



Steel briefly introduced himself and provided a summary of his professional background and community interests.

- **Public Comment:** None
- **CPG Discussion Points:** N/A
- **Motion:** N/A
- **Second:** N/A
- **VOTE:** N/A

#### E. GROUP BUSINESS:

- **Start Time:** 7:25 p.m.
- **Casa De Oro Business Alliance | Strategic Planning:** The Casa de Oro Business Alliance is seeking to revitalize the area with urban design and urban planning scenarios that will establish an identity for this commercial business district. The organization intends to meet with Supervisor Jacob in March 2017 (Johnston).
- **New Guidelines for Secondary Dwelling Units:** Consistent with AB 1069, the County of San Diego has implemented changes to requirements for secondary dwelling units. Secondary dwelling units may still be subject to review by the VDO CPG relative to compliance with community character goals and objectives for the area (Burley).
- **College Prep Middle School:** The College Prep Middle School Project applicant challenged the VDO CPG's Appeal of project decision submitted to the County Planning Commission in December 2016. The County of San Diego found that the VDO CPG did not comply with the Brown Act relative to noticing requirements. Refer to the issue summary report attached to these minutes as Attachment 1 (Schuppert).
- **Dale Avenue No Parking Signs:** The County of San Diego has provided an opinion that no parking signs are appropriate for installation along Dale Avenue consistent with the VDO CPG's previous recommendations (Johnston).
- **Skyline Church:** A new site plan has been received from Skyline Church (Schuppert).
- **Literacy First:** The project applicant may submit new information in March 2017 (Myers).
- **CIP List Updates:** The VDO CPG Updated CIP List is underway. Burley and Tinsley Becker have reviewed the projects on the existing CIP List (Burley).
- **Vista Grande Traffic Calming:** The VDO CPG would like an update on the request for traffic calming assistance for Vista Grande Road (Nold).
- **Helix Canyon Estates:** The applicant has previously submitted revised site plan information to Members Schuppert and Baillargeon without formal submission to the County. The County has not provided the VDO CPG with instruction to review any new materials from the project applicant. Member Baillargeon shall contact County Staff to determine how to proceed without a directive from the County. Upon learning the identify of the project Architect / applicant, Member Tinsley Becker stated that she will recuse herself from future discussions and voting relating to this project due to an existing business relationship with the project Architect / applicant.
- **Future Project – Verizon Wireless Cell Tower:** A Verizon Wireless cell tower application for a location near the Spring Valley Academy property will be included on a future VDO CPG agenda (Johnston).

#### F. ADJOURNMENT: 9:17 p.m.

Submitted by: Wendy L. Tinsley Becker

Attorneys for the College Prep Charter School project (PDS2015-MUP-15-006, PDS2015-ER-15, 19-002) challenged the VDOCPG's appeal on grounds that the group did not establish standing to file the appeal.

The group has received correspondence from the County that they reviewed the information and found that we lacked standing to file an appeal for the following two reasons:

1. The May 3, 2016 agenda specifies that the College Prep Middle School's pending mitigated negative declaration would be considered, but ... "did not indicate that the VDOCPG would be making a recommendation on the project itself. Therefore, the VDOCPG did not properly notice the item under the Brown Act to take an action recommending denial of the project at the May 3, 2016 meeting."

The agenda highlights the Negative Declaration, but also references the MUP and so I do not understand why we could not make a finding on the MUP. A discussion with PDS Manager David Sibbet did not clear up my understanding or mis-understanding on this finding.

Our action at the May 3, 2016 meeting includes the motion that "VDOCPG authorize the ad-hoc subcommittee to submit a letter to the County on its behalf indicating that VDOCPG does not support the development of College Prep Middle School at this location and recommends denial of the Mitigated Negative Declaration as it fails to adequately address items of significant impact to traffic, safety, and land use."

2. The applicant was not notified of the May 3, 2016 Community Group meeting which violates Policy I-1 and the Brown Act.

The assertion that the applicant was not properly notified is true. The lack of notification to the applicant was an unintentional mistake. It was the third time the project was in front of our Board and the lack of noticing the applicant was not realized until it was brought to our attention at the Planning Commission Hearing on December 9, 2016. The impact is that our actions regarding this item at the May 3, 2016 are not valid. Our action included a motion to draft a letter to PDS in opposition of the project which is effectively the attempt to form an official position to recommend denial of the project. Since the vote to recommend denial of the project at the May 3, 2016 meeting is invalid, the group does not have an official recommendation and therefor do not have the right of appeal.

The County relayed that "For these reasons, the VDOCPG did not establish standing to file an appeal of the College Prep Middle School decision under Zoning Ordinance Section 7366c, and the appeal filed by the group may not be accepted. Therefore the appeal is invalid and the Planning Commission's approval decision for College Prep Middle School is Final.