

COMMENTS

RESPONSES

From: JP Theberge [jp@culturalledge.net]
Sent: Monday, January 30, 2017 3:48 PM
To: Sibbet, David; Chan, Michelle; Wardlaw, Mark
Cc: Fitzpatrick, Lisa; Cox, Greg; Jacob, Dianne; Gaspar, Kristin; Ron-Roberts; Horn, Bill; Douglas Dill; Elfin Forest Harmony Grove Town Council
Subject: RE: VALIANO SPECIFIC PLAN: PDS2013-SP-13-0012, PDS2013-GPA-13-001, PDS2013-REZ-13-001, PDS2013-TM-5575, PDS2013-STP-13-003, PDS2014-MUP-14-019, LOG NO. PDS2013-ER-13-08-002

Hello Mr. Sibbet, Ms. Chan and Mr. Wardlaw:

First I want to thank you guys for diligently working on behalf of the County of San Diego to ensure that land use, development and planning adhere to the applicable laws of the County and State. Working with your team over the last few years as vice chair of the Elfin Forest/Harmony Grove Town Council, I've gotten to know you and your staff and know that they are faced with a monumental task of ensuring projects that are proposed adhere to the rules, laws and guidelines of the SD County General plan so that the appropriate decision makers can make a reasoned and well-informed decision. While you don't always see our community's point of view, I know that you do your best to be objective planning professionals.

R-BH-1 Comment noted.

And to the honorable Board of Supervisors: Mr. Cox, Ms. Jacobs, Ms. Gaspar (congratulations), Mr. Roberts and Mr. Horn: I thank you for tirelessly working to make our County a better and more productive place. As a property owner, business owner, taxpayer and citizen in the County, I appreciate everything you do to make this County a better place to live. Thanks and look forward to getting to you know you all better.

R-BH-2 Comment noted.

Thoughts on the Valiano project and its recently recirculated EIR:

Property Rights:

As a landowner and business owner, I understand and value the rights we have to do with our property as we see fit. It goes to the core of what it means to be American and to be a capitalist (which I most certainly am). I also understand that there is a certain degree of regulation and code that limits some of what I can do with my property. I purchased my property knowing full well that there were limitations placed on it. For instance, I knew that a 10 story building is out of the question due to the underlying zoning. So I begrudgingly signed my title to the property knowing that my dream was not to be. There are many 500+ property owners in the Harmony Grove, Elfin Forest and Eden Valley Area. All have accepted these limitations.

R-BH-3 The comment is not related to the topics that were the subject of the recirculation and Revised Draft EIR. Please refer to response to comment R-A-1 regarding relevance to the changes in the recirculated Draft EIR.

Going further, to protect our property rights, we have used those same regulations (land use policies) and worked hard over the course of many years to limit the use of the land in our area because, as time went on, residents (going back as far as 1890) realized that this was an important and special place and so we worked with the County to develop a community plan which would limit the uses of land in our area. A large percentage of our community participated in developing these Community Plans (Harmony Grove and Elfin Forest CP). We were all in agreement that we would forsake the potential profit of subdividing our properties into multiple parcels in order to preserve the special, unique community we have here. Those community plans are now part of the General Plan of San Diego and hold the weight of law. This was intended to protect our rights to protect the community we live in from being changed which would affect our property rights.

A developer, presumably, makes the same judgement call when they purchase land in our area. They know there are strict limitations imposed upon the use of the land, yet they buy it anyways. Like us, they have accepted the limitations. The difference is, that they are banking on their ability to convince the Board of Supervisors to set aside the wishes of the community, change the rules in a drastic way, so that they can get a better return on investment. So our having sacrificed our potential profitability of subdividing our properties will have been in vain.

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R-BH-3
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I wish in my industry (corporate market research) I could increase my revenue in this way: buy low, convince the regulators to change the rules, then sell high. Free money. As much as I respect and honor the esteemed Board, who I trust will do what is in the best interests of the residents and citizens of our County, the fates (and property rights) of thousands of people hang on the decision of 3 out of 5 supervisors. I sincerely hope that they think about the property rights of their own citizens versus the potential profit potential of an Orange County based company. If they adhere to the rules in place, they can still profit as it allows for 118 houses to be built. This Orange County developer is simply asking three of the five supervisors to give them a hand in the tripling of their revenue. I wish I could do the same in my business, but alas, I have to do it the old-fashioned way, by finding a market and

We are not automatically anti-development:

Our community has respected, collaborated with and compromised with developers in the recent past as part of our compromise and willingness to accept our fair share of growth. We supported a development in our midst as our way of accepting our fair share of density in San Diego County as part of the General Plan. Harmony Grove Village, a 742 dwelling development is now rising in the midst of our rural community. We compromised with the County, the developers and our elected officials with the understanding that this would allow us to avoid further development and smartly manage the growth in the County while also preserving our community character. This compromise is encoded in our community plan and was recognized out loud by various supervisors in numerous public hearings and is manifested in the terms of approval of HGV (limiting the size of the sewage plant, for example and limiting other growth inducing designs).

R-BH-4

As a 120 year old community, one of the oldest in North County, we have gone through much adversity, from devastating wildfires to threats of annexation to developer proposals and much more. We have weathered these challenges because we are fierce defenders of the way of life that living in Harmony Grove represents: a rural, equestrian, large lot, open space and free way of living. We are not Nimby's and we do not reject all projects out of hand. But we have taken our lumps, given at the office and done our fair share to accept growth in the unincorporated County. It is now time for you to uphold your end of the bargain and stand for our right to protect our property rights, maintain our community character and preserve our way of life by respecting the General Plan and our own Community Plan.

Dividing and destroying two communities:

The current proposal and the recently recirculated EIR for Valiano, if approved, would specifically create isolated islands of community in Harmony Grove and Eden Valley disconnected from the rest of the community. The developer, in their most recent iteration of their EIR, has twice suggested that "there is no such existing community to divide" referring to Harmony Grove. They even struck out multiple references to Eden Valley as if to suggest that residents of Eden Valley do not matter either. As a resident of the Elfin Forest/Harmony Grove community, a real, existing community, I find this suggestion patently offensive, but more importantly an egregious attack on each and every one of us who have worked diligently to follow the rules, organize ourselves as a community and, yes, even compromise with developers. We have given our inch and now developers are lining up to "take a mile." The fact that the developer is suggesting changing our community boundaries in order to avoid having to work with us shows a complete lack of good faith and an unwillingness to make any compromises whatsoever.

R-BH-5

There is no "intensive urban development" in or around our area: In the REIR you also state that the project area (Eden Valley and Harmony Grove) are surrounded by higher density urbanized areas. This is patently untrue and anyone who knows the area would know this. To the West, there is Coronado Hills is an estate community in San Marcos. Lots are at least 2-4 acres abutting right up to the Valiano property on the West. There are no high density parcels there. Also, to the northwest, is an agricultural parcel (avocado groves). To the South, Harmony Grove Village parcels are all large lot parcels, which, not coincidentally, was part of the compromise with our community—a design that would decrease density as it left the village limit line. These are large equestrian lots on the north side of HGV. And of course, there are the existing Harmony Grove and Eden Valley residents (also large lots) who would be squeezed into islands who abut the Valiano proposed project on the remaining sides. So, this description is very misleading. There is no urban density visible or adjacent to the project. This is part of the reason we live here.

R-BH-6

R-BH-4 The comment is not related to the topics that were the subject of the recirculation and Revised Draft EIR. Please refer to response to comment R-A-1 regarding relevance to the changes in the recirculated Draft EIR.

R-BH-5 Please see Response R-K-1 regarding the lack of community quote, Response R-F-63 regarding continued recognition of Eden Valley, and Response R-K-2 regarding developer outreach to the community. There is no intent to avoid working with the community; the Project has incorporated enhanced landscape screening to shield Project elements from nearby neighbors, has incorporated large animal/horse lots, and would provide enhanced non-vehicular travel opportunities within Eden Valley. Please see Response R-F-42 regarding leapfrog development.

R-BH-6 Please see Response R-BD-2 regarding the density of surrounding uses.

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Traffic:

R-BH-7 Your document uses "as the crow flies" distances to determine average trip length (7.05 miles). We all know that the actual driving distance is much longer. It is at least 2 to 3 miles to the freeway and it is doubtful that all of the residents' work, shopping, school and social needs will be located one exit away on the 78. 7 miles in the other direction puts you in Elfin Forest.

In conclusion:

R-BH-8 The developer has shown that they are NOT willing to work in good faith with our community and has, effectively, attempted to erase our very existence in the most recently recirculated EIR. We oppose this project as proposed and hope that as elected public officials, you will reject this proposal and protect our rights as taxpayers, property owners and citizens of the County.

Respectfully,

JP Theberge



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R-BH-7 The comment is not related to the topics that were the subject of the recirculation and Revised Draft EIR. Please refer to response to comment R-A-1 regarding relevance to the changes in the recirculated Draft EIR.

R-BH-8 The sense of community felt by the residents in the area is fully understood. There is no assertion in the EIR that the communities of Eden Valley and Harmony Grove are not a community. Please see Response R-K-1 and R-F-63. Your opposition to the project is noted.