

FW: Conditions of Approval Deficiencies: Planning Commission Comments Regarding Agenda Item 25-0387 (Serrano Village M5)

From BOS-District I <bosone@edcgov.us>

Date Mon 3/10/2025 8:05 AM

To Planning Department <planning@edcgov.us>

Cc Greg P. Ferrero <Greg.Ferrero@edcgov.us>; David Spaur <David.Spaur@edcgov.us>

Cindy Munt

Assistant to Supervisor Greg Ferrero, District 1

Board of Supervisors, County of El Dorado

Phone: (530) 621-5650

[Supervisor Ferrero Facebook](#)

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From: Dean Getz <dean@deangetz.com>

Sent: Sunday, March 9, 2025 7:38 PM

To: David Spaur <David.Spaur@edcgov.us>; Bob Williams <Bob.Williams@edcgov.us>; Jeff Hansen <Jeff.Hansen@edcgov.us>; Andy Nevis <Andy.Nevis@edcgov.us>; Patrick Frega <Patrick.Frega@edcgov.us>; Rhiannon R. Guilford <Rhiannon.Guilford@edcgov.us>; Stephen Ferry <stephenferry@edhcsd.org>

Cc: heidihannaman@edhcsd.org; michaelmartinelli@edhcsd.org; noellemattock@edhcsd.org; Teri Gotro <tgotro@edhcsd.org>; Stephanie McGann Jantzen <smjantzen@edhcsd.org>; David A Livingston <david.livingston@edcgov.us>; Joe H. Harn <joe.harn@edcgov.us>; Tiffany Schmid <Tiffany.Schmid@edcgov.us>; Vern R. Pierson <vern.pierson@edcda.us>; Simon Brown <simon.brown@edcda.us>; James A. Clinchard <james.clinchard@edcda.us>; contact@edcgrandjury.com; BOS-District I <bosone@edcgov.us>; BOS-District II <bostwo@edcgov.us>; BOS-District III <bosthree@edcgov.us>; BOS-District IV <bosfour@edcgov.us>; BOS-District V <bosfive@edcgov.us>

Subject: Conditions of Approval Deficiencies: Planning Commission Comments Regarding Agenda Item 25-0387 (Serrano Village M5)

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Dear Clerk of the Planning Commission/Commissioners, EDHCS D President Ferry (Cc: EDHCS D Directors & Team, EDC BoS/Leadership, EDC D.A. & Grand Jurors; Bcc: Numerous Others),

[Clerk of the Board, please incorporate these comments into the Commission's official record for the February 13, 2025, Planning Commission's regular meeting Agenda Item # 25-0387]

The County's Conditions of Approval for Serrano Village M5 lack the standard requirements typically identified by the El Dorado Hills Community Services District (EDHCS D) for new development. These EDHCS D conditions as partially demonstrated linked ([Click here](#)) include:

- Payment of park impact fees with each building permit
- Cable television service hookup provisions
- Mandatory waste management services
- Construction debris disposal provisions
- Compliance with the District's Streetscape Master Plan regarding wall and/or fence materials, irrigation components, sidewalk connectivity, etc.
- (CSD) Ownership and operation of public pedestrian pathway and trails pursuant to El Dorado Hills Specific Plan provision 9.5.4 linked ([Click here](#))

In fact, in 2008, EDHCS D even asserted, "**The District recommends that an Irrevocable Offer of Dedication to the EDH CSD for the open space parcels be a condition of the final map**" linked ([Click here](#)).

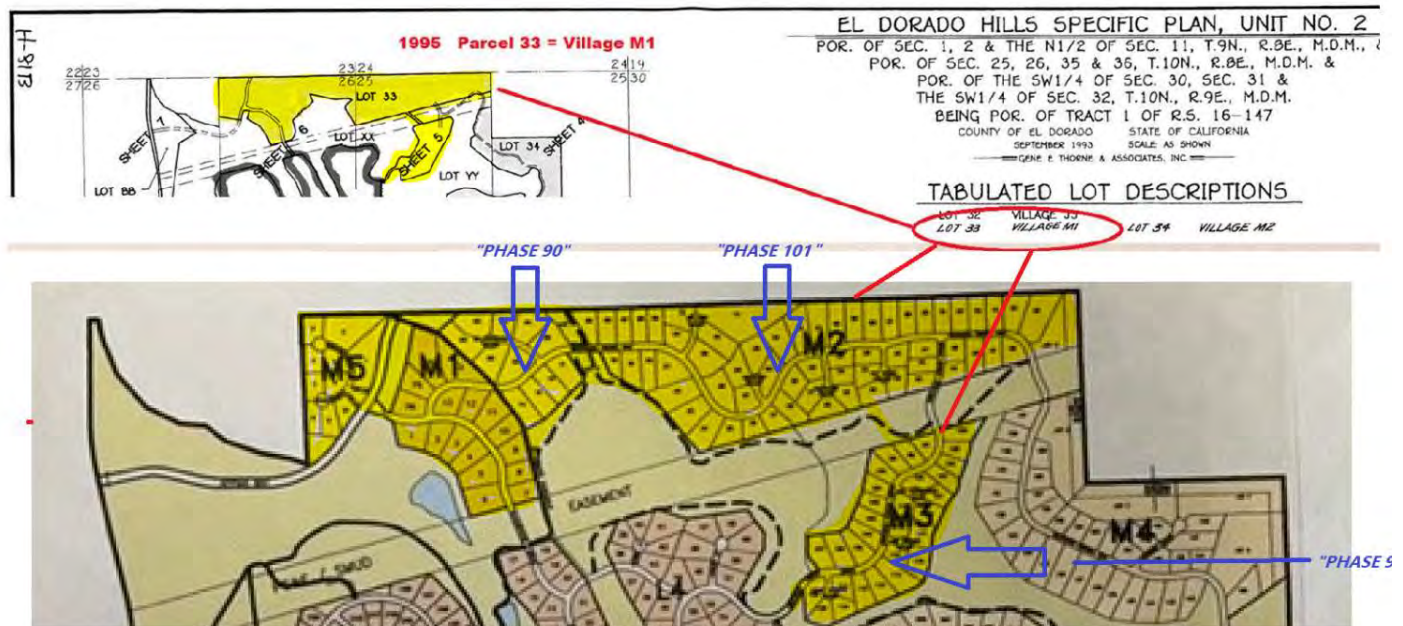
Instead, the County and EDHCS D have systematically lost sight of their fiduciary obligations with regard to administering this sort of development. For example, EDC's Auditor-Controller, Mr. Joe Harn has recently acknowledged that "**The County screwed up**" by reimbursing this developer more than \$1 million for public trails that were not properly deeded to the EDHCS D linked ([Click here](#)). The County has vowed to correct this error. To that end, it's clear that the County and EDHCS D have lost sight of their (respective) California

Constitutional obligations to ensure that property 'benefiting' from public improvements (e.g., those improvements funded by the County's CFD 1992-01, Serrano) must contribute its fair share to their maintenance costs (Streets & Highways Code § 22573).

This requirement on what's being referred to as 'Serrano Village M5' or El Dorado Hills Specific Plan Parcel 33 can be traced back to formation of the Serrano project. EDHCSD acknowledged this original County "condition of approval" imposed upon the approvals of the project known as Serrano which required the establishment of a Lighting and Landscape Assessment District (LLAD No. 17) through its Resolution 95-17 linked ([Click here](#)) in 1995 encompassing all 'public areas' throughout the Serrano project.

The 1995-96 LLAD No. 17 tax engineer's report, prepared (albeit improperly) by the same Serrano project developer, plainly identifies EDHSP Parcel 33 on the LLAD No. 17 assessment roll linked ([Click here](#)).

EDHSP Parcel 33 is visually depicted linked ([Click here](#)) and shown here:



While the EDHCSD has permitted (to date) the maintenance of much of its Serrano public improvements to be handled by the Serrano El Dorado Owners Association, this HOA subcontractor must bill (in lieu of the CSD or County) all properties that benefit from the public improvements' maintenance (including all lots and parcels throughout this single residential subdivision) for their proportionate share of the maintenance costs (Streets & Highways Code § 22573), consistent with the California Constitution and with the Serrano CC&Rs.

As an aside, Serrano's budgets have always stated:

2017 Operating Budget, Reserve Summary and Statement of Significant Policies

Cost Center Descriptions

Master Basic – All members share in the Master Basic cost center. The Master Basic budget covers the maintenance of the landscape and lighting on Serrano Parkway, Silva Valley Parkway, our community trails and the Village Green Park. The Master Basic budget includes 24-hour per day roving community patrol and all of the administrative costs of the Association.

To be clear, CC&R 6.06 linked ([Click here](#)), **requires the initiation of Common Assessments be applicable to all Property** (that's all Lots and Parcels including Parcel "Serrano Village M5" subject to CC&Rs) within the one Residential Subdivision (there's only one Serrano El Dorado HOA) "as annexed" for maintenance of the EDHCSD's public property, which began with the first sale of a Class A Lot (homeowner) in the (Serrano HOA) subdivision (1995).

El Dorado Hills Specific Plan Parcel 33 has been a part of the Serrano project since its inception (per the CC&Rs and the CSD engineer's report), in which the CC&Rs explicitly require all member properties to pay assessments 'as annexed' for the general assessment (also referred to as its 'Master Basic' pursuant to CC&R Exhibit D). Assessments commenced throughout the property, as annexed, in accordance with CC&R 6.06 upon the first Class A member sale, which occurred in 1995. I have linked the relevant passage from Exhibit D ([click here](#)) and excerpted it for your reference below:



Compliance with this original condition of approval "imposed upon the approvals" of the project known as Serrano includes Village M5 being contemplated today as the 'benefitting' property's obligation to pay its proportionate share of the maintenance of Serrano's public improvements is rooted in the California Constitution (Article XIID) and this task is better described in Streets & Highways Code § 22573. Specifically, the section allows for any formula or method that fairly allocates the net amount among all assessable lots or parcels--including Village M5, proportionate to the estimated benefits. This original condition of approval and constitutional obligation continue to this day and must be listed in the County's final conditions of approval.

Should you have any questions, I can be reached at (916) 807-0876.

Sincerely,

Dean Getz

DEANGETZ.COM

P: (916) 807-0876

F: (916) 853-6050

4935 Hillside Circle | El Dorado Hills | CA 95762 USA | www.deangetz.com





FW: Project 24-0001 Planning Commission March 13th, 2025 Item #4

From Rhiannon R. Guilford <Rhiannon.Guilford@edcgov.us>

Date Mon 3/10/2025 11:19 AM

To Planning Department <planning@edcgov.us>

From: BOS-Clerk of the Board <edc.cob@edcgov.us>

Sent: Monday, March 10, 2025 10:52 AM

To: Rhiannon R. Guilford <Rhiannon.Guilford@edcgov.us>

Subject: FW: Project 24-0001 Planning Commission March 13th, 2025 Item #4

FYI

El Dorado County Clerk of the Board of Supervisors
330 Fairlane Building A
Placerville, CA 95667
530.621.5390

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From: tara.mook@comcast.net <tara.mook@comcast.net>

Sent: Monday, March 10, 2025 10:38 AM

To: Cameron W. Welch <Cameron.Welch@edcgov.us>; Karen L. Garner <Karen.L.Garner@edcgov.us>; Rafael Martinez <Rafael.Martinez@edcgov.us>; BOS-Clerk of the Board <edc.cob@edcgov.us>

Subject: Project 24-0001 Planning Commission March 13th, 2025 Item #4

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Clerk of the Board,
Karen Garner, Planning
Raphael Martinez, DOT
Cameron Welch, Planner

RE: Serrano Village M-5 rezone to townhomes and zero lot line, create new private access onto Appian Way, PD overlay.

For the people that want to speak at the Planning Commission Meeting, we are asking the County for a time or approximate time for item #4 on March 13th 2025.

People are taking time off work trying to be able to speak to this very important topic and project before the Planning Commission. Please give us a time window or approximate time for Item #4 on Thurs. March 13th,

Thank You,

Tara Mccann
tara.mook@comcast.net



Thu March 13, 2025 Agenda Item 25-0387 (Serrano Village M5)

From El Dorado Hills Area Planning Advisory Committee <info@edhapac.org>

Date Mon 3/10/2025 11:06 AM

To Planning Department <planning@edcgov.us>; Cameron W. Welch <Cameron.Welch@edcgov.us>; Bob Williams <Bob.Williams@edcgov.us>; Andy Nevis <Andy.Nevis@edcgov.us>; Patrick Frega <Patrick.Frega@edcgov.us>; David Spaur <David.Spaur@edcgov.us>; Jeff Hansen <Jeff.Hansen@edcgov.us>

Cc campbelledcprojects@gmail.com <campbelledcprojects@gmail.com>; tara.mook@comcast.net <tara.mook@comcast.net>; BOS-District I <bosone@edcgov.us>; BOS-District II <bostwo@edcgov.us>; BOS-District III <bosthree@edcgov.us>; BOS-District IV <bosfour@edcgov.us>; BOS-District V <bosfive@edcgov.us>

 1 attachment (365 KB)

APAC feedback on PROJ24-0001 March 2025.pdf;

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Hello,

The El Dorado Hills Area Planning Advisory Committee (EDH APAC) would like to include the attached findings from our Serrano Village M5 Subcommittee (TM24-0001/Z24-0001/PD24-0001) Item #4 on your Public agenda for your meeting on Thursday March 13, 2025.

We appreciate the engagement, and the time, that the project applicant has provided to our volunteer subcommittee members.

Respectfully,

John Davey

Chair

El Dorado Hills Area Planning Advisory Committee

1021 Harvard Way

El Dorado Hills CA 95762

<https://edhapac.org>

info@edhapac.org

916 936-3824



APAC 2025 Officers

John Davey, Chair jdavey@daveygroup.net
John Raslear, Vice Chair jjrazzpub@sbcglobal.net
Timothy White, Vice Chair tjwhitejd@gmail.com

Brooke Washburn, Vice Chair Washburn_bew@yahoo.com
Bill Jamaca, Secretary bjamaca@gmail.com

March 9, 2025

Feedback on Serrano Village M – PROJ24-0001

1. **Zoning Change not requiring review, CEQA, public input** - Please provide written justification as requested by El Dorado County for justification of rezoning from a Zone Change from R20K to R1-PD and OS. Planned Development to add PD overlay to Zone Change. The response given by Parker Development states it's in an attachment, but attachment is not locatable on eTrakit. Please provide.
 - a. This would bring allowable lot size down to 7000 sf surrounded by development of mostly 1/2 acre lots and some 1 acre lots. This infill appears to be incompatible with the surrounding zoning of 1/2 acre and larger lots. How is this circumventing CEQA review and public engagement. Please clarify?
 - b. The request for Zoning change is significantly incompatible with existing zoning and setbacks - (0 and 5 ft setbacks side, 15ft set back front). 8.42 acres with proposed doubling of units from 10 to 20. This is not compatible with surrounding zoning on all sides of existing residential zoning. Why is this not required to go through CEQA review? What in the El Dorado Hills Specific Plan allows for incompatible zoning to take precedence over the Zoning Ordinance, General Plan and Safety Element?
2. **Consistency with County Codes and Standards:** Have approval of project improvement plans and cost estimates consistent with the Subdivision Design been obtained?
3. **Grading, Erosion, Drainage** - Ensure the project improvement plans and grading plans conform 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). Please provide complete grading and drainage plan.
4. **Drainage Plan:** Tentative Grading and Drainage Plan revised March 2023.
 - a. What is the size and capacity of the Proposed Hydromodification Basin. Show the direction of flow for all storm drains is accurate, it appears the 18" storm drain at far right of basin or far east of basin drains out and follows the topography North and across into the Highland View Subdivision, specifically onto the first Highland View residential lot after crossing lot C. Is that correct?
 - b. Where is the hydraulic study to show that hydromodification basin will not exceed capacity during high year storms and hence prevent flooding, erosion or seepage to the properties below?
 - c. Please provide all factors and numbers used for calculation of model.
 - d. The drainage plans do not show how drainage is being addressed downstream and offsite. This is a significant concern and a very critical and fundamental planning item. Has evaluation been done specific to downslope existing homes, such as on Western Sierra Way?

5. **Utility Plans** - There is only one Plan Sheet labeled "Tentative Grading and Drainage Plan". This plan sheet also shows Utilities. Is there a separate Utility Plan sheet?
6. **Stormwater Management:** Comply with the West Slope Development and Redevelopment Standards and Post Construction Storm Water Plan. Provide current SWPP for the proposed project.
7. **Regulatory Permits and Documents:** Incorporate all regulatory permits and agreements between the project and any State or Federal Agency into the Project Grading and Improvement Plans prior to the start of construction of improvements. What regulatory permits and documents have been required for this project?
8. **Grading or Improvement plans** for any phase may be approved prior to obtaining regulatory permits or agreements for that phase, however 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 such permits or agreements.
9. **Project conditions of approval** shall be incorporated into the Project Improvement Plans when submitted for review. Please provide all project conditions.
10. **Electronic Documentation:** Upon completion of the required improvements, provide As-Built Plans to the County Engineer in TIFF format, provide final Drainage and Geotechnical reports, and structural wall calculations. Will these be made available in eTrakit under the project?
11. **Transportation Impact Study (TIS)** was required to evaluate traffic operations at the Silva Valley Parkway/Appian Way intersection. Was an intersection study done at Appian and Sangiovese? Was an On-Sight Transportation Review completed at either intersection?
 - a. El Dorado County Transportation Impact Study Guidelines (Nov. 2014) says the following in Section II (2):
 - i. *At a minimum, an On-Site Transportation Review is required for every project. The following information shall be evaluated and the findings stamped by a registered Traffic Engineer or Civil Engineer, and shall be included with the project submittal:*
 1. *Existence of any current traffic problems in the local area such as a high-accident location, non-standard intersection or roadway, or an intersection in need of a traffic signal*
 2. *Proximity of proposed site driveway(s) to other driveways or intersections*
 3. *Adequacy of vehicle parking relative to both the anticipated demand and zoning code requirements*
 4. *Adequacy of the project site design to fully satisfy truck loading demand on-site, when the anticipated number of deliveries and service calls may exceed 10 per day*
 5. *Adequacy of the project site design to provide at least a 25' minimum required throat depth (MRTD) at project driveways. Include calculation of the MRTD*
 6. *Adequacy of the project site design to convey all vehicle types*
 7. *Adequacy of sight distance on-site*
 8. *Queuing analysis of "drive-through" facilities*

If a TIS is required, the On-Site Transportation Review shall be included under the Other Transportation Related Impacts and Mitigation Considerations Section

- b. Please provide any evaluation that was done at Appian/Sangiovese including site distance vertical, horizontal and corner-site distance. Provide any Geometric changes anticipated and study of conflicting traffic movements presently and at build out.
 - c. Was turn radius of all EDH Fire vehicles evaluated specific to Appian Way in and out of project location?
 - d. General plan policy TC-X projects may be required to construct offsite improvements. This project needs to be evaluated for offsite improvements needed at first occupancy. It is concerning to many residents both in Serrano and Highland View how this location can be made worse with offsite intersection as stated adding a fourth leg.
12. **Gated access at proposed new easement for M-5** - across from Sangiovese also a gated easement. What is the anticipated back up on to Appian Way and how will all conflicting vehicle movements be addressed at this now newly created intersection?
- a. It states in the documentation supplied through eTrakit that a 4th leg would be created at this now T intersection at Appia Way and Sangiovese. Two legs private roads and two legs that are the existing thoroughfare public road Appian Way. This creates a 4-way intersection with significantly limited site distance. There is nothing on any of the Project documents on eTrakit stating if this proposed 4-way intersection would be controlled or uncontrolled.
 - b. These kinds of easements on a throughway create the environment for rear ends due to limited site distance, abrupt stops of traffic accelerating up the hill or decelerating down the hill, abrupt stops from deliveries, drop offs, unfamiliar with the easement location. Without shoulders to go around, as we see throughout El Dorado Hills, these kinds of easements create rear end potential. Netherdale Street just down the road is a classic example of this with a high rate of rear ends. Although Netherdale has site distance and a flat terrain, this proposed easement does not, making it an even higher potential for rear ends. This substantiates the project cannot meet exiting Specific Plan conditions and introduces significant impacts that must be reviewed, studied and mitigated.
13. **Specific Plan states on page 17 Silva Valley Parkway shall be designed to the full four lane section from the Western edge of Village P to Green Valley Road** prior to the commencement of any development allowed by the Specific Plan. Please clarify. (**Note:** in Feb. 24th meeting, Parker confirmed they had provided dedicated right of way to the county for this expansion). Is this in county CIP?
14. **El Dorado Hill Fire Department letter 7/1/2024** – Will these be resolved prior to approval?
- a. Sufficient emergency water supply -No.
 - b. Comply with defensible space - No.
 - c. Have WUI Fire Safe Plan - No
15. **LRA vs SRA** - Proposed project is in the EDHFD service boundary. Why is the project in the Cal Fire SRA and not Local Responsibility Area if it is in a local Fire jurisdiction boundary that services by EDHFD as well as paid for by the residents attached to their parcel for LRA? Please clarify.

16. **The documents state Project is within the vicinity of federal land that is high risk of Wildfire.** What Federal land is being identified? There is no specificity identified here. Please provide a specific distance and description of federal lands in vicinity.

17. **Letter 5/15/24 Discuss or determine a public hearing date.**

1. Who made the environmental determination and on what basis?
2. What are the final proposed project conditions?
3. ETrakit letter refers to a public hearing date, please clarify.
4. The El Dorado County Planner stated no CEQA review will be done nor public notice and comment required based on Parker Development having a 1988 Specific Plan. The Basis for this is:
 - a. California Code of Regulations
 - b. #15182, Section C, Item 1
 - c. The California Code 15182 states that a project proponent cannot circumvent CEQA if certain conditions apply. We believe the above questions and concerns reflect that certain conditions apply.

Respectfully,
Linda Campbell
Serrano Village M5 Subcommittee Chair.

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