



Late Distribution 10-21-13

#36

The BOSFOUR <bosfour@edcgov.us>

The 12 Days of Wilson

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Mon, Oct 21, 2013 at 3:26 PM

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Dear Chairman Briggs and Members of the Board of Supervisors:

For your information and because we have not received any correspondence on the project except for the 12 Days of Wilson I have chosen to respond to their claims and as such have embodied them below; Day 1 thru 12. Please take a look at my responses as they will comprise the main theme of my presentation to you Board at tomorrow's hearing. Craig is responding to the Letter form the attorney in Auburn. As always I will be happy to answer any questions.

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The 12 Days of Wilson

DAY 1

a map that is attempting to imply that we can manage to place 88 units on Wilson Estates by simply cramming them into our proposed zones; the zones that we 'self-imposed' to provide extraordinary assurance that what we have proposed to build will be what is built.

"If approved, would like the map to be tied to property so it couldn't be changed to high density"

John Garcia from the PC Minutes

Moreover it should be noted that he thanked Mr. Crosariol for meeting with the residents and addressing their concerns by modifying some aspects of the project

PC Minutes

"The applicant's agent has worked well with the residents to address their concerns and if approved, ensure that the TM conditions are married to the sale of the property"

Bill Welty from the PC Minutes

"Just a quick note to check in. No comments from the neighborhood on these latest maps. Everyone is thrilled that you used the new connector road. Still bummed with the Malcolm Dixon access but I see with the Sterlingshire bunch how limited your options are. The general thought is no building would

be best but if there has to be a plan, this one isn't too terrible. They just want to make sure that this plan sticks if the Wilsons elect to sell. All are still very fearful of that HD designation and cumulative traffic."

May 1, 2012 e-mail from Kelly Garcia to David Crosariol

Note: David Crosariol did not submit the map until he received final comments from Kelly Garcia and her neighbors

"Seems like we're becoming old friends and neighbors through all the development meetings, presentations, discussions..... But I just wanted to thank you and your firm for working with the local community. I suspect you often wonder if we're appreciative of your time and efforts... Indeed, we are. Your presentation last night was extraordinary. Blew us away!"

March 13, 2012 Relevant Excerpt from an e-mail from Bill Welty to David Crosariol

Mr. Crosariol presented the proposed subdivision layout to the GVC Alliance (as it was beginning to form)

Hey Dave...

Apologies for the drama on the Wilson thing.

Bottom-line for the "resistance" is the absolute terror that what is being proposed, despite your investment of time, money, patience and efforts, is mere window dressing; that is, the the t-map will expire, the property will be sold, Wilson's will walk, and the new owners will propose greater density and will have the zoning and designation rights to do it. Bring on the bulldozers.

...And setting a precedent for other developments in the area, like Dixon.

The various groups in the region want/need some assurance that "openness" is protected at the level of R1A (one home per acre) or even something like what is proposed for the Wilson Project.. Clearly, no one trusts that the GP or it's processes offer much protection in this regard..

This is still America; but, is there a point of negotiation whereby the Wilson Project plan commits, "warrants" that the plan is THE plan. That regardless of the designation of HDR or zoning of R1, the number of homes will in perpetuity be limited to 1.6 per acre, or 49 homes.

The BOS could make this a condition of approval.

May solve some issues.

Thanks for listening Dave.

January 30, 2013: an e-mail from Bill Welty to David Crosariol

The opponents under 'Day 1' produced a map that shows a possible 88 units. This map does not respect any of the subdivision design standards nor does it reflect any required road rights of way. It is simply make-believe to say the least. The 49 lot map that is before the BOS accurately accounts for all of the subdivision design standards, site constraints, access, and road rights of way. The zones that were placed on the map cannot be re-subdivided into a more dense configuration without a rezone request to accompany it.

Moreover, Wilson Estates is a straight sub-division and a simple re-zone and is in full compliance with Policy 2.2.5.4.

Day 2

Our response relates to Day 1. The opponents have asserted that Wilson Estates violated GP Policy 2.2.5.4 by not doing a Planned Development and by not providing the requisite 30% Open Space as a result. Their claim is based on the premise that the project has a potential to create 88 Lots thereby requiring a PD. They cite **Policy 2.2.5.4.:**

Policy 2.2.5.4 All development applications which have the potential to create 50 parcels or more shall require the application of the Planned Development combining zone district. However, in no event shall a project require the application of the Planned Development combining zone district if all of the following are true: (1) the project does not require a General Plan amendment; (2) the project has an overall density of two units per acre or less; and (3) the project site is designated High-Density Residential.

Note that the opponents cited the Policy in their "12 days" but

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intentionally omitted the second part of the Policy wherein it waives the PD requirement if *all of the following are true*:

- **The project does not require a General Plan Amendment: TRUE**
- **The project has an overall density of two units per acre or less: TRUE**
- **The project is designated High-Density Residential: TRUE**

One can only determine that the omission was intentional and was designed to mislead their neighbors as well as the public.

DAY 3

On the day 3 they cite Measure Y. Wilson Estates is compliant with Measure Y. We asked our Traffic Engineer to respond specifically to the assertions that APAC cited in their October 12, 2013 letter:

Please review the attached KHA letter. It clearly shows that Wilson Estates does indeed comply with Measure Y.

Measure Y Compliance is the overriding issue. Wilson Estates has proven that it is in compliance with Measure Y

Editorially speaking the opponents are employing a photograph of US 50 and claiming that the traffic shown in the photo is "typical". My guess is that there was a traffic accident that morning as is occasionally the case. Given the intentional disinformation information that has been displayed over the 1st two days I would tend to dismiss the photo as "more of the same".

DAY 4

One word.....nonsense. Kelly Garcia took a photo of the worst example possible; a neighborhood that she previously lived in called Rolling Hills Estates. The wall shown is located 8' off of the Green Valley Road Right of Way; very little room for any kind of landscaping.

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Wilson Estates on the other hand has designated a separate Landscape Parcel adjacent to Green Valley Road and has included a landscaping plan and an architecturally themed masonry wall in its application. This ensures that the Wilson Estates project will take its place along among the other well planned and visually pleasing perimeter elements that are characteristic of the El Dorado Hills Community and the El Dorado Hills CSD published guidelines. It is important to note that the Wilson Estates property must include noise mitigation because the entire property lies within the GP defined MAXIMUM POTENTIAL NOISE CONTOUR for 2025 Green Valley Road. A sound wall is therefore a required noise mitigation regardless of lot size.

DAY 5

The opponents point to a site specific request that the Wilson family made to support their request for high density residential on their land. *Again, the opponents have knowingly conspired to mislead their neighbors and the public:*

The 5th Day of Wilson's...

'The Site Specific Request'

The change from medium to high density residential was via a form submitted to Planning Services in 1995 - no EIR analysis, no public review.

According to the application:

- Creek/oaks would be included in 12 acres of open space, leaving them untouched
 - Reality: This open space is not proposed
- No substantial trees would be impacted
 - Reality: Removal of many oaks of significant size is proposed
- Proximity to Sterlingshire makes HDR okay
 - Reality: Sterlingshire is 'medium' density (not 'high') and Wilson is not adjacent to it.
- The site is suitable because of the infrastructure available
 - Reality: no water, no sewer, inadequate roads & schools
- No substantial opposition from the neighbors
 - Reality: Not true then. Not true now.

1. The reality is that the applicant proposed PD and included over 30% open space in the application. This however was unacceptable to the neighborhood because employing the Open Space meant that lot sizes had to be smaller; so in response the applicant revised their application and proposed larger lots <50 (see Day 2 response) so that they could propose the larger lots that the neighbors preferred (see Day 1 response)

2. The reality is that 90% of the oak tree canopy is preserved; the project will designate building envelopes on the lots that contain oak trees per COA 12.

3. The reality is that Sterlingshire has 11 lots that are under ½ acre (13%) and 32 lots that are barely over ½ (39%) acre in size. Of the remaining 40 lots 30 (36%) are under an acre. Highland Hills and Highland View are zoned R20K. Wilson by comparison and much less constrained has 17 lots effectively ½ acre (35%), 29 lots under ½ acre

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(59%), and 3 lots over 1 acre (6%); hardly out of character.

4. The reality; see the attachment “colored water and sewer exhibit”.

5. The reality; embodied in the e-mails from the neighbors that are displayed in the Day 1 response. Also notable is that Kelly and John Garcia purchased their lot 6 months *after* the General Plan vote; the HDR was hardly a surprise nor an imposition. *In point of fact there are those that would argue that the Garcia’s are attempting to impose their will on the Wilson family.*

DAY 6

Assuming first that the picture showing the egret wasn’t photo-shopped, what does it have to do with the Wilson Estates project? It is not even on the property, the water feature is not on the property; an irrelevant argument meant only to mislead the public.

The Facts:

Mitigation Measures BIO 1 (raptors), BIO 2 (streambed), BIO 3 (buffer), and BIO 4 (water quality) have been placed on the Wilson Estates Project to ensure protection of Biological Resources.

DAY 7

The opposition once again knowingly and willingly attempting to mislead the public with regard to trees. When applying the published guidelines [Interim Interpretive Guidelines for EDC GP Policy 7.4.4.4:

Trees subject to canopy retention and replacement – Policy 7.4.4.4 is intended to apply exclusively to retention and replacement of oak tree canopy within oak woodlands.

All oak trees, of all sizes, are included in the measurement of oak canopy.

So.....what did we do?

1. We obtained the best and most recent aerial photography
2. We mapped the canopy of the oak trees; as carefully as possible thereby distinguishing it from other species; digger pines, locust trees, buckeye, etc.
3. We carefully distinguished between actual tree canopy and shadows that were cast by the trees
4. We physically surveyed the location of individual trees that were not determined to be dead diseased and dying
5. We digitized the mapped canopy and determined it to be 2.9 acres
6. We omitted the individual trees relating to the Malcom Dixon Road Circulation Plan (separate project) approved previously
7. We applied the requirements as laid out in the guidelines for policy 7.4.4.4

And.....What did they do?

1. Included shadows
2. Included all tree species
3. Included individual trees that were omitted as a result of the Malcom Dixon Road Circulation Plan (separate project)
4. Included the dead diseased and dying

Finally, overstating the canopy could result in the allowable removal of *even more* canopy. Once again misinformation, disinformation, misleading statements; a common theme and pattern.....

DAY 8

Schools

They say:

1. Oak Ridge High School is impacted

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2. Wilson teens would not be accommodated within their District

We Say

1. They have no idea as to whether or not Oak Ridge can accommodate the teens generated by Wilson Estates
2. Both Rescue School District and the El Dorado Union High School District received the proposed application and neither district responded with concerns about the project proposal
3. School fees are collected at the time of Building Permit
4. Temporary classrooms are a tool that schools use to respond to fluctuations in enrollment

DAY 9

- They trot out an old Brian Veit letter.....

The Facts

1. The voters voted in favor of the General Plan
2. The Garcia's knew the property was HDR when they bought their property
3. The requested rezone complies with the General Plan
4. The subdivision design has kept to the low side of the density range
5. The subdivision as designed is not out of character with the general area inside the Community Region
6. Their words embodied in numerous e-mails, PC minutes, and various meetings have translated into the current design for Wilson Estates

DAY 10

They say: water and sewer are NOT ONSITE

We say: Refer to the attached water and sewer map. Once again in an attempt to mislead they continue to interpret things in the way that they want to

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in order to avoid the actual objective reality; that being that Sewer and Water are available to serve Wilson Estates without question

They say:

Re-zoning places high density R-1 adjacent to low density RE-5; the transition zoning is eliminated



Our Response

This photo-shopped picture is just another indication of the disinformation being fomented and is an affront to the process.

Wilson Estates transitions along its west and east boundaries and provides a landscape corridor that is coupled with deep lots so that there is 200' from the interior roadway to Malcolm Dixon Road. Proposed residences will take their access off of the interior roadways and there will be a significant distance from Malcolm Dixon Road to the rears of the future homes. Malcolm Dixon

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Road will have a 3-rail ranch fence *"Suggestion: 3 slat white fencing on Malcolm Dixon frontage with landscaping to preserve and accentuate the rural appeal"* – Kelly Garcia via e-mail March 5, 2012.

DAY 11

Wilson as a Gateway

Suggesting that the 4 projects [RURAL REGION] are going to use Wilson Estates as some sort of springboard to high density development

OUR RESPONSE

Misinformation

Disinformation

Irresponsible

Disingenuous

Fear Mongering

Irrelevant to Wilson Estates

Wilson Estates Can be Summarized by the Key Points and Related Facts Listed below:

WILSON ESTATES

EL DORADO COUNTY

KEYPOINTS

- **Wilson Estates is not a General Plan Amendment and has been designated HDR since 1996; re-affirmed by the voters in 2004**
- **Wilson Estates amounts to only a 1% increase in peak hour traffic trips on Green Valley Road; well within Measure Y Criteria**

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- **Wilson Estates is entirely consistent with the existing General Plan and has absolutely no effect on LUUPU**
- **Wilson Estates is indeed located in an area where there is a sufficient level of infrastructure including available sewer and water**

-

RELATED FACTS

- The project has been designed to accommodate high quality custom homes in character with the surrounding neighborhoods
- Large nearly 1 acre lots were incorporated adjacent to existing residences with expanded 50' setbacks along the westerly boundary
- The proposed rezone to R-20K assures that the large nearly 1 acre lots will remain as proposed. Moreover, any changes to the map that would serve to increase the density of the project would require another rezone application that takes away the commonly held argument that the developer, once he receives a rezone, will simply 'toss the TM aside' and propose a real high density project.
- The Engineer re-designed the project and worked with neighbors throughout the development of the proposed plan. The e-mail correspondence that we received from John and Kelly Garcia on May 1, 2012 and included as **Attachment A to this Project Fact Sheet** provides evidence in support of this claim. Moreover, the revised rezone request is designed to provide assurances to voiced concerns that the plan 'will stick' if the Wilson family were to sell.
- Wilson Estates is a key component of the approved **Malcolm Dixon Traffic Circulation Plan**; the 'new connection' to Green Valley Road is designed into the project
- The **Malcolm Dixon Traffic Circulation Plan serves to reduce** the traffic trips on to Malcolm Dixon Road west of the approved projects thereby *reducing* impacts to those residents and to the two resident described 'historic bridges' between Salmon Falls and Uplands Drive.
- A traffic study scoped by the County and their consultant recommended three mitigation measures; all three are programmed and financed or are presently being constructed.
- The Sterlingshire intersection (Loch Way and Green Valley Road) accident rate is less than that required for an agency to take corrective action based on information that was provided by County staff.
- Similarly, the Mormon Church intersection has not had an accident reported in three years
- The plan has been designed to save 90% of the existing oak tree canopy

I hope that the information that we have provided herein to respond to certain neighborhood and Green Valley Alliance assertions will assist you when considering Wilson Estates for approval at tomorrow's (October 22, 2013) Hearing

Sincerely,

David R. Crosariol, P.E.



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2 attachments



102113 Kimley-Horn Wilson Estates APAC Response Letter for 101213 BOS.pdf
211K



colored sewer and water exhibit.pdf
10347K



Kimley-Horn
and Associates, Inc.

October 17, 2013

Mr. David Crosariol
CTA Engineering & Surveying
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■
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Re: Response to Comments
Wilson Estates, El Dorado County, California

Dear Mr. Crosariol:

As requested, I am writing to provide responses to comments offered by the El Dorado Hills Area Planning Advisory Committee (APAC) in their letter¹ dated October 12, 2013, pertaining to the above referenced project.

Background

The traffic impact analysis for this project was originally scoped by the County in November 2010² with a finalized study prepared by our office in March 2011³. Due to revisions in the project layout and the number of residential lots, we subsequently prepared a supplemental traffic impact analysis in May 2012⁴. Our responses to the APAC comments in this correspondence are largely based on the analyses documented in these two previously completed technical studies.

The Project and Measure Y

The APAC comment letter states that the "project traffic impacts violate Measure Y." Furthermore, as pertains to General Plan policy TC-Xa-3, the comment letter cites Caltrans regarding LOS F conditions along US-50 between the County line and the El Dorado Hills/Latrobe Road interchange.

As you are aware, per Measure Y (General Plan Policy TC-Xa), "1. 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. 2. The County shall not add any additional segments of U.S. Highway 50, or any other roads, to the County's list of roads that are allowed to operate at Level of Services F without first getting the voters' approval or by a 4/5ths vote of the Board of Supervisors."

¹ Letter from John Hidahl, APAC Chairman, to Roger Trout, El Dorado County Planning Services Executive Secretary, October 12, 2013.

² *Scope of Work ADH TS Wilson Estates Memorandum* from Abhi Parikh, Dowling Associates, Inc., to Eileen Crawford, El Dorado County DOT, November 9, 2010.

³ *Final Traffic Impact Analysis, Wilson Estates (WO#38)*, Kimley-Horn and Associates, Inc., March 3, 2011.

⁴ *Supplemental Traffic Impact Analysis for Wilson Estates (WO#38)*, Kimley-Horn and Associates, Inc., May 3, 2012.



The aforementioned traffic analyses prepared for this project demonstrate that the proposed project does not result in, or worsen, Level of Service F traffic congestion during weekday, peak-hour periods. As documented on Page 20 and 21 of the March 3, 2011, traffic study, the project contributes 10 or more trips to three intersections that were determined to operate at Level of Service F without the addition of the project during both Existing (2010) and Existing plus Approved Projects (2015) Conditions. All three of these Level of Service F conditions were determined to be mitigated to Level of Service D or better through the completion of County/Caltrans funded improvements, or by the application of project specific mitigation, thereby satisfying the requirements of Measure Y by not "resulting in" Level of Service F conditions.

Per Condition of Approval 34⁵, the project "shall provide a signal cycle length optimization design for Green Valley Road at El Dorado Hills boulevard/Salmon Falls Road." It is important to note that since the time of our report, the County pursued and was awarded a grant to improve traffic conditions along Green Valley Road. Inherent to the grant improvements are traffic signal timing enhancements and modernization. According to the County⁶, "CIP #73151 (Green Valley Signal Interconnect) is currently at 90% complete plans. It is anticipated to be release for bid/construction in the Spring of 2014." It is likely that the requirements of Condition of Approval 34 will be satisfied by CIP #73151.

As pertains to US-50 Level of Service F conditions, Caltrans confirmed in a letter to the County⁷ that "the portion of the segment from the County Line to the El Dorado Hills Boulevard interchange operates at LOS F during the peak hour." In an interoffice memorandum within the County's Community Development Agency⁸, County staff clarify that "Highway 50 is currently shown as LOF F in an a.m. peak hour at the El Dorado Hills Blvd. westbound on-ramp to the County line." General Plan Policy TC-Xe clarifies that a development project is determined to "significantly worsen" conditions on a county road or state highway by increasing traffic by two percent during the a.m. peak hour, p.m. peak hour, or daily, or by adding 100 or more daily trips, or by adding 10 or more trips during the a.m. peak hour or the p.m. peak hour. According to the aforementioned technical analyses, based on the number of project trips assigned to the US-50 interchange with El Dorado Hills Boulevard/Latrobe Road, the project does not "significantly worsen" conditions along the westbound on-ramp facility and, therefore, can be considered to be consistent with the requirements of Measure Y.

⁵ Attachment 4 to the October 22, 2013, Development Services Division Staff Memo to the Board of Supervisors regarding Z11-0007/TM11-1504/Wilson Estates: Revised Rezone Request and Lot Layout.

⁶ Email from Eileen Crawford to Dave Crosariol, September 6, 2013.

⁷ Letter from Jody Jones, Caltrans District 3 Director, to Kimberly Kerr, Acting Director El Dorado County Community Development Agency, September 25, 2013.

⁸ Interoffice Memorandum from Claudia Wade to Board of Supervisors, September 23, 2013.



Green Valley Road Segment Levels of Service

The APAC comment letter states that the Green Valley Road segments between Francisco Drive and Silva Valley Parkway average approximately 25,000 car trips per day according to DOT's 2011 numbers.

According to published DOT traffic count data⁹, the Green Valley Road segment 200 feet west of Francisco Drive has a total Average Daily Traffic (ADT) of 26,835 (January 2012). The Green Valley Road segment 300 feet west of Silva Valley Parkway has a total ADT of 14,431. As a result, the subject segments of Green Valley Road average 20,633 ADT using published 2012 count data. It is worth noting that if these two segments' daily volumes were used to determine their respective existing Levels of Service, according to Table 5.4-1 of the County's May 2003 *General Plan Environmental Impact Report (EIR)*, both segments operate at acceptable LOS D or E.

Please contact me at (916) 859-3617 if you have any questions or require additional information.

Very truly yours,

KIMLEY-HORN AND ASSOCIATES, INC.

Matthew D. Weir, P.E., T.E., PTOE
PE No. C70216 & TR2424



⁹ <http://edcapps.edcgov.us/dot/trafficcounts.asp>

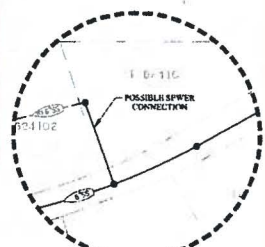
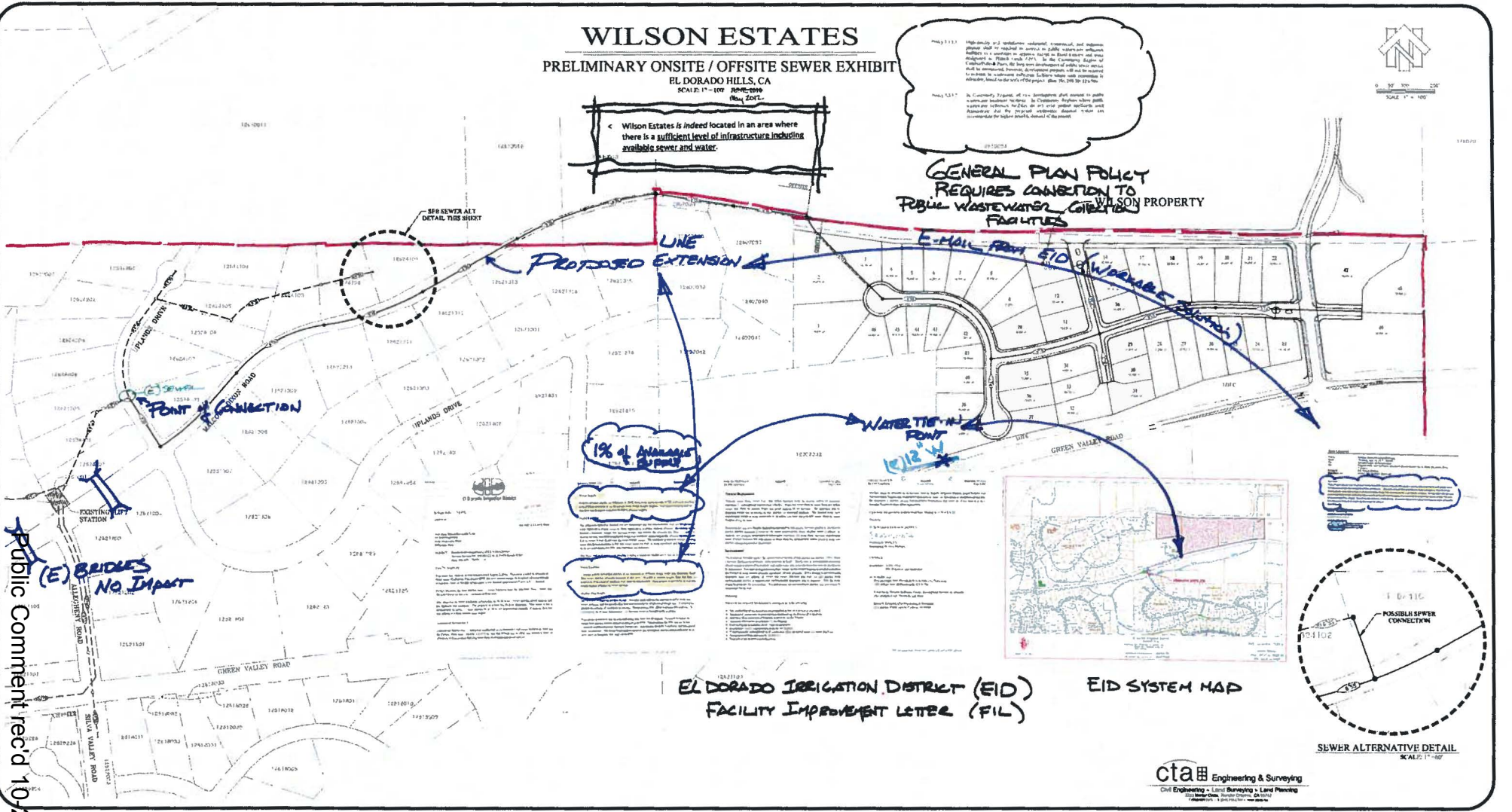
WILSON ESTATES PRELIMINARY ONSITE / OFFSITE SEWER EXHIBIT EL DORADO HILLS, CA SCALE: 1" = 100' DATE: 10/21/13 Rev. 2013

Wilson Estates is indeed located in an area where there is a sufficient level of infrastructure including available sewer and water.

Policy 1.1.1: High-density and sophisticated residential, commercial, and industrial projects shall be required to connect to public sewer and wastewater facilities in a manner to be approved by the Board of Directors and the City Engineer, as stated in the City Engineer's Report. In the City Engineer's Report, the long-term development of public sewer service shall be considered, however, development projects shall not be required to connect to sewer service until such time as the sewer is available to serve the project. (See the 2008-2012 City of El Dorado Hills General Plan, Chapter 1, Section 1.1.1.)

Policy 1.2.1: In Community Programs, all new development shall connect to public wastewater treatment facilities. In Community Programs, public wastewater treatment facilities shall be required to be constructed and maintained. All the original wastewater treatment facilities are incorporated in the original plan, and the plan is approved by the Board of Directors.

GENERAL PLAN POLICY
REQUIRES CONNECTION TO
PUBLIC WASTEWATER COLLECTION
FACILITIES



EL DORADO IRRIGATION DISTRICT (EID)
FACILITY IMPROVEMENT LETTER (FIL)

EID SYSTEM MAP

SEWER ALTERNATIVE DETAIL
SCALE: 1" = 100'

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(E) BRIDGES
NO IMPACT