



El Dorado Hills Area Planning Advisory Committee

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El Dorado Hills, CA 95762

2014 Board Chair

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June 15, 2014

El Dorado County Planning Commission
Attn: Rodger Trout, Executive Secretary
2850 Fairlane Court
Placerville, CA 95667

Subject: General Plan Amendment A14-0001/rezone Z14-0001 Specific Pan Revision SPD 86-0002-R/Planned Development Revision PD94-0004-R-2 – El Dorado Hills Apartments – Spanos Corporation/Chris Schulze – TSD Engineering – A General Plan Amendment to amend policy text increasing the maximum residential density allowed in the General Plan, to amend the El Dorado Hills Specific Plan (Village T) to include residential use coincide with the proposed 250 unit apartment complex ...

The full APAC committee met on June 11 to review the MND and discuss the proposed project, and voted 6 to 0 for non - support of the project **and recommends that since the MND failed to address all of the project impacts, and did not consider a full range of applicable mitigation measures, that a full EIR be required.** APAC's detailed MND comments are provided below the Chairman's signature.

The APAC members believe the projects MND proposed mitigations are woefully inadequate and would result in significant short and long term problems for the Town Center retail and hotel components, as well as the immediate surrounding residential and commercial areas. Listed below are some of the major concerns that APAC has with the project as currently proposed:

- 1 The 250 apartment complex would cause a major traffic impact in the town center and major roads and highway 50 in EDH. The TIA identifies 4 level of service F section that will be impacted by the apartments
- 2 The apartment density is over twice the County zoning for multifamily housing and would create environmental impacts to one of the County's largest retail and hotel centers.
- 3 The apartments could suffer a high vacancy rate and rents could be lowered to attract tenants that would not be ideal for the town center and cause a loss of retail shops and restaurants.
- 4 Mixing apartment type features (patio's and barbecue equipment) would conflict with shoppers walking between retail outlets. Noise generated by the commercial and retail component will impact the residents of the apartments.
- 5 The County would lose a large income from sales and TOT tax if the parcel is converted to residential use.
- 6 The economy is starting to recover and loss of commercial and retail sites will further contribute to sales tax leakage out of the county.
- 7 This type of project should require vertical Mixed Use applications, as done in most other communities with the enclosed apartments above the first floor allowing retail at the street level.

APAC appreciates having the opportunity to comment on this project. If you have any questions about any of these conditions, please contact Norm Rowett, subcommittee chair at arowett@pacbell.net or 916-933-2211; or John Hidahl, APAC Chairman at Hidahl@aol.com or 916-933-2703.

Sincerely,

John Hidahl

John Hidahl,
APAC Chairman

Cc: APAC file, Planning Commissioners, Mel Pabalinas

APAC's Town Center Apartment MND Comments 6-15-14

General:

The project proposes a residential urban infill area which exceeds the current 24 units per acre multi-family zoning. Village T is a commercial area and contains no residential units. **The MND must address the impacts of creating an infill area in a non-residential area**, which will overload urban services, including increased traffic congestion and pollution, if not properly mitigated.

The current MND for the apartment project is tiered off a 1986 specific Plan EIR which did not include village T and then it's furthered tiered off the MND for village T which was for a commercial project.

This is not meeting the intent of CEQA. The original Specific Plan EIR is over 35 years old and out of date and the MND for the commercial town center did not include non-commercial development. **A new EIR must be completed for the project to address the current conditions and project impacts.**

Aesthetics:

The project will create a new source of substantial light and glare which will be significant and adversely affect nighttime view in the area. 250 apartments in a five story building on less than 5 acres with multiple windows and balconies will substantially increase light pollution.

The current commercial buildings in the area generate very little evening and nighttime light or glare. This is a significant impact.

The proposed balconies facing Town Center Boulevard can easily become an eyesore without proper restrictions/enforcement of usage. Residents hanging or placing items on the railings or even on the balconies will significantly detract from the ambience of Town Center. Barbequing or other uses that create smoke and odors will also affect the adjacent properties and the Town Center visitor's enjoyment. Use of the balconies for partying/displaying banners etc. during events like the annual Fourth of July parade could also create eyesores and public nuisances, including behaviors similar to New Orleans during Mardi Gras.

Relative to the design, the massing of the building along Town Center Blvd is too high. This four story building towers over the boulevard negatively impacting the retail/dining experience. The two building across the street are two and three story with the three story building having a step back on the third floor. The proposed project also should be step back to the third and fourth floors to create a more pleasing street environment.

Air Quality:

There are several false assumptions that the MND uses to suggest it complies with the standards established in the Sacramento Regional Ozone Air Quality Attainment Plan (AQAP). First, the MND incorrectly states that the project doesn't require a General Plan (GP) change. The GP must be changed to the increase of density from 24 units per acre to 55 units per acre. And secondly, it states that the existing zoning will have higher Ozone generation than the proposed 250 apartments. This is incorrect because the site is planned for a hotel with less than 100 rooms and would generate less than half of the Ozone emission of the proposed project. **The MND assumptions must be corrected and the Air Quality reevaluated.**

Green House Gas Emission:

The MND refers to Mitigation Measure MM AQ1 in the air quality section to lower to less than significant impacts on greenhouse emissions. The MMAQ1 states that installing high efficiency lights, appliances, low flow water faucets and toilets and etc. will improve the greenhouse gas emissions. These items will have a minimal effect on generation of greenhouse gases and real world solutions like solar power roof mounted units on the project and a transit program plan in place that will reduce personal vehicle use would lower the green house emission.

Land Use Planning:

The 55 units/acre is not in compliance with the GP and will significant impact land use planning in the County. The apartment complex is a stand-alone building and not tied to the Town Center and could be located in many areas of the County. This project will have a significant impact on land use planning by changing the multifamily density from 24 units/ acre to 55 units/ acre. This level of multi-family residential compaction is unique in El Dorado County and requires significant mitigation considerations to minimize the increased demand on local law enforcement services. Studying the history of the EDCo Sheriff's department call responses to the highest density multi-family residences in Cameron Park and then factoring up based upon the added density would provide a realistic forecast of the impact associated with the proposed Land Use change. **A new EIR must be prepared to analyze impacts to the GP.**

Noise:

Adding a 250 unit five stories building will increase noise significantly in the area and the apartments would be subject to evening highway 50 generated noises when most apartment would be occupied. There is no buffer between Highway 50 (higher elevation than the apartments) to mitigate the highway noise. **The noise study must address peak highway noise and commercial/retail generated from the TCE that apartment residents will experience and propose mitigation measures to reduce the noise impacts.**

The location of the apartment is in the proposed Mather Air Cargo flight path and would be subject to aircraft noise. **This noise impact is not included in the noise analysis and must be evaluated.**

Population and Housing:

This project could induce substantial population growth in the County, by creating a precedent for violating the intent of the current General Plan. If this project is approved, what assurances do the EDH community residents have that it won't become the future standard of how to circumvent the intent of the voter approved General Plan? The proposed general plan amendment would increase multifamily zoning from 24 dwelling units to 55 dwelling units per acre. The general plan must be changed to this higher density for the Specific Plan not to violate the current general plan density for multifamily zoning. **Population growth for multifamily zoning is based on 24 units/acre and any increase would have a significant impact on population and must be mitigated.**

Public Services:

The proposed apartment complex is within a short distance of other multifamily units which have a higher crime rate than the adjacent single family housing. The project will increase the demand for Sheriff's service in this area and must be analyzed to determine the impact and mitigation measures needed to reduce the impacts.

Schools:

Oak Ridge high school is already impacted, and enrollment is expected to increase by about 2% in the next five years. The impact of the project must be studied to determine where high school aged children can attend. If at Ponderosa, this will cause an increase in traffic and pollution.

Transportation:

The entire traffic study is fatally flawed due to the assumption of a mixed use traffic model methodology. This apartment complex is being promoted as being a mixed use application, when in fact it contains no mixed use applications at all. There are no business/retail shop identified usage areas/opportunities within the apartment structure. To claim that this is a horizontal mixed use application because of the nearby stores on Town Center Drive is totally misleading. The traffic model must be corrected to fully evaluate the impacts of an extremely high density apartment complex, wherein a majority of the 250 unit dwellers will have significant impacts (upwards of 300 cars) to the morning and afternoon commutes to work/schools/public services outside of Town Center.

El Dorado Hills Boulevard / Park Drive / Saratoga Way (Intersection #1) – This intersection would operate unacceptably at LOS F without or with the proposed project during the PM peak hour. This violates Measure Y for residential housing.

Latrobe Road / Town Center Boulevard (Intersection #4) – This intersection would operate unacceptably at LOS F without or with the proposed project during the PM peak hour. The County's CIP identifies the Latrobe Road Connection (CIP Project Number 66166) as a four-lane roadway. The Latrobe Road connection is in the County's CIP; however, specific design characteristics are not known at this time. The proposed mitigation measure for this impact doesn't have a design, schedule or funding to implement the mitigation measure. CEQA requires a meaningful expectation that the impact will be mitigated.

The MND states that

- El Dorado Hills Boulevard/Saratoga Way/Park Drive (Intersection #1) – this intersection operates at LOS F without the project. Based on the County's impact significance criteria, the project is projected to "significantly worsen" conditions because it would add more than 10 trips to the intersection during the AM and PM peak hours. This is a significant impact.
- El Dorado Hills Boulevard/US 50 WB ramps (Intersection #2) – this intersection operates at LOS E without the project. The proposed project would result in unacceptable LOS F conditions during the AM peak hour. This is a significant impact.

The MND states: "The unacceptable operations at El Dorado Hills Boulevard / Park Drive / Saratoga Way (Intersection #1) are due primarily to poor lane utilization on northbound El Dorado Hills Boulevard and Latrobe Road during construction. Intersection improvements, which are currently being implemented, will be completed in summer 2014, prior to development of the proposed project. Therefore, payment of traffic impact mitigation (TIM) fees will mitigate this impact by requiring the project's fair-share obligation towards this improvement, which would reduce the impact to less than significant".

No data is presented to support the claim that this traffic situation is temporary and that the current intersection work will mitigate the problem. In fact, this situation may get decidedly worse once

metering lights are operating on the on ramps to highway 50. CEQA demands that proposed mitigation measures can reasonably be expected to work.

The MND states: "All study area freeway segments would operate acceptably under existing plus project conditions. Impacts would be less than significant, and no mitigation measures are required." This is incorrect. CalTrans sent a letter to Kim Kerr dated Sept 25, 2013 stating that the segment of highway 50 between the county line and El Dorado Hills Blvd. operates at "LOS F during the peak hour." In order for the MND to be valid, it must show that there is a reasonable expectation of traffic mitigation on this segment of highway 50. According to CalTrans, there is no mitigation planned for this segment of highway 50. In fact, further CalTrans data show that additional segments of highway 50 in proximity to the project will not meet general plan requirements for Level of Service in the future. Traffic (cumulative plus project impacts):

The MND states: "This intersection would operate unacceptably at LOS F without or with the proposed project during the PM peak hour. Implementation of the proposed project would result in fewer trips using the intersection during the AM and PM peak hour compared to the land use currently approved for the project site. Although the intersection would continue to operate at LOS F, the reduced volume would result in lower delay with the proposed project, which would be a benefit of the project. Based on the County's impact threshold, this would be a less than significant impact, and no mitigation measures are required" The logic used here is faulty. There is no "reduced volume" since no other specific project has been proposed for the site. Thus, the project will still "worsen" traffic at intersections #1 and #4, with no potential mitigation mentioned. Furthermore, not one allowable use in table 2 of the TCE Specific plan would generate as much peak hour traffic as the 250 unit apartment.

The MND Traffic Impact analysis failed to take into account the Folsom Highway 50 South Project, the 10,000 homes south of Folsom (between Scott Road and Old Placerville Road), which will further degrade highway 50, White Rock road and Latrobe road traffic.

The MND Traffic Impact analysis failed to take into account the Elk Gove to El Dorado Hills Connector which will have a major traffic impact on White Rock road, Latrobe road and highway 50.

The MND states: "All but one study area freeway segment would operate acceptable under cumulative plus project conditions. The El Dorado Hills on-ramp to Empire Ranch off-ramp weave section would operate at LOS F in the AM peak hour, which exceeds the County's threshold. This is a significant impact. Implementation of the following mitigation measure would reduce this impact to less than significant."

This is incorrect. CalTrans shows that several segments of highway 50 in the project area will not meet the general plan requirements for Level of Service. Secondly, there is no concrete evidence that the Latrobe Road Connection will mitigate the Level of Service problems on highway 50.

Utilities and Service Systems

Are sufficient water supplies (EDUs) currently available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? This proposal has a significant Impact on local water demand. EID the water provider is in drought conditions restricting water supplies.

The MND states: "As of 2013, EID currently has 4,687 EDUs available in the El Dorado Hills Water Supply Region."

Unfortunately most, if not all, of this water has been spoken for by previously approved subdivisions. The MND must show how the project water will be delivered after meeting the obligations of already approved projects.