

#33



EDC COB <edc.cob@edcgov.us>

Fwd: February 28, 2017 Agenda Item 33 - Bass Lake North Project

3 messages

The BOSTHREE <bostthree@edcgov.us>
To: EDC COB <edc.cob@edcgov.us>

Mon, Feb 27, 2017 at 8:01 AM

Kathy Witherow

Assistant to Supervisor Brian K. Veerkamp
District Three - El Dorado County
530.621.5652

LATE DISTRIBUTION

DATE 2/27/17

BOS 2/28/17

----- Forwarded message -----

From: **deeanne gillick** <wogillick@att.net>

Date: Mon, Feb 27, 2017 at 1:22 AM

Subject: February 28, 2017 Agenda Item 33 - Bass Lake North Project

To: "jim.mitrisin@edcgov.us" <jim.mitrisin@edcgov.us>, "bosone@edcgov.us" <bosone@edcgov.us>, "bostwo@edcgov.us" <bostwo@edcgov.us>, "bostthree@edcgov.us" <bostthree@edcgov.us>, "bosfour@edcgov.us" <bosfour@edcgov.us>, "bosfive@edcgov.us" <bosfive@edcgov.us>

Cc: "roger.trout@edcgov.us" <roger.trout@edcgov.us>, "michael.ciccozzi@edcgov.us" <michael.ciccozzi@edcgov.us>, DeeAnne Gillick <wogillick@att.net>

Honorable Board of Supervisors and County Staff:

We are residents within Bridlewood Canyon and our home backs up to the proposed Bass Lake North Project which is Item 33 on the February 28, 2017 Agenda. We respectfully appreciate that most of our concerns related to this project were addressed by planning staff and the Planning Commission in the recommended conditions of approval to the Board of Supervisors. However, as a municipal attorney I have been disturbed during the past month that this project as proposed directly violates the Bass Lake Hills Specific Plan by removing a large portion of the existing oak grove which the Specific Plan requires to be preserved within open space. I submit that the Oak Grove should be preserved and that it is required by the Bass Lake Hills Specific Plan to be preserved. As a resident whose property backs up to this oak grove and as a municipal law attorney who respects the requirements of California land use laws, I respectfully encourage and request the Board of Supervisors to carefully consider the mandates of the Specific Plan and prohibit this subdivision from developing within the existing oak grove area.

Attached please find a letter dated February 26, 2017 which further discusses our concerns and the requirements of the Bass Lake Hills Specific Plan related to this oak grove. We may be reached by email at wogillick@att.net or by cell phone at 209-470-8591.


Very truly yours,

Bill Gillick
DeeAnne Gillick, Attorney at Law

2 attachments

Figure 5-5 Bass Lake Specific Plan 001.jpg
546K



 **EDC Board of Supervisors 022617.docx**
25K

The BOSONE <bosone@edcgov.us>
To: EDC COB <edc.cob@edcgov.us>

Mon, Feb 27, 2017 at 9:23 AM

Kind Regards,

Cindy Munt

Assistant to Supervisor John Hidahl, Dist 1
Board of Supervisors, County of El Dorado
Phone: (530) 621-5650

----- Forwarded message -----

From: **deeanne gillick** <wogillick@att.net>

Date: Mon, Feb 27, 2017 at 1:22 AM

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Jim Mitrison - El Dorado County <jim.mitrison@edcgov.us>
To: EDC COB <edc.cob@edcgov.us>

Mon, Feb 27, 2017 at 11:13 AM

Please add to public comment for item 33 on tomorrow's agenda. Thank you.

Jim Mitrison
Clerk of the Board of Supervisors
County of El Dorado
Ph. 530.621.5390 Main
Ph. 530.621.5592 Direct
Email jim.mitrison@edcgov.us

----- Forwarded message -----

From: **deeanne gillick** <wogillick@att.net>
Date: Mon, Feb 27, 2017 at 1:22 AM
Subject: February 28, 2017 Agenda Item 33 - Bass Lake North Project
To: "jim.mitrison@edcgov.us" <jim.mitrison@edcgov.us>, "bosone@edcgov.us" <bosone@edcgov.us>, "bostwo@edcgov.us" <bostwo@edcgov.us>, "bosthree@edcgov.us" <bosthree@edcgov.us>, "bosfour@edcgov.us" <bosfour@edcgov.us>, "bosfive@edcgov.us" <bosfive@edcgov.us>
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LEGEND

■ OPEN SPACE (REQUIRED BY SPECIFIC PLAN)

□ ADDITIONAL OPEN SPACE OPPORTUNITIES (OBTAINED THROUGH PLANNED DEVELOPMENT CONCEPT)

Ⓟ PROPOSED PARK LOCATION
 NP = NODURWOOD PARK
 PAF = PUBLIC ACRES PARK
 PF = PASTURE PARK

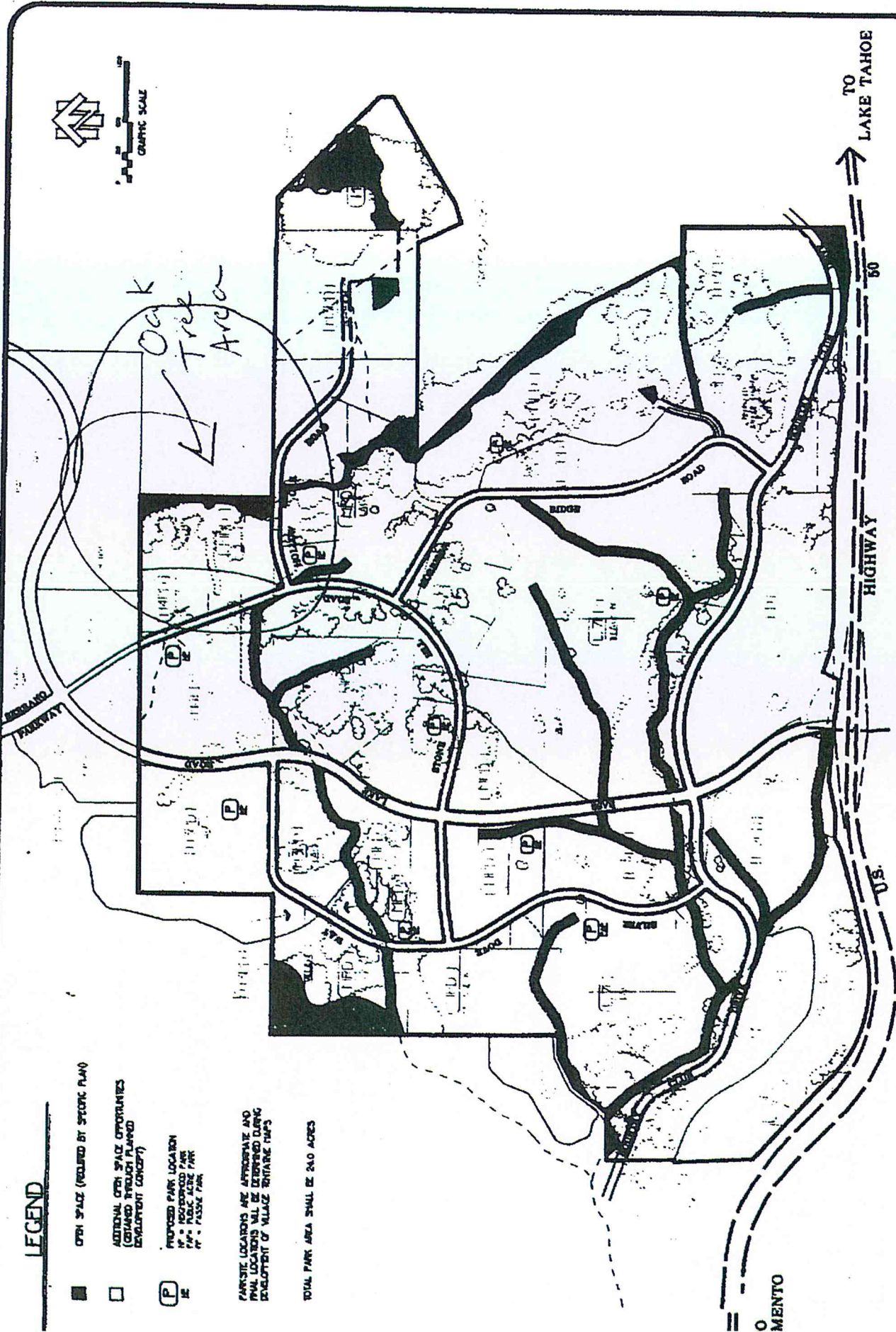
PARKSITE LOCATIONS ARE APPROPRIATE AND FINAL LOCATIONS WILL BE DETERMINED DURING DEVELOPMENT OF VILLAGE SHIRAZE TRIPS

TOTAL PARK AREA SHALL BE 240 ACRES



GRAPHIC SCALE

Oak Tree Area



**BASS LAKE HILLS SPECIFIC PLAN
 PARKS AND OPEN SPACE PLAN**

February 26, 2017

El Dorado County Board of Supervisors
2850 Fairlane Court
Placerville, CA 95667

Sent via email to the County Clerk and all members of the Board of Supervisors

Re: February 28, 2017 Board of Supervisors 2:00 pm Agenda Item 33
Bass Lake North Project

Dear Honorable Members of the Board of Supervisors:

We are residents of Bridlewood Canyon and our property currently borders the oak grove that will be directly east of the proposed open space and Lot 35 of the proposed tentative map before the Board of Supervisors for consideration.

The purpose of this letter is continue to assert that the proposed Bass Lake North Project, as currently proposed, is in direct violation of the Bass Lake Hills Specific Plan. Prior to the Planning Commission hearing on January 26, 2017 we submitted two letters dated January 24, 2017, and January 26, 2017, which we incorporate by reference herein.

We respectfully appreciate that the Planning Commission included in the recommended conditions of approval three conditions to address our concerns to limit the height of the proposed adjacent homes on the bluff behind our property, to limit access in the proposed open space and to impose a fence maintenance requirement along the proposed open space border. However, neither County staff nor the Planning Commission evaluated or addressed our concerns and factual evidence that the proposed development is in direct conflict and violates the requirements of the Bass Lake Hills Specific Plan related to Oak Tree preservation.

The Proposed Development Must be Consistent with the General Plan and Specific Plan.

As the Board of Supervisors proposed findings 2.0 and 3.0 indicate the proposed zoning and subdivision must be consistent with the General Plan and any applicable Specific Plan, which for this proposal is the Bass Lake Hills Specific Plan. This is required by Government Code sections 65860, 66473, 66473.5. As our January 24 and 26, 2017 letters indicate, among other things, the proposed subdivision is not consistent with the Bass Lake Hills Specific Plan. Although the proposed findings state that the development is consistent, there is no evidence or explanation to address our prior concerns and evidence that the development does not comply with the Oak Tree Preservation and mandated open space requirements of the Specific Plan.

The Bass Lake Hills Specific Plan mandates that the Oak Grove on the eastern boundary of the property is maintained as open space. The proposed development violates the Specific Plan by removing 69 oak grove trees.

Pages 58 of the Bass Lake Hills Specific Plan identifies the purpose of the Open Space requirements stating that the open space amenities benefit the residents and provide a “means of conserving natural features and wildlife habitat.” It states, “Open space designated in Figure 5-5, Parks and Open Space Plan, totals approximately 144 acres and includes the following types . . . Open space in tree grove areas and along Carson Creek.” Figure 5-5 is attached hereto and indicates black areas as “OPEN SPACE (REQUIRED BY SPECIFIC PLAN)” The black areas of Figure 5-5 are **required** as open space by the Bass Lake Specific Plan. Please note the circled area in the right top corner of Figure 5-5 that requires as open space the oak grove area within the Bass Lake North proposed development. The open space area proposed in the pending tentative map does not include the entire existing oak grove and does not retain as open space the area “REQUIRED BY SPECIFIC PLAN” to be open space “in tree grove areas.”

The proposed subdivision is proposing to preserve only a small portion of the existing oak grove in direct violation of the Specific Plan. Please see Staff Report Exhibit B and Exhibit C which clearly show the location of existing oak grove within the eastern portion of the Bass Lake North Site. This oak grove which runs north and south from Bass Lake Road to Hollow Oak Road is the oak grove designated in Figure 5.5 of the Bass Lake Hills Specific Plan that is required to be preserved within open space. The aerial photos of Exhibits B and C clearly depict the existing oak grove which corresponds to the required open space area within Figure 5.5 of the Specific Plan.

Staff Report Exhibit J depicts the tree impacts due to the proposed development. Exhibit J indicates that the development has **69 grove oak tree impacts** and 35 other oak tree impacts. There is no ability to find Specific Plan consistency due to this proposed development removing 69 oak trees from the grove designated by the Specific Plan to be required to be preserved in open space pursuant to Figure 5.5.

See also Staff Report Exhibits K and M which are additional photographic simulations of the oak grove trees which are impacted by this proposed development. All of the houses along proposed Court C are within the existing grove and require the removal of these existing oak trees. Trees within the existing oak grove will be removed due to lots 29 through 38, lot 28, and lots 48 through 42.

The Specific Plan requires these oak grove trees to be preserved as open space. The Specific Plan does not allow or even mention that mitigation for the loss of these trees is allowed or acceptable. The proposed development is inconsistent with and violates the Specific Plan. There is no discussion or evidence in the record addressing how the removal of these oak trees

Honorable Board of Supervisors
February 26, 2017
Agenda Item 33 – February 28, 2017
Page 3

and the majority of this existing oak grove complies with the Specific Plan and General Plan requirements. We raised these concerns to planning staff and the Planning Commission by letters dated January 24, 2017 and January 26, 2017. Our facts and concerns have failed to be addressed by the County.

It is simply inappropriate and a violation of California law for the County to approve the proposed development which removes the oak grove which is required to be preserved as open space by the Bass Lake Hills Specific Plan. The subdivision as proposed cannot legally be approved by the Board of Supervisors on February 28, 2017.

Very Truly Yours,

Bill Gillick
DeeAnne Gillick, Attorney at Law

cc: Planning Director
County Counsel

The Bass Lake North project is referenced as a " Specific Plan" is it a new specific plan or is it part of the Bass Lake Specific Plan?

The condition of approval for the Bass Lake North states, "the project shall comply with the Bass Lake Hills Specific Plan, the related Bass Lake Hills development agreement, and the Bass Lake Hills Public Facilities Financing Plan (PFFP)".

The staff report states the current project consists of three parcels, one of which is encumbered by a Development Agreement, which expired on September 2016. If the application for the proposed project was deemed complete on December 24, 2014, prior to the development Agreement expiring, then the two parcels without a development agreement should not be included. The 2004 PFFP phasing map listed parcels without a development agreement in phase 3. Why are the two parcels included in this project?

Do "clustered homes" belong in a rural setting in El Dorado Hills?

The Bass Lake North map obtained from the planning commission is not to scale.

Please show which existing water and sewer mains are to be utilized for the proposed development? Will water or sewer lines encroach on our properties (119-090-69, 119-090-53 and 119-090-55)?

The project if approved needs to install an impenetrable fence along the southern property boundary of the proposed Bass Lake North Development.

We have resided in a home on Hollow Oak for 38 years. We purchased the acreage with the plan to divide into lots for our children. The proposed subdivisions with EID water will surround our property but we have yet to obtain annexation even after giving an easement to EID for the water line and dedicating 1+ acre to the County for Hollow Oak. The Bass Lake Specific Plan, development agreements and the public financing plan was nothing more than a way to take from property owners residing in the Bass Lake Hills area for the developers.

The traffic at the intersection of Hollow Oak and Bass Lake Road is not at an acceptable level and should be addressed as it was in the original Bass Lake Hills PFFP. The continued modification of the PFFP to placate the developers is shameful.

Cynthia/Patrick Morrison



EDC COB <edc.cob@edcgov.us>

Rezone Z14-0008/Planned Development PD14-0010/Tentative Subdivision Map TM14-1522/Bass Lake North

1 message

Diane Gassaway <thegassaways@yahoo.com>
Reply-To: Diane Gassaway <thegassaways@yahoo.com>
To: "edc.cob@edcgov.us" <edc.cob@edcgov.us>

Mon, Feb 27, 2017 at 2:55 PM

El Dorado County
Board of Supervisors

RE: Rezone Z14-0008/Planned Development PD14-0010
Tentative Subdivision Map TM14-1522/ Bass Lake North

I am a long term property owner, having lived here since 1976, and have some concerns regarding the above proposed Subdivision.

Since the Bass Lake Hills Specific Plan was approved on November 7, 1995, there have been change after change attached to the plan, making it difficult to understand. The best I can tell, the changes to the PFFP, TIM Fee, Modification to Roads, Standard Planning Changes, CEQA guidelines, Density Changes, Rezoning, and Environmental Impact are all in favor of the big developers.

Here are some of my concerns:

1. NC Brown, in a response to my last letter of concern, indicated that he would provide a fence between the Bass Lake North Subdivision and our property. As we periodically have cattle and horsed boarded on that property, I feel it is imperative that either a 6' cyclone fence or a block wall be constructed by NC Brown along said property line, as is could be hazardous to have children or family pets wonder through a simple fence and coming face to face with a bull.
2. Traffic signals at Bass Lake Road and Hollow Oak are needed. It is already difficult to turn onto Bass Lake Road and there has already been one fatality and several accidents at that intersection. With the additional traffic on Bass Lake Road due to new housing developments along Green Valley Road, Bass Lake North, Bell Woods, Bell Ranch and Hawk View, it will be even worse. With the Fire Station directly across from Hollow Oak, a signal at that intersection would also add some safety with Fire Trucks and Emergency Vehicles entering Bass Lake Road. If traffic studies do not show a need for a traffic signal, then at minimum, a stop sign needs to be installed, just as all intersections in the Serrano Subdivision have.

Sincerely,

Franklin Carl Gassaway