com>, Zachary Keener <zakkeener@gmail.com>, per_vinson@hotmail.com <per_vinson@hotmail.com>, nikkischmidt6@yahoo.com <nikkischmidt6@yahoo.com>, rmerlo@masonmac.com <rmerlo@masonmac.com>, baeoakland@sbcglobal.net <baeoakland@sbcglobal.net>, john911s40@gmail.com <john911s40@gmail.com>, Carolyn Edwards <carolyns.keener@gmail.com>
Subject: Objections to Revised Application - assessor's parcel number 048-680-046

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3. Adding that many apartments to the area will massively increase traffic along Twain Harte drive, immediately next to Twain Harte Elementary School and on a road where many people still walk. The odds of a significant (and potentially fatal) traffic accident increase accordingly.

4. As any drive around the area will tell you, there are several “eyesore” properties in the vicinity, with multiple cars parked on street, trash and debris laying about, etc. The board should not take my word for it – they should actually visit the area and see for themselves.

5. This will not – repeat, NOT – have any measurable impact on Twain Harte businesses. Most people who will occupy these small apartments are not likely to be shopping in Twain Harte, where the prices tend to be a bit higher than in Sonora. They will go down the hill to Wal Mart or other less expensive options in Sonora.

All this project will succeed going to do is create more traffic, more visual disturbances, and more pollution, all while damaging neighboring property values and increasing the likelihood of dangerous traffic incidents. This should NOT be approved, at least not in its current form.

Thank you for your inclusion of these objections in the file, and for bringing them to the attention of the board of supervisors.

Brian Edwards

18998 Ryan Court

Twain Harte, CA 95383

(310) 488-5947

From: Sandra Asquith
To: Natalie Rizzi
Subject: General Plan Amendndment GPA21-005
Date: Wednesday, May 17, 2023 10:33:46 AM
Attachments: Correction Letter to Natalie Rizzi.pdf

Natalie:

Sorry for the delay, I have been out of town. I hope you will accept this response to the proposed GPA21-005.

I would like to add a "Conditions of Approval" - Said developement will be limited to "A Senior Complex - Age 55 and older"

Thanks Natalie.

Sandra J. Asquith
Asquith And Associates
PO Box 1596
Twain Harte, CA 95383
209-591-3333
SandraAsquith@comcast.net

Sandra and Larry Asquith
PO Box 1596
18853 Manzanita Drive
Twain Harte, CA 95383
209-591-3333

March 27, 2023

Community Development Department
Quincy Yaley, Director
Community Development Department
2 South Green Street
Sonora, CA 95370

Quincy:

I recently met you at the Community Workshop in Twain Harte and I wanted to follow up with a couple of items that concern my husband and me.

1. The environmental impact that Phase Three of the proposed development of the Twain Harte Village Shopping Center would be huge. A variety of fir trees would be removed, but my biggest concern is the grading and removing of the hillside on the non-developed portion of Michele Lane. There are well-established houses above that area. With our recent winter storms showing us that landslides are not out of the question in Twain Harte, I would hate to think that Howard's design and construction of new residential housing in Phase Three might be destroyed by hillside erosion with and by the housing above it. In this instance I would recommend his permit be issued negating the development of Phase Three and that Phase Three be removed from the permit.

2. We are certainly in need of housing in Tuolumne County and therefore, I would recommend that Phases One and Two be developed in the Twain Harte Village Shopping Center. Based on the demographics of Twain Harte and the 2020 census, there is a current population of 2,378, of which 1,069 folks are over 55 years of age. My recommendation would be that a Conditions of Approval be added to the permit limiting the development to accommodate Senior Living 55 years and older only. Bus transportation is available at the center, there is a full-service market at the center, and there is also prepared food available.

Something that Howard alluded to but needs to be included in conditional use, is on site management. With the addition of 36 housing units, it only seems feasible that management needs to be on site 24/7.

Thank you for your time and consideration. I hope this much needed improvement and housing addition can be a win/win for everyone.

Sincerely,

Sandra Asquith Larry Asquith

Sandra and Larry Asquith
sandraasquith@comcast.net

c: Planning Department
Planning Commission
Tuolumne County Supervisors

From:	L. Ambrosini
To:	Natalie Rizzi
Cc:	BOS Public
Subject:	TCCDD Stakeholder Comments to Revised Application for APN 048-680-046 (dated 4/18/2023)
Date:	Wednesday, May 3, 2023 4:49:24 PM

Re: Revision dated 4/18/2023 to General Plan Amendment GPA21-005, RZ21-012, SDP22-007 and CUP22-011 Assessor's Parcel Number: 048-680-046

Dear Ms. Rizzi,
Thank you in advance for sharing the following remarks with members of the Tuolumne County Community Development Department regarding the subject of this message.
Kind regards, Lisa Ambrosini

To: Tuolumne County Community Development Department

The purpose of this correspondence is to express our continued opposition to the new revised application (dated 4/18/2023) for the proposed General Plan Amendment as indicated above, for the Twain Harte Village Shopping Center parcel in the community of Twain Harte. We appreciate the opportunity to share our thoughts and concerns regarding this proposal. As Twain Harte homeowners we are concerned this project will have a detrimental impact not only on Twain Harte, but also to Tuolumne County. We wrote to share our opposition to the original proposal in early 2022 and again when the proposal was revised in October 2022. Although the current property owner has withdrawn his proposal to increase the scope of the project, our original concerns have not been allayed. We again respectfully request that the TCCDD deny the proposed amendment to the General Plan to rezone the Twain Harte Village Shopping Center parcel from General Commercial to Mixed Use. This redevelopment would have a significant impact on the community and it is not unlikely that approving this resolution to amend the General Plan would negatively affect Twain Harte now and for future generations.

We have shared our many concerns in earlier correspondence, including the adverse effect that increased traffic on the Highway 108 corridor would have on Tuolumne County. Additional permanent residents would also put a strain on other areas of infrastructure in our mountain community, including law enforcement. The Tuolumne County Sheriff's Department is already understaffed and unable to respond to property crime calls in person.

Twain Harte is a 'resort community' with many vacation homes and part-time residents. Twain Harte Village Shopping Center is the location of Twain Harte's only grocery store and the largest shopping center in the area. We must retain commercial space to house small, locally-owned businesses to service the needs of the current permanent and part-time residents, as well as to attract visitors who bring in additional revenue. This rezoning approval would have a negative financial impact by eliminating immediate opportunities for small businesses to bring jobs to our area by converting retail space to residential units in the town's commercial hub. Should this parcel be rezoned from commercial to mixed use, there would be no incentive for the owner to work to attract new businesses, or even retain the current commercial tenants on which the Twain Harte residents and visitors depend.

For these reasons we urge you to disapprove the proposed resolution for the General Plan amending the land use designation, the ordinance for zone change rezoning the parcel and the accompanying site and conditional use permits.

Thank you for your consideration and valued service and support of the communities of Tuolumne County.

Michael and Lisa Ambrosini

18804 Manzanita Dr
Twain Harte

Cc: Tuolumne County Board of Supervisors

GENERAL PLAN AMENDMENT
GPA21-005, RZ21-012, SPD 22-007 + CUP23-011
PARCEL 048-680-046

AGENCY: TWAIN HARTE HOMEOWNERS

COMMENTS:

ALTHOUGH, WITHIN THE TWAIN HARTE COMMUNITY, THERE IS A GENERAL MISTRUST OF MR. SCHINDLERS BUSINESS DEALINGS WE FEEL THAT AFFORDABLE APARTMENTS WOULD BE A BETTER USE OF THE PROPERTY THAN VACANT RETAIL SPACE.

IF THE PROJECT MOVES FORWARD, OUR CONCERNS WILL BE THE USE OF TENANT PARKING, WHICH WE WOULD LIKE TO SEE RESTRICTED TO STANDARD VEHICLES & PICKUPS AND TO RESTRICT THE PARKING OF BOATS, TRAILERS, CAMPERS, RVS AND THE LIKE.

WE WILL ALSO WANT TO BE ASSURED THAT THERE IS A PROPER AREA FOR TRASH RECEPTACLES AND THAT TENENTS ARE REQUIRED TO TAKE PROPER WASTE MANAGEMENT SERVICE.

RECEIVED
MAY 11 2023
Community Development Department

Signed by: [signature]

Agency: TWAIN HARTE HOMEOWNERS Date: 5/5/23

PRESIDENT.

COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

48 Yaney Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
(209) 533-5633
(209) 533-5616 (Fax)
(209) 533-5909 (Fax – EHD)
www.tuolumnecounty.ca.gov

UNAPPROVED

TUOLUMNE COUNTY

PLANNING COMMISSION MEETING

MINUTES

June 7, 2023

PRESENT: Chair Linda Emerson, Vice-Chair Catherine Santa Maria**,** and Commissioners Jim Jordan, Jerry Morrow, Wesley Brinegar, and Jim Cherry

ABSENT: Kara Bechtle

STAFF: Dave Ruby, Planning Manager; Clark Sintek, Planner I; Taryn Vanderpan, Administrative Technician

* * * * * * *

CALL TO ORDER/WELCOME:

Chair Emerson called the meeting of June 7, 2023, to order at 6:00 p.m. and led the Commission and audience members in the Pledge of Allegiance.

Chair Emerson indicated that the June 7, 2023, meeting would be taken out of order of the posted Agenda.

PLANNING COMMISSION BUSINESS:

1. Reports from Commissioners and staff

**** Reports are a brief oral report from a Committee or Commission member and/or County staff, and no Committee or Commission action will occur. This item is not intended to include in depth presentations or reports, as those matters should be placed on an agenda for discussion****

Dave Ruby, Planning Manager, introduced Clark Sintek as the new Planner I for the Community Development Department.

Commissioner Morrow talked about the upcoming California Planning Commission Association Conference that will be taking place in Tuolumne County, October 7th and 8th, 2023.

Commissioner Jordan had questions for staff regarding the Commissions responsibility.

Mr. Ruby suggested waiting on those concerns until the item was opened in the meeting Agenda.

2. Report from the Agricultural Advisory Committee Representative

Commissioner Morrow noted that there will be an Agricultural Advisory Committee meeting the following night, June 8, 2023.

3. Minutes of the meeting of April 5, 2023

It was moved by Commissioner Cherry and seconded by Commissioner Jordan to approve the minutes of the April 5, 2023, meeting with correction.

Staff roll called for the vote:

Chair Emerson: Aye
Vice-Chair Santa Maria: Aye
Commissioner Cherry: Aye
Commissioner Morrow: Aye
Commissioner Bechtle: Absent
Commission Jordan: Aye
Commissioner Brinegar: Aye

Chair Morrow called for the vote. 6; Ayes, 0; Noes, 0; Abstain

Motion carried: 6 – 0 – 0 With Commissioner Bechtle being absent.

4. Presentation and discussion on TCPC procedures, roles and responsibilities.

Mr. Ruby gave a PowerPoint presentation on the Tuolumne County Planning Commissions (TCPC) roles and responsibilities.

Chair Emerson asked for a rundown on the Title 17 Ordinance Code Update and what the Planning Commissions role would be.

Mr. Ruby replied that staff had recently finalized their review of the Title 17 Ordinance code update. He noted that the documents were currently with County Counsel for review and once finished, it would come before the Commission for review. He gave an overview of the Title 17 update workflow before being adopted by the Board of Supervisors.

A discussion ensued on the Tuolumne County Planning Commission handbook and the Commissions roles and responsibilities.

NEW BUSINESS:

PUBLIC COMMENT:

Chair Emerson opened the 15-minute public comment period, during which anyone wishing to could come forward and address the Commission on any item not on the printed Agenda. Seeing no one, she closed the public comment period.

PUBLIC HEARING:

PATTERSON & WEST, The proposed Zone Change RZ23-002 is to rezone a 25.06± acre parcel (APN 033-160-064) from AE-37:MX:AIR (Exclusive Agricultural, 37-Acre Minimum, Mobilehome Exclusion Combining, Airport Combining) to A-20:MX:AIR (General Agricultural, 20-Acre Minimum, Mobilehome Exclusion Combining, Airport Combining District). The proposed zone change is in advance of a proposed Lot Line Adjustment between APNs 033-160-064 and 033-490-033, whereby 1-acre of land would be taken from APN 033-160-064 and added to APN 033-490-033, which is currently zoned R-1:MX:AIR (Single Family Residential, Mobilehome Exclusion Combining, Airport Combining. The zoning reflected on APN 033-160-064 must be modified to be appropriate for the ultimate Lot Line Adjustment, which is due to a reduction in size of APN 033-160-064, would require its remainder of 24.06 acres to be rezoned to A-20:MX:AIR(General agriculture, 20-acre minimum, Mobilehome Exclusion Combining, Airport Combining), which is consistent with the minimum parcel requirements. The general plan designation for both the West and Patterson properties is Low Density Residential

(LDR), so there is no need for a General Plan Amendment.

The project site is located 200± feet northwest of 10911 Martin Terrace Court in the community of Sonora. Within a portion of Section 26, Township 2 North, and Range 14 East, Mount Diablo Baseline and Meridian. Within Supervisorial District 1. Assessor's Parcel Number 033-160-064. The parcel receiving 1-acre is APN 033-490-033 located directly south.

. Clark Sintek, Planner I, gave a PowerPoint on the project location and description.

Chair Emerson asked if there were any question of staff.

Chair Morrow asked if any of the historic mines on the site were active.

Mr. Sintek responded that there are no active mines within the vicinity of the project site.

Chair Emerson asked if there any more questions of staff. Seeing no one, she opened the public comment period and asked if there was anyone who wished to speak on the proposed project.

A member of the public spoke in favor of the proposed project and asked the Commission to recommend approval of Rezone RZ23-002.

Chair Emerson asked if there was anyone else who wished to speak on the proposed project. Seeing no one, she closed the public comment period and referred the item back to the Commission.

It was moved by Commissioner Morrow and seconded by Commission Brinegar to recommend approval of Rezone RZ23-002 based on Findings A through D.

Staff roll called for the vote:

Chair Emerson: Aye
Vice-Chair Santa Maria: Aye
Commissioner Cherry: Aye
Commissioner Morrow: Aye
Commissioner Bechtle: Absent
Commission Jordan: Aye
Commissioner Brinegar: Aye

Chair Emerson called for the vote. 6; Ayes, 0; Noes, 0; Abstain

Motion carried: 6 – 0 – 0 With Commissioner Bechtle being absent.

ADJOURNMENT:

Chair Emerson adjourned the meeting.

Respectfully,

Quincy Yaley, AICP
Community Development Department Director

QY:tv
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