

Central El Dorado Hills Specific Plan - areas of concern

I. Development agreement - Section 3, Obligation of the parties

Section 3.2.1 in the Development Agreement (hereinafter called DA) Dedication of Country Club Drive Right of way. The Development Agreement states Developer will dedicate to County in lieu of condemnation and with no compensation to developer those segments of right of way owned and/or controlled by Developer in order to minimize cost to County.

This implies the Developer is "giving" County a benefit. However, Developer would need to build phase 1 of Country Club Drive anyway, from El Dorado Hills Blvd to the eastern boundary of the project, to provide additional access to the project. Developer is not really giving County anything, other than use of the road.

In Section 3.2.1, 3.2.2 of the DA (Construction of Country Club Drive) it states that the Developer and County will need to enter into a credit and reimbursement agreement, and conditions of the agreement are to be satisfied before phase 2 construction will begin. Developer is to have received the credits, applicable dollar for dollar in an aggregate amount equal to the total construction cost of Phase 1 of Country Club Drive. However, County does NOT traditionally pay for roadways that are on the border of a project and are part of the project. Country Club Drive phase 1 is on the border of the project, and County should not be paying any credits for its construction.

Section 3.2.1, 3.2.2 In regards to Phase 2 of Country Club Drive, from the eastern project border out to Silva Valley, Developer is dedicating the right of way at no cost. However dedication is predicated upon the County providing all wetland and other permits necessary for construction of phase 2, and all construction plans and specification in a bid ready format. In addition Developer and County will have the credit and reimbursement agreement in place for the developer to receive credits or dollar for dollar reimbursement for the all construction costs in connection with phase 2 of Country Club Drive. Although phase 2 of Country Club Drive is not part of the project, the project will directly benefit from the construction of phase 2 in that it will provide an alternate route to highway 50, and also provides a direct route to the future retail/commercial development on Silva Valley, which may possibly include a Costco. At times when El Dorado Hills Blvd traffic is significantly congested, project residents would be able to take Silva Valley around to Town Center shopping and theaters. So even though Developer is "giving" us right of way, Developer is receiving considerable enhancement to the project by the building of phase 2, Developer is also being reimbursed by credits or dollar for dollar all costs to build phase 2 of Country Club Drive. The County is only receiving right-of-way.

Section 3.2.4 - Community Benefit Fee -In the DA, Developer agrees that a fee shall be collected by the county at the time of the issuance of each residential building permit within the project in the amount of \$6,000.00. For 1000 units this then

becomes \$6,000,000.00 . As attractive as this appears, it must be remembered it is not delivered to County as a lump sum, but is spread over the 20 or 30 years of the project and is therefore somewhat less significant for any single year. An additional consideration is 30 years in the future \$6,000 will not have the same value as it does today due to inflation.

Since primarily El Dorado Hills will be impacted by this development, the Community Benefit Fee funds should stay in El Dorado Hills. Currently in the DA the distribution of the funds collected is at the sole discretion of the County Board of Supervisors.

Section 3.2.6 Dedication to CSD of Parkland in Excess of Obligation. The DA states: Developer hereby commits to provide to EDHCS and the community, in full satisfaction of any and all Quimby parkland dedication obligations, 16.3 acres of parkland, 15.3 acres of dedicated, active, Community Park and a privately owned and maintained 1 acre neighborhood park. The DA states if the full 1000 units are built, the maximum required acreage would be 13.3 acres. If build out is less, then the required acreage would be less. At this time we do not know how many units will actually be built, but assuming the maximum number of dwelling units, the 15.3 acres is only 2 acres more than required. The statement that the Developer commits to provide the community full satisfaction of all Quimby parkland obligations as if this is something exceptional , Developer is REQUIRED to meet the Quimby parkland obligation, although Developer has chosen to increase the required acreage by a limited amount.

Section 3.2.10 Developer Contribution to Pedestrian Overcrossing - Developer shall make a contribution to the County to be utilized for the environmental review and permitting of the pedestrian overcrossing. This is a benefit to County, but this overcrossing is definitely in the future, and the \$500,000.00 stipulated in the DA should be considered in terms of inflation. In addition, while generous, this is a very small amount in terms of the overall anticipated cost of the overcrossing.

A further consideration regarding the overcrossing is that access to it from the Town enter side of the freeway has not yet been determined. Is there a right of way easement available for this project from the south side of the freeway?? If this is not yet done, then the overcrossing project is pushed even farther into the future.

II. Consistency with the El Dorado County General Plan: Land Use Element

Goal 2.1: Land Use. Protection and conservation of existing communities and rural centers..... Objective 2.1.1 ...allow for continued population growth and economic expansion while preserving the character of existing rural centers and urban communities...

It makes sense to keep development in Community Regions where infrastructure is already present and maintain rural areas as rural, however this doesn't mean that Community Centers need to be developed into major cities. Protection and Conservation of existing communities means exactly that, maintain and protect the rural aspect of El Dorado Hills. High density development, particularly in areas previously designated as Recreational Open Space, brings traffic, air pollution, destroys scenic views, and begins to create visual impact similar to larger cities. The CEDHSP is NOT consistent with Goal 2.1 and policy 2.1.1 of the EDC General Plan.

Objective 2.2.5 General Policy Section, Policy 2.2.5.3 The County shall evaluate future rezoning...To assess whether changes in conditions that would support a higher density or intensity zoning district, specific criteria to be considered include, but are not limited to:

14. Capacity of the transportation system serving the area: Traffic impacts are addressed later in this document, which show that traffic impacts are NOT consistent with the general plan, and rezoning should NOT be Considered

15. Existing Land Use pattern: The surrounding residential areas are single family dwelling units, and the current designation of the Westside portion of the project is designated open space recreational. Rezoning this area for medium and high density residential is NOT consistent with the existing land use and therefore NOT consistent with this objective of the General Plan

Objective 2.2.5 General Policy Section 2.2.5.21 ...Development projects that are potentially incompatible with existing adjoining uses shall be designed in a manner that avoids any incompatibility or shall be located on a different site.

There are no high density residential projects immediately adjacent to the proposed project, and the proposed open space is adjacent to a section of the project that is designated RM1-PD which is multi family medium density. The project is NOT consistent with the general plan, policy section 2.2.5.21

Goal 2.3 Natural Landscape Features: Maintain the characteristic natural landscape features unique to each area of the county.

The El Dorado Hills golf course, either as a golf course or as natural open space has been a characteristic and an El Dorado Hills community identifier for decades. Rezoning and building medium and high density residential projects on this area of open space is NOT consistent with the General Plan goal of maintaining characteristic natural landscape features unique to this area of the county

Goal 2.5 Community Identity: ...incorporating visual elements which enhance and maintain the rural character and promote a sense of community

High density residential projects on land zoned as recreational open space does NOT enhance and maintain the rural character of El Dorado Hills, and so is NOT consistent with the El Dorado County General Plan

III. Consistency with the El Dorado County General Plan: Transportation and Circulation Element

Goal TC-X....maintain adequate levels of service on County Roads.

Policy TC-Xa 1....Traffic from development projects of five or more units... shall not result in or worsen Level of Service F traffic congestion during weekday, peak hour periods on any highway, road, interchange or intersection....

The construction of Country Club Drive between Silva Valley road and EL Dorado Hills Blvd is extremely problematic. As a parallel road to the Freeway and as a link between two commercial centers it could be expected to carry a heavy traffic load, however it is proposed to be only two lanes except as it approaches El Dorado Hills Blvd where it expands into 3 lanes exiting and one lane entering. Even without traffic analyses of the expected level of traffic on this roadway it is probable that this two lane road will not be able to carry the proposed traffic capacity.

In addition, at the Country Club intersection with El Dorado Hills Blvd there is very little space for queuing back onto country Club Drive, away from El Dorado Hills Blvd, and therefore traffic back up here will block the entrance/exits from the La Borgata, Rayley's shopping centers, and from the Lyons parking area. In addition, exiting from the Lyon's parking lot will be extremely difficult, having to cross over several lanes of traffic to exit to a right turn onto El Dorado Hills Blvd. It appears that this intersection will definitely be operating at LOS F, and will NOT be consistent with the General Plan

If queuing at the Country Club Drive/El Dorado Hills Blvd. intersection is significant, traffic will spill into the Rayley's parking lot, which is not designed for a heavy load of traffic. Directly along the front of Rayley's there are six stop signs, however if traffic flows on the west side of Rayley's parking lot there are only two stop signs, so traffic can be expected to flow through the parking lot.

Highway 50 from El Dorado Hills Blvd and the county line is already operating at LOS F during peak hours. Adding 1000 dwelling units that would be accessing Highway 50 at El Dorado Hills Blvd will only worsen traffic. El Dorado Hills has very few large employers such as Blue Shield, and the county has few large employers other than Marshall Hospital and the county itself. Most residents will be accessing the freeway into Sacramento County for employment, as well as shopping and entertainment. El Dorado Hills has many grocery stores, but few large retail outlets other than Target. Restaurants are available in El Dorado Hills, but many more are in Folsom and Sacramento and easily accessed, as well as entertainment

venues such as the Harris Center, the American River Trail, etc. This project will worsen the Highway 50 traffic LOS F, and is therefore NOT consistent with the General Plan.

IV. Consistency with the El Dorado County General Plan: Housing Element

Goal HO-4 To recognize and meet the housing needs of special groups of county residents....Policy HO-4.1 The development of affordable housing for seniors...

While this projects indicates it may include age restricted units, these units will not be affordable for low income or even moderate level incomes. With the addition of Home owner's fees and Mello Roos or community financing districts these units will be placed further out of reach for moderate income seniors. The project is NOT consistent with the El Dorado County General Plan

V. Consistency with the El Dorado County General Plan: Conservation and Open Space Element

Goal 7.6: Open Space Conservation: Conserve open space land for the continuation of the County's rural characterthe enjoyment of scenic beauty and recreation.....

Objective 7.6.1: Importance of open space. Consideration of open space as an important factor in the County's quality of life.

Developer is requesting a rezone from open space recreational to medium and high density residential. This is NOT consistent with 7.6.1.1 of the El Dorado County General Plan which indicates the General Plan land use map shall include open space designations for the purpose of maintaining areas of importance for outdoor recreation including areas of outstanding scenic areas ...areas particularly suited for park and recreation purposes. The proposed project decreases the amount of currently designated open space by planning to build medium and high density residential units on relatively level space that is well suited for recreational purposes.

VI. RHNA and Housing Stock Comments

It is true that this project will provide increased housing options for those able to afford it, and attached homes or apartments will be more affordable than low density single family detached homes. But a discussion of low income or even moderate income housing for this project is unrealistic. Purchase prices for condominiums or townhouses are projected to be \$400,000 or greater, then with HOA fees and CFD/Mello Roos costs added these units will not be affordable for

even moderate income buyers. Apartment rents will be similarly out of reach for low or moderate income individuals.

VII. CEDHSP Fiscal Impact Analysis

- 1.) The analysis we currently have to review is several years out of date, a new analysis with current numbers needs to be done to accurately assess the fiscal analysis of this project.
- 2.) On page 3 of the current document it states clearly that "under the CEHSP scenario, the analysis estimates the project will result in an annual net fiscal deficit of approximately \$438,000 for the County's general fund at buildout". The important point here is this is an annual deficit. When reviewing the corresponding table [Table 1 Cumulative Fiscal Impact Summary at buildout (2015\$) on page 4], at first glance it could be erroneously interpreted as \$196,000 deficit for the period 2016-2020, \$230,000 deficit for the period 2021-2025 and \$438,000 deficit for the period 2026-2030. Actually, these deficits are for each year, not a total for that period.
- 3.) Again, referring to table 1 (Cumulative Fiscal Impact Summary, page 4) it notes that the annual deficit to the general fund is \$438,000 at buildout. So what about after buildout is completed? Is this cost in perpetuity? Or expected to increase? Decrease?
- 4.) Continuing with Table 1 (Cumulative Fiscal Impact Summary), when the two scenarios are compared, the annual general fund fiscal deficit for the proposed project is \$480,000, the annual general fund fiscal deficit for the Base Case scenario is \$33,000. This is rather simplistic, but the base scenario creates far less of a deficit than the proposed project
- 5.) Referring to table 2, (Cumulative Estimated Revenue and Expenditure Summary, page 6) it indicates no expenditures for the El Dorado Hills Fire Dept. There obviously are expenditures for salaries, equipment, vehicles, but it is not clear how those expenses are integrated into the El Dorado County budget. As a minor point, if the project buildout includes a large number of age restricted dwelling units, elderly residents will use emergency medical/paramedic services far more often than the general population, and in this scenario it could be expected that additional paramedic staff may need to be hired, increasing costs to the fire dept.
- 6.) The suggestion for funding to cover the general fund deficit is to create a community financing district or Mello Roos tax. This is commonly done to fund general costs of a housing development. Prices are already high in El Dorado Hills for multifamily homes or single detached homes, and HOA fees combined with a CFD/Mello Roos tax would cause costs to be even higher. Some homebuyers (examples available upon request) well able to afford single family detached homes

in El Dorado Hills have already declined, on principle, to purchase homes with both HOA and Mello Roos fees and have instead purchased older homes in Ridgeview that do not have either of these fees. High HOA and CFD/Mello Roos costs may decrease the desirability of homes in this project, and fuel the impression by the public that El Dorado Hills is too expensive to consider for housing.

XIII. Overriding Considerations

1.) While any landowner has the right to apply for a general plan amendment to rezone their property, the County has no requirement or obligation to grant the request. The decision should be based on two things:

- a.) What is best for El Dorado Hills and for the county as a whole, not what is best for the Developer.
- b.) What is best for the residents most impacted by the project, i.e. what the residents see as consistent with their vision of the future of their community.

The residents of EL Dorado Hills have made their views clear November 2015 with a 91% advisory no vote against this project with Measure X. The remarkable point here is that 91% actually agreed on something, which makes this advisory vote even more powerful. Measure X reads:

" Should the El Dorado County Board of Supervisors re-zone the approximately 100 acres of the former executive golf course in El Dorado Hills from its current land use designation as "open space recreation" to a designation that allows residential housing and commercial development on the property?"

2.) Instead of this particular project, other alternatives could be considered, such as:

- a.) The base scenario, which is Developer building out the original plan for Village D1, lots C and D
- b.) Same project location and area but much less density
- c.) Pedregal alone as a project, since this does not include rezone of the golf course

3.) Something for consideration by the County is that instead of housing developments, more attention should be paid to bringing in large retail, manufacturing and industry to provide sale tax income and local jobs, and would keep shopping dollars in El Dorado hills. Continuing to build large housing developments only keep El Dorado Hills as a suburban bedroom community of Folsom and Sacramento County