

From: [Jason Oziel](#)
To: [Planning](#)
Cc: [Eric Lardy](#)
Subject: Please reject SDP 2023-0014 (DEV2023-0078) - CARLSBAD VILLAGE MIXED USE
Date: Wednesday, July 17, 2024 12:28:21 PM

Dear Planning Commission,

Thank you for continuing this issue to the meeting tonight. As a 21-year homeowner and resident in Olde Carlsbad, I am urging you to DENY the proposed development that will eliminate Smart & Final, Denault's Ace Hardware and many other cherished local businesses. This project is so far out of scope for the downtown area and will be detriment to the quality of life for the residents of the area.

Rather than rehash all of the points that others have expressed, I URGE you to READ all of the comments to determine how the citizens you serve feel. The overwhelming sentiment is that this is the wrong location for a project of this scale.

Please do the right thing and DO NOT move this project forward. The people have spoken. LISTEN TO THEM!

Regards,
Jason Oziel
Tamarack Ave Resident

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From: [Planning](#)
To: [Cynthia Vigeland](#)
Cc: [Jason Goff](#); [Eric Lardy](#)
Subject: FW: PC Hearing Carlsbad Village Mixed Use SDP2023-0014
Date: Wednesday, July 17, 2024 12:58:47 PM
Attachments: [Planning Commission Letter SDP-2023-0014.pdf](#)

From: Robert Medina <medinaerobert@gmail.com>
Sent: Wednesday, July 17, 2024 12:22 PM
To: Jeff Murphy <jeff.murphy@carlsbadca.gov>; Planning <planning@carlsbadca.gov>
Subject: PC Hearing Carlsbad Village Mixed Use SDP2023-0014

Hello Sir,

i am submitting a letter requesting an Extension based upon my review of the Project. I apologize for the late request, however; i work full time and only made aware of the situation by some local residents. In the attached letter and cite the reasons and of course include sections of the City Staff documents.

I did have a few more questions such as: are will serve letters available for Sewer, Water, School District and now days SDG&E. Especially at this project which will be increasing the size of the pole mounted transformers to a minimum of 500kva transformer which is a huge above ground facility. The project does require undergrounding of the adjacent powerlines but the power needed may increase overhead power line size to serve the Project to the nearest subgrid vault/box.

I had a great experience with Planning and Engineering Staff as they provided what they could for my review.

Regards,

Robert E Medina
(760) 697-5734

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RE: COMMENTS AND CLARIFICATION REQUEST FOR SEVERAL STAFF FINDINGS IN THEIR REPORT

Honorable Planning Chairman and Commissioners,

There are some items I am requesting clarification or additional scope of work or specific Conditions of Approval be added to the Project and completed before the Planning Commission approves this information. This is too important of a decision to not have supporting accurate data or scientific facts. This project affects all Carlsbad Residents accessing the “Village” restaurants and shopping from Carlsbad Village Drive and mostly the small business owners.

I am a Carlsbad resident who was asked by some local family friends to review the information about the subject Project. I shop at Smart & Final and Ace Hardware to support local businesses.

This research is provided for them and explaining this in non-Engineering or Planning terms for their understanding. I apologize for the late comments, however; their frustration over the explanations was voiced to me. I am not being compensated or retained for my time.

I am genuinely concerned about the impact of this Project at the entry to the Village area. The lack of parking for the Project is a real problem regardless of Overlay Zone allowances.

Negative Dec. issued by City Staff:

My planning experience is limited and most of my public speaking and input are about Construction procedures, however; the power consumption seems to be overlooked in the analysis which is a component of CEQA. The current power load for 12 individual businesses is approximately 3,000 amps at 240/120v conversion is 720kw. The proposed development is 218 DU meters x 100a = 21,800a at 120v conversion to 2,616kw excluding power for Market and Restaurant. The new Project will require 7X more power than the existing center. The power from SDG&E is not from a 100% renewable source, this means the power affects natural resources and may not be subject to Neg Dec. It is also unclear whether the Development will utilize natural gas service or completely electric.

Energy

Would the project:

Item	Impact Description	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
A	Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?				No Impact
B	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				No Impact

I was unable to determine from the City Staff file if there is any Solar Panel or Battery Backup System to at least cover parking area lighting, common area lighting or parking garage to reduce consumption as much feasible and reduce load on SDG&E Power Grid. Did the Developer provide a power analysis and was a Will Serve letter from SDG&E secured? Additionally, the power upgrade delineated may not reflect the size and intensity of the power needed as larger overhead utility lines to feed the project.

I note the Traffic Study indicates there will be half the Traffic generated by 218 DU, Market and Restaurant. Currently based upon existing 13 individual business suites, the parking area is rarely 1/3 full and nearly full during HOLIDAY weekends when sales at Smart & Final. The Traffic analysis is based on a table and does not reflect actual ADT. More importantly, the statement regarding the proposed Development Traffic Analysis is based upon adjustments to ADT totals since the Project is within Public Transportation. The reality of the use of Public Transportation is unfounded but another calculation benefiting or justifying redevelopment.

Pursuant to demographic data, the average income of families residing in Carlsbad is approximately \$98k, making the recognized Affordable Housing (80% of median income) or approximately \$78k which is more than average income of cities inland of the Coast. The Low Income established by the HUD is \$49k (50% of median income). Based upon this income level, all of the Tenants will have an automobile which is a function of higher income in Carlsbad.

It is certain there will be tenants with children, whether it is elementary, middle school or High School and this will cause additional ADT since there are no schools within 1 mile of this Project.

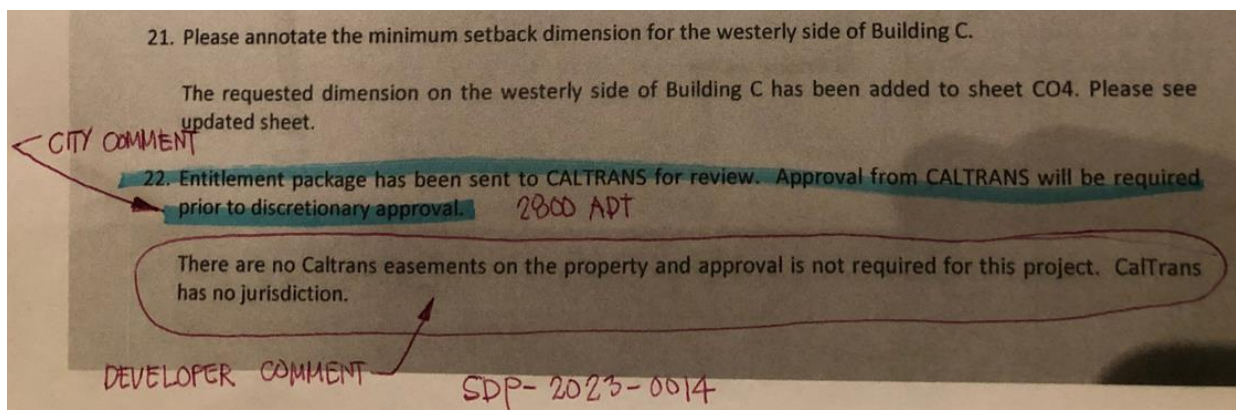
It is a mistake to assume a majority of Tenants will be utilizing public transit. It is more convenient to use their automobiles for work or leisure.

I strongly suggest traffic metering at the main driveway and exit at Oak Avenue be used to verify (existing) actual ADT for comparison to the Traffic Analysis (calculations) submitted and accepted by City Staff.

There may be another scientific solution to NCTD bus ridership to verify Traffic Analysis has some basis or complimenting data. The starting point is the NCTD Bus Station at the Amtrak Station, where most bus tickets are purchased or the Westfields Mall NCTD Bus Station. The existing Bus stop adjacent to the site is an intermediate stop.

I suggest the City Staff acquire Bus Data from NCTD, this would verify pick-up at this bus stop based upon tickets collected / purchased at the stop when boarding bus. This would be a certification of existing Public Transportation at the subject property which is probably very low.

The Staff also inquired if Cal-Trans had an opportunity to review drawings and the Developer responded, "Cal-trans has no jurisdiction". I followed up with an email to Cal-Trans and as I understand their process; any revisions to ADT should be provided for their Traffic Engineer to review. They may require metering as they may not accept the reduction in ADT since Public Transportation is available within 0.5 mile. I believe their concern is the effect 218 DU will have that close to off-ramp and additional ADT exiting. Currently rush hour traffic stacking starts at Highway 78 to Las Flores Exit and shared weave lane for acceleration and deceleration. This continues between Las Flores and Carlsbad Village Drive exit. Rush hour traffic at Carlsbad Village Drive traffic at the intersection of Pio Pico to intersection of Carlsbad Village Drive also affects off-ramp when some drivers block the intersection. Unfortunately, Cal-Trans was unable to reply before submitting my letter.



I suggest City Staff speak directly with Cal-Trans and not defer this to the Developer Engineer as it appears there was no submittal.

There is a approximately 27 or 22 as both numbers are in the Staff file and Neg Dec, states, “negotiations are ongoing” that is another item needs a finite number and should be identified in the site plan. I’m unsure if a vote by the Planning Commission is possible with exact information.

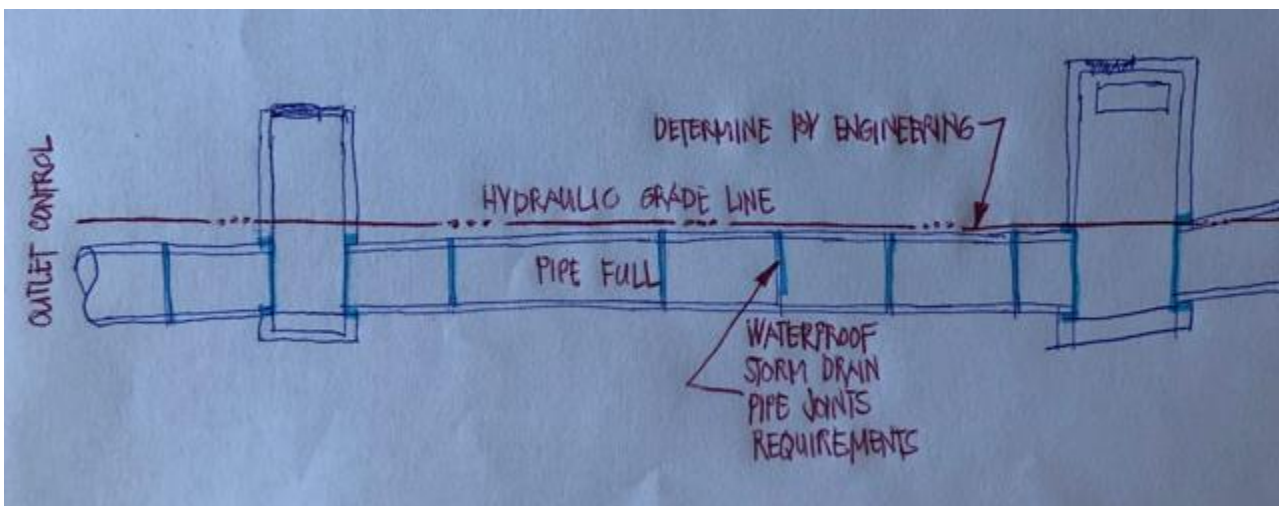
The Project is intended to comply with provisions of the State Density Bonus Law (Government Code sections 65915-65918) (inclusive) which provides that a local government shall grant a density bonus, incentives/concessions, and/or waivers of development standards to a developer of a housing development constructing a specified percentage of affordable housing units and the Project will provide 15% of the base density as affordable to very low-income (VLI) households to comply with the provisions of the State Density Bonus Law. However, the Project applicant continues to work with the city to determine the exact amount of low-, very low-, or moderate-income housing units that will be included, while still satisfying and complying with the requirements of both the city’s Inclusionary Housing Ordinance and the State of California Density Bonus Law.

The Neg Dec needs to be revised to match the exact number for Public Records.

In review of the City Staff comments, I noted the City Staff statement was not confirmed by the Developer. Their response was “proposed storm water mains will most likely require water tight joints”. I also wondered if it was feasible to place similar size storm water conduit adjacent to existing and cap for future extension with next project.

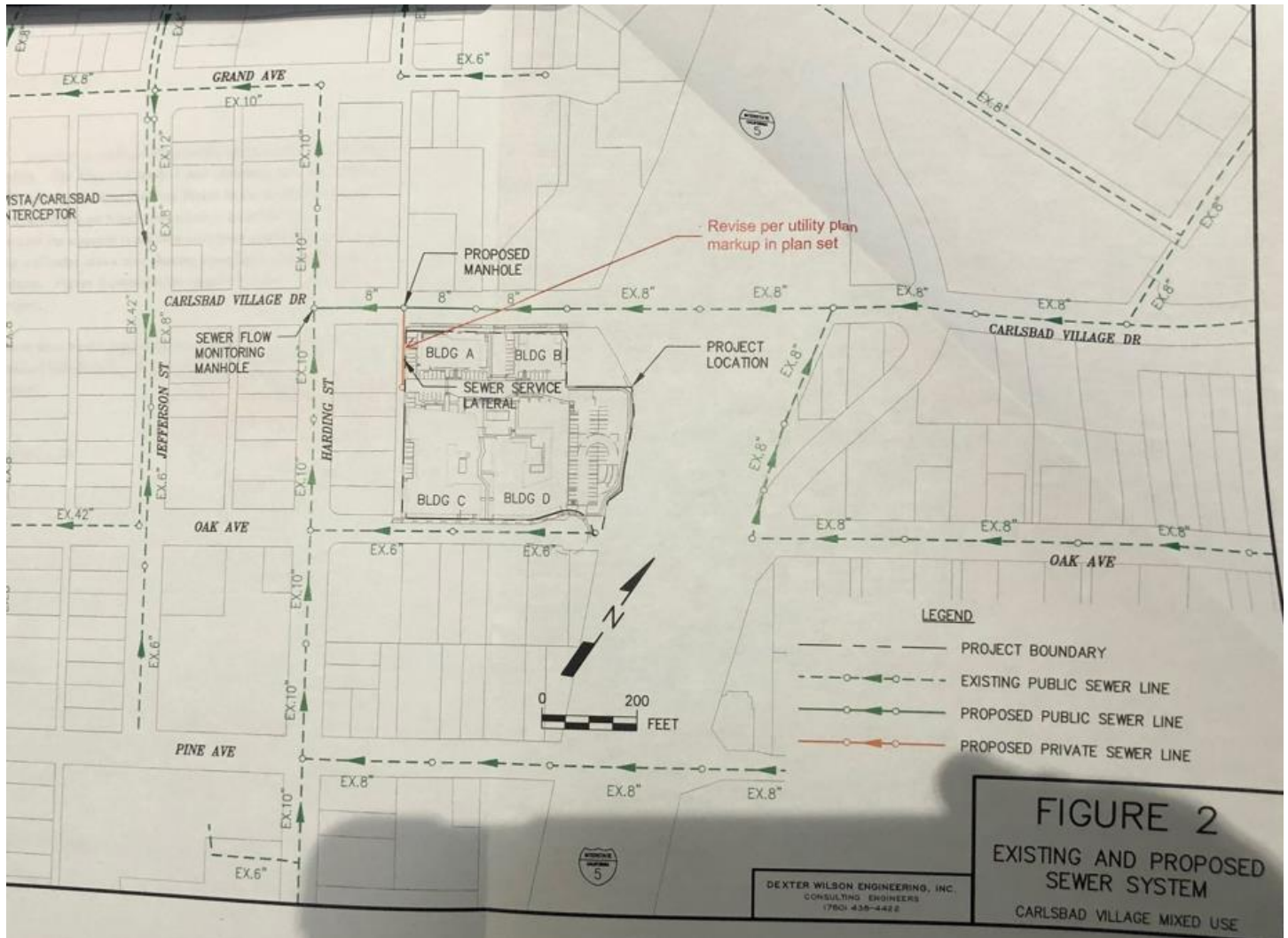
3. It appears that Vault #1 has a water surface elevation of 61.37, which is above the invert elevation of the inlet pipes. Please note that watertight joints will be required for storm drain pipes that contain back-up flow.

Comment acknowledged. Proposed storm water mains will most likely require water tight joints. These will be shown, as needed, during the final engineering construction plans.



I suggest the Conditions of Approval require all storm drain conduits below the hydraulic grade line have joints sealed or alternative to add pipe lining with new technology.

There did not appear to be an approval from the Encina Wastewater Department on increase in sewage gallon measurements. There were several sheets with redline markups and proposed increases in flow. I did not review those calculations for accuracy, however; the general volume appeared low since there are 12 individual rental spaces with bathrooms and vacant restaurant. The increased difference from $218 - 12 = 206$ or 17X the effluent flow and I didn't see that corresponding in the Engineers calcs. Additionally, I do note the a new 8" PVC pipe and 10" PVC pipe in Harding street to increase capacity to allow sewage to be contained in pipe at confluence in manhole requiring reto-work. Essentially the 10" pipe is needed for the hydraulic grade line to hold sewage back until the existing 8" outlet control is flowing low enough to siphon the sewage out of the 10" pipe.



May I suggest the City Staff Condition additional fees for upgrading sewer trunk pipe in future based on analysis of future density. Currently the Development Fees portion for Sewer Upgrades will not cover this cost entirely. Since current depth of sewer is shallow a larger pipe is not a feasible solution, however; a parallel pipe the same size may allow interception of existing laterals to a modified Manhole for 2 conduits in the future. This would avoid impacts to existing dry and wet utilities.

I believe the overall Project is good, however; the intensity of the Project especially reduced Parking is a fatal flaw in the design. Based upon the projected rents and the income required, it is almost a certainty that there will be 2 cars per household. This leaves parking required on Oak Street which will not accommodate the volume of cars. I urge the Commission members to drive the adjacent Barrio Streets on a Wednesday and Friday or Saturday night to see for themselves what the lack of parking is currently without this Project.

My additional concern is the proper Development Fees as the cost to update infrastructure for storm drain, sewer and water lines are achievable. Staff should evaluate Conditions of Approval for contribution to improvements

beyond their frontage. This would be a supplemental fee and essentially the cost to do business with a large project like this. It is unfair and untenable for the City of Carlsbad to expect the Residents to pay for downtown development that is only a profit to a Developer that leaves after a Project is completed.

I am not asking the Planning Commission members to stop this Project but only **to reschedule** their review/approval for 1 month based upon these comments and complete verification of facts as I provided solutions and not a numbers based on some math equations. The time for input of Cal-Trans, actual traffic metering of the existing facility.

This is the gateway to the “Carlsbad Village”, the main thoroughfare to the small businesses you have protected and hoped to keep the City of Carlsbad unique style and lifestyle of the residents. There is no going back on the Project if constructed, the green wall on the north side of Carlsbad Village Drive is already the previous Planning Commission legacy.

Regards,

Robert E. Medina
Carlsbad Resident