

# SAN DIEGUITO PLANNING GROUP

## 7:01 pm, Thursday, September 12, 2024

### MEETING MINUTES

**Place of Meeting:** RSFFPD Station Number 4, Training Room, 18040 Calle Ambiente, Rancho Santa Fe, CA 92067

1. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE (Seat #):  
Don Willis (1), Sharon Fogg (2), Phil Fisch (Vice-Chair) (3), Laurel Lemarie (4), Jennifer Callow (6), Susan Williams (7), Lorraine Kent (8), Thomas Velky (10), Douglas Dill (Chair) (11), Beth Nelson (12), VACANT (13) **Absent:** Joe Zagara (5), Nicholas Christenfeld (9),
2. AGENDA REVIEW
3. APPROVAL OF MINUTES: Circulated to members for initials/comments before the meeting. A vote was called at the meeting.
4. OPEN FORUM  
**Beth Nelson** – Discussed homes near the RSFA Village are experiencing rising water table issues on their properties. Can Public works evaluate the issue?  
**Phil Fisch** –Update on Dr. Furman’s retreat with the county planner and code compliance. Dr. Furman will work with code compliance. The Facility will close to address the MUP and neighbors’ concerns about medical uses. It is not a medical facility. A scoping letter is in the works, and then SDPG will provide recommendations on the MUP.
5. GENERAL PLANNING ITEMS:
  - A. **Board of Supervisors District 2 (4S Ranch/Santa Fe Valley) Briefing:** A Representative (Shrin) from Supervisor Joel Anderson's office gave a brief update on District 2's activities:
    - a. **Tech Connect Kits.** The board unanimously extended the AT&T contract for one year (\$50,000) with an option for four additional years (up to \$5.85 million) to provide internet access and devices to 33 libraries for rural and economically challenged communities.
    - b. **The County of San Diego breaks ground for the 7<sup>th</sup> Crisis Stabilization Unit (CSU).** CSU's provide a supportive environment for people experiencing behavioral health crises as an alternative to ER rooms, hospitals, or jails.
    - c. **ECDO Photo Day.** Supervisor Anderson is hosting a District Office photo day on Saturday, September 21<sup>st</sup>, from 9:30-11:00 am.
    - d. **Flyers:** Grants, 2024 Cool Zones, Wildfire Preparedness, and Internship Recruitment handed out.
  - B. **Surf Cup/Polo Fields/Horse Park/Surf Del Mar Sports Complex** – Status on current Surf Cup (overuse) activities/status; not in compliance with property lease/deed restrictions, and related developments with adjacent 22<sup>nd</sup> DAA Horse Park and proposed Del Mar Sports Complex. SDPG Lead: Beth Nelson.  
**Update:** Temporary tents require fire permits. The Fire Chief to hold Surf Cup accountable and review permits.
  - C. **San Dieguito Community Plan Dark Sky Policy.** The long-established Community Planning area Dark Sky policy does not permit lighted tennis courts. Work with the county to sync the policy with the County Zoning Desk's permitting of private sports courts in the San Dieguito Planning Area. SDPG Member: Beth Nelson.  
**Continue to October 2024 SDPG Meeting**

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6. MAJOR PROJECTS AND LAND USE ITEMS:

- A. **PDS2023-MUP-23-002 New AT&T Mono-Pine Cell Site in Rancho del Rio.** Determine whether to hear this project or continue to a later PG meeting. Removed from June 2023 SDPG agenda as project applicant postponed or canceled. To be located at 17272 La Brisa, Rancho Santa Fe CA 92067 at Calle Dos Lagos; APN: 267-051-20-00. Applicant Contact: Carol Kincheloe, 619-488-0933; PDS Planner: Hayley Makinster, 619-629-4434; SDPG Member: Don Willis.  
**Continue to November 2024 SDPG Meeting**
- B. **PDS2023 - Proposed Detached Horse Barn D-Designator Recommendation.** Proposed detached horse barn for personal use (horse keeping) located at 15611 Via De Santa Fe (APN 269-080-16-00). Owner: Darryl Hensley; Applicant: John Kavan (Architect) 760-402-6383; PDS Planner: Jason Neagles, Jr., 858-495-5201; SDPG Member: Laurel Lemarie.  
**Continue to October 2024 SDPG Meeting**
- C. **PDS2023-MUP-23-012 - AES Battery Energy Storage System (BESS) project Major Use Permit.** Status update (if any): No action or vote is planned. Proposed project location: 925 Country Club Drive, Escondido, CA 92029, APN: 232-491-12; 232-491-16; 232-491-17; 232-491-20. AES Representatives: Adam Furman, 714-814-7845; Ana Douglas, 813-482-5508; PDS Planner: Nick Koutoufidis, 619-356-8348; SDPG member(s): Susan Williams; and Doug Dill.  
**Update:** The County is in the process of establishing Regulations for Battery Storage Systems. PDS and Fire Districts are to establish Regulations and receive feedback in 1-2 months. The fire districts are mandated to come up with Regulations that cover current BESS Major Use Permits processing through the County. PDS looks at future BESS projects not yet submitted to the County. PDS long-term battery ordinances may take a longer time. The regulations to cover current MUPs like Seguro will be handled by the fire districts.  
**SDPG Comments:** How can the public provide feedback on proposed changes to the Fire Dept? What will be the setbacks from other structures? Can the intern from Supervisor Anderson's office relay concerns on this project? Mitigating fire fume damage on humans, cars, livestock, or structures – who is responsible for the damage? What is the policy for the fire department cooling down if water is contaminated? How is water monitored for runoff or water retention areas used for stormwater? When will this project show up again to SDPG? (Waiting for the release of DEIR))  
**Public Comments:** The Elfin Forest-Harmony Grove Town Council is against this project, especially since the County has no regulation on Battery Storage Systems. Concerns include whether MOPs and intense use activity should be allowed in high-fire zones. Also, should zoning exceptions be made for for-profit unregulated corporations versus for the public good and community use.  
**Continue to October 2024 SDPG Meeting**
- D. **PDS2023-MUP-23-013 Chabad of RSF Major Use Permit.** Update only, no action or vote planned. Proposed Chabad Center on two lots zoned single-family residential (2.43 acres total). Site location: 14906 Via De La Valle, Rancho Santa Fe, CA 92067, APN: 302-110-29 and 302-110-30. Applicant contact: Theodore R. L. Shaw, 619-405-1707; PDS Planner: Cathleen Phan, 619-756-5903; SDPG Member: Sharon Fogg.  
**Continue to November 2024 SDPG Meeting**
- E. **PDS2023-ZAP-23-005 Tsavo's Canine Rehab Center Minor Use Permit.** Minor Use Permit to allow a 'Commercial Animal Sales and Services' indoor treatment center to be less than 100 feet from property line and an outdoor treatment center less than 200 feet from property line. Property is zoned A70. If a proposed animal treatment center does not meet these requirements, may be allowed upon issuance of a Minor Use Permit. Tsavo's Canine Rehabilitation Center, Inc. was constructed in 2020, and passed final inspection on 1/11/21 (record# PDS2020-RESALT0-12454). Project location: 1027 Country Club Drive (on Huston Ranch Road at Hill Valley Drive – both private), Escondido (Eden Valley), CA 92029, APN: 232-491-42-00. Owner/Applicant: Maja Wichtowski, 619-846-9531; PDS Planner: Daniella Hofreiter, 619-629-4431; SDPG-

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Member: Susan Williams.

**Remove per SDPG Member**

- F. **PDS2024-STP-24-002 Rancho Reposo 2<sup>nd</sup> Story Addition.** Proposed 2nd Story Addition, 4117/4792 Square Feet Dwelling Unit, 59,677 Square Feet lot. Location: 4634 Rancho Reposo, Del Mar, CA 92014; APN: 302-210-10-00. Applicant: William Naumann, 619-987-6024; Applicant Contact: Victor Gutierrez (Metro D&C Group) 619-930-2315; PDS Planner: Aidan Pulley, 619-972-8234; SDPG Member: Don Willis.  
**Continue to October 2024 SDPG Meeting**
- G. **PDS2024-TM-5575TER Valiano Tentative Map.** Update only, no action schedule. Resubmittal of proposed 243 single-family detached dwelling unit subdivision (reduced from 334 du) located in Eden Valley. Located at 1805 Country Club Drive and Mount Whitney Road (and adjacent parcels), Escondido, CA 92029. APNs: 232-013-02, 232-013-03, 232-020-55, 232-500-20, 232-500-23, 232-500-19, 232-500-22, 232-500-18, 232-500-21, 232-492-01, 228-313-13, 228-313-18, 228-311-15, 232-013-01. Applicant Contacts: Eden Hills, LLC (Integral Communities) Gil Miltenberger, 760-944-7577; Matt Simmons, Consultants Collaborative, 760-484-8832; PDS Planner: Greg Mattson (contractor from Rick Engineering), 619-895-7177; SDPG Member(s) Doug Dill and Susan Williams.  
**Continue to October SDPG Meeting**
- H. **PDS2024-STP-24-007 Harmony Grove Village Center Live-Work Units.** 29 Live/Work dwelling units ranging from 2,200 TO 2,700 SF. Replacing original proposed strip-mall style, multi-tenant commercial development project. Located at 21485 & 21505 Trail Blazer Lane, Escondido, CA 92029; APN: 471-451-18-00 and 472-451-19-00. Closest cross street: Country Living Way. Applicant: New Urban West, Inc. (NUWI), Glenn Cardoso, 310-394-3379; Applicant Representative: Jeannette Temple, 619-861-6734; PDS Planner: Adian Pulley, 619-972-8234; SDPG Member: Susan Williams.  
**Continue to October 2024 SDPG Meeting**
- I. **PDS2015-GPA-15-002, PDS2015-SP-15-002, PDS-REZ-15-003, PDS2015-TM-5600; PDS2015-MUP-15-00 Harmony Grove Village South.** Possible consideration of an SDPG response letter regarding the County announcement of a 45-day public comment period for the re-issue of a partial EIR. Proposed development south of Harmony Grove Village and Escondido Creek along Country Club Drive frontage for 453 dwelling unit residential village (39 acres), 72 acres of open space, and trails, currently zoned A70 and RR. APN's 235-011-06, 238-021-08, 238-021-09, 238-021-10. Applicant: David Kovach representing RCS Harmony Partners, LLC, 949-300-6742; PDS Planner: Mark Slovak; SDPG Members: Doug Dill, Susan Williams.  
**Update from PDS Planner Mark Slovak:** The project will provide, **as a condition of approval**, an affordable housing component that will include **10 percent (5% low income, 5% moderate income) of the project's total dwelling units as on-site affordable housing** (as defined by Calif. Health and Safety Code Section 50052.5 and 50053) due to inconsistency with a policy in the general plan. The project was challenged in two CEQA actions. Following litigation and appeal, the CA Court of Appeals found that the 2018 FEIR was adequate in all respects **except for one:** the Green House Gas (GHG) mitigation measures relative to credit purchase location, registry confirmation, and approval by the Director of PDS. As a result of the litigation, the project has revised its GHG mitigation measure detailed in Section 2.7 (Climate Change) and the 2024 Global Climate Change Report, both of which are part of the NEW Recirculated Section for public comments. All other issues have been fully resolved by litigation and, as such, are not subject to further examination, and the conclusion to CEQA's significance to the 2018 FEIR remains the same. The County requests reviewers limit the scope of their comments to the New Re-circulated Section and submit them by October 7, 2024. Fire concerns have been addressed by the courts in the EIR, and from a legal perspective, the court upheld all fire safety. In 2018, **SDPG recommended the denial of the project** with many comments. However, six years ago, the Board of Supervisors approved the project in July 2018, ignoring the SDPG's denial recommendation.

**SDPG Comments:**

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**(D. Willis)**- Suggests we re-post or re-submit previous comments to the EIR. Knowing the community concerns and new fire safety requirements, he questioned whether the staff would support or reject the project. We should also look into blocking any corporations from buying affordable housing deeds.

**(L.Lemarie)**-Harmony Grove **South** is unrelated to Harmony Grove **North** in CCRs, planning, and land use matters that are important to distinguish between each community. Consider renaming the project. Are any additional road improvements required besides building the Country Club Bridge? Has the Green House Gas (GHG) approach (new State Law) ever been done in San Diego County?

**(S.Williams)**-Questioned why public review of only recirculated FEIR when conditions on the ground have changed so much in the surrounding area. What is the threshold for 'Re judicata' not to apply? Will there be covenants placed on the property with Solar to maintain and operate the Solar? Does the Builder get to pick who benefits (another builder project or business)? The Project hasn't changed, but everything around it has changed.

**(J.Callow)**-Questioned Green House gas requirements and changes. No homes have gas; all homes have solar. How does offset work on all construction? Who benefits from offsetting emissions if they are not located within the community? Can commercial or industrial buildings outside the community gain free solar energy? Is there a battery component? What does this requirement mean for the community? How does it directly and indirectly benefit the community if the owner of the building receives the offset applied to the project?

**(D.Dill)**—Agrees with re-submitting past comments since the Fire Regulations have changed since the previous approval. Why would we ignore life-saving measures such as requiring a second access road to the project and other significant improvements on Country Club and Harmony Village roads? Since passing a new VMT, was it brought up in the litigation? (answer: staff did an analysis and how it complies and is found in the reader's guide) It would be nice if the solar benefits if the air quality improvement would benefit the community rather than elsewhere.

**(B.Nelson)**-Concerns over the Board Of Supervisors approval in 2018 with so many in attendance in opposition to the project and the Planning Group's recommendation to Deny the Project. Will this be an academic exercise?

**(P.Fisch)**-Agree with Don on re-submitting SDPG's previous comments and: 1) Off-setting greenhouse gases with vaguely defined off-site battery solar panels requires flushing out. 2) Changes in Fire codes are worth considering and mentioning.

**(S.Fogg)**-Questions about what affordable housing provides only 10% of homes (5% low and 5% medium). It does not address affordable housing issues when it is so small. This appears to be a money maker for a developer and does not help solve our county's housing problems.

**Public Comments:**

**(John Dummer)**-Lives south of the proposed project and notes many changes on the ground from FEIR. Access to Johnson Road is not possible by regular vehicles via a rudimentary, steep, unimproved truck trail. The Court felt it was dangerous. However, the Appeals Court said that it was not a fire expert. Therefore, the plaintiff met the bar. If RSF Fire said they couldn't handle it or weren't safe, what are the chances it wouldn't get staff support or approval by BOS? Staff replied that they had followed up on the situation plan to forward any concerns, and RSF Fire said, "No." There is a severe problem when Bridges Development (240 units) has 3 ways out, Cielo (373 units) has 4 ways out, Crosby (281 units) has 6 ways out, Rancho Valencia has 4 ways out, yet Harmony Grove South (453 units) has only 1 way out.

**(Miriam)**-It appears to be borderline unethical only to have one fire access on a project and only be able to address affordable housing. Even existing fire code requires more access points. Yet the things that will affect people's lives will be dismissed. How is this a reality in San Diego County? Seems like an unethical project.

**Motion (L. Lemarie):** To authorize Chair D. Dill to write a feedback letter from the planning group on the recirculation of FEIR. The letter will also include the planning group's initial 2018 comments on the project.

**Second: (S. Williams)**

**Vote:** 11-yes; 0-no; 2 Absent; 1-open

- J. **PDS2023-IC-23-0011 Kohler Artesian Trail Subdivision.** Applicant requests preliminary feedback on proposed project before formal submittal to County. Location: South of Artesian Road in the Santa Fe Hills,

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comprised of 4 lots, APN 267-142-16, 267-142-21 (one 10-acre lot), 267-142-20 (5-acre lot), 267-142-37 (5-acre lot), 267-142-38 (5-acre lot). Applicant: Kevin Kohler, 858-649-3025; SDPG Member(s): Phil Fisch, Jennifer Callow.

**Continue to October 2024 SDPG Meeting**

- K. **PDS2024-STP-24-010 4628 Sun Valley Road ADU.** Realignment of existing driveway and construction of proposed new 2-bedroom accessory dwelling unit (1,200 SF plus 575 SF attached on a 1.06 acre residential lot with an existing single family home. Located at 4628 Sun Valley Road ADU, Del Mar, CA 92014; APN: 302-202-02-00. Applicant: Darryl Abramson, 858-882-7803; Applicant (Contact) Representative: Pablo Collin, 619-997-1944; PDS Planner: Andrew Holtz, 619-458-2038; SDPG member: Don Willis.

**Continue to October 2024 SDPG Meeting**

- L. **PDS2024-MUP-24-005 HGV Yoz Community Center.** Status update (if any), no action or vote planned. A 1.85-acre site for a non-profit educational, cultural center providing religious services for the Muslim community. The project includes a 20,245 square foot building with 99 parking spaces. The project has been designed as a three-story building at a maximum height of 40-feet. A height exception is requested for three proposed towers that are 46-feet pursuant Zoning Ordinance Section 4620(g). The project will include 116 tulip flower shaped turbines (4 turbines of 6-ft high blades and 112 turbines of 3-ft high blades) that would be proposed on the roof of the building. These turbines would vary between 5 ft and 20 ft in height. The site is in the Harmony Grove Village Specific Plan (HGVSP) area at 2625 Harmony Grove Village Parkway, Harmony Grove, CA 92029; APN: 235-562-03-00.

Applicant Contact: Brice Bossler, brice@bosslergroup.com; PDS Planner Christopher Jacobs, 619-323-8718; SDPG Member: Susan Williams.

**Continue to October 2024 SDPG Meeting**

7. ADMINISTRATIVE MATTERS:

A. Community Reports

**B. Nelson** - 1) Question on permit approval time for minor remodels from start to finish (6-8 months), 2) Silvergate is coming before the Art Jury; would this project come before SDPG? 3) Procedural Agenda: Can we have the agenda reflect the actual topics to be discussed each month and only those topics? When is the cut-off deadline to remove projects that will not be heard so the public knows which will be discussed? Answer: (Friday before the Meeting)

B. Consideration and comments on circulation mail

C. Future agenda items and planning

D. Prospective & returning Planning Group members:  
SDPG member seat #13 is OPEN.

E. Supply orders and reimbursement of expenses.

8. **ADJOURNMENT:** 8:52 PM

**NOTE: The San Dieguito Planning Group currently has ONE vacancy: Seat #13.** If you wish to become a member of the SDPG, please provide the chair with your current resume and plan to attend 2 or 3 meetings in advance of processing your application for membership.

**Future Meeting Dates** 10/10/2024 11/14/2024 12/12/2024 01/09/2025 02/13/2025 03/13/2025

Doug Dill, Chair e-mail: theddills@att.net  
Phil Fisch Vice-Chair e-mail: philipfisch@gmail.com  
Lorraine Kent Secretary e-mail: rsfkent@gmail.com

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