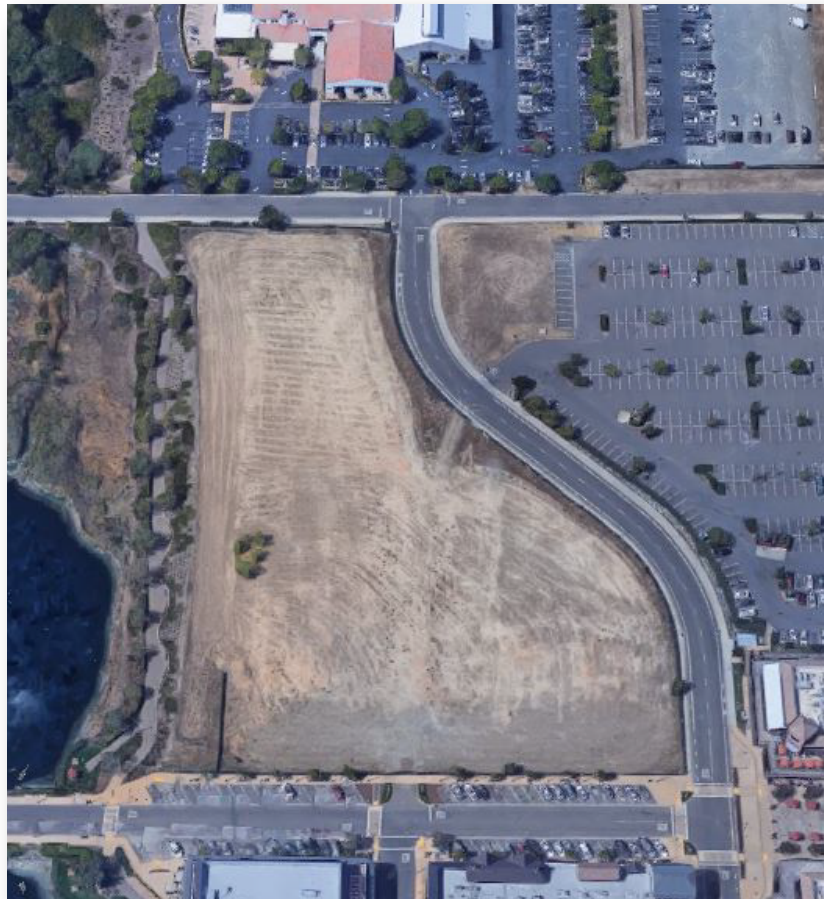


# *County of El Dorado*

## El Dorado Hills Apartments Project Final Environmental Impact Report

SCH No. 2017042017



Prepared by:

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County of El Dorado  
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2850 Fairlane Court, Building C  
Placerville, CA 95667

November 2017

# **EL DORADO HILLS APARTMENTS PROJECT**

## **Final Environmental Impact Report**

**SCH No. 2017042017**

**Prepared for:**

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Planning and Building Department  
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**November 2017**



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# 1.0 INTRODUCTION

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## 1.1 PURPOSE OF THE FINAL ENVIRONMENTAL IMPACT REPORT

Under the California Environmental Quality Act (CEQA), following completion of a Draft Environmental Impact Report (EIR), the County of El Dorado (County) is required to consult with and obtain comments from public agencies that have jurisdiction by law or discretionary approval power with respect to the proposed project, and to provide the general public with opportunities to comment on the Draft EIR.

On June 30, 2017, the County, as the Lead Agency under CEQA, issued a Draft EIR on the El Dorado Hills Apartments project. The Draft EIR was circulated for a 61-day public comment period that ended on August 30, 2017. A public hearing before the County Planning Commission was held on August 10, 2017 to solicit agency and public comments on the Draft EIR.

CEQA requires that the Lead Agency prepare a Final EIR that must be considered and certified by decision makers before approving or denying the proposed project. *State CEQA Guidelines* Section 15132 specifies that the Final EIR shall consist of the following:

1. The Draft EIR or a revision to the draft.
2. A list of the persons, organizations, and public agencies commenting on the Draft EIR.
3. Comments and recommendations received on the Draft EIR either verbatim or in summary form.
4. The response of the Lead Agency to significant environmental points raised in review and consultation process.
5. Any other information added by the Lead Agency.

The Draft EIR, which is incorporated by reference, and this document (including comments) constitute the Final EIR. A copy of the Final EIR is available on the County's website at <http://edcapps.edcgov.us/Planning/ProjectInquiryDisplay.asp?ProjectID=20754>. The Final EIR is also available for review at the following location:

County of El Dorado  
Community Development Services, Planning and Building Department  
2850 Fairlane Court, Building C  
Placerville, California 95667  
Email address: Rommel.Pabalinas@edcgov.us

This document has been prepared pursuant to the *State CEQA Guidelines*. The Final EIR incorporates comments from public agencies and the general public, and contains responses by the County to those

comments that are relevant to the Draft EIR analysis. The County of El Dorado Board of Supervisors is responsible for reviewing this EIR for adequacy and certifying it and then making a decision with respect to the proposed project.

## 1.2 ORGANIZATION OF THIS RESPONSES TO COMMENTS DOCUMENT

This document is organized into four sections. Following this introduction (**Section 1.0**), **Section 2.0, Revisions to the Draft EIR**, presents changes to the text of the Draft EIR. **Section 3.0, Comments on the Draft EIR and Responses to Comments**, contains a list of persons, agencies, and organizations that submitted written comments on the Draft EIR; reproductions of the written comments; and responses to those comments. It also contains a transcript of the August 10<sup>th</sup> Planning Commission Study Session/Public Hearing on the Draft EIR. Each written and oral comment is labeled with an identifying number in the margin. **Section 4.0, Mitigation Monitoring and Reporting Program**, contains the MMRP for the project, and **Section 5.0, Report Preparation**, lists lead agency staff and consultants involved in the preparation of the Final EIR.

## 2.0 REVISIONS TO THE DRAFT EIR

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### 2.1 INTRODUCTION

Based on internal review by the County and in response to comments on the Draft EIR that were received during the public review period, the following revisions have been made to the text of the Draft EIR. Additions are shown as underlined text, and deletions are shown as ~~striketrough text~~.

### 2.2 REVISIONS TO THE DRAFT EIR

#### Chapter 3.0, Project Description

Figures 3.0-9 and 3.0-10 have been updated with the latest site plans.

Figures 3.0-13 to 3.0-16 have been updated with the latest building elevations and perspectives.

#### Section 4.1, Air Quality

In order to reflect the most current version of the Sacramento Regional 8-hour Ozone Attainment Plan, the text in the 2<sup>nd</sup> paragraph on page 4.1-13 of the Draft EIR is hereby revised as follows:

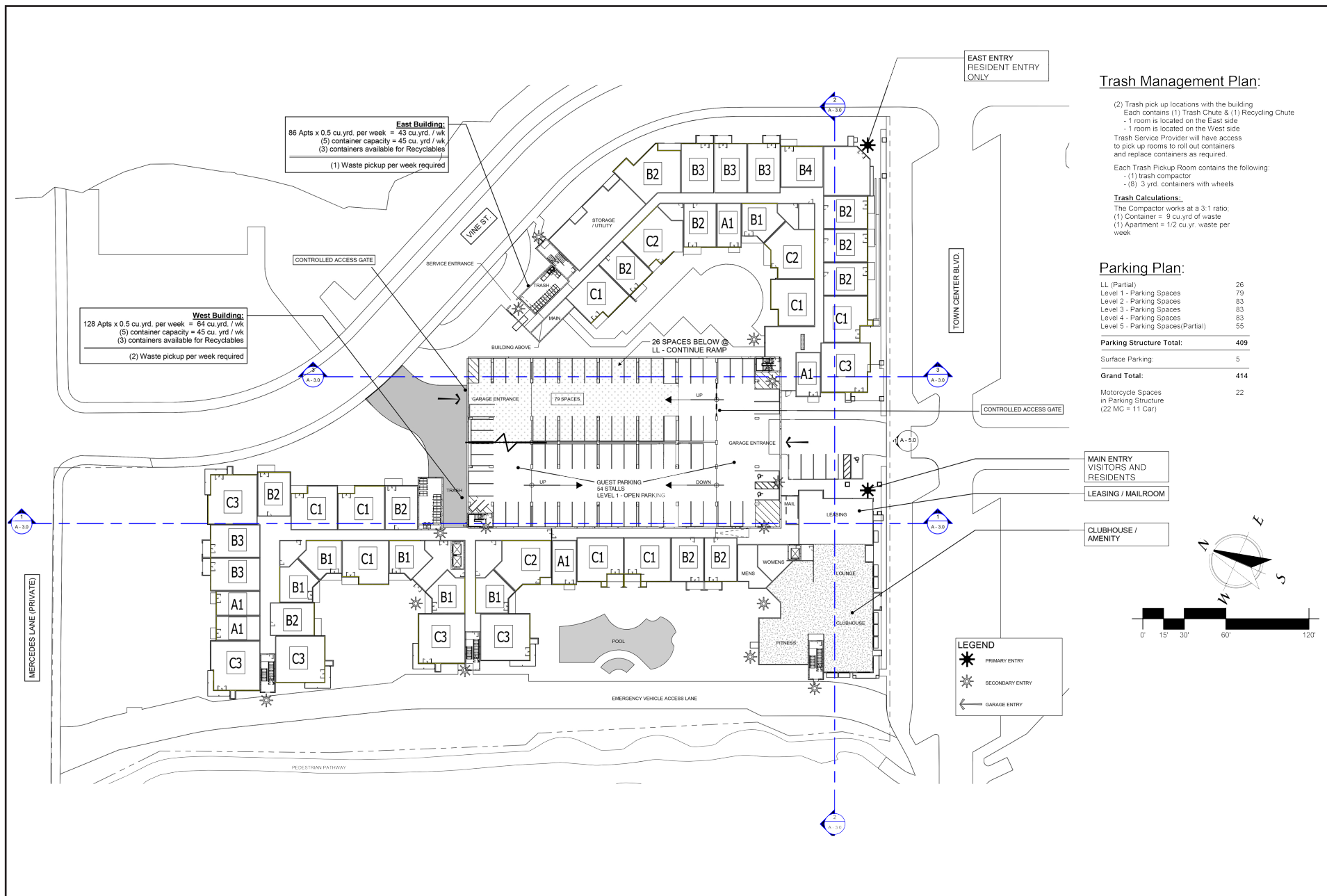
The ~~2013~~ 2017 Revision to the Sacramento Regional 8-Hour Ozone Attainment Plan is the current air plan for the EDCAQMD, and sets out stationary source control programs and statewide mobile source control programs for attainment of the 8-hour ozone standard.

#### Section 4.4, Greenhouse Gas Emissions

In order to reflect the most current version of the Title 24 Energy Efficiency standards, the text on page 4.4-7 of the Draft EIR is hereby revised as follows:

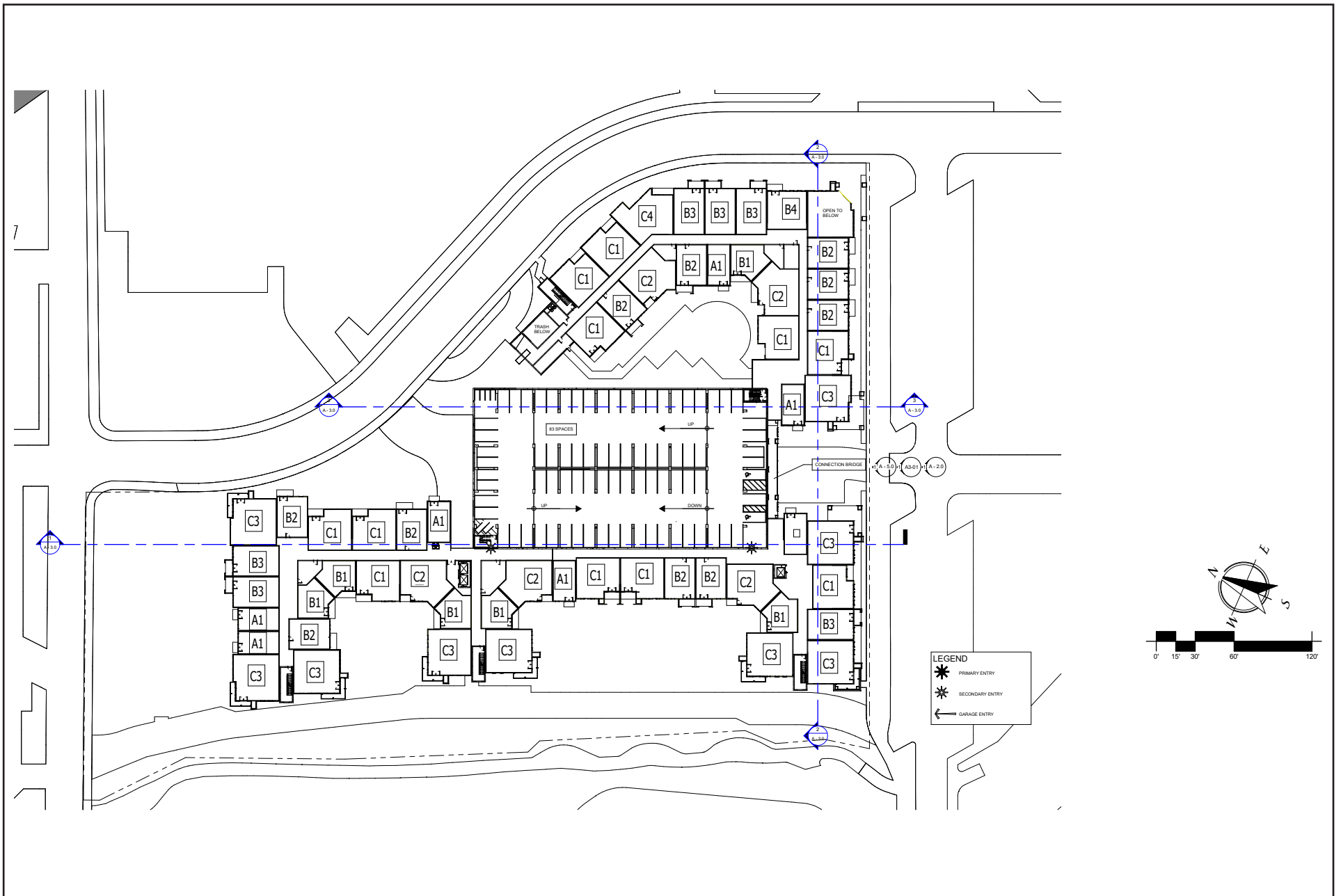
##### *Title 24 Building Standards Code*

The California Energy Commission first adopted Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) in 1978 in response to a legislative mandate to reduce energy consumption in the state. Although not originally intended to reduce GHG emissions, increased energy efficiency, and reduced consumption of electricity, natural gas, and other fuels would result in fewer GHG emissions from residential and nonresidential buildings subject to the standard. The standards are updated periodically to allow



SOURCE: Kephart, 2017

FIGURE 3.0-9



SOURCE: Kephart, 2017

FIGURE 3.0-10





① TOWN CENTER BLVD ELEVATION  
1/16" = 1'-0"



② CORNER OF TOWN CENTER & VINE  
1/8" = 1'-0"

MATERIAL LEGEND	
	STONE VENEER
	STUCCO A
	STUCCO B
	STUCCO C
	COMPOSITE SHINGLE ROOFING
	METAL ROOFING

SOURCE: Kephart, 2017

FIGURE 3.0-13



① VINE ST. & MERCEDES  
1" = 30'-0"



② VINE ST.  
1" = 20'-0"







MATERIAL LEGEND	
	STONE VENEER
	STUCCO A
	STUCCO B
	STUCCO C
	COMPOSITE SHINGLE ROOFING
	METAL ROOFING

SOURCE: Kephart, 2017





① MERCEDES & GREENBELT  
1/16" = 1'-0"

MATERIAL LEGEND	
	STONE VENEER
	STUCCO A
	STUCCO B
	STUCCO C
	COMPOSITE SHINGLE ROOFING
	METAL ROOFING



② TOWN CENTER & GREENBELT  
1/16" = 1'-0"

SOURCE: Kephart, 2017

FIGURE 3.0-15





SOURCE: Kephart, 2017

FIGURE 3.0-16

for the consideration and inclusion of new energy efficiency technologies and methods. The latest revisions were adopted in ~~2013~~ 2016 and became effective on ~~July 1, 2014~~ January 1, 2017

Part 11 of the Title 24 Building Standards Code is referred to as the California Green Building Standards Code (CALGreen Code). The purpose of the CALGreen Code is to “improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: (1) Planning and design; (2) Energy efficiency; (3) Water efficiency and conservation; (4) Material conservation and resource efficiency; and (5) Environmental ~~air~~ quality (California Building Standards Commission ~~2010~~ 2017). The CALGreen Code is not intended to substitute or be identified as meeting the certification requirements of any green building program that is not established and adopted by the California Building Standards Commission (CBSC). Part 11 was last updated in ~~2013~~ 2016 and the updated CALGreen Code became effective ~~July 1, 2015~~ January 1, 2017. Unless otherwise noted in the regulation, all newly constructed buildings in California are subject of the requirements of the CALGreen Code.

## Section 4.5, Land Use and Planning

Some of the goals and objective in Table 4.5-5 were updated to reflect the latest version of the Draft El Dorado Hills Town Center East Urban Infill Residential Area Residential Design Guidelines and Development Standards.

**Table 4.5-5**  
**Draft El Dorado Hills TCE Urban Infill Residential Area Design Guidelines and Development Standards Consistency Analysis**

Goals and Objectives	Project Consistency
<p><b>Residential Development Standards</b></p> <p><b>3.2 Maximum Residential Building Height--60 feet:</b> Buildings within the urban infill area Residential Area may be multiple stories, up to a maximum of four (4) stories in height. Building heights shall be measured, calculated, and determined according to standards set forth in <u>Section 130.30.040 of the County Zoning Ordinance</u> (“<del>Zoning</del> Ordinance”) found in <del>Section 130.30.040</del> <u>Section 17.54.020</u>. Exceptions to this height requirement includes such structures as chimneys, spires, elevators, mechanical and stair housings, flag poles, towers, vents, and similar structures which are not used for human activity. These structures may exceed the 60-foot limitation by a maximum of an additional 12 feet.</p>	<p><b>Consistent.</b> The residential buildings would be between 42 and 52 feet in height, with some architectural elements reaching 60 feet. The parking structure would be 60 feet in height.</p>

Goals and Objectives	Project Consistency
<p><b>3.6 Provision of Common Open Space—Residential Standard:</b> Under the above definitions, a minimum of 30 percent of the total site shall be set aside for open space that is commonly owned <del>or publicly dedicated</del>.</p> <p><b>3.7 Specific Development Standards</b></p> <p><b>3.7.4:</b> Off-street parking shall be required for residents and guests within the parking garage or within the Piazza Area. Off-street parking shall be provided as specified in Section 130.35.030 of the Zoning Ordinance <u>and in the Community Design Standards, Parking and Loading Standards</u>, as follows:</p> <ul style="list-style-type: none"> <li>• Studio and one bedroom units – 1.5 spaces-per unit</li> <li>• Two or more bedroom units –2 spaces per unit</li> <li>• <del>Guest parking – 1 space per 4 units, except that the County “may reduce or eliminate the required number of guest spaces if (a) Adequate street parking is available, or (b) The site is within 500 feet of a transit/bus stop.”</del> <u>Guest units: One space per every 4 units</u></li> <li>• <u>Motorcycles: 5% of total stalls required for motorcycles</u></li> </ul> <p><b>3.8 Green Building Standards</b></p> <p><b>3.8.1:</b> Buildings shall comply with all mandatory measure of the <del>2010</del> <u>2016</u> California Green Building Standards Code and all subsequent amendments.</p>	<p><b>Consistent.</b> Approximately 30 percent of the project site will be set aside for public open space.</p> <p><b>Consistent.</b> A 5-level parking structure located in the middle of the complex would accommodate 409 parking spaces and 22 motorcycle parking spaces for residents and visitors, with an additional five spaces of surface parking provided on the site.</p> <p><b>Consistent.</b> The proposed project will comply with all mandatory measures included in the <del>2010</del> <u>2016</u> California Green Building Standards Code and exceed the <del>2013</del> <u>2016</u> Title 24 standards by 10 percent.</p>

Source: Draft El Dorado Hills Town Center East Urban Infill Residential Area Residential Design Guidelines and Development Standards, 2017

## Section 4.8, Transportation and Traffic

In order to reflect the current status of Measure E, the text on page 4.8-1 of the Draft EIR is hereby revised as follows:

### 4.8.1 INTRODUCTION

This section describes the existing transportation setting and analyzes the potential impacts of the proposed El Dorado Hills Apartments project (“proposed project”) on transportation and traffic under CEQA as well as El Dorado County Initiative Measure E. (Since the publication of the Draft EIR, in July 2017, the El Dorado County Superior Court ruled that several aspects of Measure E were unconstitutional. This is discussed further below). The analysis focuses on potential impacts of the proposed project on intersections and roadway segments, pedestrian and bicycle facilities, and transit service. Regulations and policies applicable to traffic and transportation are also described in this section. The section is based on a *Transportation Impact Analysis* prepared by Fehr & Peers, dated June 2017. The report is included in **Appendix 4.8** of this Draft EIR.



In order to reflect the current status of Measure E, the text on page 4.8-25 of the Draft EIR is hereby revised as follows:

***El Dorado County Initiative Measure E***

General Plan Policy TC-X was revised through the approval of Measure E by County voters in June 2016. The key updated policies state:

**Policy TC-Xa1** Traffic from residential development projects of five or more units or 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.

**Policy TC-Xa3** All necessary road capacity improvements shall be fully completed to prevent cumulative traffic impacts from new development from reaching Level of Service F during peak hours upon any highways, arterial roads and their intersections during weekday, peak-hour periods in unincorporated areas of the county before any form of discretionary approval can be given to a project.

**Policy TC-Xa7** Before approval of any kind to a residential development project of five or more units or parcels of land, the County shall make a finding that the project complies with the policies above. If this finding cannot be made, then the County shall not approve the project in order to protect the public's health and safety as provided by state law to assure that safe and adequate roads and highways are in place as such development occurs.

**Policy TC-Xf** At the time of approval of a tentative map for a single family residential subdivision of five or more parcels that worsens (defined as a project that triggers Policy TC-Xe [A] or [B] or [C]) traffic on the County road system, the County shall condition the project to construct all road improvements necessary to maintain or attain Level of Service standards detailed in this Transportation and Circulation Element based on existing traffic plus traffic generated from the development plus forecasted traffic growth at 10-years from project submittal.

For all other discretionary projects that worsen (defined as a project that triggers Policy TC-Xe [A] or [B] or [C]) traffic on the County road system, the County shall condition the project to construct all road improvements necessary to maintain or attain Level of Service standards detailed in this Transportation and Circulation Element.

In July 2017, the El Dorado County Superior Court ruled that several aspects of Measure E were unconstitutional, including the revisions to Policies TC-Xa3 and TC-Xf listed above. The Court subsequently issued a judgment adopting that ruling and a writ of mandate directing the County to amend the County General Plan by removing the unconstitutional provisions of Measure E. The County Board of Supervisors acted in accordance with the Court's writ of mandate at its regularly scheduled meeting on October 24, 2017. As such, Policies TC-Xa3 and TC-Xf as revised by Measure E are no longer included in the County General Plan and therefore are not applicable to the proposed project. Although an appeal of the Court's ruling has been filed, the legal effect of the Court's order has not been stayed or limited in any way. Policies TC-Xa3 and TC-Xf as amended by the County Board of Supervisors at its October 24, 2017 meeting and that are now applicable to the proposed project are listed below.

**Policy TC-Xa3** Developer paid traffic 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 during peak hours upon any highways, arterial roads and their intersections during weekday, peak-hour periods in unincorporated areas of the county.

**Policy TC-Xf** At the time of approval of a tentative map for a single family residential subdivision of five or more parcels that worsens (defined as a project that triggers Policy TC-Xe [A] or [B] or [C]) traffic on the County road system, the County shall do one of the following: (1) condition the project to construct all road improvements necessary to maintain or attain Level of Service standards detailed in this Transportation and Circulation Element based on existing traffic plus traffic generated from the development plus forecasted traffic growth at 10-years from project submittal; or (2) ensure the commencement of construction of the necessary road improvements are included in the County's 10 year CIP.

For all other discretionary projects that worsen (defined as a project that triggers Policy TC-Xe [A] or [B] or [C]) traffic on the County road system, the County shall do one of the following: (1) condition the project to construct all road improvements necessary to maintain or attain Level of Service standards detailed in this Transportation and Circulation Element; or (2) ensure the construction of the necessary road improvements are included in the County's 20 year CIP.

One of the Caltrans thresholds of significance for State highway facilities was misreported in Section 4.8, Transportation and Traffic, of the Draft EIR. The text on page 4.8-21 of the Draft EIR is hereby revised as follows:

Caltrans considers the following to be significant impacts:

- Project traffic added to off-ramps results in vehicle queues that extend into the ramp's deceleration area or onto the freeway (i.e., exceed the available storage capacity);
- Project traffic increases that cause any ramp's merge/diverge level of service to be worse than the freeway's level of service.
- Any additional traffic generated by the project is added to a facility already operating at LOS E E.<sup>1</sup>

In order to reflect the current status of Measure E, the text on page 4.8-25 of the Draft EIR is hereby revised as follows:

~~The near term analysis is used by El Dorado County to determine compliance with General Plan Policy TC Xa(3), which was created by the approval of Measure E by County voters in June 2016. The near term cumulative analysis, which is not required by CEQA and does not constitute an analysis of transportation impacts for CEQA purposes, represents conditions 10 years beyond the existing baseline (i.e., 2027 conditions).~~

As noted above, with the approval of Measure E by County voters in June 2016, General Plan Policy TC-X was revised, including Policy TC-Xf, which set forth the requirement that a near-term cumulative traffic impact analysis be conducted for single-family residential and other discretionary projects proposed in the County. The near-term cumulative analysis, which is not required by CEQA and does not constitute an analysis of transportation impacts for CEQA purposes, represents conditions 10 years beyond the existing baseline (i.e., 2027 conditions).

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<sup>1</sup> The U.S. 50 Transportation Concept Report and Corridor System Management Plan identifies LOS E as the "Concept LOS" for U.S. 50 from the Sacramento/El Dorado County line to Bass Lake Road.

As discussed above, in July 2017, the El Dorado County Superior Court ruled that several aspects of Measure E were unconstitutional, including the 2016 revisions to Policy TC-Xf, which led the County to require multi-family development proposals to analyze traffic conditions at 10 years from project submittal or under near-term plus project conditions, and Policy TC-Xa3, which required that new development proposals construct all necessary road capacity improvements before any form of discretionary approval can be given. As a result, an analysis of the proposed project's impacts on the local transportation system 10 years beyond the existing conditions (i.e., under 2027 conditions) is no longer required and new development is no longer required to construct roadway improvements before discretionary approval is given to a project. However, because the analysis was already completed before the Superior Court ruling, the analysis is now provided in this EIR for informational purposes only.<sup>2</sup>

In order to reflect the current status of Measure E, the text on pages 4.8-36 and 4.8-37 of the Draft EIR is hereby revised as follows:

#### **4.8.4.5 Cumulative Impacts and Mitigation Measures**

This section presents an evaluation of the proposed project's cumulative traffic impacts under near-term cumulative conditions (2027). ~~As noted above, the near-term analysis is used by El Dorado County to determine compliance with General Plan Policy TC Xa(3), which was created by the approval of Measure E by County voters in June 2016. The near-term cumulative analysis, which is not required by CEQA and does not constitute an analysis of transportation impacts for CEQA purposes, represents conditions 10 years beyond the existing baseline.~~ The near-term cumulative analysis, which is not required by CEQA and does not constitute an analysis of transportation impacts for CEQA purposes, represents conditions 10 years beyond the existing baseline. As noted above, the near-term analysis is being provided for informational purposes only as the El Dorado County Superior Court ruled that several aspects of Measure E were unconstitutional, including General Plan Policy TC-Xf which led the County to require that multi-family development projects conduct an analysis of the proposed project's impacts on the local transportation system 10 years beyond the existing conditions (i.e., 2027 conditions). The near-term cumulative impact analysis is referred to as "Measure E analysis" in the TIA, presented in **Appendix 4.8** of this Draft EIR.

---

<sup>2</sup> As this analysis is no longer required, it is not necessary that the applicant provide mitigation for project impacts to study area intersections. However, the applicant has voluntarily committed to include a mitigation measure requiring the payment of Traffic Impact Mitigation (TIM) fees to satisfy the project's fair share cost of improving one study area intersection that would be negatively affected under near-term cumulative conditions.

This section also presents traffic impacts under long-term cumulative conditions (2035) as required by CEQA and the County TIA guidelines. The long-term cumulative impact analysis is referred to as “Cumulative Impact analysis” in the TIA.

**Cumulative Impact C-TRANS-1:**      **Development of the proposed project would conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the traffic circulation system under Near-Term Cumulative (2027) plus Project Conditions. (Significant; Less than Significant with Mitigation)**

The following summarizes traffic operations for study intersections and freeway facilities under near-term cumulative conditions without and with the addition of trips from the El Dorado Hills Town Center Apartments project.<sup>3</sup>

In order to reflect the current status of Measure E, the text on page 4.8-41 of the Draft EIR is hereby revised as follows:

***El Dorado Hills Boulevard/Saratoga Way/Park Drive Intersection***

The intersection of El Dorado Hills Boulevard/Saratoga Way/Park Drive would operate at LOS F prior to the addition of project traffic. Project traffic would worsen intersection operations (by adding more than 10 peak hour trips), resulting in a potentially significant impact at this location.

The operations at this intersection can be improved to meet the County LOS standards by adding a southbound right turn lane. This intersection improvement is included in the Saratoga Way Extension Phase 2 project (CIP # GP147), which is a project that is included in the County’s CIP. Additionally, the County’s annual Intersection Needs Prioritization Process will identify if the intersection triggers a LOS impact prior to 2035. Should the LOS become unacceptable, the potential intersection improvements can be added, by the Board of Supervisors, to the CIP as funding becomes available.

~~As the proposed project is not a single family residential subdivision, the second paragraph under Policy TC Xf is the guiding policy for mitigation of this project’s impact. Therefore, payment of Traffic Impact Mitigation (TIM) fees will satisfy the project’s fair share portion of the~~

---

<sup>3</sup> ~~Although this section includes analysis of the private Town Center Boulevard/Post Street intersection for informational purposes, Policy TC Xa(3) only applies to “highways, arterial roads and their intersections” and does not apply to private roads and their intersections. For this reason, the Town Center Boulevard/Post Street intersection is not subject to the requirements of this Measure E analysis.~~

~~improvement project. **Mitigation Measure C-TRANS-1** is set forth below to ensure that the project will pay TIM fees to mitigate its impact at this intersection.~~

As noted above, this near-term analysis is being provided for informational purposes only as the El Dorado County Superior Court ruled that several aspects of Measure E were unconstitutional, including General Plan Policy TC-Xf which led the County to require multi-family development projects to conduct an analysis of the proposed project's near-term impacts on the local transportation system. As this analysis is no longer required for multi-family development projects, it is not necessary that the applicant provide mitigation for the project's near-term impact at this intersection. However, the applicant has voluntarily committed to include a mitigation measure requiring the payment of Traffic Impact Mitigation (TIM) fees to satisfy the project's fair share portion of the cost of the improvement project. Note that Policy TC-Xa3, as amended by the County Board of Supervisors at its regularly scheduled meeting on October 24, 2017, provides that payment of TIM fees will fully offset and mitigate a project's cumulative impact. **Mitigation Measure C-TRANS-1** is set forth below and states that the applicant will pay TIM fees to mitigate the project's impact at this intersection.

After the Draft EIR was circulated for public review, the County was made aware of a new reasonably foreseeable project in the vicinity of the project site; the proposed John Adams Academy, a new school located in the existing Town Center West commercial development area. In addition, comments received on the Draft EIR informed the County that another reasonably foreseeable project had not been included in the cumulative conditions assumptions; the proposed Montano De El Dorado Phase II commercial project, a retail, office, restaurant, and hotel project located southeast of the intersection of Latrobe and White Rock Roads. As a result, the long-term cumulative (2035) traffic impact analysis was updated to specifically account for these projects (see **Appendix 4.8**). During the preparation of the updated analysis, it was discovered that the average delay and LOS under cumulative no project conditions and cumulative plus project conditions for five intersections were incorrectly tabulated. Table 4.8-15 has been revised to report the updated average delay and LOS under cumulative no project conditions and cumulative plus project conditions at five intersections.

As the updated table below shows, for all five intersections the revised LOSs are better than the LOSs reported previously in the Draft EIR. With regard to the changes in average delay, the table shows that in some cases the intersection delay is lower than previously reported. In some instances, the delay is greater than previously reported in the Draft EIR, but the LOS remains unchanged for the intersection. Therefore, these changes do not affect the results of the analysis reported in the Draft EIR. As reported there, the proposed project would result in less than significant cumulative impacts under long-term (2035) conditions.



**Table 4.8-15**  
**Long-Term Cumulative Conditions – Study Intersection LOS Summary**

Intersection	Intersection Control	Peak Hour	Cumulative No Project Conditions		Cumulative Plus Project Conditions	
			Avg Delay <sup>2</sup>	LOS <sup>4</sup>	Avg Delay <sup>2</sup>	LOS <sup>4</sup>
1. El Dorado Hills Boulevard/Park Drive/Saratoga Way	Signal	AM PM	<del>37</del> <u>38</u> <del>48</del> <u>52</u>	D D	<del>37</del> <u>45</u> <del>50</del> <u>51</u>	D D
2. El Dorado Hills Boulevard/U.S. 50 WB Ramps	Signal	AM PM	<del>34</del> <u>33</u> <del>48</del> <u>43</u>	C D	47 <del>49</del> <u>40</u>	D D
3. Latrobe Road/U.S. 50 EB Ramps	Signal	AM PM	<del>34</del> <u>14</u> <del>22</del> <u>23</u>	<del>C</del> <u>B</u> C	<del>54</del> <u>26</u> <del>18</del> <u>22</u>	<del>D</del> <u>C</u> <del>B</del> <u>C</u>
4. Latrobe Road/Town Center Boulevard	Signal	AM PM	<del>36</del> <u>22</u> <del>66</del> <u>59</u>	<del>D</del> <u>C</u> E	<del>42</del> <u>25</u> <del>76</del> <u>62</u>	<del>D</del> <u>C</u> E
5. Latrobe Road/White Rock Road	Signal	AM PM	<del>60</del> <u>41</u> <del>51</del> <u>47</u>	<del>E</del> <u>D</u> D	<del>67</del> <u>45</u> <del>80</del> <u>63</u>	<del>E</del> <u>D</u> E
6. White Rock Road/Winfield Way	Signal	AM PM	12 35	B D	12 36	B D
7. White Rock Road/Post Street	Signal	AM PM	15 17	B B	15 18	B B
8. White Rock Road/Vine Street/Valley View Drive	Signal	AM PM	20 29	B C	19 31	B C
9. Town Center Boulevard/Post Street <sup>1</sup>	AWSC	AM PM	13 73	B F	14 82	B F
10. Silva Valley Parkway/U.S. 50 WB Ramps	Signal	AM PM	10 20	A C	10 20	A C
11. Silva Valley Parkway/U.S. 50 EB Ramps	Signal	AM PM	3 11	A B	3 11	A B

Source: Fehr & Peers, 2017.

Notes: AWSC = all-way stop control

<sup>1</sup>The Town Center Boulevard/ Post Street intersection is private (i.e., not a County facility).

<sup>2</sup>The average delay is measured in seconds per vehicle. For signalized and AWSC intersections, the delay shown is the average control delay for the overall intersection. For side-street stop controlled intersections, the LOS and control delay for the worst movement is shown. Intersection LOS and delay is calculated based on the procedures and methodology contained in the HCM 2010 (TRB, 2010). Intersections 6-11 were analyzed in Synchro 9. Intersections 1-5 were analyzed in SimTraffic.

## Section 4.9, Utilities and Service Systems

The text on page 4.9-19 of the Draft EIR has been revised to reflect updated information on sewer conditions in the TCE area that was included in a Facility Improvement Letter (FIL) from the El Dorado Irrigation District (EID) to the project applicant dated October 25, 2017.

**Impact UTL-4:**            **Development of the proposed project would require the construction of new or expanded wastewater conveyance systems. (Potentially Significant; Less than Significant with Mitigation)**

Wastewater generated on site would be collected through an on-site collection system and discharged into the existing 12-inch sewer main in Town Center Boulevard, which discharges into the 18-inch El Dorado Hills Boulevard (EDHB) trunk gravity sewer line in the vicinity of White Rock Road and Post Street. While the existing sewer main adjacent to the site has adequate capacity to serve the proposed project, EID has indicated that multiple sections of the 18-inch EDHB trunk line ~~may not have adequate capacity to handle project flows~~ have been identified for potential upsizing in EID's current Wastewater Facilities Master Plan (El Dorado County 2014 EID 2017). As a result, development of the proposed project may require the construction of new or expanded wastewater conveyance systems. The upgrade to the EDHB trunk line would take place within the existing roadway, which has already been disturbed, and thus would not result in effects that cannot be mitigated to a less than significant level. For this reason, upgrades to the EDHB trunk line would not result in significant environmental effects. Furthermore, ~~upgrades to the EDHB trunk line are included in the EID's 2014 2018 Capital Improvement Plan~~ recommended capacity improvements and the timing of implementation will be included in the EID's 5-year Capital Improvement Plan, subject to approval by the EID Board, and the proposed project would be required to pay fees towards the planned improvements. Nonetheless, conservatively, the impact is considered potentially significant, and **Mitigation Measure UTL-1** is set forth below to mitigate this impact.

**Mitigation Measures:**

**UTL-4**            The applicant shall pay fair-share fees towards the planned CIP improvement for the EDHB trunk sewer line improvement, and associated EID connection costs.

**Significance after Mitigation:** Less than significant

A reference has been added to page 4.9-19 of the Draft EIR to include the Facility Improvement Letter (FIL) that was received by the applicant from the EID dated October 25, 2017.

El Dorado Irrigation District (EID). 2017. Facilities Improvement Letter (FIL), El Dorado Hills Apartments Assessor's Parcel No. 121-290-60, 61 & 62 (El Dorado Hills) EDC Project No: Z16-004/PD94-004-R/A16-0001/SP86-0002-R. October 25.

## Section 4.10, Energy

In order to reflect the most current version of the Title 24 Energy Efficiency standards, the texts at the bottom of page 4.10-3 and top of page 4.10-4 of the Draft EIR are hereby revised as follows:

### *Title 24*

Title 24, Part 6, of the California Code of Regulations contains the CEC's Energy Efficiency Standards for Residential and Nonresidential Buildings. Title 24 was first established in 1978, in response to a legislative mandate to reduce California's energy consumption. Since that time, Title 24 has been updated periodically to allow for consideration and possible incorporation of new energy efficiency technologies and methods.

On April 23, 2008, the CEC adopted the 2008 standards, which applied to projects that submitted an application for a building permit on or after January 1, 2010. The CEC adopted the 2008 standards for a number of reasons: (1) to provide California with an adequate, reasonably priced, and environmentally sound supply of energy; (2) to respond to Assembly Bill 32 (AB 32; the Global Warming Solutions Act of 2006), which requires California to reduce its greenhouse gas emissions to 1990 levels by 2020; (3) to pursue the statewide policy that energy efficiency is the resource of choice for meeting California's energy needs; (4) to act on the findings of California's Integrated Energy Policy Report, which indicate that the 2008 Standards are the most cost-effective means to achieve energy efficiency, reduce the energy demand associated with water supply, and reduce greenhouse gas emissions; (5) to meet the West Coast Governors' Global Warming Initiative commitment to include aggressive energy efficiency measures in the update of all state building codes; and (6) to meet the Executive Order in the Green Building Initiative to improve the energy efficiency of nonresidential buildings through aggressive standards.<sup>4</sup> ~~In 2013, updates were made to the 2008 Title 24 standards (effective January 1, 2014). The updated 2013 Title 24 standards will be applicable to the project. The 2008 Title 24 standards were updated in 2013 and again in 2016. The updated 2016 Title 24 standards will be applicable to the project.~~

The California Green Building Standards Code, which is Part 11 of the Title 24 Building Standards Code, is commonly referred to as the CALGreen Code. The 2008 edition, the first edition of the CALGreen Code, contained only voluntary standards. The 2013 CALGreen Code ~~is a code with~~ included mandatory requirements for new residential and nonresidential buildings (including buildings for retail, office, public schools, and hospitals) throughout California beginning on January 1, 2014. The 2013 CALGreen Code ~~contained~~ included requirements for

<sup>4</sup> See <http://www.energy.ca.gov/title24/2008standards/index.html>, 2013.

construction site selection, stormwater control during construction, construction solid waste reduction, indoor water use reduction, building material selection, natural resource conservation, site irrigation conservation, and more. Additionally, this code encourages buildings to achieve exemplary performance in the area of energy efficiency. For the purposes of energy efficiency standards, the CEC believes a green building should achieve at least a 15 percent reduction in energy usage when compared to California's mandatory energy efficiency standards. The 2016 CALGreen code emphasizes lowering the energy demand of buildings through building materials and energy efficient lighting and climate control. The 2016 Title 24 standards require a 28 percent energy reduction compared to the 15 percent reduction in usage set forth in the previous 2013 Title 24 standards.

## 3.0 COMMENTS ON THE DRAFT EIR AND RESPONSES TO COMMENTS

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### 3.1 INDEX TO COMMENTS

As described in **Section 1.0, Introduction**, all comments on the Draft EIR received in writing and orally at the Planning Commission study session on the Draft EIR have been bracketed and numbered, and the numbers assigned to each comment are indicated on the responses that follow. All agencies, organizations, and individuals who commented on the Draft EIR are listed in **Table 3.0-1, Index to Comments**, below.

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**Table 3.0-1**  
**Index to Comments**

<b>Comment Number</b>	<b>Agency/Organization/Individual – Date</b>
<b>State Agencies</b>	
1	Governor’s Office of Planning and Research – August 31, 2017
2	California Department of Transportation – April 28, 2017
<b>Local Agencies</b>	
3	County of El Dorado Air Quality Management District – August 29, 2017
<b>Organizations</b>	
4	El Dorado Hills Area Planning Advisory Committee – August 10, 2017
5	Save Our County and Citizens for Sensible Development in El Dorado Hills – August 20, 2017
<b>Individuals</b>	
6	Allen, Nicole – August 10, 2017
7	Allen, Tracy – August 14, 2017
8	Anderson, Diane – August 26, 2017
9	Unsigned Email from animales00@yahoo.com – August 14, 2017
10	Bristow, Steve – August 10, 2017
11	Burcin, Charlet Nalbach – August 2, 2017
12	Coomes, Karen – July 24, 2017
13	Daniel, Brad – August 10, 2017
14	Hamerski, Sandra and Michael – August 10, 2017
15	LaTorre, Sam – August 26, 2017
16	Moore, Alexis – August 28, 2017
17	Payne, Laurie – August 21, 2017
18	Radulescu, Cristi – August 14, 2017
19	Sciocchetti, Anne – August 9, 2017
20	Shields, Lowell – August 17, 2017
21	Wellwood, Stacey – August 26, 2017

Comment Number	Agency/Organization/Individual – Date
22	Wiley, Joel – August 12, 2017
23	Study Session (Planning Commission Public Hearing) – August 10, 2017

## 3.2 MASTER RESPONSES

This section contains Master Responses to address comments that were raised by multiple commenters and provide information in a comprehensive, easily-located discussion that clarifies and elaborates upon the analysis in the Draft EIR.

### Master Response 1: Traffic Impacts

Several comments were received with respect to the impact of the proposed project on existing and future traffic conditions both within and outside the Town Center East planned development area (TCE area). Some comments also raised the issue of indirect effects of congestion on private roads within the TCE area and on public roadways outside of the TCE area. Other comments raised issues related to Measure E.

#### *Traffic Impact Study Area*

As discussed in Section 4.8, Transportation and Traffic, of the Draft EIR, and shown on Figure 4.8-1, the study area for traffic impacts includes all of the private roads (Town Center Boulevard, Vine Street, and Post Street) within the TCE area and the County-owned roadways outside of the TCE area that would be used by the project traffic, as well as U.S. Highway 50. The traffic study covers not only the main private intersection within the TCE but also the intersections of private roads with public roads to the south and west of the TCE area.

#### *Summary of Traffic Impacts and Mitigation Measures*

The Draft EIR evaluates and discloses traffic impacts of the proposed project on 10 County-owned and maintained intersections, one private (privately owned and maintained) intersection within the TCE area, and 10 freeway segments and ramps during the weekday morning (AM) and evening (PM) peak periods under existing, near-term cumulative (2027), and long-term cumulative (2035) conditions. As discussed on pages 4.8-33 to 4.8-35 of the Draft EIR, none of the study area intersections and freeways facilities would operate at an unacceptable level of service under existing conditions with the addition of traffic generated by the proposed project. As discussed on pages 4.8-37 to 4.8-43 of the Draft EIR, one County-owned intersection (El Dorado Hills Boulevard/Saratoga Way/Park Drive) would operate at an



unacceptable level of service (LOS F) during the AM peak hour under near-term cumulative (2027) conditions (Measure E analysis) prior to the addition of project traffic, and the addition of project traffic would worsen operations at this intersection. Therefore, mitigation is proposed that would require the proposed project to pay into the County's Traffic Impact Mitigation (TIM) fee program to pay for the project's fair share cost of the improvement at the affected intersection, and this impact would be reduced to a less than significant level. Improvements to widen this intersection are included in the Saratoga Way Extension Phase 2 project (CIP #GP147), which is included in the County's Capital Improvement Program (CIP) and would result in an acceptable level of service at the El Dorado Hills Boulevard/Saratoga Way/Park Drive intersection. General Plan Policy TC-Xb, listed below, ensures that potential development in the County does not exceed available roadway capacity. Under TC-Xb, the County shall:

- A. Every year prepare an annual Capital Improvement Program (CIP) specifying expenditures for roadway improvements within the next 10 years. At least every five years prepare a CIP specifying expenditures for roadway improvements within the next 20 years. Each plan shall contain identification of funding sources sufficient to develop the improvements identified.
- B. At least every five years, prepare a Traffic Impact Mitigation (TIM) Fee Program specifying roadway improvements to be completed within the next 20 years to ensure compliance with all applicable level of service and other standards in this plan.
- C. Annually monitor traffic volumes on the county's major roadway system depicted in Figure TC-1.

Consistent with Policy TC-Xb and Implementation Measure TC-A, the County prepares and adopts a priority list of road and highway improvements for the CIP based on a horizon of 10 years. The County Board of Supervisors must update the CIP every year, or more frequently as recommended by the responsible department. Furthermore, the County's CIP includes about \$35 million for un-programmed traffic signal and operational improvements that are prioritized based on the Community Development Services Long Range Planning Division's Intersection Needs Report. Therefore, it is expected that the needed improvements to the affected intersection of El Dorado Hills Boulevard/Saratoga Way/Park Drive will be made in a timely manner.

None of the other County-owned/operated study intersections or freeway facilities would operate at an unacceptable level of service under near-term cumulative (2027) conditions. In addition, the analysis of long term cumulative impacts also shows that none of the County-owned/operated study intersections or freeway facilities would operate at an unacceptable level of service under long-term cumulative (2035) plus project conditions. Also see Response 7-4 regarding the updated 2035 cumulative traffic analysis. That analysis also shows that the project would result in less than significant cumulative traffic impacts under 2035 conditions.

As discussed on pages 4.8-37 and 4.8-53 of the Draft EIR, one private intersection (Town Center Boulevard/Post Street) would operate at an unacceptable level of service (LOS F) during the PM peak hour under both near-term cumulative (2027) and long-term cumulative (2035) conditions prior to the addition of project traffic, and the addition of project traffic would worsen operations at this intersection. As the intersection is privately owned, it is not subject to the County's thresholds of significance and no determination of the significance of the project's impact at this location is included in the Draft EIR. However, the project applicant and the owner of the right-of-way (ROW) of the Town Center Boulevard/Post Street intersection, have voluntarily agreed to mitigate this impact below the County's threshold of significance applicable to County-owned facilities. As noted in the Draft EIR, the new traffic signal would need to be interconnected or subordinate to the County-owned traffic signal at the Latrobe Road/Town Center Boulevard intersection to ensure that there are no indirect impacts of the new traffic signal on the existing signalized intersection. Mitigation Measure C-TRANS-2 would ensure that appropriate actions to avoid indirect impacts on county facilities will be taken at the time that the new signal is installed.

#### *Application of Measure E to Transportation Impact Analysis*

As noted above, the Draft EIR's analysis and mitigation of transportation impacts included an evaluation of whether study area intersections would operate at an acceptable level of service (LOS) with the addition of project traffic under three scenarios—existing, near-term cumulative (2027), and long-term cumulative (2035) conditions. The existing conditions and long-term cumulative (2035) conditions analyses are part of the County's standard methodology for evaluating and mitigating LOS impacts under CEQA for multi-family residential projects, except with respect to certain aspects of Measure E. Measure E, an initiative measure adopted by County voters in 2016, added or revised several County General Plan policies. In particular, Policy TC-Xf was revised in a manner that led the County to require multi-family residential projects to conduct the near-term cumulative (10-year beyond the existing conditions) analysis and mitigate any significant impacts identified in that analysis, in addition to any significant impacts identified under the long-term cumulative (2035) analysis. As discussed above, the Draft EIR for the proposed project identifies one impact under the Measure E near-term cumulative (2027) analysis—at the El Dorado Hills Boulevard/Saratoga Way/Park Drive intersection—which would be reduced to a less-than-significant level with implementation of Mitigation Measure C-TRANS-1 (see pages 4.8-39 to 4.8-43 of the Draft EIR.) This is not an impact requiring mitigation under the long-term cumulative (2035) analysis.

In July 2017, the El Dorado County Superior Court ruled that several aspects of Measure E were unconstitutional, including the revisions to Policy TC-Xf. The Court subsequently issued a judgment adopting that ruling and a writ of mandate directing the County to amend the County General Plan by

removing the unconstitutional provisions of Measure E. The County Board of Supervisors acted in accordance with the Court's writ of mandate at its regularly scheduled meeting on October 24, 2017. As such, as of the date of this Final EIR, Policy TC-Xf as revised by Measure E is no longer included in the County General Plan and therefore is not applicable to the proposed project. Although an appeal of the Court's ruling has been filed, the legal effect of the Court's order has not been stayed or limited in any way.

For this reason, the near-term cumulative (2027) analysis contained in the Draft EIR is now presented solely for informational purposes, not because it is required by CEQA or the County General Plan. Moreover, Mitigation Measure C-TRANS-1 is no longer required mitigation. Nevertheless the project applicant has agreed to implement Mitigation Measure C-TRANS-1 voluntarily, regardless of whether it is required under CEQA or otherwise. For this reason, Mitigation Measure C-TRANS-1 is still included in the Mitigation Monitoring and Reporting Program included in this Final EIR.

#### **Master Response 2: Land Use Consistency**

Several comments were received with respect to the proposed project's consistency with applicable local land use plans and policies.

A discussion of the project's consistency with applicable land use plans and policies is provided in Section 4.5, Land Use, of the Draft EIR. Applicable land use plans and policies reviewed in the Draft EIR included the El Dorado County General Plan, El Dorado County Zoning Code, El Dorado Hills Specific Plan (EDHSP), and Town Center East (TCE) Development Plan.

The determination whether the proposed project is consistent with applicable local land use plans ultimately rests with the decision makers who have authority to approve the project. Here, the County Board of Supervisors will make that determination. Under state law (Court of Appeal decisional authority):

*The rule of general plan consistency is that the project must at least be compatible with the objectives and policies of the general plan. State law does not require precise conformity of a proposed project with the land use designation for a site, or an exact match between the project and the applicable general plan. Instead, a finding of consistency requires only that the proposed project be compatible with the objectives, policies, general land uses, and programs specified in the applicable plan. The courts have interpreted this provision as requiring that a project be in agreement or harmony with the terms of the applicable plan, not in rigid conformity with every detail thereof. To reiterate, the essential question is whether the project is compatible with, and does not frustrate, the general plan's goals and policies.*

*. . . . It is beyond cavil that no project could completely satisfy every policy stated in a [ ] general plan, and that state law does not impose such a requirement. A general plan must try to*

*accommodate a wide range of competing interests and to present a clear and comprehensive set of principles to guide development decisions. Once a general plan is in place, it is the province of elected [ ] officials to examine the specifics of a proposed project to determine whether it would be 'in harmony' with the policies stated in the plan.*

*Naraghi Lakes Neighborhood Preservation Association v. City of Modesto* (2016) 1 Cal.App.5th 9, 17-18 [internal quotation marks, citations, and ellipses omitted].

The project site is currently designated for commercial uses. As the proposed project would develop housing on the project site and would have a density of approximately 47 dwelling units per acre (du/ac) the project applicant has applied to the County for a number of entitlements, including (1) an amendment to the General Plan; (2) an amendment to the EDHSP; (3) a rezone of the site; and (4) a revision to the TCE planned development area. CEQA is concerned with the physical changes that these new entitlements may have on the environment. The Draft EIR evaluates and discloses the environmental effects of proposed changes in land use and density on the project site and provides analysis and supporting evidence to demonstrate that the proposed project would not result in any significant environmental effects that cannot be mitigated to a less than significant level.

### **Master Response 3: Proposed Density Increase**

Several comments were received with respect to how the proposed change in density on the project site could be viewed as creating a precedent for future multi-family residential projects in the County.

The maximum density for multi-family projects allowed by the County's General Plan is 24 dwelling units per acre. As discussed above in Master Response 2, the proposed project would have a density of 47 units per acre and thus would require an amendment to the General Plan. As discussed on page 3.0-28 of the Draft EIR, the proposed General Plan amendment increasing the density on the project site is limited to the project site and would not apply to any other parcels in the County. Moreover, even with the increased density, the proposed project would not exceed the total residential unit allocation under the EDHSP, and the analysis in the Draft EIR shows the increased density would not result in significant environmental impacts. Lastly, please note that the County retains the authority to approve or disapprove subsequent projects at locations other than the project site that request an increase in residential density. Land development approvals are based on the totality of information a lead agency has before it for a given project, at the time of project approval. For these reasons, the proposed increase in density of the project site is not precedent setting, either in terms of being legally binding at other sites or constraining the County's discretion with respect to approval of projects at other sites.

#### **Master Response 4: Jobs-to-Housing Ratio**

Several comments were received with respect to how the proposed project would affect the County's jobs-to-housing ratio. Commenters assert that the proposed change in land use designation of the project site from commercial to residential would result in loss of future retail/commercial jobs that would have been added if a commercial use was developed on the project site. Commenters also assert that the project would result in the addition of more housing to a county that has more housing than jobs.

It is true that El Dorado County as a whole and the community of El Dorado Hills have jobs-to-housing ratios that are not balanced. Both areas have more housing than jobs. Implementation of the proposed project would add a small number of housing units to El Dorado Hills and to the County's housing stock, and the project would increase the imbalance slightly. However, it is noteworthy that, despite the overall quantity of housing in the El Dorado Hills area, the community still has a need for the multi-family rental housing that would be provided by the proposed project. A recent marketing survey of four similar apartment complexes in the El Dorado Hills area found that the occupancy rates for each apartment complex ranged from 95 to 98 percent. Therefore, while the project may worsen the jobs-to-housing ratio slightly, it would increase the rental housing stock and satisfy the need for rental housing in this part of the county.

With regard to concerns about the jobs that the project would displace, as discussed on page 5.0-9 of the Draft EIR, a previous commercial land use proposal estimated that a total of 74,350 square feet of retail could be provided on the project site. Based on a rate of one employee per 344 square feet of retail (SCAG 2001), the previous proposal would generate approximately 216 jobs. In 2016, El Dorado County had 54,600 wage and salary jobs, and employment is expected to grow at an average rate of 1.1 percent per year between 2017 and 2022 for a total of approximately 3,000 jobs over the five year period (Caltrans 2017). The loss of future jobs that could be generated on the project site under a commercial land use proposal is minor in comparison with total forecasted future employment in the County over the next five years, and does not take into account jobs that would be generated as a result of the proposed project (including those related to services that will need to be provided to project residents at the apartment complex, as well as jobs created at nearby businesses that will be frequented by project residents).

#### **Master Response 5: Socio-Economic Impacts**

Several comments were received that related to the type of tenants that would be accommodated by the proposed project, the affordability of the proposed housing, and potential occupancy of the proposed units. Other comments expressed concern about the loss of future sales and transit occupancy taxes that could be generated if the project site were developed under its existing commercial land use designation.

Finally, a number of comments were received that related to the potential for the proposed project to deter shoppers from patronizing existing businesses and concerns regarding a potential conflict between the project and the existing community uses/events in the TCE area.

All of the concerns are social or economic in nature and are not related to the environmental impacts of the proposed project. CEQA does not require an evaluation of social and economic impacts of a project unless those socio-economic concerns could lead to a physical effect on the environment. All of the issues listed above would not result in any physical impacts on the environment. Therefore, these issues are outside the scope of CEQA.

### 3.3 RESPONSES TO INDIVIDUAL COMMENTS

This section presents all comments received on the Draft EIR and responses to those comments. According to Section 15088 of the *State CEQA Guidelines*, “[t]he lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response.” The lead agency’s “written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, the major environmental issues raised when the Lead Agency’s position is at variance with recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.” (*Id.*) In *City of Irvine vs. County of Orange* (2015) 238 Cal.App.4th 526, 549-550, the Court of Appeal offered the additional following observations regarding lead agencies’ obligations in this context:

*Case law has provided a few oft-repeated principles by which courts may evaluate the sufficiency of a lead agency’s responses to comments: A response can be sufficient if it refers to parts of the draft EIR that analyzes the environmental impacts raised by the comment. [Citations] A general comment can be adequately met with a general response. [Citations] Responses need not be exhaustive. [Citations.] And because, ultimately, responses to comments are part of the EIR itself, their sufficiency should be “viewed in light of what is reasonably feasible.” [Citation.]*

The Court added, however, that nothing in the CEQA Guidelines:

*allows project opponents to use the comment-and-response process to wear down a lead agency, or delay a project, by the simple expedient of filing an onerous series of demands for information and setting up a series of hoops for the lead agency to jump through. The comments of public agencies must not only be “substantive,” but also “within an area of expertise” of that agency or otherwise involve matters required to be “carried out or approved by the agency.” [Citation.] We note in this regard that, unlike the typical discovery process in litigation, the recipient of onerous demands for information by a project opponent has no recourse to the courts for relief (such as a protective*

*order or other legal device) to prevent the comment-and-response process from being abused by project opponents.*

The written responses that follow were prepared pursuant to *State CEQA Guidelines* Section 15088, and provide the County's good faith reasoned responses to significant environmental issues raised in the comments.



Edmund G. Brown Jr.  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Ken Alex  
Director

August 31, 2017

Rommel Pabalinas  
El Dorado County  
2850 Fairlane Court, building C  
Placerville, CA 95667

Subject: El Dorado Hills Apartment/A16-0001/SP86-0002-R3/Z16-0004/PD94-0004-R3  
SCH#: 2017042017

Dear Rommel Pabalinas:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on August 30, 2017, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

1



**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2017042017  
**Project Title** El Dorado Hills Apartment/A16-0001/SP86-0002-R3/Z16-0004/PD94-0004-R3  
**Lead Agency** El Dorado County

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**Type** EIR Draft EIR  
**Description** Note: Extended Per Lead

The proposed project is a 4-story, 214-unit apartment complex, comprised of two apartment buildings, a parking structure, outdoor recreation areas, and an informal open space area. The apartment units would range from 576 sf to 1,195 sf in size, with a mix of 114 studio/1-bedroom units and 100 2-bedroom units. A 5-level parking structure located in the middle of the complex would provide approx 421 parking spaces for residents and visitors, with an additional four spaces of surface parking provided elsewhere on the project site. The residential buildings would be between 42 and 52 ft in height, with some architectural elements reaching 60 ft. The parking structure would be 60 ft in height.

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**Lead Agency Contact**

<b>Name</b>	Rommel Pabalinas		
<b>Agency</b>	El Dorado County		
<b>Phone</b>	(530) 621-5363	<b>Fax</b>	
<b>email</b>			
<b>Address</b>	2850 Fairlane Court, building C		
<b>City</b>	Placerville	<b>State</b> CA	<b>Zip</b> 95667

---

**Project Location**

<b>County</b>	El Dorado			
<b>City</b>				
<b>Region</b>				
<b>Lat / Long</b>				
<b>Cross Streets</b>	El Dorado Town Center Blvd and Vine St			
<b>Parcel No.</b>	121-290-60, 61, 62			
<b>Township</b>		<b>Range</b>	<b>Section</b>	<b>Base</b>

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**Proximity to:**

<b>Highways</b>	50
<b>Airports</b>	
<b>Railways</b>	
<b>Waterways</b>	
<b>Schools</b>	Brooks ES
<b>Land Use</b>	Z: Gen commercial planned development GP: Adopted plan

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**Project Issues** Archaeologic-Historic; Biological Resources; Noise; Public Services; Recreation/Parks; Sewer Capacity; Traffic/Circulation; Water Supply; Landuse; Coastal Zone; Other Issues; Aesthetic/Visual; Air Quality; Solid Waste; Wetland/Riparian; Growth Inducing; Cumulative Effects

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**Reviewing Agencies** Resources Agency; Central Valley Flood Protection Board; Department of Fish and Wildlife, Region 2; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 3 S; Delta Protection Commission; Delta Stewardship Council; Native American Heritage Commission; Regional Water Quality Control Bd., Region 5 (Sacramento)

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<b>Date Received</b>	06/30/2017	<b>Start of Review</b>	06/30/2017	<b>End of Review</b>	08/30/2017
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**Letter No 1:**                    **Governor's Office of Planning and Research**

**Response 1-1**

Comment noted. The Office of Planning and Research acknowledges that the County of El Dorado has complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to CEQA.

**DEPARTMENT OF TRANSPORTATION**

2379 Gateway Oaks Drive, Suite 150  
 SACRAMENTO, CA 95833  
 PHONE (916) 274-0635  
 TTY 711  
 www.dot.ca.gov/d3/



*Making Conservation  
 a California Way of Life. Jerry*

April 28, 2017

03-ED-2017-00060  
 SCH# 2017042017

Mel Pabalinas  
 2850 Fairlane Court, Building C  
 Placerville, CA 95667

**Notice of Preparation (NOP) draft Environmental Impact Report (DEIR) for the El Dorado Hills Apartment**

Dear Mr. Pabalinas:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the project referenced above. The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. The Local Development-Intergovernmental Review (LD-IGR) Program reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

The El Dorado Hills Apartments proposes a 4-story, 214-unit apartment complex located within the existing El Dorado Hills Town Center commercial development, in El Dorado Hills. The site is bordered by private roads on the north (Mercedes Lane), east (Vine Street), and south (Town Center Boulevard), and by the Town Center Lake to the west. It is approximately 500 feet south of U.S. Highway 50. The following comments are based on the DEIR received:

***Traffic Impact Mitigation (TIM) Fees***

Caltrans understands that the project proponent will pay fees into the TIM fee program that will go towards improvements on the State Highway System (SHS) and parallel improvements that will lessen the impacts to the SHS. If this is not the case, we request that that transportation analysis include the project's impacts on the SHS, and mitigation measures consistent with the County General Plan, that reduces Vehicle Miles Traveled on the SHS. The analysis should consider improvements to pedestrian, bicycle and transit infrastructure that reduce VMT impacts.

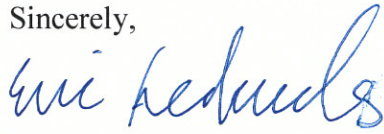
Please provide our office with copies of any further actions related to this project. We would appreciate the opportunity to review and comment on any changes related to this development.

Mr. Mel Pabalinas  
April 28, 2017  
Page 2

If you have any questions regarding these comments or require additional information, please contact Jennifer Jacobson, Intergovernmental Review Coordinator, at (916) 274-0639 or by email at [jennifer.jacobson@dot.ca.gov](mailto:jennifer.jacobson@dot.ca.gov).

---

Sincerely,



ERIC FREDERICKS  
Office of Transportation Planning – South Branch

c: State Clearinghouse

**Letter No 2: California Department of Transportation (Caltrans)**

**Response 2-1**

Caltrans originally submitted this comment during the scoping period for the Draft EIR. See Master Response 1 for a discussion of the project's impact on study area freeway segments and ramps. The addition of project-related traffic would not negatively affect these facilities under existing, near-term cumulative (2027), and long-term cumulative (2035) conditions. (Also see Response 7-4 regarding the updated 2035 cumulative traffic analysis. That analysis also shows that the project would result in less than significant cumulative traffic impacts under 2035 conditions.)

The commenter is correct that the proposed project will pay into the County's TIM fee program that will fund improvements to area roadways and intersections, including facilities that are a part of U.S. Highway 50. In addition, by providing future residents with convenient access to surrounding retail shops, restaurants, and services in the TCE area, the proposed project would reduce the number of vehicle trips generated, and thus would lower vehicle miles travelled on local roadways, include U.S. Highway 50.



**County of El Dorado**  
**Air Quality Management District**

330 Fair Lane, Placerville Ca 95667  
 Tel. 530.621.7501 Fax 530.295.2774  
[www.edcgov.us/airqualitymanagement](http://www.edcgov.us/airqualitymanagement)

Dave Johnston  
 Air Pollution Control Officer

August 29, 2017

Rommel Pabalinas, Project Planner  
 El Dorado County Planning Services  
 2850 Fairlane Court  
 Placerville, CA 95667

**RE: A16-0001, SP86-0002R, Z16-0004, PD94-0004R –El Dorado Hills Apartments,  
 APN 121-290-60, -61, -62 – Draft Environmental Impact Report (EIR)  
 - AQMD Comments**

Dear Mr. Pabalinas:

The El Dorado County Air Quality Management District (AQMD) has reviewed the proposed draft Environmental Impact Report for the proposed 214 unit apartment building and has the following comments regarding potential air quality impacts:

**Comments:**

Page 4.1-13 states the most current version of the Sacramento Regional 8-hour Ozone Attainment Plan is the 2013 revision. However, the 2017 revision is scheduled for approval by the Board of Supervisor's on Sept 12, 2017. The final EIR should reference that document.

1

**Air Quality/GHG Analysis:**

An Air Quality/Greenhouse Gas (GHG) Analysis was prepared using the California Emissions Estimator Model (CalEEMod, v 2016.3.1). The model concluded the daily construction and operational emissions would be below the thresholds found in AQMD's *CEQA Guide* of 82 lbs/day threshold for Reactive Organic Gases (ROG) and Oxides of Nitrogen (NOx) with application of the recommendation mitigation. The Analysis also indicated the annual construction GHG emissions would not exceed the Sacramento Regional GHG Thresholds for annual construction emissions of 1,100 MTCO<sub>2</sub>e/yr. Finally, the EIR determined operational GHG emissions would be less than the 4.5 GHG Per Capita Efficiency threshold as detailed in Placer County Air Pollution Control District's adopted GHG thresholds, which are based on the Sac Regional GHG threshold. Because data from projects in El Dorado County, along with the other counties in the Sacramento region, were used to develop these thresholds, it is AQMD's opinion that these regional GHG thresholds represent "substantial evidence" for CEQA purposes and are appropriate for use as CEQA thresholds of significance.

2

AQMD concurs that air quality criteria pollutant emissions and GHG emissions as a result of the project would be less than significant.

### **Future Development:**

The following standard conditions would apply to the proposed project:

1. **Asbestos Dust:** Current county records indicate this subject property is located within the Asbestos Review Area. An Asbestos Dust Mitigation Plan (ADMP) Application with appropriate fees shall be submitted to and approved by the AQMD prior to project construction if the project moves more than 20 cubic yards of soil. (Rules 223 and 223.2). The project shall adhere to the regulations and mitigation measures for fugitive dust emissions asbestos hazard mitigation during the construction process. Mitigation measures for the control of fugitive dust shall comply with the requirements of Rule 223 and 223.2.
2. **Paving:** Project construction will involve road development and shall adhere to AQMD Cutback and Emulsified Asphalt Paving Materials (Rule 224).
3. **Painting/Coating:** The project construction may involve the application of architectural coating, which shall adhere to AQMD Rule 215 Architectural Coatings.
4. **Open Burning:** Burning of wastes that result from "Land Development Clearing" must be permitted through the AQMD. Only dry vegetative waste materials originating from the property may be disposed of using an open outdoor fire (Rule 300 Open Burning).
5. **Construction Emissions:** During construction, all self-propelled diesel-fueled engines greater than 25 horsepower shall be in compliance with the California Air Resources Board (ARB) Regulation for In-Use Off-Road Diesel Fueled Fleets (§ 2449 et al, title 13, article 4.8, chapter 9, California Code of Regulations (CCR)). The full text of the regulation can be found at ARB's website here: <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm> An applicability flow chart can be found here: [http://www.arb.ca.gov/msprog/ordiesel/faq/applicability\\_flow\\_chart.pdf](http://www.arb.ca.gov/msprog/ordiesel/faq/applicability_flow_chart.pdf) Questions on applicability should be directed to ARB at 1-866-634-3735. ARB is responsible for enforcement of this regulation.
6. **New Point Source:** Prior to construction/installation of any new point source emissions units (e.g., gasoline dispensing facility, emergency standby engine, etc.), Authority to Construct applications shall be submitted to the AQMD. Submittal of applications shall include facility diagram(s), equipment specifications and emission factors. (Rule 501 and 523)
7. **Portable Equipment:** All portable combustion engine equipment with a rating of 50 horsepower or greater shall be registered with the California Air Resources Board (CARB). A copy of the current portable equipment registration shall be with said equipment. The applicant shall provide a complete list of heavy-duty diesel-fueled equipment to be used on this project, which includes the make, model, year of equipment, daily hours of operations of each piece of equipment.
8. **Electric Vehicle Charging – Multifamily Residential (more than 17 units):** Consistent with the Residential Mandatory Measures identified in the 2016 Cal Green Building Code §4.106.4.2, all multi-family residential dwellings shall have, at a minimum, at least 3 percent of the total parking spaces, but not less than one, which are capable of supporting future electric vehicle



supply equipment (EVSE). Plans shall include the location(s) and type of EVSE, raceway method(s), wiring schematics and electrical calculations to verify the electrical system has sufficient capacity to simultaneously charge electric vehicles at their full rated amperage (Level 2 EVSE). Raceways to accommodate a dedicated 208/240V branch circuit shall be installed from the electrical service panel to the designated parking areas at the time of initial construction. The service panel shall provide capacity to install a minimum 40A dedicated branch circuit. Please refer to Cal Green Building Stds Code §4.106.4 for specific requirements<sup>1</sup>:  
[http://www.edcgov.us/Government/Building/California\\_Building\\_Standards\\_in\\_Effect.aspx](http://www.edcgov.us/Government/Building/California_Building_Standards_in_Effect.aspx)

3

**In addition to these standard conditions, AQMD recommends the following conditions to maintain consistency with the County's General Plan.**

#### **APPLICABLE AIR QUALITY-RELATED GENERAL PLAN POLICIES AQMD RECOMMENDATIONS & CONDITIONS**

El Dorado County's General Plan<sup>2</sup> contains two goals specifically addressing air quality: 1) Strive to achieve and maintain ambient air quality standards established by the U.S. Environmental Protection Agency and the California Air Resources Board, and 2) Minimize public exposure to toxic or hazardous air pollutants and air pollutants that create unpleasant odors. The General Plan establishes objectives and policies to guide land use development within the County to reach these goals. The General Plan policies AQMD believes are applicable to the proposed project and recommended conditions of approval are listed below:

##### **OBJECTIVE 6.7.1: EL DORADO COUNTY CLEAN AIR PLAN**

**Adopt and enforce Air Quality standards to reduce the health impacts caused by harmful emissions.**

*Policy 6.7.1.1 Improve air quality through land use planning decisions.*

*Policy 6.7.1.2 Support local and regional air quality improvement efforts.*

4

##### **OBJECTIVE 6.7.2: VEHICULAR EMISSIONS**

**Reduce motor vehicle air pollution by developing programs aimed at minimizing congestion and reducing the number of vehicle trips made in the County and encouraging the use of clean fuels.**

*Policy 6.7.2.5 Upon reviewing projects, the County shall support and encourage the use of, and facilities for, alternative-fuel vehicles to the extent feasible. The County shall develop language to be included in County contract procedures to give preference to contractors that utilize low-emission heavy-duty vehicles.*

<sup>1</sup> Cal Green Building Code: <http://codes.iccsafe.org/app/book/content/2016%20California%20Codes/Green-2017%20Errata/Chapter%204%20Residential%20Mandatory%20Measures.pdf>

<sup>2</sup> El Dorado County General Plan: [http://edcgov.us/Government/Planning/Adopted\\_General\\_Plan.aspx](http://edcgov.us/Government/Planning/Adopted_General_Plan.aspx)



Recommended Condition(s):

Inclusion of condition #8 above will ensure project consistency with this general plan policy.

In addition, AQMD recommends regular wall electrical outlets be placed within reach of each parking stall designated for the residents to allow longer-term charging of vehicles.

4

AQMD Rules and Regulations are available at the following internet address:  
[www.edcgov.us/airqualitymanagement](http://www.edcgov.us/airqualitymanagement).

AQMD thanks you for the opportunity to comment on this proposed project. If you have any questions regarding this letter, please contact our office at (530) 621-7501.

Respectfully,



Adam Baughman  
Air Quality Engineer  
Air Quality Management District

\\AQData\AQ-Shared\CEQA or AQMD COMMENTS\AQMD Comments\2014\EDH Apartments - Town Center\A 16-0001, PD 94-0004-R EDH Apartments Draft EIR - AQMD comments.doc

**Letter No 3: El Dorado County Air Quality Management District**

**Response 3-1**

The discussion with regard to the Sacramento Regional 8-hour Ozone Attainment Plan on page 4.1-13 of the Draft EIR has been updated (see **Chapter 2.0, Revisions to the Draft EIR**).

**Response 3-2**

Comment noted. The AQMD concurs that the conclusions reached in Section 4.1, Air Quality, and Section 4.4, Greenhouse Emissions, of the Draft EIR, are correct and that the proposed project would result in less than significant impacts with respect to criteria pollutant emissions and GHG emissions.

**Response 3-3**

The AQMD lists a number of standard conditions that would apply to the proposed project. A majority of the standard conditions involve compliance with AQMD rules, CARB regulations, and the 2016 Cal Green Building Code. The proposed project will comply with all applicable AQMD rules and CARB regulations. With respect to Condition No. 8, which involves compliance with 2016 Cal Green Building Code requirements for electric vehicle charging stations in multi-family dwelling units, as discussed on page 3.0-26 of the Draft EIR, the parking garage will be designed for future electrical vehicle charging station expansion, and the number of parking spaces capable of supporting future electric vehicle supply equipment would meet 2016 Cal Green Building Code requirements.

**Response 3-4**

The AQMD lists El Dorado County General Plan policies that it believes are applicable to the proposed project and lists recommended conditions of approval. The project will comply with Standard Condition No. 8, which would ensure the project's consistency with General Plan Policy 6.7.2.5, which states that the County shall support and encourage the use of, and facilities for, alternative-fuel vehicles. The AQMD recommends that the County impose a condition of approval to require the applicant to place regular wall electrical outlets within reach of each parking stall designated for the residents to allow for longer-term charging of vehicles. Given that the proposed project will not result in criteria pollutant or greenhouse gas emissions that would exceed applicable thresholds, and the project will comply with Standard Condition No. 8, this additional proposed condition of approval is not required to ensure compliance with the General Plan.

From: **John Davey** <[jdavey@daveygroup.com](mailto:jdavey@daveygroup.com)>

Date: Thu, Aug 10, 2017 at 5:55 AM

Subject: EDH APAC Review El Dorado Hills Apartments Project DEIR

To: Rommel Pabalinas <[rommel.pabalinas@edcgov.us](mailto:rommel.pabalinas@edcgov.us)>, [planning@edcgov.us](mailto:planning@edcgov.us), Charlene Tim <[charlene.tim@edcgov.us](mailto:charlene.tim@edcgov.us)>, Jon/ Stacy Vegna <[jvegna@edcgov.us](mailto:jvegna@edcgov.us)>, [gary.miller@edcgov.us](mailto:gary.miller@edcgov.us), [jeff.hansen@edcgov.us](mailto:jeff.hansen@edcgov.us), [james.williams@edcgov.us](mailto:james.williams@edcgov.us), [brian.shinault@edcgov.us](mailto:brian.shinault@edcgov.us), The BOSONE <[bosone@edcgov.us](mailto:bosone@edcgov.us)>, The BOSTWO <[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)

Cc: Timothy White <[tjwhitejd@gmail.com](mailto:tjwhitejd@gmail.com)>, Kathy Prevost <[hpkp@aol.com](mailto:hpkp@aol.com)>, John Raslear <[jjrazz@sbcglobal.net](mailto:jjrazz@sbcglobal.net)>, Ellison <[aerumsey@sbcglobal.net](mailto:aerumsey@sbcglobal.net)>, [kgarrett@agspanos.com](mailto:kgarrett@agspanos.com)

Hello Mel,

Last evening at the August 9, 2017 El Dorado Hills Area Planning Advisory Committee meeting, APAC reviewed the El Dorado Hills Apartment Project DEIR APAC Subcommittee report, in conjunction with a presentation from representatives of the project proponents/developers, the Spanos Corporation.

Following the presentation, and a question and answer session with representatives of the Spanos Corporation and El Dorado Hills residents, EDH APAC voted on the Subcommittee's recommendation of non-support for the project.

EDH APAC voted 7-0 in favor of non-support of the El Dorado Hills Apartment Project.

EDH APAC wishes to extend sincere gratitude to the Spanos Corporation for their commitment to meeting with El Dorado Hills residents and EDH APAC, in presenting their project plans in detail at our meeting.

The meeting and the vote extended well past 9PM, and APAC wanted to make sure that the full vote results, as well as the Subcommittee report on the EDH Apartment DEIR was included in the project file, prior to final determination by both the EDC Planning Commission and the EDC Board of Supervisors.

Thank you for your cooperation in allowing APAC the time to thoroughly review the project, and the DEIR.

John Davey  
APAC Subcommittee Chair

**John Davey**  
**530-676-2657**



**El Dorado Hills Area Planning Advisory Committee**

1021 Harvard Way  
El Dorado Hills, CA 95762

2017 Board Chair

Tim White

Vice Chair

John Raslear

Secretary

Kathy Prevost

August 9, 2017

El Dorado County Community Development Agency  
Development Services Department, Planning Division

Attn: Mel Pabalinas  
2850 Fairlane Court  
Placerville, CA. 95667

**Subject:**

El Dorado Hills Apartments Project Draft Environmental  
Impact Report SCH No. 2017042017  
General Plan Amendment A16-0001 /rezone Z16-0004 Specific Plan  
Revision SPD 86-0002-R3 /Planned Development Revision  
PD94-0004-R3 – El Dorado Hills Apartments

Dear Board of Supervisors, Planning Commission and County Staff,

At the August 9, 2017 El Dorado Hills Area Planning Advisory Committee meeting, APAC reviewed the El Dorado Hills Apartment Project DEIR APAC Subcommittee report, in conjunction with a presentation from representatives of the project proponents/developers, the Spanos Corporation.

Following the presentation, and a question and answer session with representatives of the Spanos Corporation and El Dorado Hills residents, EDH APAC voted on the Subcommittee's recommendation of non-support for the project.

EDH APAC voted 7-0 in favor of non-support of the El Dorado Hills Apartment Project.

EDH APAC wishes to extend sincere gratitude to the Spanos Corporation for their commitment to meeting with El Dorado Hills residents, and EDH APAC, in presenting their project plans in detail at our meeting.

APAC appreciates having the opportunity to provide comments. If you have any questions please contact Tim White , 2017 APAC Chair at [tjwhitejd@gmail.com](mailto:tjwhitejd@gmail.com) , John Raslear, Vice Chair at [jjrazzpub@sbcglobal.net](mailto:jjrazzpub@sbcglobal.net) , Secretary Kathy Prevost at [hpkp@aol.com](mailto:hpkp@aol.com)

Sincerely,

John Davey  
EDH APAC Subcommittee Chair.

2017 APAC Committee Chair  
Cc: EDCO Planning Commission  
EDCO BOS  
APAC read file



**El Dorado Hills Apartments Project Draft Environmental  
Impact Report SCH No. 2017042017  
General Plan Amendment A16-0001 /rezone Z16-0004 Specific Plan  
Revision SPD 86-0002-R3 /Planned Development Revision PD94-0004-  
R3 – El Dorado Hills Apartments**

The El Dorado Hills Apartments at Town Center Project seeks the following project approvals:

The project site is currently designated General Commercial-Planned Development (CG-PD) in the El Dorado Hills Specific Plan (EDHSP). As the proposed project would develop housing on the project site and would have a density of approximately 47 du/ac, the project applicant has applied to the County for **the following four entitlements** for the proposed project:

- 1. General Plan Amendment** adding a new Policy (Policy 2.2.6.6) under Objective 2.2.6 (Site Specific Policy Section) **to increase the maximum residential density** allowed in the General Plan from 24 dwelling units per acre **to a maximum of 47 dwelling units per acre** specifically for the 4.565-acre project site within the TCE Planned Development area identified as Assessor's Parcel Numbers 121-290-60, 61, and 62.
- 2. El Dorado Hills Specific Plan Amendment** incorporating multi-family residential use, density, and related standards for the project site. The project site would be designated as "Urban Infill Residential" within the Village T area of the EDHSP Plan.
- 3. Rezoning** of the project site from General Commercial-Planned Development (CG-PD) **to Multi-Family Residential-Planned Development** (RM-PD) and revisions to the RM-zone district development standards applicable to the proposed 214-unit apartment project
- 4. Revision to the approved Town Center East Development Plan** incorporating multi-family residential use, density, and related design and development standards for the proposed 214-unit apartment project within Planning Area 2 of the TCE Plan area (see Figure 3.0-4, Village T Planning Area Locations in Chapter 3.0).

**The APAC El Dorado Hills Apartments at Town Center Subcommittee members (EDH APT Subcommittee) believe the project's DEIR proposed mitigations are inadequate specifically in regards to the Traffic, Land Use, and Aesthetics components.**

As with the previous Project from 2014, the EDH APT Subcommittee believes this would result in significant short and long term problems for the Town Center

retail and hotel components, as well as the immediate surrounding residential and commercial areas. **As a result, the EDH APT Subcommittee recommends non-support of the project as proposed.**

Listed below are some of the major concerns that the EDH APT Subcommittee has with the project as currently proposed:

## 1. TRAFFIC

The 214 unit apartment project would cause a major traffic impact in the Town Center East Planned Development Area and major roads of the El Dorado Hills community, primarily Latrobe Road, El Dorado Hills Blvd, and White Rock Rd, as well as Highway 50 at the El Dorado Hills Blvd/Latrobe Rd. interchange, and further north on El Dorado Hills Blvd at both Park Dr and at Saratoga Way. The DEIR finds that before the construction and build out of the EDH Apartment project, that these are the current existing conditions on these specific roads:

- **Town Center Boulevard - Post Street** intersection is measured at **LOS E** for the peak PM hour
- **White Rock Road - Vine Street - Valley View Drive** is measured at **LOS D** for the peak PM hour
- **Latrobe Road - Town Center Boulevard** is measured at **LOS D** for the peak PM hour

In **4.8 Transportation, Table 4.8-12, Intersection LOS and Delay – Near Term Plus Project Conditions (4.8 Transportation page 40)**, the DEIR finds that:

- **Town Center Boulevard – Post Street** intersection will operate at LOS B and LOS F in the peak AM and PM hours, respectively, in the Near-Term (without the project)
- In the Near-Term Plus Project, the **Town Center Boulevard – Post Street** intersection will operate at LOS C and LOS F in the peak AM and PM hours.

The Project proponent has indicated a desire to include intersection signalization at the Town Center Boulevard and Post Street intersection, but only after peak hour intersection analysis every two years indicates that the intersection has reached LOS F, and applicable traffic warrants are satisfied. [4.8 Transportation [http://edcapps.edcgov.us/Planning/ProjectDocuments/4\\_8%20Transportation\\_A16-0001,Z16-0004,PD94-0004-R3,SP86-0002-R3.pdf](http://edcapps.edcgov.us/Planning/ProjectDocuments/4_8%20Transportation_A16-0001,Z16-0004,PD94-0004-R3,SP86-0002-R3.pdf) Page 41]

If the Project were to be approved, the APAC EDH APT Subcommittee would request that the County would require making signalization of the Town Center

Boulevard – Post Street intersection a **condition** of approval **before** construction of the Town Center Apartments could begin. This is a small cost to the owner of the Project property, and to the Project proponent, The Spanos Corporation, in exchange for receiving the 4 entitlements requested, which would allow the owner of the Project property to sell it for residential use, and allow The Spanos Corporation to build and operate the apartment complex..

1

The APAC EDH APT Subcommittee does note with concern that even with this suggested mitigation via signalization on the private road at the eastern entrance to Town Center East, that the DEIR still projects *the best case result* is **LOS E** at the Town Center Blvd and Post Street intersection.

Town Center Boulevard, Post Street, and Vine Streets are private roads inside the TOWN CENTER EAST Planned Development Area. As such, LOS falling into unacceptable levels does not require mitigation under current El Dorado County General Plan. However, the APAC EDH APT Subcommittee believes, should the project be approved, that the Project **be conditioned to provide traffic mitigation measures**, even on the private roadways inside TOWN CENTER EAST Planned Development Area, as these private roads each access public roads in El Dorado Hills and have a direct impact on the LOS of those public roads. Additionally, roads at operating at poor LOS can have a negative impact on the public's overall perception of the conditions and the experience inside inside the TOWN CENTER EAST Planned Development Area, and their desire to visit shops and businesses in Town Center East, with shoppers potentially preferring to cross the county line and visit Folsom shops instead.

2

In **4.8 Transportation, Table 4.8-15 Long-Term Cumulative Conditions – Study Intersection LOS Summary (Transportation 4.8, page 48)**, the DEIR indicates that for the Long-Term Cumulative Conditions, the Latrobe Road and White Rock Road intersection will:

- Reach **LOS E** in the Peak AM hour **with or without** the project
- Reach **LOS D** in the peak PM Hour **without** the project
- Reach **LOS E** in both the peak AM and PM hours with the project

3

Latrobe Road, White Rock Road, and Valley View Drive are all El Dorado County maintained roads – If the Project were to be approved, the APAC EDH APT Subcommittee feels that the negative impacts on these roads by the El Dorado Hills Apartments at Town Center Project **should be mitigated as a condition of approval**.



## 2. LAND USE PLANNING

Despite downsizing from the previous 2014 Town Center Apartment project, the dwelling unit density is nearly twice the County General Plan allowance for multi-family housing and would create traffic impacts to one of the County's largest retail and hotel centers on the Western Slope, as well as roads in the immediate vicinity in El Dorado Hills. Granting this Multi-Family Residential Dwelling Unit per Acre Standard exception is a precedent, despite the project proponents' statements to the contrary. The DEIR has a provision to raise the multi-family residential dwelling units per acre for the TOWN CENTER EAST Planned Development Area ONLY [Policy 2.2.6.6, under Objective 2.2.6] to a maximum of 47 dwelling units per acre. As this is a doubling of the county standard, this is not a small exception to grant. If the County chooses to grant this once, then what would prevent a similar request from another project? Even by limiting this loosening of the standard to the TOWN CENTER EAST Planned Development Area by statute, it opens the door for more multi-family residential projects of increased dwelling units per area density, not only in El Dorado Hills, but in any unincorporated area of El Dorado County. If granted, it calls into question what the basic intention of the 24 dwelling unit per acre multi-family residential standard is, and why it is permissible to waive the standard for one project, but not allow it for any other? Granted once, it can be granted again. If this amendment is granted for the specific project in El Dorado Hills, why would it not be reasonable to change the standard in totality to allow Multi-Family Residential 47 Dwelling Units per Acre in communities such as Cameron Park, Georgetown, Myers, Placerville, Pollock Pines, or Shingle Springs? What is the benefit to El Dorado Hills, or to El Dorado County, for lowering these standards, as they are currently defined in the El Dorado County General Plan?

4

## 3. MARKETING AND DEMOGRAPHICS

As the APAC EDH APT Subcommittee believed in the previous 2014 Town Center Apartment project, apartment units for this project could suffer a high vacancy rate and rents could be lowered to attract tenants that would not be ideal for the EDH Town Center and cause a loss of retail shops and restaurants.

The project proponents have suggested that they will be marketing these units as "Luxury Apartments", while at the same time suggesting that these units will meet an affordable housing component needed both in El Dorado Hills, and El Dorado County. These two concepts seem to be at odds.

5

Project proponents suggest that employees or business owners in the TOWN CENTER EAST Planned Development Area, as well as the El Dorado Hills Business Park, would be potential residents of the Town Center Apartment project - the APAC EDH APT Subcommittee is curious if a marketing survey of this

specific population has been completed that indicates a desire or need for this housing in the TOWN CENTER EAST Planned Development Area, and if that identified population could even afford leasing a unit for the eventual monthly rates established at the El Dorado Hills Apartments at Town Center.

5

The APAC EDH APT Subcommittee still has a concern that the increase of approximately 400 additional residents in proximity to Town Center East businesses would have any more positive impact on the vitality of the TOWN CENTER EAST Planned Development Area than the nearly 700 homes already completed in the nearby Blackstone development, with over a thousand more homes in the Valley View Specific Plan approved, and projected for the near future. If the goal of this project, and more pointedly this General Plan Amendment, is to revitalize Town Center East, the APAC EDH APT Subcommittee believes that this goal should be the responsibility of the owners of Town Center East, in adherence to their vision of creating a retail/commercial downtown for El Dorado Hills, and should not be borne by the residents of El Dorado County via an amendment to the County General Plan, and the doubling of the Multi-Family Residential Dwelling Unit Per Acre standard. The Town Center East Project was approved to be a retail/commercial center – a residential component was not included *as a feature* of the project.

6

Additionally, project proponents suggested at the Project Scoping Meeting in April 2017 to APAC Subcommittee members that project residents would be driving to jobs, as the closest job center would be the El Dorado Hills Business Park. An observation was made by the Project proponents at the Scoping Meeting that the majority of the jobs of the future residents of the Town Center Apartment Project would be located elsewhere, in Folsom, Rancho Cordova, Sacramento, and Elk Grove, which eliminates a major component of the focus of the Project – a residential community that is centered around the concept of live-work-shop.

7

#### 4. NOISE

As with the previous 2014 Town Center Apartment Project, noise generated by the commercial and retail component will impact the residents of the apartments. Unbuffered noise from Highway 50, as well as from commercial and retail sources, retail center automobile traffic, and Town Center East Outdoor Events will impact apartment residents. By qualifying the Project as Urban Infill Residential, the project proponents seek to limit or reduce environmental noise as a measure of impacts for the residents of the Project in the DEIR – thereby creating a second, lower, environmental noise standard for residents of the El Dorado Hills Apartments at Town Center, while the balance of El Dorado Hills residents enjoy the benefits of the higher environmental noise standard.

8

#### 5. COUNTY INCOME

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As the APAC EDH APT Subcommittee believed in the previous 2014 Town Center Apartment Project, El Dorado County could lose a significant potential future income from sales taxes and Transient Occupancy Taxes if the parcel is converted from commercial to residential use.

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## 6. ECONOMIC CONDITIONS

As with the previous 2014 Town Center Apartment Project, the economy is experiencing a slow recovery and the loss of commercial and retail sites will further contribute to sales tax leakage out of El Dorado County. In the past several years, El Dorado County has already rezoned several properties from Commercial to Residential, in spite of the County's stated preference to build a jobs base over building more rooftops. Frequently the proponents of these commercial to residential rezone requests have fortified the reasoning for these rezones by insisting that less commercial/retail space is needed – but there are still several commercial/retail projects proposed in the immediate vicinity of Town Center East, many of which are scheduled for development well after the proposed construction period of the El Dorado Hills Apartments at Town Center, demonstrating that commercial demand still exists in proximity of Town Center East.

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## 7. AESTHETICS

To better accommodate the commercial nature of Town Center East, this Project should require vertical Mixed Use applications, as done in most other commercial/residential mixed use communities, with the enclosed apartments above the first floor allowing retail at the street level.

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Several APAC EDH APT Subcommittee members are concerned that even with the aesthetic changes from the previous 2014 El Dorado Hills Apartment Project that this project would not be consistent with the “Guidelines for the creation of: “A character appropriate and in keeping with -----its historic building type” and commercial use , as defined in the Town Center Design Guideline April 25 1995

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Relative to the design, the proposed four story building towers over the boulevard negatively impacting the retail/dining experience of other Town Center East shops. The two buildings across the street on Town Center Blvd. are two and three story, with the three story building having a step back on the third floor. The proposed project also should be stepped back on the third and fourth floor levels to create a more pleasing street environment.

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## 8. COMMUNITY EVENTS

In a comment letter from the Mansour Company submitted on Oct 8 2014 about

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this project, it stated they would not support any project that may “—Jeopardize any of our existing or newly planned outdoor events---“ (SEE <https://eldorado.legistar.com/View.ashx?M=F&ID=3390403&GUID=5D0BD9B0-9E14-4367-9C87-CBBDC28FAD0C> )

Events such as the 4<sup>th</sup> of July Fireworks Show, Outdoor Concerts , Farmer’s Market, El Dorado Hills Fire Department Santa Run Parade, or other events, effectively force the closure of the major two lane Town Center Blvd and significantly impact all regional roads.

**Letter No 4: El Dorado Hills Area Planning Advisory Committee****Response 4-1**

The commenter's request that the County require the signalization of the Town Center Boulevard/Post Street intersection prior to construction of the proposed project will be provided to the decision makers for their review and consideration prior to any approval action on the project. However, the County cannot approve such a condition at this private intersection without the project applicant's consent. As discussed on page 4.8-49 of the Draft EIR, the project applicant and the owner of the right-of-way (ROW) of this intersection have voluntarily agreed to mitigate the impact at this private intersection to below the County's threshold of significance applicable to County-maintained facilities. As a private facility, this intersection is not subject to the County's CEQA thresholds of significance mandating LOS E or better be maintained on County roadways, and operation of this intersection is not anticipated to significantly affect operations of the County-maintained transportation system. In addition, increased traffic contained within a private development is generally not considered an adverse impact on the environment under CEQA. (See, e.g., *Walters v. City of Redondo Beach* (2016) 1 Cal.App.5th 809 ("The Guidelines and case law clarify that traffic impacts for CEQA purposes relate to the flow of vehicles in public spaces."); *Parker Shattuck Neighbors v. Berkeley City Council* (2013) 222 Cal.App.4th 768, 782 ["In general, CEQA does not regulate environmental changes that do not affect the public at large"].)

As discussed on pages 4.8-33 to 4.8-35 of the Draft EIR, the intersection of Town Center Boulevard/Post Street would operate at acceptable levels under existing plus project conditions. As a result, conditioning the project to install a signal at the Town Center Boulevard/Post Street intersection prior to project construction would not be required under CEQA, even if the County's thresholds of significance were applicable at this intersection.

See Master Response 1 for additional discussion of the project's impact on all study intersections.

**Response 4-2**

The commenter requests the proposed project be conditioned to mitigate its impacts on private roads inside the TCE area. This request will be provided to the decision makers for their review and consideration prior to any approval action on the project. However, see Response 4-1, above, concerning limitations on the County's power to condition the project to mitigate impacts on private transportation facilities. None of the study intersections where private roads within the TCE area intersect with public roads would be significantly affected by project traffic under existing, near-term cumulative (2027), and long-term cumulative (2035) conditions. As there would be no significant impacts at these intersections, where County thresholds of significant are applicable, conditioning the proposed project to mitigate the impacts of project traffic at these intersections is not required under CEQA. (Also see Response 7-4

regarding the updated 2035 cumulative traffic analysis. That analysis also shows that the project would result in less than significant cumulative traffic impacts under 2035 conditions.)

See Master Response 1 for a discussion of the project's impacts on all study intersections.

**Response 4-3**

The commenter's request that impacts to Latrobe Road, White Road, and Valley View Drive from traffic generated by the proposed project be mitigated as a condition of approval will be provided to the decision makers for their review and consideration prior to any approval action on the project. However, none of the study intersections along Latrobe Road, White Road, and Valley View Drive would be significantly affected by project traffic under all study scenarios, including the long-term cumulative (2035) conditions because, as shown in Table 4.8-15 of the Draft EIR, all County-owned intersections would continue to operate at LOS E or better even with the addition of project traffic. As there would be no significant impacts to these roadways, conditioning the proposed project to mitigate the impact of project traffic on these roadways is not required under CEQA. (Also see Response 7-4 regarding the updated 2035 cumulative traffic analysis. That analysis also shows that the project would result in less than significant cumulative traffic impacts under 2035 conditions.)

See Master Response 1 for a discussion of the project's impacts on all study intersections.

**Response 4-4**

See Master Response 2 for a discussion of the project's consistency with applicable land use plans. The Draft EIR evaluates the environmental effects of proposed changes in land use and density on the project site and provides analysis and supporting evidence to demonstrate that the proposed project would not result in any significant environmental effects, including traffic impacts, which cannot be mitigated to a less than significant level.

The commenter is incorrect in stating that the proposed project's request to increase the maximum density allowed in the General Plan from 24 dwelling units per acre to 47 dwelling units per acre would apply to the entire TCE area. As stated in the proposed language for General Plan Policy 2.2.6.6 found on page 4.5-13 of the Draft EIR, the proposed density of 47 dwelling units per acre would only apply to the parcels that comprise the 4.56 acre project site.

Please see Master Response 3 regarding the proposed density increase and why it would not set a precedent, should the project be approved by the County. The commenter's concern is nonetheless noted and will be provided to the decision makers for their review and consideration prior to any approval action on the project.

**Response 4-5**

The issues raised by the commenter are socio-economic in nature and are not related to the physical impact the proposed project would have on the environment. As a result, these issues are outside the scope of CEQA (see Master Response 5). A response is nonetheless provided below for informational purposes only.

The commenter provides no evidence that the proposed project could suffer a high vacancy rate and that rents would be lowered to attract tenants that would not be ideal for the TCE area. A recent marketing survey of four similar apartment complexes in the El Dorado Hills area found that rents for one and two bedroom apartments in these complexes ranged from \$1,375 per month for a one-bedroom apartment unit to \$2,175 per month for a two-bedroom unit. In addition, the occupancy rates for each apartment complex ranged from 95 to 98 percent. The high rates of occupancy affirm that the demand for similar types of apartment units in the area does exist, and it is feasible for similar levels of rent to be charged for the apartments built under the proposed project. It is unlikely that rents would need to be lowered to attract tenants. In addition, it is also unlikely that the proposed project would result in a loss of shops and restaurants in the TCE area, as the project would add approximately 492 residents to the area who would have convenient access to surrounding retail shops, restaurants, and services, and thus would increase demand and revenue for these establishments.

The commenter's assertion that the proposed project is intended to meet an affordable housing component needed in both El Dorado Hills and El Dorado County is not correct. None of the proposed units would be designated or marketed as affordable (i.e., rent-controlled or otherwise offered at below market rental rates). However, the proposed units would meet existing rental housing demand in El Dorado Hills and El Dorado County, and thus could result in existing units in the community becoming more affordable through an increase in supply and a subsequent lowering of rents.

As discussed above, a marketing survey conducted by the project applicant does show that there is a demand for the types of apartments proposed as part of the project. The project applicant cannot control who will reside in the proposed apartments. However, the proposed project would increase the housing supply within the TCE area and would provide an option for those who work in the TCE area to reside in the area.

**Response 4-6**

The concerns raised by the commenter are socio-economic in nature and are not a CEQA issue. As a result, these issues are outside the scope of CEQA (see Master Response 5). A response is nonetheless provided below for informational purposes only.

Please note that the project objectives found on pages 3.0-2 and 3.0-9 of the Draft EIR do not include revitalization of the TCE area as a goal of the project. That said, the project would add approximately 492 residents<sup>1</sup> to the TCE area who would have convenient access to surrounding retail shops, restaurants, and services, and thus would increase demand and revenue for these establishments.

The Draft EIR evaluates the environmental effects of the proposed General Plan Amendment, along with other entitlements, and provides analysis and supporting evidence to demonstrate the proposed project would not result in any significant environmental effects that cannot be mitigated to a less than significant level (see Master Response 2). In addition, with regard to the intersection of Town Center Boulevard/Post Street, the project applicant and the owner of the right-of-way (ROW) have voluntarily agreed to implement an improvement to ensure that the intersection operates below the County's threshold of significance applicable to County-owned facilities.

#### **Response 4-7**

The project applicant cannot control who will reside in the proposed apartments or where they will be employed. However, the proposed project does provide an option for those who work in the TCE area to reside in the area. In addition, by locating the proposed project within the TCE area, the project applicant is providing future residents with the option of working in the area or in the nearby El Dorado Hills Business Park (which is anticipated to have 10,257 employees at buildout).

#### **Response 4-8**

Although CEQA does not generally require an EIR to analyze the existing effects of the environment on future residents of the project (see *California Building Industry Assn. v. Bay Area Air Quality Management District* [2015]), County General Plan policies require that noise sensitive receptors<sup>2</sup> not be exposed to noise levels in excess of stipulated levels. Therefore, the Draft EIR includes an analysis of the effect of ambient noise levels on project receptors.

The comment is incorrect in asserting that the Draft EIR noise impact analysis applies an altered or lower environmental noise standard for this project. To evaluate the effect on project residents from exposure to transportation noise (local roadways as well as Highway 50), the County of El Dorado General Plan provides a maximum noise level of 60 dB Ldn/CNEL (Table 6-1 in the General Plan). That threshold is used in the EIR to evaluate the noise exposure of project site residents to traffic noise. As noted in Table

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<sup>1</sup> Table 2-2, Land Use Densities and Residential Population Ranges in the Land Use Section of the General Plan sets Persons per Housing Unit for the Multi-Family Residential Land Use Designation at 2.3 persons per household. Based on this figure, the proposed 214 units are expected to house 492 residents.

<sup>2</sup> Noise-sensitive receptors include residential uses and other uses where there is an expectation of quiet (e.g., school, daycare center, church, park, etc.).



4.6-2 of the Draft EIR, existing local roadway sound levels are predicted to be approximately 52.2 dBA (Ldn) near the project site. This is consistent with on-site short-term and long-term measurements taken by J.C. Brennan and Associates in 2014, which were between 51.4 to 55.0 dBA Leq, and 55.9 dBA Ldn (see page 4.6-7 of the Draft EIR). Both the modeling and the noise measurements do not include any sort of additional roadway buffering. As shown in Table 4.6-11 of the Draft EIR, the highest predicted future traffic noise level that would occur at the project site under cumulative future plus project conditions was approximately 55.4 dBA Ldn. Both the model-predicted and sound meter measured noise levels are below this standard.

**Response 4-9**

The issues raised by the commenter are socio-economic in nature and are not related to the physical impact the proposed project would have on the environment. As a result, these issues are outside the scope of CEQA (see Master Response 5). A response is nonetheless provided below for informational purposes only.

The commenter provides no evidence that the loss of sales tax due to the project would result in physical effects on the environment. While it is true that development of the project site as an apartment building would result in the loss of hypothetical future sales tax and transient occupancy tax revenues that could result if a hotel were developed on the project site, the project would still generate property taxes for the County. In addition, as the project would add approximately 492 residents who would have convenient access to nearby shops and restaurants, it is expected that sales tax receipts at those establishments would increase as well.

**Response 4-10**

See Response 4-9 above.

**Response 4-11**

As discussed on page 5.0-6 of the Draft EIR, a mixed-use alternative that would include residential above ground floor retail was considered but rejected. This was because the retail component of such an alternative would generate more vehicle trips than the residential units it would replace, thus resulting in greater traffic impacts and an increase in criteria pollutant and GHG emissions, compared to the proposed project. As CEQA requires an EIR to evaluate a reasonable range of alternatives that would reduce (and not increase) a project's environmental impacts, this alternative was not carried forth for detailed evaluation.

**Response 4-12**

As discussed on page 4.5-17 of the Draft EIR, to further ensure that the proposed project's architectural style would be consistent with the style of the existing commercial structures located in the TCE area, the EDHSP would be amended to include the proposed El Dorado Hills TCE Urban Infill Residential Area Design Guidelines and Development Standards. A comparison of the proposed project and the proposed infill residential design guidelines is provided in Table 4.5-5 of the Draft EIR. As discussed in Table 4.5-5, the proposed project's characteristics would be consistent with the style and theme of existing commercial structures in the TCE area, subject to review and approval by the TCE Design Review Committee.

**Response 4-13**

The comment will be provided to the decision makers for their review and consideration prior to any approval action on the project. Please note that the development standards attached to the TCE development plan do not require that individual floors of buildings be set back. In addition, even though the proposed project would have four floors as compared with the existing commercial and office buildings located across Town Center Boulevard which have two and three stories, respectively, the heights of all the buildings would be generally comparable, as the floors in commercial and office buildings are taller (e.g., 13 feet) than floors in residential structures (e.g., 10 feet). For this reason, the proposed structure would not significantly dominate the existing commercial and office buildings across the street.

**Response 4-14**

The concerns raised by the commenter are socio-economic in nature and are not a CEQA issue. As a result, these issues are outside the scope of CEQA (see Master Response 5). A response is nonetheless provided below for informational purposes only.

The commenter provides no evidence that the non-occurrence of existing or newly planned outdoor events would result in physical effects on the environment attributable to the proposed project. Moreover, it is unlikely that the proposed project would jeopardize the occurrence of such events. The events listed by the commenter would occur on holidays, weekends and during off-peak hours when traffic volumes are lower than what they are during peak hours. In addition, when Town Center Boulevard is closed to host these outdoor events, project residents would still have vehicular access to the project site via the driveway on Vine Street and pedestrian access via Town Center Boulevard.

From: <[sue-taylor@comcast.net](mailto:sue-taylor@comcast.net)>  
Date: Wed, Aug 30, 2017 at 4:55 PM  
Subject: El Dorado Hills Apartments Project DEIR  
To: [rommel.pabalinas@edcgov.us](mailto:rommel.pabalinas@edcgov.us)

Hi Mel,

Please attach these comments to the DEIR for the El Dorado Hills Apartments Project.

Thank you,  
Sue Taylor  
530-391-2190

(Could you let me know that you received them - thanks)

Comments on the Draft Environmental Impact Report for the El Dorado Hills Apartments Project.

(State Clearinghouse No. 2017042017)

Project Applicant: The Spanos Corporation  
10100 Trinity Parkway, Suite 500  
Stockton, CA 95219

Community Development Services Planning and building Department,  
Attention: Rommel (Mel) Pabalinas, 2850 Fairlane Court, Placerville, CA 95667

Re: Summary of the Proposed Project:

In the Background information the applicant reminds the public of the promises made to the County when the El Dorado Hills Specific Plan was approved:

*"The project site is within the Village T area of a larger master planned community identified as the El Dorado Hills Specific Plan (EDHSP) area. The EDHSP was approved in July 1988, along with a certified Environmental Impact Report (EIR [SCH No. 86122912]), by the Board of Supervisors. Village T comprises the El Dorado Hills Town Center East (TCE) Commercial Development Plan area, a 925,000- square-foot commercial center. In August 1995, the Board of Supervisors approved the Planned Development Permit (PD94-0004) for establishing the official Commercial Development Plan for the El Dorado Hills TCE. In conjunction with approval of the TCE project, the Board adopted a Mitigated Negative Declaration."*

A Specific Plan is a tool that public agencies and developers use to achieve better specificity on the vision and development potential of a particular tract of land without having to go through extensive site specific land use analysis and entitlement proceedings. The Developer makes promises and in exchange is not as constrained by future objections to individual projects within that plan.

This project not only is in conflict with the El Dorado County Specific Plan, it is also in conflict with the El Dorado County General Plan, the El Dorado Hills Town Center East Development Plan, and the El Dorado Hills Town Center East Design Guidelines. It is also in violation to the 2016 Voter Approve Measure E. This proposed project flies in the face of nearly every expectation for the orderly development and agreements promised in order to acquire entitlements for the Town Center development project.

The Draft Environmental reports states that one of the project's objectives is to *"Implement goals and objectives of the El Dorado Hills Specific Plan;* When in fact this project is at the same time amending numerous policies in the both the El Dorado Hills Specific Plan and Town Center East Development in order allow for the possibility of this project.

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Proposed revisions:

- El Dorado Hills Specific Plan Amendments:

Section 1.3-Goals of the El Dorado Hills Specific Plan, Section 1.4.2-Residential Policies, and

Section 1.5.2-Residential Land Use

Section 2.2-Residential Densities, and Section 2.3-Dwelling Unit Types

Table I-Summary of Residential Use by Development Neighborhood

Section 3.1-Concept

Figure II-Conceptual Development Neighborhood No.4

- Town Center East Development Plan Revisions:

Figure 6.1-Approximate Acreage and Planned Building Square Footage

Section 6.2-Planning Area Two-Town Square and Section 6.2A-Planning Area Two-Urban Infill

Residential Area; Specific Development Standards

Appendix 2 (Specific Architectural Criteria), Appendix 3 (Specific Landscape Criteria),

This parcel has been included in the inventory for commercial development. By taking it out of that use it is inconsistent with many General Plan goals, including generation of sales taxes and jobs. It also violates Policy 2.2.5.21 which requires that development projects be located and designed in a manner that avoids incompatibility with adjoining land uses. This residential project is incompatible with the surrounding commercial development and design standards expected within the Town Center development area.

The Project is inconsistent with the objectives of the Economic Element of the General Plan, including: Business Retention and Expansion (Objective 10.1.5), Capture of Retail and Tourism Dollars (Objective 10.1.6), Jobs-Housing Relationship given that according to the County's records El Dorado County is lacking approximately 40,000 jobs in relationship to housing (Objective 10.1.9).

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Regarding the DEIR:

Impact LU-1 states:

*The proposed project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect is less than significant.*

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Therefore they have not provided any mitigation, yet they are asking to change the land use from Commercial-PD to Multi-Family-PD. This is in conflict with the existing land use along with other conflicts mentioned above, and must be addressed with mitigation, otherwise the project must be denied based on the conflict with the General Plan and other plans also mentioned above.

Cumulative Impact LU-1 states:

*The proposed project, in conjunction with other past, present and reasonably foreseeable future development, would not result in significant cumulative impacts related to land use and planning.*

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Not true as stated above, this needs to be addressed and mitigated.

Impact TRANS-1 states:

*Development of the proposed project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the traffic circulation system under Existing plus Project Conditions is a less than significant impact, therefore there is no mitigation required.*

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Actually this project does not meet the required circulation standards set within the General Plan, therefore this is in conflict with the existing land use and must be addressed through mitigation refer to documents previously sent by Don Van Dyke and attached to the December 2, 2014 El Dorado County Board of Supervisors legistar, I'm also resubmitting along with comment letter.

Cumulative Impact C-TRANS-1 states:

*Development of the proposed project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the traffic circulation system under Near-Term (2027) plus Project Conditions is a significant impact.*

Mitigation Measure C-TRANS-1 states:

*The project applicant will pay TIM fees to the County prior to issuance of building permit(s).*

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This is a violation of Measure E. Today, as the law stands, per TC-Xa 3. "All necessary road capacity improvements shall be fully completed to prevent cumulative traffic

impacts from new development from reaching level of Service F during peak hours upon any highways, arterial roads and their intersection during weekday, peak-hour periods in unincorporated areas of the county before any form of discretionary approval can be given to a project.” The applicant cannot simply pay a fee to mitigation this situation.

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Cumulative Impact C-TRANS-2 states:

Development of the proposed project would not conflict with applicable policies establishing measures of effectiveness for the performance of the local roadway system and regional freeway system under Long-Term (2035) plus Project Conditions is less than significant.

Again, this is a violation of Measure E. Today, as the law stands, per TC-Xa 3. “All necessary road capacity improvements shall be fully completed to prevent cumulative traffic impacts from new development from reaching level of Service F during peak hours upon any highways, arterial roads and their intersection during weekday, peak-hour periods in unincorporated areas of the county before any form of discretionary approval can be given to a project.” The applicant cannot simply pay a fee to mitigation this situation.

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Also Measure E states that, “Traffic from residential development projects of five or more units or 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.”

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Per Caltrans, Highway 50 in El Dorado Hills has reached LOS F along with this project will create a LOS F at the intersection of Post Street and Town Center Boulevard intersection. This will cause a cumulative problem at Town Center Boulevard and Latrobe. Given that Town Center Boulevard is a public road and a very heavily used public road, it still falls under the requirements of Measure E.

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Another issue not adequately addressed in regards to this project is the water. The county should stop the practice of allowing projects based on water that is just on paper, or assumed to be acquired in the future.

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Besides changing the land use for this project another major concern is in regards to the increase of density for multi-family residential. There was enormous community effort in establishing the requirements for density and the County should retain those standards.

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The Architectural design is still not conducive to the Town Center Design Guidelines, but remains a boiler plate plan from similar projects in other jurisdictions.

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Given time restrains for responding we are submitting comments from the prior El Dorado Hills Apartment project and perhaps some of these issues have been resolved:

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The Staff response statement, *"By the year 2035, there would be approximately 42,995 acre-feet annually of surplus available water supply during a normal year, 7,225 acre-feet annually during a single dry year, and 12,404 acre-feet annually of surplus available water supply during Year 3 of a drought after meeting existing and anticipated development as well as EID securing planned new water sources"*, is based on the County acquiring more water rights in the future. In the recent study by U C Davis Study it was discovered that the State has given away 5 times the water rights that California has the ability to produce; See attached link:

[http://news.ucdavis.edu/search/news\\_detail.lasso?id=10999](http://news.ucdavis.edu/search/news_detail.lasso?id=10999) The County cannot base it's approval of future projects on the possibility of acquiring future water rights. Just because future water rights and infrastructure is in the Capital Improvement Plan does not mean that the County will ever acquire those rights. There are too many assumptions in the previous statement from Staff. What is the "anticipated" development? What if everyone that has a parcel they can develop by right, shows up to pick up their meter? Since EID does not account for already by right properties that were previously approved based on the same available meters, the numbers in the report are not verifiable.

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Also depending on the ability for EID's Drought Preparedness Plan to be implemented in order for the developers to be able to move forward with this project is irresponsible to the health, safety and welfare of the existing residents, businesses and farmers of El Dorado County. If the County plans to move forward with this project a full EIR must be done to determine whether this project will impact the health, safety and welfare of it's citizens.

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In conclusion, because of the issues raised above, we believe that the EIR fails to meet the requirements of the California Environmental Quality Act and the Project is inconsistent with the General Plan, the El Dorado County Specific Plan, the El Dorado Hills Town Center East Development Plan, and the El Dorado Hills Town Center East Design Guidelines. It is also in violation to the 2016 Voter Approve Measure E. For these reasons, we believe should be denied.

Sue Taylor for

Save Our County and  
Citizens for Sensible Development in El Dorado Hills  
530-391-2190

We would also like to include all of the files within the record from the December 2, 2014 El Dorado County Board of Supervisors legistar File # 14-0769:

For the El Dorado Hills Apartments project (A14-0001/Z14-0001/SP86-0002-R/PD94-0004-R-2) that was conceptually approved by the Board on November 4, 2014. Staff recommending the Board 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 (Attachment 7B);
- 3) Approve A14-0001 amending the General Plan by adding a new policy under Objective 2.2.6 (Site Specific Policy Section) increasing the maximum residential density allowed from 24 dwelling units/acre to a maximum of 55 dwelling units/acre for the project site based on the Findings presented (Attachment 7A);
- 4) Approve Z14-0004 rezoning Assessor's Parcel Numbers 121-290-60, 121-290-61, and 121-290-62 from General Commercial-Planned Development (CG-PD) to Multifamily Residential-Planned Development (RM-PD) based on the Findings presented (Attachment 7A);
- 5) Approve SP86-0002-R amending the El Dorado Hills Specific Plan by incorporating multifamily residential use, density, and related standards for the project site based on the Findings presented (Attachment 7A);
- 6) Approve PD94-0004-R-2 amending the Town Center East Planned Development by incorporating multifamily residential use, density, and related design and development standards for the proposed 250-unit apartment complex within Planning Area 2 of the Town Center East Development Plan based on the Findings (Attachment 7A) and subject to the Conditions of Approval as presented (Attachment 7B);
- 7) Adopt Resolution **208-2014** for said General Plan amendment; and
- 8) Adopt Ordinance **5015** for said rezone.

Members of the Planning Commission and Board of Supervisors:

The extensive revisions required to be made of the General Plan, the EDH Specific Plan, the Zoning Ordinance, and Development Standards, in order to force a "fit" for this project, exemplify why **a full Environmental Impact Report (EIR) must be required**. This grievously lacking Mitigated Negative Declaration (MND) that is tiered off of a 1995 Negative Declaration, that was itself tiered off of a 1986 EIR, does NOT fully analyze the impacts of this project.

Primary issues are as follows:

1. The General Plan amendments proposed under this project set a precedent for increasing density to 55 units/acre elsewhere in the County, and specifically for the EDH executive golf course. One of many proposed amendments to the Specific Plan is Section 2.3 'Dwelling Units Types', which would read:

*"The multifamily housing to be constructed in the Urban Infill Residential Area shall be attached multifamily residential structures consistent with the Residential Design Guidelines and Development Standards set forth in the amended Development Plan PD94-0004-R-2 and shall be in accordance with the development restrictions and height requirements set forth in said amended Development Plan."*

The golf course parcel is *also* part of the EDH Specific Plan, could *also* be considered infill, and is *also* currently being proposed for high density residential zoning. ***The significant potential for this project to set a precedence for density increase has been disregarded, and impact analysis must be provided.***

2. The 'Aesthetics' were analyzed via casual observation and were asserted to have 'NO IMPACT'.

- a) The increased building height and mass were not accurately reviewed for lines of site; ***no roof top elevations have been provided*** for the proposed building, adjacent structures, or nearby residences.
- b) ***The proposed structure will be more than twice the height and mass of the next largest building in the area (Target), and large timbers and natural materials will not disguise that to make it 'blend in' (pg 12/61, MND).***



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c) The Theater will no longer be the dominant visual from the freeway, but rather a residential structure will. **What effect will this have on the existing businesses?**

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d) Currently, front setbacks must be 20', with an additional 5' required for every 10' of height in excess of 25'. Thus, a 60' building would require a 36.5' front setback. Towers are required to be within the maximum building height, but that is proposed for change as well. Under the 'old' standards, this would be considered a 75' building and require a 46' front setback. **The proposed reduction to a ZERO foot front setback is a significant impact**, but has not been discussed.

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3. Provisions for sewer service have not been adequately reviewed. Page 45/61 of the MND says the 18-inch line may not have adequate capacity to serve the proposed project. A study is being done with results expected in a few months. **The sewer capacity analysis cannot be deemed complete until that time**. Regardless, the MND calls the project impact less than significant because the applicant "shall pay fair-share fees" toward the CIP improvements. This 'fair share fee' should be 100% developer paid, as existing residents should NOT have to pay for improvements that would otherwise not be required.

22

4. Per General Plan Policy 5.2.1.7 "In times of declared water shortages, the Board of Supervisors shall give priority within the affected water district to approving affordable housing and non-residential development projects." This project is labeled "luxury", NOT "affordable", and it is not a "non-residential" development. And yet, to all appearances, this project is being pushed through and advocated for by County staff. **This project is inconsistent with the General Plan Policy 5.2.1.7.**

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5. Page 32/61 of the MND claims adding high density residential will "improve the jobs-housing balance". This demonstrates a lack of critical thinking. The Summary Recommendation in the staff report (page 8) unapologetically **acknowledges the displacement of job opportunities and retail this approval will cause**.

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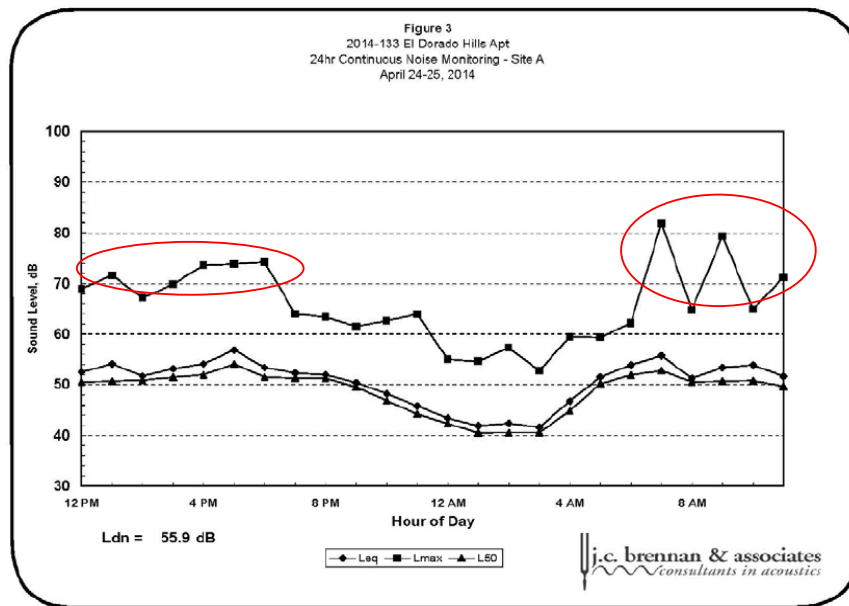
6. **The Noise analysis is incomplete.**

a) Data was not presented for continuous monitoring at the receptor site closest to the freeway (site '3'). Apartment residents with balconies and windows on the north side of the building (and on the upper floors) will have the greatest exposure to freeway noise.



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- b) Figure 3 indicates the  $L_{\max}$  exceeded the maximum 70dB from 12noon through 6pm, and again several times through the morning hours. There is no explanation for the large  $L_{\max}$  spikes (82dBA and 79dBA) in the morning hours. However the analysis below the figure reaches the conclusion: *"..measured noise levels are consistent with the 55dBA  $L_{eq}$  and 70 dBA  $L_{\max}$  daytime noise level standards.."* **The figure and the conclusion are in conflict and need to be explained and investigated.**



- c) Existing noise level dB readings were taken at an elevation of up to 25'. However, the noise buffering provided by adjacent building and the freeway elevation drops off above that, leaving the greatest exposure to existing noise at the 25'-60' elevation, where no readings were taken and no data provided. **Substantiating data is needed to confirm residential units are appropriate at this site above the 25' floor level.**
- d) General Plan policy does NOT allow new residential development to occur where it cannot be protected from existing transportation noise:
- 6.5.1.8 "New development of noise sensitive land uses will not be permitted in areas exposed to existing or projected levels of noise from transportation noise sources which exceed the levels specified in Table 6-1 unless the project design includes effective mitigation measures to reduce exterior noise and noise levels in interior spaces to the levels specified in Table 6-1."

Table 2 El Dorado County General Plan Noise Element Standards Applicable at Residential Land Uses for Transportation Noise Sources		
Land Use	Outdoor Activity Areas	Interior Spaces
Residential	60 dB Ldn <sup>1</sup>	45 dB Ldn

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- e) The location of the apartment is in the proposed Mather Air Cargo flight path and would be subject to aircraft noise. ***This noise impact is not included in the noise analysis and must be evaluated.***

29

**7. The traffic analysis is incomplete, incorrect, and unsubstantiated.**

- a) The MND states "*The US 50 eastbound and US 50 westbound segments in the TIA study area currently operate acceptably.*" ***This is obviously incorrect*** since CalTrans has stated that the westbound segment from El Dorado Hills Blvd. to the county line operates at "LOS F during peak hour". In addition, the El Dorado County Draft EIR for the ZOU also states that this segment operates at LOS F.

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- b) The cumulative impact analysis fails to include the already approved 10,000 Folsom homes south of Highway 50 (as well as several other proposed projects south of highway 50), which will further degrade highway 50, White Rock road and Latrobe road traffic. CalTrans modeling shows that by 2035, the entire mainline segment from SAC/ED County line to Cameron Park Drive will be LOS F. ***This is a key omission which needs to be analyzed.***

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- c) The vast majority of freeway improvements listed in the Traffic Impact study will not be completed until 2035. Even then, there is little certainty of this as funding sources and priorities change. Assuming the project were to be approved, and assuming that the proposed mitigations *actually* mitigate the traffic, that leaves nearly 20 years of decreased LOS before the listed mitigations *might* be in place. CEQA requires that there is a "reasonable expectation of mitigation" ***There is not a reasonable expectation of mitigation.***

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- d) Traffic counts for Highway 50 were taken Tues, Aug 20, 2013. Area schools were not in session at that date. CalTrans specifically requested that traffic counts be taken in the spring or fall when school is in session. (See TIA, page 2) Any traffic modeling/projections made on the basis of these counts will lead to underestimation of future traffic. ***Traffic counts need to be re-done at a time when area schools/colleges are in session (as CalTrans requires).***

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- e) The cumulative impact analysis lists the intersection at EDH Blvd/Saratoga Way, as well as the intersection at Latrobe Road/Town Center Blvd. as being at LOS F. The MND then goes on to justify the project by stating "*Implementation of the proposed project would result in fewer trips using the intersection during the AM and PM peak hour compared to the land use currently approved for the project site. Although the intersection would continue to operate at LOS F, the reduced volume would result in lower delay with the proposed project, which would be a benefit of the project.*" However, no other specific project is currently being considered for the parcel in question, and the increased traffic due to *this project* meets the definition of "significantly worsen" in the general plan. ***This is a significant impact. The logic used here to justify the project is particularly convoluted.***

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- f) The MND and Traffic Impact Analysis (TIA) do NOT state the gross daily trips generated from this project. The trip generation factor for the ITE LU 220 would yield about 1900 daily trips on Town Center Blvd and Vine St., which would significantly deter local shoppers that do not live on site, such as the nearby Four Seasons development. This 'trade off' was not considered relative to the number of apartment residents who would presumably shop within Town Center. Additionally, ***the code descriptions and gross daily trips should be included in the MND report.***

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We concur with the El Dorado Hills Area Planning Advisory Committee that **the MND has failed to fully address the project impacts and that a full EIR must be required.**

Ellen & Don Van Dyke  
El Dorado County Residents

Dear Commissioners:

On June 26th the Planning Commission agreed that this project needed an EIR. The additional information provided for this meeting has not changed the project description or circumstances.

**Please do NOT recommend this project for approval.**

We strongly disagree with the response memo (agenda attachment 3B) and County staffs' continued advocacy for this project:

- 1) **Contrary to staff's assertion, this project most definitely sets a precedent for increased density elsewhere in the county.** Staff reasoning is that "the proposed General Plan amendment is limited to this specific site". A definition for 'precedent' is needed:

***prec·e·dent / noun:** an earlier event or action that is regarded as an example or guide to be considered in subsequent similar circumstances.*

Note that the EDH executive golf course parcel is *also* part of the EDH Specific Plan, could *also* be considered infill, and is *also* currently being proposed for high density residential zoning. The significant potential for this density increase to set a precedence has been disregarded, and impact analysis must be provided via an EIR.

- 2) **The response memo includes a totally insufficient attempt to justify the project density, by stating:**

- a. This location would be convenient for the residents who would live there
- b. This location would minimize construction costs for the developer
- c. This density is needed to cover the cost of the parking structure
- d. The apartment residents would boost sales in the center (see 'e' below)

These are not benefits to either the county or existing residents. Additionally:

- e. according to the economic report, the potential resident boost in sales would *not* outweigh the revenue potential of the currently allowed hotel/commercial use.
- f. Page 8 of the June 26 staff report acknowledges the project would cause displacement of job opportunities and retail.
- g. there is no explanation as to how this project would improve the county jobs-to-housing balance, as is claimed on p32/61 of the MND (contrary to 'f' above).
- h. the applicant specializes in luxury apartments, and has made clear there will be no compromise reducing density in order to include lower floor retail.
- i. the number of locals who would be displaced as shoppers and discouraged by the additional 1600+ daily car trips on Town Center Blvd, has been dismissed.

- 3) **Current sewer capacity is adequate for existing conditions but will not accommodate this project. A pre-existing condition has NOT been shown to exist, as stated in the response memo.** From page 44 of the MND: "EID indicates that the sewer line has adequate capacity as of April 2014."

Concern was expressed in June, that existing residents would end up paying the cost of a sewer line upgrade that would not otherwise be required. Nothing in the response memo allays that concern, and GP policy 5.1.2.1 regarding capacity has not been adequately

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addressed. Under an EIR, capacity questions must be answered and full environmental analysis provided PRIOR to approval. Timing and mitigation cannot be ignored.

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**4) Water supply concerns are confirmed and not eliminated in the response memo.**

- a. The memo states: "*EID is currently at a Stage 2 Water Supply Warning and is seeking to reduce water demands by 30 percent in order to maintain supply if the drought continues into 2015. ... EID is not prohibiting water connections for new development in Stage 2*". This validates the frustration of existing residents who have let their lawns die, only to see new development proceed using *their* water.
- b. Per General Plan policy 5.2.1.7, "*In times of declared water shortages, the Board of Supervisors shall give priority within the affected water district to approving affordable housing and non-residential*" development. This project is NEITHER, and is thus inconsistent with General Plan policy 5.2.1.7. Note: watering restrictions have yet to be lifted in EDH.

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**5) Noise has still not been adequately addressed.** The noise data does not confirm this location to be appropriate for a noise sensitive receptor such as a residential use.

- a. The project has not been shown to be consistent with GP Policy 6.5.1.8 regarding exterior noise.
  - i. measurements were not taken at locations of highest impact
  - ii. balconies were not considered (ie: 'stay indoors with windows closed' is NOT a mitigation for residential use)
  - iii. inconsistencies in the noise analysis are poorly explainedWith an EIR, answers and their corresponding analysis would be required.
- b. Existing community activities within Town Center such as concerts with amplified sound, would likely need to cease due to the impact of noise levels on apartment residents. This has not been addressed, nor has the likely changing of Town Center from a 'community' gathering place into a service center for on-site residents.
- c. The sheriff's report in attachment 4A confirms the noise related problems with this proposed change of use.

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**6) Aesthetics**

The photo simulations provided in attachment 3E were exactly what was needed for visualization - thank you. Additionally:

- a. If the simulations are accurate, the height exception (60'/75') requested is excessive, and raises concerns about future intentions. Note that reducing the project density would reduce the needed height of the parking structure.
- b. To state that the building design is in accordance with the development standards is misleading when standards have been modified specifically to accommodate this project. Note that these revised standards do not even meet the standards of the newly proposed countywide Mixed Use Design guidelines:
  - i. Max height for mixed use buildings should be 50', exclusive of spires/chimneys.
  - ii. The maximum density for the residential use component shall be 20 dwelling units/acre in the Community Region.
  - iii. Stair housings, etc, may not exceed the maximum allowable height by more than 20%.
  - iv. New infill buildings shall reflect traditional design patterns of adjacent buildings.

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c. What is the difference between "no impact" and "no significant impact", in the context of 'public concerns that are not going to be addressed'?

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7) **Staff memo (Attachment 3D) dismisses the concern for an increased need of police services.** The applicant repeatedly claims this was covered in the MND, but the extent of analysis in the MND is to say 'no analysis is needed' (MND page 35, item b). The Sheriff's department disagrees, saying (in attachment 4A, page 15/33) that more staff is needed, or this project will be in conflict with General Plan policy 5.7.3.1. (Sheriff's report starts on page 7 of 33). An EIR would not allow this to go unanswered.

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8) **Traffic issues**

Responses to the numerous concerns regarding the accuracy and completeness of the traffic impact analysis are wholly inadequate and unsatisfactory.

- a. The EDC Travel Demand Model used extensively in this analysis has not yet been adopted and cannot be utilized as a basis for the traffic impact analysis in this MND. The TDM is full of flaws and erroneous data, and has received substantial correction comments from Caltrans through the draft EIR.
- b. Impact mitigation MM-TR3 includes payment into 20-year CIP project no. 66116 [the widening of Latrobe to 6-lanes]. While this may be consistent with policy TC-Xf, it amounts to you, Commissioners, approving an immediate impact on residents with the mitigation relief being decades away. (this was not the intention of TC-Xa(3))
- c. Mitigations that may be acceptable to Caltrans are NOT necessarily consistent with EDC policy. Future improvements for Hwy 50 include auxiliary lanes, HOV lanes and mainline improvements, which Caltrans has already said will not relieve the LOS F on Hwy 50.

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9) **Economic analysis shows the planned hotel to be of greater economic benefit to EDC.**

Per staff's summary, the currently planned non-residential land uses for this site would generate more revenue at build out than the proposed residential project. While this is irrelevant in an EIR, it should NOT be irrelevant to an approval decision.

- a. An 'approval' only benefits the applicant and immediately adjacent businesses.
- b. It is NOT beneficial to nearby impacted residents or the remainder of the county.

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10) **EIR vs. MND**

The staff memo concludes that there are no significant impacts, and that no commenters have provided technical analysis to counter the MND conclusions. Not only is this is blatantly false, but it is the responsibility of the applicant to prove the benefit of this project to the community and to show there will be no significant impact on the environment and the existing residents.

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'Approval' will disregard, or actively conflict with, General Plan policies on noise, water, sewer, and public services, as well as allow the use of a not-yet-adopted traffic modeling program. Without an EIR, questions from the public, technical and otherwise, will have been ignored.

Hold this project to General Plan requirements. There are many appropriate options for Town Center, but this project is not one of them. ***The project as presented needs an EIR - please vote to DENY.***

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Ellen & Don Van Dyke

**Letter No 5: Save Our County**

The commenter provides comments on both the Draft EIR for the current project that includes 214 apartment units and on an Initial Study/Mitigated Negative Declaration (IS/MND) prepared in May 2014 for a larger version of the project that included 250 units. Responses 6-1 to 6-16 below provide responses to comments on the current Draft EIR. Responses 6-17 to 6-45 provide responses to comments on the previous IS/MND, to the extent such comments may be applicable to the current Draft EIR.

**Response 5-1**

The comment implies that the Draft EIR has been prepared by the applicant. An EIR is not an applicant's document; it is a document prepared by the County as the lead agency. The commenter also reflects on the EDHSP and the general process of project approval and entitlement under a specific plan and asserts personal opinions. No response to that portion of the comment is required.

See Master Response 2 for a discussion of the project's consistency with applicable land use plans. See Master Response 1 regarding the applicability of Measure E to the proposed project.

**Response 5-2**

The amendments to the El Dorado Hills Specific Plan and the revisions to the Town Center East Development Plan listed by the commenter are correct. See Master Response 2 for a discussion of the project's consistency with applicable land use plans. See Table 4.5-4 of the Draft EIR for a discussion of how the proposed project is consistent with applicable policies listed in the EDHSP, which implement the goals and objectives of the specific plan.

**Response 5-3**

See Response 5-4 below for a discussion of General Plan objectives that relate to sales taxes and jobs. General Plan Policy 2.2.5.21 states that 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. The proposed project's residential land uses would be compatible with the existing commercial and retail land uses in the TCE area as the residential use would not generate any off-site impacts such as noise, air emissions, or odors that could interfere with the normal operations of the nearby businesses. In addition, the proposed project would utilize existing infrastructure (i.e., sidewalks) and commercial uses (i.e., restaurants, theater) in the TCE area. The project would also provide adequate on-site parking; therefore the project would not affect nearby parking for the retail and other commercial land uses. Next, traffic generated by the proposed project would not negatively affect vehicular circulation in the TCE area with the installation of a traffic signal at the intersection of Town Center Boulevard/Post Street, which the project applicant and the owner of the right-of-way (ROW) have voluntarily agreed to install (see Master Response 1). As discussed in Response

4-12 above, to further ensure that the proposed project's architectural style would be consistent with the style of the existing commercial structures located in the TCE area, the EDHSP would be amended to include the proposed El Dorado Hills TCE Urban Infill Residential Area Design Guidelines and Development Standards. A comparison of the proposed project and the proposed infill residential design guidelines is provided in Table 4.5-5 of the Draft EIR. As discussed in Table 4.5-5, the proposed project's design would be consistent with the style of existing commercial structures in the TCE area.

#### **Response 5-4**

The commenter states that the proposed project is inconsistent with Objective 10.1.5 (Business Retention and Expansion), Objective 10.1.6 (Capture of Retail and Tourism Dollars), and Objective 10.1.9 (Jobs-Housing Relationship) listed in the Economic Element of the County's General Plan. The commenter does not provide specific evidence indicating how the proposed project would be inconsistent with the objectives or with the policies and programs implementing each of the objectives. Furthermore, please note that CEQA requires an evaluation of a project's consistency with applicable plans and policies that were adopted by the jurisdiction for the purpose of avoiding or mitigating an environmental effect. The Economic Element of the County General Plan does not contain policies for mitigating environmental effects of development. Therefore any inconsistency of the proposed project with the Economic Element or its objectives is outside the purview of CEQA and no such analysis is required. However, for informational purposes only, an explanation is presented below as to why the project does not conflict with any of the objectives listed above.

Objective 10.1.5 states that the County should assist in the retention and expansion of existing business and target new industries which diversify and strengthen the County's export base. There are no existing businesses on the project site that would be displaced by the project. In addition, the commercial space that was planned for the project site could be developed elsewhere within the TCE area. Furthermore, the project site is currently designated for commercial use and is located in a retail center. For these reasons, it is unlikely that the site would have been developed with manufacturing enterprises that would manufacture and export goods outside the county. One policy implementing this objective (Policy 10.1.5.5) does require the County to designate sufficient lands of a size and location to accommodate needed retail and commercial development. However, at 4.56 acres in size, the loss of the project site for potential retail and commercial use does not represent a substantial loss of this type of land in the County. Not counting land designated for commercial land uses within Specific Plan areas and the incorporated cities in El Dorado County, there are approximately 3,325 acres of land designated for commercial land use in the County.

Objective 10.1.6 states that the County should capture a greater share of retail and tourist dollars within the county by providing opportunities to establish new tourist-related commercial operations while promoting and maintaining existing tourist commercial operations. The project site is not near existing types of local industries that promote tourism such as Christmas tree farms, wineries, outdoor sports facilities, Apple Hill and other agricultural-related activities, etc. (see Policy 10.1.6.1) and thus the site is unlikely to be developed with tourist-related commercial operations in the future if the proposed project is not approved. In addition, there are no existing tourist commercial operations located on or near the project site.

Objective 10.1.9 states that the County shall monitor the jobs-housing balance and emphasize employment creation. The commenter states that the County is lacking approximately 40,000 jobs in relationship to housing. See Master Response 4 for a discussion of how the proposed project will affect the County's jobs-to-housing ratio.

**Response 5-5**

See Master Response 2 for a discussion of the project's consistency with applicable land use plans. The Draft EIR evaluates the environmental effects of the proposed land use changes, and provides analysis and supporting evidence to demonstrate that with the mitigation measures included in the EIR to address certain significant environmental impacts, the proposed project would not result in any environmental effects that cannot be mitigated to a less than significant level (see Master Response 2). Based on that analysis, the Draft EIR on page 4.5-30 appropriately concludes that the impact from the proposed land use changes would be less than significant. CEQA requires mitigation for significant impacts. No mitigation is required for a less than significant impact.

**Response 5-6**

See Master Response 2 for a discussion of the project's consistency with applicable land use plans. As the entitlements requested by the proposed project would not result in any physical effects on the environment that cannot be mitigated to a less than significant level, the proposed project would not contribute considerably to any cumulative land use impacts that may result from future development within Western El Dorado County. The cumulative impact would be less than significant. No mitigation is required for a less than significant impact.

**Response 5-7**

See Master Response 1 for a discussion of the project's impact on study area intersections. Impact TRANS-1 focuses on the effect of adding project traffic to existing traffic volumes in the study area. The analysis shows that under existing plus project conditions all study area intersections would meet the required circulation standards (LOS E or better) established in the County's General Plan (see General

Plan Policy TC-Xd). Consequently, no mitigation is required. See Responses 5-17 to 5-42 below for responses to comments previously submitted by Mr. Van Dyke.

#### **Response 5-8**

See Master Response 1 regarding the applicability of Measure E to the proposed project. Because Measure E's revisions to Policy TC-Xa3 have been held unconstitutional and removed from the County's General Plan, the project is not required to comply with this policy.

In addition, even if the relevant provisions of Measure E were in effect, the commenter is incorrect in stating that the project's payment of Traffic Impact Mitigation (TIM) fees prior to issuance of building permit(s) would violate Measure E. The revisions to Policy TC-Xf under Measure E clarified how the County was to condition projects under Policy TC-Xa3. It is the County's interpretation that the requirement to condition projects to construct all road improvements necessary to maintain or attain LOS standards in the County's General Plan based on existing traffic plus traffic generated from the proposed development plus forecasted traffic growth at 10-years from project submittal applied to single-family residential projects only. As the project is not a single-family residential project, the project's payment of TIM fees due at issuance of building permit was an appropriate mitigation for the project's impact to the intersection of El Dorado Hills Boulevard/Saratoga Way/Park Drive under near-term cumulative (2027) conditions, pursuant to Measure E.

#### **Response 5-9**

See Master Response 1 for a discussion of the project's impact on study area intersections and the applicability of Measure E to the proposed project.

The previously applicable provisions of Measure E are no longer in effect. Moreover, the commenter is incorrect in stating that Measure E applied to long-term cumulative (2035) conditions which were analyzed under Cumulative Impact C-TRANS-2 in the Draft EIR. Measure E only applied to impacts that would occur within a 10 year timeframe, i.e., near-term cumulative (2027) conditions.

Based on the analysis found on pages 4.8-43 to 4.8-53 of the Draft EIR and the updated cumulative (2035) impact analysis in **Appendix 4.8**, none of the County owned/operated study intersections would be significantly affected by the addition of project traffic under long-term cumulative (2035) conditions. Therefore, no mitigation is required and no payment of TIM fees is proposed for the project's long term cumulative impact.

At the private intersection of Town Center Boulevard/Post Street, which would operate at LOS F during the PM peak hour under both near-term cumulative (2027) and long-term cumulative (2035) conditions

prior to the addition of project traffic, the addition of project traffic would worsen operations at this intersection. However, when the previously applicable provisions of Measure E were in effect, they only applied to County “highways, arterial roads and their intersections” and did not apply to private roads and their intersections. As discussed on page 4.8-49 of the Draft EIR, the project applicant and the owner of the right-of-way (ROW) of the intersection have voluntarily agreed to mitigate the impact at this private intersection to below the County’s threshold of significance applicable to County-maintained facilities. Mitigation Measure C-TRANS-2 is proposed that would require the project applicant to install a signal at the intersection of Town Center Boulevard/Post Street after certain conditions are met.

**Response 5-10**

See Master Response 1 for a discussion of the project’s impact on study area intersections. The project’s impacts on County-owned intersections and freeway facilities would be less than significant under existing plus project and long term cumulative plus project conditions. With regard to the project’s impacts under near-term cumulative conditions, please see Master Response 1 regarding the applicability of Measure E to the proposed project. (Also see Response 7-4 regarding the updated 2035 cumulative traffic analysis. That analysis also shows that the project would result in less than significant cumulative traffic impacts under 2035 conditions.) As a result, the project is consistent with this previously applicable provision of Measure E (revised Policy TC-Xa1).

**Response 5-11**

The commenter is incorrect in stating that U.S. Highway 50 is currently operating at LOS F. According to correspondence between Caltrans and County staff in October 2016, the westbound segment of U.S. Highway 50 from El Dorado Hills Boulevard/Latrobe Road to Scott Road currently operates at LOS E. The eastbound segment of Highway 50 from El Dorado Hills Boulevard to Scott Road currently operates at LOS D. As a result, U.S. Highway 50 in both directions presently meets the County’s level of service standard for highways (LOS E) as stated in General Plan Policy TC-Xd.

See Master Response 1 for a discussion of the project’s impact on study area intersections and the applicability of Measure E to the proposed project.

The commenter is incorrect in stating that the operation of the private intersection of Town Center Boulevard/Post Street, which would operate at LOS F during the PM peak hour under near-term cumulative (2027) and long-term cumulative (2035) conditions, would result in a cumulative impact at the County intersection of Town Center Boulevard/Latrobe Road. As shown in Table 4.8-12 of the Draft EIR, this intersection would operate at an acceptable level of service (LOS D) during the PM peak hour under near-term cumulative (2027) conditions with or without the addition of project traffic, and as shown in revised Table 4.8-15, it would operate at an acceptable level of service (LOS E) during the PM peak hour

under long-term cumulative (2035) conditions with or without the addition of project traffic. (Also see Response 7-4 regarding the updated 2035 cumulative traffic analysis. That analysis also shows that the project would result in less than significant cumulative traffic impacts under 2035 conditions.)

The commenter is incorrect in stating the Town Center Boulevard is a public road. While the intersection of Town Center Boulevard/Latrobe Road is publicly maintained, the remainder of the road—including the intersection of Town Center Boulevard and Post Street—is located on private property and thus is not subject to previously applicable provisions of Measure E.

**Response 5-12**

See Response 5-15 below for a discussion of the reliability of future water supply to serve the proposed project.

**Response 5-13**

The concern raised by the commenter about the appropriateness of the proposed increase in density is a matter of policy for the decision makers. CEQA is concerned with the physical effects a project may have on the environment. The Draft EIR evaluates the environmental effects of the proposed land use changes, including the proposed density of housing development, and provides analysis and supporting evidence that demonstrates that the proposed project would not result in any significant environmental effects that cannot be mitigated to a less than significant level (see Master Response 2).

**Response 5-14**

The commenter asserts that the architectural design of the proposed project is not consistent with the Town Center Design Guidelines, but does not provide any specific example of an asserted inconsistency. See Response 5-3 for a discussion of how the design of the proposed project would be consistent with the style of existing commercial structures in the TCE area.

**Response 5-15**

The commenter is referencing a memorandum prepared by County staff dated August 12, 2014 that was prepared to respond to key items of concern that arose at the Planning Commission hearing held on June 26, 2014 for the previously proposed project, which is different from the current project analyzed in the Draft EIR. A discussion of the need for new or expanded water supply entitlements to serve the proposed project is provided on pages 4.9-14 to 4.9-18 of the Draft EIR. According to the Water Supply Evaluation (see Appendix 4.9 of the Draft EIR) that was prepared for the proposed project, water demand associated with the proposed project would be served by existing El Dorado Irrigation District (EID) supplies under normal, single-dry, and multiple dry years and the development of the proposed project would not result in the need for new or expanded water supply entitlements. As required by the Urban Water

Management Planning Act, the EID 2015 UWMP, and hence the Water Supply Evaluation prepared for the project, considered two future EID water sources – water derived from El Dorado County Water Agency supply and water under the El Dorado-Sacramento Municipal Utility District (SMUD) Cooperation Agreement. According to the evaluation prepared for the proposed project it is expected that these two sources would be available by 2020 and 2025, respectively. While EID is confident enough to include these future water supply projects in its 2015 UWMP, the potential water supplies from these two projects are not needed to demonstrate water supply sufficiency for the proposed project. Table 4.9-1 in Draft EIR indicates the projected water supply from the two water supply projects ranges from 37,500 acre-feet per year in a Normal Year down to 6,875 acre-feet per year in the third year of a Multiple Dry Year period. As shown in Table 4.9-6 in Draft EIR, a surplus of supply is projected for all years under Normal Year, Single Dry Year, and Multiple Dry Year conditions. The lowest projected surplus of 9,581 acre-feet per year occurs in 2040 during the third year of a Multiple Dry Year period. The projected surplus in 2040 during the third year of a Multiple Dry Year period would be reduced to 2,706 acre-feet per year if the two water supply projects were not included, but a surplus of supply would still exist based on the currently available supply sources. In addition, EID must comply with the Water Conservation Act of 2009 (also known as Senate Bill X7-7), which establishes a statewide water conservation target of 20 percent by 2020 compared to the State’s 2005 baseline use, which would also result in a reduction in demand for water in the EID service area.

With respect to the UC Davis study cited by the commenter, the study documents that total State water right allocations exceed the State’s mean annual runoff by a factor of five and calls for a re-allocation of water rights throughout the State. At this time, the State has not undertaken to re-write water right allocations. Until such time as the State completes any re-allocation, the existing and projected water supply contracts described in the EID 2015 UWMP are presumed to be valid.

Lastly, concerning “anticipated development,” EID bases projected future demand in part on growth assumptions in the County’s General Plan (EID 2016). As a result, recently approved and reasonably foreseeable development in the County has been accounted for in future water demand and supply projections. Finally, although it is unlikely that every parcel in EID’s service area with approved development would request water service from EID at the same time given the many variables (e.g., funding, scheduling) that occur in the development process, if a parcel has an approved water supply, then the water demand for that parcel would be included in the County’s and EID’s estimate of future growth and associated water demand.



**Response 5-16**

The comment refers to drought conditions that were occurring when the IS/MND for the previously proposed project was prepared in 2014. In May 2014, EID had declared a Stage 2 Water Shortage within its service area. As discussed on page 4.9-8 of the Draft EIR, in May 2017, EID removed mandatory watering restrictions as the drought was officially declared over by State officials. For this reason, the measures contained in EID's Drought Preparedness Plan are not being implemented at this time. In addition, an EIR has been prepared for the currently proposed project which analyzes the project's impacts on the environment pursuant to CEQA, including impacts on the health and safety of the County's citizens.

**Response 5-17**

Please see Master Response 3 regarding the increased density and the absence of any precedent that would be set, should the project be approved by the County.

**Response 5-18**

This comment relates to the design of the previously proposed project. See Figures 3.0-13 to 3.0-15 in the Draft EIR for elevations that illustrate the project's current design. With respect to the height of the two proposed buildings, please note that even though the proposed project would have four floors as compared with the existing commercial and office buildings located across Town Center Boulevard, which have two and three stories, respectively, and Target (which is approximately 20 feet in height, or two stories), and more than 600 feet from the project site and not immediately adjacent to the project, the heights of the buildings would be generally comparable. This is because the floors in commercial and office buildings are taller (e.g., 13 feet) than floors in residential structures (e.g., 10 feet).

**Response 5-19**

This comment relates to the design of the previously proposed project. Please see Section 1, Aesthetics, of the Initial Study (Appendix 1.0 of the Draft EIR), for a discussion of the current project's impacts with regard to aesthetics.

**Response 5-20**

This comment relates to the design of the previously proposed project. Please see Section 1, Aesthetics, of the Initial Study (Appendix 1.0 of the Draft EIR), for a discussion of the current project's impacts with regard to aesthetics. There is no reason to believe that the presence of multi-family housing in the viewshed that contains the Theater would deter a person from going to the movies. Furthermore, the issue raised by the commenter is socio-economic in nature and is not related to the physical impact the

proposed project would have on the environment. As a result, the issue is outside the scope of CEQA (see Master Response 5).

**Response 5-21**

This comment relates to the design of the previously proposed project. The setbacks associated with the currently proposed project would be the same as the previously proposed project, including a zero-foot setback along Town Center Boulevard. Setbacks have no potential for any environmental impacts other than visual impacts. A discussion of the current project's orientation, height, and massing is provided in Section 1, Aesthetics, of the Initial Study (Appendix 1.0 of the Draft EIR). The analysis shows that the visual impacts of the proposed project would be less than significant.

**Response 5-22**

This comment relates to the analysis contained in the IS/MND prepared for the previously proposed project. The comment references an 18-inch trunk gravity sewer line that is located in El Dorado Hills Boulevard (EDHB). As discussed on pages 4.9-19 and 4.9-20 of the Draft EIR, multiple sections of this line have been identified for potential upsizing. It is also important to note that this condition exists without the currently proposed project, and that other development in the area contributes to this condition. Upgrades to the EDHB truck line will be included in the EID's 5-year Capital Improvement Program (CIP), subject to approval by the EID Board, and, as required by Mitigation Measure UTL-4, the project applicant would pay fair-share fees toward this improvement. The commenter is of the opinion that that the project applicant should pay 100 percent of this improvement. The County cannot, per state and federal constitutions, require any one developer to pay more in fees than is proportionate to the project's impact.

**Response 5-23**

This comment relates to the analysis contained in the IS/MND for the previously proposed project. At the time the IS/MND was prepared in May 2014, the EID had declared a Stage 2 Water Shortage. As discussed on page 4.9-8 of the Draft EIR, in May 2017, the EID removed mandatory watering restrictions. As a result, General Plan Policy 5.2.1.7 no longer applies. Nonetheless, EID is required by law to comply with the Water Conservation Act of 2009, which establishes a statewide water conservation target of 20 percent by 2020 compared to the State's 2005 baseline use, which will reduce water use on a per capita basis in EID's service area. Furthermore, as discussed on page 3.0-25 of the Draft EIR, all water fixtures (faucets, showerheads and toilets) installed as part of the proposed project will be low flow and/or WaterSense certified for low water use and all units will be equipped with Energy Star certified dishwashers for low water use.

**Response 5-24**

This comment relates to the analysis contained in the IS/MND for the previously proposed project. See Master Response 4 for a discussion of how the proposed project will affect the County's jobs-to-housing ratio.

**Response 5-25**

This comment was provided on the analysis contained in the IS/MND for the previously proposed project, and argues that the noise analysis is incomplete because a long-term measurement was not conducted at the northern end of the project site where the noise levels due to freeway noise would be higher than the noise level in the center of the site where a long-term measurement was conducted.

Although CEQA does not generally require an EIR to analyze the existing effects of the environment on future residents of the project (*see California Building Industry Assn. v. Bay Area Air Quality Management District [2015]*), County General Plan policies require that noise sensitive receptors not be exposed to noise levels in excess of stipulated levels. Therefore, the Draft EIR includes an analysis of the effect of ambient noise levels on project receptors.

A new noise analysis was completed for the project EIR. The new noise analysis did utilize the long-term and short-term measurements that were taken in 2014 as part of the noise study prepared by J.C. Brennan & Associates for the previous IS/MND. The noise measurements by J.C. Brennan were conducted in accordance with Section 130.37.080 of the El Dorado County Ordinance Code. Noise measurements are conducted in order to characterize ambient noise levels at the time that a noise analysis is commenced. Note that noise measurements are conducted to verify the accuracy of and calibrate, as needed, the noise model used to predict noise levels that the project site receptors would be exposed to. The measured noise levels are not used to characterize the impact on noise sensitive receptors; modeled values are used for that purpose.

It is standard practice to conduct one long-term (24-hour) measurement and several short-term (typically 15 minute) measurements to characterize existing noise conditions in a given area. Consistent with this practice, a long-term 24-hour measurement was taken towards the center of the project site and short-term measurements were conducted around the perimeter of the project site, including "site 3" in compliance with the County code. Although the short-term measurement taken at the north side of the project side was higher than the other measurements, all short-term measurements were within 1.6 dBA Leq of each other. These measurements were used to verify and calibrate the noise model used to estimate the future noise levels that the project site receptors would be exposed to.

Noise levels in outdoor areas (which include balconies) on the project site were calculated as part of the new noise analysis for this EIR. A discussion of the exposure of on-site sensitive noise receptors to exterior and interior noise levels in excess of County standards is provided on pages 4.6-20 to 4.6-21 of the Draft EIR. The analysis found that outdoor balconies and units with windows open would be exposed to noise levels similar to the measurements conducted on-site and that the exterior and interior noise levels would be within El Dorado County noise standards. The analysis concluded that the impact of transportation noise on on-site noise sensitive receptors would be less than significant. Please note that an approximately 0.51-acre open space area would be located between Mercedes Lane and the northern end of Building 1, and both project buildings would be at a greater distance from the freeway than noise measurement site 3.

**Response 5-26**

This comment relates to the analysis contained in the IS/MND for the previously proposed project, and does not specifically relate to the noise analysis in the Draft EIR. However, an explanation is provided below to clarify for the commenter the different thresholds that apply to transportation noise and noise from non-transportation sources. The 70 dBA Lmax threshold referred to in the comment is specifically for non-transportation sources, such as industrial operations, outdoor recreation facilities, HVAC units, schools, hospitals, commercial land uses, other outdoor land use, etc. (see Table 6-2 of the El Dorado County General Plan Noise Element [Table 4.6-4 in the Draft EIR]). It does not apply to traffic noise. The 70 dBA Lmax in the figure that this comment references are elevated noise levels associated with commute hour traffic. Automobile traffic tends to be the greatest generator of noise in the project area and it is the noise from this source that accounts for the spikes in the measured 24-hour period. As traffic noise is not subject to the County's non-transportation source noise criteria, there is no conflict within the Draft EIR noise impact analysis. Please also see Response 5-25, above, for further discussion of the noise analysis methodology.

**Response 5-27**

This comment relates to the noise analysis contained in the IS/MND for the previously proposed project. However because it could be interpreted to apply to the new noise analysis completed for the Draft EIR, a response is provided herein.

Noise measurements were conducted to verify the accuracy of the noise model used in the 2014 noise study prepared by J.C. Brennan & Associates as part of the new noise analysis for this EIR. The noise measurements were conducted in accordance with Section 130.37.080 of the El Dorado County Ordinance Code. It should be noted that in both the 2014 noise study and in the new noise analysis for the Draft EIR, a noise model was used to estimate noise levels that would be experienced at the facades of the proposed

buildings, including the facades that would face the freeway. The model took into account the distance and elevation of the freeway and the elevations of the proposed buildings. All on-site measurements and model predictions were found to not be in excess of established El Dorado County General Plan standards. Please also see Response 5-25, above, for further discussion of the noise analysis methodology.

**Response 5-28**

This comment relates to the noise analysis contained in the IS/MND for the previously proposed project. However, because it could be interpreted to apply to the new noise analysis completed for the Draft EIR, a response is provided herein. An analysis of the potential for the project to expose on-site noise sensitive receptors to noise levels in excess of County standards is provided on pages 4.6-20 and 4.6-21 of the Draft EIR. On-site exterior and interior noise levels are predicted to be below County thresholds listed in Table 4.6-3 of the Draft EIR (Table 6-1 of the El Dorado County General Plan Noise Element). The project would not conflict with the County General Plan policy that does not allow residential development to be exposed to excessive transportation noise. Please also see Response 5-25, above, for further discussion of the noise analysis methodology.

**Response 5-29**

This comment relates to the noise analysis contained in the IS/MND for the previously proposed project. However, because it could be interpreted to apply to the new noise analysis completed for the Draft EIR, a response is provided herein. A discussion of the potential for the project to expose on-site noise sensitive receptors to noise levels in excess of County standards due to aircraft overflights is provided on page 4.6-21 of the Draft EIR. The project site is approximately 14 miles northeast of Mather Airport, and according to the Mather Airport Comprehensive Land Use Plan, it is well outside the 60 dBA CNEL noise contour, which extends about five miles to the northeast of the airport. As a result, on-site noise sensitive receptors would not be exposed to excessive aircraft noise. Please also see Response 5-25, above, for further discussion of the noise analysis methodology.

**Response 5-30**

This comment relates to the traffic analysis contained in the IS/MND for the previously proposed project. However, because it could be interpreted to apply to the new traffic analysis completed for the Draft EIR, a response is provided herein. As discussed in Response 5-11 above, the westbound segment of U.S. Highway 50 from El Dorado Hills Boulevard/Latrobe Road to Scott Road is currently operating at LOS E while the eastbound direction of this segment is currently operating at LOS D, and thus this segment presently meets the County's level of service standard for highways (LOS E) as stated in General Plan Policy TC-Xd.

**Response 5-31**

This comment relates to the traffic analysis contained in the IS/MND for the previously proposed project. However, because it could be interpreted to apply to the new traffic analysis completed for the Draft EIR, a response is provided herein. The El Dorado County travel demand forecasting (TDF) model was used to develop forecasts for the Transportation Impact Analysis (TIA) prepared for the Draft EIR. The TDF model has a forecast year of 2035 and includes commensurate level of development and roadway improvements with assured funding outside El Dorado County, consistent with SACOG's MTP/SCS, including planned land use growth in the Folsom Sphere of Influence area at the time of the update to the TDF model. The long-term cumulative (2035) traffic analysis, both without and with the addition of project traffic, shows that U.S. Highway 50, White Rock Road and Latrobe Road would not operate at levels of service that would be considered unacceptable under the County's standards. (Also see Response 7-4 regarding the updated 2035 cumulative traffic analysis. That analysis also shows that the project would result in less than significant cumulative traffic impacts under 2035 conditions.)

**Response 5-32**

This comment relates to the TIA that was prepared for the earlier IS/MND and references roadway improvements that were assumed in the cumulative analysis to be completed by 2035. However, because it could be interpreted to apply to the new traffic analysis completed for the Draft EIR, a response is provided herein.

The cumulative analysis in the TIA prepared for the currently proposed project also includes improvements that were assumed to be completed by 2035 (see Table 4.8-14 in the Draft EIR). The projects identified in the current TIA and assumed in the cumulative analysis would be funded by El Dorado County's 2017 TIM Fee program. The county's traffic impact mitigation fee program provides a mechanism for collecting development impact fees that fund improvements in the 2017 CIP, which is fully funded. In addition, the 2017 CIP is evaluated annually in response to planned growth to ensure that transportation improvements are implemented consistent with General Plan Policies TC-Xb and TC-Xf (see Master Response 1).

**Response 5-33**

This comment relates to the TIA that was prepared for the earlier IS/MND. Traffic counts for the TIA prepared for the currently proposed project were taken in December 2016 and January 2017 when area schools were in session. For this reason, the traffic projections contained in the current TIA were not underestimated.

**Response 5-34**

This comment relates to the cumulative impact analysis contained in the TIA that was prepared for the earlier IS/MND. Because the proposed project was revised, new traffic counts were conducted, and a new analysis of impacts was completed for the Draft EIR, the new analysis did not find impacts at the same locations as the previous analysis. See Master Response 1 for a discussion of the current project's impacts on study area intersections. The project's impacts on County-owned intersections and freeway facilities would be less than significant under existing plus project and long term cumulative plus project conditions. With regard to the project's impacts under near-term cumulative conditions, please see Master Response 1 regarding the applicability of Measure E to the proposed project.

**Response 5-35**

This comment relates to trip generation estimates contained in the TIA that was prepared for the earlier IS/MND. Trip generation and rates for the current project are provided in Table 4.8-6 of the Draft EIR. One privately owned and maintained study area intersection (Town Center Boulevard/Post Street) in the TCE area would operate at LOS F during the PM peak hour under both near-term cumulative (2027) and long-term cumulative (2035) conditions prior to the addition of project traffic, and the addition of project traffic would worsen operations at this intersection (see Master Response 1). However, the project applicant and the owner of the right-of-way (ROW) of the Town Center Boulevard/Post Street intersection have voluntarily agreed to mitigate this impact below the County's threshold of significance applicable to County-owned facilities. As a result, it is unlikely that local shoppers would avoid retail and commercial establishments in the TCE area due to traffic.

The commenter's request for an analysis of the "trade off" among shoppers at Town Center (i.e. how many current local residents would be deterred from shopping at Town Center by project traffic, versus how many new project residents would shop there) is unrelated to the environmental impacts of the proposed project. This issue is socio-economic in nature and is not related to the physical impact the proposed project would have on the environment. As a result, the issue is outside the scope of CEQA (see Master Response 5).

**Response 5-36**

This comment relates to the analysis contained in the IS/MND for the previously proposed project and the commenter is referencing a memorandum prepared by County staff dated August 12, 2014 to respond to key items of concern that arose at the Planning Commission Hearing held on June 26, 2014 for the previously proposed project. Please see Master Response 3 for an explanation of how the project would not set a legal or otherwise binding precedent applicable to development of other parcels in the County.

**Response 5-37**

This comment relates to the analysis contained in the IS/MND for the previously proposed project and the commenter is referencing a memorandum prepared by County staff dated August 12, 2014 to respond to key items of concern that arose at the Planning Commission Hearing held on June 26, 2014 for the previously proposed project; these are not comments on the current project or the Draft EIR. However, because some of these comments could be interpreted to apply to the proposed project and the Draft EIR, a response is provided herein for informational purposes only.

Items (a) through (d) list the reasons why County staff felt justified in increasing the density on the project site from 24 units per acre to 55 units per acre for the previously proposed project, and the commenter questions whether the project provides an appropriate level of socio-economic benefits to either the County or existing residents. With respect to the proposed increase in density under the current project, please see Master Response 3. The question related to benefits to the county will be addressed by County decision makers when they consider approval of the project, rather than as part of the County's consideration of the adequacy of the EIR under CEQA.

With respect to item (e), in July 2014, a revenue impact analysis was prepared that compared estimated annual County General Fund revenues and one-time development impact fee revenues for both the previously proposed project and a hotel project on the project site. The analysis found that the previously proposed project would have short-term (first 10 years) revenue benefits over approved land uses on the project site. However, at buildout, approved land uses would generate more revenue than the project (EPS 2014). . This issue is socio-economic in nature and is not related to the physical impact the proposed project would have on the environment. As a result, the issue is outside the scope of CEQA (see Master Response 5).

Concerning items (f) and (g), see Master Response 4 for a discussion of how the proposed project will affect the County's jobs-to-housing ratio.

With respect to item (h), please note that the project applicant did lower the density of the proposed project from 55 dwelling units per acre, which was proposed in 2014, to 47 dwelling units per acre. However, the revision to the project did not include lower floor retail. As discussed on page 5.0-6 of the Draft EIR, a mixed-use alternative that would include ground floor retail below residential above was considered but rejected as the retail component would generate more vehicle trips than the residential units it would replace, thus resulting in greater traffic impacts and an increase in air pollutant and GHG emissions.



Finally, concerning item (i), the commenter provides no evidence that the traffic generated by the previously proposed project and current project would discourage locals and shoppers from visiting the TCE area and this comment is unrelated to the environmental impacts of the proposed project. This issue is socio-economic in nature and is not related to the physical impact the proposed project would have on the environment. As a result, the issue is outside the scope of CEQA (see Master Response 5).

#### **Response 5-38**

This comment relates to the analysis contained in the IS/MND for the previously proposed project and the commenter is referencing a memorandum prepared by County staff dated August 12, 2014 to respond to key items of concern that arose at the Planning Commission Hearing held on June 26, 2014 for the previously proposed project. See Response 5-22 above for a discussion of the proposed project's impact on sewer capacity in the TCE area. General Plan Policy 5.1.2.1 states the following:

*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.*

As discussed on pages 4.9-19 and 4.9-20 of the Draft EIR, the EID, which provides sewer service to the TCE area, including the project site, has indicated that multiple sections of an 18-inch trunk gravity sewer line located in El Dorado Hills Boulevard have been identified for potential upsizing.. It is also important to note that this condition exists without the project, and that other development in the area contributes to this condition. Upgrades to the EDHB truck line will be included in the EID's 5-year Capital Improvement Program (CIP), subject to approval by the EID Board, and as required by Mitigation Measure UTL-4, the project applicant would pay fair-share fees toward this improvement. The implementation of Mitigation Measure UTL-4 satisfies the requirement in General Plan Policy 5.1.2.1 that approval of the proposed project be conditioned to require expansion of the impacted facility.

#### **Response 5-39**

This comment relates to the water supply impact analysis contained in the IS/MND for the previously proposed project. With respect to items (a) and (b), the commenter is referencing a County staff memorandum dated August 12, 2014 that was prepared to respond to key items of concern that arose at the Planning Commission Hearing held on June 26, 2014 for the previously proposed project. Please see Response 5-15 for a discussion of water supply and availability for the current project. As discussed on page 4.9-7 of the Draft EIR, in May 2017, EID removed mandatory restrictions on watering and returned

control to local purveyors to manage their water supplies. As a result, General Plan Policy 5.2.1.7 does not apply to the currently proposed project.

#### **Response 5-40**

This comment relates to the noise analysis contained in the IS/MND for the previously proposed project and the commenter is referencing a memorandum prepared by County staff dated August 12, 2014 to respond to key items of concern that arose at the Planning Commission Hearing held on June 26, 2014 for the previously proposed project. With respect to item (a), General Plan Policy 6.5.1.8 states the following:

*New development of noise sensitive land uses will not be permitted in areas exposed to existing or projected levels of noise from transportation noise sources which exceed the levels specified in Table 6-1 unless the project design includes effective mitigation measures to reduce exterior noise and noise levels in interior spaces to the levels specified in Table 6-1.*

For residential land uses, the maximum allowable noise exposure from transportation sources is 60 Ldn/CNEL for outdoor activity areas and 45 Ldn/CNEL for interior spaces. See Responses 5-25 through 5-28 above which explain the manner in which noise measurements are used in noise impact analyses and the results of the noise analysis conducted for the Draft EIR. The proposed project would not expose project site receptors using both outdoor areas (including balconies) and interior areas to noise levels in excess of standards set forth in the County General Plan.

Concerning item (b), it would be speculative to assume that event permits in the TCE area for community activities such as concerts would be denied as a result of the proposed project. As of the preparation of this EIR, no permits for events at the outdoor amphitheater have been denied due to noise compatibility issues with the existing hotel which is near the amphitheater (and is subject to the same noise standards as residential uses; see Tables 6-1 and 6-2, respectively, of the El Dorado County General Plan Noise Element) and the other nearby apartment complexes and single-family homes along White Rock Road. For this reason, it is unlikely that permits for events at the outdoor amphitheater would be denied due to the presence of the proposed project or that the Town Center would cease to be a community gathering place.

With respect to item (c), the commenter is referencing a report prepared by the Sheriff's Office in 2014 for the previously proposed project. The Sheriff's Office states that locating permanent residents in the TCE area will result in an increase in calls of service to address noise and other nuisance-related complaints new residents may have with respect to existing entertainment uses in the area that operate into the early morning hours. While it is true that residents of the project would likely place calls of service to the Sheriff's Office related to noise or other nuisances associated with the entertainment uses nearby, the calls do not represent an impact on the environment. The increased calls for service would result in the need

for the Sheriff's Office to hire additional staff. However, as noted on page 4.7-10 of the Draft EIR, the increased demand for Sheriff's Office services would not require the construction of new or physically altered Sheriff's Office facilities.

**Response 5-41**

This comment relates to the analysis of aesthetic impacts contained in the IS/MND for the previously proposed project. Although these are not comments on the current project or the Draft EIR, because some of these comments could be interpreted to apply to the proposed project and the Draft EIR, a response is provided herein.

With respect to item (a), the currently proposed project is a 4-story, 214-unit apartment complex that would consist of two apartment buildings, a parking structure, outdoor recreation areas, and an informal open space area. The residential buildings would be between 42 and 52 feet in height, with some architectural elements reaching 60 feet. In addition, the parking structure, which would be located in the center of the site between the two residential buildings, would be five levels and would reach a height of 60 feet. The proposed Draft El Dorado Hills TCE Urban Infill Residential Area Design Guidelines and Development Standards would permit heights of up to 60 feet on the project site. In addition, the Urban Infill standards would also allow a maximum exception of an additional 15 feet for structures such as chimneys, spires, elevators, mechanical and stair housings, flag poles, towers, vents, parapets, and decorative features. See Draft EIR Figures 3.0-13 to 3.0-16 for elevations and renderings that illustrate the design of the proposed project.

With respect to item (b), while it is true that the project would not conform to the standards in County's Mixed Use Design Manual, which was adopted in December 2015, these guidelines would not apply as the proposed project would consist entirely of residential uses and thus is not considered a mixed-use project.

With respect to item (c), the phrase "public concerns that are not going to be addressed" is a reference to text in the previous IS/MND and does not apply to the Draft EIR. The phrases "no impact" and "no significant impact" are also used in the Draft EIR. The phrase "no impact" means that the project would not have any impact on the environment, while the phrase "no significant impact" means that the project would have some impact on the environment but the impact would not exceed an established threshold or would not be substantial enough to be considered significant. To the extent that the commenter is referencing socio-economic concerns asserted by the public, CEQA is concerned with the physical effects a project may have on the environment, and an EIR is not required to address socio-economic concerns unless those concerns could lead to a physical effect on the environment (see Master Response 5). Socio-

economic concerns will be addressed by County decision makers when they consider approval of the project, rather than as part of the County's consideration of the adequacy of the EIR under CEQA.

**Response 5-42**

This comment relates to the analysis contained in the IS/MND for the previously proposed project. Specifically, this comment concerns the previously proposed project's impact on police services. The commenter references a report prepared by the Sheriff's Office that was attached to a County staff memorandum dated August 12, 2014, that was prepared to respond to key items of concern that arose at the Planning Commission Hearing held on June 26, 2014 for the previously proposed project. In its report the Sheriff's Department requests two additional full time deputies to handle the increase in population and service requests associated with the project. An analysis of the current project's impact on police services is provided on page 4.7-10 of the Draft EIR. Even though the number of units provided by the proposed project has been reduced from 250 to 214 units, the Sheriff's Office still indicates that two additional officers would be required to handle anticipated requests for service in the TCE area due to the project. The proposed project would pay a public safety fee as part of the County's development fee program, which would provide funding for these additional officers. Therefore, the project will not conflict with County General Plan Policy 5.7.3.1. Please note that CEQA is concerned with the impact on the environment. As noted in the Draft EIR, the addition of these two officers would not require the construction of new or physically altered facilities for the Sheriff's Office, and thus there would not be any significant impacts on the environment from the construction of new or expanded facilities.

**Response 5-43**

This comment relates to the traffic analysis contained in the IS/MND prepared for the previously proposed project. However, because it could be interpreted to apply to the new traffic analysis completed for the Draft EIR, a response is provided herein.

With respect to item (a), the El Dorado County Travel Demand Model (EDC TDM) was not adopted by the County as the commenter suggests but has been in use since February 2014. The EDC TDM was developed with input from both Sacramento Area Council of Governments (SACOG) and Caltrans staff and peer reviewed by an independent traffic consultant. In addition, the EDC TDM is constantly monitored and reviewed every year. As a result, the EDC TDM is the appropriate tool to conduct traffic impact analysis for projects proposed in the County, including the current project.

Concerning item (b), MM-TR3 found in the IS/MND prepared for the previously proposed project no longer applies to the proposed project. See Master Response 1 for a discussion of the project's impacts on all study intersections and the applicability of Measure E to the project. Only one County intersection (El Dorado Hills Boulevard/Saratoga Way/Park Drive) would operate at an unacceptable level of service

(LOS F) during the AM peak hour under near-term cumulative (2027) conditions prior to the addition of project traffic, and the addition of project traffic would worsen operations at this intersection (See Master Response 1). An improvement to the intersection of El Dorado Hills Boulevard/Saratoga Way/Park Drive has been identified that would result in the intersection operating at an acceptable level of service and this improvement is included in the County's CIP. Mitigation is proposed that would require the proposed project to pay into the County's TIM fee program to pay for its fair share of this improvement, and this impact would be reduced to a less than significant level. Unacceptable operations at the El Dorado Hills Boulevard/Saratoga Way/Park Drive intersection are a result of the Phase 1 Saratoga Way Extension (CIP #71324) which is currently under construction, and not due to the addition of project traffic. As noted in Master Response 1, the County routinely monitors roadway conditions in the County and the improvement to the intersection of El Dorado Hills Boulevard/Saratoga Way/Park Drive (Saratoga Way Phase 2) included in the CIP would be constructed as soon as the operation of the intersection falls below an acceptable level. As a result, the mitigation would not be delayed by decades from when the impact occurs. (Please also see Master Response 1 which explains why the near-term cumulative (2027) analysis is now included in this EIR solely for informational purposes, and that it is not required by CEQA or the County General Plan. Moreover, Mitigation Measure C-TRANS-1 is no longer required mitigation. Nevertheless the project applicant has agreed to implement Mitigation Measure C-TRANS-1 voluntarily, regardless of whether it is required under CEQA or not.) As indicated in the Draft EIR, there is no immediate impact at any study intersection that would qualify as significant (i.e., unacceptable level of service) under applicable County standards.

With respect to item (c), the commenter does not specifically state which mitigations acceptable to Caltrans are not consistent with EDC policies, nor whether such mitigations may be related to impacts of the proposed project. As indicated in Tables 4.8-9, 4.8-13 and 4.8-16 of the Draft EIR, the proposed project would not negatively affect the operation of study area freeway facilities under existing, near-term cumulative (2027), and long-term cumulative (2035) conditions.

**Response 5-44**

Please see Response 5-37 above.

**Response 5-45**

This comment relates to the type of environmental analysis conducted for the previously proposed project. An EIR has been prepared for the currently proposed project which is smaller than the project that was previously analyzed in the IS/MND. As discussed in the Draft EIR for the currently proposed project, all of the project's impact on the environment would be reduced to a less than significant level with mitigation.

**Response 5-46**

The commenter here briefly references the prior comments. Responses to those comments are provided in Responses 5-36 to 5-45 above.

From: **A. N. Allen** <[aallen926@gmail.com](mailto:aallen926@gmail.com)>  
Date: Thu, Aug 10, 2017 at 4:59 PM  
Subject: Apartments in towncenter  
To: [rommel.pabalinas@edcgov.us](mailto:rommel.pabalinas@edcgov.us)

Hello,

I am a ten year resident of El Dorado Hills. I love my community and the family feel of town center; it's one of the major reasons we bought a home here. I have always hoped that vacant land would be used to build something that would generate revenue by also provide a recreational resource such as a bowling alley or skating rink.

These apartments would add more traffic that we don't need and become an eye sore.

Please don't let this happen to our amazing community.

1

Sincerely,  
Nicole Allen

**Letter No 6:**                **Allen, Nicole**

**Response 6-1**

The comment will be provided to the decision makers for their review and consideration prior to any approval action on the project. See Master Response 1 for a discussion of the project's traffic impacts on study area intersections. See Section 1, Aesthetics, of the Initial Study (Appendix 1.0 of the Draft EIR), for a discussion of the proposed project's impact on the existing visual character of the area.



From: **Traci Allen** <[traciallen@ymail.com](mailto:traciallen@ymail.com)>

Date: Mon, Aug 14, 2017 at 3:43 PM

To: [rommel.pabalinas@edcgov.us](mailto:rommel.pabalinas@edcgov.us), [Planning@edcgov.us](mailto:Planning@edcgov.us), [bosone@edcgov.us](mailto:bosone@edcgov.us)

As a member of the El Dorado Hills Community, I am writing to state that I am against the proposed apartment development in Town Center East. That site was originally marked for a small boutique hotel. The developers were held back once with a lawsuit and are now back with revised plans but still asking to put in residences in the middle of a retail area. They are asking for General plan amendments that will increase density from 24 units per acre to 47 units per acre. This will have far reaching implications to density in our county if allowed.

1

Clearly people living in an apartment and driving to and from work as well as the resources they will need to support them are nothing alike. I can not imagine what traffic will be like in TCE with another 214 residents. I found a guide that said for attached housing like this average is 6 trips per day per unit so what's traffic going to be like if we have another 1200 vehicle trips every day coming in and out of that area?

2

If you are at all concerned with allowing our county to make these changes and allow this development then please write in to the Planner and make sure your comments are heard by the County and our District one Supervisor John Hidal

Mel Pabalinas - [rommel.pabalinas@edcgov.us](mailto:rommel.pabalinas@edcgov.us)

Planning- [Planning@edcgov.us](mailto:Planning@edcgov.us)

John Hidal - [bosone@edcgov.us](mailto:bosone@edcgov.us)

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From: **Traci Allen** <[traciallen@ymail.com](mailto:traciallen@ymail.com)>

Date: Mon, Aug 14, 2017 at 3:51 PM

To: [rommel.pabalinas@edcgov.us](mailto:rommel.pabalinas@edcgov.us), [Planning@edcgov.us](mailto:Planning@edcgov.us), [bosone@edcgov.us](mailto:bosone@edcgov.us)

As a member of the El Dorado Hills Community, I am writing to state that I am against the proposed apartment development in Town Center East. That site was originally marked for a small boutique hotel. The developers were held back once with a lawsuit and are now back with revised plans but still asking to put i residences in the middle of a retail area. They are asking for General plan amendments that will increase density from 24 units per acre to 47 units per acre. This will have far reaching implications to density in our county if allowed.

3

Clearly people living in an apartment and driving to and from work as well as the resources they will need to support them are nothing alike. I can not

imagine what traffic will be like in TCE with another 214 residents. I found a guide that said for attached housing

like this average is 6 trips per day per unit so what's traffic going to be like if we have another 1200 vehicle trips every day coming in and out of that area?

3

This new development would cause traffic issues beyond the capacity of the infrastructure at Town Center. The local community would have major traffic buildup at the few entrances into Town Center. Currently, parking is a challenge and adding a major apartment development would exceed the capacity of the available parking by the visitors of the apartment residents. Traffic jams would exist on White Rock Road and Latrobe making access to the freeway dangerous and difficult. Have the cumulative impacts of the proposed hotel near the shopping center at Latrobe and White Rocks been considered also? Living in this community will drastically challenge and no longer be enjoyable.

4

**Letter No 7:**                    **Allen, Tracy**

**Response 7-1**

See Master Response 2 for a discussion of the project's consistency with applicable land use plans. The Draft EIR evaluates the environmental effects of proposed changes in land use and density on the project site and provides analysis and supporting evidence to demonstrate that the proposed project would not result in any significant environmental effects that cannot be mitigated to a less than significant level.

**Response 7-2**

The commenter is correct in that each apartment unit proposed by the project would generate approximately 6 trips per day. See Master Response 1 for a discussion of the project's traffic impacts on study area intersections. Proposed mitigation would reduce the impact of the project's traffic at the affected intersection to a less than significant level.

**Response 7-3**

See Responses 7-1 and 7-2 above.

**Response 7-4**

As shown in Tables 4.8-8, 4.8-12, and 4.8-15 of the Draft EIR, the intersections of Latrobe Road/Town Center Boulevard, White Rock Road/Post Street, and White Rock Road/Vine Street/Valley View Drive, which are located at the entrances into the TCE area, would operate at an acceptable level of service based on County standards under existing, near-term cumulative (2027), and long-term cumulative (2035) conditions. Project parking would be provided entirely on the project site and would adhere to the requirements listed in Section 130.35.030.1 of the El Dorado County Code and applicable TCE Development Plan requirements. A total of 54 parking spaces would be allocated for visitors. As result, the proposed project would not negatively affect existing parking conditions in the TCE area.

The commenter refers to a proposed hotel near the shopping center at the intersection of Latrobe and White Rock Roads. The hotel is a part of the Phase II expansion of the existing Montano de El Dorado. The expansion project consists of additional retail space, an office building, a boutique hotel, and a small amphitheater to host occasional events. As the proposed Montano Phase II project is consistent with the regional commercial land use designation for the site, it was accounted for in growth assumptions in the County's Traffic Demand Model, and thus was included in the long-term cumulative (2035) traffic analysis. However, the cumulative intersection analysis for the proposed project was updated to specifically account for the Montano Phase II project and another project, the proposed John Adams Academy, located in the Town Center West development area (see **Appendix 4.8**). The results of this analysis show that five study area intersections along El Dorado Hills Boulevard and Latrobe Road that

will most likely be impacted by the John Adams Academy and Montano de El Dorado Phase II projects, including the intersection of Latrobe Road and White Rock Road, will operate at LOS E or better during AM and PM peak hours under long-term cumulative (2035) conditions even with the addition of project trips generated by both of these projects (Fehr & Peers 2017).

From: **Diane Anderson** <[dandersonlaw@gmail.com](mailto:dandersonlaw@gmail.com)>  
Date: Sat, Aug 26, 2017 at 1:58 PM  
Subject: El Dorado Hills Apartments  
To: [Rommel.pabalinas@edcgov.us](mailto:Rommel.pabalinas@edcgov.us)

Mr. Pabalinas,

I am writing to you today in support of the El Dorado Hills Apartments that are being planned and debated!

The builder revised the plans to comply with the Planning Department, which shows their willingness to make this a project that will fit into the community. It certainly will be better than the empty lot that is currently there. Further, El Dorado Hills needs an upscale apartment that is close to shopping for people that are ready to downsize from a home to a home that is easier to care for.

I am a former director with the Amador Chamber of Commerce so I understand the competing interests that go into a project. But I reviewed a lot of the information regarding this project and not only do I feel it is good for the area, I one hundred percent support it.

If you want to discuss anything with me regarding my support of this project, please feel free to call me. 916-425-1518.

I currently live in El Dorado Hills and frequently shop at Town Center.

Sincerely,

Diane Anderson (Stainer)

Sent from my iPhone

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**Letter No 8:**                    **Anderson, Diane**

**Response 8-1**

This comment does not concern the environmental analysis presented in the Draft EIR. The comment is in support of the project and will be provided to the decision makers for their review and consideration prior to any approval action on the project.

From: <[animales00@yahoo.com](mailto:animales00@yahoo.com)>  
Date: Mon, Aug 14, 2017 at 8:34 AM  
Subject: EDH DEIR Apartment in Town Center  
To: [rommel.pabalinas@edcgov.us](mailto:rommel.pabalinas@edcgov.us)

I am writing to express concern about the proposed apartment complex. This new development would cause traffic issues beyond the capacity of the infrastructure at Town Center. The local community would have major traffic buildup at the few entrances into Town Center. Currently, parking is a challenge and adding a major apartment development would exceed the capacity of the available parking by the visitors of the residents. Traffic jams would exist on White Rock Road and Latrobe making access to the freeway dangerous and difficult. Have the cumulative impacts of the proposed hotel near the shopping center at Latrobe and White Rocks been considered also? Living in this community will drastically challenge and no longer be enjoyable.

1

**Letter No 9:                   Unsigned Email from animales00@yahoo.com**

**Response 9-1**

Please see Response 7-4 above. All of the intersections that serve as entrances into the TCE area would operable at an acceptable level of service based on County standards under existing, near-term cumulative (2027), and long-term cumulative (2035) conditions. Project parking would be provided entirely on the project site and would adhere to County code requirements. A total of 54 parking spaces would be allocated for visitors. As a result, the proposed project would not negatively affect existing parking conditions in the TCE area.

The commenter refers to a proposed hotel near the shopping center at the intersection of Latrobe and White Rock Roads. The hotel is part of the Phase II expansion of the existing Montano de El Dorado; Phase II expansion consists of additional retail space, an office building, a boutique hotel, and a small amphitheater to host occasional events. As discussed in Response 7-1 above, an updated cumulative intersection analysis was conducted that specifically accounted for the Montano Phase II project and another project, the John Adams Academy, proposed to be located in the Town Center West development area (see **Appendix 4.8**). The updated cumulative traffic analysis found that the five study area intersections along El Dorado Hills Boulevard and Latrobe Road that will most likely be impacted by the John Adams Academy and Montano Phase II projects, including the intersection of Latrobe Road and White Rock Road, will operate at LOS E or better during AM and PM peak hours under long-term cumulative (2035) conditions with the addition of project trips generated by these projects (Fehr & Peers 2017).



From: **Steve Bristow** <[stevendbristow@aol.com](mailto:stevendbristow@aol.com)>  
Date: Thu, Aug 10, 2017 at 5:15 PM  
Subject: Town center apartments  
To: [rommel.pabalinas@edcgov.us](mailto:rommel.pabalinas@edcgov.us)  
Cc: [bosone@edcgov.us](mailto:bosone@edcgov.us)

To whom it may concern,  
Regarding the building of apartments in town center. I do not want that.

That's my opinion. Furthermore..... in the near future EDH might be a City. Rather you want to believe it or not!!!

We already have enough apartments in EDH

Steve Bristow  
925-708-5377

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**Letter No 10:**                **Bristow, Steve**

**Response 10-1**

This comment is not regarding the environmental analysis presented in the Draft EIR. The comment is noted and will be provided to the decision makers for their review and consideration prior to any approval action on the project.

From: **charlet burcin** <[charlet331@gmail.com](mailto:charlet331@gmail.com)>

Date: Wed, Aug 2, 2017 at 10:40 AM

Subject: Town Center Apts. Project opposition

To: [jvegna@edcgov.us](mailto:jvegna@edcgov.us), [gary.miller@edcgov.us](mailto:gary.miller@edcgov.us), [jeff.hansen@edcgov.us](mailto:jeff.hansen@edcgov.us), [james.williams@edcgov.us](mailto:james.williams@edcgov.us),  
[brian.shinault@edcgov.us](mailto:brian.shinault@edcgov.us), [charlene.tim@edcgov.us](mailto:charlene.tim@edcgov.us)

Dear Planning Commissioner,

I have attached an opposition paper to the Town Center Apt. project based upon incomplete information in the DEIR submitted by this developer. It concerns the lack of information of facts and the effect of the dBA noise resulting from residents of this building with motorcycles. This project has parking spaces for 22 motorcycles, 404 cars plus 5 guest spaces.

Not only will this cause traffic problems, require amendments to the general plan, but add painful environmental noise to the Town Center.

Thank you for your attention to this very important project.

Sincerely,  
Charlet Nalbach Burcin

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## Environmental - Noise levels

**This project is allocating 22 motorcycle parking spaces in addition to 404 auto parking spaces plus 5 for guests. Following is the argument based on environmental noise factors to this Town Center Apts. Project.**

Here are statements taken from the developer's project DEIR (Section 4.6-3):

Noise environments and consequences of human activities are usually well represented by median noise levels during the day, night, or over a 24-hour period. Environmental noise levels are generally considered low when the CNEL is below 45 dBA, moderate in the 45–60 dBA range, and high above 60 dBA. According to the National Institute of Health (NIH), extended or repeated exposure to sounds at or above 85 decibels can cause hearing loss (NIDCD 2017). Examples of low daytime levels are isolated natural settings with noise levels as low as 20 dBA and quiet suburban residential streets with noise levels around 40 dBA. Noise levels above 45 dBA at night can disrupt sleep. Examples of moderate level noise environments are urban residential or semi-commercial areas (typically 55–60 dBA) and commercial locations (typically 60 dBA). People may consider louder environments adverse, but most will accept the higher levels associated with more noisy urban residential or residential-commercial areas (60– typically 60 dBA). People may consider louder environments adverse, but most will accept the higher levels associated with more noisy urban residential or residential-commercial areas (60– 75 dBA) or dense urban or industrial areas (65–80 dBA).

It is clear that they do not take into consideration the noise effect of motorcycles.

## RESEARCH OF FACTS AND THE EFFECTS OF MOTORCYCLE NOISE

The noise level permitted by federal and state standards to manufacturers of motorcycles after 1985 is **at 80 decibels** (dBA sound pressure levels emitted by motorcycle exhaust pipes when stationary). This is what one motorcycle would emit. According to the State of California and particularly Sacramento area standard noise and guidelines, an accelerating motorcycle is equal to a rock band at **deafening decibels between 120 and 110. At each stop sign or stoplight, a motorcycle will accelerate. Now imagine the Town Center with more motorcycles each day from the residents of the Town Center Apartments plus the noise and emission of ozone particles from the autos from the remaining residents (400+).**

Imagine the noise level of 5 or more motorcycles accelerating their way through the Town Center stopping at each crosswalk or idling at a future stoplight on Post Street. Since motorcycles cost less than autos, it is highly probable that all 22 motorcycles would be used by

the residents. Resident autos in use simultaneously would create noise levels above any required environmental standards in the Town Center vicinity. Just 5 motorcycles at the same time would create a dBA level at rest/idling of 150dBA and while accelerating would be 550-600 decibels. And, this is just for 5!

According to the American-Speech-Language-Hearing Association, here are comparisons of dBA levels upon the human ear.

#### Painful

150 dBP = fireworks at 3 feet (impulse noise)

140 dBP = firearms (impulse noise)

140 dBA = jet engine

130 dBA = jackhammer

120 dBA = jet plane takeoff, siren

#### Extremely Loud

110 dBA = maximum output of some MP3 players, model airplane, chain saw

106 dBA = gas lawn mower, snow blower

100 dBA = hand drill, pneumatic drill

90 dBA = subway, passing motorcycle

#### Very Loud

80–90 dBA = blow-dryer, kitchen blender, food processor

National Institute for Occupational Safety and Health (NIOSH) recommends that workers in noisy environments 85 dBA or louder for an 8-hour workday limit their exposure at this loudness level.

**How can I tell if I am listening to dangerous noise levels?** Prolonged exposure to loud noise can injury your hearing—even a single loud sound blast or explosion, known as impulse or impact noise. These noises are measured in dB Peak Pressure, or dBP.

- You must raise your voice to be heard.
- You can't hear the person standing next to you.
- You have a hard time hearing even when the noise stops.
- Speech around you sounds muffled or dull after you leave the noisy area.

- You have pain or ringing, known as tinnitus, after the noise stops.
- Permanent hearing loss

This Association lumps motorcycle riding in with things that you do for fun which can also have damaging noise, like:

- Hunting and target shooting
- Riding personal water craft
- Snowmobiling
- Motorcycle riding
- Attending concerts
- Listening to music with earphones

One of their solutions is to wear ear plugs or ear muffs!

In May, 2016, the city of Del Mar tried to look for ways to reduce the excessive noise of motorcycles through their city street to no avail. “ Richard Levak, city resident, said the excessive noise is at times unbearable, “especially when a gang of motor bikes comes through.”“The whole house shakes,” he said. “Car alarms go off. ... There is no reason for it.”

“It’s an unbelievably penetrating sound,” added Lew Dominy, who suggested posting whimsical signs such as “This is where our families sleep ... Too much noise, can’t count sheep” or “As you drive down our street, your courtesy can’t be beat.” “There are a lot of stop signs in the beach area,” Delin said, ‘adding that they create a lot of stopping and acceleration noise for every vehicle.’

Enforcement by officials has been null due to limited due to lack of technical knowledge of how to measure.

**In conclusion, the Town Center Project will not be within the noise parameters regulations for the state of California and the greater region of Sacramento. Ca. and will not be enforceable. Therefore, this DEIR is incomplete and the project should not go forward.**

**Charlet N. Burcin**

**EDH resident**

**Letter No 11: Burcin, Charlet Nalbach**

**Response 11-1**

See Response 11-2 below for an in depth discussion of motorcycle noise that could be associated with the proposed project.

**Response 11-2**

According to DMV registration data for 2016, motorcycles represent 2.5 percent of registered vehicles in California and about 3.8 percent of registered vehicles in El Dorado County (DMV 2017a; DMV 2017b). The proposed project will generate 109 external vehicle trips during the AM peak hour and 105 external vehicle trips during the PM peak hour. If the motorcycle registration rate for El Dorado County is applied to the number of external vehicle trips generated by the proposed project, the project will add approximately four motorcycles to the roadway network during AM and PM peak hours. Traffic generally needs to double in motorist volume to represent an audible increase in noise levels (Caltrans 2013). The addition of four motorcycles operating during the peak hour traffic would not double motorist volumes on local roadways, and would therefore not be capable of causing an audible increase in ambient sound levels resulting from roadway noise.

It should be noted that, as the commenter points out, there could be instantaneous increases in noise levels at noise sensitive receptors near an accelerating motorcycle. However, noise levels do not combine to increase ambient sound levels arithmetically, but combine using a logarithmic formula:  $SPL = 10\log_{10} [(P_1/P_0)^2 + (P_1/P_0)^2] = 10\log_{10}[2(P_1/P_0)^2]$  where SPL is sound pressure level,  $P_1$  is sound pressure and  $P_0$  is reference pressure (Caltrans 2013). Because decibels are logarithmic units, sound pressure levels cannot be added or subtracted by ordinary arithmetic means. For example, if one automobile produces a sound pressure level of 70 dB when it passes an observer, two cars passing simultaneously would not produce 140 dB; they would combine to produce 73 dB (Caltrans 2013).

According to the U.S. Department of Housing and Urban Development (and noted in the comment), an accelerating motorcycle has a reference sound level of approximately 110 decibels at 50 feet (HUD 1985). It is highly unlikely that more than 2-3 motorcycles would leave the project parking structure simultaneously (unless, for instance, a motorcycle club is anticipated to occupy all 22 parking spaces). What this means is that if there are two motorcycles each accelerating simultaneously, the sound level will not jump to 220 decibels, but instead will combine to 113 decibels. It should be noted that this only applies to motorcycles leaving simultaneously and choosing to drive down the same streets. Note that no noise sensitive receptors are located along the streets within the TCE. The nearest noise sensitive receptors are homes to the south of White Rock Road. Given the location of the proposed project, the street network available to exit or approach the project site from major arterials and the freeway, and the

location of noise sensitive receptors, multiple motorcycles associated with the proposed project would be unlikely to drive past the noise sensitive receptors at the same time, and therefore would not result in a significant noise impact.



From: <[the24bobs@gmail.com](mailto:the24bobs@gmail.com)>  
Date: Mon, Jul 24, 2017 at 1:29 PM  
To: [rommel.pabalinas@edcgov.us](mailto:rommel.pabalinas@edcgov.us)

Dear Mr. Pabalinas,

I oppose the El Dorado Hills Apartments urban infill project. The small unit sizes seem contrary to the needs of this suburban community. Noise is a major concern. Putting 300+ people and their vehicles all on a single 4.56 acre lot would certainly create a lot of noise! The project would put added strain on law enforcement, and emergency medical response teams. Hwy. 50 and El Dorado Hills Blvd. would become even more congested causing longer commutes, more accidents, and fatalities. The added traffic would pose an even greater danger to motorcyclists, bicyclists, and pedestrians, a very fast growing population. The additional smog would further erode our already poor air quality. The entire community would be at risk if a fire or other disaster struck because there would be no way to evacuate everyone safely in time with so many cars on so few roads. This land was reserved for business, shopping, and recreation. An ultra high density housing project would allow a few individuals to turn a quick profit, but at the expense of the quality of life, and safety of an originally well planned community.

1

Karen Coomes  
3596 Mesa Verdes Dr.  
El Dorado Hills  
916-790-0575

**Letter No 12: Coomes, Karen**

**Response 12-1**

With respect to the land use impacts associated with this urban infill project, its density, and the types of residential units proposed, see Master Response 2 for a discussion of the project's consistency with applicable land use plans.

As discussed on pages 4.6-15 to 4.6-18 of the Draft EIR, stationary and mobile sources of noise added by the proposed project would not cause a substantial permanent increase in noise. In addition, as discussed on pages 4.7-9 to 4.7-12 of the Draft EIR, while the proposed project would increase demand for public services, such as law enforcement and emergency medical response, the additional demand would not be enough to require the construction of new or expanded facilities, and thus there would not be potential for a significant impact on the environment.

See Master Response 1 for a discussion of the project's traffic impacts on the study area intersections and freeway segments and the applicability of Measure E to the proposed project. The project's impacts on County-owned intersections would be less than significant under existing plus project and long term cumulative plus project conditions. With regard to the project's impacts under near-term cumulative conditions, please see Master Response 1 regarding the applicability of Measure E to the proposed project. In addition, all freeway ramps or segments would operate at an acceptable level of service under existing, near-term cumulative (2027) and long-term cumulative (2035) conditions with the addition of project traffic. No mitigation for impacts to freeway facilities is required. (Also see Response 7-4 regarding the updated 2035 cumulative traffic analysis. That analysis also shows that the project would result in less than significant cumulative traffic impacts under 2035 conditions.)

Concerning hazards that the proposed project would pose to existing motorcyclists, bicyclists and pedestrians, motorcycles currently utilize the existing street network while bicyclists and pedestrians currently utilize existing bike paths and lanes, and sidewalks and crosswalks, respectively. The proposed project would not result in substantial congestion at any of the study intersections, with the exception of two intersections. The applicant has committed to mitigation to address the project's contribution to congestion at the affected County intersection, and to provide a signal at the intersection of Town Center Boulevard/Post Street, which would improve conditions for motorcyclists, bicyclists, and pedestrians. The proposed project would not make any other modifications to the existing street, bicycle, and pedestrian network. In addition, motorcyclists, bicyclists and pedestrians are expected to comply with applicable laws and regulations. For these reasons, traffic generated by the proposed project is not expected to pose a danger to current and future motorcyclists, bicyclists, and pedestrians.

Smog is the chemical reaction of sunlight, nitrogen oxides and reactive organic gases in the atmosphere. As discussed on pages 4.1-23 to 4.1-28 of the Draft EIR, with mitigation, the project's emissions of nitrogen oxides and reactive organic gases would not exceed the significance thresholds established by the El Dorado County Air Quality Management District, which is tasked with achieving and maintaining healthful air quality for County residents.

Please see Section XVI, Transportation and Traffic, of the Initial Study (Appendix 1.0 of the Draft EIR) for a discussion of hazards due to project design. No other modifications to the existing roadway network would be made. The proposed project would provide a new driveway along Vine Street, and a motor court and driveway would be located along Town Center Boulevard. However, the design of the proposed project would not cause a permanent alteration to the local vehicular circulation routes and patterns, or impede public or emergency access and no design hazards would be created. Further, the final design of the proposed project, including curb cuts, ingress, egress, and other streetscape changes, would be subject to review by the El Dorado County Community Development Agency (CDA) Transportation Division and would be required to comply with all requirements of the division. Impacts with regards to evacuation in the event of an emergency are less than significant.

From: "Brad Daniel" <[bradleyadaniel@gmail.com](mailto:bradleyadaniel@gmail.com)>  
Date: Aug 10, 2017 3:50 PM  
Subject: Town Center Apartments  
To: <[rommel.pabalinas@edcgov.us](mailto:rommel.pabalinas@edcgov.us)>, <[bosone@edcgov.us](mailto:bosone@edcgov.us)>  
Cc:

Dear Mr. Pabalinas and Mr. Hidal,

I am writing to express concern with the planned development of a 214 apartment complex at Town Center. With 6 trips per day on average, that is 1200 more trips in and out of a very congested space. I am also concerned that there be adequate parking on site for the units. Please ensure that strict enforcement is maintained at Town Center so we don't have people parking their 2nd or 3rd vehicle in the movie theater or grocery store parking lots.

1

I recognize mixed use is all the rage and when done well, it can be a nice marriage of residential and commercial. In this case, the number of units needs to be kept to a reasonable number. Perhaps a land swap is in order so that people are not living in between a car dealership and a grocery store... If we are not careful, you will end up with a community that is no longer exemplary.

2

Thanks in advance for your consideration.

Brad Daniel  
938 Apero Way, EDH 95762

**Letter No 13: Daniel, Brad**

**Response 13-1**

The comment will be provided to the decision makers for their review and consideration prior to any approval action on the project. The commenter is correct in that each apartment unit proposed by the project would generate approximately 6 trips per day. See Master Response 1 for a discussion of the project's traffic impacts on study area intersections. There would be no significant traffic impacts under existing plus project and long term cumulative plus project conditions and no mitigation is required. With respect to the impact at one County-owned intersection identified under near term cumulative conditions, see Master Response 1 regarding the applicability of Measure E to the proposed project. The applicant has committed to voluntarily include a mitigation measure requiring it to pay TIM fees for improvement of the affected intersection. Similarly, the applicant has voluntarily committed to work with the owner of the right of way to improve the private intersection of Town Center Boulevard and Post Street.

With respect to parking, parking for future residents would be provided entirely on the project site and would adhere to the requirements listed in Section 130.35.030.1 of the El Dorado County Code and applicable TCE Development Plan requirements. A total of 54 parking spaces would be allocated for visitors. As a result, the proposed project would not negatively affect existing parking conditions in the TCE area.

**Response 13-2**

The comment will be provided to the decision makers for their review and consideration prior to any approval action on the project. As discussed on page 5.0-6 of the Draft EIR, an alternative site for the proposed project was considered that was located east of Vine Street between Rossmore Lane and White Rock Road. The possibility of locating the proposed project on this alternative site within the TCE area was determined by the County to be infeasible given that neither the project applicant nor the County owns or controls the property. Therefore, the ability of the applicant to purchase this site to develop the project is considered speculative. In addition, the development of an apartment building of the same size at this location would result in similar impacts with respect to construction and operational air quality, cultural resources, and wastewater conveyance. Thus, placing the proposed development at this alternative site would not avoid the significant impacts of the proposed project. For the same reasons, a "land swap" to any other site within the TCE area would also be infeasible.

From: **MSHamerski** <[noworrys5@comcast.net](mailto:noworrys5@comcast.net)>

Date: Thu, Aug 10, 2017 at 1:52 PM

Subject: Proposed development in EDH Town Center of a large Apartment Complex including over 200 units

To: [rommel.pabalinas@edcgov.us](mailto:rommel.pabalinas@edcgov.us), [Planning@edcgov.us](mailto:Planning@edcgov.us), [bosone@edcgov.us](mailto:bosone@edcgov.us)

Dear Mel Pabalinas, Supervisor John Hidal, and Planning Dept

We wish to express our concerns about the consideration of a large apartment complex being constructed on the vacant lot across from Selland's and so many other wonderful small businesses. We moved here just over a year ago from the Bay Area to live in the beautiful hills and enjoy a quieter experience with less traffic and more community connection. We visit the weekly Farmer's Market, eat lunch and dinner in Town Center at least 3 times per week. We enjoy Target and also see a movie at the Theatre once or twice a month. We have tried just about every restaurant in El Dorado Hills and love them. The Book Store is so wonderful with such great service and Author visits. I buy books there for our Grandchildren and also gifts. I have my hair cut and styled at Adagio's and my husband goes to Mike's Barbershop. We enjoy every part of our lives here with all the great facilities and services. The Post Office gets pretty busy now; we can only imagine another 200+ families. The Town Center is a very unique and welcoming town hub. It won't look or feel the same with this monster project inserted. It is a very troublesome plan in our view. We live in Blackstone and we are not nearly built out. There will be plenty more shoppers and neighbors to keep all the shops full and prospering. We enjoy our new community and try to always shop local! We enjoy Zia's and stopped there Sunday eve. for gelato after dinner at Milestone with our kids. I also love to pick up Quiche from Zia's after getting my hair done. The only shop I don't appreciate in EDH is the cigar shop! We love both the Nugget and Raley's and shop at both for their fresh and quality product. We have favorite items at both and enjoy the meat department especially at Nugget.

We strongly urge you to deny the construction of this very large apartment complex at the Town Center location. It will drastically increase traffic and congestion and destroy the ambience of a well designed Town Center. This was a strong contributing factor in our choosing this location to relocate to. We love spending time there meeting new neighbors.

In our Bay Area community we had services including BART Bay Area Rapid Transit and Alameda Bus service as well as park and ride facilities. This community cannot handle this much traffic and congestion.

We thank you for your time.

Sincerely,

Sandra and Michael Hamerski  
5553 Aspen Meadows Drive  
(Blackstone community)  
El Dorado Hills, CA. 95762

(916) 294-7037

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If you are at all concerned with allowing our county to make these changes and allow this development then please write in to the Planner and make sure your comments are heard by the County and our District one Supervisor John Hidal Mel Pabalinas - [rommel.pabalinas@edcgov.us](mailto:rommel.pabalinas@edcgov.us) Planning- [Planning@edcgov.us](mailto:Planning@edcgov.us) John Hidal - [bosone@edcgov.us](mailto:bosone@edcgov.us) Regards

**EL DORADO HILLS APARTMENTS**  
TOWN CENTER  
EL DORADO COUNTY, CA



① MERCEDES & GREENBELT  
VIEW 1

**Letter No 14:                Hamerski, Sandra and Michael**

**Response 14-1**

The comment will be provided to the decision makers for their review and consideration prior to any approval action on the project. See Master Response 1 for a discussion of the project's traffic impacts on study area intersections and proposed mitigation.

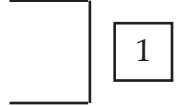


From: **Sam LaTorre** <[copperheadx@gmail.com](mailto:copperheadx@gmail.com)>  
Date: Sat, Aug 26, 2017 at 11:10 AM  
Subject: Apartments  
To: [debra.ercolini@edcgov.us](mailto:debra.ercolini@edcgov.us)

We would like to express our opposition to the apartments near town center.

Respectfully,  
Sam LaTorre  
[copperheadx@gmail.com](mailto:copperheadx@gmail.com)

Sent from my iPhone



**Letter No 15:**                **LaTorre, Sam**

**Response 15-1**

This comment is not related to the environmental analysis presented in the Draft EIR. The comment is noted and will be provided to the decision makers for their review and consideration prior to any approval action on the project.

From: **ALEXIS MOORE** <[alexis@alexismoore.com](mailto:alexis@alexismoore.com)>  
Date: Mon, Aug 28, 2017 at 11:00 AM  
Subject: EDH Apt  
To: [rommel.pabalinas@edcgov.us](mailto:rommel.pabalinas@edcgov.us)

Public Comment: EDH TC Apts- It's too much traffic, will cause gridlock only benefit is to area developers and it's only logical that this development will not benefit the "live, work, play" concept. These are expensive apartment homes that will be occupied by those who can afford them meaning those that to commute to work..not live work in TC. DO NOT PASS

1

Alexis Moore  
[WWW.ALEXISMOORE.COM](http://WWW.ALEXISMOORE.COM)  
(916) 320-0589

**Letter No 16:**                **Moore, Alexis**

**Response 16-1**

The comment will be provided to the decision makers for their review and consideration prior to any approval action on the project. See Master Response 1 for a discussion of the project's traffic impacts on study area intersections and proposed mitigation measures. Also please note that the project applicant cannot control who will reside in the proposed apartments. However, the proposed project would increase the housing supply within the TCE area and would provide an option for those who work in the TCE area to reside in the area.

From: "Laurie Payne" <[lp@ripframing.com](mailto:lp@ripframing.com)>  
 Date: Aug 21, 2017 10:42 AM  
 Subject: El Dorado Hills Apartment- Town Center  
 To: "[Rommel.pabalinas@edcgov.us](mailto:Rommel.pabalinas@edcgov.us)" <[Rommel.pabalinas@edcgov.us](mailto:Rommel.pabalinas@edcgov.us)>  
 Cc:

Good Morning Rommel,

I am emailing regarding the El Dorado Hills Apartments-Town Center.

As both a resident of the community for 13 years living in the Stonebriar subdivision, as well as a local community Business Owner here for 13 years , please let me explain why I feel this project is important for the local area.

My family and I often ride our bikes from our home to Town Center for ice cream, a movie or sometimes even dinner. It has been a Blessing to finally see the storefronts filling. For years it seemed as we would make friends with the local store owners, they would have to close shop almost as fast as they would open. Of course it broke everyone's heart. Now it is such a beautiful experience to have a vibrant downtown area. Bringing additional residents would obviously bring additional consumers to insure the continued success of the Town Center. I find it odd how many opinions people have who don't actually spend considerable time "living" in or near the Town Center seem to have. An occasional dinner does not give you the full perspective of what the Town Center Deserves. It is a beautiful gathering place for both local and out of towners to fully enjoy. It will only stay that way however if the consumers are there to support the business on a regular basis. The buildings are finally filling in the Town Center and community does in fact need additional stores as well as residential. I know this personally as I recently tried to rent a 2 bedroom apartment for my Nephew and his friend and was told by every Apartment Complex there was a waiting list. The reality is growth will come, it is inevitable and truly no one wants growth in their backyard. However how we grow is what will make the difference for our beloved community. Having an Upscale Apartment Complex with additional store fronts built by a quality GC such as Spanos is a true way to insure our downtown will thrive in a both beautiful as well as economical way.

As a local business owner who understand economics, and let's face it, life in general, it is the natural cycle to continue to evolve and grow. It is almost imperative. For me personally, again it is the way in which we choose to have that growth and evolution as a community that will determine our success. Every successful community needs residents who not only live there, but love it there, who choose to spend their money there, who choose to have a sense of community and pride for that community. Having an Upscale Apartments and Store Fronts will insure that much more than a Hotel. Having local residents who want to keep their community clean and vibrant, who can work and shop all within a close proximity is truly the best of the both. No one enjoys long commutes, having the rare ability to work and play within the same area will truly help to insure the new local residents keep The Town Center a thriving, safe, and an economically successful place of family and friends that we so appreciate and enjoy today.

*S | Cur. Ur. He?*

*Laurie Payne*

**RJP Framing, Inc. | President**


**Phone: 916-941-3934 | Fax: 916-941-3935**

**5137 Golden Foothill Pkwy, Ste100**

**El Dorado Hills, CA | 95762**

**[www.rjpframing.com](http://www.rjpframing.com) | [lp@rjpframing.com](mailto:lp@rjpframing.com)**



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**Letter No 17:**                **Payne, Laurie**

**Response 17-1**

This comment is not related to the environmental analysis presented in the Draft EIR. The comment is noted and will be provided to the decision makers for their review and consideration prior to any approval action on the project.

From: **Cristi Radulescu** <[cristyra@yahoo.com](mailto:cristyra@yahoo.com)>  
Date: Mon, Aug 14, 2017 at 2:14 PM  
Subject: EDH apparments project  
To: "[rommel.pabalinas@edcgov.us](mailto:rommel.pabalinas@edcgov.us)" <[rommel.pabalinas@edcgov.us](mailto:rommel.pabalinas@edcgov.us)>

Hello,

I'm opposed to this project.

It looks like not much considerations was given to the impact this type of project will have to our community and to the downtown area of EDH.

Think on how much traffic will be on Town Center Blvd. when there are 400 people going to work/school and coming back at the sa

Why there is no considerations given to the fact that the residents in our community more than 90% homeowners and it is mostly residence? High home ownership makes for better communities.

There are 3 rental complexes in less than a mile form the location of this project and all of them have higher than normal vacancies. Why is there a need for more rental units?

Why not keep it as a Commercial-Planned Development as it was originally planned for the Town Center area?

Please don't give in to the people interested to make a quick profit, and considered all the negative aspects and impact this project will have on our community.

Based on the Executive summary the best alternative is Alternative 2: No Project/Existing Zoning.

Respectfully,  
Cris Radulescu

1



**Letter No 18: Radulescu, Cristi**

**Response 18-1**

See Master Response 1 for a discussion of the project's traffic impacts on study area intersections. The Draft EIR analyzes the traffic impacts of the proposed project on Town Center Boulevard. The private intersection of Town Center Boulevard/Post Street is projected to operate at LOS F during the PM peak hour under near-term cumulative (2027) and long-term cumulative (2035) conditions prior to the addition of project traffic, and the addition of project traffic would worsen intersection operations. However, the project applicant and the owner of the right-of-way (ROW) of the Town Center Boulevard/Post Street intersection have voluntarily agreed to mitigate this impact below the County's threshold of significance applicable to County-owned facilities.

See Master Response 2 for a discussion of the project's consistency with applicable land use plans. The commenter does not identify the three rental complexes referenced that are less than a mile from the project site nor does the commenter provide evidence or information on the vacancy rates for these complexes. As discussed in Response 4-5 above, a recent marketing survey of four similar apartment complexes in the El Dorado Hills area found that rents for one and two bedroom apartments in these complexes ranged from \$1,375 per month for a one-bedroom apartment unit to \$2,175 per month for a two-bedroom unit. In addition, the occupancy rates for each apartment complex ranged from 95 to 98 percent. Given the high rates of occupancy, demand does exist for similar types of apartment units in the area.

From: **Anne Sciocchetti** <[annscottage@att.net](mailto:annscottage@att.net)>  
Date: Wed, Aug 9, 2017 at 3:38 PM  
Subject: Apartments in Town Center  
To: [bosone@edcgov.us](mailto:bosone@edcgov.us)

Please do not allow apartments in town center. White Rock Rd is blocked by cars already on way to Hwy 50, during hours of 4pm-7pm, wall to wall cars. No parking around town center now can be found. Theatre parking is packed. Parking in back of town center is packed now; apartments will be a nightmare; each apartment could have 2 cars each, going and coming, many times a day.

Target parking lot would be crowded; all eating areas would be full. The thought of apartments in that area is a nightmare happening. We have thousands of new homes going in, including apartments in outlying areas.  
Enough Please!!

1

**Letter No 19:** Sciocchetti, Anne

**Response 19-1**

See Master Response 1 for a discussion of the project's traffic impacts on study area intersections and the proposed mitigation measures. With respect to the commenter's concerns about traffic along White Rock Road, the addition of traffic generated by the proposed project would not result in the intersections along White Rock Road to operate at unacceptable levels of service under existing, near-term cumulative (2027), and long-term cumulative (2035) conditions during both the AM and PM peak hours, as shown in the Draft EIR and the updated cumulative (2035) impact analysis presented in **Appendix 4.8**. In addition, project parking would be provided entirely on the project site and would adhere to the requirements listed in Section 130.35.030.1 of the El Dorado County Code and applicable TCE Development Plan requirements. A total of 54 parking spaces would be allocated for visitors. As a result, the proposed project would not negatively affect existing parking conditions in the TCE area.

From: **Lowell Shields** <[LShields@capital-engineering.com](mailto:LShields@capital-engineering.com)>  
 Date: Thu, Aug 17, 2017 at 5:58 PM  
 Subject: El Dorado Hills Apartments  
 To: "[rommel.pabalinas@edcgov.us](mailto:rommel.pabalinas@edcgov.us)" <[rommel.pabalinas@edcgov.us](mailto:rommel.pabalinas@edcgov.us)>

Hi Rommel- My name is Lowell Shields and I am a resident of El Dorado Hills and have been since 1994 so I have seen the growth of the area, good, bad and otherwise. I am also a design professional in the engineering field so I have worked on my share of apartments. I have some general comments and specific comments.

As part of the EIR process and development of the project to date has the developer surveyed any users of Town Center recently as to what they think about (a) apartments on that site, (b) what the users/visitors to Town Center would like in that area or what they think is the best use of that property?

1

As a frequent user of the Town Center amenities, I believe the traffic from the proposed site down Vine Street and down Town Center drive, would be greatly and negatively impacted. Town Center is just now starting to come into its own and is a pedestrian friendly area with restaurants on both sides of the street and the theater on the end where there are a lot of people walking around, particularly due to the limited street parking, necessitating and typical park and walk to the restaurants. There are also several very nice functions that happen during the year that require closing down the street and I am very concerned in how that would be affected.

2

I am curious why when we have a general plan of 24 units per acre, why we now feel the need to modify to 47 for one project?

3

I am also curious why there hasn't been consideration of retail or commercial space on the ground level with apartments above?

4

Under the Energy Section of the documents on line, referenced in the August 16 Village Life article, (Section 4.10-4) it notes the 2013 Title 24 Standards. Why wouldn't the project require the current 2016 T-24 standards which have substantive changes in particular to residential construction? We also would suggest the EIR consultant review the T-24 requirements as with a 4-story unit it may mandate the non-residential standards.

5

From a quick read of the documents on line, it appears to be a same-o/same-o, cookie cutter EIR with all the generic stuff about no significant impacts but I guess I would challenge that. If you are going to take up this prime development site and change the general plan and drop this thing in the middle of an evolving Town Center, why not amp it up a bit. Instead of solar ready, why not put solar on from the get go? Instead of preparing for future electric car chargers, why not put them in now? Why not make the streets adjacent the facility, traffic calmed, pedestrian friendly that share pathways with cars? Why not really go for sustainable goals other than Cal Green Minimums like perhaps LEED? Water reclaim? 20% better than T-24 instead of 10% etc.

6

Overall I don't really think this is a good project for that location but if it going to go there, let's make it special that adds something instead of gets in the way or subtracts from the vibrancy the Town Center is working so hard to achieve?

7

Cell: 916.202.5450

**Letter No 20:               Shields, Lowell**

**Response 20-1**

This comment is not about the environmental analysis presented in the Draft EIR. No response is required.

**Response 20-2**

The commenter expresses concern about traffic along Vine Street and Town Center Boulevard. See Master Response 1 for a discussion of the project's impacts on study area intersections. Only one intersection along these roadways, the private intersection of Town Center Boulevard/Post Street, would operate at LOS F during the PM peak hour under near-term cumulative (2027) and long-term cumulative (2035) conditions, and the project would add traffic to that intersection. However, the project applicant and the owner of the right-of-way (ROW) of the Town Center Boulevard/Post Street intersection have voluntarily agreed to mitigate this impact below the County's threshold of significance applicable to County-owned facilities.

**Response 20-3**

See Master Response 2 for a discussion of the project's consistency with applicable land use plans. The Draft EIR evaluates the environmental effects of proposed changes in land use and density on the project site and provides analysis and supporting evidence to demonstrate that the proposed project would not result in any significant environmental effects that cannot be mitigated to a less than significant level. This comment appears to be directed to the community's views of the merits of the proposed project and does not address the environmental analysis presented in the Draft EIR.

**Response 20-4**

As discussed on page 5.0-6 of the Draft EIR, a mixed-use alternative that would include residential above ground floor retail was considered but rejected as the retail component would generate more vehicle trips than the residential units it would replace, thus resulting in greater traffic impacts and an increase in criteria air pollutant and GHG emissions.

**Response 20-5**

The commenter is correct in that the proposed project would be required to adhere to the 2016 Title 24 standards. The discussion with regard to Title 24 standards on pages 4.10-3 and 4.10-4 of the Draft EIR has been updated (see **Chapter 2.0, Revisions to the Draft EIR**).

**Response 20-6**

This comment discusses potential changes to the project design and does not address the environmental analysis presented in the Draft EIR, which addresses the current project's compliance with CEQA. Many

of the changes to the project design suggested by the commenter would reduce the project's impacts on the environment with respect to GHG emissions and energy use. As discussed on pages 4.4-20 to 4.4-24 of the Draft EIR, the proposed project's GHG emissions would not exceed thresholds recommended by the El Dorado County Air Quality Management District, and thus the proposed project would not generate GHG emissions, either directly or indirectly, that would have a significant effect on the environment. In addition, as discussed on pages 4.10-8 to 4.10-2 of the Draft EIR, construction and operation of the proposed project would not result in wasteful, inefficient or unnecessary consumption of energy. Therefore, for purposes of CEQA compliance, it is not necessary for the proposed project to further reduce its GHG emissions or energy use through the implementation of additional project design features such as the installation of solar panels or electric car chargers. However, the recommended changes in project design will be forwarded to decision makers for their review and consideration.

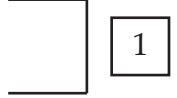
**Response 20-7**

The comment will be provided to the decision makers for their review and consideration prior to any approval action on the project.

From: **Stacey Wellwood** <[srwellwoodcpa@yahoo.com](mailto:srwellwoodcpa@yahoo.com)>  
Date: Sat, Aug 26, 2017 at 7:02 PM  
Subject: Town Center apartments  
To: [debra.ercolini@edcgov.us](mailto:debra.ercolini@edcgov.us)

We are opposed to bringing apartments to the town center.

Jeffrey & Stacey Gore  
4909 Breese Circle  
EDH



**Letter No 21:**                      **Wellwood, Stacey**

**Response 21-1**

This comment is not regarding the environmental analysis presented in the Draft EIR. The comment is noted and will be provided to the decision makers for their review and consideration prior to any approval action on the project.



From: **Joel Wiley** <[joel-wiley@sbcglobal.net](mailto:joel-wiley@sbcglobal.net)>  
 Date: Sat, Aug 12, 2017 at 8:29 PM  
 Subject: Project A 16 0001 - EL DORADO HILLS APARTMENT TC  
 To: "[rommel.pabalinas@edcgov.us](mailto:rommel.pabalinas@edcgov.us)" <[rommel.pabalinas@edcgov.us](mailto:rommel.pabalinas@edcgov.us)>

August 12, 2017  
 Mr. Rommel Pabalinas  
 Planning Services  
 El Dorado County

Thank you for the opportunity to review the Draft Environmental Impact Report for Project A 16 0001 - EL DORADO HILLS APARTMENT TC

I was interested in the state goal of placing housing in Town Center so people who worked there could walk to their jobs but thought the traffic estimates seemed low for the project even with residents walking to work.

1

In reviewing the documents and additional research, I found estimates of monthly leases were expected to be within the range of \$1,700 - \$2,800 depending on whether the apartment was studio, one bedroom or two bedrooms. A generally accepted limit for rent is no more than 30% of your income so the target renter demographic has an annual income in excess of \$60,000. I spoke with a number of companies with offices in Town Center but did not find employees within that apparent target demographic.

2

I do not believe having a significant number of residents working in Town Center is an achievable goal.

I thought the traffic estimates seemed low for the size of the project and thought they had included those walk-to-work residents. Researching the models used in the DEIR, it appears that was not the case. However, the models used to project the traffic volumes do not seem to be appropriate for this particular project and I think the traffic numbers need further analysis.

3

The project proposes a number of amendments to the County General Plan. In essence, the request is to disregard the plans. Changing the zoning from commercial to residential will eliminate the potential for a significant source of tax revenue for the county and replace it with very low property tax revenue.

4

The project proposes to build housing density approximately double that of multifamily housing in the General Plan. Is this option improve the quality of life in the Western County? Does it help to provide a healthy ongoing revenue to support the needs of the County.

5

I think you need to look at whether this project is beneficial to Town Center, El Dorado Hills, and El Dorado County. As it has been presented, I do not think it does.

6

Sincerely,

Joel Wiley  
 3797 Pardee Ct  
 El Dorado Hills, CA 95762

**Letter No 22:**                **Wiley, Joel**

**Response 22-1**

See Response 22-3 below for a discussion of the methodology used to estimate the number of peak hour trips that would be generated by the proposed project.

**Response 22-2**

See Response 4-5 above regarding apartment rents in the El Dorado Hills area and the demand for the proposed housing. The project applicant cannot control who will reside in the proposed apartments. However, the proposed project would increase the housing supply in the area and provide an option for those who work in the TCE area to reside in the area.

**Response 22-3**

As discussed on page 4.8-23 of the Draft EIR, trip generation estimates for the proposed project were based on methodologies and trip rates presented in Trip Generation, 9th Edition (Institute of Transportation Engineers), with adjustments to account for internal vehicle trips and walking trips given that the project would be located in the Town Center.

The combined effects of the project's land use, location, and development scale would contribute to a reduction in off-site average weekday vehicle "trips" (e.g., one vehicle trip is generated when a person drives from his/her home to shopping, school, or workplace. The return drive home is another trip). This reduction is due largely to the project's proximity to commercial and retail services and connections between the project and these services. That is, most of the reduction in total off-site vehicle trips generated by the project is attributable to those trips beginning on the project site, traveling to adjacent services, and ending on the project site without using off-site roadways or by walking.

The MXD model used to estimate trip internalization was developed based on household travel survey data obtained from 239 existing mixed-use developments in six metropolitan regions throughout the United States, including developments in Sacramento. The internal capture percentage calculated for the project is reflective of the land uses that would be developed as part of the project and existing land uses near the project, which would reduce the need to travel beyond the project site or surrounding area. A set of 16 independent mixed use sites that were not included in the initial model were tested to help validate the model. Among the validation sites, use of the MXD model produced superior statistical performance when comparing the model results to observed data. Given the statistical robustness of the MXD model, it was deemed the most appropriate approach for estimating internalization of project trips.

**Response 22-4**

See Master Response 2 for a discussion of the project's consistency with applicable land use plans. The Draft EIR evaluates the environmental effects of proposed changes in land use and density on the project site and provides analysis and supporting evidence to demonstrate that the proposed project would not result in any significant environmental effects that cannot be mitigated to a less than significant level.

See also Response 4-9 above. CEQA does not require an analysis of tax revenues that would be associated with a proposed project. The comment is therefore outside the scope of CEQA. A response is nonetheless provided below for informational purposes only.

While it is true that development of the project site as an apartment building would not result in collection of hypothetical future sales taxes associated with potential other uses at the site, the project would still generate property taxes for the County. In addition, as the project would add approximately 492 residents who would have access to nearby shops and restaurants, it is expected that sales tax receipts at those establishments would increase as well.

**Response 22-5**

Please see Master Response 2 for a discussion on how the increase in density proposed by the project would not result in any significant environmental effects, including traffic impacts, which cannot be mitigated to a less than significant level. See Response 22-4 above for a discussion of taxes and revenue.

**Response 22-6**

This comment is directed to the merits of the proposed project and is not about the environmental analysis presented in the Draft EIR.

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COUNTY OF EL DORADO, CALIFORNIA  
PLANNING COMMISSION MEETING  
  
PRESENTATION OF INFORMATION ON THE  
EL DORADO HILLS APARTMENTS PROJECT  
DRAFT ENVIRONMENTAL IMPACT REPORT AND  
COUNTY DEVELOPMENT SERVICES AND PLANNING & BUILDING  
DEPARTMENT'S PUBLIC WORKSHOP

---o0o---

Thursday, August 10, 2017

Planning and Building Department  
2850 Fairlane Court  
Placerville, California

ITEM NO.: 6  
  
REPORTED FROM AUDIO MEDIA  
  
BY: DEBORAH FUQUA, CSR #12948

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APPEARANCES

EL DORADO COUNTY PLANNING COMMISSION

GARY MILLER, Chair, District 2  
BRIAN SHINAULT, First Vice Chair, District 5  
JAMES WILLIAMS, Second Vice Chair, District 4  
JON VEGNA, District 1  
JEFF HANSEN, District 3

PLANNING COMMISSION STAFF

MEL PABALINAS, Planner

EL DORADO COUNTY COUNSEL

DAVID LIVINGSTON, Deputy County Counsel

ENVIRONMENTAL CONSULTANT

PAUL STEPHENSON, Impact Sciences, Senior Project  
Manager

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PUBLIC COMMENT

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P R O C E E D I N G S

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CHAIR MILLER: Moving on to Item 6, if you'll read that for us?

COMMISSION CLERK TIM: Item No. 6, Community Development Services Planning and Building Department providing the public workshop on the El Dorado Hills Apartments Project, General Plan Amendment A16-0001, Rezone Z16-0004, Planning Development PD94-0004-R3, El Dorado Hills Specific Plan SP86-0002-R3 to present information on the Draft Environmental Impact Report, which is undergoing a 61-day public review period from June 30th, 2017 to August 30th, 2017 and to review public input. No formal action by the Planning Commission will be taken.

CHAIR MILLER: Thank you.  
Staff?

MEL PABALINAS: Good morning, Mel Pabalinas, thank you, Chairman Miller.

As they just said, this is a workshop for the proposed Draft EIR for El Dorado Hills Apartments. We have a brief presentation here, PowerPoint to your left, to my left. We also have some of the plans along the wall over there. Basically this workshop is for the Draft EIR. The document that's currently out for

1 review is this thick document that you may have  
2 received either via e-mail or via a hard copy to  
3 review. This is going on to a 61-day review period at  
4 the moment that started back on June 30th and is due to  
5 end on the 30th of this month.

6 So the project is going through a workshop as  
7 before you. And essentially it's an outreach to you,  
8 the Commission, as well as to the public. It's an  
9 opportunity to provide comments and give comments and  
10 provide information to you and as well as a preview to  
11 the Commission of what's to come down the road.

12 Before you today will be myself presenting  
13 information as well as Paul Stephenson. He's with  
14 Impact Sciences. He's hired by the -- to do the EIR.  
15 So between him and I, we'll be tag teaming on today's  
16 presentation.

17 Several bullets shown on the screen there  
18 about items we'll be discussing today. We'll cover the  
19 purpose of the DEIR workshop, provide an overview of  
20 the proposed project, a summary of the proposed project  
21 impacts and analysis. We also recapped information on  
22 the Draft EIR for review as well as outlined the next  
23 steps on the proposed project.

24 So in terms of the workshop, we're here to  
25 provide information or analysis of the proposed

1 project's environmental impacts. As you can tell, this  
2 document is very thick, and this is just the actual  
3 document itself; there's appendices to it, studies  
4 associated with it all available online and at the  
5 County offices.

6 Basically, here is -- we're providing  
7 information for your review and consideration. And  
8 we're here to get comments from the public and the  
9 Commission as well.

10 It's a very comprehensive document, very  
11 informational. And we have a little [unintelligible]  
12 document. Based on the review of this document, we  
13 hope to get comments from everyone. But the comments  
14 we expect to receive are basically related to the Draft  
15 EIR only. There's elements of the project we will  
16 discuss at some point, but that will be later on in the  
17 project phase of the application processing.

18 Comments could be orally provided. We will do  
19 an audio recording today. We also have some comment  
20 cards in the back table as well. So if anyone is  
21 available who's ready now to comment, definitely fill  
22 out one of those cards and turn it in or take it home  
23 and submit it to me via e-mail or via mail. Comments,  
24 of course, will be analyzed, will be addressed and be  
25 incorporated as part of a Final EIR document for the



1 project.

2 For this workshop, there's no formal action or  
3 imposition by your Commission. It's just basically  
4 input from your Commission, if anything, and as well as  
5 comments by the public, if anything.

6 To get into the process, we'll have a Draft  
7 EIR, of course. And we'll have the Final EIR combined  
8 and incorporated as part of the project packet that  
9 will be going to the Planning Commission and the Board  
10 of Supervisors. [Unintelligible] seeing that as a part  
11 of a packet that you will see. We're having a lot of  
12 EIR projects come before you, but definitely it will be  
13 probably a similar process, but we have a different  
14 [unintelligible] this is a bigger document that's  
15 involved with this project. And that will be a part of  
16 your packet and the Board's packet to review.

17 A little reminder, the review period ends on  
18 the 30th of this month, and written comments will be  
19 received no later than 5:00 p.m. on the 30th of this  
20 month.

21 Now I'm going transfer to Paul to cover the  
22 middle portions of the -- of the presentation, and I'll  
23 cover the last two slides in the presentation. Thank  
24 you.

25 PAUL STEPHENSON: Hello. Good morning,

1 Members of the Commission. Again, my name is Paul  
2 Stephenson. I am a senior project manager with Impact  
3 Sciences, and I assisted the County in preparing the  
4 Draft Environmental Impact Reports.

5 First, I'd like to start off with just a brief  
6 overview of the project. It is a four-story, 214-unit  
7 apartment complex that's comprised of two buildings, a  
8 parking structure, outdoor recreation areas, and an  
9 informal open space. Units would range in size from  
10 476 square feet to 1195 square feet, with about half  
11 the units one-bedroom -- consisting of one-bedroom  
12 units and the other half, two-bedroom units.

13 There will be a five-level parking structure  
14 that would include 409 parking spaces and 22 motorcycle  
15 spaces in addition to five service parking spaces  
16 elsewhere on the site.

17 The buildings would range in height from 42 to  
18 52 feet in height with some architectural elements  
19 reaching up to 60 feet.

20 And finally, the project is seeking several  
21 entitlements: a General Plan amendment, amendment to  
22 El Dorado Hills Specific Plan, a rezone, and an  
23 amendment to the El Dorado Hills Town Center  
24 Development Plan.

25 Before you here is a site plan of the project.

1 As you can see, the parking garage will be in the  
2 center of the site. The two buildings would surround  
3 it. You can also see here that the recreational areas  
4 are located on the southern portions of each of the  
5 building, and there's that informal open space on the  
6 southern border of the sites.

7 These next slides give you a building  
8 elevation that show the preliminary design of the  
9 project, which is still being refined, but just want to  
10 give you a sense of what it looks like here.

11 So here's a -- in case you can't read it up  
12 there, this is a view of Vine Street and Mercedes on  
13 top, and Vine Street's on the bottom. Then here is --  
14 the top view is of Mercedes at the greenbelt, and the  
15 bottom view is of Town Center and greenbelt; so gives  
16 you a sense of what's going on.

17 Okay. This slide summarizes the topics that  
18 we covered in the Draft EIR. We've totally covered ten  
19 topical resource areas as well as the acquired  
20 alternatives analysis.

21 I'd just like to point out that, during the  
22 scoping process of the -- that occurred previously, the  
23 public specifically asked us to look at issues with  
24 regard to air quality, land use planning, noise, public  
25 services, traffic, and utilities, water supply, and

1 sewer capacity.

2 Here is a -- this is a brief summary of the  
3 potentially significant impacts that we -- that were  
4 just found in the analysis that are listed in the Draft  
5 EIR as well as mitigation measures that would reduce  
6 these impacts to a less than significant level.

7 To begin, we found that there could be a  
8 potentially significant impact with regard to emissions  
9 during construction. And then to reduce that risk, the  
10 project would implement measures recommended by the Air  
11 Quality District to control emissions for construction  
12 equipment and also to control emissions from fugitive  
13 dust.

14 Next, impacts to operational emissions were  
15 identified. And to reduce that risk, the project would  
16 implement sustainable design features. For example,  
17 the project would be designed to exceed Title 24  
18 standards by 10 percent. There would also be  
19 high-efficiency lighting, and energy efficient  
20 appliances would be installed.

21 Next, during construction, there is the risk  
22 of releasing naturally occurring asbestos in the soil.  
23 And the project would prepare an asbestos hazard dust  
24 mitigation plan.

25 With regards to biological resources, the

1 analysis found that construction noise has a potential  
2 to affect birds that are nesting near the site, which  
3 are protected birds. And in order to mitigate for  
4 that, the project would construct surveys prior to  
5 construction. And if -- it would establish exclusion  
6 zones if any nests were found.

7 Also, as is very common, there was potential  
8 to uncover unknown archeological resources during  
9 construction. And to mitigate that risk, there will be  
10 a tribal monitor present during ground disturbing  
11 activities. Also the construction crew would receive a  
12 briefing on what to look out for with regards to  
13 archeological resources. And there will be a  
14 professional archeologist on call who would evaluate  
15 and recommend mitigation measures for resources if they  
16 were discovered.

17 Similarly, there is a potential to unearth  
18 unknown human remains. And the project would comply  
19 with all applicable state laws if remains are  
20 uncovered. And also as required by law, the project  
21 would -- or the County would notify the County coroner  
22 and Native American descendents.

23 With regards to traffic, there was an impact  
24 that was discovered that was found -- a potential  
25 impact to a County-controlled intersection under

1 near-term 2027 test project conditions. And this  
2 intersection is El Dorado Hills Boulevard,  
3 Saratoga Way, and Park Drive. However, there is an  
4 improvement that has been identified at this  
5 intersection that would remedy this situation. And it  
6 is included in the County's CIP. So the applicant  
7 would pay traffic improvement mitigation fees to the  
8 County prior to any building permits. That's how that  
9 would be mitigated.

10 Finally, there was identified potential impact  
11 to wastewater conveyance facilities in the area. It  
12 was a capacity issue in a trunk line that was an  
13 18-inch trunk line that was located in El Dorado Hills  
14 Boulevard in the vicinity of White Rock Road and Post  
15 Streets. And like the intersection, an improvement to  
16 that line has also been identified. And the applicant  
17 would pay its fair share of fees towards that planned  
18 improvement.

19 Okay. The next slide I want to talk about is  
20 mitigation that is proposed for a private intersection  
21 in the vicinity of the Town Center area. This is --  
22 the traffic analysis found that the private  
23 intersection of Post Street and Town Center Boulevard  
24 would operate at an unacceptable level of service  
25 according to County standards under long-term 2035-plus

1 project conditions. However, as a private intersection  
2 this is -- it's not under jurisdiction of the County.

3 That being said, the applicant went ahead and  
4 looked to see what improvement could be made to remedy  
5 that intersection to reduce the LOSF to acceptable  
6 levels. And they found that a traffic signal would do  
7 the job. So applicant's agreed to be responsible for  
8 ensuring that a traffic signal is installed and that a  
9 funding mechanism is created for the maintenance of  
10 that signal. And an analysis would be done every two  
11 years on the intersection to see, to determine when it  
12 gets to LOSF. And at the time, that's when the signal  
13 would be installed.

14 So, finally, I'd like to wrap up here with the  
15 alternatives. We evaluated three alternatives in the  
16 Draft EIR. The first alternative was a no project, no  
17 development alternative. And in that scenario, there  
18 would be no construction on the site, no grading. It  
19 would be left vacant. And all the potentially  
20 significant impacts I just went over would not be --  
21 would go away. However, none of the project objectives  
22 would be met.

23 So next we looked at an existing -- excuse  
24 me -- a no project, existing zoning alternative which  
25 looked at what could feasibly be constructed on the

1 site under existing zoning regulations. And based on  
2 that, we determined that seven commercial buildings  
3 providing a total of 74,350 square feet of commercial  
4 space could be constructed on the site.

5 So when we did the evaluation, we found that  
6 the potentially significant impacts related to traffic  
7 would actually increase under this scenario because  
8 commercial uses generate more traffic than residential  
9 uses. But all of the other impacts that were  
10 identified would decrease under this scenario.

11 Then finally, we looked at a reduced density  
12 alternative, which reduced the number of units by about  
13 50 percent to 108 units. And then in this situation,  
14 all the impacts that were identified by the project  
15 would be reduced.

16 And also, a lot of the project objectives  
17 would be met. However, unlike the proposed project,  
18 this alternative would not create a residential  
19 development that maximizes the density with  
20 accessibility to alternative transportation modes, so.

21 MEL PABALINAS: Thanks, Paul.

22 The next slides are mine to present.

23 Again, to recap where we're at in the process,  
24 we're currently in the process of actual processing of  
25 the application. We're going through the EIR process,



1 and the Draft EIR is out for review. Again, the final  
2 date to send your comment is by the end of this month.

3 Comments, as shown on the slide, must be  
4 submitted to me via e-mail or via mail. And that's all  
5 detailed in the notice that went out to the surrounding  
6 properties and the [unintelligible] parties.

7 The Draft EIR is available online, of course,  
8 and the website is shown in the slide, as well as the  
9 County counter -- at the County, the public counter.  
10 And also we have copies that we provided to the public  
11 libraries in El Dorado Hills and Cameron Park, and  
12 Placerville. So they're all available online. But  
13 definitely, if anybody wants to contact me any -- for  
14 viewing the document, I can be reached at any time.

15 Next stage of the project, as I mentioned, we  
16 will complete the Draft EIR phase of the project. We  
17 will review the comments we received during this phase.  
18 We will analyze those and incorporate them, address  
19 them and incorporate them into the Final EIR. That  
20 will be completed. And as a part of going through the  
21 process, [unintelligible] now, we will prepare a staff  
22 report, we will prepare findings, we will file the  
23 conditional approval, and this -- both the Draft EIR  
24 and the Final, will be part of the documents that will  
25 be coming before you, we are anticipating, sometime in

1 the fall of 2017. We're still working out all the  
2 details, depending how -- what the outcome is and which  
3 [unintelligible] the project.

4 That's all that we have for today, but we're  
5 going to give a formal recommendation to you other than  
6 just -- and you'll receive the information we just  
7 provided to you, as well receive comments from the  
8 public, if any.

9 Thank you very much.

10 CHAIR MILLER: Thank you. I have a quick  
11 question because I didn't write it down fast enough.  
12 You say how much commercial space would have been, it's  
13 75,000?

14 PAUL STEPHENSON: Yeah. It was 74,350 square  
15 feet commercial space for that --

16 CHAIR MILLER: Okay. Thank you. I wanted to  
17 make sure.

18 COMMISSIONER WILLIAMS: Now, I do have a  
19 question, the private road exemption verbiage in here,  
20 so I understand kind of how it works on a residential  
21 scale. You know, typically, if they have exemptions on  
22 their roadways, if they're gated, you know, they're a  
23 private road; therefore, the public is not accessing  
24 these roads.

25 But this is a public project, essentially, a

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1 commercial project. You have the public coming and  
2 going. The traffic analysis at these intersections  
3 needed to be analyzed as part of the Town Center  
4 project in general, which we wouldn't let these roads  
5 operate at levels of service that aren't acceptable.

6 So at what point does this transition where it  
7 becomes this private thing and we don't have any  
8 jurisdiction over it, at what point does it switch to  
9 that because the project in general, the Town Center,  
10 had to comply with these level-of-service triggers? So  
11 at what point does it change?

12 MEL PABALINAS: Well, I think it's private  
13 from the sense that the ownership of -- the  
14 [unintelligible] ownership of the Town Center, these  
15 associations. So it's probably maintained by that  
16 association. We don't have any control over what  
17 happens in terms of usage that are there other than  
18 complaining to the PD. But definitely in terms of  
19 management of traffic, that's all falls within the  
20 control and management of the Town Center East  
21 Association. We don't have any standards that would  
22 apply to that, other than, of course we have to comply  
23 with some community standards for the PD. But in terms  
24 of traffic, it's been analyzed accordingly within -- we  
25 have reviewed against Measure E as well. We identified

1 that particular intersection to be impacted. And we  
2 have proposed mitigation that could be implemented at  
3 some point for the project.

4 But I'm not sure if I'm answering your  
5 question. But I think that's -- there's a lot of  
6 history that goes back before my time here.

7 [Unintelligible] that PD itself with Town Center East  
8 was approved. My knowledge of it is that there's some  
9 items of it that we can't control because of the way  
10 the management was set up for the Town Center East  
11 development.

12 COMMISSIONER WILLIAMS: Is there anything we  
13 can do to change that?

14 MEL PABALINAS: I'm not sure if there's  
15 anything. Maybe counsel can provide more input on  
16 that.

17 COUNTY COUNSEL LIVINGSTON: Just to jump in  
18 because I think it's a good distinction to make and --  
19 I think, to your comment as to, you know, comparing  
20 with prior projects, residential projects you've had  
21 come before you where there were private driveways  
22 associated with it. I guess the difference here is,  
23 though, these roads that are privately owned are  
24 maintained but, because of the nature of the  
25 development, the owner has -- is essentially allowing

1 others to utilize those private roads in order to  
2 access the commercial facilities that are there.

3 That doesn't change the fact, however, that  
4 they're not public improvements; they're not public  
5 facilities over which the County has any sort of  
6 control. So when you're looking at it, now shifting  
7 gears into how we would then analyze that for purposes  
8 of CEQA, CEQA is really talking about those impacts to  
9 public facilities. It's based upon the County or the  
10 agency's ability to regulate things that affect the  
11 public health, safety, and welfare.

12 So if there was some impact, some traffic  
13 scenario within the private roads that somehow leaked  
14 out to create an impact on the public facilities, that  
15 would be a different story. That's not what we're  
16 dealing with here. This is purely an impact to a  
17 private facility. And so it was -- there's a volume of  
18 case law under CEQA that would say that that is beyond  
19 the scope of what the CEQA review would require.

20 I think in this particular case, the applicant  
21 recognized that there was an issue that needed to be  
22 remedied and is attempting to do what they can do  
23 within their control in order to remedy that issue,  
24 notwithstanding the fact that it is a privately  
25 controlled facility and beyond kind of the scope of the

1 public's -- the County's jurisdiction and beyond the  
2 scope of what our General Plan would dictate as far as  
3 the applicable levels of service.

4 So, again, I recognize it's a very unusual  
5 situation, not one that has, I can recall, having come  
6 up before and probably not one that we will see again.  
7 It's probably due to the unique nature of Town Center.

8 COMMISSIONER WILLIAMS: And as it being a  
9 private stoplight, it wouldn't require also, though,  
10 the same triggers that we require on other stoplights  
11 on public roads, correct? The applicant could just put  
12 the stoplight in up front; knowing that they're going  
13 to have a traffic issue, there would be nothing from  
14 the County that would impede that action if they wanted  
15 to be proactive about handling their internal traffic  
16 issue, correct?

17 COUNTY COUNSEL LIVINGSTON: I think that's  
18 true. I think that it gets back to a debate that you  
19 had had on a number of other projects about how you  
20 time the construction of improvements needed to  
21 mitigate impacts that really you don't expect to  
22 realize for another 20 years or so. You know, how  
23 certainly you could build them now, or do you build in  
24 triggers in order to time those improvements with when  
25 the impacts necessitating those improvements would

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1 actually come to be.

2 So that is true; however, I believe in this  
3 case, as far as what those traffic warrants would be, I  
4 think that there are -- I think it's my understanding  
5 that the intent is to utilize those standard triggers  
6 for -- under the Municipal Uniform Traffic Control  
7 Devices Step 4 when you are required to upgrade from a  
8 traffic stop, four-way stop, to an actual traffic  
9 signal.

10 So the notion of using the traffic warrants is  
11 a -- I think kind of an industrywide standard.

12 COMMISSIONER WILLIAMS: And at this point, all  
13 of the level of service issues are contained to the  
14 private property; none of it's getting out on El Dorado  
15 Hills Boulevard or --

16 COUNTY COUNSEL LIVINGSTON: Well, I think as  
17 Mr. Stephenson indicated, there was an impact, yeah, to  
18 Saratoga -- El Dorado Hills, Saratoga Park, that the  
19 improvement is already within the CIP for construction.

20 COMMISSIONER WILLIAMS: So the theoretical  
21 question -- not saying it's happening here -- but with  
22 a project like this, could they kind of re-time their  
23 stoplights at the exits to just create all the traffic  
24 impact to be on their end to avoid level of service  
25 triggers outside of the project?

1 I mean, I just want to make sure that that's  
2 not an issue that we would need to worry about.

3 COUNTY COUNSEL LIVINGSTON: I might need to  
4 defer to the traffic ops folks on how that would  
5 operate.

6 COMMISSIONER WILLIAMS: Okay, thanks.

7 CHAIR MILLER: Anything else for staff at this  
8 point?

9 COMMISSIONER VENGA: Just to dovetail on that  
10 public/private, I could be dating myself, but I  
11 remember when the Post Office came in. I think there  
12 was a requirement that they be designated as a public  
13 road, not a non-county maintained but a public road.

14 Now, I don't know if there were specific  
15 limits to that, I don't know if staff recalls.

16 COUNTY COUNSEL LIVINGSTON: It's consistent  
17 with my understanding that up to the entrance to the  
18 Post Office is that is considered a public road.

19 COMMISSIONER VENGA: But from the White Rock  
20 Road end? Or --

21 COUNTY COUNSEL LIVINGSTON: I believe so.  
22 It's not throughout the entirety of --

23 COMMISSIONER VENGA: Oh, it's not the entire  
24 portion of Post Street?

25 COUNTY COUNSEL LIVINGSTON: Correct.

3

4



1 COMMISSIONER VENGAS: Is that staff's  
2 understanding?

3 MEL PABALINAS: Yes.

4 COMMISSIONER VENGAS: Thank you.

5 CHAIR MILLER: Anything else?

6 Does the developer, applicant want to make a  
7 presentation?

8 MEL PABALINAS: I'm not sure if the applicants  
9 are available to present. They could if they want to.  
10 I think it's more of a -- you receiving the info from  
11 that presentation and open up to the public for any  
12 comments to be held.

13 CHAIR MILLER: Or if they wanted to address  
14 any of those issues that we discussed.

15 Okay. At this point, I'm going to open it  
16 up -- yes, one more?

17 COMMISSIONER VENGAS: No.

18 CHAIR MILLER: I thought you were getting  
19 ready to speak. Sorry. Okay.

20 COMMISSIONER VENGAS: Oh, just real quick. I  
21 just wanted to get clarification.

22 So on your Alternative No. 3, the reduction in  
23 density, am I correct that the only -- you acknowledge  
24 that it will decrease the significant impacts and all  
25 that, the only negative, am I correct, that you're

1 quoting is just the underutilization of public  
2 transportation?

3 PAUL STEPHENSON: Yeah, that one objective  
4 wouldn't be met as it would be under proposed project.

5 CHAIR MILLER: Okay. At this point, I want to  
6 open it up to the public, if anybody wants to make  
7 comments on this project at this point.

8 COMMISSIONER VENGA: Mr. Chairman, could we  
9 come back? I may have some more questions for staff  
10 later.

11 CHAIR MILLER: Absolutely.

12 COMMISSIONER VENGA: Okay.

13 JOHN RASLEAR: Good morning, if it's still  
14 morning yet. I'm John Raslear. I'm the vice chairman  
15 of the El Dorado Hills Area Planning Advisory  
16 Committee.

17 Our committee is made up of volunteers who  
18 reside, work, and raise families in El Dorado Hills.  
19 When the DEIR came out for the Town Center project, we  
20 formed a subcommittee to study the project. We spent  
21 many weeks studying the DEIR. We reviewed comments  
22 going all the way back to the original plan, which was  
23 in 2014. We had conversations with public and the  
24 business community.

25 We realized the importance of this parcel of

1 land and the view by some that the -- that this project  
2 will be a magic bullet that will revitalize Town  
3 Center.

4 In deference to the representatives of the  
5 Spanos Corporation, we reserved voting on our  
6 subcommittee report until the corporation made its  
7 presentation last evening. The meeting lasted until  
8 9:30 last night. And a result of our vote by our full  
9 membership was seven to zero of non-support for this  
10 project.

11 Because of lateness of the meeting, we did  
12 send via e-mail to this committee -- we sent you a  
13 letter talking about this, and we also sent you a  
14 seven-page subcommittee report on this. That was all  
15 sent in to you last evening.

16 I have that report again. I just want to read  
17 very, very briefly from the letter that we sent you.

18 "Following the presentation and the  
19 question-and-answer session when the representatives of  
20 the Spanos Corporation and El Dorado Hills Residents  
21 APAC voted on the subcommittee recommendation of  
22 non-support for the project. The vote was seven to  
23 zero for non-support."

24 And I have a copy that I want to give you that  
25 has been signed by me as vice chairman. We couldn't

1 sign the copy last night that was sent to you very  
2 late.

3 I want to read to you just a very, very small  
4 portion of the seven-page subcommittee report that we  
5 have. This is on Page 1, "The APAC El Dorado Hills  
6 Apartment and Town Center Subcommittee believe that the  
7 project DEIR proposed mitigations are inadequate  
8 specifically in regard to traffic, land use, and  
9 aesthetic components."

10 And I am also going to give you a copy, a  
11 signed copy, of our subcommittee report. I won't go  
12 into that report. You have a copy of it, and you can  
13 review what we put there.

14 If anyone has any questions that you would  
15 like to ask me, I'm available now.

16 CHAIR MILLER: Any questions at this point?

17 JOHN RASLEAR: Having none, thanks very much  
18 for listening.

19 CHAIR MILLER: Thank you.

20 Anyone else from the public like to address?  
21 Come on up.

22 SUE TAYLOR: Sue Taylor. I'm surprised by the  
23 format of this meeting. Last night, we were told that  
24 the meeting would be the same as it was last night,  
25 that there would be a presentation by this group.

6

7

1           And it was -- I mean, I understand what a  
2 workshop is at the County. But the public that was  
3 there, the room was packed to hear about this issue.  
4 And that packed public was told they were just going to do  
5 the same presentation here today.

6           This is a formal hearing, which I doubt that  
7 anybody at that meeting last night that doesn't know  
8 this process understood. So I -- I protest the way  
9 this is being handled. There's only four pages in the  
10 binder regarding this project, which I'm sure there's  
11 more than four pages having to do with this project.

12           I know the past when something like this would  
13 happen, they would reschedule this meeting and hearing  
14 because it wasn't properly addressed. So -- and I  
15 guess I should ask, is there going to be a formal  
16 hearing again that people know that that's what it is,  
17 to address these comments in the Draft EIR to the  
18 Planning Commission after this meeting? Because I'm  
19 guessing this is it. And then it's going to be the  
20 Final EIR, right?

21           MEL PABALINAS: Yes, this is it. You'll  
22 [unintelligible] and then we'll -- [unintelligible]  
23 Planning Commission meeting at another time.

24           COUNTY COUNSEL LIVINGSTON: If I could just  
25 interject because there's nothing to require the County

1 to do a meeting during the course of the public comment  
2 period. And the members of the public are still -- I  
3 believe they have until the end of the month to submit  
4 their written comments on the Draft EIR.

5 So nobody's being precluded from providing  
6 their comment. This was intended to be an additional  
7 opportunity for folks to provide their comment directly  
8 to the Planning Commission or for the Planning  
9 Commission to provide its comments as to the Draft EIR.

10 So I understand Ms. Taylor's concerns, but I  
11 just want to make it clear, nobody is being precluded  
12 from providing comment. There is still adequate  
13 opportunity to do so before the comment period ends.

14 SUE TAYLOR: And I appreciate that. My  
15 frustration is the way this was presented last night to  
16 the public. So --

17 CHAIR MILLER: Who presented it, if I might  
18 ask that question? Who presented it that way? Was it  
19 somebody from the County?

20 SUE TAYLOR: I think everybody that spoke  
21 about the meeting that stood up -- and I think the  
22 people that were conducting the meeting were told that.

23 MEL PABALINAS: If I may provide some  
24 clarification, that's the APAC meeting, the advisory  
25 committee meeting. It's not a County-sponsored meeting

1 by anybody. It's a non- -- it's an advisory committee  
2 that the community had set up on their own. We just  
3 take comments from them, normally, but that's a  
4 separate meeting that was held outside of our process.

5 CHAIR MILLER: So if they gave out bad  
6 information last night, it was APAC?

7 SUE TAYLOR: Not necessarily. It was --

8 CHAIR MILLER: That's why I asked you who do  
9 did it.

10 SUE TAYLOR: It was an APAC meeting, yes. But  
11 you still only have four pages in the binder on this  
12 project on your counter, unless there's another binder  
13 that I didn't see.

14 MEL PABALINAS: There is none. That's because  
15 we are in the Draft EIR stage of the project. The  
16 document is available online. I have it here. It's up  
17 on the counter as well, libraries that I mentioned  
18 earlier. And they're available online. You just -- if  
19 they want to see on that, the document, it's available  
20 here now. You can review it, access it, download it.  
21 Whatever the [unintelligible] provide it.

22 CHAIR MILLER: I get it.

23 SUE TAYLOR: So is this a new project or not?

24 MEL PABALINAS: It's a new project.

25 SUE TAYLOR: So as a new project being

1 presented to you, shouldn't you see the whole project?

2 CHAIR MILLER: We have. It's online.

3 SUE TAYLOR: But you had a public hearing  
4 without any project -- I didn't mean to -- we're going  
5 off topic of what I want to address.

6 Most development projects, they come, and the  
7 environmental report is part of the presentation of the  
8 project. And I'm -- and this is it, which is, for a  
9 huge project that it is, this is pretty minimal. It's  
10 less than --

11 CHAIR MILLER: Well, I guess we don't  
12 understand what more you want from -- on this, Sue.  
13 We've had plenty of opportunity for public comment. We  
14 continue to do so, even --

15 SUE TAYLOR: Okay. So there's a new project  
16 back there, with an EIR, but the project has not been  
17 presented to Planning Commission as the project. So --

18 COUNTY COUNSEL LIVINGSTON: If could just  
19 clarify. I do -- I think Ms. Taylor is making a good  
20 point. And it perhaps speaks to the process.

21 And just to clarify for others, I think that  
22 this is not project approval. You will be hearing --  
23 having an opportunity to hear the project. Yes, it has  
24 been presented, I believe, in concept to you so you  
25 have an understanding of what's coming.



1 But to Ms. Taylor's point, this is really an  
2 opportunity for comment on the Draft EIR. When this  
3 item is presented to you for approval, it will of  
4 course at that point contain the Final EIR, which will  
5 have written responses to any of the written comments  
6 that have been submitted during the comment period.  
7 And that will be an opportunity at that point for  
8 members of the public to comment not only as to the  
9 adequacy of the EIR -- so that still remains an issue  
10 for members of the public -- but also as to the  
11 specific merits and design details of the project.

12 I know that today it's been presented to you  
13 to focus on the DEIR, recognizing that you will  
14 ultimately have an opportunity to discuss and debate  
15 the specific merits of the project that -- when it does  
16 come to you for approval.

17 So I appreciate the opportunity to clarify for  
18 everybody. There's still many steps to follow before  
19 this comes ceded to you -- or to the Board, actually,  
20 for approval. So there will be opportunities for the  
21 members of the public to come and provide additional  
22 comment in response to some of their issues.

23 SUE TAYLOR: And I appreciate that. So the  
24 actual project would be coming back to the Planning  
25 Commission for approval?

1 COUNTY COUNSEL LIVINGSTON: That's correct.

2 SUE TAYLOR: After the environmental report

3 is -- and this just for their information?

4 CHAIR MILLER: Correct.

5 SUE TAYLOR: Okay.

6 COUNTY COUNSEL LIVINGSTON: Exactly. It's an

7 additional step that is not always taken with projects,

8 but given the concerns that were expressed for a

9 previous version of this project, staff and the

10 applicant felt that, in everybody's best interest, to

11 provide this additional forum for people to provide

12 their comments on the Draft EIR.

13 SUE TAYLOR: Thank you. I appreciate that

14 information. I didn't mean to get so sidetracked. It

15 was very beneficial for me and, I think, the public --

16 CHAIR MILLER: Good.

17 SUE TAYLOR: -- to understand that.

18 So I -- back to traffic. Today -- and it's

19 very -- this is very convoluted because, for the next

20 60 days, the County has to abide by the voter-approved

21 Initiative E, which says you can't approve any

22 discretionary project if you have these conditions.

23 The judge made a ruling that that won't be clarified

24 for another 60 days.

25 So I think within the Draft EIR, it's relying

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1 on Measure E as it's applied by the voters. So I'm not  
2 sure how that's going to be handled as we move forward.

3 But if you're going to apply this as it is  
4 today, you wouldn't be able to allow this project to be  
5 approved because of the conditions on the traffic. So  
6 Highway 50 I don't think is even addressed in the  
7 traffic study. Highway 50 at this area is at LOSF; we  
8 have enough documentation that shows that.

9 And without some type of mitigation for that,  
10 like I said, this project couldn't move forward. And  
11 as far as the measure, if you read it, it says "any  
12 road." It doesn't say "any public road" or "private  
13 road." It says, "...any highway, road, or interchange  
14 or intersection in the incorporated areas of the  
15 County."

16 So we could -- it's a very simple language.  
17 And I think to keep finding these work-arounds on  
18 things that should actually stop certain projects is  
19 kind of becoming very frustrating dealing with these  
20 issues.

21 The public, especially that area, expected the  
22 County to abide by its General Plan and Measure Y and  
23 Measure E to deal with the impacts of traffic, that  
24 they don't end up sitting down there in gridlock.

25 But every time you approve another one of

1 these by getting around some of these requirements,  
2 they're being more and more impacted. And that's why  
3 they passed these measures. And those are my issues on  
4 the traffic.

5 There are specific ones I would argue on what  
6 would be -- and I'll do that in my formal presentation.  
7 The -- I was just going to read what I wrote last night  
8 and I lost my place.

9 So this project violates the -- many policies  
10 in the General Plan. I just mentioned a couple. But  
11 they're going to have to have policies written  
12 specifically for them and put into our General Plan to  
13 be able to make this project fit.

14 And my fear is it becomes a precedent for the  
15 rest of our area -- in a community region  
16 [unintelligible] they're being allowed a higher density  
17 than is allowed in El Dorado County for their  
18 apartments. Right now, we have 24 units per acre.  
19 This is I think asking for 42. And they're going to  
20 get a special condition put into our General Plan if  
21 this is able to move forward. So that's another  
22 roadblock that should -- hopefully, you won't make this  
23 many General Plan amendments because there's another  
24 one that would have to take place.

25 But besides those, there are more General Plan

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1 policies that are being violated. There's the Town  
2 Center's own design standards. This company got to  
3 write their own design standards and -- they're not  
4 using the Town Center's. And the -- it also violates  
5 the El Dorado Hills Specific Plan.

6 So there's a lot of hurdles to jump over. And  
7 I hope you respect the people that live in that area  
8 and the committee and APAC and those that have over and  
9 over again asked you to deny this project and require  
10 you to follow the General Plan and our policies.

11 Thank you.

12 CHAIR MILLER: Thank you.

13 Anyone else from the public that would like to  
14 address this?

15 (No response)

16 CHAIR MILLER: Okay.

17 Close the public and bring it back to the  
18 Commission. The staff is looking for any comments or  
19 comments that you would like to make on the EIR, Draft  
20 EIR at this point, to help them move forward.

21 COMMISSIONER VENGA: I had talked to staff,  
22 specifically DOT, Natalie, about -- I did not see the  
23 County road segment analysis. So even though it may  
24 not be significant, it would be good to see that in the  
25 traffic study to verify that. You know, they have

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11

1 intersections, but not the segments analysis.

2 And it's worth mentioning we apparently have  
3 on the horizon a public school coming in in the  
4 vicinity. And I'm at a loss at how that factors into  
5 this at all, so I'm just throwing it out there because  
6 we're talking about potentially some significant  
7 impacts right across the street at Town Center West.  
8 So I'm just -- I guess it's a work in progress right  
9 now.

10 And there's certainly -- these good folks are  
11 not responsible for their project and so forth, but  
12 it's a public school which has, really, when it comes  
13 to the County, not a whole lot of responsibility in  
14 respect to mitigating any impacts other than the  
15 County's ability through the encroachment permit  
16 process, which I hear we don't have much opportunity  
17 concerning that.

18 So I thought it was worth mentioning because  
19 that's starting to get -- the word is getting out  
20 concerning that project. And I know we've -- I think  
21 we've heard from the sheriff previously in respect to  
22 fiscal impacts as a result of this project. You know,  
23 we have Marshal Marshall here, in respect to, you know,  
24 fire, as well as law enforcement and whether those  
25 impacts to our services, will they be mitigated as part

1 of this project. So lots of questions, so.

2 CHAIR MILLER: This purpose is to bring those  
3 questions up so they can be added into the study.

4 COMMISSIONER VENGAS: Mm-hmm.

5 CHAIR MILLER: And he's taking copious notes,  
6 I see.

7 COMMISSIONER VENGAS: Mm-hmm.

8 COMMISSIONER WILLIAMS: Just for clarification  
9 purposes, as far as this is being analyzed, Measure E  
10 applies; is that correct?

11 MEL PABALINAS: Yes.

12 COMMISSIONER MILLER: And that's how the EIR  
13 is being done?

14 MEL PABALINAS: Yes.

15 COMMISSIONER WILLIAMS: And what about  
16 Highway 50, addressing Highway 50 level of service? I  
17 saw you kind of perked up a little bit. Was that  
18 addressed? And if so, how?

19 PAUL STEPHENSON: Yeah, the highway facilities  
20 were addressed in the Draft EIR.

21 COMMISSIONER WILLIAMS: Did they just conclude  
22 that level of service is --

23 PAUL STEPHENSON: They concluded that there  
24 would be no -- based on the County standards, there  
25 would be no significant impacts.

13

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1 COMMISSIONER WILLIAMS: And then, from a fire  
2 standpoint, Marshal, do you see any issues that may  
3 arise in the Town Center that could be a result of this  
4 project, or in general, are you having any issues now  
5 that may be exaggerated that you could see?

6 I'm sure you're going to review and comment  
7 yourself.

8 FIRE MARSHAL COX: Yeah, Fire Marshal Marshall  
9 Cox, El Dorado Hills Fire.

10 In direct response to that, our issues are  
11 going to come to access around the structure. But no,  
12 there has been no concern to for the existing  
13 infrastructure that's around that area.

14 COMMISSIONER WILLIAMS: Any concerns with the  
15 amount of traffic or being able to get in and out  
16 easily based on the traffic?

17 FIRE MARSHAL COX: No, as long as parking is  
18 going to be internal -- I mean, we can address the  
19 parking garage at that time -- and there's no  
20 additional widening of the parking along Town Center,  
21 then we have adequate access as it is current.

22 COMMISSIONER WILLIAMS: And when you access  
23 it, you'd be accessing it from that side road anyways,  
24 right?

25 FIRE MARSHAL COX: Yeah. We're going to be



1 come off of Mercedes, Vine, or Town Center Boulevard.  
2 And they've also provided on the -- I guess it would be  
3 the western side or the lower side here, that green  
4 line there, that's going to be an apparatus access  
5 road, grasscrete that would support our apparatus. So  
6 we'll have full access around the building.

7 COMMISSIONER WILLIAMS: Okay. Thank you.

8 MEL PABALINAS: If I may, Commissioner  
9 Williams, we will be having an agency review on the  
10 project, in the many steps along the way, next month.  
11 So we'll have that discussion with the agencies that  
12 are affected by this project. The Marshal will be  
13 invited as well. And we'll get the comments and  
14 conditions from them, and that will be part of the  
15 conditioning for the project.

16 COMMISSIONER WILLIAMS: Do we have any idea at  
17 this point how many design waivers or exemptions are  
18 being requested?

19 MEL PABALINAS: It will go through the PD.  
20 There's [unintelligible] with the setbacks, that there  
21 be -- assisted with or modified by PD. The outline is  
22 part of the staff report. I can't recall off the top  
23 of my head what they are. But they are -- this project  
24 has to go through, again, the project association.  
25 They have their own standards. It's been quite a while

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17

1 now -- volume designs, color pallets, landscaping,  
2 amenities -- those have to go through, the properly  
3 maintained and operated [unintelligible] in CC and Rs.

4 We don't have any control of that, other than  
5 just making sure that they abide by these PD standards  
6 and that the applicant gets their approval through the  
7 DRC, through the HOA.

8 COMMISSIONER WILLIAMS: There's definitely a  
9 lot of amendments, design reviews, seems like there's  
10 going to be a lot of things they're going to need to  
11 get through. And I guess my question to the applicant,  
12 whoever would like to speak to it, is what is the  
13 community benefit? What are you considering the  
14 community benefit of your project that justifies all of  
15 the exemptions and waivers?

16 COUNTY COUNSEL LIVINGSTON: I don't know if  
17 you're asking for a response to that, or if that's  
18 better to address when we actually talk about the  
19 merits of the project itself.

20 COMMISSIONER WILLIAMS: Well, yeah.

21 COUNTY COUNSEL LIVINGSTON: The purpose today  
22 is focused on the DEIR. I don't discount the validity  
23 of your question and the importance of it, but I might  
24 suggest that it's a question that's better addressed  
25 when you hear the project on its merits.

17

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1 COMMISSIONER WILLIAMS: I was just wondering  
2 if they have an idea what -- they already know what the  
3 community benefits would be, if they do. If they  
4 don't, then later.

5 CHAIR MILLER: We'll have plenty of  
6 opportunity to discuss that, but it's good that they  
7 know that that question is going to come up.

8 Okay. Anything else from the Commission you'd  
9 like to bring up before we move on?

10 (No response)

11 CHAIR MILLER: Anything else from the staff  
12 before we wrap this -- and I appreciate it. A lot of  
13 work went into this presentation.

14 MEL PABALINAS: Yeah. Thank you.

15 CHAIR MILLER: And thank you for the public.  
16 I know it wasn't everybody, but thank you for the  
17 public that did come out.

18 And I think that wraps it up. Adjourned.

19 (End of audio media transcription)  
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STATE OF CALIFORNIA            )  
                                          )     ss.  
COUNTY OF MARIN            )

I, DEBORAH FUQUA, a Certified Shorthand Reporter of the State of California, do hereby certify that the foregoing audio media was reported by me, a disinterested person, and thereafter transcribed under my direction into typewriting and is a true and correct transcription of said proceedings, subject, however, to the quality of the media submitted for transcription.

I further certify that I am not of counsel or attorney for either or any of the parties in the foregoing proceeding and caption named, nor in any way interested in the outcome of the cause named in said caption.

Dated the 21st day of September, 2017.



DEBORAH FUQUA  
CSR NO. 12948

**Comment No 23: Study Session (Planning Commission Public Hearing) Transcript**

**Response 23-1**

The commenter is referring to Alternative 2: No Project/Existing Zoning that was evaluated in the Draft EIR. As discussed on page 5.0-9 of the Draft EIR, based on a previous commercial land use proposal for the project site, this alternative would provide 74,350 square feet of commercial building space, assumed to be retail.

**Response 23-2**

Both Town Center Boulevard and Post Street are private roads in the ownership of the Town Center Management Group, Inc. These streets and any intersections between these private streets are maintained by Town Center East Association. The County has no jurisdiction over private streets and private intersections, and the County cannot impose its thresholds of significance for evaluation of traffic impacts at private intersections or impose mitigation measures that involve private intersections. As the intersection of Town Center Boulevard/Post Street is privately owned and maintained, the County has no jurisdiction over its operation and Measure E does not apply (see Master Response 1). As discussed in Master Response 1, the intersection would operate at LOS F during the PM peak hour under both near-term cumulative (2027) and long-term cumulative (2035) conditions prior to the addition of project traffic, and the addition of project traffic would worsen operations at this intersection. However, the project applicant and the owner of the right-of-way (ROW) of the Town Center Boulevard/Post Street intersection have voluntarily agreed to mitigate this impact below the County's threshold of significance applicable to County-owned facilities.

**Response 23-3**

The commenter enquires about installing a traffic signal at the private intersection of Town Center Boulevard/Post Street when the project is constructed. As discussed in Master Response 1, traffic generated by the proposed project would only negatively affect the privately maintained intersection of Town Center Boulevard/Post Street under near-term cumulative (2027) and long-term cumulative (2035) conditions. As a result, mitigating the impact of project traffic at the intersection under existing plus project conditions (i.e., at the time of construction) is not required under CEQA.

See Response 23-2 for a discussion of the limitations on County authority over this intersection. The project applicant has voluntarily agreed to implement Mitigation Measure C-TRANS-2, under which a peak hour signal warrant analysis will be performed at the intersection every two years and a traffic signal will be installed when intersection operations reach LOS F and applicable traffic signal warrants are satisfied.

The commenter also enquires whether the project's traffic impacts are limited to the private intersection only or whether the effects are identified on county roads such as El Dorado Hills Boulevard. As stated in Master Response 1, one County intersection (El Dorado Hills Boulevard/Saratoga Way/Park Drive) would be significantly affected under the near-term cumulative conditions analysis, which was included in the Draft EIR to satisfy Measure E provisions that have since been found by the El Dorado County Superior Court to be unconstitutional. Mitigation was set forth in the Draft EIR to address the impact at that intersection, and the project applicant has voluntarily committed to include this mitigation measure, even though it is no longer required mitigation.

The commenter asks if it is possible for the Town Center East Association to re-time the signals at the edge of the TCE area to limit traffic impacts to the development area and avoid triggering impacts outside of the development area. Traffic signal timings can be an effective strategy for mitigating potential impacts at traffic signal controlled intersections. Level of service is assigned based on the average delay for all vehicles, so reallocating green time from a minor street approach to a major approach could be done, assuming the average delay and LOS still satisfy the County's LOS threshold. However, the traffic analysis conducted for the Draft EIR shows that neither of the two intersections of private streets with County roads (Intersections 4 and 8, shown on Figure 4.8-1 in the Draft EIR) would experience significant traffic impacts. Therefore changes to the signal timings at these intersections are not required. Furthermore, because both intersections involve a county road, they fall within the County's jurisdiction and it is the responsibility of the County's Department of Transportation to adjust the signal timings for these intersections as it sees fit.

#### **Response 23-4**

The commenter asked about the public/private status of the roadway providing access to the post office located in the TCE area. The portion of Post Street from White Rock Road to the driveway of the post office is classified as a public road. The remainder of Post Street is a private road.

#### **Response 23-5**

A summary of the environmental impacts of Alternative 3: Reduced Density compared to the environmental impacts of the proposed project and the relationship of the alternative to the project's objectives is provided on page 5.0-19 and 5.0-20 of the Draft EIR. All of the proposed project's impacts would either be reduced or would stay the same under Alternative 3. In addition, this alternative would meet many of the project's objectives although it would not meet the project's objective of creating a residential development that maximizes density with accessibility to alternative transportation modes.

**Response 23-6**

The commenter states the El Dorado Hills Area Planning Advisory Committee (APAC) formed a subcommittee to review and study the Draft EIR for the proposed project and that based on the findings of a report prepared by the subcommittee on the Draft EIR, the full membership of the APAC voted to not support the proposed project. The commenter also quoted a portion of the report which states that the subcommittee found the proposed mitigation in the Draft EIR to be inadequate with regard to traffic, land use, and aesthetic impacts. Please note that the analysis in the Draft EIR found that the project would have less than significant impacts with respect to land use and aesthetics, and for this reason mitigation addressing impacts associated with these topics was not included in the Draft EIR. See Master Response 1 for a discussion of how proposed mitigation would reduce the project's impact on the local transportation system to a less than significant level.

**Response 23-7**

The commenter misunderstood the purpose of the study session related to the proposed project that was held at the Planning Commission's regularly scheduled hearing on August 10, 2017. The purpose of the study session was to provide an opportunity for the Commissioners and members of the public to provide oral comments on the analysis contained in the Draft EIR.

The public review period to provide comments on the Draft EIR extended from June 29, 2017 to August 30, 2017. The County has prepared this response to comments document as part of the Final EIR for the project. The County will submit the Final EIR to Planning Commission for their consideration prior to a formal hearing to review the project and to make a recommendation to the Board of Supervisors on whether or not the project should be approved. It is during this hearing that the Planning Commission will accept comments addressing the merits of the proposed project. The Board of Supervisors will hold a separate hearing to make a decision with respect to project approval and to certify the EIR. The public will also have an opportunity to provide comments addressing the merits of the proposed project at this Board of Supervisors hearing.

**Response 23-8**

See Master Response 1 regarding the applicability of Measure E to the proposed project.

The commenter is incorrect in stating that the traffic study did not address U.S. Highway 50. As indicated in Tables 4.8-9, 4.8-13 and 4.8-16 of the Draft EIR, the proposed project would not negatively affect the operation of study area freeway facilities under existing, near-term cumulative (2027), and long-term cumulative (2035) conditions. In addition, the commenter is incorrect in stating that U.S. Highway 50 is currently operating at LOS F. As discussed in Response 5-11, the westbound segment of U.S. Highway 50 from El Dorado Hills Boulevard/Latrobe Road to Scott Road is currently operating at LOS E while the

eastbound direction of this segment is currently operating at LOS D, and thus this segment meets the County's level of service standard for highways (LOS E) as stated in General Plan Policy TC-Xd.

The commenter is incorrect in stating that Measure E applies to private roadways. The County has no jurisdiction over private roadways and intersections and cannot require construction of improvements mandated by Measure E to address traffic impacts occurring wholly within private property. Please also see Master Response 1 regarding the applicability of Measure E to the proposed project.

**Response 23-9**

See Master Response 2 for a discussion of the project's consistency with applicable land use plans. The Draft EIR evaluates the environmental effects of proposed changes in land use and density on the project site that would require amendments to the County General Plan and provides analysis and supporting evidence to demonstrate that the proposed project would not result in any significant environmental effects that cannot be mitigated to a less than significant level.

**Response 23-10**

See Master Response 2 for a discussion of the project's consistency with applicable land use plans. The Draft EIR evaluates the environmental effects of the proposed Urban Infill Residential Area Design Guidelines and Development Standards and provides analysis and supporting evidence to demonstrate that the proposed project would not result in any significant environmental effects that cannot be mitigated to a less than significant level.

In addition, the commenter does not specify which policies contained in the EDHSP would be violated by the proposed project. As shown in Table 4.5-4 of the Draft EIR, the proposed project would be consistent with applicable policies contained in the EDHSP.

**Response 23-11**

At the time the scope of work for the Transportation Impact Analysis was prepared, reviewed, and approved by County staff, the County's Traffic Impact Study Protocols and Procedures (now known as the Transportation Impact Study Guidelines) did not require roadway segment analysis. In addition, the intersections in the study area control operations of the study area roadway segments and the conditions experienced by drivers, not the number of travel lanes on the roadway. The intersection operations analysis represents a worst case analysis, since it captures the subtle operational characteristics, like imbalanced lane utilization, that affect traffic flow in the study area.



**Response 23-12**

The commenter is referring to the John Adams Academy, a proposed private school that would repurpose an existing 89,470 square foot building in the Town Center West (TCW) planned development area. The private school would accommodate 1,150 to 1,200 students, in grades Transitional Kindergarten through Grade 12. The traffic study and CEQA documentation for the school project had not been completed at the time the notice of preparation for this EIR was issued, and the County possessed limited information about the school project at that time (the County is not acting as lead CEQA agency for that project). However, as the proposed school represents a land use that is different from the school site's existing land use designation and a traffic study and a mitigated negative declaration have since been issued, the long-term cumulative (2035) intersection analysis for the proposed project was updated to specifically account for the school project, as well as another project: the Montano de El Dorado Phase II project, a retail, office and hotel project located to the south of the intersection of Latrobe and White Rock Roads (see **Appendix 4.8** for the updated analysis). The results of this updated long-term cumulative (2035) traffic analysis show that five study intersections along El Dorado Hills Boulevard and Latrobe Road that will most likely be affected by the traffic associated with the John Adams Academy and Montano Phase II projects, including the intersection of Latrobe Road and White Rock Road, will operate at LOS E or better during AM and PM peak hours under long-term cumulative (2035) conditions with the addition of project trips generated by both of these projects (Fehr & Peers 2017).

**Response 23-13**

A discussion of the proposed project's impacts on police and fire protection services is provided on pages 4.7-9 and 4.7-10 of the Draft EIR. While the proposed project would increase demand for police and fire services, this demand would not be substantial enough to require the construction of new or physically altered facilities, and there would be no potential for significant environmental impact from the construction of new or expanded facilities.

Please note that CEQA does not require an analysis of a project's fiscal impacts. Funding for police and fire services is provided from the County's General Fund. General Fund revenues are derived from property taxes which would be paid by the property owner following the completion of the proposed project. As with any developed property in the county, the proposed project would pay for fire and police services via the payment of property taxes.

**Response 23-14**

See Master Response 1 regarding the applicability of Measure E to the proposed project.

**Response 23-15**

See Response 23-8 above for a discussion of the project's impact on the operation of study area freeway facilities.

**Response 23-16**

See Response 23-13 above for a discussion of the project's impact on fire protection services. A discussion of the proposed project's impact with regard to emergency access is provided on page 4.8-22 of the Draft EIR. As discussed, the El Dorado Hills Fire Department has reviewed the proposed project and will require all access roadways and fire hydrant systems to be installed and in service prior to any combustible materials being brought onto the site. An emergency access connection would be provided between Town Center Boulevard and Mercedes Lane. Project conditions of approval will require that the project landscaping plan exclude the planting of any trees adjacent to the Fire Apparatus Access road on the west side of the project site that could impede fire apparatus access when fully grown. As a result, the impact related to emergency access would be less than significant.

**Response 23-17**

Comment noted. This comment does not address the analysis contained in the Draft EIR.

**Response 23-18**

This comment concerns the merits of the proposed project. This comment does not address the analysis contained in the Draft EIR.

### 3.3 REFERENCES

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- Southern California Association of Governments. 2001. *Employment Density Study Summary Report*. October 31. Prepared by The Natelson Company, Inc.
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- U.S. Department of Housing and Urban Development (HUD). 1985. *The Noise Guidebook*.

## 4.0 MITIGATION MONITORING AND REPORTING PROGRAM

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### 4.1 INTRODUCTION

The California Environmental Quality Act (CEQA) requires that a Lead Agency establish a program to monitor and report on mitigation measures adopted as part of the environmental review process to avoid or reduce the severity and magnitude of potentially significant environmental impacts associated with project implementation. CEQA (Public Resources Code Section 21081.6 (a)(1)) requires that a Mitigation Monitoring and Reporting Program (MMRP) be adopted at the time that the agency determines to carry out a project for which an Environmental Impact Report (EIR) has been prepared, to ensure that mitigation measures identified in the EIR are fully implemented.

### 4.2 MITIGATION MONITORING AND REPORTING PROGRAM DESCRIPTION

#### **Compliance**

The County of El Dorado will coordinate monitoring activities and document the implementation of mitigation measures. The entity identified as having monitoring responsibility has the primary duty to execute the mitigation measures. In some cases, other public agencies will implement measures. In other cases, the project applicant will be responsible for implementation of measures and the County's role is exclusively to monitor measure implementation. In those cases, the project applicant may choose to require the construction contractor to implement specific mitigation measures prior to and/or during construction. The County will continue to monitor mitigation measures that are required to be implemented during the operation of the project.

#### **Field Monitoring of Mitigation Measures**

Prior to the issuance of grading and building permits, while detailed development plans are being prepared for approval by County staff, County staff will be responsible for ensuring compliance with mitigation monitoring applicable to the project design phase. As standard policy, County will not issue permits or authorize construction until all outside agency permits (Fish and Wildlife, Army Corps of Engineers, Water Resources Control Board, etc.) are obtained by the developer.

During construction and following the completion of project construction, the County's Community Development Services, Transportation Department and Planning and Building Department will assign inspectors who will be responsible for monitoring the implementation of the mitigation measures. The inspectors will report to the County's Community Development Services Director and will be thoroughly

familiar with the mitigation measures in the MMRP. In addition, mitigation measures applicable during the construction phase will be included as notes on the Improvement Plans and Building Plans (as appropriate), so that all contractors are informed of the requirements. The inspectors will be familiar with construction contract requirements, schedules, standard construction practices, and mitigation techniques. The developer will be responsible for carrying out the mitigation measures, while the County will be responsible for monitoring of construction activities and reviewing construction plans and equipment staging/access plans to ensure conformance with adopted mitigation measures. The County will also have the authority to enforce mitigation measures by suspending particular construction activities.

Once construction has been completed, the County will monitor the project as necessary.

If any mitigation measures are not being implemented, the County may pursue corrective action. Penalties that may be applied include, but are not limited to, the following: (1) a written notification and request for compliance; (2) withholding of permits; (3) administrative fines; (4) a stop-work order; (5) criminal prosecution and/or administrative fines; (6) forfeiture of security bonds or other guarantees; and (7) revocation of permits or other entitlements.

### **Changes to Mitigation Measures**

By adopting this Mitigation Monitoring and Reporting Program, the Board of Supervisors is delegating limited authority to County staff to make changes to this document, subject to specific limitations. Any substantive change in the monitoring plan made by County staff shall be reported in writing to the El Dorado County Planning Services. Modifications to the mitigation may be made by County staff subject to one of the following findings, documented by evidence included in the record:

- a. The mitigation measure included in the Final EIR and MMRP is no longer required because the significant environmental impact identified in the Final EIR has been found not to exist or to occur at a level which makes the impact less than significant as a result of changes in the project, changes in conditions of the environment or other factors.

Or

- b. The modified or substitute mitigation measure to be included in the MMRP provides a level of environmental protection equal to or greater than that afforded by the mitigation included in the Final EIR and the MMRP; and the modified or substitute mitigation measure does not have significant adverse effects on the environment in addition to, or greater than, those which were considered by the responsible hearing bodies in their decisions on the Final EIR and the project; and the modified or substitute mitigation measure is feasible, and the County through measures included in the MMRP or other County procedures can ensure its implementation.

Findings and related documentation supporting the findings involving modifications to mitigation measures shall be maintained in the project file with the MMRP and shall be made available to the public upon request.

### **Mitigation Monitoring and Reporting Program**

**Table 4.0-1** presented on the following pages provides the MMRP for the project. The MMRP identifies the following:

1. an explanation of each impact by issue area, summarized as an impact statement;
2. the full text of the mitigation measure(s) applicable to each impact statement;
3. the party responsible for ensuring implementation of each mitigation measure;
4. the timing of implementation of each mitigation measure; and
5. the party responsible for verifying compliance with the mitigation.

Following completion of the monitoring and reporting process, the final monitoring results will then be entered into the County's Mitigation Monitoring and Reporting database maintained by the County's Environmental Coordinator.

Table 4.0-1  
El Dorado Hills Apartments Project  
Mitigation Monitoring and Reporting Program

| Impact                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Mitigation Measure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Approving/Monitoring Responsibility                                                                                                       | Timing                                                   | Verification (Date and Initials) |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| Air Quality                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                           |                                                          |                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Impact AIR-1: Construction activities associated with the proposed project would result in a violation of an air quality standard, contribute substantially to an existing or projected air quality violation, or result in a cumulatively considerable net increase of a criteria pollutant for which the project region is non-attainment under an applicable national or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors). | MM AIR-1a: To ensure that the impact from the project’s construction equipment exhaust remains less than significant, the project shall implement at least one of the following EDCAQMD construction mitigation measures: <ul style="list-style-type: none"><li>Require the prime contractor to provide an approved plan demonstrating that heavy-duty (i.e., greater than 50 horsepower) off-road vehicles to be used in the construction project, and operated by either the prime contractor or any subcontractor, will achieve, at a minimum, a fleet-averaged 15 percent NOx reduction compared to the most recent CARB fleet average. Implementation of this measure requires the prime contractor to submit a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during the construction project. In addition, the inventory list shall be updated and submitted monthly throughout the duration of when the construction activity occurs.</li><li>Require the prime contractor to use an alternative fuel, other than Diesel, verified by the CARB or otherwise documented through emissions testing to have the greatest NOx and PM10 reduction benefit available, provided each pollutant is reduced by at least 15 percent.</li></ul> | Approving Authority:<br>Department: Air Quality Management District:<br><br>Monitoring Authority: County of El Dorado Planning Department | Prior to the approval of grading permit/building permits |                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | MM AIR-1b: Prior to the start of construction activities, the project applicant shall coordinate with the El Dorado AQMD to ensure that only low-VOC architectural coatings are utilized during the construction phase of the proposed project, for both indoor and outdoor surfaces. All architectural coatings used during the construction phase shall have a maximum allowable VOC content limit of 50 g/L.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | County of El Dorado Planning Department                                                                                                   | Prior to the approval of grading permit/building permits |                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | MM AIR-1c: During construction activities, the project applicant shall implement the following Best Available Fugitive Dust Control Measures as outlined in Table C.4 in the AQMD CEQA Guide.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | County of El Dorado Planning Department                                                                                                   | During construction                                      |                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Fugitive Dust Source Category                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                           |                                                          |                                  | Control Actions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Earth-moving (except construction cutting and filling areas, and mining operations)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                           |                                                          |                                  | 1a. Maintain soil moisture content at a minimum of 12 percent, as determined by ASTM method D-2216, or other equivalent method approved by the District; two soil moisture evaluations must be conducted during the first three hours of active operations during a calendar day, and two such evaluations each subsequent four-hour period of active operations; OR<br><br>1a-1. For any earth-moving which is more than 100 feet from all property lines, conduct watering as necessary to prevent visible dust emissions from exceeding 100 feet in length in any direction. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Earth-moving – construction fill areas                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                           |                                                          |                                  | 1b. Maintain soil moisture content at a minimum of 12 percent, as determined by ASTM method D-2216, or other equivalent method approved by the District; for areas which have an optimum moisture content                                                                                                                                                                                                                                                                                                                                                                       |

| Impact | Mitigation Measure                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Approving/Monitoring Responsibility | Timing | Verification (Date and Initials) |
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|        |                                                             | for compaction of less than 12 percent, as determined by ASTM method 1557 or other equivalent method approved by the District, complete the compaction process as expeditiously as possible after achieving at least 70 percent of the optimum soil moisture content; two soil moisture evaluations must be conducted during the first three hours of active operations during a calendar day, and two such evaluations during each subsequent four-hour period of active operations                                                                                                                                                                                                                                                                                            |                                     |        |                                  |
|        | Earth-moving – construction cut areas and mining operations | 1c. Conduct watering as necessary to prevent visible emissions from extending more than 100 feet beyond the active cut or mining areas unless the area is inaccessible to watering vehicles due to slope conditions or other safety factors.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                     |        |                                  |
|        | Disturbed surface areas (except completed grading areas)    | 2a/b. Apply dust suppression in a sufficient quantity and frequency to maintain a stabilized surface; any area which cannot be stabilized, as evidenced by wind driven dust, must have an application of water at least twice per day to at least 80 percent of the unstabilized area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                     |        |                                  |
|        | Disturbed surface areas – completed grading areas           | 2c. Apply chemical stabilizers within 5 working days or grading completion; OR<br>2d. Take action 3a or 3c specified for inactive disturbed surface areas.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                     |        |                                  |
|        | Inactive disturbed surface areas                            | 3a. Apply water to at least 80 percent of all inactive disturbed surface areas on a daily basis when there is evidence of wind driven fugitive dust, excluding any areas which are inaccessible due to excessive slope or other safety conditions; OR<br><br>3b. Apply dust suppressants in sufficient quantity and frequency to maintain a stabilized surface; OR<br><br>3c. Establish a vegetative ground cover within 21 days after active operations have ceased; ground cover must be of sufficient density to expose less than 30 percent of unstabilized ground within 90 days of planting, and at all times thereafter; OR<br><br>3d. Utilize any combination of control actions 3a, 3b and 3c such that, in total, they apply to all inactive disturbed surface areas. |                                     |        |                                  |
|        | Unpaved roads                                               | 4a. Water all roads used for any vehicular traffic at least once per every two hours of active operations;<br><br>OR<br><br>4b. Water all roads used for any vehicular traffic once daily and restrict vehicle speed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                     |        |                                  |



| Impact | Mitigation Measure                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Approving/Monitoring Responsibility     | Timing              | Verification (Date and Initials) |
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|        |                                                                                                                                                                                                                                      | to 15 mph; OR<br>4c. Apply chemical stabilizer to all unpaved road surfaces in sufficient quantity and frequency to maintain a stabilized surface.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                         |                     |                                  |
|        | Open storage piles                                                                                                                                                                                                                   | 5a. Apply chemical stabilizers; OR<br>5b. Apply water to at least 80 percent of the surface areas of all open storage piles on a daily basis when there is evidence of wind driven fugitive dust; OR<br>5c. Install a three-sided enclosure with walls with no more than 50 percent porosity that extend, at a minimum, to the top of the pile.                                                                                                                                                                                                                                                                                                                                 |                                         |                     |                                  |
|        | Track-out control                                                                                                                                                                                                                    | 6a. Pave or apply chemical stabilization at sufficient concentration and frequency to maintain a stabilized surface starting from the point of intersection with the public paved surface, and extending for a centerline distance of at least 100 feet and width of at least 20 feet; OR<br>6b. Pave from the point of intersection with the public paved road surface, and extending for a centerline distance of at least 25 feet and a width of at least 20 feet, and install a track-out control device immediately adjacent to the paved surface such that exiting vehicles do not travel on any unpaved road surface after passing through the track-out control device. |                                         |                     |                                  |
|        | All categories                                                                                                                                                                                                                       | 7a. Any other control measures approved by the District                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                         |                     |                                  |
|        | <b>MM AIR-1d:</b> During construction activities in high wind conditions, the project applicant shall implement the following Best Available Fugitive Dust Control Measures as outlined in Table C.5 in the <i>AQMD CEQA Guide</i> . |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | County of El Dorado Planning Department | During construction |                                  |
|        | <b>Fugitive Dust Source Category</b>                                                                                                                                                                                                 | <b>Control Actions</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                         |                     |                                  |
|        | Earth moving                                                                                                                                                                                                                         | 1A. Cease all active operations, OR<br>2A. Apply water to soil not more than 15 minutes prior to moving such soil.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                         |                     |                                  |
|        | Disturbed surface areas                                                                                                                                                                                                              | 1B. On the last day of active operations prior to a weekend, holiday, or any other period when active operations will not occur for not more than four consecutive days: apply water with a mixture of chemical stabilizer diluted to not less than 1/20 of the concentration required to maintain a stabilized surface for a period of six months; OR<br>1B. Apply chemical stabilizers prior to a wind event; OR<br>2B. Apply water to all unstabilized disturbed areas 3 times per day; if there is any evidence of wind driven fugitive dust,                                                                                                                               |                                         |                     |                                  |

| Impact                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Mitigation Measure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                  | Approving/Monitoring Responsibility     | Timing                                   | Verification (Date and Initials) |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | watering frequency is increased to a minimum of four times per day; OR<br>3B. Take the actions specified in Table B.6, Item 3c; OR<br>4B. Utilize any combination of control actions specified in Table 1, Items 1B, 2B and 3B, such that, in total, they apply to all disturbed surfaced areas. |                                         |                                          |                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Unpaved roads                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 1C. Apply chemical stabilizers prior to a wind event; OR<br>2C. Apply water twice per hour during active operation; OR<br>3C. Stop all vehicular traffic.                                                                                                                                        |                                         |                                          |                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Open storage piles                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 1D. Apply water twice per hour; OR<br>2D. Install temporary coverings.                                                                                                                                                                                                                           |                                         |                                          |                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Paved road track-out                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 1E. Cover all haul vehicles; OR<br>2E. Comply with the vehicle freeboard requirements of Section 23114 of the California Vehicle Code for operation on both public and private roads.                                                                                                            |                                         |                                          |                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | All categories                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 1F. Any other control measures approved by the District.                                                                                                                                                                                                                                         |                                         |                                          |                                  |
| <b>Impact AIR-2:</b> Operation of the proposed project would result in a violation of an air quality standard, contribute substantially to an existing or projected air quality violation, or result in a cumulatively considerable net increase of a criteria pollutant for which the project region is non-attainment under an applicable national or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors). | <b>MM AIR-2:</b> To ensure that project emissions remain below applicable thresholds, the project applicant shall implement the following sustainable design features and mitigation measures:<br><br><ol style="list-style-type: none"><li>1. Exceed Title 24 by 10 percent</li><li>2. Install high-efficiency lighting</li><li>3. Install energy-efficient appliances</li><li>4. Use only natural gas hearths (i.e. fireplaces)(sealed natural gas only, no wood burning)</li><li>5. Install low flow bathroom faucets</li><li>6. Install low flow kitchen faucets</li><li>7. Install low flow toilets</li><li>8. Install low flow showers</li><li>9. Use water-efficient irrigation system</li><li>10. Design and construct the parking garage to allow for the installation of electric vehicle charging facilities when the demand for the charging facilities is demonstrated.</li><li>11. Provide bicycle storage with convenient access</li></ol> |                                                                                                                                                                                                                                                                                                  | County of El Dorado Planning Department | Prior to issuance of building permits    |                                  |
| <b>Impact AIR-5:</b> Project construction would expose sensitive receptors to substantial pollutant concentrations                                                                                                                                                                                                                                                                                                                                                                    | <b>MM AIR-5:</b> Prior to any grading activities, the project applicant shall prepare an Asbestos Hazard Dust Mitigation Plan and shall comply with applicable state and local regulations regarding asbestos, including CARB's asbestos airborne toxic control measure (ATCM) (Title 17, CCR § 93105 and 93106) and EDCAQMD Rule 223-2 Fugitive Dust – Asbestos Hazard Mitigation, to ensure that exposure to construction workers and the public is reduced to an acceptable level.                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                  | County of El Dorado Planning Department | Prior to the approval of grading permits |                                  |

| Impact                                                                                                                                                                                                                                                               | Mitigation Measure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Approving/Monitoring Responsibility     | Timing                                                 | Verification (Date and Initials) |
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| <b>Biological Resources</b>                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                         |                                                        |                                  |
| <b>Impact BIO-2:</b> The proposed project would not directly or indirectly affect any riparian habitat, sensitive natural community, or wetlands nor interfere with the movement of any wildlife species, but project construction noise could affect nesting birds. | <b>MM BIO-2:</b> For the protection of birds species protected by the Migratory Bird Treaty Act and the California Fish and Game Code, project activities shall occur during the non-breeding bird season to the extent feasible (September 1 – January 31). However, if site clearance, grading, or initial ground-disturbing activities must occur during the breeding season (February 1 through August 31), a survey for active bird nests shall be conducted by a qualified biologist no more than 14 days prior to the start of these activities. The survey shall be conducted in a sufficient area around the work site to identify the location and status of any nests that could potentially be affected by project activities.<br><br>If active nests of protected species are found within project impact areas or close enough to these areas to affect breeding success, a work exclusion zone shall be established around each nest by a qualified biologist. Established exclusion zones shall remain in place until all young in the nest have fledged or the nest otherwise becomes inactive (e.g., due to predation). Appropriate exclusion zone sizes vary dependent upon bird species, nest location, existing visual buffers and ambient sound levels, and other factors; an exclusion zone radius may be as small as 50 feet (for common, disturbance-adapted species) or as large as 250 feet or more for raptors. Exclusion zone size may also be reduced from established levels if supported with nest monitoring by a qualified biologist indicating that work activities outside the reduced radius are not adversely impacting the nest.                                                                                                                                                                                                                                                                                   | County of El Dorado Planning Department | Prior to construction                                  |                                  |
| <b>Cultural Resources</b>                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                         |                                                        |                                  |
| <b>Impact CUL-2:</b> The proposed project could cause a substantial change in the significance of an archaeological resource pursuant to Section 15064.5.                                                                                                            | <b>MM CUL-2:</b> El Dorado County shall note on any plans that require ground disturbing excavation that there is a potential for exposing buried cultural resources, including prehistoric Native American burials.<br><br>The project applicant shall inform the United Auburn Indian Community of the Auburn Rancheria and the Shingle Springs Band of Miwok Indians of the project construction schedule and allow for a tribal monitor to be present at the project site during grading activities in native soil.<br><br>The project applicant shall retain a Professional Archaeologist to provide a pre-construction briefing to supervisory personnel of the excavation contractor to alert them to the possibility of exposing significant prehistoric archaeological resources within the project site. The briefing shall discuss any archaeological objects that could be exposed, the need to stop excavation at the discovery, and the procedures to follow regarding discovery protection and notification of the project applicant and archaeological team. The Professional Archaeologist shall develop and distribute for job site posting an "ALERT SHEET" summarizing potential find types and the protocols to be followed as well as points of contact to alert in the event of a discovery. The tribal monitor will be provided an opportunity to attend the pre-construction briefing.<br><br>The Professional Archaeologist shall be available on an “on-call” basis during ground disturbing construction in native soil to review, identify and evaluate cultural resources that may be inadvertently exposed during construction. The archaeologist shall temporarily divert, redirect, or halt ground disturbance activities at a potential discovery to allow the identification, review and evaluation of a discovery to determine if it is a historical resource(s) and/or unique archaeological resource(s) under CEQA. | County of El Dorado Planning Department | During the grading and excavation phase of the project |                                  |

| Impact                                                                                                                                                                                                                                                                                                                                                                                 | Mitigation Measure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Approving/Monitoring Responsibility            | Timing                                                        | Verification (Date and Initials) |
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|                                                                                                                                                                                                                                                                                                                                                                                        | <p><b>MM CUL-2 (continued):</b> If the Professional Archaeologist determines that any cultural resources exposed during construction constitute a historical resource and/or unique archaeological resource, he/she shall notify the project applicant and other appropriate parties of the evaluation and recommend mitigation measures to mitigate to a less-than significant impact in accordance with California Public Resources Code Section 15064.5. Mitigation measures may include avoidance, preservation in-place, recordation, additional archaeological testing and data recovery among other options. Contingency funding and a time allotment sufficient for recovering an archeological sample or to employ an avoidance measure may be required. The completion of a formal Archaeological Monitoring Plan (AMP) may be recommended by the archaeologist if significant archaeological deposits are exposed during ground disturbing construction. Development and implementation of the AMP will be determined by the County of El Dorado and treatment of any significant cultural resources shall be undertaken with the approval of the project applicant and the County.</p> <p>A Monitoring Closure Report shall be filed with the County of El Dorado at the conclusion of ground disturbing construction if archaeological resources were encountered and/or recovered.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                |                                                               |                                  |
| <p><b>Impact CUL-4:</b> The proposed project could disturb human remains, including those interred outside of formal cemeteries.</p>                                                                                                                                                                                                                                                   | <p><b>MM CUL-4:</b> The treatment of human remains and any associated or unassociated funerary objects discovered during any soil-disturbing activity within the project site shall comply with applicable State laws. This shall include immediate notification of the El Dorado County Sheriff-Coroner and the County of El Dorado.</p> <p>In the event of the Coroner's determination that the human remains are Native American, the coroner must contact the NAHC within 24 hours. The NAHC shall identify a Most Likely Descendant (MLD) of the deceased Native American (PRC Section 5097.98). The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for the means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98. Development activity on the impacted site will halt until the landowner has conferred with the MLD about their recommendations for treatment of the remains, and the coroner has determined that the remains are not subject to investigation under California Government Code Section 27491.</p> <p>The project applicant, archaeological consultant, and MLD shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of human remains and associated or unassociated funerary objects (CEQA Guidelines Section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. The California PRC allows 48 hours to reach agreement on these matters. If the MLD and the other parties do not agree on the reburial method, the project will follow PRC Section 5097.98(b) which states that ". . . the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance."</p> | <p>County of El Dorado Planning Department</p> | <p>During the grading and excavation phase of the project</p> |                                  |
| <p><b>Impact CUL-5:</b> The proposed project could cause a substantial adverse change in the significance of a tribal cultural resource.</p>                                                                                                                                                                                                                                           | <p><b>MM CUL-5:</b> Implement <b>Mitigation Measures CUL-2</b> and <b>CUL-4</b>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>County of El Dorado Planning Department</p> | <p>During the grading and excavation phase of the project</p> |                                  |
| <p><b>Cumulative Impact C-CUL-1:</b> Cumulative development could cause a substantial change in the significance of a historical resource or unique archaeological resource pursuant to Section 15064.5 or impact tribal cultural resources, but with the incorporation of mitigation measures, the proposed project would not contribute substantially to the cumulative impacts.</p> | <p><b>MM C-CUL 1:</b> Implement <b>Mitigation Measures CUL-2</b> and <b>CUL-4</b>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>County of El Dorado Planning Department</p> | <p>During the grading and excavation phase of the project</p> |                                  |

| Impact                                                                                                                                                                                                                                                                                   | Mitigation Measure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Approving/Monitoring Responsibility         | Timing                                                                                            | Verification (Date and Initials) |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|---------------------------------------------------------------------------------------------------|----------------------------------|
| Greenhouse Gas Emissions                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                             |                                                                                                   |                                  |
| Impact GHG-1: The proposed project would generate greenhouse gas emissions, either directly or indirectly, that would not have a significant impact on the environment.                                                                                                                  | MM GHG-1: Implement Mitigation Measure AIR-2.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | County of El Dorado Planning Department     | Prior to issuance of building permits                                                             |                                  |
| Impact GHG-2: The proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions.                                                                                                                                  | MM GHG-2: Implement Mitigation Measure AIR-2.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | County of El Dorado Planning Department     | Prior to issuance of building permits                                                             |                                  |
| Cumulative Impact C-GHG-1: The proposed project would not result in a significant cumulative GHG impact                                                                                                                                                                                  | MM C-GHG-1: Implement Mitigation Measure AIR-2.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | County of El Dorado Planning Department     | Prior to issuance of building permits                                                             |                                  |
| Transportation and Traffic                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                             |                                                                                                   |                                  |
| Cumulative Impact C-TRA-1: Development of the proposed project would conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the traffic circulation system under Near-Term Cumulative (2027) plus Project Conditions.       | MM C-TRA-1: The project applicant will pay TIM fees to the County prior to issuance of building permit(s).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | County of El Dorado Transportation Division | Prior to issuance of building permits                                                             |                                  |
| Cumulative Impact C-TRA-2: Development of the proposed project would not conflict with applicable policies establishing measures of effectiveness for the performance of the local roadway system and regional freeway system under Long-Term Cumulative (2035) plus Project Conditions. | MM C-TRA-2: The project applicant shall be responsible for ensuring that a traffic signal is installed at the private intersection of Post Street and Town Center Boulevard, and that a funding mechanism is created for maintenance of that signal. Peak hour intersection signal warrant analysis will be performed, consistent with the methodologies presented in the County’s Transportation Impact Study Guidelines, at 24-month intervals and provided to the County, and the signal will be installed when the intersection operations reach LOS F and applicable traffic signal warrants are satisfied. The new traffic signal will be interconnected or subordinate to the traffic signal at Latrobe Road/Town Center Boulevard, subject to an encroachment permit and agreement. Prior to issuance of a grading permit for project construction, the project applicant shall demonstrate to the County’s satisfaction that it has obtained legally binding authority to assure implementation of this mitigation measure, via an agreement with the owner of the right-of-way encompassing the Post Street/Town Center | County of El Dorado Transportation Division | When the intersection operations reach LOS F and applicable traffic signal warrants are satisfied |                                  |
| Utilities                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                             |                                                                                                   |                                  |
| Impact UTL-1: Development of the proposed project would require the construction of new or expanded wastewater conveyance systems.                                                                                                                                                       | MM UTL-4: The applicant shall pay fair-share fees towards the planned CIP improvement for the EDHB trunk sewer line improvement, and associated EID connection costs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | County of El Dorado Planning Department     | Prior to issuance of building permits                                                             |                                  |

## 5.0 REPORT PREPARATION

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### 5.1 LEAD AGENCY

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## **APPENDIX 4.8**

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### **Supplemental Traffic Impact Study Analysis**

## MEMORANDUM

Date: October 5, 2017

To: Paul Stephenson, Impact Sciences

From: David B. Robinson, Fehr & Peers

**Subject: *Updates to Town Center Apartments TIS***

*RS13-3184.01*

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### Introduction

Fehr & Peers updated the cumulative intersection operations analysis for the El Dorado Hills Town Center Apartments Transportation Impact Analysis (TIA), submitted June 2017, to account for the proposed John Adams Academy and Montano de El Dorado projects.

The John Adams Academy, a TK-12 public charter school, is proposed on Town Center Boulevard west of Latrobe Road. Montano de El Dorado (Montano) is the expansion of the existing commercial development to be located on the east side of Latrobe Road between Golden Foothill Parkway and White Rock Road. Both projects are shown on Figures 1 through 4.

This analysis relies on project travel characteristics documented in the Initial Study / Mitigated Negative Declaration (IS / MND) for the John Adams Academy that was released July 2017 and the Draft Transportation Impact Study for the Montano de El Dorado project dated October 28, 2016. This memorandum documents the changes in intersection level of service for the following intersections:

1. El Dorado Hills Boulevard / Saratoga Way / Park Drive
2. El Dorado Hills Boulevard / Saratoga Way / US 50 WB Ramps
3. Latrobe Road / US 50 EB Ramps
4. Latrobe Road / Town Center Boulevard
5. Latrobe Road / White Rock Road





These intersections were selected for analysis since they will provide primary access to the John Adams Academy and Montano projects and were identified to have the highest delay of the intersections analyzed in the Draft EIR. Consequently, these intersections would most likely be impacted by the addition of trips from the John Adams Academy and Montano projects.

## **Cumulative (2035) Forecasting Methodology**

The original cumulative (2035) condition forecasts for the Town Center Apartments TIA were developed using the El Dorado County travel demand forecasting (TDF) model. These forecasts were revised to account for an inadvertent shift of 230 vehicles in the AM peak hour from the southbound right-turn movement to the southbound through movement at the Latrobe Road/Town Center Boulevard Intersection and to the southbound right-turn movement at the Latrobe Road/White Rock Road intersection. This shift would not affect other intersections. The operations analysis presented below is based on these updated forecasts.

While the El Dorado County TDF model included land use growth on these parcels, it did not explicitly include school land use for the John Adams Academy project area, nor did it include the level of development proposed with the Montano de El Dorado project. Therefore, we updated the Cumulative No Project and Cumulative Plus Project traffic volume forecasts to account for development of these projects using the following steps:

1. Calculated the growth in traffic between the Cumulative No Project and Cumulative Plus Project traffic volume forecasts developed for the John Adams Academy project.
2. Calculated the growth in traffic between the Cumulative No Project and Cumulative Plus Project traffic volume forecasts developed for the Montano de El Dorado project.
3. Added the project-specific growth from Steps 1 and 2 to the Cumulative No Project and Cumulative Plus Project traffic volume forecasts developed for the Town Center Apartments project.

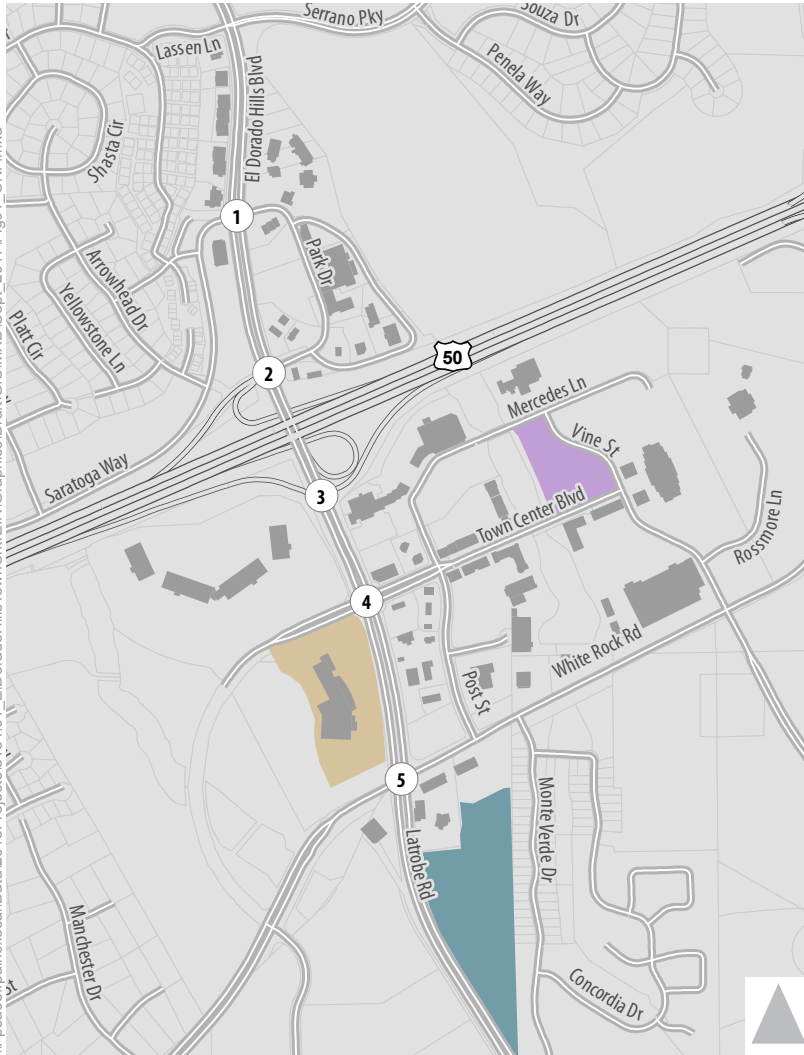
Figures 1 and 2 show the updated cumulative (2035) AM and PM peak hour intersection turning movement forecasts for the Town Center Apartments without trips from the John Adams Academy and Montano de El Dorado project.

Figures 3 and 4 show the updated cumulative (2035) AM and PM peak hour intersection turning movement forecasts for the Town Center Apartments with trips from the John Adams Academy and Montano de El Dorado project.



## **Cumulative (2035) Operations Analysis Results**

The forecasts shown on Figures 1 through 4 were analyzed using the micro-simulation software SimTraffic 9. The results are shown in Table 1. These results show that the intersections studied along El Dorado Hills Boulevard and Latrobe Road will operate acceptably at LOS E or better during the AM and PM peak hour under cumulative conditions with the addition of project trips from the John Adams Academy and Montano de El Dorado projects.



- ① Study Intersection
- Planned Roadway
- Project Location
- John Adams Academy
- Montano de El Dorado

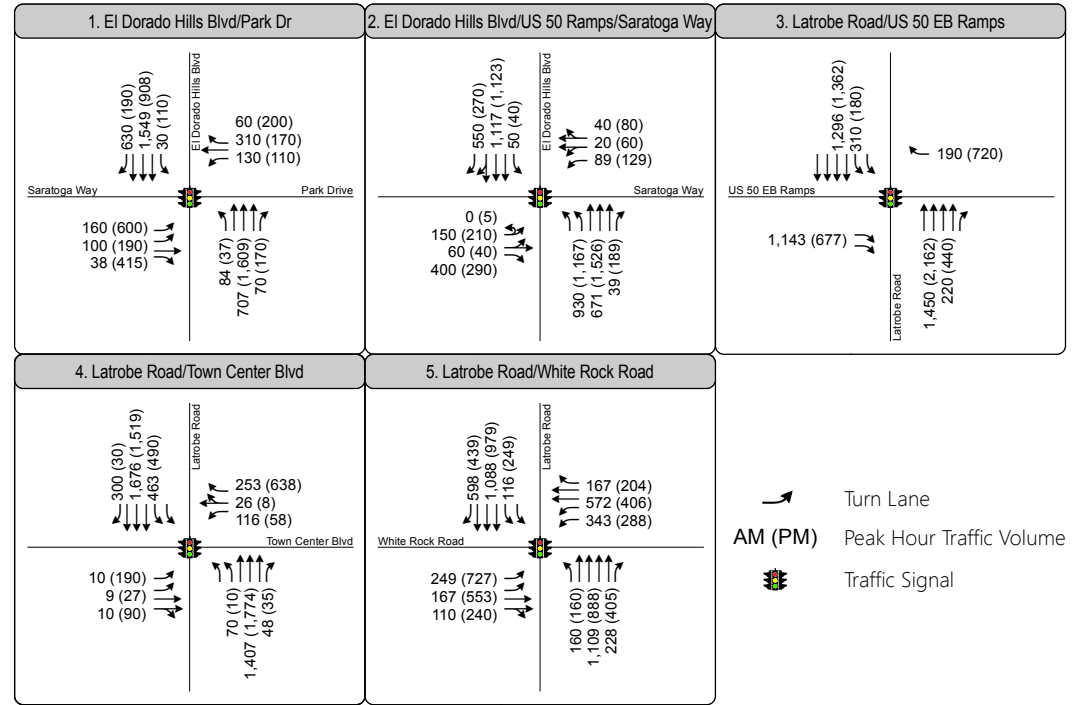
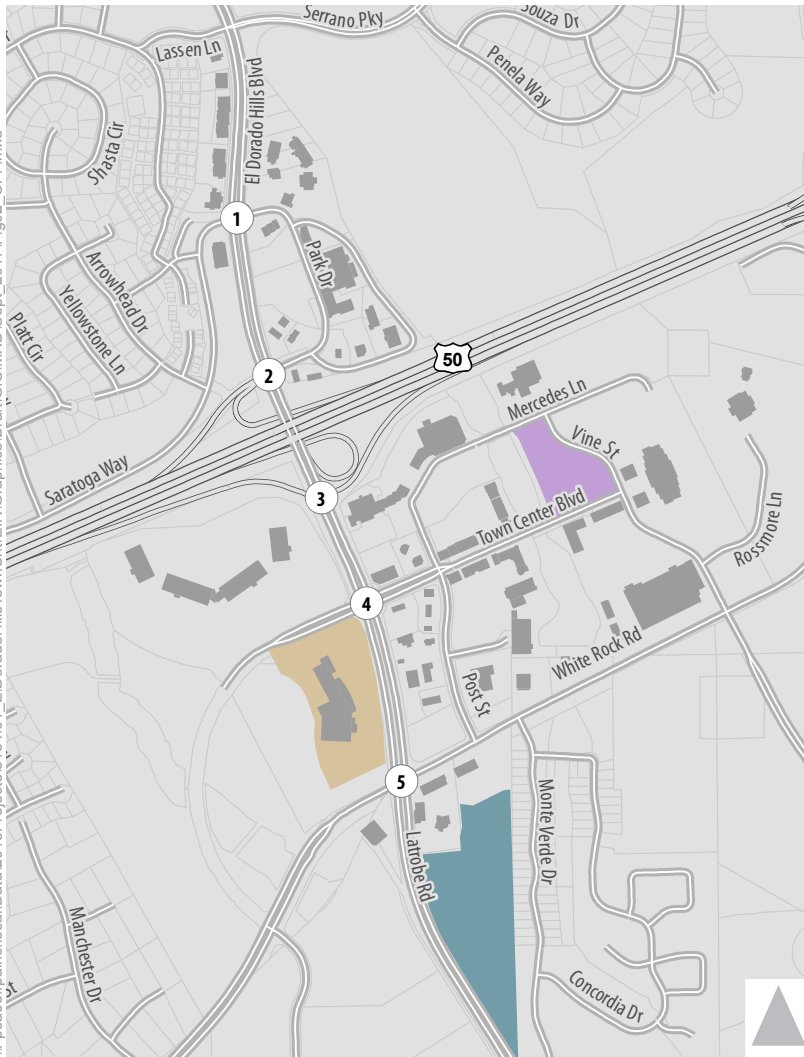


Figure 1  
Peak Hour Traffic Volumes  
and Lane Configurations -  
Cumulative No Project Conditions



- ① Study Intersection
- Planned Roadway
- Project Location
- John Adams Academy
- Montano de El Dorado

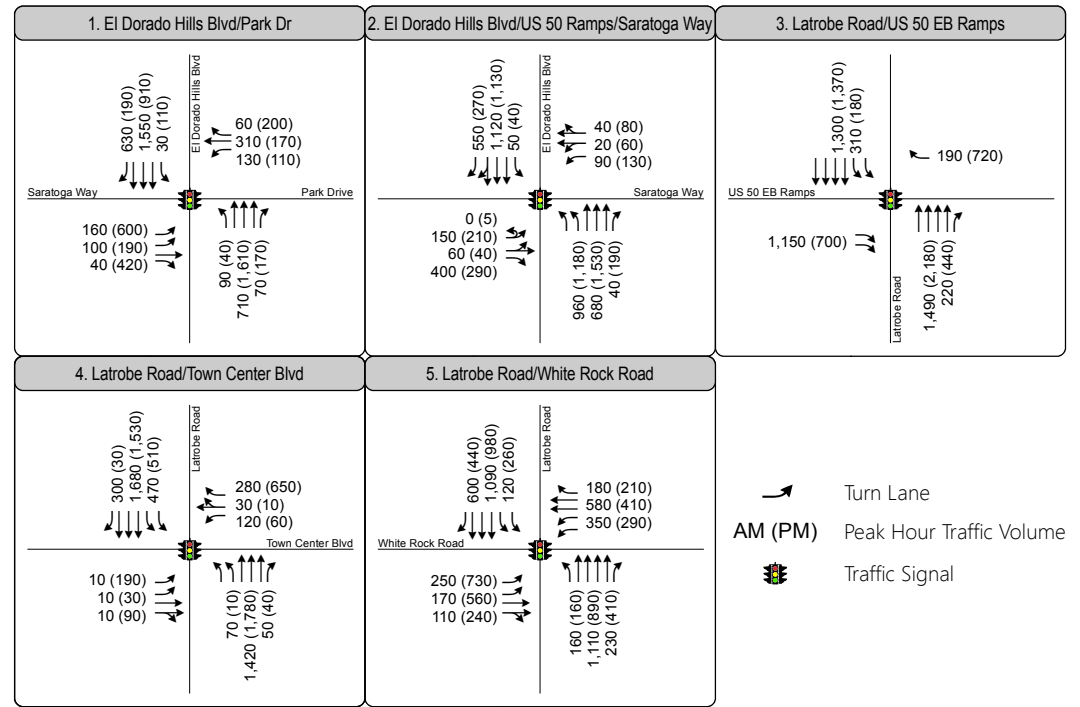


Figure 2  
Peak Hour Traffic Volumes  
and Lane Configurations -  
Cumulative Plus Project Conditions

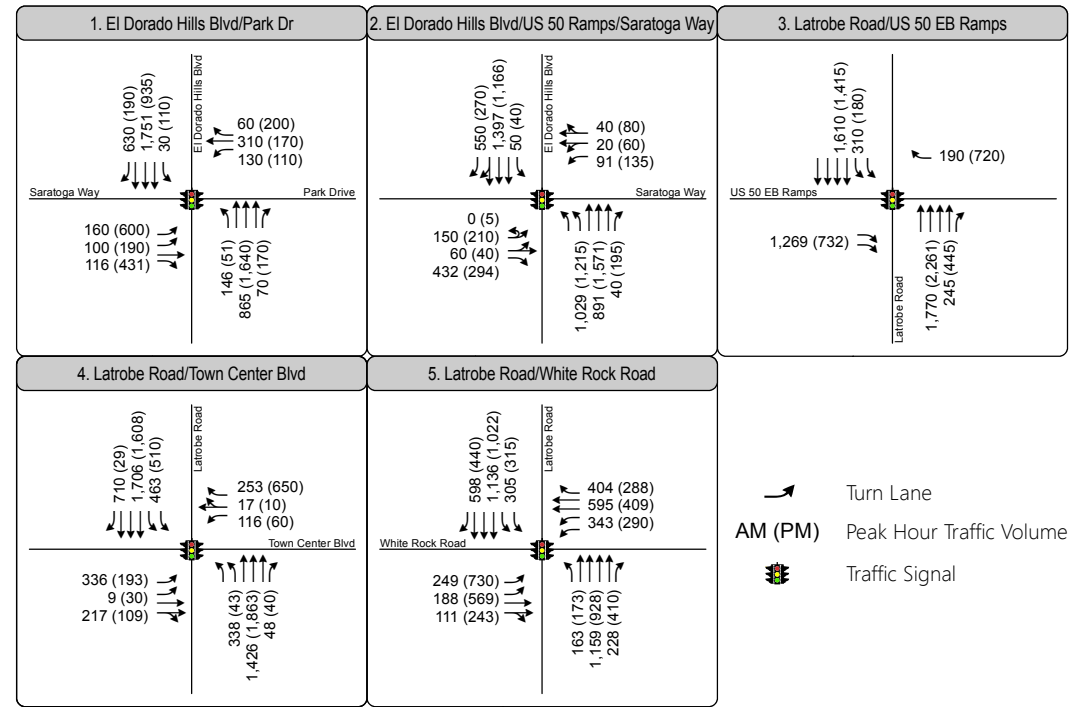
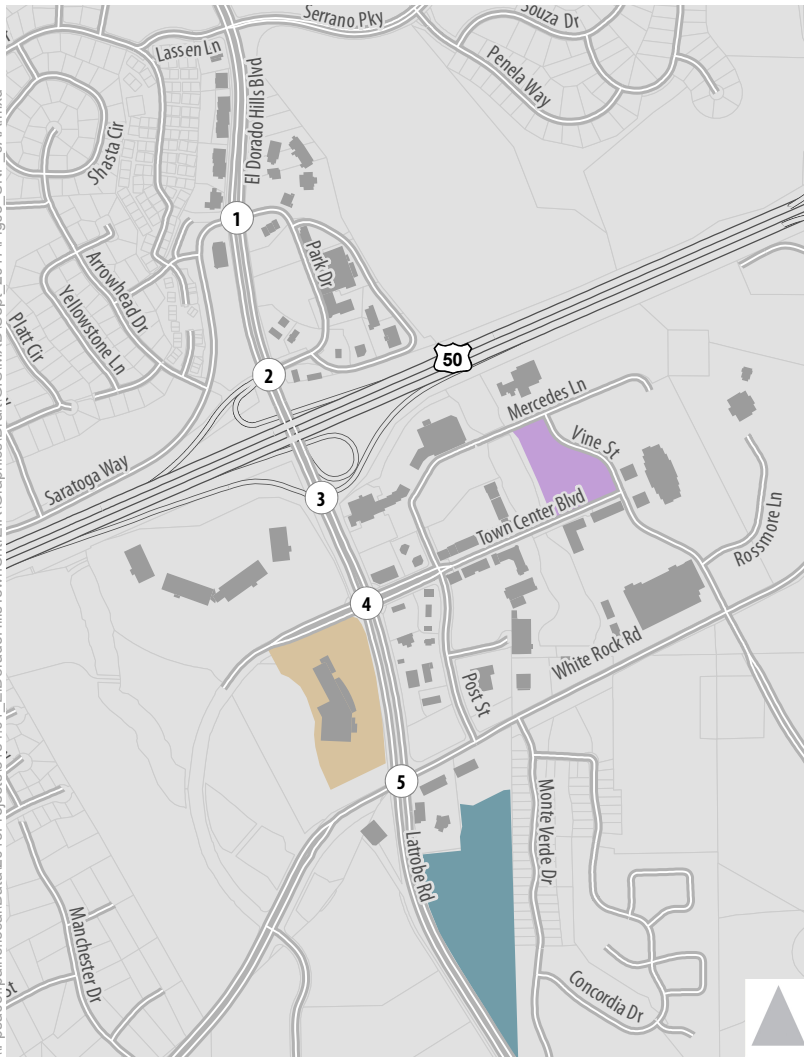


Figure 3

Peak Hour Traffic Volumes and Lane Configurations - Cumulative No Project Plus John Adams Academy and Montano de El Dorado Conditions

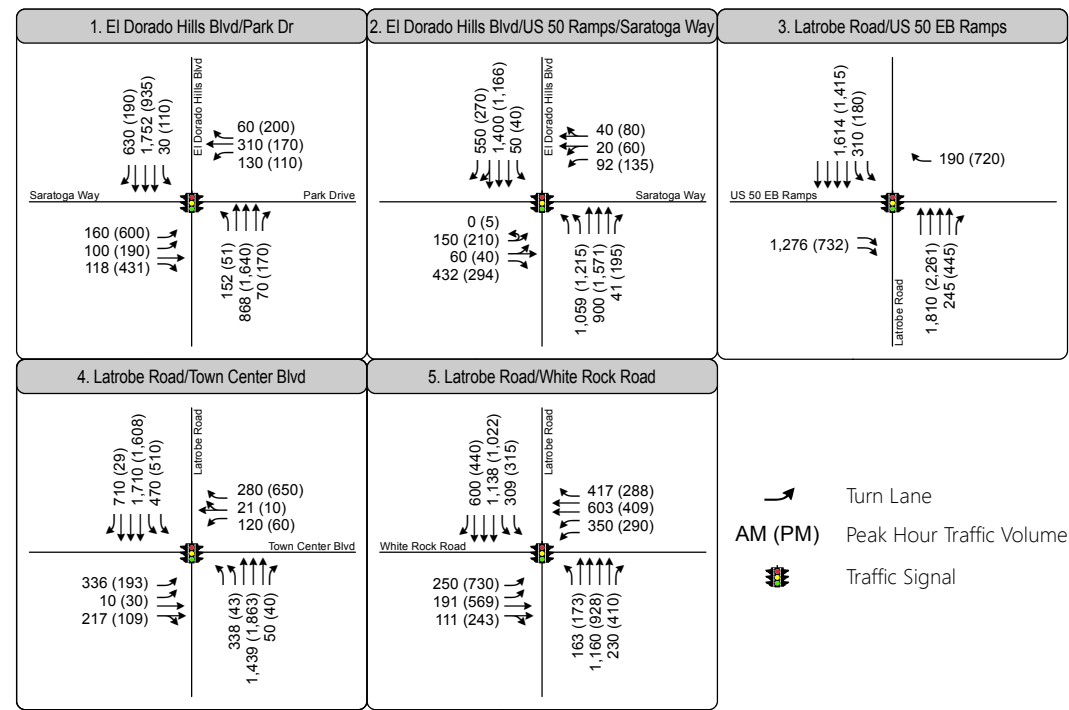
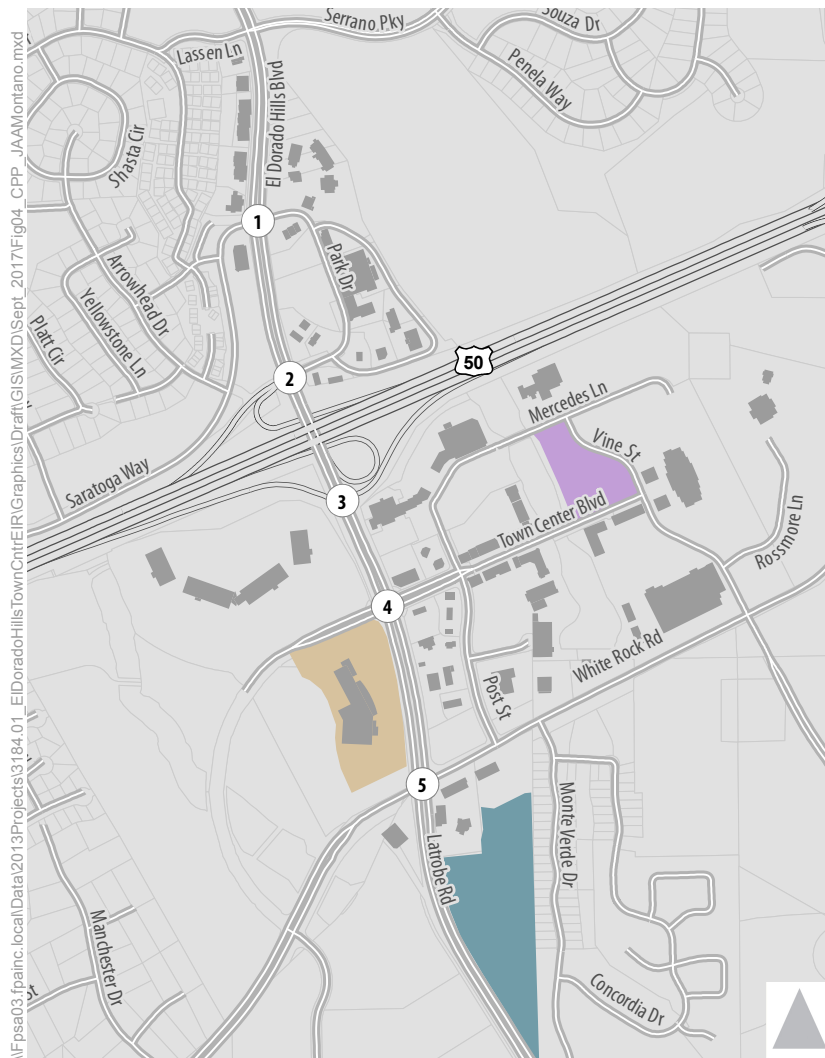


Figure 4

Peak Hour Traffic Volumes and Lane Configurations - Cumulative Plus Project Plus John Adams Academy and Montano de El Dorado Conditions



| Intersection                                           | Cumulative (2035) No Project |              | Cumulative (2035) Plus Project |              | Cumulative (2035) No Project Plus John Adams Academy & Montano |              | Cumulative (2035) Plus Project Plus John Adams Academy & Montano |              |
|--------------------------------------------------------|------------------------------|--------------|--------------------------------|--------------|----------------------------------------------------------------|--------------|------------------------------------------------------------------|--------------|
|                                                        | AM Peak Hour                 | PM Peak Hour | AM Peak Hour                   | PM Peak Hour | AM Peak Hour                                                   | PM Peak Hour | AM Peak Hour                                                     | PM Peak Hour |
| 1. El Dorado Hills Blvd / Saratoga Way / Park Dr       | 38 / D                       | 52 / D       | 45 / D                         | 51 / D       | 55 / D                                                         | 59 / E       | 60 / E                                                           | 72 / E       |
| 2. El Dorado Hills Blvd/ Saratoga Way / US 50 WB Ramps | 33 / C                       | 43 / D       | 47 / D                         | 40 / D       | 34 / C                                                         | 69 / E       | 39 / D                                                           | 80 / E       |
| 3. Latrobe Rd / US 50 EB Ramps                         | 14 / B                       | 23 / C       | 26 / C                         | 22 / C       | 16 / B                                                         | 57 / E       | 18 / B                                                           | 57 / E       |
| 4. Latrobe Rd / Town Center Blvd                       | 22 / C                       | 59 / E       | 25 / C                         | 62 / E       | 43 / D                                                         | 78 / E       | 41 / D                                                           | 77 / E       |
| 5. Latrobe Rd / White Rock Rd                          | 41 / D                       | 47 / D       | 45 / D                         | 63 / E       | 50 / E                                                         | 59 / E       | 60 / E                                                           | 57 / E       |

Notes:

Values reported are Average Intersection Delay (seconds) / LOS. The average delay is measured in seconds per vehicle and are calculated based on the procedures and methodology contained in the *Highway Capacity Manual* (Transportation Research Board, 2010). Intersections are signalized and analyzed in SimTraffic.

Source: Fehr & Peers (2017).



## References

Fehr & Peers (June 2017). *El Dorado Hills Town Center Apartments Transportation Impact Analysis Revised Draft*.

HELIX Environmental Planning, Inc. (July 2017). *John Adams Academy – El Dorado Hills Campus Draft Initial Study and Environmental Evaluation*.

Transportation Research Board (2010). *Highway Capacity Manual*.