

From: [Planning](#)
To: [Cynthia Vigeland](#)
Subject: FW: Planning Commission Agenda Item #1 June 5, 2024
Date: Monday, June 3, 2024 3:28:59 PM

From: Kris Wright <kriswrt222@gmail.com>
Sent: Monday, June 3, 2024 2:48 PM
To: Planning <planning@carlsbadca.gov>; Jason Goff <jason.goff@carlsbadca.gov>; Eric Lardy <eric.lardy@carlsbadca.gov>
Subject: Planning Commission Agenda Item #1 June 5, 2024

Dear Planning Commissioners,
As a 45 year resident of Carlsbad, I am very concerned about this housing development that is guaranteed to destroy necessary small businesses in the Village. I counted 14 small businesses that are essential to the Village and Barrio. In its stead, there will be two unknown businesses along Carlsbad Village Drive (with relatively small square footage, less than Smart and Final). Our City is becoming a luxury apartment hub in the Village, instead of providing the necessary shops for our community to survive. Residents need these businesses currently at the Carlsbad Village Plaza.

Although a minimal (state law required) number of affordable housing is listed in the plans, I can only look across the street at the Carlsbad Loft Apartments to find that their affordable housing is not so affordable. This is total gentrification of our community, all the while forcing out valuable businesses-all at the whim of wanting to make a dollar. We do have several senior and City managed senior apartments nearby. Some of those seniors cannot drive and cannot afford a computer (or the cost of internet) to have groceries delivered. These are the residents who need those businesses as this location and those businesses are necessary for their well being.

I am concerned also as to the procedures involved in giving only 10 days for unaware citizens to challenge the various CEQA reports offered during a 10 day challenge period. I was on the notification list and I was never alerted to this 10 day challenge. Most citizens are unaware of this process and this is unfair to citizens who have valid concerns about this project.

**There are several reasons for the Planning Commissioners to ask staff to go back and reopen this "objection period" and I urge the commission to remand this CEQA period back to staff and to citizens who can present their concerns. I question staff when they said "no one responded in the 10 days" when no notice was given out-or let's say the Notice of Determination is not something that most of our Citizens know. I do know this process and still was never notified.

The only fair thing to do for the citizens is to ask the Planning Dept. to reopen the 10 day period for challenges to the CEQA reports by staff. For example, the Traffic Report is calculated incorrectly, the Geological Report is questionable when the 5 story apartments are being built on top soil that has ~15ft ground water below the surface.

Our citizens are ready to comment. I only ask that the Citizens be given a fair

chance to challenge the Notice of Determination.

Thank you,

--

Kris Wright
District 1
Carlsbad, CA

kriswrt222@gmail.com

CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.

June 3, 2024

Re: Public comment on Carlsbad Village Mixed Use project (June 5, 2024 agenda)

Dear Planning Commission:

The Carlsbad Village Mixed Use applicant submitted a fatally flawed Vehicle Miles Traveled (VMT) Analysis (dated 2/23/2024). The analysis included gross miscalculations of both the distance to the Carlsbad Village Coaster Station and the project's net impacts on VMT, which inappropriately led to a CEQA Determination of Exemption. The applicant should not be rewarded for submitting a false VMT analysis, and staff should publicly acknowledge that their acceptance of the analysis and granting of the CEQA exemption was done in error. Substantial and obvious evidence indicates that the project will have a significant environmental impact absent mitigation.

Regardless of the need for a detailed CEQA study, though, the developer should be required to implement changes to the project and/or additional conditions of approval, in order to make the project more consistent with the CEQA exemptions it was granted and the unprecedented development waivers it is seeking.

Project is more than one-half mile from Carlsbad Village Station

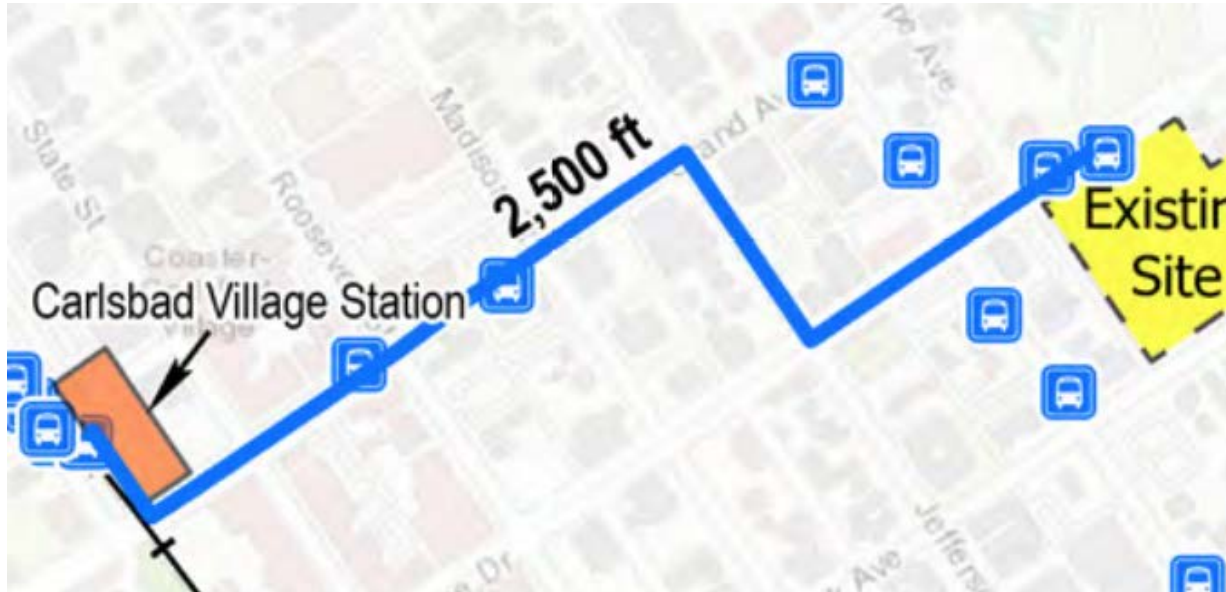
In its VMT Analysis, the applicant cites two main screening criteria from Carlsbad's VMT Analysis Guidelines¹ that allegedly justify exemption from CEQA. One of these criteria is from Section 3.3.2, which states:

...projects within one half mile of the Carlsbad Village...Coaster station...would **normally** be presumed to have a less than significant transportation impact... (emphasis added)

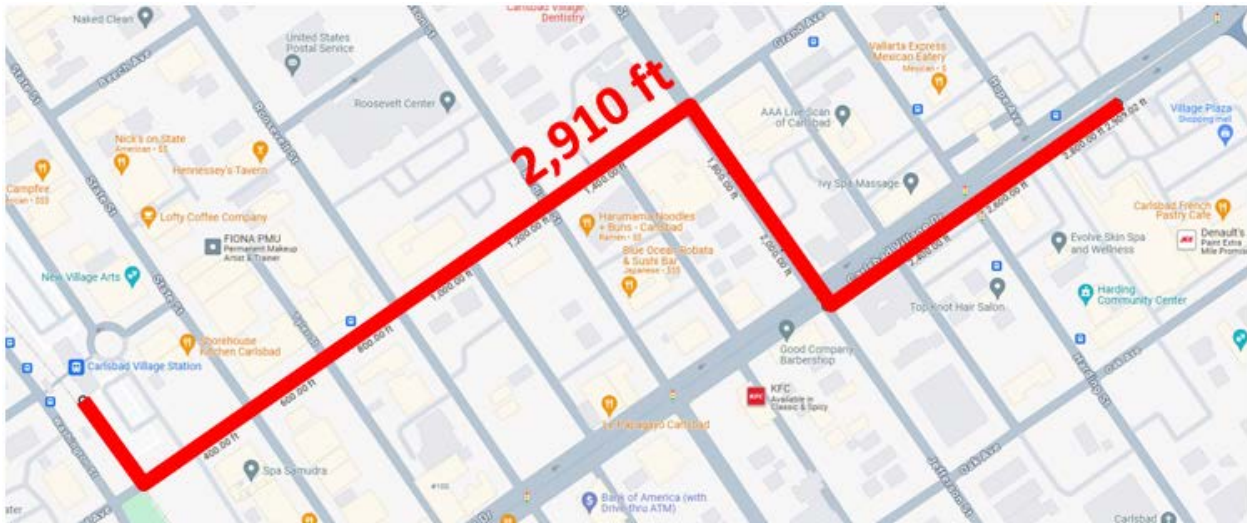
The VMT Analysis Guidelines go on to state that, even if a project is within one-half mile, the criteria is not applicable "...if project-specific or location-specific information indicates that the project will still generate significant levels of VMT," which is the case for this project.

¹ [Carlsbad Vehicle Miles Traveled \(VMT\) Analysis Guidelines](#) (May 31, 2023)

In any event, the project is not even within one-half mile of the station. Figure 3 of the applicant's VMT Analysis (partly reproduced below) is a map with a blue line that claims to show a distance of "2,500 ft" from the project site to Carlsbad Village Station, which is conveniently just under the **2,640 feet** threshold necessary to claim the "one-half mile from transit" criteria:



However, replicating the blue line with the "Measure distance" tool in Google Maps reveals that the distance is actually **~2,910 feet** (anybody can check this themselves):



Anticipating that the applicant and/or staff might try to argue that the measurement line could be drawn between different points, it needs to be noted that Carlsbad's VMT Analysis Guidelines and a previous precedent set by the FPC Residential project require the measurement to represent the actual distance residents would have to walk to get to the boarding area. For example, the nearest point of the project's commercial lot to the nearest point of the station's parking lot cannot be used to creatively cheat the measurement.

I tested several different starting/ending points, and there are no reasonable measurements from the new residences to the station that result in a distance within one-half mile. Further, the “floor area ratio” metric of the project also was not reported in the VMT analysis, as required.

Project will cause a substantial net increase in VMT—not a substantial decrease

The other main screening criteria used in the applicant’s VMT Analysis is from Section 3.3.6 of Carlsbad’s VMT Analysis Guidelines, which states:

Per CEQA, [redevelopment] projects are considered to have a less than significant impact if they result in a net reduction in...VMT...”

The question then becomes, how does one define “net reduction in VMT”? Local-serving retail projects do not increase VMT, so, if a redevelopment is replacing local-serving retail with different local-servicing retail, or replacing residential with local-serving retail, then there likely would be no net VMT impact. Also, if residential is being replaced with equivalent or lower residential, there likely would be no net VMT impact.

However, when local-serving retail is replaced with residential, as is the case with the current project, there is a VMT impact. This is addressed in the portion of Carlsbad’s VMT Analysis Guidelines that introduces all of the screening criteria (Section 3.3):

...There may be circumstances where a project meets one of the [following] screening criteria, but evidence suggests that the project may increase **areawide VMT**... (emphasis added)

This same section of the guidelines goes on to provide a specific example of the need to assess **areawide VMT**, which almost perfectly fits the current project:

[An] example is redevelopment of core services (basic grocery shopping, general needs stores/services, etc.) that the existing population relies on. Removing these core services, without replacing them, may cause **VMT to increase as existing residents travel farther to access these services**. (emphasis added)

And this same section goes on to say: “Further guidance on screening criteria can be found in OPR’s Technical Advisory²,” which states:

...The analysis should address the **full area over which the project affects travel behavior**, even if the effect on travel behavior crosses political boundaries.

² The California Governor’s Office of Planning and Research (OPR)’s [Technical Advisory on Evaluating Transportation Impacts in CEQA](#) (December 2018)

However, instead of accounting for the **full, areawide** VMT effects of their project, the applicant very inappropriately **subtracted** all of the mileage that current residents are driving to the existing shopping center—45,786 VMTs (see the red box in the reproduction of applicant’s Table 2 below). Those miles will not disappear once the project is completed—people are not able to stop going to the grocery store, hardware store, discount store, pharmacy, pastry cafe, cleaners, fitness center, etc. just because the places they currently patronize are torn down.

Rather, these existing trips can be split into three categories:

1. Some may continue to go to the **same site** to the extent that the new retail space (if ever built), representing only about 20% of the current retail space, can substitute.
2. Some may be displaced to **nearby** substitute stores.
3. Some will be displaced to **more distant** substitute stores.

Theoretically, the first two categories will create no net effect on VMT (i.e., the length of the current shopping trips will not change enough to have a material effect on VMT). For the third category, the applicant claims that longer trips will only be necessary for the substitute grocery (2 miles) and hardware (4 miles) stores, with an estimate of 6,720 new VMT due to this displacement (green box in Table 2).

**TABLE 2
REDEVELOPMENT VMT**

Type	Land Use	Quantity	Daily Volumes (ADT)		ATL ^a	Total VMT
			Rate	Volume		
Project	Residential	218 DU	6 /DU	1,308	10.5	13,734
	Market	5.8 KSF	150 /KSF	870	6.5	5,655
	Quality Restaurant	6 KSF	100 /KSF	600	6.5	3,900
	Retail / Strip Commercial	2 KSF	40 /KSF	80	6.5	520
	Subtotal Project	—	—	2,858	—	23,809
	Internal Capture ^b	—	—	616	—	5,132
	Project External Trips	—	—	2,242	—	18,677
Displaced	Hardware Store (<i>displaced</i>)	9 KSF	60 /KSF	540	4.0	2,160
	Grocery Store (<i>displaced</i>)	19 KSF	120 /KSF	2,280	2.0	4,560
	Total Project + Displaced	—	—	—	—	25,397
Existing (to be removed)	Shopping Center	58.7 KSF	120 /KSF	7,044	6.5	45,786
Net Change in VMT						-20,389

Footnotes:

- a. Average trip lengths from StreetLight Data platform. See *Attachment B*.
- b. Internal capture estimated using NCHRP 8-51 Internal Trip Capture Estimation Tool. VMT reduction calculated by multiplying captured ADT by weighted average trip length of unadjusted Project trips.

Assuming, for the sake of argument, that the applicant is fairly assessing these categories, then +6,720 VMT is the starting point for the **net areawide VMT impact** of the project—even before adding any of the new residents.

Next, 218 apartments of new people are introduced, and **all** of their trips and VMT are brand new. The applicant calculated a baseline value of +13,734 VMT (orange box in Table 2), which may be reasonable. Adding that to the +6,720 VMT due to shopping displacement, you get +20,454 VMT.

Finally, because this is a mixed-use development, "internal" trips/VMT by the new residents can be subtracted. These are trips that residents would normally have made to stores outside of the project site, but which can be substituted by a short walk to the stores on-site.

Without showing any calculations, the applicant is claiming -5,132 VMT as "internal capture" (blue box in Table 2). That represents a whopping 37% of the total VMT of the new residents, meaning that the applicant is estimating that the residents of each apartment will make roughly 37% of the trips out of their apartments exclusively to the three small new on-site stores, which appears to be a gross exaggeration.

The standard SANDAG traffic generation guide limits mixed-use internal trips to 10% of the total, which is also likely too high given the very limited planned on-site store options. Assuming a 10% rate, though, a subtraction of -1,373 VMT would result. Staff should demand that the applicant show its calculations and justify any proposed internal capture rate.

If the more appropriate 10% internal capture rate is used, then the project will result in a **net increase of 19,080 daily VMT**. But, even if the applicant's 37% internal capture rate is used, the project would still result in a **net increase of 15,322 daily VMT**.

Type	Use	VMT
Existing	Local-serving retail	45,786
Displaced	Local-serving retail	+6,720
New	Residential	+13,734
Internal Capture	10% of new residential	-1,374
Net increase in VMT		+19,080

It is also notable that the applicant’s VMT analysis refers frequently to “average trip lengths,” but several of their calculations indicate that these are only one-way numbers. So, the **actual net increase would be double for round-trips—around 31,000 to 38,000 more daily VMT**.

It is clear in all guidance documents that the "change in net VMT" approach does not allow the applicant's subtraction of existing project site VMT. All impacts have to be accounted for, both within and outside of the project site—even outside of the city! It was ridiculous, on its face, to conclude that VMT would decrease with a project that largely replaces a local-serving retail shopping center with 218 apartments full of new people with all of their new trips.

Sample project changes and additional conditions of approval

The applicant is seeking several waivers that need to be scrutinized. Most are requesting seemingly unprecedented new height limits—up to 68 feet maximum! Another seeks a traffic-related change.

If decision-makers really believe that the project will not increase VMT and/or should be exempt from CEQA due to its distance from Carlsbad Village Station or any other evidence presented, then the applicant should be required to change its project to be consistent with the evidence that supports these screening criteria.

For example, the evidence of no VMT impact by residents who live close to major transit is rooted in the assumption that they opt to use transit rather than owning and using vehicles. Consistent with this, the parking requirement for such projects is dropped to **zero spaces**. Thus, the project could completely eliminate the parking garage and, instead, use the land to build a third residential building, which, in turn, would allow all of the residential buildings to remain within the current height limits without the need for the waivers.

And, even if the project is legally outside of the one-half mile distance to major transit, the parking requirement is still dropped to only **109 spaces**, so it could be modified with a much smaller parking structure with the additional residential building.

Related changes to the project/conditions of approval include:

- Unbundled parking: Significantly reduced parking with residents charged a separate fee that is high enough to discourage vehicle ownership
- Provide free or subsidized transit passes to residents
- Provide alternative modes of travel to residents

Instead, the project includes a five-story parking garage with 340 spaces, which flies directly in the face of the bogus claims in its exemptions that it will create low VMT due to transit and other local conditions.

Sincerely,
Steve Linke
Carlsbad
splinke@gmail.com