

#36 BOS 11/14/14

## ALLEGED ENVIRONMENTAL ISSUES THAT ARE NON-ISSUES

1. Water: The opponents have contended that a project of this sort cannot be approved in a time of drought and that there is no guaranty that there will be sufficient water available for the Project.

TSD Engineering has done a carefully analysis based upon projects in which it has done the engineering work and their memorandum is attached as Attachment 1 to this outline. They analyzed water usage for the apartment project as opposed to water usage for the approved hotel/commercial project. Their conclusion, based upon years of experience in working on projects of this sort, is that the water demand for the apartment project will be approximately 25,000 gallons a day as opposed to the water demand for the hotel/commercial project which will be approximately 28,000 gallons per day. **THUS, THE WATER USAGE OF THE APARTMENT PROJECT IS LESS THAN THE CURRENTLY APPROVED USE.** The El Dorado Irrigation District's Urban Water Management Plan analyzes available water and population trends and concludes that there will be sufficient water for the Project. **THERE ARE 4,687 EDUS OF UNALLOCATED WATER SUPPLY AVAILABLE IN THE EL DORADO HILLS AREA. EID ESTIMATES THAT THE PROJECT WOULD REQUIRE ONLY 191.50 EDUS OR APPROXIMATELY 4% OF THE UNALLOCATED WATER SUPPLY CURRENTLY AVAILABLE.**

2. Sewer: Opponents contend that there is not capacity in the sewer system to accommodate the Project. A mitigation measure and condition of approval requires the Project to contribute its fair share to the construction of a number of sewer system improvements and another mitigation measure and condition of approval requires that documentation of adequate sewer line capacity be presented and verified prior to issuance of certificates of occupancy for the Project. **SIMPLY PUT, IF THE APPLICANT CANNOT SHOW THAT THE PROJECT WASTEWATER CAN BE ACCOMMODATED THE APPLICANT CANNOT BUILD THE PROJECT.**

3. Traffic: David Robinson of Fehr & Peers who prepared the traffic study for this Project which is incorporated into the Mitigated Negative Declaration is here today and will make a presentation following mine addressing traffic issues specifically. Generally, the traffic studies show that the traffic from the Project will be less than the traffic from the approved hotel commercial retail uses on the Project site and the traffic impacts of the entire El Dorado Hills Town Center with the Project in place will be less than those projected at build out. **ATTACHMENT 2 IS FEHR & PEERS' MEMO CONFIRMING THAT AT TOWN CENTER BUILD OUT IN 2035, THE TRAFFIC FROM THE APARTMENT PROJECT WILL HAVE THE SAME OR LESS IMPACT THAN THE APPROVED USES.**

4. Noise: Opponents have claimed that noise impacts upon the Project have not been accurately and adequately analyzed. Noise measurements were taken at all corners of the Project site. Noise was calibrated and modeled so that noise could be predicted at elevations of 25 feet and greater where Project residents would experience the greatest decibel level. **THE PROJECT MITIGATED NEGATIVE DECLARATION AND ITS SUPPORTING NOISE STUDY DETERMINED THAT RESIDENTS WOULD EXPERIENCE NOISE LEVELS OF APPROXIMATELY 59 DECIBELS AT THE FAÇADE OF THE THIRD AND FOURTH STORY OF THE PROJECT, WHICH DECIBEL LEVEL FALLS WELL BELOW APPLICABLE COUNTY THRESHOLDS.**

5. Law Enforcement: The El Dorado County Sheriff has commented that more staff will be needed upon implementation of the Project. The Sheriff did not indicate that the Project itself would generate crime and increase the demand for services. Instead, the Sheriff indicated that existing uses (a nightclub, the movie theatre, etc.) generate crime and that placing new residents in the vicinity would increase calls as new residents express concern about existing activities. **THERE IS NO NEXUS BETWEEN THE PROJECT AND THE INCREASED DEMAND FOR SERVICES IN THAT THE PROJECT IS NOT CAUSING THOSE INCREASED DEMANDS.**

Further, County staff explained that they were in budget discussions with the Sheriff and exploring other ways in which additional funding could be provided. The Sheriff's funding issues should not be considered on a project by project basis, but should be looked at as a part of the annual budget process.

6. Precedent: The opponents have raised the alarm that approval of this Project will set a precedent that will allow additional uncontrolled growth in other areas of the County and will set a precedent that a project of this sort can be approved elsewhere in the County.

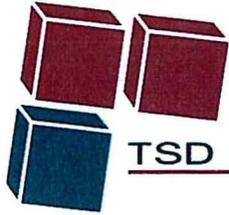
This Project creates a new land use category only applicable to the designated parcels and to the urban area around the El Dorado Hills Town Center. Because of its location adjacent to existing commercial and other service providers, the Project presents the perfect opportunity to provide the basis for a town center and to provide residential opportunities without the full weight of accompanying environmental impacts. **ONLY A PROJECT LOCATED IN AN URBAN AREA WITH THESE ATTRIBUTES SHOULD BE CONSIDERED FOR THIS TYPE OF DEVELOPMENT.**

7. Economic Impacts: There was concern about the economic impacts of removing the hotel/commercial/retail use and diverting the property to residential use. The economic analysis prepared by Economics and Planning Systems Inc. and given to you as a part a part of your materials analyzes the economic impacts of the hotel project versus the proposed project. The determination is that in the short run the apartment project will provide more revenue. However, if the hotel project is ever developed, it will provide more revenue after ten years due to its transient occupancy tax.

This comparison is misleading. **IN OUR OPINION, NEITHER THE APPROVED HOTEL (150 ROOMS PLUS CONFERENCE SPACE PLUS FULL SERVICE RESTAURANT AND RETAIL) WILL EVER BE DEVELOPED NOR WILL A SMALLER, EXECUTIVE SUITES TYPE HOTEL.** We have presented a statement from the broker on this property indicating that he has had no indications of interest whatsoever for the full service hotel. Given the occupancy rates of the existing executive suites hotel in El Dorado Hills Town Center, it is unlikely that a smaller hotel will ever be built there. If it were desired to be constructed, there is other property within the Town Center or in other places in the County where it could be developed. As Planning Commissioner Shinault remarked at the Planning Commission hearing, "I have a proposal for an apartment project. I do not have a proposal for a hotel." We feel that the economic comparison is inaccurate in that no hotel will ever be developed on this property.

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ATTACHMENT 1



**TSD ENGINEERING, INC.**  
expect more.

# Memo

**To:** Tom Allen; A.G. Spanos Companies  
**From:** Chris Schulze, PE, President; TSD Engineering, Inc.  
**CC:**  
**Date:** October 28, 2014  
**Re:** Town Center - Development Scenario – Water Demand Estimate

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At your request TSD has prepared an analysis of average day water demand for two potential development scenarios for a 4.6 acre vacant parcel (APN 121-290-60, 61, & 62) within the Town Center development located in El Dorado Hills, Ca. The two development scenarios are described as follows. For the purposes of this analysis irrigation demands have not been included in the following calculations for the following two reasons 1) Percentage of Landscape area are similar in both scenarios 2) Irrigation is provided via recycled water.

Scenario 1 – 250 unit Apartment Community

Scenario 2 – 100 room Hotel and 40,000 sq.ft. of commercial uses

To establish water demands for the proposed Apartment project and the approved Hotel/Commercial project, TSD started with the local water purveyors (EID) published average day demand estimate (EID Table 3-1). We found this analysis too general and unspecific. Table 3-1 does provide average day water demand information for Multi-Family projects. However, this Table is lacking average day demand for both Hotel and Commercial type uses. According to EID, estimates for hotel and commercial uses are evaluated on a project by project basis based on specific use and demand. Furthermore, it should be expected when comparing to EID water demand averages (dated in 1999) the following demands are lower and more representative of current development demands because of technological and design advances in water conservation techniques.

TSD is in a unique position to prepare an analysis of actual vs. anticipated water usage for projects because we have been engineers on several similar projects in the greater Sacramento and Bay Areas including the following local projects:

Hotels:

- Staybridge Suites, Folsom CA.
- Hampton Inn & Suites, Folsom CA
- Residence Inn, Folsom CA.

31 Natoma Street, Suite #160, Folsom, CA 95630 P 916.608.0707 F 916.608.0701

expect more.



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**Commercial:**

- *Broadstone Marketplace, Folsom CA*
- *The Parkway Commercial Center, Folsom CA*
- *Sterling Point, Lincoln CA*
- *Willow Creek Retail, Auburn CA*
- *Westbridge Plaza, West Sacramento*

**Apartments:**

- *Madrone, Folsom, CA*
- *Vessona, Folsom CA*
- *Vicara, Rocklin, CA*
- *Montessa, Rocklin, CA*
- *Highland Creek, Roseville, CA*
- *Riva, West Sacramento*
- *Canyons, American Canyon*

*From the information we have gained as engineers on these projects, we are able to provide a much more accurate "as built – on the ground" usage. We have used demographic numbers received from A.G. Spanos Companies in their development of similar apartment projects around the country and anticipated occupancy figures for this project. These demands are much more accurate than the rough averages compiled in 1999 included in the EID anticipated water demand Table 3-1. Additionally, we have been able to reflect in the following analysis the effect of increased and improved water conservation measures developed over the last decade.*

**Scenario 1 – 250 Unit Apartment Community**

*Based on demographics provided by A.G. Spanos from similar type apartment projects occupancy of 1.47 persons per unit is anticipated. The proposed apartment project has 250 units and the subject project would yield 368 residents.*

*Estimate water demand per person in an apartment community = 68 gal/day/person*

**Estimated Water Demand for Apartment Community = 25,024 gal/day**

**Scenario 2 - Hotel and Retail/Commercial Development**

Hotel – 100 rooms

Estimate water demand per room in a Hotel = 130 gal/room

Estimate water demand for 100 room Hotel = 13,000 gal/day

40,000 sq.ft. Retail/Commercial

Assume 8,000 sq.ft. Restaurant & 32,000 sq.ft. general retail use.

<u>Use</u>	<u>Bldg Area (sq.ft.)</u>	<u>Unit Demand (gal/1000 sq.ft)</u>	<u>Demand (gal/day)</u>
Restaurant	8,000	800	6,400
Retail	32,000	275	8,800
		TOTAL	15,200

**Estimated Water Demand for Hotel and Retail/Commercial Development = 28,200 gal/day.**

ATTACHMENT 2

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# FEHR & PEERS

## MEMORANDUM

Date: October 29, 2014  
To: Alexandros Economou, The Spanos Corporation  
From: David B. Robinson, Fehr & Peers  
Subject: **El Dorado Hills Town Center Apartment – Town Center Roadways**

RS13-3184

This memorandum summarizes our review of the August 28, 2014 County staff memorandum regarding the El Dorado Hills Apartments project. The August 28<sup>th</sup> memorandum presents County staff responses to comments received at the August 11, 2014 Planning Commission meeting, including traffic generation within the Town Center and the potential for the project to generate internal traffic levels that would discourage customers from patronizing Town Center.

The following outlines key elements of the project, including Town Center traffic characteristics, approved and proposed project land use, trip generation, the County staff analysis, and our summary and conclusions.

### TOWN CENTER

- Peak Travel – As a commercial/retail shopping center, Town Center generates more trips in the PM peak hour than the AM peak hour.
- Roadway Sizing – Town Center roadways were designed to accommodate peak flows, which occur in the PM peak hour.

### PROJECT SITE LAND USE

- Approved Land Use – the project site is approved for commercial land use, including general commercial, retail, and full-service hotel uses.
- Proposed Project – the proposed project includes 250 multi-family dwelling units.



**TRIP GENERATION**

- Approved Land Use – the approved land use would generate 99 trips in the AM peak hour and 192 trips in the PM peak hour.
- Proposed Project – the proposed project would generate 128 trips in the AM peak hour and 127 trips in the PM peak hour.
- Comparison – the proposed project would generate 29 more trips in the AM peak hour and 65 less trips in the PM peak hour.

**COUNTY STAFF ANALYSIS**

- Approved Land Use – if the project site was developed based on its approved land uses, traffic generated would represent 7% of AM peak hour traffic volume and 8% of PM peak hour traffic volume within Town Center in year 2035.
- Proposed Project – if the project site was developed based on the proposed project, traffic generated would represent 8% of AM peak hour traffic volume and 5% of PM peak hour traffic volume within Town Center in year 2035.

**SUMMARY OF CONCLUSIONS**

We confirmed and concur with the findings of the County staff analysis documented in their August 28, 2014 County staff memorandum. As outlined above, the proposed project would generate 29 more trips than the approved land use during the AM peak hour when there are fewer patrons visiting Town Center. In addition, the proposed project would generate 65 less trips than the approved land use during the PM peak hour when the most patrons are visiting Town Center.

P. Conomea #36 BSS 11/4/14

**El Dorado County Board of Supervisors**

November 4, 2014

I think it very fitting that we all meet on Election Day regarding this matter of great importance to the community of El Dorado Hills and its current and future residents.

My name is Pete CONOMEA. I have resided with my family in the El Dorado Hills area for over 25 years. We have enjoyed the blessings and friendships we have gathered along those 25 years in this picturesque foothills community. I very much appreciate the opportunity to speak to the Board of Supervisors and those gathered here in this very important matter for the community and its residents. I would venture to say that I have spent more time in El Dorado Hills town center than most all of you. I have been there all hours of the day and night over the many years. I am a small business owner and employ people from the community, many aspiring to greater things and better days. I can remember when this town center was nothing more than 100+ acres of pasture land. With the vision and the strength to see this project through, Tony Mansour and those who shared his vision have brought us a magnificent and safe place for all of the community to enjoy. I have personally watched for years the many visitors and merchants in their daily and nightly visits to the town center, it's regal theater, it's wide variety of special events and entertainment, and it's lovely lakefront with olive trees shading its approaches. For years there has existed a large unfinished, vacant lot in the middle of town center which serves as a constant and significant blemish on its beauty. I'm here to fully support and strongly urge this board to provide the community with the culmination and completion of the El Dorado Hills Town Center's core. Across the country I've watched urbanization in good taste being completed nearly at every major community on the rise. My son moved to Fairfax Virginia four years ago and works with the major defense contractor Lockheed Martin. I recently visited him with my wife and we enjoyed visiting him in a very similar apartment complex to the one proposed to complete town center by A P Spanos Corp. With new high-tech and IT companies moving into our El Dorado Hills business Park these town center apartments will be greatly needed and provide meaningful housing for new employees of those new and expanding businesses. The local merchants will have an opportunity to enjoy the benefits generated by the new foot and bike traffic. By providing a tasteful, valuable luxury apartment building in adding an urban style neighborhood of residents to the

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town center mix of retailers, movie theater, restaurants, professional offices, you truly will be fulfilling the final phase of that long ago vision. With your vote in favor of this project today-You truly will be making this a magnificent and complete El Dorado Hills town center for all to enjoy. Once completed, this new "urban neighborhood" will insure a safer environment for all of those using the many amenities and attractions of Town Center. It will provide a built in "concerned and involved" members of the Town Center community.

A vote in favor of this will serve as a "Stimulus package" for the small retailers and businesses that have tried to keep their doors open and serve this community.....providing maybe 300 new neighbors that can help build a stronger community. It is also a stimulus package for our County operations. If this well suited completion of our iconic Town Center in EDH is approved today, then there will likely be a tax base of 200,000 annually. If it is not voted on favorably today, it will more than likely sit idle for ten years. This likely represents an opportunity cost of about 2 million dollars in operating funds to our county. Additionally, there will be the loss of sales taxes as the business and retail side of development is slowed over that same ten years.

Too often, the very vocal minority drowns out the will of the majority. That is why I am here today, and I encourage and expect your vote today IN FAVOR of this long awaited suitable completion to Town Center.

This is our society's most important day...the day when we elect to move forward. When we exercise our right to step up and take constructive action for the long term betterment of this community. When the people speak and our government representatives carry out the wishes of the majority. I urge the Board to vote in favor of this tasteful and worthy development by an renowned organization with a superb track record. It will be a vote in favor of local jobs, beneficial tax revenues, and a solid and safe neighborhood within EDH Town Center....

Respectfully Submitted,



Pete Conomea

888-467-1825

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K. Sharp #36 BOS 11/4/14

**Brigit S. Barnes & Associates, Inc.**

*A Law Corporation*

Brigit S. Barnes, Esq.  
Annie R. Embree, Esq.  
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November 4, 2014

***Via Email and Hand Delivery***

El Dorado County Board of Supervisors  
Hon. Ron Mikulaco, District 1  
Hon. Shiva Frentzen, District 2  
Hon. Brian Veerkamp, District 3  
Hon. Ron Briggs, District 4  
Hon. Norma Santiago, District 5  
330 Fair Lane  
Placerville, CA 95667  
Attn: Clerk of the Board  
Email: [edc.cob@edcgov.us](mailto:edc.cob@edcgov.us)

El Dorado County Planning Department  
Attn: Mel Pabalinas, Senior Planner  
2850 Fairlane Court, Building C  
Placerville, CA 95667  
Email: [rommel.pabalinas@edcgov.us](mailto:rommel.pabalinas@edcgov.us)

**RE: EL DORADO HILLS APARTMENTS**

Dear Board Members and Mr. Pabalinas:

On behalf of Syers Properties III, LLC, owner of Town Center Marketplace, we send this letter of conditional support for the proposed Spanos El Dorado Hills Apartments. After discussion with the Applicant and review of available materials, we believe that traffic concerns applicable to this project specifically can and will be mitigated as required, and that the project will complement the existing uses in Town Center East.

This letter of support for Spanos's present application does not in any way support any future action by the Mansour Company to transfer retail density contemplated for this parcel to Town Center West. As previously noted by this law firm, the expiration of the development agreements and related Specific Plan approvals require extensive review, zoning amendments, and environmental review by the County for any project anticipated for Town Center West, especially any project involving retail uses which was never anticipated by the plans developed by Mansour Company previously. Since the original plans for Town Center East and Town Center West were approved, substantial circulation impacts have increased, which must be addressed prior to further expansions and/or zoning changes in Town Center West.

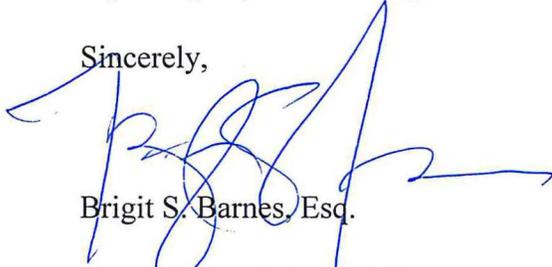
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- Asset Preservation
- Commercial Real Estate
- Environmental
- General Business
- Real Estate Financing
- Litigation

El Dorado County Board of Supervisors/Mel Pabalinas, Sr. Planner  
November 4, 2014  
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We urge the Board of Supervisors to approve the apartment project and to remain vigilant regarding any future changes to this master planned development.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Brigit S. Barnes', with a long horizontal flourish extending to the right.

Brigit S. Barnes, Esq.

cc: Client [via email]  
Katy Schardt [via email]  
Spanos Properties [via email]

Syers.EDH/TCEApts/BOS.L01

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