

Letter I33p

**From:** Bob & Josette Franck [<mailto:franckfort@yahoo.com>]  
**Sent:** Friday, July 25, 2014 12:13 PM  
**To:** Slovick, Mark  
**Cc:** Blackson, Kristin  
**Subject:** Lilac Hills Ranch 2014 DEIR

Mark Slovick  
San Diego County PDS Project Manager  
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Project: Lilac Hills Ranch 2014 DEIR

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 Mark,

The submitted Draft Environmental Impact Report (DEIR) for Lilac Hills Ranch (LHR), which falls outside of the County's recently adopted General Plan, includes glaring discrepancies, as well as legal issues with respect to roads safety and overburdening of easements.

I33p-1

The General Plan's (GPU) Village areas are where density concentrations are planned and approved, but LHR falls miles outside of the Valley Center North and South, and Fallbrook villages (<http://www.sdcountry.ca.gov/dpw/land/landpdf/Docs/CountywideVillage.pdf>). The applicant was attempting to acquire, through outright purchases or lease options, the +/-608 acres while the GPU was in process, but never requested appropriate upzoning changes for this additional Village.

I33p-2

Since the GPU was designed to adequately fulfill San Diego County's future housing needs WITHOUT THIS PROJECT and the applicant failed to request upzoning changes for their parcels, why was LHR even allowed to go through the development process?

The County should also regard the public's safety on its public and private road network, in and around the proposed project. All ten road exemptions the applicant requested are so far out of line with the existing conditions, many jeopardize the public's safety, and, as a stand-alone concern, should result in denial of this project.

I33p-3

What would the County's reasoning be to approve LHR while accepting any of the ten road exemptions?

I33p-1 These introductory comments are further developed in the comments that follow and specific responses are provided below.

I33p-2 This comment largely expresses background information and opinions of the commenter that do not relate to the adequacy of the FEIR. However, it should be noted that General Plans may be amended. Property owners may request a General Plan Amendment pursuant to Government Code Sections 65300 et seq. Prior to the sunset of Board of Supervisors Policy I-63, in order to initiate an amendment to the General Plan, an applicant was required to process a Plan Amendment Authorization (PAA). An application to amend to the General Plan was allowed to proceed by the approval of a PAA by the Planning Commission on December 17, 2010. Chapter 3.0, 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.

I33p-3 The County Public Road Standards allow for exceptions to the standards. As discussed in Chapter 1.0 of the FEIR, the project's circulation plan includes 10 exceptions to County road standards to allow construction of roads associated with the project as allowed under Section 1.3 and Section 9 of the County's adopted Public Road Standards. The specific road exceptions are identified in Table 1-2. Table 1-2 also provides the proposed design for each roadway compared to the requirement under the Public Road Standards. A discussion of each road design exception request is also included in the project Traffic Impact Study and subchapter 2.3 of the FEIR. Road exceptions are commonly approved by the County and are a built in element of the County's Public Road Standards. Exceptions are not approved if they compromise safety of roadways.

LETTER

RESPONSE

Trash collection days on Covey Lane and Mountain Ridge Road - both with high, blind hills - summarily mean residents waiting behind waste vehicles to complete the collection route, or crossing into unseen oncoming traffic to pass the three separate trash trucks: regular trash, recyclables and green waste. Approving LHR benefit's the developer, not current residents or businesses, and legal aspects considered, not the County.

I33p-4

From the County's perspective, how insignificant are the current residents' safety and validated concerns compared to the financial improvement of the developer if LHR is approved?

Other legal problems to examine in this project include inconsistency within their DEIR, assumption of easements and overburdening of said easements.

I33p-5

One inconsistency exists between the DEIR Evacuation Plan and the Traffic Study. The applicant's evacuation plan states Mountain Ridge Road and Covey Lane will both be gated and locked at all times, with only the fire and police having keys. On the other hand, their traffic study says Mountain Ridge Road will be used only by the church and senior facility via the locked gates.

I33p-6

If first responders are the only ones with keys to the gates, then the church and senior facility won't have keys? If only the church and senior facility will have access through the gates, then first responders won't have access? If you speak out both sides of your mouth, a clarity deficiency occurs with your words.

Each plan the Applicant stated for Mountain Ridge Road and Covey Lane grossly overburden the restricted easements, which are available only to a few lots in the applicant's proposed project. That is, of course, unless the County asserts eminent domain against the valid property owners, subsequently choosing the lengthy, expensive lawsuit(s) to follow.

I33p-7

For this purportedly stand-alone development to continue without intercession from the public, County or State, what is the applicant's timeline for securing legal, written easement rights for EVERY lot within the project from the rightful owners without coercion?

Additionally, the LHR requested road exemptions include drawing roads and sewer lines on properties with no or limited easements / rights. Limited easement rights for one lot do not provide rights to any other lots. Period.

I33p-8

How is this not a **Red Flag concern for the County?**

I33p-9

In closing, thank you for reviewing the Applicant's DEIR and providing thorough responses to our comments, which are but a few problems with the project: its inconsistency with the GPU, discrepancies, and road and easement issues.

Respectfully,

Robert Franck  
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I33p-4 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. In addition, line of sight issues were evaluated along these roadways and a sight distance analysis for the intersection at Circle R Drive and Mountain Ridge Road (Appendix C-1 to the FEIR) determined that no line of sight issue existed for this area because recent clearing was performed in April 2013 by the County along the existing public road within APN 129-390-18, between the existing pavement of Circle R Drive and an existing public road easement granted per PM 17205. The County acknowledges the concern about trash trucks. Safety of the residents of utmost concern to the County.

I33p-5 This comment makes a general statement about inconsistency within the FEIR that is further detailed in the following comment. Regarding overburdening of easements, refer to the Global Response: Easements (Covey Lane and Mountain Ridge Roads) included in the introduction to these responses to comments.

I33p-6 The County does not agree that an inconsistency exists between the Evacuation Plan and the Traffic Study. The traffic study states,

"The southern third of the project (south of Covey Lane) is a gated senior community with a gate just south of Covey Lane on Lilac Hills Ranch Road and another gate at the southern terminus of Lilac Hills Ranch Road just north of the proposed church site. Mountain Ridge Road will provide access only for the Senior Residential located in SFS-5 and SFS-6, as well as the neighborhood park and the institutional (church) site."

The purpose of this statement is to clarify that the entirety of the project site would not have access south to Mountain Ridge Road. In addition, gates are not proposed on Covey Lane, rather a gate is proposed just south of Covey Lane on Lilac Hills Ranch Road. The Evacuation Plan describes secondary evacuation routes that would be under the control and direction of the Sheriff's Department and/or the DSFPD (page 12). These include all gated access points. An inconsistency in the information contained in the plans has not been identified.

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RESPONSE

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I33p-7 Regarding the easement rights of the project, please refer to the Global Response: Easements (Covey Lane and Mountain Ridge Roads) included in the introduction to these responses to comments.

I33p-8 Please refer to response to comment I33p-7.

I33p-9 The County acknowledges these concluding remarks. Chapter 3.0, subchapter 3.1.4, Land Use Planning of the FEIR and Appendix W provide analysis of project consistency with the General Plan. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.