

LETTER

RESPONSE

Letter I33a

From: Josette Franck [mailto:peechus_jf@yahoo.com]
Sent: Thursday, June 19, 2014 12:50 PM
To: Slovick, Mark
Subject: Proj Issue Checklist, Lilac Hills 3800 12-001 (GPA) et al

Project: Lilac Hills Ranch
 Project Number(s): 3800 12-001 (GPA), 3810 12-001 (SP), 3600 12-003 (REZ), 3100 5571 (TM), 3100 5572 (TM), 3300 12-005 (MUP), 3500 12-017 (STP), 3500 12-018 (STP)

Hi, Mark:

Attached is the Project Issue Checklist I was asking about Tuesday evening. I downloaded it from the PDS site on Monday (16th).

With respect to the more detailed sections (pages 6-258):

Item 1, No. 1, General Plan Conformance - With the project being so far outside the General Plan that it may as well be Martian, how, specifically, did the applicant "resolve" this conundrum?

Item 1, No. 3, Off-site Improvements/Dedications - Paragraph 2 states: "It is the applicant's responsibility to provide suitable evidence that offsite improvements including grading, dedications, grants (if any), and easements can be accomplished without resorting to County of San Diego assistance."

1. Where are these requested documents?
2. Who is allowed to review them?
3. Who from the County verified the documents are valid?
4. And if they were "resolved" 6/13/2013, then why would an alternative that **REQUIRES "resorting to County of San Diego assistance"** be included in the revised DEIR?
5. How will the County justify violating County Policy J-33 (attached) when the Deer Springs Fire Protection District will not put the bulk of their responses at risk for the sake of a development that is located farther from the fire district's existing residents? Being too large for me to attach, please also refer to GPA12001-REIR-Chap4-061214.pdf (Section 4.8.1.7 Road Design Alternative 7) and GPA12001-REIR-AppendixV-2-TrafficFireAlternative-061214.pdf
6. Without plans to build a fire station - that will not be used by DSFPD - within the project's boundaries, there is NO PUBLIC NEED for the stealing of Mountain Ridge Road. Since the only way this private road can be accepted as a viable alternative to access the project is through the developer forcing the County to enact eminent domain, why is this even being considered as a viable alternative?
7. How does Section 4.8.1.7 Road Design Alternative 7's text: "This would result in about ten existing driveways no longer being accessible (red emphasis mine) since they are at the sag or peak of the existing curves. These driveways would need to be redesigned and rebuilt, while maintaining access to the properties. In addition, this alternative would encroach into the existing footprint of three single-family residences (red emphasis mine) ..." follow the J-33 credo that "... non-blighted, owner-occupied, residential structures cannot be condemned for transfer to another private party for purposes of more profitable economic development."?

That's all I can do today 😊 Have a great afternoon!

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- I33a-1 This comment is an introduction to comments that follow. The comment references a Project Issue Checklist which is a document used to identify various project issues by the County during the course of the project review. The referenced issues were addressed to the satisfaction of the County as further detailed below.
- I33a-2 Chapter 3, subchapter 3.1.4, Land Use Planning of the FEIR and Appendix W provide information demonstrating how the project would comply with the General Plan. In addition, refer to Global Response: Compliance with General Plan Land Use Element Policy LU 1.2 provided in the introduction to these responses to comments.
- I33a-3 The comment restates information from the referenced Project Issue Checklist. This is an introductory comment to those that follow; therefore, a detailed response is provided in the following responses.
- I33a-4 All existing easements within the area covered by TM 5572 and TM 5571 are shown on the "Implementing Preliminary Grading Plan – TM 5572" and the "Master Preliminary Grading Plan – TM 5571" which are available on the County website. Proposed project improvements are located within existing easements. Where grading would extend outside of an existing easement on private property, a letter of permission is required; however, some easements provide language that allows grading (slopes) to be constructed outside of the easement. A detailed response has been provided to document the easement rights of the project, with particular focus on the Mountain Ridge Road and Covey Lane easement rights. Refer to Global Response: Easements (Covey Lane and Mountain Ridge Roads) in the introduction to these responses to comments. Referenced documents are public documents available from the County. The referenced easement rights have been verified by County Planning & Development Services staff.
- I33a-5 The referenced Project Alternatives (Road Design Alternative and Mountain Ridge Road Fire Station Alternative) would require use of Eminent Domain. However, the purpose of the analysis of these Alternatives is to disclose potential impacts, provide a reasonable range of alternatives, and demonstrate what the project impacts would be if the County was to select one of the Alternatives. The Alternatives analysis is not intended to demonstrate compliance with Board of Supervisors Policy J-33 and this is not required under CEQA. Ultimately, the Board of Supervisors will make a decision on the project.

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	<p>I33a-6 This comment does not raise an issue with the content of the FEIR; therefore, a specific response is not possible and is not required. Ultimately, the Board of Supervisors will have the final decision on whether to approve the project, selection of the project alternatives, and whether to require improvements that would necessitate use of eminent domain. In addition, the County does not agree with the statement: "Since the only way this private road [Mountain Ridge Road] can be accepted as a viable alternative to access the project is through the developer forcing the County to enact eminent domain." The proposed project has legal access to Mountain Ridge Road. Refer also to the Global Response: Easements (Covey Lane and Mountain Ridge Roads) included in the introduction to these responses to comments. Regarding the feasibility of the fire service options, please see Global Response: Fire and Medical Services.</p> <p>I33a-7 The purpose of the discussion cited from the FEIR is to demonstrate what the project impacts would be if the County were to select one of the Road Design Alternatives. This information is provided for purposes of full disclosure of the potential impacts of the various project alternatives. This analysis is not intended to demonstrate compliance with Board of Supervisors Policy J-33.</p>
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