

El Dorado Hills Area Planning Advisory Committee



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April 5, 2022

The County of El Dorado Planning Commission
2850 Fairlane Court
Building C
Placerville, CA 95667

RE: April 14, 2022 Agenda Item #4 **TM-R21-0001/TM07-1440/PD07-0007**

Commissioners,

Even though Summer Brook TM-R21-0001/TM07-1440/PD07-0007 falls in the Rescue/Cameron Park area, the El Dorado Hills Area Planning Advisory Committee (EDH APAC) did provide public comment on this project in previous years during the approval and entitlement process that resulted in the project approval in 2008. The project lies on the border of El Dorado Hills, and has potential impacts on multiple Community and Rural Regions of El Dorado County. The last EDH APAC comments submitted on this project was via [a letter providing conditional support from our 2014 Subcommittee](#) (Jeff Haberman, John Raslear, John Hidhal, and Kathy Prevost). That conditional support was based on the conditions of approval, as well as on EDH APAC's strong recommendation regarding adhering to the findings of the 2014 [Green Valley Road Corridor Analysis](#).

EDH APAC realizes the necessity of revisiting approved projects over subsequent years following their initial approvals to meet a dynamic and changing marketplace in regards to tentative maps, along with changing conditions based on levels of growth/development, and improvements in mitigation techniques, technology, and analysis. However, the pattern as it exists in El Dorado County for many years has been for applicants gaining entitlements and project approvals, then over many following years (14 years in this instance) requesting the modification or removal of required conditions of approval - as the original applicant did for this project in 2014, six years after project approval, to remove COA #8, a soundwall for the project along Green Valley Rd, due to an updated sound analysis that had determined that a sound wall was no longer required.

Most troubling to EDH APAC is that multiple projects over many years end up gaining entitlements and approval with elements of multiple mitigation(s) required by COA to satisfy intertwined impacts of other projects, and that the removal of COA(s), or modification of a COA, on one project then has a cascading waterfall impact on other projects, the viability of future projects, or funding impacts to planned elements of the CIP, the former TIM fee program, and

the more recent TIF program.

In this instance, the applicant maintains in their request to modify COAs #25, #27, and #28 that the traffic warrant for a signalized intersection no longer exists at this time, and further seeks to support that conclusion by suggesting that construction of a signalized intersection at this time may in fact actually have a negative impact on vehicle and pedestrian safety were it to be constructed today as currently required by their 2008 entitlements and project approval.

EDH APAC is grateful that the County Transportation Department has provided for Senior Civil Engineer Adam Bane to address our planned April 13, 2022 EDH APAC Meeting regarding the findings of the analysis the applicant is basing their Tentative Map / COA modification request upon. Unfortunately, our April 13th meeting is the evening before your Planning Commission Hearing on this matter, so our subcommittee will not have the benefit of the discussion with the Transportation Department to inform the public comments we submit for your consideration today.

One question, therefore, is: What if this project had been constructed between 2014 and 2017, and the COA for a signalized intersection had been completed? Would meeting the COAs (construction of a signalized intersection at Green Valley Road - Deer Valley Road, and associated intersection improvements) of the 2008 approved project in that 2014 to 2017 timeframe now be a safety issue requiring correction in 2022?

EDH APAC also understands that circulation and road improvements require the support of a traffic warrant - but how can analysis and projections provided by the County Planning and Transportation Departments for so many individual projects continue to be found to have generated consistently inaccurate projections from the 1990s through the 2015 era? Since 2015 El Dorado County has seen the removal of several projects in El Dorado Hills from the County Capital Improvement Program (CIP), due to analysis and projections from projects as far back in the past as the 1988 El Dorado Hills Specific Plan, that have been found to be inaccurate as projects begin to go to construction in current time. No one can predict future developments with 100% accuracy, and as a community we are grateful for the hours (and years!) of work and analysis by County Staff, but our County projections in the past ten to fifteen years seem to consistently miss the mark as projects become reality in current time.

In their application packet, the applicants' requests stem in part from the findings for the 2017 denied Dixon Ranch project's analysis of the Green Valley Road - Deer Valley Road intersection provided to the applicants by County Staff. The requested modification to the 14 year old project would now have the intersection improvements pushed off onto future un-identified projects, which, ironically, could conceivably be the 2022 updated version of the Dixon Ranch project, the proposed Generations at Green Valley.

Infrastructure improvements in our County, primarily vehicle and pedestrian circulation and safety improvements, are difficult to achieve, prohibitively expensive, and can seemingly only be

realized primarily via development projects - to this end, this pattern of defining conditions of approval to achieve mitigation, granting project entitlement approval, followed years later by subsequent developer requests to modify those COAs with the caveat that other "future projects" will provide the defined mitigation, is frustrating to County residents. Since many of these mitigations are established in a comprehensive fashion across multiple projects, a change to one mitigation of one project impacts the cumulative realization of those improvements in our communities. In El Dorado Hills, where historically the vast majority of County development and growth has occurred over the past 25 years, it has a multiplier effect on circulation impacts in the densest developed area of the County.

If an applicant can ask to revisit COAs years after their project entitlements and approvals have been granted, EDH APAC Subcommittee members suggest that it should not be a one-sided benefit to the applicant. An applicant requesting analysis of project entitlements, or COAs, with the intended goal to modify a COA, or remove a COA that would result in cost savings to the applicant, should also provide the County the opportunity to explore COA modifications to benefit the County and ultimately, our residents.

This is a small project, but larger projects with associated development agreements centered on significant revenue opportunities for the County - on the order of hundreds of thousands, or millions of dollars - these are a major component of County budgeting and planning. One COA modification on a large project can impact the timing of a multifold of related development agreement elements, and result in significant delays to the funding and construction of multitudes of projects in our CIP, and have a domino effect on the TIF program. More worrisome is that large project development agreements can have a lifetime that spans 20, or even 30 years. That development agreement cycle can eclipse the average career of members of our County Staff, and certainly the elected terms of our Supervisors, and appointed Commission and Committee members. Just as this project, continued over 14 years with multiple Tentative Map Time Extensions, can result in leaving the intent of approved entitlements and COAs lost to fading institutional memory.

The EDH APAC Subcommittee recommends that on projects small or large, policies regarding approved development projects seeking entitlement or COA modification should be developed and implemented to define opportunities that can benefit both the applicant, and the County and its residents. A multi-agency review committee involving the Planning and Building Department, Transportation Department, the CAO's office, and the Auditor Controller would be a meaningful starting point to determine impacts of project modification requests to planned capital improvements, the impacts to other approved development projects, and an analysis of the fiscal impact to the County. A modification that results in a benefit to an applicant should not result in a detriment or injury to the County.

The EDH APAC Summer Brook Subcommittee recommends denying the applicant request to modify COAs #25, #27, and #28. Green Valley Road remains a major east-west connector, with significant traffic volumes in El Dorado County. The 2014 Green Valley Road Corridor Analysis

identified many significant shortcomings of the road segment, as well as potential opportunities to realize circulation improvements to benefit the County's residents. Planned improvements to the Green Valley Road Corridor should not be further delayed.

EDH APAC appreciates the opportunity for thoughtful review of development projects proposed in the El Dorado Hills area, and believes that allowing for resident feedback to planning issues provides a framework for the best possible project result; for project applicants, El Dorado County, and our El Dorado Hills community.

Respectfully,

John Davey
Chair
El Dorado Hills Area Planning Advisory Committee
"Non-Partisan Volunteers Planning Our Future Since 1981"

Attachments:
Summer-BrookTentative-Map-Sep-24-2014.pdf