

BONSALL COMMUNITY SPONSOR GROUP

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COUNTY OF SAN DIEGO BONSALL COMMUNITY SPONSOR GROUP

REGULAR MEETING MINUTES

Tuesday, May 5, 2015

7:00 P.M.

31505 Old River Road

Bonsall, California

A. Roll Call:

PRESENT: Davis, Schwartze, Zales, Morgan

ABSENT: Norris, Carullo-Miller

Vacancy: Seat #2 South of 76 and East of Camino del Rey

B. Pledge of Allegiance:

C. Approval of Minutes of the March 3, 2015. Motion by Schwartze, 2nd by Zales minutes was approved.

D. Public Communication: None

Chair thanked J Harry Jones for the article on North County San Diego Development titled Boom or Doom more than 7,000 new homes have been proposed.

E. ACTION ITEMS: (Voting Items)

- a. PDS2012-3800-12-001 (GPA) PDS 2012-3810-12-001 Lilac Hills Ranch
Member Richard Zales noted that numerous allegations were made about the activities of the Sponsor Group and presented a document titled Bonsall Community Sponsor Group (BCSG) Response to Allegations of Misconduct and Illegal Activity alleged during the regularly scheduled monthly meeting, on April 7, 2015 with the help of the chair **Allegation #1** by Mr. Goodson that chairwomen unfairly denied his request to proceed first and utilize a Power Point presentation. **Reponses:** Chair informed developer before the meeting via email that a the request for a Power Point presentation would not be possible as other presenters and project were not going to do to time concerns. **Allegation #2** Mr. Goodson named three members of the seven member panel as violating the Ralph.M.Brown Act. **Responses:** County Council and Staff found no evidence of a violation.



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Allegation #3 Mr. Goodson stated that the BCSG had discussed the motion outside of the meeting. **Response** - No oral or written discussion of a specific motion on the project by any member of the BCSG. The reference document that (is attached) was the distillation of previously submitted comments on the Lilac Hills Ranch to the County prepared by the chairwomen and sent to two other members for their information and comment. At the meeting, a hard copy of the previously submitted comments (since 2006) were given to each member to discuss at the meeting. The document was not a motion prepared but a list of questions. No written motion on the Lilac Hills Ranch project was prepared before, during or after the meeting on April 7th 2015. **Allegation #4** Mr. Goodson said that the BCSG did not “Not have authority to review” the project in relationship to the General Plan Amendment and the Specific Plan only the Board of Supervisors can vote on a General Plan. **Response** - County Staff made in clear in emails that the Planning and Sponsor Groups were given all of the Lilac Hills Ranch General Plan Amendment and Specific Plan documents for their review and comment. The April 11, 2015 email is a complete reference to Board Policy I-1. **Allegation # 5** According to Mr. Goodson a purported email from Mr. Mark Slovick, Project Manager, to the chairwomen of the BCSG, the BCSG review of the Lilac Hills Ranch project would be limited to “impact to the community, noise, etc.” **Response** – Staff comments from a CPRA was requested and the answer to the request for information of emails from Mark Slovick to and from Mr. Rilling and Mr. Goodson returned as an answer that no emails were sent or received by Mr. Slovick to Mr. Rilling or Mr. Goodson indicating any limitation on the authority of the BCSG. An email from the chairwoman of the BCSG to Mr. Goodson and Mr. Rilling requesting a copy of the alleged email has to date, not been answered. **Allegation #6** According to a statement by Mr. Goodson, the BCSG has not authority to discuss the Newland Sierra Project PDS2015-GPA 15-001, when considering the potential cumulative impact of the Lilac Hills Ranch project. **Response** – Newland Sierra project started their brief of the project in January 2014 and have presented information before the BCSG two time. County staff requested comments from the BCSG to address the Notice of Preparation for Newland Sierra.

After the presentation from Mr. Zales, chairwomen stated that the allegations were unfortunate and demeaning then opened the meeting to comments from the audience . Mr. Steven Lablonski a member of the audience made statements regarding his view of the project. Ms. Patsy Fritz brought up issues of the Ralph M. Brown and the presentation made by the developer and the allegations that were false. Mr. Skip Snyder said that the information put together was well done but last month the allegations did make us look bad. Why not a Power Point allegation #1 was reviewed again as Mr. Goodson was aware of why no Power Point was allowed and the reason they were not first. The purpose of Mr. Goodson’s allegations was to control the meeting and make the chairwomen and the group look bad and in opposition to the residents and guests.



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Ms. Jeanine Hass said that last month the BCSG was none responsive to all allegations why did the community not know about this project earlier. Chair the BCSG “has been dealing with this project since 2006. Ms. Hass why did we not review the color boards and marketing pieces we acted as if the material were not informative or part of the project.

Fritz- Valley Center did power point with errors and refused to supply copy. Only valid map is tentative tract map and it is inaccurate. Developer may apply for an assessment district and states that it is consistent with the General Plan. Chairwomen requested a copy of the Power Point that Lilac Hills wanted to present via email to preview and have on hand prior to the May meeting and thus meet the law of public information availability of all materials. James Gordon resident of Valley Center said that the Lilac Hills developers have made numerous representations without support of the truth. Fire response is not 5 but 10 minutes. Miller Fire Station is a seasonal fire station on plan not regular station. Sewer R-O-W needs eminent domain the project is a house of cards.

within the Response to Allegations packet found as a response to allegation #3 titled Proposed Lilac Hills Ranch General Plan Amendment and Specific Plan.

Chair opened the discussion regarding the - 7 page document titled

Bonsall Community Sponsor Group (BCSG)

Comments on the Proposed LILAC HILLS RANCH GENERAL PLAN

AMENDMENT AND SPECIFIC PLAN (PDS2015-3800-12-001 GPA; (PDS2012-3801-12-001SP)

The Bonsall Community Sponsor Group believes that this PROJECT IS NOT CONSISTENT WITH Guiding Principles and the Community Development Model.

The Project cites its consistency with the Guiding Principles and the Community Development Model in the General Plan for San Diego County. However, even a cursory examination of those principles and the model show that, rather than being consistent, the Project is conversely inconsistent with both the Guiding Principles and Community Development Model. The ‘community’ that needs to be addressed is the Valley Center community, and Bonsall the Project should be understood as an element of that community. The General Plan presently applies the Community Development Model to the Bonsall and Valley Center communities and the zoning and land use patterns within Bonsall and Valley Center are consistent with that model. The proposed addition of the LHR Project in the western portion of the Valley Center community and the east portion of the Bonsall community flouts the intention of the Community Development Model by establishing high-density development away from the community center, away from needed infrastructure, and in a designated agricultural area. The Project is leapfrog development and it does not qualify as a LEED-ND community under any reasonable interpretation of those standards.



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Phasing – The Applicant seeks the utmost in flexibility in developing the Project in Phases of which there are many possible permutations, and no assurance whatsoever of Project performance of Conditions of Development.

The County has endorsed this approach without any assurance of performance by the Applicant, such as bonded indemnification to ensure specific performance.

The Applicant states in the Specific Plan and the County states in the RDEIR that some Phases may never be built. This is of a major concern as the soil for grading for Phase I is located in Phase III of the studies. Mitigations for Traffic Impacts are tied to events that may never happen.

This is a serious defect with the RDEIR. There is no assurance that promised Mitigation will ever occur.

Phase 1 is a residential phase consisting of 121.5 acres located immediately south of West Lilac Road. This Phase is in Bonsall and provides a maximum of 352 single family detached homes, six parks (1.29 net acres). This phase does not have stores or any other commercial and will require all residents to drive out side of the area for services. Based on the County of San Diego formula each residential unit has 10 trips a day which would amount to 3,520 trips a day per household however if using the SANDAG model it is 12 trips a day or 4,224 trips a day per household on West Lilac Road.

Refer to the following Table 1 – 4 from Chapter 1 EIR Objectives page 1- 34.

**TABLE 1-24
GRADING QUANTITIES BY PHASE (cy)**

Phase	Cut	Fill	Net
1	715,000	860,000	(145,000)
2	635,000	830,000	(195,000)
3	1,815,000	1,260,000	555,000
4	295,000	420,000	(125,000)
5	610,000	700,000	(90,000)
TOTAL	4,070,000	4,070,000	-



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The Project represents that it requires no import or export of soil for all Phases in total. The Project requests any possible Phase implementation sequence. It is clear that Phase 3 is the source of fill dirt for all of the other four Phases and is required to be at least partially graded concurrently with the first and any other Phase. Please identify how the Project intends to implement Phase 1 without grading on Phase 3. Also, will Phase 3 be used as a quarry for fill dirt for an extended period?

The County of San Diego is deficient for not recognizing this most basic disconnect. The net result of this is a Significant Impact of Project Feasibility.

This example of infeasibility or vastly different Environmental Impacts is repeated over and over again with every Infrastructure aspect: Roads, Sewers, Waste Water, etc.

The timing of implementation of Mitigation is also required to be defined with much more rigor than the County has employed. Road Improvement from Significant Impacts are ‘triggered’ by attainment of a threshold number of Residential Units. The County of San Diego should recognize that certain Commercial Land Uses are far greater drivers of Traffic Impacts than Residential.

Another related defect of this “Phase Game” is that the sum of the Traffic related analyses, for example, have analyzed fewer than 50% of the possible permutations of Phase execution that the County has endorsed in this EIR.

Left with the unbounded Phasing strategy the Applicant proposes, the Project as implemented will have vastly different Environmental Impacts than those analyzed in this EIR.

The Project needs to be required to adopt a defined Phasing Plan sequence with only a few allowable Phase Alternates in order that the proper Environmental Impacts can be assessed.

The proposed SP/GPA is inconsistent in broad and fundamental ways with the San Diego County General Plan and Community Plans of both Bonsall and Valley Center. Further, the RDEIR fails to disclose and analyze these broad and fundamental inconsistencies and their environmental consequences as CEQA requires. The RDEIR is derelict in concluding as it does that: “The proposed project includes a General Plan Amendment, which if approved, would result in the project being consistent with the General Plan” (Chapter 3 Environmental Effects Found Not To Be Significant, p. 3-87). An Amendment to the General Plan should not mitigate the serious environmental impacts of this Project.



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The RDEIR failed to perform the analyses required for decision makers, first, to understand the parameters of this proposal, and, second, to appreciate the nature and reach of its impacts. The RDEIR has only a rudimentary matrix of so-called Consistency with the General Plan in appendix W. However, the serious and unbiased analysis of consistency with the General Plan and the Community Plans has not been produced.

Internal consistency is required of all County General Plans by California State Law. Therefore, in considering a Specific Plan, particularly one that requires amendments to an adopted General Plan, it is crucial to understand exactly where the Specific Plan is inconsistent with General Plan regional categories, land use designations and road classifications, principles, elements, goals and policies.

Specific Plan is an implementation vehicle. Approval requires compliance with CEQA; consistency as well with the web of interconnected and mutually-supporting elements of the County General Plan, and consistency with the array of implementation actions, strategies and procedures that are in place to achieve the goals and policies that the General Plan sets forth. Inconsistency requires denial of the project OR adapting the General Plan to fit the Specific Plan – the tail wagging the dog.

Changes of this magnitude (Land Use Policies, Mobility and Safety Elements) to the August 3, 2011 San Diego County General Plan would require revisiting the Environmental Impact of the San Diego County General Plan and likely invalidates the San Diego County General Plan EIR. Broad and fundamental amendments to adopted General and Community plans would require countywide environmental review.

We all can understand why the applicants might want to avoid disclosing the array of GP and CP Goals and Policies that this project violates. But CEQA's purpose is not to gloss over or obscure inconsistencies in order to ease approval of this project. CEQA's purpose is disclosure. Therefore, the RDEIR for this SP/GPA must reckon specifically and individually with the General Plan Vision and Guiding Principles and the reflection of these in the Community Development Model, as well as with Goals and Policies across the GP's seven elements: Land Use, Mobility, Conservation and Open Space, Housing, Safety and Noise; as well as goals and policies of the Bonsall and Valley Center Community Plans. Once inconsistencies are disclosed there are only three ways to resolve them: reject the project, re-design the project, or re-build the County General Plan to suit these applicants.

Inconsistencies with General and Community Plans, Design Guidelines and other ordinances and policies are NOT subordinate to this project's Specific Plan, as the Specific Plan asserts.



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The full text of the General Plan and Community Plan Inconsistencies comments does an exhaustive analysis of several of the General Plan and Community Plan goals and policies to reveal the inadequacies of the proposed Project and the premise being advanced to allow its approval.

GRADING

The grading, by cut and fill techniques, of 4-million cubic yards of earth will jeopardize the opportunity for future study and appreciation of the basic integrity of the cultural significance of the larger area. There are suggestions in previous studies that an as yet undiscovered earlier human habitation of the Project site area, or a separate village from those already known may be present.

STUDIES

There are also concerns about the data recovery program and its methodology. Most of the previous studies of the area are 35 years old and more current studies may be needed to fully understand the significance of the site.

DENSITY

The development of the densely packed Project adjacent to agricultural areas presents the need to buffer which is included in the Bonsall Sponsor Group Community Plan those agricultural areas from the development and its sensitive receptors [schools, churches, senior centers, parks, homes]. However, there is no discussion in this subchapter of General Plan policy S-11.5, which requires development adjacent to agricultural operations in Semi-rural and Rural lands to adequately buffer agricultural areas and ensure compliance with relevant safety and codes where hazardous materials are used. The RDEIR instead chooses to address buffers against hazardous materials in the 2.4 Agricultural Resources subchapter. Perhaps it seems like more of an agricultural problem in that context than a problem caused by poorly placing an urban development in an agricultural context.

WASTEWATER

The proposed wastewater recycling facility [WRF], if built will be using hazardous materials, such as chlorine, in its treatment process. The facility is only 686-feet from the proposed school site and only 250-feet from homes. Considering that there was a recent accidental spill of hazardous materials from a similar facility in Escondido, the conclusion that the risks from the use of toxic, hazardous materials are less than significant is overly optimistic, even under carefully controlled circumstances.



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The WRF will not be built to coincide with the earlier phases of the Project, requiring that sewage be trucked off-site for disposal. The same trucking issue will continue after construction is complete and the WRF is operational, in order to dispose of waste solids screened from the influent. What impact would the 2-3 times weekly truckloads of sewage and/or waste solids have on the safety of residents in the Project? Other potential issues are accidental sewage or sludge spills, not to mention the impact those frequent truck trips have on the traffic flow to and from the Project.

Specific Plan

The comments on the Specific Plan include several major concerns:

1. The Lilac Hills Ranch Project [the Project] is too large and too dense for Valley Center and Bonsall and it is improperly located. Urban densities are incompatible with the rural, agricultural location in which the Project has been sited.
2. Roads and Traffic. The road standard modifications proposed by the Project will downgrade the classification of a mobility element road [West Lilac Road] and will lower the design speeds of several road segments, both public and private. At the same time the Project will add over 5000 people and approximately 20,000 average daily trips to those narrower, slower roads causing congestion and road failure. Several Mobility Element Road segments associated with the Project will be allowed to sink to LOS E/F without mitigation because there wouldn't be commensurate benefit realized by adding lanes.
3. Compliance with the General Plan. The Project's Specific Plan threatens to overturn virtually every element in the County's new General Plan adopted in 2011 after 12 years of discussion, compromise and community involvement, over \$18 million in government expenditures and countless hours of effort on the part of local citizens. Approval of this Project will require damaging amendments to the General Plan and the Valley Center and Bonsall Community Plans that will be growth inducing, particularly in the western portion of Valley Center. If this Project is allowed to proceed, one has to question if there is any development that would be rejected because it violated the principles and policies of the General Plan and Community Plans. In the context of this Project, it is unclear that the General Plan is anything more than a placeholder until the next change is proposed.



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4. **The Project is seeking to build a city the size of Del Mar, CA that will require an almost entirely new infrastructure—new roads, schools, sewer systems and a broad range of other infrastructure items.** These infrastructure expansions are why the Valley Center Community Plan designates the North and South villages at the core of Valley Center for such housing and commercial densities. The Community Development Model also directs that kind of concentration of density and infrastructure not at the outer edge of the community as this Project proposes, but at the Valley Center core.

6...**LEED-ND/Sustainable and Walkable Community. This Project still has not meaningfully addressed the requirements for LEED-ND development, although it continues to be described as “designed to meet the standards of the LEED-ND or an equivalent program.” There is no equivalent program cited and the Project fails to meet any of the site location and linkage requirements listed in the LEED-ND pre-requisites and standards.**

PROPOSED SCHOOL FOR PROJECT

The proposed school is located in Phase III they are only asking for the build out of Phase 1 right now and is not in the Bonsall School District. If the project is approved that means that all homes within the project having children will need to drive their children to Valley Center High School and Bonsall Middle School as well as Bonsall Elementary School which would increase the traffic on West Lilac by a minimum of 704 new car trips a day for the children to be dropped off at the schools. In order to have the Bonsall School District have a school in the area within the project they would need to request an annexation from LAFCO that costs thousands of dollars and hope that Valley Center would agree.

TRAFFIC GREENHOUSE GAS EMISSIONS

Because of its location far from existing communities, job centers, and transit infrastructure, the Project will cause long single-occupant automobile trips that increase VMT, resulting in harmful GHG emissions. The EIR should analyze mitigation measures and alternative site location for such a large project.



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PROJECTS INABILITY TO ACQUIRE LEGAL RIGHT-OF-WAY

There needs to be a frank and succinct discussion of the Project's lack of legal right-of-way [ROW] for roads, sewer, and recycled water. The discussion needs to make clear to decision-makers how offsite improvements required for this Project will be acquired. There are 30 or more ROW acquisitions that the Project requires. The Project has made little progress in four years on acquiring required ROW. It is highly likely that the use of eminent domain for a minimum of thirty and likely a greater number of separate takings of unwilling property owners' land or interests in road and utility easements will be required to make this project feasible.

The County of San Diego has received hundreds of pages of factual information from multiple attorneys that demonstrate the absence of many legal rights for the Project's intended use of private roads and ROW for sewer and recycled water utility pipelines.

The County has taken the position that private road ROW disputes are between individual private parties. However, the County of San Diego has certain knowledge that offsite road improvements for the Project will require the County's use of eminent domain to acquire ROW for the Project.

The County needs to disclose information for the Project and each of its access alternatives so that impacts are identified and required mitigation can be implemented.

There are a few proposed scenarios for the improvement of West Lilac Road in relation to the Project. These include widening and straightening the travel lanes, adding features at the road edge and adding roundabouts. To accomplish these improvements will require the taking of private land by eminent domain. The County should disclose the precise impacts of the various alternatives and the possible mitigation options. Additionally, a rationale for considering alternatives [such as 2.2E or F] to the existing mobility element plan for upgrading West Lilac to a 2.2C standard should be shared.

End of 7 page document:



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Continuation of minutes from Page 3

within the Response to Allegations packet found as a response to allegation #3 titled Proposed Lilac Hills Ranch General Plan Amendment and Specific Plan. The document was reviewed and several topics discussed. This was the document that was presented at last month's meeting for the formation of a motion. Page 2 of 7 was closely reviewed - Development moves thousands of yards of dirt from Phase 3 to all other Phases looking at the chart that was supplied by the developer. This project was defined as Leapfrog development- and is not LEED-ND compliant as stated in the original documents. Vice-Chair Davis discussed the fact that the General Plan supports Smart Growth but this project is not smart growth and does not support the Policies or Goals of the General Plan or the Bonsall Community Plan. Impact on I-15 is over whelming.

“Motion: by Davis to deny the Lilac Hills Ranch Project in totality for all the reasons listed in the synopsis of the previously submitted packet with special focus on Comments on the Proposed Lilac Hills Ranch General Plan Amendment and Specific Plan pages 1-7. Additionally it is felt that a large leapfrog project with that of the scope and scale proposed will further exacerbate the intolerable and unacceptable traffic conditions now being exhibited on roads serving the project, particularly the I-15”. Public comment was offered by the chair prior to the final vote.

Mr. Zales mentioned that at the April 7th meeting many people were in favor of project for aesthetic reasons only and were not aware of all of the serious concerns and impacts this project would bring to the community. Ms. Patsy Fritz –rock blasting 8 hours per day for 2 years. Dust from blasting is called Silica and would create a (70%) plume that would be sharp dust and will harm lungs as far away as two miles. Mr. Maverick wondered why we did not invite the Fire Dept. Water Dept. and Caltrans to the meeting to discuss the problems with the project. Chair mentioned that all of the letters submitted by these agencies are on line at the County of San Diego Lilac Hills Ranch.

Mr. Labalonski stated that 40% of the cost of a new home is due to regulations

Chair requested that the motion be read once again. Second by Zales.

Four Sponsor Group members present 0-opposed-2 absent-1 vacancy
motion passed unanimously.

Mr. Maverick requested information as to what are the next steps for the project. Chair said that The BCSG comments will go to Mark Slovick County Planning Manager, staff will decide when the project goes to the Planning Commission and then on to the Board of Supervisors.

- b. Mark Masson, Senior Park Project Manager – Presented the latest in the San Luis Rey River Park which is a 1600 acre liner park on both sides of the San Luis Rey River. The Park Department is planning with Caltrans the park land –string of pearls is a design concept that the department is using. Ownership maps with county owned, Caltrans owned and privately owned property were shown. Priority parcels in EIR were identified that were on the map that would be part of the goal of the river park plan. With the expansion of SR-76 (1962) the County worked with CALTRANS to acquire the land. The department is still looking at different access points and the Olive Hill Mitigation parcel which is 290 acres- for additional park use.



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The following questions were asked by Group members:

How much park is planned to be on the freeway side versus residential side? Still purchasing land so answer is not available at this time.

Will a portion of the park be usable in our life time? Can the County do an active park and put in earlier while proceeding with all of the other portions of the master plan?

Caltrans will work with the County on a long term management plan for different parts of the park. Trails are off road and pathway is on pavement. Some volunteer trails will be closed by wildlife agencies on the 290 acre parcel.

- c. Kevin Johnston Land Use/Environmental Planner Champagne Gardens Specific Plan area changes– approved in 1999 expired in 2007. Portion accidentally carried forward and has been added to GPA EIR study. The entire study will add 47 PSR's (Property specific request) to the General Plan that would meet key General Plan policies and the County Rural Commercial Use Regulations.

Mr. Johnston reviewed the pages of the Property Specific Requests GPA Champagne Gardens plan. The second submission was for Sub-Area 1 Site Pictures looking at Sub-Areas 1, 6, and 8 with further review of Sub-Area 1 Site Pictures, Sub – Area 6 Site Pictures and Sub – Area 7 Site Pictures with a verbal discussion of Sub-Area 8. Photo's of this area were on one single sheet of the entire area. The Bonsall Community Plan supports the I-15 Corridor Committees goal of not developing commercial along the corridor. Discussion each of the sub-areas started with sub-area 8 and then jumped to sub-area 6 reviewing the acreage and the portion of this area that could be built on. Mr. Johnston then presented copies of the General Plan Conformance-Key Policies to Consider as well as a County Compatibility Matrix Use Regulations document and a letter from Dan Silver, Executive Director of the Endangered Habitats League.

Further review of sub-area 6-7 continued with discussion regarding Compatibility Matrix and the Rural Commercial Use Regulations. Property owners Mr. & Mrs. Donahue were present and Mrs. Donahue reviewed what had been proposed for the property while it was part of the Champagne Gardens Specific Plan and asking for a portion of the 13.77 acres to be allowed to have a house, restaurant and commercial on a 5.6 acre portion near sub-area 7. Mr. Jim Chagala consultant for the Donahue's presented a power point summarizing the property constraints and what could be developed. Mr. Johnston mentioned he had contacted Rainbow Water and they would not be interested in servicing this area and recommended the boundary between Valley Center Water might be adjusted to serve this area. Ms. Donahue said she already has a meter on the property but was not sure if it was serviced by Rainbow or Valley Center. Mr. Johnston will follow up with the water districts regarding the service. Sub-Area 1 was next to discuss owners representative Ms. Sachi Plummer provided a document titled Champagne Gardens Specific Plan DPLU Case #SP 94-002. Owner is requesting the same use C-40 or C 42 possibly RT-20 that was part of the specific plans regulations previously requested. Chair asked Mr. Johnston if the County had contacted CALTRANS regarding expanding the Gopher Canyon Park and Ride on to sub-area 1.



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Chair called for a vote to extend meeting past the 9:30 P.M. cut off time limit to complete the project being reviewed. Motion by Mr. Schwartze to extend the meeting for 15 minutes Second by Mr. Davis

Meeting continued starting with the with Sub Area 8 a motion by Morgan Second by Zales to apply SR10 on Sub-Area 8 failed 3 in support – 1 against lack of quorum majority.

Mr. Schwartze made a suggestion to have the County of San Diego consider acquisition as open space.

Respectfully submitted by:

Phillip Schwartze

