

San Marcos Highlands project needs extension

By By: DAVID STERRETT - Staff Writer midnight Oct. 20, 2005

SAN MARCOS — Developers of a controversial 190-home project in the Twin Oaks Valley will ask the Planning Commission on Monday to grant them another year to finalize their plans.

The developers said Wednesday that they need a year's extension to finish securing the necessary environmental permits for the San Marcos Highlands project, which has been in various stages of planning for some 15 years.

The City Council approved a tentative map for the project in 2002, and last year, the council granted a year's extension to KB Home, a Los Angeles-based developer that is in the process of buying the property from a Costa Mesa-based company.

At previous public hearings, many residents have expressed opposition to the development because they say it will harm an important wildlife corridor near Agua Hedionda Creek and increase traffic in the rural area north of Las Posas Road.

Farouk Kubba, the head of the company that owns the land, said he expects to hear from those same residents again Monday when the developers ask for another extension.

"The (environmental) agencies have been really slow getting approval," Kubba said, explaining the need for more time.

Before the developers can finalize their plans, they need approval from four different state and federal agencies: U.S. Fish and Wildlife Service, California Department of Fish and Game, the San Diego Regional Water Quality Control Board and the U.S. Army Corps of Engineers.

The developers have a tentative hearing scheduled before the San Diego board Nov. 9 while both Fish and Game and U.S. Wildlife Services are on board with the project, Kubba said.

He said the biggest reason for the delays is that earlier this month, the Army Corps of Engineers deployed the person in charge of reviewing the Highlands project to New Orleans to assist with hurricane relief and recovery efforts.

During a public hearing Aug. 18, Robert Smith, a project manager for the Corps of Engineers, said the federal agency would make a decision within 30 days on whether to issue a clean water permit for the project.

But the Corp of Engineers sent Smith to New Orleans, and the developers said they are trying to bring the new project manager up to

speed.

"We probably would have had the permit if it were not for him leaving, and we are pretty sure we are going to lose a couple of months because of it," said John Nabors, a San Marcos-based consultant working on the project. "This has been a very long and frustrating process."

Kubba said his company, Diversified Projects, bought the property in 1981, and the city approved a map with 275 lots in 1990. A recession in the early 1990s led to little activity with the property and the map expired in 1998, Kubba said.

He said the group then received approval for a new map with 230-homes in 2002 when the City Council overturned a Planning Commission decision to reject the project.

The council also overturned the commission's decision last year not to grant an extension, but City Manager Rick Gittings said the council "chastised" the developers for taking so long.

Gittings said he expected this second request for an extension will probably also come before the City Council because of the debate surrounding the project.

If the city does not grant the extension, the developer would have to start all over again, Gittings said.

"We think we deserve the additional time," Nabors said. "It is standard to let the developer have plenty of time to get all the permits."

If the developers acquire the permits, they will then have to go before the San Diego County Local Agency Formation Commission because about half of the property sits outside of the city in unincorporated parts of the county.

The city must annex the property for the project to move forward and the commission must approve all annexations in the county.

Nabors said the developers have submitted an application to the formation commission, but the commission won't hear the project until the permits are obtained.

"I think it will all fall into place," Kubba said. "You have to be optimistic because we have been dealing with this for 25 years."

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