

DRAINAGE AND HYDROLOGY

6. Is the project located within the flood plain of any stream or river? No.
If so, which one? _____
7. What is the distance to the nearest body of water, river, stream or year-round drainage channel?
1/4 mile Name of the water body? Blakesley Reservoir
8. Will the project result in the direct or indirect discharge of silt or any other particles in noticeable amount into any lakes, rivers or streams? No.
9. Will the project result in the physical alteration of a natural body of water or drainage way?
If so, in what way? No.
10. Does the project area contain any wet meadows, marshes or other perennially wet areas?
No.

VEGETATION AND WILDLIFE

11. What is the predominant vegetative cover on the site (trees, brush, grass, etc.)? Estimate percentage of each:
Coniferous trees & open space
12. How many trees of 6-inch diameter will be removed when this project is implemented?
None.

FIRE PROTECTION

13. In what structural fire protection district (if any) is the project located? El Dorado County FD
14. What is the nearest emergency source of water for fire protection purposes (hydrant, pond, etc.)? Irrigation from adjacent vineyard
15. What is the distance to the nearest fire station? 2.5 MILES TO 4040 CARSON ROAD
16. Will the project create any dead-end roads greater than 500 feet in length? Yes
17. Will the project involve the burning of any material including brush, trees and construction materials? No.

NOISE QUALITY

18. Is the project near an industrial area, freeway, major highway or airport? No
If so, how far? _____
19. What types of noise would be created by the establishment of this land use, both during and after construction? None

AIR QUALITY

20. Would any noticeable amounts of air pollution, such as smoke, dust or odors, be produced by this project? No

WATER QUALITY

21. Is the proposed water source ☐ public or ☐ private, ☐ treated or ☐ untreated?
22. What is the water use (residential, agricultural, industrial or commercial)? NA

AESTHETICS

23. Will the project obstruct scenic views from existing residential areas, public lands, and/or public bodies of water or roads? No

ARCHAEOLOGY/HISTORY

24. Do you know of any archaeological or historical areas within the boundaries or adjacent to the project? (e.g., Indian burial grounds, gold mines, etc.) None known.

SEWAGE

25. What is the proposed method of sewage disposal? ☐ septic system ☐ sanitation district
Name of district: NA
26. Would the project require a change in sewage disposal methods from those currently used in the vicinity? NA

TRANSPORTATION

27. Will the project create any traffic problems or change any existing roads, highways or existing traffic patterns? No - it is unmanned and visited by maintenance staff once quarterly.
28. Will the project reduce or restrict access to public lands, parks or any public facilities?
No

GROWTH-INDUCING IMPACTS

29. Will the project result in the introduction of activities not currently found within the community?
No
30. Would the project serve to encourage development of presently undeveloped areas, or increases in development intensity of already developed areas (include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)? No

31. Will the project require the extension of existing public utility lines? Yes
If so, identify and give distances: Power & telco 500' underground extension from existing facilities

GENERAL

32. Does the project involve lands currently protected under the Williamson Act or an Open Space Agreement? No
33. Will the project involve the application, use or disposal of potentially hazardous materials, including pesticides, herbicides, other toxic substances or radioactive material?
No
34. Will the proposed project result in the removal of a natural resource for commercial purposes (including rock, sand, gravel, trees, minerals or top soil)? No
35. Could the project create new, or aggravate existing health problems (including, but not limited to, flies, mosquitoes, rodents and other disease vectors)? No
36. Will the project displace any community residents? No

DISCUSS ANY YES ANSWERS TO THE PREVIOUS QUESTIONS (attached additional sheets if necessary)

PG&E power to be extended from existing transformer as show on the site plans.
Telephone lines to be extended as shown in underground conduit

MITIGATION MEASURES (attached additional sheets if necessary)

Proposed mitigation measures for any of the above questions where there will be an adverse impact:
None required

Form Completed by: John T. Merritt Date: 10/25/18

Revised 11/2017

Site Name/#: BAVARIAN HILLS – CA4075

2018 NOV -2 PM 2: 02

AUTHORIZATION RECEIVED
PLANNING DEPARTMENT

The undersigned is the "Owner" of the real property ("Property") described below, and hereby authorizes, consents and agrees with Horizon Tower Limited Partnership-II, a Kansas Limited Partnership, by Horizon Tower, LLC, its Operations Partner ("Horizon"), as follows:

1. **Entry.** Owner consents and agrees that Horizon's employees, agents and independent contractors ("Authorized Parties") may enter upon the Property to conduct and perform some of all of the following activities ("Permitted Activities"): Surveys, geotechnical soil borings and analysis, phase I environmental audits, boundary surveys, radio propagation studies, and such other tests and inspections of the Property which Horizon, may deem necessary or advisable. Horizon agrees to be responsible for any and all costs related to the Permitted Activities, including installation on and operation and removal of equipment on the Property. Horizon agrees to indemnify, save harmless and defend Owner, its directors, officers, employees and agents from and against any and all claims, actions, damages, liability and expense in connection with personal injury and/or damage to property arising from or out of any occurrence in, upon or at the Property caused by any act or omission of the Authorized Parties in conducting the Permitted Activities.
2. **Filings.** Owner consents and agrees that the Authorized Parties may make and file applications on Owner's behalf of such local, state and federal governmental entities whose approval Horizon may consider necessary or advisable to have the Property approved as a tower or antenna site, including, but not limited to, governmental approval for zoning variances, rezoning applications, building permits, and wetland permits. Owner hereby agrees that a copy of this Agreement is as effective as the original. However, if requested by the Authorized Parties, Owner agrees to execute such other and further documents as may be required by the governmental entity in question to evidence Owner's consent to the action which is proposed to be taken.

Owner: Richard H. Bush and Leslie H. Bush, Co-Trustees

Richard H. Bush
Name: Richard H. Bush

Date: July 16, 2018

Leslie H. Bush
Name: Leslie H. Bush

Date: July 16, 2018

Property address: 2560 High Hill Road, Camino, CA

CUP18-0012

ALTERNATE SITE ANALYSIS

**HORIZON TOWER APPLICATION
BAVARIAN HILLS, SITE #CA4075
2560 HIGH HILL ROAD, CAMINO, CA
APN 048-090-04-100**

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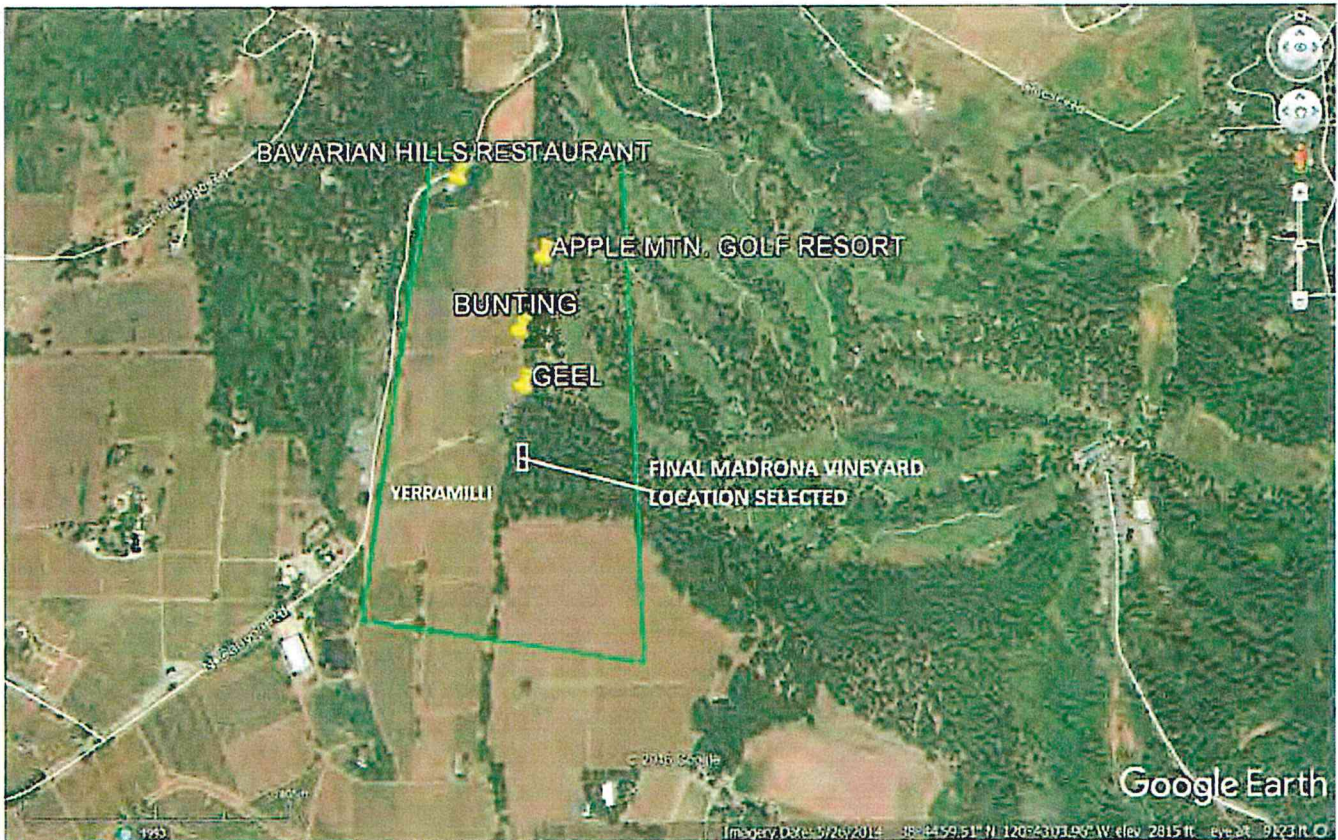
Background

Pursuant to the application for a Conditional Use Permit for a multi-carrier capable communications facility at the Madrona Vineyard, APN 090-04-100, an alternate site analysis describing other properties identified and evaluated for this facility is herewith submitted as required by Zoning Ordinance Chapter 17.14.210 (B) (1).

Horizon Tower is pleased to provide the following information in response to this request. Our clients, major cell phone service providers, and our radio engineering team identified the need for improved coverage in the polygon shown below.



Horizon Tower first contacted the El Dorado County Planning Services to identify permitted zones and ordinance regulations applicable to cell sites. Based on the information secured from this research an extensive field survey was performed in the search area to identify properties in permitted zones which met our coverage objectives without topographic blockage, and provided



a reasonable leasing potential. These properties are identified below:

Based on the above criteria our search was initially narrowed to the below properties providing a hilltop location on or overlooking North Canyon Road. Additional factors considered were the size of the properties, access, available utilities, and distance from adjacent residences.

1. Bunting (Bavarian Hills restaurant & orchard) APN 048-080-55-100
2. Apple Mountain Golf Course APN 048-010-31-100
3. Geel APN 048-080-50-100
4. Yerramilli APN 048-080-62

These properties were subsequently eliminated for the following reasons, referencing each property by the number above.

1. Bunting signed a lease and shortly thereafter had a change of heart, requesting us to terminate the lease. In the interest of maintaining community goodwill we agreed.
2. It was determined that access to the westerly part of the property along the tree line was limited to a narrow golf cart path crossing a creek, thus prohibiting construction and maintenance vehicles access.
3. The Geels put the property up for sale and did not want to encumber it with a long term lease.
4. After lengthy discussions absentee owner Mr. Yerramilli decided to maintain the vineyard as is. (The cell site would have required removing grape plantings in a 40' x 40' area.)

The Madrona Vineyard property was then evaluated and selected based on the following criteria:

- Hilltop position overlooking North Canyon Road
- Existing tree cover providing natural screening for a monopine
- Level ground requiring no grading
- Access direct from Carson Road through an existing vineyard road
- Owner Bush's willingness to lease on acceptable terms
- Power and telephone utilities being readily available through new underground extensions

Please call with any questions.



2018 SEP 28 AM 11:03
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PLANNING DEPARTMENT

September 25, 2018

Aaron Mount, Senior Planner
County of El Dorado
Planning and Building Department
2850 Fairlane Court
Placerville, CA 95667

Re: Bavarian Hills, APN 048-090-04-100 Zoning Application Fee

Mr. Mount,

Please find the application fee for the above referenced property as requested in the enclosed email request.

Upon processing of the fee could your department please send us a copy of the paid billing for our records using the enclosed self-addressed envelope.

If you have any questions or concerns, please do not hesitate to contact our office

Sincerely,



Paul Buschini
Operations Manager

CUP18-0012

Paul Buschini

From: John Merritt <JTMPVT@att.net>
Sent: Thursday, September 20, 2018 1:00 PM
To: Paul Buschini
Cc: Suzie Densmore
Subject: FW: Horizon Tower Bavarian Hills Use Permit Application CHECK REQUEST

Paul, please see below documentation for ZAP fee check request, payable to El Dorado County Planning. Please send to the below address.

Thanks.

John T. Merritt



President
630 Quintana Road, Ste. 321
Morro Bay, CA 93442
JTM@empiremediacorp.com
(o) 805-771-0123
(m) 805-886-0733

2018 SEP 28 AM 11:03
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From: Aaron Mount [<mailto:aaron.mount@edcgov.us>]
Sent: Thursday, September 20, 2018 11:48 AM
To: John Merritt
Subject: Re: Horizon Tower Bavarian Hills Use Permit Application FOLLOWUP

You didn't know we raised the fee to \$94K???

Here is a screen shot of the fee schedule showing the correct amount of \$9,433.

CONDITIONAL USE PERMIT (previously SPECIAL USE PERMIT)				
Planning Commission/Zoning Administrator, Major - Negative Declaration	\$7,563	\$270	\$1,600 T&M	\$9,433 T&M

Aaron Mount
Senior Planner

County of El Dorado
Planning and Building Department
2850 Fairlane Court
Placerville, CA 95667

(530) 621-5355 / FAX (530) 642-0508
aaron.mount@edcgov.us

On Thu, Sep 20, 2018 at 10:43 AM, Aaron Mount <aaron.mount@edcgov.us> wrote:
John

I'm glad you emailed me.

Here are the links to the two applications:

<https://www.edcgov.us/Government/planning/Documents/Conditional-Minor-Use-Permit-Form-Revised-11-17-17.pdf>

<https://www.edcgov.us/government/planning/forms/documents/CellTowerSupplementalApplication.pdf>

The fee is:
\$94333

Aaron Mount
Senior Planner

County of El Dorado
Planning and Building Department
2850 Fairlane Court
Placerville, CA 95667
(530) 621-5355 / FAX (530) 642-0508
aaron.mount@edcgov.us

On Thu, Sep 20, 2018 at 10:32 AM, John Merritt <JTMPVT@att.net> wrote:

Aaron, as I indicated ion my voicemail we are proposing a new 80' monopine in Bavarian Hills, APN 048-090-04-100.

Please advise current fees and filing requirements for a CUP.

Thanks.



John T. Merritt

Horizon Tower LLC



COMMUNITY DEVELOPMENT SERVICES PLANNING AND BUILDING DEPARTMENT

2850 Fairlane Court, Placerville, CA 95667

Phone: (530) 621-5355 www.edcgov.us/Planning/

Oak Resources Code Compliance Certificate

This Certification is required by the Oak Resources Conservation Ordinance (El Dorado County Code, Title 130, Chapter 130.39).

Assessor's Parcel Number(s) (APNs): 018-090-09-108

[Attach additional pages, if needed]

Address: 2560 High Hill Rd, Placerville

Permit Number or Description (e.g. building/grading permit, discretionary project, other):

CUP For cell site

Under penalty of perjury, I/we certify the following statement(s) (Check all that apply):

☒ No Oak Woodlands, Individual Native Oak Trees, or Heritage Trees, as defined in Section 130.39.030 (Definitions), have been impacted (i.e., cut down) on the above listed APN(s) within two (2) years prior to the date of this certificate.

☐ Oak Woodlands, Individual Native Oak Trees, or Heritage Trees were impacted (i.e., cut down) on the above listed APN(s) within two (2) years prior to the date of this certificate, but such removal is exempt from permitting and/or mitigation based on the following criteria:

☐ Oak tree removal qualifies for exemption(s) under Section 130.39.050 (Exemptions and Mitigation Reductions). [Explain on separate attachment]

☐ Oak tree removal was previously permitted by the County.
[Attach copies of prior permit(s)]

☐ No previous oak mitigation was required.
[Explain on separate attachment]

Date: 11/2/18

By: [Signature]
Signature of Property Owner/Authorized Agent

John T. Merritt
Printed Name of Property Owner/Authorized Agent

Signature of Property Owner/Authorized Agent

Printed Name of Property Owner/Authorized Agent

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County Use Only

Consistent with Chapter 130.39 (Oak Resources Conservation): ☐ Yes ☐ No

Accepted By Staff (Name):

Date:

Revised 1/29/2018

CUP18-0012

B.F. PLANNING REQUEST BUSH CELL TOWER 11 of 17

John Merritt

From: John Merritt <JTMPVT@att.net>
Sent: Thursday, October 25, 2018 2:29 PM
To: 'NCIC@CSUS.EDU'
Subject: HT BAVARIAN HILLS SITE REQUEST FOR ARCHEOLOGICAL INFO
Attachments: HORIZON TOWER BAVARIAN HILLS SITE LOCATION MAP.docx; BUSH SATPHOTO W
PARCEL OVERLAY cropped.jpg; BUSH PROPERTY PROFILE.html

Nathan, pursuant to our discussion please find attached the information regarding our proposed cell site in El Dorado County::

- Address is 2560 High Hill Road, Placerville, CA
- APN is 048-090-04-100

Please provide the archeological data for this location, and your invoice for prompt payment.

Thank you.



John T. Merritt
Horizon Tower LLC
630 Quintana Road
Suite 321
Morro Bay, CA 93442
(o) 805-771-0123
(m) 805-886-0733
JTM@empiremediacorp.com

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PRELIMINARY REPORT

In response to the application for a policy of title insurance referenced herein, **Fidelity National Title Company** hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a policy or policies of title insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Attachment One. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Attachment One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

The policy(ies) of title insurance to be issued hereunder will be policy(ies) of Fidelity National Title Insurance Company, a Florida corporation.

Please read the exceptions shown or referred to herein and the exceptions and exclusions set forth in Attachment One of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

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Countersigned By:

Authorized Officer or Agent



Fidelity National Title Insurance Company

By:

President

Attest:

Secretary

CUP18-0012

B PLANNING REQUEST BUSH CELL TOWER 13 of 17

Visit Us on our Website: www.fntic.com



Fidelity National Title Company

ISSUING OFFICE: 11050 Olson Dr., Suite 200, Rancho Cordova, CA 95670

***Another Prompt Delivery From Fidelity National Title Company Title Department
Where Local Experience And Expertise Make A Difference***

PRELIMINARY REPORT

Title Officer: Jeff VanValer
Email: jvanvaler@fnf.com
Title No.: FSSE-FTO1800513-JV

TO: Horizon Tower, LLC
117 Town & Country Dr., Suite A
Danville, CA 94526
Attn: Paul Buschini

PROPERTY ADDRESS(ES): 2560 High Hill Road, Placerville, CA

EFFECTIVE DATE: April 13, 2018 at 07:30 AM

The form of policy or policies of title insurance contemplated by this report is:

CLTA Standard Coverage Policy 1990 (04-08-14)

1. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

A Fee

2. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

Richard H. Bush and Leslie H. Bush, as Co-Trustees of The Bush Living Trust dated March 4, 1988

3. THE LAND REFERRED TO IN THIS REPORT IS DESCRIBED AS FOLLOWS:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 048-090-04-100

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA IN COUNTY OF EL DORADO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

Parcel No. 1:

A portion of the West half of Section 1, Township 10 North, Range 11 East, M.D.B. & M., more particularly described as Parcel A, as said parcel is shown on that certain Parcel Map filed in the office of the County Recorder of El Dorado County, on December 8, 1972, in Book 2 of Parcel Maps, at Page 80.

EXCEPTING THEREFROM all the earth and gold bearing gravel, as granted to John Blair and James Blair by Deed recorded July 24, 1883 in Book 27 of Deeds Page 492 Records of El Dorado County.

ALSO EXCEPTING FROM that portion of the realty hereinabove described, which lies within the Southwest quarter of the Southwest quarter of said Section 1, all of the minerals and gold bearing ground lying beneath the surface and upon the bedrock, as excepted by H. G. Fairchild and Ephraim Richards, by Deed recorded December 17, 1906, in Book 67 of Deeds at Page 19, Records of El Dorado County.

NOTE: As an appurtenance to the land herein described, the following should be included on the Deed or Deed of Trust to be recorded, is shown for information purposes only and is not to be construed as part of this Report. In the event title insurance is requested, an examination will be made to determine the insurability of said appurtenance(s) and extra parcel fees will be charged.

UNLESS REQUEST IS MADE IN WRITING AND THE INSURABILITY IS DETERMINED, SAID APPURTENANCE(S) WILL NOT APPEAR ON ANY POLICY OF TITLE INSURANCE.

Parcel No. 2:

A non-exclusive right of way for road and utility purposes, 50 feet in width, as shown on the Parcel Map filed in the Office of the El Dorado County Recorder, State of California, on December 8, 1972 in Book 2 of Parcel Maps at page 80.

ALSO TOGETHER WITH a non-exclusive right of way for road purposes, 15 feet in width, lying 7 1/2 feet on either side of the following described line:

BEGINNING at a point in the centerline of the Iowa Ditch, from which the South quarter corner of Section 1, Township 10 North, Range 11 East, bears South 60° 20' 49" East 2532.89 feet and from which a 2 inch capped iron pipe on the West bank of said ditch bears North 36° 33' West 12.36 feet; thence from point of beginning, South 89° 39' West, 471.89 feet; thence North 86° 28' West, 300.00 feet, to a point in the centerline of an existing road; thence along said centerline, North 50° 03' West, 231.1 feet; thence North 24° 55' West, 723.6 feet, to a point in the centerline of County Road.

AT THE DATE HEREOF, EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN SAID POLICY FORM WOULD BE AS FOLLOWS:

1. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2018-2019.
2. Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.
3. The lien of supplemental or escaped assessments of property taxes, if any, made pursuant to the provisions of Chapter 3.5 (commencing with Section 75) or Part 2, Chapter 3, Articles 3 and 4, respectively, of the Revenue and Taxation Code of the State of California as a result of the transfer of title to the vestee named in Schedule A or as a result of changes in ownership or new construction occurring prior to Date of Policy.
4. Taxes and assessments levied by the El Dorado Irrigation District. For amounts due, please contact El Dorado Irrigation District at (530)642-4000.

5. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

In favor of: Gilbert Hicks, et al
Purpose: Road purposes
Recording Date: July 19, 1893
Recording No.: Book 27, page 492, of Deeds
Affects: The exact location and extent of said easement is not disclosed of record.

6. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

In favor of: Mary F. Bayles, et al
Purpose: Water ditch
Recording Date: April 19, 1911
Recording No.: Book 79, page 57, of Deeds
Affects: The exact location and extent of said easement is not disclosed of record.

7. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

In favor of: Warren G. Green
Purpose: Pipeline & ditch
Recording Date: December 17, 1919
Recording No.: Book 89, page 209, of Deeds
Affects: The exact location and extent of said easement is not disclosed of record.

8. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

In favor of: Pacific Gas and Electric Company, a California corporation
Purpose: Installation, maintenance and operation of electrical facilities
Recording Date: July 19, 1973
Recording No.: Book 1208, page 210, of Official Records
Affects: Easterly portion

EXCEPTIONS
(continued)

9. Easement(s) for the purpose(s) shown below and rights incidental thereto, as delineated on or as offered for dedication on

Map/Plat: Parcel Map
Recording Date: December 8, 1972
Recording No.: Book 2, page 80, of Parcel Maps

Purpose: Ditch & Building setback
Affects: Westerly and Northerly portion

10. Covenants and restrictions imposed by a Land Conservation Contract executed pursuant to Section 51200 et seq. California Government Code (Williamson Act) authorizing the establishment of agricultural preserves. The use of the land within the preserve may be restricted by the contract to agricultural, recreational, open-space, and other approved compatible uses.

Dated: August 3, 1993
Executed by: Richard H. & Leslie H. Bush, County of El Dorado
Recording Date: August 12, 1993
Recording No.: Book 4081, page 555, of Official Records
Affects: The herein described land and other land

11. Matters contained in that certain document

Entitled: Judgment After Trial
Dated: March 8, 1996
Executed by: Allen P. Fields, Judge of the Superior Court of the County of El Dorado, State of California
Recording Date: April 18, 1997
Recording No.: Book 4898, page 370, of Sonoma County Records.

Reference is hereby made to said document for full particulars.

12. An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document

Entitled: Subordination Agreement
Lessor: Richard H. Bush and Leslie H. Bush, as Co-Trustees of The Bush Living Trust dated March 4, 1988, as amended and restated April 25, 2003
Lessee: Madrona Vineyards Limited Partnership, a California limited partnership
Recording Date: September 11, 2013
Recording No.: 2013-0047602-00, of Official Records
Reference: Vineyard Lease

The present ownership of the leasehold created by said lease and other matters affecting the interest of the lessee are not shown herein.