

FROM THE PLANNING COMMISSION MINUTES OF SEPTEMBER 11, 2014

AGENDA ITEMS

4. (14-0769) Hearing to consider the following: (1) General Plan Amendment increasing the maximum residential density to 55 dwelling units/acre; (2) El Dorado Hills Specific Plan Amendment incorporating multifamily residential use, density, and related standards; (3) Rezone from General Commercial-Planned Development (CG-PD) to Multifamily Residential-Planned Development (RM-PD); and (4) Revision to the approved Town Center East Development Plan incorporating multifamily residential use, density, and related design and development standards for the proposed 250-unit apartment complex [General Plan Amendment A14-0001/Rezone Z14-0001/Specific Plan Revision SP86-0002-R/Planned Development Revision PD94-0004-R-2/El Dorado Hills Apartments]* on property identified by Assessor's Parcel Numbers 121-290-60, 121-290-61, 121-290-62, consisting of 4.56 acres, within the Town Center East Commercial Center in El Dorado Hills, submitted by Alexandro Economou/Spanos Corporation; and staff recommending the Planning Commission forward a recommendation to the Board of Supervisors to take the following actions:

- 1) Adopt the Subsequent Mitigated Negative Declaration based on the Initial Study;
 - 2) Adopt the Mitigation Monitoring Reporting Program in accordance with CEQA Guidelines Section 15074(d), incorporated as Conditions of Approval;
 - 3) Approve General Plan Amendment A14-0001 based on the Findings;
 - 4) Approve amendments to the El Dorado Hills Specific Plan SP86-0002-R based on the Findings;
 - 5) Approve Rezone Z14-0004 based on the Findings; and
 - 6) Approve Revisions to the Town Center East Planned Development PD94-0004R-2 based on the Findings and subject to the Conditions of Approval.
- (Supervisory District 1) (Cont. 08-28-14, Item 3)

Mel Pabalinas summarized events from the previous hearing and provided a recap of the project details along with the Commission's concerns brought out at the last hearing. He stated that a significant amount of public comment had been received and referred to his Staff Memo dated September 4, 2014.

In response to Chair Mathews' inquiry to the reason for the Sheriff's memo, Roger Trout stated that the Sheriff's Office is communicating with staff on projects in order to do forward planning.

Jeff Dreher, Sheriff's Office, made the following comments:

- Making the effort to do pre-planning on projects instead of being reactive;
- Full-time residency would change the type of calls received in that area and they would need to increase their staffing levels, which would result in the Sheriff's Office requesting the Board of Supervisors to authorize more staff and equipment;
- Important for the Sheriff's Office to assist in the planning process as the County continues to grow; and

- They have no objection to the project, but would be requesting an increase in staffing levels.

In response to Commissioner Heflin's comment that the rent for these apartments would be fairly steep, Lt. Dreher stated they get more calls in El Dorado Hills than any other area in El Dorado County.

Mr. Trout referenced the Staff Memo dated September 4, 2014 in which staff acknowledged the Sheriff's Office request for more staff but was recommending the Commission not add any conditions as this should be discussed at the Board of Supervisors' level. Mr. Dreher responded that their intent for this project was to get the Commission's support for an increase in staffing levels and in the future they would be asking for a funding mechanism being placed in projects.

Chair Mathews stated that they have heard concerns on the traffic analysis conducted for the project and this was an issue.

Craig Sandberg, applicant's agent, made the following comments:

- Has represented the ownership of Town Center East for many years;
- Town Center is a very unique product in El Dorado County;
- Asking the Commission to think outside of the box;
- Project can't go anywhere else but here due to the uniqueness;
- Town Center is missing the residential element in order to make it more viable;
- There is no rural in Town Center as it is an urban area;
- Town Center needs this project for survival;
- Applicant has responded to all of the Commission's questions;
- They have met all of the CEQA requirements; and
- Project offers a lifestyle choice not available anywhere else.

Alex Economou, applicant, distributed a flyer to the Commission and made the following comments:

- Referenced the support letters submitted;
- Local businesses support the project as they need residents to support their businesses during the week;
- Mission is to create a stimulus boost while fitting in with Town Center;
- Parking is critical and that's why they are providing a parking structure;
- General Plan Amendment is creating an urban infill residential design and no other location in El Dorado County can handle this;
- Over 10 years the economic analysis study shows that the proposed project would provide more revenue compared to the current approved project;
- Doesn't see the current approved project ever being created;
- Project would bring significant one-time and on-going revenue to El Dorado County;
- Downtown revitalization is happening all over the country in suburban areas; and
- Attended recent Town Center events and spoke about the project.

Chris Grady, applicant's agent, provided a PowerPoint presentation and made the following comments:

- Went over the images in the PowerPoint in order to address concerns brought up at the last hearing;
- In response to Commissioner Stewart's inquiry of a 60 foot building height condition when the proposed building was 53 feet high, he stated it was because the building was still in the design development phase and they would like some flexibility if the need arose;
- Project is in scale with the other surrounding buildings;
- Provided comparison of similar projects in other locations; and
- This is a concept that is gaining popularity through the country.

Jason Krause, El Dorado Hills, made the following comments:

- Over 10,000 people have signed the petition for Measure M in order to stop these types of projects;
- Freeways are already at Level F and will get worse;
- Not enough water;
- El Dorado Hills residents have expensive water rates, and are being rationed and fined if they go over their levels;
- Safety is important and more people equals more crime; and
- Can't allow a project to be put there that will hurt people.

Ed Willyard, El Dorado Hills, made the following comments:

- Sheriff's Office states that more staff would be needed if project goes in and that will cost money;
- El Dorado Irrigation District has tentatively approved the right to borrow money and who is going to pay for that;
- Has 432 people in his mobile home park that would be impacted by El Dorado Irrigation District work in order to increase the lines; and
- Traffic issues are unbelievable.

Charlet Burcin, El Dorado Hills, made the following comments:

- Moved to the area 4 years ago from the Bay area;
- Frequents Town Center on a regular basis;
- Agreed that something was needed in the vacant lot but opposed the apartments;
- Spoke on the numbers presented in the Staff Memo dated August 12, 2014;
- Current sewer lines can't handle the project and who would pay for the upgrade; and
- Project needs an EIR.

Tina Morabito, owner of Mama Ann's Deli in Town Center, made the following comments:

- Last 5 years in Town Center have been very difficult as an element is missing;
- Synergy is needed in Town Center;
- Understands both sides but as a business owner sees this project as positive;
- Has been operating in Town Center for 10 years and it is a unique place.

John Raslear, El Dorado Hills, made the following comments:

- Member of the El Dorado Hills APAC and is the Four Seasons Civic League Chair;
- Today's event at Town Center in observance of 9/11 will be a good example of the type of traffic the project would attract;
- How are apartment residents going to be able to get in/out of the area when events are occurring in Town Center;
- Architecturally-wise the buildings do not fit in with the existing buildings;
- Stores in Town Center do not provide what people really want and that's why they are not drawing in the clientele;
- Even though the rents would start off high, if they are unable to attract enough people, they would start lowering the rent significantly;
- El Dorado Hills APAC considered this project twice and both times they voted against it; and
- Hasn't spoken to anyone who supports this project.

Mark Cooper, 21 year resident of El Dorado Hills, made the following comments:

- Has watched El Dorado Hills grow and Town Center has become a very vibrant area;
- Project is a very strong asset to Town Center;
- Apartment residents would be 250 El Dorado Irrigation District rate payers that don't have lawns to water;
- Newcomers to area should not be trying to lock the door behind them; and
- Good enhancement for the community.

Saephan Nai, El Dorado Hills, made the following comments:

- Resident of the mobile home park;
- Area residents don't want the project;
- Area needs commercial businesses like Home Depot and not businesses similar to what is in Town Center; and
- Submitted to the Clerk a petition opposing the project.

Jon Jakowatz, El Dorado Hills, made the following comments:

- Is a newcomer to the area and there are plenty of homes for people to move into;
- Don't need apartments as they will be ugly to those sitting at restaurants or driving on the freeway;
- Developers in El Dorado Hills are silent because they know this is a bad thing for El Dorado Hills;
- This is all about the money;
- Project is an abomination; and
- Crime, traffic, and loss of businesses will be the fault of all those who approve this project.

Gay Willyard, El Dorado Hills mobile home park, made the following comments:

- Displayed photos of traffic;

- Town Center can't handle the increase in cars from apartment residents; and
- Doesn't know anyone that supports the project.

Chris Berry, 7 year El Dorado Hills resident, made the following comments:

- Lovely project but in the wrong location;
- High density project is excessive for Town Center and will significantly impact traffic that is already at a high level within Town Center; and
- Questioned how accurate the artist renderings were to what would actually be built.

Maria Martin made the following comments:

- Understood the walkability element;
- Report is based on a fantasy;
- People will not walk to work, even when close by, due to the multi-lane roads; and
- Most people will not walk to shops if they are intending to buy large quantities of items.

Jennie Klann, Holiday Inn Express business owner and El Dorado Hills resident, made the following comments:

- Great project;
- Allows people to move to El Dorado Hills;
- Parking and traffic are an issue that will need to be resolved;
- If project brings additional sheriffs to area, that's great;
- Hotel project won't happen because there are several hotels in Folsom that have recently opened; and
- Unlike apartment residents, hotel guests can't be regulated to ration water.

Lenny Patane, El Dorado Hills, made the following comments:

- Is a regular Town Center participant;
- Opposed to project;
- El Dorado Hills is being held hostage by developers;
- El Dorado Hills APAC voted unanimously against the Negative Declaration;
- Four amendments to the General Plan means the project doesn't fit;
- Disagreed with staff's statement that there are no significant impacts;
- Applicant needs to play by the rules;
- Density is too large;
- Not aesthetically pleasing;
- Noise will increase;
- Setting a precedent for what will happen with the old golf course;
- Everyone's lawns are dying because of no water;
- Oakridge is already severely impacted; and
- Spoke on the El Dorado Hills Community Survey.

Laurel Brent-Bumb, El Dorado County Chamber of Commerce, made the following comments:

- Have listened to the complaints;
- Many letters of support have been submitted;

- Amount of effort by staff and applicant has been given and she trusts staff;
- Infill project that is a perfect fit for Town Center; and
- High end apartment complex would be complimentary to the commercial center.

Ellen Van Dyke made the following comments:

- Strongly opposed the project in its current form;
- Inquired why staff was advocating the project;
- El Dorado Hills APAC doesn't support it but staff is ignoring their recommendation;
- Support letters are from business owners;
- Attempts to justify the density are not benefits to residents;
- Building design is not within standards;
- Since this includes a General Plan amendment, applicant must show a benefit to the community and that there is no impact; and
- Staff is not looking out for the County residents' interests.

Sue Taylor made the following comments:

- Purpose of project is for them to make money;
- Creating a cultural change;
- Apartment residents will commute and shop in Folsom;
- Staff Report shows everything being mitigated;
- Chamber of Commerce wants these types of projects all throughout the County;
- More true renderings for size comparison is needed;
- These types of projects is a fad and County hasn't embraced it;
- SACOG was perplexed that El Dorado County was considering this type of project;
- Doesn't want to be compared to San Francisco or Denver;
- Project violates Town Center Specific Plan, Measure Y, General Plan, and even the direction that LUPPU is heading towards;
- Petition was signed by 10,000 people who want to mitigate traffic and another petition was recently submitted to retain zoning;
- Apartments should be 24 units/acre; and
- Put something there to bring people in to buy things.

Don Van Dyke, 15 year resident of El Dorado County, made the following comments:

- Spoke on the Denver projects that the applicant provided for comparison;
- More people are opposed to project than those that support it;
- \$400,000/year is needed for additional Sheriff's Deputies;
- Many vacant lots still need to be built in the County;
- Cookie cutter design being used for apartment building;
- Travel Demand Model is flawed; and
- Deny project.

Pat (?), 11 year resident of El Dorado Hills, made the following comments:

- Supports project;

- Would want to live there and commute to downtown Sacramento via transit, thereby being independent of a car;
- Is so supportive of project that he has been speaking to people on his own;
- People are excited about the energy this project would bring to Town Center;
- This is the best way to attract new residents to El Dorado Hills;
- Hardened environmentalists are in favor of this new urbanization;
- Supervisor-elect Frentzen is in favor of housing in Town Center, but perhaps not this project; and
- Read into the record statements from Debra Simonson, Kevin Shulmer, and Alex Davis, as they were unable to attend.

Sam Parlin, Shingle Springs, made the following comments:

- A lot of amendments are needed;
- General Plan states 24 units/acre;
- Planning staff is financed by developer money;
- Think outside of the box and vote no;
- Referenced San Stino and Tilden Park projects;
- Move out of El Dorado County if you want urban;
- Approve a project for what the parcel is zoned for; and
- Deny project.

Lori Parlin, Shingle Springs, made the following comments:

- County shouldn't be changed to meet the needs of a few;
- El Dorado County is unique and shouldn't be changed;
- Community is pretty clear what they want based on the survey;
- We have to live with the consequences of the Planning Commission's actions;
- If an exception is made in this case, when will it stop;
- Project needs to follow the rules and have it done right;
- Spoke on how she was negatively impacted by a project that was approved with a Special Use Permit;
- Stop impacting residents; and
- Deny project.

Chair Mathews closed public comment.

Mr. Economou made the following rebuttal comments:

- Listened to comments from last hearing and responded to the Commission;
- Recurring theme is the affection for the area and he understands that and wants to maintain it;
- Town Center is a huge asset to the County and its performance generates revenue to the County, but Town Center is struggling;
- Town Center needs to have a residential component to ensure that it is a jewel of El Dorado County;

- Needs to encourage young professionals and downsizers to lay their roots in El Dorado Hills; and
- Project needs Town Center and Town Center needs the project.

Discussion ensued between the Commission and Pat Angell/PMC on future water sources and with Amy Lapin/EPS on the economic study.

Commissioner Stewart made the following comments:

- Perplexed with El Dorado Irrigation District tables showing surplus of water but direction to residents is to conserve;
- Thanked applicant for a very thorough response;
- It would be a fun place to live;
- Personally has no issues with building size and height as it fits with area;
- Would like to move the building back about 20 feet;
- More short-term parking for guests is needed;
- Definite limit on building height is needed;
- Doesn't know where traffic and water issues are going to end up in this area and wants to see what things are like after the Hwy 50 improvements are completed and a clearer impact of the water situation is available;
- Project is too dense at 55 units/acre;
- Doesn't think an EIR would address his concerns;
- Long-term look for this site is needed as the economics are not there;
- Takes away commercially-zoned property for residential;
- Project is not meeting General Plan goals;
- Would have to vote "no" on project based on the long-term look from an economic standpoint.

Commissioner Heflin made the following comments:

- Inquired if there were any upcoming signalization projects near mobile home park;
- Good site for multi-family residence;
- Voiced concern at last hearing about the density and would have liked to have seen the project brought back one story shorter;
- Not concerned on having commercial on first floor;
- Applicant has every right to apply for what they are applying for and they are following the rules;
- No objection to the General Plan Amendment, but not in favor of 55 units/acre;
- No objection to the Specific Plan Amendment or Rezone;
- Density is a concern for him;
- Great infill project that El Dorado County needs;
- If less dense, aesthetics would fit in better;
- Having a hotel project there is a fantasy as this is a residential project and questioned why the economic analysis used the hotel in its comparison; and
- Would like to vote "yes" for this project.

Commissioner Shinault made the following comments:

- Likes the project, location, and interaction;
- Density is too much;
- Architecture can be worked on;
- Appears to be same project heard previous, but with more clarification;
- Wants applicant to come back with the project not being so dense; and
- Would like to vote “yes” for this project.

Chair Mathews made the following comments:

- Very appealing project;
- Unsure if it makes sense to blend both sides of road to match or if they should be different in order to make it more diverse;
- Board liked project;
- El Dorado County needs more infill;
- Met with applicant’s agent;
- Preferred to have commercial on first floor of apartment building;
- Renderings didn’t show view from Hwy 50 looking east;
- Spoke on design element;
- Applicants have private property rights with the County determining if the project fits and the Commission and Board approving or denying it;
- Referenced the many public comments received;
- There is a challenge for traffic to enter and exit the area when events are occurring;
- Commercial activity will also exacerbate the existing traffic problem;
- Commercial on first floor would make it look more like Town Center;
- Need to reduce density;
- Needs to give a lot of weight to the fact that El Dorado Hills APAC voted against the project;
- Water issue is something he is not buying into in order to deny project;
- Need to think outside the box; and
- Would like to vote “yes” for this project.

County Counsel Dave Livingston spoke on the Commission’s options as this would be forwarded to the Board since the request includes a General Plan amendment.

Chair Mathews asked Mr. Economou that based on the Commission’s concerns with the project in its current form, would they prefer to come back to the Commission with a revised project or have the Commission take action, which appeared to be a recommendation for denial. Mr. Economou requested the Commission make a recommendation to the Board of Supervisors.

There was no further discussion.

Motion: Commissioner Stewart moved, seconded by Commissioner Shinault, and carried (4-0), to recommend the Board of Supervisors take the following actions: 1) Deny General Plan Amendment A14-0001; 2) Deny amendments to the El Dorado Hills Specific Plan

SP86-0002-R; 3) Deny Rezone Z14-0004; and 4) Deny Revisions to the Town Center East Planned Development PD94-0004R-2. No action was taken on the Subsequent Mitigated Negative Declaration or the Mitigation Monitoring Reporting Program. Staff was directed to include in the correspondence document to the Board of Supervisors the Planning Commission's concerns with the project.

AYES: Heflin, Shinault, Stewart, Mathews
NOES: None
ABSENT: Pratt