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20223 Elfin Forest Rd., Elfin Forest, CA 92029

January 25, 2011

Honorable Chairwoman Pam Slater-Price
County of San Diego Board of Supervisors
County Administration Center
1600 Pacific Highway, Room 335
San Diego, CA 92101

Re: Harmony Grove Meadows Referral SD7 in General Plan Update

Honorable Chairwoman Slater-Price:

The Elfin Forest Harmony Grove Town Council wishes to comment on the letter from Latitude 33 dated December 6, 2010, requesting an upzone for the property mentioned above as part of the General Plan Update process.

First and foremost, as our previous letters to the Board and public testimony stated, we continue to be frustrated with increased density requests that are based solely on the economic benefit of a non-resident developer and not on the community plan or environmental situation or the commitment made to our community by County staff and the Board of Supervisors during the public approval process for the Harmony Grove Village Specific Plan. In our area two non-resident developers (banks at this point since both properties are in bankruptcy) – University Heights (SD8), and Harmony Groves Meadow (SD7) - are only trying maximize their own personal gain by asking your Board to grant significant additional residential density above the current General Plan.

Since Mr. Shaw submitted a letter to advocate for such an entitlement gift through the correspondence mentioned above, we wish to clarify the community's position and correct several misstatements. Our basic position can be summarized as follows:

- The proposed "compromise" is not consistent with existing community plan, current zoning on the property, and the hard fought compromise for the area
- Creeping sprawl would affect existing public investment in open space
- Environmental conditions are starkly different on the properties compared
- Critical public services such as sewer and emergency exit are not likely to be available to Mr Shaw's client

The basic argument made by Mr. Shaw on behalf of his non-resident client, Preferred Bank, is that since Harmony Grove Village is an approved SPA with a given density, his client nearby should be entitled to the same. Notwithstanding the fact that that the Harmony

Grove Meadows project as proposed in the past was likely heading for denial at DPLU, and was never approved by any of the reviewing bodies, this argument fails to recognize the historical context of the Harmony Grove Village approval process.

As we have testified to in front of the Board of Supervisors, the decision not to oppose the Harmony Grove Village (HGV) project was one of the most divisive and difficult decision this Board and this community had to make back in 2007. I refer you to the February 8th, 2007 North County Times article covering the approval hearing (attached) where we clearly state that the only reason we were not opposing this massive development was that we trusted the Board to uphold the **Village Development Pattern (VDP)** throughout the valley, and restrict high urban density to the village core. The VDP provides for progressively less dense development the further from the core, and was the painstakingly negotiated compromise the community and County staff arrived at after five years of meetings, and adopted years ago by the residents of Harmony Grove, Elfin Forest, the San Dieguito Planning Group, the San Diego County Planning Commission, and County Staff.

We fully understand as a community that we need to take our “fair share” of growth in the County’s projected housing needs, and in fact with the approved HGV SPA, our community is slated to see a **176% increase in housing stock** during the time horizon of the new General Plan according to the GPU EIR. To further burden our small community of less than 500 homes with an increase beyond the 742 additional units of the approved HGV SPA is clearly way beyond any reasonable interpretation of “fair share”.

Since the proposed project is beyond the Village boundaries, the Staff recommendation of SR-2, SR-4 and RL 20 is entirely consistent with the compromise forged around the vision for the entire valley between community and staff. The 2005 General Plan Amendment referred to by Mr. Shaw (Case # GPA 05-004, SP 05-001, R 05-007, VTM 5403 RPL, and ER No. 05-08-013) was never approved, and was strongly opposed by the neighboring communities, the San Dieguito Planning Group, and County Staff. As such it can hardly be described as a reference point for a compromise, since it was only a developer’s pipe dream. What the referenced letter further fails to mention is the current entitlement on this property, which should be the starting point for any “compromise”. Current zoning for SD7 is 1du/4, 8, 20 acres, which would yield somewhere between 20 to 40 total units. The proposed Staff Recommended Map designation is very close to the current entitlements and would reduce the project density to approximately 25 to 30 units on this 111 acres property which is the correct density given the topography and the adjacent land uses: estate homes on SR-4 to the North West, and RL20 to the West and East.

Furthermore, allowing a density increase from about 40 under current GP to the proposed 170 would severely compromise the significant public investment to date to maintain viable habitat for the gnatcatcher in the area. The lands directly adjacent to the East and to the West are preserved as part of the Elfin Forest/Harmony Grove Core Habitat Area where considerable public monies have been invested. The proposed project constitutes an unwarranted upzone which would degrade that investment with impacts to adjacent open space and degradation of the functionality of the existing Open Space, especially if considered in combination with another nearby referral, University Heights (SD8).

The Staff Recommended Map (and the Draft land Use Map) follows the **Village Development Pattern** for all areas in Harmony Grove, including existing residential areas, which have been downzoned to accommodate this pattern. All current and future residents

of Harmony Grove are following this density pattern. Mr. Shaw has not presented a compelling case for making an exception for the Preferred Bank project.

Following is a response to each of Mr. Shaw's points (bolded text as in original).

First as a matter of factual correction, there are NO other SPAs in the Harmony Grove area, much less "**numerous other Specific Plans in the Harmony Grove area**" as noted in Mr. Shaw's letter. Further the proposed "compromise" may constitute "a **30%** reduction in density from the original 2005 application", which is irrelevant since that was only a developer's wish list, but it is in fact a **325% increase over the current entitlements**, which is the only relevant point of reference.

1) While not officially "pipelined," a formal application for the GPA, 2005 Specific Plan, Vested Tentative Map and Environmental Document were submitted in 2006. The pipeline was intended to last two years rather than six years. The application received multiple review cycles from the County and the majority of issues were successfully resolved. These historically challenging economic and financial circumstances have dictated a recent pause in project processing by the applicant. These circumstances are not unique to this project and the owner desires to redesign the VTM consistent with the Semi-Rural 0.5 and restart the entitlement process.

The statement that "*the majority of issues were successfully resolved*" is not accurate. Among other fatal flaws the project does not have service for sewer, nor secondary emergency exit (especially with acquisition of adjacent property for conservation since project application was terminated), and no public access at all during flooding of the Escondido Creek, a reliable yearly occurrence. These are some of the reasons the project was heading for denial prior to being abandoned, and these circumstances are indeed unique to this project.

2) Harmony Grove Meadows has similar topographic, environmental, and site characteristics as the adjoining Harmony Grove Village project, which was approved in 2007 for 742 residential units, as a Specific plan.

The environmental characteristics of both sites could not be any more different: the vast majority of the Harmony Grove Village (HGV) project is located North of the Escondido Creek on heavily impacted agricultural lands, while the proposed project has been surveyed as part of the MSCP process, falls within the PAMA due to the habitat quality, and is nestled in between preserved open space parcels. The extract from the SANGIS MSCP map attached outlines high value habitat on over 80% of the proposed project parcel http://www.sangis.org/LibraryService/DownloadedFiles/1mscp_sh.jpg

3) The Harmony Grove Meadows project has similar lot sizes and densities as the Harmony Grove Specific Plan.

The HGV project was supported by surrounding residents and approved by the County because it has a pattern of density that decreases from the more urban core to rural multi-acre home sites at the outer edges, consistent with the **Village Development Pattern**. Because the Preferred Bank project is on the outskirts of the Village area, the densities should be considerably lower than those of the Village project and should conform with those specified in the Draft Land Use Map or the Planning Commission Map.

Besides, the proposed project is located approximately a mile away from the core high density of HGV, on the other side of the creek and the public road, and the portion of the HGV project directly adjacent to the proposed project is an equestrian center on septic system.

4) The Harmony Grove Village project additionally provides for a sewer treatment facility in close proximity to our project.

The sewage treatment facility Mr. Shaw refers to is sized for the Harmony Grove Village project and cannot accommodate any more dwelling units (personal conversation with Daniel Brogadir, County Wastewater Management). In addition, the Preferred Bank project is outside of the LAFCO-approved sewer district. The community has made its opposition to any expansion of the sewer district known to LAFCO officials. We feel that LAFCO understands and supports the community's position and that expansion of the sewage treatment facility or the sewer district to include the Preferred Bank project is highly unlikely.

5) While arguments have been made that the Harmony Grove area is "rural" in character, both the County and the local Community Planning Group supported the Harmony Grove Village project with lot sizes ranging from less than 3,500 square feet to just over 20,00 square feet. These densities and lot sizes are not rural in character.

The 3,500 sq ft densities are not rural in character, they are urban Village densities appropriately located within the Village core. The location of the Preferred Bank project is outside of the **Village limit line**, which is the boundary between urban and rural in the Harmony Grove area. Properties beyond this limit line cannot be provided with an urban level of density or public services.

6) The Harmony Grove Meadows project preserves the most sensitive environmental features of the site and provides protection from the steep slope and sensitive plant and animal habitat.

Thanks to our diligent County Supervisors, this is expected of any project that is brought forth in San Diego County.

7) The property's location is best defined as on the edge of Harmony Grove, especially considering the close proximity to the more urbanized County [sic] of Escondido and the recently approved Harmony Grove Village project.

We agree. The property's location on the edge of Harmony Grove qualifies it as being past the Village limit line and in the rural outskirts where higher densities cannot be accommodated.

8) The property is not separated topographically from the Harmony Grove Village project by any major ridgelines or drainage basins. Instead, the property shares these features and is located immediately adjacent to the 742-dwelling unit project (see attached aerial photo).

The subject property is immediately adjacent to the Village Equestrian Center portion of the Harmony Grove Village project, an area zoned for only 3 home sites on 35 acres... No portion of the Preferred Bank project is adjacent to any residential areas in the Specific

Plan. The Preferred Bank project is beyond the Village limit line and outside of the sewer district, where only low rural densities can be properly serviced by public facilities.

9) *Designating a property as semi-rural 0.5 provides a comprehensive planning and design solution to a 111-acre site, with common open space, a trail system and preservation of steep slopes onsite.*

This could be a good plan if it were located in another community where it would not be **inconsistent with established planning guidelines**, where it would not be **beyond the Village limit line** and **outside of the sewer treatment district**, and where it would not have **the strong opposition of the residents and local county planning agencies**.

10) *Designating the property as a SPA allows the applicant to continue to working with the Community Planning Group, adjoining neighbors and City staff to design the most desirable project and resolve remaining issues.*

We see no compelling reason to extend any privileges to this applicant concerning this project. There has been no attempt by any representatives of the Preferred Bank project to meet with the Elfin Forest Harmony Grove Town Council, or with the Harmony Grove Meadows subcommittee. It is apparent from Mr. Shaw's insistence that his project is similar to the HG Village project that his client is not familiar with the planning model adopted for the Harmony Grove area nor with the unique history of the Harmony Grove Village project. If they are truly interested in designing the "most desirable project," we suggest that they meet with the Elfin Forest Harmony Grove Town Council to discuss the issues concerning this historic rural area.

Thank you for the opportunity to comment,

A handwritten signature in black ink, appearing to read "Melanie Fallon". The signature is fluid and cursive, with a large initial "M" and "F".

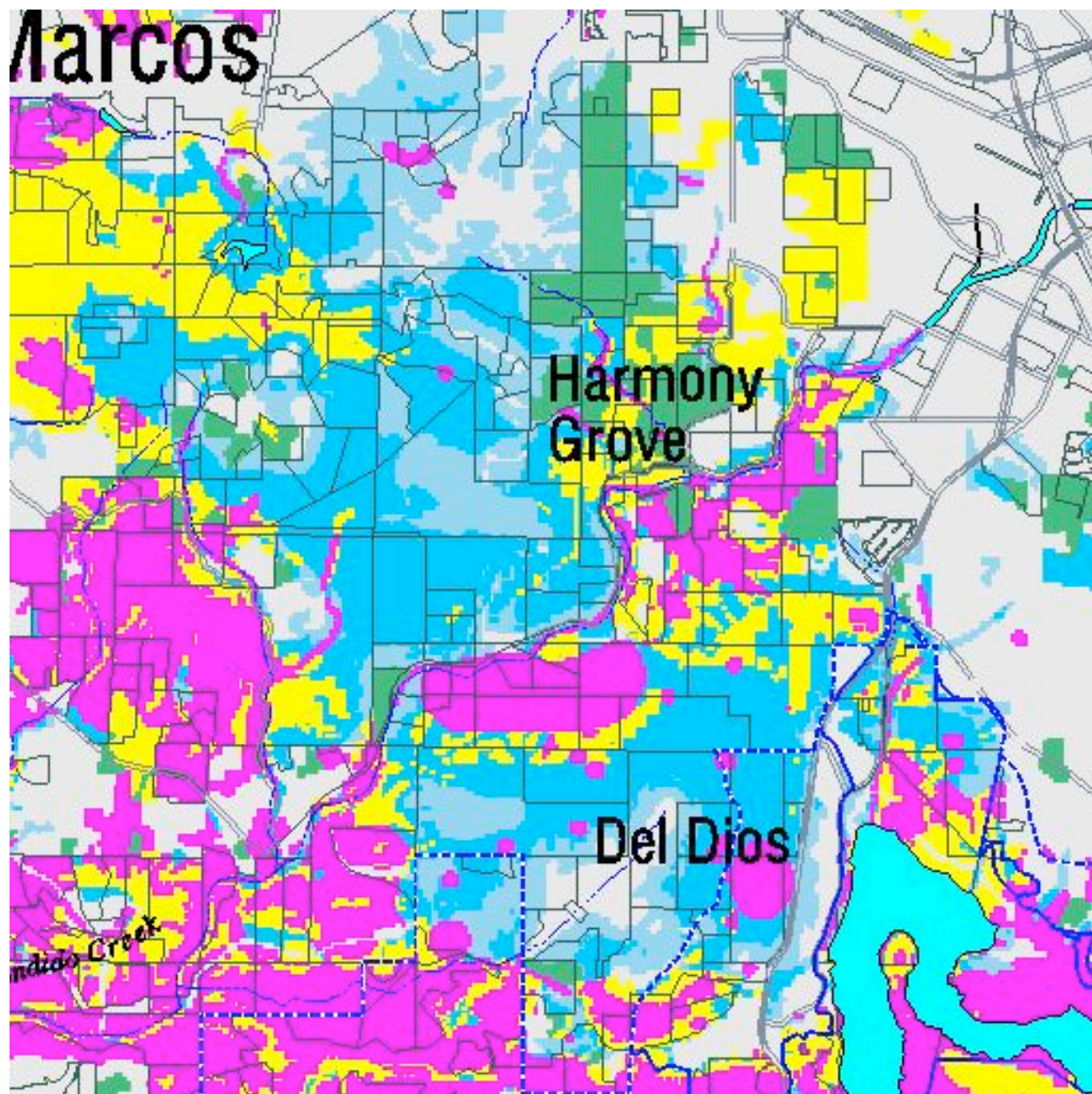
Melanie Fallon

Chair, Elfin Forest Harmony Grove Town Council

Attachments

Cc: County Supervisors
Devon Muto

Legend



http://www.nctimes.com/news/local/article_624882ef-f274-5429-9698-2955f3dc75b6.html

**Supervisors OK Harmony Grove Village By: QUINN EASTMAN - Staff Writer |
Posted: Thursday, February 8, 2007 12:00 am**

SAN DIEGO - A proposal to build a 742-home village in the rural Harmony Grove area west of Escondido sailed through the county Board of Supervisors on Wednesday.

Developer New Urban West is planning to build Harmony Grove Village on 468 acres, most of which were previously two chicken farms.

The project includes public trails and a private equestrian facility, a fire station, a sewer treatment plant and space for stores designed to serve the neighborhood. It has town houses and shopkeeper units in the center of the community, with more spacious spreads on its edges.

Construction could begin next year, the developer has said.

The supervisors hailed Harmony Grove Village's design process as a model of cooperation between a developer and a community.

"We've never had an audience so overwhelmingly in favor of a project," said Supervisor Bill Horn. More than 20 people addressed the board, mostly supporting New Urban West.

The Santa Monica-based developer held dozens of meetings over several years with the Elfin Forest/Harmony Grove Town Council, a civic association that represents the area.

The Town Council remained neutral on the project, partly because of concerns about the planned fire station, said its president, Eric Anderson.

Elfin Forest/Harmony Grove fire Chief Frank Twohy told county officials that even with the county's \$500,000 contribution annually, he would not have enough money to fully staff and equip the planned station.

Many members of the Town Council supported New Urban West's plan.

"Decades of mining and agricultural use have taken their toll on the community," said 30-year resident Bill Wilgenburg. "We are in need of a face-lift."

New Urban West enlisted wetlands experts to design a restoration project for a half-mile of Escondido Creek. It also formed a separate focus group called Friends of Harmony Grove Village, whose co-chairpersons both addressed the board urging the project's approval.

Even after extensive discussion with the community, officials had to forge a "safety enhancement" compromise over the future path of twisting Country Club Drive east of the project, limiting the speed to 25 mph.

The county's road designers had originally wanted to smooth out Country Club Drive's corners, citing its high accident rate and the expectation that traffic on the road will triple when new residents arrive.

But current residents opposed the changes to the road.

Gordon Fines, owner of Harmony Grove Equestrian Center, told the board that smoothing Country Club's curves to allow more cars would cut into his property and would be "devastating" to his horses and his business.

The main road in and out of the Harmony Grove Village project is a new east-west route that will connect with Citracado Parkway, which the city of Escondido is planning to extend.

County officials also had to assure people who live on or near Bresa de Loma Drive that the Harmony Grove Village project would not cut off access to their properties.

Other residents urged the board to define the scope of development around Harmony Grove, looking ahead to the unfinished General Plan 2020 update of zoning around the county.

"The only reason the room is not packed with residents opposing this project is their trust in county staff's plan," said Town Council member Jacqueline Arsivaud-Benjamin.

Several developers have been exploring projects nearby with county planners, but none of them have plans as advanced as New Urban West's.

County planning staff's proposed map under General Plan 2020 allows Harmony Grove Village, but limits other building nearby.

An alternative plan proposed by the supervisors calls for several housing projects with hundreds of homes to be built in the area.

Supervisor Horn noted that when the Harmony Grove Village project was first proposed, he thought the county's zoning update would be complete before the project came to the board.

The supervisors are supposed to vote on the zoning update, which has been delayed several times, in about a year. - Contact staff writer Quinn Eastman at (760) 740-5412 or qeastman@nctimes.com.