



PC 05-14-26 5 pgs PUBLIC FORUM PC 8/22/19
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17 pages

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TO: Planning Commission
FROM: Aaron Mount, Senior Planner
DATE: August 19, 2019
RE: **Response to Planning Commission's Request for DA review**
Revision to Condition of Approval #13
PD18-0005/TM18-1536/Serrano Village J7

Response to the Planning Commission's request for review of the EDHSP Development Agreement

At the August 8, 2019 Planning Commission hearing, the Commissioners approved a motion to continue Agenda Item 3 (Legistar File: 19-1171) to the August 22, 2019 meeting. The Commissioners also requested that County staff review the El Dorado Hills Specific Plan Development Agreement (EDHSP DA) to ensure that all obligations have been met.

A comprehensive annual review of the EDHSP DA was reviewed by the Board of Supervisors on December 16, 2008. (Agenda Item 20, Legistar File 08-1769) prior to the expiration of the DA in February 2009.

On August 12, 2019, Serrano Associates provided the County with the Annual Review of the EDHSP dated May 1, 2008 updated August 2019 (see Attachment A). The updated EDHSP Review shows two outstanding obligations: 1) construction of the Serrano Village J Lot H park (see Section 3.2); and 2) dedication of the Serrano public open space (see Section 3.2.4). All other obligations have been met consistent with the requirements of the DA.

Serrano Village J Lot H Park: As detailed in Attachment C, while the EDHCSD and Serrano Associates are still in discussion over the final design of the park, the letter states that the EDHCSD anticipates direction for the construction of the park by November 15, 2019, subject to an executed Parkland Dedication Agreement.

Dedication of Serrano Open Space: Offer of the Serrano Open Space was rejected by the El Dorado Hills Community Services District (EDHCSD) on October 19, 2016 (see Attachment D) and also by the County on October 28, 2016 (see Attachment E). As detailed in Attachment A, the Serrano Home Owners Association (HOA) is in the process of preparing an open space management plan. A draft of the management plan is expected to be submitted for County review by the end of the year.

Other Obligations related to Village J: The Development Agreement specified that a fire station site should be offered within Village J. As detailed in Attachment A (Section 3.7), the El Dorado Hills Fire Department rejected the Village J site in favor of relocating Station 85 and constructing Station 86 at Bass Lake Road and Silver Dove Way. Additionally, the Rescue Union School District decided not to pursue a school site as reserved within Serrano Village J Lot H (Attachment A, Section 3.3).

The Department of Transportation has reviewed Attachment A and confirmed that the required right-of-way has been dedicated consistent with Section 3.5 of the DA.

Revision to Condition of Approval Number 13

At the August 8, 2019 Planning Commission hearing, Commissioners questioned the wording of “fair share” within the conditions of approval. The Department of Transportation (DOT) is requesting the following revision to Condition of Approval Number 13:

13. Bass Lake Road: Design the project grading and improvement plans consistent with the ultimate alignment of Bass Lake Road. Enter into a Deferred Frontage Agreement with the County, and deposit funds with the County representing the Village J7 ~~fair share portion of the future frontage improvements.~~ These funds are to be dedicated to future construction of the project’s fair share frontage improvements, at such time as the ultimate alignment of Bass Lake Road is constructed.

It was determined by DOT that the words “fair share” do not exist in the County Code and therefore should be removed from the condition. The proposed revision would have no effect on the frontage improvement contribution amount or the County’s process in acquiring these funds.

Attachments

- Attachment A: Annual Review of the El Dorado Hills Specific Plan Development Agreement dated May 1, 2008 updated August 2019, submitted by Serrano Associates
- Attachment B: Letter from Serrano Associates dated August 12, 2019
- Attachment C: Letter from the EDHCSD dated August 9, 2019
- Attachment D: Letter from the EDHCSD received October 19, 2016
- Attachment E: Letter from the County dated October 28, 2016 and letter from Serrano Associates dated July 13, 2016

Attachment A

Annual Review of the El Dorado Hills Specific Plan
 SERRANO ASSOCIATES, LLC
 May 1, 2008; Updated August 2019

EXHIBIT A
 Development Agreement - Section 3 ("Developer Obligations")

Section	Description of Section or Obligation	Complete	Partially Complete	Not Initiated	Comments
2008 REVIEW					
3.1	PUBLIC IMPROVEMENTS FINANCING				
3.2	PARKS AND OPEN SPACE ▶ Dedicate to the EDH CSD: ○ 10 acre community park (Village Green) ○ 10 acre and 8 acre district parks	X			See Exhibit B. 5.5 acres for Alan Lindsay Park have been dedicated; 12.5 acres to be dedicated with construction of the Vg. J Park. The CSD approved a conceptual plan for the Vg. J Park in October 2006 and design is underway.
	○ 1 to 2 acre park in each neighborhood with 200 or more D.U.s; 2 sites in each neighborhood with 500 or more D.U.s			X	Partially Complete. The 12.5 acres in Village J Lot H remains to be developed and dedicated, largely because of uncertainty with Rescue Union School Site S-1 through 2015 (refer to Section 3.3 below). With RUSD's eventual purchase of 21 acres in the Bass Lake Hills Specific Plan in 2015, the Developer and the CSD began discussions to move the 12.5-acre park from Village J Lot H southeast to an undeveloped retail parcel in Village J5. Shortly after initiating discussions, Donahue Schriber expressed interest in the Village J5 parcel. Purchase and sale negotiations pursued in 2016 and Donahue Schriber closed escrow in July 2017. After the sale of Village J5, the Developer re-entitled Village J Lot H for 41 single family lots on the northern half of the site (a reduction from the prior approval of 83 clustered halfplexes) and the 12.5-acre public park on the southern half (a change from the "bar-bee" park configuration supported by the CSD.) The County approved the Village J Lot H land plan in May 2018. In March 2019, the CSD unveiled a conceptual plan for the Bass Lake Regional Park that includes "Phase 1" improvements on the 12.5 acres. The CSD is currently developing more detailed design drawings for the 12.5 acres to estimate probable costs and when ready to construct, the Developer acknowledges its obligation in the Specific Plan to deliver a turnkey park to the CSD, constructed with funds from the Mello Roos district.
	○ 45 acre (+ or -) archery range ○ Public Natural Open Space		X		No change. To date, 26.56 acres of neighborhood parks have been constructed and an additional 2.59 acres (Village J6) will be constructed summer of 2019. Total neighborhood park acreage will be 29.15 acres, a surplus of 4.15 acres required by the Specific Plan. No change Complete. The ultimate boundaries of the open space remain undefined in some portions of the Specific Plan because of adjoining undeveloped parcels (such as Villages A14 and C2). Regardless, the Developer initiated informal dedication discussions with the CSD and the County in 2016. In a letter received 10/19/16, the CSD declined the informal offer to dedicate.
2019 REVIEW					

Section	Description of Section or Obligation	2008 REVIEW			Comments
		Complete	Partially Complete	Not Initiated	
		2008 REVIEW			2019 REVIEW
1	Acceptance of Dedication: If CSD rejects park and open space lands, Developer shall offer to dedicate to the County.			X	Offers to the County have not yet been necessary.
2	Reversion Clause: Conveyance of lands shall contain a reversionary clause providing that should the CSD use lands for purposes other than public recreation or open space, the lands shall revert to the County. If County uses lands for any other purpose, then lands shall revert to Developer.	X			No change
3	Maintenance and Control: Lands shall remain under the control of the Developer until dedicated to the CSD or the County.	X			No change
4	Restriction on Use of Public Open Space: Instrument conveying public open space shall ensure compatibility of uses of the open space with adjacent residential uses.			X	Public open space has yet to be offered.
5	Park Land Obligation: Provisions of the Specific Plan and Financing Plan shall completely satisfy park land obligations; no additional dedications or in-lieu fees shall be required.				No comment necessary.
3.3	SCHOOLS ▶ School sites needed to satisfy State criteria shall be located and reserved as indicated in the Specific Plan.	X			Rescue Site S-1 is reserved but has not been constructed; all other sites have been constructed.
3.4	COVENANTS, CONDITIONS AND RESTRICTIONS ▶ Create master property owners association.			X	No change
3.5	DEDICATION TO COUNTY OF RIGHT OF WAY				No change

2019 REVIEW

Complete. In a letter dated 10/28/16, the County declined the Informal offer to dedicate.

No change

No change

Initiated. The Serrano HOA has expressed interest in becoming the long-term owner and manager of the Public Open Space. In March 2019, the Developer and HOA jointly hired an environmental consulting firm to prepare a Final Open Space Management Plan (OSMP) for all open space lands (Public and Private) in the Specific Plan. The Final OSMP refines the Draft 1993 OSMP prepared shortly after Specific Plan adoption and is a condition precedent to dedication and parcel transfer. A draft of the Final OSMP is expected 4th quarter 2019 and a copy will be provided to the County for review and compliance with applicable Specific Plan policies.

No change

Complete. Rescue Union School District decided not to pursue a school site as reserved in Village J Lot H. Instead, they purchased 150 acres in and around Bass Lake from El Dorado Irrigation District in 2015, along with 21 acres south of Village J5 Retail in the Bass Lake Hills Specific Plan. A majority of the 150-acre Bass Lake purchase has subsequently been sold to the El Dorado Hills CSD for development of a regional park. To the best of our knowledge, RUSD still owns the 21 acres in BLHSP for a future school site.

No change

Section	Description of Section or Obligation	Complete	Partially Complete	Not Initiated	Comments	Comments
2008 REVIEW						2019 REVIEW
	▶ Dedicate all rights of way needed to implement the Specific Plan.		X		All project roadways have been constructed and dedicated, with exception of the extension of Serrano Parkway through Village J5 to the north boundary of the Bass Lake Hills Specific Plan (being a portion of Sienna Ridge Road). Improvement plans are in plan check with DOT. Final road alignment is subject to approval of P 07-03 (Village J5 Retail Center), which was submitted to Planning on March 29, 2007.	Complete. The County approved P 07-0013 in August 2008 and the extension of Serrano Parkway through Village J5 (Sienna Ridge Road) was constructed during the 2013-2014 construction seasons. The County accepted the improvements as complete in July 2014 and accepted Irrevocable Offer of Dedication # 2014-03.
3.6	VILLAGE GREEN PUBLIC IMPROVEMENTS ▶ Dedicate 4 acres, within the Village Green, to the County within 10 years of Agreement's execution.	X				No change
3.7	FIRE STATION SITE ▶ Dedicate at least 1/2 acre site for station in Village J.	X			The Fire Department rejected the Village J Site in favor of relocating Station 85 to EDH Blvd. and Wilson Way and constructing Station 86 at Bass Lake Road and Silver Dove Way.	No change