

Valley Center Community Planning Group

Approved Minutes for a regular meeting held on **September 10, 2018** at 7:00 p.m. in the Valley Center Community Hall, 28246 Lilac Road, Valley Center, California 92082.

Oliver Smith, **Chair**; Ann Quinley, **Vice-Chair**; James Garritson, **Secretary**

A=Absent; Ab=Abstention; BOS=Board of Supervisors; PDS=Department of Planning & Development Services; DPW=Department of Public Works; DRB=Valley Center Design Review Board; GP= County General Plan; N=Nay; P=Present; PC=County Planning Commission; PSR=Property Specific Requests; R=Recused; SC=Subcommittee; TBD=To Be Determined; VCCPG=Valley Center Community Planning Group; VC= Valley Center; VCPRD=Valley Center Parks & Recreation District; Y=Yea

A. Roll Call

- Meeting was called to order at **7:04 p.m.** and a Quorum was established with **11 members present.**
- Jeana Boulos - **P**
- William Del Pilar - **P**
- Susan Fajardo - **P**
- James Garritson - **P**
- Dina Gharmalkar - **A**
- Steve Hutchison - **P**
- Susan Janiseh - **A**
- Jennifer Lindley - **P**
- Kathy MacKenzie - **P**
- Vacant - **P**
- LaVonne Norwood - **P**
- Claire Plotner - **P**
- Ann Quinley - **A**
- Oliver Smith - **P**
- Jon Vick - **P**

B. Pledge of Allegiance - Ms. MacKenzie

C. Approval of Minutes from Regular Meeting of August 10, 2018

- **Motion: Approve the Minutes from Regular Meeting of August 10, 2018.**
- **Maker/Second:** Vick/MacKenzie
- **Motion Carries (Y-N-Ab). 11-0-0**

D. Public Communication/Open Forum Members of the public may address the Planning Group on any topic not on the agenda.

- Chair Smith shared that County will discuss bundling and PSRs (Property Specific Requests) at a meeting with the Board of Supervisors on December 12, 2018.

E. Action items (VCCPG advisory vote may be taken on the following items).

1) Discussion of letter to Chairman Oliver Smith from Mark Wardlaw, Director of Planning and Development Service outlining the County's response to the VCCPG's Rite Aid Project Appeal (Appendix Attachment).

- Chair Smith shares background about the letter sent by Mark Wardlaw in response to the Rite Aid Project.

2) Discussion of CIP list development and letter from Board of Supervisors for **AUTHORIZATION TO ESTABLISH APPROPRIATIONS AND EXECUTE A GRANT AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR THE VALLEY CENTER ROAD VILLAGE CORRIDOR CONCEPT PLAN (DISTRICT: 5) (Hutchison)**

- Mr. Hutchison explained background about this grant for \$284,000, plus an additional \$54,000 for additional staffing time.
- The money will provide a study of the 2.5 mile corridor between Woods Valley Road and Cole Grade Road.

- Ms. Norwood wanted to know if evacuation concerns are part of this study. Mr. Hutchison stated that the grant does not include evacuation studies.
- Caltrans requires a report on the study.

3) Discussion and possible vote on the creation and installation of a gateway entrance sign for Valley Center. The project would involve the South Village Sub-committee working with Claire Collins who will take the lead in developing the project. (Vick)

- Mr. Vick shared that various subcommittees and the community have discussed for the last decade the possibility of creating a gateway entrance sign leading into Valley Center.
- Claire Collins and Will Rogers shared that the Chamber of Commerce and the S. Village subcommittee, the gateway sponsors, have endorsed the concept of creating a gateway between Valley Center Road and Banbury Road.
- The sign will be the minimum of 14 feet high.
- This sign will have the year 1845, the year Valley Center was established. Developers and casinos have shown support for this project.
- Mr. Del Pilar asked about if the DRB supports the sign. Claire said that she has DRB support of the concept, but the present designs are still in the preliminary stage.
- Ms. Fajardo would prefer having more of a small, rustic, and western sign. She would like a much smaller monument.
- Dolores Chavez (audience) shared that the city of Bakersfield has a beautiful sign that still exists and she recommends looking at their plans and costs.
- **Motion: Approve the concept of the creation and installation of a gateway entrance sign for Valley Center, subject to further design development.**
- **Maker/Second:** Vick/Lindley
- **Motion Carries 10-0-1 (Y-N-Ab).**

4) Discussion and vote on a motion from the South Village Sub-Committee. The South Village Subcommittee requests that the Valley Center Design Review Board, Valley Center Community Planning Group Sub-Committees and the Valley Center Community Planning Group itself observe the community character elements VC's Design Guidelines, the Valley Center Community Plan and the San Diego County General Plan to protect Valley Center's Community Character by requiring that new development in Valley Center be sized, scaled and of a character that is compatible with the unique character of Valley Center (Vick)

- Mr. Vick presented a document called Valley Center Community Character. He believes that big box stores will destroy the rural community character of Valley Center. With continued growth, Mr. Vick has concerns about the scale of large-format retail stores. The Von's on E. Valley Parkway is 38,437 sf, while the proposed Von's in Valley Center is 50,000 sf.
- The PG's land use group recommendations require comment on these two issues: compatibility with community character and consistency with Community Plan.
- Ms. Norwood asked about the two members of the South Village who opposed the motion. She also wanted to know how this motion will impact future Planning Group decisions.
- Ms. Plotner asked if there are any California laws that already backup this motion. Ms. MacKenzie asked about the size of Lilac Foods. Will Rogers (audience) believes it is between 10,000-12,000 sf. Ms. Boulous shared her belief that members of the Planning Group already support and practice a lot of the ideas written in this motion. Mr. Vick said that this motion is to reaffirm the Planning Group's commitment to protect the rural character of the Valley Center community. Mr. Vick reminded the Planning Group that even

the Chair was wrongly under the impression that the PG and the DRB had no responsibility to the Community regarding scale.

- Mr. Del Pilar also wanted to know if this motion is within the guidelines of California state law. Mr. Garritson supports the proposed size of Von's.
- Mr. Hutchison shared his thoughts about the General Plan. He did not support the building of Tractor Supply and was disappointed by the recent approval of a proposed Rite Aid store. He would like the entire VCCPG to go on the record in support of this motion.
- Chair Smith shared thoughts about what is the definition of a big box store? When does the criteria for a building exceed the community character?
- Will Rogers (audience) said that the Planning Group should follow the General Plan. Claire Collins (audience) has concerns about smaller businesses closing as more large box stores are built in Valley Center.
- Ms. Plotner suggested adding an amendment to the motion that would add more teeth to the community character.
- Mr. Garritson explained that he does not support the motion because property rights for both individuals and businesses supercede the SD General Plan. He said that the DRB approves building designs, but should never make decisions related to the size of a building on private land.
- Mr. Hutchison said that this motion reminds the Planning Group of their responsibility to follow the General Plan.
- Ms. Fajardo said that she will shop at Von's, but still believes the store is too big.
- Mr. Vick shared how he has tried to work on numerous projects that support the community character of Valley Center.
- **Motion: The Planning Group reconfirms VCCPG commitment to observing the VC Design Guidelines, the VC Community Plan, and the SD County General Plan to protect the VC Community Character by requiring that new developments in VC be sized, scaled and of a character that is compatible with the unique rural character of Valley Center.**
- **Maker/Second:** Vick/Hutchison
- **Maker/Second:**
- **Motion Carries 9-1-1 (Y-N-Ab). Garritson votes nay. Del Pilar abstains.**
- Jeana Boulos - Y
- William Del Pilar - A
- Susan Fajardo - Y
- James Garritson - N
- Steve Hutchison - Y
- Jennifer Lindley - Y
- Kathy MacKenzie - Y
- LaVonne Norwood - Y
- Claire Plotner - Y
- Oliver Smith - Y
- Jon Vick - Y

5) Discuss the Board of Supervisor's approval of PSR's in the Valley Center area (Hutchison)

- Mr. Hutchison gave a brief report about what was presented to the Planning Commission. One property owner did show up and requested a change of his zoning to SR2.
- If anyone in the community wishes to comment about these issues, there is a meeting on Wednesday, September 12, at 9:00 a.m.

6) Discussion and vote on a nomination letter for the reappointment of Keith Robertson to Seat 4 of the Valley Center Design Review Board for a Standard 5-year term. Chairman Smith will generate the re-nomination letter. Keith Robertson's term officially expired on June 10, 2018. (Smith)

- The Chair shared background about Keith Roberson and writing a re-nomination letter for another five-year term.

- **Motion: Approve the re-nomination letter.**
- **Maker/Second:** Smith/Norwood
- **Motion Carries 11-0-0 (Y-N-Ab).**

F. Group Business

1) Meeting Updates: Next Regular Monthly VCCPG meeting: October 8, 2018

2) Selection of new chair for website subcommittee. (Smith)

- Mr. Del Pilar is the new chair of the website subcommittee. The subcommittee includes the following members: **James Garritson, Kathy MacKenzie, and LaVonne Norwood.**
- **Motion: To approve Mr. Del Pilar as the new chair of the website committee.**
- **Maker/Second:** Smith/MacKenzie
- **Motion Carries 11-0-0 (Y-N-Ab).**

3) County workshop for Traffic Engineering

- This workshop is on Friday, September 28, 2018, from 8:00 AM to 3:00 PM, at County Operations Center, Bldg. 5500, Rm 120, 5520 Overland Avenue, San Diego, CA, 92123. The cost is \$15.
- <https://sandiegoite.org/events/2018/9/28/workshop-te-for-public-officials-workshop>

4) Start Nomination process for VCCPG seats #4 and 6 that will be vacant 1/17/2019. Each seat carries a four-year term ending 1/9/2023 (Fajardo)

- Ms. Plotner is not running for reelection. Mr. Gharmalkar has filed paperwork with Ms. Fajardo to run for Ms. Plotner's vacant seat.

5) Continue nomination process for VCCPG-nominated member of the I-15 Design Review Board for Seat 4. This seat carries a term of 2 years after appointment by the Board of Supervisors. (Fajardo)

- No one has applied for this seat.

6) Mobility Subcommittee membership changes (Plotner)

- There are no changes on this subcommittee.

I. Adjournment

- **The meeting adjourned at 9:08 p.m.**
- **Minutes were approved on October 8, 2018.**

James Garritson, Secretary



County of San Diego

MARK WARDLAW
DIRECTOR

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KATHLEEN A. FLANNERY
ASSISTANT DIRECTOR

August 22, 2018

Mr. Oliver Smith, Chair
Valley Center Community Planning Group
PO Box 127
Valley Center, CA 92082
Oliver.Smith@philips.com

Dear Chairman Smith:

RITE AID PROJECT APPEAL

Planning & Development Services (PDS) is responding to your letter dated August 13, 2018. In your letter, you identified several issues regarding the Valley Center Rite Aid project appeal that was presented to the Planning Commission on August 3, 2018. Issues identified include noticing procedures, community plan conformance, alcohol sales, and appeal to the Board of Supervisors. We understand your concerns and would like to provide you responses to your comments and requests.

Noticing Procedures

We apologize for not contacting you directly in advance of the August 3, 2018 Planning Commission hearing. The public noticing requirements are established by California Government Code. Our standard mailed notice was sent to the group along with the staff report 10 days prior to the hearing and the agenda was also posted to the PDS website at that time, as required by the California Government Code. As a courtesy, we will attempt to contact you directly by telephone or email in advance of any hearings on projects within the Valley Center community; however, the legal noticing requirements are those that we rely on.

The Zoning Ordinance required that the hearing for the appeal be scheduled no later than 90 days after your appeal was submitted. The August 3rd Planning Commission meeting was the last regularly scheduled meeting date before this deadline. Staff informed the Planning Commission of your inability to attend. Upon confirmation that legal notice requirements were met, the Planning Commission proceeded to hear the item and made a decision to deny the appeal and approve the project.

Community Plan Conformance

The Planning Commission Hearing Report, mailed to your group and available online, provided an in-depth analysis of the proposed project, which included General Plan and Community Plan Conformance and addressed the concerns raised by the Valley Center Community Planning

Group in the appeal. Staff reviewed the Valley Center Community Planning Group's objections and points of the appeal and took these areas of concern into account in formation of the project's findings. A thorough evaluation of Community Plan and General Plan conformance is conducted by staff throughout the processing of a project. The Rite Aid project's site design, architecture, and landscaping were updated throughout the processing of the project to conform to the General Plan and Community Plan. Once staff determined that the project conformed to the General Plan and Community Plan, staff presented these findings to the Planning Commission. The Planning Commission reviewed the findings and considered the points of appeal prior to making their decision on the project.

Alcohol Sales

The Rite Aid Site Plan authorizes the construction and operation of a Rite Aid Pharmacy. Alcohol sales require a separate permitting process with findings regulated by the California Department of Alcohol and Beverage Control (ABC) and Board of Supervisor's Policy I-121. If alcohol sales are proposed, the applicant will be required to obtain a permit to sell alcohol through the ABC.

Appeal to the Board of Supervisors

As explained through an email on August 9, 2018 and a phone call on August 14, 2018, the Zoning Ordinance and County Regulatory Code Section 86.404 establishes the appeal procedures and requirements for site plans and environmental determinations. Only the environmental determination may be appealed following a decision by the Planning Commission on the Director's approval of a Site Plan. The deadline for filing an appeal was August 13, 2018. No appeal was filed for the project. In terms of appealing the Site plan decision, the Planning Commission's approval is final according to Section 7166.h of the Zoning Ordinance:

"Effective Date. The decision of the Planning Commission shall be final and effective immediately except as follows:

1. The decision on a Site Plan filed as a requirement of a Specific Plan may be appealed to the Board of Supervisors in the same manner as a decision of the Planning Commission on a Major Use Permit is appealed.
2. When the Director's decision and the decision of the Planning Commission are not the same, a Site Plan filed as a requirement of a Specific Plan shall be forwarded to the Board of Supervisors for final action."

Since the Planning Commission decision is not a requirement of a specific plan, and the decision of the Director of PDS and the Planning Commission are the same, the Planning Commission decision of the Site Plan is final and cannot be appealed to the Board of Supervisors.

We appreciate the opportunity to respond to your letter and we understand your concerns regarding noticing. As a result we will be updating our procedures by ensuring planning groups are notified directly by phone and/or email. If you have additional questions or comments, please do not hesitate to contact Ben Mills at (858) 495-5234 or Benjamin.Mills@sdcounty.ca.gov.

Sincerely,



MARK WARDLAW, Director
Planning & Development Services