

PC 12/13/12  
#12

**Date:** December 12, 2012

**TO:** El Dorado County Planning Commission  
2850 Fairlane Court  
Placerville, CA

**From:** Bob Hablitzel  
1500 Lake Vista Lane  
El Dorado Hills, CA 95762

**Re:** Z11-0007/TM11-1504 Wilson Estates

12 DEC 13 AM 7:49  
RECEIVED  
PLANNING DEPARTMENT

**Subject:** Request denial of application to rezone from R1A to R1.

This letter is to request denial of the application to rezone 28.18 acres of property currently zoned R1A to a higher density of R1 and allowing it to be split into 49 single-family residential lots. It appears that the staff analysis and, thus, their recommendation for approval is flawed. The most important reasons that this application should be denied include:

1. The density proposed in the application is not similar to any of the areas surrounding it. The net effect of an approval of this proposal would create a small island of a high density residential area in a rural area. There is no compelling reason that high density is needed on this parcel. Approval would seriously degrade the rural character of Malcolm Dixon Road.
  - a. In the *Initial Study/ Environmental Checklist* ( page 29 item X a. ) the staff marked that there would be "Less Than Significant Impact" in the category "Physically Divide an Established Community". As proposed that is exactly what this proposal requests. This area is rural and this project would place a high density area in the middle of this long established area.
  - b. The staff states, in the *Environmental Checklist/Discussion of Impacts* ( page 6, *Environmental Impacts, Discussion, Visual Character* ) that " The project would have views from the outside-in from similar residential neighborhoods with similar -sized lots from the east, west ( residences and the church facility), and from future residences to the north.." This is a gross error in either review or judgment.

The properties adjacent to this parcel towards Salmon Falls road are 1 acre parcels. The properties across Malcolm Dixon Rd and also on the East end of the parcel are zoned for 5 acre parcels. This project is a gross difference to the rural atmosphere that currently exists in this area.

2. In addition, the Planning staff has apparently failed to consider the CEQA requirement to consider the cumulative impacts of this project when considered with the other present or known planned projects in the area. The planning staff has written up their analysis and recommendations as if this is a stand-alone project. In fact, there are several other projects in the immediate area including those immediately across the street.
3. The encroachments of the road from this project onto Malcolm Dixon Road should be reviewed cumulatively with the other road encroachments from the other projects on Malcolm Dixon Rd.

PC 12/13/12  
#12

December 12, 2012

TO: El Dorado County Planning Commission  
2850 Airline Court  
Placerville, CA

From: Janet and Larry Ostroff  
2101 Casa Roble Rd  
El Dorado Hills, CA 95762  
209-795-5013

larryostroff@comcast.net

RECEIVED  
PLANNING DEPARTMENT  
12 DEC 13 AM 7:49

Re: Z11-0007/TM11-1504  
Wilson Estates

I have been the owner for over 20 years of a home on a five acre parcel located a small distance northeast of the proposed development. I would like to be on record as opposed to the application to rezone the Wilson Estates property from the current zoning of R1A to proposed zoning of R1 for the following reasons:

High density housing will have significant negative impacts to the rural character that has always existed and is supported by the current zoning of R1A. The proposed development is a stark departure from the area surrounding it and would be an irreversible scar to the entire community.

Lot sizes in the area of the proposed project are 1 and 5-acre parcels. High density development would have a negative visual impact on the area.

CEQA guidelines have not been followed for this project. The cumulative effects of this project are not taken into consideration in regard to past, present and future developments in the area.

Malcom-Dixon Road attracts walkers, bicyclists, joggers and hikers. The traffic congestion would deter these uses. The fencing along the road would stand out as uncharacteristic of a rural and scenic area. Neighbors whose properties surround the proposed development would be subject to passing backyards of lots as little as 15 feet from the road.

We respectfully request the Planning Commission consider the above reasons to deny the rezoning from R1A to R1.

Sincerely,

Janet and Larry Ostroff

PC 12/13/12  
#12  
(2 pages)

TO: El Dorado County Planning Commission  
2850 Fairlane Court  
Placerville, CA

12 DEC 12 PM 4:27

From: Vern and Phyllis Miller  
2040 Casa Robles Rd  
El Dorado Hills, CA 95769

RECEIVED  
PLANNING DEPARTMENT  
Phone: 916-933-2760  
email: verndmiller@yahoo.com

Re: Z11-0007/TM11-1504 Wilson Estates

Subject: Request denial of application to rezone from R1A to R1.

This letter is to request denial of the application to rezone 28.18 acres of property currently zoned R1A to a higher density of R1 and allowing it to be split into 49 single-family residential lots. It appears that the staff analysis and, thus, their recommendation for approval is flawed. The most important reasons that this application should be denied include:

1. The density proposed in the application is not similar to any of the areas surrounding it. The net effect of an approval of this proposal would create a small island of a high density residential area in a rural area. There is no compelling reason that high density is needed on this parcel. Approval would seriously degrade the rural character of Malcolm Dixon Road.
  - a. In the *Initial Study/ Environmental Checklist* ( page 29 item X a. ) the staff marked that there would be "Less Than Significant Impact" in the category "Physically Divide an Established Community". As proposed that is exactly what this proposal requests. This area is rural and this project would place a high density area in the middle of this long established area.
  - b. The staff states, in the *Environmental Checklist/Discussion of Impacts* ( page 6, *Environmental Impacts, Discussion, Visual Character* ) that " The project would have views from the outside-in from similar residential neighborhoods with similar -sized lots from the east, west ( residences and the church facility), and from future residences to the north.." This is a gross error in either review or judgment.

The properties adjacent to this parcel towards Salmon Falls road are 1 acre parcels. The properties across Malcolm Dixon Rd and also on the East end of the parcel are zoned for 5 acre parcels. There is one grandfathered property on the East side that is about 3 acres. These sizes are not similar to the lot sizes being proposed in this application. In fact, several of the lot sizes that are proposed to back up to Malcolm Dixon Road are quite narrow. Lot sizes down to 10141 square feet, which is .233 acre are in direct contrast to 1 acre and 5 acre zoning that completely surround this parcel. This is a gross difference to the rural atmosphere that currently exists in this area.

After discussing this discrepancy with the Planner, he agreed that the statement was incorrect. He stated that he meant this to reflect the views from any other high density neighborhood and not this areas neighborhoods. Actually, it was more likely a way to make it sound like the impact to the area was minimal as he specifically mentioned the church property.

2. In addition, the Planning staff has apparently failed to consider the CEQA requirement to consider the cumulative impacts of this project when considered with the other present or

known planned projects in the area. The planning staff has written up their analysis and recommendations as if this is a stand-alone project. In fact, there are several other projects in the immediate area including those immediately across the street.

3. The encroachments of the road from this project onto Malcolm Dixon Road should be reviewed cumulatively with the other road encroachments from the other projects on Malcolm Dixon Rd. The current document does not show any other encroachments creating the possibility of a poor traffic situation on Malcolm Dixon Road considering the number of trips related to all of these projects.
  - a. The current proposal for this project shows an access to the proposed road going between Malcolm Dixon and Green Valley Roads. It is interesting to note that when this project was proposed earlier this year, there was no such access for the majority of this project onto this cross road. When questioned about why no such access had been provided, the Engineer for this project commented that it was not practical because the cross road was too steep. The reality is that this cross road is proposed by the Transportation Department to be in the worst possible location of anywhere across this property. It is the steepest terrain, comes out on Green Valley Road across a large ditch requiring a bridge or other means of crossing, and provides the worst traffic view of anywhere along this property if you are trying to turn from this cross road onto Green Valley Rd. It also entails expensive and unneeded realignment of Malcolm Dixon Road thus changing the character of this historic road. This realignment can not be justified for safety reasons. The location simply does not make sense.
4. The staff has concluded that there is no wildfire hazard in this area. The fact is that the owners of the currently undeveloped acreage in this area, including this parcel, have done nothing in regards to wildfire prevention. It is also a fact that there actually was a wildfire on this parcel a couple of years ago. Perhaps, this in itself is not high in terms of significance but it certainly demonstrates the disregard for facts or a lackadaisical approach to preparing these documents raising the question of other conclusions in this staff analysis and their conclusion that a negative declaration is warranted.

Summary:

Any consideration for a small island of high density housing in this rural area is a gross mistake and any reference to high density housing in any planning documents for this property was a grave error. When we were asked to pass the Counties General Plan it was explained by a County official that Green Valley Road would be the dividing line between the high density of the El Dorado Hills area and the more rural character of the Malcolm Dixon Road area. I, for one, was foolish enough to believe this and I voted for the General Plan. Regardless, the parcel in question is currently zoned R1A and this is compatible to the surrounding area. As such, it should remain R1A



PC 12/13/12  
#12

Tom Dougherty <tom.dougherty@edcgov.us>

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## Fwd: Malcolm-Dixon development

1 message

Planning Unknown <planning@edcgov.us>  
To: Tom Dougherty <tom.dougherty@edcgov.us>

Wed, Dec 12, 2012 at 12:53 PM

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

From: **Suzanne Spas** <suзiespas@hotmail.com>  
Date: Wed, Dec 12, 2012 at 11:41 AM  
Subject: Malcolm-Dixon development  
To: planning@edcgov.us

Dear Planning Commission and Board of Supervisors,

My husband and I

**feel it is wrong to force our rural area to have a gated small island of high density residential housing subdivision on Malcolm Dixon Road.**

This project proposes lot sizes down to .233 acre versus the R1A lot sizes of 1 acre towards Salmon Falls road and R5A (5 acre) in all other directions. There is not a compelling need for this high density housing in our immediate area. Serrano, Silva Valley, Lake Hills, El Dorado Hills, etc. all have plenty of space for persons wishing to locate in this type development! The project is not consistent with the 1 acre-5 acre properties surrounding the area. Check out the area.

Once again, it does not appear that the cumulative impact of this project combined with the other Malcolm Dixon Road projects have been considered - as is required by CEQA, This includes the traffic flow and circulation on Malcolm Dixon Road.

However, we think that forcing an island of a high density residential subdivision into our rural area is outrageous. **The owners of the property certainly have a right to develop it but it should be done within the current R1a (1 acre zoning).**

**We ask that you deny this project as presently submitted.**

**Thank you.**

Very truly yours,

**Stan and Sue Spas**

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Thank you.

PC 12/13/12  
#12  
(21 pages)

December 10, 2012

County of El Dorado Planning Services  
2850 Fairlane Court  
Placerville, CA 95667

RE: Initial Study/Environmental Checklist Form  
Z11-0007/TM11-1504/Wilson Estates

Dear Planning Commission and Board of Supervisors,

Thank you for the notification of public hearing for Rezoning of Z11-0007/TM11-1504/Wilson Estates.

Summary:

We respectfully request that you do not adopt the current draft of Mitigated Negative Declaration for Wilson Estates without further planning and mitigation. The drafted Mitigated Negative Declaration and consideration of rezoning should not be approved based on conflicting, missing, or incorrect data as well as conflicts with the General Plan. The developer, planning commission, and DOT traffic studies fail to address "cumulative effects" as required by law.

A reasonable argument could be made that the project WILL have a significant effect on the environment, traffic, and public services.

Disclosures:

*Since January 2012 we have been in ongoing discussions with David R. Crosariol, P.E. CTA Engineering & Surveying regarding possible design mitigation issues. Alternatives have been discussed and adopted into the current plan. Significant progress has been made regarding, Visual Character, Light and Glare, and Noise. However the residents and neighbors of Alta Vista Court and the Malcolm Dixon corridor still have grave concerns about:*

- Environmental Impacts
- Biological Resources
- Land Use and Planning
- Noise
- Transportation and Traffic
- Utilities and Service Systems

*The residents of Alta Vista Court welcome all future discussions and possible mitigation measures.*

12 DEC 10 PM 7:41  
RECEIVED  
PLANNING DEPARTMENT

Letter for Public hearing for Rezoning of Z11-0007/TM11-1504/  
Public comment: Kelley & John Garcia  
Wilson Estates

*The headings below have been organized to follow the headings and page numbers of the Initial Study/Environmental Checklist Form Z11-0007/TM11-1504/Wilson Estates document, followed by the issue being disputed, possible mitigations, discussions and supporting policies/guidelines.*

### **Environmental Impacts - Visual Character Page 6**

The drafted Mitigated Negative Declaration failed to identify and mitigate for:

c. Substantially degrade the existing visual character quality of the site and its surroundings

Possible Mitigation for visual character:

- In addition to the 50 foot set back on lots 1 and 2 restrict to single story construction.
- To preserve the rural character of the adjoining neighborhoods, and to insure neighborhood quality to the maximum extent, the entire project should be 1 acre parcels.

Supported by:

*The DEIR for the general plan had identified and examined the potential impacts that implementation of the general plan would have to the visual character of the areas of the County. Section 5.3-2 of the Executive Summary Table in the General Plan EIR states that the COUNTY mitigate the potential significant impacts by designing new streets and roads within new developments to minimize visual impacts, preserve rural character and ensure neighborhood quality to the maximum extent possible consistent with the needs of emergency access, on street parking, and vehicular and pedestrian safety.*

### **Environmental Impacts - Light and glare, Page 7**

The drafted Mitigated Negative Declaration and ongoing discussion with Dave Crosariol. PE at CTA engineering has mitigated our concerns to less than significant with an exception regarding automobile lights.

d. Create a new source of substantial light or glare which would affect day or night time view in the area.

Possible Mitigation for Light and Glare

- In addition to the wood fence on the western end of Lots 1 and 2 developer to install landscaping on the west side of said fence for directional shielding of auto lights into existing neighborhood as they travel down the proposed new road.

Supported by:

*General plan for High Density. Section 5.3-3 of the Executive Summary Table in the general plan EIR states " the potential significant impacts would be mitigated by including design features, namely directional shielding for street lighting, parking lot lighting, and other significant lighting sources (i.e. Automobile lights).*

### **Biological Resources - Page 12**

The drafted Mitigated Negative Declaration failed to identify and mitigate for:

The site is within the range of the federally listed threatened California red-legged frog. The Mitigated Negative Declaration simply states that the project does not fall within the designated critical habitat or core areas for this species without a specific assessment of whether or not habitat occurs on the site. The species is protected regardless of the presence of critical habitat. In reviewing the site, potential breeding habitat does not occur on the site; however, is present in a stock pond located 200 feet north of site, north of Malcolm Dixon Road (Diamante Estates). The nearest documented sighting relative to the project site is about 1 mile from the site, which is within the movement capabilities of this species. Certainly, if the California red-legged frog were present in the pond located 200 feet from the site they would be expected to occur, if just intermittently, on the Wilson property. In the absence of protocol-level surveys to document the absence of California red-legged frogs in the pond located 200 feet north of the site, mitigation should be provided for potential direct impacts to individual frogs and upland habitat for this species.

#### Possible Mitigation for Biological Resources.

- Require protocol-level survey to document the absence of California red-legged frogs in the pond located 200 feet north of the site

Supported by:

*The General Plan ("GP") EIR identified the loss and fragmentation of wildlife habitat as a significant impact (Impact 5.12-1), and proposed six mitigation measures to reduce the severity of the impact.*

*Expansion of List of Important Habitats at Option of BOS*  
*The list of "important habitat" in Policy 7.4.2.8 (A) may be expanded by the BOS: "State and federal statutory requirements protecting biological resources were considered when developing the list of important habitat listed on page 5.12-56 (INRMP 7.4.2.8 (A)) The "County has the option of expanding the definition of important habitats beyond these listed on Policy 7.4.2.8. EIR 4.12-497.*



**Land Use and Planning – Page 29**

The drafted Mitigated Negative Declaration failed to identify and mitigate for:

- a. Physically divide and established community

The existing parcels have had inconsistent land usage and zoning since the property was changed to high density and adopted into the community region (Table 2-4). The proposed rezoning only tries to justify a previous poor decision by the county during the General Plan debacle. It could be argued that this is the time to clean up past mistakes and keep the land usage and zoning consistent with the surrounding area.

Zoning District*	Land Use Designations*												
	MFR	HDR	MDR	LDR	RR	AL	NR	C	R&D	I	OS	TR	
RM & R2	•												
MP	•	•											
R1 & R20,000		•											
R1A			•										
R2A			•										
R3A		◊	•										
RE-5	◊	◊	◊	•									
RE-10	◊	◊	◊	•	•								
RA-20			◊	•	•	•							

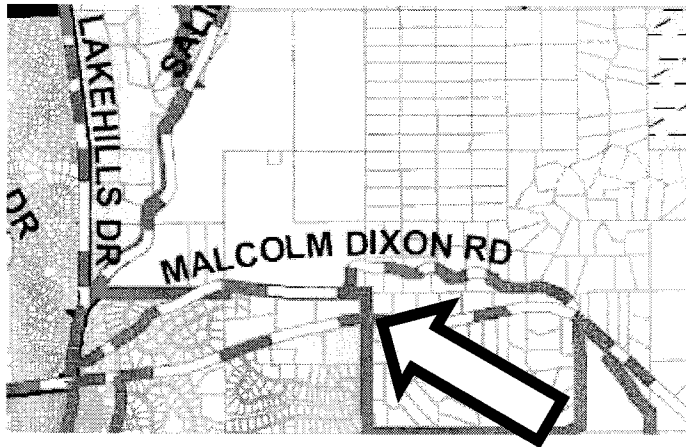
*El Dorado County General Plan*

*Land Use Element*

The picture below illustrates the 3 HDR parcels in question. The land usage physically divides a rural community. Furthermore, the community region line was creatively drawn, specifically and exclusively, to include these 3 parcels. For most parcels along this corridor, Green Valley Road is the line of demarcation transitioning from higher to lower density parcels. The current zoning (R1A) is consistent with development North of Green Valley Road which is rural 1, 5 and 10 acre parcels. The land usage designation is what needs to be changed to MDR or LDR to be consistent with adjoining neighborhoods, as a transitional land use between the more highly developed and the more rural area, and to eliminate the inconsistent island of HDR.

**We are asking that the county change the land use designation to MDR or LDR to be consistent with adjoining neighborhoods and to eliminate the island of high density.**

**Land Use and Planning – Page 29 Continued**



The 3 parcels create an island of HDR (High Density Residential) sandwiched between LDR and MDR which is inconsistent with the zoning and General plan which states:

*Policy 2.2.5.21 Development projects shall be located and designed in a manner that avoids incompatibility with adjoining land uses that are permitted by the policies in effect at the time the development project is proposed. Development projects that are potentially incompatible with existing adjoining uses shall be designed in a manner that avoids any incompatibility or shall be located on a different site.*

**Policy 2.1.1.6**

*The boundaries of existing Community Regions may be modified through the General Plan amendment process.*

**PROPOSED TARGETED GENERAL PLAN AMENDMENT**

October 1, 2012 Page 12 of 28

*Policy 2.9.1.4 The boundaries of Community Regions and Rural Centers may be changed and/or expanded every five years through the General Plan review process as specified in Policy 2.9.1.2 or as the Board of Supervisors deems necessary.*

**Land Use and Planning – Page 29 Continued**

Surrounding Land Uses and Setting:			
	Zoning	General Plan	Land Use/Improvements
Site	R1A	HDR	Residential/Vacant
North	RE-5	LDR	Residential/Single family residence
South	R1A/PA-20/RE-5	MDR	Residential/Single family residences
East	RE-5	LDR	Residential/Single family residence
West	R1A	MDR	Residential/Single family residences on approximately one-acre parcels, and the 11-acre LD S Church site.

Initial Study/Environmental Checklist  
 Z11-0007/TM11-1504/Wilson Estates

[http://edcapps.edcgov.us/Planning/ProjectDocuments/Z11-0007%20TM11-1504%20Exhibit%20U-Proposed%20MND&IS%20\(Signed\).pdf](http://edcapps.edcgov.us/Planning/ProjectDocuments/Z11-0007%20TM11-1504%20Exhibit%20U-Proposed%20MND&IS%20(Signed).pdf)

While the proposed development appears benevolent on the surface, it still relies on the underlying land usage designation with which it is combined (HDR). An argument could be made that once the zoning is changed a significant change in density can also occur. If rezoning is to occur it should correct prior errors and be compatible with adjoining land uses.

Since there are no existing water or sewer lines in place, a fair argument can be made that installation of these lines would cause a significant negative impact to the existing roads, traffic, and neighborhoods. It would seem more appropriate to utilize the MDR zoning which is consistent with the surrounding neighborhood and supported by the general plan which states:

*Land Use Element El Dorado County General Plan  
 July 2004 (Amended December 2009) Page 15*

*Medium-Density Residential (MDR): This designation shall be applied where the character of an area is single-family residences; where the absence or reduced level of infrastructure including roads, water lines, and sewer lines does not justify higher densities; Where the topography poses a constraint to higher densities; and as a transitional land use between the more highly developed and the more rural areas of the County. The maximum allowable density shall be one dwelling unit per 1.0 acre. Parcel sizes shall range from 1.00 to 5.00*

Possible Mitigation:

- Keep Zoning at R1A. Do not Re -Zone!!!
- Change land usage designation from HDR to MDR or LDR.
- Have the county resolve the inconstancy by completing the process of a General Plan Amendment changing the land use to MDR or LDR that is *compatible with adjoining land uses*.
- Restrict all vehicular access to Malcolm Dixon Road to be consistent with adjoining parcel restrictions and land usages. (attachment)
- With a MDR or LDR designation limit development to 1 acre parcel minimums.
- No density bonus

## **Land Use and Planning – Page 29 - Continued**

### **If MDR or LDR can not be obtained.**

- The changes and restrictions listed in the tentative map today are to follow the sale of the property to future developers limiting development and density to this proposed plan.

### **Noise – Page 30**

The drafted Mitigated Negative Declaration failed to identify and mitigate for:

- d. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies.
- c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

Other: The project failed to address and mitigate for recent litigation with the Board of Supervisors that states the “cumulative effects,” of all pending projects in the vicinity of the Malcolm Dixon Road Corridor would be part of all future projects, according to CEQA guidelines. There are currently 7 parcels (5 projects: Alto, Grande Amis, Diamante and La Canada and Wilson) actively in review or approved by the planning department. 401 acres in total all requesting access to Malcolm Dixon Road which would create excessive vehicular noise and increase outdoor activity areas of residential uses, of more than 5 dBA which is significant

Noise from transportation studies were done in reference to Green Valley Road to protect the proposed development. Mitigation of a sound wall and set backs were proposed for the new development. However, curiously omitted from the report is the impact to the existing neighborhood? There is no mention of any mitigation or studies done to protect the residents of Malcolm Dixon Road.

### **Possible Mitigation:**

- Restrict all vehicular access to Malcolm Dixon Road as consistent with adjoining land usages and parcel restrictions. (attachment)

### **Supported By:**

*El Dorado County General Plan Public Health, Safety, and Noise Element  
Page 114 (Amended March 2009) July 2004*

*A. Where existing or projected future traffic noise levels are less than 60 dBA  $L_{dn}$  at the outdoor activity areas of residential uses, an increase of more than 5 dBA  $L_{dn}$  caused by a new transportation noise source will be considered significant;*

*Policy 6.5.1.3 Where noise mitigation measures are required to achieve the standards of Tables 6-1 and 6-2, the emphasis of such measures shall be placed upon site planning and project design. The use of noise barriers shall be considered a means of achieving the noise standards only after all other practical design-*

**Noise – Page 30 Continued**

*related noise mitigation measures have been integrated into the project and the noise barriers are not incompatible with the surroundings.*

*Policy 6.5.1.9 Noise created by new transportation noise sources, excluding airport expansion but including roadway improvement projects, shall be mitigated so as not to exceed the levels specified in Table 6-1 at existing noise-sensitive land uses.*

Policy 6.5.1.10 To provide a comprehensive approach to noise control, the County shall: A. Develop and employ procedures to ensure that noise mitigation measures required pursuant to an acoustical analysis are implemented in the project review process and, as may be determined necessary, through the building permit process. Policy 6.5.1.12 When determining the significance of impacts and appropriate mitigation for new development projects, the following criteria shall be taken into consideration.

**Transportation and Traffic – Page 37**

The drafted Mitigated Negative Declaration failed to identify and mitigate for:

- b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Other: The project failed to address and mitigate for recent litigation with the Board of Supervisors that states the “cumulative effects,” of all pending projects in the vicinity of the Malcolm Dixon Road Corridor would be part of all future projects, according to CEQA guidelines. There are currently 7 parcels (5 projects: Alto, Grande Amis, Diamante, La Canada and Wilson) actively in review or approved by the planning department. 401 acres in total all requesting access to Malcolm Dixon Road which would create excessive vehicular noise and traffic.

A fair argument could be made that the traffic study provided by Kimely Horn dated 3/3/11 and the supplemental report from May 3, 2012 is inadequate and non-cumulative with respect to the other proposed developments. No further comment on traffic is warranted as no new traffic study was completed. A detailed analysis showing inaccurate baseline data was present in our previous letter dated 1/19/2012.

A brief summary of our concerns:

1. The site map submitted to Kimley-Horn is different than what was submitted to the county. Showing different points of entry onto Malcolm Dixon Road.
2. The proposed access driveway into Wilson Estates encourages all westbound traffic to egress downhill using Malcolm-Dixon Rd.
3. There are no speed studies done at the entrance of proposed development along Malcolm Dixon Road. As confirmed by the Highway Patrol, the speed limit posted is 55 MPH with poor visibility during peak hours due to the east/west orientation of the road.
4. There is no mention of accident rates on Malcolm Dixon Road.
5. There is no mention of cut through traffic, or traffic counts for vehicles using Allegheny Rd in an effort to avoid the intersection of at Green Valley Road @ El Dorado Hills Blvd/Salmon Falls.
6. There is no mention of the cumulative impacts that the proposed development projects will have on the historic single lane bridges at the bottom of Malcolm Dixon Road.

Possible Mitigation:

- Implement the proposed signal adjustments at Green Valley Road/El Dorado Hills Blvd - Salmon Falls NOW and evaluate the LOS prior to Board approval. This adjustment will not likely fix the service level today, not to mention when all of these daily trips are added.
- Merge traffic study data from Alto, Grande Amis, Diamante, La Canada and Wilson to fairly asses the cumulative traffic impact from all projects in the immediate area.
- Create a right only out of Wilson Estates on to Malcolm Dixon Road.
- Eliminate all access to Malcolm Dixon Road
- Secondary entrance to Wilson Estates from Green Valley Road (or one way fire egress).

Letter for Public hearing for Rezoning of Z11-0007/TM11-1504/  
Public comment: Kelley & John Garcia  
Wilson Estates

- If there must be an entrance onto Malcolm Dixon Road, use for Fire safety only. Similar to Rolling Hills Estates.
- If there must be an exit on to Malcolm Dixon Road, require alignment with Diamante Estates (to the North of Wilson Estates (Omni Financial ? ) creating an intersection with an area to pull off of the main road. (i.e. At lot 8-9 connecting with Diamante Estates, above the historic little red school house). One way exit gate for emergency fire egress only.
- Vehicular access restriction consistent with other Malcolm Dixon frontage road parcels (Diamante and 515 Alta Vista Court) (\*Attachment).

Supported by:

*Transportation and Circulation Element El Dorado County General Plan  
Page 68 (Amended January 2009) July 2004*

*Policy TC-Xa The following policies shall remain in effect until December 31, 2018:*

*Traffic from single-family residential subdivision development projects of five or more parcels of land shall not result in, or worsen, Level of Service F (gridlock, stop-and-go) traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county.*

*Developer-paid traffic impact fees combined with any other available funds shall fully pay for building all necessary road capacity improvements to fully offset and mitigate all direct and cumulative traffic impacts from new development upon any highways, arterial roads and their intersections during weekday, peak-hour periods in unincorporated areas of the county.*

## **Transportation and Traffic – Page 37- In Depth Discussion**

### **Summary**

The traffic impact of the Wilson project and the neighboring projects (Alto, Grande Amis, Diamante and La Canada) claim to have evaluated cumulative impacts in each of the projects mitigated negative declarations (MND). We have found that their cumulative effects have been grossly underestimated in each of the MND's prepared by the developers due to errors in the existing traffic numbers. The cumulative effects are added to these numbers and are therefore inaccurate representations of future traffic impacts to this area. These declarations rely on 2006, 2008 and 2010 traffic studies and estimations of light timing that have not been appropriately demonstrated nor clearly mitigated in these reports.

We therefore request that the planning commission reserve their comments and recommendations on this and other surrounding projects until a valid traffic study of this corridor is completed.

Based on the findings above, the county and developer(s) have failed to address and mitigate for "cumulative effects" per CEQA guidelines and have grossly under reported impacts in their Mitigated Negative Declarations. The residents of Alta Vista Court request that no further project approvals be granted until a more current and accurate Traffic Study is performed and is used in evaluating the individual and cumulative impacts and mitigations of all approved, pending and foreseeable development projects (Alto, Grande Amis, Diamante, La Canada, Wilson and Dixon Ranch).

Letter for Public hearing for Rezoning of Z11-0007/TM11-1504/  
Public comment: Kelley & John Garcia  
Wilson Estates

## **Transportation and Traffic – Page 37 Continued**

Supported by:  
2011 CEQA Guidelines  
p. 221, 222

### *15355. CUMULATIVE IMPACTS*

*“Cumulative impacts” refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.*

*(a) The individual effects may be changes resulting from a single project or a number of separate projects.*

*(b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.*

*Transportation and Circulation Element El Dorado County General Plan  
Page 68 (Amended January 2009) July 2004*


*Policy TC-Xa The following policies shall remain in effect until December 31, 2018:*

*Traffic from single-family residential subdivision development projects of five or more parcels of land shall not result in, or worsen, Level of Service F (gridlock, stop-and-go) traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county.*

*Association of Environmental Professionals*

Citations:

## **Diamante Estates (Omni?)**

 <b>ENVIRONMENTAL CHECKLIST FORM AND DISCUSSION OF IMPACTS</b>
<b>Project Title:</b> Z06-0027/TM06-1421/S08-0028/Diamante Estates

Environmental Checklist/Discussion of Impacts  
Page 29

- b. According to the traffic analysis, once fully occupied the proposed development would generate 182 total daily trips, with 14 trips occurring in the AM peak hour, and 19 trips occurring within the PM peak hour. These estimates are based on the Institute of Transportation Engineers *Trip Generation Manual 7<sup>th</sup> Edition*.



Letter for Public hearing for Rezoning of Z11-0007/TM11-1504/  
Public comment: Kelley & John Garcia  
Wilson Estates

**Wilson Estates:**


**INITIAL STUDY  
ENVIRONMENTAL CHECKLIST**

**Project Title:** Z11-0007/ TM11-1504/Wilson Estates

Initial Study/Environmental Checklist  
Z11-0007/TM11-1504/Wilson Estates  
Page 37

- a. b. **Traffic Increases, Levels of Service Standards:** The Wilson Estates Traffic Impact Analysis (TIA) dated March 3, 2011 and Supplemental TIA dated May 3, 2012, prepared by Kimley-Horn and Associates (see Attachments 16-18), provides analysis and conclusions to traffic impacts by the project. The project will cause an increase in traffic on area roadways and intersections. The traffic study concluded that the project would generate 44 AM and 55 PM peak hour trips, with 540 daily trips. The project trip generation, plus approved projects not built, plus existing traffic is less than the assumed 2025 build out of the 2004 General Plan traffic analysis for this area. Therefore, the traffic improvements in the traffic fee program will accommodate the 2025 impacts of this project and a separate cumulative (year 2025) analysis was not required. As defined by the County, the addition of the proposed project to the Existing (2010) and Existing plus Approved Projects (2015) scenarios worsens conditions at three (3) study intersections.

**Grand Amis: (Diamante Development)**

 <b>ENVIRONMENTAL CHECKLIST FORM AND DISCUSSION OF IMPACTS</b>
<b>Project Title:</b> Z05-0015/TM05-1401 Malcolm Dixon Road Estates Subdivision
<b>Lead Agency Name and Address:</b> El Dorado County, 2850 Fairlane Court, Placerville, CA 95667

Environmental Checklist/Discussion of Impacts  
Page 29

- b. ITE trip generation predicts 10 trips per day per house, a total of 80 additional trips per day. There are currently areas of roads within the area that are impacted to service level F. During the AM peak hour, Highway 50 is impacted to LOS F in the westbound direction, west of El Dorado Hills Boulevard as shown

Letter for Public hearing for Rezoning of Z11-0007/TM11-1504/  
Public comment: Kelley & John Garcia  
Wilson Estates

**Transportation and Traffic – Page 37- In Depth Discussion – Continued**

**La Canada:**



**ENVIRONMENTAL CHECKLIST FORM  
AND DISCUSSION OF IMPACTS**

**Project Title:** La Canada Residential Subdivision (Rezone Z08-0001, Planned Development PD08-0003, Phased Tentative Map TM08-1463)

**Lead Agency Name and Address:** El Dorado County, 2850 Fairlane Court, Placerville, CA 95667

Environmental Checklist/Discussion of Impacts  
Z08-0001/PD08-0003/TM08-1463  
La Canada Subdivision  
Page 30

- b. **Level of Service.** According to the traffic analysis, once fully occupied the proposed development would generate 519 total daily trips, with 43 trips occurring in the AM peak hour, and 54 trips occurring within the PM peak hour. These estimates are based on the Institute of Transportation Engineers *Trip Generation Manual 7th Edition*. The County's level of service standard specifies the following:

**Alto:**



**ENVIRONMENTAL CHECKLIST FORM  
AND DISCUSSION OF IMPACTS**

**Project Title:** Z06-0005/PD06-0006/TM06-1408-Alto

**Lead Agency Name and Address:** El Dorado County, 2850 Fairlane Court, Placerville, CA 95667

Environmental Checklist/Discussion of Impacts  
Page 29

- b. According to the traffic analysis, once fully occupied the proposed development would generate 239 total daily trips, with 19 trips occurring in the AM peak hour, and 25 trips occurring within the PM peak hour. These estimates are based on the Institute of Transportation Engineers *Trip Generation Manual 7th Edition*.

**Dixon Ranch :**

\*6833 Total Daily Trips ITE Trip Generation 8th Edition Spreadsheet Prediction

## **Transportation and Traffic – Community Region**

Since the proposed parcels are within the community region, and Malcolm Dixon Road is within the rural region a fair argument could be made that the community region should absorb the traffic from the HDR development within the community region (i.e Green Valley Road). The proposed project is exploiting the rural region and asking the rural region to absorb all of its traffic, noise, and light from proposed project with no buffer consideration which is in violation of:

*Policy 2.2.5.21 Development projects shall be located and designed in a manner that avoids incompatibility with adjoining land uses that are permitted by the policies in effect at the time the development project is proposed. Development projects that are potentially incompatible with existing adjoining uses shall be designed in a manner that avoids any incompatibility or shall be located on a different site.*

### **2004 Community Regions**

#### **OBJECTIVE 2.1.1: COMMUNITY REGIONS**

*Purpose: The urban limit line establishes a line on the General Plan land use maps demarcating where the urban and suburban land uses will be developed. The Community Region boundaries as depicted on the General Plan land use map shall be the established urban limit line.*

*Provide opportunities that allow for continued population growth and economic expansion while preserving the character and extent of existing rural centers and urban communities, emphasizing both the natural setting and built design elements which contribute to the quality of life and economic health of the County.*

#### **Policy 2.1.1.2**

*Establish Community Regions to define those areas which are appropriate for the highest intensity of self-sustaining compact urban-type development or suburban type development within the County based on the municipal spheres of influence, availability of infrastructure, public services, major transportation corridors and travel patterns, the location of major topographic patterns and features, and the ability to provide and maintain appropriate transitions at Community Region boundaries. These boundaries shall be shown on the General Plan land use map.*

Letter for Public hearing for Rezoning of Z11-0007/TM11-1504/  
Public comment: Kelley & John Garcia  
Wilson Estates

### **Utilities and Service Systems – Page 39**

The drafted Mitigated Negative Declaration failed to identify and mitigate for:

b. Require or result in the construction of new water or waste water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

“the FIL makes it clear that this is not a commitment to serve, but does address the location and approximate capacity of existing facilities that may be available to serve the one proposed project.” The CEQA Findings and Initial Study and Environmental Checklist do not address the "cumulative impacts".

Supported by:

*El Dorado County General Plan Public Services and Utilities Element  
Policy 5.1.2.1 Prior to the approval of any discretionary development, the approving authority shall make a determination of the adequacy of the public services and utilities to be impacted by that development. Where, according to the purveyor responsible for the service or utility as provided in Table 5-1, demand is determined to exceed capacity, the approval of the development shall be conditioned to require expansion of the impacted facility or service to be available concurrent with the demand, mitigated, or a finding made that a CIP project is funded and authorized which will increase service capacity.*

*Policy 5.3.1.7 In Community Regions, all new development shall connect to public wastewater treatment facilities. In Community Regions where public wastewater collection facilities do not exist project applicants must demonstrate that the proposed wastewater disposal system can accommodate the highest possible demand of the project.*

#### **Possible Mitigation:**

- Demonstrate that the proposed wastewater disposal system can accommodate the highest possible demand of the "cumulative impacts" of all 5 proposed projects.
- Request from EID commitment to serve

### **Mandatory Findings of Significance - Page 41**

The drafted Mitigated Negative Declaration failed to identify and mitigate for:

- b. Have impacts that are individually limited but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when view in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

The proposed Initial Study and Environmental Checklist understates **Mandatory Findings of Significance** as less than significant impact. As illustrated in this document, community meetings, and current proposed developments a fair argument could be made that this proposed development as well as the additional 4 proposed developments would have potentially significant impact with or without mitigation on:

Letter for Public hearing for Rezoning of Z11-0007/TM11-1504/  
Public comment: Kelley & John Garcia  
Wilson Estates

- Visual Character
- Light and Glare
- Biological Resources
- Land Use and Planning
- Noise
- Transportation and Traffic
- Utilities and Service Systems

Supported by:

*Association of Environmental Professionals*  
*2011 CEQA Guidelines*  
p. 221, 222

#### 15355. CUMULATIVE IMPACTS

*“Cumulative impacts” refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.*

*(a) The individual effects may be changes resulting from a single project or a number of separate projects.*

*(b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.*

#### **Summary:**

The development should not be approved in its current proposed state based on conflicting, missing, or incorrect data as well as conflicts with the General Plan.

It is requested that prior to consideration of approval of any portion of this proposed project that the developer (s), county, and DOT meet with the community and address and mitigate the remaining issues and concerns including incremental impact (“cumulative effects”) of the project when added to other closely related past, present, and reasonably foreseeable probable future projects, as required by CEQA guidelines. The existing neighbors and residents know that the project WILL have a significant impact on the environment and respectfully request a full Environmental Impact Report prior to proceeding. An agency’s decision to omit the preparation of an EIR will not stand if *any* substantial evidence in the record would support a fair argument that the Project *may* have a significant effect on the environment. (*No Oil, Inc. v. city of Los Angeles* (1974) 13 Cal.3d 68, 75; *Friends of “B” Street v. City of Hayward* (1980) 106 Cal.App.3d 988, 1000-1003; Pub. Resources Code § 21151).

There is substantial evidence to support a fair argument that each of the project impacts discussed above may be significant. The cumulative impacts of the project are significant. Where a

Letter for Public hearing for Rezoning of Z11-0007/TM11-1504/  
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Wilson Estates

project's impacts are cumulatively considerable, adoption of a mitigated negative declaration is inappropriate unless the evidence in the record demonstrates that the mitigation measures will reduce all impacts to a level of insignificance. (See San Bernardino Valley Audubon Society v. Metropolitan Water District (1999) 71 Cal.App.4th 382, 391.) Finally, the Initial Study simply does not contain enough information to fulfill its purpose as an informational document.

Because of the issues raised above, we believe that the Mitigated Negative Declaration fails to meet the requirements of the California Environmental Quality Act. For these reasons, we believe the document should be withdrawn and a revised environmental document, a full EIR, should be released which adequately addresses all direct and reasonably foreseeable impacts, provides adequate and feasible mitigation, considers the alternatives under the correct assumptions about the current environmental setting and avoids excessive and unnecessary impacts to the environment and people in the vicinity of the project.

Sincerely,

John & Kelley Garcia  
515 Alta Vista Court  
El Dorado Hills CA 95762

CC: Board of Supervisors, El Dorado County

John Knight, District One

bosone@edcgov.us

Ron Mik Mikulaco, Supervisor Elect District One

ron@gotmik.com

Ron Briggs, District Four

bosfour@edcgov.us

Lou Rain, District I Planning Commissioner

lou.rain@edcgov.us

Eileen Crawford, Department of Transportation

eileen.crawford@edcgov.us

Tom Dougherty, Project Planner

tom.dougherty@edcgov.us

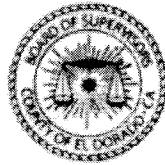
planning@edcgov.us

Attachments:

Resolution Number 021-2011

Vehicular Access Restriction of surrounding parcels

Modified Malcolm Dixon Area Traffic Circulation Map



**RESOLUTION NO. 021-2011**

**OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO REGARDING POLICIES  
RELATED TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND THE DENSITY BONUS  
PROVISION OF EL DORADO COUNTY GENERAL PLAN POLICY 2.2.4.1**

**WHEREAS**, On February 19, 2010 a Petition for Writ of Mandate was filed in El Dorado County Superior Court challenging a discretionary approval of the Board pursuant to the California Environmental Quality Act ("CEQA").

**WHEREAS**, the Petition alleged that the County does not comply with CEQA when processing applications that implicate the Density Bonus Provision of El Dorado County General Plan Policy 2.2.4.1.

**WHEREAS**, the County vigorously disputes this and other allegations contained in the Petition, while at the same time recognizing that resolution of the dispute may be accomplished through official action formalizing the manner in which the County shall review applications implicating the Density Bonus Provision pursuant to CEQA.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY  
OF EL DORADO AS FOLLOWS:**

1. Where a project application for a residential development includes a request that the County apply the Density Bonus provision, the County shall include, in the Initial Study for the project, an analysis of the following with respect to the increased density: (1) impacts associated with the increased number of housing units allowed through the application of the Density Bonus provision; and (2) cumulative impacts of the additional housing units.
2. The Initial Study shall include current data and information regarding the environmental conditions, and will not rely solely on information contained in the County General Plan or its related Environmental Impact Report. Project-specific data and information shall be gathered for each potential area of environmental impact.
3. Within the Initial Study, the impacts associated with the requested increased density shall be evaluated on a project-specific level for the purpose of analyzing cumulative impacts under CEQA Guidelines section 15064(h)(1).
4. Cumulative impacts (as defined by CEQA Guidelines section 15355 refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.
  - (a) The individual effects may be changes resulting from a single project or a number of separate projects.
  - (b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable future projects.

Letter for Public hearing for Rezoning of Z11-0007/TM11-1504/  
Public comment: Kelley & John Garcia  
Wilson Estates

5. Under CEQA an EIR must be prepared for a project where, "after examining the entire record, there is substantial evidence to support a fair argument that a project may have a significant effect on the environment." If the Initial Study for a project seeking increased density under the Density Bonus provision reveals information to support a fair argument, than an EIR will be prepared.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 8 day of February, 2011 by the following vote of said Board:

Attest:

Suzanne Allen de Sanchez  
Clerk of the Board of Supervisors

Ayes: Sweeney, Knight, Nutting, Briggs

Noes: none

Absent: Santiago

By:

  
Deputy Clerk

  
Chairman, Board of Supervisors

Raymond J. Nutting

I CERTIFY THAT:

THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

Attest: Suzanne Allen de Sanchez, Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By:

  
Deputy Clerk

Date:

2/8/11



Letter for Public hearing for Rezoning of Z11-0007/TM11-1504/  
Public comment: Kelley & John Garcia  
Wilson Estates

**ATTACHMENT 1**  
**CONDITIONS OF APPROVAL**  
**FILE NUMBER Z06-0027/TM06-1421/S08-0028**

Z06-0027/TM06-1421/S08-0028/Diamante Estates  
Planning Commission/September 24, 2009  
Attachment 1/Conditions of Approval  
Page 3

**Project Conditions of Approval**  
**Planning Services**

5. A vehicular access restriction shall be established along the entire frontage along lots 1, 4, 5, 7, 8 and 20. Lots 5 and 7 shall take access from interior roads. All parcels on two roadways shall take access from the minor roadway. This shall be verified by Planning Services prior to recording the Final Map.

Z06-0027/TM06-1421/S08-0028/Diamante Estates  
Planning Commission/September 24, 2009  
Attachment 1/Conditions of Approval  
Page 11

56. **Vehicular Access Restriction:** Prior to filing of the map, the applicant shall record a vehicular access restriction along the entire frontage of Malcom-Dixon Road, excluding the location of the approved access encroachment.

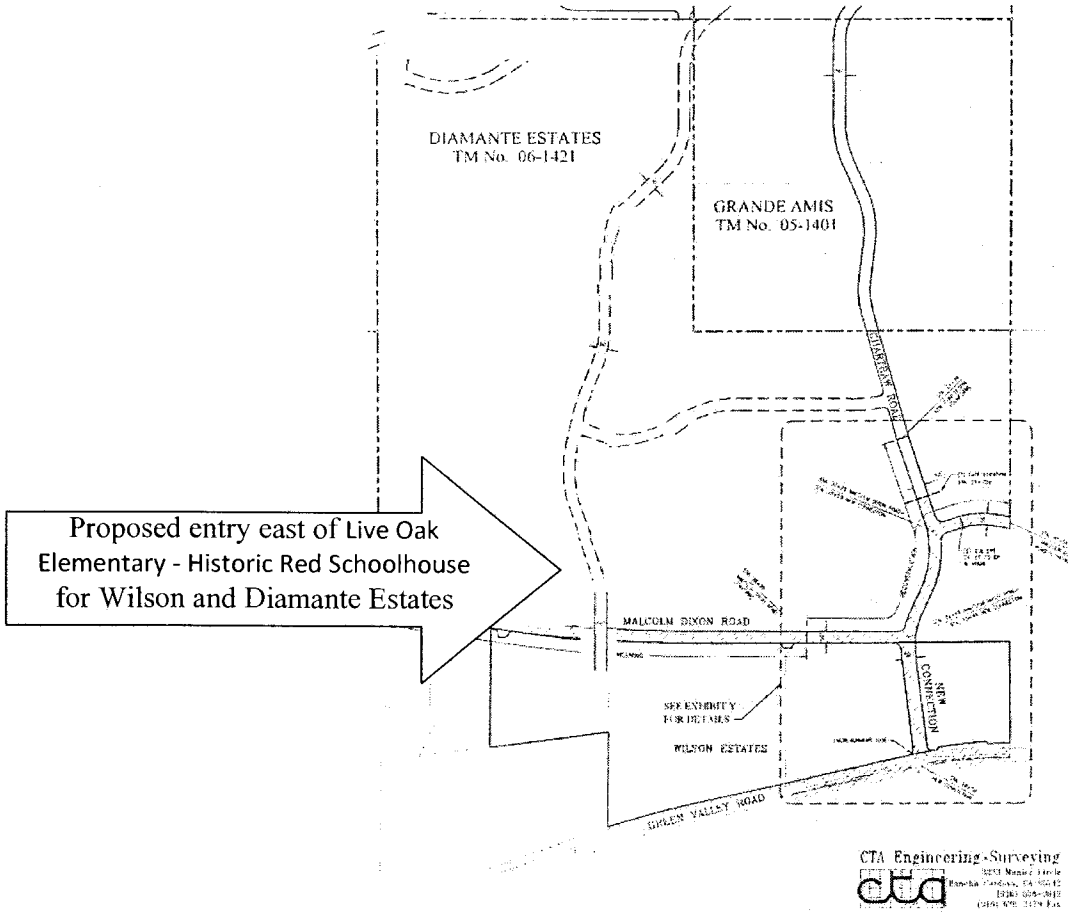
**Title documents for 515 Alta Vista Ct**

Title No. 04-30700105-RN  
Locate No. CACTI7734-7734-2307-0030700105

PARCEL 1 IS RESTRICTION FROM VEHICULAR ACCESS ALONG MALCOM-DIXON ROAD FRONTAGE  
AFFECTS A PORTION OF SAID PARCEL

Letter for Public hearing for Rezoning of Z11-0007/TM11-1504/  
Public comment: Kelley & John Garcia  
Wilson Estates

Taken from Malcolm Dixon Area Traffic Circulation Map – Exhibit X





PC 12/13/12  
#12

County of El Dorado, California

**Fwd: Green Valley projects**

Forwarded message

**Peter Maurer** <peter.maurer@edcgov.us>

Tue, Dec 11, 2012 at 12:33 PM

To: Rommel Pabalinas <rommel.pabalinas@edcgov.us>, Tom Dougherty <tom.dougherty@edcgov.us>, Lillian M MacLeod <lillian.macleod@edcgov.us>, Charlene M Tim <charlene.tim@edcgov.us>

FYI - Char, please include in e-mails to PC. Tnx! - Peter

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

From: **Planning Unknown** <planning@edcgov.us>

Date: Tue, Dec 11, 2012 at 12:14 PM

Subject: Fwd: Green Valley projects

To: Roger Trout <roger.trout@edcgov.us>

Cc: Peter Maurer <peter.maurer@edcgov.us>, Pierre Rivas <pierre.rivas@edcgov.us>

12 DEC 11 PM 2:07  
RECEIVED  
PLANNING DEPARTMENT

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

From: **Robin Fine-Weinberger** <Robin@weinbergerlaw.net>

Date: Mon, Dec 10, 2012 at 1:14 PM

Subject: Green Valley projects

To: "planning@edcgov.us" <planning@edcgov.us>

In Opposition to multiple Green Valley Projects – Without requiring builders to widen Green Valley Road and provide additional ingress/egress measures outside of existing suburban subdivisions, multiple projects should not be approved, including, but not limited to, Green Valley/ Winn Commercial, Green Valley/ Wilson Estates, Green Valley/ Dixon Ranch. Additionally, the "antiquated" 4 way stop at El Dorado Hills Blvd and Francisco will be impacted greatly as well. This "historic" 4-way stop at EDH Blvd and Francisco has existed without improvement for at least as long as I have lived here for 20 years or more. Additional building projects must also include massive infrastructure improvements, including, but not limited to, road widening on El Dorado Hills Blvd at Governor and beyond to the North to accommodate the additional traffic congestion as well as improvements to the 4-way stop. The "re-working" of the freeway ramps at EDH and 50 as well as implementing and completing the new freeway ramp at Silva Valley and 50. It is unforgivable that the county would continue to blindly pass on approval and recommend these projects, including, the continuation of "cheap" "pass-thrus" of quietly existing residential streets?

Thank you, Robin F. Fine-Weinberger, Esq.

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Thank you.

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Thank you.



Tom Dougherty <tom.dougherty@edcgov.us>

**Fwd: Wilson Estates Project**

1 message

**Planning Unknown** <planning@edcgov.us>  
To: Tom Dougherty <tom.dougherty@edcgov.us>

Tue, Dec 11, 2012 at 12:13 PM

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

From: **Larry Keenan** <lobbythis@comcast.net>  
Date: Mon, Dec 10, 2012 at 11:34 AM  
Subject: Wilson Estates Project  
To: planning@edcgov.us  
Cc: John Knight <bosone@edcgov.us>, Supervisor 2 <bostwo@edcgov.us>, Supervisor 3 <bosthree@edcgov.us>, Supervisor 4 <bosfour@edcgov.us>, Supervisor 5 <bosfive@edcgov.us>

Date: December 10, 2012  
To: El Dorado County planning department  
El Dorado County Supervisors  
From: Larry and Michele Keenan  
3391 Tartan Trail  
El Dorado Hills, CA 95762  
916 933 9475  
lobbythis@comcast.net

Re: Wilson Estates Project (adjacent to Green Valley Rd. near Mormon Church)

We have reviewed the latest documents that specify the size and number of lots for this project and in general we are in favor as are several residents of Sterlingshire, our HOA.

The issue we have is the added traffic on Green Valley Rd. It will be substantial. As it is now we are having a tough time getting out of our development at Loch Way as traffic is continual. With the additional traffic from this project and the looming Dixon Ranch project we are very concerned.

We cannot see any of these projects being approved unless there is a dual agreement for widening and signaling Green Valley Rd.

It is therefore our request that concomitant plans for the widening and signaling of Green Valley Rd be part of any approval for the Wilson Estates project as well as Dixon Ranch.

Sincerely,  
Larry and Michele Keenan

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Thank you.

12 DEC 12 AM 11:25  
RECEIVED  
PLANNING DEPARTMENT

PC 12/13/12  
#12



PC 12/13/12

#12

(4 pages)

**Fwd: Land use inconsistencies - Wilson Estates Parcel numbers 126-070-22, 126-070-23, 126-070-30**

1 message

**Peter Maurer** <peter.maurer@edcgov.us>  
To: Tom Dougherty <tom.dougherty@edcgov.us>  
Cc: Charlene M Tim <charlene.tim@edcgov.us>

Thu, Nov 29, 2012 at 10:44 AM

Tom,

This message applies to Wilson Estates. I am also copying it to Char so it can be included in comments to the PC.

Peter

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

From: **Planning Unknown** <planning@edcgov.us>  
Date: Thu, Nov 29, 2012 at 10:20 AM  
Subject: Fwd: Land use inconsistencies - Wilson Estates Parcel numbers 126-070-22, 126-070-23, 126-070-30  
To: Peter Maurer <peter.maurer@edcgov.us>, Pierre Rivas <pierre.rivas@edcgov.us>

FYI from the public website.

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

From: **John & Kelley** <bugginu@sbcglobal.net>  
Date: Thu, Nov 29, 2012 at 10:02 AM  
Subject: Land use inconsistencies - Wilson Estates Parcel numbers 126-070-22, 126-070-23, 126-070-30  
To: Shawna.purvines@edcgov.us  
Cc: planning@edcgov.us

RECEIVED  
PLANNING DEPARTMENT  
12 NOV 30 AM 8:12

Shawna,

We have met you several times at land use meetings. I am finally getting around to sending you our example of inconsistent land use. The residents and neighbors of the Malcolm Dixon Road Corridor would greatly appreciate review of these three parcels.

This is a perfect opportunity for the county to FIX a known issue as referenced by the developers own admission in the mitigated negative declaration. This project is on the next planning commission calendar December 13, 2012 @ 8:30 am.

The Wilson Estates negative declaration can be view at the following web address : <http://edcapps.edcgov.us/Planning/ProjectInquiryDisplay.asp?ProjectID=18691>

We are writing a letter in response to Wilson Estates poor land use designation. The developer admits in the MND that the land use and zoning are inconsistent. The developer wants to keep the land usage and fix (?) the zoning. A reasonable argument could be made that the zoning is consistent with adjoining neighborhoods at R1A.

**We are asking that the county change the land use designation to LDR or MDR to be consistent with adjoining neighborhoods and to eliminate the island of high density.**

Below is an excerpt from the developers MND and our response that will be included in our letter to the county for the upcoming planning commission meeting.

**Land Use Consistency:** The three parcels are currently zoned One-Acre Residential (RIA) which would be inconsistent with the High Density Residential land use designation and therefore, a rezone request from

to R1 is requested. The proposed rezone, and tentative subdivision map, as conditioned, are consistent with the specific, fundamental, and mandatory land use development goals, objectives, and policies of the General Plan. The rezone would create zoning consistent with the existing land use designation of HDR, and as proposed, could allow residential development consistent with the R1 development standards contained within the El Dorado County Zoning Ordinance.

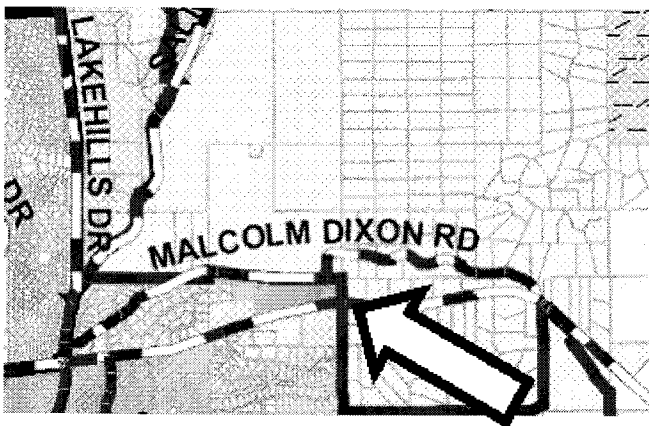
## **Land Use and Planning – Page 29**

The drafted Mitigated Negative Declaration failed to identify and mitigate for:

- a. Physically divide and established community

The existing parcels have had inconsistent land usage and zoning since the property was changed to high density and adopted into the community region. The proposed rezoning only tries to justify a previous poor decision by the county during the General Plan debacle. It could be argued that this is the time to clean up past mistakes and keep the land usage and zoning consistent with the surrounding area.

The picture below illustrates the 3 parcels in question. The land usage physically divides a rural community. Furthermore, the community region line was creatively drawn to specifically and exclusively to included just these 3 parcels. Not adjoining parcels. The zoning (R1A) is consistent with development North of Green Valley Road which is rural 1, 5 and 10 acre parcels. The land usage designation is what needs to be changed to LDR or MDR to be consistent with adjoining neighborhoods and to eliminate the inconsistent island of HDR.



The 3 parcels create an island of HDR (High Density Residential) sandwiched between LDR and MDR which is inconsistent with the zoning and General plan which states:

*Policy 2.2.5.21 Development projects shall be located and designed in a manner that avoids incompatibility with*

Public Comment

13-0024 E 30 of 114

*adjoining land uses that are permitted by the policies in effect at the time the development project is proposed. Development projects that are potentially incompatible with existing adjoining uses shall be designed in a manner that avoids any incompatibility or shall be located on a different site.*

While the proposed development appears benevolent on the surface, it still relies on the underlying land usage designation with which it is combined (HDR). An argument could be made that once the zoning is changed a significant change in density can also occur. If rezoning is to occur it should correct prior errors and be compatible with adjoining land uses.

Since there are no existing water or sewer lines in place, a fair argument can be made that installation of these lines would cause a significant negative impact to the existing roads, traffic, and neighborhoods. It would seem more appropriate to utilize the MDR zoning which is consistent with the surrounding neighborhood and supported by the general plan which states:

*Land Use Element El Dorado County General Plan*

*July 2004 (Amended December 2009) Page 15*

*Medium-Density Residential (MDR): This designation shall be applied where the character of an area is single-family residences; where the absence or reduced level of infrastructure including roads, water lines, and sewer lines does not justify higher densities; Where the topography poses a constraint to higher densities; and as a transitional land use between the more highly developed and the more rural areas of the County. The maximum allowable density shall be one dwelling unit per 1.0 acre. Parcel sizes shall range from 1.00 to 5.00*

## **Land Use and Planning – Page 29 - Continued**

Possible Mitigation:

- Keep Zoning at R-1A. Do not Re -Zone!!!
- Change land usage designation to MDR or LDR to make compatible with adjoining land uses.
- Restrict or limit any future density bonus on this project/parcels to 1 acre lots.
- All changes and restrictions to follow the sale of the property to future developers limiting to 1 acre parcel or this proposed plan.
- Have the county resolve the inconstancy by completing the process of a General Plan Amendment changing the land use to LDR or MDR that is *compatible with adjoining land uses*.
- Restrict all vehicular access to Malcolm Dixon Road to be consistent with adjoining parcel restrictions and land usages.  
(attachment)

Kelley & John Garcia

515 Alta Vista Ct

El Dorado Hills CA

916-941-0418

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Public Comment  
13-0024 E 31 of 114

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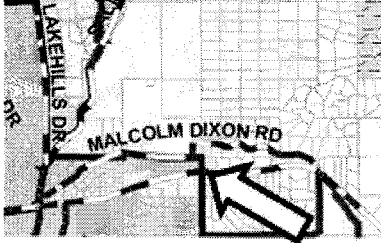
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**2 attachments**



**image005.gif**  
25K

 **image002.emz**  
44K





James Mitrisin <jim.mitrisin@edcgov.us>

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Fwd: Wilson Estate s - BOS m eeting January 29th - Env ironm ental Conce rns

1 message

---

The BOSFOUR <bosfour@edcgov.us>

Wed, Jan 23, 2013 at 11:35 AM

To: James Mitrisin <jim.mitrisin@edcgov.us>

Please include this email and attachment with the agenda materials for the Willson Estates Project scheduled for the January 29th Board agenda.

Thank you,  
Brenda

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

From: John & Kelley <bugginu@sbcglobal.net>

Date: Wed, Jan 23, 2013 at 7:31 AM

Subject: RE: Wilson Estates - BOS meeting January 29th - Environmental Concerns

To: [bosone@edcgov.us](mailto:bosone@edcgov.us), [bostwo@edcgov.us](mailto:bostwo@edcgov.us), [bosthree@edcgov.us](mailto:bosthree@edcgov.us), [bosfour@edcgov.us](mailto:bosfour@edcgov.us), [bosfive@edcgov.us](mailto:bosfive@edcgov.us)

Board of Supervisors,

Thank you in advance for your review of the attached documents. Please submit these attachments into the public record.

Out of respect for your time, we will sending brief power point presentations daily illustrating the most important bullet points. Please contact us immediately if you can not view or print the attached power point presentation.

Kind Regards,

John & Kelley Garcia

515 Alta Vista Ct

El Dorado Hills CA 95762

[916-941-0418](tel:916-941-0418)

APAC Green Valley Corridor Sub committee members

Representing Malcolm Dixon Road, Alta Vista Court, Arroyo Vista Neighbors.

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Public Comment  
13-0024 E 33 of 114

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 Wilson Estates - Environmental Concerns.pptx  
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# Rezoning of Z11-0007/TM11-1504/Wilson Estates

Recommendation for  
No Zoning Change

John and Kelley Garcia  
01/22/13

# Rezone Request

---

- Due to an Oak Woodlands Management Plan Wilson Estates has redrawn plans and is requesting a Zone change from R1A to R1.
  - R1A allows 1 house per acre
  - R1 allows up to 8 houses per acre
- A Mitigated Negative Declaration was used to justify changes instead of an EIR.
  - **Wilson's plans show 1.7 homes per acre.**
  - **The Wilson's are selling this property. With approval of this proposed rezone, the buyer could then redraft with up to 8 houses per acre.**
  - The future potential for this zoning and density necessitates a full Environmental Impact Report.

# Inadequate MND Mitigations

---

- The Planning Commission recommendations and MND are based on inadequate mitigation of effects to Biological Resources
  - Inaccurate reporting of Hydrology and Special Status Species Evaluation
    - The declaration only evaluated Dutch Ravine, not the spring.
    - Claims the Great Egret and Blue Heron foraging habitat is not present.
    - Claims study area does not contain the appropriate habitat for this species: *Rana draytonii* (Red-Legged Frog).

# Local Residents Know

---

## **A natural spring exists on the lower 5 acres**



- A natural spring exists along the eastern portion of lot 126-070-30.
- Species use this spring throughout the year as a source of food and water.

# Overhead of Spring and Drainage



# Local Residents Know

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The spring and saturated soils stranded 2 trucks and a Jeep one year.





# Local Residents Know

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Special Species: The Great Egret foraging in the spring (frogs?)

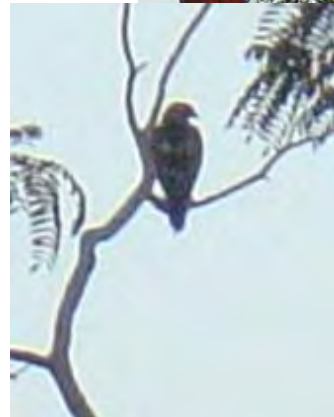


**MND Claims the Great Egret  
and Blue Heron foraging  
habitat is not present.**

2010 4 5

# Local Residents Know

**Hawks perch in Oaks and Locus trees preying on species foraging in the spring.**



Planning department and Wilson's agent repeatedly ignored our requests for surveys and a full EIR in spite of information provided.

# Inadequate MND Mitigations

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## California Red-Legged Frog

**See Planning Commission Z11-0007/TM11-1504/Public Comment (#12) John & Kelley Garcia**

- The Mitigated Negative Declaration simply states that the project does not fall within the designated critical habitat or core areas for this species without a specific assessment of whether or not habitat occurs on the site.
- **"The species is protected regardless of the presence of critical habitat."**
- In reviewing the site, a potential breeding habitat does not occur on the site; however a potential breeding ground is present on a stock pond located 200 feet north of the site.

# Local Residents Know

---

## Stock Pond in Relation to the Project



- The nearest documented sighting relative to the project site is about 1 mile from the site, which is within the movement capabilities of the species.
- Certainly, if the California red-legged frog were present in the pond located 200 feet from the site they would be expected to occur, if just intermittently, on the Wilson property.

# Local Residents Know

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- “In the absence of protocol level surveys to document the absence of California red-legged frogs in the pond located 200 feet north of the site, mitigation should be provided for the potential direct impacts to individual frogs and upland habitat for **this species.**”



[http://upload.wikimedia.org/wikipedia/commons/7/71/Rana\\_aurora.jpg](http://upload.wikimedia.org/wikipedia/commons/7/71/Rana_aurora.jpg)



# Inadequate MND Mitigations

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- Creates a barrier to native wildlife corridors
  - Project is fenced and gated, inhibiting movement of species that use the spring and slope to migrate to New York Creek.
  - With R1 zoning densities, the potential for high density housing and fenced yards substantially restricts movement of species compared to R1A Zoning that would substantially reduce fencing.

# Inadequate MND Mitigations

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- The planning commission recommendations and drafted Mitigated Negative Declaration fails to identify and mitigate for:
  - Effects having a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Wildlife Services.
  - Effects that interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.
  - The need for wildlife movement corridors and linkages, including identification of species with migration patterns that allow safe passage for terrestrial mammals.

# Formal Request to Deny the Rezone

---

- Rezoning of this Parcel would:
  - Create the potential for higher densities and different mitigations than are evaluated in the ill drafted MND.
  - Have a substantial adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special status species.
  - Create substantial Barriers to movement of native wildlife species.
- Recommendation of neighboring residents:
  - Reject the request for rezoning to R1.
  - Require a full EIR to evaluate the biological impacts of the potential densities of 8 houses per acre that could occur with this new zoning of R1 prior to reconsideration of zoning change.



January 19, 2012

County of El Dorado Planning Services  
2850 Fairlane Court  
Placerville, CA 95667

RE: Initial Study/Environmental Checklist Form  
Z11-0007/PD11-0004/TM11-1504/Wilson Estates

Dear Planning Commission and Board of Supervisors,

Thank you for the notification of public hearing for Rezoning of Z11-0007/PD11-0004/TM11-1504/Wilson Estates.

Summary:

We respectfully request that you do not adopt the current draft of Mitigated Negative Declaration for Wilson Estates without further planning and mitigation. The drafted Mitigated Negative Declaration and consideration of rezoning should not be approved based on conflicting, missing, or incorrect data as well as conflicts with the General Plan. The developer, planning commission, and DOT traffic studies fail to address "cumulative effects" as required by law.

Based on the discussion to follow we respectfully disagree with the planning services determination. The existing neighbors and residents believe that the project WILL have a significant effect on the environment and respectfully request a full Environmental Impact Report.

Disclosures:

*Since the notice of public hearing, discussions have been initiated with David R. Crosariol, P.E. CTA Engineering & Surveying regarding possible design mitigation issues. Alternatives have been discussed, yet no agreement has been reached. The residents of Alta Vista Court welcome all future discussions and possible mitigation measures.*

*The headings below follow the headings and page numbers of the Initial Study/Environmental Checklist Form Z11-0007/PD11-0004/TM11-1504/Wilson Estates document, followed by the issue being disputed, possible mitigations, discussions and supporting policies/guidelines.*

## **Environmental Impacts - Visual Character Page 6**

The drafted Mitigated Negative Declaration failed to identify and mitigate for:

c. Substantially degrade the existing visual character quality of the site and its surroundings

The proposed development provides mitigation from the outside in from similar residential neighborhoods with similar sized lots from the east and from future residences to the north. The developer extended this consideration for proposed lot 57 and 58 yet fails to extend the same courtesy to the western border. We ask for mitigation that makes the visual character consistent on east and west ends of the development.

Possible Mitigation for visual character: (i.e similar residential neighborhoods with similar sized lots) on western end of development.

- Visual character should be consistent on east and west ends of the development.
- One acre parcels adjoining existing fence line of existing Neighborhood (126-070-39 and 126-070-40. Residents of Alta Vista Court)
- Eliminate the proposed entrance at Malcolm Dixon Road @ Western Project site, 30 feet from Parcel number 126-070-39-100. (In discussion with *David R. Crosariol, P.E. CTA Engineering & Surveying*)
- Leave lot A as designated Open space (In discussion with *David R. Crosariol, P.E. CTA Engineering & Surveying*)
- Restrict any rear facing parcels adjacent to existing neighborhood (126-070-39 and 126-070-40. Residents of Alta Vista Court) ( In discussions with *David R. Crosariol, P.E. CTA Engineering & Surveying*)
- Restrict lot 1 and 56 to single story structures. ( In *David R. Crosariol, P.E. CTA Engineering & Surveying*)

### Supported by:

*The DEIR for the general plan had identified and examined the potential impacts that implementation of the general plan would have to the visual character of the areas of the County. Section 5.3-2 of the Executive Summary Table in the General Plan EIR states that the COUNTY mitigate the potential significant impacts by designing new streets and roads within new developments to minimize visual impacts, preserve rural character and ensure neighborhood quality to the maximum extent possible consistent with the needs of emergency access, on street parking, and vehicular and pedestrian safety.*

### **Environmental Impacts - Light and glare, Page 7**

The drafted Mitigated Negative Declaration failed to identify and mitigate for:

d. Create a new source of substantial light or glare which would affect day or night time view in the area.

The proposed entrance at Malcolm Dixon Road @ Western Project site, 30 feet from Parcel number 126-070-39-100, would create night time headlights into existing neighborhood which has potentially significant impact. The proposed fence will not mitigate automobile lights or sound.

The proposal references light and glare as it relates to residential lighting, which has been mitigated however fails to include or mitigate for automobile lighting for proposed entrance.

#### **Possible Mitigation for Light and Glare**

- Eliminate the proposed entrance at Malcolm Dixon Road @ Western Project site, 30 feet from Parcel number 126-070-39-100. (In discussion with *David R. Crosariol, P.E. CTA Engineering & Surveying*)
- Create a dead end cul-de-sac between lot number 1 and 56 (In discussion with *David R. Crosariol, P.E. CTA Engineering & Surveying*)
- Leave lot A as designated Open space (In discussion with *David R. Crosariol, P.E. CTA Engineering & Surveying*)
- Install/require a masonry fence with landscaping on both sides of said fence for directional shielding of existing neighborhoods. (In discussion with *David R. Crosariol, P.E. CTA Engineering & Surveying*)
- Landscaping should be fast growing varietal such as sequoia's that would provide a directional shield as well as a natural filter. 15 Gallon Blue oaks will not provide adequate filter to existing neighborhood. (In discussion with *David R. Crosariol, P.E. CTA Engineering & Surveying*)

#### **Supported by:**

*General plan for High Density. Section 5.3-3 of the Executive Summary Table in the general plan EIR states " the potential significant impacts would be mitigated by including design features, namely directional shielding for street lighting, parking lot lighting, and other significant lighting sources (i.e. Automobile lights).*

*The DEIR for the general plan had identified and examined the potential impacts that implementation of the general plan would have to the visual character of the areas of the County. Section 5.3-2 of the Executive Summary Table in the General Plan EIR states that the COUNTY mitigate the potential significant impacts by designing new streets and roads within new developments to minimize visual impacts, preserve rural character and ensure neighborhood quality to the maximum extent possible consistent with the needs of emergency access, on street parking, and vehicular and pedestrian safety.*

## **Biological Resources - Page 11**

The drafted Mitigated Negative Declaration failed to identify and mitigate for:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Wildlife Services.

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.

The proposed development does not evaluate the need for wildlife movement corridors and linkages, including identification of species with migration patterns that allow safe passage for terrestrial mammals.

There were a few biological resources that were glossed over that should be pointed out. Specifically, the site is within the range of the federally listed threatened California red-legged frog. The Mitigated Negative Declaration simply states that the project does not fall within the designated critical habitat or core areas for this species without a specific assessment of whether or not habitat occurs on the site. The species is protected regardless of the presence of critical habitat. In reviewing the site, potential breeding habitat does not occur on the site; however, is present in a stock pond located 200 feet north of site, north of Malcolm Dixon Road (Diamante Estates). The attached map shows the nearest documented sighting relative to the project site. It's about 1 mile from the site, which is within the movement capabilities of this species. Certainly, if the California red-legged frog were present in the pond located 200 feet from the site they would be expected to occur, if just intermittently, on the Wilson property. In the absence of protocol-level surveys to document the absence of California red-legged frogs in the pond located 200 feet north of the site, mitigation should be provided for potential direct impacts to individual frogs and upland habitat for this species.

The Mitigated Negative Declaration generally glosses over the analysis for other major threatened and endangered species that occur in the regional area. In particular, the federal threatened valley elderberry longhorn beetle occurs about 3 miles from the site, and federal threatened vernal pool fairy shrimp is about 2 miles from the site (see attached maps). The Mitigated Negative Declaration did not disclose the potential presence of these species on the site.

### Possible Mitigation for Biological Resources.

- Evaluate and propose mitigation for habitat modifications (protected species as well as Deer, Coyote, Turkey, Raccoon, Crane, Owl, Red Tail Hawk, etc).
- Mitigate where these animals will live when they remove all of the oak trees and white (honey) Locus Tree.
- Full Environmental Impact Report

## **Biological Resources - Page 11 - Continued**

Supported by:

*The General Plan (“GP”) EIR identified the loss and fragmentation of wildlife habitat as a significant impact (Impact 5.12-1), and proposed six mitigation measures to reduce the severity of the impact.*

*Expansion of List of Important Habitats at Option of BOS*

*The list of “important habitat” in Policy 7.4.2.8 (A) may be expanded by the BOS: “State and federal statutory requirements protecting biological resources were considered when developing the list of important habitat listed on page 5.12-56 (INRMP 7.4.2.8 (A)) The “County has the option of expanding the definition of important habitats beyond these listed on Policy 7.4.2.8. EIR 4.12-497.*

*Effect of Being Labeled “Important Habitat”*

*The first three important habitats (Special Status Species, Aquatic, Wetlands/Riparian) are subject to a myriad of federal, state and local constraints as well as specific GP Policies. The GP does not require the INRMP process create an additional layer of regulations or protection for these habitats. Mule deer are not a threatened species but certain elements of habitat for migratory deer are protected by a range of GP Policies and the habitat has been mapped.*

*California Department of Fish and Game (CDFG). 2012. California Natural Diversity Database, Sacramento, California. (Map attached)*

## **Land Use and Planning – Page 25**

The drafted Mitigated Negative Declaration failed to identify and mitigate for:

- a. Physically divide and established community

The existing parcels have had inconsistent land usage and zoning since the property was changed to high density and adopted into the community region. The proposed rezoning only tries to justify a previous poor decision by the county during the General Plan debacle. It could be argued that this is the time to clean up past mistakes and keep the land usage and zoning consistent with the surrounding area.

In Exhibit E the 3 parcels zoning is consistent with development North of Green Valley Road which is rural 1, 5 and 10 acre parcels.

In Exhibit D-1 the 3 parcels create an island of HDR (High Density Residential) sandwiched between LDR and MDR which is inconsistent with the zoning and General plan which states:

*Policy 2.2.5.21 Development projects shall be located and designed in a manner that avoids incompatibility with adjoining land uses that are permitted by the policies in effect at the time the development project is proposed. Development projects that are potentially incompatible with existing adjoining uses shall be designed in a manner that avoids any incompatibility or shall be located on a different site.*

While the proposed PD appears benevolent on the surface, it still relies on the underlying land usage designation with which it is combined (HDR). An argument could be made that once the zoning is changed a significant change in density can also occur. If rezoning is to occur it should correct prior errors and be compatible with adjoining land uses.

*Land Use Element El Dorado County General Plan  
July 2004 (Amended December 2009)*

*Policy 2.2.3.1 The Planned Development (-PD) Combining Zone District, to be implemented through the zoning ordinance, shall allow residential, commercial, and industrial land uses consistent with the density specified by the underlying zoning district with which it is combined.*

Since there are no existing water or sewer lines in place, a fair argument can be made that installation of these lines would cause a significant negative impact to the existing roads, traffic, and neighborhoods. It would seem more appropriate to utilize the MDR zoning which is consistent with the surrounding neighborhood and supported by the general plan which states:

*Land Use Element El Dorado County General Plan  
July 2004 (Amended December 2009) Page 15*

*Medium-Density Residential (MDR): This designation shall be applied where the character of an area is single-family residences; where the absence or reduced level of infrastructure including roads, water lines, and sewer lines does not justify higher densities; Where the topography poses a constraint to higher densities; and as a transitional land use between the more highly developed and the more rural areas of the County. The maximum allowable density shall be one dwelling unit per 1.0 acre. Parcel sizes shall range from 1.00 to 5.00*

## **Land Use and Planning – Page 25 - Continued**

Possible Mitigation:

- Keep Zoning at R-1A
- Change land usage designation to MDR or LDR to make compatible with adjoining land uses.
- Amend the general plan to include different, more specific HDR designation. In this example, HDR 2 (Which would limit development to 2 houses per acre).
- Restrict or limit any future density bonus on this project/parcels to ½ acre lots with open space.
- Restriction to follow the sale of the property to future developers limiting to HDR-2 or no more than ½ acre lots with open space.
- Have the county resolve the inconsistency by completing the process of a General Plan Amendment changing the land use to MDR that is *compatible with adjoining land uses*.
- Restrict all vehicular access to Malcolm Dixon Road to be consistent with adjoining parcel restrictions and land usages. (attachment)

The drafted Mitigated Negative Declaration failed to identify and mitigate for:

- b. Conflict with any land use plan, policy, or regulation of an agency with jurisdiction over the project.

In addition to the inconsistencies listed above, the developer fails to meet open space requirements. At the bottom of page 25 it states “ the applicants have proposed to designate 8.16 acres of open space (29% of the overall 28.18 acres). This fails to meet the 30% requirement. Additionally they have designated lettered lots A, B and C as open space, landscape drainage, and retaining walls (7.58 acres) Lots D & E are identified as frontage landscape (.58 acres).

It is not clear how lots B and C, D & E are made available to the general public and contain infrastructure (Malcolm Dixon Road). It could be argued that this is a violation of the Open space guidelines.

*Land Use Element El Dorado County General Plan*

*Page 26 (Amended December 2009) July 2004*

*A. The major components of a Planned Development in residential projects shall include the following:*

*1. Commonly owned or publicly dedicated open space lands of at least 30 percent of the total site. Within a community area, the commonly owned open space can be developed for recreational purposes such as parks, ball fields, or picnic areas. Commonly owned open space does not include space occupied by infrastructure (e.g., roads, sewer, and water treatment plants).*

*Land Use Element El Dorado County General Plan*

*July 2004 (Amended December 2009) Page 27*

*C. Public Benefit: Lands set aside for public benefit, as used herein, shall be those lands made available to the general public including but not limited to open space areas, parks, and wildlife habitat areas.*

## **Noise – Page 27**

The drafted Mitigated Negative Declaration failed to identify and mitigate for:

- d. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies.
- c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

Other: The project failed to address and mitigate for recent litigation with the Board of Supervisors that states the “cumulative effects,” of all pending projects in the vicinity of the Malcolm Dixon Road Corridor would be part of all future projects, according to CEQA guidelines. There are currently 7 parcels (5 projects: Alto, Grande Amis, Diamante and La Canada and Wilson) actively in review or approved by the planning department. 401 acres in total all requesting access to Malcolm Dixon Road which would create excessive vehicular noise and increase outdoor activity areas of residential uses, of more than 5 dBA which is significant

A fair argument could be made that the proposed entrance at Malcolm Dixon Road @ Western Project site, 30 feet from Parcel number 126-070-39-100 backing to the existing residents of Alta Vista Court would create excessive vehicular noise and increase outdoor activity areas of residential uses, of more than 5 dBA which is significant.

Noise from transportation studies were done in reference to Green Valley Road to protect the proposed development. Mitigation of a sound wall and set backs were proposed for the new development. However, curiously omitted from the report is the impact to the existing neighborhood? There is no mention of any mitigation to the one existing neighborhood and residents of Alta Vista Court.

### **Possible Mitigation:**

- Eliminate the proposed entrance at Malcolm Dixon Road @ Western Project site, 30 feet from Parcel number 126-070-39-100. (In discussion with *David R. Crosariol, P.E. CTA Engineering & Surveying*)
- Create a dead end cul-de-sac between lot number 1 and 56 (In discussion with *David R. Crosariol, P.E. CTA Engineering & Surveying*)
- Leave lot A as designated Open space (In discussion with *David R. Crosariol, P.E. CTA Engineering & Surveying*)
- Increase set backs from existing neighborhood (In discussion with *David R. Crosariol, P.E. CTA Engineering & Surveying*)
- Develop and employ procedures to ensure that noise mitigation measures are implemented in the project review process
- Restrict all vehicular access to Malcolm Dixon Road as consistent with adjoining land usages and parcel restrictions. (attachment)



**Noise – Page 27 – Continued**

Supported By:

*El Dorado County General Plan Public Health, Safety, and Noise Element  
Page 114 (Amended March 2009) July 2004*

*A. Where existing or projected future traffic noise levels are less than 60 dBA  $L_{dn}$  at the outdoor activity areas of residential uses, an increase of more than 5 dBA  $L_{dn}$  caused by a new transportation noise source will be considered significant;*

*Policy 6.5.1.3 Where noise mitigation measures are required to achieve the standards of Tables 6-1 and 6-2, the emphasis of such measures shall be placed upon site planning and project design. The use of noise barriers shall be considered a means of achieving the noise standards only after all other practical design-related noise mitigation measures have been integrated into the project and the noise barriers are not incompatible with the surroundings.*

*Policy 6.5.1.9 Noise created by new transportation noise sources, excluding airport expansion but including roadway improvement projects, shall be mitigated so as not to exceed the levels specified in Table 6-1 at existing noise-sensitive land uses.*

*Policy 6.5.1.10 To provide a comprehensive approach to noise control, the County shall: A. Develop and employ procedures to ensure that noise mitigation measures required pursuant to an acoustical analysis are implemented in the project review process and, as may be determined necessary, through the building permit process. Policy 6.5.1.12 When determining the significance of impacts and appropriate mitigation for new development projects, the following criteria shall be taken into consideration.*

### **Transportation and Traffic – Page 32**

The drafted Mitigated Negative Declaration failed to identify and mitigate for:

- b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?
- d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatibly uses (e.g., farm equipment)?

Other: The project failed to address and mitigate for recent litigation with the Board of Supervisors that states the “cumulative effects,” of all pending projects in the vicinity of the Malcolm Dixon Road Corridor would be part of all future projects, according to CEQA guidelines. There are currently 7 parcels (5 projects: Alto, Grande Amis, Diamante, La Canada and Wilson) actively in review or approved by the planning department. 401 acres in total all requesting access to Malcolm Dixon Road which would create excessive vehicular noise and traffic.

A fair argument could be made that the traffic study provided by Kimely Horn dated 3/3/11 on addresses Wilson Estates and is inadequate and non-cumulative with respect to the other proposed developments.

1. Traffic counts were completed on 11/17/2010 (Conversation with Shawn at Kimley-Horn on 1/4/2012). This is a day when Rescue Union School District observed a minimum day schedule.
2. The site map submitted to Kimley-Horn is different than what was submitted to the county. Showing different points of entry onto Malcolm Dixon Road.
3. There is no mitigation shown to reduce or redirect traffic onto Green Valley Road via the new connection which was created to reduce and redirect traffic off of Historical Malcolm Dixon Road which can not handle the increased “cumulative effects” in volume of 5 projects.
4. The proposed access driveways into Wilson Estates encourage all westbound traffic to egress downhill using Malcolm-Dixon Rd.
5. There are no speed studies done at the proposed entrances of proposed development. As confirmed by the Highway Patrol, the speed limit posted is 35 MPH. However actual speeds at the proposed entrances are 55 MPH with poor visibility during peak hours due to the east/west orientation of the road.
6. There is no mention of accident rates on Malcolm Dixon Road.
7. There is no mention of cut through traffic, or traffic counts for vehicles using Allegheny Rd in an effort to avoid the intersection of at Green Valley Road @ El Dorado Hills Blvd/Salmon Falls.
8. There is no mention of mitigation to include a right hand turn lane in addition to signal adjustments at Green Valley Road @ El Dorado Hills Blvd/Salmon Falls.
9. There is no mention, study or mitigation for the intersection of Green Valley Road and Loch.
10. The proposed entrance at Malcolm Dixon Road @ Western Project site includes hazards due to a design feature including a sharp curve and rapid descent into an existing neighborhood. It also creates a dangerous intersection with limited line of site visibility.

## **Transportation and Traffic – Page 32- Continued**

11. There is no mention of the cumulative impacts that the proposed development projects will have on the historic single lane bridges at the bottom of Malcolm Dixon Road.

### Possible Mitigation:

- Conduct additional, updated, traffic studies, when schools are in regular session. Merge the data from Alto, Grande Amis, Diamante, La Canada and Wilson to fairly asses the cumulative impact. (See inserted spread sheet for real cumulative effects p. 17)
- Eliminate all access to Malcolm Dixon Road
- Enter Wilson Estates from proposed new connection road to Green Valley Road (i.e. through Lot 22, 23, 24).
- Secondary entrance to Wilson Estates from Green Valley Road (or one way fire egress).
- If there must be an entrance onto Malcolm Dixon Road, use for Fire safety only. Similar to Rolling Hills Estates.
- Align it with other projects creating an intersection with an area to pull off of the main road. (i.e. At lot 8-9 connecting with Diamante Estates, above the historic little red school house). One way exit gate for emergency fire egress only. (In discussion with *David R. Crosariol, P.E. CTA Engineering & Surveying, attachment included*)
- Vehicular access restriction consistent with other Malcolm Dixon frontage road parcels (Diamante and 515 Alta Vista Court) (\*Attachment).

### Supported by:

*Transportation and Circulation Element El Dorado County General Plan  
Page 68 (Amended January 2009) July 2004*

*Policy TC-Xa The following policies shall remain in effect until December 31, 2018:*

*Traffic from single-family residential subdivision development projects of five or more parcels of land shall not result in, or worsen, Level of Service F (gridlock, stop-and-go) traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county.*

*Developer-paid traffic impact fees combined with any other available funds shall fully pay for building all necessary road capacity improvements to fully offset and mitigate all direct and cumulative traffic impacts from new development upon any highways, arterial roads and their intersections during weekday, peak-hour periods in unincorporated areas of the county.*

**Transportation and Traffic – Page 32- In Depth Discussion**

**Summary**

The traffic impact of the Wilson project and the neighboring projects (Alto, Grande Amis, Diamante and La Canada) claim to have evaluated cumulative impacts in each of the projects mitigated negative declarations (MND). We have found that their cumulative effects have been grossly underestimated in each of the MND’s prepared by the developers due to errors in the existing traffic numbers. The cumulative effects are added to these numbers and are therefore inaccurate representations of future traffic impacts to this area. These declarations rely on 2006, 2008 and 2010 traffic studies and estimations of light timing that have not been appropriately demonstrated nor clearly mitigated in these reports. In addition to the misrepresented numbers, assumptions used to predict the proposed project trip distributions invalidate the Wilson Estates Impact Analysis. For example, a discussion with Eileen Crawford, El Dorado County DOT, assumed that residents of these developments would enroll in and attend schools east along Green Valley Road. These developments are within the Rescue Union School boundaries and will attend schools to the west adding more to the already congested intersections.

We therefore request that the planning commission reserve their comments and recommendations on this and other surrounding projects until a valid traffic study of this corridor is completed.

**Analysis**

As demonstrated in the attached table, the cumulative impacts of the 5 proposed projects (Alto, Grande Amis, Diamante and La Canada and Wilson) will add 155 units and 1670 vehicle trips to the Malcolm Dixon Circulation plan.

Using an *ITE Trip Generation 8th Edition* Spreadsheet and the AM/PM peak traffic volume numbers sited in the Wilson Estates (WO#38) Final Traffic Impact Analysis and actual vehicle counts recorded by Alta Vista Ct. residents, we can show that the numbers used in the Wilson study are an inaccurate depiction of actual traffic numbers. The numbers reported as entering and exiting Malcolm Dixon Rd. to Salmon falls are misleading as they do not accurately show volumes associated with existing cut through traffic to avoid the already congested intersections of Green Valley Road/ Silva Valley and GVR/Salmon Falls.

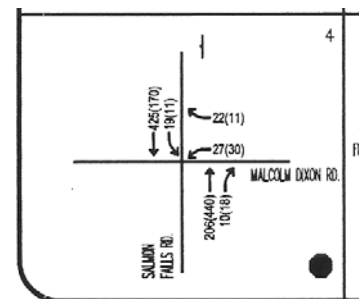
From Figure 7 of the Wilson Estates Traffic Impact Study – Existing (2010) Peak Hour Traffic Volumes intersection #4 (Malcolm Dixon Road/Salmon Falls)

11/17/10

6:30 to 9:30 AM (Peak AM Hour) UP 29 Down 49

4:00 to 7:00 PM (Peak PM Hour) UP 29 Down 41

\*These numbers predict a max 737 Daily Vehicle Trips using *ITE Trip Generation 8th Edition* Spreadsheet



**FIGURE 7**  
**EXISTING (2010) PEAK-HO**

### **Transportation and Traffic – Page 32- In Depth Discussion - Continued**

A vehicle trip study (actual vehicle counts) performed by the residents of Alta Vista Ct. found the following vehicle counts up and down Malcolm Dixon Road:

1/10/12

6:30 to 9:30 AM (Peak AM Hour) UP 24 Down 37

1:45 to 3:45 PM (Peak School Pick Up Hour) UP 41 Down 34

4:00 to 7:00 PM (Peak PM Hour) UP 30 Down 17

\*Based on these actual vehicle counts the *ITE Trip Generation 8th Edition* Spreadsheet would predict a max of 766 Daily Vehicle Trips.

A vehicle trip study (actual vehicle counts, cut through traffic Malcolm Dixon/Allegheny and Up Down traffic on Malcolm Dixon Rd.) performed by the residents of Alta Vista Ct. found the following:

1/18/12

Cut through Allegheny to Salmon Falls via Malcolm Dixon Rd.

6:30 to 9:30 AM (Peak AM Hour) UP 14 Down 43

Malcolm Dixon Road Down traffic to Salmon Falls

6:30 to 9:30 AM (Peak AM Hour) UP 27 Down 37

#### **Combined: Actual Cut through traffic and Malcolm Dixon Road to Salmon Falls:**

6:30 to 9:30 AM (Peak AM Hour) UP **41** Down **80**

#### **Review: The Wilson Study reports at Malcolm Dixon Road/Salmon Falls:**

6:30 to 9:30 AM (Peak AM Hour) UP 29 Down 49

The Alta Vista Study shows significant cut through traffic along Malcolm Dixon and Allegheny Rd. used to avoid the traffic congestion at the intersections of Green Valley Road/ Silva Valley and GVR/Salmon Falls (1.3 cars per minute through a residential street). Comparing the Alta Vista Study actual counts with the Wilson Study counts, it clearly demonstrates inaccuracies in the Wilson study and that the significant impact to the community is not accurately reported. Given that the cumulative effects of all 5 projects will add 1670 vehicle trips to the Malcolm Dixon Circulation plan, it can be reasonably assumed that the majority of this traffic will not utilize Green Valley Road due to the congested intersections and will head down Malcolm Dixon Rd.

Further compounding traffic congestion on Green Valley Road, yet not considered at the time of the above project approvals, is the Dixon Ranch project. Dixon Ranch is proposing a 714 unit development that will add an additional 6833 vehicle trips out of the development as determined using the *ITE Trip Generation 8th Edition* Spreadsheet. A reasonable argument can be made that 50% of this development will access Green Valley Road with the majority of these trips heading towards Salmon Falls, El Dorado Hills Blvd and Francisco Rd. intersections. The balance will egress through a bordering residential neighborhood. These additional vehicle trips will add significant impact to this existing neighborhood as well as major Green Valley Road and Silva Valley Parkway intersections. Green Valley Road serves approximately 13,000 vehicles per day (Wilson Estates (WO#38) Traffic Impact Analysis). For Green Valley Road, this represents a 26% increase in volume from 2009 DOT traffic reports.

## **Transportation and Traffic – Page 32- In Depth Discussion - Continued**

Based on the findings above, the county and developer(s) have failed to address and mitigate for “cumulative effects” per CEQA guidelines and have grossly under reported impacts in their Mitigated Negative Declarations. The residents of Alta Vista Court request that no further project approvals be granted until a more current and accurate Traffic Study is performed and is used in evaluating the individual and cumulative impacts and mitigations of all approved, pending and foreseeable development projects (Alto, Grande Amis, Diamante, La Canada, Wilson and Dixon Ranch).

Supported by:  
*2011 CEQA Guidelines*  
p. 221, 222

### *15355. CUMULATIVE IMPACTS*

*“Cumulative impacts” refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.*

*(a) The individual effects may be changes resulting from a single project or a number of separate projects.*

*(b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.*

*Transportation and Circulation Element El Dorado County General Plan  
Page 68 (Amended January 2009) July 2004*

*Policy TC-Xa The following policies shall remain in effect until December 31, 2018:*

*Traffic from single-family residential subdivision development projects of five or more parcels of land shall not result in, or worsen, Level of Service F (gridlock, stop-and-go) traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county.*

*Association of Environmental Professionals*

**Transportation and Traffic – Page 32- In Depth Discussion – Continued**

Citations:

**Diamante Estates**

 <b>ENVIRONMENTAL CHECKLIST FORM AND DISCUSSION OF IMPACTS</b>
<b>Project Title:</b> Z06-0027/TM06-1421/S08-0028/Diamante Estates

Environmental Checklist/Discussion of Impacts  
Page 29

- b. According to the traffic analysis, once fully occupied the proposed development would generate 182 total daily trips, with 14 trips occurring in the AM peak hour, and 19 trips occurring within the PM peak hour. These estimates are based on the Institute of Transportation Engineers *Trip Generation Manual 7<sup>th</sup> Edition*.

**Wilson Estates:**


**INITIAL STUDY  
ENVIRONMENTAL CHECKLIST FORM**

**Project Title:** Z11-0007/PD11-0004/TM11-1504/Wilson Estates

Initial Study/Environmental Checklist Form  
Z11-0007/PD11-0004/TM11-1504/Wilson Estates  
Page 33

**Traffic Increases, Levels of Service Standards:** As required by County policy, a traffic study was prepared to analyze the potential traffic impacts resulting from the project. The Wilson Estates Traffic Impact Analysis dated March 3, 2011, prepared by Kimley-Horn and Associates, provides analysis and conclusions relative to traffic impacts generated by the project. According to the report, the project would cause an increase in traffic on area roadways and intersections. The traffic study concluded that the project would be expected to generate 52 AM and 66 PM peak hour trips, with 650 daily trips. The proposed

**Grand Amis:**


 <b>ENVIRONMENTAL CHECKLIST FORM AND DISCUSSION OF IMPACTS</b>
<b>Project Title:</b> Z05-0015/TM05-1401 Malcolm Dixon Road Estates Subdivision
<b>Lead Agency Name and Address:</b> El Dorado County, 2850 Fairlane Court, Placerville, CA 95667

Environmental Checklist/Discussion of Impacts  
Page 29

- b. ITE trip generation predicts 10 trips per day per house, a total of 80 additional trips per day. There are currently areas of roads within the area that are impacted to service level F. During the AM peak hour, Highway 50 is impacted to LOS F in the westbound direction, west of El Dorado Hills Boulevard as shown

**Transportation and Traffic – Page 32- In Depth Discussion – Continued**


**La Canada:**

	<b>ENVIRONMENTAL CHECKLIST FORM AND DISCUSSION OF IMPACTS</b>
<b>Project Title:</b> La Canada Residential Subdivision (Rezone Z08-0001, Planned Development PD08-0003, Phased Tentative Map TM08-1463)	
<b>Lead Agency Name and Address:</b> El Dorado County, 2850 Fairlane Court, Placerville, CA 95667	

Environmental Checklist/Discussion of Impacts  
Z08-0001/PD08-0003/TM08-1463  
La Canada Subdivision  
Page 30

- b. **Level of Service.** According to the traffic analysis, once fully occupied the proposed development would generate 519 total daily trips, with 43 trips occurring in the AM peak hour, and 54 trips occurring within the PM peak hour. These estimates are based on the Institute of Transportation Engineers *Trip Generation Manual 7th Edition*. The County's level of service standard specifies the following:

**Alto:**

	<b>ENVIRONMENTAL CHECKLIST FORM AND DISCUSSION OF IMPACTS</b>
<b>Project Title:</b> Z06-0005/PD06-0006/TM06-1408-Alto	
<b>Lead Agency Name and Address:</b> El Dorado County, 2850 Fairlane Court, Placerville, CA 95667	

Environmental Checklist/Discussion of Impacts  
Page 29

- b. According to the traffic analysis, once fully occupied the proposed development would generate 239 total daily trips, with 19 trips occurring in the AM peak hour, and 25 trips occurring within the PM peak hour. These estimates are based on the Institute of Transportation Engineers *Trip Generation Manual 7th Edition*.

**Dixon Ranch :**

\*6833 Total Daily Trips ITE Trip Generation 8th Edition Spreadsheet Prediction



**Transportation and Traffic – Page 32- In Depth Discussion – Continued**

Real Cumulative Effects with merged data:  
 1670 Daily Trips on Malcolm Dixon Road.

Additional Project Loads	Diamante Estates	Wilson	Grande Amis	La Canada	Alto LLC	Dixon Ranch
155 Units (*869 Units w/Dixon)	19 Units	58 Units	8 Units	47 Units	23 Units	714 Units
Add 1670 Daily Trips (*8500 Potential Trips w/Dixon)  Add: 134 Peak AM, 172 Peak PM (*670 Peak AM, 893 Peak PM w/Dixon)	182 Total Daily Trips  14 Peak AM, 19 Peak PM	650 Total Daily Trips  52 Peak AM, 66 Peak PM	80 Total Daily Trips  *6 Peak AM, 8 Peak PM *77 total Daily Trips ITE Trip Generation 8th Edition Spreadsheet Prediction	519 Total Daily Trips  43 Peak AM, 54 Peak PM	239 Total Daily Trips  19 Peak AM, 25 Peak PM	*6833 Total Daily Trips ITE Trip Generation 8th Edition Spreadsheet Prediction  *536 Peak AM, 721 Peak PM
<b>Intersections Examined</b>	Salmon Falls Road @ Malcolm Dixon Road (TWSC)	Salmon Falls Road @ Malcolm Dixon Road (TWSC)	*None Used ITE Trip Generation Prediction	Salmon Falls Road @ Malcolm Dixon Road (TWSC)	Salmon Falls Road @ Malcolm Dixon Road (TWSC)	*Not Currently Available
	Green Valley Road @ Allegheny Road/Silva Valley Parkway (Signal*)	Green Valley Road @ Allegheny Road/Silva Valley Parkway (Signal*)	*None	Green Valley Road @ Silva Valley Parkway	Green Valley Road @ Allegheny Road/Silva Valley Parkway (Signal*)	
		Green Valley Road @ El Dorado Hills Blvd/Salmon Falls Rd.	*None	Green Valley Road @ El Dorado Hills Blvd/Salmon Falls Rd.		
		Green Valley Road @ Francisco Dr.	*None			
		El Dorado Hills Blvd @ Francisco Dr.	*None			
		El Dorado Hills Blvd @ Serrano Parkway	*None	El Dorado Hills Blvd @ Serrano Parkway		
		El Dorado Hills Blvd @ US 50 Westbound Ramps	*None	El Dorado Hills Blvd @ US 50 Westbound Ramps		
		Latrobe Rd @ US 50 Easetbound Ramps	*None	Latrobe Rd @ US 50 Easetbound Ramps		
	Malcolm Dixon Road @ Green Valley Road (TWSC)		*None		Malcolm Dixon Road @ Green Valley Road (TWSC)	
			*None	El Dorado Hills Blvd @ Saratoga Way (North)		
			*None	El Dorado Hills Blvd @ Saratoga Way (South)		

\*ITE Trip Generation 8th Edition Spreadsheet  
<http://www.mikeontraffic.com/2009/08/trip-generation-8th-edition-spreadsheet.html>

## **Transportation and Traffic – Community Region**

Since the proposed parcels are within the community region, and Malcolm Dixon Road is within the rural region a fair argument could be made that the community region should absorb the traffic from the HDR development within the community region (i.e Green Valley Road). The proposed project is exploiting the rural region and asking the rural region to absorb all of its traffic, noise, and light from proposed project with no buffer consideration which is in violation of:

*Policy 2.2.5.21 Development projects shall be located and designed in a manner that avoids incompatibility with adjoining land uses that are permitted by the policies in effect at the time the development project is proposed. Development projects that are potentially incompatible with existing adjoining uses shall be designed in a manner that avoids any incompatibility or shall be located on a different site.*

### **2004 Community Regions**

#### **OBJECTIVE 2.1.1: COMMUNITY REGIONS**

*Purpose: The urban limit line establishes a line on the General Plan land use maps demarcating where the urban and suburban land uses will be developed. The Community Region boundaries as depicted on the General Plan land use map shall be the established urban limit line.*

*Provide opportunities that allow for continued population growth and economic expansion while preserving the character and extent of existing rural centers and urban communities, emphasizing both the natural setting and built design elements which contribute to the quality of life and economic health of the County.*

#### **Policy 2.1.1.2**

*Establish Community Regions to define those areas which are appropriate for the highest intensity of self-sustaining compact urban-type development or suburban type development within the County based on the municipal spheres of influence, availability of infrastructure, public services, major transportation corridors and travel patterns, the location of major topographic patterns and features, and the ability to provide and maintain appropriate transitions at Community Region boundaries. These boundaries shall be shown on the General Plan land use map.*

### **Utilities and Service Systems – Page 34**

The drafted Mitigated Negative Declaration failed to identify and mitigate for:

b. Require or result in the construction of new water or waste water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Cumulative effects failed to analyze or address the effects or the impacts of water availability county wide, and domestic pesticide pollution. Any new project in mass would require EID water, not wells. How will the new water and sewage demand effect other El Dorado residents during draught, how it would impact FUTURE development (the 4 other proposed projects asking to be annexed in to EID) and how it would effect existing water rates in the area? For instance with now 5 new developments, will EID need to update their water treatment plant or lift stations that have currently reached the end of their useful life ? If yes, what will be the rate impacts be? What are the impacts for Folsom Lake and other downstream water users? These are the "cumulative impacts" that are not addressed or mitigated in the Initial Study and Environmental Checklist.

Page 36 of the Initial Study and Environmental Checklist states, “the FIL makes it clear that this is not a commitment to serve, but does address the location and approximate capacity of existing facilities that may be available to serve the one proposed project.” The CEQA Findings and Initial Study and Environmental Checklist do not address the "cumulative impacts".

Supported By:

[http://www.eid.org/doc\\_lib/03\\_news/2010/20101007\\_EIDnews.pdf](http://www.eid.org/doc_lib/03_news/2010/20101007_EIDnews.pdf)

### **Capital Improvement Program and Project title: Lift Station Upgrades Project**

#### **Project Number: 10010E**

*The District operates 64 sanitary sewer lift stations in the El Dorado Hills and Deer Creek collection systems. Some of the stations have reached the end of their useful life and are in need of total replacement, while others contain components that need replacement. Otherwise, we face the risk of increased maintenance and sanitary sewer overflows—and possibly catastrophic failures. For 2011, we have identified two stations, Business Park 1 and Summit 1, for replacement and one the Timberline station for repairs.*

*Timberline: This station was constructed in 1989. Located near Timberline Ridge Drive in El Dorado Hills, it is directly adjacent to New York Creek and private backyards, which have been impacted in the past by sanitary sewer overflows. The station is in poor condition and in need of improvements to replace aged equipment, improve containment, and address odor complaints. The pumps are original, and replacement parts are not readily available; however total replacement of the station is not planned at this time.*

## **Utilities and Service Systems – Page 34- Continued**

*El Dorado County General Plan Public Services and Utilities Element*

*Policy 5.1.2.1 Prior to the approval of any discretionary development, the approving authority shall make a determination of the adequacy of the public services and utilities to be impacted by that development. Where, according to the purveyor responsible for the service or utility as provided in Table 5-1, demand is determined to exceed capacity, the approval of the development shall be conditioned to require expansion of the impacted facility or service to be available concurrent with the demand, mitigated, or a finding made that a CIP project is funded and authorized which will increase service capacity.*

*Policy 5.3.1.7 In Community Regions, all new development shall connect to public wastewater treatment facilities. In Community Regions where public wastewater collection facilities do not exist project applicants must demonstrate that the proposed wastewater disposal system can accommodate the highest possible demand of the project.*

### Possible Mitigation:

- Demonstrate that the proposed wastewater disposal system can accommodate the highest possible demand of the "cumulative impacts" of all 5 proposed projects.
- Request a full Environmental Impact Report.
- Request from EID commitment to serve

### **Mandatory Findings of Significance - Page 38**

The drafted Mitigated Negative Declaration failed to identify and mitigate for:

- b. Have impacts that are individually limited but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when view in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

The proposed Initial Study and Environmental Checklist understates **Mandatory Findings of Significance** as less than significant impact. As illustrated in this document, community meetings, and current proposed developments a fair argument could be made that this proposed development as well as the additional 4 proposed developments would have potentially significant impact with or without mitigation on:

1. Visual Character
2. Light and Glare
3. Biological Resources
4. Land Use and Planning
5. Noise
6. Transportation and Traffic
7. Utilities and Service Systems

Supported by:

*Association of Environmental Professionals*  
*2011 CEQA Guidelines*  
p. 221, 222

#### *15355. CUMULATIVE IMPACTS*

*“Cumulative impacts” refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.*

*(a) The individual effects may be changes resulting from a single project or a number of separate projects.*

*(b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.*

**Summary:**

The development should not be approved in its current proposed state based on conflicting, missing, or incorrect data as well as conflicts with the General Plan. The developer did not meet with the adjacent properties, communities or corridor residents to consider and address issues of concern prior to submission of this plan. It is requested that prior to consideration of approval of any portion of this proposed project that the developer (s), county, and DOT meet with the community and address and mitigate issues and concerns including incremental impact (“cumulative effects”) of the project when added to other closely related past, present, and reasonably foreseeable probable future projects, as required by CEQA guidelines. The existing neighbors and residents know that the project WILL have a significant impact on the environment and respectfully request a full Environmental Impact Report prior to proceeding. An agency’s decision to omit the preparation of an EIR will not stand if *any* substantial evidence in the record would support a fair argument that the Project *may* have a significant effect on the environment. (*No Oil, Inc. v. city of Los Angeles* (1974) 13 Cal.3d 68, 75; *Friends of “B” Street v. City of Hayward* (1980) 106 Cal.App.3d 988, 1000-1003; Pub. Resources Code § 21151) .

There is substantial evidence to support a fair argument that each of the project impacts discussed above may be significant. The cumulative impacts of the project are significant. Where a project’s impacts are cumulatively considerable, adoption of a mitigated negative declaration is inappropriate unless the evidence in the record demonstrates that the mitigation measures will reduce all impacts to a level of insignificance. (See *San Bernardino Valley Audubon Society v. Metropolitan Water District* (1999) 71 Cal.App.4th 382, 391.) Finally, the Initial Study simply does not contain enough information to fulfill its purpose as an informational document.

Because of the issues raised above, we believe that the Mitigated Negative Declaration fails to meet the requirements of the California Environmental Quality Act. For these reasons, we believe the document should be withdrawn and a revised environmental document, a full EIR, should be released which adequately addresses all direct and reasonably foreseeable impacts, provides adequate and feasible mitigation, considers the alternatives under the correct assumptions about the current environmental setting and avoids excessive and unnecessary impacts to the environment and people in the vicinity of the project.

Sincerely, the following Residents of Alta Vista Court,

John & Kelley Garcia  
515 Alta Vista Court  
El Dorado Hills, CA 95762

Tyrone and Michelle Lane  
530 Alta Vista Court  
El Dorado Hills CA 95762

Jamie and Heidi Timms  
540 Alta Vista Court  
El Dorado Hills CA 95762

Brad and Michelle Cason  
521 Alta Vista Ct  
El Dorado Hills CA 95762

Letter for Public hearing for Rezoning of Z11-0007/PD11-0004/TM11-1504/  
Public comment: Kelley & John Garcia and the Residents of Alta Vista Court  
Wilson Estates

CC: Board of Supervisors, El Dorado County

John Knight, District One

[bosone@edcgov.us](mailto:bosone@edcgov.us)

Ron Briggs, District Four

[bosfour@edcgov.us](mailto:bosfour@edcgov.us)

Lou Rain, District I Planning Commissioner

[lou.rain@edcgov.us](mailto:lou.rain@edcgov.us)

Eileen Crawford, Department of Transportation

[eileen.crawford@edcgov.us](mailto:eileen.crawford@edcgov.us)

Tom Dougherty, Project Planner

[tom.dougherty@edcgov.us](mailto:tom.dougherty@edcgov.us)

[planning@edcgov.us](mailto:planning@edcgov.us)

Attachments:

Resolution Number 021-2011 (pages 23, 24)

Vehicular Access Restriction of surrounding parcels (page 25)

Modified Malcolm Dixon Area Traffic Circulation Map (page 26)

Original Tentative Subdivision Map Submitted to County with MND (page 27)

Proposed new development map – only a picture and has no status /approval (page 28)

Proposed new connection map to Diamante Estates – Idea, no status/approval (page 29)

California Department of Fish and Game (CDFG). 2012. California Natural Diversity Database, Sacramento, California. Wilson Estates, CNNDB, Jan 2012 (page 30, 31, 32)



**RESOLUTION NO. 021-2011**

**OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO REGARDING POLICIES  
RELATED TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND THE DENSITY BONUS  
PROVISION OF EL DORADO COUNTY GENERAL PLAN POLICY 2.2.4.1**

**WHEREAS**, On February 19, 2010 a Petition for Writ of Mandate was filed in El Dorado County Superior Court challenging a discretionary approval of the Board pursuant to the California Environmental Quality Act ("CEQA").

**WHEREAS**, the Petition alleged that the County does not comply with CEQA when processing applications that implicate the Density Bonus Provision of El Dorado County General Plan Policy 2.2.4.1.

**WHEREAS**, the County vigorously disputes this and other allegations contained in the Petition, while at the same time recognizing that resolution of the dispute may be accomplished through official action formalizing the manner in which the County shall review applications implicating the Density Bonus Provision pursuant to CEQA.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY  
OF EL DORADO AS FOLLOWS:**

1. Where a project application for a residential development includes a request that the County apply the Density Bonus provision, the County shall include, in the Initial Study for the project, an analysis of the following with respect to the increased density: (1) impacts associated with the increased number of housing units allowed through the application of the Density Bonus provision; and (2) cumulative impacts of the additional housing units.
2. The Initial Study shall include current data and information regarding the environmental conditions, and will not rely solely on information contained in the County General Plan or its related Environmental Impact Report. Project-specific data and information shall be gathered for each potential area of environmental impact.
3. Within the Initial Study, the impacts associated with the requested increased density shall be evaluated on a project-specific level for the purpose of analyzing cumulative impacts under CEQA Guidelines section 15064(h)(1).
4. Cumulative impacts (as defined by CEQA Guidelines section 15355 refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.
  - (a) The individual effects may be changes resulting from a single project or a number of separate projects.
  - (b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable future projects.



Letter for Public hearing for Rezoning of Z11-0007/PD11-0004/TM11-1504/  
Public comment: Kelley & John Garcia and the Residents of Alta Vista Court  
Wilson Estates

5. Under CEQA an EIR must be prepared for a project where, "after examining the entire record, there is substantial evidence to support a fair argument that a project may have a significant effect on the environment." If the Initial Study for a project seeking increased density under the Density Bonus provision reveals information to support a fair argument, than an EIR will be prepared.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 8 day of February, 2011 by the following vote of said Board:

Attest:  
Suzanne Allen de Sanchez  
Clerk of the Board of Supervisors

Ayes: Sweeney, Knight, Nutting, Briggs  
Noes: none  
Absent: Santiago

By: [Signature]  
Deputy Clerk

[Signature]  
Chairman, Board of Supervisors  
Raymond J. Nutting

I CERTIFY THAT:  
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

Attest: Suzanne Allen de Sanchez, Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By: [Signature]  
Deputy Clerk

Date: 2/8/11

**ATTACHMENT 1**  
**CONDITIONS OF APPROVAL**  
**FILE NUMBER Z06-0027/TM06-1421/S08-0028**

Z06-0027/TM06-1421/S08-0028/Diamante Estates  
Planning Commission/September 24, 2009  
Attachment 1/Conditions of Approval  
Page 3

**Project Conditions of Approval**

**Planning Services**

5. A vehicular access restriction shall be established along the entire frontage along lots 1, 4, 5, 7, 8 and 20. Lots 5 and 7 shall take access from interior roads. All parcels on two roadways shall take access from the minor roadway. This shall be verified by Planning Services prior to recording the Final Map.

Z06-0027/TM06-1421/S08-0028/Diamante Estates  
Planning Commission/September 24, 2009  
Attachment 1/Conditions of Approval  
Page 11

56. **Vehicular Access Restriction:** Prior to filing of the map, the applicant shall record a vehicular access restriction along the entire frontage of Malcom-Dixon Road, excluding the location of the approved access encroachment.

**Title documents for 515 Alta Vista Ct**

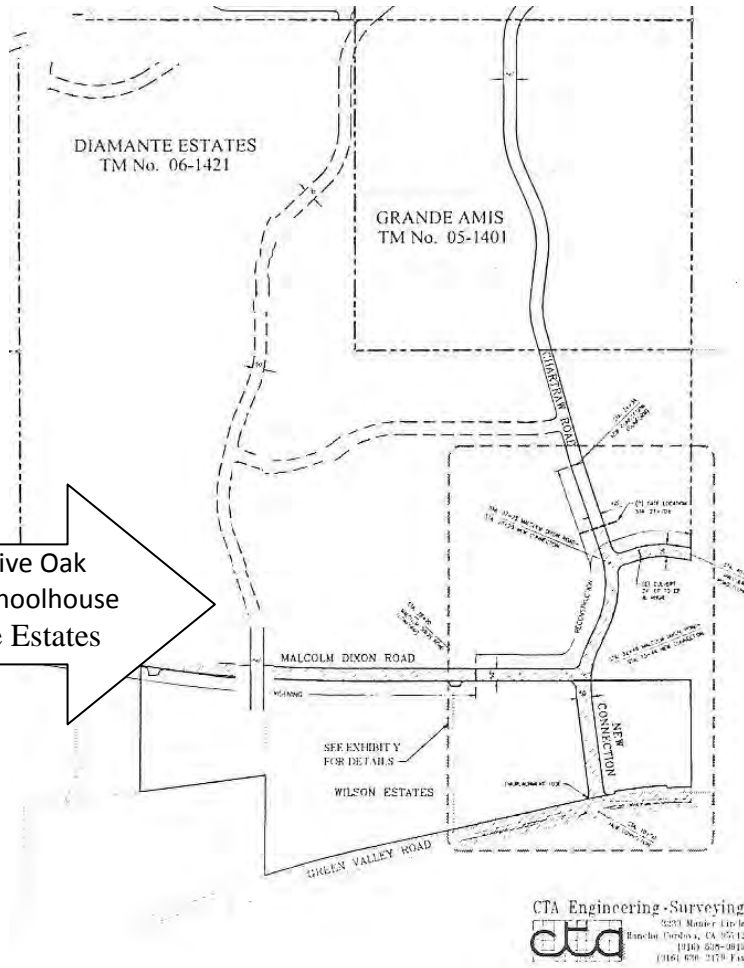
Title No. 04-30700105-RN  
Locate No. CACTI7734-7734-2307-0030700105

PARCEL 1 IS RESTRICTION FROM VEHICULAR ACCESS ALONG MALCOM-DIXON ROAD FRONTAGE  
AFFECTS A PORTION OF SAID PARCEL

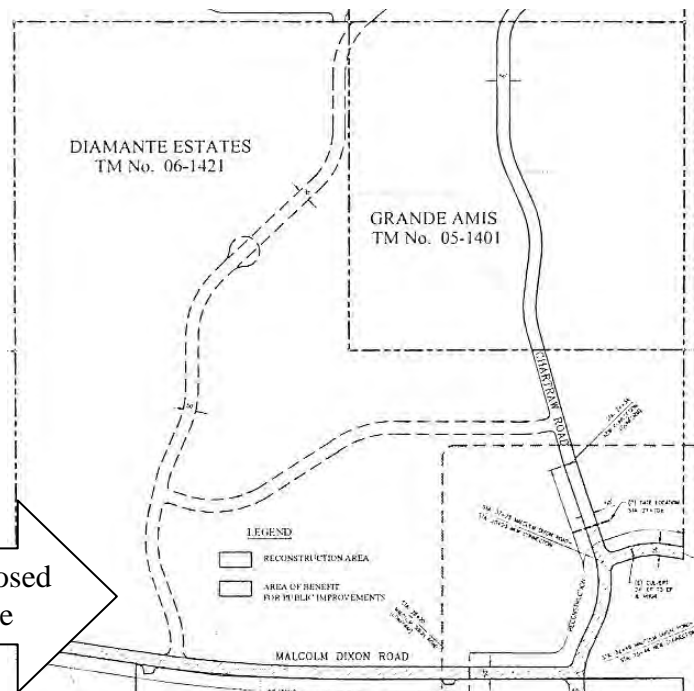
CLTA Preliminary Report Form (1/4/95)

Letter for Public hearing for Rezoning of Z11-0007/PD11-0004/TM11-1504/  
 Public comment: Kelley & John Garcia and the Residents of Alta Vista Court  
 Wilson Estates

Taken from Malcolm Dixon Area Traffic Circulation Map – Exhibit X



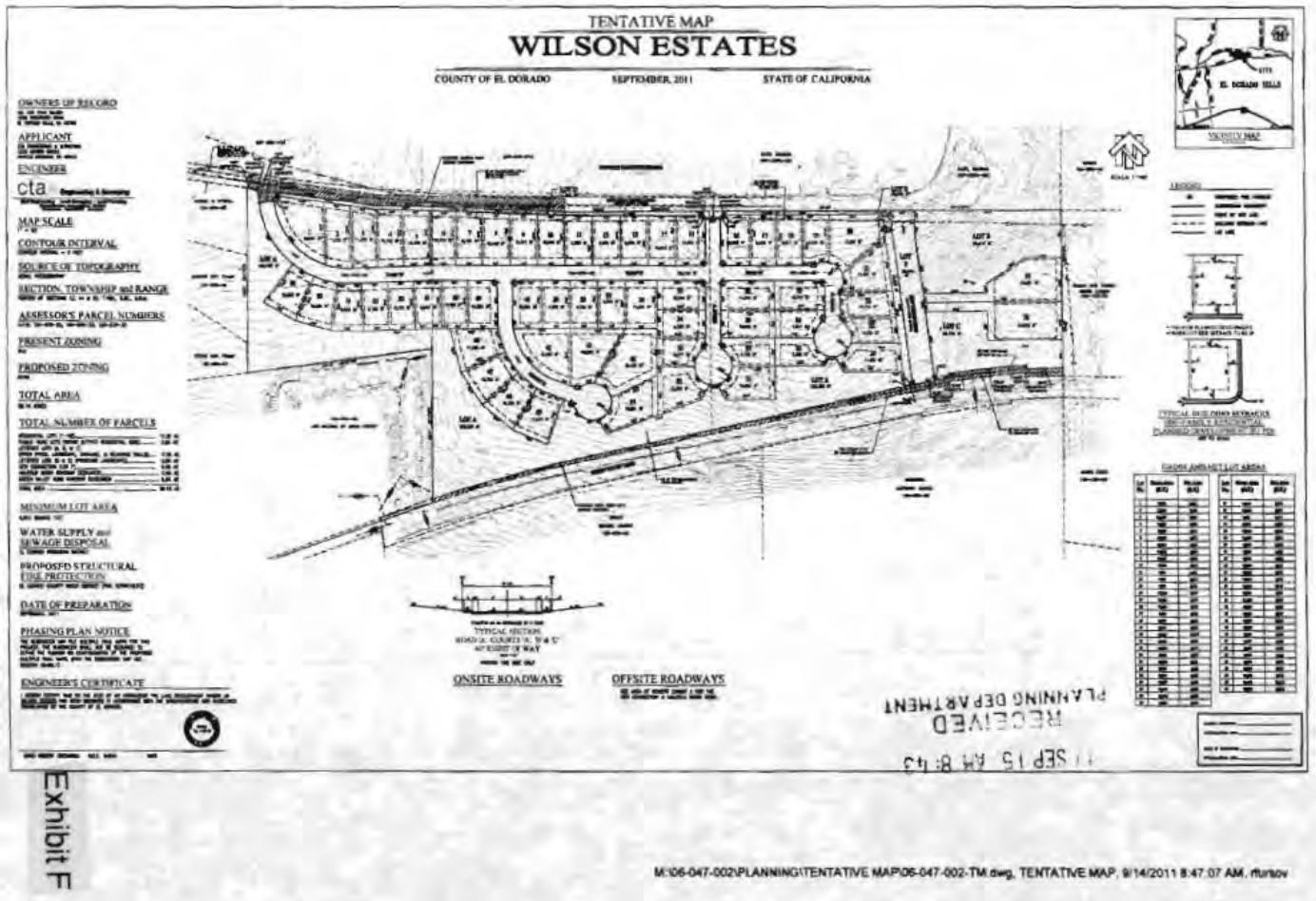
Proposed entry east of Live Oak Elementary - Historic Red Schoolhouse for Wilson and Diamante Estates



Original Entry Proposed West of school house

Letter for Public hearing for Rezoning of Z11-0007/PD11-0004/TM11-1504/  
 Public comment: Kelley & John Garcia and the Residents of Alta Vista Court  
 Wilson Estates

Original Map tentative map submitted to the county.



Proposed western end of development map – only a picture and has no status or approval as of this letter. Helps to create a buffer with existing neighborhood. Minimizes light and noise.



## TRAFFIC MITIGATION PROPOSAL

**This proposal mitigates a multitude of traffic issues.**

- Realigning the points of entry with Diamante Estates just east of the little red school house thereby creating an intersection for safe entry and exit.
- Redirect traffic to new Green Valley Road connection
- Limit traffic on Malcolm Dixon Road
- Slowing traffic down to yield to new intersection at Diamante and Wilson Estates
- Noise and light buffer created for existing residential neighborhood.
- Improved line of sight to enter and exit developments.
- Takes into consideration the cumulative impacts of all proposed developments and the DOT Traffic Circulation Plan.

Letter for Public hearing for Rezoning of Z11-0007/PD11-0004/TM11-1504/  
Public comment: Kelley & John Garcia and the Residents of Alta Vista Court  
Wilson Estates

Proposed new connection map to Diamante Estates - only a picture and has no status.  
Aligns entrances between Diamante and Wilson estates.



Letter for Public hearing for Rezoning of Z11-0007/PD11-0004/TM11-1504/  
 Public comment: Kelley & John Garcia and the Residents of Alta Vista Court  
 Wilson Estates

The **California Natural Diversity Database (CNDDDB)** is a program that inventories the status and locations of rare plants and animals in California. CNDDDB staff work with partners to maintain current lists of rare species as well as maintain an ever-growing database of GIS-mapped locations for these species.



SOURCE: CDFG 2012

Wilson Estates, CNDDDB, Jan. 2012

Letter for Public hearing for Rezoning of Z11-0007/PD11-0004/TM11-1504/  
 Public comment: Kelley & John Garcia and the Residents of Alta Vista Court  
 Wilson Estates

[http://imaps.dfg.ca.gov/viewers/cnddb\\_quickviewer/app.asp](http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp) Ht

[http://imaps.dfg.ca.gov/viewers/cnddb\\_quickviewer/app.asp](http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp) Results for CLARKSVILLE Quad (3812161) - 21  
 elements selected

Record	QUADNAME	ELMCODE	SCINAME	COMNAME	FEDSTATUS	CALSTATUS	DFGSTATUS	RAREPLANTRANK
1	Clarksville	AAABH01022	Rana draytonii	California red-legged frog	Threatened	None	SSC	
2	Clarksville	ABNGA04010	Ardea herodias	great blue heron	None	None		
3	Clarksville	ABNGA04040	Ardea alba	great egret	None	None		
4	Clarksville	ABNKC06010	Elanus leucurus	white-tailed kite	None	None	FP	
5	Clarksville	ABNKC10010	Haliaeetus leucocephalus	bald eagle	Delisted	Endangered	FP	
6	Clarksville	ABNSB10010	Athene cunicularia	burrowing owl	None	None	SSC	
7	Clarksville	ABPBXB0020	Agelaius tricolor	tricolored blackbird	None	None	SSC	
8	Clarksville	ARAAD02030	Emys marmorata	western pond turtle	None	None	SSC	
9	Clarksville	ICBRA03030	Branchinecta lynchi	vernal pool fairy shrimp	Threatened	None		
10	Clarksville	IICOL48011	Desmocerus californicus dimorphus	valley elderberry longhorn beetle	Threatened	None		
11	Clarksville	IICOL5V010	Hydrochara rickseckeri	Ricksecker's water scavenger beetle	None	None		
12	Clarksville	IIHYM35030	Andrena blennospermatis	Blennosperma vernal pool andrenid bee	None	None		
13	Clarksville	PDAST8H1V0	Packera layneae	Layne's ragwort	Threatened	Rare		1B.2
14	Clarksville	PDAST9X0D0	Wyethia reticulata	El Dorado County mule ears	None	None		1B.2
15	Clarksville	PDCIS020F0	Helianthemum suffrutescens	Bisbee Peak rush-rose	None	None		3.2
16	Clarksville	PDONA05053	Clarkia biloba ssp. brandegeae	Brandegee's clarkia	None	None		1B.2
17	Clarksville	PDRHA04190	Ceanothus roderickii	Pine Hill ceanothus	Endangered	Rare		1B.2
18	Clarksville	PDRUB0N0E7	Galium californicum ssp. sierrae	El Dorado bedstraw	Endangered	Rare		1B.2
19	Clarksville	PDSTE03030	Fremontodendron decumbens	Pine Hill flannelbush	Endangered	Rare		1B.2



Letter for Public hearing for Rezoning of Z11-0007/PD11-0004/TM11-1504/  
 Public comment: Kelley & John Garcia and the Residents of Alta Vista Court  
 Wilson Estates

20	Clarksville	PMALI040Q0	Sagittaria sanfordii	Sanford's arrowhead	None	None		1B.2
21	Clarksville	PMLILOG020	Chlorogalum grandiflorum	Red Hills soaproot	None	None		1B.2

1-26 TAZ 142  
SD  
Z RIA  
\*\*\*OFFICIAL\*\*\*

RECEIVED  
MAR 30 1995  
EL DORADO COUNTY

REQUEST FOR CONSIDERATION OF GENERAL PLAN LAND USE DESIGNATION  
SITE SPECIFIC REQUEST

APPLICANT INFORMATION:

Property Owner's Name: ANN WILSON

Mailing Address: 4150 FOXWOOD LANE Shingle Springs

Telephone Number: (916) 677-1894

Agent (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: (\_\_\_\_\_) \_\_\_\_\_

PROPERTY IDENTIFICATION:

Street Address (if applicable): N/A

\*Assessor's Parcel Number(s): 067.270 - 22, 23, AND 30

Parcel Size/Total Acreage: 28 ACRES

REQUESTED LAND USE:

Summary description of proposed use of property: PLEASE SEE ATTACHED LETTER.

Statement of appropriateness of the proposed land use: PLEASE SEE ATTACHED LETTER.

SIGNATURES: Owner: Ann Ryan Wilson Date: 3/7/95

Agent: \_\_\_\_\_ Date: \_\_\_\_\_

\*Attach a copy of the Assessor's Parcel Map indicating the subject property.  
Please deliver or mail completed forms to: El Dorado County Planning Department,  
Attention: Pierre Rivas, 2850 Fairlane Court, CA 95667.

95682

March 28, 1995

Mr. Pierre Rivas  
2850 Fairlane Court  
Placerville CA 95667

RE: Wilson Estates, Assessor's Parcel Numbers 067-270-23, 067-270-22, 067-270-30.

Dear Mr. Rivas,

This letter provides additional information to the site-specific request on the above mentioned parcels.

This site is one of the top sites in the County for supporting high density land use. Based on the existing infrastructure and the location of this site, the site is more capable of supporting higher density than most. A preliminary plan has been done, and higher density would allow for a more creative use of the property, with fewer environmental impacts and more benefit to the community at large, while at the same time serving the need for some high density areas within the county.

This letter addresses two items on the attached "REQUEST FOR CONSIDERATION OF GENERAL PLAN LAND USE DESIGNATION -- SITE SPECIFIC REQUEST"

**1. Summary description of proposed use of property:**

The site currently has a land use designation of medium density residential. The site is currently proposed for HDR, High Density Residential Land Use designation. According to Sedway & Cooke's million dollar study, this area was proposed as high density. Later, due to Bill Center's political agenda, this property was changed back to medium density residential and is currently medium density residential according to the public review draft, the alternative, and the project description.

**2. Statement of appropriateness of the proposed land use:**

The alternative to the requested land use designation is the current land use designation, medium density residential, and the current zoning, R1A. For infrastructure, environmental, and aesthetic reasons, R1A is less environmentally sensitive and less economically feasible to the County as a whole than the proposed R1 would be.

**Infrastructure**

This site is among the few remaining areas in the County suitable for higher density from an infrastructure perspective. It is close to the western edge of the County, where higher densities are occurring due to significant economic and social forces of a larger context. It is in the proximity of other higher density estates, such as Sterlingshire, which is right down the road. It is bordered by Green Valley Road on one side and Malcom Dixon Road on the other, suitable roads from a capacity standpoint.

Furthermore, this subdivision could provide an access between these roads. No houses would have driveways on this connector, avoiding mistakes that have crippled the development of suitable parcels in other parts of the County. This would be a substantial improvement to the secondary roads that are becoming more strategically important alternatives to major transportation routes as proposed not only by the County but also the nation as a whole -- notice the recent transportation act passed by Congress, which allocated funds toward secondary roads as opposed to highways.

Water and sewer infrastructure run right up to the site. It is part of an area that is already planned for service by the El Dorado Irrigation District. As part of the AD3 Assessment district created in 1985, the

owner has been paying assessments for this service. It would seem a shame to require extensive pipelines built in more remote areas of the County when these already exist.

### **Environment/Aesthetics**

From a superficial analysis, it may appear that medium density is always better than higher density in terms of environmental and aesthetic concerns. However, a project has been developed based on a slightly higher density than that of medium density residential, and there are a number of reasons that support eventual R1 zoning instead of R1A zoning for this property.

First, R1A encourages a grid-like subdivision of this beautiful 28 acre site into 28 one-acre parcels, with little open space, a fenced off atmosphere, and park in lieu fees instead of dedicated land for parks. By allowing a smaller parcel size, a more suitable design can be achieved from an environmental and aesthetic standpoint. If one-third acre parcels were allowed, 55 lots would still leave almost twelve acres for open space and a community park. The value of this land, at a conservative \$50,000 per acre, is over half a million dollars, which would be a valuable asset to the Community. Compare this to areas such as Wild Oak Park, which was sold to the community at a price of over \$150,000 per acre!

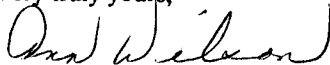
A continuous open space would allow pedestrian access from one end of the site to the other, and a community space common to all residents, maintained by a homeowner's association. This dedication is more than just lip service regarding non-vehicular transportation in this County, and is very flexible. From a community standpoint, this space is a much higher use as park land than as mere backyard. From an aesthetic standpoint, it would create a buffer on the site from Green Valley Road, protecting residents while at the same time reducing the visual impact on Green Valley Road to almost nil. Witness past mistakes such as Green Valley Hills, with unavoidable visual impacts from Green Valley Road and other parts of the County.

Second, this community, especially with the lower impacts associated with higher density rather than medium density, has no substantial opposition from the neighbors or the community. The only exception would be the large out-of-county landowners who try to limit development outside their own monopolies.

Third, the impacts to the environment would be less with higher density than medium density, because of the ability to better cluster the development in the suitable part of the site, while leaving the creek area to the eastern part untouched and additional contiguous open space throughout the site. This parcel is being designed with the utmost regard to site compatibility, to a degree that is rare in this county. No substantial trees will be impacted, and by allowing a park-like setting for twelve of the site's twenty acres, more natural vegetation will exist and more trees can be planted in these buffer areas. EID water means no local ground water pumping and EID sewer means no impacts to ground water from septic systems.

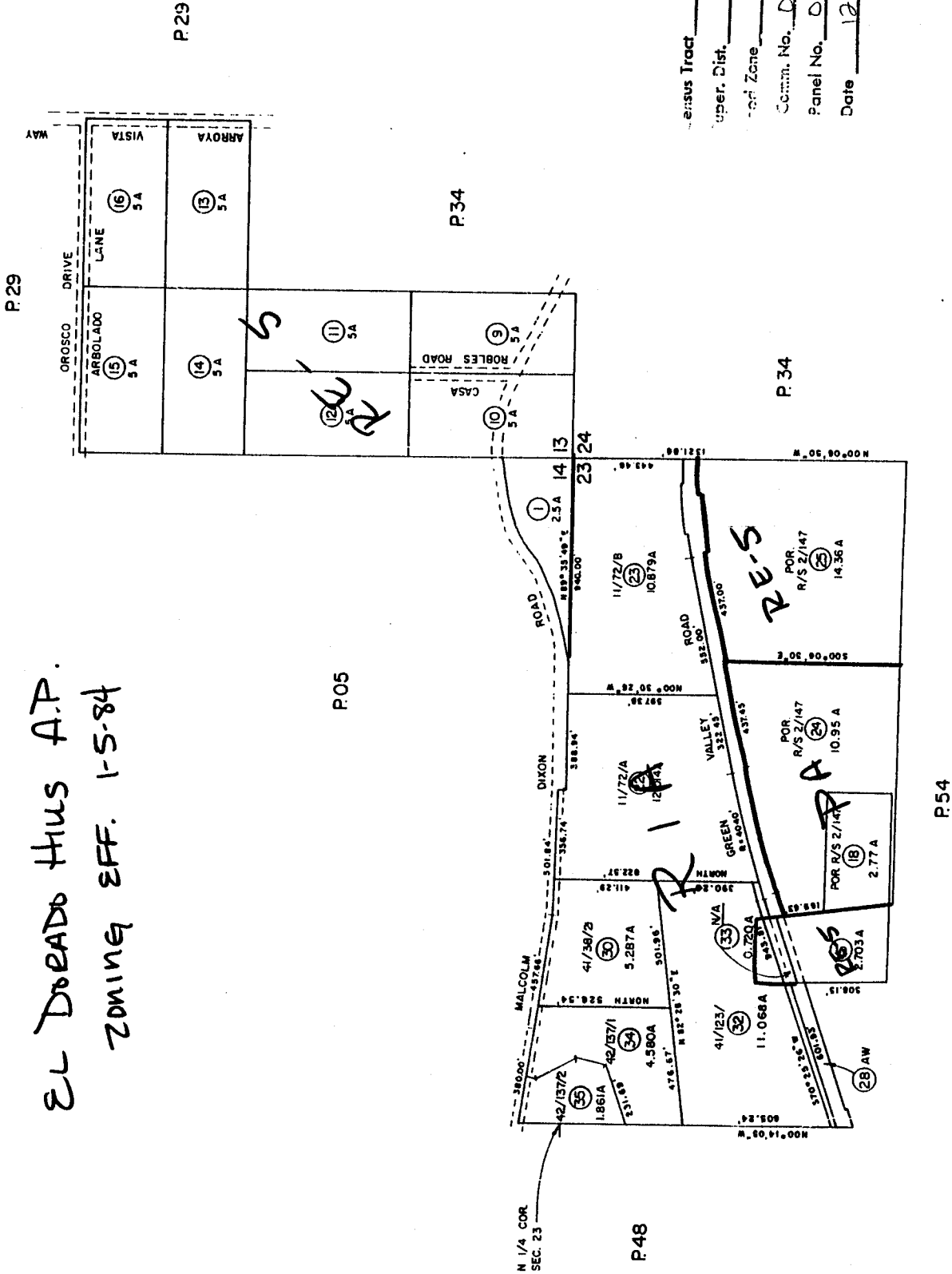
In closing, the current design under medium density would allow 28 parcels, approximately 1 acre gross density, with no open or park space, and typifies the lack of flexibility and thought that characterize all too many projects in El Dorado County. The proposed design for the property should the land use designation be changed to high density envisions 55 parcels on 28 acres, approximately 1/2 acre gross density with 12 acres of open/park space, a real change from the mistakes of the past committed in this County. But this can only be achieved in R1, not R1A zoning, and hence a high density, not medium density, land use designation.

Very truly yours,



Ann Wilson

EL DORADO HILLS A.P.  
ZONING EFF. 1-5-84



e-rsus Tract \_\_\_\_\_  
 uper. Dist. \_\_\_\_\_  
 -of Zone \_\_\_\_\_  
 Comm. No. D6004D  
 Panel No. 0700 C  
 Date 12-4-86

1-30-95  
 Assessor's Map Bk. 67 - Pg. 27  
 County of El Dorado, California

NOTE Assessor's Block Numbers Shown in Ellipses  
 Assessor's Parcel Numbers Shown in Circles

*to Planning*  
June 2, 2003  
JUN 13 AM 8:32  
RECEIVED  
PLANNING DEPARTMENT

Planning Commission  
El Dorado County Planning Department  
2850 Fairlane Court, Placerville CA 95667

RE: El Dorado Hills Community Region: APN's 067-270-22, 067-270-23, and 067-270-30.

Dear Commissioners:

I once sat where you sit now. I was El Dorado County planning commissioner from March of 1994 to July of 1996. I worked on the plan that, in one form or another, sits before you now. From this experience, I know you have a job as thankless as it is necessary, and I applaud your efforts and thank you for your time. It is vital to the future of our community.

I am writing to request that the land use designation and zoning be preserved on the following parcels: 067-270-22, 067-270-23, and 067-270-30. They total approximately 30 acres.

Under two of the prospective general plan alternatives, the line of the El Dorado Hills Community Region would move to coincide with the western edge of our property - thereby barely excluding it. In turn, this small shift would result in a substantial land use change from HDR to LDR, and downzoning from current 1 ac parcels to 5-10 acre parcels. There are several reasons for preserving the existing land use designations.

First and foremost, this land is truly within the Region, whether the line is drawn there or not. (I love that old quote: don't confuse the map with the territory.) Future development of these parcels is appropriate and will not encourage sprawl or leapfrog development. They are surrounded by roads and nearby housing, and are near existing water and sewer and other development infrastructure. They are entitled to their fair share of water, and the meters are available. Over half of the County's 1,800 square miles are federally owned, or otherwise off limits to further development. Few spots in the county exist this close to development resources, and this should continue to be reflected in the Land Use Designation and Zoning.

We recognize that fairness dictates the same opportunities for future generations that we ourselves have had. The fact is that every house now sits on land that was once vacant. We purchased this land in 1989 with the reasonable expectation that the land use and zoning on the land would remain. That is, quite simply, all we request now.

Due to lawsuits and moratoriums, we can't develop now anyway. But the General Plan is a long term planning document, designed to accommodate 20 years of growth. By any reasonable, forward-looking planning doctrine, regardless of what side of the political spectrum one is on, this parcel should be part of that growth.

Thank you again for your hard work. Please call me directly at work at (415) 616-6152 to discuss this at your convenience should you wish to do so.

Sincerely,

*Brian W. Veit*

Brian W. Veit and Katie Ryan  
Also On Behalf of  
John & Lisa Vogelsang  
Jim and Julie Beecher  
Ann R. Wilson

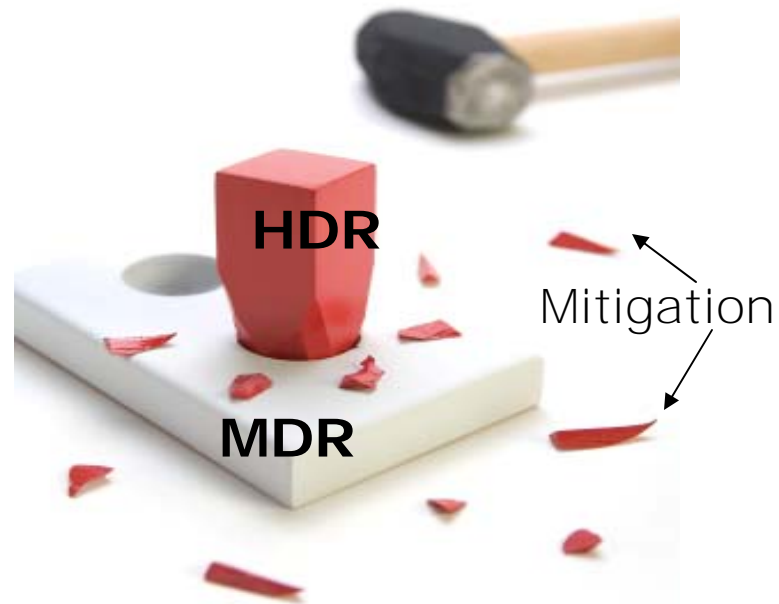
RECEIVED  
JUN 2 2 20 PM '03  
BOARD OF SUPERVISORS  
EL DORADO COUNTY

56-1

Cc: El Dorado County Board of Supervisors: Charlie Paine, David Solaro, Rusty Dupray, Helen Baumann, Carl Borelli, 330 Fair Lane, Placerville, CA 95667, (530) 621-5390, FAX (530) 622-3645;  
Mr. John Upton, City Councilman, South Lake Tahoe, 1052 Tata Lane, South Lake Tahoe CA 96150.

# Wilson Estates Traffic today 1/24/13 7:30 am to 8:00 am

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# Wilson Estates

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- The MND for Wilson would mislead you to believe that their traffic impacts are less than significant.
- The MND would also lead you to believe that there is ample capacity.
- Both of these statements are false and the following photos taken this morning will illustrate this.

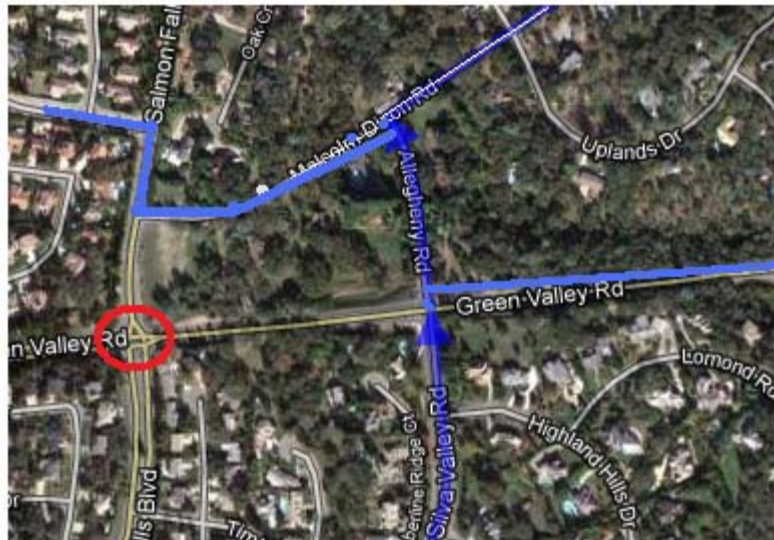




## Wilson Estates

### Intersection of Malcolm Dixon Road @ Allegheny

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- In order to bypass the LOS F intersection of Green Valley road @ Salmon Falls/El Dorado Blvd drivers use Allegheny
- Based on actual counts by residents (not projections or trip generators) 43 cars used Allegheny as a cut though from 7:30 am to 7:41 am.
- Why is the rural region being asked to absorb the traffic of the community region?

# Wilson Estates

## Intersection of Malcolm Dixon Road @ Allegheny

1/24/13

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- 9 cut through cars for at least 7 light cycles.
- This information is not even addressed on Kimley Horn's Traffic report.

This is the path of least resistance

# Wilson Estates

## Intersection of Malcolm Dixon Road @ Allegheny

1/24/13

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All of this cut through traffic feeds to a single lane historic bridge on Malcolm Dixon Road. These bridges are not equipped to handle the cut through volumes from Green Valley Road that exist today.

## Wilson Estates

### Intersection of Green Valley Road @ Silva Valley Allegheny

1/24/13



- These pictures are one light cycle demonstrating the backup ahead. These pictures are in order.
- The white car runs the yellow light.
- The back up on Green Valley Rd now extends past the Mormon Church
- There is no room for the 10 cars in the Silva Valley turn cue to turn onto Green Valley Road
- This is just the beginning.....

## Wilson Estates Intersection of Green Valley Road @ Silva Valley Allegheny



Frequently drivers are indecisive and change their mind at the last minute based on light conditions. This driver was in the turn pocket to turn left on to Green Valley road but changed his mind when he saw the back up. This happened 3 times while I was there this morning. I saw one near miss accident as the driver changed his mind while in motion going through the intersection.

## Wilson Estates

### Intersection of Green Valley Road @ Silva Valley Allegheny

1/24/13



Grey car turned left from Silva Valley onto Green Valley Road without room to get out of the intersection.



Light for Green Valley road traffic turns green and there is no where for the cars, or the biker to go. The grey car is also blocking the biker

# Wilson Estates Intersection of Green Valley Road @ Silva Valley Allegheny 1/24/13



- Left hand turn queue at Silva Valley is frequently overflowing. This morning the average queue was 16 cars deep while only 3 cars could turn left onto Green Valley Road

# Wilson Estates Intersection of Green Valley Road @ Silva Valley Allegheny 1/24/13



- 18 cars in queue.
- The black car in front could not turn left onto Green Valley Road because through traffic was stopped at the light.
- This black car is stuck in the middle of the intersection.
- In the turn queue there is a car that wants to cross Green Valley Road, but can not get to the lane to go through.
- Isn't this a huge safety issue?



# Wilson Estates Intersection of Green Valley Road @ Silva Valley Allegheny 1/24/13



- The top car is clearly running this red light because it does not want to wait another light cycle.
- Is this best level of safety that we can provide our residents?
- As BOS are you comfortable adding at least 1670 trips to this already dangerous scenario?



Per CHP: Due to poor service levels accidents on GVR have increased by 73% between 2010 and 2011.



# Wilson Estates - Traffic today

## 1/24/13

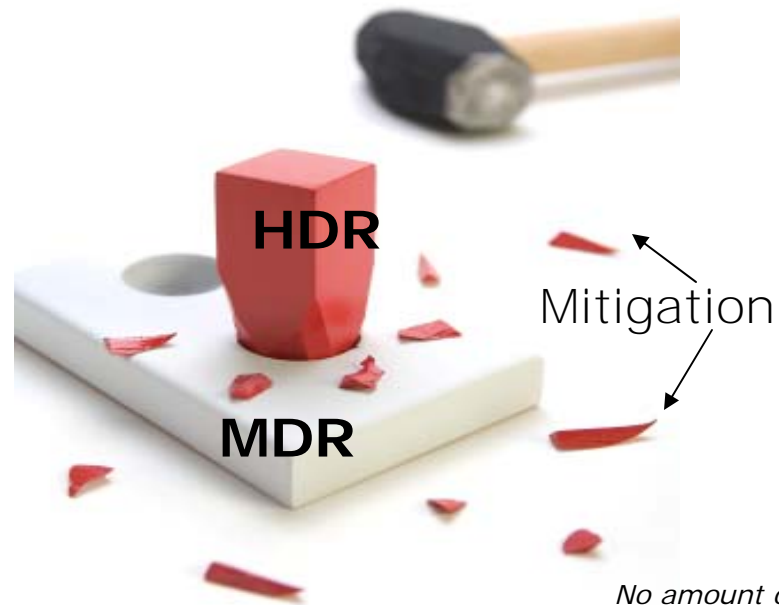
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### **Traffic and Safety**

- This development and its cumulative traffic of the 5 approved projects (Alto, Grande Amis, Diamante and La Canada and Wilson) will add at least 1670 vehicle trips to existing service level F intersections with no capitol improvement funds available for improvement until 2021 per Eileen Crawford, DOT. This number is severely understated based on the traffic reports from Kimley Horn crossed reference with actual counts from residents and does not included Dixon Ranch Numbers.
  - Per conversation with Officer Sortomme at CHP on 1/22/13. The proposed area on Green Valley Road comprises 60% of all accidents on Green Valley Road. Due to poor service levels accidents between 2010 and 2011 increased by 73%.
- ***Transportation and Circulation Element El Dorado County General Plan***
  - ***Page 68 (Amended January 2009) July 2004***
  - ***Policy TC-Xa The following policies shall remain in effect until December 31, 2018:***
  - ***Traffic from single-family residential subdivision development projects of five or more parcels of land shall not result in, or worsen, Level of Service F (gridlock, stop-and-go) traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county.***

# Wilson Estates – What can be done now?

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*No amount of mitigation will allow the square peg to fit in the round hole.*



# What hasn't been done

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- Implement signal timing adjustments at Green Valley Road/El Dorado Hills Blvd - Salmon Falls NOW and evaluate the LOS prior to Board approval. This was agreed to at the Planning commission meeting but was not listed as a condition of approval.
- Merge traffic study data from Alto, Grande Amis, Diamante, La Canada and Wilson to fairly assess the cumulative traffic impact from all approved projects in the immediate area.
- Require a protocol-level survey to document the absence of California red-legged frogs in the pond located 200 feet north of the site
- Have the county resolve the inconsistency by completing the process of a General Plan Amendment changing the land use to MDR that is *compatible with adjoining land uses*.
- Task Shawna Purvines and her team to re-assess the community region. Have the line returned to Green Valley Road.
- Restrict all vehicular access to Malcolm Dixon Road to be consistent with adjoining parcel restrictions and land usages.
- Demonstrate that the proposed wastewater disposal system can accommodate the highest possible demand of the "cumulative impacts" of all 5 proposed projects.
- Request from EID commitment to serve
- Have Wilson present a MDR, 1 acre alternative that is consistent with adjoining land usage.



# What you can do as a BOS member

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- Deny approval for this project.
- General plan amendment changing land usage to MDR to be consistent with R1A.
- Resolutions
- Request that the light timing @ Green Valley Road/El Dorado Hills Blvd - Salmon Falls be changed prior to board approval to see if it truly mitigates.
- Request a cumulative traffic study including all approved projects with actual counts, not projections.
- Request input and study from DOT.
- Deny projects until Green Valley Road and future projects can be funded. Green Valley road is listed in the CIP as a future project not funded between County fiscal years 2000/2010 through 2018/2019.
- If all else fails, marry the plan to the approval so the densities can not be changed later.
- Request a Full EIR
- Send it back to the planning department.
- Request more time to become fully educated on this issue, this region.
- Meet with the Green Valley alliance to educate yourselves to the challenges along this corridor.
- Fix the zoning and land usage inconsistencies to fit with the adjoining neighborhoods.
- Amend the community region line.

# What you can do as a BOS member



- Listen, process, and understand.
- Reflect the values of the citizens
- Benefit the El Dorado County Citizens to their satisfaction.
- Preserve mental health of existing residents and neighbors.
- Fix past mistakes. Do not continue down a broken path.
- Create an atmosphere of collaboration, change, and smart growth.
- Propose new methods in how the county can function with residents in a harmonious, equitable, and sustainable way.
- Regain public trust through your actions.
- Vote your conscious; your heart; for the safety of every driver, mother, student that travels Green Valley Road to work, to Oak Ridge High School, to Jackson Elementary, to Lake Forest Elementary, to Lakeview Elementary, to Marina Village Middle School and Rolling Hills Middle School. All these drivers must utilize Green Valley Road at peak hours.

# Closing thoughts – Wilson Estates

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- The incongruity between a square peg and a round hole is a common metaphor in English. "Pounding" a square peg into a round hole is not a "special phrase." Often the phrase is used to indicate some kind of incompatibility. Talking about **pounding** a square peg into a round hole emphasizes that something has to be **forced** to it, it doesn't do so naturally.

This is where we are with Wilson Estates. It just doesn't fit with the adjoining land usage. There is no amount of mitigation that will make it fit.





# Wilson Estates

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A long history of inaccuracies and  
deception.

January 2013





## Wilson Estates Background

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In such situations private citizens alone must 'guard the guardians' and the disparity in legal resources is likely to be greatest.'" (*Drew, supra*, 207 Cal.App.3d at p. 1299, 255 Cal.Rptr. 704.)

- In the public meeting we have three minutes to influence your decision over something that has been in play for over 20 years.
- The purpose of this power point is to demonstrate how the Wilson family has repeatedly deceived the county for their financial gain.
- We will illustrate why you must decline this project.



# Wilson Estates

Options available to groups or land owners who disagree with the County or General plan

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**The only tools available to us as existing land owners to influence Land Usage and zoning changes in El Dorado County are as we understand it as follows:**

- **Become a land owner.**
  - We have made several offers to the Wilson family. We wrote several letters (2/26/09, 8/17/10, 11/15/10, 1/10/11) and have had numerous phone conversations (2005/2006) with Brian Veit, Ann Wilson's son in law, who was the previous development agent for these parcels.
- **Work with the existing land owner.**
  - We have worked extensively with Dave Crosariol the current agent for Wilson.
- **Ask the Board of Supervisors to enforce the general plan or create a General Plan Amendment or Resolution.**
  - This is where we are at.
- **Litigate against the County and the General Plan.**



# Wilson Estates

## What we are asking for.....

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### **We are asking that the Board of Supervisors deny this project based on:**

- inconsistent land usage designation with adjoining neighborhoods.
- lack of available infrastructure water and sewer
- Known traffic and safety concerns along Green Valley Road with no Capitol Improvement funds available to improve Green Valley Road until 2021.
- We ask for a general plan amendment to correct the land use designation to MDR to be consistent with adjoining neighborhoods and to eliminate the island of high density.

# Wilson Estates

## In the beginning, March 1995

Mrs. Ann Wilson 4159 Foxwood Lane, Shingle Springs CA 96152 (916) 677-1824

March 28, 1995

Mr. Pierre Rivas  
2850 Fairlane Court  
Placerville CA 95667

RE: Wilson Estates, Assessor's Parcel Numbers 067-270-23, 067-270-22, 067-270-30.

Dear Mr. Rivas,

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**Infrastructure**

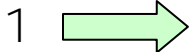
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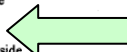
Water and sewer infrastructure run right up to the site. It is part of an area that is already planned for service by the El Dorado Irrigation District. As part of the AD3 Assessment district created in 1985, the

## Items that are not true or inconsistent in this letter

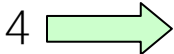
- First deception. Ms. Wilson states that the current land use is MDR however in later letters to the county the family would have you believe that they bought the property with an HDR designation and changing the land usage would cause financial hardship to the family.
- It is NOT in the proximity of other HDR developments. It is an island of HDR surrounded by MDR and LDR.
- 3. It is bordered by Green Valley Road and Malcolm Dixon road and is suitable for capacity. Perhaps in 1995 it was.
- 4. Water and sewer infrastructure DO NOT run right up to the site. Malcolm Dixon road, which was just repaved in 2009 would be destroyed to run sewer to the site.



2



3



# Wilson Estates

## In the beginning, March 1995 Page 2

Mr. Pierre Rivas  
page two of two

owner has been paying assessments for this service. It would seem a shame to require extensive pipelines built in more remote areas of the County when these already exist.

#### Environment/Aesthetics

From a superficial analysis, it may appear that medium density is always better than higher density in terms of environmental and aesthetic concerns. However, a project has been developed based on a slightly higher density than that of medium density residential, and there are a number of reasons that support eventual R1 zoning instead of R1A zoning for this property.

First, R1A encourages a grid-like subdivision of this beautiful 28 acre site into 28 one-acre parcels, with little open space, a fenced off atmosphere, and park in lieu fees instead of dedicated land for parks. By allowing a smaller parcel size, a more suitable design can be achieved from an environmental and aesthetic standpoint. If one-third acre parcels were allowed, 55 lots would still leave almost twelve acres for open space and a community park. The value of this land, at a conservative \$50,000 per acre, is over half a million dollars, which would be a valuable asset to the Community. Compare this to areas such as Wild Oak Park, which was sold to the community at a price of over \$150,000 per acre!

A continuous open space would allow pedestrian access from one end of the site to the other, and a community space common to all residents, maintained by a homeowner's association. This dedication is more than just lip service regarding non-vehicular transportation in this County, and is very flexible. From a community standpoint, this space is a much higher use as park land than as mere backyard. From an aesthetic standpoint, it would create a buffer on the site from Green Valley Road, protecting residents while at the same time reducing the visual impact on Green Valley Road to almost nil. Witness past mistakes such as Green Valley Hills, with unavoidable visual impacts from Green Valley Road and other parts of the County.

Second, this community, especially with the lower impacts associated with higher density rather than medium density, has no substantial opposition from the neighbors or the community. The only exception would be the large out-of-county landowners who try to limit development outside their own monopolies.

Third, the impacts to the environment would be less with higher density than medium density, because of the ability to better cluster the development in the suitable part of the site, while leaving the creek area to the eastern part untouched and additional contiguous open space throughout the site. This parcel is being designed with the utmost regard to site compatibility, to a degree that is rare in this county. No substantial trees will be impacted, and by allowing a park-like setting for twelve of the site's twenty acres, more natural vegetation will exist and more trees can be planted in these buffer areas. EID water means no local ground water pumping and EID sewer means no impacts to ground water from septic systems.

In closing, the current design under medium density would allow 28 parcels, approximately 1 acre gross density, with no open or park space, and typifies the lack of flexibility and thought that characterize all too many projects in El Dorado County. The proposed design for the property should the land use designation be changed to high density envisions 55 parcels on 28 acres, approximately 1/2 acre gross density with 12 acres of open/park space, a real change from the mistakes of the past committed in this County. But this can only be achieved in R1, not R1A zoning, and hence a high density, not medium density, land use designation.

Very truly yours,



Ann Wilson

Examples of methods they used to deceive the county:

- The project they proposed in 1995 to get this land usage changed, is not viable today due to Oak Tree mitigation.
- They sold the county on HDR based on a community park and area of community benefit, the plan before you today has neither.
- The current plan has no pedestrian access, no sidewalks, no community space.
- In 1995 there were no neighbors, no notification, no public meetings to object to this type of project. The public did not know.
- In 1995 this should have been declined. We are asking to review a MDR, R1A, 28 parcel, development.

# Wilson Estates – Brian Veit is Ann Wilson’s son in law June 2003

- Brian Veit sat on the planning commission from 1994 to 1996
- The land use for these parcels was changed between 1994 and 1996 and incorporated into the general plan.
- Mr Veit’s letter from 2003 shows that someone was trying to fix the inconsistent land usage designation and even reduced to LDR.
- Based on this letter and Mr Veits political influence the community line was redrawn to include these parcels and maintain HDR.
- Future development of these project will encourage urban sprawl and is not appropriate at the HDR land usage
- Deception: He states that the family purchased this land hoping that the land use and zoning would remain. When they purchased this land it was R1A and MDR which was consistent with adjoining land uses.

LETTER 56

Planning Commission  
El Dorado County Planning Department  
2850 Fairlane Court, Placerville CA 95667

June 2, 2003  
15 AM 8:32  
RECEIVED  
PLANNING DEPARTMENT

RE: El Dorado Hills Community Region: APNs 067-270-22, 067-270-23, and 067-270-30.

Dear Commissioners:

I am not where you sit now. I was El Dorado County planning commissioner from March of 1994 to July of 1996. I worked on the plan that, in one form or another, sits before you now. From this experience, I know you have a job as thankless as it is necessary, and I applaud your efforts and thank you for your time. It is vital to the future of our community.

I am writing to request that the land use designation and zoning be preserved on the following parcels: 067-270-22, 067-270-23, and 067-270-30. They total approximately 30 acres.

Under two of the prospective general plan alternatives, the line of the El Dorado Hills Community Region would move to coincide with the western edge of our property – thereby barely enclosing it. In turn, this small shift would result in a substantial land use change from HDR to LDR, and downzoning from current 1 ac parcels to 5-10 acre parcels. There are several reasons for preserving the existing land use designations.

First and foremost, this land is truly within the Region, whether the line is drawn there or not. (I love that old quote: don't confuse the map with the territory.) Future development of these parcels is appropriate and will not encourage sprawl or leapfrog development. They are surrounded by roads and nearby housing, and are near existing water and sewer and other development infrastructure. They are entitled to their fair share of water, and the meters are available. Over half of the County's 1,800 square miles are federally owned, or otherwise off limits to further development. Five spots in the county exist this close to development resources, and this should continue to be reflected in the Land Use Designation and Zoning.

We recognize that fairness dictates the same opportunities for future generations that we ourselves have had. The fact is that every house now sits on land that was once vacant. We purchased this land in 1989 with the reasonable expectation that the land use and zoning on the land would remain. That is, quite simply, all we request now.

Due to lawsuits and restrictions, we can't develop now anyway. But the General Plan is a long term planning document, designed to accommodate 20 years of growth. By any reasonable, forward-looking planning doctrine, regardless of what side of the political spectrum one is on, this parcel should be part of that growth.

Thank you again for your hard work. Please call me directly at work at (415) 616-6152 to discuss this matter your commission should you wish to do so.

Sincerely,

*Brian Veit*

Brian W. Veit and Katie Ryan  
Also On Behalf of:  
John & Lisa Voghtang  
Jim and Julie Bercher  
Ann R. Wilson

JUN 2 2 20 PM '03  
RECEIVED  
EL DORADO COUNTY

cc: El Dorado County Board of Supervisors: Charlie Paine, David Solari, Rusty Dajczak, Helen Buzanek, Carl Bondi, 330 Fair Lane, Placerville, CA 95667, (530) 421-5390, FAX (530) 422-1645.  
Mr. John Upton, City Councilman, South Lake Tahoe, 1052 Tina Lane, South Lake Tahoe CA 96150.

1615 GREENWICH ST • SAN FRANCISCO CA • 94122  
PHONE: 415 616-6152 • FAX: 415 613 8348

56-1



## Wilson Estates – Brian Veit is Ann Wilson's son in law

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### **LETTER 56: BRIAN W. VEIT AND KATIE RYAN**

**Response to Comment 56-1 (GP):** The commenters request the High Density Residential (HDR) land use designation for APNs 067-270-22, -23, and -30. The 1996 General Plan Alternative includes the HDR designation for this parcel. Under the Roadway Constrained Six-Lane "Plus" and Environmentally Constrained Alternatives, the parcels are designated Low Density Residential (LDR). These alternatives do not allow the assignment of HDR to lands outside of Community Regions and Rural Centers. Because the subject parcels are not within a Community Region or Rural Center, the HDR land use designation could not have been assigned in the Environmentally Constrained Alternative. Please also refer to Master Response 8.

- The community region line and HDR designation were granted at Brian Veit's request. With no public comment from neighborhoods, and limited records that can not seem to be located by the planning department.



# Wilson Estates

## The general plan debacle.....

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This change was not made with public comment (besides the land owner) and individual parcels were not supposed to be individually evaluated. Per the County's own Policy listed here:

- EDAW *EL DORADO COUNTY GENERAL PLAN*
- County of El Dorado **RESPONSE TO COMMENTS**
- January 2004 Section 4.1 Master Responses
- **Master Response 8 – General Plan Alternatives, Public Process, and Individual Property Designations**
- The land use designations assigned to each of the Land Use Diagrams for the equal weight
- General Plan alternatives are based on historical land use designations (not necessarily zoning) and policy direction contained in the alternative. The staff did not go through the county parcel by parcel and assign land use designations.
- The focus of General Plan level of planning is not on individual properties, but rather on countywide and area wide planning, policies, and land use patterns. Examination of individual property characteristics and circumstances was not performed.

### ○ **HOWEVER - The Wilson parcels WERE individually reviewed against County policy.**

- EDAW *EL DORADO COUNTY GENERAL PLAN*
- County of El Dorado **RESPONSE TO COMMENTS**
- January 2004 Section 4.2 Responses to Letters
- **LETTER 51: JUNE 2, 2003 PLANNING COMMISSION HEARING ORAL COMMENTS**
- Note: The following responds to comments and questions raised during the Planning Commission General Plan comment hearing.
- **Response to Comment 51-48 (GP):** Please refer to Letter 56 for documentation of Mr. Veit's parcel-specific request. As noted by Commissioner Machado, assignment of a certain land use designation would not guarantee construction of a certain type of housing (e.g., affordable versus market rate). The opinion regarding the inclusion of the subject parcels in the Community Region is noted for the record and will be considered by the Planning Commission and Board of Supervisors during deliberations on the General Plan.

If El Dorado County had a perfectly written General Plan that wasn't repeatedly challenged and a writ of mandate issued by the Supreme court of California you may be able to push us away. However the fact of the matter is El Dorado County's general plan was and is riddled with inconsistencies and errors. Wilson Estates is a perfect example of these inconsistencies and errors.





# Wilson Estates

## What can be done now.....

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### **We are asking that the Board of Supervisors deny this project based on:**

- Inconsistent land usage designation with adjoining neighborhoods.
- lack of available infrastructure water and sewer
- **Known traffic and safety concerns along Green Valley Road with no Capitol Improvement funds available to improve Green Valley Road until 2021 per Eileen Crawford, DOT @ 12/13/12 meeting.**

#### *Supporting General Plan Policy:*

- **Land Use Element El Dorado County General Plan July 2004 (Amended December 2009) Page 15**
- *Medium-Density Residential (MDR): This designation shall be applied where the character of an area is single-family residences; where the absence or reduced level of infrastructure including roads, water lines, and sewer lines does not justify higher densities; Where the topography poses a constraint to higher densities; and as a transitional land use between the more highly developed and the more rural areas of the County. The maximum allowable density shall be one dwelling unit per 1.0 acre. Parcel sizes shall range from 1.00 to 5.00*
- **We ask for a general plan amendment to change the land use designation to MDR to be consistent with adjoining neighborhoods and to eliminate the island of high density.**

#### *Supporting General Plan Policy:*

- **Policy 2.2.5.21** *Development projects shall be located and designed in a manner that avoids incompatibility with adjoining land uses that are permitted by the policies in effect at the time the development project is proposed. Development projects that are potentially incompatible with existing adjoining uses shall be designed in a manner that avoids any incompatibility or shall be located on a different site.*
- **We ask that the community region line be returned to Green Valley Road. North of Green Valley Road is rural.**

#### *Supporting General Plan Policy:*

- **Policy 2.1.1.6** *The boundaries of existing Community Regions may be modified through the General Plan amendment process.*
- **PROPOSED TARGETED GENERAL PLAN AMENDMENT**
- October 1, 2012 Page 12 of 28
- **Policy 2.9.1.4** *The boundaries of Community Regions and Rural Centers may be changed and/or expanded every five years through the General Plan review process as specified in Policy 2.9.1.2 or as the Board of Supervisors deems necessary.*



# Wilson Estates – Final thoughts

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“The probability that we may fail in the struggle ought not to deter us from the support of a cause we believe to be just.”  
— [Abraham Lincoln](#)

This is a just cause. We have nothing to gain financially, no secondary agenda, no cross to bear. Just a heavy heart that loves this community and the spirit of our neighbors to defend its honor with vigor.  
We value public safety.

We are not here to cast blame. We just don't want a bad decision from 1995 to define us today and in the future.

We are not “tree huggers”, activist, or whining neighbors as we have been depicted in the media.

The reason there is not more outcry is because this area is rural. Only 3 parcels border this development.

Please take this decision very seriously. Do not rezone!! The zoning **is** consistent with the area.

We have shown you, in many examples, that this development has a history of deceiving the county for their own personal and financial gain. The county has never questioned the validity of the information or pushed back to verify the details. Please ask questions. Check facts.

We have shown inconsistencies, misrepresentations, letters meant to deceive and sway. The MND before you is more of the same. Please do not let this continue.

If you feel that you are not informed about this to make an educated decision we **IMPLORE** you to delay your vote until you have all the facts.

**Thank you for your service.**

