

Letter I29c

July 28, 2014

To: Mark Slovick, San Diego County Project Manager

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)

Dear Mr. Slovick,

I have questions and concerns regarding the Lilac Hills Ranch development. They are as follows:

Easements:

- 1) I have concerns that LHR (Lilac Hills Ranch) does not have adequate easement rights over Mountain Ridge for all of the properties in the development. They have previously claimed to have the right to be able to grant easements to other parcels across Mountain Ridge that is not supported by the documents they provided to the owners (of which we are one of the property owners) of the Circle R Ranch Estates development. The recorded documents (grant deeds) from the 1950s listing the Goodwins (owners of the property now known as Rodriguez Ranch) as reserving that right is not supported as the Goodwins did not own the properties in Section 31 where the easements are located nor is there supporting documentation that they so had that right granted to them. Jon Rilling of LHR now states in a letter dated August 6, 2013, to the Circle R Ranch Estates homeowners that “Kevin Johnson stated “Amendment 10 of the PTR indicates Accretive may have limited rights granted in 1957 to use the Mountain Ridge private road for two parcels”. Hence, the nearby properties to the north of Rodriguez Ranch nor any of the parcels in the northern portion of the development have the rights to utilize Mountain Ridge nor could they inherit or be granted that right through this development (LHR) from the Goodwin deeds. In that case, then:
  - a. How can LHR plan for or utilize Mountain Ridge for any use for the development in its entirety.
  - b. How can the development plan for or utilize Mountain Ridge as an emergency exit for the entire development when only two parcels have access over Mountain Ridge?
  - c. How can this development proceed at all if only two of the many parcels are the only parcels to have access over Mountain Ridge?

129c-1

129c-1 Mountain Ridge Road is an existing private road that provides legal access to several parcels within the Project (the southern portion of SRS-5 and SFS-6, and the institutional site within Phase 5) to Circle R Drive. Circle R Drive is a county maintained public road with access to the west to Old Highway 395. The existing Mountain Ridge Road does not meet the County’s Private Road Standards and the Project proposes to improve this roadway to County Private Road standards. The improvements to Mountain Ridge Road are included in the Project Description as a project design feature. The project applicant has a legal right to access its property from Mountain Ridge Road and to make improvements to the roadway as further explained in the Global Response: Easements (Covey Lane and Mountain Ridge Roads) included in the introduction to these responses to comments.

The off-site improvements made to Mountain Ridge Road will ensure that off-site property owners would continue to have ingress and egress to Circle R Drive. The FEIR analyzes impacts that could occur should land be required for road improvements outside the existing right-of-way, regardless of the underlying easement right. With respect to the use of Eminent Domain, ultimately it is in the discretion of the Board of Supervisors to decide whether to initiate proceedings to acquire additional easements. Refer also to the Global Responses: Easements (Covey Lane and Mountain Ridge Road) and Off-site Improvements – Environmental Analysis and Easement Summary Table included in the introduction to these responses to comments.

The comment also refers to “Rodriguez Ranch Road.” It is assumed that the commenter is referring to Rodriguez Road. As stated in the FEIR subchapter 2.3, this off-site road is currently an unclassified, 40-foot-wide easement that is currently 40 feet in width. It would be paved 24 feet and would provide emergency access to the project site. Emergency access roads are for use by the general public only in the event of an emergency and do not require specific easement rights since their use would be limited to emergency evacuation events.

LETTER

RESPONSE

<p>d. How can this development utilize any of the Rodriguez Ranch Rd outside of the development for those parcels that do not have any easement rights over that road such as the parcels in the northern development?</p> <p>e. Again, how can this development be approved when all of the parcels in the development do not have access over all of the privates roads, whether for normal use or for emergency purposes or evacuation?</p> <p>2) The private roads will be over-burdened based on the density of the development. How will the developer and the County of San Diego prevent that from happening?</p> <p>3) Per Mark Slovak, the IODs along or on Mountain Ridge and Circle R from 1979 are no longer valid along with the Covey Lane et al IODs that are beyond 25 years old. How can those IODs be utilized by the County or the LHR developer that have expired or have been rejected by the County along with other IODs that have been rejected by the County?</p>		<p>I29c-2 Refer to the Global Responses: Easements (Covey Lane and Mountain Ridge Road) and Off-site Improvements – Environmental Analysis and Easement Summary Table included in the introduction to these responses to comments.</p> <p>I29c-3 Refer to the Global Response: Easements (Covey Lane and Mountain Ridge Road) included in the introduction to these responses to comments.</p> <p>I29c-4 Section 1.2 of the traffic study contains a detailed analysis of Mountain Ridge Road. This section discusses the fact that Mountain Ridge Road will be widened to 24 feet wide with a maximum grade of 16.6 percent. This width is enough for two vehicles to pass. Since the road is only forecasted to carry 1,190 ADT and street parking will not be allowed, additional shoulder width is not necessary. A vehicle blocking Mountain Ridge Road would be the exception and should not form the basis of the analysis. Note that Mountain Ridge Road is not located in the Circle R Estates development.</p>
<p>Road and Traffic Concerns:</p> <p>1) Mountain Ridge is steep and rolling and does pose line-of-sight problems. On several occasions, trash trucks and grove/packing house trucks have stalled and or broken down on the uphill section near the crest of the hill heading south within the Circle R Ranch Estates development. The road is also not aligned by about 5+ feet at the crest of the hill where the road transitions between Section 30 and Section 31. It is dangerous to pass when that situation exists as the misalignment causes the passing vehicle to move completely into the oncoming lane. There are no shoulder areas on the south bound side (westerly side) of Mountain Ridge, causing additional safety issues when a vehicle is blocking the south bound side. Within the Circle R Ranch development, Mountain Ridge has no shoulders at all for vehicles to move to so as not to block the travel lanes. The road is at its' maximum width within the graded section. How will this safety issue be resolved, especially with the traffic projections for this road?</p> <p>2) Bicycle use – Circle R Rd, W Lilac from Camino Del Rey to the intersection with Circle to the intersection with Lilac is very heavily travelled on weekends by bicyclists. It is common to have individuals up to large groups (10 to 20 riders) on those roads on weekends. There are cyclists on weekdays but it is much lighter. The roads listed should be widened to accommodate the cyclists and not endanger them with significant traffic that will result from this development. There are several narrow and curving sections on all three road segments that are dangerous with the limited amount of</p>	<p>129c-1 cont.</p> <p>129c-2</p> <p>129c-3</p> <p>129c-4</p> <p>129c-5</p> <p>I29c-5</p>	<p>Although the FEIR determined that the existing sight distance was adequate at this location, the FEIR explains that all street intersections are required to conform to the intersectional sight distance criteria of the Public Road Standards of the Department of Public Works. The engineer for the project would be required to certify that the sight distance requirements can be met. If an easement is required to meet this requirement and the applicant has not obtained the easement, the applicant shall be required as part of the County's standard tentative map conditions, to request the Board of Supervisors to direct County staff to begin eminent domain proceedings for acquisition of property rights in accordance with Board Policy J-33.</p> <p>The developer is required to pay the full costs of eminent domain proceedings, including all easement costs. (San Diego County Standard Conditions for Tentative Subdivision Maps, Document Number 740858(a), approved by the Board of Supervisors, April 10, 1991.)</p> <p>The project does add traffic to Circle R; however, there are no identified impacts and therefore there is a no nexus for the project to widen Circle R Road to provide travel lanes, or bike lanes. There are identified impacts and frontage improvements to West Lilac Road that are to be implemented by the project.</p>

LETTER

RESPONSE

<p>traffic currently on the road segments. In addition, W Lilac from the intersection of Circle R and W Lilac has no shoulders or areas where cyclists can safely pull off to the side except for a few private driveways. Sight distances are also very limited for cyclists in these segments.</p> <p>3) There are several very narrow sections in curves on Circle R and W Lilac. Those sections (bottlenecks) become very dangerous when vehicles larger than cars and pickups (semi trucks, delivery trucks, flatbed trucks, vehicles with trailers, RVs, boats etc.) are coming in the opposite direction. Some sections are extremely limited in width due to the hillside and the guard rails. Most, if not all of W Lilac has no guard rail on slope side of the road. When vehicles have been stopped or broken down in the narrow sections, it has backed up traffic even with the limited amount of travel as it currently is used. There doesn't seem to be any mention to improve or eliminate the unsafe portions of the roads, especially with the increased amount of traffic that will be utilizing the roads. On 8/18/2013, a car went off the road in the narrow curving section of W. Lilac causing a traffic delay while the car was pulled up the hillside. Why is the developer not being required to improve the unsafe sections of these roads considering the amount of traffic the development will generate?</p> <p>4) Morning commute traffic to the VC High School will over burden the W Lilac Rd and Lilac Rd to Old Castle/Lilac Rd, making the commute extremely long. According to the traffic study, there will be in excess of 250 trips to the VC High School in the morning. If you make the assumption that the length of an average car plus a safe distance front and rear would give you approximately 50 feet in length, times 250 cars, equates to about 12,500 feet long or 2.3+ miles in length. Traveling on the narrow and curving bottleneck sections of W Lilac / Lilac would slow and perhaps pack the cars closer making for an even longer commute to the VCHS. In addition, there is already traffic congestion on Lilac Rd in front of the Lilac School on Lilac Rd. How will the traffic issues be mitigated (i.e. removing the bottlenecks) along with the corresponding the safety (no guard rails in the narrow steep areas) and additional emissions from the congestion and noise? What happens to the flow of cars if a car breaks down or has a flat tire in the narrow sections of W Lilac Rd or Lilac Rd?</p> <p>5) The single lane I-15 north bound Gopher Canyon off-ramp is congested now. The north bound I-15 exit to Gopher Canyon currently backs up about half the length of the off-ramp on the evening trip home due to the majority of the traffic heading west on Gopher Canyon. If it weren't for the east bound Gopher Canyon traffic running down the right hand shoulder (which is illegal), the traffic would be backed up to I-15 itself.</p>	<p>129c-5 cont.</p> <p>129c-6</p> <p>129c-7</p> <p>129c-8</p> <p>129c-6 It is acknowledged that existing portions of Circle R and West Lilac Road are not built to full public road standards. The FEIR accounts for the reduced width present on West Lilac Road and Circle R Drive. Specifically, the reduced capacities of the roadway were utilized for the analysis as shown in Table 3.1 of Appendix E. However, even with consideration of the existing roadway capacities, the analysis did not trigger thresholds that would result in the need for improvements on Circle R Drive. As a result, there is no nexus for the project to implement safety improvements on this roadway. The project does include improvements to West Lilac Road. Specifically, the project would improve West Lilac Road between Old Highway 395 and Main Street to meet the General Plan Mobility Element classification of 2.2C, subject to exceptions (M-TR-4). Refer to subchapter 2.3 and Appendix E of the FEIR for details on the analysis of impacts and proposed improvements along West Lilac Road.</p> <p>129c-7 The analysis contained in the Traffic Study (Appendix E of the FEIR) accounts for traffic currently driving to/from Valley Center High School as well as the additional traffic the project adds to the roadway network. Table 12.3 in the traffic study contains an analysis of the intersections that would be utilized by project traffic oriented to/from Valley Center schools. This table shows that adequate LOS D or better operations are maintained and therefore it is concluded that the roadway network can accommodate project traffic on the route to the high school. It is not appropriate to assume all vehicles will be on the street system at the same time. Based on the analysis, which takes into account the lack of shoulders and winding nature of the roads, all impacts to Lilac Road are mitigated to below a level of significance. CEQA does not require an analysis and mitigation of very rare occurrences, such as times when a vehicle is broken down on a roadway, blocking traffic. The FEIR analyzes project impacts related to vehicle emissions (air quality) and noise in FEIR subchapters 2.2 and 2.8 and Appendices D and M, respectively.</p>
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LETTER

RESPONSE

	<p>I29c-8 As shown in Table 3.3 of the traffic study (Appendix E of the FEIR) the I-15/Gopher Canyon Road interchange currently operates at LOS F, which produces the queues mentioned in the comment. The project has a direct impact and will mitigate by installing traffic signals that will result in LOS C which will significantly reduce the existing queues. The analysis of the Gopher Canyon Road/Old Highway 395 intersection shows LOS B with project traffic so the existing geometry can accommodate project traffic. The new signals at the I-15/Gopher Canyon interchange will be coordinated with the existing signal at Old Highway 395, given the short intersection spacing.</p> <p>Regarding vehicle emissions, a greenhouse gas analysis was included in Appendix O of the FEIR. Vehicle emissions were estimated based on fuel use and vehicle miles traveled data using an accepted modeling tool known as CalEEMod. For details on the methodology for determining vehicle emissions, refer to page 65 of Appendix O. Mitigation for the project's GHG emissions can be found starting on page 83 of Appendix O.</p>
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LETTER

RESPONSE

<p>a) How will the traffic signals relieve this safety issue?</p> <p>b) How will the significantly increased east bound Gopher Canyon to Old 395 North traffic be managed safely and adequately?</p> <p>c) Also, the current distance between the Gopher Canyon north bound off ramp right turn lane stop sign threshold and the Gopher Canyon left turn lane threshold to Old 395 North only allows about 8 to 10 cars.</p> <p>    i) How will this be rectified for the increased traffic load, especially with the off-ramps only being a single lane?</p> <p>    ii) What will be the increased level of emissions from the waiting cars?</p> <p>    iii) How will the increased level of vehicle emissions from the waiting cars be mitigated?</p> <p>6) Circle R Rd (stop sign) at Old 395 currently backs up 10 to 15 cars in the morning with most of the cars heading south, and then turning right (west) on Gopher Canyon to either I-15 south or continuing west on Gopher Canyon. How will the stream of cars on Circle R Rd be adequately managed for wait times and emissions with the short distance between Circle R Rd and Gopher Canyon?</p> <p>7) The traffic study does not indicate that the I-15 exits to Old 395 will be signalized. Due to the single lane design of the off-ramps, they will impact each other due to the cross traffic each will generate towards the other exit. It is very possible that there will be a backup on I-15.</p> <p>    a) How will the potential traffic backup on to I-15 be mitigated?</p> <p>    b) What will be the level of emissions of waiting cars and how will the emissions be mitigated?</p> <p>8) I-15 north bound traffic slows significantly (or stops completely – stop n go) under the Lilac Bride over I-15 during the evening commute. With the developments currently approved for the I-15 / Hwy 76 area:</p> <p>    a) How will the traffic and emissions from LHR be mitigated?</p> <p>    b) What will the level of additional emissions be?</p> <p>    c) What will be done to mitigate any additional health issues and traffic congestion?</p> <p>9) How will the County guarantee that any temporary sewer lines will be removed within the estimated development window the developer has proposed?</p>	<p>129c-8 cont.</p> <p>129c-9</p> <p>129c-10</p> <p>129c-11</p> <p>129c-12</p> <p>I29c-9 A significant project impact was identified at Old Highway 395 and Circle R Drive (Impact TR-8). This impact would be mitigated by installing a traffic signal (M-TR-7). With the signal, LOS C would be achieved and wait times would be significantly reduced. Regarding emissions, refer to response to comment I29c-8.</p> <p>I29c-10 Table 5.36, Appendix E of the FEIR shows the results of the analysis at the I-15 ramps at Old Highway 395. LOS C or better operations are maintained with project traffic. Since LOS C is acceptable according to Caltrans standards, mitigation is not necessary. Accordingly, it is not expected that backups onto the I-15 would occur and no associated mitigation for this issue is required.</p> <p>I29c-11 The FEIR shows a significant and unavoidable impact on the I-15, from SR-78 to the Riverside County border. Refer to the Global Response: Significant and Unavoidable Impacts to I-15 included in the introduction to these responses to comments. No additional health issues have been identified as a result of the I-15 traffic impacts. Regarding emissions, refer to response to comment I29c-8.</p> <p>I29c-12 The County requires removal of temporary facilities as part of satisfying the subdivision improvement agreement and before release of financial security. In addition, the Valley Center Municipal Water District will have oversight over the installation and removal of sewer facilities.</p>
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LETTER

RESPONSE

<p>10) How will Rodriguez Ranch Rd be utilized that is not within the development?</p> <p>11) How will Rodrigues Ranch Rd that is not within the development be improved?</p> <p>12) How will Mountain Ridge Rd be improved?</p>	<p>129c-13</p>	<p>I29c-13 As stated in the FEIR subchapter 2.3, Rodriguez Road road is currently an unclassified, 40-foot-wide easement that is currently 40 feet in width. It would be paved 24 feet and would provide emergency access to the project site.</p>
<p>13) How will the misalignment of Mountain Ridge Rd between Section 30 and Section 31 be corrected with the limited area available for grading based on the easement widths and considering the cuts and fills already in place?</p>	<p>129c-14</p>	<p>I29c-14 As detailed in the project description, subchapter 1.2.1.4 of the FEIR, off-site improvements at Mountain Ridge Road include widening, repaving, and restriping from the project boundary to Circle R Drive. Proposed Mountain Ridge Road improvements (with exception requests) would include minor widening within the existing easement to ensure that there would be two 12-foot lanes and 2-foot shoulders consistent with County Private Road Standards. This would avoid significant grading and disruption to existing driveways (Refer to subchapter 2.3.2 of the FEIR). Furthermore, there is no information that Mountain Ridge Road is misaligned. It is located within the easement.</p>
<p>14) The vehicle traffic from the northern portion of LHR will be significant on Circle R Rd heading west:</p> <p>a) How will this traffic impact the vehicles exiting Mountain Ridge and what will be done to eliminate any delays?</p> <p>b) How much will be the additional wait times for vehicles exiting Mountain Ridge on to Circle R?</p> <p>c) What will be the additional emissions from those vehicles?</p> <p>d) How will the emissions be mitigated?</p> <p>e) What are the effects to the neighboring properties and population with the increased emissions and noise?</p> <p>f) The sight lines in both directions are inadequate and unsafe now, how will this be rectified?</p>	<p>129c-15</p>	<p>I29c-15 Table 5.36 of the Traffic Study (Appendix E of the FEIR) shows that an adequate LOS C is calculated at the Mountain Ridge Road/Circle R Drive intersection. Therefore, improvements are not necessary. Wait times on Mountain Ridge Road are forecasted to be about 16 seconds. Appendix E of the FEIR includes a sight distance analysis (Appendix AT) for the Mountain Ridge Road/Circle R Drive intersection. For additional discussion about sight distance at this intersection, refer to Global Response: Easements (Covey Lane and Mountain Ridge Road). Regarding greenhouse gas emissions, refer to response to comment I29c-8, subchapter 3.1.2, and Appendix O of the FEIR. Additional detail about the noise impacts of the project can be found in subchapter 2.8 and Appendix M of the FEIR.</p>
<p>15) For the southern part of the development (Phase 5) that will be gated, there are plans for a church and senior care facility. How will the developer control and mitigate public traffic for those facilities. What is the point of gated access if the facilities are available to the public? The developer states the following in a recent letter to us:</p> <div data-bbox="153 1000 430 1092" style="border: 1px solid black; padding: 2px;"> <p>Only the church and residents of this exclusive gated senior neighborhood would be allowed to access Mountain Ridge Road. The remainder of Lilac Hills Ranch will not access Mountain Ridge Road.</p> </div>	<p>129c-16</p>	
<p>16) We currently have road easements for Mountain Ridge Rd in the LHR development up to the intersection of Rodriguez Ranch Rd. The developer shows grading and homes on approximately the northerly half of the road easement. How can they invalidate our easement rights?</p>	<p>129c-17</p>	

LETTER

RESPONSE

	<p>I29c-16 Lilac Hills Ranch is designed with privately owned on-site roads. The project will have the sole discretion to restrict and control public and private access on and along the project's private road system. Phases 4 and 5 (which is the Senior Neighborhood) will be gated and the access will be restricted to only residents of the Senior Neighborhood. Further, the southern portion of phase 5 (Specific Plan SFS-5 and SFS-6; and the institutional site) are the only neighborhoods and land uses that have access to Mountain Ridge Road. The senior care facility is not located within Phase 5 and will not have access rights to Mountain Ridge Road. Three separate access gates will be installed at all entry points (Lilac Hills Ranch Road North and South, and Rodriguez Road) further restricting vehicular access to Mountain Ridge Road. If Mountain Ridge Road is a public road, the restricted access points along Lilac Hills Ranch Road would be removed. Ultimately, the Board of Supervisors will make the final decision on the proposed project, including whether Mountain Ridge Road should be a public road.</p> <p>I29c-17 The proposed project would not invalidate the easement rights of any property owners. It is unclear from the comment, exactly what area the commenter is referring to, however any proposed homes associated with the project would be located within the property owned by the applicant. For a detailed discussion of the easement rights along Mountain Ridge Road, refer to the Global Responses: Easements (Covey Lane and Mountain Ridge Road) and Off-site Improvements – Environmental Analysis and Easement Summary Table included in the introduction to these responses to comments.</p>
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LETTER

RESPONSE

17) If there is a major fire in the Valley Center area and evacuation is required as in the 2007 fire, evacuation could be severely hampered with the road designs. How can this be rectified? } 129c-18

18) How does lowering the speed limit on Mountain Ridge cause the road to handle more traffic? Does that not make it worse? Does not the road design need to match the traffic volume? } 129c-19

Respectfully,

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129c-18 The County does not agree that the proposed road designs would severely hamper evacuation. The adequacy of fire and emergency response service is evaluated in Chapter 2.0, subchapter 2.7.2.4 of the FEIR and Appendices J (Fire Protection Plan) and K (Evacuation Plan). The project's Evacuation Plan includes multiple components intended to create an orderly and safe evacuation of the project site in time of emergency. As discussed in subchapter 2.7 of the FEIR, the Evacuation Plan details evacuation routes, evacuation points, and implementation of a resident awareness and education program to keep future residents and employees informed and safe if wildfire occurs. In addition, all roads proposed for use during an evacuation would be constructed to Consolidated Fire Code standards which allow for emergency equipment to utilize the roads simultaneously with evacuating residents.

129c-19 Section 1.2 of Appendix E of the FEIR discusses Mountain Ridge Road. The design speed, not the speed limit, is proposed to be reduced. The design speed is a selected speed used to determine the various geometric features of the roadway and does not necessarily correspond to the maximum safe speed for the roadway. The analysis in subchapter 1.2 demonstrates that Mountain Ridge Road can accommodate the forecasted traffic, with the design speed reduction, since less than 2,500 ADT is forecasted.