

**CALIFORNIA ENVIRONMENTAL QUALITY ACT
FINDINGS IN CONNECTION WITH THE APPROVAL OF
EL DORADO HILLS APARTMENTS PROJECT**

I. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The County of El Dorado (“County”), as the lead agency, has prepared the Final Environmental Impact Report (“Final EIR”), SCH # 2017042017, for the El Dorado Hills Apartments project (“Project”), which is located on the northwestern corner of the intersection of Town Center Boulevard and Vine Street within the Town Center East Commercial Center in the unincorporated community of El Dorado Hills. The applicant proposes to construct a 4-story, 214-unit apartment complex, comprising two apartment buildings, a parking structure, outdoor recreation areas, and an informal open space area. The apartment units would range from 576 square feet to 1,195 square feet in size, with a mix of 114 studio/1-bedroom units and 100 2-bedroom units. A 5-level parking structure located in the middle of the complex would provide approximately 409 vehicle parking spaces and 22 motorcycle parking spaces for residents and visitors, with an additional five spaces of surface parking provided elsewhere on the site. The residential buildings would be between 42 and 52 feet in height, with some architectural elements reaching 60 feet. The parking structure would be 60 feet in height.

The Final EIR assesses the potential environmental effects of the Project, identifies the Project’s significant and less than significant impacts, and evaluates a reasonable range of alternatives to the Project. In addition, the Final EIR includes Responses to Comments on the Draft EIR from responsible agencies, interested groups, and individuals.

The El Dorado County Board of Supervisors (“BOS”) hereby certifies that the Final EIR has been completed in compliance with the California Environmental Quality Act (CEQA). The BOS further certifies that it has received the Final EIR, and reviewed and considered the information contained in the Final EIR prior to making the approvals set forth below in Section III. The BOS further certifies that the Final EIR reflects its independent judgment and analysis. The conclusions presented in these Findings are based on the Final EIR and other evidence in the administrative record.

II. FINDINGS

In this action, the BOS, having received, reviewed and considered the Final EIR and other information in the administrative record, adopts the following Findings in compliance with CEQA. The BOS certifies that its Findings are based on full appraisal of all viewpoints, including all comments received up to the date of adoption of these Findings, concerning the environmental impacts identified and analyzed in the Final EIR, and are supported by substantial evidence. The BOS adopts these Findings in conjunction with the approvals set forth in Section III, below.

EXHIBIT R

A. Environmental Review Process

1. *Preparation of the EIR*

On April 7, 2017, the County released a Notice of Preparation (NOP)/Initial Study announcing the preparation of a Draft EIR and describing its proposed scope. The County conducted a public scoping meeting on April 25, 2017. The Initial Study determined that implementation of the Project would not adversely affect aesthetics, agricultural and forestry resources, geology/soils, hazards & hazardous materials, hydrology/water quality, mineral resources, and population and housing and that further evaluation of these topics in the Draft EIR was not required.

The County issued the Draft EIR on June 30, 2017, and circulated it for public review and comment for a 61-day period that ended on August 30, 2017. Two state agencies, one local agency, two local organizations, and 17 individuals provided written comments on the Draft EIR. In addition, comments were received from members of the public at the August 10, 2017, public workshop on the Draft EIR before the County's Planning Commission. No comments from state and local agencies were received at the Planning Commission public workshop. The Final EIR contains all of the comments received during the public comment period and at the Planning Commission study session, together with written responses to those comments which were prepared in accordance with CEQA. The BOS certifies that it has reviewed the comments received and responses thereto and finds that the Final EIR provides adequate, good faith, and reasoned responses to the comments.

2. *Absence of Significant New Information*

CEQA Guidelines Section 15088.5 requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of the draft EIR but before certification. New information includes: (i) changes to the project; (ii) changes in the environmental setting; or (iii) additional data or other information. Section 15088.5 further provides that "[n]ew information added to an EIR is not 'significant' unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement."

Having reviewed the information contained in the Draft and Final EIRs and in the administrative record as well as the requirements under CEQA Guidelines Section 15088.5 and interpretive judicial authority regarding recirculation of draft EIRs, the BOS hereby finds that no significant new information was added to the EIR following public review and thus, recirculation of the EIR is not required by CEQA.

B. Impacts and Mitigation Measures

The following section summarizes the environmental impacts of the Project identified in the Final EIR, and provides Findings as to those impacts, as required by CEQA and the CEQA Guidelines. A full explanation of these environmental Findings and conclusions is set forth in the Final EIR. These Findings hereby incorporate by reference the analysis in the Final EIR

supporting the Final EIR's findings and conclusions, and in making these Findings, the BOS ratifies, adopts and incorporates the evidence, analysis, explanation, findings, responses to comments, and conclusions of the Final EIR except where they are specifically modified by these Findings.

Section 15130(a) of the CEQA Guidelines requires that an EIR discuss the cumulative impacts of a project when the project's incremental effect is determined to be cumulatively considerable. The discussion of cumulative impacts must evaluate whether the impacts of the project will be significant when considered in combination with past, present, and reasonably foreseeable future projects, and whether the project would make a cumulatively considerable contribution to those impacts. As discussed in detail in the Final EIR, all cumulative impacts of the Project will not be cumulatively considerable.

1. *Project Impacts that are Less Than Significant without Mitigation*

The Final EIR found that impacts of the Project would be less than significant without project-specific mitigation under the following environmental resource topics: aesthetics (see Initial Study pages 8 to 11); agricultural and forestry resources (see Initial Study pages 12 to 14); air quality (except emissions of criteria pollutants and exposure of sensitive receptors to naturally-occurring asbestos) (see Draft EIR pages 4.1-1 to 4.1-37); biological resources (except nesting birds) (see Draft EIR pages 4.2-1 to 4.2-27); cultural and tribal cultural resources (historical and paleontological resources only) (see Draft EIR pages 4.3-1 to 4.3-23); geology and soils (see Initial Study pages 28 to 32); greenhouse gas emissions (see Draft EIR pages 4.4-1 to 4.4-28); hazards and hazardous materials (see Initial Study pages 36 to 41); hydrology and water quality (see Initial Study pages 42 to 47); land use and planning (see Draft EIR pages 4.5-1 to 4.5-31); mineral resources (see Initial Study pages 50 and 51); noise (see Draft EIR pages 4.6-1 to 4.6-23); population and housing (see Initial Study pages 55 and 56); public services (see Draft EIR pages 4.7-1 to 4.7-15); transportation and traffic (except Near-Term Cumulative [2027] plus Project Conditions) (see Draft EIR pages 4.8-1 to 4.8-55); utilities and service systems (except wastewater conveyance) (see Draft EIR pages 4.9-1 to 4.9-22); and energy (see Draft EIR pages 4.10-1 to 4.10-15).

3. *Project Impacts that are Less Than Significant with Incorporation of Mitigation Measures*

i. *Air Quality*

a) *Impact AIR-1: Construction activities associated with the proposed project would result in a violation of an air quality standard, contribute substantially to an existing or projected air quality violation, or result in a cumulatively considerable net increase of a criteria pollutant for which the project region is non-attainment under an applicable national or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).*

The following EIR Mitigation Measures are included in and a part of the Project as proposed:

Mitigation Measure AIR-1a: To ensure that the impact from the project’s construction equipment exhaust remains less than significant, the project shall implement at least one of the following EDCAQMD construction mitigation measures:

- Require the prime contractor to provide an approved plan demonstrating that heavy-duty (i.e., greater than 50 horsepower) off-road vehicles to be used in the construction project, and operated by either the prime contractor or any subcontractor, will achieve, at a minimum, a fleet-averaged 15 percent NOx reduction compared to the most recent CARB fleet average. Implementation of this measure requires the prime contractor to submit a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during the construction project. In addition, the inventory list shall be updated and submitted monthly throughout the duration of when the construction activity occurs.
- Require the prime contractor to use an alternative fuel, other than diesel, verified by the CARB or otherwise documented through emissions testing to have the greatest NOx and PM10 reduction benefit available, provided each pollutant is reduced by at least 15 percent.

Mitigation Measure AIR-1b: Prior to the start of construction activities, the project applicant shall coordinate with the El Dorado AQMD to ensure that only low-VOC architectural coatings are utilized during the construction phase of the proposed project, for both indoor and outdoor surfaces. All architectural coatings used during the construction phase shall have a maximum allowable VOC content limit of 50 g/L.

Mitigation Measure AIR-1c: During construction activities, the project applicant shall implement the following Best Available Fugitive Dust Control Measures as outlined in Table C.4 in the AQMD CEQA Guide.

Fugitive Dust Source Category	Control Actions
Earth-moving (except construction cutting and filling areas, and mining operations)	1a. Maintain soil moisture content at a minimum of 12 percent, as determined by ASTM method D-2216, or other equivalent method approved by the District; two soil moisture evaluations must be conducted during the first three hours of active operations during a calendar day, and two such evaluations each subsequent four-hour period of active operations; OR 1a-1. For any earth-moving which is more than 100 feet from all property lines, conduct watering as necessary to prevent visible dust emissions from exceeding 100 feet in length in any direction.
Earth-moving – construction fill areas	1b. Maintain soil moisture content at a minimum of 12 percent, as determined by ASTM method D-2216, or other equivalent method approved by the District; for areas which have an optimum moisture content for compaction of less than 12 percent, as determined by ASTM method 1557 or other equivalent method approved by the District, complete the compaction process as expeditiously as possible after achieving at least 70 percent of the optimum soil moisture content; two soil moisture evaluations must be conducted during the first three hours of active operations during a calendar day, and two such evaluations during each subsequent four-hour period of active operations.

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Earth-moving – construction cut areas and mining operations	1c. Conduct watering as necessary to prevent visible emissions from extending more than 100 feet beyond the active cut or mining areas unless the area is inaccessible to watering vehicles due to slope conditions or other safety factors.
Disturbed surface areas (except completed grading areas)	2a/b. Apply dust suppression in a sufficient quantity and frequency to maintain a stabilized surface; any areas which cannot be stabilized, as evidenced by wind driven dust, must have an application of water at least twice per day to at least 80 percent of the unstabilized area.
Disturbed surface areas – completed grading areas	2c. Apply chemical stabilizers within 5 working days or grading completion; OR 2d. Take action 3a or 3c specified for inactive disturbed surface areas.
Inactive disturbed surface areas	3a. Apply water to at least 80 percent of all inactive disturbed surface areas on a daily basis when there is evidence of wind driven fugitive dust, excluding any areas which are inaccessible due to excessive slope or other safety conditions; OR 3b. Apply dust suppressants in sufficient quantity and frequency to maintain a stabilized surface; OR 3c. Establish a vegetative ground cover within 21 days after active operations have ceased; ground cover must be of sufficient density to expose less than 30 percent of unstabilized ground within 90 days of planting, and at all times thereafter; OR 3d. Utilize any combination of control actions 3a, 3b and 3c such that, in total, they apply to all inactive disturbed surface areas.
Unpaved roads	4a. Water all roads used for any vehicular traffic at least once per every two hours of active operations; OR 4b. Water all roads used for any vehicular traffic once daily and restrict vehicle speed to 15 mph; OR 4c. Apply chemical stabilizer to all unpaved road surfaces in sufficient quantity and frequency to maintain a stabilized surface.
Open storage piles	5a. Apply chemical stabilizers; OR 5b. Apply water to at least 80 percent of the surface areas of all open storage piles on a daily basis when there is evidence of wind driven fugitive dust; OR 5c. Install a three-sided enclosure with walls with no more than 50 percent porosity that extend, at a minimum, to the top of the pile.
Track-out control	6a. Pave or apply chemical stabilization at sufficient concentration and frequency to maintain a stabilized surface starting from the point of intersection with the public paved surface, and extending for a centerline distance of at least 100 feet and width of at least 20 feet; OR 6b. Pave from the point of intersection with the public paved road surface, and extending for a centerline distance of at least 25 feet and a width of at least 20 feet, and install a track-out control device immediately adjacent to the paved surface such that exiting vehicles do not travel on any unpaved road surface after passing through the track-out control device.
All categories	7a. Any other control measures approved by the District.

Mitigation Measure AIR-1d: During construction activities in high wind conditions, the project applicant shall implement the following Best Available Fugitive Dust Control Measures as outlined in Table C.5 in the AQMD CEQA Guide.

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Fugitive Dust Source Category	Control Actions
Earth moving	1A. Cease all active operations, OR 2A. Apply water to soil not more than 15 minutes prior to moving such soil.
Disturbed surface areas	1B. On the last day of active operations prior to a weekend, holiday, or any other period when active operations will not occur for not more than four consecutive days: apply water with a mixture of chemical stabilizer diluted to not less than 1/20 of the concentration required to maintain a stabilized surface for a period of six months; OR 1B. Apply chemical stabilizers prior to a wind event; OR 2B. Apply water to all unstabilized disturbed areas 3 times per day; if there is any evidence of wind driven fugitive dust, watering frequency is increased to a minimum of four times per day; OR 3B. Take the actions specified in Table B.6, Item 3c; OR 4B. Utilize any combination of control actions specified in Table 1, Items 1B, 2B and 3B, such that, in total, they apply to all disturbed surfaced areas.
Unpaved roads	1C. Apply chemical stabilizers prior to a wind event; OR 2C. Apply water twice per hour during active operation; OR 3C. Stop all vehicular traffic.
Open storage piles	1D. Apply water twice per hour; OR 2D. Install temporary coverings.
Paved road track-out	1E. Cover all haul vehicles; OR 2E. Comply with the vehicle freeboard requirements of Section 23114 of the California Vehicle Code for operation on both public and private roads.
All categories	1F. Any other control measures approved by the District.

FINDING: For reasons stated in the Final EIR, the BOS finds that with the implementation of Mitigation Measures AIR-1a to AIR-1d that are included in and a part of the Project, the Project would result in a less than significant impact related to the emission of criteria pollutants during construction.

b) *Impact AIR-2: Operation of the proposed project would result in a violation of an air quality standard, contribute substantially to an existing or projected air quality violation, or result in a cumulatively considerable net increase of a criteria pollutant for which the project region is non-attainment under an applicable national or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).*

The following EIR Mitigation Measure is included in and a part of the Project as proposed:

Mitigation Measure AIR-2: To ensure that project emissions remain below applicable thresholds, the project applicant shall implement the following sustainable design features and mitigation measures:

1. Exceed Title 24 by 10 percent
2. Install high-efficiency lighting
3. Install energy-efficient appliances

4. Use only natural gas hearths (i.e. fireplaces)(sealed natural gas only, no wood burning)
5. Install low flow bathroom faucets
6. Install low flow kitchen faucets
7. Install low flow toilets
8. Install low flow showers
9. Use water-efficient irrigation system
10. Design and construct the parking garage to allow for the installation of electric vehicle charging facilities when the demand for the charging facilities is demonstrated.
11. Provide bicycle storage with convenient access

FINDING: For reasons stated in the Final EIR, the BOS finds that with the implementation of Mitigation Measure AIR-2 that is included in and a part of the Project, the Project would result in a less than significant impact related to the emission of criteria pollutants during operation.

c) *Impact AIR-5: Project construction would expose sensitive receptors to substantial pollutant concentrations.*

The following EIR Mitigation Measure is included in and a part of the Project as proposed:

Mitigation Measure AIR-5: Prior to any grading activities, the project applicant shall prepare an Asbestos Hazard Dust Mitigation Plan and shall comply with applicable state and local regulations regarding asbestos, including CARB's asbestos airborne toxic control measure (ATCM) (Title 17, CCR § 93105 and 93106) and EDCAQMD Rule 223-2 Fugitive Dust – Asbestos Hazard Mitigation, to ensure that exposure to construction workers and the public is reduced to an acceptable level.

FINDING: For reasons stated in the Final EIR, the BOS finds that with the implementation of Mitigation Measure AIR-5 that is included in and a part of the Project, the Project would result in a less than significant impact related to the exposure of sensitive receptors to naturally-occurring asbestos.

ii. *Biological Resources*

a) *Impact BIO-2: The proposed project would not directly or indirectly affect any riparian habitat, sensitive natural community, or wetlands nor interfere with the movement of any wildlife species, but project construction noise could affect nesting birds.*

The following EIR Mitigation Measure is included in and a part of the Project as proposed:

Mitigation Measure BIO-2: For the protection of birds species protected by the Migratory Bird Treaty Act and the California Fish and Game Code, project activities shall occur during the non-breeding bird season to the extent feasible (September 1 – January 31). However, if site clearance, grading, or initial ground-disturbing activities must occur during the breeding season (February 1 through August 31), a survey for active bird nests shall be conducted by a qualified biologist no more than 14 days prior to the start of these activities. The survey shall be conducted in a sufficient area around the work site to identify the location and status of any nests that could potentially be affected by project activities.

If active nests of protected species are found within project impact areas or close enough to these areas to affect breeding success, a work exclusion zone shall be established around each nest by a qualified biologist. Established exclusion zones shall remain in place until all young in the nest have fledged or the nest otherwise becomes inactive (e.g., due to predation). Appropriate exclusion zone sizes vary dependent upon bird species, nest location, existing visual buffers and ambient sound levels, and other factors; an exclusion zone radius may be as small as 50 feet (for common, disturbance-adapted species) or as large as 250 feet or more for raptors. Exclusion zone size may also be reduced from established levels if supported with nest monitoring by a qualified biologist indicating that work activities outside the reduced radius are not adversely impacting the nest.

FINDING: For reasons stated in the Final EIR, the BOS finds that with the implementation of Mitigation Measure BIO-2 that is included in and a part of the Project, the Project would result in a less than significant impact related to nesting birds.

iii. *Cultural Resources*

a) *Impact CUL-2: The proposed project could cause a substantial change in the significance of an archaeological resource pursuant to Section 15064.5.*

The following EIR Mitigation Measure is included in and a part of the Project as proposed:

Mitigation Measure CUL-2: El Dorado County shall note on any plans that require ground disturbing excavation that there is a potential for exposing buried cultural resources, including prehistoric Native American burials.

The project applicant shall inform the United Auburn Indian Community of the Auburn Rancheria and the Shingle Springs Band of Miwok Indians of the project construction schedule and allow for a tribal monitor to be present at the project site during grading activities in native soil.

The project applicant shall retain a Professional Archaeologist to provide a pre-construction briefing to supervisory personnel of the excavation contractor to alert them to the possibility of exposing significant prehistoric archaeological resources within the project site. The briefing shall discuss any archaeological objects that could be exposed, the need to stop excavation at the discovery, and the procedures to follow regarding discovery protection and notification of the project applicant and archaeological team. The Professional Archaeologist shall develop and distribute for job site posting an "ALERT SHEET" summarizing potential find types and the protocols to be followed as well as points of contact to alert in the event of a discovery. The tribal monitor will be provided an opportunity to attend the pre-construction briefing.

The Professional Archaeologist shall be available on an "on-call" basis during ground disturbing construction in native soil to review, identify and evaluate cultural resources that may be inadvertently exposed during construction. The archaeologist shall temporarily divert, redirect, or halt ground disturbance activities at a potential discovery to allow the identification, review and evaluation of a discovery to determine if it is a historical resource(s) and/or unique archaeological resource(s) under CEQA.

If the Professional Archaeologist determines that any cultural resources exposed during construction constitute a historical resource and/or unique archaeological resource, he/she shall notify the project applicant and other appropriate parties of the evaluation and recommend mitigation measures to mitigate to a less-than significant impact in accordance with California Public Resources Code Section 15064.5. Mitigation measures may include avoidance, preservation in-place, recordation, additional archaeological testing and data recovery among other options. Contingency funding and a time allotment sufficient for recovering an archeological sample or to employ an avoidance measure may be required. The completion of a formal Archaeological Monitoring Plan (AMP) may be recommended by the archaeologist if significant archaeological deposits are exposed during ground disturbing construction. Development and implementation of the AMP will be determined by the County of El Dorado and treatment of any significant cultural resources shall be undertaken with the approval of the project applicant and the County.

A Monitoring Closure Report shall be filed with the County of El Dorado at the conclusion of ground disturbing construction if archaeological resources were encountered and/or recovered.

FINDING: For reasons stated in the Final EIR, the BOS finds that with the implementation of Mitigation Measure CUL-2 that is included in and a part of the Project, the Project would result in a less than significant impact related to archaeological resources.

b) *Impact CUL-4: The proposed project could disturb unknown human remains on the project site.*

The following EIR Mitigation Measure is included in and a part of the Project as proposed:

Mitigation Measure CUL-4: The treatment of human remains and any associated or unassociated funerary objects discovered during any soil-disturbing activity within the project site shall comply with applicable State laws. This shall include immediate notification of the El Dorado County Sheriff-Coroner and the County of El Dorado.

In the event of the Coroner's determination that the human remains are Native American, the coroner must contact the NAHC within 24 hours. The NAHC shall identify a Most Likely Descendant (MLD) of the deceased Native American (PRC Section 5097.98). The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for the means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98. Development activity on the impacted site will halt until the landowner has conferred with the MLD about their recommendations for treatment of the remains, and the coroner has determined that the remains are not subject to investigation under California Government Code Section 27491.

The project applicant, archaeological consultant, and MLD shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of human remains and associated or unassociated funerary objects (CEQA Guidelines Section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. The California PRC allows 48 hours to reach agreement on these matters. If the MLD and the other parties do not agree on the reburial method, the project will follow PRC Section 5097.98(b) which states that ". . . the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance."

FINDING: For reasons stated in the Final EIR, the BOS finds that with the implementation of Mitigation Measure CUL-4 that is included in and a part of the Project, the Project would result in a less than significant impact related to human remains.

c) *Impact CUL-5: The proposed project could cause a substantial adverse change in the significance of a tribal cultural resource.*

The project would implement **Mitigation Measures CUL-2 and CUL-4** which are included in and a part of the Project as proposed.

FINDING: For reasons stated in the Final EIR, the BOS finds that with the implementation of Mitigation Measures CUL-2 and CUL-4 that are included in and a part of the Project, the Project would result in a less than significant impact related to tribal cultural resources.

d) *Cumulative Impact C-CUL-1: Cumulative development could cause a substantial change in the significance of a historical resource or unique archaeological resource pursuant to Section 15064.5 or impact tribal cultural resources, but with the incorporation of mitigation measures, the proposed project would not contribute substantially to the cumulative impacts.*

The project would implement **Mitigation Measures CUL-2 and CUL-4** that are included in and a part of the Project.

FINDING: For reasons stated in the Final EIR, the BOS finds that with the implementation of Mitigation Measures CUL-2 and CUL-4 that are included in and a part of the Project, the Project would result in a less than significant cumulative impact related to a historical resource or unique archaeological resource.

iv. *Utilities and Service Systems*

a) *Impact UTL-4: Development of the proposed project would require the construction of new or expanded wastewater conveyance systems.*

The following EIR Mitigation Measure is included in and a part of the Project as proposed:

Mitigation Measure UTL-4: The applicant shall pay fair-share fees towards the planned CIP improvement for the EDHB trunk sewer line improvement, and associated El Dorado Irrigation (EID) connection costs.

FINDING: For reasons stated in the Final EIR, the BOS finds that with the implementation of Mitigation Measure UTL-4 that is included in and a part of the Project, the Project would result in a less than significant impact related to the construction of new or expanded wastewater conveyance systems.

4. *Project Impacts that are Significant and Unavoidable with Incorporation of Mitigation Measures*

Based on the analysis contained in the Final EIR, implementation of the Project would not result in any significant and unavoidable environmental impacts.

5. *Project Impacts that are Significant and Unavoidable with No Feasible Mitigation*

Based on the analysis contained in the Final EIR, implementation of the Project would not result in any significant and unavoidable environmental impacts.

C. Non-CEQA Impacts and Mitigation Measures

The following section summarizes two environmental impacts of the Project identified in the Final EIR that are not impacts for CEQA purposes, but which the project applicant has voluntarily agreed to mitigate, regardless of the absence of a legal requirement to do so. A full explanation of these environmental impacts and mitigation is set forth in the Final EIR.

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The first impact is identified in the Draft EIR analysis of the project's traffic impacts under the Near-Term Cumulative (2027) conditions, a scenario which, at the time of the Draft EIR preparation, was required to be analyzed under Measure E, an initiative adopted by County voters in 2016 that amended specific Transportation and Circulation Element policies of the County General Plan. However, in July 2017, following the publication of the Draft EIR but before the completion of the Final EIR, the El Dorado County Superior Court ruled that several aspects of Measure E were unconstitutional, including the requirement to analyze the Project's traffic impacts under Near-Term Cumulative (2027) conditions. As noted in the Final EIR, the County has elected to retain the Near-Term Cumulative traffic analysis in the EIR for informational purposes only. However the County will not be making a significance finding with respect to the impact of the Project under Near-Term Cumulative conditions, as the Measure E analysis is no longer required by law for the Project. The Superior Court also ruled that Measure E was unlawful in requiring the County to require a project to construct all necessary improvements prior to the issuance of a discretionary approval for a project. Following the Superior Court's ruling and prior to approving these findings, the County amended the General Plan to comport with the Court's ruling. Under the current General Plan, the project applicant is not required to mitigate any traffic impacts of the Project found pursuant to the Measure E analysis. However, the project applicant has voluntarily agreed to pay Traffic Impact Mitigation fees for the Project's impact at one intersection (El Dorado Hills Boulevard/Saratoga Way/Park Drive) under Near-Term Cumulative (2027) conditions, even though there is no legal requirement to mitigate the impact. The County will oversee the implementation of this voluntary mitigation by the applicant.

The second impact involves a private intersection (Town Center Boulevard/Post Street) that would be affected by Project traffic under Long-Term Cumulative (2035) conditions. As the intersection is privately owned, it is not subject to the County's thresholds of significance and no determination of the significance of the Project's impact at this location was included in the Draft EIR. However, the project applicant and the owner of the right-of-way (ROW) of the intersection have voluntarily agreed to mitigate this impact below the County's threshold of significance applicable to County-owned facilities, and the County will oversee the implementation of this voluntary mitigation by the applicant.

Both non-CEQA impacts are identified below along with associated voluntary mitigation measures that the applicant has committed to implement.

a) *Cumulative Impact C-TRANS-1: Development of the proposed project would conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the traffic circulation system under Near-Term Cumulative (2027) plus Project Conditions.*

The following EIR Mitigation Measure is included in and a part of the Project as proposed:

Mitigation Measure C-TRANS-1: The project applicant will pay TIM fees to the County prior to issuance of building permit(s).

b) *Cumulative Impact C-TRANS-2: Development of the proposed project would not conflict with applicable policies establishing measures of effectiveness for the performance of the local roadway system and regional freeway system under Long-Term Cumulative (2035) plus Project Conditions.*

The following EIR Mitigation Measure is included in and a part of the Project as proposed:

Mitigation Measure C-TRANS-2: The project applicant shall be responsible for ensuring that a traffic signal is installed at the private intersection of Post Street and Town Center Boulevard, and that a funding mechanism is created for maintenance of that signal. Peak hour intersection signal warrant analysis will be performed, consistent with the methodologies presented in the County's Transportation Impact Study Guidelines, at 24-month intervals and provided to the County, and the signal will be installed when the intersection operations reach LOS F and applicable traffic signal warrants are satisfied. The new traffic signal will be interconnected or subordinate to the traffic signal at Latrobe Road/El Dorado Hills Boulevard, subject to an encroachment permit and agreement. Prior to issuance of a grading permit for project construction, the project applicant shall demonstrate to the County's satisfaction that it has obtained legally binding authority to assure implementation of this mitigation measure, via an agreement with the owner of the right-of-way encompassing the Post Street/Town Center Boulevard intersection or otherwise.

FINDING: For reasons stated in the Final EIR, the BOS finds that the voluntary implementation of Mitigation Measures C-TRA-1 and C-TRA-2 by the project applicant will provide community benefits and satisfactorily address the Project's traffic contribution at the two intersections.

D. Mitigation Monitoring and Reporting Program

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d) require the lead agency approving a project to adopt a Mitigation Monitoring or Reporting Program for mitigation measures it has adopted to avoid or substantially lessen significant environmental impacts of the project. In compliance with this requirement, the Mitigation Monitoring and Reporting Program ("MMRP") for the Project includes those mitigation measures that have been designed to ensure compliance during implementation of the Project. The MMRP designates responsibility and anticipated timing for the implementation of mitigation measures for conditions within the jurisdiction of the County. Implementation of the mitigation measures specified in the EIR and contained in the MMRP will be accomplished through administrative controls over Project planning and implementation. Monitoring and enforcement of these measures will be accomplished through inspection and documentation by appropriate County personnel.

The BOS finds that (1) the impacts of the proposed El Dorado Hills Apartments project will be fully mitigated by the CEQA-required Mitigation Measures identified in the EIR and in the MMRP, as set forth at Section II.B, above, and (2) the voluntary Mitigation Measures identified in the EIR and in the MMRP, as set forth at Section II.C, above, will provide community benefits

and satisfactorily address additional project impacts. Based on these findings, the BOS hereby adopts the MMRP for the Project. The BOS reserves the right to make amendments and/or substitutions to the mitigation measures and MMRP in accordance with the provisions of CEQA if, in the exercise of its discretion, it determines that the amended or substituted mitigation measure will mitigate the identified potential environmental impact to at least the same degree as the original mitigation measure, or would attain an adopted performance standard for mitigation, and where the amendment or substitution would not result in a new significant impact on the environment which cannot be mitigated.

E. Alternatives

Chapter 5 of the Draft EIR evaluated a reasonable range of potential alternatives to the Project. In compliance with CEQA and the CEQA Guidelines, the alternatives analysis also included an analysis of a No Project Alternative and discussed the environmentally superior alternative. The analysis examined the environmental impacts of each alternative and the ability of each alternative to meet the project objectives identified in Section 3.3 of the Draft EIR. The Draft EIR compared the environmental impacts of the Project and each of the alternatives.

The BOS certifies that it has independently reviewed and considered the information on alternatives provided in the Final EIR and the administrative record, and finds that all the alternatives are infeasible or would not meet most of the project objectives in comparison to the Project for the reasons set forth below.

1. *Project Objectives*

The BOS finds that the objectives for the Project are as described in Chapter 3.0 of the Draft EIR. The key objectives of the Project are as follows:

- Implement the County's General Plan by directing growth to areas that are already developed with existing access to services, schools and transportation systems in order to preserve agricultural land and open space;
- Implement goals and objectives of the El Dorado Hills Specific Plan;
- Provide a residential population to support commercial development within the Town Center East Planned Development area;
- Assist in increasing the housing supply in El Dorado County to improve the job-housing imbalance, including housing that is more affordable;
- Implement smart growth principles by developing underutilized properties with higher density housing projects.
- Develop a sustainable community that incorporates smart growth elements, places higher density housing in close proximity to job centers, and complements adjacent commercial uses; and

- Create a residential development that maximizes density with accessibility to alternate transportation modes, and integrates pedestrian, bicycle, transit, open space and outdoor uses to encourage active centers.

2. *Alternatives Not Evaluated in Detail*

The Final EIR considered but did not evaluate two alternatives to the Project in detail because the alternatives did not meet project objectives or were found to be infeasible for technical, environmental, or social reasons.

i. *Alternative Site*

During project scoping, the County received a request to locate the proposed project on a site located east of Vine Street between Rossmore Lane and White Rock Road. The possibility of locating the Project on this alternative site within the El Dorado Hills community was determined by the County to be infeasible given that neither the project applicant nor the County owns or controls the property. Therefore, the ability of the applicant to purchase this site to develop the project is considered speculative. In addition, the development of an apartment building of the same size at this location would result in similar impacts with respect to construction and operational air quality, cultural resources, and wastewater conveyance. Thus, placing the proposed development at this alternative site would not avoid the significant impacts of the Project.

ii. *Mixed-use Alternative*

During project scoping, the County also received requests from the public to analyze a mixed-use alternative that would include ground floor retail below residential. This alternative was not considered in detail in the Draft EIR as the retail component would generate more vehicle trips than the residential component that it would replace, thus resulting in greater traffic impacts and an increase in air quality and GHG emissions.

3. *Alternatives to the El Dorado Hills Apartments Project*

The Final EIR evaluated three alternatives to the Project in detail: No Project/No Development Alternative, No Project/Existing Zoning Alternative, and Reduced Density Alternative. The following summarizes the three alternatives that were considered in detail.

i. *No Project/No Development Alternative*

Under this alternative no grading or new construction would occur on the project site and the site would remain vacant.

The No Project/No Development would avoid all of the potentially significant impacts of the Project. However, this alternative was rejected because it would not meet any of the Project objectives.

ii. No Project/Existing Zoning Alternative

The project site is designated Commercial (C) in the El Dorado Hills Specific Plan (EDHSP) and zoned General Commercial-Planned Development (CG-PD). Based on a previous commercial land use proposal for the project site, this alternative would include seven buildings ranging in size from 2,750 square feet to 24,700 square feet. A total of 74,350 square feet of commercial building space, assumed to be retail, would be provided.

The No Project/Existing Zoning alternative would increase the Project's impacts related to transportation and traffic while decreasing the Project's impacts related to air quality, GHG emissions, noise, public services, utilities and service systems, and energy. Impacts related to biological resources and cultural resources would be similar to those of the Project. This alternative was rejected because it would not achieve many of the Project objectives. It would not provide a residential population to support commercial development within the Town Center East Planned Development area, assist in increasing the housing supply in El Dorado County to improve the job-housing imbalance, and implement smart growth principles by developing underutilized properties with higher density housing projects. In addition, this alternative would not: develop a sustainable community that incorporates smart growth elements; place higher density housing in close proximity to job centers; and would not complement adjacent commercial uses. Finally, this alternative would not create a residential development that maximizes density with accessibility to alternate transportation modes, and would not integrate pedestrian, bicycle, transit, open space and outdoor uses to encourage active centers.

iii. Reduced Density Alternative

The Reduced Density alternative would reduce the number of residential units on the project site by approximately 50 percent. Specifically, this alternative would develop a residential project on the project site at a density of 24 units per acre, which is the density allowed under the El Dorado County General Plan's Multifamily Residential land use designation (see General Plan Policy 2.2.1.2). Under this alternative a total of 108 residential units would be provided in two 2-story buildings as opposed to a total of 214 residential units provided in two 4-story buildings under the Project. In addition, a total of 209 vehicle parking spaces and 11 motorcycle parking spaces would be provided in a central 3-story garage compared to a total of 409 vehicle parking spaces and 22 motor cycle parking spaces located in a central 5-story garage under the Project. This alternative would also include an additional five vehicle spaces of surface parking elsewhere on the site similar to the Project.

The Reduced Density alternative would decrease the Project's impacts related to air quality, GHG emissions, noise, public services, utilities and service systems, transportation and traffic, and energy. Impacts related to biological resources and cultural resources would be similar to those of the Project. While this alternative would achieve many of the Project objectives, this alternative was rejected because it would not create a residential development that maximizes density with accessibility to alternate transportation modes.

vi. Environmentally Superior Alternative

The BOS finds that the Reduced Density Alternative is the environmentally superior alternative since it would reduce the Project's significant and potentially significant impacts. However, it fails to meet the Project objective of creating a residential development that maximizes density with accessibility to alternate transportation modes.

F. Statement of Overriding Considerations

The Final EIR has identified and disclosed all significant environmental effects of the Project. As noted above in Section II.B, with implementation of the mitigation measures identified in the Final EIR, all significant effects can be mitigated to levels considered less than significant. As such, for approval of this Project, the BOS is not required to adopt a Statement of Overriding Considerations.

G. Record of Proceedings

The record of proceedings upon which the BOS bases its Findings consists of all the documents and evidence relied upon by the County in preparing the El Dorado Hills Apartments Project Final EIR. The custodian of the record of proceedings is the County of El Dorado, Development Services Department, Planning Services, 2850 Fairlane Court, Building C, Placerville, California 95667.

H. Summary

1. Based on the foregoing Findings and the information contained in the record, the BOS has made one or more of the following Findings with respect to the significant environmental effects of the Project identified in the Final EIR:

a. Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects on the environment.

b. Those changes or alterations that are wholly or partially within the responsibility and jurisdiction of another public agency have been, or can and should be, adopted by that other public agency.

c. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the Final EIR that would otherwise avoid or substantially lessen the identified significant environmental effects of the Project.

2. Based on the foregoing Findings and the information contained in the record, it is hereby determined that:

a. All significant effects on the environment due to approval of the Project have been eliminated or substantially lessened where feasible.

III. APPROVALS

The BOS hereby takes the following actions:

- A. The BOS certifies the Final EIR for the El Dorado Hills Apartment project, as described in Section I, above.
- B. The BOS hereby adopts the Findings in their entirety as set forth in Section II, above.
- C. The BOS hereby adopts the MMRP as set forth in Section II, above
- D. Having certified the Final EIR, independently reviewed and analyzed the Final EIR, and adopted the foregoing Findings, the BOS hereby approves the General Plan Amendment adding a new Policy (Policy 2.2.6.6) under Objective 2.2.6 (Site Specific Policy Section) to increase the maximum residential density allowed in the General Plan from 24 dwelling units per acre to a maximum of 47 dwelling units per acre specifically for the project site identified as Assessor's Parcel Numbers 121-290-60, 61, and 62.
- E. Having certified the Final EIR, independently reviewed and analyzed the Final EIR, and adopted the foregoing Findings, the BOS hereby approves the El Dorado Hills Specific Plan Amendment incorporating multi-family residential use, density, and related standards for the project site.
- F. Having certified the Final EIR, independently reviewed and analyzed the Final EIR, and adopted the foregoing Findings, the BOS hereby approves the rezoning of the project site from General Commercial-Planned Development (CG-PD) to Multi-Family Residential-Planned Development (RM-PD) and revisions to the RM-zone district development standards applicable to the proposed project.
- G. Having certified the Final EIR, independently reviewed and analyzed the Final EIR, and adopted the foregoing Findings, the BOS hereby approves the revision to the approved TCE Development Plan incorporating multi-family residential use, density, and related design and development standards for the proposed project within Planning Area 2 of the TCE Plan area.



COMMUNITY DEVELOPMENT DEPARTMENT OF TRANSPORTATION

<http://www.edcgov.us/EDCDT/>

PLACERVILLE OFFICES:

MAIN OFFICE:

2850 Fairlane Court, Placerville, CA 95667
(530) 621-5900 / (530) 626-0387 Fax

CONSTRUCTION & MAINTENANCE:

2441 Headington Road, Placerville, CA 95667
(530) 642-4909 / (530) 642-0508 Fax

LAKE TAHOE OFFICES:

ENGINEERING:


924 B Emerald Bay Road, South Lake Tahoe, CA
96150 (530) 573-7900 / (530) 541-7049 Fax

MAINTENANCE:

1121 Shakori Drive, South Lake Tahoe, CA 96150
(530) 573-3180 / (530) 577-8402 Fax

Date: 5 September 2017

To: Mel Pabalinas, Project Planner

From: Dave Spiegelberg, Department of Transportation 

Subject: **A16-0001, SP86-0002-R, Z16-0004, PD94-0004**

Project Name: **EL DORADO HILLS APARTMENTS**

Project Location: Northwest corner of Town Center Blvd and Vine Street within the El Dorado Hills Town Center, in the El Dorado Hills area.

APN: 121-290-60, -61, -62

Project Description: Proposed El Dorado Hills Apartments consisting of the following entitlements requests: 1) General Plan Amendment adding a new policy under objective 2.2.6 (site specific policy section) increasing the maximum residential density allowed in the general plan from 24 dwelling units/acre to a maximum of 47 dwelling units/acre for the 4.565-acre site within the town center east planned development area. 2) El Dorado Hills Specific Plan Amendment incorporating multifamily residential use, density, and related development standards for the project site. Subject site would be designated as "Urban Infill Residential" within the Village T area of the El Dorado Hills Specific Plan; 3) Rezone of project site from General Commercial-Planned Development (CG-PD) to Multifamily Residential-Planned Development (RM-PD) and revisions to the RM-zone district development standards applicable to the proposed 214-unit apartment complex development plan; and 4) Revision to the approved Town Center East Development Plan incorporating multifamily residential use, density, and related design and development standards for the proposed 214-unit apartment complex within Planning Area 2 of the Town Center East Development Plan. The proposed apartment complex would be contained in a maximum 4-story, 60-foot-tall building with a 5-story, 60-foot-tall parking garage and other amenities.

Site Plans: The following conditions are based on County Department of Transportation (DOT) review of the Preliminary Site Plan and Supporting documentation dated 06/29/17.

Traffic: A Traffic Impact Study (TIS) was submitted and reviewed. The TIS identified impacts to traffic on County Roads and State Highways that can be mitigated by payment of Traffic Impact Mitigation Fees. Additionally, the applicants have chosen to construct a traffic signal at the intersection of Post Street and Town Center Boulevard. Both are private streets. Transportation takes no exception to construction of this traffic signal. However, Transportation has conditioned the project to allow for County Engineer review of the private signal operations, and modification of signal timing to prevent any queuing at the eastbound approach to this intersection from impacting traffic operations at Town Center Boulevard and Latrobe Road.

Access: Access is proposed to utilize existing private streets; Town Center Boulevard and Vine Street.

Grading: The site has been previously mass graded. Minor Grading work associated with building, access and parking lot construction is anticipated.

Stormwater: The project is subject to the provisions of CA Phase II MS4 Permit and the County Drainage Manual, and the West Slope Development and Redevelopment Standards and Post Construction Storm Water Plan regarding drainage and water quality.

The County Stormwater Ordinance (Ord. No. 5022) requires the project to construct on-site detention to reduce post-development peak runoff to pre-development levels. This requirement will be implemented with the project improvement plans.

PROJECT-SPECIFIC TD CONDITIONS:

1. **Signal Interconnect:** Construct a signal interconnect conduit and conductors from the new signal at Town Center Blvd / Post Street to the Latrobe Road / Town Center Blvd signal controller. Coordinate with County Engineer for connection and operation.

2. **Maintenance and Operation of Traffic Signal at Town Center Boulevard and Post Street:** Monitor operations of the traffic signal for queuing impacts that could affect operations at the intersection of Latrobe Road and Town Center Blvd.

Provide signal timing plans to the County upon initial turn-on and whenever timing plans are changed, or when requested by County.

If the eastbound queue length at the intersection of Town Center Blvd / Post Street impacts vehicle movement from Latrobe Road on to Town Center Blvd, review and revise the signal timing plan to allow clearing of all queues from the Latrobe Road / Town Center Blvd Intersection within County's typical signal cycle times.

Ensure that the traffic signal at Town Center Blvd / Post Street is compatible and subordinate in control to County's traffic signal at Latrobe Road / Town Center Blvd.

Modify signal timing and/or equipment at Town Center Blvd / Post Street when required to ensure no operational impacts to Latrobe Road / Town Center Blvd.

Enter into an agreement with County outlining obligations, rights and terms for operations and maintenance of the traffic signal at Town Center Blvd / Post Street.

3. **Encroachment Permit(s):** Obtain an encroachment permit from DOT for any construction within County right of way.

TD STANDARD CONDITIONS

4. **Consistency with County Codes and Standards:** Comply with all County Codes and Standards, including, but not limited to, the County *Grading, Erosion and Sediment Control Ordinance, Grading Design Manual, the Drainage Manual, Storm Water Ordinance (Ord. No. 5022), Off-Street Parking and Loading Ordinance, all applicable State of California Water Quality Orders, the State of California Handicapped Accessibility Standards, and the California Manual on Uniform Traffic Control Devices (MUTCD).*

5. **Stormwater Management:** Construct post construction storm water mitigation measures to capture and treat the 85th percentile 24 hour storm event as outlined in the CA Phase II MS4 Permit and the County's West Slope Development and Redevelopment Standards and Post Construction Storm Water Plan.

Include detention and/or retention facilities on the project improvement plans to fully mitigate any increased runoff peak flows and volumes in accordance with the County Drainage Manual. As an alternative, the project may propose distributed source control measures to be constructed for various impervious surfaces to achieve the same effect. The property owner is responsible for maintenance and operations of such facilities unto perpetuity.

6. **Water Quality Stamp:** Include a storm water quality message stamped into the concrete on all new or reconstructed drainage inlets. Use the Storm Water Quality Design Manual for the Sacramento and South Placer Regions, Chapter 4, Fact Sheet SD-1. All stamps shall be approved by the El Dorado County inspector prior to being used.

7. **Regulatory Permits and Documents:** Incorporate all regulatory permits and agreements between the project and any State or Federal Agency into the Project Improvement Plans prior to the start of construction of improvements.

Improvement plans for any phase may be approved prior to obtaining regulatory permits or agreements for that phase, but grading/construction of improvements may not proceed until the appropriate permits or agreements are obtained and the grading/improvement plans reflect any necessary changes or modifications to reflect them.

Incorporate the Project conditions of approval into the Project Improvement Plans when submitted for review.



EL DORADO HILLS FIRE DEPARTMENT

"Serving the Communities of El Dorado Hills, Rescue and Latrobe"

September 8, 2017

Rommel Pabalinas, Project Planner
El Dorado County Planning Department
2850 Fair Lane
Placerville, CA 95667

Re: **El Dorado Hills Apartments – FIRE COMMENTS – Initial Consultation & Fire Flow**

Dear Mr. Pabalinas:

The El Dorado Hills Fire Department has reviewed the above referenced project and submits the following comments regarding the ability to provide this site with fire and emergency medical services consistent with the El Dorado County General Plan, State Fire Safe Regulations, as adopted by El Dorado County and the California Fire Code as amended locally. **The fire department reserves the right to update the following comments to comply with all current Codes, Standards, Local Ordinances, and Laws in respect to the official documented time of project application and/or building application to the County.** Any omissions and/or errors in respect to this letter, as it relates to the aforementioned codes, regulations and plans, shall not be valid, and does not constitute a waiver to the responsible party of the project from complying as required with all Codes, Standards, Local Ordinances, and Laws.

1. **Fire Flow (Apartment Building):**

The potable water system with the purpose of fire protection for this residential development shall provide a minimum fire flow of **4,000 GPM** with a minimum residual pressure of **20 psi** for a **four-hour** duration. This requirement is based on a structure **191,401 square feet** or greater in size, **Type V-A** construction. All structures shall install fire sprinklers in accordance with NFPA 13 and Fire Department requirements. This fire flow rate shall be in excess of the maximum daily consumption rate for this development. A set of engineering calculations reflecting the fire flow capabilities of this system shall be supplied to the Fire Department for review and approval.

2. **Fire Flow (Parking Garage):**

The potable water system with the purpose of fire protection for this residential development shall provide a minimum fire flow of **3,500 GPM** with a minimum residual pressure of **20 psi** for a **three-hour** duration. This requirement is based on a structure up to **113,200 square feet** in size, **Type II-B** construction. All structures shall install fire sprinklers in accordance with NFPA 13 and Fire Department requirements. This fire flow rate shall be in excess of the maximum daily consumption rate for this development. A set of engineering calculations reflecting the fire flow capabilities of this system shall be supplied to the Fire Department for review and approval.

3. **Sprinklers:** All fire-flow numbers listed above require all structures to install fire sprinklers in accordance with NFPA 13 and Fire Department requirements.

4. **Underground Private Fire Mains:** After installation, all rods, nuts, bolts, washers, clamps, and other underground connections and restraints used for underground fire main piping and water supplies, except thrust blocks, shall be cleaned and thoroughly coated with a bituminous or other acceptable corrosion retarding material. All private fire service mains shall be installed per NFPA 24, and shall be inspected, tested and maintained per NFPA 25.
5. **Hydrants:** This development shall install Dry Barrel Fire Hydrants which conform to El Dorado Irrigation District specifications for providing water for fire protection. The spacing between hydrants in this development shall not exceed 500 feet. The exact location of each hydrant on private roads and on main county maintained roadways shall be determined by the Fire Department.
6. **Hydrant Visibility:** To enhance nighttime visibility, each hydrant shall be painted with safety white enamel and mark the roadway with a blue reflective marker as specified by the Fire Department and State Fire Safe Regs.
7. **Fire Department Access:** Approved fire apparatus access roads and driveways shall be provided for every facility, building, or portion of a building. The fire apparatus access roads and driveways shall comply with the requirements of Section 503 of El Dorado Hills County Water District Ordinance 36 as well as State Fire Safe Regulations as stated below (but not limited to):
 - a. All roadways shall be a minimum of 26 feet wide curb face to curb face and shall follow the Parking and Fire Lane Standards as approved by the Fire Department.
 1. Project engineer has provided an approved concept for the EVA road on the west side of the building which meets the intent of this requirement.
 - b. Phasing may be allowed if all Fire Access requirements are met and approved by the Fire Code Official for each phase.
 - c. The fire apparatus access roads and driveways shall extend to within 150 feet of all portions of each facility and all portions of the exterior of the first story of the building as measured by an approved route around the exterior of the building or facility.
 - d. Driveways and roadways shall have unobstructed vertical clearance of 15' and a horizontal clearance providing a minimum 2' on each side of the required driveway or roadway width.
8. **Roadway Surface:** Roadways shall be designed to support the imposed load of fire apparatus weighing at least 75,000 pounds and provide all-weather driving conditions. All-weather surfaces shall be asphalt, concrete or other approved driving surface. Project proponent shall provide engineering specifications to support design, if requested by the local AHJ (Authority Having Jurisdiction).
9. **Roadway Grades:** The grade for all private roads, streets, lanes and driveways shall not exceed 20%. Pavement/Concrete shall be required on all private roadway grades 12% or greater. For grades of 16% - 20%, a Type II Slurry Seal shall be applied to asphalt surfacing, and concrete roadways and driveways shall be textured to provide a coarse broom finish to improve vehicular traction.
10. **Traffic Calming:** This development shall be prohibited from installing any type of traffic calming device that utilizes a raised bump/dip section of roadway. All other proposed traffic calming devices shall require approval by the fire code official.
11. **Turning Radius:** The required turning radius of a fire apparatus access road/driveway shall be determined by the fire code official. Current requirements are 40' inside and 56' outside on through

streets, and a minimum 50-foot radius from center point to face of curb for Cul-De-Sacs and Hammerhead turnarounds.

12. **Gates:** All gates shall meet the El Dorado Hills Fire Department Gate Standard #B-002. Gate plans shall be submitted and reviewed for compliance by the Fire Code Official.
13. **Fire Access During Construction:** In order to provide this development with adequate fire and emergency medical response during construction, all access roadways and fire hydrant systems shall be installed and in service prior to combustibles being brought onto the site as specified by the Fire Department, Standard #B-003. A secondary means of egress shall be provided prior to any construction or the project can be phased.
14. **Fire Service Components:** Any Fire Department Connection (FDC) to the sprinkler system and all Fire Hydrant(s) outlets shall be positioned so as not to be obstructed by a parked vehicle.
15. **Fencing:** Lots that back up to wildland open space shall be required to use non-combustible type fencing.
16. **Parking and Fire Lanes:** All parking restrictions as stated in the current California Fire Code and the current El Dorado Hills County Water District Ordinance shall be in effect. All streets with parking restrictions will be signed and marked with red curbs as described in the El Dorado County Regional Fire Protection Standard #B-004 titled "No Parking-Fire Lane". All curbs in parking lot(s) that are not designated as parking spaces will be painted red and marked every 25 feet "No Parking - Fire Lane." There shall be a designated plan page that shows all Fire Lanes as required.
17. **Vegetative Fire Clearances:** Prior to June 1st each year, there shall be vegetation clearance around all EVA's (Emergency Vehicle Access), buildings, up to the property line as stated in Public Resources Code Section 4291, Title 19 as referenced in the CA Fire Code.

Contact Marshall Cox at the El Dorado Hills Fire Department with any questions at 916-933-6623 ext. 1017.

Sincerely,

EL DORADO HILLS FIRE DEPARTMENT



Marshall Cox
Fire Marshal

COUNTY OF EL DORADO
OFFICE of COUNTY SURVEYOR

MEMO

DATE: August 29, 2017

TO: Mel Pabalinas, Project Planner

FROM: Phil Mosbacher phone (530) 621-5320 philip.mosbacher@edcgov.us

SUBJECT: Z16-0004 / PD94-004-R / A16-0001 / SP86-0002-R
El Dorado Hills Apartments (The Spanos Corp /TSD Engineering, Inc)

NOTE: Addressing, *including Apartment Number or Suite Number Assignments*, must be coordinated through the El Dorado County Surveyor's Office. Please do not post any Suite Numbers until they are approved through the Surveyor' Office.



El Dorado Hills Area Planning Advisory Committee

1021 Harvard Way
El Dorado Hills, CA 95762

2017 Board Chair

Tim White

Vice Chair

John Raslear

Secretary

Kathy Prevost

August 9, 2017

El Dorado County Community Development Agency
Development Services Department, Planning Division

Attn: Mel Pabalinas
2850 Fairlane Court
Placerville, CA. 95667

Subject:

El Dorado Hills Apartments Project Draft Environmental
Impact Report SCH No. 2017042017
General Plan Amendment A16-0001 /rezone Z16-0004 Specific Plan
Revision SPD 86-0002-R3 /Planned Development Revision
PD94-0004-R3 – El Dorado Hills Apartments

Dear Board of Supervisors, Planning Commission and County Staff,

At the August 9, 2017 El Dorado Hills Area Planning Advisory Committee meeting, APAC reviewed the El Dorado Hills Apartment Project DEIR APAC Subcommittee report, in conjunction with a presentation from representatives of the project proponents/developers, the Spanos Corporation.

Following the presentation, and a question and answer session with representatives of the Spanos Corporation and El Dorado Hills residents, EDH APAC voted on the Subcommittee's recommendation of non-support for the project.

EDH APAC voted 7-0 in favor of non-support of the El Dorado Hills Apartment Project.

EDH APAC wishes to extend sincere gratitude to the Spanos Corporation for their commitment to meeting with El Dorado Hills residents, and EDH APAC, in presenting their project plans in detail at our meeting.

APAC appreciates having the opportunity to provide comments. If you have any questions please contact Tim White , 2017 APAC Chair at tjwhitejd@gmail.com , John Raslear, Vice Chair at jirazzpub@sbcglobal.net , Secretary Kathy Prevost at hpkp@aol.com

Sincerely,

John Davey
EDH APAC Subcommittee Chair.

2017 APAC Committee Chair
Cc: EDCO Planning Commission
EDCO BOS
APAC read file



**El Dorado Hills Apartments Project Draft Environmental Impact Report SCH No. 2017042017
General Plan Amendment A16-0001 /rezone Z16-0004 Specific Plan Revision SPD 86-0002-R3 /Planned Development Revision PD94-0004-R3 – El Dorado Hills Apartments**

The El Dorado Hills Apartments at Town Center Project seeks the following project approvals:

The project site is currently designated General Commercial-Planned Development (CG-PD) in the El Dorado Hills Specific Plan (EDHSP). As the proposed project would develop housing on the project site and would have a density of approximately 47 du/ac, the project applicant has applied to the County for **the following four entitlements** for the proposed project:

- 1. General Plan Amendment** adding a new Policy (Policy 2.2.6.6) under Objective 2.2.6 (Site Specific Policy Section) **to increase the maximum residential density** allowed in the General Plan from 24 dwelling units per acre **to a maximum of 47 dwelling units per acre** specifically for the 4.565-acre project site within the TCE Planned Development area identified as Assessor's Parcel Numbers 121-290-60, 61, and 62.
- 2. El Dorado Hills Specific Plan Amendment** incorporating multi-family residential use, density, and related standards for the project site. The project site would be designated as "Urban Infill Residential" within the Village T area of the EDHSP Plan.
- 3. Rezoning** of the project site from General Commercial-Planned Development (CG-PD) **to Multi-Family Residential-Planned Development (RM-PD)** and revisions to the RM-zone district development standards applicable to the proposed 214-unit apartment project
- 4. Revision to the approved Town Center East Development Plan** incorporating multi-family residential use, density, and related design and development standards for the proposed 214-unit apartment project within Planning Area 2 of the TCE Plan area (see Figure 3.0-4, Village T Planning Area Locations in Chapter 3.0).

The APAC El Dorado Hills Apartments at Town Center Subcommittee members (EDH APT Subcommittee) believe the project's DEIR proposed mitigations are inadequate specifically in regards to the Traffic, Land Use, and Aesthetics components.

As with the previous Project from 2014, the EDH APT Subcommittee believes this 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. **As a result, the EDH APT Subcommittee recommends non-support of the project as proposed.**

Listed below are some of the major concerns that the EDH APT Subcommittee has with the project as currently proposed:

1. TRAFFIC

The 214 unit apartment project would cause a major traffic impact in the Town Center East Planned Development Area and major roads of the El Dorado Hills community, primarily Latrobe Road, El Dorado Hills Blvd, and White Rock Rd, as well as Highway 50 at the El Dorado Hills Blvd/Latrobe Rd. interchange, and further north on El Dorado Hills Blvd at both Park Dr and at Saratoga Way. The DEIR finds that before the construction and build out of the EDH Apartment project, that these are the current existing conditions on these specific roads:

- **Town Center Boulevard - Post Street** intersection is measured at **LOS E** for the peak PM hour
- **White Rock Road - Vine Street - Valley View Drive** is measured at **LOS D** for the peak PM hour
- **Latrobe Road - Town Center Boulevard** is measured at **LOS D** for the peak PM hour

In **4.8 Transportation, Table 4.8-12, Intersection LOS and Delay – Near Term Plus Project Conditions (4.8 Transportation page 40)**, the DEIR finds that:

- **Town Center Boulevard – Post Street** intersection will operate at LOS B and LOS F in the peak AM and PM hours, respectively, in the Near-Term (without the project)
- In the Near-Term Plus Project, the **Town Center Boulevard – Post Street** intersection will operate at LOS C and LOS F in the peak AM and PM hours.

The Project proponent has indicated a desire to include intersection signalization at the Town Center Boulevard and Post Street intersection, but only after peak hour intersection analysis every two years indicates that the intersection has reached LOS F, and applicable traffic warrants are satisfied. [4.8 Transportation http://edcapps.edcgov.us/Planning/ProjectDocuments/4_8%20Transportation_A16-0001,Z16-0004,PD94-0004-R3,SP86-0002-R3.pdf Page 41]

If the Project were to be approved, the APAC EDH APT Subcommittee would request that the County would require making signalization of the Town Center

Boulevard – Post Street intersection a **condition** of approval **before** construction of the Town Center Apartments could begin. This is a small cost to the owner of the Project property, and to the Project proponent, The Spanos Corporation, in exchange for receiving the 4 entitlements requested, which would allow the owner of the Project property to sell it for residential use, and allow The Spanos Corporation to build and operate the apartment complex..

The APAC EDH APT Subcommittee does note with concern that even with this suggested mitigation via signalization on the private road at the eastern entrance to Town Center East, that the DEIR still projects *the best case result* is **LOS E** at the Town Center Blvd and Post Street intersection.

Town Center Boulevard, Post Street, and Vine Streets are private roads inside the TOWN CENTER EAST Planned Development Area. As such, LOS falling into unacceptable levels does not require mitigation under current El Dorado County General Plan. However, the APAC EDH APT Subcommittee believes, should the project be approved, that the Project **be conditioned to provide traffic mitigation measures**, even on the private roadways inside TOWN CENTER EAST Planned Development Area, as these private roads each access public roads in El Dorado Hills and have a direct impact on the LOS of those public roads. Additionally, roads at operating at poor LOS can have a negative impact on the public’s overall perception of the conditions and the experience inside inside the TOWN CENTER EAST Planned Development Area, and their desire to visit shops and businesses in Town Center East, with shoppers potentially preferring to cross the county line and visit Folsom shops instead.

In **4.8 Transportation, Table 4.8-15 Long-Term Cumulative Conditions – Study Intersection LOS Summary (Transportation 4.8, page 48)**, the DEIR indicates that for the Long-Term Cumulative Conditions, the Latrobe Road and White Rock Road intersection will:

- Reach **LOS E** in the Peak AM hour **with or without** the project
- Reach **LOS D** in the peak PM Hour **without** the project
- Reach **LOS E** in both the peak AM and PM hours with the project

Latrobe Road, White Rock Road, and Valley View Drive are all El Dorado County maintained roads – If the Project were to be approved, the APAC EDH APT Subcommittee feels that the negative impacts on these roads by the El Dorado Hills Apartments at Town Center Project **should be mitigated as a condition of approval**.

2. LAND USE PLANNING

Despite downsizing from the previous 2014 Town Center Apartment project, the dwelling unit density is nearly twice the County General Plan allowance for multi-family housing and would create traffic impacts to one of the County's largest retail and hotel centers on the Western Slope, as well as roads in the immediate vicinity in El Dorado Hills. Granting this Multi-Family Residential Dwelling Unit per Acre Standard exception is a precedent, despite the project proponents' statements to the contrary. The DEIR has a provision to raise the multi-family residential dwelling units per acre for the TOWN CENTER EAST Planned Development Area ONLY [Policy **2.2.6.6, under Objective 2.2.6**] to a maximum of 47 dwelling units per acre. As this is a doubling of the county standard, this is not a small exception to grant. If the County chooses to grant this once, then what would prevent a similar request from another project? Even by limiting this loosening of the standard to the TOWN CENTER EAST Planned Development Area by statute, it opens the door for more multi-family residential projects of increased dwelling units per area density, not only in El Dorado Hills, but in any unincorporated area of El Dorado County. If granted, it calls into question what the basic intention of the 24 dwelling unit per acre multi-family residential standard is, and why it is permissible to waive the standard for one project, but not allow it for any other? Granted once, it can be granted again. If this amendment is granted for the specific project in El Dorado Hills, why would it not be reasonable to change the standard in totality to allow Multi-Family Residential 47 Dwelling Units per Acre in communities such as Cameron Park, Georgetown, Myers, Placerville, Pollock Pines, or Shingle Springs? What is the benefit to El Dorado Hills, or to El Dorado County, for lowering these standards, as they are currently defined in the El Dorado County General Plan?

3. MARKETING AND DEMOGRAPHICS

As the APAC EDH APT Subcommittee believed in the previous 2014 Town Center Apartment project, apartment units for this project could suffer a high vacancy rate and rents could be lowered to attract tenants that would not be ideal for the EDH Town Center and cause a loss of retail shops and restaurants.

The project proponents have suggested that they will be marketing these units as "Luxury Apartments", while at the same time suggesting that these units will meet an affordable housing component needed both in El Dorado Hills, and El Dorado County. These two concepts seem to be at odds.

Project proponents suggest that employees or business owners in the TOWN CENTER EAST Planned Development Area, as well as the El Dorado Hills Business Park, would be potential residents of the Town Center Apartment project - the APAC EDH APT Subcommittee is curious if a marketing survey of this

specific population has been completed that indicates a desire or need for this housing in the TOWN CENTER EAST Planned Development Area, and if that identified population could even afford leasing a unit for the eventual monthly rates established at the El Dorado Hills Apartments at Town Center.

The APAC EDH APT Subcommittee still has a concern that the increase of approximately 400 additional residents in proximity to Town Center East businesses would have any more positive impact on the vitality of the TOWN CENTER EAST Planned Development Area than the nearly 700 homes already completed in the nearby Blackstone development, with over a thousand more homes in the Valley View Specific Plan approved, and projected for the near future. If the goal of this project, and more pointedly this General Plan Amendment, is to revitalize Town Center East, the APAC EDH APT Subcommittee believes that this goal should be the responsibility of the owners of Town Center East, in adherence to their vision of creating a retail/commercial downtown for El Dorado Hills, and should not be borne by the residents of El Dorado County via an amendment to the County General Plan, and the doubling of the Multi-Family Residential Dwelling Unit Per Acre standard. The Town Center East Project was approved to be a retail/commercial center – a residential component was not included *as a feature* of the project.

Additionally, project proponents suggested at the Project Scoping Meeting in April 2017 to APAC Subcommittee members that project residents would be driving to jobs, as the closest job center would be the El Dorado Hills Business Park. An observation was made by the Project proponents at the Scoping Meeting that the majority of the jobs of the future residents of the Town Center Apartment Project would be located elsewhere, in Folsom, Rancho Cordova, Sacramento, and Elk Grove, which eliminates a major component of the focus of the Project – a residential community that is centered around the concept of live-work-shop.

4. NOISE

As with the previous 2014 Town Center Apartment Project, noise generated by the commercial and retail component will impact the residents of the apartments. Unbuffered noise from Highway 50, as well as from commercial and retail sources, retail center automobile traffic, and Town Center East Outdoor Events will impact apartment residents. By qualifying the Project as Urban Infill Residential, the project proponents seek to limit or reduce environmental noise as a measure of impacts for the residents of the Project in the DEIR – thereby creating a second, lower, environmental noise standard for residents of the El Dorado Hills Apartments at Town Center, while the balance of El Dorado Hills residents enjoy the benefits of the higher environmental noise standard.

5. COUNTY INCOME

As the APAC EDH APT Subcommittee believed in the previous 2014 Town Center Apartment Project, El Dorado County could lose a significant potential future income from sales taxes and Transient Occupancy Taxes if the parcel is converted from commercial to residential use.

6. ECONOMIC CONDITIONS

As with the previous 2014 Town Center Apartment Project, the economy is experiencing a slow recovery and the loss of commercial and retail sites will further contribute to sales tax leakage out of El Dorado County. In the past several years, El Dorado County has already rezoned several properties from Commercial to Residential, in spite of the County's stated preference to build a jobs base over building more rooftops. Frequently the proponents of these commercial to residential rezone requests have fortified the reasoning for these rezones by insisting that less commercial/retail space is needed – but there are still several commercial/retail projects proposed in the immediate vicinity of Town Center East, many of which are scheduled for development well after the proposed construction period of the El Dorado Hills Apartments at Town Center, demonstrating that commercial demand still exists in proximity of Town Center East.

7. AESTHETICS

To better accommodate the commercial nature of Town Center East, this Project should require vertical Mixed Use applications, as done in most other commercial/residential mixed use communities, with the enclosed apartments above the first floor allowing retail at the street level.

Several APAC EDH APT Subcommittee members are concerned that even with the aesthetic changes from the previous 2014 El Dorado Hills Apartment Project that this project would not be consistent with the “Guidelines for the creation of: “A character appropriate and in keeping with -----its historic building type” and commercial use , as defined in the Town Center Design Guideline April 25 1995

Relative to the design, the proposed four story building towers over the boulevard negatively impacting the retail/dining experience of other Town Center East shops. The two buildings across the street on Town Center Blvd. are two and three story, with the three story building having a step back on the third floor. The proposed project also should be stepped back on the third and fourth floor levels to create a more pleasing street environment.

8. COMMUNITY EVENTS

In a comment letter from the Mansour Company submitted on Oct 8 2014 about

this project, it stated they would not support any project that may “—Jeopardize any of our existing or newly planned outdoor events---“ (SEE <https://eldorado.legistar.com/View.ashx?M=F&ID=3390403&GUID=5D0BD9B0-9E14-4367-9C87-CBBDC28FAD0C>)

Events such as the 4th of July Fireworks Show, Outdoor Concerts , Farmer’s Market, El Dorado Hills Fire Department Santa Run Parade, or other events, effectively force the closure of the major two lane Town Center Blvd and significantly impact all regional roads.