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**Ziebarth Associates**

**One Paseo Consistency with San Diego Land Use Plans**

Land Use Plan	Consistent
City of San Diego General Plan	No
Carmel Valley Community Plan	No
Carmel Valley Employment Center Precise Plan	No
San Diego Land Development Code/ Carmel Valley Planned District Ordinance	No
Regional Comprehensive Plan	No

**One Paseo Significant Environmental Effects**

EIR Element	Significant	Unmitigated
Land Use	Yes	Yes
Transportation/Circulation/Parking	Yes	Yes
Visual Effect and Neighborhood Character	Yes	Yes
Public Utilities – Water, etc.	Yes	Yes
Public Services and Facilities/Recreation	Yes	Yes

Exhibit D-2

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63.251 This table summarizes the commenter’s points which are raised and responded to in subsequent responses. Furthermore, as described in Section 5.1.2 of the Final EIR and the ensuing responses, the Originally Proposed Project and the Revised Project are considered consistent with all of the land use plans identified in this comment.

63.252 Based on the analysis in the Final EIR, neither the Originally Proposed Project nor the Revised Project would result in significant impacts with respect to land use with concurrent approval of the proposed plan amendments. Thus, no mitigation measures are required. With respect to transportation / circulation / parking and visual effects/neighborhood character, the Final EIR agrees with the commenter’s conclusion that the Originally Proposed Project and the Revised Project would result in significant, unmitigated impacts. With respect to public services including water supply and recreation, the Final EIR appropriately concludes that neither the Originally Proposed Project nor the Revised Project would result in significant impacts. Thus, no mitigation measures are required relative to water supply and recreation.

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**Table 5.1-1. CITY OF SAN DIEGO LAND USE GOALS, OBJECTIVES, AND POLICIES CONSISTENCY EVALUATION**

<b>Land Use Plan Policy</b>	<b>Inconsistency</b>	<b>Resulting Significant Impact</b>
<i>Policy LU-A.1: The project site is currently identified in the General Plan (Figure LU-1 in the Land Use and Community Planning Element) as having moderate village propensity.</i>	The DEIR fails to point out that the Village Propensity Map (Figure LU-1 in the General Plan) identifies the Town Center, library, school and park area to the east of the project Site and El Camino Real all as having high propensity for a village. The sites are not intended for high-density mixed use product on each site, but rather to work together has a horizontal Community Mixed-Use Village. The planning documents reflect the Kilroy site was one part (the office use part) of the larger Community Mixed Use Village involving the Town Center, library, school and park area.	Significant Visual Impacts from its high density bulk and scale to Carmel Valley's Community Character
<i>City of Villages Strategy Goal: Mixed-use villages throughout the City connected by high-quality transit.</i>	The DEIR states: <i>The rapid bus route is planned in the RTP 2050 but it is not estimated to be implemented until maybe 2035. A bus transit center was planned over 20 years ago at the Del Mar Highlands Town Center, but has never been implemented.</i>	It is highly speculative to say that this project is meeting the goal of being connected with high-quality transit.
<i>Policy LU-A.1: Designate a hierarchy of village sites for citywide implementation. c. Designate Neighborhood, Community, and Urban Village Centers, as appropriate, in community plans throughout the City, where consistent with public facilities adequacy and</i>	The DEIR states: <i>The project site is currently identified in the General Plan (Figure LU-1 in the Land Use and Community Planning Element) as having moderate village propensity. However this is a misrepresentation, because the DEIR fails to point out that Figure LU-1 identifies the</i>	The creation of a stand-alone mixed use village undermines the current mixed use village envisioned in the Precise Plan consisting of the high village propensity currently represented with the Del Mar Highlands Town Center and the civic uses such as the

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63.253 Refer to response to comment 63.99 regarding the village propensity classification of the project site and adjacent properties.

Contrary to the comment, there is no “horizontal Mixed-use Community Village” land use designation in any adopted land use plans that regulate the project site, including (among others) the General Plan, Community Plan, and Precise Plan. While land uses that comprise a village, as identified in the General Plan (residential, commercial, employment, and civic uses) exist in the community and in the immediate vicinity of the project site, such uses are compartmentalized and not integrated as called for in the General Plan definition of village. As such, there is no existing designated or de facto “horizontal mixed-use village” in Carmel Valley that meets the criteria of any village type defined in the General Plan. Refer to updated information contained in Section 5.1.2 of Final EIR. Sections 5.3.3 and 12.9 of the Final EIR, recognizes that the Originally Proposed Project and the Revised Project would result in significant impacts to the neighborhood character of the area because proposed buildings would substantially contrast with portions of the immediately surrounding development. This finding is consistent with the determination in the General Plan EIR (that villages could lead to character impacts).

63.254 The comment claims that it is speculative to say that the development meets the General Plan’s high-quality transit goals. The comment is incorrect since, as discussed in response to comment 10.40, the City of Villages Strategy in the City’s General Plan does not require that regional transit service be immediately available to proposed village developments. The General Plan states that future transit service is acceptable as long as the planned transit facilities have an identified funding source. The 2050 RTP, the long-range transportation plan for the region, indicates that Bus Route 473, which would serve the Originally Proposed Project, is anticipated to be funded by the year 2030.

63.255 Refer to response to comment 63.99 regarding the village propensity classification of the project site and adjacent properties. As stated in the Draft EIR, the project site is identified in the General Plan as having moderate village potential.

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<p>other goals of the General Plan.</p>	<p>Project Site has only having an moderate village propensity, while it identifies the other side of El Camino Real as having a high village propensity which reflects the goals and objectives of horizontal mixed use village envisioned in the Precise Plan. The DEIR fails to point out that the Village Propensity Map (Figure LU-1 in the General Plan) identifies the Town Center, library, school and park area to the east of the project Site and El Camino Real all as having high propensity for a village. The sites are not intended for high-density mixed use product on each site, but rather to work together has a horizontal Community Mixed-Use Village. The planning documents reflect the Kilroy site was one part (the office use part) of the larger Community Mixed Use Village involving the Town Center, library, school and park area.</p>	<p>library, school, and park. Significant Visual Impacts from its high density bulk and scale to Carmel Valley's Community Character</p>
<p>Policy LU-A.2: Identify sites suitable for mixed-use village development that will complement the existing community fabric or help achieve desired community character, with input from recognized community planning groups and the general public.</p>	<p>The DEIR states: <i>The project site is proposed to be designated as a village site and developed as a Community Village. The project site is currently identified in the General Plan (Figure LU-1 in the Land Use and Community Planning Element) as having moderate village propensity. The project was designed to blend with the character of the community. The proposed uses of the project site are similar to surrounding uses, and have been sited so that the uses mirror adjacent off-site uses. Actually, the Village Propensity</i></p>	<p>Significant Visual Impacts from its high density bulk and scale to Carmel Valley's Community Character.</p>

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63.255 While land uses that comprise a village, as identified in the General Plan (residential, commercial, employment, and civic uses) exist in the community and in the immediate vicinity of the project site, such uses are compartmentalized and not integrated as called for in the General Plan definition of village. As such, there is no existing designated or de facto "horizontal mixed-use village" in Carmel Valley that meets the criteria of any village type defined in the General Plan.

Sections 5.3.3 and 12.9 of the Final EIR recognize that the Originally Proposed Project and the Revised Project would result in significant impacts to the neighborhood character of the area because proposed buildings would substantially contrast with portions of the immediately surrounding development. This finding is consistent with the determination in the General Plan EIR (that villages could lead to character impacts).

63.256 Refer to response to comment 63.92 regarding consistency with Land Use and Community Planning.

Refer to response to comment 63.99 regarding the village propensity classification of the project site and adjacent properties.

Sections 5.3.3 and 12.9 of the Final EIR recognize that the Originally Proposed Project and the Revised Project would result in significant impacts to the neighborhood character of the area because proposed buildings would substantially contrast with portions of the immediately surrounding development. This finding is consistent with the determination in the General Plan EIR (that villages could lead to character impacts).

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	Map indicates that the DMHTC combined with the library and rec center actually is identified as the higher village propensity location. The DMHTC is already approved for an additional 150,000 sf. The Precise Plan refers to it and not the project site as the Town Center. The project was designed to mirror the adjacent land uses, but as acknowledged later in the DEIR it does not blend with the character of the community.	
<i>Policy LU-A.3:</i> Identify and evaluate potential village sites considering the following physical characteristics: <input type="checkbox"/> Shopping centers, districts, or corridors that could be enhanced or expanded; <input type="checkbox"/> Community or mixed-use centers that may have adjacent existing or planned residential neighborhoods;	DEIR implies that the existing commercial and residential in the area needs to be enhanced or expanded beyond what was envisioned in the Precise Plan. An additional 150,000 sf of commercial development has already been approved at the Del Mar Highlands Town Center. No explanation has been given to justify the location of a 150 room hotel outside of the Visitor Commercial Zone along the freeway. No explanation is given for the creation of a stand-alone mixed use center when the Precise Plan has already created a horizontal mixed use village with the Project site serving as part of the employment center component.	Impact is to create a duplication of the existing village functions identified in the Precise Plan.
<i>Policy LU-A.4:</i> Locate village sites where they can be served by existing or planned public facilities and services, including transit services.	There is no existing transit services. The DEIR states: <i>The rapid bus route is planned in the RTP 2050</i> but it is not estimated to be implemented until maybe 2035. A bus transit center	It is highly speculative to say that this project is meeting the goal of being connected with high-quality transit.

63.257 Refer to response to comment 63.99 regarding Land Use and Community Planning Policy LU-A.3.

As discussed in response to comment 63.99, it is acknowledged that the Del Mar Highlands Town Center has an approved permit that allows for future expansion of the shopping center. The Originally Proposed Project or Revised Project would not preclude development of the Del Mar Highlands Town Center, as demonstrated by the updated Retail Market Analysis, which is included as Appendix B.1 in the Final EIR.

Contrary to the comment, there are no designated village sites in the Employment Center Precise Plan, and there is no “horizontal Mixed-use Community Village” land use designation in any adopted land use plans that regulate the project site, including (among others) the General Plan, Community Plan, and Precise Plan. While land uses that comprise a village, as identified in the General Plan (residential, commercial, employment, and civic uses), exist in the community and in the immediate vicinity of the project site, such uses are compartmentalized and not integrated as called for in the General Plan definition of village. As such, there is no existing designated or de facto “horizontal mixed-use village” in Carmel Valley that meets the criteria of any village type defined in the General Plan.

Refer to response to comment 63.59 regarding the hotel that was initially included in the Originally Proposed Project.

Lastly, the comment asserts that the proposed development duplicates existing “village functions” in the community and that this “duplication”

63.257 results in a significant land use impact. To the contrary, the Originally Proposed Project and Revised Project are consistent with, and implement, the General Plan City of Villages strategy by proposing a mixed-use development on a site identified in the General Plan as having moderate village propensity that would provide a mix of land uses consistent with the General Plan definition of a village. The fact that the Originally Proposed Project and Revised Project include uses that already exist, and mirror, adjacent uses within the immediate vicinity reinforces the proposed development's land use compatibility with existing development in Carmel Valley. Consequently, no associated significant land use impact would occur. Refer to updated information contained in Section 5.1.2 of Final EIR.

63.258 The Draft EIR acknowledged that there is no existing transit service in Carmel Valley (Section 5.2.7). The comment claims that it is speculative to say that the development meets the General Plan's high-quality transit goals. The comment is incorrect since, as discussed in response to comment 10.40, the City of Villages Strategy in the City's General Plan does not require that regional transit service be immediately available to proposed village developments. The General Plan states that future transit service is acceptable as long as the planned transit facilities have an identified funding source. The 2050 RTP, the long-range transportation plan for the region, indicates that Bus Route 473, which would serve the Originally Proposed Project, is anticipated to be funded by the year 2030.

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	was planned over 20 years ago at the Del Mar Highlands Town Center, but has never been implemented.	
<i>Policy LU-A.6:</i> Recognize that various villages or individual projects within village areas may serve specific functions in the community and City; some villages may have an employment orientation, while others may be major shopping destinations, or primarily residential in nature.	The DEIR and the project fails to recognize that this individual project serves a specific function in the village, the community, and the City as an employment center.	The attempt to create a stand-alone village onto itself which mirrors the surrounding uses undermines the horizontal mix use village that has been planned in the Precise Plan.
<i>Policy LU-A.7:</i> Determine the appropriate mix and densities/intensities of village land uses at the community plan level, or at the project level when adequate direction is not provided in the community plan. a. Consider the role of the village in the City and region; surrounding neighborhood uses; uses that are lacking in the community; community character and preferences; and balanced community goals (see also Section H).	Nothing in this policy indicates or prescribes the intensity level as proposed by this project. In fact the intensity level of the proposed project is more in keeping with the "urban village" concept rather than a "community village." Existing land uses already create a balance of land uses. Which uses are lacking in this community? In fact the project states that it is mirroring and therefore duplicating the existing land use functions in the community.	Significant Visual Impacts from its high density bulk and scale to Carmel Valley's Community Character.  Impact is to create a duplication of the existing village functions identified in the Precise Plan.
LU-A.7 b. Due to the distinctive nature of each of the community planning areas, population density and building intensity will differ by each community.	DEIR fails to address LU-A.7.b. One Paseo does not reflect the distinctive nature of the Carmel Valley community nor the building intensity of this community as stated in the Visual Impact section of the DEIR.	Significant Visual Impacts from its high density bulk and scale to Carmel Valley's Community Character.
<i>Policy LU-A.7 c.</i> Evaluate the quality of existing and planned transit service.	The DEIR fails to address Policy LU-A.7.c. There is no existing transit services. The DEIR states: <i>The rapid bus route is planned in the RTP 2050 but it is not estimated to be implemented until maybe 2035. A bus transit center was planned over 20 years ago at the Del Mar</i>	It is highly speculative to say that this project is meeting the goal of being connected with high-quality transit.

63.259 The Originally Proposed Project and the Revised Project would provide the employment center uses that were already planned for the site, and would serve the function suggested in the comment, including offices and restaurants within an internally well-balanced land use mix that reflects the types of uses that already exist in the community in the vicinity of the project site. A number of the uses in the Originally Proposed Project and Revised Project, such as offices and restaurants, are also already permitted by the adopted Precise Plan and existing zone classification. Consequently, the function of the Employment Center would not be displaced.

63.260 Refer to response to comment 63.92 regarding village designations. Additionally, as stated in response to comment 63.259, the Originally Proposed Project and the Revised Project would provide the employment center land uses that were already planned for the site, and that complement the existing uses in the vicinity of the project site. As discussed in response to comment 63.257, this does not result in a significant land use impact, as purported in the comment.

The Final EIR, in Sections 5.3.3 and 12.9, recognizes that the Originally Proposed Project and the Revised Project would result in significant impacts to the neighborhood character of the area because proposed buildings would substantially contrast with portions of the immediately surrounding development. This finding is consistent with the determination in the General Plan EIR (that villages could lead to character impacts).

63.261 The comment does not include all of the text of the referenced General Plan policy, which relates to transit. Specifically, the comment omits the following text from Land Use and Community Planning Policy LU-A.7b, "achieve transit-supportive density and design, where such density can be adequately served by public facilities and services (see also Mobility Element, Policy ME-B.9)." Table 5.1-1 of the Draft EIR did not include Land Use and Community Planning Policy LU-A.7b because (1) this policy is one facet of the overarching policy of LU-A.7, which

63.261 is adequately addressed in Table 5.1-1 of the Draft EIR; (2) the Mobility cont. Element policy referenced in Land Use and Community Planning Policy LU-A.7 is fully addressed in Table 5.1-1; and (3) the portion of Land Use and Community Planning Policy LU-A.7 that is identified in the comment is a broad factual statement that population and building densities will be different in each of the City’s communities.

In fact, the General Plan recognizes the tension between village development and the existing character of the surrounding community, as discussed on page 5.3-23 of the Draft EIR. Nonetheless, a discussion of proposed building design features is contained in Section 5.3.4 and elsewhere throughout Section 5.3 of the Draft EIR. These sections explain that the proposed buildings would provide architectural interest and would be designed in accordance with the design guidelines contained in the proposed Precise Plan amendment, which incorporate many elements within the Carmel Valley community.

Sections 5.3.3 and 12.9 of the Final EIR recognize that the Originally Proposed Project and the Revised Project would result in significant impacts to the neighborhood character of the area. The proposed buildings would, despite project design strategies to minimize apparent height and mass of the structure, substantially contrast with portions of the surrounding development in the community. The Final EIR also concludes that there is no feasible mitigation to reduce this impact to below a level of significance.

63.262 The Draft EIR acknowledged that there is no existing transit service in Carmel Valley (Section 5.2.7). The comment claims that it is speculative to say that the development meets the General Plan’s high-quality transit goals. The comment is incorrect since, as discussed in response to comment 10.40, the City of Villages Strategy in the City’s General Plan does not require that regional transit service be immediately available to proposed village developments. The General Plan states that future transit service is acceptable as long as the planned transit facilities have an identified funding source. The 2050 RTP, the long-range transportation plan for the region, indicates that Bus Route 473, which would serve the Originally Proposed Project, is anticipated to be funded by the year 2030.

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	Highlands Town Center, but has never been implemented.	
Policy LU-8 Determine at the community plan level where commercial uses should be intensified within villages and other area served by transit, and where commercial uses should be limited or converted to other uses.	The DEIR fails to address Policy LU-8. Should 220,000 sf of new commercial be built prior to building the balance of the 150,000 sf at DMHTC? Is there really a community demand for 700,000 sf of combined commercial development? Community commercial centers are typically less than 300,000 sf. Is there a need for a 50,000 sf cinema to serve the community?	The volume of commercial activity will result in a regional draw and impact to the community. The 50,000 sf cinema which is almost twice the size of the one at the Del Mar Highlands Town Center will become a regional draw to this theoretical "community village."
Policy LU-A.9: Integrate public gathering spaces and civic uses into village design (see also Urban Design Element, Policies UD-C.5 and UD-E.1).	General plan refers to civic uses such as fire, police, libraries, parks and schools. None of these are proposed in One Paseo to complete the community village. One Paseo will create similar outdoor gathering plazas similar to the outdoor plazas and amphitheater described by the DEIR at the Del Mar Highlands Town Center.	One Paseo will duplicate existing functions.
LU-A.10 Design infill projects along transit corridors to enhance or maintain a "Main Street" character through attention to site and building design, land use mix, housing opportunities, and streetscape improvements. --	The DEIR fails to address LU-A.10. Project proposes to create a "Main Street that is not along a transit corridor. Policy recommends creating "Main Street" along transit corridors.	This is an infill project creating a intense urban "main street" that is not located along a transit corridor and thus creates significant traffic impacts on the surrounding roadways.
Policy LU-B.3: Plan for and develop mixed-use projects where a site or sites are developed in an integrated, compatible, and comprehensively planned manner involving two or more land uses.	The DEIR states: <i>Specifically, one of the project objectives is to provide a "village like" "mix of land uses within proximity to existing community amenities, such as libraries, schools, recreational facilities, parks, and shopping centers."</i> This project objective was already addressed in the Precise Plan, so there is not a need to duplicate it. These amenities are not integrated in a compatible or comprehensive planning	Significant Visual Impacts from its high density bulk and scale to Carmel Valley's Community Character.

63.263 Land Use and Community Planning Policy LU-A.8, pertaining to appropriate intensification and limitation of commercial uses at the community plan level, has been added to Table 5.1-1 in the Final EIR, which concludes that the Revised Project is consistent with this policy because it includes a Community Plan amendment to change the land use designation to Community Village to accommodate the proposed mix of land uses on the site, including commercial uses.

As discussed in the updated Retail Market Analysis, included as Appendix B.1 of the Final EIR, adequate consumer demand will continue to exist to support retail centers in the area after completion of the proposed development with either the Originally Proposed Project or the Revised Project, even assuming construction of 150,000 square feet at the Del Mar Highlands Town Center. The Retail Market Analysis prepared for the project concludes that approximately two-thirds of the retail draw is expected from within four miles of the project site. Note that the square footage cited in the comment for new commercial uses includes the employment center uses for which the site is currently zoned. Additionally, the cinema has been reduced to 48,000 square feet with the Revised Project.

Lastly, the proposed development is not a "community commercial center." Thus, 300,000 square-foot criteria would not apply.

63.264 It is acknowledged that the civic uses such as a fire station, police station, library, school, and public park are not proposed as part of the project. These civic uses already exist in the vicinity of the project site and are considered adequate to serve the community including the proposed development. Consistent with Land Use and Community Planning Policy LU-A.9, the project would include outdoor gathering spaces. Overall, the Revised Project (as described in response to comment 5.6) includes a total of 10.7 acres of open space which includes 6.6 acres of usable and 4.1 acres of non-usable open space.

Refer to response to comment 63.257 regarding the alleged duplication of existing functions.

COMMENTS

RESPONSES

- 63.265 Land Use and Community Planning Policy LU-A.10 has been added to Table 5.1-1 in the Final EIR, which concludes that the Revised Project is consistent with this policy because the Originally Proposed Project and the Revised Project are infill development with planned transit to serve Carmel Valley (refer to response to comment 10.40 regarding transit availability and consistency with the City of Villages strategy). The Revised Project would provide a mixed-use Main Street for Carmel Valley with housing opportunities and streetscape improvements. Although there are no designated transit corridors located within the project vicinity, transit is planned to serve Carmel Valley, as discussed in response to comment 10.40.
- 63.266 The project would be consistent with this policy in that it would provide a mixed-use development that integrates a mix of residential, retail, and office uses on a single site. The project would also be compatible, in terms of land use types, with surrounding development patterns and the Carmel Valley community, as a whole. As discussed in the Draft EIR on page 5.1-22, the Originally Proposed Project would be compatible with surrounding land uses and land use designations. Refer to updated information contained in Section 5.1.2 of Final EIR. The areas immediately surrounding the project site include existing office, residential, and retail uses. The proposed uses of the project site mirror these surrounding uses, and have been sited so that the uses are an extension of existing adjacent off-site uses.

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	<p>manner. The General Plan states 2 or more land uses. The project proposes 4 very intense uses. It is internally integrated but is not consistent nor compatible with the surrounding development pattern of the community. The DEIR further states: <i>The project proposes General Plan/land use plan amendments to consistently reflect these mixed uses.</i> Why are amendments needed to create a village that the Precise Plan has already created?</p>	
<p><i>Plan Amendment Process Goal:</i> Approve plan amendments that better implement the General Plan and community plan goals and policies.</p>	<p>The Community Village is already identified in the Precise Plan. The purpose of this Plan Amendment is to justify amending the existing Community Village identified in the Precise Plan to approve this project. It is not necessary to model the zone after a CC-5-5 zone to accomplish the mix of uses identified in the General Plan for "community village." It is only necessary to achieve the intensity level of this project which would represent an "urban village."</p>	<p>Unnecessary duplication of existing planning goals and policies.</p>
<p><i>Policy LU-H.6:</i> Provide linkages among employment sites, housing, and villages via an integrated transit system and a well-defined pedestrian and bicycle network.</p>	<p>There is no existing transit services. The DEIR states: <i>The rapid bus route is planned in the RTP 2050</i> but it is not estimated to be implemented until maybe 2035. A bus transit center was planned over 20 years ago at the Del Mar Highlands Town Center, but has never been implemented. No bike lanes are accommodated with the lane configuration of the internal streets.</p>	<p>This level of intensity for a development without an integrated transit system creates a significant impact on the overall transportation system. Bikes and cars are forced to share the road creating potential conflicts and accidents. This risk is increased due to the increased intensity of the project.</p>
<p><i>Policy LU-H.7:</i> Provide a variety of different types of land</p>	<p>The DEIR states: <i>The project proposes a mixed-use</i></p>	<p>The result is an extremely</p>

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Exhibit D-8

63.267 Contrary to the comment, there are no designated village sites in the Employment Center Precise Plan. Refer to response to comment 63.92 regarding village designations and 63.95 regarding the CC-5-5 zone.

63.268 The Draft EIR acknowledged that there is no existing transit service in Carmel Valley (Section 5.2.7). As discussed in response to comment 10.40, the City of Villages Strategy in the City's General Plan does not require that regional transit service be immediately available to proposed village developments. The General Plan states that future transit service is acceptable as long as the planned transit facilities have an identified funding source. The 2050 RTP, the long-range transportation plan for the region, indicates that Bus Route 473, which would serve the Originally Proposed Project, is anticipated to be funded by the year 2030. Therefore, the project would be consistent with this policy with regard to transit services.

Furthermore, as discussed in response to comment 6.7, the Revised Project includes a shuttle service which would include a connection to the Sorrento Valley transit station and would appoint a transit coordinator to provide information to future residents, employees, and shopping patrons associated with the proposed development.

63.268 cont. Although the proposed development does not include designated bicycle lanes on internal roads, it would include delineated bicycle routes to accommodate bicycle use. Furthermore, internal intersections would be stop-controlled to calm traffic along internal streets.

63.269 Land Use and Community Planning Policy LU-H.7 focuses on a community as a whole, and not a single property. Table 5.1-1 in the Draft EIR considered the policy as it relates to the Carmel Valley community and not only the project site. The Originally Proposed Project and the Revised Project would provide the employment center land uses that were already planned for the site within an internally well-balanced land use mix that reflects the types of uses that exist in the community and that complement the existing uses in the vicinity of the project site. As discussed in response to comment 10.47, the Originally Proposed Project and the Revised Project would contribute to the balance of land uses within Carmel Valley.

The Final EIR, in Section 5.3.3, recognizes that the Originally Proposed Project would result in significant impacts on traffic and neighborhood character of the area. As discussed in response to comment 5.6, Section 12.9 of the Final EIR concludes that the Revised Project would reduce the impact of development on traffic and neighborhood with respect to the Originally Proposed Project. However, Section 12.9 of the Final EIR concludes that these impacts would remain significant and not mitigated.

Refer to response to comment 63.92 regarding village designations.

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<p>uses within a community in order to offer opportunities for a diverse mix of uses and to help create a balance of land uses within a community (see also LU-A.7).</p>	<p><i>Community Village within Carmel Valley that would provide a variety of land uses on site, including retail, office, residential, hotel, and public spaces.</i> The DEIR fails to acknowledge that the policy intends for "a variety of different types of land uses within a community." The project's focus is to provide all of the different types of land uses within a given single piece of property by mirroring the variety of balanced existing land uses already existing in the community village.</p>	<p>intensive "urban village" on a single piece of property that is out of scale with the community character and creates significant traffic impacts in an unnecessary effort to duplicate the existing variety of land uses in the community.</p>
<p><i>Policy LU-L.12: Ensure environmental protection that does not unfairly burden or omit any one geographic or socioeconomic sector of the City.</i></p>	<p>DEIR states: <i>The project site . . . does not propose features or actions which would unfairly result in undesirable environmental impacts on any geographic or socioeconomic sector of the City.</i> The intensity of the development with its level of commercial development, cinema, and hotel would draw more traffic and people from outside of the community.</p>	<p>The intensity of the development with its level of commercial development, cinema, and hotel could be viewed as a regional impact on this community.</p>
<p><i>Policy ME-B.2: Support the provision of higher-frequency transit service and capital investments to benefit higher density residential or mixed-use areas; higher-intensity employment areas and activity centers; and community plan identified neighborhood, community, and urban villages; and transit-oriented development areas</i></p>	<p>There is no existing transit services. The DEIR states: <i>The rapid bus route is planned in the RTP 2050</i> but it is not estimated to be implemented until maybe 2035. A bus transit center was planned over 20 years ago at the Del Mar Highlands Town Center, but has never been implemented.</p>	<p>To create this level of "urban village" intensity with no assurance of transit creates a significant impact on the surrounding roadway system.</p>
<p><i>Policy ME-B.9: Make transit planning an integral component of long range planning documents and the development review process.</i> a. Identify recommended transit routes and stops/stations as a part of the preparation of community</p>	<p>There is no existing transit services. The DEIR states: <i>The rapid bus route is planned in the RTP 2050</i> but it is not estimated to be implemented until maybe 2035. A bus transit center was planned over 20 years ago at the Del Mar Highlands Town</p>	<p>To create this level of "urban village" intensity with no assurance of transit creates a significant impact on the surrounding roadway system.</p>

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63.270 As discussed in the updated Retail Market Analysis, included as Appendix B.1 of the Final EIR, approximately two-thirds of the retail draw is expected from within four miles of the project site. Furthermore, development intensity and community character are inherently local, not regional, impacts.

63.271 As discussed in response to comment 63.268, immediate transit availability to the site is not required. As the traffic analysis did not assume any trip reductions as a result of transit, the analysis in the Draft EIR represented a conservative analysis of potential impacts. Lastly, it should be noted that the enhanced TDM Plan prepared for the Revised Project calls for a future bus stop on El Camino Real to accommodate planned bus service. In addition, as discussed in response to comment 6.7, the enhanced TDM Plan calls for a shuttle service to accommodate use of public transit by connecting with the Sorrento Valley transit station.

63.272 Refer to response to comment 63.271 regarding transit planning for the project site.

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<p>plans and community plan amendments, and through the development review process. b. Plan for transit-supportive villages, transit corridors, and other higher-intensity uses in areas that are served by existing or planned higher quality transit services, in accordance with Land Use and Community Planning Element, Sections A and C.</p>	<p>Center, but has never been implemented.</p>	
<p><i>Policy ME-C.2:</i> Provide adequate capacity and reduce congestion for all modes of transportation on the street and freeway system.</p>	<p>No are no designated bike lanes in the internal street system. The significant unmitigable traffic impacts are inconsistent with this policy.</p>	<p>Traffic congestion and safety issues especially for bike movements.</p>
<p><i>Policy ME-C.3:</i> Design an interconnected street network within and between communities, which includes pedestrian and bicycle access, while minimizing landform and community character impacts.</p>	<p>There are no designated bike lanes identified in the lane configurations of the internal road system. 489,400 cy of dirt export is not an insignificant amount when trying to minimize landform changes.</p>	<p>Safety issues for bikes. Significant land form modifications based on dirt export.</p>
<p><i>Policy ME-C.5:</i> Install traffic calming measures as appropriate in accordance with site-specific recommendations which may include, but are not limited to, those identified on Table ME-2, to increase the safety and enhance the livability of communities.</p>	<p>The DEIR states: <i>The project would incorporate traffic calming measures identified in Table ME-2 into the design, including curb extensions, gateway entrance treatments, and signage.</i> Is the project proposing to slow the access off the busy streets into the site at the gateway into the sites? In other words, create additional traffic on the city roadways but slow the access into the site?</p>	<p>Potential traffic impacts with back up of traffic on the streets requiring deceleration lanes.</p>
<p><i>Policy ME-E.1:</i> Support and implement TDM strategies including, but not limited to: alternative modes of transportation, alternative work schedules, and telework.</p>	<p>Alternate modes such as bus transit does not exist. Designated bike lanes do not exist in the internal road system. Alternative work schedules and telework is not addressed.</p>	<p>The intensity of this project creates even more significant impacts if there is not an effective TDM strategy in place.</p>

Exhibit D-10

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63.273 The Final EIR acknowledges that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections. Specific road improvements are identified in the Draft EIR as mitigation measures, which would reduce many of these impacts to below a level of significance. The Draft EIR acknowledged that some traffic impacts would remain significant despite mitigation measures. This is due to the need for other public agencies, such as Caltrans, to construct the improvements identified in the mitigation measures. In other instances, traffic impacts were considered significant and unmitigable in the Draft EIR because fair-share contributions cannot be guaranteed to assure construction of the targeted improvements.

The only traffic impact that would remain significant following implementation of identified mitigation measures would be one segment of Del Mar Heights Road (between the Interstate 5 southbound and northbound ramps). It should be noted that this segment of Del Mar Heights Road would operate at a level of service (LOS) E even without development of the project site. As discussed in response to comment 10.41, Table 5.1.1 of the Final EIR has been revised to indicate that the project would not be consistent with Policy ME-C.2. However, despite this change in the relationship of the proposed development to this policy, as discussed in response to comment 10.41, the conclusion that the proposed development would not conflict with the collective intent of the goals and policies of the General Plan remains unchanged. The Originally Proposed Project and the Revised Project, as a whole, would accommodate multiple modes of transportation.

As discussed in response to comment 6.6, the bicycle routes included in the proposed development are considered appropriate.

COMMENTS

RESPONSES

63.274 As discussed in response to comment 6.6, the bicycle routes included in the proposed development are considered appropriate.

While the proposed development would require a substantial grading operation as indicated by the amount of export material, the grading would not constitute a significant landform modification. The project site has already been graded as part of mass grading for the Employment Center and does not contain natural landforms.

63.275 As discussed in Section 5.2.5 of the Draft EIR, vehicular access to the project site would be provided from two new signalized intersections along Del Mar Heights Road and the one existing intersection along El Camino Real. The traffic impact analysis prepared for the Originally Proposed Project and completed for the Revised Project analyzed internal circulation and concluded that internal intersections along Main Street would operate at acceptable levels of service. Because the project entries would be controlled with traffic signals and internal intersections would operate at acceptable levels of service, vehicle queues extending onto Del Mar Heights Road or El Camino Real are not expected.

63.276 As discussed in response to comment 6.7, an effective TDM Plan is proposed as part of the Revised Project.

Refer to response to comment 63.268 regarding regional transit service and the development's planned bicycle routes.

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	A shuttle system is mentioned by no information is provided on where it will service. Is it simply internal. There is no shuttle system currently. Who will pay, manage, and maintain this shuttle service.	
<i>Policy ME-E.3: Emphasize the movement of people rather than vehicles.</i>	Emphasis on pedestrian is internal to the project.	Due to the intensity of the project the external vehicular impacts will compound the pedestrian / vehicle conflicts.
<i>Policy ME-E.6: Require new development to have site designs and on-site amenities that support alternative modes of transportation. Emphasize pedestrian and bicycle friendly design, accessibility to transit, and provision of amenities that are supportive and conducive to implementing TDM strategies such as car sharing vehicles and parking spaces, bike lockers, preferred rideshare parking, showers and lockers, on-site food service, and child care, where appropriate.</i>	The DEIR states that bicycle network internally is being created and connected to the external network, but there are no bike lanes designated in the internal street system.	Internal vehicle/ bike conflicts will exist especially with the traffic volume due to the intensity of the project.
<i>Bicycling Goal: A city where bicycling is a viable travel choice, particularly for trips of less than five miles. Bicycling Goal: A safe and comprehensive local and regional bikeway network. The project promotes bicycle transportation by providing safe bicycle routes through the site and connecting to off-site routes. Yes Bicycling Goal: Environmental quality, public health and mobility benefits through increased bicycling. Policy ME-F.3: Maintain and improve the quality, operation, and integrity of the bikeway network and roadways regularly used by bicyclists.</i>	The DEIR states that bicycle network internally is being created and connected to the external network, but there are no bike lanes designated in the internal street system.	There is no bicycle network for the community roadways to connect to onsite.
Urban Design Element (cont.)	The DEIR in Section 5.3 the	Significant Visual Impacts

63.277 The increase in traffic on Del Mar Heights Road is not expected to result in any significant offsite pedestrian safety issues. A greenbelt with non-contiguous sidewalks is proposed along Del Mar Heights Road and El Camino Real.

63.278 As discussed in response to comment 6.6, the bicycle routes included in the proposed development are considered appropriate.

63.279 As discussed in response to comment 6.6, the bicycle routes included in the proposed development are considered appropriate. As stated in response to comment 6.7, the internal bicycle routes will connect with Class II bicycle lanes associated with High Bluff Drive, Del Mar Heights Road and El Camino Real.

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<p><i>Policy UD-A.5:</i> Design buildings that contribute to a positive neighborhood character and relate to neighborhood and community context.                  a. Relate architecture to San Diego's unique climate and topography.                  b. Encourage designs that are sensitive to the scale, form, rhythm, proportions, and materials in proximity to commercial areas and residential neighborhoods that have a well established, distinctive character.                  c. Provide architectural features that establish and define a building's appeal and enhance the neighborhood character.</p>	<p><i>Visual Effects and Neighborhood Character</i> identifies that the bulk and scale of 8 and 10 story structures are out of character with the surrounding development patterns. The architecture of the buildings fail to relate to San Diego's unique climate. Architectural features including the attempt to use street trees to screen the visual impact of the bulk and scale fail to reduce the visual impacts to insignificant.</p>	<p>from its high density bulk and scale to Carmel Valley's Community Character</p>
<p><i>Policy UD-A.10:</i> Design or retrofit streets to improve walkability, bicycling, and transit integration; to strengthen connectivity; and to enhance community identity. Streets are an important aspect of Urban Design as referenced in the Mobility Element (see also Mobility Element, Sections A, B, C, and F).</p>	<p>The project requires the creation of left turn pockets which eliminates large portion of the tree line median along Del Mar Heights Road to accommodate the two new signalized access points into the project.</p>	<p>The elimination of the tree line median to accommodate the two traffic signal access points on Del Mar Heights Road impact the visual character of the community.</p>
<p><i>Distinctive Neighborhood/Residential Design Goal:</i> A city of distinctive neighborhoods.</p>	<p>The project proposes to construct a distinctive mixed-use village center within the Carmel Valley community on a 23.6-acre graded and vacant site in a high-activity area at a transition point between land uses.</p>	<p>The project's mixed use village creates a distinctive neighborhood that is out of character with the community in respect to the bulk and scale.</p>
<p><i>Residential Design Policies Policy UD-B.1:</i> Recognize that the quality of a neighborhood is linked to the overall quality of the built environment. Projects should not be viewed singularly, but viewed as part of the larger neighborhood or community plan area in which they are located for design continuity and</p>	<p>The DEIR states: <i>While some buildings would be taller than buildings in the surrounding area, incorporation of the design guidelines contained in the proposed PPA would ensure that the architectural style of proposed buildings would include articulation and various design elements to provide</i></p>	<p>Significant Visual Impacts from its high density bulk and scale to Carmel Valley's Community Character.</p>

63.280 While the Draft EIR (in Section 5.3.3) recognized that the Originally Proposed Project would result in significant impacts to the neighborhood character of the area, it would be consistent with Urban Design Policy UD-A.5, which addresses building and architectural design features and treatments to consider in proposed developments. As stated in response to comment 63.98, the issue of visual effects/neighborhood character is different from land use policy consistency. As is the case here, it is possible for a project to result in a significant neighborhood character impact while remaining consistent with General Plan policies that include the words "community character." A discussion of proposed building design features is contained in Section 5.3.4 and elsewhere throughout Section 5.3 of the Draft EIR that explains that proposed buildings would provide architectural interest. Design guidelines contained in the proposed Precise Plan Amendment, which are consistent with this General Plan policy, would be incorporated into building designs.

63.281 Contrary to the comment and as discussed in response to comment 10.10, the tree-lined median on Del Mar Heights Road would not be eliminated. Provision of access into the proposed development would only involve two portions of the median and a very limited number of trees. This would not result in a significant visual impact.

63.282 The noted General Plan Urban Design Element goal does not mention or include any policy guidance related to bulk and scale or community character. Rather, it presents a broad citywide policy goal to plan and design distinctive neighborhoods within the City of San Diego. Table 5.1-1 and Section 12.9 of the Final EIR appropriately analyze the consistency of the Originally Proposed Project and Revised Project with this goal.

63.283 The Draft EIR did not dispute the comment's contention that the proposed development would be sufficiently different in bulk and scale from the surrounding uses. As a result, it concludes that the development would result in a significant, unmitigated impact on neighborhood character.

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<p>compatibility. a. Integrate new construction with the existing fabric and scale of development in surrounding neighborhoods. Taller or denser development is not necessarily inconsistent with older, lower density neighborhoods but must be designed with sensitivity to existing development.</p>	<p><i>visual diversity and reduce massing.</i> Project intensity and bulk and scale is reflective of the singular project site and is inconsistent with the development pattern of the larger neighborhood and community plan area. Not just some of the buildings are taller than the surrounding buildings but all of the buildings appear to be taller. The DEIR understates the facts.</p>	
	<p>a. It fails to integrate with the existing fabric and scale of development in the surrounding neighborhood. The 10 story office tower over 2 stories of exposed parking structure to El Camino Real are not designed with any sensitivity to the 4 story office complex to the south—nor the ten story residential on the high side of the site—nor the 4 story of residential over retail along Del Mar Heights Road opposite the one and two story residential multifamily residential development. The DEIR talks of using street trees to screen the project which doesn't work very well.</p>	
<p><i>Policy UD-B.8:</i> Provide useable open space for play, recreation, and social or cultural activities in multi-family as well as single-family projects.</p>	<p>The DEIR cites in one location that there is 7.6 acres of usable open space in the 23.6 acres of the project. Please identify how approximately 1/3 of this site is usable open space. In this section, the DEIR indicates that there is a surplus</p>	<p>Lack of usable open space within the project places higher demand on the amount existing open park land anticipated in the Community Plan..</p>

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63.284 Refer to response to comment 10.107 regarding the useable open space within the project site.

As described in responses to comments 63.168 through 63.170, the City considers payment of FBA fees to ensure that no significant impacts to parkland would occur.

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	of park land in the community and the project doesn't need to provide useable park land.	
<i>Mixed-Use Villages/Commercial Areas Goal:</i> Vibrant, mixed-use main streets that serve as neighborhood destinations, community resources, and conduits to the regional transit system.	There is no existing transit services. The DEIR states: <i>The rapid bus route is planned in the RTP 2050</i> but it is not estimated to be implemented until maybe 2035. A bus transit center was planned over 20 years ago at the Del Mar Highlands Town Center, but has never been implemented. Simply putting in a transit stop for a transit system that won't exist for at least 20 years doesn't mitigate the issue.	Lack of conduits to regional transit system creates a stress on the roadway system when this level of "urban village" intensity is built.
<i>Mixed-Use Villages/Commercial Areas Goal:</i> Attractive and functional commercial corridors which link communities and provide goods and services.	Main Street is internal to the project and does not link communities or link the Carmel Valley community.	The duplication of land uses and internal orientation of the One Paseo mixed-use project undermines the horizontal "community village" intended in the Community and Precise Plans.
<i>Policy UD-C.1:</i> In villages and transit corridors identified in community plans, provide a mix of uses that create vibrant, active places in villages. a. Encourage both vertical (stacked) and horizontal (side-by-side) mixed-use development.	Precise Plan already plans for a horizontal mixed use community village with this site providing the employment center component of the village. The Town Center also currently allows vertical mix-use.	Project changes the balance of the current mixed use village in the Community Plan.
e. Utilize existing or create new Land Development Code zone packages or other regulations as needed for mixed-use development. 1. Provide standards that address the particular design issues related to mixed-use projects, such as parking, noise attenuation and security measures, and minimize negative impacts on the community. 2. Provide standards that address bulk, mass, articulation, height, and transition issues such as the interface with surrounding or	How do the new standards minimize the negative impacts of bulk, mass, height and transition issues on the community? The Town Center Zone is based on CC-1-3 Zone which allows mixed use development without the intensity of CC-5-5 Zone. The CC-5-5 zone being used is intended for very intense development which is not in keeping with the character of the surrounding adjacent development.	Significant Visual Impacts from its high density bulk and scale to Carmel Valley's Community Character.

63.285 As discussed in response to comment 63.268, immediate transit availability to the site is not required nor is it considered necessary to accommodate the Originally Proposed Project. As discussed in response to comment 63.272, the traffic analysis did not assume any trip reductions as a result of the future availability of bus service to the site. In addition, as discussed in response to comment 6.7, the enhanced TDM Plan calls for a shuttle service to accommodate use of public transit by connecting to the Sorrento Valley transit station.

63.286 Main Street is the central organizing component of the Originally Proposed Project and the Revised Project that would provide a pedestrian-oriented commercial corridor within the project site. Main Street would also connect with off-site areas with proposed walkways, bikeways, and vehicular access points that connect to the roadways within Carmel Valley. To improve the connectivity of the retail portion of the project with the surrounding area to the east, a new street is included in Block A and the buildings have been modified to open up view corridors to the central plaza. In addition, the long edge of the plaza between buildings 9, 10 and 11 has been located adjacent to El Camino Real to accommodate connectivity. Greater connectivity with Del Mar Heights Road and the developed areas to the north would be achieved by adding a stairway and ramp at the end of Third Avenue.

63.287 The Final EIR concurs that there would be significant impact related to the proposed bulk and scale. However, as described in response to comment 63.88 the EIR attributes these impacts to neighborhood character rather than visual effects.

Contrary to the comment, there are no designated village sites in the Employment Center Precise Plan, and there is no "horizontal Mixed-use Community Village" land use designation in any adopted land use plans that regulate the project site, including (among others) the General Plan, Community Plan, and Precise Plan. While land uses that comprise a village, as identified in the General Plan (residential, commercial, employment, and civic uses), exist in the community and in the immediate vicinity of the project site, such uses are compartmentalized and not

**SheppardMullin**

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<p>adjacent development and uses, and minimize negative impacts on the community.</p> <p>f. Encourage location of mixed-use projects in transition areas and areas where small-scale commercial uses can fit into a residential neighborhood context.</p>	<p>Is this a transition area and is this 220,000 sf of retail, 50,000 sf cinema, 150 room hotel, and 536,000 sf considered small scale commercial uses that fits into a residential neighborhood context?</p>	<p>Significant Visual Impacts from its high density bulk and scale to Carmel Valley's Community Character.</p>
<p><i>Policy UD-C.2:</i> Design village centers to be integrated into existing neighborhoods through pedestrian-friendly site design and building orientation, and the provision of multiple pedestrian access points.</p>	<p>How is this village center integrated into the existing neighborhood or is it a village onto itself?</p>	<p>As an internally oriented stand-alone mixed use village, the vertical oriented One Paseo has a negative impact on the overall horizontal mixed-use village established in the Community and Precise Plan.</p>
<p><i>Policy UD-C.6:</i> l. Incorporate design features that facilitate transit service along existing or proposed routes, such as bus pullout areas, covered transit stops, and multimodal pathways through projects to transit stops.</p>	<p>Creation of a bus stop for a non-existent bus line, fails to establish the site as transit oriented. The site is not identified as a transit overtly zone in the Land Development Code.</p>	<p>Without a guaranteed transit system, the intensity of the project creates significant traffic and circulation impacts.</p>
<p><i>Policy UD-C.7:</i> Enhance the public streetscape for greater walkability and neighborhood aesthetics (see also UD-A.10 and Section F.).</p>	<p>DDEIR states: <i>Main Street would function as the unifying element of the project and proposed uses and roadways would be centered about this pedestrian-scaled activity center.</i> Total project focus of Main Street is internally oriented and fails to enhance the public streets around the project for greater walkability and neighborhood aesthetics.</p>	<p>Due to the internal focus of One Paseo, the pedestrian and neighborhood aesthetic impacts are relatively ignored.</p>
<p>Economic Prosperity Element <i>Commercial Land Use Goal:</i> Economically healthy neighborhood and community</p>	<p>Economically healthy neighborhood and community commercial areas are currently easily accessible to residents</p>	<p>The establishment of additional commercial area draws clientele from the surrounding area and thus adds additional traffic</p>

Exhibit D-15

63.287 integrated as called for in the General Plan definition of village. As such, cont. there is no existing designated or de facto "horizontal mixed-use village" in Carmel Valley that meets the criteria of any village type defined in the General Plan.

Refer to response to comment 10.47 regarding the balance of land uses within Carmel Valley and response to comment 63.95 regarding the CC-5-5 zone.

As discussed on page 5.3-4 of the Draft EIR, the project site is located in a transition area between employment, retail and residential uses. As discussed on page 5.3-19 of the Draft EIR, the proposed development would represent a good transition to surrounding uses by containing elements of the surrounding uses.

63.288 As stated in Table 5.1-1 of the Draft EIR, the Originally Proposed Project would construct a designated Village Center in a high-activity area that is identified in the Community Plan. The Community Plan (page 58) calls for "grouping of higher density development around the town center" to "create an urban setting and sense of scale and provide housing close to shopping and public facilities." Proposed on-site land uses would mirror existing surrounding uses and gathering spaces would be provided, as well as connections to off-site areas with pedestrian walkways, bicycle routes, and vehicular access points.

While land uses that comprise a village, as identified in the General Plan (residential, commercial, employment, and civic uses), exist in the community and in the immediate vicinity of the project site, such uses are compartmentalized and not integrated as called for in the General Plan definition of village. As such, there is no existing designated or de facto "horizontal mixed-use village" in Carmel Valley that meets the criteria of any village type defined in the General Plan.

COMMENTS

RESPONSES

- 63.289 As discussed in response to comment 63.268, immediate transit availability to the site is not required nor is it considered necessary to accommodate the Originally Proposed Project. As discussed in response to comment 63.272, the traffic analysis did not assume any trip reductions as a result of the future availability of bus service to the site. In addition, as discussed in response to comment 6.7, the enhanced TDM Plan calls for a shuttle service to accommodate use of public transit by connecting to the Sorrento Valley transit station.
- 63.290 In addition to the Main Street feature of the proposed development, substantial landscaping with an enhanced sidewalk would be installed along those portions of the project adjacent to Del Mar Heights Road, El Camino Real, and High Bluff Drive. Entry plazas would be constructed at the northwest corner of the site (near the High Bluff Drive and Del Mar Heights Road intersection) and the northeast corner of the site (near the El Camino Real and Del Mar Heights Road intersection). These proposed improvements would enhance the public streetscape and accommodate access from surrounding land uses.
- 63.291 As discussed in the updated Retail Market Analysis included as Appendix B.1 of the Final EIR, adequate consumer demand will continue to exist to support retail centers in the area after completion of the proposed development with either the Originally Proposed Project or the Revised Project. Additionally, the Retail Market Analysis prepared for the project concludes that approximately two-thirds of the retail draw is expected from within four miles of the project site.

**SheppardMullin**

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commercial areas that are easily accessible to residents.	without One Paseo.	impacts within the community and neighborhood.
<i>Commercial Land Use Goal:</i> New commercial development that contributes positively to the economic vitality of the community and provides opportunities for new business development.	Please identify what commercial uses are not already provided in the Del Mar Highlands Town Center and are thus missing from this community or is this a statement that there is not enough commercial development in the area.	Simple repetition of similar commercial services and products fails to contribute positively to the economic vitality of the community.
<b>Carmel Valley Community Plan</b> Overall Goal: <b>Goal 1:</b> To establish a physical, social, and economically balanced community.	Issue: Doesn't the Precise Plan and Community Plan already adequately establish a physical, social, and economically balanced community?  Physical—Doesn't the intensity of the uses in the One Paseo project undermine physical balance of the community?  Socially—Aren't the social gathering spaces of the Rec Center, Library and DMHTC already providing a balanced community?  Economically—Did the Precise Plan underestimate the economic balance of hotels, office employment centers and commercial retail such as to create an unbalanced community?	One Paseo's high density bulk and scale alters the balanced physical community character of Carmel Valley. One Paseo alters the social and economic balance of the community.
<b>Goal 4:</b> To establish a balanced transportation system to be used as a tool for shaping the urban environment.	There is no existing mass transit and there is no designated bike lanes identified on the internal street system of One Paseo. The increased intensity will generate 4 times the anticipated traffic volume based on developing 510,000 sf of office space?	The extreme increase in intensity of One Paseo creates an unbalanced additional impact on the vehicular component of the transportation system. The increased intensity of the project impact the balanced transportation system envisioned in the

63.292 The proposed development need not provide unique sources of goods and services to be appropriate for the area. It is not uncommon for similar shopping centers to occur adjacent to one another. Furthermore, as indicated in the updated Retail Market Analysis included as Appendix B.1 of the Final EIR, adequate consumer demand will continue to exist to support retail centers in the area after completion of the proposed development.

63.293 As discussed in response to comment 10.47 and pages 5.1-15 and 5.1-16 of the Draft EIR, the Originally Proposed Project and the Revised Project would contribute to the physical, social, and economic balance of land uses within Carmel Valley. The intensity of proposed uses does not “undermine the physical balance of community.”

As discussed in greater detail in response to comment 10.47, the Originally Proposed Project and Revised Project would provide the office uses permitted by the Employment Center designation, but would also provide contiguous compatible and synergistic uses. Socially, it is acknowledged that there are existing gathering places within Carmel Valley, and the Originally Proposed Project and the Revised Project would provide additional social gathering spaces to greatly enhance Carmel Valley's existing inventory. In terms of economic balance, The Revised Project will provide the employment center uses that were already planned for the site, including offices and restaurants, within an internally well-balanced land use mix that reflects the types of uses that already exist in the community and that complement the existing uses in the vicinity of the project site. Additionally, as discussed in the updated Retail Market Analysis included as Appendix B.1 of the Final EIR, the retail uses proposed would help meet existing demand for retail in the area and particularly within a four-mile radius of the project site. Even with development of the Revised Project and all other reasonably foreseeable retail development in the vicinity, a net demand for retail would remain.

The Draft EIR acknowledged that there is no existing transit service in Carmel Valley (Section 5.2.7). As discussed in response to comment

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RESPONSES

63.293 10.40, the City of Villages Strategy in the City's General Plan does not  
cont. require that regional transit service be immediately available to proposed  
village developments.

Refer to response to comment 10.122 regarding proposed internal bicycle  
facilities and connections to existing bicycle facilities.

**SheppardMullin**

<p><b>Housing and Residential Land Use Element</b>  <i>Objective 2:</i> The community must be designed as a total physical-social-economic unit.</p> <p><i>Objective 4:</i> In order to promote a balanced transportation network, the residential aspect of the plan must take into consideration the need to <u>provide for separate pedestrian and bicycle systems</u>. Such pedestrian and bicycle systems should utilize open space areas and connect the various activity nodes of the community such as the town center, schools, parks, and the neighborhood commercial complexes.</p>	<p>The DEIR response is addressing the Retail Market Study by Kosmont rather than the housing component of the project. The project proposes a higher residential density than is in the surrounding area and compounds the density by basing the allowable dwelling units density on the entire site rather than the land allocated in One Paseo to residential development.</p> <p>One Paseo fails to provide separate designated bicycle lanes in the internal roadway system.</p>	<p>community plan.</p> <p>The increased density based on the utilizing the whole site creates a residential density that is more than twice the surrounding area. The ten story residential tower has a physical impact on the community.</p> <p>Impacts the balanced transportation network.</p>
<p><b>Industrial-Office Park Land Use Element</b>  <i>Objective 1:</i> Diverse job opportunities must be achieved within the industrial-office park.</p>	<p>The DEIR addresses commercial and hotel jobs and fails to identify the diverse job opportunities within the industrial-office park.</p>	<p>One Paseo's focus on the commercial and hotel component fails to address the impact on balance of diverse industrial and office job opportunities.</p>
<p><b>Circulation (Transportation) Element</b>  <i>Objective 2:</i> Transportation systems must be designed to complement the planning concept and land use.</p>	<p>The DEIR fails to address the traffic impacts resulting from the increased intensity.</p>	<p>Significant traffic impacts are resulting from the increased intensity of the project.</p>

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63.294 As discussed in response to comment 10.47, the Originally Proposed Project and the Revised Project would contribute to the balance of land uses within Carmel Valley. The Retail Market Analysis is used in the policy consistency evaluation to demonstrate that adequate consumer demand will continue to exist to support retail centers in the area after completion of the proposed development of the Originally Proposed Project. Additionally, the updated Retail Market Analysis included as Appendix B.1 of the Final EIR reaches the same conclusion for the Revised Project.

Refer to response to comment 63.78 regarding calculation of residential density.

Refer to response to comment 10.122 regarding proposed internal bicycle facilities.

63.295 As stated in Table 5.1-1 of the Draft EIR, the proposed mix of land uses on the site would provide jobs in a range of sectors and therefore “diverse job opportunities” would be provided. Whether the jobs come from the industrial/office park sector or other sectors is to the Originally Proposed Project’s or Revised Project’s consistency with this policy.

The proposed development would provide the employment uses originally envisioned as part of the Employment Center, as well as additional uses that are contiguous and compatible with existing adjacent uses. Thus, both the Originally Proposed Project and Revised Project would result in additional employment opportunities for Carmel Valley residents.

63.296 The Final EIR concurs with the commenter’s conclusion that the proposed development would result in significant traffic impacts.

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<p><i>Objective 4: Dependence on the private automobile as the dominant mode of transportation must be reduced by developing and integrated system of pedestrian, bicycle, local transit and automobile facilities.</i></p>	<p>Greater demand on the private automobile as the dominant mode of transportation results from the lack of mass transit in the area and the increase intensity of development results in 4 times the originally anticipated demand on private automobile.</p>	<p>Significant traffic impacts on the surrounding roadway system is the result.</p>
<p><b>Carmel Valley Employment District Precise Plan</b>  <i>Plan Implementation 2: Grading has been designed based on the concept of multi-terraced sites with low embankments of varying slope. The land forms will be comprised of smooth flowing slopes and terraces that have been derived from the existing terrain. Erosion control will be accomplished through a system of individual site controls and overall systems concurrent with the best ecological practices.</i></p>	<p>One Paseo proposes to export 489,400 cy of dirt to fit the previously grades multi-terraced site to the project. With the size of the buildings, the terrace concept land forms of the site are not visible from the surrounding area.</p>	<p>The intensity of the project undermines the open terraced land forms intended in the Precise Plan.</p>
<p><i>Design Element Guidelines</i>                  Prominent and visible location dictates that the design and construction be accomplished in the best manner possible. Individual buildings should be designed to fit into park-like surroundings, with particular attention paid to the appearance of the facility and its scale.</p>	<p>Little attention was given to the scale of the 8 and 10 story structures compared to the surrounding 1 to 4 story structures.</p>	<p>Significant Visual Impacts from its high density bulk and scale to Carmel Valley's Community Character.</p>

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63.297 The proposed development includes a number of features intended to reduce dependence on the private automobile. The provision of extensive pedestrian and bicycle access within the development will enable residents and employees to walk or ride to shops, restaurants and a movie theater. Integration of office space within the development will enable employees to live within the project or within walking distance in the surrounding community and allow employees to walk rather than drive to work. This opportunity would also exist for retail employees. Lastly, the enhanced TDM Plan includes a shuttle service to connect the project with the Sorrento Valley transit station to facilitate use of transit by residents, employees, and shopping patrons associated with the proposed development.

Despite the above features of the Revised Project and the required mitigation measures, the Final EIR confirms that although the Revised Project would reduce the impact development would have on traffic with respect to the Originally Proposed Project and the office uses permitted by the Employment Center designation, traffic impacts would remain significant and unmitigated.

63.298 The City recognizes the recommendation of the Carmel Valley Employment Center Precise Plan to accommodate terraced building pads within existing landforms. However, this traditional terracing approach is not compatible with the goal of creating an integrated mixed-use development which accommodates walking and bike riding. Walking or riding up the grades caused by terraced pads would discourage these activities. In addition, terraced pads would create obstacles to meeting ADA requirements relative to pedestrian access. Although the proposed grading would result in varying elevations across the property, much of the grade changes would be located beneath the proposed buildings. Rather than relying on differential pad elevations to create vertical character, the proposed development includes architecture and variable building heights across the site to provide the vertical diversity associated with terraced pads.

COMMENTS

RESPONSES

63.299 The Draft EIR recognized that the building heights, especially the 10-story building conflicted with the surrounding neighborhood character. As discussed in response to comment 5.6, the Revised Project would help reduce the neighborhood character impacts by reducing the 10-story building to 6 stories, and reducing the heights of the other buildings to no more than 9 stories.

Sections 5.3.3 and 12.9 of the Final EIR, recognize that the Originally Proposed Project and the Revised Project would result in significant impacts to the neighborhood character of the area because proposed buildings would substantially contrast with portions of the immediately surrounding development. This finding is consistent with the determination in the General Plan EIR (that villages could lead to character impacts).

SheppardMullin



Ziebarth Associates

May 23, 2012

John Ponder, Esq.  
Sheppard, Mullin, Richter & Hampton, LLP  
19<sup>th</sup> Floor  
501 W. Broadway  
San Diego, CA 92101

Re: One Paseo Land Use Inconsistency Table

Per your request, I have reviewed the One Paseo Project ("Project") Draft EIR Traffic Impact Analysis and Shared Parking Study. It is my expert opinion based on my experience as a planner and licensed architect for 29 years who has processed general plan amendments and rezones, as well as who has spent 8 years on the Citizen's Advisory Committee on developing the current San Diego Land Development Code, 12 years on the Code Monitoring Committee for the City of San Diego, and my familiarity with the facts of the Project, the vicinity of the Project, the City's General Plan, Carmel Valley Precise Plan, and other applicable land use plans, that the One Paseo Project reflects significant inconsistencies in the calculations of density, intensity, and floor area ratios as defined by the Land Development Code. The purpose of lot coverage as a tool for controlling bulk and scale is not addressed by the project.

Density:

One Paseo's methodology for calculating residential density understates the actual residential density of the Project. The proposed zoning would allow 29 dwelling units per acre and the project proposes a density of 26 dwelling units per acre. The project took the gross site area of the site (23.68 acres x 26 dwelling units per acre to justify 608 dwelling units. However, the gross site area included 1.485 acres that is being dedicated for road widening to mitigate the impacts of the Project. Additionally, 2.81 acres of private streets (not including the sidewalks) are also included in the gross site area. Per Land Development Code Section 143.0410 (b)(4) Density and Intensity, "the areas of the premises that are designated for public or private streets may not be utilized in the calculations of maximum density." Therefore the net site area for calculating density is 19.385 acres. This 19.385 acres x 26 dwelling units per acre would allow 204 dwelling units. The maximum density of the proposed Project (29 dwelling units (DU) per acre) would allow 562 dwelling units which is still almost 10% less than what the Project proposes.

Further, the Project proposes to use the site area allocated for office and hotel only development to justify the density of the Project. The site area including common area associated with the residential development over retail is approximately 395,704 sf or 9.08 acres. Utilizing the maximum density under the new proposed zoning (29 DU/acre), only 263 dwelling units would be allowed which is almost 57% less than what is proposed. Clearly, even with this proposed high density development, the Project has overstated the number of units that should be allowed.

Floor Area Ratio Analysis:

Similar to the density analysis, the Project utilizes gross site area of 23.68 acres to justify the Floor Area Ratio (FAR) of the Project. There methodology claims that the gross leasable area (1,857,400 sf) / gross site area (23.68 acres or 1,031,500 sf) = an FAR of 1.8. First, the Project uses Gross Leasable Area (GLA) instead of Gross Floor Area (GFA) as required in the Land Development Code (LDC). The reason for utilizing GFA is to regulate the bulk and scale of the building. GLA would understate the impact of the bulk and scale of the buildings. Further, by basing the FAR of Gross Site Area, the Project is allowed

Architecture / Planning

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63.300

63.301

63.302

63.303

63.300 This comment summarizes issues discussed in detail in the subsequent comments 63.301 through 63.307. Specific responses pertaining to these issues are individually discussed below.

63.301 Refer to response to comment 63.78 regarding calculation of residential density.

63.302 Refer to response to comment 63.78 regarding calculation of residential density.

63.303 As discussed in responses to comment 63.80, FARs were correctly calculated in accordance with a specified method provided in the City's Municipal Code.

SheppardMullin

63.303  
cont.

additional floor area for the public and private streets that are being dedicated and created which is contrary to the methodology in the LDC. If the 1.8 FAR is applied to the Net Site Area (19,385 acres) instead of Gross Site Area the Project, the 1.8 FAR would allow 1,519,940 sf of building instead of 1,857,400 sf which is a reduction of 337,460 sf or 18% less.

63.304

The 10 story office tower (291,000 sf without ground floor retail) sits on a 38,861 sf Lot 10 which creates a visual bulk and scale impact for this individual building of an FAR of over 10 without factoring in the bulk & scale impact two levels of exposed parking structure or the 15' high roof parapet which creates another story of impact. Even when considering all of the common lot area and surrounding development of Phase 1 it exceeds the 1.8 FAR claimed in the project.

63.305

**Height:**  
The CC-5-5 zone is an intensive development zone by definition in the Land Development Code. The zone allows a mix of heavy commercial and limited industrial uses and residential uses. The zone further limits the height to 100'. The Project proposes to increase the allowable height to as much as 199' which is almost double the allowable. In fact, the total exposed vertical height of the 10-story (?) office building as viewed from El Camino Real is 197'. Is this really a 10 story building or is this an understatement of the vertical impact of the building. The average floor height of the office floors is 14'-6" which would generate a height of 145' for 10 stories. Yet the building height is 197'. Height combined with FAR and Lot Coverage are the three tools in the Land Development Code to control bulk and scale of a project. The Project's proposal to double the height that is allowed even in the CC-5-5 zone would effectively double the bulk and scale impact on the community.

63.306

**Lot Coverage:**  
The Project points out that the current employment center zoning has no height limit, but fails to point out that the CVPD-EC zone had a 60% lot coverage maximum. How much of the site is not covered by streets, buildings, and parking structures? The project claims to have 413,222 sf (9.5 acres) of total open space or 49% of the net site area. Where is this open space? Did the project include the private streets as open space? Is it on roof tops and therefore negates the use of lot coverage to regulate bulk and scale. In fact, the project claims to have 331,295sf or 7.6 acres of usable open space. Where is this area?

63.307

The analysis identifies a series of significant inconsistencies in One Paseo's methodology for calculating density, intensity, and floor area ratios with the methodology allowed in the Land Development Code resulting in a misrepresentation of what the project is entitled to.

If you have further questions or comments, please do not hesitate to contact me.

Sincerely,



John Ziebarth, AIA, LEED AP

63.304 As discussed in responses to comment 63.80, FARs were correctly calculated in accordance with a specified method provided in the City's Municipal Code.

63.305 The comment implies that the proposed zone classification for the project site is CC-5-5, which is incorrect. The Originally Proposed Project and the Revised Project propose to add the CVPD-MC zone to the Carmel Valley PDO. While the comment correctly identifies a 100-foot height limit of the CC-5-5 zone, the current zone for the project site, CVPD-EC, does not have a maximum height limitation, as discussed in Section 5.1 of the Draft EIR.

The Final EIR, in Section 5.3.3 and 12.9, recognizes that the Originally Proposed Project and the Revised Project would result in significant impacts to the neighborhood character of the area. The proposed buildings would, despite project design strategies to minimize apparent height and mass of the structures, substantially contrast with portions of the surrounding development in the community.

63.306 Refer to response to comment 10.107 regarding the useable open space within the project site.

63.307 As discussed in responses to comments 63.301 through 63.306, there are no inconsistencies in the methodology for calculating density, intensity, or FAR.

**SheppardMullin**



**Ziebarth Associates**

May 23, 2012

John Ponder, Esq.  
 Sheppard, Mullin, Richter & Hampton, LLP  
 19<sup>th</sup> Floor  
 501 W. Broadway  
 San Diego, CA 92101

Re: One Paseo Land Use Inconsistency Table

Per your request, I have reviewed the One Paseo Project ("Project") Draft EIR Traffic Impact Analysis and Shared Parking Study. It is my expert opinion based on my experience as a planner and licensed architect for 29 years who has processed general plan amendments and rezones, as well as who has spent 8 years on the Citizen's Advisory Committee on developing the current San Diego Land Development Code, 12 years on the Code Monitoring Committee for the City of San Diego, and my familiarity with the facts of the Project, the vicinity of the Project, the City's General Plan, Carmel Valley Precise Plan, and other applicable land use plans, that the One Paseo DEIR has significant deficiencies and inconsistencies in Appendix C and Q Traffic Impact Analysis and Appendix D Shared Parking Study

**Appendix C & Q Traffic Impact Analysis**

1. The Traffic Impact Analysis (TIA) fails to factor in that traffic from projects that have been entitled, yet unbuilt, and have already implemented their traffic mitigation measures. This projected additional traffic should be factored in prior to the additional traffic being added by the One Paseo project. For example the Del Mar Highlands Town Center has been approved for approximately 150,000 square feet of additional retail area and all of the traffic mitigation for that additional square footage has been implemented. One Paseo should not be based on the mitigation that was created for other approved projects in the Near Term analysis. Please verify that the SANDAG model used for cumulative analysis has included the additional 150,000 sf of commercial development.
2. A variety of mix-use reduction ratios have been used during different phases of the project. Please explain the methodology and rationale for each phase of the project and why the ratios are different.
3. Page 1-3 states that Phase 1 would be 515,000 sf of corporate office and 25,000 sf of professional office. Cover sheet on the latest submitted drawings reflect the same. Yet page 1-1 says that they would be 245,000 sf of corporate office and 291,000 of professional office. What was actually used? Table 2-1 indicates 515,000 sf of corporate office and 25,000 sf of professional office. Whether the corporate office is 96% or 46% of the office development can have a significant impact on the traffic generation of the project since corporate trip generation rates are lower. The TIA illustrates this problem very well. The TIA claims that the 536,000 sf of office in One Paseo will generate 6,236 ADTs but according to Appendix Q of the TIA prepared by the same consultant, the originally entitled project of approximately 500,000 sf of office would generate 6,497 ADTs. Why does 500,000 sf generate 260 more ADTs with 36,000 sf less of office space? What assurance does the community have that there will actually even be 46% corporate office use in the project? Please address the inconsistency.

**Architecture / Planning**

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Exhibit D-21

63.308  
63.309  
63.310  
63.311

63.308 This comment summarizes issues discussed in detail in the subsequent comments 63.309 through 63.325. Specific comments pertaining to these issues are individually discussed below.

63.309 As discussed in responses to comments 63.35, and 10.158, the traffic study does account for the potential future expansion of retail uses at the Del Mar Highlands Town Center.

63.310 The comment asserts that a variety of mixed-use reduction ratios have been used during different phases of the project. In Table 3-1 of the traffic study, commercial office and commercial retail reductions were applied. As no residential use is planned in Phase 1 of the project, no residential mixed-use reduction was applied. In Tables 3-2 and 3-3, commercial office, commercial retail, and residential reductions were applied per page 14 of the City of San Diego Traffic Impact Study Manual. Refer to response to comment 63.29 for further discussion of this issue.

63.311 The comment incorrectly asserts that Phase 1 of the Originally Proposed Project included 515,000 square feet of corporate office and 25,000 square feet of professional office. The correct square footage of professional office was 21,000, as stated on page 1-3 and in Table 2-1 (Development Summary Table) of the traffic study. The traffic study is consistent in the breakdown of corporate office (245,000 square feet) and multi-tenant office (291,000 square feet), which is a total of 536,000 square feet of office; see Table 3-1 of the traffic study. Further, the comment suggests an inconsistency between the trip generation for office use in Appendix Q of the traffic study and Table 3-1 in the traffic study. Appendix Q

COMMENTS

RESPONSES

63.311 cont. does assume more square feet of corporate office than identified in the traffic study (250,000 vs. 245,000 square feet). However, the difference between these two assumptions amounts to 50 ADT which would not be expected to change the conclusions of the traffic analysis.

The assumption of 250,000 square feet in Appendix Q is based on development of the site under the existing land use designation while the 291,000 square feet assumed in Table 3-3 is based on the Originally Proposed Project. When calculating multi-tenant office ADT, a logarithmic equation is used which would cause a slightly higher square footage to generate a lower ADT. Therefore, there is no inconsistency between Appendix Q and Table 3-1 in the traffic study.

**SheppardMullin**

4. The TIA proposes to use a blended rate for traffic assuming that the 100,650 sf with the first 100,000 sf being treated as Specialty Retail with a trip generation rate of 40 ADTs/ 1,000 sf and a Community Commercial Rate of 70 ADTs/ 1,000 sf for the area over 100,000 sf. Per the City's Trip Generation Table (May 2003), Specialty Retail is 40 ADTs per 1,000 sf which goes up to 30,000 sf. Neighborhood Commercial is defined as 30,000 sf to 100,000 sf with a trip generation rate of 120 ADTs per 1,000 sf. Therefore, the TIA has underestimated the traffic that will be generated from the retail component in the first phase. Even the alternative in Appendix B of using the Community Commercial Rate of 70 ADTs per 1,000 sf is suspect. The type of retail proposed in this location is similar to Grove in LA, the Americana at Brand in Glendale, and Santana Row in San Jose which are all nationally known and draw traffic from a much larger area than just the community. To use a blended rate of 40 ADTs per 1,000 sf for the first 100,000 sf would clearly seem to be an underestimation of the traffic volume that will be generated.
5. Figure 14-7 indicates One Paseo has road segment traffic of 9,167, First Avenue has road segment volumes of 8,627 ADTs and Third Avenue has road segment volumes of 8,080 ADTs. These exceed the acceptable Level of Service Road Segments for 2 lane collector streets with commercial fronting property by as much as 40%. This is not identified in the EIR. The only thing that is addressed is intersection analysis as if vehicular circulation is the only issue. If the One Paseo is intended to be pedestrian oriented, how unacceptable traffic road segments are consistent with the village concept of pedestrian and bike circulations.
6. The road striping plan does not indicate designated bike lanes so do the bikes share the road with these high traffic volumes.
7. Figure 14-9 raises questions about the alignment impacts of the triple left northbound aligning with the single left south bound at intersection 10. There are three left turn lanes lining up across from one left turn lane heading south. The result is some of the left turn lanes will align with oncoming through traffic raising serious safety concerns.
8. How are the significant traffic impacts on Del Mar Heights Road between I-5 and High Bluffs Drive during construction being mitigated?
9. The project calls for the widening of roadways and the implementation of additional right turn lanes along property that is not adjacent to the Project. Is their existing right-of-way or does additional property need to be acquired? Can the project acquire the property and is it physically feasible to build these road widenings?
10. Many of the significant traffic impacts propose for the project to pay a fair share percentage. What is the commitment that these improvements will ever be built. Is there additional funding or an identified project. If not the project may create significant impacts that the community will have to deal with forever.
11. Section 18 talks about alternate transportation such as bike and transit. Figure 18-1 shows a bike route with no bike lane designation within the roadway striping. There is more to creating a bike route than simply designating something on paper.
12. Figure 18-2 shows shuttle stops to surrounding areas. Will One Paseo be creating and managing this non-existent shuttle system? Which surrounding areas will be served? Creating a space doesn't create alternate transportation.
13. Figure 18-3 shows potential transit routes with no assurance of implementation. These have not been implemented in the last 20 years and what assurance is there that the transit route identified within the Regional Transportation Plan will be implemented in the next 20 years.

Exhibit D-22

63.312 Refer to response to comment 63.29.

63.313 Streets within the proposed development are considered private driveways. First and Third Avenues as well as Main Street are designed to accommodate traffic entering and exiting parking garages throughout the site. The project has been designed so that drivers would not have to search for surface parking but rather would be able to access parking garages directly. Since curb-to-curb widths of the onsite drives are designed differently than City streets, using the roadway classification/ level of service table from the City's Traffic Impact Study Manual for streets on-site is not appropriate. If Main Street, with a projected volume of 9,167 ADT at buildout, was evaluated in a manner similar to City streets, it likely would be classified as a 2-lane Collector, with a two-way, left-turn lane which would have a level of service E capacity of 15,000 ADT. Therefore, Main Street would operate at an acceptable level of service.

63.314 As discussed in response to comment 6.6, all of the interior drives include Class III bicycle routes which will be appropriately signed. These routes connect with Class II bicycle lanes associated with High Bluff Drive, Del Mar Heights Road, and El Camino Real.

63.315 Refer to response to comment 63.36.

63.316 Mitigation measure 5.2-13 states that the VTM shall require that project construction be phased such that concurrent construction of Phases 1, 2 and 3 shall be prohibited, although Phases could overlap.

COMMENTS

RESPONSES

- 63.317 As discussed in response to comment 63.38, the westbound right-turn lane on Del Mar Heights Road would be installed within the City right-of-way adjacent to the AT&T building. The proposed widening to accommodate the right-turn lane extension is not anticipated to significantly impact access to the service driveway.
- 63.318 In some instances, such as the widening of Via de la Valle and El Camino Real south of Via de la Valle to San Dieguito Road, the improvements are programmed City CIP projects and would be constructed by others. With regard to fair share contributions to Caltrans facilities, the City lacks jurisdiction over such improvements and cannot ensure their implementation. Consequently, project impacts to such facilities, notwithstanding the proposed mitigation, are considered significant and less than fully mitigated.
- 63.319 As discussed in response to comment 6.6, all of the interior drives include Class III bicycle routes which will be appropriately signed. These routes connect with Class II bicycle lanes associated with High Bluff Drive, Del Mar Heights Road, and El Camino Real.
- 63.320 As discussed in response to comment 6.7, the proposed development includes a comprehensive TDM Plan. As a part of this plan, the project applicant would provide a future bus stop for Bus Route 473, which is included in SANDAG's 2050 RTP. The comment correctly indicates that the provision of planned bus service is beyond the control of the project applicant. Implementation is also beyond the control of the City. In addition, it includes features to encourage the use of transit, including bus service once it becomes available. These features include designating a TDM Plan coordinator to promote alternative forms of transportation by providing marketing and outreach for all TDM Plan programs including presentations to tenants, staff, and community members at large and provision of a private shuttle. The shuttle route at AM/PM peak times would generally run from the project site to the Sorrento Valley transit station.
- 63.321 As discussed in response to comment 63.320, provision of planned bus service is beyond the control of the project applicant.

SheppardMullin

63.322 14. Appendix C Table 19-26 reflects Year 2030 With & Without Project (Build-out) Intersection Summary for One Paseo. Appendix Q Attachment 7 reflects Year 2030 With & Without Project (Build-out) Intersection Summary for Alternate 2-No Project/ Development Under Existing Plan. The delay impacts are the same despite the fact that Development under the Existing Plan generates approximately 1/4 of the traffic. How is this possible?

Appendix D Shared Parking

- 63.323 1. The DEIR needs to identify that a deviation from the Land Development Code is required to approve the Shared Parking Study.
- 63.324 2. The DEIR should identify the amount of parking required by the Land Development Code (LDC) based on individual uses without shared parking reduction already provided in the LDC. Currently the analysis shows the parking required with already taking a shared parking reduction. The significance threshold is 10% reduction. The project currently proposes a 9% (just under the 10% significance threshold) reduction below the currently allowed shared parking reduction in the code. What percentage reduction is this below the parking required based on each of the individual use?
- 63.325 3. Where does the DEIR address the impacts of paid versus free parking. If paid parking is provided, would this not potential create an impact on the free parking provided at the Del Mar Highlands Town Center. Should free parking be a required mitigation measure of the project?

The analysis identifies a series of significant inconsistencies and conflicts in the appendices which need to be addressed.

If you have further questions or comments, please do not hesitate to contact me.

Sincerely,

John Ziebarth, AIA, LEED AP

63.322 As shown in Attachment 7 of Appendix Q in the traffic study, the Year 2030 with- and without-project scenario intersection analysis for development of the project site in accordance with the existing Employment Center designation shows seven (7) significant cumulative intersection impacts. All seven of those intersections are projected to fail by the Year 2030 without the project, so a small amount of project traffic would cause a significant impact.

63.323 The Originally Proposed Project and Revised Project each include a shared parking plan that City staff have reviewed and approved. The concept of the plan is the same for both projects with minor modifications in the number of spaces indicated based on the lower demand for office parking and reduced parking supply for the Revised Project. The shared parking plan for the Revised Project is included in Appendix D.1 of the Final EIR.

63.324 Such a calculation could be made, but is not necessary as the scenario would never actually occur. Stacking the peak parking demand for those uses that occur on weekends and evenings with those that occur on weekdays would not accurately reasonably demonstrate the actual demand for parking on the site at any given time.

63.325 Refer to response to comment 63.41 regarding parking fees.

COMMENTS

RESPONSES

**From:** [Cynthia Dial](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo Project No. 193036/SCH No. 2010051073  
**Date:** Thursday, April 26, 2012 2:45:43 PM

Dear Councilmember Lightner,

Thank you for your email regarding the DEIR for One Paseo. After reviewing it I continue to support the project which I think will bring vitality to the area, thereby not only increasing our property values but additionally providing our community with its "heart." To this extent, I agree with the finding that One Paseo will result in a significant environmental impact to the visual effects and neighborhood character – it will give Carmel Valley "character," a quality I personally feel it lacks.

Sincerely,

Cynthia Dial

Cynthia Dial, author  
*Get Your Travel Writing Published*  
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 858-350-8658 ph

Web site: [www.travelwritingbycynthiadial.com](http://www.travelwritingbycynthiadial.com)  
 Blog: <http://travelingcynthia.blogspot.com/>  
 Facebook: <http://www.facebook.com/#!/profile.php?id=100001105273160>  
 Twitter: <http://twitter.com/#!/cynthiadial>  
 LinkedIn: [http://www.linkedin.com/profile/view?id=36245343&locale=en\\_US&trk=tyah](http://www.linkedin.com/profile/view?id=36245343&locale=en_US&trk=tyah)  
 You Tube: <http://www.youtube.com/user/travelingcynthia?feature=mhee>

64.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Kent N. Dial](#)  
**To:** [DSD EAS](#)  
**cc:** [kdial@coldwellbanker.com](mailto:kdial@coldwellbanker.com)  
**Subject:** Project No. 193036/SCH No. 2010051073  
**Date:** Friday, May 25, 2012 10:17:53 AM

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May 25, 2012

Ms. Martha Blake  
 Environmental Planner  
 City of San Diego Development Services Center  
 1222 First Avenue, MS 501  
 San Diego, CA 92101

Project No. 193036/SCH No. 2010051073

Dear Ms. Blake:

I am a long time resident of Carmel Valley. My business is real estate and as a Consulting Realtor, one of the areas I specialize in is relocation. Families migrate to Carmel Valley because of the schools and the convenient location along the north San Diego coast. Frequently, when I begin working with a prospective buyer, I take them on what I call my “Chamber of Commerce tour.” I drive them throughout Carmel Valley to show them the various neighborhoods, schools, churches, shopping, etc. However inevitably the question is asked: where is downtown? The closest thing I have to offer them is a drive through the parking lot of Del Mar Highlands. The response I usually get is this is a shopping center, not a downtown.

While Carmel Valley is a beautiful community and its location is ideal for many, the fact remains that we are without a central downtown or main street that helps define so many our neighboring communities. One Paseo is a high quality project with many attributes, amenities and benefits we currently must find elsewhere and not always in just one location.

Many projects have been considered for this prime location in Carmel

65.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

65.1  
cont.

Valley. Any project built here will have impacts as we grow but these impacts are far outweighed by the community benefits we will reap in the years to come.

I appreciate your thoughtful consideration of the DEIR and the One Paseo project and urge you to support it for Carmel Valley.

Best personal regards,

*Kent N. Dial*

Consulting Realtor,  
Specializing in You!

858.336.2828

[kdial@coldwellbanker.com](mailto:kdial@coldwellbanker.com)

[www.sandiegohomesbykentdial.com](http://www.sandiegohomesbykentdial.com)

CC: Councilwoman Sheri Lightner, City of San Diego  
Frisco White, Chairman, Carmel Valley Planning Group

COMMENTS

RESPONSES

From: [David Dilday](#)  
 To: [DSD EAS](#)  
 Subject: One Paseo Carmel Valley #193036  
 Date: Tuesday, May 22, 2012 8:53:54 AM

---

Attention: Martha Blake  
 Re: One Paseo

Dear Ms. Blake:

I am writing to voice my opposition to the One Paseo project in its current form. The project is far too dense for the character of the neighborhood and the traffic issues will be a total nightmare. The DEIR even state that the traffic and character issues are not mitigatable. This site is approved for 500,000 sq. ft. of office and the increase in density is just too great.

I am not opposed to the mixed use concept and an increase in density, but the massive scale of the proposed project is too great for the character of the area. I would suggest a project of closer to 750,000 sq. ft would be more in line and character for the neighborhood.

Regards,

Dave Dilday  
 American Pacific Investments  
 11512 El Camino Real #370  
 San Diego, Ca 92130  
 Office- 858.461.1326  
 Cell-619.200.9787

66.1 The potential impacts of the Originally Proposed Project with respect to traffic and neighborhood character are discussed in Sections 5.2 and 5.3 of the Draft EIR, respectively.

With respect to the suggestion that a reduced project be considered, as discussed in response to comment 5.6, the project applicant is proposing the Revised Project. In addition, as also discussed in response to comment 5.6, a Reduced Mixed-use Alternative is included in Section 12.10 of the Final EIR.

COMMENTS

RESPONSES

San Diego, May 24, 2012

To: Mrs. Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

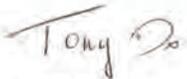
Mrs. Blake,

I am writing to voice my opposition to One Paseo Project. Please use your balanced, logical analysis and judgment in deciding on the significant negative impacts this project would forever degrade Carmel Valley giving its proximity to one of the busiest and overwhelming traffic junction in San Diego (Junction Interstate 5 and 805).

Given the intensive public relations from the developer, mass mailings of slick brochures obscuring negative impacts and deflecting questions about traffic, scale and density, our worst fears have been confirmed. The site is zoned for 500,000 sq ft of office space, the proposed building area is now **1,852,580 SF – nearly 4 times the original zoning**. The ten- and eight-story office buildings with the ten-story residential tower are much taller than similar buildings in Carmel Valley.

We are not against the project but we are totally against the scale of the project that will overwhelm our roads, destroy our community character. We believe that a change in the Community Plan requires meaningful public involvement from the Community Planning Board and community.

Thank you for your time and consideration.



Tony Do  
4645 Belvista Ct  
San Diego, CA 92130

67.1 In determining whether to approve the project, the City Council is required to weigh the potential environmental impacts of the project with the social, economic, and other benefits associated with the project. Section 15093 of the CEQA Guidelines require the City Council to put these factors into writing in the form of a Statement of Overriding Considerations should the project be approved.

67.2 The potential impacts of the Originally Proposed Project with respect to neighborhood character are discussed in Section 5.3 of the Draft EIR. As discussed in Section 12.9 of the Final EIR, the Revised Project would reduce the impact on neighborhood character, but not to a level below significance.

67.3 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Deborah Doyle](#)  
**To:** [DSD EAS](#);  
**Subject:** One Paseo, Project 193036  
**Date:** Wednesday, May 30, 2012 9:44:03 AM

---

Dear City of San Diego,

68.1 [ One paseo project is much too dense for the area in which I live, not a family friendly environment and will ruin the neighborhood. The developers were very deceptive in changing the density from the original plan.

68.2 [ Neighbors are demanding some compromise closer to the original design.

Deborah Doyle  
Fallon circle

68.1 The discussion in Section 5.3 of the Draft EIR identified the impacts of the Originally Proposed Project on neighborhood character as significant and not mitigated. As discussed in Section 12.9 of the Final EIR, the Revised Project would reduce the impact on neighborhood character, but not to a level below significance.

68.2 With respect to the suggestion that a reduced project be considered, as discussed in response to comment 5.6, the project applicant is proposing the Revised Project. In addition, as also discussed in response to comment 5.6, a Reduced Mixed-use Alternative is included in Section 12.10 of the Final EIR.

COMMENTS

RESPONSES

**From:** [sidreyfuss@aol.com](mailto:sidreyfuss@aol.com)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo - NO  
**Date:** Tuesday, May 29, 2012 6:12:49 PM

Hello Ms. Martha Blake,

- 69.1  I am opposed to the proposed ONE PASEO in Carmel Valley.
- 69.2  I am concerned about the Density of the project, which I find to be too dense.  
 The building heights do not match our community character.
- 69.3  We already have a problem with traffic in that area at times. This project would result in traffic overwhelming Carmel Valley and neighboring communities.
- 69.4  I believe that One Paseo does not comply with community plans.

Thank you for your consideration.

All the best,  
Silvia Dreyfuss

3860 Fallon Circle  
San Diego CA 92130

- 69.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.
- 69.2 The discussion in Section 5.3 of the Draft EIR identified the impacts of the Originally Proposed Project on neighborhood character as significant and not mitigated. As discussed in Section 12.9 of the Final EIR, the Revised Project would reduce the impact on neighborhood character, but not to a level below significance.
- 69.3 The discussion in Section 5.2 of the Draft EIR identified the impacts of the Originally Proposed Project on traffic as being significant and acknowledges that some of the traffic impacts cannot be mitigated to below a level of significance. As discussed in Section 12.9 of the Final EIR, the Revised Project would reduce the impact on traffic, but not to a level below significance.
- 69.4 Section 5.1 of the Draft EIR acknowledged that the Originally Proposed Project would be inconsistent with the current land use designation for the property. However, this inconsistency would be eliminated with approval of the amendments to the Carmel Valley Community Plan which accompany the Originally Proposed Project. Approval of the Originally Proposed Project is contingent on the approval of the community plan amendments. Thus, the inconsistency would be eliminated. The same circumstances would be associated with the Revised Project.

COMMENTS

RESPONSES

From: Michael Dunham
To: DSD EAS
Subject: DEIR Comments - Project Number 193036/SCH No. 2010051073
Date: Wednesday, May 16, 2012 4:16:25 PM

DEIR Comments - Project Number 193036/SCH No. 2010051073

Martha Blake:

I have watched the One Paseo project's processing with personal and professional interest. Although I live and work in surrounding communities, I believe it is appropriate for community members in outlying areas to also comment; I believe this to be the case because decisions made by all localities - especially large projects like One Paseo - set precedence and a 'tone' for other applications in the future.

I have reviewed substantially all of the Draft EIR and I offer the following supportive comments:

- 1. I find the DEIR to be fully comprehensive.
2. The significant issues that will be strongly debated in the community - which are the primary result of the density of the project - are traffic and visual impact.
a. Traffic: I believe the project benefits outweigh the direct and cumulative unmitigated impacts of the project. This merely highlights the need for local, regional and state governments to become more fiscally responsible and better prepare for the long term needs of all citizens.
b. Visual Impact: I find it unsettling that the CEQA process has evolved to the point where the finding for Visual Impact is that it is an unmitigated impact. I consider it to be an enhancement, consistent with the retail center east of El Camino Real and surrounding office buildings, and better for the community.

Thank you,

Michael Dunham

MJD Partners, Inc. | 3670 Camino Marglesa | Escondido, CA 92025-7954

Direct Office & Cell 760-580-1708

Dunham Direct Fax 760-888-9247

cc: follow-up file

- 70.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.
70.2 As indicated in response to comment 67.1, the City Council will weigh the benefits of the project with the environmental impacts prior to making a decision to approve or deny the proposed development.
70.3 As visual impacts are a relatively subjective in nature, opinions on the magnitude of the impact will differ between individuals.

COMMENTS

RESPONSES

Ms. Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101  
RE: Project No. 193036/SCH No. 2010051073

Dear Ms. Blake,

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the One Paseo Project. I understand that the Environmental Impact Report identifies certain project impacts. However, I firmly believe that the project's benefits would outweigh the identified impacts.

The project would positively impact our community in many ways. For example, it would help the local economy by increasing employment opportunities in Carmel Valley. One Paseo would also bring new specialty stores like a Trader Joes to the area. Most importantly, it would enhance the community character by providing a true "heart" for Carmel Valley.

Thank you.

Sincerely,



5671 Willowave Lane

San Diego, CA 92130

71.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

ELKUS | MANFREDI  
ARCHITECTS

May 17, 2012

Ms. Martha Blake, Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Re: Kilroy Main Street-Project 193036

Dear Ms. Blake:

As the master planner for Kilroy Realty’s proposed project One Paseo, I am pleased to submit our technical comments for the Draft Environmental Impact Report (DEIR). For over 23 years we have been designing vibrant, pedestrian-friendly destinations in which to live, work, shop, and entertain. Many of our mixed-use planning projects have won Urban Land Institute Awards of Excellence, CNU Charter Awards, and Smart Growth Awards. As master planner for One Paseo, we believe the community benefits outweigh the impacts and the proposed plan exhibits the qualities and characteristics Carmel Valley deserves.

Today, the location of One Paseo is zoned exclusively for the construction of office buildings with unlimited height. This zoning is intended to result in a single-use office building development surrounded by surface parking. In a prime location at the crossroads of two major arterial streets and in close proximity to the I-5 freeway —this project should not be at peril of becoming an auto-focused destination, but rather a pedestrian-friendly, carefully-customized community village for Carmel Valley residents to come to live, shop, play, and work.

One Paseo will serve the community by providing space for leisure, professional, and cultural opportunities in a thoughtful and sustainable way, and will reinforce these uses by introducing housing and bringing full-time residents to the center of the project. Consistent with the goals and policies of the General Plan "City of Villages" concept, broader goals of the Community Plan, and with the SANDAG Sustainable Communities Strategy, One Paseo will be integrated with the multiple land uses surrounding the site to create a connected, compatible, and context-sensitive village at the center of its region. This mixed-use model has been proven a successful development pattern, having been tested all over the world — from

ELKUS MANFREDI ARCHITECTS LTD

[address] 300 A STREET BOSTON MASSACHUSETTS 02210 [tel] 617.426.1300 [web] WWW.ELKUS-MANFREDI.COM

72.1 Commented noted. As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

72.2 Commented noted. As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

Ms. Martha Blake  
May 17, 2012  
Page 2 of 2

72.2 cont. historic European villages and turn-of-the-century Main Streets to the newest town centers that are currently arriving in suburban communities nationwide.

72.3 California is already home to a number of exemplary town center style developments including Santana Row in San Jose - a 42-acre village of restaurants, shops, offices, hotels, houses and condominiums organized around a vibrant street scene. Another example is The Americana at Brand, located in Glendale, planned and designed by Elkus Manfredi - a 16-acre destination that provides 475,000 square feet of stores and restaurants in addition to 338 residences. The Americana at Brand's two-acre public park has become Glendale's primary gathering place for both everyday public use and a full variety of programmed events.

72.3 With floor area ratios (FAR) between 1.5 to 2.0, these two highly successful mixed-use projects originated with similar densities to the FAR of approximately 1.75 proposed for One Paseo. Currently, both of these developments are significantly adding additional housing, office and retail to the original plan. Their sustained success and continuing growth suggests that the target FAR proposed for One Paseo is the appropriate density with which to plan this new core for the community. Depending on actual location, "town center developments that feature mixed-use (residential/non-residential projects with active ground floor uses the American Planning Association (APA) recommends FAR's ranging from 3.0-5.0." (Morris 2009 76).

72.4 The proposed project for One Paseo aims to create a meaningful, diverse, community-based development which will provide Carmel Valley with something that it has been long missing: a heart for the community. We feel strongly the proposed project exhibits a balance of uses distributed among a hierarchy of public spaces which will create a vibrant sense of place, opportunities to serve multiple needs, keep cars off the streets and increase day-to-day convenience. All in all, we see One Paseo developing as a vibrant new heart for Carmel Valley.

Sincerely,  
Elkus Manfredi Architects Ltd



Howard F Elkus FAIA RIBA LEED AP  
Principal

72.3 Commented noted. As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

72.4 Commented noted. As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

Gary Lewis Evans  
4925 Caminito Exquisito  
San Diego, CA 92130

Councilmember Sherri Lightner  
City Administration Building  
202 C Street, MS #10A  
San Diego, CA 92101

Dear Councilmember Lightner,

I have lived in the Carmel Valley area since 1989, longer than many current residents. I've watched the area grow, and I continue to see great potential here. This is a wonderful place to live, though there always remains room for improvement. I am writing today because I wish to direct your attention particularly to the benefits that the proposed One Paseo development could bring to the area. This is a smart project that would do an excellent job addressing the current needs of Carmel Valley residents – and it would do so in a way that promotes smart, sustainable growth. It's not every day you see projects this well-conceived. I believe that the One Paseo project would enhance the community character of Carmel Valley.

Additional restaurants and retail options would be very welcome in our community, especially as part of a cohesive development that includes nice pedestrian paths and ample parking space. I am confident the planning for One Paseo has been done with great care and responsibility. Moreover, if approved, this endeavor would help to create many thousands of jobs. That fact alone makes the project worthwhile.

Now that the Draft Environmental Impact Report has been released, I hope the process can move forward expeditiously. Thank you for your time.

Best,  
  
Gary Lewis Evans

GARYEVANS@GMAIL.COM

73.1 Commented noted. As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

From: [Mary Everline](#)  
To: [DSD EAS](#)  
Subject: Paseo One---DEIR Comments--Project # 193036 #2010051073  
Date: Thursday, April 19, 2012 5:31:09 PM

Dear Friends,

At first I was very excited by the idea of the Main Street vision offered by Paseo One. I have now really looked into this and find a very frightening reality. The buildings are absolutely too large and out of scale with our beautiful community! Please let me know what I can do to register my disapproval with the scale of the project? At what point is the process? Are residents really in favor of this? Is it too late to stop this? Can the plan be greatly modified? This reminds me of "The Projects" in Chicago!!! Just look at Crossroads Apartments at La Jolla Village Drive on hwy 805 to begin to put this in perspective!

Please respond! I love the idea but this project is way, way too large and out of proportion and scale with our community! I have a background in Architecture and 30 years experience in Real Estate sales. I am for progress but this is beyond over the top and there is no reason we should stand for this invasion if our community. I live in and love in Carmel Valley as do my children and their children. Please advise!

My best,  
Mary Everline

--

**Mary Everline**  
**Real Estate**  
**Professional**  
[1.858.382.6300](tel:18583826300)  
[maryeverline1@gmail.com](mailto:maryeverline1@gmail.com)

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Real Living Lifestyles Real Estate  
Elegant Homes Director - Luxury Division  
1312 Camino Del Mar  
Del Mar, CA 92014  
CA DRE #00842666

74.1 The discussion in Sections 5.3 and 12.9 of the Final EIR, identifies the impacts of the Originally Proposed Project and Revised Project on neighborhood character as significant and not mitigated. The best way to register concerns about the project is to attend the public hearings where the project will be considered for approval or denial. By virtue of the fact that this comment has been submitted during the public review period, the commenter will be added to a notification list that will provide notice of upcoming hearing dates.

The applicant has the authority to modify the project during the hearing process. In addition, it should be noted that, as discussed in response to comment 5.6, the applicant has revised the project to reduce the overall intensity including reducing building heights.

COMMENTS

RESPONSES

Kenneth Farinsky  
3404 Lady Hill Rd  
San Diego, CA 92130

May 29, 2012

Martha Blake, Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Subject: Comments on the Draft Environmental Report for One Paseo,  
**Category: Transportation and Transit.**  
Project No. 193036, SCH No. 2010051073

Dear Ms. Blake,

When considering traffic and transportation for any new development, one should go back to the initial goals for that development. From the Carmel Valley Community Plan, page 50, we find that one of the community goals is to have a balanced transportation network:

To establish a balanced transportation system which is used as a tool for shaping the urban environment.

Additionally, this opening statement of the Community Plan goes on to say:

The attainment of these ideals should minimize transportation and traffic problems, the costly extension of City services and utilities, and the generally monotonous and uniform quality of development.

So, if we are developing properly, according to the ideals of the community, any new development will minimize transportation and traffic problems.

**Clearly One Paseo does not meet the goals when it comes to traffic, as, even with massive mitigation and redirecting existing traffic down alternate streets like Carmel Country Road, Carmel Creek Road, El Camino Real (both north and south), and Via de la Valle, even with these changes the traffic impacts are still labeled as significant and unmitigatable.**

How does the project help to create a balanced transportation plan, as called for in the Community Plan? See the Community plan, Commercial Element, page 80:

In order to promote a balanced transportation network, development of an interior transportation system for the town center, linkages from the town center to the residential areas and provision for a transit station site are necessary. If a balanced transportation system is to be developed, an alternative to the private automobile which is fast, cheap and convenient to use must be provided. The town center is planned to be the focal point of transportation facilities as well as the community shopping, cultural and social center. Therefore, provision of transportation facilities, pedestrian walkways and people mover systems within the town center is mandatory to the success of the overall balanced transportation goal for North City West.

75.1 The Draft EIR concluded that the project will have significant traffic impacts. The mixed-use nature of the Originally Proposed Project and the Revised Project would reflect the goals of the community plan to create a balanced transportation network. By combining employment, housing, retail, and entertainment opportunities into one development, the proposed development would enable access to these uses without having to rely on the private automobile. In addition, the enhanced TDM Plan, proposed as part of the Revised Project, would provide a number of features to encourage people to not use their cars including providing shuttle service to the Sorrento Valley transit station (Refer to response to comment 6.7).

COMMENTS

RESPONSES

75.1  
cont.

While the commercial element, above may not totally relate to the Employment Center lots, if the proposal is to convert the zone into uses more in line with the Town Center, then restrictions and objectives of the Town Center Zone should apply. Specifically, the need for an “alternative to the automobile which is fast, cheap and convenient to use” must be provided to ensure the success of the overall community. A similar statement may be found in the Industrial Office Element of the Community Plan, on p. 88:

In order to promote a balanced transportation network, development of a transportation system linking to the community is necessary. A convenient system of public transportation serving the industrial-office park is necessary if the goal of a balanced transportation network and therefore reduced automotive traffic is to be achieved. Essentially, travel to the industrial-office park will be at peak travel times, therefore, a system of public transportation could greatly relieve traffic congestion in the community.

75.2

**The Community Plan does not talk about rapid transit to distant locations outside of the community, it is specifically concerned with the development of a transportation system linking the employment center uses to the community, and it notes that this is necessary to the goal of a balanced transportation network which provides for reduced automotive traffic.**

The implication is that, without this internal network of public transportation, the traffic in the community will suffer even without the construction of One Paseo! And, indeed, this is the result we have seen in our community: Del Mar Heights Road is near capacity (this is noted within the DEIR), and any additional trips will push the balance over the edge, causing gridlock and exponential increases in wait times.

75.3

While the One Paseo marketing literature and DEIR hype the fact that there will be a single rapid bus line serving the project, this, and the project itself, do not forward the goals of a balanced transportation network as envisioned in the Community Plan. **The Community Plan specifically defines a “balanced transportation network” as something that operates within the community, and includes “fast, cheap and convenient” service.**

75.4

**It is clear that the One Paseo development does nothing towards creating a “balanced transportation network”, as defined in the Community Plan. In fact, the project does exactly the opposite – making it significantly harder to get from the outlying areas of the community in to the Town Center and to the Employment Center. One Paseo is NOT consistent with the transportation goals in the Community Plan.**

75.5

A rapid bus line by itself only serves to transport a limited group of people, largely serving outside residents who are going to and from the project, and serving residents of the project itself going to and from locations outside of the community. It is likely that this rapid bus line will only make one or two stops within Carmel Valley, likely along El Camino Real. The implication is a single stop at the proposed One Paseo transit station for the southbound bus, and a single stop across the street at some location adjacent to the Del Mar Highland Town Center shopping area for the northbound bus. There may also be a similar stop along El Camino Real near the Marriott Hotel and SR-56.

The proposed "rapid bus line" for this development would not actually help any local residents access this project. Most likely, it would only help residents of the project access remote employment centers or shopping destinations.

75.2 As noted in the previous response, the proposed TDM Plan would help achieve the Community Plan’s goal of linking internal elements of the community with each other.

75.3 As noted in response to comment 75.1, the proposed TDM Plan would help achieve the Community Plan’s goal of linking internal elements of the community with each other.

75.4 As noted in response to comment 75.1, the proposed TDM Plan would help achieve the Community Plan’s goal of linking internal elements of the community with each other.

75.5 The statement that the rapid bus system would primarily benefit regional travel is correct. However, it should be noted that the conclusions of the traffic analysis were not dependent on the rapid bus system serving the project and the community.

COMMENTS

RESPONSES

75.6 **For these rapid bus stops, it should be noted that neither location is particularly near large numbers of existing residences, nor are they near established park-and-ride locations, so the idea that this bus will be “serving the community” is incorrect.**

Instead, this bus will serve workers in the Employment Center who live north or south of Carmel Valley, allowing them to commute into the area. While this may slightly reduce the number of cars on local streets, it does nothing to provide the type of local transit envisioned by and required by the Community Plan.

75.7 **If the project included enough parking spaces to be considered a park-and-ride facility, then the transit might actually allow Carmel Valley residents to park at the One Paseo development and use transit to access their remote employment center. However, such an arrangement would require additional parking and could substantially increase traffic at the site during rush-hour.**

**The traffic increase and parking requirements for a park-and-ride facility should be studied in the DEIR.**

75.8 **The Community Plan doesn't even consider transportation like the “rapid bus”, because the community is meant to be self-contained.**

75.9 So, the important transportation goal of the Community Plan is internal public transportation, a means of getting from the outlying residential areas to the Town Center or to the Employment Center. It is clear that the provided transit does not meet the objectives of the Community Plan, and the One Paseo development does nothing to forward these transit goals.

The Strategic Framework of the San Diego General Plan notes on page SF-3 that:

There are many factors to consider when designating village sites including the capacity for growth, existing and future public facilities, transportation options, community character, and environmental constraints.

75.10 Related to transit is the Policy LU-A.4, which states:

Policy LU-A.4: Locate village sites where they can be served by existing or planned public facilities and services, including transit services.

Again, the DEIR claims that, since there will be a single, rapid bus line available to the community at some point in the future (it's in the 2030 or 2050 plan!) The DEIR goes on to incorrectly assert that, because of this single future line, the need is met and the project is consistent with the council policy. **However, the intent of the policy is that adequate transit be available at the site, not just any transit.** Other village centers in the City that have far less density and far fewer uses, such as the Uptown District in Hillcrest, are served by more transit lines and more nearby freeways.

75.11 **If the transit available to the Uptown District only supports a far lower intensity of development, then why should the proposed location, with a single rapid bus line and no internal transit at all, support a significantly greater intensification of village development?**

75.12 **When no current public transportation exists, and the planned services are inadequate for the proposed development, and there is no internal transit network within the community, why does the DEIR consider the One Paseo development consistent with LU-A.4?**

75.6 As noted in the previous response, the rapid bus system would benefit regional rather than intra-community travel.

75.7 A park and ride facility is not proposed as a component of the Originally Proposed Project, the Revised Project, or any of the project alternatives. Therefore, the Draft or Final EIR does not evaluate this type of facility and associated environmental impacts.

75.8 The Community Plan does not address rapid bus service because this service was not envisioned by SANDAG at the time the Carmel Valley Community Plan was prepared. Nevertheless, while serving regional travel needs, rapid bus service to the Carmel Valley community would benefit the community by reducing the number of automobile trips in the community related to regional travel destinations and afford the community the opportunity to use public transportation.

75.9 As noted in response to comment 75.1, the proposed TDM Plan would help achieve the Community Plan's goal of linking internal elements of the community with each other.

75.10 As discussed in response to comment 10.40, the City of Villages Strategy in the City's General Plan does not require that regional transit service be immediately available to proposed village developments. The General Plan indicates that future transit service is acceptable as long as a source of funding is assured. As discussed in response to comment 10.40, the 2050 RTP, the long-range transportation plan for the region, indicates that funding for Bus Route 473, which would serve the Originally Proposed Project, is anticipated to be available by the year 2030.

75.11 As indicated in response to comment 10.40, the Originally Proposed Project is not dependent upon the availability of bus service and the benefits attributed to mixed-use projects (e.g., reduced automobile trips) would accrue from the Originally Proposed Project regardless of the timing for bus service. The same situation would apply to the Revised Project.

75.12 Refer to response to comment 63.258.

75.13 In addition, the Community Plan states of the Town Center that, “The core area must also be easily accessible by the automobile.” Given that one of the major impacts of the One Paseo development is gridlock within the Del Mar Heights corridor, it is clear that the One Paseo project breaks this requirement of the Community Plan and the implied covenant that the City has with the community to keep this area accessible.

75.14 If the City approves this project and the development causes unacceptable delays throughout the Del Mar Heights Road corridor, as is foreseen in the DEIR, then the City has broken an agreement between residents and the City, where residents relied on the information available in the Community Plan when purchasing their homes. It seems to me that, if the City breaks this core contract with local residents, then the City may be liable for any damages incurred.

75.15 **One Paseo is inconsistent with the Community Plan when it comes to transportation.**  
This inconsistency has been reached before many additional off-site impacts are considered. For example, the study does not include the additional 150,000 sq ft of retail space approved for development at the Del Mar Highlands Town Center. Just because there is not a current project associated with this development does not mean that the impact should not be considered. Since the additional retail space is already approved, it should be included in every traffic study.

75.16 Similarly, the traffic study does not include the significant loss of a parking lot at the Fairgrounds, where the Fair Board has agreed to convert a parking lot into open space. This will cause the fair to rely more on off site parking, likely the lots at CCA and Torrey Pines, creating additional trips as people drive to and from these lots, and additional busses as the people are transported to the fair. The study does consider additional parking at the fairgrounds due to the 2008 Master Plan changes, but not the new reality at the fairgrounds parking lots.

75.17 Kilroy talks about having a shuttle to various neighborhood office buildings to ease vehicular traffic at the center at lunch (perhaps?). The details of this shuttle are not set, but it is included in the discussions within the DEIR. Does this change the current traffic estimates?  
If this shuttle is an important part of their traffic mitigation, then an exact route should be set, along with times of operation. Additionally, if the shuttle impacts any of the traffic estimates, then it should be a required element of the project approval, with routes, stops and schedules adopted along with the project approval. Additionally, Kilroy should be required to pay for the shuttle's operations for as long as the center remains operational.

**Traffic impacts on surrounding neighborhoods**

In discussing the selection of Alternative “A” as the preferred plan, the Carmel Valley Community Plan makes this statement about traffic and transportation:

The creation of a balanced transportation system can also be best accomplished by Alternative "A". The land use arrangement best encourages the development of a public transit system to decrease dependence upon the major street network. In addition, the major street pattern allows for the creation of identifiable neighborhood units which are not penetrated by large amounts of vehicular traffic.

75.13 This comment seems to imply that “easily accessible” requires that roadways serving future development be free of congestion. The City believes the term is referencing the proximity of future development to the regional roadway network. The site’s proximity to I-5, Del Mar Heights Road, and El Camino Real fulfill the intent of “easily accessible.”

Furthermore, although Table 5.2-34 of the Draft EIR concluded that the section of Del Mar Heights Road between I-5 and High Bluffs Drive would operate at an acceptable level of service in the future without the project, Table 5.2-35 of the Draft EIR indicated that level of service at the intersections of Del Mar Heights Road with High Bluff Drive and the I-5 northbound ramps would be unacceptable. As intersections normally determine flow of traffic, portions of Del Mar Heights Road will be congested whether or not the Originally Proposed Project or the Revised Project is approved.

75.14 As discussed in the previous response, congestion along Del Mar Heights Road is anticipated with or without the proposed development.

75.15 As discussed in responses to comments 10.158, the potential future expansion of the Del Mar Highlands Town Center was analyzed in the traffic study.

75.16 The traffic study for the Originally Proposed Project and the Revised Project considered and included traffic generated by the 22nd District Agricultural Association 2008 Master Plan (Del Mar Fairgrounds/Racetrack) as a cumulative project (refer to page 7-8 of the traffic study). Traffic potentially created by Fairgrounds overflow to off-site parking locations is not expected to be significant. Although the Fair Board agreed in late 2012 to convert the south dirt parking lot on Jimmy Durante Boulevard to open space, this overflow lot is only used during the San Diego Fair and peak horse racing days. While the lot has been used in the past for employees during the horse racing season, there is surplus parking elsewhere on the Fairgrounds site to accommodate employee parking. Shuttles are only used on weekends during the 24-day San Diego County Fair. Therefore, off-site parking lots would only experience increased usage on weekends and only a few days per year. In addition, Canyon Crest Academy and Torrey Pines High School are only two of the many off-site lots utilized by the Fairgrounds, thus increased shuttle usage traffic to these off-site lots is not expected to be significant. Peak-period weekday traffic would not increase due to the Fairgrounds parking lot closure, since the parking lot closures do not generate traffic.

COMMENTS

RESPONSES

75.16 Therefore, no change to the traffic study results would result from the cont. recent decision to close the south dirt parking lot.

75.17 The proposed shuttle does not change the traffic estimates. The shuttle is not proposed as mitigation, but rather a service for on-site residents, employees, and patrons to provide connections to nearby activity centers and transit services.

COMMENTS

RESPONSES

- 75.18 **One should note the concern about “identifiable neighborhood units which are not penetrated by large amounts of vehicular traffic”, because One Paseo does not meet this goal, either internally or through its impact on the rest of the community.**  
 One Paseo creates a community where the main street itself will be subject to traffic jams, with major internal streets supporting many thousands of trips per day. Continual traffic and auto exhaust will not make for a pleasant experience when shopping or dining on Main Street, and the excessive traffic will back up onto surrounding major streets, causing traffic headaches that extend into the surrounding neighborhoods.
- 75.19 This traffic that extends out to Del Mar Heights Road and El Camino Real will cause back ups for long distances, forcing people to search for alternative routes through the community. The impacts can be indirectly seen in the DEIR, where additional traffic impacts are shown on far-away streets like Carmel Creek Road, Via de la Valle, and even down to SR-56. Additionally, further impacts are hinted at (but not studied) in surrounding communities and neighborhoods. For instance, the Neighborhood 3 entrance at the corner of Del Mar Heights Road and High Bluff Drive will suddenly be faced with an additional left turn lane from eastbound Del Mar Heights Road onto northbound High Bluff Drive, and a narrowing of the center median of northbound High Bluff Drive.
- 75.20 **If the One Paseo project includes a mitigation measure to widen the eastbound left turn lane on Del Mar Heights Road at High Bluff Drive, and to widen the entrance on High Bluff Drive into Carmel Valley Neighborhood 3 (High Bluff northbound), why is there no traffic study to determine the traffic impact on Neighborhood 3?**
- 75.21 **Also, if the One Paseo project includes a mitigation measure to widen the entrance on High Bluff Drive into Carmel Valley Neighborhood 3, where the center median is considered community open space in the Neighborhood 3 precise plan, why is there no proposed amendment to the Neighborhood 3 precise plan?**
- 75.22 **If the One Paseo project mitigation requires taking open space from Carmel Valley Neighborhood 3, where the center median is considered community open space, is this action considered a condemnation action and should the Neighborhood 3 homeowners groups have been notified about the action before the mitigation was considered?**
- 75.23 **Changes to traffic moving northbound onto Hartfield Ave. from Del Mar Heights Road and from Carmel Country Road should also be studied. Additional trips cutting through this residential neighborhood and their impact on local residents should be included in the DEIR. People already cut through side streets to Quarter Mile Road and Half Mile road to avoid Del Mar Heights Road, One Paseo should make this impact worse, both from High Bluff and from Hartfield.**

75.18 Intersections along Main Street internal to the project have been analyzed and are projected to operate at acceptable levels of service (refer to Figure 14-8 of the traffic study). In addition, the project has been designed to locate parking structures directly off First and Third Avenue as well as El Camino Real. This would allow vehicles direct access to parking so they would not have to circulate on Main Street.

A queuing analysis for Del Mar Heights Road at First Avenue and Third Avenue is included in Section 14.2 on page 14-12 of the traffic study. The analysis shows adequate storage capacity for vehicles entering the site from Del Mar Heights Road.

75.19 The proposed development would add traffic to Del Mar Heights Road and other streets within the community, as well as freeways. In addition, cumulative growth in the area over time would contribute additional trips onto local streets. The proposed development includes mitigation improvements on Del Mar Heights Road as well as other locations in the community, as detailed in Table 1-29 of the traffic study.

Further, the proposed eastbound to northbound dual left-turn lane improvement onto High Bluff Drive from Del Mar Heights Road, referenced in this comment, is proposed to maximize the efficiency of the signalized intersection. The eastbound dual left-turn lanes on Del Mar Heights Road would also provide additional storage so that vehicles turning left do not block through traffic on Del Mar Heights Road. The existing traffic volume on High Bluff Drive just north of Del Mar Heights Road is 7,050 ADT. With a capacity of 10,000 ADT on this roadway, the volume to capacity ratio (v/c) would be 0.71 with level of service D. The Originally Proposed Project would have added 808 ADT on High Bluff Drive. When this traffic (808) is added to 7,050 ADT, the total traffic would be 7,858 ADT. This represents a v/c ratio of 0.78 with level of service D, an acceptable level of service. Thus, this segment would not be expected to significantly impacted as a result of project traffic because the segment level of service would remain at LOS D. The Revised Project would contribute approximately eleven percent fewer daily trips to this segment.

75.20 Refer to response to comment 5.2.

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75.21 A landscaped ornamental median is considered part of a street section rather than being classified as open space by the Carmel Valley Land Use Plan (see Figure 5.1-1 in the Draft EIR). Consequently, an amendment to the Neighborhood Three Precise Plan is not required.

75.22 The area referenced in the comment was previously deeded to the City with the construction of Del Mar Heights Road. No condemnation is necessary, and a condemnation process involving Neighborhood Three residents is not required.

75.23 Refer to response to comment 5.2.

**Carmel Valley is meant to be a self-contained community**

The Community Plan's top two goals are:

- 1. To establish a physical, social, and economically balanced community.
- 2. To establish self-containment and feeling of community identity among the future residents of North City West.

That is, the community desires a self-contained community with its own identity, where there is balance in the development.

To this point, Carmel Valley has done fairly well meeting this vision. The area has established its own identity, independent of Del Mar and the other surrounding neighborhoods. While the surrounding neighborhoods depend on Carmel Valley for certain amenities and services, the community has not become a regional shopping attraction. We are fairly self-contained, with our own shopping, dining, recreation and government services, largely serving only the immediate area. And, the community is reasonably balanced, with a number of independent retail and office centers, and diverse recreational opportunities.

The One Paseo development promises to undo all of these goals with a single project approval. Suddenly, a massive weight of regional growth will be thrown into a single location, throwing off the balance by cramming too much development in too small of an area. Adjacent schools and parks will be overloaded, and streets will cease to function, throwing additional burden on remote locations. Drawing in remote shoppers with the regional center will break the notion of self-containment, and the community's identity will be forever changed.

One Paseo trashes the vision of the community, and breaks all of the community goals. The notion that this is somehow "good" for Carmel Valley is laughable.

One of the major goals of the community is to be self-contained, so that the developments in the community are designed to serve the community. The Community Plan itself opens with this vision statement:

The ideal of new community development is that it provides economic and cultural activities to serve the residential population, and that this population be provided a living choice in a variety of housing types within all social and economic ranges.

Specifically, the statement notes that community development provides economic and cultural activities *to serve the residential population*. The vision is that development should serve the population of the local community, it is not meant to be a regional draw. **Again, looking at point 2 of the community goals, we see the same statement, "To establish self-containment and feeling of community identity among the future residents of North City West."**

Self-containment. Economic and cultural activities to serve the residential population.

**So, why is Kilroy proposing to build a development where the traffic studies show nearly 15,000 of the 26,000 overall automobile trips generated are to and from locations outside the community?**

Here is a map that shows the information. There are only a few roads leading in and out of the traffic study area, so counting traffic from outside of the Carmel Valley Community is fairly simple. If this

75.24 The Draft EIR acknowledged that the Originally Proposed Project would have significant impacts on local traffic and neighborhood character. However, as discussed in responses to comments 63.168 through 63.170, the Originally Proposed Project would not have a significant impact on local parks. Similarly, the payment of school fees would avoid significant impacts to local schools. As discussed in Section 12.9 of the Final EIR, this same conclusion would apply to the Revised Project.

While the retail and employment elements of the project would attract trips from the region and the local community, these trips would primarily access the site via I-5 and, thus, not generally penetrate into the Carmel Valley community. Although regional access would, to a lesser degree, also occur along El Camino Real, the traffic would not occur on the local streets within the Carmel Valley community.

With respect to the issue of self-containment, it is important to consider the fact that the commercial office development along the western portion of the community draws employees from outside the community. Similarly, the Del Mar Highlands Town Center shopping center attracts trips from outside the community. Thus, these attributes associated with the proposed development would not be without precedent in the Carmel Valley community.

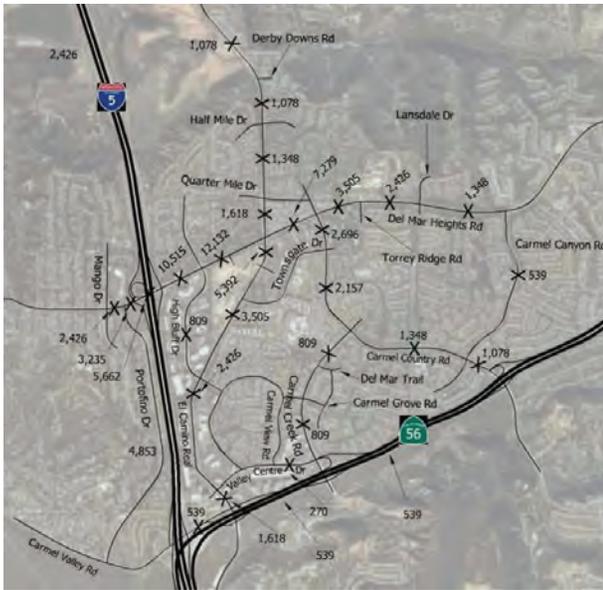
75.25 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

75.26 Project traffic leaving the Carmel Valley community would consist of approximately 12,100 ADT, based on Figure 3-4 of the traffic study for the Originally Proposed Project. The traffic study analyzes traffic within the community as well as outside the community, based on the study area defined by the City guidelines. The City's Municipal Code (Land Development Code) characterizes the type of shopping center

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project was serving mainly the local population, then the majority of the trips generated would stay within the community. However, it is clear that the majority of trips are related to outside sources:



If this is the case, and nearly 60 percent of the traffic generated by this project is from outside of the community, then we must call this center a “regional draw” or “regional facility.” A regional facility, by definition, is not focused on the community residents, it is not adding to Carmel Valley’s goal of self-containment.

75.26 cont.

**This development violates the spirit and vision of the Community Plan, and goes against the plan’s goal of self-containment.**

**Traffic mitigation does not move additional traffic**

The traffic mitigation proposed by One Paseo often does nothing towards actually moving more traffic out of the area. Instead, extended and widened ramps are used to queue up additional cars, much as the lines at Disneyland. For example, the Ramp Meters mitigation consists of enlarging the ramps so that more cars can be stored in the space. That is, they’re not doing anything to improve traffic, they’re just stacking more cars on the freeway ramps.

This additional stacking of cars will leave increasing number of vehicles idling near residential locations, creating additional air pollution. While the DEIR studied air quality impacts from within the project, it did not study impacts outside of One Paseo, such as all of these additional cars queued up on Del Mar Heights Road, El Camino Real and the freeway ramps (both on ramps and off ramps) of I-5. This additional pollution could be significant, given the large increase in wait time predicted by the DEIR.

75.26 (community or regional) by the amount of gross leasable floor area, type of commercial land uses within a shopping center, and overall land area for the shopping center, as well as expected market radius, not by trip generation characteristics.

75.27 As discussed in response to comment 75.24, the Carmel Valley community already has land uses which attract regional trips. Thus, the proposed development would not conflict with the goals of the Community Plan with respect to the relationship of the Carmel Valley community with surrounding communities.

75.28 The addition of a lane on an on-ramp does improve traffic in that queues are more maintained on the ramp and are less likely to back-up onto the bridge and negatively impact through traffic on the bridge. It is acknowledged that for a ramp meter, the only way to move traffic more quickly is to increase meter rates. However, only Caltrans can change meter rates.

75.29 As discussed in response to comment 15a.155, the Draft EIR evaluated air quality impacts that could occur off-site. The only potential localized source of air pollution related to the project that could occur off-site is

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75.29 associated with carbon monoxide (CO) hot spots, which can result from cont. increased engine idling in slow or stopped traffic. As identified in Table 5.5-14 and 5.5-15 in the Draft EIR, the CO concentrations in the vicinity of the project, including the increase in traffic from the Originally Proposed Project, would not exceed established threshold levels. Thus, the Originally Proposed Project would not have a significant localized air quality impact. Due to the fact that traffic congestion would not increase, the Revised Project would also not have a significant impact on local levels of CO.

75.30 **Why does the DEIR not study the additional pollution and impacts to air quality caused by the additional queuing of cars on the I-5 ramps, and the impacts of this pollution on the adjacent residents?**

75.31 Note that Carmel Valley is a planned community, with streets, parks, commercial & residential uses designed to support each other. However, we already find our streets, parks, and library can't handle the existing development. Adding significant traffic to the area will not help.

75.30 As discussed in response to comment 15a.155, the Draft EIR did consider localized air quality impacts resulting from increases in traffic in the form of CO, and determined that CO levels with traffic related to the Originally Proposed Project would not exceed allowable levels. Motor vehicles in California will be subject to regional emissions control strategies. As discussed on page 6-7 of the Draft EIR, the Originally Proposed Project would not result in cumulative air quality impacts with respect to other criteria pollutants for which the SDAB is out of compliance. Due to the fact that traffic volumes would decrease, the Revised Project would also not have a significant cumulative impact on air quality. The SDAB is considered to be a nonattainment area for the 8-hour NAAQS for ozone and a nonattainment area for the CAAQS for both ozone and PM<sub>10</sub>. Section 5.5, Air Quality, analyzed operational air quality impacts under buildout conditions. Based on the analysis in that section, the Originally Proposed Project would not generate operational emissions that would exceed the thresholds for criteria pollutants, including ozone precursors (VOCs and NOx) and PM<sub>10</sub> (refer to Table 5.5 10 in the Draft EIR). Therefore, contribution to the increase of these criteria pollutants from the proposed development, in combination with the cumulative projects, would not be cumulatively considerable.

75.31 The effects of the proposed development on traffic in the area are discussed in Section 5.2 of the Draft EIR. The results of the analysis in the EIR confirm the comment that the Originally Proposed Project would affect traffic congestion in the community. However, the only segment that would be significantly impacted after mitigation would be that portion of Del Mar Heights Road between High Bluff Drive and I-5.

75.32 The goal of the proposed development is to encourage residents, patrons and employees within the proposed development to walk or ride to components within the proposed development. It need not facilitate the ability of the surrounding neighborhood to walk or bike to the Originally Proposed Project.

**Walkability**

Returning to the Strategic Framework on page SF-3:

The [City of Villages] strategy calls for redevelopment, infill, and new growth to be targeted into compact, mixed-use, and walkable villages that are connected to a regional transit system.

While the Community Plan calls for a local transit system, serving the community and providing connections between the immediate neighborhoods and the village center, this definition is discussing a regional transportation system. One can only assume that the idea here is for people to walk to the village so that they can use the regional transit system, which implies that the term “walkable villages” means something more than just being able to walk around within the village itself.

**When considering walking distance to the development from surrounding residential units, one must specifically consider the actual distance using local streets, trails and paths. One must never use a simple half-mile circle from the development, as pedestrians are not able to follow such a simple path, and it understates the actual distance.**

How does Carmel Valley stand on the ability to walk to this proposed development? To determine this, one would have to study the number of people in the community that were able to walk to this location, but the DEIR is silent on this important fact.

**Why doesn't the DEIR study the number of people in the community who will be able to walk to this new One Paseo center?**

75.32 Given the accepted standard of one-half mile as being the limits of “walking distance”, you might find that about 1,500 units were within walking distance, or about 4,100 people. This is a bit over 10% of the population, leaving over 30,000 people in their cars.

However, even this statistic distorts the reality of the situation. When considering who is going to walk to a given store, theater or restaurant, one must consider that people living closer are more likely to walk, and people living farther are less likely. So, one is most likely to walk if the distance is under a quarter mile, or perhaps one third of a mile. As you approach the half-mile mark, the percentage of people who will walk falls off dramatically.

**The fact is, almost no people in Carmel Valley live within a one-third mile walk from the center of One Paseo! Certainly no one lives within a quarter-mile walk. The people who do live within that half-mile “walking distance” are almost all are near the limits of that magical half-mile cut-off, so a large percentage of them will choose to drive.**

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- 75.32 cont. } Since there is no available transit, driving becomes the only option.
- 75.33 } **How does the proposed One Paseo development contribute to the walkability of the existing residents and existing development in Carmel Valley? It doesn't. Not at all.**  
 Sure, the project is walkable internally, and the new residents will be able to easily access all of the facilities without having to use a car. This will provide some reduction of automobile trips caused by the 1,666 new residents, but the benefit to the existing 36,000 residents of Carmel Valley is almost zero.  
**Given that the intent of the walkability of villages in the Strategic Framework is to make the village more walkable from the rest of the community, and that One Paseo is not walkable from almost anywhere within Carmel Valley, how can this project be considered walkable?**
- 75.34 } The DEIR notes on page 5.1-10 that the 2050 Regional Transportation Plan seeks to, "...guide the San Diego region toward a more sustainable future by integrating land use, housing, and transportation planning to create communities that are more sustainable, walkable, transit-oriented, and compact..." However, One Paseo does nothing to make Carmel Valley more walkable, its really is only walkable within the project, not outside the project (much as the Del Mar Highlands Town Center is walkable within the boundaries of the center.) The vast majority of people who visit this project, both from within Carmel Valley and from the Region (as it is a regional development) will have to drive in.
- 75.35 } **Since the DEIR makes claims about the walkability of the project, it should include a survey of how many existing residents will find this within "walkable distance" as defined by a standards organization such as the EPA or SANDAG, generally one-half mile by existing streets or paths.**

- 75.33 As discussed in response to comment 75.32, the Originally Proposed Project need not facilitate the ability of the surrounding neighborhood to walk or bike to the Originally Proposed Project.
- 75.34 As discussed in response to comment 75.32, the Originally Proposed Project need not facilitate the ability of the surrounding neighborhood to walk or bike to the Originally Proposed Project.
- 75.35 As discussed in response to comment 75.32, the Originally Proposed Project need not facilitate the ability of the surrounding neighborhood to walk or bike to the Originally Proposed Project.

**Walkability and Safe Routes to School**

Many of the children within the One Paseo development will find themselves walking to nearby public schools in the Solana Beach School District and the San Dieguito Union High School District. Solana Pacific, a 5-6 grade elementary school, is within one-half mile of the project, and Solana Highlands, a K-4 elementary school is right at the one-half mile "walkable" distance. Just outside of that one-half mile range are additional schools, such as Carmel Creek elementary, Carmel Valley Middle School (which covers 7-8 grade) and Torrey Pines High School. To round out the various school levels, the Del Mar Highlands Town Center, located just across the busy El Camino Real, also has a pre-school.

- 75.36 } It should be noted that walking to any of these schools requires children to cross one or more busy streets, and "busy streets" doesn't mean a simple four-lane connector with average traffic, it means six-lane major arterials that are at or over capacity! For instance, the Del Mar Heights Road corridor around the I-5 freeway intersection is considered one of the busier streets in San Diego. By 2030, Del Mar Heights Road and many other streets in Carmel Valley are projected to be significantly busier than the current conditions, and depending on the approved development in One Paseo and on the connector design of the I-5 to SR-56 freeways, the streets crossed by students could be exponentially busier than they are now.
- 75.37 } The assumption is that there will be a large number of children living in the One Paseo residential units, perhaps 400 to 500 children, of which, many will be school aged and walking to school. Unfortunately, the developer chose to omit any study of how many school children might be generated from the One Paseo development, or any impact to schools. The reasoning behind this is that state law allows the

- 75.36 As discussed in response to comment 7.4, the Originally Proposed Project would not result in a significant safety hazard to school children attending the schools serving the project area.
- 75.37 Detailed information on the number of school-aged children generated by the Originally Proposed Project, local school capacity, and expected enrollment is included in response to comment 7.11.

developer to pay a school fee to mitigate any impact to schools, therefore they felt safe not even studying the issue.

75.37  
cont.

**However, just because you can mitigate a situation does not remove the requirement to study the impact. Kilroy must provide a complete study of the number of school children generated by their project and their impact on local schools. Why does the DEIR not include this study of impact to local schools?**

Given the fact that these students will be walking to school across streets that are busier because of impacts caused by the project itself, the study of school aged children should include the number of children that might be in pre-school. This will help determine if there will be an impact to these children and parents walking to nearby pre-schools.

75.38

**Once the number of children walking to school are known, the DEIR should then study how safe it is for these children to walk to school. This should include studies by grade-level: pre-school, elementary, middle school and high school. The study should include information on safe routes to school for each possible destination, including likely crossing points on busy streets.**

Such studies should be comprehensive, including information on traffic safety, air quality, etc.

75.39

One should note that the Torrey Pines High School Falconer magazine already has an article about Torrey kids heading to lunch at the new One Paseo center. Given the limited time they have for lunch and the increased distance they would have to travel compared with the Town Center, what additional traffic and safety issues will arise based on Torrey Pines High School students heading to the center for lunch? There is already an impact when this happens at the Town Center, has it been studied or considered at One Paseo?

**Impact of Additional Pedestrians on Nearby Traffic**

While creating walkable communities is a laudable goal, one must remember that additional pedestrian traffic can have a large impact on automobile traffic. For instance, all these students walking to and from school, crossing busy intersections, can cause traffic nightmares. Pedestrians change signal timing, pressing the walk button and causing delays in signal cycles. This impact can already be seen around Torrey Pines High School in the mornings and afternoons, with hundreds of children crossing busy streets to access the school, their homes and the local shopping plazas.

75.40

The DEIR needs to study these impacts, much as a traffic study would evaluate the impacts of automobile trips. The studies should remember that a parent walking their child to school will generate two “walking trips” for each direction of the walk – the parent walks the child to school and returns home. Later, the parent returns to the school and returns home with the child. This is for trips per day for a single child walking to elementary school. Additionally, a parent walking a child to school may choose to later return to the school to volunteer in the classroom, generating more “trips”. Similarly, there should be studies of nearby residents walking to shop, dine, work or attend the theater. Other reasons for walking might include children and adult sports teams, people walking from One Paseo to the Town Center, and residents just walking to the plaza to mingle.

Such studies should include time-of-day information, so that the impact on traffic can be readily calculated. For instance, some of the busiest times on Del Mar Heights Road are morning rush-hour, lunch, and after-school. Unfortunately, these are also the times that many people might consider

75.38 As discussed in response to comment 7.4, the Originally Proposed Project would not result in a significant safety hazard to school children attending the schools serving the project area.

75.39 As discussed in response to comment 7.4, the Originally Proposed Project would not result in a significant safety hazard to school children attending the schools serving the project area.

75.40 A detailed pedestrian study is not warranted. The traffic study takes into account the effect of pedestrian activity on traffic flow by utilizing assumptions for the anticipated number of future pedestrians crossing area streets. As referenced in the methodology discussion on page 4-4 of the traffic study, the Synchro 7 program was used to analyze intersection operations, taking into account pedestrian crossing times. This computer program facilitates analysis of intersection operation consistent with the industry standard Highway Capacity Manual methodology. Signal timing values used in the intersection analysis take into account the effects of pedestrians of all types. Specifically, the pedestrian “walk” and “flashing don’t walk” timings are included as a default value in the Synchro settings when completing an intersection analysis. These timings are accounted for in the calculation of green times for each intersection phase. If a

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75.40  
cont.

walking. Children walk to school during morning rush hour, requiring them to cross Del Mar Heights Road or El Camino Real could make the rush hour traffic significantly worse.

The DEIR should include a "traffic map" of pedestrians. That is, since this is supposed to create a more walkable community, there should be estimates made of how many people will be walking to the center at various times of the day, especially during heavy use periods like morning rush hour, lunch, and evening rush hour.

**Why doesn't the DEIR include a complete walking study for the One Paseo development, and the impact of this additional pedestrian traffic on the surrounding automobile traffic?**

**Traffic inside the One Paseo development**

In the DEIR traffic appendix Apps\_Part\_2.pdf on page 4-10, Table 4-3 is a table of roadway classifications and levels of service given various daily trips. For a multifamily collector or a commercial collector, 2 lanes, the trip count for Level of Service "E" is 8,000 trips per day. Inside One Paseo, at least one of the internal collectors that includes the assumption of lots of pedestrian foot-traffic, signals or stop signs at the end of each segment, parallel parking on both sides of the roadway, is only 2 lanes wide. I assume this road will operate similar to this 2 lane collector, if not worse.

75.41

**Given that the trips per day on this small internal collector is over 9,000, and LOS "E" is at 8,000, how can this roadway possibly handle the traffic?**

**Why doesn't the DEIR give Level of Service values to the interior intersections of One Paseo, especially given the fact that Main Street appears to be beyond capacity in traffic projections?**

**I-5 & SR-56 Connector Project**

75.42

The One Paseo 2030 projections assume that the direct connectors between I-5 and SR-56 will be built. If this assumption turns out to be wrong, then traffic figures will be significantly worse. For instance, 9,000 additional trips could be added to Del Mar Heights Road between High Bluff and I-5. This would take the daily trips on this segment, assuming build-out of One Paseo, to 71,300 trips, on a roadway with a capacity of 60,000 trips. This is more than 10 percent worse than the case considered in the One Paseo traffic study, which chose the best-case result of the SR-56 traffic study.

Similarly, the traffic mid-block at One Paseo jumps from 54,902 to 62,000, and the traffic at Signature Point jumps from 46,189 to 53,000 trips.

75.43

**How can the City allow the One Paseo DEIR to only show the 2030 Traffic Counts from the best-case SR-56 Connector scenario (direct connector), when the other options for the SR-56 Connectors show significantly worse traffic on Del Mar Heights Road, with increases between 4,000 and 10,000 cars per day?**

**Shouldn't the One Paseo DEIR be required to include all the possible impacts from the SR-56 Traffic Study, as this information was available before the scoping documents for the One Paseo DEIR were developed.**

75.40 pedestrian phase is activated in Synchro, the minimum "split" (i.e. the cont. minimum time that the signal would be green) is defined as either the minimum green plus yellow plus all red or the minimum "walk" plus "flashing don't walk" plus yellow plus red (whichever is greater).

In most cases, the pedestrian crossing time controls the green time for each direction of traffic, and is longer than the vehicle timing assumption because pedestrian crossings slow the operation of the intersection. In the project analysis, the minimum green time accounts for a pedestrian crossing in every cycle for every roadway leg at the intersection. This is a conservative assumption. In most cases, pedestrian crossings would not occur during every signal cycle for every leg. Nevertheless, to address a potential increase in pedestrian activity as a result of the proposed development the analytical assumptions accounted for increased pedestrian traffic in the future as suggested in the comment.

75.41 Main Street is considered and referenced in the traffic study as a driveway rather than a two-lane Collector because it would be a private roadway, not a public street. Main Street would have a curb-to-curb width of 52 feet, and would be similar to a two-lane Collector with a two-way left-turn lane, which has a LOS E capacity of 15,000 ADT. At project build-out for the Originally Proposed Project, Main Street between First and Second Avenue was projected to carry 9,167 ADT, as shown on Figure 14-7 in the traffic study. This volume would decrease with the Revised Project. Based on Table 4-3 in the traffic study, Main Street at buildout would operate at an acceptable LOS C. The internal intersections along Main Street were analyzed and results included in Figure 14-8 of the traffic study.

75.42 The proposed I-5/SR-56 interchange project was initially studied in the 1980s by Caltrans. At that time, Caltrans concluded that the project was not warranted, based on forecasted usage and costs. With subsequent changes to the City of San Diego's General Plan in 1998, allowing development of the area known as North City Future Urbanizing Area, the City asked Caltrans to revisit the need for freeway-to-freeway connections based on the updated traffic forecasts associated with greater development in the area. As a consequence, in 2007 SANDAG included the I-5/SR-56 interchange project in its 2030 San Diego RTP, anticipating funding and construction of the project by year 2020. The interchange project was included in the 2010 Regional Transportation Improvement Program (RTIP), a five-year program of major highway, transit arterial, and non-motorized projects funded by federal, state, TransNet local sales tax, and

75.42 other local and private funding sources. The southbound connectors were cont. approved and constructed.

The interchange project is sponsored by Caltrans, SANDAG, and the Federal Highway Administration. The City is an interchange project proponent. In May 2012, Caltrans published a Draft Environmental Impact Report/Environmental Impact Statement addressing the interchange project. The interchange project is proposed to maintain or improve the existing and future traffic operations along the I-5 and SR-56 corridors, including major arterials and local streets within the Carmel Valley community.

In assessing the long-term cumulative impacts of the proposed development, the City would exercise its discretion to consider foreseeable changes and expected future conditions in order to intelligently understand the project's impacts over time. The CEQA Guidelines provide for consideration of such potential future conditions. The traffic study for the proposed development used the traffic volumes from the I-5/SR-56 Northbound Connector study to maintain consistency with other studies, such as the I-5 North Coast Corridor Project. Refer to Appendix S of the traffic study for a Year 2030 volume comparison between the three traffic studies.

75.43 Main Street is considered and referenced in the traffic study as a driveway rather than a two-lane Collector because it would be a private roadway, not a public street. Main Street would have a curb-to-curb width of 52 feet, and would be similar to a two-lane Collector with a two-way left-turn lane, which has a LOS E capacity of 15,000 ADT. At project build-out for the Originally Proposed Project, Main Street between First and Second Avenue was projected to carry 9,167 ADT, as shown on Figure 14-7 in the traffic study. This volume would decrease with the Revised Project. Based on Table 4-3 in the traffic study, Main Street at buildout would operate at an acceptable LOS C. The internal intersections along Main Street were analyzed and results included in Figure 14-8 of the traffic study.

**Bicycles and One Paseo**

The One Paseo DEIR makes it seem like it will provide some magical bicycle facility or connection within Carmel Valley, something that will complete the connections and make the community whole:

An internal bicycle route would be provided along Third Avenue, Main Street, First Avenue, and Market Street. This bicycle route would connect to existing Class II bicycle lanes along Del Mar Heights Road and El Camino Real. The proposed bicycle route would allow for connection to an existing paved trail that currently runs through the middle of the business park west of the project site. The project also would include on-site bicycle racks to support bicycle circulation.

75.44

The idea that there is some sort of bike route through the project is absurd. There is no dedicated lane or path, bikers are simply left on the street with the vehicular traffic. Sure, it is possible that a few bikers will be able to traverse Main Street to arrive at their destination or to leave the facility and enter the main bike lanes within the community, but it's not like a large number of cyclists will use the internal connections. The fact is, this bike "route" doesn't go anywhere. It is not a good shortcut through the community. Bikers riding on Del Mar Heights Road or El Camino Real will continue on these streets rather than cutting through the busy shopping center, unless One Paseo is their destination. If it is their destination, they don't need a special bike route within the development.

Think about this – Main Street in One Paseo is supposed to have over 9,000 cars per day traversing the street, pedestrians will be continually crossing at the intersections, and cars will be parallel parking and opening doors into the street, a nightmare for cyclists. Rather than being the proposed nirvana, this street would be fairly dangerous for cyclists.

75.45

Why would anyone use this road on a bicycle? It would be like riding on the private driveways of the Del Mar Highlands Town Center. In fact, while I have seen many hundreds of bicycles riding on El Camino Real, I have never seen a single cyclist ride into the Town Center. Giving the internal private driveways of One Paseo any special designation as a "bike route" doesn't make any sense. This simply sounds like a marketing ploy, a check mark designed to earn the project "Smart Growth" credibility.

Even the landscape plan, Fig 3-3d, shows only a single bike rack, hidden behind the office buildings, near the token "transit stop." This location is out in the open, relatively unmonitored, and inconvenient to any shopping.

75.46

**Why does the City accept the language that makes this project sound bike friendly, when in actuality the roadways and facilities are anything but?**

**Additional Issues**

75.47

Kilroy makes a big deal out of the fact that they're going to provide "adaptive traffic control" signal timing to Del Mar Heights Road, yet this is not listed as a mitigation measure in the DEIR. If the feature is going to be used to sell the project to the public, then a complete study should be included in the DEIR showing the benefits of the signal timing.

75.48

**Why is signal timing not listed as a mitigation feature in the DEIR, and why is there no study of its benefits?**

75.44 The goal of the proposed development is to accommodate residents and employees within the project who would like to ride bikes to destinations within the proposed development as well as provide access to regional bike routes along Del Mar Heights Road and El Camino Real. The internal bike routes are also intended to accommodate bicyclists in the community desiring to reach destinations within the proposed development. The bike routes through the proposed development are not intended to accommodate regional bicycle traffic. Thus, as noted in the comment, it is anticipated that these bike trips would continue to use bike routes along Del Mar Heights Road and El Camino Real for trips which do not have the proposed development as their ultimate destination.

75.45 The Originally Proposed Project and the Revised Project propose several internal bicycle routes that would connect to the existing Class II bike lanes on Del Mar Heights Road, El Camino Real, High Bluff Drive, as well as a paved trail to the west. Refer to response to comment 6.7 for additional information related to the proposed improvements. Although the proposed development does not include designated bicycle lanes on internal roads, it would include appropriately signed Class III bicycle routes to accommodate bicycle use and improve access and connectivity between activity centers within the project area. Primary bicycle parking areas would be concentrated along major building entrances, and public plazas adjacent to existing or proposed bicycle paths. Furthermore, internal intersections would be stop-controlled to calm traffic along internal streets to improve bicyclist safety. As discussed in Section 5.2.5 of the Draft EIR, no significant vehicular/pedestrian/bicycle conflicts are anticipated.

75.46 As indicated in response to comment 75.45, the proposed bicycle facilities within the proposed development are appropriate.

75.47 The Adaptive Traffic Control Systems (ATCS) is not relied upon as project mitigation. Although the system has been used successfully in other jurisdictions, it is not currently deployed in the City. For more information on ATCS proposed by the project applicant, refer to Chapter 15.0 and Appendix P in the traffic study.

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75.48 The traffic analysis did not assume benefits associated with ATCS. However, as discussed on pages 15-2 and 15-3 as well as Appendix P of the TIA, it is generally accepted that ACTS improves traffic flow on congested roadways. As installation of ATCS was not assumed in the TIA nor would it adversely affect traffic flow on Del Mar Heights Road, a detailed analysis of the specific effects of ACTS on Del Mar Heights Road is not required.

COMMENTS

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75.49 While the horizontal component of the project may be "pedestrian-scaled" or "human scaled", the vertical component is not. Within One Paseo, the shorter residential blocks are over 70 feet tall, with towers that extend to 150 feet and higher (limited only at 199 feet!) Placing such tall buildings within such a small site leads to sudden transitions in height that are jarring to pedestrians on the ground. The idea that a 150 foot tall tower adjacent to a shopping street is "human scaled" is not correct. This is a project where you will always have very tall buildings looming over pedestrian walkways. While the horizontal distances across the project may be scaled for people, the vertical distances will make for a very uncomfortable environment.

**One Paseo is not "human scaled."**

75.50 On page 5-3 of the DEIR, it says of High bluff Drive, "On-street parking is not allowed along both sides of the roadway" This is not true. One lane on this roadway has been removed to provide additional parking in the area. This should be considered in the study, especially since the additional on-street parking was added because the office parking proved inadequate when all of the office buildings were fully occupied.

75.51 **Given the fact that the parking provided in the office buildings on High Bluff for their tenants and visitors has NOT been sufficient, why is the City allowing the One Paseo to provide less parking than what is required by City Standards? The experience of the community, both within the Del Mar Highlands Town Center and on High Bluff Drive, shows that additional parking should be required, beyond the City Standard.**

**The DEIR corrupts the notion of a "Village"**

In the DEIR around page 5.1-15, Kilroy keeps hammering away at this "project would provide a village center unique to the Carmel Valley community" concept. I don't think they really understand that "unique to the community" really means "is designed for and fits into the community." See page SF-3:

75.52 A "village" is defined as the mixed-use heart of a community where residential, commercial, employment, and civic uses are all present and integrated. Each village will be unique to the community in which it is located. All villages will be pedestrian-friendly and characterized by inviting, accessible and attractive streets and public spaces. Public spaces will vary from village to village, consisting of well-designed public parks or plazas that bring people together. Individual villages will offer a variety of housing types affordable for people with different incomes and needs. Over time, villages will connect to each other via an expanded regional transit system.

When I read this, I picture a village that is unique to the location, in that it's built to fit into the environment at the specific location. Kilroy has twisted the meaning to mean that the project is different from everything else. See the DEIR, p. 5.1-13:

The General Plan specifies that each village is intended to be unique to the community in which it is located. As a result, a village could visually appear different than its surrounding uses in terms of both integration of land uses and density, bulk and scale. By definition, the very nature of a village would result in an intensification of land uses, as well as distinctive/unique development types that are different from existing development patterns.

So, we've gone from creating a unique design specific to the community where it will be built, to

75.49 The project applicant intends to implement ATCS on Del Mar Heights Road as a part of the project. As a result, it is not listed as a mitigation measure.

75.50 The comment correctly notes that the TIA incorrectly indicates that parking is not available on the west side of High Bluff Drive, south of Del Mar Heights Road. Although available for public parking including the Originally Proposed Project, it is unlikely that the parking would be used by the proposed development due to its distance from the project and the adequacy of the proposed parking to meet the needs of the proposed development.

75.51 With respect to the other office developments referenced in this comment, it is important to note that, unlike the Originally Proposed Project and Revised Project, the other referenced developments have no opportunities for shared parking as they have no significant additional component such as retail with which to share parking.

75.52 The General Plan recognizes the attributes of a Community Villages will often be unique to the community rather than an extension of existing development patterns. The General Plan anticipated that, for this reason, community plan amendments/updates would be required for Community Villages. As stated in the General Plan, "There are many factors to consider when designating village sites including the capacity for growth, existing and future public facilities, transportation options, community character, and environmental constraints. Precise village boundaries, the specific mix of uses, architectural form, needed public facilities, and the type of public space within proposed village areas will be determined through community plan updates or amendments (SF-3)."

The City of Villages Strategy section of the General Plan Land Use and Community Planning Element states on page LU-6 that "Each village will be unique to the community to which it is located." The intent of the General Plan is to convey that there is not a homogeneous village design that would fit into any community, but rather, each village is intended to be unique, drawing upon elements and uses within its community. Such is the case for the proposed development. The proposed development would be unique to Carmel Valley, as the community does not currently

creating a design that is unique *from the community itself*? I don't think they really understand that "unique to the community in which it is located" really means "is designed for and fits into the community where it's built."

They then use this "uniqueness" to rationalize a development that differs from the surrounding development in terms of integration of land uses and density, bulk and scale, resulting in significant impacts related to community character:

The proposed project would serve as a village uniquely suited for the Carmel Valley community. The project proposes to create a "Main Street" and village center for the Carmel Valley community on a 23.6-acre graded and vacant site in a high-activity urbanized area at a transition point between land uses. Multi-family residential development exists to the north, commercial office uses are located to the west and south, and retail uses exist to the east. The project site is centrally located within Carmel Valley and along two major roadways that provide access within the community, Del Mar Heights Road and El Camino Real. The topographic grade changes and alignments of Del Mar Heights Road and El Camino Real expose the project site to public view from multiple vantage points. As a result, the project site is at a prominent and highly visible location within Carmel Valley. The site's prominent location at this transition point lends itself to function as a unique and distinctive, unifying, mixed-use village center with a defined pedestrian-oriented Main Street. The proposed Main Street would be a central, pedestrian friendly corridor lined with street-level retail uses, restaurants, plazas, and streetscape landscaping. The project would integrate land uses on a single site and introduce building forms that are characteristic of a village that would be unique and distinctive to Carmel Valley. As discussed above, implementation of a mix of different uses on one site could result in development patterns that are different from the immediately surrounding environs. Such is the case for the proposed project. While the project would mirror the surrounding land uses, the product type that would be introduced in the neighborhood would differ from existing surrounding development in terms of integration of land uses and density, bulk and scale. Therefore, although the project would be consistent with General Plan policies and implements the City of Villages strategy with no associated land use impacts, the project would result in significant impacts related to community character. Project impacts on community character are analyzed in detail in Section 5.3, Visual Effects and Neighborhood Character.

This type of creative writing should be discouraged, as it is clear in the General Plan that "unique to the community" means "is similar to" and "relates to" the local community.

**Any reference within the DEIR that implies that the phrase "unique to the community" means "different from the community" is incorrect and should be stricken from the DEIR.**

Sincerely,

Kenneth Farinsky  
Carmel Valley, San Diego

cc: Councilwoman Sherri Lightner  
Bernie Turgeon, Senior Planner  
Chairman Frisco White, Carmel Valley Community Planning Board

75.52 have a pedestrian-oriented, vertically-integrated, mixed-use community. cont. As discussed in Section 5.1 of the Draft EIR, the proposed development would serve as a village uniquely suited for Carmel Valley and would include land uses and design elements/features already located within the community. Further, its central location at a transition point between land uses lends itself to function as a unifying, mixed-use village unique to Carmel Valley.

75.52  
cont.

COMMENTS

RESPONSES

Kenneth Farinsky  
3404 Lady Hill Rd  
San Diego, CA 92130

May 29, 2012

Martha Blake, Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Subject: Comments on the Draft Environmental Report for One Paseo,  
**Project Benefits**  
Project No. 193036, SCH No. 2010051073

Dear Ms. Blake,

The Land Use and Community Planning Element of the General Plan states on page LU-23:

*Public Facilities Planning*

The City must carefully balance how to accommodate growth while also requiring the timely provision of public facilities. Each community must have the opportunity to establish, through its adopted community plan and public facilities financing plan, a specific framework to prioritize the provision of needed public facilities and services. **Additionally, each new development proposal must be carefully evaluated to determine both its benefit to, and impact upon the community to ensure that it contributes to public facilities commensurate with the level of impact.** More information on providing facilities and services can be found under the Public Facilities, Services, and Safety Element.

76.1 [ Clearly this policy has not been followed, as the proposed impact on public facilities, specifically park land, has not been met by a commensurate contribution. One Paseo must include either the required park land on-site, or provide facilities financing to purchase and construct the required park land off-site.

The Land Use and Community Planning Element of the General Plan states on page LU-28:

LU-D.12. Evaluate specific issues that were identified through the initiation process, whether the proposed amendment helps achieve long term community goals, as well as any additional community-specific amendment evaluation factors.

76.2 [ Some of the long term community goals are self-containment and a balanced transportation system. The project is totally inadequate in meeting these goals, creating a regional center that overloads the existing roadway system and reduces the self-containment of Carmel Valley, and not providing internal transit as required by the Community Plan's definition of a balanced transportation system. One Paseo is a complete failure in its handling of the long term community goals.

76.3 [ Issues included in the initiation process included traffic, neighborhood character and density. Clearly, the project does not successfully mitigate any of these identified issues, and the project alternatives were inadequate in identifying reasonable alternative projects that dealt with these same issues. The developer should be required to withdraw the current DEIR and return with more reasonable alternatives that actually address some of these issues in a way that is satisfactory to the community.

76.1 Refer to responses to comments 63.168 through 63.170 and 11.5 for a discussion of the adequacy of existing parks to serve the Carmel Valley community with development of the Revised Project.

76.2 By offering opportunities for residents to work, live, and recreate in the same development, the project does reflect the goal of the Community Plan to encourage the community to be "self-contained." In addition to offering these opportunities to future residents of the development, the project offers employment and entertainment opportunities to community residents which allow local residents to obtain these opportunities without traveling outside their community. Although the project would contribute to anticipated congestion along Del Mar Heights Road, the mixed-use nature of the proposed development would enable future residents and employees associated with the proposed development to obtain goods and services by walking or biking rather than having to rely

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76.2 on the automobile. In addition , as discussed in response to comment 5.6, cont. the project applicant is proposing a shuttle as part of the project's TDM.

76.3 As discussed in response to comment 5.6, the project applicant has revised the Originally Proposed Project to reduce the size of the project. Refer to Section 12.9 of the Final EIR for information regarding the Revised Project and the reduction in traffic and neighborhood character impacts which would result from the Revised Project. In addition, Section 12.10 of the Final EIR includes an additional alternative that addresses a mixed-use development which would reduce the land use intensity beyond that associated with the Revised Project.

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The Land Use and Community Planning Element of the General Plan states on page LU-28:

LU-D.13. Address the following standard plan amendment issues prior to the Planning Commission decision at a public hearing related to: **level and diversity of community support; appropriate size and boundary for the amendment site; provision of additional benefit to the community; implementation of major General Plan and community plan goals, especially as related to the vision, values and City of Villages strategy; and provision of public facilities.**

76.4 On the level and diversity of community support: Kilroy has instituted a massive marketing campaign to attempt to show that the community supports this project, but that has been a total failure. At best they have shown that there is support for the vision of One Paseo, for the idea of creating a Town Center or Main Street. However, Kilroy is not building a vision, they are building a project, and the difference between the vision and the project implementation is so vast that one would have a hard time recognizing them as the same idea. Carmel Valley does not support this specific project, nor does it support the density or zoning changes associated with it.

76.5 On the appropriate size and boundary for the amendment site: While the project boundaries may be the appropriate boundaries for the amendment, the specific zoning boundaries within that site are not appropriate. That is, the idea of creating a single zone over the entire project boundary is unnecessary, and simply done to increase the density of the entitlement. There is no reason that the residential areas need be in the same zone as the office areas, etc.

76.6 On the provision for additional benefit to the community: While One Paseo does add additional shopping and restaurant space to the community, it is clear from the DEIR that this space is being added as a regional amenity, and is not for the benefit of the community. The community does desire a community village that is scaled for the community's use, helping to create the self-containment that is a goal of the Community Plan. While the regional center envisioned in One Paseo has some of the properties desired by the community, the additional impacts of traffic, loss of community character and additional load on community facilities is not offset by the benefit of the project.

76.7 On the implementation of General Plan and Community Plan goals: While creative writing has allowed the developer to make One Paseo appear to be consistent with these goals, in reality the goals require that the village relate to the development within the community where it is sited. Kilroy has taken this vision and turned it upside down, changing the meaning and intent of the vision, saying that placing a development that is totally out of character with the surrounding community is somehow in line with the idea of creating villages scaled to the local area.

76.8 We must keep that idea at the forefront of our thoughts while reading the DEIR: the intent of the City of Villages policy is not to place massive, out-of-scale developments into suburban neighborhoods. Instead, it is to create villages that fit with our communities, villages that are of the correct size and scale for their surroundings.

76.4 The amount and nature of communications between the project applicant and the local community is not an issue required to be addressed under CEQA.

76.5 This comment raises no issues related to the adequacy of the Draft EIR; however, a single zone that considers the wide variety of unique circumstances associated with mixed-use is preferable to fragmenting the site with a variety of zones. At present, the Carmel Valley Planned District Ordinance does not include regulations providing for vertical mixed-use development (such as housing over commercial uses). The use of multiple zones would not automatically result in lower densities. The use of multiple zones creates the potential for conflicts and duplication of regulatory standards.

76.6 The Revised Project is reduced in scope consistent with this comment. The Draft EIR concluded that the Originally Proposed Project would result in significant traffic and neighborhood character impacts. The Revised Project would reduce but not eliminate these impacts.

76.7 Refer to response to comment 10.57 regarding the difference between land use and neighborhood character impacts. The Final EIR acknowledges that the proposed development would result in significant neighborhood character impacts.

76.8 As discussed in the Draft EIR, the mixed-use character of the project does reflect the objectives of the City of Villages. Furthermore, the project would lie adjacent to a large employment area and across the street from an existing shopping center.

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One should note the following policy:

LU-D.10. Require that the recommendation of approval or denial to the Planning Commission be based upon compliance with all of the three initiation criteria as follows: a) the amendment request appears to be consistent with the goals and policies of the General Plan and community plan and any community plan specific amendment criteria; b) the proposed amendment provides additional public benefit to the community as compared to the existing land use designation, density/intensity range, plan policy or site design; and c) public facilities appear to be available to serve the proposed increase in density/intensity, or their provision will be addressed as a component of the amendment process.

76.9 [ It is clear that the proposal is not consistent with the goals and policies of the General Plan and community plan, and should be rejected on that point alone. Looking at the second point, while there is some community benefit, the benefits are not commensurate with the level of impact on Carmel Valley. Finally, the DEIR makes it very clear that the public facilities are not adequate. At the very least, roads and parks will not be able to handle the demand, and these impacts will not be mitigated.

76.10 [ The City must mark this project as inconsistent with the General Plan goals and policies, and inconsistent with the goals and visions of the Carmel Valley Community Plan. This project should be rejected and the developer sent back to the community to develop an appropriate plan.

Sincerely,

Kenneth Farinsky

cc: Councilwoman Sherri Lightner  
Bernie Turgeon, Senior Planner  
Chairman Frisco White, Carmel Valley Community Planning Board

76.9 As discussed in Section 5.1 of the Draft EIR, the proposed development is considered consistent with the General Plan and Community Plan once the Plans have been formally amended to apply the appropriate land use designations. The Draft EIR concludes that the proposed development would result in a significant traffic impact on the local roadways. However, the comment misstates the conclusion of the Draft EIR with respect to the adequacy of community parks. As described in responses to comments 63.168 through 63.170, the proposed development would not cause a significant impact with respect to parks and recreational facilities in Carmel Valley.

76.10 The decision whether to approve or deny the project lies with the City Council.

Kenneth Farinsky  
3404 Lady Hill Rd  
San Diego, CA 92130

May 29, 2012

Martha Blake, Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Subject: Comments on the Draft Environmental Report for One Paseo,  
**Project Alternatives**  
Project No. 193036, SCH No. 2010051073

Dear Ms. Blake,

**1. Kilroy has misrepresented One Paseo to the public.**

If you look at what Kilroy has shown to the community to garner support for One Paseo, it significantly misrepresents the true nature of the complete project. Sure, building sizes are called out in overhead views, and there is an occasional rendering that includes a large tower in the distance, but the majority of the imagery provided to the community consists of marketing views of low-rise buildings and idealized street scenes.

Why does it matter if Kilroy has misrepresented the project to the community? Because the Community Plan Amendment Process requires significant support from the community to justify approval of the amendment. *If Kilroy is really misrepresenting the project to the community, shouldn't any support for One Paseo be considered suspect?* After all, support for One Paseo should be based on a realistic representation of the entire project.

Here's a typical view that Kilroy shows of the project side-by-side with a view of what the residential blocks might actually look like, taken of the La Jolla Crossroads development near UTC:



While Kilroy's rendering may be technically correct for this part of the central plaza, the vast majority of the project doesn't look anything like it. From Kilroy's picture, we get the feeling of a two-story development with an occasional tower in the distance. In reality, this central block has the only two story buildings in the development, yet most of the pictures show views of this central core, leaving out the residential blocks and the residential tower.

77.1 The amount and nature of communications between the project applicant and the local community is not an issue required to be addressed in the EIR process.

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The picture of La Jolla Crossroads is more like what Del Mar Heights Road will look like with the completion of One Paseo. The picture shows a 5 story residential block, similar to the 4, 5 and 6 story buildings that will line Del Mar Heights Road.

77.2 Even in the DEIR, Kilroy has managed to provide views that minimize the scale of the project. The one rendering that might have realistically shown the impact of the 10 story residential tower, taken from the corner of Del Mar Heights Road and High Bluff Drive, conveniently crops out the 10 story tower!

77.3 The reality of One Paseo is acres of tall residential blocks that loom over the adjacent streets and block the views of nearby residents. The reality is a 10 story residential tower at the highest point on the property, where the top of the tower is the highest point in the development. The reality is a development that is totally out of scale with the surrounding community.

77.2 The 10-story building is not cropped from the simulation included as Figure 5.3 11 of the Draft EIR as this comment suggests. The 10-story building is visible above the most distant buildings depicted along Del Mar Heights Road. Great care was taken to make sure that the simulations were proportionately correct. The minimum visibility is a function of the location from where the simulation was made. Also, the primary goal of the simulation in Figure 5.3-11 was to illustrate views of the project along Del Mar Heights Road. Furthermore, it should be noted that the 10-story building would be replaced with a 6-story building in the Revised Project.

77.3 Refer to response to comment 77.2 regarding building heights. The Final EIR acknowledges that the Originally Proposed Project and the Revised Project would have significant impacts with respect to neighborhood character.

2. The General Plan's Vision of a Community Village

San Diego has a complete plan for villages, designed to have a hierarchy of different sized centers for different places: Metropolitan for Downtown, Urban for UTC, Community for Carmel Valley, etc. If you look at other locations that are supposed to be on the same scale as Carmel Valley, you'll find references to places with a smaller scale, a lower intensity than One Paseo.

Yet, Kilroy tells us that One Paseo is in line with the "Community Village" type in the General Plan. Let's look at some examples of Community Villages to see if this is the case. From a draft of the General Plan Land Use Element, we see that the Uptown District in Hillcrest and downtown La Jolla were considered to be examples of Community Villages:

<http://www.sandiego.gov/planning/genplan/pdf/generalplan/landuseelement.pdf>

Community Village Centers are similar to Neighborhood Village Centers, but serve a larger area. Community Village Centers may also have a more significant employment component than a neighborhood village. *The Uptown District in Hillcrest and downtown La Jolla are examples of existing Community Village Centers.*

Similarly, the SANDAG Smart Growth Concept Map identifies Carmel Valley as being the *same type of village as the Uptown District, and the downtowns of La Mesa, Oceanside and Encinitas.*

So, the Uptown District in Hillcrest seems like a reasonable example. It looks like this:



Looking at the EPA website (<http://www.epa.gov/smartgrowth/case/updis.htm>), we see that they consider this to be a **successful, high-density development:**

...The project, a successful 14-acre mixed-use, high-density development in the city's Hillcrest neighborhood, ... combines a mix of uses, including 318 homes, 145,000 square feet of commercial and retail space, and a 3,000-square-foot community center. The residential density is over 20 units per acre, far more than the city average of less than 3 units per acre...

*This village has everything we want and meets all the requirements of Smart Growth!* I believe we should demand a village that looks more like the other areas designated with the same village type: the Uptown District in Hillcrest, or the downtowns of La Jolla, Encinitas or La Mesa.

77.4 This comment provides general information regarding mixed-use development, but does not include a specific issues related to the Draft EIR. Thus, no response is required.

77.5 The proposed "Main Street" portion of the proposed development will include design elements similar to the Hillcrest project identified in this comment.

3. Alternatives

The alternatives proposed for One Paseo in the DEIR are both terrible and incomplete. When developing alternatives, planners should note that the community has never asked for a “village” that included “office, retail, hotel and residential uses.” Instead, the desire in Carmel Valley is twofold:

1. To have a “Main Street” for the community, possibly with restaurants and shops, and
2. To have a community gathering space.

The developer has taken this far beyond the desires of the community, and instead turned it into a massive project that is out-of-line with the community vision. On top of that, the developer has also chosen bad alternative projects intended to simplify their analysis and, perhaps, to make the full project look more reasonable.

Good project alternatives would make the full One Paseo project seem ridiculous.

Project alternatives have been unreasonably limited in scope to facilitate easy analysis by the applicant. While it is convenient for them to not provide additional studies for more complex development patterns, this is a project that will impact the surrounding community forever, and, as such, they should take the time to be complete in their examination of reasonable alternatives, instead of focusing on unreasonable alternatives.

The alternatives discussed in the DEIR are nowhere near exhaustive or reasonable.

1. There should be discussion of the same project with the residential component vastly reduced but not eliminated, perhaps limited to 2 stories at the west end of the project, and 2 to 3 stories to the east. Other uses (commercial, retail, hotel) should be included here, but at a reduced intensity to lower the traffic volumes. In this example, reducing the residential and lowering the office towers would serve to mitigate community character issues, while reducing the retail would mitigate traffic issues.
2. There should be a reduced option similar to point 1 that also includes a park. For instance, a 4 to 5 acre park could replace some of the retail/residential, providing adequate space for the new residents and a benefit to the community. This could include the hotel, commercial, retail and residential uses.

When examining alternatives, one should note that in the DEIR (Part-09.pdf p249/267, page 12-24), the problem is that most of the traffic comes from the retail use, and most of the “community character” problems come from the residential use. However, none of the options consider a smaller retail use (with less traffic) and a smaller residential use (with less community impact.) Making these two changes would significantly improve the project in the eyes of the community, while still retaining the mixed-use and village components.

Note that the DEIR says that only 15% of the traffic impacts come from the residential. That is, it says “The Commercial Only Alternative would result in a net ADT reduction of approximately 15 percent compared to the proposed project”. Similarly, it says that 61% of the traffic comes from the retail component: “The No Retail Alternative would result in a net ADT reduction of approximately 61 percent compared to the proposed project”.

77.6 As discussed in response to comment 5.6, the project applicant has revised the Originally Proposed Project to reduce the size of the project. Refer to Section 12.9 of the Final EIR for information regarding the Revised Project. In addition, Section 12.10 of the Final EIR includes an additional alternative that addresses a mixed-use development which would reduce the land use intensity beyond that associated with the Revised Project.

77.7 As discussed in response to comment 5.6, the project applicant has revised the Originally Proposed Project to reduce the size of the project. Refer Section 12.9 of the Final EIR for information regarding the Revised Project. The Revised Project reflects the desire expressed in the comment to reduce retail and office uses but maintains the same number of residential units. A substantial reduction in the number of residential units would diminish the mixed-use attributes of the project. With the proposed number of residential units, the project is able to capitalize on the automobile trip reductions associated with the ability of residents to walk or bike to fulfill their shopping, entertainment, employment, and recreation needs. It also increases the housing stock within the City of San Diego, helping meet the City’s housing goals, particularly true in light of the fact that raw land in the City for new residential development is in relatively short supply.

As described in responses to comments 63.168 through 63.170, the City considers payment of FBA fees to ensure that no significant impacts to parkland would occur. In addition, it should be noted that the Revised Project has eliminated the hotel, as suggested in the comment, and created more open space adjacent to Del Mar Heights Road including a 1.1-acre passive recreation area and 0.41-acre children’s play area which would be available to the community.

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COMMENTS

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- 77.8 The Final EIR (Section 12) includes a discussion of two reduced mixed-use alternatives which evaluate the change in traffic and neighborhood character impacts which would result from reducing the various components of the Originally Proposed Project. As concluded in this discussion, the effects of the reduced mixed-use alternatives in these two areas would be lessened, but not to a less than significant level.
- 77.9 Comment noted. As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

**3. A Lower Density Alternative to One Paseo**

It is possible to create an alternative project to One Paseo that maintains all the uses and the village core, but significantly reduces the density and is more in line with the surrounding community. Here is one possible example:



**This village envisions a reduced development, more like the Uptown District**, but with a neighborhood park and added office towers. The project is a low-rise neighborhood that includes park space, housing, retail and restaurant, with two office towers. Benefits include:

- Maintain many of the One Paseo uses with lower impacts to traffic and community character.
- Only the two office buildings would be taller than 3 stories.
- Views from Del Mar Heights Road and the adjacent residential units are preserved.

The blocks have the following characteristics:

- **Section A – A neighborhood park.** This could include elements such as a multi-use field, tot-lot, off-leash area, or passive space. *The pictured field and tot-lot are copied from Ashley Falls to show scale, the actual park would require a reorientation of uses.*
- **Section B – Mixed-use housing AND retail.** On the scale of the Uptown District in Hillcrest (up to 3 story, residential over retail).
- **Section C – Housing ONLY.** On the scale of the Uptown District in Hillcrest (up to 3 story).
- **Section D – Mixed-use Office towers.** Office with retail and restaurant, 8 story maximum. Similar to the original One Paseo design, but slightly reduced in height.
- **Section E – Retail and restaurant.** As in the original One Paseo design.

77.10 As discussed in detail in response to comment 5.6, two reduced mixed-use alternatives have been added to the Final EIR. These alternative contain the same land use mix as the Originally Proposed Project, but at a substantially reduced density and intensity. The Reduced Main Street Alternative, which would reduce the intensity of use by approximately 22 percent, is being pursued by the project applicant as the Revised Project (see Section 12.9). The Reduced Mixed-use Alternative would reduce the Project by approximately 50 percent (see Section 12.10 of the Final EIR).

The Reduced Mixed-use Alternative is considered infeasible. The substantial reduction in retail square footage would result in a more traditional suburban shopping center design, and preclude the vertically integrated “Main Street” concept envisioned by the proposed project. It would not advance sustainable development principles, and would instead result in an automobile-oriented destination inconsistent with the project objectives and smart-growth development goals. As a result, this alternative is not considered feasible.

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77.11

Of course, designing all of this without adequate community input would lead us right back to our current situation, with an inappropriate project and no community support.

**Any project designed for this location that requires a plan amendment must begin with community input to develop the vision, then with continued community input to create a development plan that includes proper restrictions on buildings (height, scale, mass), open space and community facilities so that the final project fits into the fabric of the Carmel Valley Community.**

Sincerely,

Kenneth Farinsky

cc: Councilwoman Sherri Lightner  
Bernie Turgeon, Senior Planner  
Chairman Frisco White, Carmel Valley Community Planning Board

77.11 The Final EIR acknowledges that the project would result in a significant neighborhood character impact.

COMMENTS

RESPONSES

Kenneth W. Farinsky  
3404 Lady Hill Rd  
San Diego, CA 92130

May 11, 2012

Martha Blake, Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Subject: Comments on the Draft Environmental Report for One Paseo,  
**Category: Density and Zoning**  
Project No. 193036, SCH No. 2010051073

Dear Ms. Blake,

The Strategic Framework of San Diego's General Plan begins with the paragraph:

San Diego is a city in a region with unique and varied landscapes – ocean and beaches, estuaries and river valleys, canyons and mesas, hills and mountains, and desert. These landscapes and the City’s transportation networks define San Diego’s communities, each with their own character, history, and scale. These communities, and the landscapes and transportation networks that frame and link them, are the City’s basic building blocks.

That is, the basic framework of the City's General Plan begins with a statement on how each community is unique, with its own character, history and scale. The framework goes on to tell us how the City of Villages strategy “draws upon the character and strengths of San Diego’s natural environment, neighborhoods, commercial centers, institutions, and employment centers.” Given this background, where each village has its own unique character and scale that the City of Villages strategy can draw on, basing decisions on the character and strengths of the surrounding natural environment, neighborhoods and employment centers, the Strategic Framework defines a village as:

A “village” is defined as the mixed-use heart of a community where residential, commercial, employment, and civic uses are all present and integrated. Each village will be unique to the community in which it is located.

Given the background leading to this statement, the only possible interpretation of this village definition is that of a mixed-use development near the center of a community that is designed to relate to that community in the character and scale of development, drawing ideas from the strengths of what has come before.

**Simply based on this analysis of the values and vision of the Strategic Framework, the proposed One Paseo development has failed miserably. There has been no attempt to draw from the surroundings, and even the DEIR notes that the project is totally out of line with the character and scale of the community.**

78.1 As this comment raises no issues related to the adequacy of the Draft EIR, no response is necessary.

78.1

In looking at a proper density for the proposed development on the One Paseo site, I went back to the initial goals for the community. From the Carmel Valley Community Plan, page 50:

Goals for North City West

In order to carry out the planning principles adopted to guide the planning program for the entire North City area, a series of goals specifically developed for the North City West Community were necessary. These goals, set forth in a very broad nature, simply state the framework that future urbanization should follow. They are expressed as follows:

1. To establish a physical, social, and economically balanced community.
2. To establish self-containment and feeling of community identity among the future residents of North City West.
3. To preserve the natural, environment.
4. To establish a balanced transportation system which is used as a tool for shaping the urban environment.
5. To establish realistic phasing of development within the community based on maximum utilization of the privately financed public facilities.

In addition to these overall goals more precise planning objectives are set forth for each land use element of the Plan. The planning objectives more clearly define the actions that will be necessary to carry out the broadly stated planning goals for North City West.

In addition to these goals, the Community Plan itself opens with this vision statement:

The ideal of new community development is that it provides economic and cultural activities to serve the residential population, and that this population be provided a living choice in a variety of housing types within all social and economic ranges.

While Kilroy has latched onto the “variety of housing types”, claiming that their development provides lots of new housing types. While it is true that the proposed development does add more housing units, it is not the case that it provides new housing types. Carmel Valley is a planned community that, even before One Paseo is built, contains all the housing types that One Paseo would add, and more! We have single family homes, zero lot line homes, low density condominiums, condominium towers, apartments, senior residences and low-income housing. We have a variety of densities to serve different economic, social and demographic groups. The idea that One Paseo adds something new to the mix is wrong.

**Given that One Paseo does not add any new housing types to Carmel Valley, why does the DEIR repeatedly make that claim?**

However, that is not my point. I would like to concentrate on the more important statement that comes before. That is, community development provides economic and cultural activities to serve the residential population. The vision is that development is to serve the population of the community, not to be a regional draw. Again, looking at point 2 of the community goals, we see the same statement, “To establish self-containment and feeling of community identity among the future residents of North City West.”

78.2 The Draft EIR’s reference to additional housing types was not meant to infer that there would be “new” housing types but rather different configurations. As stated in the comment, the community already includes multi-family development. However, this development is typically associated with 1- to 2-story buildings in the vicinity of the project. The proposed development would include multi-family development in buildings which would reach a height of 5 stories in the context of a mixed-use development.

78.2

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Even the Industrial-Office Park Land Use Element of the Community Plan emphasizes self-containment, see page 87:

However, the success of the new communities concept is directly related to the establishment of an employment base in the area in order to create not only a land use balance but to emphasize the desired qualities of self containment.

Self-containment. Economic and cultural activities to serve the residential population. The same themes appear over and over throughout the Community Plan.

**So, why is Kilroy proposing to build a development where the traffic studies show nearly 15,000 of the 26,000 overall automobile trips generated are to and from locations outside the community?**

If this is the case, and nearly 60 percent of the traffic generated by this project is from outside of the community, then we must call this center a "regional draw" or "regional facility." A regional facility, by definition, is not focused on the community residents, it is not adding to Carmel Valley's goal of self-containment.

**This development violates the spirit and vision of the Community Plan, and goes against the plan's goal of self-containment.**

Objectives for commercial development includes the need for recreational opportunities. See the Community plan, Commercial Element, page 80:

In order to promote North City West as a balanced community, development of the town center to provide social, cultural and recreational needs as well as the shopping function must be emphasized,

Commercial development should be designed to complement the natural environment. See the Community plan, Commercial Element, page 80:

Through coordinated planning, each commercial area can be developed to complement the natural environment. In this respect special features such as views, trees and rock outcroppings should be preserved and incorporated in the total design.

**Again, this passage specifically calls out that it is important to the Community Plan to maintain views within Carmel Valley, while the DEIR states that there are no views and their maintenance is unimportant. The DEIR must show impacts on local views, be the impact be from adjacent streets, residential areas both within Carmel Valley and from Torrey Pines, and from other commercial and retail areas.**

**Zoning**

The Carmel Valley Community Plan objectives for the Industrial Office Element lands, see page 88 of the Carmel Valley Community Plan, include the following objective:

In order to promote self-containment and community identity, development of an industrial-office park which emphasizes the area as a unique and permanent feature of North City West is desirable. The industrial-office park must be designed so as to relate to the community and the adjacent town center rather than as a separate industrial development which does not

78.3 Self-containment is a goal of the community plan intended to establish a balance of land uses within the community, but realistically, is often difficult to achieve.

78.4 The Draft EIR drew an appropriate distinction between visual and neighborhood character impacts by concluding that the Originally Proposed Project would have a significant impact on neighborhood character but not visual quality. As indicated in the Draft EIR, there are no significant visual qualities associated with the project site or the immediate surroundings. Furthermore, the proposed development would include extensive landscaping to soften the appearance of the proposed development.

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complement the area. Due to the high visibility of the industrial office area from Interstate 5 and because of its location at the major entrance to the North City West community, it is extremely important that an outstanding example of an industrial-office park design is developed.

78.5

**The Community Plan objective is to provide development that is unique to the community, and relates to both the community and the adjacent town center. Developments that do not complement the area and relate to existing development are not allowed.**

The General Plan Strategic Framework takes a similar approach to Village design, see page SF-3:

A “village” is defined as the mixed-use heart of a community where residential, commercial, employment, and civic uses are all present and integrated. Each village will be unique to the community in which it is located. All villages will be pedestrian-friendly and characterized by inviting, accessible and attractive streets and public spaces. Public spaces will vary from village to village, consisting of well-designed public parks or plazas that bring people together. Individual villages will offer a variety of housing types affordable for people with different incomes and needs. Over time, villages will connect to each other via an expanded regional transit system.

**Again, villages are meant to be unique to the community in which it is located. Any rational person would conclude that this means the village should be designed specifically for the individual community, that it should be massed and scaled based on its surroundings.** That, as is said in the Carmel Valley Community Plan, it should relate to the surrounding development.

**Kilroy, in the One Paseo DEIR, has taken the bizarre stance that “unique”, in this usage, means “different from.”** Therefore, they are supposed to be building something different from the surrounding community, from the DEIR page 5.1-13:

The General Plan specifies that each village is intended to be unique to the community in which it is located. As a result, a village could visually appear different than its surrounding uses in terms of both integration of land uses and density, bulk and scale. By definition, the very nature of a village would result in an intensification of land uses, as well as distinctive/unique development types that are different from existing development patterns.

78.6

I have a hard time telling if Kilroy is being serious here or if they are making a mockery of the entire process. I cannot, for the life of me, understand how anyone could make this mental leap. Perhaps they see the fallacy of their argument, because they try a different tack:

The proposed project would serve as a village uniquely suited for the Carmel Valley community.

They also note that the project is in a highly prominent location within Carmel Valley:

The project site is centrally located within Carmel Valley and along two major roadways that provide access within the community, Del Mar Heights Road and El Camino Real. The topographic grade changes and alignments of Del Mar Heights Road and El Camino Real expose the project site to public view from multiple vantage points. As a result, the project site is at a prominent and highly visible location within Carmel Valley. The site’s prominent location at this transition point lends itself to function as a unique and distinctive, unifying, mixed-use village center with a defined pedestrian-oriented Main Street.

78.5 As this comment does not raise any issues related to the adequacy of the Draft EIR, no response is necessary.

78.6 The Draft EIR confirmed the commenter’s belief that the bulk and scale of the proposed development would conflict with the surrounding neighborhood character. However, this does not negate the fact that the proposed development would create a pedestrian-oriented mixed-use development which would be unique to the Carmel Valley Community Plan area.

While most people would say that such a prominent location should require more sensitive zoning and more concern about how this project relates to the community, Kilroy doubles-down and states that this is desirable, even though it results in significant impacts to community character:

The project would integrate land uses on a single site and introduce building forms that are characteristic of a village that would be unique and distinctive to Carmel Valley. As discussed above, implementation of a mix of different uses on one site could result in development patterns that are different from the immediately surrounding environs. Such is the case for the proposed project. While the project would mirror the surrounding land uses, the product type that would be introduced in the neighborhood would differ from existing surrounding development in terms of integration of land uses and density, bulk and scale. Therefore, although the project would be consistent with General Plan policies and implements the City of Villages strategy with no associated land use impacts, the project would result in significant impacts related to community character.

78.6  
cont.

Again, the above paragraph uses “unique and distinctive to Carmel Valley” as meaning “different from the surrounding community” to come to the conclusion that their massively out-of-scale development actually is consistent with the General Plan and the City of Villages strategy!

**The City must not allow the One Paseo DEIR to include such obvious twisting of meaning as is being done here to support the idea that this totally incompatible project should somehow be considered appropriate to the Community, and that it's somehow consistent to the meaning of the General Plan.**

Any reasonable interpretation of these passages in the General Plan, the City of Villages strategy, the Community Plan or the Precise Plan will come to the conclusion that this project is meant to “relate to” or “be similar to” the surrounding development, not only in land use, but in mass, scale and intensity. There is no way to consider One Paseo as being unique to the Carmel Valley community or relating to the surrounding development. **I encourage City staff to remove any usage of the term “unique” as being used with the definition “different from” throughout the DEIR. This includes the discussion on Land Use, and many references in tables that show how One Paseo meets with City Policies related to Land Use and Village Character.**

**Siting a village in this location**

The Strategic Framework of the San Diego General Plan notes on page SF-3 that:

There are many factors to consider when designating village sites including the capacity for growth, existing and future public facilities, transportation options, community character, and environmental constraints.

78.7

In many ways, this location is the perfect location, situated in the center of Carmel Valley, adjacent to office, commercial and residential. Additionally, it sits along two major roads that connect to a major freeway. However, such an analysis totally overlooks the many negative aspects and problems with this location, and with the same factors that make it a good choice! For instance:

- While it is in the center of the community, very few of the existing residences are within walking distance. **Why didn't the DEIR do a study to determine how many residences are within walking distance, and what percentage of the total this is?**

78.7 The proposed development is largely designed to be an internally integrated project to provide residential, employment and entertainment opportunities within easy walking distance of the people associated with the future development. The employment and entertainment opportunities will be available to surrounding community through walking, biking or driving, depending on the proximity of the people to the proposed development. It is likely that local residents will walk to the project site. For example, there is a residential neighborhood north of Del Mar Heights Road adjacent to the project. There is no requirement to

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78.7 quantify the number of existing homes adjacent to the project. For more cont. information regarding adjacent land uses, see Sections 5.1 and 5.3 of the Draft EIR.

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78.8 **While it is on two major streets, one of them (Del Mar Heights Road) is nearing capacity, and the DEIR tells us that, even with every possible mitigation, this road will be far over capacity after the completion of the One Paseo project. Other local roads show similar problems, such as El Camino Real as it approaches SR-56. When the Strategic Framework explicitly cites “capacity for growth” as a factor in choosing village sites, why has this site been chosen given there is no growth capacity available in the adjacent roads?**

78.9 **The transportation options for the local community to access this site are very limited. There are no existing or proposed transit lines that will take local residents to and from the site, and it is largely too far for walking. Even the proposed, future rapid bus line will only serve residents outside of the community. Given the lack of available transit options to serve this site, why has the site been chosen?**

78.10 **On community character, even the DEIR can't hide the fact that the proposed project would have a significant impact on community character.**

78.11 **Given that so many of the factors that the Strategic Framework notes as important to consider for siting a village show this site to be unsuitable, why is the City still considering this project?**

78.12 While a project that was appropriately sized for the community, one that actually considered the scale and character of the surrounding neighborhoods, could be appropriate to this site and meet many of the factors specified in the Strategic Framework, the existing project is so out-of-line with the local developments and demands so much of local facilities as to be unworkable.

**Choosing a zone that relates to the community**

78.13 I was looking into the zone chosen for this project to see how appropriate it was to the given location and the needs of the community. While the land use mix of residential, retail and office may be appropriate given the current Carmel Valley PDO language and adjacent land use, **the densities and heights proposed are totally inappropriate for this site.** Additionally, the idea that recreational elements are prohibited from the zoning goes against the Community Plan and the General Plan's City of Villages concept.

78.14 My first issue with the proposed zone in the PDO Amendment (onepaseo\_pdomarch2012.pdf p. 3), is that Kilroy has redefined the density calculation to allow the project to base densities on the acreage of the entire zone:

Density and Intensity - The number of dwelling units or total gross floor area shall not exceed that set forth by the applicable zone and the applicable land use plan, and shall be based on the area of the entire zone. The dwelling units or gross floor area may be distributed without regard to the proposed lot boundaries provided the distribution is consistent with the land use transfer provisions of the Carmel Valley Employment Center Unit 2 Precise Plan.

Which allows them to turn 80 or 90 du/ac into 26 du/ac.

78.8 Traffic congestion is common in urban areas where mixed-use projects are being encouraged to be developed. Mixed-use projects are encouraged because they help alleviate traffic congestion by reducing reliance on the private automobile.

78.9 The site has been chosen because it is of sufficient size and is located within an area which already exhibits a variety of residential and employment uses. Furthermore, as discussed in response to comment 10.40, regional bus service is expected to be available to the site and community by the year 2030. In the meantime, as discussed in response to comment 6.7, the project will offer a shuttle service to the Sorrento Valley transit station.

78.10 As this comment raises no issues related to the adequacy of the Draft EIR, no response is necessary.

78.11 The City is required to process development applications. The City Council will act upon the proposal.

78.12 As this comment raises no issues related to the adequacy of the Draft EIR, no response is necessary.

78.13 The Final EIR, in Section 5.3.3 and 12.9, recognize that the Originally Proposed Project and the Revised Project would result in significant impacts to the neighborhood character of the area. The proposed buildings would, despite project design strategies to minimize apparent height and mass of the structures, substantially contrast with portions of the surrounding development in the community. However, this finding is consistent with the determination in the General Plan EIR that intensification associated with implementation of the City of Villages concept, consistent with smart growth principles, could be expected to result in impacts to community character.

Contrary to the comment, recreation is allowed as an accessory use to the mixed-use development in the proposed zone.

This can be seen by starting from the San Diego Municipal Code Chapter 11: Land Development Procedures (2-2012), Article 3: Land Development Procedures, Division 2: Rules for Calculation and Measurement (Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.), which is designed to normalize the density calculations City-wide so that all development may be judged by the same standard:

§113.0201 Purpose of Rules for Calculation and Measurement

The purpose of this division is to clarify and define the manner in which specific land development terms and development regulations are applied. The intent is to provide the rules for calculating, determining, establishing, and measuring those aspects of the natural and built environment that are regulated by the Land Development Code. (Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

Section 113.0222 has a very specific discussion of calculating densities for residential developments.

§113.0222 Calculating Density

(a) Multiple Dwelling Unit Development For multiple dwelling unit development, the maximum number of units that may be permitted on any premises is determined by dividing the lot area of the premises by the number of square feet required for each dwelling unit (maximum permitted density), as prescribed by the applicable base zone.

(1) If the quotient resulting from this calculation exceeds a whole number by 0.50 or more, the number of dwelling units may be increased to the next whole number.

(2) The maximum number of dwelling units permitted on any premises that is located in more than one zone shall be the sum of the number of units permitted in each of the zones based on the area of the premises in each zone. The dwelling units may be located on the premises without regard to the zone boundaries.

Conveniently, Kilroy has subdivided the property into a large number of lots, so the calculation by this standard becomes very simple. If you take the actual number of units and calculate the density using the City Standard “per-lot” method, you get:

Building	Description	No. Units	No. Acres	Units per Acre
Bldg 3	Block A, residential bldg, 4 over retail.	194	2.465	78.70
Bldg 5	Block B, residential bldg, 5 over retail.	181	2.267	79.84
Bldg 6	Block C, residential bldg, 5 over retail.	133	1.692	78.61
Bldg 7	Block A, residential bldg, 10 over retail.	100	0.647	154.56
<b>Total</b>	<b>All residential buildings in the project</b>	<b>608</b>	<b>7.071</b>	<b>85.99</b>

That's roughly 80 du/ac for the “small” buildings, and over 150 du/ac for the residential tower! Using the special One Paseo “entire zone” method, you get something like this:

Building	Description	No. Units	No. Acres	Units per Acre
All	All residential buildings in the project	608	23.700	25.65

So, just by adding a small change to the density calculation, One Paseo goes from residential densities that range from 79 to 155 du/ac, with an overall density of 86 du/ac on the residential lots, to the much lower figure of 26 du/ac!

78.14 The City of San Diego Municipal Code includes several different methods of calculating residential densities. The proposed CVPD-MC zone includes language that is based on Municipal Code Section 143.0410(3) (b)(1), which allows the number of dwelling units or total gross floor area to be based on the entire premises and distributed without regard to lot lines. The other code sections referenced in the comment are not applicable. The General Plan Land Use Element (Table LU-4) states that Community Villages have a maximum density limit of 70 dwelling units per acre.

78.14  
cont.

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78.15 **How does the proposed zone relate to adjacent land use, designed to create a development that is unique to the location and relates to the surrounding uses, when the adjacent land use is mostly low density residential with 5 to 15 du/acre, and the proposed residential ranges from 78 to 155 du/acre?**

Yes, through gimmicks and fancy accounting tricks, Kilroy has made the density appear to be only 26 du/acre, at least on paper. Yet, using the standard methods for calculating density as specified in the City's Municipal Code, the figure is six-times as large, at over 155 du/acre! Even the average density for all of the lots that have any residential development is over 85 du/acre!

**Given the large areas of this property not used for residential use (roughly 70% has no residential component!), why has the City allowed Kilroy to change the method of density calculation for this zone when there is no reason to do so?**

78.16 If you think about the adjacent residential units, which are roughly 30 feet tall with between 5 and 15 units per acre, the One Paseo residential buildings with heights of 70 feet, 85 feet and 150 feet tall can in no way be considered as "relating to" their surroundings.

**If the One Paseo residential buildings do not relate to their surroundings and are not designed to fit in to the Carmel Valley Community (to be "unique to" Carmel Valley), why has the DEIR found that the project does blend with the character of the community (see reference to consistency with LU-A.2 on page 5.1-36 in the DEIR), and why has this statement been allowed to stand as true when it should be changed to "No", this project is not consistent?**

This point needs to be highlighted. When the DEIR addresses One Paseo's consistency with this policy point:

Policy LU-A.2: Identify sites suitable for mixed-use village development that will complement the existing community fabric or help achieve desired community character, with input from recognized community planning groups and the general public.

It is marked as consistent, with this explanation:

The project site is proposed to be designated as a village site and developed as a Community Village. The project site is currently identified in the General Plan (Figure LU-1 in the Land Use and Community Planning Element) as having moderate village propensity. The project was designed to blend with the character of the community. The proposed uses of the project site are similar to surrounding uses, and have been sited so that the uses mirror adjacent off-site uses.

Ongoing coordination with community planning groups and community residents has occurred through community planning group presentations, workshops, and public meetings. The intent of these public outreach efforts is to solicit input from key stakeholders. Additional opportunities for community input will be provided during the plan review and environmental review processes.

How bizarre is that? It comes right out and says that "The project was designed to blend with the character of the community." And, then it says that it blends with the character of the community because the adjacent land uses are the same! That's like saying that it fits within the community because they use the same color paint! In fact, this misses the entire point of "fitting into the community!" The

78.15 As discussed above in response to comment 78.14, residential densities were calculated in accordance with a specified method provided in the City's Municipal Code.

78.16 While the Final EIR recognizes that both the Originally Proposed Project and Revised Project would result in significant impacts to the neighborhood character of the area, the proposed mixed-use development would be consistent with Land Use and Community Planning Policy LU-A.2 for the reasons discussed in response to comment 63.92.

The issue of visual effects/neighborhood character is different from land use policy consistency. As is the case here, it is possible for a project to result in a significant neighborhood character impact while remaining consistent with General Plan policies that include the words "neighborhood character" or "community fabric." The project's significant neighborhood character impacts are the result of the difference in height and scale of the proposed buildings in relation to those in the immediately surrounding properties. This, in and of itself, does not automatically mean that the project is inconsistent with General Plan policies. The intent of the policy is to identify suitable sites for village centers while factoring in the existing community fabric as a whole, not just a specific element that contributes to neighborhood character (such as building height).

78.17 As discussed in response to comment 78.16, the proposed development would be consistent with Land Use and Community Planning Policy LU-A.2.

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78.17  
cont.

problem is NOT that the land uses are the same, the problem is the density, height, massing, and intensity are totally different from anything in the neighborhood, or anything for miles around!

**Why has the City accepted the DEIR's statement that "One Paseo is consistent with LU-A.2" when it clearly is not: differing in height, mass, and intensity, and incompatible with the community character as noted in the DEIR?**

My second issue with the zone is that Kilroy has taken the base CC-5-5 zone, which is considered a HIGH INTENSITY commercial zone (and has a 100 foot height limit), then increased the allowable height to add buildings unheard of in a suburban village.

**Why are we starting from such a high-intensity zone in the first place, given that the adjacent uses are very-low, low and low-medium densities? Shouldn't we be starting from a lower-intensity base zone?**

Kilroy will answer that before this amendment, there was no building height limit. So, in theory, they could build a 400 foot tall tower under the existing zone. While this may be technically true, it turns out that all the parcels between I-5 and El Camino Real have this same zoning, and almost all of them are between 2 and 4 stories tall. From the existing PDO, §103.0612 Employment Center (EC):

- (3) Maximum Structure Height.
- (A) East of El Camino Real Road - 50 feet.
- (B) West of El Camino Real Road - none.

78.18

Looking at the Employment Center, you can see a progression of building heights from north to south, where the tallest buildings in the community are to the far south, away from residential development.

The trick here is that the current language of the Neighborhood 2 Precise plan does not allow single, massive towers to be built. From the current Precise Plan, page 2:

The grading of lots is unique to this type of development. Each lot will be graded into multiple pads with only 10' to 15' grade differential between pads. This will create a rolling natural feel to the land forms and encourage multi-level structures that will have a more refined scale than typical industrial parks. The grading will be minimal for a project of this scale and will echo existing land forms.

Minimal grading. Rolling, natural feel. Encourage multi-level structures that will have a more refined scale. The One Paseo proposal could not be more counter to the intent of the Employment Center Precise Plan.

Similarly, the precise plan continues:

78.19

The general tendency in large business industrial parks is to mass grade the site into large simple building pads. This accepted norm was discarded in favor of terraced grading. The contouring of the property to create building sites will establish a natural character and reduce earth moving by one-third.

Isn't One Paseo exactly the opposite of this? Increasing the earth moving, destroying the natural character, mass grading into large, simple building pads?

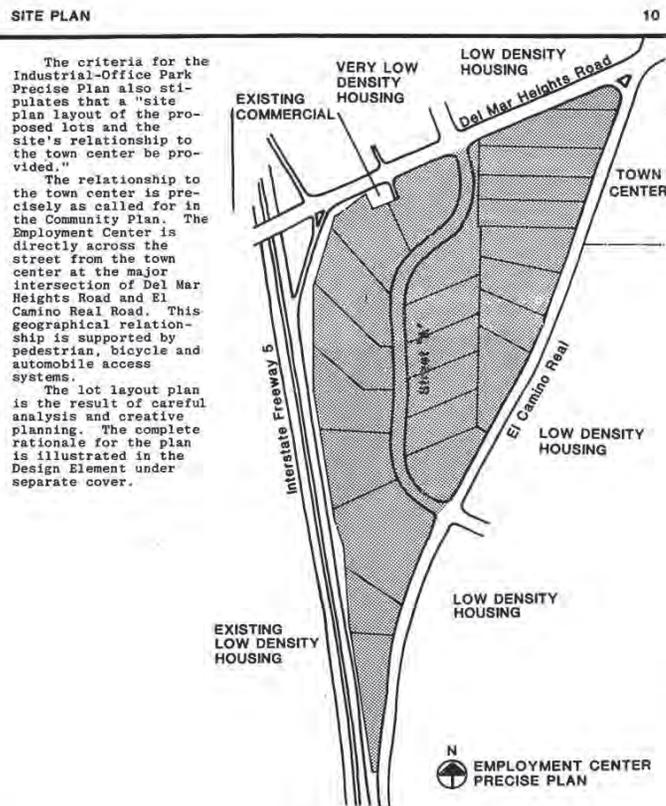
78.18 The Employment Center Precise Plan and CVPD-EC zone provide policy guidance and regulations for the development of office parks/light industrial uses. These planning documents do not regulate vertical mixed-use development and therefore, the Originally Proposed Project and Revised Project would require that amendments to the Precise Plan and Carmel Valley Planned District Ordinance. As the comment states, there is currently no building height limitation for the project site. The fact that nearby development with similar zoning has lower building heights does not imply a height limit for development on the project site.

However, as discussed in response to comment 5.6 and Section 12.9 of the Final EIR, the Revised Project substantially reduces the building heights in comparison with the Originally Proposed Project. With the Revised Project, no building would exceed 9 stories. Nevertheless, as described in Section 12.9 of the Final EIR, impacts related community character would remain significant and unmitigable under the Revised Project.

The project site, which has been mass graded for several decades, does not contain natural landforms. While additional grading would be required to construct the Revised Project, most of the grading is associated with excavation for the proposed subsurface parking garages.

78.19 As indicated in Figure 3-6 of the Draft EIR, the proposed grading plan would generally retain the three terraces which currently exist on the site. The grading quantities are largely associated with the excavation required to construct the proposed subterranean parking.

Looking at the current Precise Plan, page 10, you can see the area that was zoned with no height limit. In fact, there is only a single building in the entire Employment Center zone that is over 4 stories, but it should be noted that building (the AMN Building at the corner of High Bluff Drive and El Camino Real) was built on a difficult lot to the south, where the lot contains steep slopes, inadequate useable street frontage, and a large detention basin:



The criteria for the Industrial-Office Park Precise Plan also stipulates that a "site plan layout of the proposed lots and the site's relationship to the town center be provided."

The relationship to the town center is precisely as called for in the Community Plan. The Employment Center is directly across the street from the town center at the major intersection of Del Mar Heights Road and El Camino Real Road. This geographical relationship is supported by pedestrian, bicycle and automobile access systems.

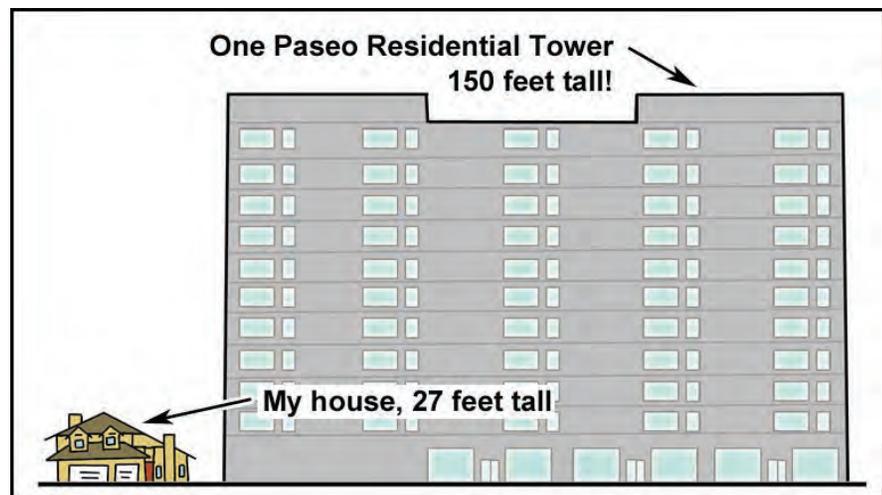
The lot layout plan is the result of careful analysis and creative planning. The complete rationale for the plan is illustrated in the Design Element under separate cover.

78.20 The history behind the development approvals of the Marriott and office building are beyond the purview of the Draft EIR.

For reference, and since I'm making the claim that the AMN Building is the only current building in the Employment Center taller than 4 stories, and someone is sure to bring up the Marriott Hotel and the adjacent 8 story office building, I will point out that those two buildings are on land zoned VC or Visitor Commercial. Again, just for reference, the VC property is based on the underlying CV-1-1 zone (see the CV PDO page 16.) This is confusing to me, since the San Diego Municipal Code (ch 13, art 1, div 5, p 32) lists the height limit for CV-1-1 as 60 feet with a max FAR of 2.0, and I'm fairly certain that these two buildings are taller than 60 feet.

78.20 cont. **How did the Marriott Hotel and the adjacent 8 story office building in the Carmel Valley Visitor Commercial Zone (VC) get to be taller than 60 feet without an adjustment to the PDO?**

From the above map of the Employment Center, it should also be noted that the densities around the employment center largely consist of low density housing. The proposal by Kilroy to insert densities of 80 to 150 du/ac simply are not compatible with the adjacent densities. A scale comparison is useful at this point. Below is a scale comparison of the existing houses to the north with the proposed residential tower in One Paseo:



The houses directly along Del Mar Heights Road, while they are multi-family, have similar measurements, largely consisting of 1 and two story attached condominium units with green space between the buildings. It's hard to imagine how anyone could possibly consider this proposed use to be in any way compatible with the existing development.

While Kilroy can correctly say that the "land use is the same" (after all, it is residential adjacent to residential!), the idea that this new building somehow fits into the community could not be more wrong.

78.22 A note at this point on building heights and the DEIR. **The contents of the DEIR inconsistently show different heights, uses and number of stories for the buildings in the project. For instance, a building that is really 4 residential stories over retail is described as only having 4 stories of residential, with no retail below. Similarly, the 10 story residential tower is really 10 stories over retail, or 11 stories. Sometimes the document refers to the building as 10 and sometimes 11 stories. This is also true of the office towers, where the 8 story tower is really 8 over retail, and the 10 story office tower is really 11.**

78.21 The exhibit provided in the comment does not represent an accurate comparison in terms of residential type, scale, and building form. It shows one single-family home directly adjacent to a large rectangular residential building form. In actuality, the houses across Del Mar Heights Road (a 102-foot-wide prime arterial roadway) include numerous attached multi-family townhouse buildings that are grouped together within a complex that extends several blocks between Interstate 5 and El Camino Real. This residential complex, as a whole, is at a substantially different scale than portrayed in the comments' exhibit of a lone single-family home.

Additionally, the exhibit shows the proposed residential building as a simple block building with no articulation or design elements that would be incorporated into the design of the proposed buildings, as discussed in Section 5.3 in the Draft EIR. The exhibits and cross-sections provided in the Draft EIR illustrated existing and proposed topography, the actual location of existing and proposed development, roads, open space, and vertical and horizontal separations (including actual distance and grade differential between existing and proposed residential uses). None of these factors are accurately reflected in the sketch provided with the comment letter.

Nevertheless, Sections 5.3.3 and 12.9 of the Final EIR recognize that the Originally Proposed Project and the Revised Project would result in significant impacts to the neighborhood character of the area. The proposed buildings would, despite project design strategies to minimize apparent height and mass of the structures including landscaping, substantially contrast with portions of the surrounding development in the community.

78.22 The discussion of buildings in Section 3, Project Description, of the Draft EIR did not identify the total number of stories for buildings which included a mixture of uses (e.g., retail and residential). However, the reader was able to determine the total number of stories within a specific building height by adding the number of stories devoted to each use. Because the total number of stories was critical to the analysis of neighborhood character, the discussion in Section 5.3, Visual Effects and Neighborhood Character, does identify the total number of stories in buildings, regardless of the number of stories devoted to each use type. In addition, the commenter is mistaken in the assertion that the Originally Proposed Project included buildings which consisted of 11 stories. No

**A hierarchy of villages**

The General plan calls for a hierarchy of villages. This means that more dense, urban areas should get more dense, urban villages; while smaller, more suburban locations should get smaller, less dense villages. This is noted in the DEIR on page 5.1-35:

Policy LU-A.1: Designate a hierarchy of village sites for citywide implementation.  
c. Designate Neighborhood, Community, and Urban Village Centers, as appropriate, in community plans throughout the City, where consistent with public facilities adequacy and other goals of the General Plan.

The DEIR notes that this site has a moderate village propensity, and that they have proposed the designation of Community Village:

The project site is proposed to be designated as a village site and developed as a Community Village. The project site is currently identified in the General Plan (Figure LU-1 in the Land Use and Community Planning Element) as having moderate village propensity. Village locations will be designated in community plans with input from the community planning groups and based on the criteria and consistency with General Plan policies pertaining to the City of Villages Strategy. *As shown in this table, the project would be consistent with City of Villages Strategy policies, facility adequacy requirements, and other applicable General Plan goals.*

78.23 The problem with this analysis is not that the site is consistent with the City of Villages strategy, it's that they make the leap from, "we have provided an appropriate village designation" to "this project is consistent with all City of Villages Strategy policies, facility adequacy requirements, and other applicable General Plan Goals."  
**Holy cow, that's not true! The DEIR itself shows that the local facilities are not adequate to support the development in One Paseo.**

The hierarchy of villages consistency should be analyzed as to how this project fits with in a hierarchy of different size and scale villages!

78.24 The DEIR goes on to show this policy  
Policy LU-A.6: Recognize that various villages or individual projects within village areas may serve specific functions in the community and City; some villages may have an employment orientation, while others may be major shopping destinations, or primarily residential in nature.  
The DEIR notes that the community wants a "main street", but somehow makes a logical leap from a simple "main street" to a need to provide every possible use imaginable:  
The project proposes to serve as a "Main Street" village center area for the Carmel Valley community, providing a diversity of uses including residential retail, commercial, and public space uses within a walkable, pedestrian-scaled environment.  
However, the community has shown no need for additional residential, a hotel, a theater, etc. There is simply a desire within the community for a main street, a community gathering place, and possibly a "Trader Joes". How Kilroy made the leap to the One Paseo style development is unknown.

78.22 such statement was made in the Draft EIR, nor are there any buildings with 11 stories contained in the plans for the Originally Proposed Project or Revised Project.

78.23 The Draft EIR did not conclude that the facilities needed to serve the proposed development are inadequate. Adequate utilities (sewer, storm water, and water) are available as are adequate police and fire protection facilities. The development would pay school fees to mitigate for the additional students generated by the proposed residential development. Lastly, the City considers payment of FBA fees to ensure that no significant impacts to parkland would occur.

78.24 As this comment raises no issues related to the adequacy of the Draft EIR, no response is necessary.

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Finally, Policy LU-A.7 addresses if the appropriate density, intensity and mix of uses have been provided through the plan:

Policy LU-A.7: Determine the appropriate mix and densities/intensities of village land uses at the community plan level, or at the project level when adequate direction is not provided in the community plan. a. Consider the role of the village in the City and region; surrounding neighborhood uses; uses that are lacking in the community; community character and preferences; and balanced community goals (see also Section H).

Somehow they, through the magic of creative writing, again determine that this is consistent with the Policy, and that this “village” is reflective of the goal of having a hierarchy of villages throughout the City of San Diego!

The project proposes to create a “Main Street” and village center for the Carmel Valley community on a 23.6-acre graded and vacant site in a high-activity urbanized area at a transition point between land uses. The site’s location at this transition point lends itself to function as a unifying, mixed-use village center with a defined pedestrian-oriented Main Street. The project would include a mixed-use development encompassing a maximum of 1,857,440 gross sf, and would consist of approximately 270,000 gross sf of commercial retail; approximately 557,440 gross sf of commercial office; an approximately 100,000-gross sf, 150-room hotel; and an approximately 930,000-gross sf, maximum of 608 multi-family residential area. The proposed project would be compatible with land use types and development patterns of the surrounding areas (refer to Figure 2-2). Multi-family residential units (condominiums and apartments) are located to the north and northeast of the project site. A commercial retail center (Del Mar Highlands Town Center) is located immediately east of the project site. Office buildings are located to the west and south of the project site. The proposed project also would integrate with the surrounding community in that the proposed layout of the project would match proposed uses with existing uses along the site perimeter. For example, residential uses would be placed adjacent to residential uses, office uses adjacent to office uses, and commercial uses adjacent to commercial uses. Additionally, the project would be consistent with community goals of providing a balance of planned land uses within the Carmel Valley community (refer to the section in this table addressing consistency with the Carmel Valley Community Plan).

While I could spend many pages on every point in this paragraph, I would simply note that such “creative writing” should not be allowed within a technical document, and should be stricken entirely. Placing a long string of unrelated sentences together does not create an actual argument for their point that they meet any goals of the General Plan or Community Plan.

Sincerely,

Kenneth W. Farinsky  
Carmel Valley, San Diego

cc: Councilwoman Sherri Lightner  
Bernie Turgeon, Senior Planner  
Chairman Frisco White, Carmel Valley Community Planning Board

78.25 The City believes that the narrative identified in this comment is accurate. Discussions of the relationship of the proposed development to the surrounding uses relies on a descriptive narrative which involves a certain degree of qualitative analysis.

78.25

Kenneth Farinsky  
3404 Lady Hill Rd  
San Diego, CA 92130

May 29, 2012

Martha Blake, Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Subject: Comments on the Draft Environmental Report for One Paseo,  
**Additional Concerns on One Paseo**  
Project No. 193036, SCH No. 2010051073

Dear Ms. Blake,

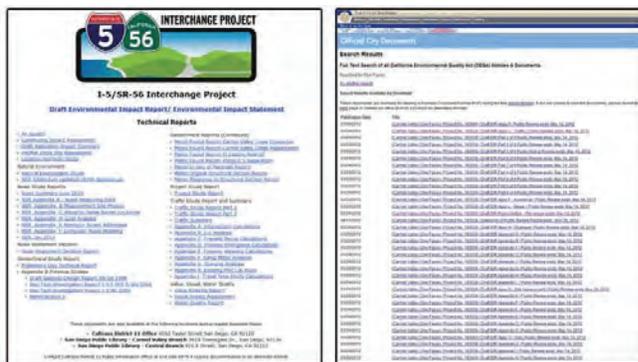
I am concerned that the electronic distribution of the One Paseo DEIR was inadequate, making accessing the information unreasonably difficult for the general public. To show the issues with accessing the documents in the DEIR, first start with a different governmental agency's handling of a similar document just a few weeks after the One Paseo DEIR was released to the public. Looking at the CALTRANS publication for the I-5/SR-56 Interchange Project:

[http://www.dot.ca.gov/dist11/Env\\_docs/I5\\_SR56/DEIR.html](http://www.dot.ca.gov/dist11/Env_docs/I5_SR56/DEIR.html)

then comparing that to the City of San Diego's equivalent web page for locating the One Paseo DEIR documents:

[http://google.sannet.gov/search?basequery=One+Paseo&partialfields=&advancedfields=&startdate=&enddate=&show\\_results=true&proxyreload=1&num=100&sort=&requiredfields=STARTED%3ATRUE.ENDED%3AFALSE.PATH%3ACEQA&layout\\_type=datetitlelink&getfields=TITLE.DOC\\_DATE&site=documents&config=ceqa.js&output=xml\\_no\\_td&ie=UTF-8&client=scs\\_ocd&filter=0&proxystylesheet=scs\\_ocd&fulltext\\_search\\_results=true&q=One+Paseo](http://google.sannet.gov/search?basequery=One+Paseo&partialfields=&advancedfields=&startdate=&enddate=&show_results=true&proxyreload=1&num=100&sort=&requiredfields=STARTED%3ATRUE.ENDED%3AFALSE.PATH%3ACEQA&layout_type=datetitlelink&getfields=TITLE.DOC_DATE&site=documents&config=ceqa.js&output=xml_no_td&ie=UTF-8&client=scs_ocd&filter=0&proxystylesheet=scs_ocd&fulltext_search_results=true&q=One+Paseo)

one finds the following web pages (One Paseo is on the right) :



79.1 The City will strive to improve website organization of such materials in the future. However, the availability of documents over the internet is in addition to the availability of hardcopies at the Carmel Valley Library and at the Development Services Department of the City. Moreover, a hardcopy would have been distributed to any member of the public if requested. Moreover, the public review period was extended from 45 to 60 days in order to allow additional time for public review and comment. In all, more than 300 public comment letters were received consisting of a total of 2033 comments.

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79.1 cont. It almost appears as if the One Paseo page is designed to confuse the user, with no structure, confusing names and a single category of documents. The SR-56 Connector page, on the other hand, is very clear in its organization and users can easily find the documents they need.

**In this day and age of electronic documents, there is no excuse for the organizational structure provided for the One Paseo DEIR. This alone should force a longer comment period, as the intent is to make the documents available to as wide an audience as possible, not to obscure the documents in a way that limits readership.**

79.2 So, we start with an incredibly flawed presentation of the DEIR documents. From there, we discover that the One Paseo DEIR is so flawed that any understanding of the existing project is impossible. Building descriptions are inconsistent, pictures misrepresent the scale of the project, building heights change with different references in the document. Anyone trying to understand the project would have to piece together numerous views to average out what is being proposed.

79.3 And then, the Precise Plan Amendment allows significant changes to the development without any additional environmental review!

79.4 **Given the fact that everything is so disorganized, that so much information contained in the DEIR is inconsistent or incorrect, that the project is repeatedly misrepresented, and that the project could significantly change scale without additional environmental review, the DEIR should be updated to accurately represent the worst-case (most impactful to the community) project that could be built given the proposed plans, Precise Plan Amendment, and PDO Amendment. Once the DEIR is properly updated to this level (including impacts to schools, correct park impacts, traffic that includes alternative SR-56 connectors, etc.), the new DEIR should be recirculated to allow the community to actually understand the scope of what is being proposed.**

Views

79.5 In the Neighborhood 2 Precise Plan on page 24, the overall massing of landscape and buildings is discussed, including the desire for screening the views of existing residential views using building scale, slope layout and tree height. While the One Paseo landscape plan does provide trees between existing residents and the proposed development, the mass and scale of the new buildings will prevent any softening through any possible landscape design. There are no street trees that will adequately soften the mass of 75 foot, 85 foot or 150 foot residential towers placed directly across the street from existing residences.

79.6 In fact, these new buildings will block views of existing residences located to the east of the One Paseo property, who currently have views to the west, into the Del Mar Hills. Additionally, these new buildings will also block views of existing residences located to the north of the One Paseo property, who currently have views of Carmel Mountain to the south.

79.7 **Given the desire in the Neighborhood 2 Precise Plan to screen the visibility of buildings in the employment center, to soften the structures and to maintain views, why has the DEIR not noted that the One Paseo project is inconsistent with the vision of the Precise Plan?**

79.2 Contrary to the comment, the Draft EIR and the associated appendices meet or exceed the requirements established by CEQA. The document contains a project description which accurately represents the elements of the proposed development, to the degree to which they are known. As a Precise Plan, there are details about the proposed development which are not required to be described. For example, specific building architecture and design features were not available, nor are they required at the Precise Plan level. However, the design guidelines included in the Precise Plan provide sufficient information to evaluate the potential impacts of the project pursuant to CEQA and will be used by the City when reviewing subsequent building permit requests.

The analysis of environmental impacts contained in the Draft EIR has been prepared by highly qualified experts and independently reviewed by experienced City staff to assure that the document is accurately identifying potentially significant impacts, identifying potential mitigation measures, and, eventually, the ability of those measures to reduce impacts.

79.3 Any changes to the Revised Project proposed subsequently to approval of the Revised Project would be reviewed against adopted planning documents and entitlements, as required by CEQA. The Revised Project could not exceed adopted maximum structure heights of the zone, transfer square feet between different types of land uses without regard to trips or minimum land use thresholds of the zone, or exceed limits established by the Final EIR, Precise Plan, traffic study, parking study or Planned District Ordinance without the discretionary approval of the City of San Diego through a Substantial Conformance Review-Process 2 (SCR-2), as well as CEQA review. If the proposed project is not found to be in substantial conformance with the Precise Plan, an amendment to the Precise Plan would be required pursuant to City of San Diego Bulletin 500. As stated in the Implementation section of the Precise Plan Amendment, an SCR-2 is presented to the Planning Group and the City's decision would be appealed to the Planning Commission. The transfer provisions included in the Precise Plan Amendment are consistent with City policy and other long-range planning documents for comparably phased projects.

79.4 As discussed in response to comment 79.2, the City considers the Draft EIR to be an accurate, consistent, and comprehensive evaluation of the potential environmental impacts and mitigation opportunities associated with the proposed development. As suggested in the comment, the Draft EIR did evaluate a “worst-case” condition by assuming that the maximum amount of development would be constructed.

The Draft EIR did accurately reflect potential project impacts to schools, parks and traffic. As discussed in response to comment 7.11, the analysis of the schools in the Draft EIR is adequate.

As described in responses to comments 63.168 through 63.170, the City considers payment of FBA fees to ensure that no significant impacts to parkland would occur.

Consequently, the City does not consider it necessary that the Draft EIR be recirculated. However, the analysis of three additional alternatives included in the Final EIR was circulated for additional public review.

79.5 The Draft EIR, in Section 5.3.3, recognized that the construction of the Originally Proposed Project would result in significant impacts to the neighborhood character of the area. The proposed buildings would, despite project design strategies to minimize apparent height and mass of the structures, substantially contrast with portions of the surrounding development in the community. As this comment reiterates information and conclusions already contained in the Draft EIR, it does not raise any specific issues with respect to the adequacy of the Draft EIR.

Additionally, it is important to note that the project applicant has revised the project from the version evaluated in the Draft EIR. As discussed in response to comment 5.6, and Section 12.9 of the Final EIR, the Revised Project would reduce the impact on neighborhood character but not to a level below significance.

79.6 Although the proposed development would interrupt views from residential areas to the north and east, the impact is not considered significant for several reasons. First, the City does not consider effects on views from private residences to be subject to CEQA. Rather, as discussed in the Draft EIR, the focus is appropriately placed on public views. Second, the views from these residences are not considered particularly scenic as they already have the office buildings to the south of the site and I-5 within their viewsheds. Lastly, the eventual development of the site under the current land use designation would result in a similar disruption in the views from these residences.

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79.7 The impact of the building heights associated with the Originally Proposed Project and the Revised Project on the neighborhood character is considered to be significant in the Draft EIR, despite the extensive landscaping proposed. However, as discussed in response to comment 79.8, the Draft EIR appropriately determined that the proposed development would not have significant impacts on existing views. It should be noted that, as discussed in response to comment 5.6 and Section 12.9 of the Final EIR, the reduced building height and more open site plan associated with the Revised Project would reduce potential neighborhood character impacts but not to a level below significance.

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In fact, views and viewshed are specifically mentioned in the plan rationale on page 17:

The overall design concept of the North City West Employment Center has been developed by an evolutionary design process. The solutions of various issues, objectives and constraints were overlaid to create a total end product. Views, viewshed, grading, traffic, drainage landscape and land use were all considered and resolved in addition to the previously stated criteria and objectives.

79.8

With page 19 specifically calling out the views to the south, across Carmel Valley to Carmel Mountain.

**While there may not be any requirement for developers to preserve views over private land, this is a discretionary project that proposes massive increases in density, creating a situation that could not have been reasonably expected by local residents when they purchased their properties. Since this is a discretionary project causing unexpected impacts on adjacent views, the Planning Commission and the City Council should take these views into account, and their loss should be noted as an impact in the DEIR.**

When Carmel Valley was originally planned, there was great concern from the existing Torrey Pines community to the west of I-5 about the visibility of the new development and the destruction of their viewshed to the east. Because of this, language was placed into the precise plan to hide development and screen buildings, keeping them out of the sight lines of the neighbors to the west.

On page 23, the Precise Plan also shows specific concern about the visibility of buildings on the One Paseo lot from the existing residences to the west, in the Torrey Pines Community of San Diego:

The landscaping of the mound separating the Zone 1 and Zone 2 properties will screen these facilities from view from the west and define that area that concludes at the Town Center to the east.

79.9

The idea is that the buildings in zone 2 would be built at a lower level, with the landscaping at the top of the slope hiding the buildings from the houses to the west of the project. However, given the extreme height of the residential tower placed at the top of the slope, and the even taller buildings placed below, this new project will clearly project into the view of the residents to the west.

**Given the specific concern in the DEIR about the visibility of Employment Center building from the existing residences in the Torrey Pines community to the west, why is the City allowing these massive buildings to be built, in a way that is inconsistent with the Master Plan in the Neighborhood 2 Precise Plan, and that breaks the covenant with the older community to the west of Carmel Valley?**

On the scale of the new development, the Neighborhood 2 Precise Plan, in its Conformance with the North City West Community Plan on page 5, talks about how the urban design of the infra-structure will ensure a “rolling, low scale and natural result”, and how the “controls on development will reinforce these concepts and guide the building design and site development.”

79.10

The urban design infra-structure will control all common landscaping, streetscape, property entrances and public facilities. The controls inherent in the design element of this plan will ensure natural grading and landscaping. This plan is unique in that each property will be graded with multiple pads instead of singular flat pads. The existing high and low points of the site will

79.8 As discussed in response to comment 79.6, the eventual development of the site under the current land use designation would result in a similar disruption in the views from these residences.

The Draft EIR, in Section 5.3.3, recognized that the construction of the Originally Proposed Project would result in significant impacts to the neighborhood character of the area. The proposed buildings would, despite project design strategies to minimize apparent height and mass of the structures, substantially contrast with portions of the surrounding development in the community. As discussed in Section 12.9 of the Final EIR, the Revised Project would reduce the impact on neighborhood character but not to a level below significance.

With respect to the question regarding justification for the City approving the project, it is important to note that the decision to approve or deny the project ultimately rests with the City Council, which will take a number of considerations into account including the environmental impacts identified in the Final EIR as well as social, economic, and other considerations.

79.9 As discussed in response to comment 79.6, impact of the proposed development on views from residential development to the west is not considered significant.

79.10 The site has already been mass-graded. Furthermore, the footprints of the larger buildings required to accommodate the proposed development are not conducive to variable topography, nor would the employment development type currently allowed on the subject property. Lastly, the proposed development does include two general pad levels. Blocks B, C, D, and E would all of pad elevations around 181 feet amsl, while Block A would be located at around 168 feet amsl.

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remain, the balance will echo that which now exists. This will ensure a rolling, low scale and natural result. The controls on development will reinforce these concepts and guide the building design and site development.

The One Paseo grading and it's building design violate every aspect of this statement. There is no natural grading, or rolling, natural result. Instead, the lot is graded nearly flat, 2 or 3 stories below the existing grade. It is then filled in with buildings that are the antitheses of "rolling, low scale and natural", creating a massive block of development that is a monument to concrete, steel, glass and stucco. The result totally forgets the natural environment from which it came, leaving behind an urban block that would better fit into downtown San Diego or Los Angeles.

**Why has the size, scale, grading, and structure been allowed given their inconsistencies with the vision of the Precise Plan to create a "rolling, low scale, natural result"?**

When looking at adjacent development, it should be noted that there are no residential buildings in Carmel Valley that even match the scale of the lowest residential structure in One Paseo. In fact, most of the office buildings in Carmel Valley are shorter than the lowest office 4 story office building in One Paseo. Yet, One Paseo proposes a 10 story residential tower and multiple office towers that are significantly taller than anything in the Carmel Valley Employment Center!

79.10 It is important to note that the applicant, not the City, has proposed the cont. project. The decision to approve or deny the project ultimately rests with the City Council, which will take a number of considerations into account including the environmental impacts identified in the Final EIR, as well as social, economic, and other considerations.

79.11 The Draft EIR, in Section 5.3.3, recognized that the construction of the Originally Proposed Project, and the 10-story residential building, in particular, would result in significant impacts to the neighborhood character of the area. As discussed in Section 12.9 of in the Final EIR, the Revised Project would reduce the impact on neighborhood character, including elimination of the 10-story residential building, but not to a level below significance.

**Kilroy's misrepresentation of the project**

Kilroy has consistently misrepresented One Paseo to the public in their marketing information and within the DEIR itself. For instance, most of the marketing views of One Paseo show the central retail building on the main plaza, a building that is only 33 feet tall. Nearby buildings are 50 feet, 70 feet, 85 feet, 150 feet tall and taller! Limiting views to one of the smallest buildings in the project does not adequately inform local residents as to what is being proposed.

For instance, here is some information on Kilroy's marketing images vs. reality:



79.12 The applicant's marketing materials were not used by the City to evaluate the environmental effects of the project.

79.12

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- 79.13 This misrepresentation can similarly be seen in photo simulations included in the DEIR, such as Figure 5.3-9, Figure 5.3-10 and Figure 5.3-11. It is clear from the 3D views in the plans associated with the DEIR, such as the Fire Plan that includes a number of 3D representations of the project from various angles, that the developer has fairly accurate 3D models of One Paseo and could provide views from any vantage point. However, the developer has chosen to restrict views to locations with the lowest buildings and least impact, showing the project in the best possible light.
- 79.14 Starting with Figure 5.3-9, the view uses a very wide angle, which makes the height of distant buildings fall off very rapidly. They have placed the “camera” in the gap between the buildings, concentrating the view on the lowest buildings in the project and the central plaza. The taller office buildings recede into the distance, making them look much smaller than they will appear in “real life”. Note that the residential buildings are shown without any mechanical structures on the top, although the cross sections, such as Figure 5.3-7b (zoom in for detail), clearly show a full story of mechanical structure on the top of these residential blocks.
- 79.15 Moving to Figure 5.3-10, we again find that the residential buildings are missing the top mechanical structures, making them appear to be a full story shorter than they will appear. And the angle has been turned to concentrate on the roadway rather than the buildings themselves (with a tree conveniently placed to block distant views – note that the trees must be very tall, as the adjacent buildings are close to 50 ft. tall along Del Mar Heights Road.) Also note that the developer has failed to show the additional left turn lane from Del Mar Heights Road to High Bluff northbound (mitigation requires them to add a second left-turn lane into the residential neighborhood on the left), replacing it with a planted center median.
- 79.16 **Given the fact that the project will require removal of all the plants in the center median along Del Mar Heights Road, adding them to this picture in place of a widened street seems like an extreme misrepresentation of reality.**  
**How can local residents judge the impact of One Paseo if it is NOT properly represented in the DEIR?**
- 79.17 Again on Figure 5.3-10, the developer has chosen to turn the view so that the 10 story residential tower is not in the picture, but is immediately off-screen to the right. Given that the top of this tower represents the highest point in the development, how could it have been omitted from this view?
- 79.18 Finally, on figure 5.3-11, the developer has again chosen a wide view of the street, again with a representation that minimizes the heights of distant buildings. Additionally, in this view they have shaded the lower floor of the residential block to make it look like part of the landscaping.
- 79.19 Given the obvious attempts to obscure the true nature of the project through images placed in the DEIR and marketing brochures widely distributed to the public, how can the developer’s representation of One Paseo be considered anything but misleading?  
**Since one of the major impacts to the community is the visual and community character impact, shouldn’t the DEIR contain more images that accurately represent the impact of the project on the community, and clearly show the difference in scale of adjacent development?**  
**Given the direct impact to the local community and the lack of accurate information on the project, the DEIR should be corrected and re-circulated with an additional 60 day comment period.**

- 79.13 The views along Del Mar Heights Road were taken at both ends of the project to capture as much of the project as possible. As a result, the 10-story building is not readily apparent in the view to the west. Nevertheless, the Draft EIR acknowledged the neighborhood character impact of this building along with the other taller buildings within the proposed development. Furthermore, as discussed in Section 12.9 of the Final EIR, the 10-story building is reduced to 6 stories with the Revised Project.
- 79.14 The visual simulations included in the Draft EIR were produced from an AutoCAD model which maintains a true scale for all of the buildings depicted in the simulation from the point at which the view is taken. No adjustments were made to make buildings in the distance appear smaller. The view angle for Figure 5.3-9 was specifically selected to allow a view into the inner portion of the project to provide perspective. Mechanical equipment does not represent the equivalent of a full story. Furthermore, mechanical equipment on top of the buildings would not normally be visible from the street level views depicted in the visual simulations included in the Draft EIR.
- 79.15 As indicated in response to comment 79.14, the mechanical equipment would not normally be visible from street level views. The view angle was selected to represent the view of motorists on Del Mar Heights Road which would generally involve oblique views of the buildings rather than straight-on frontal views. While efforts were taken to accurately depict the visual elements such as buildings and landscaping, less attention was paid to the roadway striping. Furthermore, the absence of the future left-turn lane does not substantially alter the visual elements that would be most important to motorists on Del Mar Heights Road. The landscaping, including the noted tree, was added to depict the full number of visual elements expected to be visible from Del Mar Heights Road which, as indicated in the simulation, will selectively screen certain buildings when viewed from the roadway.
- 79.16 No more than three mature trees in the median would be removed to create the median openings needed to accommodate the proposed development.
- 79.17 As discussed in response to comment 79.13, the easterly view along Del Mar Heights Road was selected to capture as much of the project as possible. As a result, the 10-story building is not readily apparent because it is located in the most westerly portion of the project. Nevertheless, the Draft EIR acknowledged the neighborhood character impact of this building along with the other taller buildings within the Originally

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79.17 Proposed Project. Furthermore, as discussed in Section 12.9 of the Final cont. EIR, the 10-story residential building would be reduced to 6 stories with the Revised Project.

79.18 As discussed in response to comment 79.14, the visual simulations are designed to be a realistic, to-scale representation of the proposed development. The green shading at the base of the buildings is intended to represent the perimeter shrubs which would be planted beneath the street trees, as depicted on landscape plan in Figure 3-3b of the Draft EIR.

79.19 As discussed in response to comment 79.14, the visual simulations are designed to be a realistic, to-scale representation of proposed development and are adequate to serve as the basis for the analysis of visual and neighborhood character impacts included in the Draft EIR. The analysis concluded that the Originally Proposed Project and the Revised Project would result in a significant neighborhood character impact.

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79.20 In addition to photo simulations and artist renderings that misrepresent the public as to the true scale of the buildings in One Paseo, the two cross-sections (Figure 5.3-7a and Figure 5.3-7b) are also misleading to residents of the adjacent residential area. By turning the angle at a 45 degree offset from Del Mar Heights Road, residents of the adjacent East Bluff development cannot get an accurate view of what will be placed across the street from their homes.

79.21 **The DEIR should provide a cross-section that follows Del Mar Heights Road, and a second cross-section that roughly follows El Camino Real between One Paseo and the Del Mar Highlands Town Center.**

**Additionally, a number of detailed sections of these cross-sections should be provided, as the detail is very hard to see given the long length of the cross-section compared with the size of the paper.**

**On the discussion of Floor Area Ratio (FAR)**

79.22 The DEIR discusses FAR on page 5.3-22, making it seem that the One Paseo development has a similar FAR to other development in Carmel Valley. However, these are misleading statistics, as the One Paseo development calculates FAR based on the entire zone, whereas other areas calculate it based on lot size. A good example would be the 10 story residential tower, with a lot size around 29,000 sq ft and a total floor area close to 200,000 sq ft. For this building, the FAR is closer to 6.5, which is an unreasonable density increase compared to the nearby East Bluff multifamily units.

**One Paseo should only be allowed to calculate FAR and density (residential units per acre) using the same formula used by the adjacent office and residential units. These calculations must not use the entire zone for the square footage basis.**

79.23 Additionally, in the discussion of Bulk and Scale, the DEIR assumes that the development is consistent with the community plan because it assumes the approval of the new zone in the PDO Amendment. However, the scale allowed by the new zone is so different from the existing community fabric, that the PDO Amendment should never be allowed.

79.24 The DEIR consistently assumes that numerous beneficial approvals will be made to allow this project to fit within the new, vastly enlarged zoning or traffic envelopes. For instance, the project assumes that the I-5 to SR-56 connectors project will choose the direct connector alternative, which drastically reduces traffic on Del Mar Heights Road. If this alternative is not chosen, then the results could be catastrophic. Similarly, they assume the adoption of a new zone that is so out-of-line with the existing community that its adoption would create massive changes to community character.

**On Community Benefit**

79.25 When looking at a project like One Paseo that requires a massive change to existing plans, including a Community Plan Amendment, to get a discretionary project approval, the City should consider the actual benefit to the community. Such a project should provide an extraordinary benefit to the community commensurate with the level of impact of the project itself. Simply providing amenities that benefit the developer by allowing them to sell the newly entitled land for a higher price should not be construed as community benefit.

79.20 The location of the cross-section was selected to intersect both the residential uses to the north and commercial to the east. The cross-section is but one of the graphic tools utilized in the Draft EIR to depict the appearance of the project. Figures 5.3-8- 10 provided a more localized depiction of the appearance of the proposed development from adjacent streets. As discussed in response to comment 63.63, focusing on the street view rather than nearby residences is considered appropriate.

79.21 The two cross-sections included in the Draft EIR are considered adequate for the purposes of evaluating the visual and neighborhood character impacts of the proposed development. More detailed cross-sections are not considered necessary. This is particularly true since the analysis concludes that the Originally Proposed Project and the Revised Project would result in a significant neighborhood character impact.

79.22 As discussed in responses to comment 63.80, FARs were correctly calculated in accordance with a specified method provided in the City's Municipal Code.

79.23 The Draft EIR acknowledged that the proposed FAR is not consistent with the existing zone. The Draft EIR addressed the related impacts of increasing the FAR in areas such as traffic and neighborhood character. However, the approval of the proposed land use designation and zone classification would remedy the land use policy consistency issue.

79.24 The appropriateness of land use designation and zone changes will be evaluated by the City Council based on the Final EIR and social, economic, and other considerations. The proposed development will not be approved without a concurrent action to modify the land use designation and zoning as requested. The long-term traffic analysis is based upon SANDAG's projections for the installation of regional infrastructure such as the SR-56/I-5 connector ramps. Recognition of regional infrastructure projects is standard practice in long-range transportation impact study scenarios.

79.25 The City Council will weigh the benefits of the proposed development with the potential environmental impacts identified in the Final EIR, and must identify specific economic, social or other factors which were considered if the project is approved despite unmitigated environmental impacts.

For example, the One Paseo project contains a retail Main Street and a retail plaza. These features benefit the developer because they draw the community to the plaza, increasing the value of the retail area to the developer. Similarly, the plaza is filled with commercial kiosks and outdoor restaurant dining areas. These areas directly benefit the developer, providing them a way to increase the shopping area and return on the land.

While these areas do have community benefit, that benefit is not commensurate with the level of impact caused to the community. And the developer is not giving anything up to the community in exchange for the extreme impact.

**Why should the City consider a deal to approve a discretionary project for a developer if that developer is unwilling to provide an extraordinary benefit to the City and to the Community?**

**Community and Neighborhood Character**

A large number of elements may define the visual character of an area including, but not limited to, land use patterns, lot size and configuration, circulation, open space, physical features, site grading, building placement, bulk and scale, architectural style, material and colors, signage, and lighting. Depending on the circumstances, a specific element or elements may create a recognizable identity.

So, the DEIR has a specific list of items that define neighborhood character:

- land use patterns,
- lot size and configuration,
- circulation,
- open space,
- physical features,
- site grading,
- building placement,
- bulk and scale,
- architectural style,
- material and colors,
- signage, and
- lighting.

While the land use, signage and lighting might be consistent with the nearby community character, all the other items in the list are inconsistent! Lots have been subdivided, with the new sizes significantly smaller than adjacent developments. Circulation will be discussed below. Open space is not in keeping with Carmel Valley, where the Precise Plans define open space as being outside of the building footprint, a natural part of the environment designed to break up development and provide a calming influence on the busy, urban development. In One Paseo, open space consists of hardscaped plazas, decks and pool areas contained within buildings, and developed paseos totally inconsistent with the surrounding natural open space.

Where the Precise Plan calls for natural, rolling site grading that follows the existing topography, the One Paseo plan levels the entire lot, multi-stories deep, to create a nearly level “Main Street”, then the slope is filled in with 20 foot tall retail stores and parking garages to make up for the change in

79.26 The City Council will weigh the benefits of the proposed development with the potential environmental impacts identified in the Final EIR, and must identify specific economic, social or other factors which were considered if the project is approved despite unmitigated environmental impacts.

79.27 While the property would be divided from 3 to 26 lots, the size of the lots in a mixed-use project is not as detectable as it would be with a single-family or other single use development. Thus, the number or size of lots was not considered a critical factor with respect to neighborhood character. The emphasis was more appropriately focused on bulk and scale issues.

As discussed in response to comment 5.6, additional open space is included in the Revised Project, including a 1.1-acre passive recreation area and 0.41-acre children’s play area, would be available for use by the surrounding community.

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- 79.28 cont. elevation. Once the new concrete “terraces” are in place and all semblance of natural topography gone, the new buildings are constructed on top, creating massive walls that block views of the natural environment for all adjacent buildings.
- 79.29 On building placement and bulk & scale, it's hard to imagine a development that is more at odds with the surroundings or with the proposed development in the existing precise plan. Instead of a low, rolling development with space between the buildings and sight-lines retained, there is a massive, rectangular block of buildings with drastic transitions in elevation and angular lines. Trees and landscaping is relegated to street buffers, with nature contained in concrete planters over multi-story garages. Adjacent buildings, on the other hand, are low density structures with trees and breaks between the buildings, placed at a variety of angles on their lots. This contrasts with the towering rectangular buildings placed square on their lots in a sea of concrete.
- 79.30 The architectural style, materials and colors are hard to judge given the lack of information provided by the developer, but from presentations made to the community, there is little in common with the surrounding architecture.
- 79.31 **One cannot imagine how any part of this development could be considered “consistent” with the surrounding area.**
- On Circulation as Community Character**
- 79.32 The One Paseo DEIR on page 5.3-20 states that, “Circulation also defines community character.” It then goes on to say, “The existing travel patterns, which are part of the community fabric, would not be changed as a result of the project.” This statement is false. The additional traffic generated by the One Paseo project will back up throughout the community, forcing people to search for faster alternative routes by cutting through neighborhoods and other community roadways.
- While the physical roadways in the community will not change, the travel patterns within Carmel Valley will be changed by One Paseo, and this is a significant unmitigated impact on the community.**
- Existing Public Views**
- 79.33 DEIR page 5.3-9. **While the City can't regulate views over public property for entitled development, they certainly may force the developer to maintain those views as a condition of a discretionary project approval.**
- There are numerous views throughout the area that look over this property. For instance, the adjacent East Bluff residences look to the south to views of Carmel Mountain. The Del Mar Highlands Town Center looks to the west to views of the Del Mar hills. And, the Torrey Pines residents look to the east to views of Carmel Valley and the distant canyons, hills and mountains.
- Views from these locations are very important to those residents and views from public streets, walkways and parks are very important to the community character. As much as possible, these views should be preserved.
- 79.34 Page 5.3-17 states that, “Adjacent off-site properties that would be impacted by the project do not contain significant visual resources.” In this statement, Kilroy does not consider distant visual resources

- 79.28 As discussed in response to comment 79.10, the project site is not in a natural topographic condition having been mass graded in the past. Thus, there is no “natural, rolling terrain” to be accommodated.
- 79.29 The Final EIR recognizes the issues identified in this comment and concludes that the Originally Proposed Project and the Revised Project would, as a consequence, result in significant, unmitigated neighborhood character impacts.
- 79.30 The architecture need not be specifically defined at the Precise Plan stage of a project. The City will review the architecture and design when individual building and landscape plans are submitted for each phase of the development. During this review process, the City will determine the appropriateness of the architecture and design based on the design guidelines contained in Chapter 4 of the Precise Plan Amendment document and in the context of the surrounding development.
- 79.31 As discussed in the Draft EIR on page 5.1-22, the proposed development would be compatible with surrounding land uses and land use designations. The areas immediately surrounding the project site include existing office, residential, and retail uses. The proposed uses of the project site would mirror these surrounding uses, and have been sited to be an extension of existing adjacent off-site uses.
- 79.32 The Draft EIR acknowledges that traffic on local roadways would increase due to the proposed development. But, as discussed in response to comment 5.2, the travel patterns within the community are not expected to change as a result of the proposed development.
- 79.33 As discussed in response to comment 79.6, the City does not consider effects on views from private residences to be subject to CEQA. Furthermore, the views from these residences are not considered particularly scenic as they already have the office buildings to the south of the site and I-5 within their viewsheds. Lastly, the eventual development of the site under the current land use designation would result in a similar disruption in the views from these residences.
- 79.34 As discussed in response to comment 79.6, the eventual development of the site under the current land use designation would result in a similar disruption in the views from these residences.

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79.34 cont.

blocked by the massive buildings of One Paseo, only that there are no “adjacent” visual resources. The community of Carmel Valley considers the views over Carmel Valley, both to the east looking from the Torrey Pines Community and to the south looking from the East Bluff development, to be significant visual resources. Additionally, the views from the east looking back towards the Del Mar hills are also part of our community character.

79.35

A complete study of these views and possible ways to maintain them should be included in the DEIR. This should include alternative projects with significant view corridors. The current project has no view corridors, with the existing streets, walkways and paseos all ending in tall buildings that block the continued view through the project.

A few locations to consider for important views:

1. From the East Bluff residences looking south.
2. From Del Mar Heights Road in the Torrey Pines Community to the west, looking back to the east over Carmel Valley.
3. From the homes along I-5 in the Torrey Pines Community.
4. From the Del Mar Heights Town Center looking west.
5. From the fire station at the corner of Del Mar Heights Road and Hartfield Ave. looking west.
6. From the homes east of Solana Pacific school looking west.
7. From the Carmel Valley Recreation Center looking northwest.
8. From El Camino Real, south of the project, looking northwest.

**Visual Effects and Neighborhood Character**

79.36

This section at the bottom of page 5.3-29 continuing to the top of page 5.3.30 is very confusing. It begins with a discussion of “highly visible areas”, but somehow turns to signage, concluding:

Based on the analysis above, visual and neighborhood character impacts resulting from the proposed project would be less than significant.

Clearly the Highly Visible Areas discussion is never concluded, as it should state that the project is inconsistent with the community. A large, out-of-place development like this should not be placed into a highly visible area, with a 10 story residential tower placed at the high point of the community!

79.37

Additionally, the “Proposed Views” section of the DEIR starting on page 5.3.26, totally ignores the 10 story residential tower and the height of the other residential buildings along Del Mar Heights Road. There is much discussion of proposed project elements that “reduce the visual scale and bulk of the proposed buildings”, but these seem more wishful thinking than actual features.

79.38

Specifically, the discussion at the bottom of page 5.3-27 talks about the views from the west, and how the development will be careful to screen rooftop equipment. There is no mention that the base of these very tall buildings will be elevated almost to street level, with the buildings extending up from that point, nor is their any mention of the 10 story building at the corner. The discussion simply talks about “screening rooftop equipment”, which makes it seem like you'll be looking down at the new One Paseo buildings.

79.39

**This section should include detailed information as to how tall the buildings will be at this location, and exactly what will be seen by area residents, and people driving on the local streets.**

79.35 As the City does not consider effects on private views under CEQA, additional visual analysis and site design modifications are not warranted.

79.36 The discussion of signage on page 5.3-30 of the Draft EIR was unrelated to the discussion of the visibility of the project site, and should have been included in the earlier discussion under the subheading “Proposed Views,” which starts on page 5.3-26. However, this situation does not affect the conclusions of the Draft EIR. Furthermore, the discussion under the subheading “Highly Visible Areas” was intended to document the visibility of the project site from surrounding areas, and not to draw a conclusion as to the ultimate impact of the project on aesthetics and neighborhood character. This discussion is included under the subheading “Bulk and Scale,” which starts on page 5.3-20 of the Draft EIR, where it was concluded that the bulk and scale of the project would significantly conflict with the existing neighborhood character of the project area.

79.37 The discussion in the Draft EIR, referenced in this comment, was general in nature and not intended to provide a building-by-building evaluation. The conclusion is that the overall bulk and scale of the Originally Proposed Project and the Revised Project would be inconsistent with the local neighborhood character.

The discussion of project elements to reduce the bulk and scale of the project is not “wishful thinking.” Chapter 4.1 of the revised Precise Plan Amendment document identifies specific policies and objectives

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79.37 intended to deal with bulk and scale issues. For example, Policy 4.1-cont. 16, encourages location of buildings to help breakup building mass and include architectural scaling elements. Policy 4.1-20 encourages designs that are sensitive to the scale, form, rhythm, proportions and materials proximate to commercial areas and residential neighborhoods that have a well-established and distinctive character. Policy 4.1-23 encourages breaking up large buildings into smaller masses and reducing the buildings apparent bulk. Policy 4.1-24 encourages the establishment of scale relationships between taller and lower buildings. The City will evaluate future building plans to confirm that they comply with these and other related policies and objectives contained in the Precise Plan Amendment document.

79.38 The discussion of rooftop equipment referenced in this comment was focused on how the proposed development would be perceived from the land uses to the west. As noted in the discussion, these areas are located at higher elevation than the proposed development. As a result, they would have the potential to see the building roofs. In light of the fact that HVAC equipment is traditionally located on the roofs, the discussion acknowledges the potential for this equipment to be seen from land uses to the west, and appropriately includes a discussion that screening is a common practice used to minimize the visual impact of HVAC equipment on rooftops.

79.39 The discussion of potential visual and neighborhood character impacts contained in Sections 5.3 and 12.9 of the Final EIR is considered adequate, and no additional information is necessary to support the analysis and conclusions drawn in this section.

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Community Landmarks

79.40 The grove of trees at the corner of Del Mar Heights Road and High Bluff Drive is never identified as a community landmark, but it should be. In some passages of the DEIR, this grove is stated for preservation, while other locations show it gone. The DEIR should show consistent treatment of this landmark.

Visual Analysis

79.41 The visual analysis section on page 5.3-24 starts with a discussion that makes it seem like there are numerous tall buildings in the local Employment Center zone, saying:

Existing commercial buildings in Carmel Valley range from 2 to 12 stories and are concentrated within the Employment Center generally bound by I-5, Del Mar Heights Road, El Camino Real, and Valley Centre Drive.

In reality, the only two tall buildings are not even in the Employment Center zone, they're in an adjacent Visitors Center zone, which is far to the south of the project location. Within the Employment Center zone, there is only a single building taller than 4 stories, the 6 story AMN Building, which is well down the street from the project location. The majority of buildings in the Employment Center zone are between 1 and 4 stories tall (yes, there is a one story building, located just one lot away from the One Paseo property.) A reasonable analysis of the adjacent buildings shows mostly 2 and 3 story office, with 1 and 2 story retail and 1 and 2 story residential.

79.42 Additionally, the office buildings described as "eight to ten stories tall" are really nine to eleven stories tall, with the downhill side (on El Camino Real) being one story taller. This error should be corrected throughout the DEIR.

79.43 The description of the 10 story residential building is buried in the second paragraph, even though the top of this building will be the highest point in the project. That is, Kilroy tells us that the tall office buildings will be placed at the lowest point on the lot, making them seem less tall, but they don't say that the 10 story residential tower will be placed at the highest point, making it stand out. Instead, they point out that the 10 story residential tower will be hidden behind a 4 story building, and some landscaping will buffer the view. I am absolutely certain that the 4 story building and some trees will not hide the new 10 story residential tower.

79.44 Similarly, the discussion of the residential blocks along Del Mar Heights Road mentions that the building pads of the adjacent East Bluff units are 15 to 20 feet higher than the One Paseo pads, but the One Paseo buildings will be approximately 50 feet taller!

79.45 When discussing the development of the 5 lots in the northeast corner of the zone (i.e. the lots upon which One Paseo is proposed), the existing Neighborhood 2 Precise Plan states on page 11 that:

These lots have the further requirement that a full EIR containing specific, archaeological and biological information on the properties will be required in addition to the present EIR which inventories the resources for only those lots shown as numbered. No discretionary action other than the adoption of the Precise Plan will take place on these unsurveyed properties until the resources have been property inventoried and their significance established.

79.40 The discussion of these trees in Section 5.3 of the Draft EIR referred to them as "mature" trees but does not describe them as a community landmark, nor does the City consider them to be a community landmark. Thus, the Draft EIR correctly interprets the potential loss of the trees at the intersection Del Mar Heights Road and High Bluff Drive as insignificant.

79.41 The statement referenced in the EIR was intended to address the overall community, and indicate that a number of the buildings over 2 stories in height occur within the Employment Center zone to the south. The statement was not intended to suggest that the tallest buildings were near the subject property.

79.42 As discussed in response to comment 78.22, the number of stories for the proposed buildings are accurately described in the Draft EIR. Although the total number of stories for buildings was not included in Section 3, the number of stories was not misrepresented.

79.43 The discussion of the visual impact of the 10-story building in the Draft EIR did not indicate that the intervening buildings and landscaping would "hide" the building. Rather, the Draft EIR indicated that the landscaping, setbacks and topography would serve to diminish the scale differences of the building with the surrounding development. Furthermore, it is noted that the Revised Project would reduce the 10-story building to 6 stories.

79.44 The Draft EIR accurately disclosed that the proposed buildings along Del Mar Heights Road would be taller than those within the East Bluffs development.

79.45 The property has been previously mass-graded and no biological resources occurred on the site at the time the NOP was issued. Thus, no formal biological study was required. Due to the disturbance which has occurred over the surface of the entire site, no archaeological resources would exist on the surface of the site which could be detected by a field survey. However, in light of the potential, albeit low, for buried

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79.45 cont. This requires that a specific archaeological and biological inventory of the property be done, with the resources inventoried and significance established, before any discretionary action is taken on these lots.

79.46 **Has the applicant completed these archaeological and biological inventories, as required by the existing precise plan?**

**High Bluff**

The DEIR discusses High Bluff Drive south of Del Mar Heights Road as having 2 lanes of travel in each direction, using this information to calculate capacity of the road for the traffic studies. However, the Neighborhood 2 precise plan states on page 9 that:

Bicycle travel on El Camino Real, Del Mar Heights Road and Street "A" will be accommodated by a "free lane" within the roadway. The nature of expected bicycle travel in the area and the steep terrain encountered, suggest that roadway travel is preferred over parkway travel. This system is a continuation of the system used in the First Neighborhood on Del Mar Heights Road.

79.47 Where "Street A" was the planning name for High Bluff Drive. This "free lane" was intended to accommodate bicycle and transit traffic, with the capacity of the roadway being determined by a single lane in each direction. Since the initial plan, overflow parking at the nearby office buildings has forced the City to convert the southbound "free lane" into on-street parking, thus narrowing the roadway even further. High Bluff was never intended to be a 4 lane traffic handling roadway.

**Why did the traffic analysis consider High Bluff Drive as a 4 lane street, when it was never meant to be and its current configuration is narrower?**

In discussing transit options, the DEIR only includes information on a regional, rapid bus line that connects the One Paseo project with locations outside of the Carmel Valley area. For instance, commuters may be able to catch the bus at One Paseo and take it to Encinitas or Oceanside to the north, or to UTC to the south. There is no discussion of providing local service between existing residences within Carmel Valley and the regional transit service originating from this One Paseo location. **For the regional link to function effectively within the community, it must not only be accessible to One Paseo residents, but also be accessible to a large number of existing residents. Such access could be provided through walking, local transit, or automobile.**

79.48 If residents are expected to walk, they should be located within a reasonable walking distance, as defined by the Mobility Element of the General Plan. This distance, one-half mile, defines the outside range for expected walkers. Using existing pedestrian routes, this distances could include up to half the units in the Town Center zone, plus most of the signature point apartments. The total number of units is likely greater than 500, but less than 1000, which is less than 7 percent of the total community residences.

**Given the small percentage of residences within walking distance, the next option would be transit within the community that could bring people to this central hub, connecting them to distant regional centers along the coast. However, there is no existing or planned local transit.**

79.49 Finally, the automobile could be used to bring people to this central point, where they could catch regional transit. This would require a "park and ride" facility at One Paseo, which would require

79.45 archaeological deposits to occur on the property, the Draft EIR included cont. a mitigation measure which requires a qualified archaeologist to monitor excavation into native soil to confirm that no subsurface deposits occur on the property. If archaeological resources are encountered, the mitigation measure would require the recovery of any significant information associated with the materials.

79.46 As indicated in response to comment 79.45, no archaeological or biological surveys were necessary, due to the grading and ground clearing that has occurred at the project site.

79.47 In addition to the proposed bus route planned in the future to serve the Carmel Valley area, the project applicant is proposing to incorporate a private shuttle to connect the project with activity centers in the surrounding Carmel Valley area. As described in response to comment 4.7, the project applicant also plans to encourage carpooling, bicycling, and alternative modes of transportation to tenants which would help reduce auto trips. The City disagrees with the comment that the project is not within walking or biking distance from existing Carmel Valley residences. Moreover, the traffic study for the proposed development did not include reduction to traffic generation for transit. Refer to Chapter 18.0 in the traffic study and the proposed TDM Plan regarding strategies designed to reduce traffic impacts.

79.48 The rapid transit bus stop included in the Precise Plan is intended to proactively accommodate the future provision of this planned bus service to the project site.

79.49 Refer to response to comment 75.7 regarding a park and ride facility at the project site.

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additional parking to be added to the site. The Neighborhood 2 Precise Plan actually suggested this option for the current Town Center zone:

79.49 cont.

A transportation terminal is planned for inclusion in the town center. This location is suitable for a convergence of the various forms of public transportation along with a "park and ride" parking lot of adequate size.

However, demand for regional transit never materialized in the 25 year history of Carmel Valley. Additionally, the parking at the Town Center has proven inadequate, now unable to handle even the shopping demand, even after the bus parking areas of the "transit stop" in the Town Center parking lot were converted to parking spaces!

79.50

**Given that the automobile is the only reasonable way for most community members to get to One Paseo and its transit stop, why does the site not include an adequate sized park and ride facility?**

Again, one should note that the parking at the adjacent Town Center, even though it meets local standards for number of spaces, has proved to be totally inadequate for the needs of the facility. Any planning for One Paseo should consider this in its design.

79.51

**Why has One Paseo been allowed to significantly reduce the number of required parking spaces even though local history shows that the City standard for parking is inadequate?**

**Community input not what envisioned in the General Plan.**

LU-H.1 says to "Plan village development with the involvement of a broad range of neighborhood, business, and recognized community planning groups and consideration of the needs of individual neighborhoods, available resources and willing partners."

79.52

While Kilroy has allowed review of their plans, the actual development plan was made by Kilroy without any real input from the community. The only input I'm aware of that occurred before the basic development plan was shown to the community, was asking a few members of the planning board if they thought the community would support a mixed-use project on this site.

**Developer misrepresentation of the project to the community.**

The developer has consistently misrepresented this project to the local community through its marketing materials and even within the DEIR.

79.53

- The web site and brochures conveniently give views of the lower buildings and shopping plazas. Taller buildings are either left out, cut-off at lower floors, or placed further from the camera, where perspective hides their height and mass.
- The developer has always said that the tallest building would be at the lowest point of the project. While technically true, the top of the 10 story residential building, built at the top of the development, is higher than the 10 story office building (Figure 5.3-7a)
- Building heights have been misrepresented. For instance, the "8 story" office building is really 9 stories facing El Camino Real (Figure 5.3-8). Similarly, the "10 story" residential tower appears to have retail facing Main Street, making it 11 stories on that side.
- The one picture from High Bluff Drive that might have shown the 10 story residential building

79.50 A park and ride facility is not proposed as a component of the Originally Proposed Project, the Revised Project, or any of the project alternatives. However, a local shuttle service would be provided by the proposed development to provide connections to nearby activity centers and transit services, as well as other mobility options described in the proposed TDM Plan that is detailed in response to comment 6.7.

79.51 The amount of parking proposed for office uses will exceed the City's standard for stand-alone office space. With respect to the other office developments referenced in this comment, it is important to note that, unlike the proposed development, the other referenced projects have no opportunities for shared parking as they have no significant additional component such as retail with which to share parking.

79.52 As discussed in response to comment 10.97, community input was solicited throughout the process to date.

79.53 The Draft EIR accurately described the Originally Proposed Project and the potential visual impacts in Section 5.3. Moreover, the project applicant's marketing materials were not considered, as explained in response to comment 79.12.

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79.53 cont. conveniently crops the picture to eliminate that building (Figure 5.3.10).

- The artist rendering looking north on Del Mar Heights Road (Figure 5.3.11) shows a wide angle view that minimizes the size of the One Paseo buildings. Similarly, they have darkened the lower retail floor, making it appear to be part of the landscaping.

**Community support has been corrupted by developer misrepresentation of the project.**

Policy LU-D.13 says, “Address the following standard plan amendment issues prior to the Planning Commission decision at public hearing related to: level and diversity of community support; appropriate size and boundary for the amendment site; provision of additional benefit to the community; implementation of major General Plan and community plan goals, especially as related to the vision, values, and City of Villages Strategy; and provision of public facilities.

79.54 Kilroy has been seeking support for their project by showing images and descriptions of their project that do not show the full extent of the development. These marketing images misrepresent the size and scale of One Paseo, leading people to support the idea of an idyllic town center. While one may dig into the details of their materials to find complete information, most of the height, bulk and density of the development is not in plain view.

That is, Community Plan Amendments require a “level and diversity of community support.” Given that Kilroy has consistently misrepresented this project to the public, it’s hard to determine if supporters actually support the project, or if they just want a “Trader Joe’s”.

**Kilroy has taken the Strategic Framework’s idea of “Villages Unique to their Location” and twisted it to mean “Villages Different From their Location”.**

79.55 The Strategic Framework talks about how each village is intended to be “unique to the community in which it is located.” (page SF-3.) I read this as meaning that the village should be designed specifically to fit into the community where it is sited. Somehow, Kilroy has taken this to mean the village can be “different” from it’s surroundings, and is using that fact to justify their impact on community character (DEIR 5.1-13).

**Community character has not been a consideration when designing this project.**

79.56 LU-A.7 says “Consider the role of the village in the City and region; surrounding neighborhood uses; uses that are lacking in the community; community character and preferences; and balanced community goals (see also Section H).”

I can’t see how community character has been considered, at all.

**This plan seems to be the antithesis of the Neighborhood 2 Precise Plan.**

79.57 The precise plan talks about having the “Office park designed so as to relate to the community”, maintaining the topography, ensuring a “rolling, low scale and natural result”, and that “individual buildings be designed to fit into park-like surroundings.” Similarly, the precise plan talks about design decisions, where “the primary basis for judgement should be the buildings relationship to its neighbors, the land and human scale.”

One Paseo is so far outside of this vision that it has to call itself “unique” to both the community and the neighborhood where it will be located.

79.54 Refer to response to comment 79.53.

79.55 The Draft EIR acknowledged that the project will result in significant impacts to community character. Refer to response to comment 79.56.

79.56 The project includes a number of features and controls to minimize its impact on local neighborhood character. As discussed on page 5.1-22, the orientation of the proposed uses was intended to mirror the adjacent uses and form a transition between those uses and other types of uses within the project. A comprehensive landscape program was proposed to enhance and soften the appearance of the proposed buildings. Policies and objectives guiding the design of future development were included in Chapter 4 of the Precise Plan Amendment document which would govern future development within the site.

79.57 Refer to responses to comments 79.10 and 79.53-79.56.

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**One Paseo is designated a “Community Village” (City of San Diego) or “Town Center” (SANDAG), but it doesn’t meet the vision of these designations.**

The problem is, the definitions of “Community Village” (San Diego General Plan) or “Town Center” (SANDAG) are fuzzy and few examples are available. “Town Center” has more examples...

In a draft version of the Land Use Element:  
<http://www.sandiego.gov/planning/genplan/pdf/generalplan/landuseelement.pdf>  
examples of areas fitting the “Community Village” designation are given, and they include the Uptown District in Hillcrest and downtown La Jolla. Similarly, SANDAG lists as example town center areas: Downtowns of La Mesa, Oceanside, Coronado and Encinitas.

I see no relation between the example areas and One Paseo. Even the Uptown District in Hillcrest, which the EPA cited as a successful mixed-use, high-density development is only 3 stories tall (2 residential over 1 retail), and it has no office component at all.  
<http://www.epa.gov/smartgrowth/case/updis.htm>

For comparing other areas in the county that have the same smart growth designation as Carmel Valley, here's a SANDAG map of Smart Growth areas:  
[http://www.sandag.org/uploads/projectid/projectid\\_296\\_13994.pdf](http://www.sandag.org/uploads/projectid/projectid_296_13994.pdf)

**The DEIR should note that a much smaller development could meet the needs of the community, and fulfill all the requirements of “Smart Growth.”**

Looking at the EPA's Uptown District web page, above, we see that this smaller development meets all the same Smart Growth principals that One Paseo claims to meet (Mixed use, compact design, range of housing choices, walkable, distinct and attractive, preserve open space, develop in existing communities, etc.) So, why does One Paseo have to include so much density? It's certainly not required to achieve its goals!

**Calculating the residential density using the total project acreage seems misleading.**

Looking at the overall residential density of the project, the number is fairly low (608 units on 23.7 acres gives only about 26 units/acre.) However, if one looks at the density of the individual blocks in the project, Block A is around 50 units/acre, Block B is around 60 units/acre and Block C is around 70 units/acre. This seems extreme for a development with so little available transit.

The thing is, there are significant areas with huge amounts of development, but no residential units. This skews the numbers when the density is calculated, making it appear to be similar to the Uptown District in Hillcrest (Uptown is about 22 du/ac, One Paseo is around 26 du/ac.) Looking at the Uptown District, with it 3 story maximum, it's hard to see how it's similar to One Paseo's 5 story residential blocks and 10 story residential tower.

**One Paseo up-scales the CC-5-5 zone, the most dense commercial zone**

To get their super-high density, Kilroy has included some subtle changes in the zoning specified in the PDO amendment (onepaseo\_pdomarch2012.pdf). The first change is in this paragraph, on p 3 of 8:

Density and Intensity - The number of dwelling units or total gross floor area shall not exceed that set forth by the applicable zone and the applicable land use plan, and shall be based on the

79.58 As discussed in response to comment 63.56, the Originally Proposed Project and the Revised Project are consistent with the Community Village description in the General Plan. Refer to response to comment 63.71 regarding the project site’s identification as Smart Growth area on SANDAG’s Smart Growth Concept Map, North City and North County Subregion (dated January 27, 2012).

79.59 As discussed in response to comment 5.6, Sections 12.9 and 12.10 of the Final EIR evaluate project alternatives which would include the same types of land uses as the Originally Proposed Project (except for the hotel) but at a reduced scale. In fact, the project applicant has chosen to pursue the Reduced Main Street Alternative as the Revised Project. The reduced project alternatives, along with a third alternative (Specialty Food Market Retail), were circulated for additional public review.

79.60 As discussed in response to comment 78.14, residential densities were calculated in accordance with a specified method provided in the City’s Municipal Code.

79.61 The comment accurately quotes the description of the proposed zone provided in the Draft EIR. Also, as discussed in response to comment 78.14, residential densities were calculated in accordance with a specified method provided in the City’s Municipal Code.

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area of the entire zone. The dwelling units or gross floor area may be distributed without regard to the proposed lot boundaries provided the distribution is consistent with the land use transfer provisions of the Carmel Valley Employment Center Unit 2 Precise Plan.

79.61  
cont.

This allows them to base densities on the ENTIRE area of the zone, including streets and areas with other uses! If you look at the densities of the individual blocks proposed for One Paseo, the residential blocks have 50, 60 or 70 units per acre, but this simple change to the PDO allows them to turn 70 du/ac into 26 du/ac.

The standard way of calculating density (Ch11Art03Division02.pdf, §113.0222 Calculating Density), is more based on the lot size or the size of the premises (not the overall zone.)

79.62

The second change to the base CC-5- zone is to increase the building height restrictions. So, they take the base CC-5-5 zone, which is considered a HIGH INTENSITY commercial zone (and has a 100 foot height limit), and then ask for a significant height increase – to 199 feet for the office component, and 150 feet for residential tower.

79.63

Why should Kilroy get these two exceptions that allow it to significantly increase the density?

**The CC-5-5 zone allows 1 du per 1500 sf of lot.**

From the muni code (Ch13Art01Division05.pdf). If you follow the base zone which specifies a maximum of 1 du per 1500 sf of lot, and you take the 8 to 10 acres of residential, you end up with something between 230 and 290 du as the maximum. So, by changing the zone to be based on the entire zone's acreage, they've more than doubled the number of residential units it can support!

79.64

Again, densities for this project should be based on the project “blocks” or on the smaller lots, not on the overall zone. And the idea of taking the commercial zone with the tallest height limit and allowing them to basically DOUBLE THE HEIGHT for a mixed-use village in a suburban neighborhood, well, it seems beyond belief.

This zone, and most of the other mixed-use commercial zones, have a cap of 1500 sf per unit, or about 29 units per acre, and this seems to apply to any location within the City, including more urban sites. It seems reasonable, if the City is serious about a hierarchy of villages, with smaller scale development for more suburban locations, that the actual development in our suburban community should be well less than the maximum, and more in line with the surrounding areas.

79.65

**Why does this lot have to be a single zone?**

Couldn't the residential section be zoned separately from the office?

79.66

**SANDAG's Regional Comprehensive Plan seems to require lower densities for “Town Center”.**

The DEIR, page 5.1-10, reads, “The RCP defines Town Centers as containing residential, office/commercial, and civic/cultural facilities uses, including mixed use, at densities of 20 to 45 or more dwelling units per acre and 30 to 50 employees per acre”. Taking this at face value and using the entire 23.7 acres for calculating each use, this gives a cap of 1067 du and 1185 employees. I've seen Kilroy claiming “1700 permanent jobs”, which clearly shows they're over-developing the land.

79.62 Refer to response to comment 78.18 regarding building height limitations.

79.63 This comment raises no issues regarding the adequacy of the Draft EIR. Therefore, no response is required.

79.64 As discussed in response to comment 78.14, residential densities were calculated in accordance with a specified method provided in the City's Municipal Code.

79.65 As discussed in response to comment 78.14, residential densities were calculated in accordance with a specified method provided in the City's Municipal Code.

79.66 The residential and employment density ranges in the RCP are targets that provide overall policy guidance for Smart Growth Areas. SANDAG's Smart Growth Concept Map Site Descriptions (dated January 27, 2012), which is more recent than the 2004 RCP, also provides residential and employment density targets, but lists them as “minimum” targets rather than ranges. For a Town Center, the minimum residential target is 20 dwelling units per acre (du/ac), and 30 employees per acre for the minimum employment target. Both the Originally Proposed Project and revised Project would meet these policy guidance density targets.

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79.66 cont. Remember, this only works if you use the entire zone to calculate development rights. Given the layout of uses in One Paseo, with large sections having no office and large sections having no residential, I don't believe the framers of the City of Villages plan would have intended the calculations to be done this way. If you look at the individual blocks within the project, you'll find residential densities of 50, 60 or 70 du/ac, far above the intended maximums.

79.67 **The developer has misrepresented the surrounding buildings to make their building heights seem more appropriate.**  
The DEIR talks about surrounding buildings ranging from *one to seven stories* in height (page 5.1-1). There are no 7 story buildings near the project. It is surrounded by 2 and 3 story buildings.

79.68 **The transit that will eventually be available at the One Paseo site does not support the density requested.**  
Look at Hillcrest's Uptown District for an example. They have far more transit and access to major freeways, yet the development is capped at 3 stories (2 residential over retail), and has far less density.

79.69 **The planned Transit is not supportive of reducing traffic going to the new center or traffic within the existing community.**

The proposed transit for this location is a single rapid bus route. A rapid bus route is an "express" route with fewer stops, designed to move riders to their destination with less delay. We can expect one or two stops on this line within Carmel Valley, likely at One Paseo and again near the Marriott. This route is really designed for commuters heading to Sorrento Valley, Mira Mesa, UTC and beyond.

While this bus route will bring some commuters and shoppers to One Paseo, and allow some residents to use it for commuting to remote office locations, it largely doesn't solve the problems of Carmel Valley residents. Few residents in Carmel Valley are within walking distance, so not many will be able to use this line for commuting. And there is no local bus service to gather residents in the area and bring them to the center, so, the proposed transit will not significantly reduce auto trips.

79.70 The DEIR itself, on page 5.1-12. states that the bus route would provide services "that would be accessible for future on-site residents, employees, and patrons, as well as transit users in the community." I'm not sure how this would provide service to users in the community, unless they just mean those few people within walking distance. If they mean that One Paseo could serve as a park-and-ride, they would need adequate parking. However, I see no evidence in the DEIR that the parking structures at One Paseo were designed for this additional capacity, and the additional traffic would further cripple Del Mar Heights Road at commute time.

79.71 **Park analysis incorrect, claiming surplus park space, where we actually have a shortage.**  
The analysis of the park requirement should only include population-based park land. It appears that the DEIR uses MAD parks when calculating the total population-based park acreage in Carmel Valley. However, they never really say where their numbers come from, only claiming that the development generates a require for 4.7 acres of population-based park land, while there is currently a 4.8 acre surplus. My calculations show a significant deficit of population-based park land.

See separate Recreation Element document.

79.66 As discussed in response to comment 78.14, residential densities were cont. calculated in accordance with a specified method provided in the City's Municipal Code.

79.67 This reference has been revised to reflect the fact that the surrounding buildings range between one and four stories. This clarification does not alter the conclusion that the bulk and scale of the proposed development would be inconsistent with the local neighborhood character.

79.68 Transit would benefit the project by affording an opportunity for future residents and employees to minimize their reliance on the private automobile. As a mixed-use project, the proposed development would enable residents and employees to avoid the use of the automobile in fulfilling their shopping, entertainment, and recreation needs. Furthermore, as discussed in response to comment 6.7, the enhanced TDM Plan includes a shuttle service which would connect the project with nearby transit.

79.69 Public transportation options, such as a rapid bus line, can reduce private automobile use. Furthermore, as discussed in response to comment 79.47, the proposed development includes a TDM Plan which includes a number of features to reduce reliance on the private automobile.

79.70 Bus Route 473 would provide public transportation which would be available to all members of the community. While it would be most conveniently accessed by community residents within walking distance of bus stops, others could access it by bicycle or by being "dropped off" by private automobile. The comment is correct in the conclusion that a park and ride area would not be provided by the project applicant. A park and ride area for future transit is located nearby within the Carmel Valley Town Center Precise Plan area.

79.71 Refer to responses to comments 63.168 through 63.170 for a discussion of the adequacy of existing parks to serve the Carmel Valley community with development of the Revised Project.

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**Recreational areas are placed in inappropriate locations.**

The Conceptual Landscape Plan, Figure 3-3b, has a Water Use and Water Conservation note that includes the text, "PLANTINGS WILL BE GROUPED INTO HYDROZONES, AND THE USE OF TURF WILL BE LIMITED AND FOR RECREATION USE ONLY." This should indicate that the turfed areas are the only areas set-aside for recreational use, and any claims of "recreational areas" should be judged against these turfed zones.

In fact, other than small turf areas contained with the plazas and a single fire truck turn area on Third Ave, there are only two turfed zones: at the corner of High Bluff and Del Mar Heights Road, and at the corner of El Camino Real and Del Mar Heights Road. *These 15 to 30 foot wide strips of grass in areas adjacent to busy roads, don't seem appropriate for recreational use.*

In reality, this project has no recreation areas, just a few grassy cut-outs strategically placed within the plazas. To back up the idea that there are no recreation areas within the project, the proposed zone DOES NOT EVEN ALLOW for recreational uses.

**Proposed alternatives are unreasonably limited to unworkable choices.**

The two major unmitigable impacts that the Draft EIR shows are traffic and community character. It turns out that about 60% of the traffic from the project comes from the retail element, and that (in my view) a large part of the community character impact comes from the large residential blocks and the tall residential tower.

Excluding the "no development" and the "existing plan" alternatives, the examined changes largely boil down to "commercial only", which removes all the retail but leaves the residential, and "no retail", which removes all the residential but leaves the retail. The problem here is that each of these alternatives removes one of the major impacts, but leaves the other. That is, the "commercial only" plan removes the residential and the community character impact, but leaves the traffic impact. Similarly, the "no retail" plan removes the traffic, but leaves the community character impact. These alternatives really only give us two bad choices.

It seems obvious that to deal with both major impacts, you must reduce both the retail and the residential components of the project. I would suggest that we require Kilroy to come up with a viable alternative project that reduces both retail and residential while maintaining mixed-use, office, and a reasonable community plaza. Such an alternative might include an on-site park, which would better deal with the population-based park requirement that they have overlooked. Given the community's shortage of active-use park space, a new sports field could be a valuable community asset.

**The new CVPD-MC zone does not allow recreational uses.**

The current zone allows recreational uses, the village designation calls for recreational uses, and the DEIR states that one of the goals of the development is recreational uses. Yet, the new proposed zone does not allow for recreational uses. The base zone for any village should allow for recreational uses.

**The DEIR does not study impacts to schools.**

Kilroy cites the fact that state law allows them to pay a fee to fully mitigate any impact on local schools, and if that's the law, that's fine as mitigation. However, that does not remove the requirement for them to perform an analysis of the impact on local schools.

79.72 According to Table RE-2 of the City's General Plan, recreation areas associated with mini-parks or pocket parks/plazas would be comprised of hardscape as well as landscape (e.g. turf). According to Table RE-2, the following uses are considered recreational: picnic areas, multi-purpose courts and turf areas, comfort stations, walkways and landscaping. As discussed in response to comment 5.6, the Revised Project includes 10.7 acres of open space including greenbelts, plazas, paseos, gardens, pocket parks, amphitheaters, and public facilities and services. All of which are appropriate to consider as recreational. It should also be noted that the greenbelt areas along Del Mar Heights Road would range between 25 and 35 feet with the Revised Project.

79.73 As discussed in response to comment 5.6 and in Section 12.9 of the Final EIR, the amount of open space within the proposed development would increase to 10.7 acres with the Revised Project. Of this open space, 6.6 acres would be useable; the remaining 4.1 acres of open space would be comprised of ground level open space which is not technically considered usable because traffic noise levels are anticipated to exceed 65 CNEL. Open space would include greenbelts, plazas, paseos, gardens, pocket parks, amphitheaters, and public facilities and services. Most notably, the amount of open space in the northwest corner of the project would be increased with the elimination of the hotel.

Recreation is allowed as an accessory use to the mixed-use development in the proposed zone.

79.74 As discussed in response to comment 5.6, the project applicant has revised the project to reduce traffic and neighborhood character impacts associated with the Originally Proposed Project. However, these impacts would remain significant. A more detailed discussion of the Revised Project is contained in Section 12.9 of the Final EIR. In addition, a Reduced Mixed-use Alternative is evaluated in Section 12.10 of the Final EIR. The discussion of the environmental impacts of the Revised Project and Reduced Mixed-use Alternative concludes they would reduce but not eliminate the significant neighborhood character impact associated with the Originally Proposed Project. Similarly, while they also would reduce traffic, the reduction would not be sufficient to avoid significant, unmitigated traffic circulation impacts.

79.75 Refer to response to comment 77.10 regarding a reduction in density and intensity.

79.76 Recreation is allowed as an accessory use to the mixed-use development in the proposed zone.

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79.77 cont. It is my understanding that the Solana Beach School District has not yet decided where to house all these new students. So, while it is possible that they will be walking to the nearest school, it is also possible that these parents will be generating additional traffic each day.

79.77 Additional information regarding school enrollments and the effects of the Originally Proposed Project on schools is provided in response to comment 7.11. As reiterated in response to comment 7.11, payment of school fees is adequate compensation of the project's impact on schools. As a result, no additional information needs to be added to the Final EIR.

79.78 **Pedestrian Circulation is shown, but not analyzed for impact.**  
This is supposed to be a walkable project, so we can assume a lot of new people walking: students walking to school, workers walking to the offices, residents walking to shopping and dining opportunities. We should note that each time one of these people reaches a major intersection, they will impact traffic by crossing the street (have you been around Torrey Pines High School just before or just after school?)

79.78 Refer to response to comment 75.40.

Shouldn't there be a study of who will be walking, where they're likely going, will they be safe, and how will they impact traffic?

79.79 As discussed in response to comment 5.2, additional traffic associated with the project seeking alternative routes through neighborhood streets is not expected to be significant. As indicated in response to comment 5.2, the proposed project would not substantially increase traffic volumes with Neighborhood. As discussed in responses to comments 7.4 and 75.40, the proposed project would not result in any impacts relative to pedestrian safety.

79.79 **The DEIR must study how the additional traffic will impact safe routes to school.**  
We know that people are already cutting through Neighborhood 3 near Solana Highlands Elementary School in order to bypass the traffic on Del Mar Heights Road. We can assume that the additional traffic on Del Mar Heights Road will lead to more people cutting through this neighborhood and passing by the elementary school (the DEIR even shows the left turn lane from Del Mar Heights Road into this neighborhood will double in size.)

79.80 The parking lost to the fairgrounds is only used on holidays and weekends when the fair is in operation. Thus, the closure of the parking area on the Fairgrounds property would not be expected to substantially increase traffic on Del Mar Heights Road and in the Carmel Valley community during peak commuter hours. The Fairgrounds currently uses several areas for offsite parking including its Horsepark property, and the campuses of Mira Costa College and Torrey Pines High School. Persons seeking parking at Mira Costa College or Torrey Pines High School would not affect weekday traffic within the Carmel Valley community. While some trips would be diverted to Horsepark for parking, these trips would occur on either Via de la Valle or Del Mar Heights Road.

Additionally, the Principal of Solana Highlands Elementary School has already approached the Carmel Valley Community Planning Board with concerns about student safety as they walk to school.  
Yet, there is no analysis of the traffic through this neighborhood and how it might impact children walking to school. The traffic study should be extended to include additional cars driving by this local school, and an additional study should be included on the safety of the local children walking to school.

79.81 As discussed in response to comment 79.6, the City does not consider effects on views from private residences to be subject to CEQA.

79.80 **Traffic analysis must include additional traffic caused by reduced parking at the fairgrounds.**  
The Fairgrounds recently came to an agreement with the State's Coastal Commission that included shutting down one of its parking lots in the San Dieguito River Valley. Given that the fairgrounds uses parking lots along Del Mar Heights Road as overflow parking lots, the loss of a parking lot at the fairgrounds could have a significant impact to local traffic.

79.81 **The DEIR states that there are no significant views in Carmel Valley, thus they will not be blocking any views.**

I suspect the residents of East Bluff would disagree with this. They currently have views of Carmel Mountain to the south, and I believe the residential units of One Paseo will be taller than the tops of the existing East Bluff units, blocking their views to the south (figure 5.3.10). Views from the intersection of Del Mar Heights Road and High Bluff Drive, which currently overlook the Carmel Valley Recreation Center and the ridge line to the south, will be blocked by the 5 and 10 story residential buildings at the corner.

In fact, the Neighborhood 2 Precise Plan specifically calls out the views to the south, across Carmel Valley. By extension, the East Bluff residents are currently enjoying these same views.

Similarly, the Town Center and the area to the east of the development, including parts of the Signature

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79.81 cont. Point Apartments and the intersection of Del Mar Heights Road and Carmel Country Road, all have views to the west, including the Del Mar ridge line. I believe these views will be blocked by the new development.

The DEIR should include cross-sections and renderings of these areas to show the full impact.

79.82 **This project does little or nothing toward making Carmel Valley more walkable.**

Sure, it's walkable within the development, and residents will be able to easily walk to the store or their office. However, looking at the layout of the streets in the adjacent area, there are very few residents that would be considered within walking distance of this project. The DEIR should include a study on how many residential units and how many office buildings are within actual walking distance. This does not mean "as the crow flies", rather, within walking distance when following the existing streets and walking paths.

79.83 **Given that Community Character is a major impact, the DEIR should include project renderings that show the most impacted locations.**

The current renderings are inadequate, and do not show the true impact of the project on the community. Renderings should be from a variety of perspectives, especially showing those areas that are most impacted. This should include:

- Views currently available to the "East Bluff" residents (north side of Del Mar Heights Road) blocked by the project.
- Renderings of the 10 story residential tower at the corner of High Bluff and Del Mar Heights Road.
- Renderings of the project from the Del Mar Highlands Town Center.
- Views currently available from the East (Del Mar Highlands Town Center, and driving down Del Mar Heights Road from the east to the west near the Fire Station) that are blocked by the towers and residential blocks. These areas currently enjoy views of the Hills and ridgeline in Del Mar, which would be blocked by the project.
- Views of the project from the Carmel Valley Recreation Center.

79.84 **Calling the internal streets a bike route, or claiming they connect with the SDG&E Easement bike path doesn't seem credible.**

Sure, bikes can go on the private streets within the project and they're wide enough to accommodate them. However, there are no dedicated bike lanes and the street-level parallel parking is a known hazard to bikers. Even if you claim this is a bike route, it doesn't go anywhere. It's just useful for someone on a bike to get from the exterior street in to an office or retail store inside.

Connecting to the SDG&E easement requires the biker to either climb a large staircase, ride on the sidewalk, or exit to Del Mar Heights Road.

79.85 **Inconsistencies in the DEIR make it unclear exactly what is going to be built.**

Descriptions, plans, images and drawings within the DEIR show a variety of heights and uses for the same buildings. How do we determine what is actually meant by the DEIR, and which of the descriptions determine the actual project construction? At what point do the inconsistencies become so

79.82 The project is designed to be pedestrian friendly, both to residents of the project and by connecting with existing sidewalks allowing area residents to walk to the site.

79.83 As discussed in response to comment 79.14, the visual simulations are designed to be a realistic, to-scale representation of the proposed development and are considered adequate to serve as the basis for the analysis of visual and neighborhood character impacts included in the Draft EIR.

79.84 Section 3.0 of the Draft EIR (page 3-8) indicated that the project would provide a route for bicycles through the development, but does not claim that they would be dedicated bike paths nor does it indicate that access to the referenced SDG&E easement would be facilitated by the project.

79.85 The Draft EIR contained a consistent reference to the building heights within the Originally Proposed Project. In addition, the visual simulations contained in the document are based on AutoCAD models which assure accuracy in the representation of the relationship of the buildings in terms of size and scale.

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79.85 cont. serious that the entire DEIR has to be withdrawn, edited and recirculated?

**The impact of the excavation should be described in real-world terms.**

79.86 For instance, Kilroy projects 2100 cu yds per day for about 240 days. Working 5 days a week, this is almost a full year. At 10 cu yds. per truck, there should be about 210 trucks per day. This is 26 trucks per hour, or about one truck every two minutes, 8 hours a day for a year.

**The DEIR shows much of the civic plaza being used for retail uses.**

79.87 Figure 3-3d shows kiosks (some fixed, some moveable) and cafe seating groups in the main civic plaza. This seems more like an extension of the retail use more than a public plaza, much like the center courtyard in the UTC mall (which is a similar size to the main plaza adjacent to Main Street.)

Any plaza claimed as “public space” should exclude the portion of that plaza that is used for retail. Additionally, there should be a buffer around retail uses, doorways, etc. that are excluded in the calculation of such space. Additionally, areas restricted to patrons, tenants, residents, etc. should be excluded, as should any landscaped area not specifically designed for public use, such as street frontages that are landscaped with groundcover.

**The DEIR should account for the 7.6 acres of useable open space within the project.**

79.88 If Kilroy is going to claim that they have 7.6 acres of useable open space, they should have to provide an inventory and a map of that space. We have previously had developers call private balconies “open space”, and I would like to be sure that is happening here. This discussion should include open space removed by the development of the project, and be sure that areas outside of the project boundaries are not counted. For instance, is the center median along Del Mar Heights Road currently considered open space in the community, and will it be lost through this development?

79.89 In addition, I would like them to differentiate between “private” open space, available only to residents, employees and patrons, and “public” open space, available to the general public.

**Will the Torrey Pines trees at High Bluff be saved?**

79.90 I have read both. The landscape plans appear to show them removed, with a path cutting through the location of the existing trees. However, page 5.3-16 says they will be kept.

Sincerely,

Kenneth Farinsky

cc: Councilwoman Sherri Lightner  
Bernie Turgeon, Senior Planner  
Chairman Frisco White, Carmel Valley Community Planning Board

79.86 Construction traffic impacts were evaluated and discussed in Chapter 15.0 of the traffic study and on pages 5.2-60 through 5.2-64 of the Draft EIR. The applicant plans to install a signalized construction access prior to project construction. Refer to Appendix O in the traffic study for a detailed analysis of construction traffic. For a specific number of vehicles generated by construction traffic, refer to Attachment 6, 13, and 20 in Appendix O of the traffic study. Street segment levels of service with construction traffic are shown on Table 5.2-40.

79.87 The proposed types of public open space that would be provided by the Originally Proposed Project and Revised Project and the calculation of the total area of public space are in accordance with the City standards. The Originally Proposed Project included 9.4 acres of open space throughout the project site of which 7.6 was useable open space. As discussed in response to comment 5.6 and in Section 12.9 of the Final EIR, the amount of open space within the proposed development would increase to 10.7 acres with the Revised Project. Of this open space, 6.6 acres would be useable; the remaining 4.1 acres of open space would be comprised of ground level open space which is not technically considered usable because traffic noise levels are anticipated to exceed 65 CNEL but which otherwise exhibits the characteristics of usable open space. The large plaza is one component of the proposed public space. On-site public open space would include greenbelts, plazas, paseos, gardens, pocket parks, amphitheaters, and public facilities and services.

79.88 Refer to response to comment 79.87 regarding proposed types and total amount of proposed public open space that would be provided by the Originally Proposed Project and Revised Project.

79.89 The proposed open space facilities that would be provided by the Originally Proposed Project and Revised Project would be available to the public. Refer to response to comment 79.87 for the proposed types and totals amount of proposed public open space.

79.90 As indicated on the plans for the Revised Project, the five Torrey pine trees in the northwest corner would be preserved and integrated into the proposed landscaping.

Kenneth W. Farinsky  
3404 Lady Hill Rd  
San Diego, CA 92130

May 25, 2012

Martha Blake, Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Subject: Comments on the Draft Environmental Report for One Paseo,  
**Category: Parks and Recreation.**  
Project No. 193036, SCH No. 2010051073

Dear Ms. Blake,

I submit the following comments on the analysis of the Recreation Element and Open Space discussion contained in the Draft Environmental Impact Report (DEIR) for One Paseo.

**Parks, Open Space and the One Paseo Development**

Population-based parks are very important parts of our communities. From the General Plan's Recreation Element:

The City's parks, open space, trails, and recreation facilities annually serve millions of residents and visitors and play an important role in the physical, mental, social, and environmental health of the City and its residents. Parks can improve the quality of life by strengthening the body and assisting in maintaining physical well-being. Mental and Mission Trails Regional Park social benefits include visual relief from urban development, passive recreational opportunities that refresh the frame of mind and provide opportunities for social interaction, and healthy activities for youth.

The City of San Diego has chosen to take Carmel Valley's existing Maintenance Assessment District (MAD) greenbelts and parks and count them as "population-based parks." This is a battle that was fought by the Carmel Valley Community Planning Board in the 1980s, and was resolved at that time by the City Council -- the City is not allowed to count MAD areas as development required "population-based" parks.

**These parks were explicitly set aside by the local community and placed into the maintenance district as parks "above and beyond" any required City parks. They are designated in the Neighborhood Precise Plans. The City may not take them back to allow new development.**

When the MAD parks and greenbelts are correctly removed from the analysis, the conclusion reached is that Carmel Valley is actually short on population-based park space by roughly 15 acres. One Paseo creates the development requirement for 4.7 acres of useable population-based park land, and they should be required to provide this land and develop the park, or pay for its acquisition and development.

80.1 Contrary to the comment, the presence of developed open space parks within a Maintenance Assessment District ("MAD") does not exclude them from being considered as a population-based park.

The City's 2008 General Plan recommends that 2.8 useable acres of parkland per 1,000 persons. Meeting this standard is considered a "general benefit" and is considered a population-based park. Whenever a community has developed park acreage in excess of the General Plan standard, it is considered a "special benefit," and can be identified as a Maintenance Assessment District (MAD) park. MAD parks are City fee-owned parkland that provide for either active, or passive recreation, whose maintenance is funded through a MAD. As specified on Table RE-2 (Park Guidelines), contained in the Recreation Element of the General Plan, Mini-Parks, Pocket Parks, Plazas and Special Activity Parks are

80.1 definition. When it has been determined that a community has a deficit in population-based park acres, MAD parks are no longer considered a “special benefit,” and their maintenance is to be funded through the City’s General Fund. Therefore, they are no longer MAD parks. However, their use does not change. As described below, Carmel Valley, like most other communities within the City, currently experiences a population-based park deficit per the General Plan standards.

Table 5.12-3 of the Final EIR contains a list of existing population-based parks, including those currently identified as MAD parks, in Carmel Valley. The Revised Project would create an additional demand of 4.67 acres, which would create a cumulative deficit of 14.52 acres without use of the project’s FBA fees for the parkland acquisition or intensification of use of existing parks.

As discussed in the response to comment 63.168 through 63.170, the City requires payment of FBA fees for all projects within communities with an adopted Public Facilities Financing Plan (PFFP), and the City calculates the required FBA fees for the Revised Project at about \$13.7 million. The FBA funds are intended to fund public services, including parks, to address the demand created for these facilities by development projects.

The City’s primary goal is to obtain land for park and recreation facilities, however, when land cannot be acquired, intensification of recreational uses at existing parks that would expand their use to serve the new residents, such as a specialized sport facility would be pursued.

Separate from this proposed development, a PFFP update was approved by City Council on 7/16/13 and by the Carmel Valley Community Planning Group on 4/25/13. This PFFP update adds additional parkland (up to 15.8 acres), additional park improvements, and a parks study to identify and recommend viable options and alternatives to provide the community with additional park and recreational facilities.

As discussed in Section 12.9 of the Final EIR, the Revised Project would provide, 1.5-acres of publicly accessible recreational area that could include amenities such as a children’s play areas, picnicking and informal sports. This 1.5 acres would be above and beyond the FBA fee payment.

**On the FBA impact and a PFFP update:** when new development occurs that is outside of the existing Community Plan, the City should consider how development requirements, such as the community acquiring additional land space for parks, will impact the FBA fund balance. The balance of the FBA account is NOT meant to pay for facilities required for new, unplanned development. Rather, the standard per-unit assessment fee was designed to pay for facilities required by the existing Community Plan.

**The reason that the General Plan requires the City to undergo Facilities Financing Plan updates concurrent with the Community Plan Amendment is to determine what additional facilities will be required by the new development and fund those projects through fees imposed upon the additional development.**

For example, if the development creates the requirement for an additional 5 acres of park land, the PFFP should be updated to include a park project, projecting the cost of acquiring that land and building the park. The update should also include any other added facilities required by this increased development. Back to the park example, if land costs \$40 million and construction costs \$10 million, then the \$50 million cost should be borne by the new development. For One Paseo, the amount should either be charged to the 608 units (roughly \$82,000 per unit) or charged directly to the overall development.

**The intent of the FBA and PFFP is to ensure that development pays for City facilities required by that development. The required FBA update, concurrent with the Community Plan Amendment, ensures that this happens.**

80.2 [ Given that land is not available for additional parks and given the shortage of population-based parks in Carmel Valley, the impact of the development on the local parks must be met with an on-site population-based park. **Allowing the applicant to fulfill their population-based park land requirement only with fees paid to the FBA and not requiring the improvement of an on-site population-based park would result in a significant, unmitigatable impact to Carmel Valley.**

The DEIR discusses open space. It must be understood that the Community Plan specifically defines open space and its importance to the community as a whole. In Carmel Valley, open space is not some part of a building like a deck or a balcony, it has been defined as additional land outside of a building's footprint, and there are requirements for both total and useable acreage. This space provides a sense of openness and gives residents a place to get outdoors.

In the original design of Carmel Valley, there was a tradeoff, adding additional open space in exchange for increased density. This allowed developers to build units with reduced back yards, instead providing them with community space. In 1988, the Open Space Task Force of the City Council met with members of the Carmel Valley Community Planning board and agreed that balconies, decks and patios should not be counted as open space in Carmel Valley (then still North City West).

**Given Carmel Valley's open space requirements and definitions, the City should ensure that new development properly requires both park land and open space land. Open space should be divided into total open space requirements and useable open space requirements, and land added to the open space in the community must meet all the requirements placed on them by the Precise and Community Plans. Open space should not be within a building's footprint, like decks or balconies.**

80.3 [ **Any change to the Precise Plan that adds additional development to the community must ensure that the development includes the open space requirements that are so important to Carmel Valley.**

80.2 As discussed in the responses to comments 63.168 through 63.170, the Project would create a deficit of 14.52 acres. However, the City's CEQA Significance Determination Thresholds state that a parkland deficit alone does not constitute a significant impact for the purposes of CEQA, unless specific facilities are proposed that would result in physical impacts, which is not the case here.

Additionally, the City considers payment of the required FBA fees to ensure that no significant impacts to parkland would occur. The City's primary goal is to obtain land for park and recreation facilities, however, when land cannot be acquired, FBA funds would be used for intensification of recreational uses at existing parks that will expand their use to serve the new residents, such as a specialized sport facility.

80.3 The comment does not specify the type of open space at issue (natural open space, public parks, or private open space). There is no population-based guideline in the General Plan for natural open space, and the project meets the required private open space requirement.

As described in responses to comments 63.168 through 63.170, the City's CEQA Significance Determination Thresholds state that a population-based park deficit alone does not constitute an environmental impact for the purposes of CEQA. However, development is required to pay FBA fees, which can be used to fund development and/or improvement of park

**DEIR Analysis of Recreation Facilities**

The parks in Carmel Valley provide residents with places to gather, such as our summer concert series that has been running for 20 years:



Park land is used by a variety of user groups: soccer, softball, baseball, lacrosse, football, field hockey, and more. This includes joint use of most neighborhood parks by schools on weekdays, youth sports teams in the afternoon, and adult leagues in the evenings. Adults are already shortchanged on park availability, because adult leagues are limited to after 6:00 PM, the sun sets early most of the year, and the majority of the parks in the community are unlit. Additionally, employment center uses place an additional burden on community park land, even though the City currently places no park requirements on commercial space. Workers from the nearby office buildings use the parks for active and passive uses. This may be as simple as eating lunch in the park, or as complex as playing basketball in the gym at the Community Park or soccer on a field at a neighborhood park.

**Additional development, both residential and office, will place an additional burden on local parks.** The impacts will be especially severe given the high level of use currently experienced by existing public facilities. The Carmel Valley parks, recreation centers and library are some of the highest-used facilities in the City, and that's before the addition of 500,000 sf of office and 608 residential units.

**Why would the City even consider adding additional residents given the severe shortage of neighborhood parks in Carmel Valley and the major impact to local facilities?**

Our award-winning master plan for North City West/Carmel Valley had 40 acres of park acreage taken out of it before the residents moved in. Through resident activism, we were able to get 20 acres put back into the community but that still didn't give us enough. Now that Carmel Valley is built out, the City can see that our population is much higher than originally predicted, and finally admit that we have a population-based park deficit. Having the City now decide to use our open space as population-based park land is an insult to the hard work of all the volunteers over the years who have made this community what it is today.

80.3 facilities within Carmel Valley. Although the Originally Proposed Project would be subject to FBA fees, those fees are standard City requirements and not separately required as CEQA mitigation.

80.4 As described in responses to comments 63.168 through 63.170, the City CEQA Significance Determination Threshold Guide does not consider a population-based park deficit alone to constitute a significant impact. Moreover, the City considers the payment of required FBA fees (currently estimated by the City at about \$13.7 million) sufficient to ensure that no significant impacts to parks would occur. FBA fees are used for acquisition of parkland or intensification of recreational uses at existing parks that will expand use of those parks.

Regarding libraries, the Draft EIR concluded, on page 5.12-7, that the Originally Proposed Project would not have a significant impact on library facilities in Carmel Valley.

COMMENTS

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80.5 No conversion or redesignation of parkland or open space has occurred in connection with this analysis. Also, the suggestion that designations of property as open space and population-based parkland are mutually exclusive is incorrect. Please Refer to response to 80.1 for population-based park designation.

The comment’s assertion that the population of Carmel Valley is “much higher” than originally predicted or planned is incorrect. As discussed in the responses to comments 63.168 through 63.170, land uses in planning documents are generalized and forecast maximum population levels that are rarely achieved in reality, and development of other facilities such as schools have displaced the planned development of 500 or more residential units.

A project is not responsible for addressing a community’s public facilities deficits. Facilities provided, or fees paid (FBA) are to address the project’s public facilities requirement. The applicant will pay the required FBA fees (currently estimated by the City at about \$13.7 million) to address its public facilities requirement.

The City’s primary goal is to obtain land for park and recreation facilities. However, when land cannot be acquired, intensification of recreational uses at existing parks that would expand their use to serve the new residents, such as a specialized sport facility would be pursued utilizing the FBA fees.



**Parks and recreational opportunities are an important part of our community.**

The initial design of Carmel Valley traded off higher density development for additional open space and park land. Thus, instead of providing homes with large backyards, the development included additional units with small backyards, but additional nearby open space and park land. This allows residents to use community open space for both recreation (park land) and for relaxation (open space.)

Looking at the Community Plan on page 96, it even says that Carmel Valley is meant to have ten neighborhood parks!

Ten neighborhood parks are proposed adjacent to schools at central locations to the respective neighborhoods which they serve. These facilities should be designed to provide local recreational opportunities to the surrounding neighborhood population.

Where have these parks gone? Have developers traded some other form of development for park land, constantly and subtly changing the development patterns in a way that wasn't recognized by residents and City government? Shouldn't the San Diego Parks & Recreation Department and the San Diego Development Services Department have been watching out for the local community? Each time we remove an acre of park land, that's fewer children able to take advantage of recreational opportunities.

A number of neighborhood parks originally provided for in the Carmel Valley Community Plan were converted to multi-family housing developments. This had the effect not only of reducing the available population-based park land in the community, but also of increasing the demand for parks by adding new residents. Changes like this have brought us to the current situation, with inadequate park land and overburdened facilities.

**And now One Paseo asks us to make the same mistake again, leaving the community with inadequate park land? How can the City condone this action?**

80.6 Refer to response to comment 80.5.

Reading the Park, Recreation and Open Space Element of the Carmel Valley Community Plan on p. 91, we see that neighborhood parks should serve between 3,500 and 5,000 residents.

Neighborhood Parks and Playgrounds should contain a minimum usable area of five acres when located adjacent to an elementary school (the ideal situation), and ten acres when not so located. They should serve a resident population of from 3,500 to 5,000 persons. In order to assure ready accessibility to residents of the neighborhood, the maximum service area radius should generally not exceed one half mile. The arrangement of space and the type of facilities located within each park must be related to the population and use characteristics of the neighborhood served. However, each park should have at least a play area, multi-purpose courts, picnic facilities, lawn area, and landscaping.

It should be noted that the City Standard of each neighborhood park serving 3,500 to 5,000 residents within one-half mile of the park does not even hold true before the development of Kilroy's One Paseo property. Given the DEIR's stated 36,000 residents, there should be between 8 and 10 neighborhood parks in Carmel Valley, plus two community parks! Looking at actual, developed population-based parks within the community plan, one will indeed find two community parks, but only 5 neighborhood parks. Given this shortage if 3 to 5 neighborhood parks, any study is sure to find that each existing park is serving more than the desired 3,500 to 5,000 residents!

While the One Paseo DEIR does discuss how many adjacent neighborhood parks there are in the area, it does not discuss how many residents fall within the one-half mile radius service area. The DEIR should include a study of each neighborhood park and its service area, showing how many residents are served by each park.

Note that the one-half mile figure is taken from the Mobility Element of the General Plan, and constitutes reasonable walking distance for an average person. Thus, the distances between the park and resident are not meant to be "as the crow flies", rather, they are meant to be walking distance by sidewalk, path or other pedestrian accessible route. So, placing a park across a busy road with no convenient crossing points may increase the actual walking distance to the park.

80.7 **Why doesn't the DEIR provide a study of the existing neighborhood parks within one-half mile of the proposed One Paseo development, showing if each park already serves the required 5,000 residents?**

Taking actual walking distance into account, the only neighborhood park within one-half mile of the proposed One Paseo development is Solana Highlands Neighborhood Park, located in Carmel Valley Neighborhood 3. Neighborhood 3 contains a mix of single-family homes, low density multi-family units, and low-medium density multi-family. I believe there are roughly 1,400 units in this neighborhood, which translates to nearly 4,000 residents. However, the Solana Highlands Neighborhood Park also serves the western portion of Carmel Valley Neighborhood 7, which appears to contain yet another 1,400 units! Thus, the Solana Highlands Park appears to already serve nearly 8,000 residents, far above the desired 5,000 resident limit set by the City.

80.8 **If Solana Highlands Park already serves nearly 8,000 residents and the City requires a neighborhood park for each 3,500 to 5,000 residents, how can the additional 1,666 residents from the One Paseo project not be seen as being a significant impact, specifically to this park and generally to population-based parks throughout Carmel Valley?**

80.7 As described in responses to comments 63.168 through 63.170, the City considers payment of the required FBA fees to ensure that no significant impacts to parkland would occur. FBA fees are used for acquisition of parkland or intensification of recreational uses at existing parks that will expand use of those parks. Thus, no analysis of parkland outside the Carmel Valley Community Plan area is warranted.

80.8 As described in responses to comments 63.168 through 170, the Originally Proposed Project and Revised Project would result in a deficit in parkland. However, the City considers payment of FBA fees to ensure that no significant impacts to parkland would occur.

COMMENTS

RESPONSES

80.9 In this regard, the One Paseo DEIR consistently looks at its own needs, without considering the needs of the surrounding areas. For example, the DEIR looks at adjacent parks and assumes that, since there are multiple parks within one-half mile, then the new population will be adequately served. There is no examination if the existing park already serves too many people.

80.10 **Similarly, one can look at the analysis of emergency services. The DEIR notes that the fire engines will be able to reach One Paseo in sufficient time, as the distance from the station is not far. However, there is no analysis of how all the additional traffic and gridlock on Del Mar Heights Road might impact the ability of those emergency services to reach distant points, such as the Torrey Pines Community, across the freeway.**

On page 5.12-3, the DEIR makes a statement about neighborhood parks being within one mile of the population:

The Recreational Facilities Guidelines in the Recreation Element of the General Plan recommend a minimum 2.8 acres of population-based park land per 1,000 residents. This results in Neighborhood Parks of 3 to 13 acres, serving a population of 5,000 within approximately 1 mile radius, and Community Parks of a minimum 13 acres, serving a population of 25,000. The guidelines also recommend a minimum 17,000 square foot recreation center for every 25,000 residents or within 3 miles, whichever is less, and a community swimming pool complex, for every 50,000 residents, or within 6 miles whichever is less.

**However, the Community Plan is very specific that the residents should be within one half mile, and the Community Plan should take precedence.**

80.11 The DEIR, after noting that Neighborhood Parks should be within 1 mile and that Community Parks should be within 3 miles, proceeds to analyze parks within 1.5 miles of the project. Given that this doesn't meet the Community Plan neighborhood park requirement (0.5 miles), their own neighborhood park requirement (1.0 miles), or the community park requirement (3.0 miles), it is unclear why they chose this distance. However, on they go:

Parks and recreational facilities located within a 1.5-mile radius of the project site are shown in Table 5.12-2, *Project Area Recreational Facilities*, and Figure 5.12-1. The City of San Diego operates 13 population-based parks within this vicinity. The two closest neighborhood parks to the project site are the 11.98-acre Solana Highlands Park located on Long Run Drive approximately 0.2 mile north of the site, and the 11.5-acre Carmel Creek Park located at the corner of Carmel Creek Road and McGuire Drive approximately 0.5 mile east of the site. A portion of both of these parks operate under a joint use agreement with the Solana Beach School District. The Carmel Valley Recreation Center is located at 3777 Townsgate Drive less than 0.2 mile southeast of the project site. This 18.7-acre community recreation center has approximately 13.1 useable acres. Figure 5.12-1 also displays the open space parks in the project vicinity, including Carmel Valley Open Space, Crest Canyon Park, and Torrey Pines State Reserve. These parks are included for reference, but not analyzed further.

This is followed by a table of parks, most of which are not neighborhood parks, or even population-based parks! There are two community parks in the table (Carmel Valley and Ocean Air), and four neighborhood parks (Ashley Falls, Carmel Creek, Carmel Del Mar, and Solana Highlands.) The other parks consist of greenbelts, open space and MAD parks.

80.9 As described in responses to comments 63.168 through 63.170, the City considers payment of the required FBA fees to ensure that no significant impacts to parkland would occur. FBA fees are used for acquisition of parkland or intensification of recreational uses at existing parks that will expand use of those parks.

80.10 As stated in response to comment 15a.46, congestion on Del Mar Heights Road associated with the project would not prevent adequate emergency services from being available to the proposed development or the surrounding community, nor would the project result in any environmental impacts associated with the construction of public facilities associated with emergency services.

80.11 As described in responses to comments 63.168 through 63.170, the City considers payment of the required FBA fees to ensure that no significant impacts to parkland would occur. FBA fees are used for acquisition of parkland or intensification of recreational uses at existing parks that will expand use of those parks.

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RESPONSES

- 80.12 [ Nowhere is there actually any analysis of the number of residents already served by each park or the number of housing units around each park. Any reasonable analysis would include a survey of the number of housing units in the developments surrounding each park.  
  
Why does the DEIR not provide any survey, map or tracking of the number of housing units in each development, and an assignment of those units to a particular population-based park?
- 80.13 [ Additionally, given the inconsistency between the radius served by a neighborhood park (one-half mile in the Community Plan, one mile in the DEIR), shouldn't there be a determination as to which figure is correct, and, shouldn't the Community Plan take precedence?
- 80.14 [ Finally, the "half-mile" distance is meant to be "walking distance". One should not simply draw a radius to check the distance "as the crow flies", rather, one should check the distance using established sidewalks and walking paths.

- 80.12 The adequacy of parkland is based on a community plan-wide analysis based on population within the community plan area. Analysis of the use of specific parks within by the community residents is not required nor appropriate.
- 80.13 As discussed in response to comment 80.12, the adequacy of parkland is based on a community-wide analysis.
- 80.14 As discussed in response to comment 80.12, the adequacy of parkland is based on a community-wide analysis.

**FBA and PFFP Updates**

When looking at new development, the General Plan's Public Facilities, Services and Safety Element notes on page PF-9 that the City should "Evaluate and update financing plans when community plans are updated." Similarly, LU-D.2 says,

Require an amendment to the public facilities financing plan concurrently with an amendment to the General Plan and community plan when a proposal results in a demand for public facilities that is different from the adopted community plan and public facilities financing plan.

Similarly, the Land Use and Community Planning Element of the General Plan states on page LU-23 (emphasis mine):

*Public Facilities Planning*

The City must carefully balance how to accommodate growth while also requiring the timely provision of public facilities. Each community must have the opportunity to establish, through its adopted community plan and public facilities financing plan, a specific framework to prioritize the provision of needed public facilities and services. **Additionally, each new development proposal must be carefully evaluated to determine both its benefit to, and impact upon the community to ensure that it contributes to public facilities commensurate with the level of impact.** More information on providing facilities and services can be found under the Public Facilities, Services, and Safety Element.

- 80.15 [ There is clearly a difference in demand for public facilities, with the additional 1,666 residents creating a need for 4.7 additional acres of population-based parks. And the contribution to public facilities is *not commensurate with the level of impact!*  
  
The net result is that this development does have a significant impact on Public Facilities, specifically on parks. Again, given the lack of available land in the community, if the developer does not meet this need on-site, then this will be a significant, unmitigated impact to the community.  
  
Why has the City allowed this significant, unmitigated impact to the community to go unrecognized in the DEIR?

- 80.15 Refer to responses to comments 63.168-170 for a discussion regarding the lack of project impacts to community parks and recreation opportunities.

COMMENTS

RESPONSES

80.16 **Given the increased demand for public facilities caused by this development, specifically in the need for additional park land, why has the City not initiated an amendment to the public facilities financing plan concurrent with the General Plan and community plan amendment, as required by policy LU-D.2 in the Land Use and Community Planning Element of the General Plan?**

80.16 The General Plan Policy LU-D.2 requires a concurrent amendment to a public facilities financing plan only “when a proposal results in a demand for public facilities that is different from the adopted community plan and public facilities plan.” As discussed in the responses to comments 63.168 through 63.170, the Originally Proposed Project would be required to pay FBA fees, consistent with the PFFP, which the City considers to ensure that no significant impacts to parkland would occur. Therefore, no PFFP Amendment is required.

80.17 This proposed development has a severe impact on adjacent residential projects. Since no additional park land will be provided, already overused parks will face increasing damage as additional users are added to the schedule. Maintenance, already an issue with the City because the General Fund cannot handle the strain of other expenses, will not be increased to handle the additional use, so the parks will deteriorate and the quality of life of local residents will suffer.

Separate from this proposed development, a PFFP was approved by City Council, This PFFP update adds additional parkland (up to 15.8 acres), additional park improvements, and a parks study to identify and recommend viable options and alternatives to provide the community with additional park and recreational facilities. With this update, the FBA fee structure will not change. That there is no fee schedule increase is due primarily to lowered land and project costs (multiple completed projects have come in under budget). In addition, the FBA cash balance was and is relatively high due to a previously deleted parks project that had been kept in the FBA cash flow as additional future parks facilities had been anticipated.

80.17 **Why should local residents shoulder the burden of additional residents using existing parks?**  
The answer is, they should not. Existing residents should not bear the burden of new development, and the point of the PFFP Update is to recognize the cost of the additional development to local facilities requirements and to allocate that cost to the new development. That is, as stated in LU-23, the contribution to public facilities, and therefore to the PFFP, must be commensurate to the level of impact.

80.18 **Whatever the cost of adding these 4.7 acres of additional park land to the community should equal the amount contributed by the developer to the FBA.** Otherwise, the existing residents end up paying for a facility demand created by the new development, which is not allowed. Even if funds are available in the FBA, existing residents should not be required to pay for facilities that would not be required without the discretionary development that provides new demand outside of what is called for in the existing Community Plan.

80.17 The letter incorrectly asserts that parks are overused without any evidence or factual information that new residents would cause substantial physical deterioration. Moreover, the comment incorrectly asserts that a disproportionate burden falls on existing residents. As described in responses to comments 63.168 through 63.170 and 80.4, the Revised Project would pay an estimated \$13.7 million in FBA fees, consistent with the PFFP, which could help fund the acquisition and development of additional parkland, or could fund improvements to existing parkland that would result in an intensification of use. The calculation of required FBA fees for the Revised Project would occur in the same manner as for other projects in Carmel Valley, and the FBA fee amounts are adjusted by the City as conditions warrant. The Revised Project would also include about 1.5 acres of recreational amenities.

**New development should pay for itself, both within its own development footprint, and in all additional public facilities required to service the new development. In this regard, the City should ensure that One Paseo pays both the land cost and the development cost of any new park land required by the development.**

Separate from this proposed development, a PFFP was approved by City Council. This PFFP update adds additional parkland (up to 15.8 acres), additional park improvements, and a parks study to identify and recommend viable options and alternatives to provide the community with additional park and recreational facilities. With this update, the FBA fee structure will not change. That there is no fee schedule increase is due primarily to lowered land and project costs (multiple completed projects have come in under budget). In addition, the FBA cash balance was and

**Open Space Parks and Passive Parks**

Open space is an important part of the Carmel Valley Community Plan, and many areas have been dedicated as open space or as passive “Renaissance Parks”, which is documented in neighborhood Precise Plans.

For instance, the Neighborhood 7 precise plan shows that Torrey Highlands Park is explicitly “Enhanced Open Space”. See the Land Use Plan in the Neighborhood 7 Precise Plan, roughly page 12, or the Land Use Summary on page 13, or the discussion of Open Space and Enhanced Open Space on page 21 and continued on page 23.

80.19 **Why has the City chosen to treat Torrey Highlands in the same way as other MAD parks, even though the Precise Plans show very different designations for these parks (Torrey Highlands is “Enhanced Open Space”.) Shouldn’t the City treat the Torrey Highlands as open space, the same as Overlook Park, and exclude this acreage from the population-based park analysis?**

80.20 The 7-acre green space underneath the power lines across from the Pacific Athletic Club (“Powerline Park” or “Carmel Mission Park”, is also NOT a park! Members of the Carmel Valley Community Planning Board specifically attended San Diego City Council committee meetings in the late 1980s to

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- 80.17 is relatively high due to a previously deleted parks project that had been cont. kept in the FBA cash flow as additional future parks facilities had been anticipated.
- 80.18 Payment of applicable FBA fees would be made a condition of approval for the Originally Proposed Project and Revised Project. Refer to responses to comments 63.168 through 63.170 regarding population-based park requirements.
- 80.19 Refer to response to comment 80.1 for a discussion regarding MAD parks and population-based parks.
- 80.20 As shown in the responses to comments 63.168 through 63.170, only a portion of Carmel Mission Park is considered useable population-based park. This designation is consistent with other parks in the City that also contain overhead power lines.

80.20  
cont.

ensure that this stretch of grass underneath power lines was not counted as useable park acreage because it is not an appropriate location for kids to play, given the dangers of overhead power lines to kite flying or other aerial mishaps. The developer, Baldwin, claimed that it had to remain a turf area and open space because they it was represented this way to neighboring homeowners when the property was sold.

**Carmel Mission Park must not be counted as a population-based park because of useability limitations imposed by the overhead power lines. The City Council agreed to this in the 1980s.**

Similarly, there were tradeoffs made in the community, allowing additional development in exchange for additional park land. This park land was meant to offset development, and allowed developers to build denser units, trading back yards and larger lots for additional parks. That is, instead of providing units with their own yards, developers provided nearby parks where children could play and residents could walk their dogs. These were not meant to be "active use" parks, dedicated to sports use, rather, they were meant to be passive parks, allowing residents to relax in a "community back yard."

Information on dedication of such land through City Council resolutions may be found on page 1 of the Neighborhood 1 Precise Plan:

On December 5, 1985, the Planning Commission unanimously adopted an amendment to the precise plan by Resolution No. 5999. The City Council of the City of San Diego unanimously adopted a modified revision of the precise plan amendment on April 8, 1986, by Resolution No. R-265423, and the modifications made by the Council are reflected in the attached document. This amendment increased the number of dwelling units in the precise plan from 1,957 to 2,136 and added three mini-parks totalling 8.2 acres.

On July 12, 1990, the Planning Commission of the City of San Diego approved an amendment to the precise plan (Resolution No. 0723) increasing the number of dwelling units from 2,136 to 2,168; relocated the elementary school site; eliminated a neighborhood commercial center and increased the size of the renaissance park site from 1.25 acres to 5.0 acres. The City Council of the City of San Diego unanimously adopted the amendment on October 16, 1990, by Resolution No. 276725.

80.21

**This clearly shows that these parks, greenbelts and open space were set aside based on development in the community and may not be counted as population-based parks. Doing so would be double-counting of the same acreage, which is not allowed.**

These parks are now part of our open space and park land in Carmel Valley. The community has specifically chosen to maintain a number of parks above and beyond the City Standard. These "Renaissance Parks" have been paid for by local FBA dollars and transferred into the community's Maintenance Assessment District (MAD) and *are not part of the City's population-based park system!*

These parks, greenbelts and open space have been transferred into the "North City West Lighting and Open Space Maintenance District", removing them from the City's population-based park system.

Whenever standards in the Carmel Valley Neighborhood 1 Precise Plan exceed the City of San Diego Guidelines and Regulations, the Carmel Valley standards shall take precedence.

Similarly, the Neighborhood 4, 5 and 6 Precise Plan states that:

the renaissance parks will be acquired and constructed utilizing F.B.A funds and will be

80.21 As indicated in response to comment 80.1, the General Plan has no standard acreage requirement for open space within the City. As such, there would be no "double-counting" as stated in the comment.

incorporated into the North City West Public Facilities Financing Plan. However, unlike the Neighborhood Park, future maintenance of the renaissance parks will be accomplished under the North City West and Open Space Maintenance District rather than from City General Funds, since they are in excess of City Population-based park standards.

80.22 **Given that all of the MAD parks, greenbelts and open space have been specifically set aside by the relevant community precise plans, why is the City allowing the developer to count them as population-based park land?**

In the Carmel Valley Community Plan, on page 91, also says that there is both a requirement for parks, to meet recreational needs, and for open space, which serve more passive activities:

The influence of parks, recreation and open space upon the quality of life within any given community requires the thoughtful location of these facilities. In an attempt to provide for the recreational needs of future North City West residents two basic types of recreational facilities are contemplated. The first includes population based parks which are activity oriented. The second includes open space and resource based parks which are passive in nature.

80.23 **In any analysis of parks in Carmel Valley, the City must be very careful to keep population-based parks separate from open space, as there is a defined need for both. The Community Plan shows a requirement for more passive parks, and these MAD parks fulfill that need. Any land already counted as open space or passive park land may not be counted as population-based park land. This is specifically called out in the Carmel Valley Community Plan.**

The Carmel Valley Community Plan, on page 91 and 92, notes how important open space is:

Within the North City West study area the need, amount and location of open space has been determined by the natural environmental conditions of the land form. Major valleys and canyons with potential flooding problems, lands within 25 percent and up slope categories and sloping lands with unstable geologic conditions are included within the open space category. Other lands which will be subject to excessive noise pollution along Route 56 and Interstate 5 are also considered for open space.

In a basic sense the open space is the most important land use aspect of the North City West community since it determines community structure while conserving the most important features of the natural environment. Further, open space can serve one of the most important aspects of human behavior, that is, an escape from the pressure of urban life.

***The City must not convert existing open space and passive parks into active-use spaces because the Community Plan identifies these as the most important land use aspect of the community! This passive space is a requirement of the Community Plan.***

The Community Plan also considers Maintenance Assessment District (MAD) parks and land controlled by the assessment district to be part of the open space inventory of the community, not part of the City controlled population-based park system:

In order to promote realistic phasing of development, preparation of a precise plan which considers which lands must be purchased through the assessment district process and the timing of such purchase will be necessary. This process will allow the purchase of necessary open space lands before development of adjacent lands escalates the purchase price.

80.22 Refer to response to comment 80.1.

80.23 Refer to responses to comments 80.1 and 80.21.

The General Plan Glossary (GL-19) provides definitions for the various park types within the City of San Diego and states that:

Population-based parks include Neighborhood Parks (which includes mini-parks, pocket parks or plazas) and Community Parks that provide useable space for both active and passive recreational uses, located in close proximity to residential development and intended to serve the daily needs of residents.

Open Space Parks are systems consisting of canyons, mesas, and other natural landforms such as Tecolote Canyon, Rancho Peñasquitos Preserve, and Black Mountain Natural Open Space Parks. These are intended to preserve and protect native plants and animals, while providing public access for recreational purposes.

The quoted provisions of the Community Plan provided in the comment neither directly state nor imply that open space facilities are ineligible for consideration as population-based parkland. Parks that are developed with typical neighborhood park amenities, such as turf, and provide for passive recreation would not be considered as open space per the General Plan definition, nor the Community Plan, which both identify the need for open space to conserve the most important features of the natural environment.

This specifically states that land purchased through the assessment district process is part of the necessary open space lands for the community.

80.24 **Given the specific direction of the Carmel Valley Community Plan, which separates open space from park land and considers MAD park land to be open space, why has the City unilaterally decided to move existing MAD park land and other greenbelts in Carmel Valley into the neighborhood park inventory for the community?**

So, even though the City takes the direction that it's OK to convert these MAD parks because the MAD park designation is only supposed to be used for land in excess of the City park requirement, the Community Plan specifically shows the need for these additional passive spaces that were required by the community to allow for additional dense development. The City's Development Services Department is acting under the direction of the General Plan when the local Community Plan should take precedence.

80.25 **This is a very important point: where there is a discrepancy between the General Plan and Community Plan, the Community Plan should take precedence. In this case, that means that these passive, MAD parks must not be converted to population-based parks.**

**On the Reclassification of Open Space to Park Land**

When Carmel Valley was planned, the intent was to increase the density of the development, providing smaller yards for residences, in exchange for providing additional greenbelts and MAD parks as open space in the community. It appears that the intent of the City in changing the classification of existing greenbelts and MAD parks to "population-based" parks is to undo a significant planning principal used in the original development of North City West.

The design of Carmel Valley was meant to be comprehensive, providing an optimal balance of uses:

All planning and implementation programming should be predicated on the concept of developing a series of new communities throughout the study area. Communities should be designed and located to insure that future residents will be afforded an optimum balance of dwelling styles and prices; convenient shopping, office and similar business centers, educational, cultural, recreational and health services and facilities.

That is, the community was designed with an optimal amount of development, civic, recreational and open space. The idea that open space or greenbelts can be turned into active-use recreational areas with no impact violates the very foundations of the Carmel Valley Community Plan.

80.26 It appears the City of San Diego has decided to reclassify existing greenbelts, open space, and MAD parks as "population-based" parks to support One Paseo's claim that the community has an excess of population-based park land. Since the City appears to be changing the designation of this land, it needs to ensure that this is appropriate.

**Does the City have opinion from legal counsel that it is appropriate to reclassify existing greenbelts, open space, MAD parks and other land as "population-based park land", given the issues with ensuring proper open space, dealing with legal issues of maintenance and transferring of acreage out of the MAD system, and the fact that the Recreation Element of the General Plan specifies that equivalencies are for adding new parks, not for converting existing acreage?**

80.24 Refer to responses to comments 80.1 and 80.23.

80.25 Refer to responses to comments 80.1 and 80.23.

80.26 There is no General Plan standard for public open space, and as discussed in the responses to comments 80.1, 80.21, 80.24, and 80.25, no re-designation or change in use of open space or parkland has occurred in association with the analysis or development of the Originally Proposed Project or Revised Project. Rather, the current classification of population-based parks represents current City policy, consistent with the provisions of the governing planning document, the 2008 General Plan.

COMMENTS

RESPONSES

80.26 In the event that parks are removed from the MAD, the City will take the necessary steps required for removing MAD-maintained parks from the MAD responsibilities.

As discussed in response to comment 80.1, developed MAD parks are those in excess of the City's General Plan standards for population-based parks. These are City fee-owned parkland under the administration of the Park and Recreation Department, that provide for either active, or passive recreation, whose maintenance is funded through the MAD. When it has been determined that a community is deficit in population-based park acres, maintenance of a MAD park is to be funded through the City's General Fund. Although they are no longer MAD parks, their use does not change. As such, per the General Plan, these parks are defined as population-based parks, and not as an equivalency and would not be required to be analyzed during a Community Plan Update, or amendment.

While it is believed to be illegal to take back these MAD facilities for use as population-based parks, the City should understand that “population-based park land” is maintained by the City's General Fund, and that reclassifying existing MAD acreage will result in the transfer of the maintenance of this park land back to the City's General Fund. If this is done, then the residents should immediately stop paying for the maintenance of these areas through MAD Fees, and the MAD should immediately stop paying contractors for this work. Any legal complications as a result of this transfer, for instance, having the MAD contractor sue the city for removing significant work from their contract, would fall on the City of San Diego.

80.27 **Does the City understand that reclassifying these parks as population-based parks will require that the City take back the maintenance of these facilities from the MAD districts impacted?**

80.28 Also, if the City chooses to change the designation of certain passive parks, greenbelts and open space, it should ensure that the property is not double-counted. All the existing development that has been done in Carmel Valley up to this point has had requirements for both population-based parks and open space, where the open space is divided into total open space and usable open space.

80.29 **In addition to providing a complete survey of park land within Carmel Valley, the City must do a complete development survey and a complete open space survey. Once this is done, the required open space (both total and useable) for the existing development must be calculated and compared to the existing open space in the community.**

The Community Plan specifically calls out these passive parks as being important to the health and well being of local residents.

80.30 **Why is the impact to local parks and the associated impact to local homeowners not examined in the DEIR?**

Additionally, local MAD parks and greenbelts are called out as open space in the Carmel Valley Community Plan, and these parks are reserved for passive use. Residents relied on this information when purchasing their homes. Changing the designation of these parks breaks the covenant that the City has with the homeowners. If it is at all legal to change the designation of these parks, the City must notify residents and go through the proper process to make this change. Since the parks are paid for through an overlay zone across the entire community, everyone should be notified of this change.

80.31 **Given that these parks are controlled by a maintenance district that spans the entire northern half of Carmel Valley, has the City notified homeowners in the entire Carmel Valley community north of SR-56 of this proposed change in designation of the community's MAD parks and greenbelts?**

**On the use of Population-based Park Equivalencies**

It is unclear what reasoning the City used in allowing the existing greenbelts and MAD parks to meet the requirements of the population-based parks for this development. If the City was using the idea that these lands might meet the “equivalency” requirement from the General Plan, it is not the intent of the General Plan to take existing open space and reclassify it as a park “equivalency” in order to meet the needs of a development. The concern of the Recreation Element of the General Plan is to find a way for developers to add park land to the City, even if those additions sometimes require creative solutions.

80.27 As discussed in the responses to comments 80.1, 80.21, 80.24, and 80.25, no re-designation or change in use of open space or parkland has occurred in association with the analysis or development of the Originally Proposed Project or Revised Project. Rather, the current classification of population-based parks represents current City policy, consistent with the provisions of the governing planning document, the 2008 General Plan. Additionally, all parks identified as population-based parks require funding for maintenance from the City’s General Fund, including any MAD parks considered to meet population-based park requirements.

80.28 As discussed in the responses to comments 80.1, 80.21, 80.24, and 80.25, no re-designation or change in use of open space or parkland has occurred in association with the analysis or development of the Originally Proposed Project or Revised Project. As discussed in the response to comment 80.21, the 2008 General Plan, as the governing planning document for the City, includes policies for establishing which facilities are eligible for consideration as a population-based park. Specifically, Tables RE-2 and RE-4, respectively, list the facilities eligible for population-based park designation.

The issue of open space requirements for private projects is separate from population-based parks. The Municipal Code provides requirements for useable and total open space in the section which addresses Planned Development Permits (PDPs). However, the Originally Proposed Project is not required to obtain a PDP; as such this section is not applicable. The existing zoning requirements of the PDO for specific residential zones are also not applicable as the project is governed by the MC-CVPD zone. Thus, there are no specific requirements for open space related to the proposed development. However, as stated in response to comment 5.6, the Revised Project includes 10.7 acres of open space, of which 6.6 acres would be usable. Thus, open space represents approximately 45 percent of the site acreage.

COMMENTS

RESPONSES

80.29 Refer to the responses to comments 63.168 through 63.170 for a detailed discussion of population-based parkland within Carmel Valley, the existing and projected population of Carmel Valley, the community's level of service regarding population-based parkland in comparison with the 2008 General Plan goal of 2.8 usable acres per 1,000 residents, and the effect of the project on that level of service.

There is no population-based park guideline in the General Plan for natural open space.

80.30 The potential impact of the proposed development on parks is addressed in Sections 5.12 and 12.9 of the Final EIR and response to comment 63.168 through 63.170.

80.31 As discussed in the responses to comments 80.1, 80.21, 80.24 and 80.25, no re-designation or change in use of open space or parkland has occurred in association with the analysis or development of the Originally Proposed Project or Revised Project. In the event that parks are removed from the MAD, the City will take the necessary steps required for removing MAD-maintained parks from the MAD responsibilities.

COMMENTS

RESPONSES

That is, a developer might add a plaza, rooftop park or trail when adequate space for a traditional park is not available.

The Recreation Element of the General Plan, on page RE-10, says:

Neighborhood and community park facilities should take a variety of forms in response to the specific needs and desires of the residents involved. Neighborhood parks should be oriented toward achieving maximum neighborhood involvement in terms of interest, participation, and support. They should be an important element in creating neighborhood identity. Community parks should supplement those activities in the neighborhood parks and provide for a greater variety of facilities and active programmed uses.

80.32 Given the needs of 4.7 acres of population-based park land in the new One Paseo neighborhood, it is clear from the Recreation Element that the land should be based within the neighborhood itself, and is an important part of creating a neighborhood identity.

Again, from the Recreation Element of the General Plan, on page RE-10 and RE-11, says:

Table RE-2, Parks Guidelines, and Table RE-3, Recreation Facilities Guidelines, provide the **minimum standards and strategies for development of population-based park and recreation facilities**. The purpose of the tables is two-fold: first, to provide a means of measuring the degree to which park and recreation facilities are developed; and second, to equitably provide facilities throughout the City. The guidelines are basic tools for guiding and evaluating the adequacy of service to a given area and to the City as a whole. Their application should allow for flexibility as opportunities arise or the needs and desires of the residents change.

While the City's primary goal is to obtain land for park and recreation facilities, alternative methods of providing recreation facilities need to be available to achieve citywide equity where constraints may make meeting guidelines infeasible, or to satisfy community specific needs and demands where applying flexibility is beneficial. Table RE-4, Eligible Population-Based Park Equivalencies, describes guidelines for these alternative methods, or equivalencies.

The use of "equivalencies" is intended to be a part of a realistic strategy for the equitable provision of park and recreational facilities, with built-in safeguards designed to protect the public interest. It is through the proposed development of a citywide Parks Master Plan that "equivalencies" will be addressed on a community-by-community basis. **Alternatively, criteria for park and recreation opportunities can be analyzed and established during a community plan update or amendment, or community-specific parks master plan.**

80.33 It is clear from this passage that the table of park guidelines is intended for the development of new population-based park and recreation facilities, and the equitable creation of new park land and park alternatives throughout the City of San Diego. Again, it specifically says this is a "**minimum standards and strategies for development of population-based park and recreation facilities**"! For the City to use this as a way to bypass the development of new park land, and to reclassify existing land, is absolutely an incorrect reading of the General Plan and should be stopped immediately.

80.34 Additionally, the passage notes that the use of such equivalencies should be guided through a proposed citywide Parks Master Plan. That same passage includes, "**Alternatively, criteria for park and recreation opportunities can be analyzed and established during a community plan update or amendment, or community-specific parks master plan.**" I see no sign of any criteria for park and

80.32 The Revised Project would be required to pay an estimated \$13.7 million in FBA fees, which are intended to fund public services, including parks, in Carmel Valley. The City utilizes these fees for acquisition, or intensification of recreational uses at existing parks that would expand their use. Any acquisition or intensification of recreational uses would be vetted through a public process to ensure that it either creates, or supports, an existing neighborhood's identity.

80.33 As discussed in the responses to comments 80.1, 80.21, 80.24, and 80.26, no re-designation or change in use of open space or parkland has occurred in association with the analysis or development of the Originally Proposed Project or Revised Project. As discussed in the response to comment 80.21, the 2008 General Plan, as the governing planning document for the City, includes policies for establishing which facilities are eligible for consideration as a population-based park. Specifically, Tables RE-2 and RE-4, respectively, list the facilities eligible for population-based park designation which includes those areas providing for passive recreation.

COMMENTS

RESPONSES

80.34  
cont.

recreation opportunities being established during this Community Plan Amendment, which would allow park equivalencies to be evaluated, as required by this section of the General Plan.

**If the City is attempting to convert greenbelts, open space and MAD parks to population-based parks using “equivalency” calculations, is this an allowable action given that the Recreation Element of the General Plan calls for using equivalencies only as a way to develop new parks?**

**Population-based Parks**

This project, by City Standard and acknowledged in the DEIR on page 5.12-7, generates the need for 4.7 acres of useable park land:

...According to the forecasted density factor, the 608 units would generate approximately 1,666 residents. At the General Plan standard of 2.8 acres per 1,000 residents, buildout of the proposed residential component of the project (608 units) would generate the need for approximately 4.7 acres of useable park land.

Although, this should refer to, “4.7 acres of useable *population-based* park land.”

80.35

**Why is the designation of “population-based” not used in the discussion of park land related to increased development throughout this DEIR?**

Development creates a requirement of population-based park land, this should be the focus of the study.

80.36

**Do all park land studies throughout the DEIR that calculate both the park requirements of the development and the facilities available in the community to meet that development need use the definition of “population-based park land” defined in the Land Use element of the General Plan?**

When considering population-based park land in Carmel Valley, the DEIR falls short. Again and again, it seems to combine the discussions of open space required by development, and park land required by development. These are separate issues and should be handled independently.

80.37

In the discussion of the Urban Design Element in the One Paseo DEIR (page 5.1-83), the text incorrectly concludes that Carmel Valley has a surplus of park space:

Based on General Plan standards for population-based parks, the project would create a need for approximately 4.7 acres of useable park land based on General Plan standards to serve the proposed population. At buildout, the Carmel Valley community will have a surplus of approximately 4.8 acres of useable population-based parks. Consequently, adequate parks exist to serve the project. The project will be conditioned to pay applicable Facility Benefit Assessment (FBA) to fund its park obligations.

It is unclear from the DEIR where this “surplus of approximately 4.8 acres of useable population-based parks” number came from, as there is no analysis of the total population-based park land within the Carmel Valley Community Boundaries.

**Why is there no analysis of the population-based parks in the entire Carmel Valley Community Planning Area, as this information is required to properly determine if the current population-based park needs have been met in the community?**

80.34 As discussed in response to comment 80.21, General Plan Recreation Element Table RE-2 specifies the types of facilities that are considered suitable for population-based park designation, and Table RE-4 lists the facilities considered for equivalencies as population-based parks. Neither the Originally Proposed Project or Revised Project is proposing any population-based park equivalencies within the development. However, neither the Originally Proposed Project or Revised Project includes, nor does the City propose, a redefinition of any of these existing facilities as population-based parks for the purposes of determining whether Carmel Valley meets the 2008 General Plan population-based park standard.

Refer to response 80.26 for discussion of equivalencies in regards to MAD parks.

80.35 Although not specifically stated, the intent of the discussion was related to population-based parks.

80.36 Refer to response to comment 80.35.

80.37 Refer to the responses to comments 63.168 through 63.170.

COMMENTS

RESPONSES

The only discussion of park space in the DEIR is the map of Project Area Public Service and Recreational Facilities, Figure 5.12-1, and the table of Project Area Recreational Facilities, Table 5.12-2. On page 5.12-3, the DEIR states:

Parks and recreational facilities located within a 1.5-mile radius of the project site are shown in Table 5.12-2, *Project Area Recreational Facilities*, and Figure 5.12-1. The City of San Diego operates 13 population-based parks within this vicinity.

However, of these 13 parks referenced, only 5 are population-based parks. Again, the calculation should not include MAD parks, open space or greenbelts.

80.38 The DEIR shows the need for 4.7 additional acres of useable population-based park land but incorrectly comes to the conclusion that the community has a surplus of approximately 4.8 acres of useable population-based parks. The 4.8 acre surplus is never explained, but should be readily verifiable by looking at the current population-based park acreage and comparing it to the acreage required by the current population.

**How did the DEIR come up with the figure that there is a 4.8 acre surplus of useable population-based park land in the Carmel Valley Community Planning area?**

The DEIR uses 36,000 residents as the current population of Carmel Valley (from SANDAG, 2010.) Given the standard of 2.8 acres per 1000 residents, there should be a requirement of  $36 * 2.8 = 100.8$  acres of population-based park land in Carmel Valley.

The table below lists the population-based parks in the Carmel Valley Community. This list includes acreage for Ocean Air and Sage Canyon, two additional parks which are not included in the DEIR.\*\*

**Carmel Valley should have 100.8 useable acres of population-based parks, but this only shows 85.04 acres, a shortfall of 15.76 acres.**

*This analysis shows that Carmel Valley does NOT have adequate population-based parks under the existing City Standard, even after including two additional parks from south of SR-56.*

80.39

Park Name	Total Acreage	Useable Acreage
Carmel Valley Community Park	18.72	13.10
Ashley Falls Neighborhood	11.69	9.36
Carmel Creek Neighborhood	11.50	11.50
Carmel Del Mar Neighborhood	12.09	12.09
Solana Highlands Neighborhood	11.98	8.99
Ocean Air Community Park**	18.00	18.00
Sage Canyon Neighborhood**	12.00	12.00
<b>Total of Population-based Parks</b>	<b>95.98</b>	<b>85.04</b>

All other parks listed in the DEIR are Maintenance Assessment District (MAD) parks, which should not be included in the population-based park land calculation.

80.38 Refer to the responses to comments 63.168 through 63.170.

80.39 Refer to the responses to comments 63.168 through 63.170.

COMMENTS

RESPONSES

Even the Draft General Plan Final PEIR (September 2007) shows, on page 2-12, that the community is short on population-based park space. The numbers here are different, and again, there is no analysis of where the numbers came from:

Area	Population (2006)	Required Acres	Usable Acres	Deficit
Carmel Valley	32,090	89.85	78.42	-11.43

80.39  
cont.

One should note that these numbers are from 2006 and use a lower population base. They are also possibly missing part of the 18 acre Ocean Air recreation center, as its size was adjusted when the park was developed. Making the required changes still leaves Carmel Valley short of the required population-based park land.

Additionally, recent discussions with the City Development Services Department have also shown that there is a shortage of park space, even when counting MAD parks. However, even this new analysis comes to the conclusion that the community is only one acre short.

**Given the above analysis, which shows that, even after considering parks that the DEIR overlooked, 100.8 acres of park land is required but only 85.04 acres are available, how did the DEIR come to the conclusion that there is an excess of population-based park land in Carmel Valley?**

80.40

**Why is there a discrepancy between the new City calculations, the calculations from the 2007 EIR and the current DEIR in calculating useable acreage of population-based park land?**

80.41

It appears that the City can only find that the local parks meet the City Standard for population-based park land by ignoring the General Plan and illegally reclassifying existing space. This practice should be halted, and the DEIR should note that the community has a deficit of park land.

80.42

**It is important that, in identifying the community is actually short on population-based park land, the City must recognize that there is a public facilities impact, which should trigger an automatic PFFP update to determine the size of the impact and allocate the cost of providing new facilities to this development. One Paseo should be required to pay for the new park facility, including the land cost, based on the acreage required for the new units in the development.**

Also, the DEIR comes to the incorrect conclusion, on page 5.1-38, that the land use policy LU-A.4 has been met, or that the project is consistent with that policy:

Policy LU-A.4: Locate village sites where they can be served by existing or planned public facilities and services, including transit services.

80.43

The evaluation comments claim no impact:

Similarly, impacts to schools, libraries, and parks and recreational facilities would be less than significant because no new or renovated facilities would be required as a result of the project.

This statement is totally false.

80.40 Refer to the responses to comments 63.168 through 63.170.

80.41 Refer to the responses to comments 63.168 through 63.170 for a detailed discussion of population-based parkland within Carmel Valley. Also, as discussed in the responses to comments 80.1, 80.21, 80.24, and 26, no re-designation or change in use of open space or parkland has occurred in association with the analysis or development of the Originally Proposed Project or Revised Project.

80.42 The Revised Project would be required to pay an estimated \$13.7 million in FBA fees, which are intended to fund public services, including parks, in Carmel Valley.

Separate from this proposed development, a PFFP update was approved by the City Council. This PFFP update adds additional parkland (up to 15.8 acres), additional park improvements, and a parks study to identify and recommend viable options and alternatives to provide the community with additional park and recreational facilities. With this update, the FBA fee structure will not change. That there is no fee schedule increase is due primarily to lowered land and project costs (multiple completed projects have come in under budget). In addition, the FBA cash balance was and is relatively high due to a previously deleted parks project that had been kept in the FBA cash flow as additional future parks facilities had been anticipated.

COMMENTS

RESPONSES

80.42 In addition to FBA fees, as discussed in Section 12.9 of the Final EIR, cont. the Revised Project would provide, over and above payment of required FBA fees, 1.5 acres of publically accessible passive recreation that could include activities such as children’s play areas, picnicking, and informal sports are included in the project. The potential impacts of the development of these features are included in the analysis for the Revised Project in Section 12.9.

80.43 As discussed in response to comment 7.11, the Draft EIR appropriately concluded that the proposed development would not significantly impact local schools.

COMMENTS

RESPONSES

80.43 cont. The impact to schools was not studied, because the developer is allowed to pay a mitigation fee to cover any impact. There was never any examination or determination of the fact that no new schools would be required as a result of the project. There could be a significant impact to schools that requires new or renovated facilities, however, the fee provides full mitigation. One should note that “mitigation” is not the same as “no new or renovated facilities would be required”.

80.44 **Kilroy must provide a complete study on the impact to schools to determine the level of impact, and if any new or renovated facilities are required by the additional development. State law prohibits the rejection of the project based on these impacts, but they must be studied and disclosed. Why has Kilroy not provided a complete study on the impact of One Paseo on local schools?**

80.45 Similarly, there is no actual study of the library usage, just a statement that the City of San Diego provides the library and it is adequate. From having visited the library on numerous occasions, I can say that it is always overcrowded and parking is a nightmare.

80.46 On the last point, the determination that no new park facilities would be required as a result of this project depends on allowing the City to illegally transfer existing MAD greenbelts and parks into population-based park land. This is clearly not allowed, and the City's actions in this matter are unacceptable.

80.46 **Why is the City so willing to accept the proposal that the Carmel Valley Community has adequate public facilities, when the facts show otherwise and the facilities are so overburdened?**

80.47 Clearly the community has been shortchanged on park land, with 3 to 5 of our neighborhood parks having been converted to multi-family housing over the years.

80.47 Clearly the community has a shortage of population-based park land.

80.47 Clearly the public facilities in Carmel Valley will be heavily impacted by the development of One Paseo, and the DEIR should not claim otherwise.

80.48 **IMPORTANT:  
Given the lack of available undeveloped land in Carmel Valley, the applicant must meet its population-based park obligation through on-site improvement of 4.7 acres of active use park land.**

Carmel Valley has a shortage of active use park space. Parks are used all day by students at schools with joint-use agreements with the City. In the afternoons, youth sports teams take to the field, using an allocation strategy that allows a large number of different uses, but requires that groups never grow and that new user groups can't participate. Evenings are filled with adult leagues, community uses, and dog walkers. Weekends are largely scheduled, without a minute for fields to rest (an important part of routine maintenance.) The parks in the community are not adequate to support all user groups, and new users are routinely turned away due to the lack of available local active use parks. Similarly, there are no “excess” fields, so shutting down areas for maintenance causes displacement and hardship for existing user groups.

The General Plan notes on page SF-22 that, “It is difficult to acquire parklands in already-developed communities due to the cost of land and the desire to avoid displacement of existing land uses.” This is

80.44 Refer to response to comment 80.43.

80.45 The provision of libraries is a planning and facilities issue, and project applicants are required to pay fees to contribute to such facilities. As such, the Originally Proposed Project and the Revised Project would be conditioned to pay applicable BA fees to fund public services and facilities, including libraries.

80.46 As described in responses to comments 63.168 through 63.170, the City considers payment of the required FBA fees to ensure that no significant impacts to parkland would occur. FBA fees are used for acquisition of parkland or intensification of recreational uses at existing parks that will expand use of those parks.

80.47 As described in responses to comments 63.168 through 63.170, the City considers payment of the required FBA fees to ensure that no significant impacts to parkland would occur. FBA fees are used for acquisition of parkland or intensification of recreational uses at existing parks that will expand use of those parks.

80.48 Refer to responses to comments 63.168 through 63.170.

COMMENTS

RESPONSES

80.49 the case in Carmel Valley, where no land is available for new parks. Even if Carmel Valley had unlimited funds, there is no location within the community to site a new park, other than on this undeveloped site. And yet, the DEIR has One Paseo meeting it's park requirements through payment of FBA funds rather than meeting the requirement for the 4.7 acres of land.

Even though this is not mandated, given the lack of available land, the applicant must provide its park requirement on site, adding a 4.7 acre park to their development, even if it means reducing other uses in the project.

80.50 **Not providing additional population-based park space as part of the project is a significant impact to the community, and if the applicant does not fulfill their requirement through on-site park land, it becomes a significant, unmitigable impact to Carmel Valley. There is no other location to site this park land within the community now or in the future.**

**Why is the lack of park land provided in this development not listed as a significant impact, given the fact that the developer has not met their park requirement, based on the number of units in the development, and the fact that the community is short on park space?**

80.51 It should be noted that *the applicant's proposed zone of CVPD-MC (based on CC-5-5), does not allow recreational uses*, which should make this zone unacceptable for the project. The current zone allows for recreational uses, and village designations in the City of Villages conceptual framework allow for recreational uses, why are recreational uses prohibited in the proposed zone? Even the DEIR states that One Paseo will provide for recreational uses, that include "public outdoor spaces for both active and passive recreational use".

80.52 The lack of provision for recreational use can be seen in the Conceptual Landscape Plan, Figure 3-3b, which has a note that says:

**Water Use and Water Conservation:** THE PROJECT WILL COMPLY WITH THE UPDATED LANDSCAPE STANDARDS OF THE LAND DEVELOPMENT CODE IN TERMS OF DESIGN AND SUBMITTAL REQUIREMENTS FOR WATER CONSERVATION. THE PROJECT WILL COMPLY WITH RESTRICTED WATER USE WITH RESPECT TO THE MAXIMUM APPLIED WATER ALLOWANCE (MAWA). PLANTINGS WILL BE GROUPED INTO HYDROZONES, AND THE USE OF TURF WILL BE LIMITED AND FOR RECREATION USE ONLY. SMART CONTROLLERS AND DRIP IRRIGATION WILL BE INTEGRAL TO A WATER-CONSERVING AUTOMATIC IRRIGATION SYSTEM. SUBMITTAL REQUIREMENTS OUTLINED IN THE LANDSCAPE STANDARDS WILL BE FOLLOWED. SEE SHEETS L-7 AND L-8 FOR WATER BUDGET DIAGRAMS AND TABULATIONS.

The important phrase here is that "the use of turf will be limited and for recreation use only." Searching through the landscape plan for any sign of turf, one can only find small patches within the plazas and strips of grass at the corner of Del Mar Heights Road and High Bluff Drive, and at Del Mar Heights Road and El Camino Real.

As for the street corners, one could hardly call these small spaces fronting busy streets "parks" where any kind of active use activity might take place! One could hardly imagine throwing a ball with a child or flying a kite at these busy locations. While these might be useful for walking a dog, it's hard to imagine 608 households all walking their dogs in these small spaces, as the smell and cleanup issues would be overwhelming.

80.49 Refer to responses to comments 63.168 through 63.170.

80.50 Refer to responses to comments 63.168 through 63.170.

80.51 The type of uses proposed for the project, including plazas and paseos, are clearly promoted by General Plan for mixed-use projects and were intended to be permitted in the proposed zone. In response to this comment, the text of the proposed CVPD-MC zone has been revised to clarify these forms of recreation are permitted.

80.52 As discussed in response to comment 79.72, the open space areas included in the Revised Project do meet the guidelines established by the City's General Plan for recreation on a local level.

COMMENTS

RESPONSES

As for the interior of the project, the main plaza has a very small semi-circle of grass that might be appropriate for a picnic or sitting and listening to a concert. Again, it is adjacent to a busy street, so the idea of flying a kite or throwing a ball is out of the question. Also, this plaza is a busy shopping plaza, full of retail kiosks, and reserved dining areas, so the notion that the plaza is an open-space or recreational area is absurd.

80.52  
cont.

This leaves the plaza to the west, in front of the 11 story residential tower. This plaza is very small, next to a busy street, and fronted with retail uses. Just those factors make it hard to imagine this space as a dedicated recreation area. An additional note in the landscape plan Figure 3-3f shows that the intended purpose for this plaza is private use for the residents (see Section 1 – At Connection to Neurocrine) :

Amenity Area - Possible uses: passive residential park (private), resident play area, community gardens.

So, even areas that appear to be public open spaces or recreational areas are really private amenities for the residents. Given that the zone does not allow recreational uses, these areas must be designated as private zones for residents, part of the facilities provided by the apartment or condominium complex.

80.53

**Why is the City allowing the developer to zone this property for development only, with no recreational use allowed, when the City of Villages concept, and the Community Village Designation are meant to allow for recreational opportunities?**

Related to Policy LU-D.13:

Address the following standard plan amendment issues prior to the Planning Commission decision at public hearing related to: level and diversity of community support; appropriate size and boundary for the amendment site; provision of additional benefit to the community; implementation of major General Plan and community plan goals, especially as related to the vision, values, and City of Villages Strategy; and provision of public facilities.

80.54

This development falls so far outside of the vision and values of the City of Villages strategy that it's hard to understand how it has made it this far through the planning process. The density, scale and intensity of the development are totally inconsistent with the community and the Community Plan, and the lack of public facilities should require the City to deny this request.

80.55

**IMPORTANT:  
In light of the above, the DEIR must include at least one alternative with a significant population-based park on-site, with a minimum of 4.7 useable acres.**

While I believe that a park must be directly included in the proposed project, I understand that the applicant is not required to make this change. Given that fact, I insist that the City mandate at least one Alternative to the project that includes a significant population-based park of at least 4.7 acres.

80.56

The alternatives in the DEIR are totally inadequate, only studying options that would never be built or that have no chance to solve any of the impacts of the proposed project. The two major impacts from this development are traffic and community character. A large part of the community character impact is from the tall residential buildings, and the majority of the traffic impact is from the retail. It follows from this that any alternative that includes all of the retail development will not help reduce the traffic

80.53 As proposed, the project complies with the General Plan policy of providing 10 percent of the project acreage for public use, which includes forms of passive recreation. As stated in response to comment 80.51, the Final EIR includes a text revision to the proposed zone to clarify that such uses are permitted.

Refer to response to comment 80.1 which describes a publicly-accessible recreational area to be provided on the project site.

80.54 The Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on the local neighborhood character. As discussed in Section 12.9 of the Final EIR, the Revised Project would reduce the impact on neighborhood character but not to a level below significance.

80.55 Pursuant to CEQA, alternatives are intended to avoid or reduce significant impacts. As neither the Originally Proposed Project nor Revised Project would have a significant impact on park and recreation facilities in the community, the alternatives in the EIR need not be designed to address impacts to park and recreation facilities.

80.56 The Final EIR includes two alternatives that would retain the land use elements of the Originally Proposed Project but at a reduced scale. One of these alternatives, referred to as the Reduced Mixed-use Alternative, would include the commenter's suggestions related to reducing the amount of retail and residential, as well as commercial office development. This alternative would reduce each of these components by approximately 50

COMMENTS

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80.56 cont. impact, and any alternative that includes all of the residential development will not help reduce the community character impact. Yet, this is what a number of the alternatives do, keep the entire residential component while eliminating the retail, or keep the entire retail component while eliminating the residential.

It is clear that any reasonable alternative must look at reducing multiple sections of the development, not eliminating entire areas. For instance, reduce the retail to the point where the traffic impact comes down, then also reduce the residential so that the community character is less impacted.

80.57 **Why didn't the DEIR look at the total capacity of the local streets and at the scale and character of the adjacent uses to come up with an alternative that has no impact to community character and keeps traffic within a range that can be fully mitigated?**

80.58 **Why doesn't the DEIR have an alternative that includes a reasonable neighborhood park, one that supports baseball, soccer and other recreational uses of the neighborhood?**

80.59 Without studying reasonable alternatives that scale down multiple aspects of the development at the same time, the City will be unable to make a proper determination of how reasonable the proposed project is. That is, by examining only unreasonable alternatives, such as those presented in the DEIR, there is the appearance that the proposed project might be a good idea. However, there are many possible scenarios with both smaller retail AND smaller residential components that would provide all the community benefits without the significant impacts.

80.60 **Given that there are reasonable ways to include the required park land within the development footprint, why has the developer been allowed to bypass this issue, and why are there no alternatives in the DEIR that show possible solutions including a population-based park?**

**Open Space (again)**

The City should note that the development has requirements for both open space and for population-based park land. The open space requirements are divided into general open space and "usable open space", where the "usable" space has very specific requirements defined in the Carmel Valley Planned District Ordinance.

80.61 **Why doesn't the DEIR contain a complete survey of the open space contained within the proposed One Paseo project, where the survey shows the types of areas being counted toward the open space acreage and breaks down the difference between total open space and usable open space?**

On page 5.12-7, the DEIR notes that, "the project would provide approximately 7.6 acres of useable open space areas within the project site to serve on-site residents, employees, and patrons." If this 7.6 acres is really only available to "on-site residents, employees, and patrons", then none of it would qualify as population-based park land. It could be counted as open space for the residents, assuming that it was not already intended for another purpose, such as retail or a required setback. Additionally, while the project includes recreational uses, the proposed land use zone of CVPD-MC does not allow for recreational uses.

80.56 percent. However, as discussed in Section 12.10, this reduction would not eliminate significant impacts to neighborhood character or traffic. As the Reduced Mixed-use Alternative is considered infeasible, consideration of a smaller mixed-use alternative is not warranted.

80.57 Section 12 of the Final EIR includes the environmental analysis of a No Project/Employment Center Alternative, which entails developing the site as a 510,000-square foot business park in accordance with the existing land use designation and zoning. It also considers a Specialty Food Market Retail Alternative which would develop the site with 60,000 square feet of retail. These are the only project build alternatives that would avoid the significant neighborhood character impacts resulting from the Originally Proposed Project and Revised Project. There are no feasible project build alternatives that would avoid the significant traffic impacts of the Originally Proposed Project and Revised Project. While the No Project/Employment Center Alternative and Specialty Food Market Retail Alternative, would lessen traffic impacts compared to the Originally Proposed Project, neither would not entirely avoid them.

80.58 Refer to response to comment 80.55 regarding a project alternative that includes an on-site population-based park.

80.59 Refer to response to comment 80.56 regarding project alternatives.

80.60 As described in responses to comments 63.168 through 63.170, no significant impact to population-based parks would occur as a result of the proposed development. Additionally, refer to response to comment 80.55 for discussion regarding a project alternative that includes an on-site population-based park.

80.61 Responses to comments 63.168 through 63.170 contain addition information on the status of existing and planned recreation facilities within the Carmel Valley community.

COMMENTS

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The project should avoid double-counting land for multiple purposes. For example, if land is included as part of a required setback, or if land is used for retail or commercial purposes, then it should not be counted as open space or as park land. Similarly, space such as sidewalks, hotel patios, public or private streets available for biking, and private areas available only to businesses should not be included in the residential open space requirements. And, the acreage requirement for parks and open space should be viewed as a minimum standard.

80.62

**Does the DEIR count any portion of a required street setback as open space?**

**Does the DEIR count the SDG&E easement at the west end of the property, or the small space at the corner of Del Mar Heights Road and High Bluff Drive, which is not part of the One Paseo parcel, as open space?**

**Does the DEIR include the areas in the any of the plazas that are used for retail or commercial operations, for instance, the main plaza has retail kiosks and restaurant seating, as open space?**

If any of the greenbelts, open space or MAD parks are considered part of the total required open space or part of the useable required open space, then these acres must not be counted as population-based parks. Because of this linkage, the DEIR should provide complete documentation on how much open space in Carmel Valley is linked to development.

This can be seen in the Carmel Valley PDO, found in the San Diego Municipal Code, Chapter 10, Article 3, Division 6, where on page 14 and 15 it discusses open space requirements of multi-family housing in Carmel Valley:

TABLE II OF SECTION 103.0609

Subarea	Total Required O.S. Per D.U. (sq. ft.)	Required Usable O.S. Per D.U. (sq. ft.)
MFL and MF1	1800	900
MF2 and MF3	900	450
MF4	500	250

80.63

(ii) Usable open space shall not have an overall grade exceeding ten percent (10%) and shall not be occupied by buildings, streets, driveways, or parking areas, or any land proposed to be dedicated to the City as open space. The land provided must be determined by the appropriate decisionmaker to be functional usable open space which provides for reasonable use by the resident. Functional open space should include a minimum area of 100 square feet with a minimum dimension of six (6) feet on one side. The usable open space may, however, be occupied by recreational facilities excluding buildings, including the following: swimming pools, golf courses, tennis, basketball, volleyball and badminton courts, open handball courts, children's play areas and accompanying equipment, baseball diamonds, shuffleboard courts, croquet and lawn bowling facilities, walks and riding trails, picnic facilities and any other use which the Planning Commission may find to be similar in character to the uses enumerated in this paragraph.

This table shows the amount of open space required per multi-family unit. The original plan for Carmel

80.62 Pursuant to Section 143.0420 of the Planned Development Guidelines, required street setback areas are counted toward the project's open space calculations as long as the setbacks can meet the required minimum dimensions and surface characteristics. The SDG&E easement is included in the open space calculations because the asphalt driveway is not exclusively limited to utility purposes. Furthermore, the underlying land is owned by the project applicant. The property between the project boundary and the Del Mar Heights Road/High Bluff Drive is not within the project applicant's ownership, and, therefore, is not counted toward the open space.

80.63 As described in the response to comment 80.1, the past or present inclusion of a park within a MAD does not preclude its designation as a population-based park. Only City fee-owned parkland that meets the definition of population-based parkland is included in population-based park acreage provided in the responses to comments 63.168 through 63.170.

No information provided in the comment contradicts the designations of parks in Table 5.12-3 of the Final EIR. Tables RE-2 and RE-4 of the General Plan Recreation Element list the types of facilities eligible for designation as population-based parks, and eligible population-based park equivalencies, respectively. As shown in Table RE-2, eligible facilities for population-based parkland specifically include passive recreation areas. As shown in Table RE-4, equivalencies include walkways, landscaping, multi-purpose turf areas, green streets, linear street parks, and even parking areas. Additionally, as discussed on pages RE-10 and RE-11 of the General Plan Recreational Element, alternative methods of providing recreational space within the community are intended to provide flexibility in meeting parkland goals. Thus, neither the General Plan nor the information cited precludes the designation of developed open space as population-based parkland.

COMMENTS

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80.63  
cont.

Valley called for around 7,500 multi-family units, which, at an average of 450 sq ft per unit, would generate over 77 acres of required open space.

**Why has the DEIR not provided a survey of the total development in Carmel Valley and the total amount of open space required for all of the development in the community, as specified in the existing Carmel Valley Planned District Ordinance?**

**Why has the DEIR not provided a survey of open space in Carmel Valley to determine if the greenbelts and MAD parks are a required part of the development in this community?**

80.64

At this same rate of 250 sq ft per unit, the 608 One Paseo units might generate a requirement for 3.49 acres of useable open space.

**Why does the One Paseo PDO Amendment not include open space requirements for the residential units within the development, making the new development better relate to the surrounding community?**

Carmel Valley has a very specific definition of “open space”. In previous developments, the community has successfully fought developers who attempted to include balconies, decks and patios as open space. In Carmel Valley, “open space” is land that is not occupied by buildings, parking, streets, etc. From the above paragraph:

Usable open space shall not have an overall grade exceeding ten percent (10%) and shall not be occupied by buildings, streets, driveways, or parking areas, or any land proposed to be dedicated to the City as open space.

So, the “open space” requirements of the One Paseo project must be met in land that is not otherwise occupied by buildings, streets, driveways, or parking areas, and it shall not count land proposed to be dedicated as City open space, nor land already dedicated as open space.

This last point is important, as the SanGIS reports show some of the areas around the edge of the development as already dedicated as “Community Open Space.” The DEIR should ensure that any land counted as development-based open space is not otherwise counted, and is not part of a building, street, driveway, etc.

80.65

**The DEIR Open Space survey should include information showing the open space meets the requirements of the Carmel Valley PDO, and is not part of a building, street, driveway or parking area. In addition, the City should show that no open space is double-counted, conforming to the requirement that all new development-based open space be independent of existing dedicated space.**

80.64 The open space calculations for the project are consistent with guidelines established in Section 143.0420 of the Planned Development Guidelines.

80.65 The open space provided with the Revised Project conforms to the requirements of Section 143.0420 of the Planned Development Guidelines. Regarding the “double-count[ing]” of open space, as shown in Table RE-2, eligible facilities for population-based parkland specifically include passive recreation and open space areas. As shown in Table RE-4, equivalencies include walkways, landscaping, multi-purpose turf areas, green streets, linear street parks, and even parking areas. Additionally, as discussed on pages RE-10 and RE-11 of the General Plan Recreational Element, alternative methods of providing recreational space within the community are intended to provide flexibility in meeting parkland goals. Thus, no requirement exists that open space provided with development be segregated by definition from population-based parkland.

COMMENTS

RESPONSES

Additionally, if any existing open space is lost through street improvements or other mitigation projects, that open space must be replaced by the developer with additional space within the community of Carmel Valley. There are at least two locations where this may occur:

1. In the center median of Del Mar Heights Road, the landscaped median is currently MAD managed open space.
2. In the center median of High Bluff at the intersection of Del Mar Heights Road, on the north side where the street enters the residential community, the landscaped median is currently dedicated to the homeowners association.

Again, this loss of open space must be matched by new open space within the community.

City Staff should also note that open space also has an Environmental component, such as providing wildlife corridors, breeding grounds, and wilderness areas. For instance, in Carmel Valley there is a large amount of MSCP and MHPA land that is **required open space that does not count towards useable open space required by development**. For instance, the Carmel Valley Restoration and Enhancement Project (CVREP) must not count as useable open space provided as a result of development.

80.66 **Why does the DEIR, given that it is proposing exchanging existing open space, greenbelts and MAD parks for population-based park land, not include a study of the required wildlife-based open space, such as MSCP and MHPA lands, to determine the exact amount of development-based useable open space that currently exists in Carmel Valley?**

Sincerely,

Kenneth W. Farinsky  
Carmel Valley, San Diego

cc: Councilwoman Sherri Lightner  
Stacey LoMedico, Director, Park & Recreation Department  
Bernie Turgeon, Senior Planner  
Chairman Frisco White, Carmel Valley Community Planning Board

80.66 The proposed development would not result in the loss of any wildlife-based open space. Furthermore, wildlife-based open space is unrelated to useable open space. Thus, no evaluation of wildlife-based open space is warranted.

COMMENTS

RESPONSES

From: [Barbara Farrell](#)  
To: [DSD EAS](#)  
Subject: Project Number (193036)  
Date: Friday, May 18, 2012 3:37:57 PM

**Subject:** Project Number (193036)

- 81.1  The One Paseo project is 4 times the size of its entitlement. The traffic at
- 81.2  Interstate 5/Del Mar Heights is already a nightmare – and the fair has not even begun!
- 81.3  Certainly a project with the entitlement size of when the project was purchased could be a benefit to this area but the proposed site is outrageous.
- 81.4  The fire and police can hardly make it to the freeway at this time.

Barbara Farrell  
3749 Fallon Circle  
San Diego, Ca. 92130-1875

- 81.1 As this comment does not raise any issues related to the adequacy of the Draft EIR, no response is necessary.
- 81.2 As this comment does not raise any issues related to the adequacy of the Draft EIR, no response is necessary.
- 81.3 As this comment does not raise any issues related to the adequacy of the Draft EIR, no response is necessary.
- 81.4 As discussed in response to comment 8.2, the project would not cause significant environmental effects associated with the provision of emergency services.

COMMENTS

RESPONSES

**From:** [William Fijolek](#)  
**To:** [DSD EAS](#)  
**Subject:** Project name: One Paseo Project number 193036/SCH No. 2010051073  
**Date:** Tuesday, May 08, 2012 11:18:15 AM

Dear Planner Board Member Chair,

82.1 The current proposed One Paseo project is way too big. Draft Environmental Impact Report (DEIR) confirms a myriad of negative effects will result. Please don't rezone to allow this massive project.

Kilroy's current proposal will detrimentally affect the whole of Carmel Valley and my neighborhood in particular.

Sincerely,

William Fijolek  
 13436 Landfair Rd.  
 San Diego, CA 92130

82.1 As this comment does not raise any issues related to the adequacy of the Draft EIR, no response is necessary.

COMMENTS

RESPONSES

**From:** [John M. Fiscella](#)  
**To:** [DSD EAS;](#)  
**cc:** [profirst@compuserve.com;](mailto:profirst@compuserve.com)  
**Subject:** One Paseo 193036/SCH No. 2 Comment  
**Date:** Monday, April 09, 2012 8:27:33 PM

After having read the entire DEIR, my comments are below.

- 83.1 [ The project is good BUT it should NOT be approved UNLESS permanent public transportation is in place before it gets built, because otherwise it will be extremely disruptive for local residents, of which I am one.  
 This public transportation should be either:
  - 83.2 [ 1) an MTS trolley line extending from UCSD to El Camino Real and then north on El Camino Real to Via de la Valle. A public free parking lot at the Polo Grounds should be mandated for that purpose (preferred); or
  - 83.3 [ 2) a free, permanent, One Paseo shuttle bus making stops running along El Camino Real from Carmel;Mountain Road to Via de la Valle, and a shuttle bus running on Del Mar Heights Road from Camino del Mar to Carmel Valley Road in Pacific Highlandss Ranch (undesirable, because the One Paseo owners could discontinue it without notice and without penalty).
- 83.4 [ As an oversight by absence in the DEIR and an amendment which should be added to it: at Townsgate Drive and El Camino Real, there should be a commemorative to the Butterfield Stage Station which was there 135 years ago exactly where One Paseo might be built. This fact was not disclosed by Kilroy possibly because it would ruin their chances of getting building permit.

John Fiscella  
 1-858-794-7638

- 83.1 Refer to response to comment 10.40 regarding provision of public transit. Public transit in Carmel Valley is programmed for the year 2030; however, the project is expected to result in a significant traffic impacts with or without the planned public transit.
- 83.2 The transit proposed is unrelated to the Originally Proposed Project. As discussed in response to comment 6.7, the project applicant is proposing to provide peak hour shuttle service to connect the project with nearby transit.
- 83.3 Refer to response to comment 6.7 for information regarding the shuttle service included in the project’s TDM.
- 83.4 The City is unaware of any documentation that indicates that the project site was specifically involved in the operation of the Butterfield Stage along El Camino Real. In addition, there is no reference to the Butterfield Stage activities in the Carmel Valley Community Plan.

COMMENTS

RESPONSES

**From:** [John Fiscella](#)  
**To:** [DSD EAS](#);  
**cc:** [profirst@compuserve.com](mailto:profirst@compuserve.com);  
**Subject:** One Paseo, Project 193036  
**Date:** Saturday, June 02, 2012 1:04:14 AM

One Paseo, Project 193036

84.1 1) This project should not be built because there is no permanent public transportation system installed in the area. If the MTS trolley is extended from University City/UCSD up El Camino Real to Via de la Valle, that would solve that problem. No buses of any kind, including shuttle buses run by the owners, would be satisfactory.

84.2 2) This project should not be built because it is too big for this area and would ruin the community flavor and generate more car traffic, which we do not need. Del Mar Heights Road has already too much congestion already with the slap-happy development of Carmel Valley, which the City of San Diego approved despite local protest.

84.3 3) This project should not be built because the area opposite Townsgate Drive is an historical area where the Butterfield Stage used to stop on its way to Los Angeles. As far as I know, this issue has not been addressed; there must be an historical marker and some aspect of historical preservation incorporated into the design of whatever is constructed there, also something that has not been addressed. This should not be ignored.

John M. Fiscella  
 13561 Old El Camino Real  
 San Diego, CA 92130

84.1 As discussed in responses to comments 83.1 through 83.3, the Originally Proposed Project or the Revised Project would not be dependent on the availability of public transit.

84.2 The Final EIR acknowledges that the Originally Proposed Project and the Revised Project would have a significant impact on the traffic and neighborhood character.

84.3 As discussed in response to comment 83.4, the Originally Proposed Project would not affect historical aspects related to the Butterfield Stage in the project vicinity.

COMMENTS

RESPONSES

**From:** [paul flook](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo, Project 193036  
**Date:** Friday, May 25, 2012 9:28:14 AM

85.1 [ As a local resident of Carmel Valley I would like to express my objection to the One Paseo project. My primary objection concerns the fact that the scale of this development is out of balance with the surrounding community. I also have no confidence that the area can cope with the additional traffic that will be generated by the project and that this will have a direct effect on the safety of children in the area.

85.2 [ Regards  
Paul Flook

13124 Janetta Place  
San Diego  
CA 92130

--  
[paul.flook@gmail.com](mailto:paul.flook@gmail.com)  
858.232.8209

85.1 The Draft EIR, in Section 5.3.3, acknowledged that the bulk and scale of the Originally Proposed Project would have a significant impact on the neighborhood character of the surrounding area. As this comment reiterates information and conclusions already contained in the Draft EIR, it did not raise any specific issues with respect to the adequacy of the Draft EIR.

85.2 The Draft EIR acknowledged that the Originally Proposed Project would increase traffic in the area. However, as discussed in response to comment 7.4, the proposed development would not have a significant impact on the safety of school children.

COMMENTS

RESPONSES

From: Sharon Fornaciari
To: DSD EAS
Subject: re: ONE PASEO, Project No. 193036/SCH No. 2010051073
Date: Monday, May 28, 2012 7:30:17 AM

To Whom it May Concern:

My name is Sharon Fornaciari. I am a Realtor, Member of the Carmel Valley Recreation Council and long time resident of Carmel Valley (in the neighborhood directly north of the proposed One Paseo project).

86.1 Last year I attended the One Paseo BBQ and was very excited about this mixed-use project. I even spoke in favor of it at one of the initial meetings. I still am excited about a mixed-use project but the density of One Paseo is absolutely unacceptable.

86.2 As a member of the Recreation Council, I can tell you that we spend a considerable amount of time discussing field usage (and shortages) for our local sports organizations. My understanding is that this land agreement requires park/open space that is not being done. Our community needs field space more than we need an hotel or another (empty) office building.

86.3 My other concern is the traffic. This issue seems to get brushed aside every time it is brought up. A double-turn into the Heights neighborhood is not acceptable and making changes to a neighborhood that Kilroy has no right too. This is not a detour route for the homeowners east of us (who will be trying to avoid the additional 27,000 cars that this project will bring)!

86.4 Before this project can move forward, we as a community should be able to see traffic impact reports and a scaled down/revised density of the project.

One Paseo could be a charming welcome addition that adds value to the community or it could be a massive, congestion nightmare that will ruin the feel of our community (not to mention our property values)! Please take greed out of the equation and make this a Mainstreet that the Carmel Valley Community can enjoy.

Sincerely,

Sharon Fornaciari

Sharon Fornaciari
Realtor ABR CDPE CNE ePRO
FIVE STAR Real Estate Agent
Sampson California Realty
CA DRE# 01406942
858-735-0166 Direct
858-225-345 eFAX
SFornaciari@san.rr.com

86.1 As this comment does not raise any issues related to the adequacy of the Draft EIR, no response is necessary.

86.2 Refer to responses to comments 63.168 through 63.170 for a discussion of the adequacy of existing parks to serve the Carmel Valley community with development of the Revised Project.

86.3 Refer to response 29.2.

86.4 As discussed in response to comment 5.6, the project applicant has revised the Originally Proposed Project to reduce the size of the project. In addition, the Final EIR includes an additional alternative that addresses a mixed-use development which would reduce the land use intensity by approximately 50 percent compared to the Originally Proposed Project addressed in the Draft EIR. A discussion of the traffic implications of the Revised Project and the reduced mixed-use alternative are provided in Sections 12.9 and 12.10 of the Final EIR, respectively.

COMMENTS

RESPONSES

Comment from Michael Foster local resident (Biscayne Cove) and Torrey Pines Community Planning Board Member ; on the planned One Paseo Project 193036.

- 87.1  I am opposed to the project as described as it creates significant unmitigatable impacts that could be minimized or avoided with more realistic alternative designs and/or modified scale of the project.  
My specific comments are presented below.  
Page 15.
- 87.2  Why is this DEIR not signed by the professional planner identified on the signature line?
- 87.3  Is a DEIR in compliance with CEQA if it is not submitted by an appropriately qualified professional? Is the signature supposed to be accompanied by an appropriate professional stamp?
- 87.4  As Ms Gallardo is the only identified Professional person identified, is Ms Gallardo responsible for the content and completeness of this document?
- 87.5  If this document has not been prepared with an appropriate standard of care, who are the responsible professionals for this DEIR?
- 87.6  How is the public to know if this was signed with the full approval of the identified signatory Cecilia Gallardo?
- 87.7  How will the public know if any comments on this DEIR will be read/reviewed by an appropriate professional?
- 87.8  Will an appropriate professional person sign and stamp the final EIR?

Exec Summary

- 87.9  Are the reported reductions in ADT values between the project and the alternatives **in error**?
- 87.10  How can retail generate such a small ADT value as compared to a medical office suite and senior housing facility?
- 87.11  3.2.6 Off-site improvements: New traffic signals are referred to here at First Avenue and Third Avenue and Del Mar Heights Road. The disruption in traffic flow and increased travels times caused by these new lights can in no way be considered "Improvements". In what ways are these lights an "improvement". The DEIR is **in error** in titling this section improvements as this section includes elements that are detrimental to the quality of life for residents and other users of Del Mar Heights Road.
- 87.12  3.3.2 Export of soil. Based on the quoted durations of phases this volume of exported soil will result in hundreds of truck loads per day leaving the site and driving on Del Mar Heights Road or El Camino Real. For example in Phase 1; 239,800 cubic yards would require 479 truck loads per day assuming 25 cubic yard load per truck and 20 working days per month. The actual permissible loads may actually be less than 20 cubic yards per day or 600 trucks per day. Over a 6 hour work day (assuming trucks would not

- 87.1 As discussed in response to comment 5.6, the project applicant has revised the Originally Proposed Project to reduce the intensity of the project. In addition, the Final EIR includes the reduced mixed-use alternative which would reduce the land use intensity by approximately 50 percent with respect to the Originally Proposed Project addressed in the Draft EIR. Although both would reduce neighborhood character and traffic impacts, the impacts would remain significant and not mitigated.
- 87.2 As a Senior Planner in DSD, Ms. Blake is authorized to sign for the Assistant Deputy Director. Although the EIR Conclusions were signed by Ms. Blake, the Assistant Deputy Director personally reviewed the Conclusions before they were finalized.
- 87.3 The City does not require a signature from the environmental planner with principal responsibility for preparation of EIRs, nor does CEQA require such a signature. If certified by the City Council, the Final EIR will be accompanied by a finding that the Final EIR is in compliance with CEQA.
- 87.4 Preparation of EIRs in the City of San Diego is typically a joint effort between City staff and the applicant's EIR consultant. A list of City and EIR consultant staff which participated in the preparation of the Draft EIR is contained in Section 15. The Assistant Deputy Director in DSD is responsible for the assuring that the EIR is accurate and unbiased but, ultimately, the City of San Diego, and not a single individual, is responsible for the adequacy of the EIR.
- 87.5 The Draft EIR was prepared with an appropriate standard of care under the supervision of DSD staff which conducts an independent review of the EIR and supporting technical documents to assure that they represent an accurate, unbiased evaluation of the environmental effects of a Originally Proposed Project.
- 87.6 The Draft EIR was issued for public review based upon the authority of the City of San Diego, as the CEQA lead agency, not an individual or employee of the City.

COMMENTS

RESPONSES

- 87.7 It is standard City policy for DSD to review and approve all documents prepared in accordance with CEQA. This includes reviewing all responses to comments which were received on the proposed development. Refer to response to comment 87.3.
- 87.8 The City of San Diego Development Services Department, not an individual, is responsible for the content of the Final EIR. The City Council will determine if the document is adequate and in compliance with CEQA.
- 87.9 The City is unaware of any errors with respect to ADT reductions discussed in the Executive Summary. No further response can be offered to this comment since no specific error was identified in the comment.
- 87.10 The trip generation rates used in analyzing the alternatives identified in the Draft EIR were based on the City of San Diego Trip Generation Manual, May 2003. In analyzing impacts associated with the Commercial Only Alternative, the traffic analysis used a trip generation rate attributed to Community Shopping Center uses. The rate is a combination of the first 100,650 square feet at 40 trips per 1,000 square feet, the next 30,000 square feet at 150 trips per 1,000 square feet, and the remaining 89,350 square feet at 70 trips per 1000 square feet. This combination results in a total of 14,781 ADT. In assessing the Medical Office Alternative, the traffic analysis used a trip generation rate of 50 per 1,000 square feet. For the Senior Housing Alternative, 4 trips per dwelling unit was used. Refer to Appendix Q in the traffic study for an analysis of the five (5) project alternatives presented in the Draft EIR. Also, refer to response to comment 63.29.
- 87.11 The term “improvements” refers to the construction of new facilities. Two signals along Del Mar Heights Road would be required to provide adequate project access. The analysis of Del Mar Heights Road with implementation of additional signals is found in Tables 1-6, 1-18, and 1-26.
- 87.12 A comprehensive discussion of construction traffic can be found in Section 5.2 of the Draft EIR commencing on page 5.2-60 and in the Traffic Impact Analysis included as Appendix C of the Draft EIR. The analysis includes a series of scenarios addressing the phased construction of the overall project. Average daily construction trips and peak hour construction trips were calculated for each scenario, and added to background traffic levels on local streets to determine whether construction traffic would have a significant impact on local roadways. The analysis concluded

COMMENTS

RESPONSES

87.12 cont. operate during rush hour that would mean 100 trucks per hour or more than 1 truck load per minute leaving the site. For every truck leaving the site there will also need to be a truck entering the site.

- If the analysis above is reasonably accurate, why does the DEIR not present clear information on the likely truck traffic that will result from this project over extended periods during construction?
- How will the construction traffic affect traffic flow on the arterial roads?
- Has the effects of the construction haul vehicles been specifically considered in the traffic analysis?
- What increase in traffic accidents, injuries and or fatalities can be reasonably expected as a result of the addition of the estimated number of haul trucks leaving and entering the site.
- If 1 truck per minute will leave the site how many trucks will each cycle of traffic lights allow?
- Bearing in mind that trucks leaving the site towards Del Mar Heights will all have to make a left hand turn, can this level of truck traffic reasonably be assumed to create truck gridlock?
- Where in the DEIR is the analysis of the impact of construction haul trucks?

87.13 5.1-12: *“The goal of the City of Villages Strategy is to have mixed-use villages located throughout the City and connected by high-quality transit.”* This DEIR is based on the premise that the project meets the requirements for designation as a City of San Diego “Village. Does the project have access to any public transit resources other than the single busline proposed in the SANDAG 2050 plan?. In what ways can this be considered to represent “high-quality transit”.

This DEIR ignores the fact that this project does not meet the transit requirements of the City of Villages concept and **is therefore fundamentally flawed and lacking in objective analysis and accuracy.**

87.14 5.1-15 *In summary, the project would be consistent with the General Plan City of Villages strategy because (1) it would be consistent with applicable City of Villages strategy policies (upon approval of an amendment to change the General Plan designation from Industrial Employment to Multiple Use), (2) the project site is identified as having moderate village propensity in the General Plan , (3) the project would provide a village center unique to the Carmel Valley community, and (4) the project would be consistent with the General Plan definition of Community Village.*

As stated in the previous comment; this project is not consistent with the General Plan definition of Community Village. **The DEIR is in error** in this summary statement and this **inaccurate summary and erroneous content** is an integral aspect of the justification of this entire project. For this reason **this DEIR is erroneous and inaccurate** and the analysis of this project cannot be and has not been properly evaluated in this document.

87.15 Table 5.1.1 *“Street and Freeway System Goal: A street and freeway system that balances the needs of multiple users of the public right-of-way.”*

Although the traffic analysis presented in this DEIR shows a clear and significant degradation in level of service at multiple points in the project vicinity, the DEIR indicates that the project is consistent with this aspect of the City of San Diego General Plan.

87.16 The DEIR in no way shows that the needs of multiple users is balanced; quite the contrary current users are severely impacted and that many of the traffic impacts are unmitigable. The DEIR **is in error** in indicating that this project is consistent with the mobility elements of the San Diego General Plan.

*“Policy ME-C.2: Provide adequate capacity and reduce congestion for all modes of transportation on the street and freeway system.”*

87.12 cont. that construction traffic would only result in a potentially significant impact if the entire project was constructed in a single phase. Should this occur, the roadway segment of Del Mar Heights Road between the 1-5 NB ramps and High Bluff Drive would be significantly impacted by construction traffic. Although theoretically possible, it is considered highly unlikely that the entire project would be built in a single phase due to economic and market considerations. Nevertheless, the Draft EIR included a mitigation measure which would require the VTM to require that project construction be phased such that concurrent construction of Phases 1, 2, and 3 shall be prohibited, although phases could overlap.

The City will require a detailed traffic control plan be prepared to govern construction traffic associated with the proposed development. While there is no guarantee that the traffic control plan would prevent accidents associated with construction traffic, it would minimize the risk to below a level of significance. The traffic control plan will also serve to minimize the general impact of construction traffic on local roadways and related congestion.

87.13 As discussed in response to comment 10.40, the City of Villages Strategy in the City’s General Plan does not require that regional transit service be immediately available to proposed village developments. The General Plan indicates that future transit service is acceptable as long as the funding is assured. As discussed in response to comment 10.40, the 2050 RTP, the long-range transportation plan for the region, indicates that funding for Bus Route 473, which would serve the Originally Proposed Project, is anticipated to be available by the year 2030.

87.14 The definition of a “village” is contained in the City of Villages section within the Land Use and Community Plan Element of the General Plan, and reiterated in Section 5.1 of the Draft EIR. Quoting verbatim from the General Plan, a village is defined as “the mixed-use heart of a community where residential, commercial, employment, and civic uses are all present and integrated.” The General Plan also describes several village types and identifies characteristics for each type. The General Plan definition of Community Village Centers is as follows:

Community and Neighborhood Village Centers should be located in almost every community plan area. They are community- and neighborhood-oriented areas with local commercial, office, and multi-family residential uses, including some structures with office or residential space above commercial space. Village Centers will contain public gathering spaces and/or civic uses. Uses will be integrated to the maximum extent possible

87.14 in order to encourage a pedestrian-oriented design and encourage transit cont. ridership. Community and Neighborhood Village Centers range in size from just a few acres to more than 100 acres. Community Village Centers are intended to serve a larger area than Neighborhood Village Centers, and would also have a larger employment component than Neighborhood Village Centers.

As discussed in detail in Sections 5.1 and 12.9 of the Final EIR, the Originally Proposed Project and Revised Project are both consistent with the characteristics of a Community Village, as defined the General Plan.

87.15 The Mobility Element goal to provide “A street and freeway system that balances the needs of multiple users of the public right-of-way” is primarily directed at the City in order to assure that a full range of transportation needs are met including private automobiles, mass transit, bicycles and pedestrians. In general, an individual project cannot assume responsibility for changes in transportation systems. However, individual projects can help implement localized improvements to better accommodate traffic. As indicated in Section 5.2, the proposed development would be required to construct several improvements to the local roadways which will reduce the effects of its project and help accommodate future increases in traffic anticipated in the community. These improvements include improving turn lanes on the Del Mar Heights Road Bridge over I-5 and at associated freeway ramps, installation of a traffic signal at Carmel Creek Road/Del Mar Trail intersection, and construction of a new turn lane at the Del Mar Heights Road/El Camino Real intersection. In addition, the project would make fair-share contributions toward other planned roadway improvements in the project area.

87.16 As discussed in response to comment 87.15, the project applicant is unable to undertake actions that balance the needs of multiple forms of transportation. However, the project would be required to help improve the ability of roadways to accommodate local traffic through construction of turn lanes, installation of signals and payment of fair-share contributions to help implement other planned roadway improvements in the area. In addition, the project applicant is proposing a shuttle to provide options to the private automobile during peak hours. Thus, the analysis contained in the Draft EIR is not in error as intimated in the comment.

COMMENTS

RESPONSES

87.16 cont. The DEIR traffic analysis reference clearly shows that the project will result in INCREASED congestion and that many of the traffic impacts are unmitigable. The DEIR is in error in indicating that this project is consistent with the mobility elements of the San Diego General Plan.

87.17 5.1-1-129 “**Goal 4:** To establish a balanced transportation system to be used as a tool for shaping the urban environment.”

The DEIR justifies the projects claim to be consistent with the General Plan Goal 4 for balanced transportation based on the plan for bicycle traffic and a single bus stop. It completely ignores the significant and unmitigatable traffic service deterioration that this project will generate on Del Mar Heights road and El Camino Real and the ripple effect on neighboring communities.

The omission of this significant and unavoidable aspect of this project is a **major omission of this DEIR** and constitutes a failure to meet appropriate state of practice standards for planning.

87.18 5.4.4-Page 5.4-15  
Noise impacts during construction. No mention is made of the noise generated by the hundreds of haul trucks that will move soil from the site and along the arterial roads around the site.

- Did the noise modeling specifically address the noise generated by the hundreds of daily haul truck loads that will occur during the construction phase?
- What would be the noise levels generated by haul trucks? What are the noise levels generated by haul trucks and all other construction vehicles and standard traffic noise at the site?

87.19 5.12 Page 5.12-7 “*The project would result in an estimated population increase of approximately 1,666 persons; the number of school-age children anticipated to live in the proposed residential units would not be substantial.*”

- What number of additional school age children is this assessment based on?
- What threshold number of students is deemed to be “substantial”
- What is the criteria for “substantial”
- In light of the high quality of schools in the project area, has the DEIR taken into consideration that apartment type residences may provide a low cost way for families to access high quality education for their children?
- Does the assessment of likely number of school students take into account the dynamic identified above?

87.20 6.1 Table 6-1 The table does not identify the planned I-5 SR 56 connectors project.

87.21 Does the traffic analysis conducted for this project take into account the various alternatives under consideration for the planned I-5, SR-56 connectors project?

87.22 What are the results of this analysis?  
The absence of consideration of this large project is a **significant omission** to the DEIR

87.23 Section 9.2 Page 9-3 “*...the bulk and scale of the proposed buildings would be greater than and differ from existing surrounding development, resulting in a significant community character impact. There is no feasible mitigation to reduce community character impacts to below a level of significance.*”  
This summary presents a clear and significant error in the DEIR. The bulk and scale of the development can easily be mitigated through design modification or selection of one of

87.17 The Draft EIR addressed the impact of the proposed development on Del Mar Heights Road and El Camino Real. It concludes that the proposed development would have significant impacts on both of these roadways and identifies specific measures to reduce those impacts (refer to pages 5.2-71 and 72 of the Draft EIR).

87.18 Due to the expectation that the temporary utilization of haul trucks to remove soil from the Originally Proposed Project site would not substantially increase traffic noise along the major haul routes (Del Mar Heights Road and El Camino Real), specific analysis of this truck noise was not included in the EIR. In response to this comment, however, an evaluation occurred of the noise impacts of the maximum 117 daily truck trips that would occur over an 8-hour workday. The results of this analysis demonstrate that these truck trips (a maximum of 15 per hour: 117 trucks/8 hours) would generate noise of up to 57.8 dBA L<sub>eq</sub>, assuming that all of these trucks traveled on Del Mar Heights Road. A maximum of 59.5 dBA L<sub>eq</sub> would be generated along El Camino Real, if all potential truck trips used that road. According to Table 4-3 of the Acoustical Report, the existing traffic noise at Del Mar Heights Road is equal to 66.0 dBA L<sub>eq</sub> and 68.4 dBA L<sub>eq</sub> along El Camino Real. These existing traffic noise levels already exceed the City’s 65 dBA L<sub>eq</sub>. Furthermore, adding the additional traffic noise would not increase the existing traffic noise by more than 3 dBA. Thus, haul truck noise is appropriately considered less than significant.

87.19 As discussed in response to comment 7.11, the analysis of the schools in the Draft EIR is adequate.

87.20 The SR-56 Connectors were not included in Table 6.1 because they had not been approved at the time the Draft EIR and TIA were prepared. However, they were assumed to be in place in the traffic analysis. As a result, the traffic volumes upon which the air quality and noise analysis were based did account for the effects of the connectors. While construction noise and air emissions would not have been explicitly included, their impacts would be nominal in a regional sense and would not necessarily coincide with construction impacts associated with the Originally Proposed Project.

COMMENTS

RESPONSES

- 87.21 The traffic study uses the traffic volumes from the I-5/SR-56 Northbound Connector study. The Year 2030 traffic volumes used in the traffic analysis are consistent with the I-5 SR-56 Interchange project traffic study. The only information regarding the proposed Caltrans project available at the time the Draft EIR was prepared was the “direct connector” future volumes. The I-5/SR-56 Northbound Connector EIR was not available for public review until May 2012, which followed initiation of public review for the Draft EIR on March 29, 2012. Refer to Appendix S in the traffic study for Year 2030 volumes incorporating Caltrans projections.
- 87.22 As discussed in response to comment 87.21, the I-5/SR 56 NB Connector project was accounted for in the traffic analysis prepared for the Originally Proposed Project and Revised Project and appropriately not included in Table 6.1.
- 87.23 As discussed in response to comment 5.6, the project applicant has revised the Originally Proposed Project to reduce the intensity of the project and building heights. As discussed in Section 12.9 of the Final EIR, although these actions would reduce neighborhood impacts, the impacts would continue to be significant and not mitigated with the Revised Project. In addition, Section 12.10 of the Final EIR addresses a second reduced mixed-use alternative which would reduce the land use intensity beyond that associated with the Revised Project.

COMMENTS

RESPONSES

- 87.23 cont. alternative designs. To state that “..there is no feasible mitigation...” is **erroneous, misleading and disingenuous**.
- 87.24 On Page 12-6 the alternative that uses the existing zoning plan does not involve the same impacts to community character as described in the following: *“This alternative would therefore generally avoid the project’s significant impact to the character of adjacent development relative to bulk and scale.”*  
By avoiding establishing a project design that is consistent with community character this DEIR has been **prepared in error**. To claim that these effects are unmitigatable when alternatives considered do not have these problems **demonstrates the error**.
- 87.25 12-6 Page 12-13 Commercial Only Alternative *“This alternative would fail to provide additional housing types in Carmel Valley, or promote sustainable development principles and smart growth to the same degree as the proposed project, and would not meet these identified project objectives.”*  
As previously commented, the projects claims for sustainable development are grossly overstated and are not consistent with “smart growth” principles. As a result, the Commercial Only Alternative would appear to have strong claim as a viable if not preferable alternative. The rejection of this alternative is not supported by a strong, objective and considered analysis. The preemptory **dismissal of this alternative the DEIR is in error** and needs to be reconsidered or more thoroughly analysed as it appears to address many of the unmitigatable features of the project, notably traffic and visual impacts.
- 87.26 This DEIR would appear to be **in error or have significant omissions** in not establishing an alternative that includes all the “smart growth” mixed use concepts but at a smaller scale without the attending unmitigatable impacts on traffic and community character.

- 87.24 As discussed in response to comment 5.6, the project applicant has revised the Originally Proposed Project to reduce the intensity of the project and building heights. However, although these actions would reduce neighborhood impacts, the impacts would continue to be significant and not mitigated with the Revised Project. In addition, Section 12.10 of the Final EIR addresses a second reduced mixed-use alternative which would reduce the land use intensity beyond that associated with the Revised Project.
- 87.25 The integration of residential, retail and employment opportunities is one of the underlying principles of smart growth and sustainable development, and is important to achieving the basic goals of reducing reliance on the private automobile and efficient use of infrastructure.
- 87.26 As discussed in response to comment 5.6, the project applicant has revised the Originally Proposed Project to reduce the intensity of the project and building heights. However, although these actions would reduce neighborhood impacts, the impacts would continue to be significant and not mitigated with the Revised Project.

COMMENTS

RESPONSES

Karla Fouse  
12626 Carmel Country Rd, No. 94  
San Diego, CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake-

When I moved into my condo here, I remember hearing that Carmel Valley was bound to turn into a regional "hub." With the development of the proposed One Paseo project, I think that promise actually has potential to become a reality. One Paseo could act as a community anchor that is otherwise lacking here. I support the project wholeheartedly and would like to see Carmel Valley really come into its own with the addition of this development.

While I've heard some concerns from others over potential traffic issues, I believe that these are problems that would be addressed comprehensively and appropriately. As the Draft Environmental Impact Report shows, this project would bring tremendous benefit to Carmel Valley, including improvements to local roadways and a traffic control system upgrade. This kind of attention to detail in addressing community needs is what makes this project worth pursuing. The plans reflect the community's considerable involvement, feedback, and ultimately, its best interests. The comprehensive Draft Environmental Impact Report serves as a great informational document and provides the public with the information it needs to weigh the project benefits against its environmental impacts.

It's also worth remembering that One Paseo would boost the local economy tremendously. A project that generates millions of dollars in new tax revenue would be welcome anytime, and especially now. I fully support this project and would like to see it move forward without delay.

Sincerely,  
  
Karla Fouse

88.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Milo James Fowler](#)  
**To:** [DSD EAS](#);  
**Subject:** NO to One Paseo!  
**Date:** Tuesday, May 22, 2012 5:35:42 PM

To whom it may concern:

- 89.1  As a Carmel Valley homeowner for the past 7 years, I'm saying **NO** to One Paseo.
- 89.2 
  - The **density** of the proposed land-use is too much for Carmel Valley.
- 89.3 
  - The potential **traffic** is far too much for Carmel Valley -- we suffer from enough rush hour gridlock on El Camino Real as it is!
- 89.4 
  - The proposed **building heights** do not match our community character and would cast a shadow on our beloved gathering place: Del Mar Highlands Town Centre.
- 89.5  We **DO NOT** want One Paseo in Carmel Valley.

Sincerely,  
Milo Fowler

- 89.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.
- 89.2 The Final EIR concludes that the density associated with the Originally Proposed Project and Revised Project would result in a significant, unmitigated impact on local neighborhood character.
- 89.3 The Final EIR concludes that the additional traffic associated with the Originally Proposed Project and Revised Project would result in a significant, unmitigated impact on local streets.
- 89.4 The Final EIR concludes that the building heights associated with the Originally Proposed Project and Revised Project would result in a significant, unmitigated impact on local neighborhood character.
- 89.5 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

Kristen Frager  
4966 Flaxton Terrace  
San Diego, CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake:

My family and I would really like to see the smart development that the proposed One Paseo project could bring to our community. It's obvious that Carmel Valley needs a greater variety of dining and shopping choices. Many residents here, including our own family, spend valuable time and gas money driving outside the community frequently in order to address even routine shopping needs. A centrally located, community-oriented development like One Paseo would go a long way toward meeting those needs in a way that could benefit all of us.

This proposed development would become a real asset for Carmel Valley. The project is intended to act as a family friendly "Main Street" for the community, and its design addresses specific needs and desires of local residents here. I believe that its construction would only raise property values in the area, along with providing a great source of new jobs and important local tax revenue.

I know that the potential traffic impact is a concern to some, but I don't see this being a significant problem. The developers have budgeted millions of dollars to address traffic and transportation issues, including traffic light synchronization along Del Mar Heights Road. I think this says a lot about the developer's priorities, which align well with the community's own. Moreover, I feel that the project's many benefits outweigh any impacts that it may have on traffic.

Now that the Draft Environmental Impact Report has been released, I hope that you will do all you can to move this development ahead. We'd really like to see it approved soon.

Yours truly,

  
Kristen Frager

90.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Robert Freund](#)  
**To:** [DSD EAS](#);  
**cc:** [Blake, Martha](#); [Mezo, Renee](#); [Turgeon, Bernard](#);  
[Lightner, Councilmember Sherri](#); [Millstein, Mel](#); [white@wwarch.com](mailto:white@wwarch.com);  
**Subject:** Comments to DEIR-One Paseo-San Diego Project No. 1903036/SC•  
H No. 2010051073  
**Date:** Tuesday, May 29, 2012 3:44:55 PM

Hello Ms. Blake,

I'm not familiar with the appropriate format for DEIR comments, but I hope this email will suffice. Please inform me if it must be otherwise in order to be accepted and considered.

A two dimensional depiction of the proposed project as contained in the DEIR is insufficient by itself to accurately represent the project scale and resultant Community Character Impact . As such it is also insufficient basis upon which either community residents or City Councilmembers can make an informed decision as to whether the mass and density of the proposed project are consistent with community standards.

This insufficiency can be addressed by requiring the developer to erect "story poles" on the site at each building location that accurately present the vertical and horizontal dimensions of each of the proposed buildings. Other municipalities have required this of developers on major projects where an accurate assessment of similar issues have been crucial to making a fair and informed decision.

I've spoken with a company in Orange County which can provide 3-, 4- 5-,6-, 8- and 10-story story poles in relatively short order and at a reasonable price compared to amounts the developer is already spending on educating the community and processing project plans.

Adding this requirement to the DEIR would provide everyone, especially decision-makers on the Planning Commission and City Council, a much more accurate representation on which to cast their votes on this project.

Thank you for your attention and please acknowledge receipt of this email.

Cordially,

Robert Freund  
Carmel Valley Resident

91.1 The use of “story poles” to assist in the evaluation of neighborhood character impacts is not warranted. The visual simulations and cross-sections included in the EIR are considered accurate representations of the appearance of the proposed development in the context of the surrounding community. Moreover, the Final EIR acknowledges that the proposed development would result in a significant impact with respect to neighborhood character.

COMMENTS

RESPONSES

**From:** [Justin Frisco](#)  
**To:** [DSD EAS](#)  
**Subject:** No to One Paseo  
**Date:** Thursday, May 24, 2012 9:15:06 PM

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Martha,

92.1 [ My wife and I have owned and lived in Carmel Valley for the last 5 years and truly have enjoyed our community. When we first received literature from Kilroy Realty about their proposal for the new project we were impressed. However, as time passed and more was revealed about the sheer size and scope that positive impression faded. It's clear now that this proposed project would have a negative effect and goes against the existing/well thought community vision. I hope you consider our opinion. Thank you.

Justin & Michelle Frisco  
12966 Carmel Creek Rd., Unit 142  
San Diego, CA 92130

Sent from my iPhone

92.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

**Comments on Draft Environmental Impact Report (“DEIR”)  
from Robert T. Fuchs**

**Project Name: ONE PASEO  
City of San Diego Project No. 193036/SCH No. 2010051073**

I have been a resident of Carmel Valley Neighborhood 3 for nearly 27 years and an office tenant in the High Bluff corridor for 17 of the last 23 years. My professional background is in commercial real estate finance. I have personal experience with the difficulties of traffic for those who live close to Del Mar Heights Rd. as well as work in the High Bluff Dr. office corridor.

I hereby submit my comments and questions regarding the referenced DEIR:

**I. Omissions, Incomplete Data, and Failure To Follow Requirements**

**A. External Traffic.** To understand the traffic impacts of a proposed major change in entitlement on the last significant undeveloped parcel in a master-planned community, one must be able to understand the impacts reasonably anticipated if the Carmel Valley community were to be built out as currently planned and entitled, and compare them to the impacts reasonably anticipated if the proposed increased entitlement were allowed to be built.

The DEIR *Traffic Impact Analysis* (“TIA”) states that it was prepared pursuant to City’s *Traffic Impact Study Manual* (“SDTISM”), which stipulates (in Section 3, Content and Framework...Selection of Horizon Years...) that

...the following scenarios *should be evaluated in each traffic impact study.*

- Existing Conditions
- Existing Conditions with Approved Projects (when applicable)
- Existing Conditions with Approved Projects and Site Traffic
- **Buildout Community Plan Conditions**
- **Buildout Community Plan with Additional Site Traffic** (if project deviates from the Community Plan)
- Cumulative Analysis Due to Precedence Setting (if a land use change will likely encourage other property owners to seek similar land use changes)

The TIA analyzes Existing Conditions, Near-Term Conditions (identifies “Approved Projects”), and Long Term Cumulative (Year 2030) Conditions, along with the addition of the site traffic by phases to each of these scenarios.

The SDTISM specifies that “the adopted community plan should be used for 20-year or buildout area wide conditions, when reliable information exists.” The fact that the Carmel Valley Community Plan is largely built out (with the specific exception of those projects in Carmel Valley that are identified in the Near-Term scenario, the unbuilt remaining retail entitlement of the Del Mar Highland Town Center’s (“DMHTC’s”), and the One Paseo site’s office entitlement), and the easily accessible data showing that the Carmel Valley office submarket vacancy rate was above normal at the time of the traffic count suggest that the information regarding the Buildout Community Plan Conditions is quite reliable at this late stage of overall development.

The TIA omits the **Buildout Community Plan Condition** scenarios, both “as is” and with “Additional Site Traffic” (the One Paseo project clearly deviates from the existing Carmel Valley Community Plan), and thus the following generators of traffic were not specifically studied:

93.1 The comment incorrectly asserts the Build-out Community Plan scenario with and without the proposed development was omitted from the traffic study. Chapter 12.0 of the traffic study includes the Long-Term Cumulative (Year 2030) without-Project scenario which is the Build-out Community Plan Conditions referenced in the City’s Traffic

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93.1  
cont.

- i. The 856,000 SF of vacant office space in Carmel Valley (315,000 SF in the High Bluff office corridor alone) in 2<sup>nd</sup> quarter 2009 (the date of the traffic count)
- ii. The approximately 150,000 SF retail entitlement remaining unbuilt at the DMHTC as of the date of the traffic count
- iii. The traffic that would be generated by One Paseo’s existing entitlement for 510,000 SF of office
- iv. The traffic that might be assumed to be generated from the 3.8-acre Pell property, which is immediately south of the DMHTC.

93.2

Though not technically part of the *Carmel Valley Community Plan*, Pacific Highlands Ranch (“PHR”) might reasonably be included in this Buildout Community Plan Condition for three reasons: it is adjacent to Carmel Valley, it uses Del Mar Heights Rd. as access to I-5, and it is so closely related to Carmel Valley that the City expanded the Carmel Valley Community Planning Board to include two new board members to represent PHR. If PHR is included as a *de facto* part of the Carmel Valley community, traffic from PHR’s entitlements for retail, office and residential development that were not built and occupied at the time of the traffic count would also be included in the Buildout Community Plan Condition.

93.3

The inclusion of items i. through iii. above would add **over 20,000 average daily trips (ADT)** to Carmel Valley roads if the TIA’s methodology for trip generation were applied to these uses. The majority of this traffic would travel on Del Mar Heights Rd., which is acknowledged in the DEIR as currently operating at Level of Service (“LOS”) D (the minimum performance standard for San Diego streets) near the I-5 freeway.

93.4

Organizing data in a way that would be required under the Buildout Community Plan Condition scenario, one can preliminarily estimate various contributions to traffic for the worst-impacted road segment (Del Mar Heights Rd. from I-5 NB ramps to High Bluff Dr.) which has a capacity of 60,000 ADT:

Del Mar Heights Rd (I-5 NB ramps to High Bluff Dr.)	ADT	V/C Ratio	Cum. LOS
Existing traffic as of April 2009 <sup>1</sup>	51,625	0.86	D
Added traffic from Near Term approved projects <sup>1</sup>	3,150	0.05	E
Estimated traffic from items i. and ii. above (1) <sup>2</sup>	5,663	0.09	F
Projected traffic from entitled 510,000 SF of One Paseo office <sup>3</sup>	<u>2,223</u>	<u>0.04</u>	F
<b>Total Buildout Community Plan Condition</b>	<b>62,661</b>	<b>1.04</b>	<b>F</b>
Projected traffic from proposed One Paseo additional entitlements <sup>3</sup>	<u>8,292</u>	<u>0.14</u>	F
<b>Total Buildout Community Plan Condition + Additional Site Traffic</b>	<b>70,953</b>	<b>1.18</b>	<b>F<sup>4</sup></b>

<sup>1</sup>Derived from DEIR’s TIA

<sup>2</sup>Derived from applying the methodology of the TIA to 150,000 SF of DMHTC retail at 70 ADT/ksf and 315,054 SF of vacant office (conservatively using only the High Bluff office corridor vacancy) at 12.76 ADT/ksf, each with 39% allocation to this road segment. This unrefined estimate does not attempt to take into account the full 856,000 SF of office space in Carmel Valley, nor any additional traffic from increased entitlements at PHR or development of the Pell Property.

<sup>3</sup>Derived from TIA total project trip generation of 10,515 ADT at defined location, and allocating to this amount of office space based on the respective shares of total trip generation by use. The additional entitlement part of One Paseo is assigned the remainder ADT.

<sup>4</sup>Since this increase in traffic is significantly above the carrying capacity of Del Mar Heights Rd., it begs for a new LOS description to depict the likely traffic impact from this situation.

93.1 Impact Study Manual. Chapter 13.0 in the traffic study evaluates traffic cont. impacts in the Long-Term Cumulative (Year 2030) with-Project Build-out scenario which is the Build-out Community Plan with Additional Site Traffic scenario referenced in the Traffic Impact Study Manual.

Refer to response to comment 10.158.

The traffic study does not take any traffic credits for the 510,000 SF of office use currently allowed on the site under the existing land use designation since the property is currently vacant.

As discussed in response to comment 10.158, the SANDAG Series 11 forecast includes future potential development within Carmel Valley which would include the Pell property.

93.2 Refer to response to comment 10.158.

93.3 As discussed in response to comment 10.158, the SANDAG Series 11 forecast includes future potential development within Carmel Valley which would include the additional trips cited from future development within the community including Pacific Highlands Ranch, the Del Mar Highlands Shopping Center and the Pell property.

93.4 The table shown in the comment overstates the ADT on Del Mar Heights Road between the I-5 northbound ramps and High Bluff Drive by assuming traffic from the referenced projects would be added to volumes predicted in the traffic analysis. As discussed in responses to comments 10.158, traffic from these projects is already included in the Series 11 traffic forecast which are used in the traffic study for the proposed development.

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- 93.5 While a more precise refinement might result in slightly different numbers, the inescapable conclusion is that the eventual absorption of the vacant office space and the construction of existing entitlements at both the Town Center and the One Paseo site would bring the traffic condition at the main entrance into Carmel Valley to **LOS F, which is considered unacceptable by City Standards**. The additional entitlements proposed by the developer would bring the **forecast traffic flow to 118% of the carrying capacity of the road**, which would lead to unimaginable impacts on the community’s adjoining streets as drivers search for alternate driving routes—all of this without consideration of the Pell property and PHR.
- 93.6 **Question I.A-1: Why were the scenarios of “Buildout Community Plan” and “Buildout Community Plan with Additional Site Traffic” not included in the One Paseo TIA, as required by the SDTISM?**
- 93.7 **Question I.A-2: Why would the failure to include significant sources of additional traffic in the TIA not invalidate all the data and conclusions relating to traffic delays at intersections and freeway ramps, and require an updated analysis?**
- 93.8 **Question I.A-3: Why isn’t the description of LOS F as an unacceptable condition by City Standards not in the Conclusions of the City’s cover letter?**  
**B. Internal Traffic.** The SDTISM (Section 6, Site Traffic, Distribution and Assignment) says:  
*...The assignment should be carried out through external site access points and, in larger projects, the internal roadways.*  
 An unreferenced illustration in Appendix N of the TIS shows that the project would generate 9,167 ADT at buildout at the eastern half of Main Street. The SDTISM’s Table 2 shows that a 2-lane collector road fronting either multi-family or commercial property with over 8,000 ADT would be at LOS F. While the project description classifies Main Street as a “three-lane roadway, including a central queuing lane...”, the queuing lanes appear to be for left-turn access into the large parking structure across oncoming eastbound traffic and for left-turn access onto First Ave. across westbound traffic from Market Street. There is no reference to whether or not these left-turn lanes would help or hinder the carrying capacity relative to a two-lane roadway.
- 93.10 The developer has promoted the proposed project in terms of how walkable, bicycle-friendly and community-oriented Main Street would be, yet that impression is not in accord with an interior street that would appear to be at LOS F, with left-turn traffic that would conflict with pedestrian accesses, as well as the “ample drop-off areas” (approximately 25 parallel-parking spaces and one shuttle bus stop that must enter traffic from the inside curbs).
- 93.11 **Question I.B-1: Given the requirement in the SDTISM to include the study of internal roadways and the basic tenet of the City of Villages to promote walkability and reduce the reliance on automobiles, why isn’t there an analysis of internal circulation and, if warranted, a disclosure of significant impacts?**  
**C. Bicycle Circulation.** The DEIR (Figure 3-2, Circulation Plan) and the descriptions of the various streets and pedestrian/bicycle circulation seem to indicate that bicycles would share the internal streets with automobiles. The SDTISM (Appendix 4) shows that two-lane collector streets with left-turn pockets with 50-foot widths. The preliminary plans show the minimum road width of Main Street to be around 36 feet.
- 93.12 **Question I.C-1: Given (i) the heavy traffic referenced in the paragraph I.B above, (ii) the expected disruption from automobiles parallel parking in the drop-off areas on both sides of Main Street, (iii) the disruption from westbound traffic on Main Street making left turns into the south parking garage, and (iv) the relatively narrow lane widths along Main Street, why is Main Street considered an adequate transit situation for bicycles in terms of safety and mobility?**
- 93.13 **D. Hotel Market Study.** The Planning Commission’s Initiation Letter states that the DEIR should:

- 93.5 As discussed in response to comment 10.158, the SANDAG Series 11 forecast includes future potential development within Carmel Valley which would include the additional trips cited from future development within the community including Pacific Highlands Ranch, the Del Mar Highlands Shopping Center and the Pell property. Based on the Series 11 forecast, including traffic from the proposed development, the traffic study confirms the comment that the segment of Del Mar Heights Road between the I-5 interchange and High Bluffs Drive would operate at an unacceptable level of service. However, the expected LOS would be LOS E, and not LOS F as claimed in the comment.
- 93.6 Refer to response to comment 93.1.
- 93.7 The traffic study followed the standard City methodology for determining project traffic impacts as outlined in Chapter 4.0. Refer to response to comment 93.1 as to how traffic was considered in the traffic analysis.
- 93.8 The Conclusions at the front of the Draft EIR were intended to be a summary of the results and conclusions of the Draft EIR. As a result, not all of the definitions terms and acronyms are fully defined in the Conclusions.
- 93.9 Refer to response to comment 63.313 and 75.41.
- 93.10 Refer to response to comment 63.313 and 75.41.
- 93.11 Chapter 14.0 in the traffic study includes an analysis of internal intersections along Main Street. Figure 14-8 shows the intersections at project build-out are projected to operate at acceptable levels of service. Since the intersections are shown to operate acceptably, there are no significant intersection traffic impacts expected.
- 93.12 Refer to responses to comments 6.6 and 6.7, and Section 5.2.5 of the Draft EIR.

93.13  
CONT.

...Address the demand for the following through a comprehensive market study:  
**hotel, office and retail...**

The Carmel Valley Community Plan identifies the area near El Camino Real and SR-56 as the area for concentrating Visitor Commercial uses, calling into question the appropriateness of siting a hotel on the One Paseo parcel.

**Question I.D-1: Why was the comprehensive market study for hotel use not provided?**

93.14

**E. Rezoning Parameters.** The DEIR's various Development Summary tables appear to be consistent with the preliminary plans submitted to the City. However, the parameters listed in the DEIR (Section 3.4.3, Rezone) are significantly more aggressive than what would be necessary to build the project according to the preliminary plans. For example, the tall office buildings facing El Camino Real have an approximately 35-foot setback shown in the plans, but the zoning proposes that as much as **30% of a structure's frontage may be set back as little as 10 feet**. Similarly the plans' setbacks for the residential buildings of approximately 85 feet from High Bluff Dr. and 50 to 60 feet from Del Mar Heights Rd. could be decreased to as little as 30 feet. The tallest building on the property is shown as 176 feet high on the plans, while the zoning permits a greater height of 199 feet. Thus, these expanded zoning parameters combined with the **obscured reference to density transfer shown in the Precise Plan Amendment could permit a significant increase in height and imposing scale.**

93.15

**Question I.E-1: What is the justification for including these radically reduced setback minimums and greater height maximums for a project that is characterized in the DEIR as having a significant immittigable impact on Community Character?**

93.16

**Question I.E-2: Why doesn't the DEIR describe this impact in the Executive Summary and Conclusions?**

93.17

**Question I.E-3: Why would these scale-increasing parameters be allowed to remain in the Rezoning documents?**

93.18

**F. Fire and Emergency Medical Services.** The DEIR (Section 5.12) addresses the adequacy of Fire and Emergency Medical Services and Police Services; however, as noted by a retired Carmel Valley Fire Captain in a recent letter to the editor of a local newspaper, the DEIR addresses the adequacy of these services to only the proposed One Paseo project itself. It does not address whether local residents west of I-5 who depend on these services might be endangered by slower response times if Del Mar Heights Rd. were blocked by traffic congestion attributable to the proposed One Paseo project.

**Question I.F-1: What impact attributable to the proposed One Paseo project would be by local residents who would receive emergency services from the Carmel Valley police and fire stations by way of Del Mar Heights Rd.?**

93.19

**G. Impact of Project on Neighborhood 3.** The addition of a second left turn lane onto northbound High Bluff Dr. from eastbound Del Mar Heights Rd. appears to require the addition of an additional receiving lane on High Bluff Dr., and in the process take land away from the median and east side landscaping area to accommodate this receiving lane. Not only would this road widening detract from the aesthetic entrance into the Del Mar Highlands residential communities, but would also increase traffic in direct proximity to an elementary school as well as facilitate the use of the High Bluff Dr./Half Mile Dr. route to circumvent the LOS F traffic that is predicted for the Del Mar Heights Rd. segment from the I-5 NB ramps and High Bluff Dr.

93.20

The negative impact of this mitigation measure necessitated by the proposed One Paseo project does not appear to have been considered or studied in the DEIR.

93.21

**Question I.G-1: Why was the projected traffic on this road segment not studied and discussed in the DEIR?**

93.13 As discussed in detail in response to comment 5.6, the project applicant is proposing to pursue a Revised Project which would reduce the density and intensity in comparison with the Originally Proposed Project. The Revised Project is described and evaluated in Section 12.9 of the Final EIR.

93.14 Density is regulated by floor area ratio rather than setbacks. The current CVPD-EC zoning does not establish minimum or maximum front or street side setbacks, whereas the proposed zone includes setbacks from major streets. A density transfer does not allow an applicant to exceed the setbacks standard and height limits of the PDO. As stated in the Implementation Chapter of the Precise Plan Amendment, an increase in density beyond the maximum limits established by the Precise Plan Amendment would require approval of the City Council. Please refer to updated information contained in Section 5.1.2 of Final EIR.

93.15 The Originally Proposed Project and the Revised Project include no reductions to setbacks. The proposed Precise Plan and PDO amendments would provide setbacks where they do not currently exist. Also, the Originally Proposed Project and Revised Project include the setbacks, and the proposed zone change would not occur in the absence of the Originally Proposed Project or Revised Project.

93.16 As indicated on page 1 of the Executive Summary in the Draft EIR, this section of the EIR was intended to provide a brief synopsis of results of the Draft EIR and the reader is referred to primary sections of the Draft EIR for more details. As a result, the Executive Summary contains only a brief statement identifying the potential for neighborhood character impacts to be significant.

93.17 The height and scale parameters are associated with the City's zoning and are not within the control of a specific project.

93.18 As discussed in response to comment 8.2, the project would not adversely affect emergency response times in the area.

93.19 Refer to response to comment 5.2.

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93.20 As discussed in response to comment 14.2, cut-through traffic in Neighborhood Three would not be expected to increase substantially. As discussed in response to comment 10.10, the loss of landscaping along Del Mar Heights Road would not represent a significant visual impact.

93.21 Refer to response to comment 5.2.

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93.22 Question I.G-2: Why would the removal of a portion of the landscaped median and east side landscaping of High Bluff Dr. not be a violation of an existing Precise Plan, and how is this able to be allowed without an Amendment to the Neighborhood 3 Precise Plan?

93.23 Question I.G-3: Why was this negative impact on the Neighborhood 3 residential communities not discussed in the DEIR as a point of information to the community?

93.24 H. Study of Unreasonable Alternatives to the Proposed Project. The alternatives proposed in the DEIR comprise of several "all or nothing" situations. Many of the local community residents who oppose the proposed One Paseo project still like the concept of a mixed use development, but want it scaled down to something more fitting with the Carmel Valley character that would not impose unacceptable traffic on the community.

Question I.H-1: Why wasn't a scaled-down project alternative consisting of office, retail and residential elements considered which would not impose unacceptable LOS F road conditions and add population without providing appropriate park lands?

II. Mischaracterization of Existing or Proposed Conditions and Conclusions

93.25 A. Omission of Size of Parking Structures. The cover letter from Developments Services and Executive Summary (page ES-1) provide an overview of the project, including land use types with square footage attributable to each use. The total number of parking spaces located in subsurface garages, one above-ground parking structure, and small surface lots is also mentioned.

However, this overview and the various project descriptions in the DEIR fail to provide any detail about the significant size and number of floors of the parking structures. The elevations and Vesting Tentative Map ("VTM") in the preliminary plans presented to the City indicate that there is one large parking structure with 3 below-ground levels and 4 above-ground levels, and four other parking structures varying from two to four below-ground levels. The total square footage is never stated in any of the project documents, but if one were to multiply the footprint sizes of the various parking garages by the number of levels as set forth in the VTM and preliminary plan elevations, it seems that the total SF would exceed 1.8 million SF—a significant number when compared to the proposed total building area of 1,857,440 SF.

While underground parking and various external treatments of parking garage structures might have little relevance to project Floor Area Ratios ("FARs"), their magnitude must be disclosed to convey an understanding of their density and scale and to evaluate accessibility and safety in the parking structures.

93.26 Question II.A.1: What is the actual square footage of floor area of the various parking structures?

Question II.A-2: Why was the overall size (total square footage) of the parking structures not considered to be an important fact to present to the public in connection with this proposal?

93.27 B. Omission of Details of Potential Transit Service. The cover letter from Development Services mentions a rapid bus route #473 that is planned, and that a transit stop along El Camino Real would be provided. Yet no information is provided about the certainty of this route or the lack thereof, when the bus route would be initiated, the funding parameters, the expected frequency of service, the likely bus capacity, or the estimated reduction in auto trips. Nor was there any mention of any parking spaces in the proposed One Paseo project being reserved for Carmel Valley residents living too far to walk the bus stop.

Question II.B-1: Since access to the mass transit system is promoted as one of the key aspects of the City of Villages concept that the development aspires to emulate, why isn't factual information about the proposed rapid bus route presented so that the relative merit of this benefit can be determined?

93.22 As discussed in response to comment 10.164, the Originally Proposed Project or the Revised Project would not require an amendment to the Neighborhood Three Precise Plan.

93.23 As discussed in response to comment 10.10, the Landscaping Plan, including relocation and/or replacement of street trees, would ensure that loss of street trees associated with the proposed development would not be significant. Thus, the impact on Neighborhood Three would not be significant.

93.24 As discussed in response to comment 5.6, the Final EIR includes two mixed-use alternatives that would reduce the scale of development in comparison to the Originally Proposed Project. However, as discussed in Section 12.9 and 12.10, although each alternative would proportionally reduce trip generation in comparison to the Project, neither would be able to avoid LOS F on Del Mar Heights Road in the build-out condition.

93.25 Parking garages included in the Originally Proposed Project are discussed in the project description (Section 3.2.2 of the Draft EIR). The potential impacts of the garages have been fully taken into account throughout all sections of the Draft EIR including, but not limited to, visual impacts and landform alteration. The discretionary permit set, which is available to the public, includes floor plans for the garages and a Fire Master Plan, which has been evaluated by the City for both safety and accessibility.

The implication that impacts of the parking garage are inadequately analyzed simply because the amount of square feet is not provided is incorrect. The comment confirms that portions of the proposed parking garages are properly excluded from calculations of Gross Square Footage and Floor Area Ratio by the City's Land Development Code.

93.26 Refer to response to comment 93.25.

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93.27 As discussed on page 5.2-81 of the Draft EIR, Bus Route 473 is included in the 2050 RTP. Based on the RTP, the bus route isn't expected to be in service until after the year 2030, and would be funded from a variety of local, state, and federal funding sources. The exact source of the funding for Bus Route 473 cannot be determined at this time. Similarly, the frequency of service or capacity of the future vehicles cannot be determined. The number of automobile trips which would be reduced by the bus service does not have a bearing on the Draft EIR, as the traffic analysis did not account (via discounts) for the use of the bus. As indicated in response to comment 10.40, the traffic analysis conducted for the project did not assume any trip reductions related to future service from this bus route.

- 93.28 [ Question II.B-2: If the proposed project is so embracing of the concept of fostering the use of mass transit, why does the project not provide parking spaces for mass transit users?
- 93.29 [ **C. Details of Required Excavation.** The Development Services cover letter and the DEIR provide information on the net export of dirt from the site (498,400 cu. yds.) to level the site for walkability and to accommodate the underground parking structures. The DEIR states that an estimated 2,100 cu. yds. of dirt can be moved in one day. This rate translates to 237 days (or nearly 12 months, using a factor of 20 working days per month) of transporting dirt from the property over an unspecified number of years. Yet, there is no discussion or disclosure of the estimated number of truckloads of dirt, the interim traffic impact on Del Mar Heights Rd. when using the first of two new traffic signals installed, the weight of such loaded trucks relative to the weight limits on Del Mar Heights Rd., the costs of repairing and cleaning the road (if required), or the potential decrease in air quality and increase in noise during excavation.
- 93.30 [ **Question II.C-1: Please explain if and how the required excavation and export of soil contribute to significant impacts related to air quality and noise?**  
**D. Traffic Impact on Del Mar Heights Rd.** The Development Services cover letter describes two (among many) significant and unmitigated impacts relating to Road Segments
  - i. *Although the implementation of Mitigation Measure 5.2-1 would provide improvements to the segment of Del Mar Heights Road from I-5 SB ramps to I-5 NB ramps, direct impacts would remain significant because the roadway segment would continue to operate at LOS E even with implementation of this proposed improvement. Therefore, direct impacts would remain significant.*
- 93.31 [ This appears to be an accurate description, although a description of LOS E should be defined for the benefit of those unfamiliar with this term.
  - ii. *“Mitigation is proposed that would mitigate significant direct and cumulative impacts to the segment of Del Mar Heights Road from I-5 NB ramps to High Bluff Drive (Mitigation Measure 5.2-2). Direct and cumulative impacts would remain potentially significant following the installation of the improvements, which are outside the control of the City.”*

The TIA (Table 1-31) reflects that even Near-Term + Phases 1 and 2 would produce LOS F conditions on this road segment even after mitigation.
- 93.32 [ **Question II.D-1: How can the Development Services cover letter claim that the improvements would mitigate the significant direct and cumulative impacts when the TIA says that traffic along this segment of Del Mar Heights Rd. would degrade to LOS F even after the mitigating improvements?**
- 93.33 [ **Question II.D-2: Why does the Development Services cover letter omit the very significant parameter of LOS F (even after mitigation) on Del Mar Heights Rd. between the I-5 NB ramps and High Bluff Dr. (the busiest entry point into Carmel Valley), instead characterizing the impact as “remaining potentially significant following the installation of the improvements which are outside the control of the City?”**
- 93.34 [ This wording makes the condition of this segment sound much better than the LOS E rating in the previous paragraph, and further implies that the project would be fully mitigated when Caltrans completes the improvements. Again, a description of LOS F should be defined for the benefit of those unfamiliar with this term.
- 93.35 [ **Question II.D-3: The same two questions above apply to Table ES-3, Project Impacts and Proposed Mitigation.**
- 93.36 [ **E. Tree Removal on Project Perimeter.** In the Environmental Setting section, the prominent and aesthetically pleasing trees along Del Mar Heights Rd. appear to be simply “*Streetscaping consists of*

- 93.28 Refer to response to comment 79.50 regarding the provision of an on-site park and ride lot.
- 93.29 As discussed in Section 5.2 of the Final EIR, construction traffic is expected to primarily occur on Del Mar Height Road between I-5 and El Camino Real and El Camino Real between Via de la Valle and Del Mar Heights Road. Construction traffic is expected to access Del Mar Heights Road directly from I-5 or from the north via El Camino Real. As discussed in Section 5.2, daily construction traffic with the Originally Proposed Project would range between 1,265 and 1,775 trips, depending on the construction phasing. The peak hour construction traffic during the morning would range between 84 and 130 trips; in the afternoon, the peak hour construction traffic would range between 77 and 118 trips. Given the peak hour volumes on Del Mar Heights Road in the near-term condition (estimated as 10 percent of the daily traffic volume or 5,477 trips), construction traffic would result in an increase of approximately 2 percent in both the morning and afternoon peak hour. On a daily basis, construction traffic would increase traffic on Del Mar Heights Road by approximately 3 percent. These represent nominal increases in traffic volumes. As discussed in Section 12.9 of the Final EIR, construction traffic associated with the Revised Project would be the same or less. Thus, construction traffic impacts associated with the Revised Project would also be less than significant.
- As discussed in response to comment 15a.188, the City of San Diego routinely conditions land development permits to repair roadway damage caused by construction.
- 93.30 Construction impacts associated with the Originally Proposed Project related to air quality are discussed on pages 5.5-14 through 20 of the Draft EIR. Greenhouse gas impacts from construction are discussed on pages 5.7-17 through 19. Construction noise is discussed on pages 5.4-16 and 18. As indicated in Section 12.9 of the Final EIR, the Revised Project would also have less than significant impacts on air quality and GHG due to the reduced scale of the proposed development.
- 93.31 Definitions for the various levels of service are included on page 4.4 of the Traffic Impact Analysis included as Appendix C of the Draft EIR. LOS E was described as representing unacceptable conditions.

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- 93.32 The City’s Conclusions, at the front of the Draft EIR (page 4), indicated that the project would have significant direct and cumulative impacts on Del Mar Heights Road after the implementation of mitigation measures.
- 93.33 The City’s Conclusions, at the front of the Draft EIR (page 4), indicated that the project would have unmitigated significant direct and cumulative impacts on Del Mar Heights Road between the I-5 NB ramps and High Bluff Drive. Definitions for the various levels of service are included on page 4.4 of the Traffic Impact Analysis included as Appendix C of the Draft EIR. LOS E was described as representing unacceptable conditions.
- 93.34 The conclusion of the Draft EIR, as stated in Section 5.2, was that the project would have significant impacts on Del Mar Heights Road. While full improvements to the Del Mar Heights Road Bridge over I-5 would improve the level of service, insufficient information about the future improvements exists to conclude that they would improve the level of service on the bridge to acceptable levels. Definitions for the various levels of service are included on page 4.4 of the Traffic Impact Analysis included as Appendix C of the Draft EIR. LOS F was described as representing unacceptable conditions.
- 93.35 Table ES-3 (page ES-7) concludes that the project’s direct and cumulative impacts on Del Mar Heights Road would be significant.
- 93.36 The preliminary plan sheet referenced in the comment remains applicable to the proposed development. As indicated on this sheet, all of the existing trees on the project site, with the exception of five Torrey pine trees located in the northwest corner, would be replaced. The five Torrey pines would be integrated into the proposed landscaping for the area.

93.36 cont. *ground cover and mature trees, primarily eucalyptus and pine*". In the Development Services cover letter, *Landscape and Hardscape Treatments* is explained by "*Landscaping would be provided throughout the project site, including along the proposed roadways, plazas, courtyards, pedestrian walkways and the site perimeter.*" followed by a series of conceptual landscape plans. However, Sheet L-10 of the landscaping plans presented to the City for the proposed development (which sheet seems to have been omitted from the conceptual landscape plans included in the DEIR) shows 72 trees along the perimeter of the property, a third of which were 25 feet or taller at the time of the survey. According to the legend of L-10, the project would remove every tree except for 6 Torrey pines along High Bluff Dr. and replace them with a variety of smaller trees fitting into 36-inch (70%) and 30-inch (30%) boxes.

93.37 **Question II.E-1: If the preliminary plans Sheet L-10 is no longer the operative directive, what is the proposed handling of existing mature trees along the perimeter of the One Paseo site?**

**Question II.E-2: Why would this removal of mature trees and replacement with much smaller trees not be acknowledged as an impact on Community Character and visual environment?**

**F. Density Transfers.** The phasing of development is covered in several tables (Table ES-1 and DEIR Table 2-1), in which the total development SF and the retail and office portions of the project are footnoted with the disclaimer that "*Density Transfers permitted in accordance with procedures in the Precise Plan.*" The proposed Precise Plan Amendment ("PPA") (page 112) **allows the transfer of any non-residential SF from one block to another, up to 15% of the maximum SF identified for any receiving block listed in the Development Summary.**

93.38 This language would allow the transfer of density not only from one block to another, but also from one type of use to another using number of SF without accounting for any projected increase in traffic generation. Moreover, since the maximum height restriction for the blocks that contain the tall office buildings is 199 feet and the preliminary plans' elevations show that the 10-story office building maximum height is 176 feet, density could be transferred, e.g., from Block B (which includes the proposed hotel) to Blocks D and E (which include the two tall office buildings). Because the allowable elevations are greater than the initially projected elevations, the 10- and 8-story office buildings could end up being as high as a 12-story office building. Similarly, a portion of Block B's SF could be transferred to increase the retail SF in Blocks D and E. In each case, the **requirements for parking as well as the trip generation characteristics would increase significantly.**

93.39 **Question II.F-1: Why does not the DEIR better describe the significant potential impacts of this obscure footnote regarding the potential transfers of non-residential SF between project blocks?**

93.40 **Question II.F-2: Why was the impact of this obscurely footnoted potential density transfer not discussed under Community Character?**

93.41 **Question II.F-3: Why were the TIA assumptions not expanded to include the worst-case scenario that might develop from this reference to the PPA?**

93.42 **G. Building Heights in Surrounding Properties.** The DEIR (Section 2.3, Surrounding Land Uses) characterizes the two office buildings to the south of the One Paseo site as being "three stories over parking." The DEIR (Section 5.1.1, Existing Surrounding Uses) states "Surrounding buildings range from one to seven stories in height."

93.43 **Question II.G-1: Are the parking levels referenced in Section 2.3 above or below ground?**

**Question II.G-2: How does the 7-story characterization in Section 5.1.1 relate to the buildings described on surrounding lots?**

93.44 **H. DEIR's Descriptions of Meeting Various Goals and Objectives.** The DEIR (Table 5.1.1) details what appears to be the developer's opinions about how the proposed project meets the goals and objectives of various planning documents, most notably the *General Plan* and the *Community Plan*. Many of these opinions appear to be misleading mischaracterizations and that are not supported by the facts and conclusions in the DEIR. The following questions address just a few of these opinions.

93.37 The potential visual impact of the loss of street trees is discussed on page 5.3-16 of the Draft EIR, where it is concluded that the trees themselves do not constitute a significant visual resource. Furthermore, the project would plant more trees than it would remove. Although initially smaller than the trees which would be removed, the new trees would grow and reach a similar stature. Thus, any effect on visual quality and neighborhood character would be temporary.

93.38 The Precise Plan Amendment limits the amount of square feet and/or residential units that can be transferred. Development limits or regulatory standards cannot be exceeded by development transfers. Any changes to the Revised Project proposed subsequently to approval of the Revised Project would be reviewed against adopted planning documents and entitlements, as required by CEQA. The Revised Project could not exceed adopted maximum structure heights of the zone, transfer square feet between different types of land uses without regard to trips or minimum land use thresholds of the zone, or exceed limits established by the Final EIR, Precise Plan, traffic study, parking study, or Planned District Ordinance without the discretionary approval of the City of San Diego through a Substantial Conformance Review-Process 2 (SCR-2), as well as CEQA review. As stated in the Implementation section of the Precise Plan Amendment, an SCR-2 is presented to the Planning Group and the City's decision would be appealed to the Planning Commission. The transfer provisions included in the Precise Plan Amendment are consistent with long-range planning documents for comparably phased projects.

93.39 The Draft EIR, on page 3-4, fully disclosed the potential for density transfers to occur due to project phasing and fluctuations in market conditions. As stated above in response to comment 93.38, any changes proposed subsequently to approval of the Revised Project would be reviewed against adopted planning documents and entitlements, as required by CEQA.

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- 93.40 The ability to transfer density is controlled by the Precise Plan. The City would conduct additional review of any proposed density transfers to determine if they would substantially affect the conclusions of the Final EIR. In the event the City determines that substantial changes could occur, those development proposals would be subject to additional environmental review.
- 93.41 Refer to response to comment 93.38.
- 93.42 The reference to building heights ranging from one to seven stories in Section 5.1.1 refers to a broader area than the discussion cited in Section 2.3 of the Draft EIR, which is limited to the adjacent buildings to the south.
- 93.43 As indicated in response to comment 93.42, the reference to seven stories in Section 5.1.1 of the Draft EIR was related to a broader area than the surrounding lots. Furthermore, seven stories is an indication of the maximum height.
- 93.44 As discussed in response to comment 63.92, both the Originally Proposed Project and Revised Project would be consistent with Land Use and Community Planning Policy LU-A.2.

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93.44 cont.

Question II.H-1: In addressing General Plan Policy LU-A.2, how can the developer justify the opinion that “The project was designed to blend with the character of the community. The proposed uses of the project site are similar to surrounding uses, and have been sited so that the uses mirror adjacent off-site uses” when the DEIR calls the impacts to Community Character significant and unmitigable?

93.45

Question II.H-2: In addressing General Plan Policy LU-A.7, how can the developer imply that it has met the policy of “Determine the appropriate mix and densities/intensities of village land uses at the community plan level...” when there is no reference to any quantifiable parameters, or any quantifiable comparisons to other existing mixed-use projects by which to judge whether a specific proposal is appropriate?

Policy LU-I.1 states”

Ensure environmental justice in the planning process through meaningful public involvement:

a. Assure potentially affected community residents that they have opportunities to participate in decisions that affect their environment and health, and that the concerns of all participants involved will be considered in the decision-making process.

93.46

b. Increase public outreach to all segments of the community so that it is informative and detailed in terms of process and options available to the community.

In the many meetings that the developer sponsored and in the limited number of meetings before the community planning board and community in general, the developer controlled the message of how “wonderful” the proposed project would be for the community. For more than two years, the developer deflected all requests for specific information regarding traffic impacts and details of scale, etc., saying that it could not reveal anything until the DEIR was released by the City. It has debunked any estimates of traffic and portrayals of the huge density and scale (which, by the way, have been substantially confirmed by the DEIR) put forth by local citizens concerned about the impacts of project as “grossly exaggerated.”

93.47

Question II.H-3: How can the process followed by the developer be considered meaningful public involvement when no quantifiable information upon which to make a reasonable judgment of the impacts of the project was released prior to the issuance of the DEIR?

93.48

Question II.H-4: How can the more than 80% of the working Carmel Valley population who commute to destinations outside the community feel that their concerns are understood and addressed when the estimated additional commuting time attributable to the increased entitlement of One Paseo was never available to them until the DEIR was released in late March 2012—and then was buried in the TIA instead of being highlighted in the Significant Impacts of the Executive Summary?

93.49

Question II.H-5: What other option was ever presented to the community or considered by the developer besides the project that was presented in 2009 (the developer claims that it has reduced the size of the commercial building area by 30,000 SF—a negligible reduction of 1.6% while the developer is requesting an entitlement that is 3.7X larger than its existing entitlement)?

93.50

I. **Changing a Major Goal of the Community Plan.** Goal 2 of the Carmel Valley Community Plan is “To establish self-containment and feeling of community identity among the future residences of North City West (currently known as Carmel Valley).” The developer’s response is “One of the goals of the project is to provide a sense of community, and this is achieved through comprehensive planning, which includes provision of a large plaza for public gathering and social interaction, and by providing an integrated development.”

Question II.I-1: How does creating a regional draw retail facility establish self-containment?

93.45 Land Use and Community Planning Policy LU-A.7 does not include quantitative parameters for mix and densities/intensities of village land uses; rather, it provides policy-level guidance for villages. As discussed in Table 5.1-1 in the Draft EIR, the Originally Proposed Project would provide the employment center land uses that were already planned for the site, with a land use mix that reflects the types of uses that exist in the community and that complement the existing uses in the vicinity of the project site. This discussion would also apply to the Revised Project, as described in Section 12.9 of the Final EIR.

93.46 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

93.47 The public review and comment period for the Draft EIR was the opportunity for engagement regarding the environmental effects of the project. As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

93.48 The Draft EIR addressed the impacts of the project on traffic. As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

93.49 As indicated in response to comment 5.6, the project applicant is proposing to pursue a Revised Project that would reduce the scale of the Originally Proposed Project by approximately 22 percent.

93.50 As with the adjacent Del Mar Highlands Town Center and office development to the south, the proposed development would draw employees and shoppers from outside the immediate community. However, this fact does not diminish the overall intent of the project to provide an integrated mixed-use project where people can live, work, shop and recreate in the same development and offer similar opportunities to the surrounding community.

93.51 **Question II.I-2: How is a sense of community established by a project that is inwardly oriented, that presents largely a wall of high buildings facing the rest of the community, and that provides such density and scale that the DEIR calls it a significant and unmitigable impact on the community?**

93.52 **J. Delays on Freeway Ramps.** The Executive Summary’s discussion of the significant impacts at the freeway ramps to/from I-5 characterizes them as unmitigable only to the extent that the mitigation is outside the control of the City or the developer. However, a review of the TIA’s analysis of the delays attributable to the proposed project seems to indicate that a commuter utilizing the SB I-5 freeway ramp from westbound Del Mar Heights Rd. in the morning and the NB I-5 freeway ramp to Del Mar Heights Rd. in the evening would experience a 12- to 15-minute increase in delay each day without mitigation, and an unknown amount of delay after mitigation.

**Question II.J-1: Why cannot the Executive Summary also characterize the significant impacts for the I-5 ramps in terms of expected delays—a term that will mean much more to the general public—with and without the project and before and after mitigation?**

**K. Omission of General Plan’s Justification for a Mixed-Use Project to Impose LOS F Traffic Conditions on an Existing Community**

93.53 **Question II.K-1: Where in the General Plan does it reference that there is no limit to the density and scale of a mixed-use project and that a mixed-use project can be justified in creating so much additional traffic in a community that existing arterials will be at LOS F or worse?**

**III. Methodology and Rationale for Assumptions Used**

93.54 **A. Long-Term Cumulative (Year 2030) Traffic Scenario.** The TIA evaluates scenarios for Long Term Cumulative (Year 2030) traffic with and without Project additional traffic, using the San Diego Association of Governments (SANDAG) Series 11 projection as its base. Presumably, but not confirmed in the DEIR, the Series 11 2030 projection includes the existing *Carmel Valley Community Plan* and *Pacific Highlands Ranch Community Plan* entitlements in these estimates. The DEIR specifically states that the Series 11 projections assume that SR-56 is widened to 6 lanes and assumes the I-5/SR-56 northbound connector is constructed.

The Long Term Cumulative (Year 2030) without Project projected ADT for Del Mar Heights Rd. between the I-5 NB ramps and High Bluff Dr. is 51,800. The Existing ADT traffic count for the same road segment in April 2009 was 51,625 ADT. At that time, there was 856,000 SF of vacant office space, approximately 150,000 SF of unbuilt retail entitlement at the Del Mar Highlands Town Center, and around 3,000 unbuilt residences and 200,000 SF of unbuilt retail and office development in Pacific Highlands Ranch. It appears highly unlikely that the Series 11 forecast for this road section in 2030 will be accurate.

93.55 **Question III.A-1: What was the justification for using the SANDAG Series 11 forecast presented in the DEIR, especially given the counter-intuitive traffic projection for 2030 relative to the recent traffic count?**

93.56 **Question III.A-2: Why was there no investigation of what entitled projects were included in SANDAG Series 11 assumptions to determine whether adjustments to the Series 11 projections were warranted, and whether inclusion of the Series 11 forecast was appropriate to properly understand the traffic impact of the project on Carmel Valley surface streets?**

**B. Office Trip Generation Estimates.** The TIA (Section 3.1) distinguishes the type of use between the various office buildings—one is classified as a 245,000 SF Corporate Office building, the second as a 270,000 SF Multi-Tenant Office building, and the third as a 21,000 SF Professional Office.

93.51 The project has been revised to relate better to the surrounding community. As discussed in response to comment 5.6, the residential building nearest the intersection of Del Mar Heights Road with El Camino Real now includes individual entrances to the residential units on the ground floor facing Del Mar Heights Road and the greenbelt which was included in the original project. In addition, the southwest corner of property has been opened up by with a 1.1-acre passive recreation area and additional landscaping.

93.52 The Executive Summary in the Draft EIR is by necessity a greatly abbreviated discussion of the primary results and conclusions contained in the overall EIR. The emphasis in the Executive Summary is on conveying the ultimate conclusions as to the significance and effectiveness of mitigation measures.

93.53 Table LU-4 of the General Plan establishes various land use categories and density limits, where considered appropriate. A Community Village land use designation specifically includes a residential density limit, but does not define maximums for other components of a mixed-use project.

93.54 Refer to responses to comments 10.158.

93.55 SANDAG is the agency that provides traffic modeling for the region and it is inaccurate to state that traffic projections by the model are counter-intuitive.

93.56 The City of San Diego provides the land use information to SANDAG for inclusion in its models. The City employs the SANDAG model as standard practice, as do all other cities in the region.

The TIA references its reliance on the San Diego *Trip Generation Manual* (“SFTGM”). The SDTGM’s listing that most closely resembles “Corporate Office” is “*Corporate Headquarters /Single Tenant Office*” and is defined as “*Headquarter or administrative office of a firm engaged in management and administration of the firm.*” This classification estimates Average Daily Trip (“ADT”) generation at 10 ADT per 1,000 SF. The SDTGM’s listing that most closely resembles “Multi-Tenant Office” is “*Commercial Office*”, which is described as “*A commercial office building houses one or more tenants...*” The SDTGM estimates the trip generation rate using a logarithmic formula related to building size, which when applied to the second and third office buildings produces an estimate of 13 ADT per 1,000 SF of building.

**Question III.B-1:** Is there any mechanism in any governing document for this mixed-use project that would ensure that the occupancy of the 245,000 SF building would be and would remain a corporate headquarters or single-tenant office building, or that would preclude such a tenant subleasing to one or more subtenants and thus creating a multi-tenant office profile?

**Question III.B-2:** If no such enforceable mechanism exists, then why shouldn’t the higher-traffic-generation Commercial Office category be applied to all of the office buildings?

**Question III.B-3:** If such an enforceable use restriction is not in place, then shouldn’t the TIA reflect the worst-case scenario, which would increase the trip generation for the 245,000 SF Corporate Office building by 735 trips per day ((13-10) X 245,000 ÷ 1000)?

**Question III.B-4:** Given that the SDTGM recognizes that certain types of professional offices (e.g., medical [and presumably dental] offices) generate more traffic than other types of professional offices (e.g., law and accounting offices) and assigns a 50 ADT per 1,000 SF to medical office use, are there any enforceable use restrictions in place that would preclude medical and dental offices? If not, shouldn’t a worst-case scenario adjustment to projected trip generation rates also be applied to the 21,000 SF of professional office?

**C. Retail Trip Generation Estimates:** The TIA (Figure 3.1, Project Only Trip Generation Table [Phase I]) shows that the 100,650 SF retail portion is estimated to generate 40 ADT per 1,000 SF. This corresponds to the SDTGM classification of *Specialty Retail Center/Strip Retail*, described in part as:

*A freestanding retail store in a single building with separate parking where merchandise is sold to the end-user, usually in small quantities. ...In general, as the gross floor area approaches 100,000 SF, the stores lose their “freestanding” character and become part of the shopping center.*

This description is not consistent with the many characterizations by the developer touting numerous high-end stores, small boutique shops and restaurants located on the ground floor of the two office buildings and in two-story rows of retail buildings on the south side of Main Street—which would be anything but “*freestanding retail.*” The significance of this characterization is that using 40 ADT per 1,000 SF is significantly less than the 70 ADT per 1,000 SF that is attributable to a Community Center (which is used by the TIA for most of the ensuing Phase 2 and 3 retail analyses).

When the TIA moves on to estimate trip generation from Phases 1 and 2, where the addition of 65,610 SF would create an interim total of 166,260 SF of retail, the classification of the addition is changed to “Community Shopping Center” and “Market” at 70 ADT and 150 ADT per 1,000 SF, respectively, but the TIA carries forward the questionable assumption that the “Freestanding Retail” classification for Phase I is still justified, using the following narrative rationalization:

*Due to the unique nature of the project and the phasing of retail-commercial uses throughout the development, Urban Systems Associates, in consultation with City transportation staff, used a blended rate for the retail-commercial portion discussed below. A blended trip generation rate (see footnote on Table 3-2) is used for the community shopping center to reflect the variety of commercial-retail uses within the project. The initial 100,650 square feet of retail generates at a trip rate of 40 trips per 1,000 square feet based on the character of freestanding retail shops, see Appendix A.*

93.57 The type of office (such as corporate or multi-tenant) and any potential future tenant improvements are subject to City review and approval for conformance with the conditions of approval of the permits associated with the Originally Proposed Project. The conversion of a corporate office to a multi-tenant office would be inconsistent with the traffic impact analysis and conditions of approval associated with the discretionary permits.

93.58 The Conditions of Approval should define parameters for single tenant versus multi-tenant occupancy. If the office use is altered in the future from the Conditions of Approval, then the City would comply with CEQA and evaluate whether and to what extent the change in office use could result in additional traffic impacts, not disclosed in this EIR.

93.59 Refer to responses to comments 63.29, 63.216 and 93.38.

93.60 Refer to responses to comments 63.29, 63.216 and 93.38.

93.61 Refer to responses to comments 63.29, 63.216 and 93.38.

A 30,000 square foot supermarket generates 150 trips per 1,000 square feet. The remaining 35,610 square feet of commercial-retail generates 70 trips per 1,000 square feet. Appendix C (Definition of Land Use Categories for Trip Generation Purposes) of the City of San Diego's Trip Generation Manual, May 2003, under Specialty Retail/Strip Commercial, states "In general, as the gross floor area approaches 100,000 square feet, the stores lose their "freestanding" character and become part of a shopping center". For this reason, the remaining 35,610 square feet of commercial-retail generate the community shopping center trip rate of 70 per 1,000 square feet.

93.61  
cont.

This same methodology is carried forward to the full buildout scenario, with additional retail bringing the total retail building area up to 220,000 SF, + cinema, hotel, etc. (Table 3-3). This mischaracterization of "freestanding retail" **reduces the estimated ADT from the project by approximately 3,000 ADT** because it fails to characterize the first 100,650 SF as a community retail center—especially when an additional 120,000 SF of retail is added across Main Street as part of the same project—and clearly invalidates any possible rationalization listed in the previous quote from the DEIR.

93.62

The two questionable assumptions identified in III. B and III. C. above total 3,775 ADT (which represents 6.3% of the 60,000-ADT carrying capacity of Del Mar Heights Rd.) and would qualify as a "significant" impact under SDTISM criteria in and of themselves.

93.63

**Question III.C-1: What justification is there for characterizing a multi-tenant, multi-building retail center as a freestanding center generating only 40 ADT/ksf when it is over the 100,000 SF stipulated limit where "freestanding" would have lost their character?**

93.64

**Question III.C-2: Why would not the additional 120,000 SF of retail buildings in Phases 2 and 3 which are in obvious close proximity to Phase 1 bring Phase I even further away from this poorly supported "freestanding" character?**

**D. Shared Parking Analysis.** The *Shared Parking Analysis* (SPA) is presumably a key analysis for validating the proposed One Paseo's mixed-use concept. While a superficial reading of the report seems to make a powerful argument that One Paseo provides more parking than necessary, a closer look suggests that a number of key assumptions might need further explanation or adjustment.

Carmel Valley has numerous multi-family condominium developments that were presumably built according to San Diego City parking codes, yet their parking extensively overflows onto public streets outside their developments.

Carmel Valley's office developments along High Bluff Dr. total approximately 1.1 million SF and have a weighted average parking ratio of approximately 4.1 spaces per 1000 SF. There has always been significant overflow parking onto the on-street parking lanes of High Bluff Dr.—even during periods of higher than normal vacancy. In one case, a single "boiler-room" tenant occupied offices near Del Mar Heights Rd. in the early 1990's, and the resulting overflow parking extended up to a mile or more into the residential neighborhood north of Del Mar Heights Rd., inhibiting access to an elementary school and requiring the institution and enforcement of 2-hour parking limits throughout the neighborhood.

The adjacent Del Mar Highlands Town Center has a higher-than-code parking ratio of 5.25 spaces per 1000 SF. Still, there is often considerable on-street parking on Townsgate Dr., and presumably some portion of that can be attributed to use of the Town Center. Yet most patrons of the Town Center find the parking capacity unsatisfactory.

Given these past experiences and given that the proposed One Paseo project has only three public streets on its perimeter (Del Mar Heights Rd. and El Camino Real, which don't allow on-street parking, and High Bluff Dr., where on-street parking is typically filled), it is small wonder that sensitivity to the prospect of insufficient on-site parking on the proposed One Paseo site runs high among nearby Carmel Valley residents and office/retail tenants.

93.62 Refer to responses to comments 63.29, 63.216 and 93.38.

93.63 Refer to responses to comments 63.29, 63.216 and 93.38.

93.64 Refer to responses to comments 63.29, 63.216 and 93.38.

- 93.65 [ The SPA relies on the conclusions of the Urban Land Institute’s publication *Shared Parking*, 2<sup>nd</sup> Edition-2005, which characterizes the City’s parking standards as outdated and inadequate. It is not clear what parts of the country were studied by ULI or whether geographical differences were encountered. The study on which the parking assumptions for grocery stores was based was on stores in Massachusetts and Rhode Island; the “validation” study identified in Attachment A covered California, Arizona, Ohio, Florida, and Virginia. The discussion of Base Parking Ratios notes that the “*maximum amount of parking ...without the consideration to the dynamics of the site and market*”—which presumably suggests that market information is likely to be important.
- 93.66 [ **Question III.D-1:** If the practical experiences in Carmel Valley identified above with respect to the parking adequacy for office, retail, and residential condominium projects shows that “at code” or “above code” parking ratios have been insufficient in the operative conditions of Carmel Valley, why shouldn’t adjustments for the market be considered in the SPA when deviating from existing City standards?
- 93.67 [ **Question III.D-2:** There are numerous references to explanations being provided in Attachment D of the SPA. Why wasn’t this document included in the SPA posted on the City’s Web site?
- 93.68 [ **Question III.D-3:** If the developer’s Development Summary was included in the SPA (which summary includes the reference to permitted density transfers, the impact of which is discussed in I.I.F above), why wasn’t the impact of the worst-case density transfer studied?
- 93.69 [ The SPA (Attachment A) lists of 9 “similar sized” mixed use projects studied in southern California is presented to “validate” the methodology used in the SPA. However, none of these have residential components, and 6 have no appreciable amount of office components.  
**Question III.D-4:** Why are not mixed use projects with a similar use to the proposed One Paseo project (50% residential and 29% office, based on SF) used to validate the assumptions?
- 93.70 [ The SPA references the driver frustration factor when parking demand approaches 90-95% of capacity.  
**Question III.D-5:** Given the 3 to 7 levels of parking in the four parking structures of the proposed One Paseo project, as well as the traffic congestion on the streets connecting the various parking structures disclosed by the TIA, would these complicating factors diminish the efficiency of utilization of the parking provided and increase the potential for vehicle queuing extending into the internal streets?
- 93.71 [ **Question III.D-6:** Considering the often-suggested discouragement of the use of automobiles by economic penalties such as charging for parking (as does, e.g., Horton Plaza), would a future initiation of paid parking impact the efficiency of utilization of the project’s multi-level parking structures ?
- 93.72 [ **E. Economic and Social factors.** The Executive Summary (Section 1.2) states “In the final review of the proposed project, environmental considerations, as well as **economic and social factors**, will be weighed to determine the most appropriate course of action.”  
**Question III.E-1:** Have economic projections for the project been provided in the DEIR along with the analysis as to how these projections were formulated?
- 93.73 [ **Question III.E-2:** Have the same projections been prepared for the current entitlement along, so that the net improvement can be assessed?  
**F. Adaptive Traffic Control.** The developer has devoted a considerable effort in its promotional campaign to explain the benefits of an Adaptive Traffic Control system that it would install at its own expense. The TIA (Section 15.0, Adaptive Traffic Control Systems) seems to imply that the developer would install “this system at the time site construction begins prior to any project traffic.” Yet, this does not appear to be mentioned in the traffic-related mitigation measures.

93.65 The City acknowledges that differences exist in parking demand but the parking demand base ratios reflected in ULI/ICSC’s Shared Parking publication are more a reflection of differences between urban and suburban areas than different parts of the country. Sites in Southern California were an important component of the study. The parking ratios used in Shared Parking are often used to model parking demand in Southern California including the eight, large mixed-use projects included in Attachment A of the shared parking analysis (Draft EIR Appendix D).

With respect to the comment on grocery store parking, the peak parking demand for the specialty grocery store represents less than 2.0 percent of the total peak parking demand for the Originally Proposed Project and 2.1 percent of the total peak parking demand for the Revised Project. Parking demand data for supermarkets indicate that the peak for this use occurs after 5:00 pm on weekdays and on weekends. Further, the peak time of year for supermarket parking demand is around the December holidays. In all of these cases, when the demand for supermarket parking peaks, demand for office employee parking is just a fraction of its peak demand. Therefore, even if demand for specialty grocery parking were significantly higher than what has been projected in the Model (which is not indicated by the available data), the demand would not significantly impact parking demand under either version of the proposed development.

The grocery store would represent too small a percentage of the overall tenant mix to substantially alter demand patterns. For example, the share parking model uses a peak parking demand ratio of 4.1 spaces per 1,000 square feet during weekdays and 4.2 spaces per 1,000 square feet on weekends (3.5 spaces for customers plus 0.6 spaces for employees on weekdays, 3.7 spaces for customers plus 0.5 spaces for employees on weekends). For both the Originally Proposed Project and Revised Project, combined customer and employee parking demand at the peak is 74 spaces after time of day, day of week, and captive (walk-ins from people already parked on the site) adjustments are taken. If parking demand for the specialty grocery land use during the peak hour were to double, which is considered extremely unlikely because the store can only reasonably accommodate so many patrons, the parking demand for specialty grocery store would still represent a relatively small percentage (approximately 4.0 percent) of peak parking demand.

The total peak parking demand for the site would still be below the planned parking supply in the cases of both the Originally Proposed Project and

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- 93.65 Revised Project. Further, a significant increase in the demand for parking cont. for a specialty grocery use would likely occur around a holiday when the demand for parking generated by office employees would be below typical peak levels.
- 93.66 As discussed in response to comment 41.1, the mixed-use nature of the Originally Proposed Project offers opportunities for shared parking which none of the other developments in Carmel Valley have. Thus, factoring in shared parking considerations is considered appropriate for the project. Furthermore, as noted in response to comment 41.1, when taken as a whole, the parking included in the Originally Proposed Project is expected to exceed the demand.
- 93.67 The shared parking analysis makes several references to Attachment D: Select Pages from Shared Parking, 2nd Edition. This referenced attachment is included in the shared parking analysis that was available via the City’s website, but as Attachment C: “Select Pages from Shared Parking, 2nd Edition, 2005.” Although the shared parking analysis inadvertently mislabeled the references to report attachments, all attachments were included in the report that was made available to the public. This inadvertent error does not affect the information, analysis, or conclusions of the shared parking analysis.
- 93.68 The parking study is only required to evaluate the impact of the intensity of development associated with the Originally Proposed Project. Additional development would not be allowed unless project approvals are amended. In which case, a new evaluation of parking would be required by the City.
- 93.69 A table of eight large, mixed-use developments Southern California is included in Attachment A of the shared parking analysis (Draft EIR Appendix D). In the case of either version of the proposed development, only the residential guest parking spaces in either scenario are assumed to be made available for sharing and not the residents’ parking spaces themselves (the residents’ spaces are assumed to be reserved as explained on page 18 of the shared parking analysis). Refer to response to comment 41.1 regarding the availability of adequate residential guest parking. The significant sharing of parking occurs between the office and the commercial.

COMMENTS

RESPONSES

93.70 Refer to response to comment 75.18.

93.71 Parking for the proposed retail uses would be free to the public. Office parking would be provided as an amenity inclusive of tenant leases. It is speculative and beyond the scope of the EIR to consider the effects on on-site parking utilization due to an unforeseen future initiation of paid parking.

93.72 The City assumes that this comment is asking about economic factors which would be used by the City Council if it decides to approve the proposed development despite the existence of unmitigated significant impacts. Such economic factors are included in a separate fiscal study submitted by the applicant. The CEQA Guidelines do not require that the economic analysis of a project be analyzed in an EIR unless it results in potential environmental impacts. In this instance, no such environmental effects are expected.

93.73 The ATCS is not proposed as mitigation, but rather a potential improvement that would benefit the community by coordinating traffic signals along Del Mar Heights Road. Installation of this system would require approval from Caltrans and would occur at the time of project construction; it would be in place before project traffic is generated.

COMMENTS

RESPONSES

Comments on DEIR for One Paseo, S.D. Project #193036/SCH #2010051073, by Robert T. Fuchs, May 28, 2012

- 93.74 [ The fate of automobiles arriving more quickly (assuming the anticipated improvement in traffic flow occurs after installation of such a system) to a stopping point created by restricted ramp metering is not discussed in the TIA.
- 93.75 [ **Question III.F-1: Do any of the proposed mitigations in the DEIR include the installation of a so-called Adaptive Traffic Control along Del Mar Heights Rd.? If yes, which mitigation measure includes that, and when would it be installed?**
- 93.76 [ **Question III.F-2: If such an Adaptive Traffic Control System were installed, what would be the beneficial effect if the traffic on Del Mar Heights Rd. were operating at LOS D, E, and F?**
- 93.77 [ **G. Effectiveness of Mitigation near Ramp Meters.** It is not clear from the DEIR how effective the mitigations that relate to Ramp Metering would be.  
**Question III.G-1: How is the effect of the proposed mitigation on the Freeway Ramps measured or calculated?**  
**H. Project Phasing as Suggested in SDTISM.** The SDTISM (Section 8. Site Access and Off-Site Improvements...Project Phasing) states:  
*In situations where an improvement is the responsibility of someone else or a joint responsibility, it may be necessary for the proposed development to be phased or for the developer to front the entire cost of an improvement(s).*
- 93.78 [ The proposed project would directly cause numerous significant impacts on traffic that would be significant and unmitigable, precisely because improvements that would mitigate those specific impacts are under the control of an outside agency; neither the City nor the developer can determine when such mitigations might occur. For these proposed mitigations, the developer would pay a "fair share" amount, based on what appears to be a very rudimentary estimate of the cost of mitigation in lieu of completing the mitigation. Historically, when final plans and studies are at last completed, the ultimate costs of mitigations tend to cost many times the original estimates; the **developer likely ends up not really paying its fair share**, while the community is saddled with the significant impacts and must wait a long time before the proposed mitigations resolve the impacts, if ever.  
The developer has no entitlement other than for 510,000 SF of office, and conformity to surrounding uses would likely limit development to four stories.
- 93.79 [ **Question III.H-1: Why not consider the option of phasing the project, beginning with the current entitlement and delaying approval of additional entitlements until the outside mitigations have been planned, funded, and determined to be sufficient to mitigate the effects of the additional entitlements?**
- 93.80 [ **IV. Personal Opinion of Process**  
The developer has engaged in an extensive promotional campaign for more than two years in its attempt to obtain an unprecedented increase in building entitlement for the last major parcel of undeveloped land in a 30-year old master-planned community. This campaign focused almost entirely on artist renderings and frequently misleading characterizations while completely suppressing access to meaningful facts and impacts related to traffic and scale of this project, deflecting all requests for such information until the DEIR was released by the City.
- 93.81 [ The DEIR itself has many characteristics of the developer's campaign to make it difficult to obtain relevant information. The document itself is less than coherent in its organization. It was initially published on the City's web site with key documents missing. The documents were scanned rather than digitally reproduced for easier searching. The organization of such important issues as traffic were contained in four or five documents that are not adequately identified in the Table of Contents or file names. Frequently appendices are grouped together in single files, or broken into sections across files. There is inconsistent information between various sections of

- 93.74 As the I-5 North Coast Corridor Program moves forward and construction of the additional lanes are built, the ramps meter flow rates would potentially be adjusted by Caltrans to be less restrictive due to the additional capacity and actual traffic conditions.
- 93.75 As discussed in response to comment 93.73, the ATCS is not a mitigation measure but is being proposed by the project applicant as a community benefit.
- 93.76 Refer to response to comment 15a.156.
- 93.77 The effects of the mitigation measures at the I-5/Del Mar Heights interchange are measured in terms of seconds of delay and length of queue and are summarized in Table 1-29 in the traffic study. Further, Caltrans would potentially adjust the ramp metering rates to be less restrictive when the I-5 North Coast Corridor Program improvements are constructed due to the additional capacity and actual traffic conditions.
- 93.78 The fair-share payment requirements are defined in terms of a percentage of the cost based on the proportion of future traffic represented by the project. While the cost of a particular improvement would change over time, the fair-share amount would be determined as a percentage of the cost estimate at the time the fair-share payment is collected.
- 93.79 Development of the proposed project would be tied to specific roadway improvements. As indicated in Table 5.2-41, implementation of mitigation measures identified in the Draft EIR are already associated with specific development phases. For example, Mitigation Measures 5.2-1 through 5.2-6, 5.2-8, 5.2-10 and 5.2-12 must be assured prior to issuance of any building permit for Phase 1. Mitigation Measure 5.2-7 must be assured prior to the first building permit within Phase 2. Mitigation Measures 5.2-9 and 5.2-11 must be assured prior to the first building permit within Phase 3. It should be noted, however, that building permits would not be deferred in the event that implementation of the mitigations, which are beyond the control of the project applicant and the City of San Diego (Mitigation Measures 5.2-1, 5.2-3, 5.2-10, and 5.2-12), if the City Council adopts a Statement of Overriding Considerations relative to impacts to traffic which would remain without implementation of those mitigation measures.

Refer to response to comment 15a.161.

COMMENTS

RESPONSES

Comments on DEIR for One Paseo, S.D. Project #193036/SCH #2010051073, by Robert T. Fuchs, May 28, 2012

93.81  
cont.

the DEIR. All of these elements combined with the sheer volume of 4,500+ pages make it impossible to review the information within the 60 days allotted for the submission of public comments.

In the General Plan, there are numerous provisions that indicate that the Community Plan is the final arbiter of how the General Plan is implemented. There are also numerous provisions detailing how changes to the Community Plan must have meaningful input from both the Community Planning Board and the community at large. While the developer has had numerous meetings with the community, it always controlled the dialogue and loved to deal in generalities. It deflected any questions relating to important information to understanding the impacts associated with the project. At one presentation made to a committee of the Carmel Valley Community Planning Board that I attended, when asked why a smaller scale project more in conformity with the Community Plan was not considered, the developer's representative retorted that "We would never consider that!" So much for offering reasonable options and alternatives.

93.82

The developer's actions over the past two years hardly qualify as meaningful input from the community. Its continuous promotional campaign dealing with misleading half-truths has been exposed, and it is causing a deep rift within surrounding the local neighborhoods between those who wholeheartedly endorse the project without reservation and those who can visualize the unacceptable impacts that are attributable to the sheer scale and size of the proposed project, but would otherwise endorse a mixed-use change in use.

To the extent that the City's Development Services Department is viewed as being complicit, unwittingly or otherwise, in furthering this campaign of disinformation, confidence in the City's willingness to insist on a proper, open processing of a major land use change respecting the interests of the existing community is likewise being eroded.

I feel compelled to end with a quotation from the San Diego Traffic Impact Study Manual:

*"Ethics and Objectivity*

*Although study preparers and reviewers will sometimes have different objectives and perspectives, all parties involved in the process should adhere to established engineering ethics and conduct all analysis and review objectively and professionally."*

Thank you for the opportunity to submit my comments and questions relating to the DEIR.

Sincerely,



Robert T. Fuchs  
3744 newcrest Pt.  
San Diego, CA 92130

93.80 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

93.81 As discussed in response to comment 79.2, the Draft EIR is not flawed. The Draft EIR and the associated appendices meet or exceed the requirements established by CEQA.

93.82 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake

I am writing to express my support for the One Paseo Project. I have reviewed the EIR for the project and found it to provide a comprehensive analysis of the project's environmental effects. The EIR provides the public with a wealth of information regarding the project and its impacts; (a) it provides a clear discussion of all aspects of the project; (b) it provides significant information regarding the effects of the project on the surrounding area; (c) it provides a thorough discussion of the project's relationship to the character of the area.

The proposed One Paseo development would provide Carmel Valley residents a number of benefits that the community has sought for some time now. I would love to see a Main Street style central gathering area developed for the community, and I believe One Paseo's plans as they now stand address that need perfectly.

I am as pleased as most other residents are about the prospect of new retail and dining choices much closer to home. Not only would the proximity and variety of choices make daily life much more convenient, but I know they'd also serve to boost our local economy and help to increase local tax revenues. In this economy, these are definitely benefits worth noting.

I think it's also worth noting the critical role that One Paseo could play in providing a real center to our community. There is no such space that plays this role in Carmel Valley right now. But it's not simply that One Paseo would fill this role because of its unique, mixed-use offerings. The development seems to have been planned very carefully so that it will create a village atmosphere in a central location, while still blending with surrounding neighborhoods and businesses. I think that One Paseo will only serve to complement the community character of Carmel Valley as it exists currently.

I support One Paseo, and I would be grateful to see the city support such a wonderful and well-planned development, too. Thank you for your time and consideration.

Best regards,



Jeanne Fullerton  
5131 Cheltenham Terrace  
San Diego, CA 92130-1416

94.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

Ms. Martha Blake, Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101  
RE: Project No. 193036/SCH No. 2010051073

Dear Ms. Blake:

As a local resident, I wholeheartedly support the proposed One Paseo project. The developers have worked with the community to create a project that would really benefit Carmel Valley residents. By providing a central place where residents can gather to shop, eat or relax, One Paseo would perform a critical function that has otherwise been lacking in the community. Even when it comes to managing basic errands, local options are disappointing; Del Mar Highlands is far too crowded and does not provide sufficient parking. We would all benefit from a site that is more carefully designed, better integrated, and aesthetically appealing.

I know that the Draft EIR for the project has been issued, which represents an important step in One Paseo's approval process. I understand that the law requires the Draft EIR to evaluate the project's environmental impacts. I would like to address the project's many benefits. It's hard to put a price on the value of a "heart" for Carmel Valley that would come from the development of a new Main Street. Therefore, I believe that any one of the benefits of One Paseo would outweigh the significant impacts identified in the Draft EIR.

For these reasons and many others, I hope to see One Paseo developed soon.

Yours truly,



Brian Gallagher

95.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

Ms. Martha Blake, Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS501  
San Diego, CA 92101

via email: [DSDFAS@sanidiego.gov](mailto:DSDFAS@sanidiego.gov)

Subject: One Paseo Draft Environmental Impact Report  
Project No 193036/SCH No. 2010051073

Dear Ms. Blake:

I'm a long-time resident of Carmel Valley and live within 250 feet of the proposed One Paseo project site. I'm therefore very interested in the project and its potential impacts to my neighborhood, both positive and negative. Let me start out by saying I support the primary goals and objectives of the project to create a "community village" as stated in the Draft Environmental Impact Report (DEIR). I'm please to see some of the attractive design features of the project including the mixed-use "village" concept and the Leadership in Energy and Environmental Design (LEED) certification. However, I have serious concerns about the project's density and intensity and the resulting impacts to the community.

I have reviewed major portions of the DEIR and offer the following comments, concerns, and recommendations. Please be advised my comments are limited to the issues that concern and affect me most: increased traffic and the safety and quality of the pedestrian experience in the community; the safety and quality of the bicyclist experience in the community; the availability of public transportation; and visual effects and neighborhood character.

**Transportation/Circulation/Parking:**

- The significant increase in traffic created by the Paseo One project will further degrade the pedestrian experience in the community. This impact to the pedestrian experience has not been adequately addressed in the DEIR. The pedestrian is already made very uncomfortable by the heavy traffic and high speeds along Del Mar Heights Road and El Camino Real and the lack of any meaningful separation between cars and people. The addition of 2 new traffic signals along Del Mar Heights Road nor the landscaped strip between the road and sidewalk will not mitigate these impacts.

- The project design currently includes a landscaped strip with trees between the vehicle traffic lane and the sidewalks along both Del Mar Heights Road and El Camino Real. This feature would provide some limited measure of protection and comfort for pedestrians and must remain as a condition of the project. (There is no such landscaped separation north of the project site along El Camino Real and the pedestrian experience suffers as a result. The increased traffic from the Paseo One project will only make it worse.) What additional conditions are proposed to mitigate the project's impacts on the pedestrian experience?

- The impact of the increased traffic on the safety of children walking to school has not been adequately described in the DEIR. Elementary school children living within the One Paseo project will need to cross either Del Mar Heights Rd or El Camino Real during the morning rush hour in order to get to their schools. What features are included to promote safe crossing?

- Construction of a pedestrian foot-bridge over El Camino Real (similar to the one over Del Mar Heights Rd just east of El Camino Real) should be added as a project feature to protect the safety of pedestrians, particularly school children and older or disabled persons. The bridge would connect the One Paseo project to the Del Mar Highlands Town Center. If you've ever tried to cross El Camino Real at Del Mar Heights Road as a pedestrian even now (before the significant increase in vehicle traffic from the Paseo One project) you will most likely support this idea. The pedestrian bridge was suggested by several residents at a public meeting in the applicant's office I attended earlier this year. The applicant indicated they would consider the idea but it is not now included in the project. I understand there are many issues that would need to be worked out with the owners of the Del Mar Highlands Shopping Center in order to construct a pedestrian bridge. I urge the applicant and the City to seriously consider a mechanism to study and fund this option.

- There is currently no public bus or other public transportation service in this Carmel Valley neighborhood. Convenient

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96.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

96.2 The Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a substantial reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.

96.3 The increase in traffic on Del Mar Heights Road which would result from the proposed development would not significantly impact the pedestrian experience referenced in this comment. The greenbelt with a non-contiguous sidewalk would improve the pedestrian experience, given the fact that no sidewalk currently exists along the project frontage. Traffic volumes on Del Mar Heights Road are expected to increase regardless of whether the Originally Proposed Project is approved. The increase associated with the project is not expected to be substantially perceived by pedestrians along this roadway.

96.4 The greenbelt referenced in this comment is an integral part of the Originally Proposed Project and is discussed in the Precise Plan Amendment and illustrated on the detailed project plans. Thus, the greenbelt must be constructed as a part of the project. No additional measures are required to protect the pedestrian experience along adjacent roadways.

96.5 As discussed in response to comment 7.4, the proposed development would not have a significant impact on school children walking to local schools.

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COMMENTS

RESPONSES

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96.6 As discussed in response to comment 75.40, the traffic study takes into account the effect of pedestrian activity on traffic flow by utilizing conservative assumptions for the anticipated number of future pedestrians crossing area streets. In light of the conclusion that the improvements to the Del Mar Heights Road/High Bluff Drive and Del Mar Heights Road/El Camino Real intersections would fully mitigate the impacts of project traffic at these locations, a pedestrian bridge would not be required.

96.7  
cont.

bus service could not only reduce the project's traffic impacts but would also provide residents and workers with a viable alternative to the private automobile. I'm therefore encouraged to see the Paseo One project includes construction of a Transit Stop along El Camino Real. However:

- What assurance is there that there will actually be bus service to the Transit Stop?
  
- Can the project be conditioned to require bus service be in place and active prior to issuance of final occupancy?
  
- I realize the establishment of bus routes may be beyond the scope and control of the applicant. If the City approves the project, will the City commit to use its influence with the Metropolitan Transit District Board (MTDB) to insure bus service will be activated?

96.8

- The significant increase in car traffic will likely result in a significant increase risk to the safety and well being of bicyclists, including both recreational riders and commuters. This increased safety risk has not been adequately identified and discussed in the DEIR. Existing bike lanes in the area are too narrow and unsafe in many places due in part to patched surfaces and very uneven seams between the asphalt roadway surface and concrete curbs/gutters. There is no real separation between bicyclists and motorized vehicles. The proposed project does not appear to remedy this problem and in fact makes it worse by significantly increasing the volume of motorized traffic. Often, I would like to ride my bike in lieu of driving my car but am discouraged because I don't feel safe pedaling in the bike lane immediately adjacent to cars going 50 - 60 mph. What features can be included to adequately protect bicyclists? What other project features could be offered to promote alternatives to driving cars?

**Visual Effects & Neighborhood Character:**

96.9

- The height of the buildings is excessive for this neighborhood and contributes to the overall impact of the project (ex., traffic, demand for services, etc.). The visual impact and resulting negative impact on the visual aesthetic and character of the community have not been adequately addressed in the DEIR. Mitigation alternatives, including decreasing the number of stories of the tallest buildings, should be identified.

I appreciate the opportunity to review this DEIR. I'm hopeful changes will be made to the One Paseo project to eliminate or reduce the negative impacts. The project density and intensity will most likely need to be scaled back in order to accomplish this.

Please contact me if you have any questions via email at [vickvqalla@aol.com](mailto:vickvqalla@aol.com).

Thank you for your work on this project!

Sincerely,

Victoria L. Gallagher  
3834 Fallon Circle  
San Diego, CA 92130

cc Frisco White, Chair, Carmel Valley Planning Group, via email: [white@wwarch.com](mailto:white@wwarch.com)

96.7 As discussed in response to comment 10.40 and recognized in the comment, neither the project applicant or the City can ensure that the bus service to the area planned by the 2050 RTP will occur. As discussed in response to comment 10.40, the proposed development does not depend on the availability of regional bus service, nor do any assumptions of the traffic report rely on it. Thus, there is no basis for the City to require the proposed development be delayed until the planned regional bus service is available. The City supports the provision of the proposed bus service and will continue to do so in cooperation with relevant transportation agencies.

96.8 As discussed in response to comment 6.7, all of the interior streets will include Class III bicycle routes which will be appropriately signed. These routes will connect with existing Class II bicycle lanes associated with High Bluff Drive, Del Mar Heights Road, and El Camino Real. The potential increase in project traffic would not warrant any specific improvements to existing bicycle lanes associated with Del Mar Heights Road or El Camino Real. These facilities are presently designed to handle the traffic associated with such major roadways.

96.9 As discussed in response to comment 5.6, the project applicant is proposing a Revised Project which reduces building heights, as suggested in this comment.

COMMENTS

RESPONSES

From: Donna Gallaher  
To: DSD EAS  
Subject: RE: One Paseo, Project 193036  
Date: Wednesday, May 30, 2012 12:07:07 AM

RE: One Paseo, Project 193036

To Whom It May Concern;

My wife and I have been living in Carmel Valley since 1985. We have lived in 3 different residences in 3 different areas of Carmel Valley. The explosive growth of our area illustrates its desirability. Still, as its popularity grew, so has the "footprint" of every building. Homes, condos, apartments, and schools which attract many students from outside our area have been designed and built to the limits of their property lines. The result of all this growth has created gridlock traffic on Del Mar Heights Road. We have lived on the north side of Del Mar Heights Road for 12 years. Our property backs up to Del Mar Hts Rd so we can speak from experience about this situation.

Since each of you have an impact on the planning of this last piece of open space, the One Paseo project, please consider these concerns. Del Mar Heights Road is congested now, most of the day. Traffic begins at 5:30 AM with eastbound traffic to Torrey Pines High, Canyon Crest High, Cathedral Catholic High, school buses picking up students for Bishops and La Jolla Country Day schools along with regular traffic eastbound. Westbound on the same road is congested with normal folks going to work. Then traffic is congested from 2:30 PM till 8:00 PM westbound and about 4:00 PM till 8:00 PM eastbound with commuters driving home.

If One Paseo is built according to the current plans with no downsizing, traffic would be a nightmare. Even with the widening of the road, and the addition of a traffic light, the huge increase of cars from the new project would create even more of a traffic gridlock.

Also, how can they increase the resident population with no new park sites?

What about the impact on the schools?

Sincerely;

Bob and Donna Gallaher  
Del Mar Highlands  
East Bluff Townhomes  
3756 Fallon Circle  
San Diego, CA  
[dgallaher@san.rr.com](mailto:dgallaher@san.rr.com)

- 97.1 A summary of existing traffic conditions on local streets is included in Tables 5.2-2 and 5.2-3 of the Draft EIR. Although the commenter expresses concern about traffic congestion, the current level of service (LOS) on Del Mar Heights Road is considered acceptable because it is LOS D or better (see Table 5.2-2). Similarly, Table 5.2-3 indicates that the intersections along Del Mar Heights Road currently operate at an acceptable LOS.
- 97.2 The Draft EIR identified that certain local roadway segments and intersections will experience congestion in the future. As a review of Table 5.2-30 indicates, the addition of project traffic will cause the LOS on Del Mar Heights Road between the I-5 ramps, High Bluff Drive, and El Camino Real between San Dieguito Road and Via de la Valle to drop to an unacceptable LOS in both the near-term and buildout condition. Intersections of Del Mar Heights Road with the I-5 ramps, High Bluff Drive and El Camino Real would also drop to an unacceptable LOS with project traffic.
- 97.3 As described in responses to comments 63.168 through 63.170, the City considers payment of FBA fees to ensure that no significant impacts to parkland would occur.
- 97.4 As indicated in response to comment 7.11, the proposed development would not significantly impact local schools.

COMMENTS

RESPONSES

From: bgarbutt@san.rr.com  
To: DSD EAS:  
Subject: One Paseo  
Date: Friday, May 25, 2012 6:48:15 PM

Dear Martha blake,  
I am writing to voice my opposition to the proposed "One Paseo" plan for my neighborhood. I moved here 22 years ago renting for the first two years and purchasing my home 20 years ago. This decision was made based on the original plan for that location to have 510,000s.f. of commercial space along with all other plans for Carmel Valley. Just as we opposed the military housing plan and Walmart coming to this area this is also not acceptable to this area and for similar reasons---the traffic gridlock.  
Kilroy Realty also has not been honest about much of this project starting from stating they solicited input from the residents---as I stated above I have been here for 22 years and was never contacted. They also do not state the size of the buildings not counting the base for each area which is parking etc. The density of this project is totally "out of sink" with this community and even worse as we still do not have the 100 acres of parks according to city standards and we do not need another "heart" for Carmel valley---we have one and it is not the buildings.  
I hope you will add my comments to others opposing this project as currently planned.  
Thank you,  
Betty Garbutt

- 98.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.
- 98.2 The amount and nature of communications between the project applicant and the local community is not an issue required to be addressed under CEQA.
- 98.3 The building heights discussed in the Draft EIR and represented in the accompanying visual simulations count the aboveground parking structure elements as building stories.
- 98.4 The Final EIR acknowledges that the density associated with both the Originally Proposed Project and the Revised Project would be inconsistent with the character of surrounding development. Thus, the Final EIR concludes that the proposed development would result in a significant, unmitigated impact on neighborhood character.
- 98.5 Refer to responses to comments 63.168 through 63.170 for a discussion of the adequacy of existing parks to serve the Carmel Valley community with development of the Revised Project.

COMMENTS

RESPONSES

**GARNER**

3955 San Leandro Way, San Diego, CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake,

I want to thank the City for all the work that went into preparing the Draft Environmental Impact Report for the One Paseo proposal. I think it is a very clear, thorough document that will allow the community to weigh the benefits of the One Paseo project against any environmental impacts. Because I believe that One Paseo's benefits would be far more numerous and significant than any possible impacts, I want to take this opportunity to offer my support for the project.

I've lived in the area for 26 years, and I find it frustrating that there aren't any good places to walk around here. That's one reason I support the proposed One Paseo plan. The development is meant to cater to pedestrians particularly. And thanks to the mixed-use nature of the project, there's a lot I could accomplish on a walk there. I could pick up groceries, have lunch, take my wife shopping, see a film. The very idea that One Paseo will function as a community village is exactly what would make it such a success. This is what the City of San Diego had in mind with its "City of Villages" plan.

I realize that some have raised concerns over the project's possible effects on local traffic. I don't feel this is a serious problem. Of course, the developers have committed money to addressing possible issues, and I'm sure we'd need to put in some stoplights and make other adjustments. Still, any project built on that property under its current zoning would result in traffic increases that would also necessitate these adjustments. The difference is, One Paseo by its very nature would do a lot more for the community than any another development on the site would. A block of office buildings, for instance, wouldn't do nearly as much to benefit Carmel Valley residents. I feel that One Paseo's developers have done a great job working in concert with the public to develop their plans, and consequently, I think that they reflect the needs and desires of our community very well.

Thank you for giving us the opportunity to comment on this process. I wholeheartedly believe that One Paseo would be a great addition to Carmel Valley, and I know I'm not alone in that thought. We'd love to see this project become a reality soon.

Sincerely,

  
Paul Garner

99.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

99.2 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

99.3 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Olga](#)  
**To:** [DSD EAS](#)  
**Subject:** NO on One Paseo Project 193036  
**Date:** Tuesday, May 29, 2012 2:21:32 PM

100.1 [ Please do not approve this massive project in our community. A series of ten and eight story buildings are totally out of character with beautiful Carmel Valley.

100.2 [ I'm a homeowner for 18 years in Carmel Valley and community member with no vested interest but the betterment of my community and my city.

[ This project is simply horrible! The negatives far outweigh the positive.

Olga George  
 Carmel Valley, SD 92130

100.1 Comment noted. The Draft EIR, in section 5.3.3, recognized that the construction of the Originally Proposed Project would result in significant impacts to the neighborhood character of the area. The proposed buildings would, despite project design strategies to minimize apparent height and mass of the structures, contrast with existing low-scale, low-intensity development immediately adjacent to the project site. As this comment reiterates information and conclusions already contained in the Draft EIR, it does not raise any specific issues with respect to the adequacy of the Draft EIR.

100.2 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.



May 29, 2012

Ms. Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101  
RE: Project No. 193036/SCH No. 2010051073

**Re: REVIEW OF DRAFT ENVIRONMENTAL IMPACT REPORT  
ONE PASEO MIXED-USE PROJECT  
SAN DIEGO, CALIFORNIA**

**Ref: J1093**

Dear Ms. Blake:

Gibson Transportation Consulting, Inc. (GTC) reviewed the Draft Environmental Impact Report (Draft EIR) for the proposed One Paseo mixed-use project (the Project) in San Diego. GTC, a traffic engineering and transportation planning firm located in Los Angeles, California, has extensive experience in preparing and reviewing traffic studies throughout Southern California. We found the transportation analysis to be thorough, detailed, and consistent with industry standards. We were, however, surprised at how conservative the assumptions and the resulting analysis were.

**1. Project Trip Generation**

San Diego Associated Governments (SANDAG) has been studying trip generation characteristics of mixed-use developments in San Diego. A new model has been developed and tested to predict the mixed-use project trip generation.

*Trip Generation for Smart Growth* published by SANDAG in June 2010 found that "On average, the *San Diego Traffic Generators* trip generation rates for suburban development would overestimate traffic from six mixed-use study sites by 29 percent." The six sites studied were mixed-use developments within San Diego and mixed-use reductions from *San Diego Traffic Generators* were applied to the overestimated numbers.

The trip generation rate applied to the Project and approved by City of San Diego staff results in a trip generation reduction of approximately 4-8% of Project related trips when compared to the trip generation of the Project if each land use were calculated separately. The 4-8% reduction in project generated traffic volumes generally represents trips that are internally captured, (i.e., trips that originate within a project and have another land use within the project as a destination).

101.1 This comment reinforces the fact that the traffic analysis used conservative traffic generation assumptions, which assures that the analysis did not underestimate and, in fact, likely overestimated, the traffic impacts associated with the proposed development. Thus, no response is required.

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Mixed-use developments like the Project are becoming more common and the traffic engineering industry is becoming more and more involved in researching the travel characteristics of these developments. National, statewide, and local research has recently been conducted and is now ongoing to better understand the characteristics of mixed-use development trip generation. Some of the more well-known research found the following results:

- In *Measuring Trip from Mixed-Use Development: A Six-Region Study*, trip generation surveys showed that mixed-use developments "average internal capture rates vary from a low of 8 percent for Atlanta to a high of 28 percent for Houston."
- In *Analysis of Trip Generation Estimates for Mixed-Use Development*, sample surveys taken at mixed-use developments found that "the total site peak period internal capture rates achieved at all three locations had fairly high rates with a minimum of 25% and a maximum of 50%."
- *Enhancing Internal Trip Capture Estimation for Mixed-Use Developments* states "The other widely used approach is a policy determined flat percentage reduction in external trips. Such percentages are established by local planning, zoning, or transportation engineering officials for use in TIAs [traffic impact analyses] prepared to support applications for zoning, subdivision, site plan approval, or access permits. The percentages are most typically in the range of 10%, but were found to range between less than 5% and as much as 25%."
- *Comparing Methodologies for Estimating Trip Internalization of Mixed-Use Development* tested five different trip generation methodologies by estimating the number of net new trips generated after consideration of the mixed-use nature of two large developments and one mixed-use district. The study found that estimated internal capture reductions when compared to "single use land use" trip generation estimates for the projects averaged 24.4%. When compared to actual traffic counts of vehicles entering/leaving the three sites, the reduced net new projections still overestimated the actual counts by over 16%.

The state of the practice is moving toward the use of a blended trip generation rate for mixed-use development that takes into account the internalization of trips and the shift of mode from auto to pedestrian and transit within these types of projects. As can be seen above, the actual experience at mixed-use developments shows project trip generation totals that are 15-25% below the estimates produced by the single use, free-standing trip generation rates.

The One Paseo Draft EIR used the *San Diego Traffic Generators* trip generation rates even though the SANDAG work showed definitively that these rates substantially overestimate the actual trip generation of mixed-use developments. In the One Paseo Draft EIR, the analysis only took a mixed-use reduction credit between 4% and 8% according to Table 3-2 of the traffic study. This means that the trip generation studied in the Draft EIR may overestimate the actual trip generation of the Project by as much as 20-25%.

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101.1  
cont.

The effect of this overestimation is cumulative. If every project in a Community Plan area overestimates the individual project trip generation, the total long-range traffic projections for the area never materialize and potentially roadways are overdesigned. When one looks back at projections from the previous Community Plan update, the long-range traffic projections are seldom realized within the time frames projected.

**2. Benefits of Traffic Signal Systems**

Traffic signal systems have made great advances in the past 20 years. Cities have computerized and connected traffic signals so that traffic flow along a corridor improves and the effective capacity of the roadway is increased.

While One Paseo has offered to implement traffic signal system enhancements along corridors within its study area, the Draft EIR took no credit for these improvements. The effects of these improvements have been shown to be substantial in other California cities.

From *4,114 Stoplights in Los Angeles and the Intricate Network that Keeps Traffic Moving* (<http://www.forbes.com/sites/ionbruner/2012/01/25/how-los-angeles-keeps-traffic-moving-through-4114-stoplights/>);

"The system [ATSAC] proved itself quickly; Repeated studies since the 1990s have found that travel times fall by 15% near connected signals and motorists make 20% to 30% fewer stops, massive improvements for a cost of about \$150,000 per intersection"

Los Angeles, West Hollywood, Beverly Hills, and Culver City give a 7-10% capacity increase for traffic signal improvements while Pasadena, Glendale, Burbank assign a 5-7% increased lane capacity to reflect signal system improvements.

These traffic signal enhancements would improve the intersection level of service (LOS) by one-half to one full service level if the Project had been credited with the 5-10% capacity increases that other California cities routinely assign to the types of signal improvements offered in the One Paseo mitigation program.

**3. Mitigation Effectiveness**

Table 1-25 from *Traffic Impact Analysis for One Paseo* dated March 23, 2012 shows that the mitigation program actually increases the capacity of many intersections beyond the capacity used by Project traffic.

- Under long-range Buildout Conditions, the Project had significant impacts (before mitigation) at five of the 36 intersections tested.
- All but one intersection would operate at LOS D or better in both peak hours with Project mitigation.

101.2

101.3

101.2 This comment reinforces the benefits of the signal synchronization system proposed by the project applicant, and the fact that post-mitigation traffic is likely overestimated. Thus, no response is required.

101.3 This comment reinforces conclusions of the traffic report, and states that post-mitigation traffic is likely overestimated. Thus, no response is required.

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- Once mitigations are implemented, five of the 10 peak hours tested will operate better with the addition of Project related mitigation than they would without the Project.
- The signalized Project driveways will operate at LOS A during the morning peak hours and LOC C during the afternoon peak hours. These new signals will not be an impediment to traffic flow on Del Mar Heights Road.

The Draft EIR did not highlight the positive effects of the project mitigation program. Combined with the likely overestimation of Project trip generation and the absence of any credit for the traffic signal system, the effects of the Project mitigation program are likely to be even greater than described above.

4. **Shared Parking**

*Shared Parking, 2<sup>nd</sup> Edition* (Urban Land Institute and the International Council of Shopping Centers, 2005) describes shared parking as follows:

*Shared parking is defined as parking space that can be used to serve two or more individual land uses without conflict or encroachment. The opportunity to implement shared parking is the result of two conditions:*

- *Variations in the peak accumulation of parked vehicles as the result of different activity patterns of adjacent or nearby land uses (by hour, by day, by season)*
- *Relationships among land use activities that result in people's attraction to two or more land uses on a single auto trip to a given area or development*

Most zoning codes provide peak parking ratios for individual land uses. While this appropriately recognizes that separate land uses generate different parking demands on an individual basis, it does not reflect the fact that the combined peak parking demand, when a mixture of land uses shares the same parking supply, can be substantially less than the sum of the individual demands.

For example, a retail/restaurant mixed-use development would see a peak parking demand for retail uses in the early to mid-afternoon while restaurant uses peak in the lunchtime and/or evening hours (depending on the type of restaurant). Office uses experience peak parking in the late morning and early afternoon hours of a weekday while a cinema paired with an office building could use the office parking during evening and weekend hours.

The One Paseo mixed-use development will experience the advantages of shared parking because the Project parking supply would serve the varying peak parking patterns of the office, cinema, retail, and hotel land uses within the Project.

101.4 This comment reinforces conclusions of the shared parking analysis. Thus, no response is required.

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**5. Reduced Automobile Dependency**

The Project is consistent with the goals of SB375 and SANDAG Sustainable Communities Strategy (SCS). By combining synergistic uses within a mixed-use development and siting them along a planned transit corridor, the Project will reduce automobile dependence and strengthen the multimodal goals of the Community Plan.

Under SB 375, which went into effect in 2009, an SCS must demonstrate how development patterns and transportation network, policies, and programs can work together to achieve greenhouse gas emission reduction targets for cars and light trucks, if there is a feasible way to do so. If a Metropolitan Planning Organization cannot meet the targets through an SCS, then the region is required to develop an alternative planning strategy that demonstrates how targets could be achieved.

In essence, the SCS includes four building blocks:

- A land use component that accommodates the Regional Housing Needs Assessment and includes the protection of sensitive resources, including areas protected under habitat conservation plans
- Transportation networks including highways, transit, and local streets and roads
- Transportation demand management strategies
- Transportation system management programs and policies

The Project, made up of a complimentary mixture of land uses and located in proximity to transit and neighborhoods, supports the goals of SB 375 and the Community Plan.

**6. Study Area Determination by Topic**

Concern has been expressed that the Draft EIR has different study areas for the traffic analysis and the economic analysis. The two studies are based on completely different measures of significance, and the use of different study areas is neither erroneous nor inconsistent. The traffic study measures the impact of the project on the local and regional roadway and transit network. As such, the study area for the transportation study is limited to those streets and intersections that are close enough to the Project and utilized by enough of the traffic coming to and going from the project to potentially cause a significant impact at any of the above mentioned facilities. The geographic limit of the traffic study can therefore be quantitatively determined by tracking all of the Project trips until they dissipate enough to no longer create a significant impact on the transportation system.

An economic study measures the effects of the Project on the competing projects in the area and the geographic area of the economic effects may be much different than the geographic area of the traffic study.

101.5 This comment reinforces the conclusions in the EIR that the mixed use character of the proposed development would serve to reduce reliance on the private automobile and support the goals of SB 375. Thus, no response is required.

101.6 This comment reinforces the study area selected for the traffic analysis, as well as the conservative nature of the analysis. Thus, no response is required.

COMMENTS

RESPONSES

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**SUMMARY**

The Draft EIR made very conservative assumptions regarding the project trip generation, and the effects of the Project mitigation program. It did not discuss the positive effects that the Project would have on the SANDAG SCS. In short, the conservative nature of the Draft EIR likely overstates the impact of the Project on the transportation system.

We would be happy to answer any questions on any of the above points.

Sincerely,



Patrick A. Gibson, P.E., PTOE  
President



Richard Gibson  
Associate

101.7 This comment reinforces the conclusions in the EIR and traffic analysis. Thus, no response is required.

COMMENTS

RESPONSES

**From:** [wgivens@san.rr.com](mailto:wgivens@san.rr.com)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo Feedback  
**Date:** Wednesday, May 23, 2012 10:07:44 AM

Sirs-

Please see that this email gets to Ms. Martha Blake and the other appropriate officials.

In regards to the proposed mega-development at One Paseo in Carmel Valley, as a resident I feel I need to comment. In short, this proposal is not favorable at all.

Mixed use is a good idea when scaled, planned and developed properly. The massive, dense and utterly out-of-scale proposal of One Paseo is a great idea for a large city such as Los Angeles or Irvine. It is a terrible idea for a suburban neighborhood such as Carmel Valley.

The buildings are too tall (10 stories!), the housing is too dense, the traffic impact will be massive and the entire project is of a scale and size that exists almost nowhere in San Diego with the possible exception of downtown.

Show us any development in Carmel Valley with a 10 story building, next to another 10 story building, next to an 8 story building?!!

How does One Paseo serve the residents of Carmel Valley? How does it fit in the community plan? Why is the developer being allowed to thwart the character of our community and place such a large and unneeded collection of businesses designed to attract customers from out of the area? Why the size and height of the buildings? Why the density of residences? Why no parks or open space? Why to any of this?

Please, I urge you to do your jobs as the voice of the public residents and uphold the community vision, scale, character and purpose. Don't let Carmel Valley get a Los Angeles sized disaster jammed into our suburb. This is not the type of massive mixed use that will benefit Carmel Valley or San Diego at large. Please help us.

Thank you so much.

Will Givens  
12553 El Camino Real #D  
San Diego, CA 92130

102.1 With respect to the project's relationship to the character of the surrounding community, the Draft EIR, in Section 5.3.3, recognized that the Originally Proposed Project, while consistent with the overall pattern of development in Carmel Valley, the difference in bulk and scale compared to immediately adjacent development would result in significant impacts to the neighborhood character.

However, the project applicant has modified the development proposal to reduce the bulk and scale of the project by reducing the maximum building height from 10 to 9 stories, and increasing the amount of open space, particularly in the northwest corner of the project site, where a 1.1-acre passive recreation area and nearby 0.4-acre children's play area would be created. Although the Revised Project would reduce the neighborhood character impacts, Section 12.9 of the Final EIR concludes that the neighborhood character impacts associated with the Revised Project would remain significant and unavoidable.

102.2 The proposed development would provide additional opportunities for local residents to work, shop, and recreate in the community. The density of the proposed project is intended to achieve the underlying goal of the City's General Plan to promote community village development in keeping with the recent emphasis at the state level to promote smart growth. Moreover, as described in page 5.1-22 of the Draft EIR, the General Plan specifically recognizes that impacts to neighborhood character would occur as the "City of Villages" strategy is implemented. In response to public comments and concerns, the Revised Project proposed by the project applicant reduces the intensity of the project by 22 percent, as well as reducing the maximum building height from 10 to 9 stories. As stated in Section 12.9 of the Final EIR, the Revised Project would reduce, but not eliminate, the project's impact on local neighborhood character.

COMMENTS

RESPONSES

102.3 The Final EIR acknowledges that the Originally Proposed Project and the Revised Project would have a significant impact on neighborhood character due to the proposed bulk and scale. This impact is consistent with the types of impacts anticipated in the General Plan in its discussion of the “City of Villages” strategy and implementation. However, weighing the benefits of the development against the impact on neighborhood character is outside the purview of an EIR. The City Council will make this determination when it considers the project.

COMMENTS

RESPONSES

**From:** [Pete Godefroy](#)  
**To:** [DSD EAS](#)  
**Subject:** Carmel Valley One Paseo / Project No. 193036  
**Date:** Thursday, May 03, 2012 11:20:09 AM

103.1

I am a resident of Del Mar Heights. I am opposed to the Kilroy One Paseo project as submitted because of the extremely high density of the project. The builders should not be granted any waivers, changes, etc. from the original zoning.

Pierre Godefroy  
13151 Shalimar Place  
Del Mar, CA 92014

103.1 As discussed in response to comment 102.1, the Final EIR recognizes that construction of the Originally Proposed Project or the Revised Project would result in significant impacts to the neighborhood character.

COMMENTS

RESPONSES

**From:** [Marilyn Goldstein](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo DEIR comments ( project # 193036/SCH NO 2010051073 )  
**Date:** Wednesday, April 11, 2012 6:07:19 PM

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Dear Ms. Martha Blake  
 Environmental Planner,

I would like to voice my opposition to the One Paseo project planned for Carmel Valley.

Carmel Valley is a friendly and "homey" community with many parks, recreation and sports programs, pools, shopping, medical offices, schools, landscaping, and other amenities with numerous "main streets".

104.1 [ When I view the developer's publicity brochure and read the information about the One Paseo project, it resembles Fashion Valley and Mission Valley in its scope. This would be counter to maintaining our friendly and "homey" community.

104.2 [ We as a community care about our environment and greatly oppose this project.

104.3 [ Would you send me information regarding scheduled public community meetings and hearings regarding this project.

Thank you for your consideration,

Marilyn Goldstein  
 Carmel Valley Resident

104.1 As discussed in response to comment 102.1, the Final EIR recognizes that construction of the Originally Proposed Project or the Revised Project would result in significant impacts to the neighborhood character.

104.2 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

104.3 By virtue of the fact that this comment has been submitted during the public review period, the commenter will be added to a notification list that will provide notice of upcoming hearing dates.

COMMENTS

RESPONSES

May 29, 2012

Ms. Martha Blake, Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

RE: Project No. 193036/SCH No. 2010051073 – One Paseo

Dear Ms. Blake:

As a local homeowner, I wholeheartedly support the proposed One Paseo project. Although I live in the City of Del Mar, I am only a mile away from One Paseo. When it comes to managing basic errands, local options are poor at best; Del Mar Highlands is far too crowded and even with the new retail shops, provides a monopoly on the marketplace offering the "best" from the limited alternatives that are provided at Piazza Carmel, Carmel Country Plaza and Del Mar Heights Village. The mixed use nature of the office, housing and retail components will be a benefit to the area and community.

I understand that the Draft EIR for the project has been issued and that is a milestone for completing One Paseo. I believe that many benefits of One Paseo would outweigh any significant impacts identified in the Draft EIR.

For these reasons and many others, I hope to see One Paseo developed soon.

Sincerely,



Richard Gonor  
13738 Nogales Drive  
Del Mar, CA 92014

105.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Susan Goodell](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo  
**Date:** Wednesday, May 23, 2012 7:54:14 PM

Hello,

106.1 I am very concerned about the proposal for One Paseo. I have lived in Del Mar for 37 years, prior to the development of Carmel Valley. Initially, in the beginning phases it was called "North City West". It was a nice addition the the area as it began, and now the traffic is quite congested, most times of the day. In Del Mar Highlands, finding a parking place is often quite challenging. The problem seems to increase weekly.

106.2 The addition of a huge development in the same area is a very short-sighted idea, and will benefit the developers only. We have a responsibility as citizens to preserve the beauty we have around us. "Pave Paradise and Put in a Parking Lot" is a very bad strategy that will only harm all of us and the lifestyle we enjoy.

Please think clearly, respect the DEIR, and act accordingly.

Sincerely,

Sue Goodell

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Susan Goodell, MA, MS, MFT  
Del Mar, CA (619)997-5333 [suegoodell@sbcglobal.net](mailto:suegoodell@sbcglobal.net)  
<http://www.emdrtherapistnetwork.com/susan.goodell>  
<http://therapists.psychologytoday.com/35371>  
[www.sandiegotraumatotherapy.com/sue.goodell.htm](http://www.sandiegotraumatotherapy.com/sue.goodell.htm)  
<http://www.sandiegotherapists.com/goodell.html>

106.1 With respect to project-related traffic impacts, the Draft EIR, in Section 5.2.2, and Section 12.9 of the Final EIR, acknowledges that both the Originally Proposed Project and Revised Project would result in significant impacts to local street segments and intersections. Although the proposed development would include roadway improvements which would improve traffic flow in the community, certain traffic impacts would remain significant. For example, improvements to the Del Mar Heights Road bridge interchange at I-5, required to fully mitigate project traffic impacts, are within the jurisdiction of Caltrans and beyond the control of the City and the project applicant.

106.2 As discussed in response to comment 102.1, the Final EIR recognizes that construction of the Originally Proposed Project or the Revised Project would result in significant impacts to the neighborhood character.

COMMENTS

RESPONSES

From: [Robert Goodman](#)  
To: [DSD EAS](#)  
Subject: One Paseo opinion  
Date: Friday, May 25, 2012 5:36:09 PM

To the editor:

It is time to put aside the hyperbole and exaggeration about One Paseo. Whether it is constructed or not, the sky is not going to fall and the world is not going to come to an end. Only by sorting through the exaggerations, however, can we make a decision we all can live with.

I should say at the outset that I support some kind of development on that land. It has been an eyesore ever since I moved to Carmel Valley almost twelve years ago. It is time for that vacant parcel to be turned into something that benefits the community.

Opponents of the development complain that it will change the character of the community. It will certainly change the character of the *block*. But Carmel Valley itself cannot change significantly, because the community is pretty much built out already. The neighborhoods are likely to be unchanged. The character of Carmel Valley is nevertheless likely to be affected by changes in the surrounding areas. New developments are already adding housing to Torrey Hills. When development in Pacific Highlands Ranch resumes, the hundreds of new households will affect Carmel Valley far more than One Paseo will. Carmel Valley resources will be tested, including Carmel Valley commercial resources. It may well need the retail services One Paseo promises to bring. At any rate, Carmel Valley cannot let the world pass it by. It is going to change, largely because of factors over which it has absolutely no control.

Some of the arguments against One Paseo border on the silly. No parks are included in the plan, so residents of One Paseo will overwhelm local parks? I haven't noticed much crowding at local parks so far, and I don't see how 1,600 new residents will change that. Perhaps Kilroy will plan a park in One Paseo and make the objection moot. One Paseo "violates" the general plan? General plans are not cast in stone. They are just that, general plans that evolve with the community with input from the community. And we are giving community input right now.

Traffic impacts, however, do need to be addressed. Opponents claim that

107.1 The discussion in Section 5.3 of the Draft EIR acknowledged that the proposed development would have a significant impact on neighborhood character in the area.

107.2 The Originally Proposed Project and the Revised Project both incorporate planned open space. The Revised Project includes 1.5 acres of publically accessible passive recreation that could provide for a number of passive recreation activities including children's play areas, picnicking, and informal sports and 1.5 acres of greenbelts and plazas which would be open to the public. As described in responses to comments 63.168 through 63.170 and Section 12.9 of the Final EIR, the City considers payment of FBA fees to ensure that no significant impacts to parkland would occur. FBA fees are used for acquisition of parkland or intensification of recreational uses at existing parks that will expand use of those parks.

COMMENTS

RESPONSES

- 107.3 The comment correctly points out that General and Community Plans must react to changes in circumstances, and that community input is a vital consideration in any proposal to modify or amend these documents. In addition to the public comment period for the Draft EIR, the public will have additional opportunities to comment on the proposed development at the upcoming public meetings hearings related to the proposed development.
- 107.4 This comment correctly identifies the fact that the proposed development is expected to have significant impacts on local traffic, and that mitigation of some of the impacts (e.g., Del Mar Heights Road bridge and the segment of Del Mar Heights Road between the interchange and High Bluff Drive) would require actions or approvals on the part of Caltrans which are beyond the control of the project applicant and the City. The City Council will weigh these unmitigated impacts at the time it considers whether or not to approve the proposed project. If the City Council chooses to approve the project despite unmitigated traffic impacts, it will make a Statement of Overriding Considerations which will describe the overriding social, economic or other factors which led to its decision to approve the project despite unmitigated traffic impacts.

COMMENTS

RESPONSES

107.4  
cont.

traffic will cause "impose gridlock" on "already congested" roads and "overwhelm" Carmel Valley. I wonder how many have actually read the traffic portion of the draft environmental impact statement. There will be long-term negative impacts that do warrant concern, particularly along Del Mar Heights Road at Camino Real and High Bluff and at the ramps to Interstate 5. Mitigation at the interchanges with I-5 is largely the responsibility of CALTRANS, which may or may not cooperate with the city. The DEIR points out that the High Bluff and El Camino Real interchanges would be no better than marginally acceptable whether One Paseo is built or not. Still, these impacts may be unavoidable costs of One Paseo, and we do have to decide whether they are costs we are willing to pay in exchange for the services One Paseo will offer.

107.5

Contrary to what the opponents say but according to the DEIR, most of the other impacted roads and intersections can be mitigated to satisfactory levels (satisfactory at least as far as traffic engineers are concerned), with two exceptions. El Camino Real between San Dieguito Road and Via de la Valle and Via de la Valle between San Andres Drive and El Camino Real are unacceptable now and unlikely to improve until San Dieguito Valley is no longer considered to be environmentally sensitive land. They are also largely in Del Mar, and it is fair to ask whether Carmel Valley should be hamstrung by the needs of Del Mar.

I need to point out, also, that much of the opposition to One Paseo is funded by Del Mar Highlands Shopping Center. There is nothing wrong with that; Kilroy is funding most of the support of One Paseo. But I can question whether it is a good business decision. To the extent that Del Mar Highlands becomes more desirable by the presence of One Paseo, it will benefit from the upscale businesses it attracts and increased rents it collects. If anyone is entitled to be upset, it is Piazza Carmel, which is more likely to be hurt by the competition. But it has not, to my knowledge, done much if anything to complain. By funding (dare I say, orchestrating?) the opposition, however, Del Mar Highlands looks to be only self-serving and possibly misinformed.

It does no good to criticize and find fault without proposing alternatives. Something needs to be done with the block. It is one of the few unimproved tracts of land in the area, and it stands out more like a sore thumb every day it goes unimproved. Approve One Paseo, tell Kilroy to come up with something less ambitious, or turn it into a park. But do something.

Robert L. Goodman  
3738 Carmel View Road  
San Diego

107.5 Roadway improvements are identified in the mitigation measures which would reduce the impacts to less than significant. However, as the project applicant cannot control widening of the Del Mar Heights Road bridge as specified in the mitigation measures, the project's impacts on the bridge would remain significant. Furthermore, without bridge widening, the additional lane on Del Mar Heights Road between the bridge and High Bluff Drive, needed to accommodate project traffic, would not be effective. Thus, the impacts to this segment would also remain significant for the Originally Proposed Project and the Revised Project. All other project traffic impacts would be mitigated to a level less than significant.

COMMENTS

RESPONSES

Suzanne Graham  
4354 Corte De La Fonda  
San Diego, CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake,

As a mother, my first concern is always for my family and my kids. It's very important to me that our community serves the needs of local families. I am keen to see the One Paseo development become a reality for Carmel Valley because I think it will do a lot to enhance the family-friendliness of this community.

One Paseo offers a number of benefits to residents here, including new stores that would give us much more convenient shopping options. What I really like about the development proposal, though, is all the public open space it would bring to the community. The open design of the project is very appealing, and it would give my kids a nice place to have fun on the weekends or after school. In short, One Paseo would facilitate more quality family activities – a big plus.

The Draft Environmental Impact Report offers important analysis on the environmental effects we might expect if the project is approved, but I think it's clear that everything One Paseo offers would make it well worth it. This project would be a wonderful gift to the community.

Sincerely,

*Suzanne M. Graham*  
Suzanne Graham

*P.S. I will not support any plan that includes housing without provisions to build more schools, K-12, in Carmel Valley.*

108.1 As noted by the comment, the Originally Proposed Project and the Revised Project would provide a range of open space and recreational amenities including a 1.1-acre passive recreation area and nearby 0.4-acre children's play area, and 1.5 acres of greenbelts and plazas, which would be open to the public.

108.2 As discussed in response to comment 7.11, impacts on local schools would be mitigated through payment of the required school fees.

COMMENTS

RESPONSES

Debra Grannick . 4738 Plummer Court . San Diego, CA 92130-1338

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake,

Now that the Draft Environmental Impact Report for One Paseo has been released, I would like to submit my comments in favor of the project. I am confident that One Paseo would benefit our community in many ways.

More than anything, I think that One Paseo could serve as a real central point for our Carmel Valley. By offering a variety of needed amenities in a single convenient location, this development would make life much easier for Carmel Valley residents.

It would be much easier to spend more time closer to home if shops, grocery stores, and restaurants were within closer reach. It's not just that One Paseo would bring added convenience to the lives of residents, though. The development would offer much more – namely, a family-friendly space where friends and neighbors can easily gather and enjoy one another's company. This development could do a lot to enhance the character of our community.

Plus, because of the potential of significant patronage to these new businesses, One Paseo would raise tax revenue for the area. I imagine that the development would also help to increase property values as well.

I understand that there have been comments made about traffic impacts associated with the One Paseo project. It is important for the City to note that any development at this site, including development of another office park, would create such impacts. However, if the property were developed as an office park the community would not get the central gathering place and other benefits it so desperately needs.

In short, I believe we would all benefit from One Paseo's development, and I hope to see this project move forward as proposed.

Sincerely,



Debra Grannick

109.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Gwilliam, Doug](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo project - Carmel Valley  
**Date:** Tuesday, May 29, 2012 10:53:54 AM

Dear Ms. Blake,

As a long time commercial tenant in the High Bluff section of Carmel Valley, (and actively looking to relocate my 120 employee firm back that way this next year) I would like to congratulate all involved for the excellent work done in preparation for the One Paseo project.

The plan to provide such a mixed use project can meet so many needs and add to the overall community significantly. I began to pay attention when the developer began seeking significant resident and tenant feedback as they began the planning phases of this project, very impressive and forward thinking I felt. I also understand that the objective is to build this project to the highest "green" building standards possible.

I would encourage those involved in any of the final approval processes to proceed with this project and help it become part of this unique community.

Thank you,  
 Douglas

Douglas J. Gwilliam, President  
 CBIZ Benefits & Insurance Services, Inc.  
 10616 Scripps Summit Court, Suite 250  
 San Diego, CA 92131  
 (858) 795-7455 - direct  
 NYSE: CBZ

110.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Gwilliam, Stephanie](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo, Carmel Valley  
**Date:** Tuesday, May 29, 2012 11:24:45 AM

Ms. Martha Blake  
Environmental Planner  
City of San Diego

RE: One Paseo/Project No. 193036/SCH No. 2010051073

Dear Ms. Blake,

I would like to voice my support for One Paseo. It would provide Carmel Valley its own gathering center which would serve as a focal point for our community thereby enhancing Carmel Valley’s community character. I am excited to see the many amenities added to the community that are currently lacking, specifically entertainment opportunities for our family that would be close to home.

I support many other aspects of this project. For example, I appreciate that the developer has done extensive community outreach, and completed a thorough DIER report. A mixed-use development like this would bring many new shopping and dining options closer to home for all of us. This is a smart growth project that puts much needed amenities within reach of locals so that we don’t always have to drive out of town.

I am wholeheartedly in support of One Paseo and hope to see the project approved soon.

Sincerely,

*Stephanie Gwilliam*

Office Manager  
CBIZ Benefits & Insurance Services, Inc.  
10616 Scripps Summit Court, #250  
San Diego, CA 92131

858.795.7462 | 858.795.7460 | [sgwilliam@cbiz.com](mailto:sgwilliam@cbiz.com)

 Please consider the environment before printing this e-mail.

111.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

From: Felicia Hansen  
To: DSD EAS;  
Subject: Opposed to ONE PASEO in Carmel Valley - City of San Diego 92130  
Date: Thursday, May 17, 2012 2:56:04 PM

I was advised to forward this to you.

TO:  
Project Planner, Renee Mezo  
Council Member for Carmel Valley, Sherri Lightner  
Chair of Carmel Valley Comm Planning board, Frisco White:

112.1 I am very much opposed to the the building of ONE PASEO and especially now finding out more information that the developer has hidden about the expansion from 500,000 sq ft to now over 3,652,580 sq ft.  
Talk about bait and switch!

112.2 It's good for the developer but bad for our community with traffic and congestion with traffic -- estimated at 4+ times more traffic. This is NOT LA.

Please put my my vote on record to stop this development now and save our Carmel Valley community.

Thank you,  
Felicia

--  
Felicia Hansen  
HANSEN MARKETING & MEDIA  
12940 Cristallo Pl.  
#101  
San Diego, CA 92130  
858-259-0955  
felicia.consultant@gmail.com

112.1 The reference to 3,652,589 square feet references a preliminary version of the development which preceded the version referred to as the Originally Proposed Project, which was actually submitted to the City for processing, and was the subject of the Draft EIR. The Originally Proposed Project, which was the subject of the Draft EIR proposed a maximum of 1,857,440 gross sf. The Revised Project, which is currently being pursued by the project applicant, reduces the square footage to 1,454,069.

112.2 With respect to project-related traffic impacts, the Draft EIR, in Section 5.2.2, and Section 12.9 of Final EIR, acknowledges that both the Originally Proposed Project and Revised Project would result in significant impacts to local street segments and intersections. Although the proposed development would include roadway improvements which would improve traffic flow in the community, certain traffic impacts would remain significant. For example, improvements to the Del Mar Heights Road bridge interchange at I-5, required to fully mitigate project traffic impacts, are within the jurisdiction of Caltrans and beyond the control of the City and the project applicant.

COMMENTS

RESPONSES

From: jade hao  
To: DSD EAS  
Subject: One Paseo, Project 193036  
Date: Sunday, June 03, 2012 9:07:14 PM

113.1  I am opposed to the proposed One Paseo project in Carmel Valley.

113.2  -Density is too much for Carmel Valley.

113.3  -Traffic will overwhelm Carmel Valley and neighboring communities.

113.4  -Building Heights do not match community character.

113.5  -Does Not Comply with community plans.

Thank you

Yuqing Hao  
13582 Jadestone Way,  
San Diego  
CA 92130

113.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

113.2 The density of the proposed project is intended to achieve the underlying goal of the City’s General Plan to promote village development in keeping with the recent emphasis at the state level to promote smart growth. It should be noted that the project applicant has modified the Originally Proposed Project. The Revised Project reduces the intensity of the project by 22 percent as well as reduces the maximum building height from 10 to 9 stories. However, as stated in the Draft EIR and Section 12.9 of the Final EIR, the density associated with both the Originally Proposed Project and Revised Project contribute to the conclusion that the proposed development would result in a significant and not mitigated impact on neighborhood character.

113.3 With respect to project-related traffic impacts, the Draft EIR, in Section 5.2.2, and Section 12.9 of the Final EIR, acknowledges that both the Originally Proposed Project and Revised Project would result in significant impacts to local street segments and intersections. Although the proposed development would include roadway improvements which would improve traffic flow in the community, certain traffic impacts would remain significant. For example, improvements to the Del Mar Heights Road bridge interchange at I-5, required to fully mitigate project traffic impacts, are within the jurisdiction of Caltrans and beyond the control of the City and the project applicant.

113.4 The Final EIR acknowledges that the bulk and scale of the Originally Proposed Project as well as the Revised Project would result in a significant impact on local neighborhood character.

113.5 As discussed in response to comment 10.42 and Section 5.1 of the Draft EIR, the Originally Proposed Project and the Revised Project would be consistent with the Carmel Valley Community Plan and General Plan.

COMMENTS

RESPONSES

**From:** [Cathy Hardalo](#)  
**To:** [DSD EAS](#);  
**cc:** [Lightner, Councilmember Sherri](#);  
**Subject:** Comments on "One Paseo" Project#193036/SCH No. 2  
**Date:** Monday, May 07, 2012 4:00:00 PM

114.1 The purpose of this email is to convey my strong opinion against approval of the proposed project for "One Paseo" in its current scope. I live in Carmel Valley a few blocks away from the site of the proposed development.  
 I support efforts to reduce the scope back to the original "approved" plan or serious consideration of a significantly re-vamped plan with a more comprehensive approach to traffic handling, alternative transportation, and parking.

114.2 As a resident of Carmel Valley for 5 years who commutes on all of the roads affected by the peak rush hour traffic detailed in the environmental impact report, I have noted that the traffic conditions in this particular area have only gotten worse. The environmental impact report and its assessment provided to the public predicts severe and persistent traffic delays and in some cases, worsening of the existing "F" level of service on the major surface roads. To say that this project will have "no impact" is missing the point entirely- traffic conditions are already unacceptably bad and there is no plan to make it any better. Why is this developer even being allowed to propose an increase in scope when there is empty retail and commercial space throughout Carmel Valley and Sorrento Valley, as well as a glut in housing units vacant in this area?

114.4 There should be a move to improve traffic conditions by reducing the number of single person cars traveling through this area, not continue the conditions that we already put up with because there are no alternatives (yet). This proposed project will have a negative impact on quality of life in this neighborhood, and would be a major reason I would leave the neighborhood. There was a large amount of investment (and hassle to residents putting up with construction noise and detours for 9+ months) in renovating the Del Mar Highlands town center as a new gathering place. The rationale for a new development is lost on me and my neighbors- I thought we had a "town center" so why do we need a "Main Street"?

114.5 We have seen less available on-street parking since the renovation brought new stores and restaurants to our area. More places to eat and to shop (within walking distance) was a nice idea, but since the developer did not plan adequately for where the employees need to park, the residents now can no longer find street parking reasonably close, unless you wait until the shops close. Can we expect more of the same poor planning from the developer of One Paseo and how far do we need to search to park this time?

114.1 The project applicant has revised the project from the version evaluated in the Draft EIR. The Revised Project would reduce the overall density and intensity in comparison with the Originally Proposed Project. In addition, as discussed in response to comment 6.7, the Revised Project includes an enhanced TDM Plan to reduce reliance on the private automobile by enhancing pedestrian and bicycle movement throughout the project and providing a shuttle service to residents, employees and shopping patrons associated with the development.

114.2 This comment suggests that the Draft EIR traffic analysis concluded that the proposed project will have "no impact" upon traffic in the area. The statement is inaccurate. Section 5.2 of the Draft EIR described the potential impacts of the project on the circulation system and concludes that significant unmitigated impacts would occur.

114.3 As discussed in response to comment 8.4, an economic study of the potential effects of the Originally Proposed Project concluded that the retail supply, included as part of the Originally Proposed Project, would not exceed the overall retail demand within the trade area. An update to this study was prepared for the Revised Project (included as Appendix B.1 of the Final EIR) affirmed this conclusion. Further, as discussed in both economic analyses, the market conditions are forecast to continue to remain favorable within the trade area due to the projected ongoing demand for additional retail space.

As discussed in response to comment 10.13, with regard to vacant housing units, the residential market generally has been depressed due to the recent recession. The single-family and multi-family home market in the area is now showing stability. With time, the housing market is expected to regain its full strength, absorb residential vacancies, and ultimately spur new residential development.

114.4 As discussed in response to comment 6.7, the proposed project would implement a TDM Plan which would encourage the use of car pools, shuttle service, bicycles, and walking to reduce dependence upon automobiles. The project would provide shuttle service during peak hours, and integrated pedestrian and bicyclist access within the development connecting with existing facilities on the surrounding streets. In addition,

114.4 cont. the mixed-use nature of the development would reduce dependence on the automobile by allowing residents to work, shop and recreate onsite. Employees at the commercial facilities would also be able to walk to restaurants and retail stores. Also, the Revised Project, which is currently being pursued by the project applicant, would reduce the traffic associated with the Originally Proposed Project.

With respect to the quality of life concern expressed in the comment, the Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a substantial reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in the Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.

114.5 As discussed in response to comment 41.1, the parking associated with the development is considered adequate for the project. The mixed-use nature of the proposed project offers opportunities for shared parking which none of the other developments in Carmel Valley have and is expected to exceed the demand, so the issues outlined in this comment regarding a parking deficiency would not occur.

COMMENTS

RESPONSES

114.6 There is also insufficient plans to make alternative forms of transportation feasible and safe. Bicycle lanes are regularly invaded by frustrated, enraged motorists, creating an environment that is overtly hostile and dangerous to those of us who (often) commute on a bike or walk to work or dinner. Why do we have to suffer insult and potential injury when we are trying to deal with a traffic problem created by poor planning? Where are the plans for bike routes or safe pedestrian crossings? Where is the plan for more mass transit from the Coaster station to the new office complex? All of these items should be part of a comprehensive development plan that should be made available to the public.

114.7 Without these elements guaranteed as part of the plan, this development is likely to negatively change the character of this area of Carmel Valley because it will perpetuate traffic congestion during peak AM and PM hours. The property values will not increase due to this problem, and the new units will only flood an already glutted real estate market with depressed values from foreclosures and short sales.

114.8

I have expressed my opinion also to our local member of the community planning board. I hope that my neighbors will continue to voice their opinions against this development proposal.  
Sincerely,

*Catherine (Cathy) Hardalo, MD  
12650 Carmel Country Rd, Unit 116  
San Diego, CA 92130  
Phone (858) 452-0370 (ext. 436)*

114.6 As discussed in response to comment 6.7, the Revised Project includes an enhanced TDM Plan. In addition to enhancements to pedestrian and bicycle access, the TDM Plan includes a shuttle service for the project during am/pm peak hours and lunch hours. This shuttle service would connect the project with the Sorrento Valley transit station to facilitate use of transit by residents, employees, and shopping patrons associated with the proposed development. Additionally, as discussed in response to comment 63.268, the bicycle routes included in the proposed development are considered adequate. The internal bicycle routes, as stated in response to comment 6.7, will connect with Class II bicycle lanes associated with High Bluff Drive, Del Mar Heights Road and El Camino Real.

Furthermore, as discussed in comment 6.7, the project would look for ways to accommodate and encourage the use of planned bus service to the project area including a Bus Rapid Transit line (Bus Route 473) expected to run along Del Mar Heights Road and El Camino Real by the year 2030. In particular, the project will provide for a proposed bus stop along El Camino Real on the perimeter of the project.

114.7 The enhancements to alternatives to the private automobile (e.g., sidewalks, bicycle routes and shuttle system) included in the TDM Plan would be required to be implemented by the project applicant as part of the conditions of project approval. Similarly, the traffic mitigation measures identified in the Final EIR would be required as conditions of approval. Including these actions as conditions of approval would assure their implementation. However, as stated in the comment, even with the mitigation measures, traffic congestion would continue to occur within the community.

114.8 As discussed in response to comment 10.13, the potential effect of the project on property value is beyond the purview of the EIR.

COMMENTS

RESPONSES

**Patricia Harmetz**  
5298 Greenwillow Lane  
San Diego, CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake:

As a Carmel Valley resident, I would like to submit the following comments in support of the proposed One Paseo project.

I know that many other local residents like myself are looking forward to the amenities that One Paseo would provide to Carmel Valley. I enjoy dining out and going to movies on the weekends, but it's difficult to do so in Carmel Valley right now. Parking is terrible at the Highlands, and there are very few local dining or entertainment options available anyway. With One Paseo, the community would benefit from a much more diverse selection of restaurants and cafes, boutique shops, and entertainment possibilities. Ample, well-situated parking is part of the very cohesive plan the developers have created. So are numerous pedestrian walkways and bike paths that would make the whole development very walkable and accessible. I like the idea of the dynamic, community village atmosphere that would be created there, and I think it would really enhance what Carmel Valley has to offer the residents who live here.

I believe the benefits of this project outnumber any of the potential impacts identified in the Draft EIR, and I would love to see it approved soon. I hope that these written comments will suffice to show my strong support for One Paseo.

Sincerely,

  
Patricia Harmetz

115.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

Law Offices Of

William J. Harris

May 29, 2012

Ms. Martha Blake, Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Re: Project No. 123036/SCH No. 2010051073

Dear Ms. Blake:

As a local business owner, I feel that I am uniquely qualified to comment on the One Paseo project and the project's Draft Environmental Impact Report. I support the One Paseo project for numerous reasons, including its high quality design and balanced mix of uses.

One Paseo would implement the Community Plan goal of maintaining the "balance" of the Carmel Valley community, as well as the local neighborhood, by providing a mix of complementary uses. Rather than including just office space, One Paseo provides a range of uses that provide a variety of services to the neighborhood. The office, residential and retail uses also work together to decrease traffic by reducing the need for residents or workers to use a car and travel out of the area for their daily activities.

The different uses proposed in One Paseo also help the project blend with its surroundings and actually avoid incompatibility with development that already exists next to the project site. For instance, the proposed condominiums would be built opposite the existing residences across the street to the north and east. The offices would be built across from neighboring office buildings to the west. As a result, each kind of development around the project site would generally find a similar use developed near it within One Paseo.

Thank you for the opportunity to comment on the One Paseo project and the One Paseo Draft Environmental Impact Report.

Very truly yours,



William J. Harris

WJH:rd

2039  
San Elijo Avenue  
Cardiff by the Sea  
California  
92007-1726

Telephone  
760.452.2788  
Facsimile  
760.452.2678  
E-mail  
wjh@wjharrisdaw.com

116.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

116.1

COMMENTS

RESPONSES

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**From:** [Dave Haskell](#)  
**To:** [DSD EAS;](#)  
**Subject:** 193036  
**Date:** Monday, May 28, 2012 9:40:47 AM

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117.1  Vote against this monstrosity!!  
Dave Haskell  
13009 Long Boat Way  
Del Mar, CA 92014

117.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Dave Haskell](#)  
**To:** [DSD EAS](#)  
**Subject:** 193036 (One Paseo)  
**Date:** Thursday, May 24, 2012 9:07:22 AM

118.1

Killroy has submitted a plan that is definately over kill!!! I'm looking forward to the development of the area, however, I want it to be within keeping of the original scope and size. I am very concerned about all the problems this huge monstrosity is going to cause, i.e., traffic, schools (the middle school is already to capacity), parks and athletic fields (again they are already limited), visually not with keeping to the community village feeling. Please vote against One Paseo.

Lynn Haskell  
 13009 Long Boat Way  
 Del Mar, CA 92014

118.1 With respect to project-related traffic impacts, the Draft EIR, in Section 5.2.2, and Section 12.9 of the Final EIR, acknowledges that both the Originally Proposed Project and Revised Project would result in significant impacts to local street segments and intersections. Although the proposed development would include roadway improvements which would improve traffic flow in the community, certain traffic impacts would remain significant. For example, improvements to the Del Mar Heights Road bridge interchange at I-5, required to fully mitigate project traffic impacts, are within the jurisdiction of Caltrans and beyond the control of the City and the project applicant.

Additionally, as discussed in response to comment 7.11, the project's impact on local schools would be mitigated through the payment of school fees. Information regarding the number of school-aged children generated by the project as well as school enrollment and capacity information for surrounding schools is also presented in response to comment 7.11.

The City considers payment of FBA fees to ensure that no significant impacts to parkland would occur. FBA fees are used for acquisition of parkland or intensification of recreational uses at existing parks that will expand use of those parks.

The Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in the Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.

COMMENTS

RESPONSES

Marty Hayes  
12633 El Camino Real  
Apartment 3107  
San Diego, CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

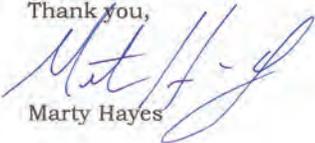
Dear Ms. Blake,

Because I live about 50 feet away from Kilroy Realty's proposed One Paseo project, I've paid a lot of attention to plans for the project ever since I first heard about it. The Draft Environmental Impact Report focuses on the project's potential impact on our environment. There are many other aspects of the development that would be incredibly beneficial to Carmel Valley, however. That's what I'd like to focus this letter on today.

One Paseo would create a convenient, central location where residents could shop, dine, see a movie, or just spend time relaxing outside. I welcome the idea of a local "community village" that would be easily accessible by foot. I know that the developers have incorporated a network of pedestrian and biking paths throughout the project and adjacent developments, which would make it easy to visit the site without having to get in the car. The development would also be located along a proposed bus line, which should further help to reduce the number of drivers in and around the development. All of these transit alternatives make the project even more appealing, and I think they fall very much in line with the kind of smart growth ideals San Diego city planners support.

I would love to see more activities and amenities available in the area, and One Paseo is the best way to make sure this happens in a sensible, cohesive way. I fully support this project, and I hope that you'll give it your support as well.

Thank you,

  
Marty Hayes

119.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

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**From:** [Ingrid Heisler](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo, Project 193036  
**Date:** Thursday, May 24, 2012 11:52:46 AM

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120.1

I have been a resident of Carmel Valley for 16 years, and I am strongly opposed to the One Paseo Project. It would destroy the character of our neighborhood, and have a very negative impact on the lives of the residents  
Ingrid Heisler, 12560 Carmel Creek Road, San Diego, CA 92130

120.1 The Final EIR acknowledges that the bulk and scale of the Originally Proposed Project as well as the Revised Project would result in a significant impact on local neighborhood character.

COMMENTS

RESPONSES

**Maureen Hennessey**

4920 Sandshore Ct, San Diego, CA 92130

Frisco White  
Chair, Carmel Valley Community Planning Board  
c/o Allen Kashani  
6025 Edgewood Bend Ct.  
San Diego, CA 92130

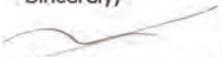
Dear Mr. White:

I have lived in the Carmel Valley area since 1999. I am writing to share my support for the One Paseo project as a longtime resident, and as someone who cares about the continued wellbeing of this community. For many of my 13 years here, I worked as a professional nanny taking care of two boys. I believe that this mixed-use development would be really good for them because of the family-friendly space it would provide. Having a sense of community is very important to me, and One Paseo would help bring that to Carmel Valley.

Another positive attribute of this development is the additional shopping options it would bring to the area. Currently, most Carmel Valley residents have to drive a ways to do any shopping, which makes the convenience and accessibility of a centralized, diverse shopping area highly appealing to me. I think it would not only complement existing businesses in the area, but the community as a whole. Furthermore, One Paseo would bring new revenue to our community, which could go toward repairing local budgets for such vital public services as schools.

Combined, these benefits are a great deal more important than any possible environmental impacts noted in the project's Draft Environmental Impact Report.

Sincerely,



Maureen Hennessey

121.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

From: Amber Herold
To: DSD EAS
Subject: One Paseo, Project 193036
Date: Wednesday, May 23, 2012 2:24:44 PM

Hello.

I am a home owner and resident of Carmel Valley. I recently reviewed the Paseo project plans and would like to share my concerns.

Foremost, the plan will clearly result in a significant change to the character of the area:

1. There is not enough open public space planned to create an inviting town center. A crowded and congested area of tall buildings is something I normally avoid.

2. There will be much more traffic and the mitigation plans will drastically decrease the walk-ability of the neighborhood. I believe any new construction should be more pedestrian friendly.

3. The increased traffic and addition of traffic signals will make Carmel Valley much less desirable as a resident. I have lived on both La Jolla and Pacific Beach, and those communities are a nightmare to get in and out of during peak traffic. One of the best aspects of Del Mar and Carmel Valley is the relative ease of travel.

Furthermore, I did not see any mention of how the increased number of residents will be served by the existing community infrastructure:

1. What will be the impact on our schools, library, and community center? Our schools are already crowded and the parking lots at the library and community center are often full.

2. When children living in the new complex walk to school, they will need to cross either Del Mar Heights or El Camino Real on foot. As a parent, this would terrify me and I would probably drive the kids to school instead, worsening traffic gridlock around our schools. Also, as a commuter, I would not like the additional pedestrians at the busy traffic signals exacerbating traffic congestion.

3. The neighboring Del Mar Highlands shopping center has already become too congested and parking is usually difficult to find there. When the new 600+ new neighboring households need to buy groceries at Ralphs or Jimbos, where will they park?

4. One of the great things about living in Carmel Valley is that there is a nice park within a few blocks of most residents that does not require crossing major streets such as Del Mar Heights or El Camino Real. New residents of the project will not have easy access to playgrounds, picnic areas or recreation areas.

I would love to have more restaurants, retail and office space (and a theater

122.1 The Final EIR acknowledges that the bulk and scale of the Originally Proposed Project as well as the Revised Project would result in a significant impact on neighborhood character with respect to adjacent development.

122.2 As discussed in response to comment 5.6, the Revised Project includes expanded open space areas. Most notably, a 1.1-acre passive public recreation area and nearby 0.4-acre children's play area would be created at the northwest corner of the property. This recreation area would create a more inviting entry to the community and offer recreational opportunities to local residents as well as occupants of the proposed development. The development would also include 1.5 acres of greenbelts and plazas throughout the development, which would also be accessible to the public. In addition, as discussed in response to comment 5.6, the maximum building heights associated with the Revised Project would be reduced from 10 to 9 stories. Nevertheless, as indicated in the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant.

122.3 The proposed development would not decrease walkability within the community. As noted in response to comment 6.7, the Revised Project includes an enhanced TDM Plan, which would facilitate walking and bicycling within the proposed development. In addition, the proposed development would enhance pedestrian access in the community. The project includes extensive greenbelts with walkways proposed along Del Mar Heights Road and El Camino Real. These greenbelts would greatly enhance pedestrian safety and aesthetics when compared with the existing narrow sidewalks immediately adjacent to the roadways.

122.4 With respect to project-related traffic impacts, the Draft EIR, in Section 5.2.2, and Section 12.9 of the Final EIR, acknowledges that both the Originally Proposed Project and Revised Project would result in

COMMENTS

RESPONSES

- 122.4 cont. significant impacts to local street segments and intersections. Although the proposed development would include roadway improvements which would improve traffic flow in the community, certain traffic impacts would remain significant. For example, improvements to the Del Mar Heights Road bridge interchange at I-5, required to fully mitigate project traffic impacts, are within the jurisdiction of Caltrans and beyond the control of the City and the project applicant.
- 122.5 This comment lists issues discussed in detail in the comment letter. Specific responses pertaining to these issues are individually discussed below.
- 122.6 The City does not consider effects on public services such as schools and libraries to be subject to CEQA unless the project would directly result in a requirement for expansion of public services, which could involve a physical change in the environments. However, the project applicant will be required to pay a Facilities Benefit Assessment (FBA) fee. FBA fees are intended to fund public services within the Community Plan Area. According to the Carmel Valley Public Facilities Financing Plan (PFFP), FBA fees are intended to pay for police, fire, library and recreational needs of the community. It is estimated that the project would pay \$13.7 million in FBA fees.
- As discussed response to comment 7.11 the project applicant will pay school fees to compensate for impacts of the proposed development on schools.
- 122.7 As discussed in response to comment 63.277, the increase in traffic associated with the proposed development is not expected to result in any significant offsite pedestrian safety impacts. More specifically, as discussed in responses to comments 7.4 and 9.1, no substantial safety risk is expected to occur with respect to school children in the project area. The greenbelt along Del Mar Heights Road would provide a safer environment for pedestrians walking along the south side of Del Mar Heights Road.
- 122.8 The inclusion of everyday goods and services as a part of the Revised Project would allow project residents and employees to obtain these commodities onsite without relying on private automobiles which require parking spaces. Furthermore, should project occupants desire goods and services within the Del Mar Highlands Town Center, the close proximity of the center would allow them to walk or bike and not exacerbate any existing parking issues related to the center.

COMMENTS

RESPONSES

122.9 As discussed in responses to comments 5.6 and 63.168 through 63.170, the Revised Project includes 10.7 acres of open space, including a 1.1-acre passive recreation and nearby 0.4-acre children's play area at the northwest corner of the project and 1.5 acres of greenbelts and plazas. Collectively, these facilities will provide residents of the project with immediate access to recreational space and will provide recreational space to the community as a whole.

COMMENTS

RESPONSES

122.10  
cont.

that does not charge \$20/ticket) in Carmel Valley, however I believe the current plans far exceed in size and scope what the neighborhood can handle. I would like to see:

1. The building heights reduced to match surrounding buildings
2. The number of buildings reduced and the amount of open space increased dramatically
3. A more pedestrian and bicycle friendly plan
4. Far fewer or no residences considering the poor pedestrian access to parks and schools

Thank you for considering my input regarding this project.

Best,  
Amber Herold  
12735 Via Nieve  
San Diego, Ca  
92130

122.10 As discussed in response to comment 5.6, the Revised Project accomplishes many of the desires expressed in this comment. The building heights would be reduced; although, not to a degree that would eliminate the neighborhood character impact associated with the proposed development. With the Revised Project, the number of buildings would be reduced, with the elimination of the proposed hotel, and the amount of open space within the project would increase. The TDM Plan would further enhance pedestrian and bicycle access within the project. However, the Revised Project would not achieve the desire to reduce or eliminate residential development. A residential component is considered critical to achieving the smart growth goals established by the City's General Plan as well as meeting the housing needs of the region.

**From:** [Chris Herold](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo, Project 193036  
**Date:** Wednesday, May 23, 2012 12:29:48 PM

Dear Sir/Madam,

I am a home owning resident with two children in Carmel Valley and have significant issue with the One Paseo project UNLESS there are significant mitigations to the traffic and personnel congestion that WILL occur. I support development, but I do not support it at the inordinate expense of local residents and the extraordinary financial benefit of developers who do not have the best (or any) interest of the local residents in mind, unless, of course, that interest happens to coincide with their financial benefit. I say thanks again to Ellen Browning Scripps for her philanthropic vision in saving the area now known as Torrey Pines State Park. And I wonder why other individuals and/or governments do not form coalitions to save themselves from the predatory behavior of developers who bait communities with the promise of near-term dollars at the cost of increased psychological and physical stress. A park would be much better situated in the parcel of land currently planned for the One Paseo Project, both aesthetically and for the health of the community. Sadly, the tangible Net Present Value of a park pales in comparison to that of the proposed commercial and residential development, although it has been very well established that the intangible benefits of a park extend over life-times.

Thank you for your time.

Chris Herold  
 12735 via Nieve  
 San Diego, CA 92131

123.1 The Draft EIR, in Section 5.2.2, and Section 12.9 of the Final EIR acknowledge that the Originally Proposed Project and the Revised Project would result in significant impacts on traffic. Roadway improvements are identified in the mitigation measures which would reduce the impacts to less than significant. However, as the project applicant cannot control widening of the Del Mar Heights Road bridge as specified in the mitigation measures, the project’s impacts on the bridge would remain significant. Furthermore, without bridge widening, the additional lane on Del Mar Heights Road between the bridge and High Bluff Drive needed to accommodate project traffic would not be effective. Thus, the impacts to this segment would also remain significant for the Originally Proposed Project and the Revised Project. All other project traffic impacts would be mitigated to a level less than significant.

With regard to the congestion discussed in the comment, the proposed project would implement a TDM Plan which, as outlined in response to comment 6.7, would provide integrated pedestrian and bicyclist access within the development connecting with existing facilities on the surrounding streets. This new infrastructure would encourage the use of bicycles, and walking, to help reduce the potential for personnel congestion

While development of the subject property as a park would reduce environmental impacts associated with the proposed project (e.g., traffic and neighborhood character), a discussion of park use of the property is not required under CEQA. Section 15126(a) requires that alternatives considered in an EIR meet most of the basic objectives of a proposed project. As discussed in Section 3.1 of the Draft EIR, the basic objectives of the project include creating a mixed-use development with housing and employment opportunities; implementing the village concept of the General Plan; and promoting sustainable development. Use of the property as a park would not fulfill the basic objective of creating a mixed-use development nor would it provide job and housing opportunities.

COMMENTS

RESPONSES

**From:** [Lonnie Hewitt](#)  
**To:** [DSD EAS](#)  
**Subject:** NO to One Paseo  
**Date:** Monday, May 21, 2012 6:36:46 PM

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Dear Folks,  
My husband and I have lived in Del Mar for many years and are very much opposed to the One Paseo project, which will turn Carmel Valley into a Los Angeles nightmare.  
Please reconsider approving this plan which will do none of us but the developer any good.  
Thank you,  
Lonnie and Maurice Hewitt

Lonnie Hewitt  
Author/Arts & Lifestyle Writer  
858-523-0223  
[hew2@sbcglobal.net](mailto:hew2@sbcglobal.net)  
[www.lonniebursteinhewitt.com](http://www.lonniebursteinhewitt.com)

124.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

From: paulhichborn@att.net
To: DSD EAS;
Subject: "One Paseo DEIR Comments (Project No. 193036/SCH No. 2010051073)".
Date: Monday, May 28, 2012 4:09:56 PM

Project Name: ONE PASEO
Project No. 193036/SCH No. 2010051073
Community Plan Area: Carmel Valley
Council District: 1 (Lightner)

- 125.1 We are opposed to the proposed One Paseo project in Carmel valley. We have lived in this area for the last 35 years and have seen the development of Carmel Valley expand all the way to Interstate 15. It appears that now the developers want to fill in every available space that is left over with more buildings. What happened to the proposed green belt areas and parks? The roads are already congested and falling apart. How will additional traffic "improve" this? Why is it that the developers always get the upper hand? A site plan was originally approved at a much lower density and the One Paseo renditions showed this. Now they are being allowed to double/triple the size of the development?
125.2
125.3 We strongly believe that this proposal will create too high of a density in Carmel Valley.
125.4 We strongly believe the additional traffic will gridlock the existing roads.
125.5 The building heights do not match the existing community character.
125.6 The proposal does not comply with community plans.

Sara & Paul Hichborn

125.1 As discussed in response to comment 5.6, the Revised Project includes 10.7 acres of open space including greenbelts along Del Mar Heights Road and El Camino Real, a 1.1-acre passive recreation area and nearby 0.4-acre children's play area in the northwest corner, and a series of plazas. In addition, as discussed in response to comment 63.168, the project would pay FBA fees which would help provide additional park and recreation opportunities within the community contingent upon need. As indicated in response to comment 63.169, an estimated 98.02 acres of parkland is expected to be available to the community at buildout.

With respect to project-related traffic impacts, the Draft EIR, in Section 5.2.2, and Section 12.9 of the Final EIR acknowledge that both the Originally Proposed Project and Revised Project would result in significant impacts to local street segments and intersections. Roadway improvements are identified in the mitigation measures which would reduce the impacts to less than significant. However, as the project applicant cannot control widening of the Del Mar Heights Road bridge as specified in the mitigation measures, the project's impacts on the bridge would remain significant. Furthermore, without bridge widening, the additional lane on Del Mar Heights Road between the bridge and High Bluff Drive needed to accommodate project traffic would not be effective. Thus, the impacts to this segment would also remain significant for the Originally Proposed Project and the Revised Project. All other project traffic impacts would be mitigated to a level less than significant. In addition, as discussed in Section 12.9 of the Final EIR, the Revised Project currently being pursued by the project applicant would reduce the impacts related to traffic, but not to a level below significance. The City Council will weigh the benefits of the development against the impact on traffic when it considers the project.

125.2 The City is unaware of any specific development proposal that would have resulted in less development on the site than considered in the Draft EIR. Furthermore, as discussed in response to comment 5.6, the Revised

COMMENTS

RESPONSES

125.2 Project would result in a 22 percent reduction in the density and intensity cont. over that associated with the Originally Proposed Project.

125.3 The conclusion of the Final EIR that the proposed development would result in a significant impact on neighborhood character reflects the commenter’s concern related to the proposed density with respect to the surrounding neighborhood.

125.4 Sections 5.2.2 and Section 12.9 of the Final EIR conclude that the Originally Proposed Project and Revised Project would result in a significant traffic impacts reflects the commenter’s concern related to the traffic congestion in the community. Roadway improvements are identified in the mitigation measures which would reduce the impacts to less than significant. However, as the project applicant cannot control widening of the Del Mar Heights Road bridge as specified in the mitigation measures, the project’s impacts on the bridge would remain significant. Furthermore, without bridge widening, the additional lane on Del Mar Heights Road between the bridge and High Bluff Drive needed to accommodate project traffic would not be effective. Thus, the impacts to this segment would also remain significant for the Originally Proposed Project and the Revised Project. All other project traffic impacts would be mitigated to a level less than significant.

125.5 The conclusion of the Final EIR that the proposed development would result in a significant impact on neighborhood character reflects the commenter’s concern related to the proposed density with respect to the surrounding neighborhood.

125.6 As discussed in responses to comments 10.40 and 75.10, the proposed development is consistent with the City of Villages strategy to focus growth into mixed-use activity centers or villages. As also described in the response to comment 10.40, the General Plan sets forth certain criteria for village sites, and the project site meets those criteria. In fact, as discussed in Section 5.1 of the Draft EIR, General Plan Figure LU-1 (Village Propensity Map) identifies the project site as having “moderate” village propensity, and village sites anticipate an intensification of land uses in such sites.

City approval of the proposed amendment to change the project site’s land use designation would eliminate the project’s potential conflicts with applicable aspects of the Community Plan (as identified in Table 5.1-1 of the Draft EIR).

COMMENTS

RESPONSES

**From:** [Kimberly Hiland-Belding](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo, Project 193036  
**Date:** Saturday, May 26, 2012 12:04:02 PM

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Hi,

I don't want to live in L.A. That's why I live here. Green space is part of what makes San Diego not just another L.A. suburb. Please enforce existing rules to give Carmel Valley the amount of green space and play areas that it needs. I live across the freeway from the One Paseo site and frequent area parks with my son. The amount of land for this project ought to contribute four and a half acres of new green space and play areas, but I understand it won't. Where are the proposed residents supposed to go for recreation if enough space isn't built into the plans? Do you want to add to the traffic congestion since residents would have to load everybody into the car just to go play somewhere? Or add to the parking lots at the existing parks? The existing rules were written for a reason. Please enforce the existing rules for parkland and green space so Carmel Valley isn't just some L.A. suburb.

Thanks,  
Kim

126.1 As discussed in responses to comments 63.168 through 63.170, the Revised Project would generate a demand for 4.67 acres of population-based parkland. Adequate parkland to serve the proposed development would be assured through payment of FBA fees. The Revised Project would, therefore, not result in a significant impact on parks. Furthermore, the Revised Project includes, 1.5 acres of publicly accessible passive recreation that could provide for a number of passive recreation activities including children's play areas, picnicking, and informal sports, and 1.5 acres of public greenbelt and paseos.

COMMENTS

RESPONSES

Camille Hilmer  
12554 Caminito Mira Del Mar  
San Diego, CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake,

I would like to voice my support for One Paseo. I think that his project comports well with San Diego's "City of Villages" plan. It would provide Carmel Valley's own local town center, thereby serving as a focal point for our community and helping to enhance Carmel Valley's community character. These are benefits that are easy to see and easy to agree on.

There are many other aspects of the project that I feel strongly about. I appreciate the role that the community's input has played throughout the planning process for the site. I also appreciate the developers' commitment to addressing potential traffic impacts created by the project. I am excited to see this empty property become something valuable for our community, and it's my opinion that the potential benefits of the project are much more numerous than any of the traffic-related effects noted in the draft Environmental Impact Report.

A mixed-use space like this would bring many new shopping and dining options closer to home for all of us. This is smart growth – putting much-needed amenities within reach of locals so that we don't always have to drive out of town.

One Paseo would also help to open up more job opportunities for students and seniors. Along with all the construction work required to build the project, these permanent positions would do a lot of good in our community. Local tax revenue would also increase, which would be to the whole community's benefit. We could really use the money that One Paseo would help to pump into our local economy.

I am wholeheartedly in support of One Paseo because I believe that it makes the best use of the space in question. I hope to see the project approved soon.

Sincerely,

  
Camille Hilmer

127.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

127.1

COMMENTS

RESPONSES

From: [Connie Holm](#)  
 To: [DSD EAS](#)  
 Subject: One Paseo, Project 193036  
 Date: Monday, May 21, 2012 4:58:53 PM

Dear Ms. Blake,

I am a 19-year resident of Carmel Valley, and I am very concerned about the potential One Paseo development. I have tried to reserve judgement about One Paseo while waiting for the Environmental Impact Report to appear. I have recently read a great deal of it, however, and I am horrified at what Kilroy is trying to push through!

Kilroy bought the property with full knowledge of the restrictions on building that the parcel carried. These restrictions were thoughtfully put in place in order to keep any construction in line with the rest of the neighborhood. It is ridiculous for Kilroy to imply that it must now have a variance in order to effectively use this property. They could certainly have designed a much smaller development in the first place, but they chose to risk their large investment and try to force the citizens to accept the switch. Although Kilroy's public relations campaign has been spectacular, it was arrogant of them to have assumed that glossy brochures would be enough to win a major change in the use of the property.

I am most concerned about the impact of this development on the volume of traffic passing through Carmel Valley. I carefully read the traffic section of the EIR, and it is obvious that major traffic snarls would be caused by this high-density development. The inappropriately tall, multistory professional building alone would add a great deal of volume to rush hour traffic on Del Mar Heights and El Camino Real. Furthermore, it

128.1 The Draft EIR, in Section 5.2.2, and Section 12.9 of the Final EIR, acknowledge that the traffic generated by the Originally Proposed Project as well as the Revised Project would result in significant impacts to local street segments and intersections. Specific road improvements are identified in the mitigation measures. These mitigation measures would reduce many of these impacts to below a level of significance; however, other traffic impacts of the Originally Proposed Project as well as the Revised Project would remain significant. With regard to the comment that it is “unclear whether some suggested mitigation...” would be implemented, as discussed in response to comment 15a.4, the Draft EIR

COMMENTS

RESPONSES

128.1  
cont.

is unclear whether the suggested mitigations would solve the traffic problems. Even worse, it is unclear whether some suggested mitigations would even be implemented!

I hope that you will do everything you can to retain the current building restrictions on this parcel of land.

Sincerely,  
Connie Holm

128.1 cont. stated that certain mitigation measures are proposed for facilities that are outside the jurisdiction of the City. The statement is intended to inform the public that, although specific roadway improvements could alleviate the impact, their implementation cannot be assured by the City because it lacks the authority to allow the improvements to be made. Because of the lack of City control, the Draft EIR was unable to assume that those mitigation measures would be implemented and characterizes the impacts associated with these measures as significant and not mitigated. With regard to the building height, the Draft EIR and Section 12.9 of the Final EIR acknowledge that the building heights included as part of the Originally Proposed Project and Revised Project would contribute to a significant neighborhood character impact associated with the proposed development.

COMMENTS

RESPONSES

**From:** [Jack Holtzman](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo, Project No.193036/SCH No. 2010051073  
**Date:** Sunday, April 15, 2012 2:11:55 PM

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I'm studying the EIR and I have a question.

As an engineer with experience in traffic studies, I have been studying Appendix C -- Traffic Impact Analysis. On p. xiii of that Appendix, they give a list of all the Appendices. I was interested in looking at Appendix N described as

"N. Signal Warrants / Mitigation Cost Estimates / Conceptual Striping Layouts / Internal Street

Worksheets / Mitigation Synchro Worksheets / Queuing Analysis Worksheets / Del Mar

Heights Widening Memo"

I opened Appendix N and found it to be: "Phase I Environmental Site Assessment".

Am I looking in the wrong place, or is something mislabeled?

Thanks,  
Jack

129.1 The reference to Appendix N in the traffic report is related to an attachment to the traffic report. Appendix N in the EIR is the Phase I ESA.

129.1

COMMENTS

RESPONSES

Subject: Comments on the Draft Environmental Report for One Paseo,  
Project No. 193036, SCH No. 2010051073

I submit the following comments on the analysis of the Traffic Impact Analysis contained in the Draft Environmental Impact Report (DEIR) for One Paseo.

Jack Holtzman  
12970 Caminito Bautizo, San Diego, CA 92130  
[jmelvyn@earthlink.net](mailto:jmelvyn@earthlink.net), 858-259-4704:

Brief Summary

It is shown that traffic impacts listed as mitigated are not necessarily mitigated. The Carmel Valley area is thus even more vulnerable to serious traffic problems. This should be stated clearly in both the Conclusions and Executive Summary. Furthermore, a description of LOS E and LOS F (given below) should be given in those sections. Most people do not know the implications of having those levels of service.

Brief Qualifications to Comment on the Traffic analysis

I am a retired engineer with knowledge of traffic analysis. I have a Ph.D. and worked both as an engineer in industry and as a professor in a university.

Note: The issues raised here are complementary to other problems with the traffic analysis being raised by others.

Introduction – Presenting the Major Findings

Few, if any, readers of the DEIR will have the time and expertise to carefully review all the sections of the document. Most will presumably read the Conclusions and Executive Summary of Section 1 along with some other material of particular interest or where their expertise lies. So, it is essential that the Conclusion and Executive Summary of Section 1 contain all the major findings and issues.

Among the major findings are those traffic impacts which are mitigated or unmitigated. I have studied Appendix C – Traffic Impact Analysis and am convinced that just calling an impact mitigated without also pointing out uncertainties which could overturn the mitigation is misleading. I think this point, that “mitigated”, does not necessarily represent mitigation without uncertainty, needs to be expressed. These uncertainties could put the Carmel Valley area at greater risk than presently indicated in the DEIR.

Some of these uncertainties can be detected in obscure footnotes to tables in an appendix to an appendix. Hence, the need to expose the readers to the uncertainty issue in the Conclusion and Executive Summary of Section 1

Why Does Uncertainty Play a Particularly Important Role in this Project?

While it is well known to traffic engineers, some people reading this document may not appreciate the extreme sensitivity of delays to increases in V/C (Volume/Capacity) near 1. A small V/C increase can result in a big increase in delay and may even result in a stop and go situation.

Even taking the traffic predictions at face value, the situation is indeed very serious. For example, Table 19-31 of Appendix C, Traffic Impact Analysis, shows that, with mitigation, there are street segments with LOS E and F. Here are some characteristics of LOS E and F:

130.1 The Draft EIR clearly disclosed the effectiveness of mitigation as well as the possibility that the measures would not be able to be implemented due to a lack of City jurisdiction over certain facilities proposed for improvement (refer to pages 5.2-66 through 5.2-70). The concept of LOS is briefly discussed on page 5.2-1 of the Draft EIR. A more detailed discussion was included on page 4-4 of Appendix C.

130.2 The Conclusion and Executive Summary sections of the Draft EIR contain all major findings and issues.

130.3 The goal of the traffic analysis was to identify roadway improvements that could relieve impacts associated with the proposed development. The Draft EIR factored in the feasibility of the mitigation based on jurisdiction issues in order to determine whether the mitigation could be implemented as well as effective. As discussed in response to comment 130.1, the Draft EIR clearly described the effectiveness and feasibility of each traffic mitigation measure.

130.4 The Draft EIR, on page 5.2-1, provided a brief description of level of service methodology. Section 4.3 of the Traffic Study provides a more detailed description of LOS methodology. LOS is a measure used to describe the conditions of traffic flow. LOS is expressed using letter designations from A to F. LOS A represents the best case, and LOS F represents the worst case. Generally LOS A through C represents free flowing traffic conditions with little or no delay. LOS D represents limited congestion and some delay, however, the duration of periods of delay is acceptable to most people. LOS E and F represent significant delays on local streets, which are generally unacceptable for urban design purposes. These LOS descriptions are from Chapter 9 of the Highway Capacity Manual (Transportation Research Board, 2000).

130.4  
cont.

LOS E represents operating conditions at or near capacity. Even minor disruptions to the traffic stream, e.g., vehicles changing lanes, cause extra delays. Maneuverability is extremely limited and drivers experience physical and psychological discomfort.

LOS F describes a breakdown in vehicular flow. Vehicles typically operate at low speeds and are often required to come to a complete stop, usually in a cyclic fashion.

The descriptions of these levels of service should be included as many people would be unaware of them. (Indeed at the May 24 meeting of the Carmel Valley Planning Board meeting, someone stood up and asked "What do LOS E and F mean?") It is important also to observe that, when operating at these unacceptable LOS's, the effect of any increase in traffic gets greatly amplified. And we show that there are many factors that can contribute to traffic increases.

Sources of Uncertainty and Variability

Sources of uncertainty and variability include

- Unaccounted for, or unanticipated future, sources of traffic
- Forecasting errors, in general, become larger as the time horizon moves out
  - o 2030 is far out
  - o These can cause LOS degradation or delay increase within the same LOS
- Trip Generation Models are typically based on regression models (curve fits) which have errors (residuals).
- Aspect of randomness in projections mentioned
  - o 95 percentile mentioned in Section 14.2 in Appendix C
    - Percentiles come from a probability distribution
- However, the appearance of being conservative in this particular aspect by using a 95<sup>th</sup> percentile is nullified by a flawed analysis (to be shown below)
- Even if all parameters were known exactly, queuing approximations are used, e.g.:
  - o "Volume exceeds capacity: queue is theoretically infinite: queue shown is maximum after two cycles"
    - A footnote to table in Appendix N to Appendix C, pdf p. 74\*
- An exact analysis would start with the queue build-up before the peak hour and then look over the whole peak hour (including within-hour variations over the peak hour, only approximately characterized by the PHF).
- Obviously incorrect results shows flawed analysis
  - o 2d column of table: 95th percentile is given as less than 50th percentile queue length (referring to same page as above)
  - o While it must be larger (larger traffic volume increases queue length) – result is numerically and conceptually incorrect

130.5

130.5 The commenter correctly states that there is a degree of variability in traffic analyses. However, the traffic study was completed using City standards, including the use of a 2030 horizon year, as well as existing and interim years, and trip generation rates based on linear regression models. By focusing the analysis on peak periods, a worst-case analysis is performed that mitigates the variability. The queue analysis was reviewed, and the typos where the 50th percentile queue was shown to be greater than the 90th percentile queue was rectified. Lastly, it should be noted that queue lengths are not a parameter used to determine project traffic significance at intersections. Rather, level of service is used for this purpose.

\* I refer to a pdf page number since the page (a table) does not have a unique document page number. Since this might differ in different versions of this appendix, here is the title of the page: Queues 10: Del Mar Heights Road and High Bluff Drive, Year 2030 + Project PM, 4/48/2011

COMMENTS

RESPONSES

130.6

Perspective

If all the sources of uncertainty could be lumped together and readily quantified by a standard deviation or confidence limit, then safety margins could be introduced. This is not the case and that is the point. In an area where there are already a number of traffic hot spots and which is very sensitive to traffic increases, determination of mitigated vs. unmitigated can easily be in error.

It should be recognized in the Conclusion and Executive Summary of Section 1 that the list of mitigated and unmitigated impacts does not fully represent the vulnerabilities that the full project imposes on the Carmel Valley area.

130.6 The traffic report was prepared in accordance with City standards and generally accepted industry practices for the preparation of traffic studies.

COMMENTS

RESPONSES

**From:** [James Humberstone](#)  
**To:** [DSD EAS; Mezo, Renee; Lightner, Councilmember Sherri; white@wwarc.com;](#)  
**Subject:** One Paseo support  
**Date:** Wednesday, May 30, 2012 9:25:16 PM

To Whom It May Concern:

I wish to express my support for the One Paseo project in Carmel Valley.

I support the project for numerous reasons. Most importantly, I believe that having a community village would provide a sense of place and a gathering point for the residents, something that has always been missing from Carmel Valley. Once developed, I think that the project would enhance Carmel Valley's community character. Additionally, One Paseo will balance the community's current needs for additional retail options with our future needs for residences and transportation demand management.

For these and many other reasons, I am encouraged by the release of the comprehensive DEIR for One Paseo and hope that construction can start soon.

Thank you for your consideration.

Sincerely,

--  
James

131.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake,

I'm in favor of the proposed One Paseo project for Carmel Valley. I think it would be great for local families, especially those with children. It's a perfect fit for the area and I really hope to see the project move forward now that the draft Environmental Impact Report has been released. While the DEIR focuses on environmental impacts, I wish to draw your attention to the project's numerous benefits.

I love living in Carmel Valley, but the area has not yet reached its potential. There aren't really many open parks for residents or families to gather, no room for children to play and interact outdoors. The One Paseo plan, however, deliberately incorporates public open spaces into its design, which would give local families opportunities to fully reap the benefits of what this community has to offer. The additional shops and restaurants would create new jobs as well as give all of us more choices, and encourage families to keep their business within the community rather than go elsewhere.

As with any land use project, traffic concerns seem to dominate the conversation. Let's not lose sight of the big picture. These potential impacts are negligible in light of the many benefits One Paseo would offer to Carmel Valley. There are significant social, cultural and economic benefits to be had, and I hope to see the project approved soon.

Sincerely,



Stacy Hutchinson  
12722 Sandy Crest Court  
San Diego CA 92130

132.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**Robert Infantino**  
5115 Ruelle De Mer  
San Diego, CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake:

With the release of Draft Environmental Impact Report, I wanted to submit my comments in support of the proposed One Paseo development here in Carmel Valley. I believe this development would benefit our community in a variety of ways. In fact, I believe the benefits of this project would be far more significant than any of the potential environmental impacts noted in the report.

I spend a lot of time now at Del Mar Highlands, and it's pretty clear to me that Carmel Valley needs an infusion of new retail and dining choices for residents. Everyone would benefit from a broader local selection; consumers would have greater choice, and a bit more competition would help to keep prices reasonable, too. I'd like to keep my business here in Carmel Valley as much as possible, and I think One Paseo would really help us all in that regard. By keeping more business local, we'd boost local tax revenues in turn, which would provide still more money to invest back into the community and pay for needed services, including schools, fire protection and road work. This new business activity offered by One Paseo could do a lot to improve life for Carmel Valley residents.

I also think that the development is planned for a great location. The project itself would be quite unique, but I think the developers have done a good job designing the project so it works well with the natural topography of the site, and so that it connects well with adjacent neighborhoods and businesses. The high design quality is very clear from the plans, and I think that it would be a really appealing addition to the community.

I support One Paseo, and I hope the city will as well. Thank you for your time.

Sincerely,

*Robert L. Infantino Ed. D.*  
Robert Infantino  
*Professor Emeritus, USD*

133.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Audrey Jackel](#)  
**To:** [DSD EAS:](#)  
**cc:** [white@wwarch.com](mailto:white@wwarch.com); [Mezo, Renee;](#)  
[Lightner, Councilmember Sherri;](#)  
**Subject:** Support for One Paseo  
**Date:** Tuesday, May 29, 2012 11:04:01 PM

Dear Ms. Blake:

Please let the developer build One Paseo. I have lived in Carmel Valley for 16 years, and love this area more than anywhere I can imagine living. The only negative has been the lack of amenities that you can find in other communities, such as Encinitas, Carmel Mountain Ranch, etc.

I feel that the developers have worked very hard to include the community on decisions that will benefit all of us, and would be a tremendous benefit to all Carmel Valley residents and businesses. Our area really needs a central place for the entire community to gather, shop, eat and just enjoy each other. This project would give us all of that. Our area is currently an annoyance when it comes to shopping and doing errands, and I have always been jealous of other San Diego and Orange County communities, where they have allowed proper shopping centers to be built that actually have parking. The Del Mar Highlands shopping center is one where I want to spend as little time as possible, and if I'm lucky enough to get a parking spot, I'm so annoyed by the overcrowding, that I hurry to get my business done and leave. I can only imagine that the shops and stores would do much better if people like me enjoyed being there, spending time, buying their products.

I know that there are people out there who are against this project, and I simply cannot understand why. I can only imagine that they are the same people who have been trying to kick the Little Leaguers off of the fields in Del Mar. These people do not understand what Carmel Valley is all about, and frankly they should live somewhere else. Carmel Valley is a family community with wonderful people who want to socialize, congregate and shop together. I urge you to support this project and allow Carmel Valley to evolve the way that it was intended.

Please let them build One Paseo. We need it desperately.  
 Best Regards,

Audrey Jackel  
 (Mom, resident, shopper)

134.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

134.1

COMMENTS

RESPONSES

**From:** [Larry Jackel](#)  
**To:** [DSD EAS](#);  
**cc:** ["white@wwarch.com"](#); [Mezo, Renee](#);  
[Lightner, Councilmember Sherri](#);  
**Subject:** Support for One Paseo  
**Date:** Tuesday, May 29, 2012 11:21:28 PM

Dear Ms. Blake:

As a local business owner in Carmel Valley, I have been very much looking forward to the development of the One Paseo project, and I've frankly not understood until recently why it has not yet been built. I simply cannot understand why there are folks out there who feel that this project will be a detriment to the community. Honestly, I believe that the arguments against the project are ridiculous, and that the true reasons behind the fight are purely out of greed from the owners of the Del Mar Highlands project. Everything I have read arguing about this project is supported from groups paid for by the owners of the Highlands. It is a clear developer battle, using environmental impact as their defense.

This project will help all local businesses and local residents. It will add an element of class to our area that has yet to be seen. The mixed use project will allow for all businesses to benefit from one another and everyone will prosper. I frankly do not understand the fears from the Del Mar Highlands folks. I truly believe that they will benefit from this project as well. Honestly I cannot imagine that wonderful site having just a lot more office buildings, rather than a mixed use of residential, hotel, retail and office. We are in desperate need of more space for retail amenities. I cannot believe that people are suggesting that this project does not comply with the Community Plan. Actually, the way I read the plan, this does a perfect job of maintaining the balance that the plan calls for.

I do believe this project would bring more people from other communities to our area for the amenities, but I totally disagree that this would have an impact. The fact that this project includes a large amount of residential actually has the opposite effect of people leaving during the day to go to work elsewhere. Therefore, the impact is not at all what it is made out to be. Building strictly office on the site seems to me to have a bigger impact, and then I just cannot imagine even trying to get to Del Mar Highlands for lunch. As it is we don't have enough parking, but add another 5,000 bodies

135.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

135.1

COMMENTS

RESPONSES

with nowhere to go but there, and then you'll see a negative impact. But I guess that's what the owners of the Highlands would like to see.

I am sorry I have waited so long to comment on this project, but I never believed that it would be held up. I figured that logical minds would figure this out and it would get done. I just hope you are supporting the efforts and seeing through who is really fighting against this project.

Thank you for supporting our community, and for supporting the One Paseo project.

**Larry Jackel** | Partner | Fenway Properties  
3721 Valley Centre Dr., Suite 100, San Diego, CA 92130  
direct (858) 436-3610 | fax (858) 436-3636 | cell (619) 889-8895  
[ljackel@fenwayproperties.com](mailto:ljackel@fenwayproperties.com) | [www.fenwayproperties.com](http://www.fenwayproperties.com)

135.1  
cont.

COMMENTS

RESPONSES

**From:** [Pranav Jaiswal](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo, Project 193036  
**Date:** Tuesday, May 29, 2012 4:35:56 PM

To whom it may concern,

I am writing to oppose the One Paseo Project in Carmel Valley. There are variety of reasons including increased traffic, higher density in an already dense area, plan guidelines that do not conform and mismatch our community character. I am not opposed to development, but it should be reasonable and not be so disruptive as the plans indicate for the One Paseo Project.

Thank you for your time and consideration.

Pranav Jaiswal  
 Resident of Carmel Valley

136.1 With respect to project-related traffic impacts, the Draft EIR, in Section 5.2.2, and Section 12.9 of the Final EIR, acknowledges that both the Originally Proposed Project and Revised Project would result in significant impacts to local street segments and intersections. Although the proposed development would include roadway improvements which would improve traffic flow in the community, certain traffic impacts would remain significant. For example, improvements to the Del Mar Heights Road bridge interchange at I-5, required to fully mitigate project traffic impacts, are within the jurisdiction of Caltrans and beyond the control of the City and the project applicant.

Additionally, the draft EIR acknowledged that the density of both the Originally Proposed Project and the Revised Project would exceed that which is currently allowed by the applicable planning and zoning for the property. The density of the proposed project is intended to achieve the underlying goal of the City’s General Plan to promote village development in keeping with the recent emphasis at the state level to promote smart growth. The Revised Project reduces the intensity of the project with respect to the Originally Proposed Project by 22 percent as well as reducing the maximum building height from 10 to 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.

It is important to note that the project applicant has revised the project from the version evaluated in the Draft EIR. Implementation of the Revised Project would result in a proportionate decrease in the impacts related to density and intensity, such as impacts to traffic and neighborhood character, as compared to the Originally Proposed Project; however, with the Revised Project, impacts related to neighborhood character and traffic would still not be reduced to a level below significance.

COMMENTS

RESPONSES

Date: May 24, 2012

Subject: Comments on the Draft Environmental Report (DEIR) for One Paseo, Project No. 193036, SCH No. 2010051073

Mark and Sandra James  
12972 Caminto Bautizo  
San Diego, CA 92130  
[mjames@ucsd.edu](mailto:mjames@ucsd.edu)  
(858) 720-1235

I submit the following comments associated with the DEIR listed above and my observations on working with the document and my interactions with Kilroy Realty and the City Planning organization.

Summary

I am opposed to One Paseo Project as it is currently proposed. My objections stem from the overall size of the project and how it will transform the Carmel Valley community. The concepts of mixed use are admirable, but not at the densities being proposed.

I also am objecting to the way the DEIR is presented. With today's technology, there is no reason that links provided directly in the document could not be inserted to allow easy navigation from one section or appendix to get to the salient information needed to allow practitioners and concerned citizens to make informed and intelligent interpretations about the information provided.

Background

The University of Southern California has certified me as a practitioner in Air Pollution Control. I also conducted over 200 training sessions that covered environmental issues and urban growth specifically dealing with EIRs, air, water, and solid waste pollution as it deals with urban cities.

In reviewing the One Paseo DEIR I read the following comments (p. 12 Part 1 of 9):

**NO MITIGATION REQUIRED:**

After analysis, impacts in the following issue areas were found to be not significant under CEQA for the proposed project: **Land Use, Air Quality, Energy, Greenhouse Gas Emissions, Hydrology/Water Quality, Public Utilities, and Public Services and Facilities/Recreation.**

This certainly piqued my interest as there are anywhere between 22,881 to 26,961 additional daily trips forecasted by the DEIR (p. 1-1, Appendix C, Traffic Impact

137.1 The Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a substantial reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would

137.2 The City believes that the Draft EIR complied with CEQA, is well organized, and that the conclusions are adequately substantiated. Each EIR section and appendix was available on the City's website. Information was segregated into separate files to enable persons to review and download specific topics of interest rather than having to navigate through a single file.

Analysis). There are also two additional traffic lights being proposed between High Bluff Drive and El Camino Real on Del Mar Heights Road. Tables are provided that show the increased delays in street intersections across 36 segments for both Del Mar Heights Road and El Camino Real.

137.3 Increased traffic, more lights, more delays typically leads to more pollution being generated by automobiles.

There are many tables found in the Appendix C, Traffic Impact Analysis dealing with LOS Summaries and traffic delays. I selected Table 9-2 in the report to see if I could ascertain how the numbers were derived. A sample of the table is shown here and is representative of the other tables:

**TABLE 9-2**

**Near Term With Project Intersection Levels Of Service  
(Phase 1)**

Number	Intersection	Control	AMPeak Hour		PMPeak Hour	
			Delay	LOS	Delay	LOS
1	El Camino Real / Via de la Valle	Signalized	31.9	C	40.6	D
2	El Camino Real / San Dieguito Road	Signalized	17.1	B	27.3	C
3	El Camino Real / Derby Downs Road	Signalized	4.3	A	5	A
4	El Camino Real / Half Mile Drive	Signalized	21.7	C	18.7	B
5	El Camino Real / Quarter Mile Drive	Signalized	21.8	C	15.5	B
6	Del Mar Heights Road / Mango Drive	Signalized	34.2	C	33.5	D
7	Del Mar Heights Road / Portofino Drive	Minor Street	9.6	A	9.3	A
8	Del Mar Heights Road / T. S. P. Drive	Signalized	20.6	C	24.6	C

137.4 I contacted Kilroy Realty to verify the units that are shown in this table – did 31.9 represent seconds or minutes as no references to units are provided in the tables or footnotes. An initial call (5/22/2012) resulted in an administrator telling me that she would call me back with an answer. Her response was that this was trips/day. I commented that this made no sense and she said that I would have to contact the San Diego City Planning board to get the interpretation of the numbers. I called the same day and have yet to get a response to my question.

137.5 My next thought would be to review the Table of Contents and see where the Air Quality Analysis was done. Checking the Table of Contents (p. vi, DEIR):

137.3 While the project would generate additional criteria pollutants and GHG emissions, as discussed in Sections 5.5 and 5.7 of the Draft EIR, project-related emissions would not exceed thresholds established by the San Diego Air Pollution Control District. Therefore, the impact of these additional emissions is considered less than significant.

137.4 The column “Delay” represents seconds rather than minutes.

137.5 The commenter is mixing appendix references. Appendix G of the Draft EIR is the air quality and GHG report. The Near-term Project Worksheets mentioned in this comment are Appendix G of the Traffic Report and included in Appendix C of the Draft EIR.

TABLE OF CONTENTS (cont.)

LIST OF APPENDICES

(ON CD IN BACK OF BOOK)

- Appendix A Notice of Preparation and Public Comments
- Appendix B Retail Market Analysis
- Appendix C Traffic Impact Analysis
- Appendix D Shared Parking Analysis
- Appendix E Sight Visibility Analysis
- Appendix F Acoustical Report
- Appendix G Air Quality and Greenhouse Gas Technical Report
- Appendix H Drainage Study
- Appendix I Water Quality Technical Report
- Appendix J Water Supply Assessment and Water Supply Verification
- Appendix K Water Study
- Appendix L Sewer Study
- Appendix M Waste Management Plan
- Appendix N Phase I Environmental Site Assessment
- Appendix O Report of Geotechnical Investigation and Existing Fill Evaluation
- Appendix P Preliminary Geotechnical Investigation

Appendix G should contain the Air Quality and Greenhouse Gas Technical Report. When I went to Appendix G it had the following title and contained worksheets of the type shown below:

**APPENDIX G**

**NEAR TERM WITHOUT PROJECT SYNCHRO WORKSHEETS**

137.5  
cont.

HCM Signalized Intersection Capacity Analysis  
1: Via De La Valle & El Camino Real Near Term w/o Project AM  
3/2/2012

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	GBR
Lane Configurations	↔	↑	↔	↔	↔	↔	↔	↔	↔	↔	↔	↔
Volume (vph)	2	378	370	302	507	8	390	5	150	1	1	1
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0			4.0	4.0		4.0	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00			1.00	1.00		1.00	
Frt	1.00	1.00	0.85	1.00	1.00			0.85	1.00		0.96	
Flt Protected	0.95	1.00	1.00	0.95	1.00			0.95	1.00		0.96	
Satd. Flow (prot)	1770	1863	1583	1770	1858			1775	1583		1750	
Flt Permitted	0.95	1.00	1.00	0.95	1.00			0.95	1.00		0.96	
Satd. Flow (perm)	1770	1863	1583	1770	1858			1775	1583		1750	
Peak-hour factor, PHF	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Adj. Flow (vph)	2	420	411	336	563	9	433	6	167	1	1	1
RTOR Reduction (vph)	0	0	224	0	0	0	0	0	119	0	1	0
Lane Group Flow (vph)	2	420	187	336	572	0	0	439	48	0	2	0
Turn Type	Prot	Prot	Prot	Split	Split	Prot	Split	Prot	Split	Prot	Split	Prot
Protected Phases	7	4	4	3	8	2	2	2	2	6	6	6
Permitted Phases												
Actuated Green, G (s)	0.8	25.7	25.7	19.1	44.0			25.1	25.1		1.1	
Effective Green, g (s)	0.8	25.7	25.7	19.1	44.0			25.1	25.1		1.1	
Actuated g/C Ratio	0.01	0.30	0.30	0.22	0.51			0.29	0.29		0.01	
Clearance Time (s)	4.0	4.0	4.0	4.0	4.0			4.0	4.0		4.0	
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0			3.0	3.0		3.0	
Lane Grp Cap (vph)	16	550	468	389	940			512	457		22	
vs Ratio Prot	0.00	0.23	0.12	0.19	0.31			0.25	0.03		0.00	
vs Ratio Perm												
v/c Ratio	0.12	0.76	0.40	0.86	0.61			0.86	0.11		0.09	
Uniform Delay, d1	42.8	27.9	24.5	32.7	15.3			29.3	22.7		42.5	
Progression Factor	1.00	1.00	1.00	1.00	1.00			1.00	1.00		1.00	
Incremental Delay, d2	3.5	6.2	0.6	17.7	1.1			13.3	0.1		1.8	
Delay (s)	46.3	34.1	25.0	50.4	16.5			42.6	22.8		44.3	
Level of Service	D	C	C	D	B			D	C		D	
Approach Delay (s)		29.7			29.0			37.1			44.3	
Approach LOS		C			C			D			D	

137.5 cont.

137.6

137.7

137.8

137.9

These worksheets have nothing to do with Air Quality and are related to traffic flows, volumes and delays.

I found that Part 9 of the DEIR did summarize the Air Quality analysis. On page 5.5-17 I learned that the emission factors from automobiles was based on a computer simulation model (URBEMIS, version 9.2.4) using the results from the Traffic Impact Analysis of Appendix C. Since only summary results are presented, there is no way to tie the results back into the delays in tables 9.2.

Another computer simulation model was used to determine CO concentrations (See 5.5-22). Again only summary results are presented and without knowing what the inputs to the program were provided, there is no way to replicate the results.

Conclusions

The DEIR has several areas that need to be addressed:

- Cross reference links need to be included in the DEIR to assist people in the navigation across documents and appendices.
- Units need to be included either in the titles or footnotes.

137.6 As noted in the comment, the URBEMIS model is used to estimate emissions based on the land uses and size of the development (such as number of dwelling units, square feet, and/or number of rooms), and motor vehicle emissions associated with vehicle trips generated by the types of land uses. Land use types are based primarily on the Institute of Transportation Engineers (ITE) land use definitions used for trip generation rate information. The project-related trip generation rate information, provided in Tables 5.2-7 through 5.2-9 in the Draft EIR, and in Tables 3-1 through 3-3 of the Traffic Impact Analysis in Appendix C of the Draft EIR, were used in the URBEMIS modeling analysis. The information from Table 9-2 of the Traffic Impact Analysis in Appendix C of the Draft EIR, which presented the level of services and delay times for the 36 intersections within the project study area, was not used in the URBEMIS modeling analysis. Instead, the level of service information was used to select the top five worst intersections with a LOS rating of E or F for CO hot spots modeling analysis.

COMMENTS

RESPONSES

- 137.7 The CALINE4 model is used to estimate the CO concentrations at congested intersections. Modeling was conducted based on the Caltrans ITS Transportation Project-Level Carbon Monoxide Protocol, the traffic information from the traffic model worksheets, and CO emission factors from EMFAC2007. The number of vehicles per hour (vph) for each directional lane was used as input to the CALINE model. Idle emission factors were used for vehicle queuing at intersections, and emission factors at an increment of 5 mph between 5 mph to 60 mph were used for vehicle moving at the estimated speeds based on the red light cycle time and intersection delay time in the synchro worksheets for the five selected intersections. All of the input values are presented under Section II: Link Variables in the CALINE4 output sheets contained in Appendix G of the Draft EIR.
- 137.8 As appropriate, the Draft EIR did cross-reference technical appendices to source information and/or direct the reader to a more comprehensive discussion of issues.
- 137.9 As discussed in response to comment 137.4, the column “Delay” represent seconds rather than minutes.

COMMENTS

RESPONSES

- 137.10 [ ] • The Table of Contents needs to be fixed to identify the appropriate Appendices.
- 137.11 [ ] • References to specific worksheets and inputs used in computer models needs to be explicitly identified.
- 137.12 [ ] Both Kilroy Realty and the City Planning organization need to be responsive to requests for information.
- 137.13 [ ] Personal objections to the project include:
  - Size and scope of the project are inconsistent with the rest of the community.
  - The heights of the office building are more representative of a downtown area than that of a suburban bedroom community.
  - The density being proposed far exceeds any others in Carmel Valley.
  - The traffic and construction congestion impacts will be felt for years on Del Mar Heights Road.
  - Left hand turn lanes will replace the trees and greenery shrubbery on Del Mar Heights Road.
  - The green areas being proposed in One Paseo will have little impact or use.
  - Adding two more lights on Del Mar Heights Road between High Bluff and El Camino Real will be major headaches during the Del Mar Fair and races in the summer. Suggest that Kilroy look at using alternatives to ingress and egress into the area from other streets instead of Del Mar Heights Road.
- 137.14 [ ]
- 137.15 [ ]
- 137.16 [ ]
- 137.17 [ ]
- 137.18 [ ]
- 137.19 [ ]
- 137.20 [ ] I am familiar with the Commons built in Calabasas, California. It conforms to the nature of the community. The shops, restaurants and theater blend in and are not major disruptions to the surrounding areas. I would suggest that Kilroy use that as its model (which it often makes reference to) instead of the conglomeration being proposed.

- 137.10 As discussed in responses to comment 137.5, the appendices are appropriately labeled.
- 137.11 As discussed in responses to comments 137.6 and 137.7, the calculations in the Air Quality analysis are appropriately documented. Although the individual appendices included in Appendix G are not always cited in the text, the information is included.
- 137.12 As this comment does not refer to any specific requests for information that was not addressed by the City or the project applicant, no specific response is required.
- 137.13 The Final EIR concludes that the bulk and scale of both the Originally Proposed Project and the Revised Project would have a significant impact on neighborhood character with respect to adjacent development.
- 137.14 The Final EIR concludes that the building heights associated with both the Originally Proposed Project and the Revised Project would be out of character with the heights of the surrounding buildings.
- 137.15 The Final EIR concludes that the bulk and scale associated with both the Originally Proposed Project and the Revised Project would differ enough from adjacent development that a significant impact on local neighborhood character would result.
- 137.16 With respect to project-related traffic impacts, the Draft EIR, in Section 5.2.2, and Section 12.9 of the Final EIR, acknowledge that both the Originally Proposed Project and Revised Project would result in significant impacts to local street segments and intersections. Although the proposed development would include roadway improvements which would improve traffic flow in the community, certain traffic impacts would remain significant. For example, improvements to the Del Mar Heights Road bridge interchange at I-5, required to fully mitigate project traffic impacts, are within the jurisdiction of Caltrans and beyond the control of the City and the project applicant.
- 137.17 The Final EIR discusses the loss of landscaping in the course of installing additional lanes on Del Mar Heights Road but concludes that the loss would not result in a significant impact (see page 5.3-18 of the Draft EIR).

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COMMENTS

RESPONSES

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137.18 The landscaped open space at the corner of Del Mar Heights Road and High Bluff Drive would create an improved entry into the community. The Revised Project would further improve the entry condition by adding a 1.1-acre passive recreation area in this location. Likewise, the greenbelts proposed along Del Mar Heights Road and El Camino Real would enhance the appearance of these major roadways in the community.

137.19 Refer to response to comment 10.165.

137.20 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Fred Jermyn](#)  
**To:** [DSD EAS](#)  
**Subject:** Project No. 193036  
**Date:** Monday, May 28, 2012 11:40:48 PM

Subject: Project No. 193036

Dear Martha-

I'm glad to see that the Draft Environmental Impact Report for One Paseo has been released and that it presents a clear and comprehensive evaluation of the project's potential impacts. I know a lot of hard work went into the report's preparation, and it's good to know that the process is now moving along.

As a local resident, I feel that the positive aspects of this development will be much greater than any of the potential impacts the report addresses. I think this is particularly true in terms of possible traffic increases. As a baseline, we need to keep in mind that with the site's current zoning, any alternate uses of the property would result in traffic increases, too. The more important question is what the community will get out of any development. With One Paseo, that's a question we can answer confidently, since the community has been actively involved in the planning process for the development since the beginning. The plans are tailored to the specific needs of Carmel Valley residents, as we have expressed them frequently over the past few years: a central gathering place for the community, a wider variety of shops and restaurants closer to home, open space and walking paths, a family-friendly atmosphere, ample parking and public transit possibilities, and affordable entertainment options. In fact, these plans fall within the goals articulated in the Carmel Valley Community Plan, helping to maintain the "balance" of the community, as well as the local neighborhood, by providing a blend of complementary uses.

I am just one of many residents who is looking forward to the many benefits One Paseo will bring to local residents. I appreciate the developers' work in creating such detailed and responsive plans, and I appreciate the city's diligence in examining those plans thus far. I hope that we can keep the process moving forward, because I would really like to see the project approved soon.

Thank you,

Frederic Jermyn  
13159 Kellam Ct, Apt 60  
San Diego, CA 92130

138.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

From: [tom kampfer](#)  
To: [DSD EAS](#)  
Subject: One Paseo Concerns  
Date: Saturday, May 26, 2012 7:42:39 PM

Greetings,

I have been a resident of Carmel Valley for 15 years.

I wish express my strong concerns about the proposed One Paseo project:

139.1 Traffic on Del Mar Heights Road is already unbearable, taking 20 minutes to travel 2-3 miles at certain times of the day. No amount of statistics or "consultant-speak" can address the absolute bottleneck that will be caused by adding another 2 lights on Del Mar Heights.

139.2 Carmel Valley is a family area, with countless schools in the area. The last thing we need is more high density, more night life and associated undesirables in the area.

This development is against the family nature and suburban feel of Carmel Valley.

139.3 In summary, too much traffic, too much density, increased crime and destruction to our community values.

139.4 NO on One Paseo

Sincerely,

Tom Kampfer

139.1 As discussed in response to comment 53.2, the Final EIR acknowledges that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections. However, no data support the assertion that the proposed traffic signals on Del Mar Heights Road would create a significant traffic impact. As indicated in Tables 5.2-20 and 30 of the Draft EIR, these intersections as well as the segment of Del Mar Heights Road they intersect would operate at acceptable levels of service in the near-term. Tables 5.2-34 and 35 indicate that these intersections and segment would also operate at acceptable levels at buildout.

139.2 The Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a substantial reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.

139.3 The Final EIR concludes that the Originally Proposed Project and the Revised Project would result in significant impacts with respect to traffic and neighborhood character. As crime is not considered an environmental issue by CEQA, no conclusions were drawn with respect to the relationship of the project to crime.

139.4 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

From: [Linda Katzman](#)  
To: [DSD EAS:](#)  
Subject: Project No. 193036/SCH No. 2010051073  
Date: Tuesday, May 15, 2012 4:18:31 PM

May 15, 2012

Ms. Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101  
RE: Project No. 193036/SCH No. 2010051073

Dear Ms. Blake:

I wish to express my support for the One Paseo project in Carmel Valley. I have resided in Carmel Valley since 1996 and have always felt that this community was in need of a "village" as has been done in most of San Diego's communities. I believe One Paseo will offer this. I have personally visited The Grove and Americana which were designed by the same architect and would love to see something of this caliber constructed in my neighborhood.

I have reviewed the Draft Environmental Impact Report and found significant impacts on our Neighborhood Character. However, I believe the effect of building One Paseo is actually a net positive and will enhance my neighborhood while meeting my community's future residential and retail needs.

Sincerely,

Linda Katzman  
(858) 792-1390

CC: Councilwoman Sherri Lightner via [sherrilightner@sandiego.gov](mailto:sherrilightner@sandiego.gov)  
Frisko White, Chair, Carmel Valley Planning Group via [white@wwarch.com](mailto:white@wwarch.com)

140.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

140.2 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

Linda Katzman | 4455 Sunset Bluffs Way, San Diego, CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake:

I have lived in the area for 16 years now, and I consider myself a very active member of the community. I've watched this area grow and progress over the years, and I'm very excited now that we have the potential to make One Paseo a central part of Carmel Valley. The project's developers have done a great job involving community members throughout the planning process; the current plan reflects this well.

The draft EIR report represents a lot of good work that has been done to analyze One Paseo's potential impact on our environment. I think it's important to also keep in mind the many benefits this project would bring to the area. I have seen projects designed by the same architect behind One Paseo, including the Americana in Glendale as well as the Grove in Los Angeles. I am very impressed with the mixed-use design that informed each of these developments, and I think Carmel Valley would be extremely fortunate to have a project like this right here in our own community. One Paseo would act as a functional "Main Street" for our community, bringing new shops and restaurants for residents to enjoy, as well as plenty of open space, entertainment options, and pedestrian paths woven throughout. While a "Main Street" like this will introduce a new land use to the community, I am confident that it would only enhance the small-town, close-knit character of Carmel Valley. Another advantage is that a project like this would help to implement the "City of Villages" aspect of the General Plan, by providing a sense of place and gathering point for our community.

Please give this project your full support. We'd love to see it break ground soon.

Best,  
  
Linda Katzman

141.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Joel Kayne](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo, Project 193036  
**Date:** Friday, May 25, 2012 8:13:40 PM

- 142.1 In all the layouts do not see sufficient parking for the amount of housing and businesses. How many parking stalls are there being considered on the One Paseo properties?
- 142.2 Buildings are too tall. Should not exceed 3 stories.

- 142.1 As discussed in response to comment 41.1, the parking included in the proposed project as part of the proposed shared parking plan is expected to exceed the demand.
- 142.2 The Final EIR concludes that the building heights associated with the Originally Proposed Project and Revised Project would differ enough from adjacent development to result in a significant, unmitigated impact on local neighborhood character. The Revised Project discussed in Section 12.9 of the Final EIR, which includes reduced building heights, would reduce but not eliminate, significant impacts to neighborhood character. Reducing the building heights to three stories would not allow the project the critical mass to meet the smart growth goals of the City's General Plan. As discussed in response to comment 123.1, CEQA does not require analysis of alternatives which would not achieve most of the project's basic objectives.

COMMENTS

RESPONSES

**From:** [Judy Keim](#)  
**To:** [Lightner, Councilmember Sherri](#); [Mezo, Renee](#); [Sanders, Jerry](#); [white@wwarch.com](#); [DSD EAS](#);  
**cc:** [editor@delmartimes.net](#);  
**Subject:** Kilroy One Paseo Project  
**Date:** Wednesday, May 23, 2012 9:27:37 AM

I have been reading the comments in the Carmel Valley News for some time. (1) The consensus from residents is that they like the shopping opportunities that the project will present. (2) Some feel that the project will help employment. (3) A few have spoken in favor of additional housing opportunities.

Those opposed cite (1) the additional traffic load which cannot be entirely mitigated based on the size and sheer volume of the project. (2) The project is not within the guidelines originally set by the community plan. (3) Kilroy has been less than forthcoming and honest about the nature and extent of the project.

My observations:

- 143.1 (1) As a 12 year resident of Carmel Valley, I have serious concerns about the One Paseo project as proposed by Kilroy Realty. I walk Carmel Valley regularly. I have walked the trail which borders the west of the project. A simple site line can be imagined from the top of the adjacent Neurocrine building, two stories high. Multiplying that by 8 and 10 story buildings gives a visual of the sight and air flow impairment that the proposed project will create. A walk along El Camino Real and through the Del Mar Highlands center completes the picture. A 10 story office and 8 story office along that corridor will severely impact the western light and air along El Camino Real that we currently enjoy. Deep shadows will prevail over El Camino that will permanently alter the character and ambiance of that street. The opponents are correct on this one. Kilroy's website and artist renderings not only focus on the shopping district only, but clearly avoid showing the extent of the building heights and the impact they will have on the surrounding streets and walkways.
- 143.2
- 143.3
- 143.4 (2) I have not observed one comment lobbying for elimination of the project. All opposition is aimed at scaling back the project. There is a reason the community plan was put in place and the reasons are just as material now as when they were initiated. Carmel Valley was never intended to be a *city downtown*. Yet that is what this project will look like if the building heights are retained.
- 143.5 (3) The argument for a stimulus to employment is a proposition that must be factored by the temporary nature of construction employment, and the likelihood that a significant portion of the permanent employment in the project itself will be from out of area residents, i.e., retail, office and hotel minimum wage jobs. This only adds to the concern of the overwhelming traffic impacts on the area.
- 143.6 (4) There are no other buildings in this area with the heights that Kilroy proposes. The only buildings even close are the Marriott and US Bank at the far south end of El Camino at the 56 interchange. High Bluff and El Camino are essentially limited to 2 and 3 stories.

- 143.1 The Final EIR acknowledges that the building heights associated with the Originally Proposed Project and Revised Project would result in a significant, unmitigated impact on local neighborhood character. The Revised Project discussed in Section 12.9 of the Final EIR, which includes reduced building heights, would reduce but not eliminate significant impacts to neighborhood character.
- 143.2 As discussed in the response to comment 38.4, the Draft EIR evaluated shading impacts on surrounding areas. The EIR acknowledges that in the afternoon during the winter (shading effects would be the greatest during winter) shadows would extend eastward shading internal roadways and some portions of El Camino Real. However, no significant shading impacts would occur to adjacent uses (refer to Section 5.3.5 of the Draft EIR) because the proposed buildings would not cast shadows that would extend onto adjacent outdoor useable spaces, with the exception of possibly 10 patio areas associated with offsite residential development to the north. The reduced building heights associated with the Revised Project would avoid impacts to any patios on the north side of Del Mar Heights Road.
- 143.3 The building heights and their impact on neighborhood character are discussed in Section 5.3 of the Draft EIR. Computer simulations are included in the discussion to supplement the analysis and depict the impact of the building heights on surrounding development. Based on the analysis of the impact of building heights and other aspects of the

COMMENTS

RESPONSES

143.3 cont. proposed development, the Draft EIR concluded that the Originally Proposed Project would have a significant impact on neighborhood character. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a substantial reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.

143.4 As discussed in response to comment 124.6, the proposed development is considered consistent with the goals of the community plan. With respect to the statement regarding the community plan, refer to response to comment 125.6. Additionally, the Revised Project, which is currently being pursued by the project applicant, would reduce many of the impacts associated with the Originally Proposed Project. Nevertheless, the Draft EIR acknowledged the neighborhood character impacts associated with the Originally Proposed Project.

143.5 As discussed in response to comment 36.5, the ability of the proposed development to create jobs is not an issue required to be addressed under CEQA. A separate report regarding the economic effects of the project has been submitted to the City by the applicant.

With respect to project-related traffic impacts, the Draft EIR, in Section 5.2.2, and Section 12.9 of the Final EIR, acknowledges that both the Originally Proposed Project and Revised Project would result in significant impacts to local street segments and intersections. Although the proposed development would include roadway improvements which would improve traffic flow in the community, certain traffic impacts would remain significant. For example, improvements to the Del Mar Heights Road bridge interchange at I-5, required to fully mitigate project traffic impacts, are within the jurisdiction of Caltrans and beyond the control of the City and the project applicant.

143.6 As discussed in response to comment 102.1, the Final EIR recognizes that the Originally Proposed Project and the Revised Project would both result in significant impacts to the neighborhood character of the area despite the presence of buildings with comparable heights in the broader Carmel Valley community. Refer to response to comment 102.1 for further details.

COMMENTS

RESPONSES

143.7 (5) Not one argument is made for the need for a five story hotel. The hotels in the area are concentrated in a "hotel district." Currently an additional hotel is being constructed in the Valley Center, El Camino Real area, bringing the number to 4 hotels.

143.8 (6) Those commenting on the additional housing are realtors and real estate related persons who stand to benefit from the inclusion of additional housing. There is a cogent argument being made that our recreation opportunities are currently underserved, and that must be considered and mitigated. Additionally, original developers in Carmel Valley built schools as part of their approvals. I have not heard of any such proposal here.

143.9 My opinion: One Paseo should not be approved as proposed. The project should retain the shopping element as that is what the residents want. The building heights should be scaled back to no more than 4 stories. The hotel component should be eliminated. The housing component should only be approved if the developer can provide additional park, recreation and school facilities.

Judy G. Keim  
4288 Pilon Point  
San Diego 92130

Find a local lawyer and free legal information at FindLaw.com.

143.7 Since the preparation of the Draft EIR, the hotel component of the proposed development has been eliminated, and a Revised Project (with no hotel) is now being pursued by the project applicant.

143.8 The need for housing goes beyond the private interests of realtors. Inclusion of housing in the project is critical to meeting the City's goals related to smart growth and sustainability. By providing housing, in association with shopping and employment opportunities, the impact of housing on traffic and air climate would be reduced by minimizing reliance on the private automobile.

As described in responses to comments 63.168 through 63.170 and Section 12.9 of the Final EIR, the City considers payment of FBA fees to ensure that no significant impacts to parkland would occur. FBA fees are used for acquisition of parkland or intensification of recreational uses at existing parks that will expand use of those parks. With regard to the comment about schools associated with the proposed development, Section 5.12 of the draft EIR appropriately concluded that impacts from the project on school facilities are adequately mitigated through the payment of applicable school fees. Refer to response to comment 7.11 regarding existing and planned school capacity.

143.9 As discussed in response to comment 142.2, reducing the project to the degree suggested in this comment need not be considered pursuant to CEQA. Retaining only retail uses would not meet the basic goal of creating a comprehensive mixed-use project. Furthermore, as discussed in responses to comments 63.168 through 63.170 and 7.11, the proposed development would not significantly impacts parks or schools. Thus, there is no nexus for requiring the project to provide more than payment of FBA and school fees.

COMMENTS

RESPONSES

**Martha Blake, Environmental Planner**  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

May 25, 2012

RE: 193036/SCH No. 2010051073/onepaseo

Dear Ms. Blake:

The project planned by Kilroy Development is far too huge for our neighborhood! The area was not planned to have such a huge mega mall. The buildings will overshadow the character of this area.

The proposed traffic increase is unbearable for these roads, even without fair and race traffic today, the wait at the lights and flow of traffic this morning made for unsafe conditions and traffic jams.

As a homeowner and local business owner I do not support this project. Please do not allow Carmel Valley to become an L.A. junior, another square in the quilt of overbuilt Orange county- south.

Please do not allow this LA developer buy their way into our neighborhood. They are having a dinner for their supporters before the meeting tonight. Do these supporters even live here? I doubt it.

Thank you,  
  
C. Keller  
3493 Overpark rd  
San Diego, Calif 92130

144.1

144.2

144.3

144.1 The Final EIR acknowledges that the Originally Proposed Project and the Revised Project would have a significant impact on neighborhood character. Additionally, as discussed in response to comment 10.59, while the site is currently zoned as an Employment Center (CVPD-EC), the Originally Proposed Project and the Revised Project would be consistent with the overall goals of the Community Plan (refer to Sections 5.1 and 12.9 of the Final EIR) regarding the planned balance of land uses within the entire community.

144.2 With respect to project-related traffic impacts, the Draft EIR, in Section 5.2.2, and Section 12.9 of the Final EIR, acknowledges that both the Originally Proposed Project and Revised Project would result in significant impacts to local street segments and intersections. Although the proposed development would include roadway improvements which would improve traffic flow in the community, certain traffic impacts would remain significant. For example, improvements to the Del Mar Heights Road bridge interchange at I-5, required to fully mitigate project traffic impacts, are within the jurisdiction of Caltrans and beyond the control of the City and the project applicant.

144.3 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

*Elizabeth Kern  
4573 Da Vinci St.  
San Diego, CA 92130*

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake:

One Paseo would be an excellent and much needed addition to Carmel Valley. It would provide our community with more stores and entertainment options, which we've needed for a long time. Currently, this area doesn't have sufficient local shopping areas, and One Paseo would help to address the problem in a way that also helps to fulfill the City's vision of creating "community villages."

This mixed-use project would be much more beneficial to residents than any single-use plan for the site. For instance, just using the property for office buildings would only benefit a small portion of the community, while still creating significant traffic increases. A use like this wouldn't do anything to help realize the "community village" ideals: it wouldn't create a focal point or greater sense of place within Carmel Valley, and it wouldn't count as "smart growth" for the site either.

One Paseo, however, would fulfill these goals very well. It would provide shops and restaurants that the whole community could enjoy. We currently experience long wait times to get into the few local dining spaces here, and shopping areas are far too congested. One Paseo would provide added choice and convenience – instead of driving out of town for basic errands, we would be able to take care of more everyday needs locally. In fact, because the project would be built along a planned bus line, it should encourage people to make use of public transit alternatives.

I believe that the benefits of this project definitely outweigh some of the findings in the Draft Environmental Impact Report. We should not pass up an opportunity like this to improve our community.

Sincerely,

  
Elizabeth Kern

145.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

28 May 2012

TO:  
Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

RE: ONE PASEO, Project No. 193036/SCH No. 2010051073

Dear Ms. Blake,

We have lived in Carmel Valley since 1998 (Carolyn) and 2000 (Kerry), raising a 14-year old boy in this safe family-oriented community. We purchased a condo and later a 2.5 story townhome next to Solana Pacific, the Carmel Valley library and the Del Mar Highlands Mall because this area in the heart of Carmel Valley is already very walkable, with nearby schools, parks, shopping and dining options. Our son has been able to walk to all his schools (K-9 so far). We also purchased this particular home because of its views of the Del Mar Hills from the kitchen, living room and bedroom windows, as well as the backyard. Both of us work at UCSD and commute daily past the One Paseo lot at the corner of Del Mar Heights and El Camino Real. Below we list our questions and comments on the One Paseo DEIR.

Kerry Key and Carolyn Keen  
12654 Carmel Country Rd., Unit 93  
San Diego, CA 92130  
858 509-9729

Comments and questions:

- 1. The DEIR mentions that the phased construction of One Paseo will require at least a few years. We live 1000 feet east of the One Paseo lot and would like the DEIR to address these construction related questions:
  - a. How will noise from the construction be mitigated?
  - b. How will the hours of construction operations be enforced, so that contractors don't operate at all hours of night as we have witnessed on other nearby construction projects, despite regulations prohibiting nighttime construction?
  - c. How will airborne dust during excavation and construction be mitigated so nearby residences are not significantly impacted by airborne debris?
  - d. What time of day will the dump trucks required to excavate the 500,000 cubic yards of dirt be operating?

- 146.1 With respect to potential construction noise impacts, construction noise levels at off-site sensitive receptors would not exceed limits allowed by the Noise Ordinance (see pages 5.4-16 and 18 of the Draft EIR). Refer to response to comment 63.125 for a discussion of potential construction noise impacts to noise-sensitive receptors that would exist within the development (when subsequent development stages take place), and associated mitigation measures.
- 146.2 The hours of construction are established in the City's Noise Ordinance. Typically, violations are reported by affected parties, and the City's Neighborhood Code Compliance Division of the DSD would initiate enforcement actions and fines, as appropriate.

COMMENTS

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- 146.3 As discussed in Section 5.5 of the Final EIR and illustrated in Tables 5.5-5 through 12 of the Final EIR, none of the construction and operations scenarios evaluated resulted in criteria pollutant emissions (including emissions of particulate matter/dust) that exceeded significance thresholds. Thus, no mitigation measures are required for air quality. Nevertheless, the project must follow standard dust control practices required by the City, which include regular applications of water during construction to control dust.
- 146.4 With regard to the time of day dump trucks would be utilized during the construction of the proposed development, construction hours would be limited to the hours and days indicated in the City's Noise Ordinance. Refer to page 5.4-3 of the Draft EIR for specifics regarding the City construction noise regulations.

COMMENTS

RESPONSES

- 146.5 e. A standard dump truck can haul 10 cubic yards of dirt, so One Paseo will require tens of thousands of truckloads to haul 500,000 cubic yards dirt. How will all these dump trucks affect traffic on the surrounding streets during the construction phase?
- 146.6 f. How will the ingress and egress of construction vehicles, building supply material deliveries, contractor vehicles and cranes affect the traffic on the surrounding streets?
- 146.7 2. One Paseo will be an island surrounded by Del Mar Heights Road, El Camino Real and High Bluff. Many residents in our community walk to our nearby amenities in the existing heart of Carmel Valley and they will certainly wish to walk to One Paseo; likewise One Paseo residents and office workers will be crossing the streets to access existing Carmel Valley parks and shopping centers. An omission in the DEIR is the lack of pedestrian bridges that would provide safe walking access over Del Mar Heights Rd. and El Camino Real. This leads to the following questions:
  - 146.8 a. How will pedestrian safety along Del Mar Heights and El Camino Real be affected due the increased traffic and pedestrian presence from One Paseo? Because cars travel both roads at high speeds (45-60 mph), and because right turns are often made without full stops, and because these are six lane roads, how will these crossings be made pedestrian friendly and safe?
  - 146.9 b. What are the statistical increases in pedestrian injuries with the added load of 27,000 "trips per day" at these intersections?
  - 146.10 c. School children living in One Paseo will be crossing Del Mar Heights and El Camino Real using crosswalks to get to Solana Highlands Elementary, Solana Pacific 5-6<sup>th</sup> grade school, Carmel Valley Middle School and Torrey Pines High School. We witness the delays in traffic and the traffic danger to school children when they cross the much less busy Carmel Country Road adjacent to our home. How will the traffic impacts list in the DEIR be affected by One Paseo school children delaying the traffic flow as they walk to and from school by utilizing cross walks and traffic signals?
  - 146.11 d. Why weren't pedestrian bridges proposed to mitigate this serious issue for pedestrian safety and the flow of traffic along our major roadways?
- 3. As a cyclist who utilizes the existing bike lanes in our community's roadways, I cringe at the thought of all the traffic that One Paseo will bring and how that will impact my safety while cycling.
  - 146.12 a. Why weren't the traffic impacts on bicycle lanes and bicyclist safety along Del Mar Heights and El Camino Real included in the DEIR?
  - 146.13 b. Del Mar Heights heading east at the intersection with El Camino Real is already unsafe for bicyclists. Why doesn't the DEIR include mitigation measures for bicycle lane safety on the surrounding roadways?
  - 146.14 c. What provisions will be made for bicycle access and safety within One Paseo and its internal roadways?

- 146.5 As discussed in response to comment 87.12, construction traffic would not significantly impact the local roadways. Nevertheless, the Draft EIR included a mitigation measure which would require that project construction be phased such that concurrent construction of Phases 1, 2, and 3 shall be prohibited, although phases would overlap.
- 146.6 As discussed in response to comment 87.12, construction traffic would not significantly impact the local roadways. Nevertheless, the Draft EIR included a mitigation measure which would require that project construction be phased such that concurrent construction of Phases 1, 2, and 3 shall be prohibited, although phases would overlap.
- 146.7 The project is designed to be pedestrian friendly, and would include features to accommodate pedestrians; these features include internal sidewalks, pathways, plazas, and paseos. These facilities would provide connections between proposed internal uses, as well as surrounding roadways. Pedestrian bridges were not deemed necessary in order for the proposed development to be safe for pedestrians.
- 146.8 Contiguous sidewalks along Del Mar Heights Road and El Camino Real would be replaced by non-contiguous sidewalks to increase the safety of pedestrians walking along these roadways.
- 146.9 As discussed in response to comment 146.8, no significant pedestrian risks would result from the project.
- 146.10 As discussed in response to comment 9.1, no substantial safety risk is expected to occur with respect to school children associated with the future development of the project traveling to and from school.
- 146.11 As discussed in response to comment 146.7, pedestrian bridges were not deemed necessary in order for the proposed development to be safe for pedestrians. The project is designed to be pedestrian friendly, and would include other features to accommodate pedestrians; these features include internal sidewalks, pathways, plazas, and paseos.
- 146.12 The bicycle lanes on Del Mar Heights Road and El Camino Real are designed to meet City standards. The additional traffic generated by the proposed development would not be expected to pose a substantial increase in the risk to bicyclists using those facilities.

COMMENTS

RESPONSES

146.13 As discussed in response to comment 146.12, the project would not pose a significant safety risk to bicyclists using Del Mar Heights Road or El Camino Real. Thus, there is no nexus to require creation of new bicycle routes in the area.

146.14 As discussed in response to comment 6.7, all interior streets will include Class III bicycle routes which will be appropriately signed.

COMMENTS

RESPONSES

- 146.15 d. What are the statistical increases in bicycle accidents due to 27,000 additional "trips per day" in these intersections and on these roads?
- 146.16 e. What are the statistical increases in car accidents due to 27,000 additional "trips per day" in these intersections and on these roads?
- 146.16 f. Our son and his friends cross El Camino Real to access the Carmel Valley Skate Park. What are the impacts to access for this amenity that many Carmel Valley kids rely upon?
- 146.17 g. Just a month ago a head on car accident occurred at this intersection; how will the additional 27,000 cars per day, many from other regions of San Diego, impact access to the skate park?
- 146.18 4. One Paseo will be significantly denser presence of population than anywhere else in Carmel Valley, placing an increased demand on wireless communication infrastructure.
- 146.19 a. How will the existing cell phone coverage and data bandwidth be affected by all those new cell phones in such a small spatial area?
- 146.20 b. What mitigations measures will be taken to ensure reliable cell phone coverage so that 911 calls can be made reliably?
- 146.21 c. Will the towers block cell phone tower transmission and reception?
- 146.22 d. Will the dense wi-fi installations that will result in the offices and residences impact local businesses and mobile phone and wi-fi users?
- 146.23 e. Will the added internet and cable traffic slow down service to existing communities?
- 146.24 5. Given that only 15% of One Paseo is dedicated to retail space (about 300,000 square feet), many residents and office workers at One Paseo will be utilizing the stores at the Del Mar Highlands Town Center, or using the existing free outdoor parking at Del Mar Highlands Town Center rather than that at One Paseo.
- 146.25 a. How will One Paseo affect the already strained parking at Del Mar Highlands Town Center?
- 146.26 b. Why weren't the affects of the already permitted expansions of Del Mar Highlands Town Center included in the traffic analysis for One Paseo?
- 146.27 6. One the One Paseo website it states the parking will be free. This is not addressed in the DEIR.
- 146.28 a. Will parking at One Paseo be free?
- 146.29 b. How will it be managed to handle competing interests between office workers, residents and shoppers?
- 146.29 c. Will we be required to take our shopping cart into an elevator to reach our parked car at One Paseo?
- 146.29 d. How will cars targeting One Paseo facilities be prevented from parking at Del Mar Highlands Town Center, the Carmel Valley Recreation Center and the Carmel Valley Skatepark?
- 146.29 7. Section 7 of the DEIR shows cross sections of the One Paseo development in the context of existing Carmel Valley buildings. These cross-sections are misleading and do not convey the true scale of One Paseo and its impacts on the community character.

- 146.15 The traffic analysis methodology used by the City does not examine traffic or bicycle accidents in relation to trips per day on a street. Rather, the City uses standardized methodology explained in Section 5.2.1 of the DEIR.
- 146.16 As discussed in response to comment 75.40, adequate time for pedestrian crossings is expected.
- 146.17 Cellular service is not expected to be significantly impacted by increased demand for cellular service related to the proposed development.
- 146.18 As cellular service is not expected to be significantly impacted by any increase in demand related to the proposed development, no disruption to 911 calls is anticipated.
- 146.19 Cellular service in the project area is not expected to be significantly impacted by the height of the proposed buildings.
- 146.20 Wi-Fi use associated with the proposed project is not expected to interfere with existing Wi-Fi uses in the area.
- 146.21 The demand for internet and cable TV created by the proposed development would not result in a substantial decrease in the operating speed of these services within the community.
- 146.22 Due to the close proximity of the Del Mar Highlands Town Center to the proposed development, residents and employees within the proposed development would be able to walk or ride bicycles to the Del Mar Highlands Town Center which would reduce the demand for parking which might otherwise be created by the proposed development. In addition, parking for retail uses within the proposed development would be provided at no cost. Thus, eliminating the potential attraction of free parking within Del Mar Highlands Town Center.
- 146.23 As indicated in response to comment 146.22, the proposed development would provide adequate parking for all proposed uses and would not affect parking at Del Mar Highlands Town Center.
- 146.24 The potential expansion of the Del Mar Highlands Town Center is included in the Year 2030 Analysis. Refer to response 10.158.

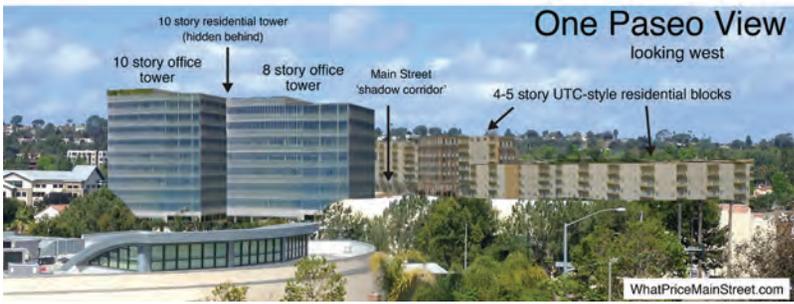
- 146.25 Parking for the proposed retail uses would be free to the public. Office parking would be provided as an amenity inclusive of tenant leases.
- 146.26 There are different “parking pools” for each proposed use. As discussed in Section 5.2.3 of the Draft EIR, shared parking for all of the proposed uses, except residential, would be provided since peak activity times for some proposed uses, such as office and cinema are essentially opposite one another. Parking for the proposed residential would be completely separate and managed accordingly. Parking for the proposed office and retail uses would be shared; however, during weekday office hours when both these uses have high parking demand, there would be designated office parking and designated retail parking convenient to each use. The Draft EIR concluded (in Table 5.2-42) that a parking surplus would occur during each phase of the Originally Proposed Project.
- 146.27 As this comment raises no issues regarding the adequacy of the Draft EIR, no responses in required.
- 146.28 While there is no way to guarantee that all patrons to the proposed development will park in the designated parking areas, it can be assumed that patrons would elect to park their vehicles in the most conveniently accessible location. The Draft EIR concluded (in Table 5.2-42) that a parking surplus would occur during each phase of the Originally Proposed Project. Since there would be an excess of parking associated with the proposed development, it is likely that patrons would choose to park in the designated parking areas, as opposed to the off-site areas outlined in the comment.
- 146.29 The City does not agree with the commenter’s assertion that the cross sections presented in the Draft EIR are misleading, nor does the comment provide a specific shortcoming. As discussed in response to comment 79.14, the visual simulations included in the Draft EIR were produced from an AutoCAD model which maintains a true scale for all of the buildings depicted in the simulation from the point at which the view is taken. No adjustments were made to make buildings appear smaller.

COMMENTS

RESPONSES

146.30  
146.31  
146.32  
146.33

- a. Why hasn't the developer created a scale 3D model and made it widely available to Carmel Valley residents at the Carmel Valley library?
- b. What is the developer hiding by only showing selected views of One Paseo?
- c. Why doesn't the DEIR show 3D views of the One Paseo project that also include existing buildings from the surrounding environment, rather than the highly selective "cross sections" presented in Section 7?
- d. Can the developer erect story poles for the planned construction for public comment? This would allow the community to have a realistic understanding of the impacts to community character, views and blocking of sunsets and sunshine that the development would impose on the surrounding area.
- e. The image below is a photograph taken from our backyard where I have superimposed a 3D model of the One Paseo towers and residential blocks. One Paseo will block our existing view of the Del Mar ridge and Carmel Valley slopes. How will blocked views, offices and residences at "eye level" to our kitchen, living room and bedrooms, and increased traffic affect our property values?



146.34

- 146.30 As this comment raises no issues regarding the adequacy of the Draft EIR, no responses in required.
- 146.31 As discussed in response to comment 146.29 above, the City does not agree with the commenter's assertion that the cross sections presented in the Draft EIR are misleading.
- 146.32 As discussed in response to comment 79.20, a cross-section is just one of the graphic tools utilized in the Draft EIR to depict the appearance of the project. Figures 5.3-8-10 provide a more localized depiction of the appearance of the proposed development from adjacent streets.
- 146.33 As discussed in response to comment 91.1, the use of "story poles" to assist in the evaluation of neighborhood character impacts is not warranted. The visual simulations and cross-sections included in the EIR are based on an AutoCAD model that maintains a true scale for all buildings and provides an accurate representation of the appearance of the proposed development in the context of the surrounding community.
- 146.34 As discussed in response to comment 79.6, although the proposed development would interrupt views from residential areas to the north and east, the impact is not considered significant. As discussed in response to comment 10.13, the potential effect of the project on property value is beyond the purview of the EIR.

COMMENTS

RESPONSES

g. The image below was taken from Red Rock Ridge at the Torrey Pines annex and has a 3D model of One Paseo superimposed. Although this is not a rigorous analysis, the nearby 3-story Neurocrine building serves as a reference point for comparison with One Paseo's 10 story towers. One Paseo will clearly be much larger than the surrounding buildings. Why doesn't the DEIR include similar renderings that would clearly convey how One Paseo compares to existing Carmel Valley buildings?



146.35

146.35 The focus of the visual analysis and supporting graphics in Section 5.3 was on the project effects on public views. Thus, the simulation in Figure 5.3-11 focused on the views of the project from this roadway. The long-range view included in this comment is not considered an important public vantage point because this view would not generally be perceived by the public.

COMMENTS

RESPONSES

Margarit Khachatourians  
3785 Ruelle De Ville  
San Diego, CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake,

As a local resident, I can say that I would love to see One Paseo's development proposal come to fruition. With the Draft Environmental Impact Report released, I offer my ardent support for the project and would be grateful to see the forward momentum continue. First, I feel that the Draft Environmental Impact Report serves as a great information document which allows the public to weigh the project's benefits against its environmental impacts.

Second, I feel that the addition of One Paseo's shops and restaurants would be a real improvement for Carmel Valley. My husband and I enjoy entertaining company, and it would be nice to have a central site like this with such an array of options. One Paseo would be a wonderful place to gather with friends or family. As someone who spends a lot of time taking walks in the area, I also appreciate the project's focus on pedestrian access. It seems the development would be a beautiful place to take a walk in a safe environment, especially with all the open space that has been incorporated into the project's designs. These numerous benefits outweigh the impacts identified in the Draft Environmental Impact Report.

I have supported the One Paseo development for a long time now, and I feel that the project absolutely merits the enthusiasm supporters continue to display. I hope you will do everything possible to help move the project forward.

Yours truly,



Margarit Khachatourians

147.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Gordon Kim](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo, Project 193036  
**Date:** Tuesday, May 22, 2012 8:49:02 PM

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To Whom it may concern:

I am writing to express my deepest and most comprehensive opposition to the One Paseo project being imposed upon my community of Carmel Valley. I have lived here for 14 years and witnessed and experienced the effects of Carmel Valley's inexorable development. This area has already pushed the envelope of sustainable growth. The One Paseo project is an unbearable, unacceptable, catastrophic addition to the current crowding and congestion. I do not personally know, or have heard from, a single Carmel Valley resident who supports this development.

I urge you to withhold any approval or support of Kilroy's One Paseo project in its current form. Thank you for your consideration.

Sincerely,

Gordon and Keira Kim

148.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

From: dknox6@san.rr.com
To: DSD EAS
Subject: Response to One Paseo DEIR
Date: Monday, May 28, 2012 11:48:04 AM

From: Dorothy H. Knox
13019 Longboat Way
Del Mar, CA 92014-3831
dknox6@san.rr.com

To: Martha Blake, Environmental Planner
City of San Diego Development Services Center
1222 First Avenue, MS 501
San Diego, CA 92101
Via email: DSDEAS@sandiego.gov

Date: May 28, 2012

Re: One Paseo Project 193036

In regard to the San Diego Development Services Draft Environmental Report for the One Paseo Project issued on March 29, 2012, I submit to you the following questions and concerns.

1. What justification is there to increase the zoning from 500,000 square feet of office space to a massive 2,000,000 square feet of office, high rise residential, retail and hotel usage for One Paseo? This is a FOUR FOLD Increase in DENSITY plus a radical change in permitted usage. Why does this not invite future developers to increase the density of their projects four fold? What would be the compound impact on the San Diego area?

2. How can we believe the traffic forecasts, when the traffic generated from schools in the DEIR did not include all the schools in the community such as Canyon Crest Academy, San Diego Jewish Academy and the Pines School? In addition a school will be built in Pacific Highlands Ranch area of Carmel Valley. Grade D and F are projected for roads in the area with the One Paseo Project as proposed, and these projections do not include all the school generated traffic in the area. Currently there are significant traffic problems for families and students from my area, just west of Interstate 5, crossing Del Mar Heights Road

149.1 The proposed land use change from employment to Community Village is intended to allow development of a project that reflects the City of Villages Strategy and goals of the City's General Plan, as well as SANDAG's Regional Comprehensive Plan, which identifies the property as a "Town Center" smart growth opportunity area. However, ultimately the decision whether to approve the proposed community plan designation change lies with the City Council.

The growth inducement potential of the project was discussed in Section 11, Growth Inducement, of the Draft EIR. In evaluating the potential for the proposed development to induce growth in the area, the Draft EIR concluded the project would not introduce any new infrastructure (e.g. roads or utilities) that would benefit undeveloped property and induce growth. Nor would the project increase the demand for housing in the region, particularly since the project includes a residential component. Thus, the Draft EIR concluded that the project would not induce growth (see page 11-2).

149.2 The traffic study does include traffic associated with school traffic. Traffic counts were taken to establish existing conditions, which include such

COMMENTS

RESPONSES

149.2 cont. to reach Canyon Crest Academy at the eastern terminus of the DM Hts. RD. How would this be mitigated by One Paseo with additional lights on DM Hts. Rd. and many more trips generated?

149.3 3. How can One Paseo make this proposal without any mass transit in existence in the area and none proposed to alleviate the impact of this massive project?

149.4 There are a number of changes coming to this area that were not figured into the total impact on the area. Interstate 5 is due to be widened from La Jolla to Oceanside thereby increasing the number of cars reaching the area around One Paseo. A decision has not been made, but a Draft Environmental Impact Report has been issued regarding the connection between Interstate 5 and State Route 56. That project may well result in greater use of residential streets in Carmel Valley as both Interstate 5 and State Route 56 have increased traffic.

149.5 I do not object to the original zoning and usage of the area where One Paseo is proposed to be built. I do object to any increase in density of use for this land.

Thank you for considering these issues in planning for the future of our community.

Sincerely,  
Dorothy H. Knox

149.2 cont. trips. Students generated from the proposed development are unlikely to attend the new school planned for Pacific Highlands Ranch, and no impacts to that area of Carmel Valley from the project are expected. Potential impacts of the project on the Del Mar Heights Road corridor have been studied. Refer to Section 5.2 of the Draft EIR for anticipated levels of service in the existing, near-term and long-term conditions. Significant impacts are expected on Del Mar Heights Road between the I-5 Interchange and High Bluff Drive. From High Bluff Drive to the east, Del Mar Heights Road will operate at acceptable levels of service. In addition, response to comment 63.229, the applicant will install ATCS, which is expected to help traffic along this corridor flow more efficiently.

149.3 As discussed in response to comment 10.40, the City of Villages Strategy in the City’s General Plan does not require that regional transit service be immediately available to proposed village developments. The General Plan indicates that future transit service is acceptable as long as the funding source is identified. As discussed in response to comment 10.40, the 2050 RTP, the long-range transportation plan for the region, indicates that bus route 473, which would serve the proposed development, is anticipated to be funded by the year 2030.

149.4 Evaluation of effects of the I-5 widening and/or the SR-56 connectors on traffic within the Carmel Valley community is appropriately included in the CEQA documents required to be completed as part of the approval process for these two projects. As any changes in local traffic related to these two highway improvement projects would be unrelated to the proposed development, the Draft EIR was not required to evaluate these impacts.

Nevertheless, the traffic analysis completed for the proposed development did account for any local traffic redistribution related to the SR-56 connectors. As indicated on page 12.1 of the Traffic Impact Analysis (Appendix C of the Draft EIR), the traffic study used year 2030 projections taken from the traffic study prepared for the I-5/SR-56 Northbound Connector. In addition, the traffic study assumed that the northbound connector would be constructed by the year 2030.

149.5 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

Olga Koleva  
3610 Bernwood Pl, Unit 28  
San Diego CA, 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake:

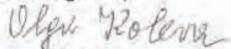
First, I want to thank you for providing residents the opportunity to comment on the Draft Environmental Impact Report for the proposed One Paseo project. This document is an excellent source of information on the project, giving residents full view of its potential impacts and allowing us to weigh the pluses against the minuses. I lived in Bulgaria under the communist regime, and they never would have considered our opinions in these matters or published such a thorough and transparent document. Second, I want to express my support for the One Paseo proposal. I think it would greatly enhance life here in Carmel Valley.

I feel the project would grow our sense of community and serve as a place where people can meet and enjoy each other's company. We would have a lot of choices for dining and entertainment, choices we simply don't have right now. It would be especially important for the younger generation; many in the area have to go to the Gaslamp Quarter in downtown if they want to have fun, and my own grandchildren moved to LA for the atmosphere. One always hopes that the next generation will be happy and able to lead healthy family and community lives. One Paseo would help make that possible by providing more local activities to meet people and build relationships. It will create a hub of social life close to home.

If approved, One Paseo would beautify the local community. The plans for the project are quite thoughtful. They take into account not only our needs as a community, but they also exhibit environmentally friendly building practices, which will serve future generations as well.

One Paseo would complete and complement Carmel Valley, and I hope it will be allowed to move forward. Again, thank you for allowing us to comment on this process, and thank you for your efforts.

Best regards,



Olga Koleva

150.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Koon, Gerhard](#)  
**To:** [DSD EAS](#)  
**Subject:** ONE PASEO, Project #193036/SCH No. 2010051073  
**Date:** Monday, April 02, 2012 12:47:51 PM

Hello,

I am very concerned about the current One Paseo Plan.

The Environmental Impact report concludes that the project would result in significant transportation/circulation/and parking issues. The area is already congested and experiencing traffic issues and a project of this size far exceeds what the area is designed to handle. The additional traffic, congestion, parking issues would significantly impact the community and could not be mitigated due to space constraints. This is extremely troubling.

Further, this would irreparably destroy the visual effects and nature of the neighborhood. Its current character would be forever ruined and changed by a project with several massive buildings far greater than the 2 story buildings currently in the area. The project will have so much greater scale, density and traffic generation than what would be allowed by the existing entitlement or Community Plan, and the project is considerably more dense than any mixed-use project, existing or planned, in similar planned communities in greater San Diego.

I am seriously concerned that Carmel Valley's existing community character and its Community Plan will be destroyed if the proposed One Paseo/Main Street project gets approved. Thank you for your consideration.

Gerhard Koon

4358 Donald Ave.  
San Diego, Ca. 92117  
April 2, 2012

151.1 With regard to traffic, the Final EIR acknowledges that the Originally Proposed Project and the Revised Project (as discussed in response to comment 5.6) would result in significant traffic impacts; however, no significant parking impacts would occur. Contrary to the statement made in this comment, the proposed development would include adequate parking. As noted in response to comment 41.1, when taken as a whole, the parking included in the proposed project is expected to exceed the demand.

151.2 The Final EIR concludes that the traffic, density, and building heights associated with the Originally Proposed Project and Revised Project would result in significant, unmitigated impact on local neighborhood character and traffic. The Revised Project discussed in Section 12.9 of the Final EIR, which includes reduced building heights, would reduce but not eliminate significant impacts to neighborhood character.

151.3 Refer to response to comment 10.42 and Section 5.1 of the Draft EIR.

COMMENTS

RESPONSES

**From:** [Judy Koperski](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo, Project 193036  
**Date:** Monday, May 28, 2012 2:12:38 PM

I am a local resident concerned about the One Paseo Project.

- 152.1 I would like to see the size of the project scaled back.
- 152.2 I am concerned about the density of development, the height and concentration of buildings, and traffic.
- 152.2 There is no provision for the required and much-needed park land.

Please require adjustments of this project.

Thank you.

Judith Koperski  
 12782 Via Donada  
 Del Mar, CA 92014  
 jakoperski@yahoo.com

- 152.1 The Final EIR acknowledges that the Originally Proposed Project would have a significant impact on traffic and neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a reduction in the intensity and density of the proposed development, and is now seeking approval for the Revised Project (described in Section 12.9 of the Final EIR). It is important to note that the Revised Project substantially reduces the building heights in comparison with the Originally Proposed Project; no building would exceed 9 stories. These changes would reduce, but not eliminate, significant impacts associated with the density and intensity of the development, such as traffic and neighborhood character impacts.
- 152.2 Refer to responses to comments 63.168 through 63.170.



May 29, 2012

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

via e-mail to: DSDEAS@sandiego.gov

**Re: Comment to DEIR for One Paseo, Project Number 193036**

Dear Ms. Blake:

Kosmont Companies ("Kosmont") provides this comment letter for review in consideration of the Draft Environmental Impact Report ("DEIR") for the One Paseo project ("Project") in the Carmel Valley. Kosmont prepared an Urban Decay Analysis ("UDA") included in the DEIR, and provides additional comments related to the anticipated economic benefits of the development of One Paseo herein.

Kosmont Companies is a nationally recognized expert in economic development and real estate development projects. Kosmont's experience in the analysis of the economic impacts of real estate development and nuances of retail markets is diverse and thorough, and our conclusions are based on the same.

Pursuant to the analysis in the UDA included in the DEIR, it is Kosmont's conclusion that based on existing and projected retail supply and demand it is unlikely the Project will have a significant negative impact on existing retail establishments or proposed retail projects within the Project's overall trade area (the area within a ten-mile radius of the Project site, "Trade Area"). Given the office, hotel, and residential components of the Project, Kosmont anticipates that the Project will generate retail demand within the Trade Area and, given the relatively narrow mix of retail included in the Project, will also induce demand for proximate retail alternatives.

For reference, the Trade Area is comprised of a Primary Market Area ("PMA"), which is the area within a four-mile radius of the Project site, and a Secondary Market Area ("SMA") which is the area between a four-mile and ten-mile radius of the site. The Trade Area was established based on standard retail attraction trends for the proposed Project, and the PMA and SMA were weighted differently based on historic retail patronage patterns. Separately, the retail Trade Area is often greater than the study area for a given traffic analysis, as traffic impacts typically dissipate in an area that is smaller than the reach of retail attraction for the same project. This potential dissimilarity in study areas is due to the different nature of a retail study versus a traffic study, and is neither erroneous nor inconsistent.

153.1 Kosmont updated their analysis to clarify several issues raised during public review as well as evaluate the Revised Project. The results of this analysis are contained in the Addendum to their original RMA, which is included as Appendix B.1 of the Final EIR.

As indicated in the Addendum, the findings related to the Originally Proposed Project also apply to the Revised Project due to the fact that the amount of retail development would be less than the Originally Proposed Project. Thus, it is concluded that the Revised Project would not have a significant negative impact on existing and proposed retail establishments that would result in urban decay. The Addendum reaffirms the original conclusion that the market has the capacity to absorb the proposed development, with excess capacity remaining. Thus, urban decay would not be related to competition from retail associated with the proposed development. The atypically low vacancy rates for retail in the area further indicate strong consumer demand and that the market area is likely underserved by retail. This gap is expected to continue to grow in the future.

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COMMENTS

RESPONSES

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153.2 The explanation offered in this comment regarding the basis for the primary and secondary market areas assumed in the RMA is applicable to the approach taken in the Addendum to the RMA included in the Final EIR. Thus, no response to this comment is required.

153.3

Also for reference, pursuant to the UDA, existing retail projects within the Trade Area exhibited atypically low vacancy rates despite the recent recession, indicating a strong demand for retail amenities, and suggesting that the Trade Area may be underserved by retail. Finally, projects evaluated as part of the UDA include the following proposed new or expanded projects: Del Mar Highlands Town Center, Pacific Highlands Ranch Village, Flower Hill Promenade, Torrey Reserve, and Torrey Hills.

**Project Profile**

The One Paseo project consists of the phased development of a maximum of 1,857,440 square feet of mixed-use development comprised of approximately 270,000 square feet of retail (270,000 leasable), 557,440 square feet of office (536,000 leasable), an approximately 100,000 square foot, 150-room hotel, and approximately 930,000 square feet of residential consisting of a maximum of 608 multi-family units on an approximately 23.6 acre site ("Project"). Of the total 270,000 square feet of retail, it is anticipated that approximately 50,000 square feet would be utilized for a movie theater, 130,000 square feet for general merchandise, 30,000 square feet for food /grocery goods, and 60,000 square feet for restaurants.

**Project Generated Demand**

It is Kosmont's conclusion that the office, hotel, and residential components of the Project will generate retail demand that the retail component of the project will not fully satisfy. The size, nature, and anticipated mix of the retail components included in the Project are not comprehensive of all retail spending by a given consumer, and will result in a demand for other retail types and amenities within the Trade Area. Individual consumer demand is typically satisfied only through a wide variety of retail options, formats and types. A single consumer will typically utilize different options at different times. Such options include a large grocery store versus a specialty grocer, or a neighborhood convenience store, a high end store versus a discount store, an adjacent restaurant versus a local restaurant, or a boutique restaurant versus a themed chain restaurant, etc. The Project will not provide a utopian solution to all Project resident and office tenant retail needs, but instead provide only a partial supply of retail options to meet a portion of retail demand. The majority of the balance of demand will be met within the Trade Area, and in cases where demand for specific retail goods or experiences are not met within the Trade Area, outside the Trade Area.

**Project Synergy**

In addition to demand generated by the mixed-use components of the Project, it is Kosmont's conclusion that the retail components of the Project will create additional demand for proximate retail options and alternatives. The proximity of retail diversity creates a shopping center effect, whereby retail consumption is facilitated by ease of access to alternatives. Consumers and retail consumption are driven by an ability to easily satisfy multiple retail needs with ease. It is expected that the addition of retail

153.4

153.5

153.3 As indicate in the Addendum to the RMA, low vacancies within existing retail centers in the Trade Area continue to occur.

153.4 Although the elimination of the hotel would reduce the retail demand, the Addendum to the RMA concludes that demand for retail associated with the Revised Project would not be fully met by the proposed retail component of the project. Furthermore, the majority of the unmet demand for retail from the Revised Project is expected to continue to be met within the Trade Area.

153.5 The retail synergy discussed in this comment would be equally applicable to the Revised Project due to the similarity in proposed retail uses.

COMMENTS

RESPONSES

City of San Diego  
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153.5  
cont.

choices provided through the Project will create a synergy with proximate existing retail as the Project will partially fill a void of retail options and product types, thereby attracting patronage that will also utilize existing retail alternatives to more fully satisfy comprehensive retail demand.

**Conclusion**

153.6

Pursuant to the UDA, Kosmont concludes that it is unlikely that the Project will have a significant negative impact on existing or proposed retail establishments within the overall Trade Area. Additionally, as discussed herein, it is Kosmont's conclusion that the office, hotel, and residential elements of the Project will result in additional retail demand that will not be fully satisfied by the retail components of the Project itself. Further, the supply of the specific retail options to be included in the Project will also offer a diversification of retail supply, and attract additional patronage to retail alternatives proximate to, but exclusive of the Project through demand induced by convenient access to retail diversity. Kosmont is available to discuss its conclusions further as desired at your convenience.

Very Truly Yours,



Larry Kosmont  
President & CEO

153.6 The conclusion that the proposed development would not result in a significant impact on existing and future retail in the community remains applicable to the Revised Project, as discussed in the Addendum. Similarly, the conclusion that the synergy of the project with surrounding retail would have a positive influence remains applicable to the Revised Project.

COMMENTS

RESPONSES

**Lawrence Kriesmer**  
3980 San Gregorio Way  
San Diego, CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake:

One Paseo would be a very welcome addition to our community. I know that a Draft Environmental Impact Report was recently released for the project, and I thought it would be a good time to share my own thoughts of support. The existing shopping and dining amenities in our community are too few, and too congested. There is a great demand for more local variety, and One Paseo's development would meet that demand very well. This is a project that would increase the availability and convenience of local choices. Given the option, I'd much rather keep my business in Carmel Valley than take it out of the area, and One Paseo's development would help me do so easily.

The fact that this project would bring together such a balanced mix of uses is certainly appealing. It would be a smart way to use the property. While some complain that a project like this might increase traffic, I think it's important to keep in mind that any other project developed under the site's current zoning would also result in significant and unavoidable traffic impacts. The difference is that a zoning compliant project would not offer the same community benefits that One Paseo would, including a Main Street-style community gathering area, an attractive complement of businesses that will increase local tax revenue, and public open space and pedestrian access points that all residents can enjoy.

I support this project completely and hope to see it approved quickly.

Yours truly,



Lawrence Kriesmer

154.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Peter Kruk](#)  
**To:** [DSD EAS](#);  
**Subject:** Project Name: ONE PASEO, Project No. 193036/SCH No. 2010051073  
**Date:** Monday, May 21, 2012 8:52:59 PM

Dear Marth Blake,

I am concerned about the increased air pollution that will result from the proposed One Paseo development.

As you know there are many scientific studies that show adverse health effects in children who live or go to school near busy roadways.

The proposed One Paseo development is close to many local schools. I'm concerned that the increased pollution from the increased traffic and congestion at and in the area around One Paseo poses a risk to children attending nearby schools and to those living nearby.

The DEIR refers to air quality monitoring stations in the area but all are miles away from the proposed One Paseo site. It is clear that the effects from air pollutants are most pronounced very close the source and therefor the monitoring stations described in the report are not adequate to evaluate the local air quality changes to be expected from the project. I believe that local changes to air quality as a result of the expected increased traffic on the local roads and as a result of the development's buildings themselves must be thoroughly evaluated before it can be assumed that the project is safe.

I request that this information be obtained.

Sincerely,

Peter Kruk  
14109 Bahama Cove  
Del Mar, CA  
92014

155.1 As discussed in response to comment 15a.155, the Draft EIR evaluated air quality impacts that could occur off-site. The only potential localized source of air pollution related to the project that could occur off-site is associated with carbon monoxide (CO) hotspots, which can result from increased engine idling in slow or stopped traffic. As identified in Table 5.5-14 and 5.5-15 in the Draft EIR, the CO concentrations in the vicinity of the project, including the increase in traffic from the Originally Proposed Project, would not exceed established threshold levels. Due to the fact that traffic congestion would not increase, the Revised Project would also not have a significant impact on local levels of CO. Thus, project traffic would not pose a health hazard to children attending local schools.

155.2 As discussed on pages 5.5-6 and 5.5-7 of the Draft EIR, ambient criteria pollutants were evaluated using different SDAPCD monitoring stations to be most representative of the project site. Due to its coastal influence, the data from the Del Mar-Mira Costa College monitoring station was used for ozone levels due to the localized influence of marine layers on ozone levels. The Kearny Mesa station was used for all other pollutants (except CO and SO2) because it provides a conservative estimate of the highest background pollutant concentrations in the project area. The downtown monitoring station was chosen for CO and SO2 because background CO levels are higher downtown than in Carmel Valley. By using elevated ambient CO levels, the CO hotspot analysis for the proposed development is considered conservative because the base level in downtown would already be higher than Carmel Valley.

COMMENTS

RESPONSES

**From:** [Laura Kurlansky](#)  
**To:** [DSD EAS](#);  
**Subject:** Yes on OnePaseo  
**Date:** Thursday, May 10, 2012 1:31:26 AM

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Dear Sir  
Please consider the feelings of the residents of Carmel valley and surrounding area

We so need the one paseo development It will enhance the area with new stores restaurants entertainment and place for residents who wish to downsize and purchase a condo or an apartment whereby one can have their facilities on their doorstep

Hopefully the residential accommodation will be upmarket for us residents who want a simpler lifestyle with all the amenities on our doorstep.

There are similar developments all over the world for example Melrose Arch in Johannesburg SAfrica which is a huge success. Similar to the Grove in Los Angeles Similar to one in Chicago and many more

It is so close to the 5freeway it will not interfere with traffic

It can only be an asset for the area and san diego

We hoping it will be approved and building operations will commence soon

Thank you

Laura Kurlansky

Sent from lolly's i phone

156.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

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**From:** [Laura Kurlansky](#)  
**To:** [DSD EAS](#)  
**Subject:** One paseo  
**Date:** Friday, May 25, 2012 11:18:15 PM

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157.1 [ I support this !! It is so needed for our community young and older  
Best  
Laura Kurlansky  
  
Sent from lolly's i phone

157.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Lolly Kurlansky](#)  
**To:** [DSD EAS](#)  
**Subject:** one paseo  
**Date:** Sunday, May 27, 2012 11:40:11 PM

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*We need this for the del mar carmel valley community so much! it is well overdue!  
It will enhance the area and bring some activity to our city  
Look around most cities have some attraction...we need it too!  
Cannot wait for the residential part of one paseo.....it is so exciting to live in the heart of a little city within an area that needs life and activity to prevail....  
Best  
Laura Kurlansky*

*Lolly  
Laura Kurlansky  
858-232-6111*

158.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Shirley kwok](#)  
**To:** [DSD EAS](#);  
**Subject:** "One Paseo ,Project 193036  
**Date:** Sunday, May 27, 2012 6:24:17 PM

To Whom It my concern.

159.1

This area is already very busy, if the project "One Paseo " being approved , for the people living in this area would be a disaster such as overcrowd parks ,destroy our community character because of too commercialized , especially Torrey Pine High school ,Carmel Valley Middle school, Pacific Highland elementary school are very close this project, during the school time ,the traffic would be a nightmare.Please do not approve this project.  
 Thank you.

159.1 The Draft and Final EIR reflect the position expressed in this comment that the proposed development would significantly impact local neighborhood character. In addition, the Draft and Final EIR conclude that the proposed development would have a significant impact on local traffic. As indicated in response to comment 15a.118, the conclusions with respect to traffic took school traffic into account.

The City considers payment of FBA fees to ensure that no significant impacts to parkland would occur.

COMMENTS

RESPONSES

Ms. Martha Blake, Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101  
RE: Project No. 193036/SCH No. 2010051073

May 29, 2012

Dear Ms. Blake:

I write to express my support for the One Paseo Project. I understand that the City released the EIR for the project which represents an important first step in the approval process. I have reviewed the EIR and found it to provide a clear, comprehensive analysis of the project's environmental effects.

It is clear from the EIR that the numerous benefits of the project, including providing our community with a needed central gathering place and additional retail options, outweigh the two environmental effects identified in the EIR. In fact, I think that mixed-use projects like One Paseo actually produce fewer car trips than single-use developments of the same size and will reduce dependency on the automobile by combining synergistic uses.

For these and many other reasons, I hope to see the One Paseo project approved soon.

Thank you for your consideration.

Sincerely,

Michael R. Labelle

160.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

Ms. Martha Blake, Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101  
RE: Project No. 193036/SCH No. 2010051073

Dear Ms. Blake:

As a local resident, I wholeheartedly support the proposed One Paseo project. The developers have worked with the community to create a project that would really benefit Carmel Valley residents. By providing a central place where residents can gather to shop, eat or relax, One Paseo would perform a critical function that has otherwise been lacking in the community. Even when it comes to managing basic errands, local options are disappointing; Del Mar Highlands is far too crowded and does not provide sufficient parking. We would all benefit from a site that is more carefully designed, better integrated, and aesthetically appealing.

I know that the Draft EIR for the project has been issued, which represents an important step in One Paseo’s approval process. I understand that the law requires the Draft EIR to evaluate the project’s environmental impacts. I would like to address the project’s many benefits. It’s hard to put a price on the value of a “heart” for Carmel Valley that would come from the development of a new Main Street. Therefore, I believe that any one of the benefits of One Paseo would outweigh the significant impacts identified in the Draft EIR.

For these reasons and many others, I hope to see One Paseo developed soon.

Sincerely,

Michael R. Labelle

161.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake,

I want to voice my enthusiastic support for the proposed One Paseo project in Carmel Valley. I commend Kilroy for how they have approached the planning of this project, and I think their proposed development is exactly what the area needs. The potential project impacts identified in the Draft Environmental Impact Report need to be viewed in light of the numerous benefits One Paseo would generate for the community.

As it stands, the Carmel Valley area is in need of more local amenities. Local shopping and dining options are few and far between; parking is a huge problem, and ultimately, many people just wind up driving out of town to take care of these needs. One Paseo would provide a much wider array of shops, restaurants and cafes, entertainment, and outdoor space – all in the same central location, with ample parking, accessible biking and walking paths, and potential public transit options. Essentially, the development would serve as a focal point for the community. It would also boost local business and strengthen the attributes that have made Carmel Valley a great place to live so far.

We should be thinking about the next generation and how the community can better meet their needs right now. I have two teenage kids, and I think they would get a lot out of One Paseo. The development's open design would provide them with somewhere safe and family-friendly to hang out after school, and they'd be close by to shops and food. I can see it being a great place for them to meet up with friends, and a convenient spot for me to pick them up.

In short, I think this is a fantastic project, and I know that I'm far from alone in thinking so. I hope that this project will be approved without delay.

Sincerely,



Ron Lack  
11384 Mustang Ridge Drive  
San Diego, CA 92130

162.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

162.1

May 23, 2012

Martha Blake  
 Environmental Planner  
 City of San Diego Development Services Center  
 1222 First Avenue, MS 501  
 San Diego, CA 92101  
 Project No. 193036/SCH No. 2010051073

**RE: One Paseo Draft Environmental Impact Report**

Dear Ms. Blake:

I am writing to comment on the Draft Environmental Impact Report ("DEIR") for Kilroy Realty's proposed One Paseo project and express my overall support for the project. In addition to being a local resident with an office located near the project, I am also a land use and real estate attorney and am certified by the U.S. Green Building Council as Leadership in Energy and Environmental Design Accredited Professional ("LEED AP"). Overall, I believe the One Paseo project's benefits outweigh any potential, adverse, environmental impacts.

**A. One Paseo Embodies Sustainable Development Principles**

One Paseo would provide numerous community benefits and is being planned in a responsible and progressive manner. To that extent, I understand that One Paseo is pursuing Leadership in Energy and Environmental Design certification (i.e. LEED certification). As I understand it, the project recently passed the LEED prerequisite review for smart neighborhood development ("LEED-ND") by the U.S. Green Building Council and is one of only 12 LEED for Neighborhood Development 2009 projects in California. The project's sustainability features include compact development, an infill location, walkable streets, drought-tolerant irrigation, and energy efficient infrastructure. As a LEED AP, I commend One Paseo's inclusion of these features and believe the project will serve as an example for future sustainable development.

I also understand the project will include other "smart growth" features and benefits, including the following:

- Bringing people together through a mix of compatible uses;
- Developing residential uses near an existing employment center;
- Increasing consumer choice to meet the retail demands of the community, including providing a specialty grocery store;
- Creating a focal point for the community with a true Main Street and plazas;
- Implementing "Smart Growth" policies in the City's General Plan and in regional plans;
- Implementing a dynamic plan to address traffic flow in Carmel Valley;
- Improving the economic health of the community through job creation and revenue generation for San Diego and the local community; and
- Addressing regional growth demands while reducing dependence on the automobile through new development in an established community.

163.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

Overall, the One Paseo project would help revitalize our economy and stimulate the Carmel Valley area in an environmentally sensitive way.

**B. The Project's Benefits Outweigh the Environmental Impacts Identified in the DEIR**

The DEIR for One Paseo provides the public with a wealth of information and a clear, comprehensive analysis of the project's environmental effects. The DEIR is sufficiently thorough for the public and elected officials alike to intelligently evaluate the project's potential environmental consequences. In my opinion, the DEIR demonstrates that any such consequences are outweighed by the benefits the project will provide for Carmel Valley.

Specifically, the DEIR reviewed fourteen environmental issue areas, including Land Use, Transportation/Circulation/Parking, Visual Effects and Neighborhood Character, Noise, Air Quality, Energy, Greenhouse Gas Emissions, Paleontological Resources, Biological Resources, Hydrology/Water Quality, Public Utilities, Public Services and Facilities/Recreation, Health and Safety, and Historical Resources. The DEIR more than adequately explained the basis of its conclusions in all of the studied environmental issue areas. Of these 14 areas, only two were found to have "significant and unavoidable" impacts - Transportation/Circulation/Parking and Visual Effects and Neighborhood Character.

However and as correctly noted in the DEIR, impacts to these two areas would be expected under almost any project alternatives, including the zoning compliant alternative. Moreover, the project, as envisioned, may actually improve area circulation and enhance the neighborhood character.

*a. As a mixed-use project, One Paseo will reduce car trips, thereby improving circulation.*

Sustainable development research indicates that a mixed-use project like One Paseo produces far fewer trips than single-use developments of the same size. Studies have demonstrated that complementary uses within the same development significantly reduce trips that would otherwise occur as a result of residents or patrons visiting various locations for the same services. In addition, the project proposes to build residential uses within walking distance to one of the region's employment centers, thereby permitting employees to live close enough to their office to walk to work. Overall, this project would reduce dependency on the automobile by combining compatible uses and siting them along a planned transit corridor which is consistent with both SB375 and SANDAG Sustainable Communities Strategy.

Importantly, a zoning-compliant project would also create significant traffic and visual impacts but would not likely offer the same community benefits, such as public open space, pedestrian connections to neighboring developments, a community gathering place, improvements to local roadways, traffic control system upgrades, streetscape improvements, and tax revenue.

*b. One Paseo would enhance Carmel Valley's character by creating a community focal point.*

In my opinion, Carmel Valley currently lacks a "village center" unique to the community. One Paseo provides that in a manner consistent with general sustainability principles and the General Plan's City of Villages Strategy. In fact, the DEIR found that the gathering places

163.1  
cont.

COMMENTS

RESPONSES

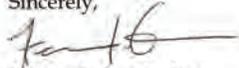
163.1  
cont.

contained within the project would promote social interaction within the community and would be consistent with the overarching Community Plan goal of establishing a sense of community identity. Creating a community focal point where people of all ages can safely gather will be of tremendous value to Carmel Valley, particularly since this area is home to many families and young adults.

I would offer that the impacts on Visual Effects and Neighborhood Character are actually either less than significant or beneficial for the community. It is clear from the project description that design team took great care to reduce the apparent mass through the design and placement of structures and the inclusion of a huge public open space area, which would provide a visual break from surrounding development.

In summary, One Paseo's sustainability features and community benefits outweigh its potential, adverse, environmental impacts. In many ways, this project exemplifies smart growth and implements the land use objectives of the City of San Diego. I sincerely appreciate your consideration of this matter.

Sincerely,



Fernando Landa, Esq.

cc: Councilwoman Sherri Lightner  
Chairman Frisco White, Carmel Valley Community Planning Board

COMMENTS

RESPONSES

**From:** [Bob LaPolla](#)  
**To:** [DSD EAS](#)  
**Subject:** NO One Paseo  
**Date:** Monday, May 28, 2012 12:47:16 PM

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- 164.1  This is to express my objection to one paseo project . It is way too big for carmel valley . There is insufficient road access and exit
- 164.2  for this project. Do not approve .

Robert J LaPolla  
5037 Zimmer cove  
Carmel valley  
San diego ca 92130

- 164.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.
- 164.2 Although the proposed development would have a significant impact on local traffic, street access to the site is considered adequate. Proposed access points to Del Mar Heights Road and El Camino Real will include traffic signals and turn lanes to assure that ingress and egress related to the project would not create any safety issues for motorists on these roadways.

COMMENTS

RESPONSES

From: [Mario C. Larach](#)  
To: [DSD EAS](#)  
Subject: One Paseo, Project 193036  
Date: Monday, May 28, 2012 9:47:34 AM

Attn: Martha Blake  
RE: One Paseo, Project 193036

- 165.1 I am hereby expressing my objection to the One Paseo project. This project is too dense, out of line with community character, will make traffic worse than it already is (and it is currently bad), and does not comply with community plans.
  - 165.2 This project should be located in high density areas with ample access to public transportation. Compare this to D.Manchester’s project for Mission Valley. They have it right.
  - 165.3 As a nearby resident who considered the local community character and community plans when purchasing our home strongly object to the One Paseo drive. My family’s investment and quality of life will be negatively impacted by the approval of this project.
- Thank you.

165.1 The Final EIR acknowledges that the Originally Proposed Project and the Revised Project would have a significant impact on neighborhood character due to the difference in bulk and scale of the project and adjacent development. Also, as discussed in Section 5.2 of the Draft EIR, the Originally Proposed Project would result in significant impacts to certain study area intersections and roadway segments. The Revised Project discussed in response to comment 5.6, which is currently proposed by the project applicant, would reduce the overall density and intensity in comparison with the Originally Proposed Project, along with the associated traffic and neighborhood character impacts. However, the impacts would remain significant and not mitigated.

As discussed in response to comment 10.42, the proposed development would be consistent with the overall goals of the Carmel Valley Community Plan and City General Plan even though it would require a change in the existing land use designation which applies to the project site. Furthermore, as discussed in response to comment 10.41, the proposed project need not comply with all the goals and objectives of a community or general plan to be found consistent.

165.1 As discussed in response to comment 63.5, Section 12 of the Draft EIR addresses a “reasonable range” of project alternatives. The Draft EIR stated that there are no other sites in the project area (i.e., Carmel Valley) that would be suitable for the project. Carmel Valley is essentially built out, and there are no other vacant parcels in Carmel Valley similar in size to the project site (23.6 acres) that could support the mix and density of proposed land uses within the development. With respect to the other potential locations (e.g., Mission Valley, as identified in this comment), acquisition of these sites in a timely manner by the project applicant is not considered feasible. Refer to response to comment 63.5 for more details on this matter.

With regard to comment that the development should be located in a high-density area, the density of the proposed project is intended to achieve the underlying goal of the City’s General Plan to promote village

COMMENTS

RESPONSES

165.2 development in keeping with the recent emphasis at the state level to cont. promote smart growth.

Additionally, with respect to public transportation access, funding for bus route 473 (as discussed in response to comment 10.40) is expected to be available through SANDAG at or near the year 2030.

165.3 Refer to response to comment 165.1 regarding neighborhood character and consistency with the Community Plan.

COMMENTS

RESPONSES

Susie Lau  
13134 Windbreak Road  
San Diego, CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake:

As a Carmel Valley resident, I would like to see the property at Del Mar Heights and El Camino Real used deliberately and well. I am in favor of the One Paseo proposal for the property - it would make an excellent use of the space there. The community benefits of such a project are head and shoulders above anything we'd see from an office-building-only development or any other alternative land use for the site.

One Paseo would not only provide our community with more shopping and entertainment options, but would give us our own town square to serve as a gathering place for locals. A mixed-use project like this would inherently be different from surrounding single-use developments, but that does not mean it would be incompatible. Quite the contrary, I believe it would serve to weave the different uses together. In addition, having a project like this with a high aesthetic value and with substantial public open space would be a great improvement to our community character.

It is my hope that as dialogue about this project continues, decision-makers like yourself will keep in mind the many benefits One Paseo would bring to the area. Weighed against the possible environmental effects identified in the Draft Environmental Impact Report, I think the benefits trump everything. This is a development that would be a wonderful complement to our community, and I hope to see it approved.

Sincerely,



Susie Lau

166.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

**From:** [slaverson@feelbeautiful.com](mailto:slaverson@feelbeautiful.com)  
**To:** [DSD EAS](#)  
**Subject:** Project No. 193036/SCH No. 2010051073  
**Date:** Saturday, May 12, 2012 3:42:21 PM  
**Attachments:** [One Paseo letter.doc](#)

**Martha Blake**  
**Senior Planner, City of San Diego**  
**1250 6th Ave**  
**San Diego, CA 92101-4300**

12 May 2012

**RE: Project No. 193036/SCH No. 2010051073**

Dear Ms. Blake:

As a Carmel Valley homeowner and parent, please accept my thanks for your service to the citizens of San Diego. This letter is to express my observations, part opinion and part based on objective data, about the proposed One Paseo development and the Draft Environmental Impact Report (EIR).

My support is strongly FOR One Paseo, perhaps with minor modifications to the plan as necessary to reconcile agendas of Kilroy to build a commercially successful venture and community members' desire for housing, retail, and office space, traffic and noise mitigation, green ecology, and consistency with community character.

Some facts: San Diego County is deeply in debt, with unfunded pension and other liabilities running indefinitely into the future. The State of California, same story, but much worse. The federal government continues amassing trillions in debt, with absolutely no planned accountability for this fiscal irresponsibility and negligence, except passing the resulting crushing burden on to future taxpayers. Unemployment, gas prices, cost of health care, and foreclosures remain high, new construction, access to capital, household savings, and economic growth remain low. Government at every level is seeking new and larger revenue streams to fund operations and pay down debt, driving existing private enterprise away from California, and discouraging potential new employers from considering a California location.

In this moribund setting, a developer sees in our community an opportunity. The developer has a strong track record of excellence, has enlisted unsurpassed architectural expertise, and in a transparent way has reached out to our community with a state of the art aesthetically pleasing plan to add locally desired popular retail business, and a live-work development with ample parking and pedestrian space. Similar multi-use developments have enhanced their communities in many ways. Besides augmenting local shopping and entertainment, new jobs develop, tax revenue increases, and community life is enriched. Countless good memories will be created. Along with the major investment and risk that investors will take comes an opportunity for wealth creation, and very sorely needed growth.

We have glorified strip malls in Carmel Valley, but none of these qualifies as a gathering place, or a city center. All other retail venues are currently arranged for patrons to park (near your destination business), make your purchase, and leave. Statistics support this behavior for most Del Mar Highlands and Piazza Carmel visits. Sufficient public infrastructure exists to accommodate this project by any metric. Our parks, local beaches, schools, and thoroughfares will not be strained by One

167.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

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COMMENTS

RESPONSES

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Paseo, nor is there good evidence that capacity will be exceeded, or that quality of life for individuals or the community will suffer.  
One Paseo is a win-win project, provided Kilroy, involved contractors, and subcontractors proceed according to plan and in compliance with local, state, and federal law. As a community, let's pull together and WELCOME the offer of a better place to live, work, and play that One Paseo represents.  
Steve Laverson, MD  
13335 Seagrove St., San Diego, CA 92130  
Phone 858-774-7112

COMMENTS

RESPONSES

**From:** [deland shen](#)  
**To:** [DSD EAS](#)  
**Subject:** No on One Paseo, Project 193036  
**Date:** Thursday, May 24, 2012 6:13:52 PM

Dear sir:

I am a Carmel Valley residence. My family is totally against the proposed One Paseo project. The scale of the project is so huge which will totally jammed the current Carmel Valley and damage the quality of park , traffic, school, air, water,etc.

Please help us saving our beautiful Carmel Valley!

Thanks!

Sincerely,

Deland Lee  
 residence at 12684 Carmel Country Rd. #3,San Diego

168.1 The Draft EIR did conclude that the project would result in significant traffic and neighborhood character impacts. However, the Draft EIR concluded that the mandated payment of school fees and FBA fees would avoid significant impacts of the proposed development with respect to schools and parks. Additionally, as discussed in Sections 5.5 and 5.10, respectively, the Draft EIR concluded that the project would not have a significant impact on air or water quality. The Final EIR reaches the same conclusions on these issues as the Draft EIR.

COMMENTS

RESPONSES

**From:** [geraldlelais@yahoo.com](mailto:geraldlelais@yahoo.com)  
**To:** [DSD EAS](#);  
**cc:** [geraldlelais@yahoo.com](mailto:geraldlelais@yahoo.com);  
**Subject:** One Paseo, Project 193036  
**Date:** Monday, May 28, 2012 10:10:37 PM

Dear Miss Blake,

- 169.1 [ As a resident of Carmel Valley, I'd like to take this occasion to express my concerns on the One Paseo EIR. Although I see with a positive eye the construction in Carmel Valley of a "main street", I have the feeling this project is just too much for our neighborhood.
- 169.2 [ On one hand the project will dramatically increase the traffic on roads that are already congested under current conditions and on the other hand it will add more than 1600 new residents without providing new parks for kids to play. Right now, it is already hard to find a spot in courses provided by the community park, and this will just get worse.
- 169.3 [ In addition, although it will add new jobs to the community, these are mainly going to be low income type of jobs, that won't be filled by people living in Carmel Valley as they won't allow to cover for the price of mortgages in this part of town.
- 169.4 [ Finally, the proposed construction of 8 to 10 story buildings will destroy the community character forever. A trade off that most residents in Carmel Valley are not ready to embrace.

Thank you very much for considering my concerns as a person that will likely be directly impacted by the proposed project.

Best regards,

Gerald Lelais  
 3965 Caminito del Mar Surf  
 San Diego, CA 92130

- 169.1 With respect to project-related traffic impacts, the Draft EIR, in Section 5.2.2, and Section 12.9 of the Final EIR, acknowledges that both the Originally Proposed Project and Revised Project would result in significant impacts to local street segments and intersections. Although the proposed development would include roadway improvements which would improve traffic flow in the community, certain traffic impacts would remain significant. For example, improvements to the Del Mar Heights Road bridge interchange at I-5, required to fully mitigate project traffic impacts, are within the jurisdiction of Caltrans and beyond the control of the City and the project applicant.
- 169.2 As discussed in responses to comments 63.168 through 63.170, the City considers payment of FBA fees to ensure that no significant impacts to parkland would occur. FBA fees are used for acquisition of parkland or intensification of recreational uses at existing parks that will expand use of those parks. Additionally, the Revised would include 1.5 acres of publically accessible recreation area that could provide for a number of passive recreation activities including children's play areas, picnicking, and informal sports, and 1.5 acres of greenbelt and plazas that would be open to the public.
- 169.3 Refer to response to comment 36.5.
- 169.4 The Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a substantial reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.

COMMENTS

RESPONSES

From: [Lorie Lentz](#)  
To: [DSD EAS](#);  
[DSD PlanningCommission](#);  
Subject: ONE PASEO  
Date: Monday, June 04, 2012 12:19:18 PM

Dear Council Members, Environmental Planners, San Diego Planning Commission;

- 170.1 [ As a 20 year resident and property owner in the Del Mar and Carmel Valley area, I am writing to you to oppose One Paseo Development plan. I will not support a bond issue and pay taxes on a deplorable project to the area. The massive impact to transportation/circulation/parking in the area would make it a community most homeowners would want to leave. The cumulative impacts to the neighborhoods character, noise, health and safety, and biological resources is already being felt with the growth of Del Mar Office park and the redevelopment of Del Mar Highlands shopping center. The proposed urban density of this mixed use project will bring this community to gridlock as well as drive down area property values.
- 170.2 [
- 170.3 [ Most of us who live here, do so, because it is not a concrete jungle but a quiet upscale beach/resort community. If the city would truly like to create a "main street", why not a green park, museum and outdoor theatre of the arts?

Sincerely,

*Lorie Lentz*  
Prudential California Realty  
Rancho Santa Fe Village Center  
6027 Paseo Delicias Suite E  
Rancho Santa Fe, CA 92067  
858-350-0042  
[Lorie@LorieLentz.com](mailto:Lorie@LorieLentz.com)  
Dre #01137610

- 170.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.
- 170.2 As indicated in this comment, the proposed development would have a significant impact on traffic, noise, and neighborhood character. However, adequate parking is expected to be included. Similarly, the Draft EIR concluded that the proposed project would not result in significant health safety or biological resource impacts. Lastly, the Draft EIR concluded that sufficient demand for retail services would exist after the proposed development to support existing and planned retail development in the community. The Final EIR reaches the same conclusions on these issues as the Draft EIR.
- 170.3 With respect to the comment asserting that a park, museum and outdoor theatre of arts would be better suited for this site, it is important to note that the site is currently zoned as an Employment Center (CVPD-EC), which calls for business park office uses on the site. In order to develop this site as one of these other uses, a similar change in zoning and land use designation would have to occur as would be required for the Originally Proposed Project and Revised Project. Additionally, the development of both the Originally Proposed Project and the Revised Project would include public open space including a 1.1-acre passive recreation area and nearby 0.4-acre children's play area in the northwest corner of the property and 1.5 acres of public greenbelts and plazas. Lastly, development of the property as a park or museum need not be considered as an alternative pursuant to CEQA because these uses would not achieve the basic objective of the project applicant to create a mixed-use development.

COMMENTS

RESPONSES

From: Carolyn Light  
To: DSD EAS;  
Subject: one paseo  
Date: Tuesday, May 29, 2012 1:23:18 PM

Dear Madam,

I just signed the following petition addressed to the local Planning Board, the City Planning Commission and the San Diego City Council:

"While we are not against appropriate development, we petition the City of San Diego to DENY the approval of One Paseo (Project 193036) because the project is too big for our suburban community. The project will cause GRIDLOCK, visual blight, and impacts that extend well into the surrounding communities.

The community wants to work with the developer, but, instead of working with us, Kilroy has HIJACKED the planning process, never allowing local input on the bulk and scale of One Paseo.

We feel the process should START OVER to get meaningful input from the community and planning board, as required by the City's General Plan, in order to come up with a mixed use project that fits Carmel Valley."

Sincerely,

Carolyn M. Light, Ph.D., R.N.  
Licensed Clinical Psychologist

Carolyn M. Light, Ph.D., R.N.  
Licensed Clinical Psychologist

2262 Carmel Valley Road, Ste E  
Del Mar, CA 92014

CONFIDENTIALITY NOTICE

This electronic transmission is intended only for the personal and confidential use of the recipient designated above. It may also constitute a legally privileged, doctor-patient communication. If you are not the intended recipient of this communication, you are hereby notified that any review, disclosure, or use of the information contained herein is strictly prohibited. If you have received this communication in error, please destroy the original message and all copies and notify me by telephone or by return email immediately. Thank you.

171.1 With regard to the assertion that the project is too big for the community and would cause gridlock and visual blight, the Final EIR acknowledges that the Originally Proposed Project and the Revised Project (discussed in response to comment 5.6) would have a significant impact on neighborhood character due to the proposed bulk and scale, and would also have some significant traffic impacts. The Revised Project, which is currently pursued by the project applicant, would reduce the overall density and intensity in comparison with the Originally Proposed Project, along with the associated impacts to neighborhood character and traffic. However, the impacts would remain significant and not mitigated.

Contrary to the comment, and as discussed in response to comment 50.2, there have been numerous opportunities for public input regarding the proposed development, in accordance with the City's project review and entitlement process. Public input is an essential purpose of the City's environmental review process, and occurs at several points in the environmental review process. Refer to response to comment 50.2 for more details regarding opportunities for public review and input. In addition to the required City environmental review process, the project applicant has met with Community Planning Group Members, City of San Diego staff, and community members numerous times. As of March 2012, there have been over 27 meetings open to the public.

Additionally, as discussed in response to comment 10.97, the plans for the proposed development have been modified numerous times based on input from the community, City staff, and the Carmel Valley Community Planning Board.

COMMENTS

RESPONSES

From: David  
To: DSD EAS  
Subject: Project 193036 (One Paseo)  
Date: Tuesday, May 29, 2012 5:40:43 PM

172.1 As residents of 13412 Pantera Road, San Diego, California 92130, we strongly object to the One Paseo development. The intersection of Del Mar Heights and El Camino is busy enough, particularly considering the proximity of that intersection to an elementary school and a high school (both within a mile--and we have witnessed children, both mothers with children in hand and high schoolers crossing that intersection going to school in the morning). With ample retail and office space along High Bluffs and in Solano Beach and Encinitas to the north and La Jolla/UTC (and Mira Mesa) to the south, is there really a pressing need for additional development in the Del Mar Heights area?

172.2 Given that there is not an overwhelming affirmative reply to this question and considering the real risks to child safety and traffic density, we urge that this development be stopped.

David and Karen Lilienfeld

172.1 The Final EIR acknowledges that the Originally Proposed Project and the Revised Project would both result in significant impacts to traffic. The Revised Project (discussed in response to comment 5.6), which is currently proposed by the project applicant, would reduce the overall density and intensity in comparison with the Originally Proposed Project, along with the associated traffic impacts. However, the traffic impacts would remain significant and not mitigated.

As discussed in response to comment 63.277, however, the increase in traffic associated with the proposed development is not expected to result in any significant offsite pedestrian safety issues. More specifically, as discussed in response to comment 7.4 and 9.1, no substantial safety risk is expected to occur with respect to school children in the project area.

172.2 As discussed in response to comment 10.47 and in the updated Retail Market Analysis (included as Appendix B.1 of the Final EIR), the retail needs of the community are currently underserved and residents often patronize businesses outside of Carmel Valley. The proposed development would further the community goal of self-containment by expanding the goods, services, and entertainment opportunities offered locally. Moreover, even with the proposed development, demand for additional retail in Carmel Valley would still exist.

COMMENTS

RESPONSES

Fang Lin . 11317 E San Raphael Driveway . San Diego, CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake,

I have lived in the same place for 11 years now, and I would love to be able to walk within my neighborhood to take care of my shopping needs. This is one of the benefits that I am looking forward to if One Paseo's development is granted approval.

I am particularly excited about the wide variety of amenities that One Paseo would offer to our local community. The development's plan includes shops, restaurants, and entertainment options, all blended together in a way that demonstrates an exceptional level of design. I would tend to keep my business within Carmel Valley much more if One Paseo were built, rather than spending time and money in La Jolla as I do now. Additionally, the residential plans included in the development are quite appealing, and I would be interested in the possibility of living there, too. Simply put, I think the developers have done an excellent job blending a great mix of uses into a single site that would merge very well with surrounding neighborhoods. This mix of uses will create a "community village" which would greatly enhance the community character of Carmel Valley.

Now that the Draft Environmental Impact Report has been released, I am excited to see the project move ahead. I hope you will consider the significant community support for One Paseo as you continue with your deliberations.

Sincerely,

  
Fang Lin

173.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

Ms. Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101  
RE: Project No. 193036/SCH No. 2010051073

Dear Ms. Blake,

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the One Paseo Project. I understand that the Environmental Impact Report identifies certain project impacts. However, I firmly believe that the project's benefits would outweigh the identified impacts.

The project would positively impact our community in many ways. For example, it would help the local economy by increasing employment opportunities in Carmel Valley. One Paseo would also bring new specialty stores like a Trader Joes to the area. Most importantly, it would enhance the community character by providing a true "heart" for Carmel Valley.

Thank you.

Sincerely,



4486 Verde Mesa Dr Powdersville 72130

174.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Robin J. Lipman](#)  
**To:** [DSD EAS](#)  
**Subject:** Project number 193036  
**Date:** Saturday, May 05, 2012 10:29:18 PM

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Hello,

175.1

I've lived in Carmel Valley since 1994. I am OPPOSED to the proposed increased capacity of One Paseo. My quality of life would be affected.

The traffic would be impossible.

Robin J. Lipman  
5038 Cheltenham Terrace  
San Diego, CA 92130  
858-794-7968

175.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Janette Littler](#)  
**To:** [DSD EAS](#)  
**Subject:** Project Number 193036  
**Date:** Monday, May 14, 2012 9:19:06 AM

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Ms. Blake,

I write in support of the One Paseo project in Carmel Valley and wish to comment on the Draft Environmental Impact Report and the many commendable sufficiencies of the document. With specificity, I support the pre-permitted requirements of traffic mitigations to address current and future impacts and believe them to be sufficient and highly desirable.

176.1

I also believe the projects mixed-use proposals are perfectly in keeping with the community character, no matter what the DEIR asserts. We currently have regional housing, office structures, and retail and entertainment options that are similar to those proffered in the document. The only distinction in character is that this is a mixed-use capability rather than stand alone assets. Mixed-use is a good thing. It will reduce our carbon footprint. That surely is a part of our community character in addition to the components therein.

Thank you for your consideration of the thoughts offered here.

Sincerely,

Janette Littler  
 Carmel Valley resident

[619.890.8262](tel:619.890.8262)  
[janette@calliduscg.com](mailto:janette@calliduscg.com)

176.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

From: [Margaret Lopata](#)  
To: [DSD EAS](#)  
Subject: One Paseo, Project No. 193036/SCH No. 2010051073  
Date: Thursday, May 10, 2012 12:37:07 PM

Dear Ms. Lightner & city council members,

As a resident of your district, I sincerely hope you will vote against the Size and Use variance for the One Paseo project that is being proposed for the intersection of Del Mar Heights Rd and El Camino in the Carmel Valley area.

I'm very concerned that the city hasn't considered the impact of this project and its attendant traffic increases on the safety of my neighborhood. Both my fire department and my police department rely on being able to swiftly and safely navigate the Del Mar Heights Rd. corridor to respond in my neighborhood on the west side of the freeway.

The traffic on Del Mar Heights Rd. is already extremely heavy during certain times of the day – morning and evening rush hours as well as school hours. Adding an additional 27,000 cars per day to the streets will cause a gridlock with nowhere for emergency vehicles to go.

In light of the serious delays in the response times of emergency crews due to budget “brown outs”, I would hope the city will re-think their liability in allowing this One Paseo project to proceed without considering alternatives to current traffic patterns.

If the project proceeds and one life or one house is lost because crews were stopped by traffic, it would be a sad day for the city of San Diego and it's residents. Please don't let that happen!

The idea isn't to *stop* development, it's to *control* development!

Sincerely yours,

Margaret Lopata  
14181 Half Moon Bay Dr. (city of San Diego, *not* city of Del Mar)  
Del Mar, CA 92014

177.1 While the Final EIR acknowledges that the Originally Proposed Project would have a significant impact on traffic, the project would not adversely affect emergency response times in the area. Refer to response to comment 8.2 for discussion of emergency response times.

177.1

COMMENTS

RESPONSES

May 25, 2012

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101  
Project No. 193036/SCH No. 2010051073

Dear Ms. Blake:

In addition to being a Carmel Valley resident, I am also a real estate attorney and therefore uniquely qualified to comment on the City's Draft Environmental Impact Report (DEIR) for the One Paseo project.

First, I write to express my overall support for the project. One Paseo would provide numerous community benefits and is being planned in a responsible and progressive manner. For example, I understand that One Paseo is pursuing LEED certification. Other project benefits include the following:

- Bringing people together through a mix of compatible uses;
- Increasing consumer choice to meet the retail demands of the community, including providing a specialty grocery store;
- Creating a focal point for the community with a true Main Street and plazas;
- Providing a sustainable model of development for San Diego;
- Implementing "Smart Growth" policies in the City's General Plan and in regional plans;
- Implementing a dynamic plan to address traffic flow in Carmel Valley;
- Improving the economic health of the community through job creation and revenue generation for San Diego and the local community; and
- Addresses regional growth demands while reducing dependence on the automobile.

Second, I wish to discuss the legal adequacy of the DEIR. The DEIR for One Paseo provides the public with a wealth of information and a clear, comprehensive analysis of the project's environmental effects. It is my belief that the DEIR demonstrates that such effects are outweighed by the benefits the project will provide for Carmel Valley. I also believe that the One Paseo DEIR complies with the requirements of the California Environmental Quality Act (CEQA). As you may know, an EIR should be prepared with a sufficient degree of analysis to provide decision makers with information that enables them to evaluate and review possible environmental consequences intelligently. An evaluation need not be exhaustive, and disagreement among experts does not make an EIR inadequate. *See Citizens of Goleta Valley v. Bd. of Supervisors*, 52 Cal. 3d 553, 564 (1990). The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure. With regard to One Paseo, the comments made by the public thus far indicate that interested parties may disagree with some of the analysis in the DEIR. However, it is not a requirement of CEQA that the City of San Diego "correctly" resolve such potential disagreements. Rather, what is required is that the material in the EIR be responsive to the opposition

178.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

178.1

and that it respond to the most significant questions presented. See *Ass'n of Irrigated Citizens v. County of Madera*, 107 Cal. App. 4<sup>th</sup> 1383 (2003).

I trust that the City will remain cognizant of these basic tenants of CEQA jurisprudence as it receives comments from all sides.

As required under state law, the One Paseo DEIR reviewed 14 environmental issue areas. I believe that the DEIR more than adequately explained the basis of its conclusions in all of the studied environmental issue areas.

Of these 14 areas, only 2 were found to have "significant and unavoidable" impacts - Transportation/Circulation/Parking and Visual Effects and Neighborhood Character. As correctly noted in the DEIR, impacts to these two areas would be expected under almost any of the project alternatives, including the zoning compliant alternative. I believe that the project benefits summarized on page 1 of this letter outweigh the significant impacts identified in the DEIR.

Third, I wish to comment specifically on the significant impacts identified in the DEIR.

Regarding transportation, it is generally understood that a mixed-use project like One Paseo produces far fewer trips than single-use developments of the same size and studies have demonstrated that complementary uses within the same development significantly reduce trips that would otherwise occur as a result of residents or patrons visiting other locations for the same services. In addition, this project would reduce dependency on the automobile by combining compatible uses and siting them along a planned transit corridor which is consistent with both SB375 and SANDAG Sustainable Communities Strategy. Further, I would like to note that a zoning-compliant project would also create significant traffic and visual impacts, but would not offer the same community benefits.

As for the impacts on Neighborhood Character, the project would be consistent with the General Plan's City of Villages Strategy and would provide a village center unique to Carmel Valley. In addition, the Draft EIR found that the gathering places contained within the project would promote social interaction within the community and would be consistent with the overarching Community Plan goal of establishing a sense of community identity.

Thank you. I appreciate your consideration of this letter.

Sincerely,



Ryan Lund, Esq.

Cc: Councilwoman Sherri Lightner  
Chairman Frisco White, Carmel Valley Community Planning Board

COMMENTS

RESPONSES

From: Mark Mandel  
To: DSD EAS; Lightner, Councilmember Sherri;  
Subject: One Paseo, project number 193036/SCH No. 2  
Date: Tuesday, April 10, 2012 6:27:20 PM

Dear Martha Blake and Sherri Lightner,

I am a Carmel Valley resident commenting on the proposed One Paseo project abutting Del Mar Heights Road.

I live approximately one mile from this project, and pass by the site proposed for development every day. About a month ago I attended a "by invitation" preview of the project offered by Kilroy Realty at their offices.

Similar to many in our community, I have mixed feelings about this project. On the positive side, a true "gathering place" for the community would be an asset. I also support the concept of mixed used for this site that includes a balance between retail, commercial, residential and open space.

179.1 Yet, I have significant misgivings about the scale of the project. It appears that Kilroy's real intent is to maximize density per square foot. A true community gathering place is one that allows for sufficient open space and greenscape for visitors and residents to feel a sense of place. I don't believe Kilroy has achieved this vision either in scope or intent. Density is far too intense, parking accommodations too limited (esp. during daytime when 25% of spaces are in use from the proposed office complex), and the environmental impact (both real and in terms of "livability" factor) just far too great.

179.2 At the meeting in Kilroy's office, I learned of the true impacts of this project: several additional traffic lights installed along Del Mar Heights Road, paring back landscaping on the south side of the street, and a dramatic rise in vehicle trips per day. The Kilroy representative acknowledged that a significant amount of landscaping along the south side of Del Mar Heights Road would be removed to allow for vehicle access to the new mall. **I pointed out then, and feel adamant today, that residents of Carmel Valley/Del Mar do not want Del Mar Heights Road redeveloped to appear as another Mira Mesa Blvd. or Balboa Avenue.** The serenity of the trees along Del Mar Heights road contributes greatly to a sense of community – and needs to be left as is. The current landscaping helps obscure buildings on both sides of the road, providing residents a more tranquil existence, and for commuters a more pleasing aesthetic along Del Mar Heights Road.

179.3 Further, adding traffic lights will significantly slow traffic on this artery to Hwy 5, despite the proposed lighting "synchronization".

179.1 As discussed in response to comment 5.6, the Revised Project includes 10.7 acres of open spaces including a 1.1-acre recreation area and nearby 0.4-acre children's play area in the northwest corner of the project and 1.5 acres of greenbelts and plazas. The project density is intended to provide the critical mass needed to achieve a thriving mixed-use project offering opportunities to live, work and plan in the same development. However, the Final EIR does recognize that the proposed density would be out of character with the surrounding development.

With regard to parking, however, as discussed in response to comment 41.1, the parking associated with the development is considered appropriate for the project. When taken as a whole, the parking included in the proposed project is expected to exceed the demand, so the issues outlined in this comment regarding a parking deficiency would not occur.

179.2 As discussed in response to comment 10.10, the proposed development would not impact trees and plantings within the center median of Del Mar Heights Road, except where portions of the median and up to three trees would be removed to accommodate the proposed connection points for First and Third Avenues. Furthermore, the development would include extensive landscaping at the southeast corner of the intersection of High Bluff Drive with Del Mar Heights Road and a greenbelt along the south side of Del Mar Heights Road. Consequently, substantial landscaping along these roadways would continue to be provided, consistent with the Community Plan.

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COMMENTS

RESPONSES

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I urge the City Council and City Planning/Environmental department to reject Kilroy's plan for One Paseo unless significant amendments are made to reduce the scope, density and environmental impact of this project. At the Pacific Athletic Club, I often talk with my neighbors about this controversial project. I can tell you a majority of residents are in support of the concept advanced in Kilroy's slick PR mailings – but not the true plans being advanced by the developer.

Please respond to this e-mail with your thoughts and opinions. Thank you.

Mark S. Mandel  
V.P. of Sales  
Earnest Eats  
Tel. (858) 792-1133  
Cell: (858) 775-8302  
Fax: (858) 793-3662

179.3 Refer to response to comment 10.165.

COMMENTS

RESPONSES

**From:** [Jill Marsal](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo- Project No. 193036/SCH No. 2010051073  
**Date:** Saturday, March 31, 2012 6:17:07 PM

Dear Environmental Planner:

180.1 I have reviewed the draft EIR that was on the City of San Diego website and I am extremely concerned.

The Environmental Impact report concludes that the project would result in significant transportation/circulation/and parking issues. The area is already congested and experiencing traffic issues and a project of this size far exceeds what the area is designed to handle. The additional traffic, congestion, parking issues would significantly impact the community and could not be mitigated due to space constraints. This is extremely troubling.

180.2 Further, this would irreparably destroy the visual effects and nature of the neighborhood. Its current character would be forever ruined and changed by a project with several massive buildings far greater than the 2 story buildings currently in the area. The project will have so much greater scale, density and traffic generation than what would be allowed by the existing entitlement or Community Plan, and the project is considerably more dense than any mixed-use project, existing or planned, in similar planned communities in greater San Diego.

I am seriously concerned that Carmel Valley's existing community character and its Community Plan will be destroyed if the proposed One Paseo/Main Street project gets approved.

From: Jill Marsal  
 Address: 13612 Landfair Rd., San Diego, CA 92130

Date: March 31, 2012

180.1 With regard to traffic, the Final EIR acknowledges that the Originally Proposed Project and the Revised Project (discussed in response to comment 5.6) would result in significant traffic impacts; however, no significant parking impacts would occur. Contrary to the statement made in this comment, the proposed development would include adequate parking. As noted in response to comment 41.1, when taken as a whole, the parking included in the proposed project is expected to exceed the demand.

180.2 The Final EIR acknowledges that the Originally Proposed Project and the Revised Project would both result in significant impacts to visual effects/ neighborhood character. The Revised Project (discussed in response to comment 5.6), which is currently proposed by the project applicant, would reduce the overall density and intensity in comparison with the Originally Proposed Project, along with the associated neighborhood character impacts. Additionally, the Revised Project discussed in Section 12.9 of the Final EIR includes reduced building heights. Overall, implementation of the Revised Project would reduce, but not eliminate significant impacts to neighborhood character.

With respect to the statement regarding the relationship of the proposed development to the Community Plan, refer to response to comment 125.6.

COMMENTS

RESPONSES

From: [Marsal, Kalle](#)  
To: [DSD EAS](#)  
Subject: One Paseo- Project No. 193036/SCH No. 2010051073  
Date: Monday, April 02, 2012 6:30:42 AM

Dear Environmental Planner:

I have reviewed the draft EIR that was on the City of San Diego website and I am extremely concerned.

The Environmental Impact report concludes that the project would result in significant transportation/circulation/and parking issues. The area is already congested and experiencing traffic issues and a project of this size far exceeds what the area is designed to handle. The additional traffic, congestion, parking issues would significantly impact the community and could not be mitigated due to space constraints. This is extremely troubling.

Further, this would irreparably destroy the visual effects and nature of the neighborhood. Its current character would be forever ruined and changed by a project with several massive buildings far greater than the 2 story buildings currently in the area. The project will have so much greater scale, density and traffic generation than what would be allowed by the existing entitlement or Community Plan, and the project is considerably more dense than any mixed-use project, existing or planned, in similar planned communities in greater San Diego.

I am seriously concerned that Carmel Valley's existing community character and its Community Plan will be destroyed if the proposed One Paseo/Main Street project gets approved.

From: Karel Marsal  
Address: 13612 Landfair Rd., San Diego, CA 92130

Date: April 1, 2012

181.1 With regard to traffic, the Final EIR acknowledges that the Originally Proposed Project and the Revised Project (discussed in response to comment 5.6) would result in significant traffic impacts; however, no significant parking impacts would occur. Contrary to the statement made in this comment, the proposed development would include adequate parking. As noted in response to comment 41.1, when taken as a whole, the parking included in the proposed project is expected to exceed the demand.

181.2 The Final EIR acknowledges that the Originally Proposed Project and the Revised Project would both result in significant impacts to visual effects/ neighborhood character. The Revised Project (discussed in response to comment 5.6), which is currently proposed by the project applicant, would reduce the overall density and intensity in comparison with the Originally Proposed Project, along with the associated neighborhood character impacts. Additionally, the Revised Project discussed in Section 12.9 of the Final EIR includes reduced building heights. Overall, implementation of the Revised Project would reduce, but not eliminate significant impacts to neighborhood character.

With respect to the statement regarding the relationship of the proposed development to the Community Plan, refer to response to comment 125.6.

COMMENTS

RESPONSES

**From:** [Marissa Marsala](#)  
**To:** [DSD EAS](#)  
**Subject:** Fw: One Paseo, Community Plan Area: Carmel Valley, Project No. 193036/SCH No. 2010051073 (Council District: Lightner)  
**Date:** Saturday, May 19, 2012 5:12:02 PM

**Subject:** One Paseo, Community Plan Area: Carmel Valley, Project No. 193036/SCH No. 2010051073 (Council District: Lightner) **TRUTH IN ADVERTISING?**

I am writing to protest the Main Street (aka, One Paseo) project in Carmel Valley as it relates to its current scope and size.

When residents first approved this project via the high-end, slick marketing piece that was sent, the original office development was cleverly presented in a manner that made it appear **substantially** smaller. A project much smaller in scope than what is proposed would have been a welcome addition to the area and surrounding areas, but now is unreasonably large. I live across the street

from the place at which the main entrance is planned, and have every confidence that this project will put an unmanageable volume of cars on the roadways to and from this entrance (in spite of the minor road lanes additions and other accommodations being made) - particularly when special events are planned, which will undoubtedly increase the traffic burden many times over. The original Environmental Impact Report (EIR) impact estimates were based on the original scope

182.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

182.2 The City does not agree with the commenter’s assertion that the City or project applicant attempted to present the project in a manner that made it appear substantially smaller. As no specifics related to the original project presentation are given in the comment, no more detailed response can be offered on this topic. However, it is important to note that the project applicant has revised the project from the version evaluated in the Draft EIR. The Revised Project (discussed in response to comment 5.6) would reduce the overall density and intensity in comparison with the Originally Proposed Project.

182.3 The addition of traffic signals at the project access points on Del Mar Heights Road would not create a significant traffic impact. As indicated in Tables 5.2-20 and 30 of the Draft EIR, these intersections as well as the segment of Del Mar Heights Road they intersect would operate at acceptable levels of service in the near-term. Tables 5.2-34 and 35 indicate that these intersections and segment would also operate at acceptable levels at buildout. The proposed development does not contain features (such as an amphitheater) which would be expected to host frequent special events. Furthermore, in most cases, special events would likely occur on weekends when local roads have more capacity to carry the extra trips.

COMMENTS

RESPONSES

182.4 cont. rather than the current project scope. The total size of the proposed project is nearly 4x greater than the current allowable building area and includes plans to build a 10-story office and 10-story residential building -- both of which will change the "Character" of the area and far exceeds the vast majority of buildings in Carmel Valley.

182.5 What many residents do not realize is that the plan is exponentially larger and their original vote of approval is for a project that pales in comparison to the size and scope of the project currently approved. In my view, this is "dirty pool," and reminiscent of the "bait and switch" activities for which those found guilty have served time.

182.6 To be fair, Kilroy Realty LLC should be required to print the plan in its current scope and distribute it to the very same mailing list as they originally mailed its glossy proposal to many years ago. At least then, those living in Carmel Valley would be appropriately notified of the project as it stands today.

Furthermore, they should be required to provide a comparison of the original scope and the current scope so that it is plain to the average lay person what has changed since they first voted. This mailing should include renderings of the bigger buildings, and illustrations that clearly show the difference in size between existing buildings and the proposed residential towers. Lastly, Kilroy should be required to include the DEIR. Given the tactics that Kilroy Realty LLC has

182.7

182.4 Section 12.9 has been added to the Final EIR to address the impacts associated with the Revised Project currently being processed by the applicant.

182.5 As discussed in response to comment 5.6, the project applicant is seeking approval of modified development plan, referred to as the Revised Project, which would reduce the overall project by approximately 22 percent. It would eliminate buildings in excess of 9 stories and would increase the amount of open space including creation of a 1.1-acre public recreation area and nearby 0.4-acre children's play area in the northwest corner of the site. Although the Revised Project would reduce the neighborhood character impacts associated with the proposed development, Section 12.9 of the Final EIR concludes that the neighborhood character impacts would remain significant with the Revised Project.

182.6 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

182.7 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

182.7  
cont.

employed, there is NO doubt that another vote should be taken.

182.8

Given the numerous iterations of this project, the latest published Draft Environmental Impact Report (DEIR) studies clearly convey concerns on virtually every level, and yet, in no way reflect the worst case scenario. While the report as it stands today is alarming enough, it merely is based on the estimated **routine** flow of traffic and other volume estimates versus atypical volume spikes caused by special events. Such events will only compound the DEIR findings, further supporting the DEIR conclusion which states that there will be a "SIGNIFICANT ENVIRONMENTAL IMPACTS" (plural: "Impacts"). The below is an excerpt taken from the DEIR:

Recommended Finding: Recommended Finding: The draft Environmental Impact Report concludes that the project would result in significant environmental impacts to the following areas: TRANSPORTATION/CIRCULATION/PARKING, VISUAL EFFECTS AND NEIGHBORHOOD CHARACTER, NOISE, PALEONTOLOGICAL RESOURCES, BIOLOGICAL RESOURCES, HEALTH AND SAFETY, and HISTORICAL RESOURCES.

182.8 The City disagrees with the assertion that the Draft EIR did not analyze the full effects of the proposed development. With respect to traffic, the traffic analysis was performed in accordance with standard City guidelines utilizing traffic generation rates contained in the City's Traffic Generators Manual. This manual establishes average trip generation rates for a wide variety of land use types. While it is true that the analysis would not include occasional special events, such an event would not be a typical occurrence and, therefore, not appropriate to consider in a traffic analysis.

COMMENTS

RESPONSES

182.9 In addition to the potential of traffic congestion causing delays in residents' ability to go about their daily lives, I further believe that this traffic burden could be a danger to those in the community, should there be any issue in which emergency vehicles need to access these roadways. For example, it is my understanding that the study did not address whether emergency vehicles could easily navigate through and past the Del Mar Hills area with the projected "normal" traffic volumes, let alone at peak times (holidays and special events). **This could mean life or death. Is Kilroy prepared to deal with those consequences?** I suspect this may be among the reasons the DEIR concluded that this project would represent a substantial impact to the community's health and safety.

182.10 Additionally, the environmental impact in terms of pollution, noise and resultant propensity for crime make the scope of this project completely unreasonable. Again, these impacts and others are referenced in the DEIR.

**CURRENT SCOPE OF PROJECT:**  
 Subject: GENERAL PLAN AMENDMENT (GPA),  
 COMMUNITY PLAN AMENDMENT (CPA),  
 PRECISE PLAN AMENDMENT (PPA), REZONE,  
 VESTING TENTATIVE MAP (VTM),  
 SITE DEVELOPMENT PERMIT (SDP),  
 NEIGHBORHOOD DEVELOPMENT PERMIT (NDP),

182.9 As discussed in response to comment 8.2, the project would not adversely affect emergency response times in the area.

182.10 The Draft EIR specifically addressed issues related to air quality and noise but, as discussed in response to comment. Sections 5.5 and 5.7 address criteria pollutants and GHG emissions. Based on the analysis of these issues, it was concluded that the proposed project would not have a significant impact related to air quality. An analysis of noise effects in Section 5.4, concludes that traffic noise from Del Mar Heights Road and El Camino Real could adversely impact habitable spaces within noise sensitive uses (e.g., residential). As a result, the EIR includes mitigation measures which would require buildings adjacent to these two streets, to include additional noise attenuation materials and/or design measures to reduce interior noise to 45 dBA or less.

As discussed in response to comment 139.3, effects of the proposed project on crime are beyond the purview of the EIR.

COMMENTS

RESPONSES

CONDITIONAL USE PERMIT (CUP), STREET VACATION, and EASEMENT ABANDONMENT for the phased construction of a mixed-use development encompassing a maximum of 1,857,440 gross square feet (sf) consisting of approximately 270,000 gross sf of commercial retail (all 270,000 sf comprises the gross leasable area [gla]), approximately 557,440 gross sf of commercial office (536,000 sf gla), approximately 100,000 gross sf consisting of a 150-room hotel, and approximately 930,000 gross sf consisting of a maximum of 608 multi-family residential units. The project also would include public space areas, internal roadways, landscaping, hardscape treatments, utility improvements, and parking facilities to support these uses. A total of 4,089 parking spaces would be provided throughout the site in subsurface garages, one above-ground parking structure, and small surface lots. Associated off-site improvements include frontage improvements, utility extensions, access improvements, and intersection improvements proposed as mitigation for project traffic impacts.

This begs the question, "Why is it being supported by those we've voted for who, unlike most lay people, are closer to this project and have a clear understanding of its adverse impact on the community?"

How is Kilroy Realty, LLC able to move forward when the DEIR clearly evidences adverse impact to the community?

182.10  
cont.

COMMENTS

RESPONSES

182.11

I have called several times to request supporting documents to the number listed in the DEIR and the phone rings incessantly. I am making this a matter of public record as it is imperative that those with concerns are able to successfully access factual information related to this issue. (Is this simply a consequence of inadequate staffing, or is this just another example of unfair dealings (bad faith) that go hand-in-hand with duping the public so that this project gets pushed through ... at **any** cost?)

"Availability in Alternative Format: To request this Notice, the draft Environmental Impact Report, and/or supporting documents in alternative format, call the Development Services Department at 619-446-5460 or (800) 735-2929 (TEXT TELEPHONE)."

182.12

There is a great deal of misinformation about this project -- the vast majority of which has been caused by the original mailer due to misrepresentation. I ask that those underwriting this project or otherwise endorsing it REQUIRE Kilroy Realty LLC to act in good faith and send out a final mailer, fully and clearly disclosing the current scope, and putting it to a vote. Those in positions of service to the community should insist that Kilroy heed the findings of the EIR and make the

182.11 The phone number identified in the comment is the reception desk at DSD. The phone is answered by the receptionist and, in the event that the receptionist is unable to answer the call, voice mail is available for the caller to leave a message. After receiving the message, the receptionist forwards the message on to the appropriate staff person. The City is uncertain why the commenter experienced problems with the phone number, but regrets the inconvenience.

182.12 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

182.12  
cont.

required adjustments to scale back  
this project to what the community  
at large believes they agreed to.

Marissa E. Marsala  
12537-E El Camino Real  
San Diego, CA 92130

COMMENTS

RESPONSES

**From:** [Marissa Marsala](#)  
**To:** [DSD EAS](#);  
**cc:** [Lightner, Councilmember Sherri Sanders, Jerry](#);  
**Subject:** One Paseo, Community Plan Area: Carmel Valley, Project No. 193036/SCH No. 2010051073 (Council District: Lightner)  
**Date:** Sunday, May 27, 2012 4:37:25 PM

**Subject:** One Paseo, Community Plan Area: Carmel Valley, Project No. 193036/SCH No. 2010051073 (Council District: Lightner) **TRUTH IN ADVERTISING?**

I am writing regarding the DEIR. I am more emphatic than ever after attending last week's meeting in Carmel Valley, that the DEIR be rejected and radically revised.

As I understand it:

1. Building heights were understated in the report based on a technicality. A ten story building as stated in any critical document should be just that. If a building has a first floor, that floor should count as a floor. As I understand it, all buildings were understated by one story. In addition, at least one of the buildings (perhaps others) has a first floor that is 10' high.
2. Retail space at the base of at least one building was misclassified or unreported.
3. The project size is nearly 4x larger than the community infrastructure can withstand.
4. The residential buildings that are planned are disproportionate to the overwhelming majority of buildings in Carmel Valley and will permanently change this "village's" character to resemble more of a city. Carmel Valley does not need its own skyline.

- 183.1 As discussed in response to comment 78.22, the number of stories for the proposed buildings is accurately described in the Draft EIR. Although the total number of stories for buildings was not included in Section 3, the number of stories was not misrepresented.
- 183.2 Contrary to the comment, buildings and uses proposed under the Originally Proposed Project were accurately described in Section 3 of the Draft EIR.
- 183.3 As discussed in Section 5.11 and 5.12 of the Draft EIR, the public services and utilities, with the payment of appropriate FBA fees and/or proposed improvements, would be able to handle the additional demand created by the Revised Project.
- 183.4 The Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment

COMMENTS

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183.4 cont. 5.6, the project applicant has modified the Originally Proposed Project to yield a substantial reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.

COMMENTS

RESPONSES

183.5

How Kilroy or their representatives can claim that it was prepared by an "independent" company when this company, as honest and professional as it *may* be, is paid by the *very* company funding this project? It is a rare company, indeed that would bite the hand that feeds it, in any economy, *let alone this one*. This aside, I was encouraged to see that their conclusions do not support moving forward on this project as it is currently defined.

Kilroy has not acted in good faith from the onset ... beginning with their pre-meditated, deceptively illustrated first mailing to residents. The rendering was accompanied by a description of the original project scope that most lay people are not informed/trained enough to fully understand/appreciate in terms of scope/scale/size. Many residents including me were duped by this mailing and relied more heavily on the visual rendering when making their decision. I believe Kilroy counted on this. To compound this, over the years, the project has grown exponentially in size to a point of ridiculous. My sentiments are supported by the DEIR which indicates clearly that the impacts will be substantial. Based on this ALONE, the size of this project should be scaled back dramatically.

183.7

Kilroy continues to railroad residents and engage in less than above board calculated tactics to push this project through. I am all for mixed use and a "heart" to this community, but this project in its current form would permanently drain the life out of this community. Kilroy's current plans will kill Carmel

183.5 As the Lead Agency, it is the City's responsibility to assure that the Draft EIR represented a fair and impartial analysis of the potential impacts for the proposed development. To this end, the City worked closely with the project applicant's EIR consultant, and performed an extensive independent review of the results and conclusions. As is common practice in the City, the Draft EIR was required to be reviewed and approved by DSD before it was released for public review. Thus, the conclusions drawn in the Draft EIR represent the independent judgment of the City.

183.6 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required. However, it is important to note that the project applicant has revised the project from the version evaluated in the Draft EIR. The Revised Project would reduce the overall density and intensity in comparison with the Originally Proposed Project.

183.7 The City does not agree with the commenter's assertion about the project applicant. While the Final EIR agrees with the assertion in the comment that there would be a significant neighborhood character impact with the implementation of both the Originally Proposed Project and the Revised Project, this conclusion was clearly presented in the Draft EIR. It is up to the City Council to weigh the benefits of the development against the impacts when it considers the project.

COMMENTS

RESPONSES

183.7  
cont.

Valley. Don't let them strong arm us and ruin our community.

Marissa E. Marsala  
12537-E El Camino Real  
San Diego, CA 92130

COMMENTS

RESPONSES

May 10, 2012

Martha Blake, Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue MS 501  
San Diego, California 92101

PROJECT NAME: ONE PASEO

Dear Ms. Blake:

I am AGAINST One Paseo as it is planned with the High Rise Hotel, High Rise Residentals, High Rise Office Buildings, Parking Garages.  
I am AGAINST approval for 4 times the original building space which it was approved.  
I am AGAINST allowing all the extra traffic that this project would generate on Del Mar Heights Road, High Bluff, El Camino Real.

BY PUTTING THE EXTRA TRAFFIC LIGHTS ON DEL MAR HEIGHTS ROAD, THE TRAFFIC WOULD TRY TO BY-PASS THESE LIGHTS AND DRIVE THROUGH THE RESIDENTAL STREETS IN OUR NEIGHBORHOOD. SOLANA HIGHLANDS ELEMENTARY SCHOOL WOULD ON THIS ROUTE.

WE DO NOT NEED A "MAIN STREET." We already have one and that is Del Mar Heights Road. We already have a great community which does not need "something to bring us together."

Instead, I think we could use another one-story shopping place at this sight, with ground parking, similar to the Ralphs Shopping Center. Possibly another grocery store and another pharmacy and some other useful stores. By doing this, the shopping traffic would be the same but at 2 locations, making it easier for the shoppers. It would take a lot of the traffic off Del Mar Heights Road if the Entrance would be on El Camino Real, across from the gas station, where there is already a traffic light.

PLEASE DO NOT ALLOW ONE PASEO.

Sincerely,

Mary C. Marshall  
13692 Landfair Road  
San Diego, CA 92130

184.1  
184.2  
184.3  
184.4  
184.5

184.1 The Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a substantial reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.

The density of the proposed project is intended to achieve the underlying goal of the City's General Plan to promote village development in keeping with the recent emphasis at the state level to promote smart growth. It should be noted that the project applicant has modified the Originally Proposed Project. The Revised Project reduces the intensity of the project by 22 percent as well as reduces the maximum building height from 10 to 9 stories. However, as stated in the Draft EIR and Section 12.9 of the Final EIR, the density associated with both the Originally Proposed Project and Revised Project contribute to the conclusion that the proposed development would result in a significant and not mitigated impact on neighborhood character.

184.2 The addition of traffic signals at the project access points on Del Mar Heights Road would not create a significant traffic impact. As indicated in Tables 5.2-20 and 30 of the Draft EIR, these intersections as well as the segment of Del Mar Heights Road they intersect would operate at acceptable levels of service in the near-term. Tables 5.2-34 and 35 indicate that these intersections and segment would also operate at acceptable levels at buildout. Thus, the traffic signals are not expected to encourage drivers on Del Mar Heights Road and El Camino Real to find ways through the community to avoid them.

COMMENTS

RESPONSES

- 184.3 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.
- 184.4 While development of the subject property as a shopping center would reduce environmental impacts associated with the proposed project (e.g., traffic and neighborhood character).
- 184.5 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Mica Martin](#)  
**To:** [sherrilightner@saniego.gov](mailto:sherrilightner@saniego.gov); [DSD EAS; rmezo@saniego.gov](mailto:DSD EAS; rmezo@saniego.gov); [white@wwarch.com](mailto:white@wwarch.com);  
**Subject:** ONE PASEO, Project #193036/SCH No. 2010051073  
**Date:** Monday, May 14, 2012 12:38:17 PM

Dear All:

I am very concerned about effects on traffic if the current One Paseo Plan is approved. Even if the plan were scaled back significantly, the effect on traffic are a concern. I don't have any expertise in urban planning, however I do live in the area and fight the traffic that already exists on a daily basis. I don't think it makes sense to add such a large project to this area. Please spend some time driving in this area during peak and non-peak (if it does exist) times. I think you will see that this area is already in need of traffic solutions, not more traffic problems.

From: Mica Martin  
 Address: 4669 Dunham Way  
 Date: 14May2012

The information contained in this message may be confidential, privileged and protected from disclosure. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by email or telephone and destroy all copies of the original message. Thank you.

185.1 The Final EIR acknowledges that the Originally Proposed Project and the Revised Project would have a significant impact on traffic. The Revised Project currently being pursued by the project applicant would reduce significant impacts associated with the project, but the impacts would still remain significant and not mitigated.

COMMENTS

RESPONSES

**From:** [sandra mckee](mailto:sandra_mckee)  
**To:** [white@wwarch.com](mailto:white@wwarch.com); [DSD EAS; Mezo, Renee; sherrilightner@sandiewgo.gov](mailto:DSD EAS; Mezo, Renee; sherrilightner@sandiewgo.gov)  
**Subject:** ONE PASEO project#193036/SCHN 2010051073  
**Date:** Monday, April 02, 2012 2:08:27 PM

To whom it may concern,  
 We are opposed to the One Paseo project in Carmel Valley. There already is excessive traffic in this area and this project is being misrepresented to the community. This project would destroy our quality of life in our neighborhood along with reducing property values due to the traffic congestion Both my husband and I are opposed  
 thank you,  
 Sandra Vitins-McKee D.D.S.  
 Mark McKee D.D.S.

186.1

186.1 The Final EIR acknowledges that the Originally Proposed Project and the Revised Project would have significant impacts on traffic and neighborhood character. The Revised Project currently being pursued by the project applicant would reduce these impacts, but they would remain significant and not mitigated.

As discussed in response to comment 10.13, the potential effect of the project on property value is beyond the purview of the EIR.

COMMENTS

RESPONSES

Seth McNamara  
3641 Seahorn Circle, Unit 417  
San Diego CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake,

I live around the corner from the site of the proposed One Paseo project in Carmel Valley, and I also own a rental property in the area. I think that One Paseo's design philosophy is a good example of "smart growth," and it's the right project for Carmel Valley.

One Paseo appeals to me from the perspective of both a businessperson and as a member of the Carmel Valley community. By blending together different uses for the space, One Paseo would serve as a focal point for the community, where people can come together and engage in a wide variety of activities without having to run all over town. What's more, with the open spaces that One Paseo would incorporate, we would have room to hold more community-building events.

On the business side, I look forward to seeing more office space built in the area. I want to see more businesses – more business development means more jobs and more tax revenue. A stronger tax base would benefit the whole community, strengthening local services like our schools.

I understand that there are concerns about traffic, but I think it's a relatively minor issue in the scheme of things. The developers have committed to spending millions of dollars on mitigation strategies. But, since One Paseo has been designed to encourage walking, biking and public transit, I'd hope we'd see residents take advantage of its nearness and accessibility.

I wholeheartedly support the One Paseo project. Simply put, I would be great for business and great for the community.

Sincerely,



Seth McNamara

187.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

187.1

COMMENTS

RESPONSES

**From:** [Kimberly McSherry](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo DEIR Comments (Project No. 193036/SCH No. 2010051073)  
**Date:** Thursday, May 17, 2012 10:49:33 AM

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Hi,

188.1 I am a Carmel Valley resident and have been for many years. This project is far to big for the community, and the addition of all those gigantic buildings is both an eyesore, and will create a traffic nightmare. Del Mar Heights Rd is already log jammed every afternoon and morning, and this project would make it impassable. Carmel Valley already has open retail spaces, and adding all those towers will just lead to more vacancies, and derelict properties. We need restaurants and grocery stores, not this awful giant mess.

188.2

Kimberly

188.1 The Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a substantial reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.

With respect to project-related traffic impacts, the Draft EIR, in Section 5.2.2, and Section 12.9 of the Final EIR, acknowledges that both the Originally Proposed Project and Revised Project would result in significant impacts to local street segments and intersections. Although the proposed development would include roadway improvements which would improve traffic flow in the community, certain traffic impacts would remain significant. For example, improvements to the Del Mar Heights Road bridge interchange at I-5, required to fully mitigate project traffic impacts, are within the jurisdiction of Caltrans and beyond the control of the City and the project applicant.

188.2 As discussed in response to comment 10.47 and in the updated Retail Market Analysis, (included as Appendix B of the Final EIR), the retail needs of the community are currently underserved and residents often patronize businesses outside of Carmel Valley. The proposed development furthers the community goal of self-containment by expanding the goods, services, and entertainment opportunities offered locally. Moreover, even with the proposed development, demand for additional retail in Carmel Valley would still exist. Therefore, it is highly unlikely that the proposed development would lead to blight or urban decay.

## COMMENTS

## RESPONSES

**From:** [Turgeon, Bernard](#)  
**To:** [Blake, Martha](#); [Mezo, Renee](#);  
**Subject:** FW: Comments to City of SD, Dev Svcs Dept re proposed One Paseo project (5-29-2012)  
**Date:** Wednesday, May 30, 2012 3:59:49 PM

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EIR related.

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Bernard Turgeon, AICP  
Senior Planner  
City of San Diego  
Development Services Dept.  
1222 First Avenue, Mail Stop 413  
San Diego, CA 92101  
Phone: (619) 533-6575  
Web: <http://www.sandiego.gov/planning/index.shtml>

Correspondents should assume that all communication to or from this address is recorded and may be reviewed by third parties.

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**From:** Lore Meanley [mailto:[lmeanley@hotmail.com](mailto:lmeanley@hotmail.com)]  
**Sent:** Wednesday, May 30, 2012 10:22 AM  
**To:** Turgeon, Bernard  
**Subject:** Comments to City of SD, Dev Svcs Dept re proposed One Paseo project (5-29-2012)

Dear Mr. Turgeon,

As a long-time Carmel Valley resident and third-generation San Diegan, I would like to comment on the draft Community Plan Amendment (CPA), which would amend the San Diego General Plan, Carmel Valley Community Plan and Carmel Valley Employment Center Precise Plan and rezone the 23.6-acre site at the southwest corner of Del Mar Heights Road and El Camino Real to higher-density and use Mixed-Use Center (M-UC).

My comments are directed primarily to the Executive Summary (ES) which is likely to receive the greatest attention in large part because the full EIR is so lengthy (over 2,000 pages with appendices). First, let me state that the Executive Summary is a well written, concise document. However, I would like to point out what I perceive as several shortcomings in this document. The principal shortcomings concern traffic flow, community character impacts and

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lack of balancing or weighting of impact elements.

With regard to traffic, much of the discussion centers on developer contributions to road infrastructure at relative remote locations. While the proposed M-UC would most certainly impact those locations (e.g., Via de la Valle a mile to the north and El Camino Real/SR 56 a mile to the South), the greatest traffic impacts will occur adjacent to the planned development. The ES fails to describe the traffic impact of driving on Del Mar Heights Road from I-5 to El Camino Real. Table ES-3 and the ES discussion are limited to intersection analysis, whereas what the community and City Council want to know is how is this development going to affect travel down the busiest thoroughfare in Carmel Valley? What are the comparative effects – comparing the current traffic flow to traffic flow after the proposed project is built out? A very good (but expensive) software program is available to provide an excellent analysis. The ES should state the estimated range at peak traffic times, mid-day and off-hours. The reader is stuck between the ES, which is virtually silent on this, and the EIR appendices, which are confusing, obtuse and antiquated at best. The ES draws attention away from the central concern to more remote matters.

Second, closely related to the traffic study but not mentioned anywhere is the human impact. There are a number of “impacts,” but the most central one is “human.” How does this project affect the people who live in the surrounding neighborhoods? To a lesser degree, who will this project affect people who work in this area and how will this project affect people who just pass through (e.g., commute or visit)? How can you measure “human impact” will first making some assessment as to how many residents regularly use Del Mar Heights Road? Is it 1,000, 5,000, 8,000 or more? Some effort should be made to estimate the number. These are the people who will be most directly impacted. Next, you should apply the traffic flow analysis (missing or obfuscated, as noted above) to their daily commutes. How much extra time will they have to spend in their daily commutes or shopping trips.

What about the effect of the schools in the immediate area? Torrey Pines High Schools has about 2,600 children in attendance, plus teachers, staff and some parents. There are no school buses. These kids or their parents drive them everyday. How will the M-UC affect them?

Two other high schools are located beyond Torrey Pines on Del Mar Heights

189.1 The Executive Summary of the Draft EIR, particularly Table ES-3 entitled Project Impacts and Proposed Mitigation, was intended to summarize the findings regarding potentially significant impacts related to the development of the proposed project which are discussed in more detail in Section 5.2 of the Draft EIR and the traffic report included in Appendix C of the Draft EIR. As stated in the beginning of the Executive Summary, “The summary does not contain the extensive background and analysis contained in the EIR. Therefore, the reader should review the entire EIR to fully understand the project and its environmental consequences.” Nevertheless, the Executive Summary does identify the fact the project would have significant traffic impacts on Del Mar Heights Road between the I-5 southbound ramps and High Bluff Drive. The Executive Summary does not address the segment of Del Mar Heights Road along the immediate project frontage because the traffic analysis concluded that this segment would operate at an acceptable level of service with project traffic. See Tables 5.2-30 and 34 of the Draft EIR. A full discussion of the impacts of the proposed development on Del Mar Heights Road is included in Section 5.2 of the Draft EIR.

189.2 Although there is no independent discussion of “human” impacts, the Draft EIR discussed a number of issues which could affect humans including traffic, neighborhood character, noise, and air quality. As discussed in the Final EIR, the Originally Proposed Project and the Revised Project would have significant impacts on traffic and neighborhood character. The Revised Project currently being pursued by the project applicant would reduce these impacts, but they would remain significant and not mitigated.

While noise and air quality emissions also represent human impacts, the Draft EIR concluded that the proposed development would not have significant noise or air quality impacts on surrounding development (refer to Sections 5.4 and 5.5 of the Draft EIR, respectively).

With respect to the specific question regarding the number of people affected by traffic on Del Mar Heights Road, the 2050 RTP assumes an average of 1.4 persons per car in the future. Thus, assuming 53,824 cars pass by the project in a day, an estimated 75,356 persons could pass by the proposed development on an average workday. The City measures the “human impacts” of project traffic in terms of LOS and seconds of delay rather than travel time. This practice is an accepted professional practice for determining the significance of a project’s impact on traffic circulation, as well as established city policy.

COMMENTS

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189.3 cont. Road (Cathedral Catholic and one beyond it) each with a significant student population, and two elementary and one middle school are located in the immediate area.

189.4 The Del Mar Heights shopping center has experienced a very noticeable increase in traffic and parking problems in the last six months, due to remodeling and the introduction of upscale restaurants. Most employees must park offsite now. Parking at premium times is practically impossible (valet service has been initiated). This recent growth will have an impact on the M-UC.

189.5 As to the M-UC's impact on Visual Effects and Neighborhood Character, a comparison of the density of the M-UC with the density of adjoining areas would be useful. The comparison should address building height, percent of land coverage (footprint), population per acre, etc.). Visuals are critical. Simulations would be very useful. How will this development look from various vantage points? The M-UC should also be compared with current office zoning in terms of visual effects, character and density.

189.6 Finally, the ES lacks balance. Sixteen pages, that is, over half of the 28-page ES, are devoted to Historical, Paleontological and related concerns. Another three pages addresses Noise, but most of these are related to noise issues for future residents inside the complex, not the adjoining community, so most of this portion of the ES is not an impact statement covering the surrounding community. So, the major impact of this proposed development is reduced to four pages (Transportation, Visual and Neighborhood Character) of the 28-page ES. The big issues are lost in the shuffle or not discussed at all.

189.7 As a final note, I work for one of San Diego's larger private sector employers. Some of my friends from work (scientists and engineers) live in or near the Carmel Valley area. My wife and I have many friends and neighbors in Carmel Valley. There is a high level of concern over this proposed project. I hope the true impact of this proposed development will be adequately documented. Thank you.

John and Dolores (Lore) Meanley  
4438 Philbrook Square  
San Diego, CA 92130  
(858) 259-1164  
[lmeanley@hotmail.com](mailto:lmeanley@hotmail.com)

189.3 Refer to response to comment 5.3 for specifics regarding the potential for project generated traffic to impact students and teachers commuting to and from Torrey Pines High School. It is important to also note that the traffic related to schools is included in the overall existing traffic counts upon which the traffic analysis was based. As discussed in responses to comments 7.11, the proposed development would not have a significant impact on local schools with the payment of school fees.

189.4 As discussed in response to comment 41.1, the mixed-use nature of the proposed project offers opportunities for shared parking which none of the other developments in Carmel Valley have. Thus, factoring in shared parking considerations, the parking associated with the development is considered appropriate for the project. Furthermore, as noted in response to comment 41.1, when taken as a whole, the parking included in the proposed project is expected to exceed the demand. Any parking deficiency at an existing location that is not associated with the proposed development is outside the purview of this EIR.

189.5 The Draft EIR already contains the type of information identified in this comment. The Draft EIR contained a discussion of building heights on pages 5.3-5 through 5.3-8 including representative photographs of existing buildings around the project site (see Figures 5.3-5a through 5.3-5e). Based on this analysis, it was concluded that proposed buildings would be substantially taller than the existing buildings, which contributed to the conclusion that the proposed development would result in a significant neighborhood character impact. On page 5.3-23, the Draft EIR concluded that the bulk, scale and density of the proposed development would be substantially greater than the surround development, which also contributed to the conclusion that the project would have a significant impact on neighborhood character. Lastly, the Draft EIR did incorporate several graphic methods to address neighborhood character impacts. Figure 5.3-7a and 7b depict the relationship of the proposed buildings to surrounding buildings. Figures 5.3-8 through 5.3-11 provide photo simulations of key views in the surrounding area with and without the proposed development.

189.6 Due to the decision to include verbatim mitigation language, the length and proportionality of the Executive Summary (ES) is due to the length of mitigation measures associated with cultural and paleontological resources. As noted in the comment, the cultural and paleontological mitigation measures are quite long. Furthermore, the ES does not address noise impacts on surrounding land uses because the analysis contained in Section 5.4 of the Draft EIR concluded that the proposed development

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189.6 would not have a significant noise impact on surrounding uses. As the cont. ES only addresses mitigation for significant impacts, noise impacts on surrounding areas were not included.

189.7 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

From: [RAYMELLO@aol.com](mailto:RAYMELLO@aol.com)  
 To: [DSD EAS](#)  
 cc: [Lightner, Councilmember Sherri; Millstein, Mel; Mezo, Renee; Turgeon, Bernard; white@wwarch.com; talk@onepaseo.com](#)  
 Subject: One Paseo (Project No. 193036/SCH No. 2010051073)  
 Date: Monday, April 23, 2012 5:18:04 PM

Dear Ms. Martha Blake,

First, I want to thank Councilwomen Sherri Lightner for providing the link to the One Paseo Draft Environmental Impact Report (EIR) for review and comment. My wife and I attended an informational meeting held by Kilroy Realty early in January and we were immediately intrigued by the scope of the project. We have been waiting for this "last piece" of Del Mar Highlands to be filled-in and quite expected another office complex, but we were pleasantly surprised by the proposed multi-use "Main Street" theme. We were, however, skeptical that sufficient infrastructure existed to sustain a project of this magnitude and decided to wait for the EIR before lending it our support.

In my professional career I have reviewed many EIRs and after a careful review found this one to be exceptional in its thoroughness. Given the current state of our economy, I was extremely impressed by the economic impact section and Kilroy Realty's willingness to develop a project of a scope that would take full advantage of the location and existing infrastructure to create a signature project that will serve as a focal point for Carmel Valley's commercial, retail, and residential needs in these hard economic times.

The infrastructure sections of the EIR were well covered, confirming and validating that energy and water supplies, infrastructure, public utilities and services, and recreational facilities are in place and are ample for the development of the proposed multi-use project with no significant impact on the environment. In addition, the existence of parks, schools (K-12), a library and community center, police, fire and rescue were all found to be sufficient in capacity and within easy reach if not walking distance of this project. To allow this site to remain unimproved or worse to be developed into a single use project such as an office park with surface parking would be unconscionable and contrary to earlier Carmel Valley visionaries to provide a focal point for the future economic growth of our community.

The environmental sections of the EIR that city planners identified as having "significant environmental impacts" were in the areas of: (1) transportation; (2) visual

190.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

190.1

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effects and neighborhood character; (3) noise; (4) paleontological, biological, and historical resources; and (5) health and safety. Without going into great detail of my review, in this e-mail, I think they were all adequately addressed and mitigated to the point that they would not result in cumulative impacts by Kilroy's mitigating action plans; with the exception of (1) transportation, and (2) visual effects and neighborhood character which seem to be the sticking points with the community as reported in the community newspaper, "Valley News," and offer these observations:

Transportation circulation and parking are always of concern in Southern California especially for a fill-in project of this magnitude. The proposed addition of two signals to the existing nine on Del Mar Heights Road between Mango Drive and Lansdale Drive is not insignificant; however, any development would require at least the addition of one signal. The proposed addition of two signals will place a signal about every tenth of a mile along a major part of Del Mar Heights Road. Kilroy's proposed mitigation plan to add dedicated right and left turn lanes at major intersections are a good circulation solution. Unfortunately, the activity from the additional signals and turn lanes measured by level of service (LOS) will become pronounced during "rush hour" travel periods, when the greatest demand is placed on the road system.

Planners used LOS D as the minimum "rush hour" performance standard with LOS E and F reflecting heavily congested conditions. The study shows several sections of Del Mar Heights Road and surrounding roads experiencing LOS D or greater during "rush hour." However, a multi-use project provides intermediate destination points that would provide opportunities not to use the major arteries immediately after work effectively stretching out the "rush hour" and easing the congestion and if necessary the widening of Del Mar Heights Road is not an impossibility. Two other possible traffic mitigating projects are of interest; CALTRAN's I-5/SR-56 Direct Connector Alternative (EIR pending) would provide traffic mitigation to the south and the widening of El Camino Real at Via de la Valle (under construction) would ease congestion to the north.

Visual effects and neighborhood character were identified as significant because there is nothing there to catch the eye --a vacant lot is like a blank canvas. Kilroy has proposed a signature project with something for everyone --that is the purpose of the project. To provide a multi-use village within close proximity to major roads with a place for public gatherings and social interaction that provides a mix of employment, housing, dining, and shopping that reinforces the sense of community. No other option in the EIR takes advantage of existing infrastructure, satisfies the community's search for a focal point and provides the opportunity for Carmel Valley to become a

190.1  
cont.

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190.1  
cont.

destination point along the I-5 corridor. Approval of One Paseo should be our first priority to get this innovative fill-in land use project showcased in time for the Balboa Park Panama-California Centennial in 2015.

Respectfully,

Raymond Mello

COMMENTS

RESPONSES

MERKIN & ASSOCIATES  
ATTORNEYS AT LAW

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DON MERKIN

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May 27, 2012

Ms. Martha Blake, Environmental Planner  
City of San Diego  
Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Re: Project No. 193036/SCH No. 2010051073

Dear Ms. Blake

I have been a Carmel Valley resident for more than seven years. I live on Carmel Creek Road, not far from the One Paseo site. I am aware of the environmental impacts that the project is expected to entail, however I am convinced that the advantages to our community far outweigh the disadvantages and I support it wholeheartedly.

One Paseo, if built as planned, will go a long way toward giving Carmel Valley a positive identity beyond that of a bedroom community. The predicted increase in traffic is bound to come in large part from other parts of Carmel Valley, which makes it simply a zero sum transfer. Some traffic is a small price to pay for a truly first-class facility which is more than just another shopping mall. You can be sure that those who are objecting most loudly today will be among those it attracts.

All of us should welcome the many hundreds of new jobs which One Paseo will create, responding to that urgent need in San Diego County. Moreover, a top-grade center like One Paseo inevitably results in the upgrading of other businesses in its market area--it is already evident--with a predictable increase in our property values.

I like Carmel Valley. I would not write a letter to support a development just for its own sake, but One Paseo promises to be transformative. I urge you to give it your blessing.

Yours truly

Don Merkin

191.1 As this comment does not raise any issues with respect to the adequacy  
A of the Draft EIR, no specific response is required.

191.1  
A

COMMENTS

RESPONSES

**Robert T. Merkin**  
12461 Kingspine Avenue  
San Diego, CA 92131

May 29, 2012

Via Email: rmezo@sandiego.gov

**RE: Project No. 193036/SCH No. 2010051073**

Dear Renee:

I write to express my support for the One Paseo Project. This project will serve not only the Carmel Valley area but a beneficial asset to the broader San Diego area.

The mix of retail, office, hotel and residential is exactly the type of development that the City of San Diego is encouraging. I have reviewed the EIR and found it to provide a clear, comprehensive analysis of the project's environmental effects.

In fact, I think that mixed-use projects like One Paseo actually produce fewer car trips than single-use developments of the same size and will reduce dependency on the automobile by combining synergistic uses.

For these and many other reasons, I hope to see the One Paseo project approved soon.

Thank you for your consideration.

Sincerely,

**CBRE, Inc.**



Robert T. Merkin  
Senior Vice President  
858.546.4629

191.1 As this comment does not raise any issues with respect to the adequacy  
B of the Draft EIR, no specific response is required.

191.1  
B

## COMMENTS

## RESPONSES

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**From:** [Turgeon, Bernard](#)  
**To:** [Blake, Martha](#);  
**cc:** [PLN SD Planning Groups](#);  
**Subject:** FW: One Paseo, Project 193036  
**Date:** Tuesday, May 29, 2012 3:40:00 PM

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Hi Martha,

The attached email is addressed to you, but was sent through the Planning Division's website. I think there are others. I have not read the email yet. However, because the CPA is out for distribution, I am collecting everything sent to me that is related to this application whether it states EIR, CPA to review for possible input on the CPA.

Bernie

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Bernard Turgeon, AICP  
Senior Planner  
City of San Diego  
Development Services Dept.  
1222 First Avenue, Mail Stop 413  
San Diego, CA 92101  
Phone: (619) 533-6575  
Web: <http://www.sandiego.gov/planning/index.shtml>

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Correspondents should assume that all communication to or from this address is recorded and may be reviewed by third parties.

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**From:** PLN Planning  
**Sent:** Tuesday, May 29, 2012 2:14 PM  
**To:** Turgeon, Bernard  
**Subject:** FW: One Paseo, Project 193036

Hi Bernie,

Please see the attached I am not sure if this should go to you. Please let me know if I need to forward this to someone else.  
Thanks  
Diane

COMMENTS

RESPONSES

From: Paula Merrick [mailto:paula\_merrick@yahoo.com]  
Sent: Tuesday, May 29, 2012 2:04 PM  
To: PLN Planning  
Subject: One Paseo, Project 193036

Attn: Martha Blake Environmental Planner:

192.1 Regarding the One Paseo project, as a resident of Carmel Valley I wish to state my objection to the project as it now stands. I like the idea of changing the zoning of this undeveloped parcel of land to mixed use. I don't object to the components of the proposed development (business, retail, housing, hotel). I think this is the wave of the future--having a residential area within walking distance of one's job, as well as shopping and entertainment, which will help cut down on people traveling/commuting to access these facilities; it makes good sense.

192.2 My concern is with the size of the development. It is simply too dense. The increased traffic from the new residents and from people accessing these facilities from outside the community will be, I fear, unbearable. You can only do so much to mitigate heavier traffic by synchronizing signal lights. And there is never enough parking.

192.3 Have you tried parking at the Del Mer Highlands shopping center located across the street from the proposed new development? At peak times, parking is nearly impossible. I've seen people get into fist fights over parking stalls--not a quality of life experience.

192.4 I also do not want Carmel Valley to turn into another University city with sky high buildings and bumper to bumper rush hour freeway traffic (actually, Del Mar Heights Road at the I-5 is already there; let's not make it worse).

I urge you to tell the developers to go back to the drawing board and scale down their planned development, one which will allow them to make a profit and which will actually improve the quality of life in our neighborhood when the project is finished.

Thank you for your attention to this matter,

Roy Merrick  
4480 Ocean Valley Lane  
San Diego, CA 92130

192.1 The density of the proposed project is intended to achieve the underlying goal of the City's General Plan to promote village development in keeping with the recent emphasis at the state level to promote smart growth. It should be noted that the project applicant has modified the Originally Proposed Project. The Revised Project reduces the intensity of the project by 22 percent as well as reduces the maximum building height from 10 to 9 stories. However, as stated in the Draft EIR and Section 12.9 of the Final EIR, the density associated with both the Originally Proposed Project and Revised Project contribute to the conclusion that the proposed development would result in a significant and not mitigated impact on neighborhood character.

192.2 With respect to project-related traffic impacts, the Draft EIR, in Section 5.2.2, and Section 12.9 of the Final EIR, acknowledges that both the Originally Proposed Project and Revised Project would result in significant impacts to local street segments and intersections. Although the proposed development would include roadway improvements, including traffic light synchronization, which would improve traffic flow in the community, certain traffic impacts would remain significant. For example, improvements to the Del Mar Heights Road bridge interchange at I-5, required to fully mitigate project traffic impacts, are within the jurisdiction of Caltrans and beyond the control of the City and the project applicant.

192.3 As noted in response to comment 41.1, when taken as a whole, the parking included in the proposed project is expected to exceed the demand. Thus, no parking impacts are expected to be associated with the proposed development.

Furthermore, any parking deficiency at an existing location that is not associated with the proposed development is outside the purview of this EIR.

192.4 The Draft EIR concluded that the proposed development would result in a significant impact on local traffic and neighborhood character. As discussed in response to comment 5.6, it is important to note that the project applicant has reduced the project by 22 percent.

May 22, 2012

Martha Blake Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS501 San Diego, CA92101

Dear Martha Blake

I was contacted several days ago requesting my support for the development " ONE PASEO" in Carmel Valley. When I expressed my concerns over parking, traffic, schools, infrastructure, etc. I was told someone would contact me to clarify these issues, instead I receive a letter from Mr. Robert C. Little of Kilroy Realty thanking me for my support. This glossy brochure I just received does not look anything like the "MAIN STREET" we were told about a year ago but rather an alley way separating large buildings. Based on these unethical practices, who knows what Del Mar Heights Road will look like in a few years. As a twenty five year home owner in Carmel Valley I will not support this project.

Very truly yours

*William A. Meyer*  
3510 SEAHORN CR.  
SAN DIEGO CA 92130

193.1 The Draft EIR contained analysis of the issues identified in this comment. With respect to traffic, Section 5.2 of the Draft EIR acknowledged that the proposed development would have a significant impact on local roads, most notably, Del Mar Heights Road and El Camino Real. Although the proposed development would include roadway improvements, including traffic light synchronization, which would improve traffic flow in the community, certain traffic impacts would remain significant. For example, improvements to the Del Mar Heights Road bridge interchange at I-5, required to fully mitigate project traffic impacts, are within the jurisdiction of Caltrans and beyond the control of the City and the project applicant.

Section 5.3 of the Draft EIR also addressed parking. As discussed in response to comment 41.1, the proposed parking would meet the project's needs.

As discussed in response to comment 7.11, the payment of mandated school fees would mitigate impacts of the proposed project on local schools.

Lastly, as discussed in Section 5.11 and 5.12, the project includes any upgrades to infrastructure needed to serve the needs of the proposed development.

COMMENTS

RESPONSES

**From:** [Jane and Art at home](#)  
**To:** [DSD EAS;](#)  
[Lightner, Councilmember Sherri;](#)  
**Subject:** "One Paseo" "193036/SCH No. 2"  
**Date:** Monday, May 07, 2012 5:00:06 PM

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Dear Ms. Lightner and One Paseo Project team:

We are Jane and Art Meyers, and live at 128934 Candela Place, across Del Mar Hghts. Road from the One Paseo project.

194.1 Within easy walking distance, we welcome such a mixed-use project, but object to the enormous out-of-character scale of the operation.

We attended the April 25<sup>th</sup> meeting at the Carmel Valley Library branch. At that meeting, many dedicated citizens expressed like dissatisfaction with the super-size of the One Paseo, with which we agree.

We also are taken aback by the not-so-subtle slick PR campaign by Kilroy. I hope you don't buy into the "Make it super-large, compromise to extra-large, compromise to very large, and get approval" charade.

194.2 We are not experts, and have not read the proposals word for word. We know what we do NOT like... the height of the buildings, the proximity to the streets (very little green between structures and street, the traffic nightmares, etc...

Your consideration of our opinion is appreciated.

Sincerely yours,

Art & Jane Meyers  
12934 Candela Place,  
San Diego, CA 92130  
858-947-5681.

194.1 The Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a substantial reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.

Patricia Michalewicz | 4854 Bayliss Court, San Diego, CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake,

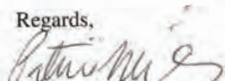
Now that the Draft Environmental Impact Report (DEIR) has been released, I would like to share my thoughts concerning the proposed One Paseo project. I appreciate your willingness to accept public comment on this important development possibility. I feel that the DEIR provides the public with a wealth of information and allows us to weigh the project's benefits against the identified environmental impacts.

One of the main reasons I support One Paseo is the significant growth it would bring to our community in terms of jobs and economic development. Right now, I have to drive to Encinitas in order to take care of many of my shopping needs. I'd much rather see local business stay within the community – and local jobs created – and I'm sure that other residents like myself would appreciate not having to spend as much on gas money.

This project really reflects the desires of Carmel Valley residents. I think the developers have done a great job accommodating different needs and concerns, and I am confident that all of the careful planning will help this development weave harmoniously into the existing community here. The public open spaces included in the project's designs would be a very welcome component of the project.

Please count me as a supporter of One Paseo. I hope that the development receives approval soon.

Regards,

  
Patricia Michalewicz

195.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [David Mighdoll](#)  
**To:** [Lightner, Councilmember Sherri](#);  
**cc:** [DSD EAS](#); [DSD PlanningCommission](#);  
**Subject:** ONE PASEO, Project No. 193036 / SCH No. 2010051073  
**Date:** Friday, June 01, 2012 6:18:18 PM

Ms. Sherri Lightner

196.1 This message is being sent to you to voice our **disapproval** of the ONE PASEO project as it is currently proposed by Kilroy; approximately 1.8 million square feet. The developer needs to be held to its original approved plan for 510,000 square feet... **approve this!**

196.2 The project as currently proposed is so out of scale (bulk and mass) and will bring forever damaging conditions to the residents of the Carmel Valley region, and surrounding towns. All the studies indicate that the traffic will be forever gridlocked, and that all proposed traffic mitigation concepts will never ease, or solve, the traffic problem. The traffic mitigation concepts are just that "concepts"; they will never solve an unsolvable problem created by this project. Use common sense and witness traffic on Del Mar Heights Road on Friday afternoon rush hour, during the San Diego County Fair, during the Del Mar Racetrack season, and at the I-5 intersection. Everyone knows traffic overload will end up in all the surrounding communities so the damage is regional, and even more extensive.

196.4 Our way of life will be damaged forever. You need to represent and protect the residents of the region; they have priority. Kilroy must not be allowed to proceed on their maximum size project, one that gives them super-sized returns on their investment, but irreparably damages the Carmel Valley region and its surrounding towns.

David Mighdoll and Micki Mighdoll  
 Del Mar residents for 16 years

196.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

196.2 The Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a substantial reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.

196.3 As identified in Table 5.2-41, the Draft EIR identifies very specific mitigation measures, which detail a range of roadway improvements to be carried out at specific locations. These improvements include new and/or extended turn lanes, and new traffic signals. In addition, mitigation measures require fair-share payments toward planned improvements on roadways which would be cumulatively affected by project traffic. While the applicant and the City lack the ability to guarantee implementation of mitigation measures associated with the Del Mar Heights Road bridge, implementation of the other improvements described in the mitigation measures would eliminate significant impacts associated with project traffic.

196.4 The City Council will weigh the impacts of the proposed development in making its decision to approve or deny the Revised Project.

COMMENTS

RESPONSES

**From:** [Brian Miller](#)  
**To:** [DSD EAS](#)  
**Subject:** one paseo  
**Date:** Sunday, May 27, 2012 11:38:37 AM

Dear Ms. Blake,

I am writing to you to express my extreme concern over the the proposed development One Paseo.

I am a local business owner and one of my locations is located in Carmel Valley very close to the One **Paseo** location. While I support the development of the land in that location, the proposed scale of One **Paseo** is entirely out of proportion for the space and neighborhood. The master plan for the community designated that area with a thoughtful footprint and density plan in mind. The proposed changes encompass so much more in size and scale that the traffic and sheer density (both in buildings and people) of that corner will be detrimental to the neighborhood.

Please help retain the plan for that space and not allow the developer to create a monster project for a neighborhood that is already congested!

Many thanks for your consideration and support.

Brian Miller  
President, **Geppetto's** Inc.  
Board Chair, The Good Toy Group  
7850 **Girard** Ave.  
La Jolla, CA 92037  
858.551.1070 ext 2#  
fax 858-551.1013  
GeppetotsToys.com

197.1

197.1 The Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a substantial reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.

COMMENTS

RESPONSES

**From:** [Susan Miller](#)  
**To:** [DSD EAS](#)  
**Subject:** ONE PASEO Project No. 193036/SCH No. 2010051073  
**Date:** Friday, March 30, 2012 3:23:08 PM

To Whom It May Concern:

I'm writing to register my serious concern regarding the above project. Although One Paseo appears to be a decent concept, in reality, the way it is currently designed, it will add unacceptable traffic, pollution and density to our neighborhood.

Please require the developer to re-design the project in an appropriate scale and with neighborhood and environmental concerns given a greater priority.

Thank you,

Susan Miller  
2469 Oakridge Cove  
Del Mar (San Diego), CA 92014

198.1 The density of the proposed project is intended to achieve the underlying goal of the City's General Plan to promote village development in keeping with the recent emphasis at the state level to promote smart growth. It should be noted that the project applicant has modified the Originally Proposed Project. The Revised Project reduces the intensity of the project by 22 percent as well as reduces the maximum building height from 10 to 9 stories. However, as stated in the Draft EIR and Section 12.9 of the Final EIR, the density associated with both the Originally Proposed Project and Revised Project contribute to the conclusion that the proposed development would result in a significant and not mitigated impact on neighborhood character.

With respect to project-related traffic impacts, the Draft EIR, in Section 5.2.2, and Section 12.9 of the Final EIR, acknowledges that both the Originally Proposed Project and Revised Project would result in significant impacts to local street segments and intersections. Although the proposed development would include roadway improvements which would improve traffic flow in the community, certain traffic impacts would remain significant. For example, improvements to the Del Mar Heights Road bridge interchange at I-5, required to fully mitigate project traffic impacts, are within the jurisdiction of Caltrans and beyond the control of the City and the project applicant.

While the project would generate additional criteria pollutants and GHG emissions, as discussed in Sections 5.5 and 5.7 of the Draft EIR, project-related emissions would not exceed thresholds established by the San Diego Air Pollution Control District. Therefore, the Draft EIR concluded that the impact of these additional emissions would be less than significant.

198.2 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Sadiq](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo, Project 193036  
**Date:** Sunday, May 27, 2012 8:13:27 AM

199.1 [ As a 19 year resident of Carmel Valley, this project will overwhelm the community. As it is there is excessive traffic congestion, parking shortage, pollution and excessive development, we absolutely do NOT need this here!

Sadiq Mirza  
 San Diego, CA 92130

Sent from my iPad

199.1 With respect to project-related traffic impacts, the Draft EIR, in Section 5.2.2, and Section 12.9 of the Final EIR, acknowledges that both the Originally Proposed Project and Revised Project would result in significant impacts to local street segments and intersections. Although the proposed development would include roadway improvements which would improve traffic flow in the community, certain traffic impacts would remain significant. For example, improvements to the Del Mar Heights Road bridge interchange at I-5, required to fully mitigate project traffic impacts, are within the jurisdiction of Caltrans and beyond the control of the City and the project applicant.

Contrary to the statement made in this comment, the proposed development would include adequate parking. As noted in response to comment 41.1, when taken as a whole, the parking included in the proposed project is expected to exceed the demand.

The density of the proposed project is intended to achieve the underlying goal of the City's General Plan to promote village development in keeping with the recent emphasis at the state level to promote smart growth. It should be noted that the project applicant has modified the Originally Proposed Project. The Revised Project reduces the intensity of the project by 22 percent as well as reduces the maximum building height from 10 to 9 stories. However, as stated in the Draft EIR and Section 12.9 of the Final EIR, the density associated with both the Originally Proposed Project and Revised Project contribute to the conclusion that the proposed development would result in a significant and not mitigated impact on neighborhood character.

While the project would generate additional criteria pollutants and GHG emissions, as discussed in Sections 5.5 and 5.7 of the Draft EIR, project-related emissions would not exceed thresholds established by the San Diego Air Pollution Control District. Therefore, the Draft EIR concluded that the impact of these additional emissions would be less than significant.

COMMENTS

RESPONSES

**From:** [Mohammady, Rahim](#)  
**To:** [DSD EAS](#);  
**cc:** [Mohammady, Rahim](#);  
**Subject:** ONE PASEO, Project #193036/SCH No. 2010051073  
**Date:** Monday, April 02, 2012 1:48:38 PM

Environmental Planner of City of San Diego,

I am very concerned about the current One Paseo Plan.

200.1 The Environmental Impact report concludes that the project would result in significant transportation/circulation/and parking issues. The area is already congested and experiencing traffic issues and a project of this size far exceeds what the area is designed to handle. The additional traffic, congestion, parking issues would significantly impact the community and could not be mitigated due to space constraints. This is extremely troubling.

200.2 Further, this would irreparably destroy the visual effects and nature of the neighborhood. Its current character would be forever ruined and changed by a project with several massive buildings far greater than the 2 story buildings currently in the area. The project will have so much greater scale, density and traffic generation than what would be allowed by the existing entitlement or Community Plan, and the project is considerably more dense than any mixed-use project, existing or planned, in similar planned communities in greater San Diego.

I am seriously concerned that Carmel Valley's existing community character and its Community Plan will be destroyed if the proposed One Paseo/Main Street project gets approved.

Thank you, Rahim

**Rahim Mohammady**  
 UCSD Pediatrics MC 0831  
 9500 Gilman Dr., La Jolla, CA, 92093  
 858-246-0026 Voice  
 858-246-0019 Fax  
 Available: Mon-Fri 7:30a-4:00p  
 P Think Green! Before printing this e-mail ask the question, is it necessary?

200.1 With respect to project-related traffic impacts, the Draft EIR, in Section 5.2.2 and Section 12.9 of the Final EIR, acknowledge that both the Originally Proposed Project and Revised Project would result in significant impacts to local street segments and intersections. Although the proposed development would include roadway improvements which would improve traffic flow in the community, certain traffic impacts would remain significant. For example, improvements to the Del Mar Heights Road bridge interchange at I-5, required to fully mitigate project traffic impacts, are within the jurisdiction of Caltrans and beyond the control of the City and the project applicant.

Contrary to the statement made in this comment, the proposed development would include adequate parking. As noted in response to comment 41.1, when taken as a whole, the parking included in the proposed project is expected to exceed the demand.

200.2 The Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a substantial reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.

The density of the proposed project is intended to achieve the underlying goal of the City's General Plan to promote village development in keeping with the recent emphasis at the state level to promote smart growth. It should be noted that the project applicant has modified the Originally Proposed Project. The Revised Project reduces the intensity of the project by 22 percent as well as reduces the maximum building height from 10 to 9 stories. However, as stated in the Draft EIR and Section 12.9 of

COMMENTS

RESPONSES

200.2 the Final EIR, the density associated with both the Originally Proposed  
cont. Project and Revised Project contribute to the conclusion that the proposed  
development would result in a significant and not mitigated impact on  
neighborhood character.

COMMENTS

RESPONSES

**From:** [Igor Molchanov](#)  
**To:** [DSD EAS](#)  
**Subject:** Project Name: ONE PASEO Project No. 193036/SCH No. 2010051073  
**Date:** Wednesday, May 16, 2012 12:26:20 PM

It is estimated that One Paseo project in the form proposed by Kilroy will bring additional 26000 daily car trips to the area of the following public schools:

- Solana Highlands Elementary
- Solana Pacific Elementary
- Carmel Valley Middle School
- Torrey Pines High School

We need to understand the effect this significant increase in traffic is going to have on the health of the children that spend large part of their day at these schools and will have to breath the air with high level of pollutants.

Igor Molchanov  
13242 Evening Sky Court  
San Diego, CA 92130

201.1 Refer to response to comment 7.5.

COMMENTS

RESPONSES

**From:** [Igor Molchanov](#)  
**To:** [DSD EAS](#)  
**Subject:** ONE PASEO, Project No. 193036/SCH No. 2010051073  
**Date:** Wednesday, May 16, 2012 1:07:54 PM

University of Southern California (USC) study published in the journal Environmental Health Perspective shows that children in schools located in high-traffic environments had a 45 percent increased risk of developing asthma.

It is estimated that One Paseo project in the form proposed by Kilroy will bring additional 26000 daily car trips to the area of the following public schools:

- Solana Highlands Elementary
- Solana Pacific Elementary
- Carmel Valley Middle School
- Torrey Pines High School

If the project is approved in the form proposed by Kilroy - can the City of San Diego be held liable for ignoring publicly available information and putting the children in the schools under increased risk of developing asthma.

Igor Molchanov  
13242 Evening Sky Court  
San Diego, CA 92130

202.1 Refer to response to comment 7.5.

COMMENTS

RESPONSES

**From:** [Mark Mortimer](#)  
**To:** [DSD EAS](#);  
**Subject:** One Paseo, Project 193036  
**Date:** Monday, May 21, 2012 3:49:53 PM

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Hello Ms. Martha Blake or To Whom It May Concern,

203.1

I have been a resident of Carmel Valley for 10 years and my family and I strongly opposed the One Paseo Project on many levels. First and foremost is the increase traffic of both vehicles and people to a relatively small area. Secondly is the proposed plan calls for a building profile that would dwarf the surrounding area and compromise the community values that make Carmel Valley an attractive, warm, suburban town.

Again I am against this project and wanted my voice to be counted. Thank you very much for your time.

Sincerely,

Mark and Dori Mortimer  
4130 Tynebourne Circle  
San Diego, CA 92130

203.1 The Final EIR, in Section 5.3.3, recognizes that the Originally Proposed Project and the Revised Project would result in significant impacts to the neighborhood character of the area. In addition, the Final EIR acknowledges that the Originally Proposed Project and the Revised Project would result in significant traffic impacts in the area.

COMMENTS

RESPONSES

**From:** [Frank Muchnik](#)  
**To:** [DSD EAS; Turgeon, Bernard;](#)  
**cc:** [Christine Gustin Aghassi; Kathy Lucker; rlittle@kilroyrealty.com;](#)  
**Subject:** RE: ONE PASEO PROJECT  
**Date:** Friday, May 25, 2012 3:05:57 PM

Ms. Martha Blake  
 Environmental Planner  
 City of San Diego Development Services Center  
 1222 First Avenue, MS 501  
 San Diego, CA 92101

Bernard Turgeon, AICP, Senior Planner (Bturgeon@sandiego.gov)  
 City of San Diego  
 Development Services Department  
 1222 First Ave., MS 413  
 San Diego, CA 92101

RE: Project No. 193036/SCH No. 2010051073

Dear Ms. Blake and Mr. Turgeon:

I am writing to you today to comment on the Draft Environmental Impact Report and draft Precise Plan Amendment for the One Paseo project.

204.1 [ Specifically, it is my belief that the proposed mixed-use project is compatible with the City of Villages Strategy, the Design Element of the City's General Plan, the Carmel Valley Community Plan and the the proposed Precise Plan Amendment.

204.2 [ I believe the EIR and the Precise Plan Amendment on One Paseo provide the public with a wealth of information and specificity. Further, it is my understanding that it is entirely proper for the City to be processing the PPA and EIR concurrently. Arguably, the City must process the PPA and EIR concurrently. Separating the PPA from the project would constitute project splitting.

204.3 [ Finally, I would like to add that I believe the analysis of Neighborhood Character is completely subjective. I personally believe that the One Paseo project would have a positive impact on Neighborhood Character. In fact, it would create a character and heart for Carmel Valley. Ultimately, given all that is provided, it is clear to me that the project's benefits to the community far outweigh any of the environmental effects that may result. We live in Carmel Valley since 1986 and we feel that is time to bring the most exiting project in years to life.

Sincerely,

204.1 The discussion in Section 5.1 of the Draft EIR confirmed this comment that the project would be consistent with the City of Villages Strategy, the Urban Design Element of the General Plan and Carmel Valley Community Plan.

204.2 As stated in the comment, pursuant to CEQA, environmental factors must be taken into account prior to a discretionary action. Approval of the PPA would, therefore, require environmental review concurrent with the processing of the PPA. Furthermore, the City Council must consider the conclusions of the environmental review and make specific findings pursuant to Section 15091 of the CEQA Guidelines before taking action on the PPA proposal.

204.3 The Final EIR, in Section 5.3.3 and 12.9, recognizes that the Originally Proposed Project and the Revised Project would result in significant impacts to the community character of the area.

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COMMENTS

RESPONSES

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Frank and Esfira Muchnik  
5123 Seagrove Cove  
San Diego, Ca 92130  
(858) 554-0400

1222 First Ave., MS 413

**About Yahoo! Shortcuts**

COMMENTS

RESPONSES

**From:** [Mary Ann](#)  
**To:** [DSD EAS](#);  
**Subject:** ONE PASEO Project No.193036/SCH No. 2010051073  
**Date:** Friday, May 04, 2012 2:23:45 PM

Dear Martha Blake,

My family and I are against the One Paseo project located between Del Mar Heights Rd and El Camino Real.

205.1 [ We live west of the freeway within two miles of El Camino Real, and we frequent the proposed development area often. We think it is wrong that the zoning could be changed to allow the project as planned. The current zoning laws limit the building at that site and those limits should be enforced

205.2 [ Our greatest concern is the scale of One Paseo. It is much too large for the site. If the zoning is amended to a larger size, the project would negatively effect the traffic, noise and pollution in that and surrounding areas. Carmel Valley doesn't need such a huge development at that location. A smaller development would meet the needs of the community without imposing so many problems.

205.3 [ There is already too much traffic in that area as well. There are three highschools and at least four elementary schools within a few miles of the proposed development and during the beginning and ending of the school day traffic is greatly increased. It doesn't make sense to put a development of the proposed size of One Paseo in the already congested area.

205.4 [ Please honor the zoning restrictions in place for the area and keep One Paseo within those limits for the benefit of all community members.  
 Sincerely,  
 Mary Mullen

205.1 It should be noted that the proposed rezone for the Originally Proposed Project and the Revised Project is one of the discretionary approvals that is required to implement the proposed development, as identified in Table 3-5 in the Final EIR. The rezone, along with all other required discretionary actions, will be considered by the decision makers.

205.2 The Final EIR acknowledges that the bulk and scale associated with both the Originally Proposed Project and the Revised Project would be inconsistent with the character of surrounding development. The Revised Project has reduced the scale, bulk, and height of structures to more closely conform to the existing community. Despite the reductions, community character is still considered a significant unmitigated impact, as described in Section 12.9 of the Final EIR.

The Final EIR acknowledges, in Sections 5.2.2 and 12.9, that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections and identifies mitigation measures that would reduce many impacts to below a level of significance. As noted in Section 12.9, the traffic impacts of the Revised Project would be reduced from those of the Originally Proposed Project.

As indicated in response to comment 63.125, onsite noise associated with the proposed development would not significantly impact surrounding land uses.

As discussed in response to comment 15a.203, the proposed development would not result in a significant impact on local or regional air quality.

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COMMENTS

RESPONSES

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205.3 The Final EIR acknowledges that the Originally Proposed Project and the Revised Project would result in significant traffic impacts in the area. As discussed above in response to comment 205.2, the traffic impacts of the Revised Project would be reduced from those of the Originally Proposed Project.

205.4 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [bmullinax Mullinax](#)  
**To:** [DSD EAS](#)  
**Subject:** ONE PASEO - OPPOSITION  
**Date:** Saturday, June 02, 2012 3:06:26 PM

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206.1 I oppose One Paseo until issues related to traffic, parking, and building heights are addressed.

Regards,  
Becky Mullinax

206.1 The comment states that issues related to traffic, parking, and building heights should be addressed. The potential impacts cited in this comment have been assessed, and the associated information and conclusions are present in the Draft EIR. In the Draft EIR, potential traffic impacts are addressed in Section 5.2.2, and potential parking impacts are addressed in Section 5.2.3. Additionally, the potential impacts of the building heights associated with the Originally Proposed Project are addressed in Section 5.3.3, as they relate to the community character of the area.

It is noted that the project applicant has revised the Originally Proposed Project to reduce the size of the project. As discussed in response to comment 5.6 and Section 12.9 of the Final EIR, the impacts of the Revised Project would be less than the Originally Proposed Project described in the Draft EIR. The primary effect of the Revised Project would be a reduction in the traffic and neighborhood character impacts associated with the Originally Proposed Project, but other reductions in impacts related to air quality, GHG, and noise would also occur. Although reduced, the traffic and neighborhood character of the Revised Project would remain significant and not mitigated.

COMMENTS

RESPONSES

**From:** [David Mulmat](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo" and the project number "193036/SCH No. 2  
**Date:** Monday, April 09, 2012 9:55:33 PM

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Hi,

I just want to say that I am **against** the proposed One Paseo development as it is now. I do not think a project that is four times greater than present zoning allows is acceptable. Would the Carmel Valley Planning Board and City of San Diego allow me to make my house four times larger? I don't think so.

This project needs to be scaled down significantly.

Thanks for allowing me to put my two cents in.

Dave Mulmat

207.1 The comment addresses the zoning change of the proposed project site that would be required for the Originally Proposed Project or Revised Project to be built. The comment discusses an opinion regarding the size and scale of the proposed development; however, the comment does not relate to the adequacy of the EIR. Thus, no specific response is required.

COMMENTS

RESPONSES

**From:** [David Mulmat](#)  
**To:** [DSD EAS](#)  
**Subject:** •• Project Name: ONE PASEO No. 193036/SCH No. 2010051073  
**Date:** Friday, May 04, 2012 10:16:37 PM

208.1

I am writing this email to express my concern over the One Paseo Project in Carmel Valley. I do not think that this high density project is wanted in Carmel Valley. The lot as purchased by Kilroy was zoned for 500,000 square feet. I do not think an allowance over 3 times that amount is good for anyone. Would you and the planning bodies of the city allow me to triple the size of my home?

I am firmly against the project as now proposed.

Thanks for your attention to this matter,

David Mulmat

208.1 The comment addresses an opinion regarding the scale of, and high density implicit with, the proposed development. As the comment does not relate to the adequacy of the EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Todd Murphy](#)  
**To:** [DSD EAS](#);  
**cc:** [Mezo, Renee](#); [Lightner, Councilmember Sherri](#); [white@wwarch.com](mailto:white@wwarch.com);  
**Subject:** One Paseo  
**Date:** Tuesday, May 29, 2012 10:54:56 AM

Dear Ms. Blake,

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the One Paseo Project. I understand that the Environmental Impact Report identifies certain project impacts. However, I firmly believe that the project’s benefits would outweigh the identified impacts.

The project would positively impact our community in many ways. For example, it would help the local economy by increasing employment opportunities in Carmel Valley. One Paseo would also bring new specialty stores like a Trader Joes to the area. Most importantly, it would enhance the community character by providing a true “heart” for Carmel Valley.

Thank you.  
 Sincerely,



Todd Murphy  
 3722 Mykonos Lane, #150  
 San Diego, CA 92130

[Todd Murphy](#)  
 Industrial Division

Cassidy Turley San Diego  
 4350 La Jolla Village Drive, Suite 500  
 San Diego, CA 92122  
 T 858.546.5406 F 858.630.6320  
[Todd.Murphy@cassidyurley.com](mailto:Todd.Murphy@cassidyurley.com) [www.cassidyurley.com/sandiego](http://www.cassidyurley.com/sandiego)  
[LinkedIn](#)

CA Lic # 01470958

209.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

Ms. Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101  
RE: Project No. 193036/SCH No. 2010051073

Dear Ms. Blake,

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the One Paseo Project. I understand that the Environmental Impact Report identifies certain project impacts. However, I firmly believe that the project's benefits would outweigh the identified impacts.

The project would positively impact our community in many ways. For example, it would help the local economy by increasing employment opportunities in Carmel Valley. One Paseo would also bring new specialty stores like a Trader Joes to the area. Most importantly, it would enhance the community character by providing a true "heart" for Carmel Valley.

Thank you.

Sincerely,

*Tom Murphy*  
3722 Mykonos Ln #150  
San Diego, CA 92130

210.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

From: pnaughton22@gmail.com
To: DSD EAS;
Subject: Comments on ONE PASEO DEIR, Project No. 193036
Date: Sunday, May 27, 2012 9:57:22 AM

I have resided in Carmel Valley since 1984. I have never commented on any development in this community because I think, overall, it has been developed with forethought and reason. One Paseo is a grotesque exception. I will comment specifically on the DEIR, which, sadly, is the first and only opportunity the community has been given to see the specifics of this proposal. I think the city ought to extend the comment period and demand further justification from the developer as to specifically WHY Camel Valley needs a 150 room hotel, a ten story residential tower, 600 multi-family units and a seven story parking structure.

Mitigation: there is no reasonable plan for mitigating 27,000 additional automobiles in the small area. Simply widening El Camino Real to the north is not an answer, nor are coordinated traffic lights. The problem is lack of freeway access for this type of development. I recently went to Kilroy's development in the Fairfax area of LA. (the Grove) This development is similar in density to what is proposed here. It is set in a residential neighborhood. I'm sure the neighbors are fed up with the traffic and noise. It is a destination mall – not one serving the residential community. Although it is only about 1 mile from the I-10 freeway, it took us 45 minutes to crawl through the residential roads to get to the mall. When we did, there was no parking in the structure. It was so crowded, you couldn't walk through the stores. I understand two of the big anchor tenants were allowed free rent.

Just as important as traffic, there is a serious problem in allowing this developer to FOREGO putting in the requisite community park. The City has finally acknowledged that Carmel Valley has FEWER parks than required. We are a child-centered community with numerous sports clubs all vying for very little park space. It is a travesty that a developer would be allowed to buy its way out of the requirement. Furthermore, the money it paid CANNOT be used to buy park land because THERE IS NO PARK LAND LEFT IN CARMEL VALLEY. One Paseo would create 600 unplanned for new families with children. Our public schools are already horribly overcrowded. High School classes average over 40 children per classroom.

211.1 As discussed in response to comment 10.97, community input was solicited throughout the process to date. The public review period was extended from 45 to 60 days in order to allow additional time for public review and comment. With respect to the concerns expressed in relation to the proposed hotel and the 10-story buildings, as discussed in response to comment 5.6, the project applicant has eliminated the hotel from the Revised Project and capped the building heights at 9 stories. The 608 residential units are still proposed in order to take advantage of the benefits associated with a true mixed-use development and provide additional housing opportunities within the area. The parking structures are proposed to minimize the amount of ground area devoted to parking in order to provide more opportunities for landscaping, paseos and plazas.

211.2 With respect to project-related traffic impacts, the Draft EIR, in Section 5.2.2 and Section 12.9 of the Final EIR, acknowledge that both the Originally Proposed Project and Revised Project would result in significant impacts to local street segments and intersections. Specific transportation improvements have been identified which would reduce the project's traffic impacts to a level less than significant. However, as discussed in the Final EIR, approval and/or implementation of improvements within the jurisdiction of Caltrans, related to the I-5/Del Mar Heights Road interchange, are beyond the control of the City and/or project applicant. Consequently, the Final EIR concludes that project impacts at the I-5/Del Mar Heights Road interchange, and the segment of Del Mar Heights Road from the interchange to High Bluff Drive would remain significant despite the implementation of improvements within the jurisdiction of the City. Although implementation of the mitigation measures which are not dependent on Caltrans approval would reduce project traffic impacts, the overall impact of the project on traffic is determined to be significant. Similarly, notwithstanding the project's contribution to improvements planned for Via de la Valle and portions of El Camino Real, the timing of those improvements is uncertain, and consequently the Final EIR concludes that the project's impacts to those facilities remain significant.

COMMENTS

RESPONSES

211.3 As described in responses to comments 63.168 through 63.170 and Section 12.9 of the Final EIR, the City considers payment of FBA fees to ensure that no significant impacts to parkland would occur. FBA fees are used for acquisition of parkland or intensification of recreational uses at existing parks that will expand use of those parks.

211.4 Refer to response to comment 7.11.

COMMENTS

RESPONSES

211.4  
cont.

There are literally no where to put additional seats in the classroom. Kids are sitting on countertops. Kilroy refused to provide to the local school districts any forecasts of new children to the district.

Finally, we beg you to put aside any friendship or professional respect you hold for Marcella Eck. Marcella did a fine job with the city and is well-regarded. She is now Kilroy’s paid consultant. Those of her friends left in the city to review this project ought not to let personal or professional regard color in any way their duties and responsibilities in objectively evaluating this development project. If any city staff feel that there judgment could be affected because of their professional or personal feelings or loyalties, they ought to recuse themselves from any contact with this project.

211.5

Any change in the Community Plan requires “meaningful public involvement”. The sneaky deal regarding the 4.66 acres of parkland that was wiped from this project is a prime example of closed door planning with no meaningful public involvement. In fact the Rec Council was not even allowed to comment on the DEIR. How is that promoting meaningful community involvement?

211.6

Please stop this nonsense and stick to the Community Plan. You understand the game here. Kilroy asks for 4 times what it is entitled to and settles for twice as much. It is a win-win for them and a lose-lose for the community. Kilroy bought this land at the top of the market. They made a bad investment. Too bad. I don’t ask my neighbors to pay my mortgage if my house is underwater. The same is true here.

Pamela Naughton

211.5 Refer to response to comment 10.97.

211.6 The Draft EIR was circulated for public review for 60 days (which included a 15-day extension) during which time anyone was allowed to submit comments on the adequacy of the EIR. The City does not prohibit or restrict any persons, public agency, or organization from submitting comments.

COMMENTS

RESPONSES

**From:** [Tena Navarrete](#)  
**To:** [DSD EAS](#)  
**Subject:** ONE PASEO, project#193036/SCH#2010051073  
**Date:** Saturday, June 02, 2012 10:12:51 AM

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212.1 Ms. Martha Blake,  
Please vote NO on the current proposed project PASEO ONE.  
It needs to conform to the present zoning restrictions.  
I live in Del Mar and many of my friends live in CV.  
Please we want to keep our neighborhood from over building. We like  
our living space.  
Thank you.  
Tena Navarrete

212.1 The comment correctly points out that development must conform to the applicable zoning. As discussed in Section 3.4.3, Rezone, of the Draft EIR, the project applicant is requesting the property be rezoned to CVPD-MC to allow the proposed development.

COMMENTS

RESPONSES

Carolyn Neff  
3587 Pell Place #218  
San Diego, CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake:

Carmel Valley needs a central place where residents can shop, eat out, watch a movie, and enjoy time with friends or family. There aren't many such options for residents right now – and certainly none that are conveniently and centrally located. As a result, people wind up driving out of town quite often. I think that the One Paseo project would address this problem very well, which is one reason why I've supported the project since the start. There's no Main Street in Carmel Valley right now – but One Paseo could fill that role perfectly, helping to foster a greater sense of community identity here.

One Paseo would certainly be a unique addition to the area – but I don't think that's a bad thing at all. In addition to its practical uses, One Paseo's superior design would create a strong sense of place in the community. The development plans have been structured carefully around the smart growth principles San Diego so values. With a site that would offer so much, it's clear that there would be some density. But, with some of the very best architects and designers working on this plans, it's also clear that the density would be very well-managed with a visually appealing site layout – one that offers greater setbacks on the property than what is even required. The Draft EIR addresses some of these issues, which is why I feel compelled to note that I think they've been addressed carefully through the project plans, too. In fact, I think that the benefits of this development outweigh any of the issues noted in the Draft EIR.

I also think that the project's potential to grow our area's economy should be foremost on our minds. With the initial job creation during construction and sustained jobs provided over the long run, we'd see more local revenue as well, which would only be a good thing.

Please give this project the support it deserves.

Thanks, 

Carolyn Neff

213.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

213.1

**Edward Nefouse | 5061 Seashell Place, San Diego, CA 92130**

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake,

Choosing to move forward with the One Paseo proposal would be a great move forward for our community. The city has done a tremendous job assessing the project's potential impacts in the Draft Environmental Impact Report and sharing it with the public in a clear and transparent manner. After assessing the project's benefits with its potential impacts, I want to affirm my support for One Paseo. I think the project's benefits are much more significant than any of the potential environmental effects noted in the Draft EIR.

I'm sure you're well aware of local residents' desire to have better shops and restaurants located closer to home and more easily accessible. That One Paseo would fill this need well is pretty clear. I think it's also worth mentioning, though, that One Paseo would boost business while at the same time working to maintain the close-knit community feeling that Carmel Valley residents prize. The project is meant to create the atmosphere of a "community village" - a place where neighbors and friends could easily gather to enjoy a wide variety of activities at a single location. Building a community village would also help advance San Diego's "City of Villages" strategy for smart growth and provide a strong sense of place for our community.

Such a project would only complement the community as it exists currently; I have no worries that it would either undermine or overwhelm what makes Carmel Valley special. Indeed, it should only enhance it.

The additional tax revenues and local funding that One Paseo would generate would also help the community immensely, including our local school. The economic benefits of the project should not be overlooked in any assessment of One Paseo's suitability for Carmel Valley.

Thank you for your time and consideration.

Sincerely,

Edward Nefouse

214.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

From: [jan nelte](#)  
 To: [Lightner, Councilmember Sherri](#);  
 cc: [DSD EAS](#); [DSD PlanningCommission](#);  
 Subject: ONE PASEO, Project No. 193036/SCH No. 2010051073  
 Date: Friday, June 01, 2012 7:59:29 AM

To Sherri Lightner, Martha Blake, and The Planning Commission,

215.1 [ As residents of Del Mar, my husband and I are strongly opposed to the approval of the One Paseo project. This proposed development would change the zoning to allow **four times the density** currently allowed. It would cause horrific traffic problems on the I-5 interchange at Del Mar Heights as well

215.2 [ as the surrounding communities.

Please vote against the passage of this high density project.

Sincerely,  
 Jan and Eric Nelte  
 467 15th Street  
 Del Mar, CA 92014

215.1 The comment mentions the zoning change that would be required for the Originally Proposed Project or Revised Project, and the commenter is not in support of this potential change. As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

215.2 The Final EIR acknowledges in Sections 5.2.2 and 12.9 that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections and identifies mitigation measures that would reduce many impacts to below a level of significance. As noted in Section 12.9, the traffic impacts of the Revised Project would be reduced from those of the Originally Proposed Project.

COMMENTS

RESPONSES

From: Louie Nguyen  
To: DSD EAS  
Subject: One Paseo - project number "193036/SCH No. 2"  
Date: Monday, May 07, 2012 3:13:01 PM

We oppose the One Paseo project.

216.1 As a business owner located on High Bluff, we think One Paseo will create too much density with its +600 condos which will give the wrong "feel" to our current premium business community.

216.2 As home owners at the Crest of Del Mar, we believe that the traffic that One Paseo will create will be unbelievably harmful to the lifestyle of the community as well as being harmful to our children. The 6-lane El Camino Real is already a race track and will become even more dangerous with the increase in number of cars.

We know a number of potential home buyers who have opted to buy home further south to escape One Paseo. The word is getting out to the greater San Diego about this monstrosity.

Best,

Louie Nguyen, CFA  
President & CIO

Soledad Investment Management, LLC  
12555 High Bluff Drive Suite 180 San Diego, CA 92130  
Tel: 858 724 6070 | Fax: 858 724 8060

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216.1 The Draft EIR acknowledged that the density of the Originally Proposed Project exceeds that which is currently allowed by the applicable planning and zoning for the property. In addition, as indicated in Section 12.9 of the Final EIR, the Revised Project would also exceed the development currently allowed by applicable planning and zoning. The Final EIR identified a significant project impact on the neighborhood character in the area for both the Originally Proposed Project and the Revised Project.

216.2 The Final EIR acknowledges in Sections 5.2.2 and 12.9 that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections and identifies mitigation measures that would reduce many impacts to below a level of significance. As noted in Section 12.9 of the Final EIR, the traffic impacts of the Revised Project would be reduced from those of the Originally Proposed Project.

As discussed in responses to comments 7.4 and 9.1, no substantial safety risk is expected to occur with respect to children associated with future development of the proposed development.

COMMENTS

RESPONSES

**From:** [Darcy Nickels](#)  
**To:** [DSD EAS](#)  
**cc:** [Mezo, Renee](#); [Lightner, Councilmember Sherri](#); [white@wwarch.com](#)  
**Subject:** In Support of One Paseo  
**Date:** Tuesday, May 29, 2012 12:38:23 PM

Ms. Martha Blake, Environmental Planner  
 City of San Diego Development Services Center  
 1222 First Avenue, MS 501  
 San Diego, CA 92101  
 RE: Project No. 193036/SCH No. 2010051073

Dear Ms. Blake:

As a local resident, I wholeheartedly support the proposed One Paseo project. The developers have worked with the community to create a project that would really benefit those of us who live nearby. By providing a central place where we can gather to shop, eat or relax, One Paseo would perform a critical function that has otherwise been lacking in the community. Even when it comes to managing basic errands, local options are disappointing; Del Mar Highlands is far too crowded and the parking is horrific. We would all benefit from a site that is more carefully designed, better integrated, and aesthetically appealing.

I know that the Draft EIR for the project has been issued, which represents an important step in One Paseo's approval process. I understand that the law requires the Draft EIR to evaluate the project's environmental impacts. The project has many benefits. It's hard to put a price on the value of a "heart" for Carmel Valley that would come from the development of a new Main Street. Therefore, I believe that any one of the benefits of One Paseo would outweigh the significant impacts identified in the Draft EIR.  
 <!--[endif]-->

So for these reasons and many others, I hope to see One Paseo developed very soon.

Cc:  
 Renee Mezo, Project Planner  
 Sherri Lightner, City Councilmember  
 Frisco White, Chair of Community Planning Board

Yours truly,  
 Darcy Nickels

217.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

May 29, 2012

Dear Ms. Blake:

I am writing to convey my enthusiastic support for the One Paseo Project. I understand that the City released the EIR for the project which represents an important first step in the approval process. I have reviewed the EIR and found it to provide a clear, comprehensive analysis of the project's environmental effects.

It is clear from the EIR that the numerous benefits of the project, including providing our community with a needed central gathering place and additional retail options, outweigh the two environmental effects identified in the EIR. In fact, I think that mixed-use projects like One Paseo actually produce fewer car trips than single-use developments of the same size and will reduce dependency on the automobile by combining synergistic uses.

Additionally, One Paseo will provide the community with another fantastic meeting space with unique public amenities. By combining office, retail and residential uses, One Paseo will serve as a model community for the Southern California life-style.

For these and many other reasons, I hope to see the One Paseo project approved soon.

Thank you for your consideration.

Sincerely,



Matthew J. Nickels

218.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

May 29, 2012

Martha Blake, Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

*Sent via Email*

Subject: Comments on the Draft Environmental Impact Report for One Paseo,  
Project No. 193036, SCH No. 2010051073

Dear Ms. Blake,

We submit the following comments and questions on the analyses of impacts to Recreational Facilities, Bulk and Scale/Zoning, and Traffic contained in the Draft Environmental Impact Report for One Paseo (DEIR).

**Comment 1:** No matter how the numbers appear on the printed page, the northwestern portion of the City of San Diego does not have enough active-use park land as it is. The statement on page 5.12.7, "Adequate public parks currently exist to serve the proposed project population increase" for an estimated population increase of 1,666 adults and children housed in One Paseo's proposed 608 multi-family units does not match the reality of the situation. Some of the parks shown on Figure 5.12.1 and listed in Table 5.12.2 are nothing more than strips of land along a median. Those are not facilities where people can actually play soccer, football, baseball, lacrosse, field hockey, cricket, etc. Some of these parks also include oddly sloped grassy areas which also do not constitute fields which can be actively used.

Our existing population already fully occupies all available park fields during weekday afternoons and evenings and certainly throughout the weekend days. Fields also need time for maintenance and grass regeneration. Allowing the project applicant to simply skirt around the need for additional park space by paying a Facilities Benefit Assessment (FBA) is worthless. What land is available that could be purchased for a park except the land where the project is proposed? The City of San Diego should require the applicant to install an active-use park as part of the project. According to numbers provided on Page 5.12-7, the park should be 4.7 acres so that it at least meets the minimum acreage requirement for the proposed number of new occupants. Grassy strips for walking dogs, outdoor patios, outdoor concrete-paved meeting areas and landscaped embankments do not constitute active-use park land.

**Comment 2:** The bulk and scale of this project is too large for the existing community. A discussion in the bottom half of Page 5.3-33 attempts to present the proposed project as architecturally interesting when compared to a concrete tilt up commercial office or industrial warehouse (CTU). Such a comparison is disingenuous as no such CTU structures truly exist in this neighborhood. Residents across Del Mar Heights Road from the project will be faced with three very large, bulky structures which no matter how aesthetically appealing the façades may appear will compensate for the fact that these structures are simply too huge for the existing area.

219.1 As described in responses to comments 63.168 through 63.170 and Section 12.9 of the Final EIR, the City considers payment of FBA fees to ensure that no significant impacts to parkland would occur. FBA fees are used for acquisition of parkland or intensification of recreational uses at existing parks that will expand use of those parks.

219.2 As described in responses to comments 63.168 through 63.170 and Section 12.9 of the Final EIR, the City considers payment of FBA fees to ensure that no significant impacts to parkland would occur. FBA fees are used for acquisition of parkland or intensification of recreational uses at existing parks that will expand use of those parks.

219.3 The Final EIR concludes that the bulk and scale of the Originally Proposed Project and the Revised Project would impact the character of the surrounding community due to the differences in building heights with surrounding land uses. The impact of the proposed development on neighborhood character is determined to be significant (pages 5.3-23 and 25 of the Final EIR). Furthermore, despite architectural design measures to be included in subsequent development under either the Originally Proposed Project or Revised Project, the Final EIR concludes that the significant impacts on neighborhood character would be unmitigated.

COMMENTS

RESPONSES

219.4 The real heart of this issue is zoning. As described in Table 5.1-2, if a change in zoning from the existing CVPD-EC to CVPD-MC<sup>1</sup> is allowed by the City of San Diego, the project applicant is proposing that all the project buildings would be 100 to 199 feet tall and include a floor to area ratio (FAR) of 1.8 or total area of 1,857,440 square feet (as listed in Table ES-2) which is below the limit of 2.0. That is nearly four times the density of 510,000 square feet (using the existing FAR of 0.5) allowed by CVPD-EC. In short, the City of San Diego would be throwing mud in the face of any planning process by changing the zoning to allow a project which is so grossly out of character with the current community.

219.5 **Comment 3:** The summary of traffic impacts in Table 5.2-41 which cannot be mitigated to provide an acceptable level of service should be more than enough reason for the City of San Diego to not allow the zoning change so that the proposed project can proceed. There are already unmitigated traffic problems which occur each work day at the start and release of the public and private schools located along Del Mar Heights Road, by rush hour traffic flowing out of High Bluff every weekday and by seasonal events such as the San Diego County Fair. Table 5.2-41 clearly states that there are several traffic impacts which will never be mitigated to an adequate level of service.

219.6 There is also a statement on Page 2 of the Executive Summary which characterizes this project as a Community Village with accessible public transportation. There is no planned bus service for this project until 2035<sup>2</sup> and even then it is not assured. The City of San Diego should not allow a zoning change which will encourage a project of this size to exist when it can not mitigate its traffic impacts. Furthermore, there is little about this proposed project which will encourage public transit in an effort to minimize the impacts. By the time bus service does arrive to this project in 2035, it may be too late to alter the habits of those who are used to driving.

**Questions**

219.7 1. How can One Paseo be called a "village" that paints a picture of serenity and tree lined pedestrian walking streets, when it really is an "island destination" realistically only accessible by the automobile?

219.8 2. If there is any dispute as to whether One Paseo truly isn't a simple village, then why do 608 multi-family units require 4,000+ parking spaces?

219.9 3. When the 4,000+ cars aren't neatly parked in their respective 4,000+ parking spaces, where will they go and how will they get there without causing grid lock on already overcrowded surface streets?

219.10 4. If the City or the Developer truly believes that public transportation is part of the traffic congestion mitigation, then why is there no bus service planned to the area until 2035?

219.11 5. Further, if the City or Developer believes that residents of, or visitors to, One Paseo would actually use the public bus system as their means of transport to and from the site, then why are still 4,000+ parking spaces required?

<sup>1</sup> Per Page 5.1-19, the CVPD-MC is a new zoning code that is based on the existing CC-5-5 zoning code.  
<sup>2</sup> Page 5.1-12 includes a statement that Route 473 is proposed to begin in 2035 under the 2050 Regional Transportation Plan.

219.4 The proposed rezone for the Originally Proposed Project and the Revised Project is one of the discretionary approvals that is required to implement the proposed development, as identified in Table 3-5 in the Final EIR. The rezone, along with all other required discretionary actions will be considered by the decision makers.

The comment incorrectly states that all proposed buildings would be between 100 and 199 feet tall. The proposed zone for the project site would establish a maximum building height where none currently exists. Several proposed buildings of the Originally Proposed Project and Revised Project would be less than 100 feet tall. As stated above in response to comment 219.3, the Final EIR concludes that the significant impacts of the Originally Proposed Project and Revised Project on neighborhood character would be unmitigated. However, as described in response to comment 5.6, it is important to note that the Revised Project includes several features which reduce the severity of the neighborhood character impact including: reducing the 10-story residential building to 6 stories, eliminating the hotel, increasing landscaped open space on Block C, reducing the height of other buildings to no more than 9 stories, and providing enhanced access from the greenbelt along Del Mar Heights Road into the proposed retail development.

219.5 The comment incorrectly states that traffic impacts identified in the Draft EIR cannot be mitigated. The Final EIR acknowledges, in Sections 5.2.2 and 12.9, that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections and identifies mitigation measures that would reduce many impacts to below a level of significance. As noted in Section 12.9 of the Final EIR, the traffic impacts of the Revised Project would be reduced from those of the Originally Proposed Project, but would still be significant. As discussed in response to comment 211.2, although implementation of mitigation measures identified in the Final EIR would reduce many of these impacts to below a level of significance, other traffic impacts of the proposed development would remain significant due to the inability of the project proponent to complete the mitigation measures without approval from Caltrans.

219.6 As discussed in response to comment 10.40, the City of Villages Strategy in the City's General Plan does not require that regional transit service be immediately available to proposed village developments. The General Plan indicates that future transit service is acceptable as long as the source of funding is identified. As discussed in response to comment 10.40, the 2050 RTP, the long-range transportation plan for the region, indicates

COMMENTS

RESPONSES

219.6 that bus route 473, which would serve the Originally Proposed Project, cont. is anticipated to be funded by the year 2030.

Originally Proposed Project is consistent with the characteristics of a Community Village, as defined in the General Plan. A similar analysis of the Revised Project is included in Section 12.9 of the Final EIR.

219.7 The proposed development would not be an “island destination” that would only be accessible by automobile, as claimed in the comment. As discussed on page 3-8 of the Section 3.0 Draft EIR, the proposed development includes an extensive pedestrian and bicycle access program that would link to similar facilities already existing in the community. Sidewalks within the project would connect with sidewalks on Del Mar Heights Road, High Buff Drive and El Camino Real. Similarly, bicycle routes within the proposed development would connect with bicycle routes along Del Mar Heights Road and El Camino Real.

219.8 The total number of parking spaces that would be provided by the Originally Proposed Project and the Revised Project is not based solely on the proposed residential units, but all of the proposed on-site uses, including commercial office, retail, and residential. As indicated in Table 2 of the Shared Parking Study included as Appendix D of the Draft EIR, only 1,108 parking spaces are needed to support the demand generated by the 608 residential units. These parking spaces would be reserved for the residents. The balance of the parking would be shared by the proposed retail and office uses.

219.9 The City has determined that the number and allocation of parking spaces included in the Originally Proposed Project as well as the Revised Project would adequately meet the demand generated by the proposed land uses. Thus, parking in surrounding areas would not be adversely affected by unmet parking demand associated with the proposed development.

- 219.10 Contrary to the comment, the provision of transit service in the community is not proposed as traffic mitigation. As discussed in response to comment 10.40, the City of Villages Strategy in the City's General Plan does not require that regional transit service be immediately available to proposed village developments. The General Plan states that future transit service is acceptable as long as the planned transit facilities have an identified funding source. The 2050 RTP, the long-range transportation plan for the region, indicates that bus route 473, which would serve the Originally Proposed Project, is anticipated to be funded by the year 2030.
- 219.11 The total number of on-site parking spaces that would be provided for the Originally Proposed Project and Revised Project is based on the proposed mix and size of land uses. As discussed in Section 5.2.3 of the Draft EIR, shared parking for all of the proposed uses, except residential, would be provided since peak activity times for some proposed uses, such as office and cinema, are essentially opposite one another. The Shared Parking Analysis did not assume any parking reductions for transit since there is currently no transit service provided in Carmel Valley and the planned Rapid Bus Route 473 is anticipated to be funded by the year 2030.

COMMENTS

RESPONSES

219.12

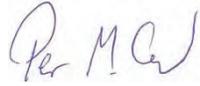
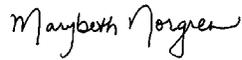
6. If one assumes that there ultimately is a bus every half hour and that each bus is packed full with 50 riders who exit or get on at One Paseo in a 9-hour shift during normal business hours of 8a-5p, then this public transportation link would account for approximately 900 otherwise-would-be-drivers. That is not insignificant - but it still leaves the need for another 3,100+ automobiles and parking spaces. We all know that there is no such thing as 18 consecutive buses packed with 50 riders each in this part of the County, so the aforementioned benefit is lofty at best. Is the mentioned public transportation solution really a solution, or does it just sound good until one starts looking at the details?

219.13

7. What public transportation plans are in effect to deal with the 23-year gap in time between now and 2035, which is when the first and likely only bus service will link One Paseo to the outside world?

Your consideration of these comments and questions is appreciated.

Sincerely,



Marybeth Norgren  
13964 Boquita Drive  
Del Mar, CA 92014  
(Homeowners and occupants in the Del Mar Heights neighborhood of the City of San Diego)

Per M. Cederstav

cc: *Via Email* - Sherri Lightner, City of San Diego Councilmember District 1

219.12 The Draft EIR did not identify the provision of public transit as a solution to mitigate traffic impacts. Rather, it would be provided by the San Diego Metropolitan Transit System (MTS) as part of the San Diego region's planned transit network, as identified in the 2050 RTP. The community would benefit from this planned bus route in that it would provide an additional transportation option to access activity centers that does not currently exist in Carmel Valley. Furthermore, the proposed development is not dependent upon the availability of bus service, and the benefits attributed to mixed-use projects (e.g., reduced automobile trips) would accrue from the proposed development regardless of the timing for bus service.

219.13 Refer to response to comment 6.7.

COMMENTS

RESPONSES

**From:** [Ben Nyce](#)  
**To:** [DSD EAS;](#)  
**Subject:** one paseo project 193036  
**Date:** Tuesday, May 22, 2012 9:56:21 AM

220.1 [ one paseo is a vastly overbuilt project it will effectively destroy the character of the area immediately to the east of del mar-- huge traffic problems-- huge high rise buildings a losangelesization of our area if there ever was one

220.2 [ most of all the project avoids input to the deir--a very slick and sleazy move PLEASE REJECT THIS PROJECT  
 thank you ben nyce 12971 via latina del mar 92014

220.1 The Final EIR, in Sections 5.3.3 and 12.9, recognizes that the Originally Proposed Project and the Revised Project would result in significant impacts to the neighborhood character of the area. In addition, the Final EIR acknowledges that the Originally Proposed Project and the Revised Project would result in significant traffic impacts in the area.

220.2 The City considers the Draft EIR to be a comprehensive document that represents a good faith disclosure of the environmental impacts associated with the Originally Proposed Project. Similarly, Section 12.9 of the Final EIR is considered a sufficient analysis of the impacts related to the Revised Project. The conclusions drawn in the Final EIR are based on analysis performed in accordance with City standards and procedures applicable to the preparation of EIRs, as defined in the CEQA Guidelines and the City's own CEQA procedures and CEQA Guidelines.

CEQA specifically provides for public input through the public review period. In addition, the public will be invited to share their views on the project at the time the proposed development is considered by the City's Planning Commission and City Council.

COMMENTS

RESPONSES

Irv Okovita  
PO Box 577  
Del Mar, CA 92014

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake,

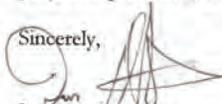
I have been impressed with Kilroy Realty and their engagement with the community throughout the planning process for their proposed One Paseo project. I'm pleased to see that the Draft Environmental Impact Report has been completed, because I would really like to see the project move ahead now. I have reviewed the EIR for the project and found it to provide a clear, comprehensive analysis of the project's environmental effects. The EIR provides the public and the City with the information it needs to make an informed decision regarding the One Paseo project.

The plan that Kilroy has put forward reflects a very collaborative process, including many rounds of input from local residents and community leaders. As a land developer myself, I can appreciate how rare it is that you find a developer like this who is so willing to listen to and work with locals in such a responsible way.

I am a fan of the One Paseo proposal because of its wide appeal. This would be a pedestrian friendly, environmentally sensitive, mixed-use development that would make a variety of stores, restaurants, and entertainment options very accessible to our immediate community. One Paseo has been designed with the whole community in mind, and I believe there's something for everyone incorporated into the project. Whether you want a quiet place to take a stroll with your family, a pleasant spot to grab lunch during a workday, or a fun place to spend an evening with friends, One Paseo would meet the need.

In my estimation, the numerous and varied positive attributes of this development make it a very compelling choice for Carmel Valley. I hope that the city will do the right thing by allowing the project to proceed. Thank you for your efforts.

Sincerely,

  
Irv Okovita

221.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Claude Organ](#)  
**To:** [DSD EAS](#);  
**cc:** [Lightner, Councilmember Sherri](#);  
**Subject:** One Paseo Project 193036  
**Date:** Monday, May 28, 2012 8:43:33 PM

222.1 Please do not approve the One Paseo Project as proposed. This proposed project is too dense and will create traffic gridlock worse than the Golden Triangle at rush hour. According to the DEIR traffic is at its maximum acceptable level for I-5 at Del Mar Height Road. The significant impact of an additional 26,961 average daily trips is not mitigated. In addition to the negative traffic impacts, this proposed project will add more than 1,600 new residents without any new parks or schools. The proposed project will be adding new significantly taller buildings that are not consistent with the Carmel Valley Community Plan or the existing character.

222.2

222.3

Please send the developer back to the drawing board to downsize this project and mitigate its negative consequences on Carmel Valley, Del Mar and the Del Mar Terrace areas.

Thank you for your consideration.

Claude Organ  
12782 Via Donada

222.1 Sections 5.2.2 and Section 12.9 of the Final EIR, acknowledge that both the Originally Proposed Project and Revised Project would result in significant impacts to local street segments and intersections. Although the proposed development would include roadway improvements which would improve traffic flow in the community, certain traffic impacts would remain significant. For example, improvements to the Del Mar Heights Road bridge interchange at I-5, required to fully mitigate project traffic impacts, are within the jurisdiction of Caltrans and beyond the control of the City and the project applicant.

222.2 As described in responses to comments 63.168 through 63.170 and Section 12.9 of the Final EIR, the City considers payment of FBA fees to ensure that no significant impacts to parkland would occur.

Refer to response to comment 7.11.

222.3 The Final EIR concludes that the bulk and scale of the Originally Proposed Project and the Revised Project would negatively impact the character of the surrounding community due to the differences in building heights with surrounding land uses. The impact of the proposed development on neighborhood character is determined to be significant (pages 5.3-23 and 25 of the Final EIR). Furthermore, despite architectural design measures to be included in subsequent development under either the Originally Proposed Project or Revised Project, the Final EIR concludes that the significant impacts on neighborhood character would be unmitigated.

COMMENTS

RESPONSES

Ms. Martha Blake, Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101  
RE: Project No. 193036/SCH No. 2010051073

Dear Ms. Blake:

As a local resident who lives about a mile from the project, I wholeheartedly support the proposed One Paseo Mixed Use development. Kilroy Realty has gone above beyond the call of duty to work with the community to create a project that would really benefit Carmel Valley residents. By providing a large plaza and other open spaces where residents can gather to shop, eat or relax, One Paseo would perform a critical function that has otherwise been lacking in the community since its inception. Even when it comes to managing basic errands, local options are disappointing; Del Mar Highlands Town Center is far too crowded and does not provide sufficient parking. It will only get worse when they add more restaurants. We would all benefit from a site that is more carefully designed, better integrated, and aesthetically appealing.

I know that the D.E.I. R. for the project has been issued, which represents an important step in One Paseo's approval process. I know that the law requires the Draft EIR to evaluate the project's potential environmental impacts. It think that the project's many benefits dramatically over shadow any negatives that are being overblown by the opponents. We need a Main Street for Carmel Valley that is available for everyone to enjoy. If the project is not allowed to go forward then we will never get that important part of the puzzle that makes a community thrive. Therefore, I believe that any one of the benefits of One Paseo would outweigh the significant impacts identified in the Draft EIR.

For these reasons and many others, I hope to see One Paseo developed soon.

Sincerely,

Michael P. Orlando

223.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

Dear Ms. Blake:

I live about a mile from the proposed One Paseo project and cannot wait for it to be built. I am writing to express my support for the One Paseo Project. I understand that the City of San Diego released the Environmental Impact Report for the project which represents an important first step in the approval process. I have reviewed the EIR and found it to provide a clear, comprehensive analysis of the project's environmental effects.

It is clear from the report that the numerous benefits of One Paseo, including providing our community with a needed central gathering place and additional retail options, outweigh the two environmental effects identified in the EIR. I love the fact that there is a very large central plaza. In fact, I think that mixed-use projects like One Paseo actually produce fewer car trips than single-use developments of the same size and will reduce dependency on the automobile by combining complimentary uses. Someone could live there, work there, shop there and not have to use a car very much!

For these and many other reasons, I want to see the One Paseo project approved as soon as possible.

Thank you for taking the time to listen to my input.

Yours very truly,

Sara L. Orlando

224.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

Salvatore Pacella  
13342 Wendover Terrace  
San Diego, CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake:

I support the proposed One Paseo development for a number of reasons.

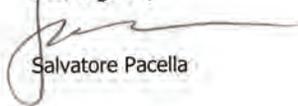
As a professional physician, I would love to consider opening an office in the proposed One Paseo development. My current office is not far from the proposed building site, but I feel there is a lack of good space in Carmel Valley. One Paseo's development would offer an excellent site not only for office and residential space, but many other retail, entertainment, outdoor, and community-centered uses. It would be a great space for consumers and business owners alike.

I also like the idea of a local high-end area where I can take my wife, Jennifer, to dinner and where I can take my children. It's particularly nice to know that people could actually walk or bike to One Paseo, and that the site would have ample parking included as well. We would all love to have convenient access to such a well-designed development.

It seems to me that many young families like my own support this project. I think it represents smart progress and growth for the area, in line with the City's own General Plan for a "City of Villages." It would be a realistic way to meet the needs of the growing community, while providing an asset that will center Carmel Valley for decades to come. One Paseo has the potential to raise the value of real estate in community. More jobs, more money flowing through our community, and more tax revenue for our schools – this would be a win-win scenario for the entire Carmel Valley area.

The Draft Environmental Impact Report does a good job laying out the potential environmental impacts of this project in a clear, easy-to-use format. I believe it's clear, however, that the project's potential benefits are greater in number and importance than the impacts noted in the Draft EIR. Now that the report has been released, I hope that you will do all you can to move this development ahead.

Best regards,



Salvatore Pacella

225.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

Bernard Palecek  
10955 Cloverhurst Way  
San Diego, CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake:

I fully support the proposed One Paseo project and am glad to see that the Draft Environmental Impact Review has been released. I'm looking forward to the possibility that Carmel Valley could soon have its own central "community village." This is exactly the right use for the central piece of land in question. I understand that by its very nature a "community village" will be different from its surroundings. I welcome such a proposed land use change and feel that it will be compatible with the neighboring uses.

Driving twenty or thirty minutes away to UTC or Carlsbad makes simple tasks more difficult for residents of Carmel Valley. Even the cost of gasoline takes its toll on us. It's very clear that Carmel Valley could really use a greater variety of shops and restaurants. Shopping locally means our money would circulate through our own local community as well, and the benefits of that cannot be underestimated in this economy.

I also feel that the One Paseo's family atmosphere is something that residents of all ages will enjoy fully. This development is just what we need in Carmel Valley, and I am certain it will only serve to build up the character of our community. I believe that the benefits of having a "community village" in Carmel Valley outweigh any of the project's impacts.

For these reasons, I would be very pleased to see the project approved and developed.

Sincerely,

  
Bernard Palecek

226.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

From: [fred.parker](#)  
To: [DSD EAS](#)  
Subject: Project 193036  
Date: Thursday, May 24, 2012 7:47:02 AM

Regarding Project 193036, One Paseo, please stop the expansion plans.

Environmental reports and numbers are fine, but **common sense** should prevail. Anyone looking at traffic on Del Mar Heights Road and developments East of that road can conclude that One Paseo expansion cannot be supported by Del Mar Heights Road. Plain and simple. Please do not give in to the developers greed. They had one proposal that was reasonable, **don't change it**

Fred Parker  
13252 Capstone dr.  
San Diego 92130

227.1 The Final EIR acknowledges, in Sections 5.2.2 and 12.9, that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections and identifies mitigation measures that would reduce many impacts to below a level of significance. As noted in Section 12.9 of the Final EIR, the traffic impacts of the Revised Project would be reduced from those of the Originally Proposed Project, but would still be significant. As discussed in response to comment 211.2, although implementation of mitigation measures identified in the Final EIR would reduce many of these impacts to below a level of significance, other traffic impacts of the proposed development would remain significant due to the inability of the project proponent to complete the mitigation measures without approval from Caltrans.

COMMENTS

RESPONSES

From: [tparker001@san.rr.com](mailto:tparker001@san.rr.com)  
To: [DSD EAS](#)  
Subject: Comments on One Paseo Project No. 193036/SCH No. 2  
Date: Monday, May 07, 2012 10:46:05 PM

I think One Paseo will be wonderful for the people who live and work there or just work there, but horrible for the rest of us who live in Carmel Valley. Here's why.

The people who live and work there won't have to leave it. They'll have parking spaces and places to live, work, shop, eat, relax, and be entertained. And they can walk everywhere in it. The same goes for people who stay at the hotel and visit residents or offices there. People who just work there will have parking spaces, places to eat and shop, and few traffic problems – they will be going against the heavy rush hour traffic out of Carmel Valley in the morning and into it in the evening. It will be like an island paradise for them.

What about the rest of us in Carmel Valley? First, why would anyone go there during the day when there are other places to eat and shop without driving on narrow congested streets, parking is a gated multi-level structure, and fighting crowds of office workers and residents? It would be better if we could walk there but only a few people live close enough to do that, and they might not want to cross Del Mar Heights Rd. or El Camino Real to get there. (At present no pedestrian bridges are planned. And long lights for pedestrian crossings will cause the traffic to move even slower.) One Paseo will be less crowded in the evenings and on weekends, but driving and parking will still be problematic compared to the other shopping centers and parks with open parking lots. Lack of community interest and support will make it even more like an island.

I haven't mentioned traffic yet. It's bad on Del Mar Heights Rd. going west to I-5 in the morning, in the afternoon when the high schools let out, and during the Del Mar fair and racing season. It will only be worse when people from One Paseo enter the stream. Synchronized lights east of it won't make any difference. The lights at I-5 will just back up more cars.

Let Kilroy build its island somewhere else where fewer people will be affected.

Ted Parker  
A 20-year Carmel Valley resident

228.1 The project would be designed to facilitate pedestrian and bicycle access from surrounding areas. As discussed in response to comment 219.7, bicycle and pedestrian paths within the proposed development would connect with existing facilities on surrounding streets. As discussed in response to comment 219.9, the parking included in the proposed development would be adequate to accommodate the demand.

228.2 As discussed in Section 3.0 and 5.2.7 in the Draft EIR and Section 12.9 of the Final EIR, the Originally Proposed Project and Revised Project would include a network of sidewalks, pathways, plazas, and paseos that would provide pedestrian connections to existing sidewalks and trails in the surrounding area. In addition, the proposed signalized project entries at Del Mar Heights Road and El Camino Real would include crosswalks to provide protected pedestrian crossing of both Del Mar Heights Road and El Camino Real. Existing pedestrian crosswalks are also located at the intersections along Del Mar Heights Road and El Camino Real in the project area, and a pedestrian bridge crosses over Del Mar Heights Road just east of the Del Mar Heights Road/El Camino Real intersection.

228.3 As discussed in response to comment 75.40, the traffic study takes into account pedestrian activity and utilizes conservative assumptions for the anticipated number of future pedestrians crossing area streets. Based on this discussion, it is concluded that pedestrian crossing times would not result in excessive traffic delays.

- 228.4 The total number of on-site parking spaces that would be provided for the Originally Proposed Project and Revised Project is based on the proposed mix and size of land uses. As discussed in Section 5.2.3 of the Draft EIR, shared parking for all of the proposed uses, except residential, would be provided since peak activity times for some proposed uses, such as office and cinema, are essentially opposite one another. The Draft EIR concluded (in Table 5.2-42) that a parking surplus would occur during each phase of the Originally Proposed Project. The same conclusion is reached in Section 12.9 of the Final EIR.
- 228.5 Sections 5.2.2 and Section 12.9 of the Final EIR acknowledge that both the Originally Proposed Project and Revised Project would result in significant impacts to local street segments and intersections. Although the proposed development would include roadway improvements which would improve traffic flow in the community, certain traffic impacts would remain significant. For example, improvements to the Del Mar Heights Road bridge interchange at I-5, required to fully mitigate project traffic impacts, are within the jurisdiction of Caltrans and beyond the control of the City and the project applicant.
- 228.6 The traffic impact analysis (TIA) prepared for the Originally Proposed Project (Appendix C of the Draft EIR) and Revised Project (Appendix C.1 of the Final EIR) did not assume benefits associated with Adaptive Traffic Control Systems (ATCS). However, as discussed on pages 15-2 and 15-3, as well as Appendix P of the TIA, it is generally accepted that ATCS improves traffic flow on congested roadways.

COMMENTS

RESPONSES

JAMEE JORDAN PATTERSON, ESQ.  
13739 Mar Scenic Drive  
Del Mar, CA 9201-3426

Martha Blake ([DSDEAS@san Diego.gov](mailto:DSDEAS@san Diego.gov))  
Environmental Planner, Development Services, City of San Diego  
Via Email

Re: One Paseo – Comments on Draft Environmental Impact Report  
Project # 193036/SCH No. 2010051073

Dear Ms. Blake,

I am an environmental land use attorney and I reside in the City of San Diego, although I have a Del Mar mailing address. Please consider these comments on the proposed One Paseo project’s draft environmental impact report (DEIR).

229.1 [ I strongly OPPOSE this project because of its significant unmitigated adverse environmental impacts. It is too big, too dense, too out of character with the surrounding community and will be a permanent blight on an already highly impacted area. The DEIR is woefully deficient in its analysis of feasible alternatives. At a minimum the DEIR should have considered a scaled-down version of this so-called “village” concept.

229.2 [ The DEIR is poorly organized, bloated and appears intended to confuse rather than inform the public and decision-makers. Having reviewed many DEIRs I find this one particularly frustrating to review. By breaking up the project into blocks and analyzing it in a piece-meal fashion, the DEIR attempts to portray the project as smaller than it is. This is not helpful to a full and complete analysis of the proposal. By focusing primarily on square footage, the discussion in chapter 3 is uninformative. The DEIR should be more forthright about the specifics of the project.

229.3 [ I am particularly appalled about the DEIR’s conclusion that traffic impacts could even begin to be mitigated through payment of in lieu fees to Caltrans for future as-yet unpermitted freeway improvements. The project’s significant unmitigated direct and cumulative impacts on traffic alone should be sufficient to deny this project. The project’s impacts on the onramps from Del Mar Heights Road will exacerbate an already intolerable situation. Traffic northbound in the afternoons and early evenings is already at a crawl on most days; adding the number of trips this project would generate will simply result in grid-lock. There is no guarantee the road widening improvements necessary to accommodate even a smaller version of this project will ever happen and no project should be considered where the developer cannot mitigate the impacts of this

229.4 [ I am particularly appalled about the DEIR’s conclusion that traffic impacts could even begin to be mitigated through payment of in lieu fees to Caltrans for future as-yet unpermitted freeway improvements. The project’s significant unmitigated direct and cumulative impacts on traffic alone should be sufficient to deny this project. The project’s impacts on the onramps from Del Mar Heights Road will exacerbate an already intolerable situation. Traffic northbound in the afternoons and early evenings is already at a crawl on most days; adding the number of trips this project would generate will simply result in grid-lock. There is no guarantee the road widening improvements necessary to accommodate even a smaller version of this project will ever happen and no project should be considered where the developer cannot mitigate the impacts of this

229.1 The Draft EIR acknowledged that the density of the Originally Proposed Project exceeds that which is currently allowed by the applicable planning and zoning for the property. In addition, as indicated in Section 12.9 of the Final EIR, the Revised Project would also exceed the development currently allowed by applicable planning and zoning. The Final EIR identified a significant project impact on the neighborhood character in the area for both the Originally Proposed Project and the Revised Project.

229.2 As discussed in response to comment 5.6, a reduced mixed-use alternative has been developed to evaluate the impact reductions that would occur from a less intense mixed-use development. This alternative is addressed in Section 12.9 of the Final EIR. In general, the reduced mixed-use alternative would result in around a 50 percent reduction in the intensity and density of the Originally Proposed Project. In addition, it should be noted that the project applicant has also revised the Originally Proposed Project to reduce the overall intensity and density. The Revised Project reduces the overall square footage by 22 percent from 1,857,440 to 1,454,069 square feet. The total floor area ratio (FAR) is reduced by 22 percent from 1.8 to 1.4. In addition, the proposed hotel has been eliminated.

229.3 The City disagrees with the claim that the Draft EIR provided a piecemeal analysis of project components in an attempt to lessen impacts. The City considers the Draft EIR to be a comprehensive document that represents a good faith disclosure of the environmental impacts associated with the Originally Proposed Project. The Draft EIR was consistent with standard

- 229.3 cont. City format and is organized accordingly. Similarly, Section 12.9 of the Final EIR is considered a sufficient analysis of the impacts related to the Revised Project. The conclusions drawn in the Final EIR are based on analysis performed in accordance with City standards and procedures applicable to the preparation of EIRs, as defined in the CEQA Guidelines and the City's own CEQA procedures and CEQA Guidelines. Chapter 3.0 of the Draft EIR provided a comprehensive description and supporting exhibits of the Originally Proposed Project. Section 12.9 of the Final EIR also provides a clear description and a conceptual illustrative site plan of the Revised Project.
- 229.4 The payment of "fair share" fees for future improvements properly constitutes mitigation where the lead agency reasonably expects that funds will actually be used for mitigation. CEQA Guidelines § 15130(a)(3); *Save Our Peninsula Comte. v. Monterey County Bd. of Supervisors* (2001) 87 Cal.App.4th 99, 140.
- 229.5 Sections 5.2.2 and Section 12.9 of the Final EIR acknowledge that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections. Specific road improvements are identified in the Final EIR as mitigation measures. As discussed in the Final EIR, implementation of these mitigation measures would reduce many of these impacts to below a level of significance; however, other traffic impacts of the proposed development would remain significant despite mitigation measures. This is due to the need for other public agencies, such as Caltrans, to construct the improvements identified in the mitigation measures. In other instances, traffic impacts were considered significant and unmitigable because fair-share contributions cannot be guaranteed to assure construction of the targeted improvements. As stated above in response to comment 229.4, the use of fair-share contributions as mitigation for cumulative impacts is allowed pursuant to Section 15130(a)(3) of the CEQA Guidelines.

COMMENTS

RESPONSES

229.5 cont. magnitude. Simply requiring a developer to contribute to future, uncertain traffic improvements is unacceptable.

229.6 A particularly puzzling conclusion is that metered on-ramps for northbound traffic on I-5 would mitigate traffic impacts. Northbound traffic is already metered so proposing meters to mitigate additional traffic is nonsense.

229.7 In addition to impacts on traffic circulation, the project’s impacts on traffic and parking in the immediate area are also unacceptable. The DEIR notes that a rapid bus route is planned but not proposed. Public transportation is already woefully insufficient in Carmel Valley. This project could be the impetus for bringing bus service or some other means of public transit to the area. Shuttle service to and from the Sorrento Valley and Solana Beach Coaster/Amtrak stations should be mandatory, similar to what the Flower Hill Mall expansion project included. There should be van pools or other public transit for all workers in the retail and office space proposed.

229.8 The bulk and scale of this project are extremely out of character with the surrounding community. The DEIR inexplicably concludes that there are no feasible mitigation measures for the significant adverse impacts on community character. The DEIR utterly fails to consider a much smaller, scaled down version of the project. The DEIR should have considered a project with shorter buildings, more in keeping with the surrounding uses which include 1 story residential buildings, 2 to 4 story office buildings, 2 story over parking and 1 to 2 story residential buildings. Instead of the proposed 8 commercial towers, 3 4-story residential buildings, and 1 10-story residential building tower, shorter structures would be far more compatible and visually appealing. A 10-story structure is going to stand out like a sore thumb on this site. The sheer size of the buildings will dwarf the surrounding community.

229.9  
229.10 I was unable to locate a total square footage for the proposed 4,089 parking spaces. This too is not helpful to a full and complete analysis of the project. The number of parking spaces alone should signify that this project is too big and out of character with the community.

229.11 The fact that the buildings will be silver LEED is insufficient. Given current building requirements, the developer should strive to improve on silver. As the US Green Building Council website explains: “LEED certification provides independent, third-party verification that a building, home or community was designed and built using strategies aimed at achieving high performance in key areas of human and environmental health: sustainable site development, water savings, energy efficiency, materials selection and indoor environmental quality.” This project should be platinum, not silver and should even try to exceed the 80 points out of 100 required for platinum LEED certification.

229.12

229.6 Contrary to the comment, the Originally Proposed Project or Revised Project do not propose to meter the ramps as mitigation. As discussed on page 5.2-70 and in Table 5.2-41 of the Draft EIR, proposed mitigation (Mitigation Measure 5.2-13) for the Del Mar Heights Road/I-5 northbound ramp meter includes adding a high occupancy vehicle lane to the on-ramp.

229.7 As discussed in response to comment 6.7, a TDM Plan is proposed as part of the Revised Project, which among other things, calls for a shuttle service to promote use of public transit by connecting with the Sorrento Valley transit station.

229.8 The Final EIR acknowledges that the bulk and scale associated with both the Originally Proposed Project and the Revised Project would be inconsistent with the character of surrounding development. The Revised Project has reduced the scale, bulk, and height of structures to more closely conform to the existing community. Despite the reductions, community character is still considered as a significant unmitigated impact, as described in Section 12.9 of the Final EIR. As stated in Sections 5.3 and 12.9 of the Final EIR, there is no feasible mitigation to reduce the development’s neighborhood character impacts to below a level of significance. The proposed buildings would incorporate design features and strategies to minimize mass and height, such as building articulation and setbacks, but the height of the buildings would still be sufficiently greater than, and different from, existing surrounding development.

229.9 As discussed in response to comment 5.6, a reduced mixed-use alternative has been developed and is included in Section 12.9 of the Final EIR to evaluate the impact reductions that would occur from a less intense mixed-use development. In general, the reduced mixed-use alternative would result in around a 50 percent reduction in the intensity and density of the Originally Proposed Project.

229.10 As discussed in detail in response to comment 5.6, the project applicant has revised the Originally Proposed Project to reduce the overall intensity and density. The Revised Project reduces the overall square footage by 22 percent from 1,857,440 to 1,454,069 square feet. The total floor area ratio (FAR) is reduced by 22 percent from 1.8 to 1.4. In addition, the proposed hotel has been eliminated. The Revised Project reduces the

COMMENTS

RESPONSES

229.10 building heights in comparison with the Originally Proposed Project. cont. With the Revised Project, no building would exceed 9 stories.

229.11 Refer to response to comment 93.25.

229.12 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

229.13 The project also appears to be “inward facing” – it does not embrace the community but instead seeks to create its own community within its confines. While it proposes a civic plaza, that plaza is not open to the community but is instead located in the interior of the project. The project should have more open space, more real park space, less hardscape, more of a feel of welcoming and not the wall of buildings fronting on Del Mar Heights and El Camino Real.

229.14 In sum, the DEIR is simply unacceptable. The project has too many significant adverse unmitigated impacts. It is too big, too tall, too dense, and too out of character with the surrounding community. There are feasible alternatives, including a much smaller, more compact version of this so-called village project.

Thank you for seriously considering my comments.

Jamee Jordan Patterson, Esq.

229.13 As discussed in detail in response to comment 5.6, the project applicant has revised the Originally Proposed Project to reduce the overall intensity and density and provide more open space. With the Revised Project, the amount of open space within the proposed development would increase from 7.6 acres with the Originally Proposed Project to 10.7 acres. A 1.1-acre publicly accessible passive recreation area and nearby 0.4-acre children’s play area that could provide for a number of passive recreation activities including children’s play areas, picnicking, and informal sports would be created at the northwest corner of the project. In addition, 1.5 acres of greenbelts and plazas would be open to the public. The proposed open space facilities that would be provided by the Originally Proposed Project and Revised Project would be available to the public.

The Revised Project relates better to the surrounding community. The residential building nearest the intersection of Del Mar Heights Road with El Camino Real now includes individual entrances to the residential units on the ground floor facing Del Mar Heights Road and the greenbelt which was included in the original project. In addition, the southwest corner of the property has been opened up by eliminating the originally proposed hotel in favor of more landscaping and common open space.

229.14 This comment summarizes the issues and assertions contained in the comment letter. Refer to responses to comments 229.1 through 229.13.

COMMENTS

RESPONSES

From: [Kim Perl](#)  
 To: [DSD EAS](#)  
 Subject: One Paseo Project 193036  
 Date: Tuesday, May 29, 2012 11:47:33 PM

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230.1 [ As Carmel Valley residents for over fifteen years we are 100% OPPOSED to the One Paseo project. This proposal to over-build is a disgusting example of developer greed. Given it's gargantuan size and the impact on the community, Paseo One is NOT in the best interest of this community, and ***we urge that it not be endorsed.***

Thank you,  
 Kim Perl, M.D. and Matt Perl, M.D.  
 Carmel Valley Resident

230.1 The Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a substantial reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.

COMMENTS

RESPONSES

Jennifer Pesavento  
11790 Carmel Creek Road, Apt. 301  
San Diego, CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake:

I am pleased that the draft Environmental Impact Report for One Paseo had been made available to the public. I feel confident that Carmel Valley would be all the better for allowing this development to move forward as planned. The plan has been in the works for years now – and while it should be carefully scrutinized I urge you not to let it sit too long. The longer we wait the less we will be able to enjoy its many benefits.

I am in favor of building One Paseo because Carmel Valley needs a “downtown” area with more shopping choices and new places to live. It would provide a community village that would enhance the sense of place in Carmel Valley. These are goals laid out in San Diego’s City of Villages plan – essentially our blueprint for smart growth. I think people need to understand that the increased amount of development at the project site is necessary to executing these citywide goals. Because One Paseo would be developed along a planned bus route, the project must be more intense to provide enough density to create a village atmosphere and maximize the use of existing or planned transit.

On a personal level, I love the proposed pedestrian plaza and additional open space where people can come together to be grab a cup of coffee, to take walks, or to just relax outside. This project would be extremely beneficial to our community. I hope you and your colleagues will facilitate its successful development – we all stand to benefit.

Sincerely,  
  
Jennifer Pesavento

231.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Marianne Pickett](#)  
**To:** [DSD EAS; Mezo, Renee; white@wwarch.com;](#)  
[Lightner, Councilmember Sherri;](#)  
**Subject:** One Paseo  
**Date:** Tuesday, April 03, 2012 9:35:46 PM

Dear Sir or Madam,

232.1 I am very concerned about the current One Paseo Plan. The Environmental Impact report concludes that the project would result in significant transportation/circulation/and parking issues. The area is already congested and experiencing traffic issues and a project of this size far exceeds what the area is designed to handle. The additional traffic, congestion, parking issues would significantly impact the community and could not be mitigated due to space constraints. This would seriously add to the stress and irritation of all current users of the nearby roads, highway 5 and surrounding area. It is extremely troubling and undesirable.

232.2 Further, this would irreparably destroy the visual effects and nature of the neighborhood. Its current character would be forever ruined and changed by a project with several massive buildings far greater than the 2 story buildings currently in the area. The project will have so much greater scale, density and traffic generation than what would be allowed by the existing entitlement or Community Plan, and the project is considerably more dense than any mixed-use project, existing or planned, in similar planned communities in greater San Diego. I am seriously concerned that Carmel Valley's existing community character and its Community Plan will be destroyed if the proposed One Paseo/Main Street project gets approved.

**From:** Marianne Pickett  
**Address:** 12686 Monterey Cypress Way 92130  
**Date:** 4-3-2012

232.1 The Final EIR acknowledges in Sections 5.2.2 and 12.9 that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections and identifies mitigation measures that would reduce many impacts to below a level of significance. As noted in Section 12.9 of the Final EIR, the traffic impacts of the Revised Project would be reduced from those of the Originally Proposed Project.

232.2 The Final EIR acknowledges that the bulk and scale associated with both the Originally Proposed Project and the Revised Project would be inconsistent with the character of surrounding development. The Revised Project has reduced the scale, bulk, and height of structures to more closely conform to the existing community. Despite the reductions, community character is still considered as a significant unmitigated impact, as described in Section 12.9 of the Final EIR.

COMMENTS

RESPONSES

From: Robert Pincus  
To: DSD EAS;  
Subject: One Paseo, Project 193036  
Date: Wednesday, May 23, 2012 6:48:52 AM

Dear Martha Blake and Colleagues,

233.1 The One Paseo Project, as you know, is proposed for Carmel Valley. It is a preposterously dense and large development for a suburban part of the city. Even the developer, Kilroy Realty, seems to know this, having sent publicity mailings which offer a picture of a far smaller development than they actually propose to build. It should never have progressed this far in the planning process in its current form.

233.2 The city needs to do the responsible thing and ask them to scale back their plans. An entire community should not be subject to a company's excesses, which we will suffer in the way of unnecessary traffic congestion and density. Other developers have managed to build in a responsible manner in this neighborhood; Kilroy can too.

233.3 I look forward to hearing your comments, if possible. If not, do know that this has become a widespread concern in this community and this development needs to be scrutinized by your office and then governmental action needs to be taken.

Best regards,  
Robert Pincus, Ph.D.

233.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

233.2 As discussed in detail in response to comment 5.6, the project applicant has revised the Originally Proposed Project to reduce the overall intensity and density. The Revised Project reduces the overall square footage by 22 percent from 1,857,440 to 1,454,069 square feet. The total floor area ratio (FAR) is reduced by 22 percent from 1.8 to 1.4. In addition, the proposed hotel has been eliminated.

233.3 With respect to project-related traffic impacts, Sections 5.2.2 and Section 12.9 of the Final EIR, acknowledge that both the Originally Proposed Project and Revised Project would result in significant impacts to local street segments and intersections. Although the proposed development would include roadway improvements which would improve traffic flow in the community, certain traffic impacts would remain significant. For example, improvements to the Del Mar Heights Road bridge interchange at I-5, required to fully mitigate project traffic impacts, are within the jurisdiction of Caltrans and beyond the control of the City and the project applicant.

The density of the proposed project is intended to achieve the underlying goal of the City's General Plan to promote village development in keeping with the recent emphasis at the state level to promote smart growth. It should be noted that the project applicant has modified the Originally Proposed Project. The Revised Project reduces the intensity of the project by 22 percent as well as reduces the maximum building height from 10 to 9 stories. However, as stated in the Draft EIR and Section 12.9 of the Final EIR, the density associated with both the Originally Proposed Project and Revised Project contribute to the conclusion that the proposed development would result in a significant and not mitigated impact on neighborhood character.

COMMENTS

RESPONSES

Lorne Polger | 4350 La Jolla Village Drive, Suite 410, San Diego, CA 92122

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake,

As a strong supporter of the One Paseo proposal, I was pleased to see the Draft Environmental Impact Report released. The EIR provides a comprehensive analysis of the project's environmental effects and serves as an excellent information tool for the public. I would like to see this development become a reality for Carmel Valley, because I am certain it would benefit residents here immensely.

One Paseo has the potential to bring a great blend of work, retail, living, and entertainment options to the community. This would be an excellent use of the land at Del Mar Heights and El Camino Real. Mixed-use developments like this help to maximize the benefits a single space can provide, putting a host of amenities within reach of community members.

I think that Carmel Valley has long been underutilized, and I think that One Paseo would do a great deal to help the area live up to its potential. A development like this is something that will only enhance the character of the community, since it has been designed in response to the community's needs and desires.

I would like to see the city give One Paseo the full support it merits. This is a worthwhile project that could benefit the area tremendously if it is approved.

Regards,

  
Lorne Polger

234.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

234.1

COMMENTS

RESPONSES

**From:** [K. Ponganis](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo DEIR Comments (Project No. 193036/SCH No. 2010051073)  
**Date:** Tuesday, April 17, 2012 1:31:43 PM

235.1 [ Allowing such high density housing in an area will be a tremendous mistake. I wish to voice my strongest opposition to One Paseo development as currently presented. I have lived in this community since 1985 and am worried that this project is incompatible with the mostly single-family homes in the area.

235.2 [ How will the extraordinary traffic burden be handled? Who will redo the freeway access when that many people live in One Paseo? This development will degrade the quality of life for those who live nearby with more traffic, more noise, and more pollution. Certainly, our opposition to this project should count for something. We have to live here.

235.3 [ Please do not allow this project to go forward as presented. By all means, keep this area zoned for business and commercial use if you wish to bring jobs into the area, but if you must incorporate residential units in the One Paseo project, please scale the number back **drastically**, by at least 90%.

Please consider the wishes of the people who live here and deny a permit for construction.

Many thanks,

Dr. Katherine Ponganis

235.1 The Final EIR, in Section 5.3.3, recognizes that the Originally Proposed Project and the Revised Project would result in significant impacts to the neighborhood character of the area. However, contrary to the comment, residences in the surrounding area are multi-family, not single-family.

235.2 The Final EIR acknowledges in Sections 5.2.2 and 12.9 that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections and identifies mitigation measures that would reduce many impacts to below a level of significance. As noted in Section 12.9 of the Final EIR, the traffic impacts of the Revised Project would be reduced from those of the Originally Proposed Project. The mitigation measures identified in Section 5.2 of the Draft EIR are specific, and include trigger points which will assure that they are in place at the appropriate time in the development of the project. These trigger points require installation of improvements concurrent with need. As indicated in Section 12.9 of the Final EIR, the same measures will be applied to the Revised Project although the amount of the fair share contributions will be adjusted to reflect the lower trip generation associated with the Revised Project.

As indicated in response to comment 63.125, onsite noise associated with the proposed development would not significantly impact surrounding land uses.

As discussed in response to comment 15a.203, the proposed development would not result in a significant impact on local or regional air quality.

235.3 The Originally Proposed Project and Revised Project both include office and retail uses that would generate more jobs than would simply constructing the 510,000 square foot business park that would be permitted under the existing zoning for the project site.

The City believes that it is important that new housing be constructed throughout the City to meet the expected demand. In addition, maximizing the number of units within the proposed development allows it to take full advantage of the mixed-use development concept by allowing people to live, work and shop in the same development. Thus, reducing reliance on the private automobile.

COMMENTS

RESPONSES

**From:** [Nick Psyllos](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo  
**Date:** Tuesday, May 29, 2012 5:26:43 PM

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Ms. Martha Blake, Environmental Planner  
 City of San Diego Development Services Center  
 1222 First Avenue, MS 501  
 San Diego, CA 92101  
 RE: Project No. 193036/SCH No. 2010051073

Dear Ms. Blake:

As a 17 years resident of Carmel Valley , I wholeheartedly support the proposed One Paseo project. Kilroy Realty Corp. has worked with the community to create a project that would really benefit Carmel Valley residents. Since its inception, Carmel Valley has lack a place where residents can gather to shop, eat or relax, and One Paseo would perform a critical function that has otherwise been lacking in the community. Even when it comes to managing basic errands, local options are disappointing; Del Mar Highlands is far too crowded and does not provide sufficient parking. We would all benefit from a site that is more carefully designed, better integrated, and aesthetically appealing.

I know that the Draft EIR for the project has been issued, which represents an important step in One Paseo’s approval process. I understand that the law requires the Draft EIR to evaluate the project’s environmental impacts. I would like to address the project’s many benefits. It’s hard to put a price on the value of a “heart” for Carmel Valley that would come from the development of a new Main Street. Therefore, I believe that any one of the benefits of One Paseo would outweigh the significant impacts identified in the Draft EIR.

For these reasons and many others, I hope to see One Paseo

236.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

236.1

COMMENTS

RESPONSES

236.1  
cont.

developed soon.  
Yours truly,

Nick Psyllos

---

Nick Psyllos  
Senior Managing Director  
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COMMENTS

RESPONSES

**From:** [Shelly Ptashek](#)  
**To:** [DSD EAS](#)  
**Subject:** one Paseo project 193036  
**Date:** Tuesday, May 29, 2012 11:56:10 PM

To whom it may concern!

I am against the "one Paseo, project 193036", please do not let it happen.  
I vote NO.  
We want to keep the quite neighbourhood we have here, it will destroy Carmel Valley!!!!  
We are against the traffic, the high buidings and the density of that plan  
Thanks,  
Shelly  
A resident of Carmel Valley .

237.1

237.1 The Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a substantial reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.

The density of the proposed project is intended to achieve the underlying goal of the City's General Plan to promote village development in keeping with the recent emphasis at the state level to promote smart growth. It should be noted that the project applicant has modified the Originally Proposed Project. The Revised Project reduces the intensity of the project by 22 percent as well as reduces the maximum building height from 10 to 9 stories. However, as stated in the Draft EIR and Section 12.9 of the Final EIR, the density associated with both the Originally Proposed Project and Revised Project contribute to the conclusion that the proposed development would result in a significant and not mitigated impact on neighborhood character.

With respect to project-related traffic impacts, Sections 5.2.2 and 12.9 of the Final EIR, acknowledge that both the Originally Proposed Project and Revised Project would result in significant impacts to local street segments and intersections. Although the proposed development would include roadway improvements which would improve traffic flow in the community, certain traffic impacts would remain significant. For example, improvements to the Del Mar Heights Road bridge interchange at I-5, required to fully mitigate project traffic impacts, are within the jurisdiction of Caltrans and beyond the control of the City and the project applicant.

Print

Page 1 of 1

Subject: ONE PASEO/MAIN STREET  
 From: Barbara Quinlan (barbaraannequinlan@yahoo.com)  
 To: barbaraannequinlan@yahoo.com  
 Date: Thursday, May 24, 2012 4:11 PM

Martha Blake, Environmental Planner  
 City of San Diego Development Services Center  
 1222 First Avenue, MS 501  
 San Diego, CA 92101

I am totally and extremely disturbed about the proposed project that Kilroy Realty is planning to build in Carmel Valley. I have lived in the San Remo neighborhood just south of Del Mar Heights Road near the Mormon Church since its inception in 1987. I moved into one of the first 13 homes built by Pardee with my small family. My children attended the local schools and now have families of their own, one of which lives within walking distance of me in Carmel Valley. I used to LOVE my neighborhood because by the early to mid- 90's we could walk to our schools, stores, library, restaurants, recreation center and movie theater. I no longer love my neighborhood so much since the remodel of our local "mall." Parking to shop is next to impossible. The once sorta' quaint restaurants have been taken over by loud, trendy, expensive, overflowing restaurants that require long waits. The mall was always overrun by high schoolers. At least they were locals. Now it's overrun by people with lots of disposable income, many of whom are from non-neighboring regions with easy freeway access. The once affordable movie house has been replaced by a fancy theater that I can no longer afford. When we moved into the neighborhood, my spouse and I taught for San Diego City Schools. We LOVED everything about Carmel Valley, including our close access to walks on the beach and perusing lovely Del Mar. We felt especially lucky to be residents of San Diego, able to utilize Interstate 5 and then the new Route 56 to traverse our beloved finest city. We had hoped that we could live out our retirement in affordable Carmel Valley and watch our grandchildren grow. We are joyfully watching them grow, but so dishearteningly disillusioned that Kilroy Realty is planning a monstrosity of a complex that will only add to the chaos and density of our once-cherished neighborhood. There is value in charming, quaint, calm, affordable, aesthetically attractive property development. I implore you to consider the drastic changes your proposed project will bring to my neighborhood. I don't want you and your gargantuan money-making plan imposed on my neighborhood. My Carmel Valley son-in-law is a commercial realtor and would not dream of subjecting his children (or, thankfully, his in-laws) to such an uncompromisingly, offensively mammoth complex. The enormity of it appears to be truly overwhelming to the senses. Providing no recreational parks is such an insult not only to the existing Carmel Valley residents, but to the occupants of your several potential high-density residential towers as well. Please, please, please reconsider a plan which would enhance my neighborhood and not destroy it.

Cordially,

  
 Barbara Quinlan

<http://us.mg5.mail.yahoo.com/neo/launch>

5/24/2012

- 238.1 The Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a substantial reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.
- 238.2 The Revised Project incorporates 10.7 acres of planned open space including 1.5 acres of publicly accessible passive recreation that could provide for a number of passive recreation activities including children's play areas, picnicking, and informal sports, and 1.5 acres of greenbelts and plazas which would be open to the public. As described in responses to comments 63.168 through 63.170 and Section 12.9 of the Final EIR, the City considers payment of FBA fees to ensure that no significant impacts to parkland would occur. FBA fees are used for acquisition of parkland or intensification of recreational uses at existing parks that will expand use of those parks.

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COMMENTS

RESPONSES

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238.3 As discussed in response to comment 5.6, the project applicant has revised the Originally Proposed Project to reduce the size of the project. As discussed in response to comment 5.6 and Section 12.9 of the Final EIR, the impacts of the Revised Project would be less than the Originally Proposed Project described in the Draft EIR. The primary effect of the Revised Project would be a reduction in the traffic and neighborhood character impacts associated with the Originally Proposed Project, but other reductions in impacts related to air quality, GHG, and noise would also occur. Although reduced, the traffic and neighborhood character impacts of the Revised Project would remain significant and not mitigated.

COMMENTS

RESPONSES

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake,

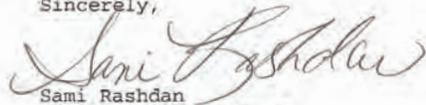
As a long-time resident of Carmel Valley, I think the community stands to gain a lot from the proposed One Paseo project. The Draft Environmental Impact Report does a thorough job examining the project's potential environmental effects. It's my opinion that One Paseo's likely benefits are much greater than the potential effects identified in the report. Today, I'd like to offer my comments in support of One Paseo.

This development would serve as a "community village" in the heart of Carmel Valley. I know that such a development would, by definition, be different from other neighboring land uses. I think that growth of this kind would be most welcome, and it would also help to implement the Carmel Valley Community Plan's vision for our commercial business district. Bringing these new businesses to Carmel Valley would also help to keep residents' business within the community, instead of watching residents drive to Carlsbad or elsewhere to handle their shopping.

The project would also bring in new jobs, including construction work and numerous permanent positions once the site opens up. One Paseo would help to really shore up the local economy. These additional work opportunities would make a big difference in many residents' lives, and they'd be a source of local stability for many years to come.

In summary, I feel strongly that One Paseo would be a great addition to our community. I hope that the project will be approved soon so we can all enjoy its benefits.

Sincerely,



Sami Rashdan  
10691 Hunters Glen Dr.  
San Diego CA 92130

239.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Mark Riedy](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo  
**Date:** Tuesday, May 29, 2012 3:39:36 PM

I would simply like to add my support for the approval of the Kilroy company’s One Paseo project as currently proposed. I recognize that there is strong opposition to the project, and that opponents of anything always are better organized and more vocal than proponents. Please let this be one more individual voice in support of the project. My wife and I live at 14084 Rue St. Tropez, which is a Del Mar 92014 street address but officially is part of the City of San Diego. Thus I do have a voice in San Diego issues, especially those real estate projects such as One Paseo that are within less than two miles of our home and adjacent to the Ralphs shopping center across the street from One Paseo, which my wife and I frequent almost daily.

I recall similar strong and vocal opposition to what is now Del Mar Plaza at the corner of 15<sup>th</sup> street and Camino Del Mar more than two decades ago. It was the end of any quality of life in Del Mar, in the eyes of opponents. Today it stands as the proud hallmark and most popular location in all of downtown Del Mar and helps to define the connection of the city with the ocean surf and race track turf. Most everyone loves it. Fast forward to 2012, to similar opposition to what 10 or 20 years hence will elicit comments like “how did we ever live without One Paseo in this dynamic and growing Carmel Valley community?”. The Kilroy company has bent over backwards to be inclusive of community concerns, and in my judgment their mix of uses makes for an outstanding new asset in our neighborhood. Traffic will increase monthly for the rest of our lives irrespective of One Paseo’s approval. Opponents know that but conveniently overlook the obvious.

We bought our present home and renovated it substantially in 1993. One of the most telling communications/greetings of sorts we received from an adjacent neighbor could be applied to the One Paseo project. I wish I had saved the letter, but did not. It began with the typical “welcome to the neighborhood” sentiments. The second sentence, however, started with a head fake, with the comment that “I am sure what you are doing in renovating the house will be beautiful and enhance values in the neighborhood”. The third and fourth sentences went downhill and said, “However, what you need to understand is that no matter what you do to improve/renovate your property, we will not like it. We do not like change and your work represents change.” This small-minded mentality emerges vocally every time someone with property rights wants to exercise those rights, especially in the Carmel Valley/Del Mar area, though La Jolla and other neighborhoods can also be included in my thoughts. I suspect that the neighbor I am referencing sends out

240.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

the same letter every time another house in our 92 home subdivision gets renovated, which is happening with regularity several times each year. Of course, with each renovation that neighbor's house gets more valuable year after year while they do nothing to improve their property. Similarly, as One Paseo is recognized over time as actually being a great asset to the Carmel Valley area, it will enhance residential as well as nonresidential values across the board, whether or not owners whose values are rising due to One Paseo put anything into their own properties. Need Kilroy be mindful of environmental impacts including traffic, noise and light pollution, etc.? Of course, and during this lengthy evaluation process I have every confidence that all concerns will be vetted and that Kilroy will end up being the great corporate citizen that it has demonstrated as its character in the past. After all, mitigating environmental issues of all types translates into enhanced access to One Paseo and customers/neighbors who truly are welcoming and happy to have the new services being made available to them, which in turn means better sales and stronger lease terms for Kilroy.

We in America are an increasingly divisive society, led by the terrible example of highly partisan politicians of all stripes in Washington, D.C. and emulated in many (not all) states where development is occurring in areas that no longer are "wide open spaces". Kilroy's track record is one of being responsive to its obligations to alleviate negative impacts of its developments when they truly are negative on an objective reality basis. But when the opposition is one of "in principle we do not like big developments, any developments, your house being renovated, then it is appropriate for those who have a say in the approval process to have the analytical and political will to stand up to the community and state their objective opinion of what is good, on a long-term, sustainable basis, for the community at large...not for the developer per se, but also not caving in to vocal opposition to projects that add meaningful amenities and real value to a community. One Paseo has my support and deserves yours as well. Respectfully submitted. Mark J. Riedy as a private citizen. My employment capacity is shown below.

Mark J. Riedy, Ph.D.  
 Executive Director  
 Burnham-Moores Center for Real Estate  
 University of San Diego  
 5374 Linda Vista Road  
 San Diego, CA 92110  
 619-260-4872 Phone  
 619-260-7496 Fax

COMMENTS

RESPONSES

*Andrew Rinde  
3556 Seahorn Cir  
San Diego, CA 92130*

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake:

It would mean a lot for Carmel Valley residents to have more stores and restaurants closer to home. As consumers, we would benefit greatly from a wider variety of options - and I know that the area could use the extra business, the additional jobs, and the boost in tax revenue that new options would bring. Those are just some of the reasons why I support the proposed One Paseo development.

This project would function as a sort of "town center" for our community, with its blend of shops, restaurants, open space and pedestrian paths, residential housing, and office space. Situated in an already mixed-use neighborhood, One Paseo would effectively tie surrounding uses together in a way that would satisfy the area's smart growth plan - while also giving residents a way to keep more of their business in the community. Instead of traveling out of Carmel Valley to run errands or find entertainment on a weekend, we'd be able to enjoy One Paseo's accessibility. Not only would it be convenient, but it would also complement the special, family-friendly atmosphere we've worked to cultivate in the community.

The Draft Environmental Impact Report is an invaluable informational tool for the public, and I'm grateful for the City's work in drafting it. With that, I feel ever more strongly that the benefits of the project are compelling enough that we should move forward to approve One Paseo.

Thank you,

  
Andrew Rinde

241.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

TELEPHONE (858) 792-1300	LAW OFFICES OF <b>MICHAEL E. RIPLEY</b> 12520 HIGH BLUFF DRIVE SUITE 110 SAN DIEGO, CALIFORNIA 92130	E-MAIL ADDRESS: mripleyesq@aol.com
TELECOPIER (858) 793-1235		

May 24, 2012  
Sent via U.S. Mail and Email  
DSDEAS@sandiego.gov

Martha Blake, Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

**Re: One Paseo, Project 193036**

Dear Ms. Blake:

I am writing to voice my strong objection to the proposed One Paseo construction project.

My family and I have lived in Carmel Valley for over 20 years. Our home is just north of the intersection of Del Mar Heights Road and High Bluff Drive. My office is on High Bluff Drive.

I commute through the intersection of Del Mar Heights Road and High Bluff Drive on a daily basis, sometimes more than once a day. At rush hour, in the morning and in the evening, the traffic is extremely heavy. The intersection is routinely blocked with cars that have entered the intersection before their light turns red, and their being in the intersection causes cross traffic to backup.

I cannot imagine what that intersection will be like if One Paseo is constructed. The information I have obtained indicates there will be a 10 story office building, an eight story office building and four or five residential buildings over first floor retail space.

I do not see anything about the One Paseo project that calls for any new parks or recreation area. The schools in our neighborhood are already overcrowded. The parking lots at the grocery stores (particularly the Ralph's across El Camino Real from the One Paseo project) are already overcrowded, to the extreme. At many times of day you cannot find a parking space on either the upper level or lower level of that shopping center.

By way of this letter, I am voicing the strongest objection I can to the One Paseo project. It would be a disaster for the Carmel Valley community.

Thank you for your attention to this matter.

Sincerely,



Michael E. Ripley

MER/ca/BlakeLtr.052412

242.1 As discussed on page 5.2-69 and in Table 5.2-41 in the Draft EIR and in Section 12.9 of the Final EIR, the Originally Proposed Project and Revised Project would result in direct and cumulative significant traffic impacts to the Del Mar Heights Road/High Bluff Drive intersection. Mitigation (Mitigation Measures 5.2-6 and 5.2-7) is identified in the Final EIR that would reduce impacts to below a level of significance.

242.2 As described in responses to comments 63.168 through 63.170 and Section 12.9 of the Final EIR, the City considers payment of FBA fees to ensure that no significant impacts to parkland would occur. FBA fees are used for acquisition of parkland or intensification of recreational uses at existing parks that will expand use of those parks.

As discussed in response to comment 7.11, the project's impact on local schools would not be significant with the payment of school fees.

242.3 The total number of on-site parking spaces that would be provided for the Originally Proposed Project and Revised Project is based on the proposed mix and size of land uses. As discussed in Section 5.2.3 of the Draft EIR, shared parking for all of the proposed uses, except residential would be provided since peak activity times for some proposed uses, such as office and cinema, are essentially opposite one another. The Draft EIR concluded (in Table 5.2-42) that a parking surplus would occur during

COMMENTS

RESPONSES

242.3 each phase of the Originally Proposed Project. The same conclusion  
cont. is reached in Section 12.9 of the Final EIR. Any parking issues at an  
existing shopping center are outside the purview of this EIR.

242.4 As this comment does not raise any issues with respect to the adequacy  
of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

Carol Rohan  
13383 Gelbourne Place  
San Diego, CA 92130

Renee Mezo  
Development Project Manager  
City of San Diego Development Services Center  
1222 First Avenue, Fifth Floor  
San Diego, CA 92101

Dear Ms. Mezo:

I am in favor of the proposed One Paseo project. As a resident of Carmel Valley, I would love to see this kind of mixed-use space become a part of our community. It is a project that would do a great job exemplifying "smart growth" within San Diego, and it would be a fresh addition to Carmel Valley itself. Regarding the Draft Environmental Impact Report (DEIR) for the project, I am grateful for the analysis it provides in terms of the project's potential environmental impact. I wish today, however, to focus on the project's numerous benefits, which I think should weigh heavily in favor of approving One Paseo.

One Paseo would provide a "main street" for us in Carmel Valley, which would help to bring our community together in a family-oriented space. This falls in line with San Diego's plan for a "City of Villages," by providing Carmel Valley's own central gathering space for local residents to enjoy. The development would also have a high design element, which would enhance the aesthetic appeal of our community.

Another reason I would like to see One Paseo built has to do with parking. Since I live so close to the proposed development, it means a lot to me that developers have looked into possible traffic impacts on the area, and I trust that they will plan mitigation efforts accordingly in light of the DEIR's findings. At other commercial centers in the area, I find that there's insufficient parking to meet residents' needs. I'm glad to see that One Paseo has incorporated ample, convenient parking into the designs for the project. I'm also encouraged to see that the project would promote more public transit use, since it would be situated along a proposed bus line. The nearness of One Paseo will potentially translate into people walking or biking to the site, rather than taking their cars.

This project would also help bring new energy into our local economy. It would create jobs and the tax revenue generated by the project could go toward paying for improvements to our local services. This is money and jobs that we need now more than ever.

I live a mile from the proposed site, and I would love to see One Paseo built. I hope that the City gives the project the support and approval it deserves.

Thank you for your attention to this matter.



243.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

From: [Joan Rovegno](#)  
To: [DSD EAS](#)  
Subject: One Paseo,Project 193036  
Date: Friday, May 25, 2012 3:32:40 PM

----- Forwarded message -----

From: **Mail Delivery Subsystem** <[mailer-daemon@googlemail.com](mailto:mailer-daemon@googlemail.com)>  
Date: Fri, May 25, 2012 at 3:26 PM  
Subject: Delivery Status Notification (Failure)  
To: [joan.rovegno@gmail.com](mailto:joan.rovegno@gmail.com)

Delivery to the following recipient failed permanently:

[DSDDEAS@san Diego.gov](mailto:DSDDEAS@san Diego.gov)

Technical details of permanent failure:

Google tried to deliver your message, but it was rejected by the recipient domain. We recommend contacting the other email provider for further information about the cause of this error. The error that the other server returned was: 550 550 #5.1.0 Address rejected [DSDDEAS@san Diego.gov](mailto:DSDDEAS@san Diego.gov) (state 13).

----- Original message -----

Martha Blake  
Environmental Planner

Dear Ms Blake;

You MUST stop this development from being approved as it has been submitted. I originally was in favor of One Paseo with all the hype from Kilroy, free community BBQ's and FALSE presentations of what the project would be. NEVER was their talk of a 10 story residential tower, a 5 story hotel, 48,000 parking spaces. We were told we would have a nice community gathering place, a park of open grass for community events, a Trader Joe's, an affordable movie theater.

244.1 The City cannot respond to the question of what information regarding the project was conveyed at community meetings. However, it should be noted that the project applicant has modified the project since the Draft EIR was released for public review. As indicated in response to comment 5.6, the Revised Project eliminates the hotel and caps the building heights at 9 stories. The Originally Proposed Project included 4,080 parking spaces (not 48,000) and the Revised Project proposes 3,688 spaces, which according the addendum to the parking analysis contained in Appendix D.1 of the Final EIR, would result in a surplus of 168 spaces beyond the anticipated demand.

COMMENTS

RESPONSES

244.2 When reading the environmental impact report, and seeing new plans this project has gotten out of hand. Talk about 26,000 plus cars daily on our streets (exhaust pollution) on the 5 North and South at Del Mar Highlands, El Camino Real from DM Highlands to Via De La Valle and the excess traffic on an already congested route 56; this is unacceptable. Pure traffic gridlock, which already happens anytime from 3p.m. till 7p.m., especially during the fair and racetrack, 2 1/2 months. Is our Fire station 24 equipped to handle a fire in 10 to 12 story buildings? Is Kilroy willing to build, pay for equipment and staffing of a fire station on premise to handle this proposed town? What if an evacuation was order due to fire, which has happened in our area, it would be gridlock and panic. What about police protection, as limited as it is in our area, you would be adding another entire town (not village) that would require their services. Is Kilroy going to pay for additional police officers?

244.3

244.4

244.5 I don't understand how SD Planning commission can even begin to entertain the approval of this project as it has been submitted. I'm in favor of mixed use on the property, the idea of a small scaled down village to fit with the existng makeup of Carmel Valley would be welcomed.

--  
Joan Rovegno  
p 858.509-2716  
[joan.rovegno@gmail.com](mailto:joan.rovegno@gmail.com)

--  
Joan Rovegno  
p 858.509-2716  
[joan.rovegno@gmail.com](mailto:joan.rovegno@gmail.com)

244.2 The Final EIR acknowledges, in Sections 5.2.2 and 12.9, that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections and identifies mitigation measures that would reduce many impacts to below a level of significance. As noted in Section 12.9 of the Final EIR, the traffic impacts of the Revised Project would be reduced from those of the Originally Proposed Project. As discussed in response to comment 15a.203, the proposed development would not result in a significant impact on local or regional air quality.

244.3 As discussed in Sections 5.12.2 and 12.9 of the Final EIR, the Originally Proposed Project and Revised Project would not significantly impact fire and emergency medical services. Additionally, the Originally Proposed Project and the Revised Project would be conditioned to pay applicable Facility Benefit Assessment (FBA) fees to address capital costs of fire and rescue services.

244.4 As discussed in Sections 5.12.2 and 12.9 of the Final EIR, the Originally Proposed Project and Revised Project would not significantly impact police protection services. Additionally, the Originally Proposed Project and the Revised Project would be conditioned to pay applicable Facility Benefit Assessment (FBA) fees to address capital costs of police services.

244.5 It should be noted that the project applicant has modified the Originally Proposed Project to reduce the size of the project. As discussed in response to comment 5.6 and Section 12.9 of the Final EIR, the impacts of the Revised Project would be less than the Originally Proposed Project described in the Draft EIR. The primary effect of the Revised Project would be a reduction in the traffic and neighborhood character impacts associated with the Originally Proposed Project, but other reductions in impacts related to air quality, GHG, and noise would also occur. Although reduced, the traffic and neighborhood character of the Revised Project would remain significant and not mitigated.

COMMENTS

RESPONSES

**From:** [kunal r](#)  
**To:** [DSD EAS;](#)  
**Subject:** One Paseo  
**Date:** Wednesday, May 23, 2012 12:48:29 PM

245.1 [ We vehemently oppose the construction of One Paseo development plan.

245.2 [ Our family has been living near Delmar Highland Town Center for the last 20 years. During this time, we have already seen excessive growth in the town center, full of restaurants, banks, movie halls, in addition to Rite Aide and Ralph grocery store. Additional restaurants have been added during the last 2 years. The traffic in this area is already very heavy. No parking place is found properly in this town center. It has destroyed already to some extent family oriented community. With the addition of One Paseo, the whole place will become heavily commercial, severe traffic congestion and a Market Bazar ambience. Already our children are afraid to drive and park in the Delmar town center. Suggest a children's park at One Paseo in addition to a very few commercial stores and offices. But, please stop this madness of destruction of a family oriented community.

So, help us God.

Kunal Roy  
13613 Torrey Hill Court  
San Diego, CA. 92130  
(858)-405-7967

245.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

245.2 The Draft EIR concluded (in Table 5.2-42) that a parking surplus would occur during each phase of the Originally Proposed Project. As indicated in Appendix D.1 of the Final EIR, the parking provided by the Revised Project would also exceed demand.

The Final EIR acknowledges, in Sections 5.2.2 and 12.9, that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections and identifies mitigation measures that would reduce many impacts to below a level of significance. As noted in Section 12.9 of the Final EIR, the traffic impacts of the Revised Project would be reduced from those of the Originally Proposed Project. Any parking issues at an existing shopping center are outside the purview of this EIR.

COMMENTS

RESPONSES

Gina and Kenneth Rubin  
4059 Santa Nella Place  
San Diego, CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake:

Our family fully supports the One Paseo proposal. The Draft Environmental Impact Review (DEIR) puts everything on the table about the project's potential impacts, and it does so in a clear manner that truly benefits any resident interested in the project. It is clear to us that the benefits One Paseo would bring to Carmel Valley are much greater than any potential environmental concerns. We feel strongly that One Paseo would be a positive development for our community, which is why we are writing today in support of the project.

We have been enthusiastic about One Paseo since the beginning. We live near the proposed location, and we'd love to see such a variety of stores and other amenities closer to home. This would be a much better use of the site than other alternatives. A single-use vision for the property, like a development only of office buildings, would generate traffic concerns similar to those raised in the DEIR, but without the open space, the tax revenue and, of course, the energy and vibrancy of a project like this.

With teenagers at home, One Paseo is an especially appealing project because it would provide a safe place for them to hang out. We'd also appreciate the additional jobs the businesses at the site would offer, because they might be able to find some good part-time work there. The development would also increase tax revenue locally, which would benefit Carmel Valley residents broadly.

We are excited about the possibilities One Paseo represents, and we hope to see the development built here in Carmel Valley. Thank you for your time.

Sincerely,

Gina and Kenneth Rubin

246.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

May 29, 2012

Ms. Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101  
RE: Project No. 193036/SCH No. 2010051073

Dear Ms. Blake,

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the One Paseo Project. I understand that the Environmental Impact Report identifies certain project impacts. However, I firmly believe that the project's benefits would outweigh the identified impacts.

The project would positively impact our community in many ways. For example, it would help the local economy by increasing employment opportunities in Carmel Valley. One Paseo would also bring new specialty stores like a Trader Joes to the area. Most importantly, it would enhance the community character by providing a true "heart" for Carmel Valley.

Thank you.

Sincerely,



Mr. Tony Russell  
5038 Seagrove Cove  
San Diego 92130  
+1 858 354 7600

247.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

From: mlsage613@yahoo.com  
To: DSD EAS  
Subject: Project Number (193036)  
Date: Tuesday, May 22, 2012 5:41:11 PM

Ms. Martha Blake, Environmental Planner, City of San Diego Development Services Center

As a Carmel Valley resident who lives very close to the proposed One Paseo project, I would like to submit my comments on Project Number (193036). I have read the DEIR and I am quite upset and discouraged that this project is being pushed forward when the DEIR clearly states there will be an "unmitigated" impact on traffic. I am also concerned about the size and scope of the project (multi-story residential and office buildings?!) which will clearly result in greater congestion, and increased urban density instead of the open space that we so desperately need to protect in our suburban community. Our community is congested enough with residential and commercial properties and there is no need for further such 'mixed use' projects to continue to erase any visual and spatial openness that remains along Del Mar Heights Road.

This project does NOT meet a community need. Anyone can visit any of the several existing shopping centers within a few miles; the Piazza Carmel Shopping Center, the Del Mar Highlands Town Center and Del Mar Heights Shopping Center. In addition, the Flower Hill Promenade and Del Mar Shopping Center are less than 4 miles away on Via de la Valle. Over the past several years, there are vacancies and empty retail locations in each of these centers. There is no need for additional retail stores or specialty grocery stores with Jimbo's, Ralph's, Vons (2 stores), Albertsons and Whole Foods all within a few miles. Likewise, we have so many empty residential properties, bank-owned and foreclosures, that it is absurd to build additional residential units.

This is an ill-conceived project being pushed by developers who will be long gone when our community is still dealing with the impact of it.

ML Sage  
3845 Elijah Court  
San Diego, CA 92130

248.1 The Final EIR acknowledges, in Sections 5.2.2 and 12.9, that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections and identifies mitigation measures that would reduce many impacts to below a level of significance. As noted in Section 12.9 of the Final EIR, the traffic impacts of the Revised Project would be reduced from those of the Originally Proposed Project, but would still be significant. As discussed in response to comment 211.2, although implementation of mitigation measures identified in the Final EIR would reduce many of these impacts to below a level of significance, other traffic impacts of the proposed development would remain significant due to the inability of the project proponent to complete the mitigation measures without approval from Caltrans.

248.2 As discussed in detail in response to comment 5.6, the project applicant has revised the Originally Proposed Project to reduce the overall intensity and density and provide more open space. The Revised Project reduces the overall square footage by 22 percent from 1,857,440 to 1,454,069 square feet. The total floor area ratio (FAR) is reduced by 22 percent from 1.8 to 1.4. In addition, the proposed hotel has been eliminated. With the Revised Project, the amount of open space within the proposed development would increase from 7.6 acres with the Originally Proposed Project to 10.7 acres. A 1.1-acre passive recreation area and nearby 0.4-acre children's play area open to the public would be created at the northwest corner of the project. In addition, 1.5 acres of greenbelts and plazas would be open to the public.

The Final EIR acknowledges that the bulk and scale associated with both the Originally Proposed Project and the Revised Project would be inconsistent with the character of surrounding development. The Revised Project has reduced the scale, bulk, and height of structures to more closely conform to the existing community. Despite the reductions,

248.2 community character is still considered as a significant unmitigated cont. impact, as described in Section 12.9 of the Final EIR.

Originally Proposed Project would not exceed the overall retail demand within the trade area analyzed for the Originally Proposed Project. As discussed in Section 12.9 of the Final EIR, the same conclusion applies to the Revised Project because it would include 10 percent less retail than the Originally Proposed Project.

A housing component is included in the project to achieve the overall goals envisioned by the City of Villages concept. Inclusion of housing allows people to shop, work, and recreate without having to use their cars. As indicated on page 5.1-10 of the Draft EIR, SANDAG's Smart Growth Concept Map identifies the project site as a Town Center smart growth area. Furthermore, according the Table 1 of the Housing Element of the City's General Plan, adopted in 2013, over 45,000 new residential units will be needed within the City in order to accommodate the Regional Housing Needs Allocation (RHNA) for the SANDAG region through the year 2020.

248.3 While the retail portion of the project would provide additional shopping alternatives to the existing retail centers listed in this comment, the primary goal of including retail in the proposed project is to achieve the sustainability goals of the City of Villages Strategy by allowing residents and employees associated with the One Paseo project to obtain goods and services without relying on private automobiles. Furthermore, as discussed in response to comment 63.14, the demand for retail services will continue to exceed supply even with the proposed project and the completion of planned retail development in the community.

COMMENTS

RESPONSES

Theresa Sakata  
12515 Portada Place  
San Diego CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake,

I've lived in the Carmel Valley area for nearly 30 years. I've seen a lot of growth and change in the area during that time, but I think there's room to grow more still. I know that the City has embraced a strategy of smart growth focused on creating "community villages" throughout the area. I think that the proposed One Paseo development falls perfectly within this strategy, and I fully believe that the village atmosphere it would engender in the heart of Carmel Valley is exactly what this area needs.

I drive by the property where One Paseo would be located pretty frequently. When I think about what One Paseo could replace that empty lot with, I get excited. I remember when I lived in San Francisco and enjoyed the variety of unique retailers in the neighborhoods there, who provided a diverse array of special, local shopping alternatives for the community. One Paseo would do something similar for Carmel Valley, by creating a space where many different shops, restaurants, and entertainment options blend together as part of a single development. Boutique and specialty retailers would have a home here, and other more standard shopping options would also become a lot more convenient for residents.

The convenience of this project is especially appealing to me. I love the idea that I could walk or bike over to the site if I wanted. It's great to know that the site is meant to be so accessible. The location is right along a proposed bus line as well, which should encourage more people to switch from individual cars to public transit. For those who are concerned about the potential traffic impact this project might have on the area, I think it's important to remember that the developers have budgeted for traffic mitigation strategies. The recently published DEIR discusses the project's environmental impacts, and I appreciate the thorough analysis encompassed in the report - but more than anything, I believe we need to keep a broader perspective and remember the many benefits this project would bring to the community.

I think One Paseo would be excellent for Carmel Valley. I look forward to its approval and development, so that the community can take advantage of the new and unique opportunities it would provide.

Sincerely,



Theresa Sakata

249.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

249.1

COMMENTS

RESPONSES

**From:** [jwsaltman](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo #193036/SCH No.2  
**Date:** Monday, May 07, 2012 6:52:50 PM

250.1 Hello, I have been a resident of the Del Mar Highlands townhouse development (199 units) for 22 years. Our development is directly across the street from the proposed One Paseo project. There is not a single resident of this development in favor of this project. There is no one I know who lives in Carmel Valley that is in favor of this project. The major reasons for their and our opposition are because of the project's requested 4x greater density than permitted by existing zoning and master-planning requirements. The resulting traffic congestion in this neighborhood would be humongous and unbearable. I believe that if Kilroy would just follow the existing zoning requirements, as specified in the Master Plan for Carmel Valley, there would be no such huge opposition. Most of us could live with another plaza with a low density as in the Del Mar Highlands Town Center, just across the street from the proposed One Paseo project. But a 4x greater density? NO WAY!!!

250.2 Drs. William and Juliet Saltman, 12973 Candela Place, 858-259-5690

250.3

250.1 The Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a substantial reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.

The density of the proposed project is intended to achieve the underlying goal of the City's General Plan to promote village development in keeping with the recent emphasis at the state level to promote smart growth. It should be noted that the project applicant has modified the Originally Proposed Project. The Revised Project reduces the intensity of the project by 22 percent as well as reduces the maximum building height from 10 to 9 stories. However, as stated in the Draft EIR and Section 12.9 of the Final EIR, the density associated with both the Originally Proposed Project and Revised Project contribute to the conclusion that the proposed development would result in a significant and not mitigated impact on neighborhood character.

250.2 The Final EIR acknowledges in Sections 5.2.2 and 12.9 that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections and identifies mitigation measures that would reduce many impacts to below a level of significance. As noted in Section 12.9 of the Final EIR, the traffic impacts of the Revised Project would be reduced from those of the Originally Proposed Project.

250.3 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [jwsaltman](#)  
**To:** [Lightner, Councilmember Sherri](#);  
[DSD EAS](#);  
**Subject:** one paseo: why we're opposed  
**Date:** Monday, May 21, 2012 10:53:18 AM

251.1 Dear Councilwoman Lightner and Martha Blake, we have been residents of the Del Mar Highlands townhouse development (199 units) for 22 years. Our development is directly across the street from the proposed One Paseo project. There is not a single resident of this development in favor of this project. There is no one we know who lives in Carmel Valley that is in favor of this project. The major reasons for their and our opposition are because of the project's requested 4x greater density variance than permitted by existing zoning and master-planning requirements. The resulting traffic congestion in this neighborhood, so near the freeway entrance & exit, would be humongous and unbearable. We believe that if Kilroy would just follow the existing zoning requirements, as specified in the Master Plan for Carmel Valley, there would be no such huge opposition.

251.2 Most of us could live with another plaza with a low density as in the Del Mar Highlands Town Center, just across the street from the proposed One Paseo project. But a 4x greater density? NO WAY!!! Drs. William and Juliet Saltman, 12973 Candela Place, 858-259-5690

251.3

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The density of the proposed project is intended to achieve the underlying goal of the City's General Plan to promote village development in keeping with the recent emphasis at the state level to promote smart growth. It should be noted that the project applicant has modified the Originally Proposed Project. The Revised Project reduces the intensity of the project by 22 percent as well as reduces the maximum building height from 10 to 9 stories. However, as stated in the Draft EIR and Section 12.9 of the Final EIR, the density associated with both the Originally Proposed Project and Revised Project contribute to the conclusion that the proposed development would result in a significant and not mitigated impact on neighborhood character.

251.2 The Final EIR acknowledges in Sections 5.2.2 and 12.9 that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections and identifies mitigation measures that would reduce many impacts to below a level of significance. As noted in Section 12.9 of the Final EIR, the traffic impacts of the Revised Project would be reduced from those of the Originally Proposed Project.

251.3 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

From: [jwsaltman](#)  
To: [DSD EAS](#)  
Subject: FW: Project # 193036  
Date: Monday, May 21, 2012 2:26:59 PM

Attention: Martha Blake  
-----

Dear Planners, we have been residents of the Del Mar Highlands townhouse development (199 units) for 22 years. Our development is directly across the street from the proposed One Paseo project. There is not a single resident of this development in favor of this project. There is no one we know who lives in Carmel Valley that is in favor of this project. The major reasons for their and our opposition are because of the project's requested 4x greater density variance than permitted by existing zoning and master-planning requirements. The resulting traffic congestion in this neighborhood, so near the freeway entrance & exit, would be humongous and unbearable. We believe that if Kilroy would just follow the existing zoning requirements, as specified in the Master Plan for Carmel Valley, there would be no such huge opposition. Most of us could live with another plaza with a low density as in the Del Mar Highlands Town Center, just across the street from the proposed One Paseo project. But a 4x greater density? NO WAY!!!  
Drs. William and Juliet Saltman, 12973 Candela Place, 858-259-5690

252.1

252.2

252.3

252.1 The Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a substantial reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.

The density of the proposed project is intended to achieve the underlying goal of the City's General Plan to promote village development in keeping with the recent emphasis at the state level to promote smart growth. It should be noted that the project applicant has modified the Originally Proposed Project. The Revised Project reduces the intensity of the project by 22 percent as well as reduces the maximum building height from 10 to 9 stories. However, as stated in the Draft EIR and Section 12.9 of the Final EIR, the density associated with both the Originally Proposed Project and Revised Project contribute to the conclusion that the proposed development would result in a significant and not mitigated impact on neighborhood character.

252.2 The Final EIR acknowledges, in Sections 5.2.2 and 12.9, that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections and identifies mitigation measures that would reduce many impacts to below a level of significance. As noted in Section 12.9 of the Final EIR, the traffic impacts of the Revised Project would be reduced from those of the Originally Proposed Project.

252.3 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Craig Sanger](#)  
**To:** [DSD EAS; white@wwarch.com; Mezo, Renee;](#)  
[Lightner, Councilmember Sherri; Turgeon, Bernard; Millstein, Mel;](#)  
**Subject:** Support for One Paseo, Project No. 193036/SCH No. 2010051073  
**Date:** Monday, May 28, 2012 5:52:16 AM

Dear All:

For many reasons, I believe that the proposed One Paseo development would be a great thing for the community. I think that many of the economic benefits are obvious: more choices for local consumers means more money spent locally, which would in turn boost tax revenues and ultimately allow the city to increase vital community services, such as police and fire protection.

I would like to specifically speak to a couple of issues addressed in the Draft Environmental Impact Report. First, I think that One Paseo would serve a very important function in Carmel Valley by providing a hub for the community. It would be terrific for residents to have a single place they could go to grab lunch with friends, see a movie, take a walk with family, run some errands, or just relax in a nice outdoor setting with a cup of coffee. That's what One Paseo would provide, and it would do so in line with the City's smart growth principles.

Second, I want to reiterate that One Paseo's plan was developed with a great deal of community collaboration. Residents would really like to see something like a "Main Street" in Carmel Valley, and Kilroy Realty responded with a carefully tailored plan to address that exact need. One Paseo would only heighten the community's identity by providing a desired central gathering area for residents. Without a doubt, this project would enrich our community life and add to its character.

The DEIR has identified the potential impacts of this proposed development, but it seems clear to me that the project's numerous benefits would make it worth it. I'd like to see this project come to fruition, and I hope we can ultimately count on the City's support. Thank you.

Sincerely,

Craig Sanger  
 5095 Caminito Exquisito  
 San Diego, CA 92130

253.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

From: [Zscarano@aol.com](mailto:Zscarano@aol.com)  
To: [DSD EAS](#)  
Subject: One Paseo, Project 193036 (Carmel Valley)  
Date: Wednesday, May 23, 2012 9:40:28 AM

Dear City Planning,

The One Paseo project is a travesty that completely undermines the intent of the Carmel Valley Community Plan in calling for an unacceptable density on the site. While the concept of a mixed use project may be favorable, the density and mass of the proposed project will decrease the quality of life for residents of Carmel Valley by creating both a traffic/parking nightmare and a visual blight in the heart of Carmel Valley. The project as proposed belongs in the heart of the urban core (downtown) where alternative mass transit is readily available. In short, NO on One Paseo.

Mindy and Mike Scarano

254.1

254.1 The Final EIR, in Sections 5.3.3 and 12.9, recognizes that the Originally Proposed Project and the Revised Project would result in significant impacts to the neighborhood character of the area. As discussed in detail in response to comment 5.6, the project applicant has revised the Originally Proposed Project to reduce the overall intensity and density. The Revised Project reduces the overall square footage by 22 percent from 1,857,440 to 1,454,069 square feet. The total floor area ratio (FAR) is reduced by 22 percent from 1.8 to 1.4. In addition, the proposed hotel has been eliminated. Despite the reductions, community character is still considered a significant impact, as described in Section 12.9 of the Final EIR.

The Final EIR acknowledges, in Sections 5.2.2 and 12.9, that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections and identifies mitigation measures that would reduce many impacts to below a level of significance. As noted in Section 12.9 of the Final EIR, the traffic impacts of the Revised Project would be reduced from those of the Originally Proposed Project.

The Draft EIR concluded (in Table 5.2-42) that a parking surplus would occur during each phase of the Originally Proposed Project. The same conclusion is reached in Section 12.9 of the Final EIR.

As discussed in response to comment 10.40, the City of Villages Strategy in the City's General Plan does not require that regional transit service be immediately available to proposed village developments. The General Plan indicates that future transit service is acceptable as long as the source of funding is identified. As discussed in response to comment 10.40, the 2050 RTP, the long-range transportation plan for the region, indicates that bus route 473, which would serve the Originally Proposed Project, is anticipated to be funded by the year 2030.

COMMENTS

RESPONSES

13914 Boquita Drive  
San Diego, CA 92014  
May 25, 2012

Martha Blake, Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501, San Diego, CA 92101  
[DSDEAS@sandiego.gov](mailto:DSDEAS@sandiego.gov)

Dear Ms Blake,

**Subject:** Comments on the Draft Environmental Impact Report for One Paseo  
**Project No. 193036, SCH No. 2010051073**

Following are my comments for inclusion in the Environmental Impact Report for One Paseo. I wish to make three main points:

- 1. The neighborhood affected by the project extends far beyond the Carmel Valley Community analyzed in the Draft Environmental Impact Report (DEIR); this wider neighborhood must be included in the impact study.
- 2. The Project is the antithesis of a "Village" as defined and supported by the General Plan; it must be scaled back and integrated into the existing community, consistent with the existing infrastructure.
- 3. The Alternatives given are severely limited. Scaling back the size and providing more effective traffic mitigation could result in a project acceptable to, and even welcomed, by the community at large.

**Neighborhood affected**

The planned community of Carmel Valley and the older community of Torrey Pines, despite being separated by a freeway, operate as a single neighborhood.

Residents of Torrey Pines depend on many of the amenities in Carmel Valley: schools; a library; parks and playgrounds; a recreation center; a skateboard park; two major shopping centers with supermarkets, restaurants, and a movie theater; and perhaps most importantly, police and fire service.

- 255.1 Based on the Final EIR, the significant impacts of the Originally Proposed Project and the Revised Project, with the exception of traffic impacts on distant portions of Via de la Valle and El Camino Real, would be limited to the Carmel Valley community. Thus, no analysis of other communities was warranted.
- 255.2 As discussed in Sections 5.1 and 12.9 of the Final EIR, the Originally Proposed Project and the Revised Project are both consistent with the characteristics of a Community Village, as defined in the General Plan.
- 255.3 As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to reduce the scale of the project. The Revised Project is discussed in Section 12.9 of the Final EIR. In addition, the Final EIR includes a new alternative, which consists of a further reduction in the scale of the proposed development. As suggested in the comment, the reduction in size does reduce the traffic impacts. However, the Revised Project and the Reduced Mixed Use Alternative would continue to result in significant unmitigated impacts due to the extenuating circumstances associated with widening the bridge over I-5 on Del Mar Heights Road.
- 255.4 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

Such amenities in Torrey Pines are limited to two elementary schools, a small shopping center, and a commercial area on Carmel Valley Road. Nevertheless, the residents of Carmel Valley also cross the freeway for the schools and shopping centers in Torrey Pines; parking is more available.

The City of Del Mar is likewise linked to Torrey Pines and Carmel Valley, residents of all three communities crossing into the others for schools and shopping. Del Mar offers the beach and the fairgrounds which draw from even further afield. Solana Beach shares this impact.

One Paseo proposes to attract visitors from a wide area; the Retail Market Analysis is extended to a ten mile radius. The traffic impact to the west, however, is limited to the I-5 Del Mar Heights Road interchange and traffic on Mango and Portofino Drives..

The unmitigated impact on these streets is bound to result in drivers taking alternate routes: Del Mar Heights Road west to Crest Drive or Camino Del Mar, both in the City of Del Mar; Highway I-5 north and south to alternative interchanges at Carmel Valley Road and Via de la Valle. This spill-over effect has not been studied.

Safety issues need also to be considered. How can the community of Torrey Pines be secure in the protection of fire and police departments in Carmel Valley at the multiple rush hour times during the day when people are going or coming from work, or when the school day begins and ends? How can children be encouraged to walk or bike to school with increased rush hour traffic, where sidewalks and crosswalks, especially in Torrey Pines, are already limited?

**Question:** Why is the traffic study limited to the immediate area within the Carmel Valley Community Plan, rather than covering the entire surrounding area actually impacted?

**The antithesis of a "Village"**

The One Paseo proposal presents itself as a dense, pedestrian oriented design, an urban "village".

San Diego's General Plan and master plans around the country call for the development of villages within cities as a solution to sprawl. To quote from San Diego's General Plan, "The City of Villages strategy is to focus growth into mixed-use activity centers that are pedestrian-friendly, centers of community, and linked to the regional transit system." (City of San Diego General Plan, March 2008, LU-6). Among its advantages, dense use provides ridership for transit; transit weans riders away from dependence on the automobile, decreasing traffic congestion, reducing carbon emissions, combating climate change, and contributing to public health.

255.5 As discussed in Section 5.2 of the Draft EIR, the traffic study did evaluate the effects of the proposed development on Del Mar Heights Road, west of I-5, including the segments between I-5 and Mango Drive and the intersections with Portofino Drive and Mango Drive. The analysis concluded that the proposed development would not have a significant impact on either the segments or the intersections. The effect of project traffic would diminish on Del Mar Heights closer to Del Mar. Thus, it was determined that the proposed development would not impact traffic flow in Del Mar.

255.6 As discussed in response to comment 10.6, the traffic study and retail market study need not study the same area as they consider different factors. As discussed in response to comment 255.5, evaluating project traffic impacts to the intersection of Mango Drive with Del Mar Heights Road is considered adequate to reach the conclusion that the project would not have a significant impact on traffic in Del Mar.

255.7 Refer to response to comment 5.2.

255.8 Refer to response to comment 8.2.

As discussed in response to comment 7.4, construction traffic does not pose a significant safety risk to schools in the area. The project must comply with City standards regarding construction hours of operation. Further reductions in the hours of operation would delay project completion and subject the community to a lengthier period of construction-related impacts.

255.9 The traffic study area was determined in consultation with City transportation staff in accordance with the City's Traffic Impact Study Manual. As discussed on pages 5.2-2 and 5.2-3 in the Draft EIR, the traffic study area for the Originally Proposed Project includes roadway segments, intersections, and freeway segments where the proposed development would add 50 or more peak hour trips, as well as ramp meters with at least 20 peak hour project-generated trips. The traffic study area is depicted on Figure 5.2-1 in the Draft EIR and as shown, includes some facilities outside of Carmel Valley.

- 255.10 cont. One Paseo is not a village, however, but a mall; it is designed as an island of density, turned in upon itself, assuming that visitors will come by car.
- 255.11 • It is not linked to any regional transit system; in fact there is no regional transit system. The bus line referred to by the Applicant is not planned to be operational until 2030 and will do nothing to alleviate the east-west traffic along Del Mar Heights Road.
  - 255.12 • Bulky buildings around the perimeter assure that there is no pedestrian appeal to those approaching from outside.
  - 255.13 • Although those fortunate enough to live within its boundaries would have the opportunity to walk to the various amenities provided, it is likely that many of those benefiting from the service and office employment opportunities will find housing there unaffordable and will instead contribute to the traffic impact.
- 255.14 In short, the project will generate a volume of traffic never foreseen in the General Plan, not to mention the Carmel Valley Community Plan. To amend the Plans for the economic advantage of a developer at the expense of the wider community is a betrayal of the planning process.

**Alternatives**

- 255.15 **Question:** Why are the following concepts not included among the alternatives?
- Mitigation of the significant impacts on transportation / circulation / parking by means other than simply increasing the capacity of our roadways. An enlightened approach to vehicular impacts would propose disincentives to vehicle use such as a direct or indirect cost for parking, limiting the number of parking spaces, providing car- and bike-sharing programs, and the provision of shuttle buses from neighboring centers.
  - 255.16 • Proposals making the walking and biking experience safer and more pleasant in the surrounding communities. Examples of ways to achieve this would be: landscaping with shade trees; the provision of buffered sidewalks and protected bike trails especially near schools; and traffic calming measures such as roundabouts and curb extensions at pedestrian crossings. These measures could alleviate traffic impacts and go far to gain the support of the surrounding communities.
- 255.17 **Question:** Why are the following alternatives not acceptable?
- Phasing of the mixed use project over 20 years, initially building only what the current infrastructure can support; later phases would be

255.10 Both the Originally Proposed Project and Revised Project propose a mixed-use “Community Village” that integrates and connects with surrounding land uses and not an Urban Village, as indicted in this comment. As described in response to comment 63.56, the Originally Proposed Project does not meet the criteria for an Urban Village. As discussed in detail in Sections 5.1 and 12.9 of the Final EIR, the Originally Proposed Project and the Revised Project are both consistent with the characteristics of a Community Village, as defined in the General Plan.

The proposed development would not be an “island” that would only be accessible by automobile, as claimed in the comment. As discussed on page 3-8 of the Section 3.0 Draft EIR, the proposed development includes an extensive pedestrian and bicycle access program that would link to similar facilities already existing in the community. Sidewalks within the project would connect with sidewalks on Del Mar Heights Road, High Buff Drive and El Camino Real. Similarly, bicycle routes within the proposed development would connect with bicycle routes along Del Mar Heights Road and El Camino Real.

255.11 As discussed in response to comment 10.40, development of the proposed project is not contingent upon the availability of bus service. The City disagrees with the statement that bus service, when available, would not decrease traffic congestion on Del Mar Heights Road. Bus service has been shown to reduce reliance on the private automobile. Thus, bus service would reduce the amount of traffic on Del Mar Heights Road and result in a proportionate decrease in traffic congestion.

255.12 As discussed in Sections 3.0, 5.2.7 and 12.9 of the Final EIR, the Originally Proposed Project and Revised Project would include a network of sidewalks, pathways, plazas, and paseos that would provide pedestrian connections to existing sidewalks and trails in the surrounding area. Refer to response to comment 6.7 for additional information related to the proposed pedestrian improvements.

As discussed in response to comment 229.13, the Revised Project relates better to the surrounding community and provides more open space and greenbelt areas compared to the Originally Proposed Project.

255.13 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

255.14 The Final EIR acknowledges, in Sections 5.2.2 and 12.9, that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections and identifies mitigation measures that would reduce many impacts to below a level of significance. As noted in Section 12.9 of the Final EIR, the traffic impacts of the Revised Project would be reduced from those of the Originally Proposed Project.

255.15 Refer to response to comment 6.7.

255.16 Refer to response to comment 6.7.

255.17 As discussed in response to comment 93.79, development of the different phases of the project would be contingent upon the completion of specific roadway improvements identified in the mitigation measures set forth in Table 4.2-41 of the Draft EIR.

As public services and utilities are expected to be able to meet the needs of the full project, no phasing of development would be required to assure that an adequate level of these services and utilities is required. This same conclusion applies to the Revised Project since it represents a 22 percent reduction in square footage, with a proportionate decrease in demand for public utilities and services.

COMMENTS

RESPONSES

Project No. 193036, SCH No. 2010051073

4 of 4

255.17  
cont.

dependent on the evolution of the surrounding communities and the provision of public transit.

255.18

- Scaling back the project altogether to be consistent with the Del Mar Highlands Town Center and the Del Mar Heights Village. The One Paseo project proposes new zoning of mixed use, a height limit of 200 feet and a floor to area ratio (FAR) of 2.00. Though not fully developed, the near-by centers named above are already zoned for multiple uses, with a height limit of 45 feet, and a FAR of .75. A good planning decision would be to limit the One Paseo project to these same measures, integrating the project into its surroundings without overwhelming them, and allowing for development over time of real villages, and the transportation system to link them.

Thank you for your consideration,

Sincerely,



Diana Scheffler, Assoc. AIA  
Resident of the Torrey Pines Community

Copies: Sherri Lightner, Councilmember District 1  
City Administration Building  
202 C Street, MS 10A  
San Diego, CA 92101  
[sherrilightner@sandiego.gov](mailto:sherrilightner@sandiego.gov)

Frisco White, Chair  
Carmel Valley Community Planning Board  
[white@wwarch.com](mailto:white@wwarch.com)

Dennis Ridz, Chair  
Torrey Pines Community Planning Board  
[dennisridz@hotmail.com](mailto:dennisridz@hotmail.com)

255.18 As discussed in detail in response to comment 5.6, the project applicant has revised the Originally Proposed Project to reduce the overall intensity and density. The Revised Project reduces the overall square footage by 22 percent from 1,857,440 to 1,454,069 square feet. The total floor area ratio (FAR) is reduced by 22 percent from 1.8 to 1.4, which includes removal of the Hotel component.

Limiting building FAR to 0.75 and height to 75 would not allow the primary objectives of the proposed project to be achieved because it would not provide the critical mass needed to achieve a successful mixed-use development on the property.

COMMENTS

RESPONSES

From: [Sharon Schendel](#)  
To: [DSD EAS](#)  
Subject: One Paseo, Project 193036: One Carmel Valley resident's concerns  
Date: Friday, May 25, 2012 10:37:24 AM

**Sharon L. Schendel**

**13087 Seagrove Street**

**San Diego, CA 92130**

**Home Telephone: (858) 792-1312**

**e-mail: [sschendel@gmail.com](mailto:sschendel@gmail.com)**

May 25, 2012

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake:

256.1 I am writing to voice my strong opposition to the current plans for One Paseo to be located at the corner of El Camino Real and Del Mar Heights Road.

I have had the pleasure of being a Carmel Valley resident since moving to the San Diego area in 1996 to take a post-doctoral research fellowship following the completion of my Ph.D. degree. My first residence was at the Crest at Del Mar condominiums, in a unit located just a few steps from the intersection of Elijah Court and El Camino Real, so I have seen first hand the increase in traffic on El Camino Real just from the buildings already in place (c.f. when I first moved in, there was no need for a traffic light at Elijah Court).

256.2 My current residence now requires frequent travel on Del Mar Heights Road and I

256.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

256.2 The Final EIR acknowledges, in Sections 5.2.2 and 12.9, that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts Del Mar Heights Road and identifies

COMMENTS

RESPONSES

256.2  
cont.

have concern that One Paseo, as currently planned, will do nothing but exacerbate the current traffic problems for the passage between Lansdale Drive and the entrance to Highway 5.

256.3

I watched the construction of the San Diego Marriott Del Mar and when it was built I felt that its eight stories were out of character with the area. One Paseo proposes buildings that will be even larger in scale and give the area more the feeling of the Golden Triangle around UTC.

Several years ago Kilroy mailed to our house a glossy brochure about the plans for One Paseo and this brochure sought to emphasize the “Main Street” feel of the project and all the retail shops and other amenities the project would bring to Carmel Valley residents. A representative of Kilroy phoned to follow up on the brochure and I told him that I had every confidence that the project would look absolutely nothing like what the illustrations depicted, for that wouldn’t be the most profitable option for them.

256.4

El Camino Real between Hwy. 56 and Del Mar Heights Road is already lined with commercial buildings that show the glut of vacant commercial real estate in the area. Must we have more?

Last night my husband and I had our last dinner at the El Camino Real Red Robin, which was packed with others doing the same thing. Most people were mourning the loss of this restaurant, which, after 20 years, was closing after they failed to negotiate a reasonable lease with the owners of Del Mar Highlands.

Del Mar Highlands has never listened to the wishes of the local residents and I know that Kilroy and the San Diego City Planners will also be deaf to the concerns of residents as the noise of profits and potential tax revenue will drown out our voices, but I nonetheless wish to make my concerns known.

Sincerely,

Dr. Sharon L. Schendel

256.2  
cont.

mitigation measures that would reduce many impacts to below a level of significance. As discussed in response to comment 211.2, although implementation of mitigation measures identified in the Final EIR would reduce many of these impacts to below a level of significance, other traffic impacts of the proposed development would remain significant due to the inability of the project proponent to complete the mitigation measures without approval from Caltrans.

256.3

The Final EIR acknowledges that the bulk and scale associated with both the Originally Proposed Project and the Revised Project would be inconsistent with the character of surrounding development. The Revised Project has reduced the scale, bulk, and height of structures to more closely conform to the existing community. Despite the reductions, community character is still considered a significant unmitigated impact, as described in Section 12.9 of the Final EIR.

256.4

As indicated in the retail market analysis, adequate demand for commercial uses are expected to exist within a 4-mile radius even with construction of the proposed development as well as other planned commercial development.

COMMENTS

RESPONSES

**Kimball Schmidt**  
12291 Caminito Mira Del Mar  
San Diego, CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake:

As a local resident, I'd love to see One Paseo become a part of the Carmel Valley community. I am looking forward to the added convenience that a centrally located, community center would bring to the lives of residents here, if the development is approved. With so many new shops, restaurants, and entertainment options, Carmel Valley would benefit immensely, and we'd see a big boost in local tax revenues that could go directly to filling the budget gap for critical public services.

It's not just that One Paseo would bring added convenience to residents' lives, though. The development would offer much more: a family-friendly atmosphere where neighbors can easily come together as a community to enjoy the best of Carmel Valley. One Paseo would do a great deal to enhance the community character here. By creating a real "sense of place" in Carmel Valley, this project would also serve to meet the City's General Plan goal to create a "City of Villages."

I thank the city for its diligent work preparing the Draft Environmental Impact Report on the project. This report offers a comprehensive analysis of One Paseo's potential environmental impact in a clear and easily accessible format. Fully taking into account the potential impacts identified, I still believe that One Paseo's numerous benefits would make the project absolutely worth your approval.

Let's move this project forward.

Sincerely,



Kimball Schmidt

257.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Rod Schrock](#)  
**To:** [DSD EAS](#)  
**Subject:** Project No. 193036/SCH No. 2010051073  
**Date:** Saturday, June 02, 2012 1:52:22 PM

To: Martha Blake

Your email address was provided on the One Paseo website as an avenue to provide feedback. Overall, the project looks quite interesting.

258.1 However, though never stated, it appears there is an intention to add TWO NEW INTERSECTIONS on Del Mar Heights Road?!? This is already the busiest commuting section of Del Mar Heights. It makes NO sense to add two more intersections between El Camino Real and High Bluff Road which will cause permanent backed up traffic. All the traffic flow improvements in the world will not offset this problem.

Nowhere on the One Paseo site is there even an acknowledgement of new traffic intersection/light impacts. This is deceptive marketing and one which should be corrected prior to gaining consensus to proceed.

Thank you for taking the time to listen to this feedback.

**Rod Schrock**

Home email: [rodschrock@yahoo.com](mailto:rodschrock@yahoo.com)  
Home Office: 858-481-6150  
Cell: 858-705-1702

258.1 Figure 3-2 in the Draft EIR identified the two proposed signalized access points along Del Mar Heights Road for the Originally Proposed Project. In addition, the traffic study prepared for the Originally Proposed Project and Revised Project evaluated traffic impacts along Del Mar Heights Road resulting from the proposed development, including the two new signalized intersections. Refer to response to comment 227.1 regarding traffic impacts to Del Mar Heights Road.

COMMENTS

RESPONSES

**From:** [Jim Scott](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo comment  
**Date:** Wednesday, May 30, 2012 9:33:40 AM

---

259.1

Hello, I am an East Bluff owner. One Paseo is an extreme density and massive traffic generator. No amount of traffic signal timing will solve the problem, Let's turn this project into Central Park West! It will be much better for the community!

Sent from my iPhone

259.1 With respect to traffic impacts, the Final EIR acknowledges, in Sections 5.2.2 and 12.9, that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections and identifies mitigation measures that would reduce many impacts to below a level of significance. As noted in Section 12.9 of the Final EIR, the traffic impacts of the Revised Project would be reduced from those of the Originally Proposed Project, but would still be significant. As discussed in response to comment 211.2, although implementation of mitigation measures identified in the Final EIR would reduce many of these impacts to below a level of significance, other traffic impacts of the proposed development would remain significant due to the inability of the project proponent to complete the mitigation measures without approval from Caltrans.

Furthermore, the Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a substantial reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.

COMMENTS

RESPONSES

**From:** [Michelle Seda](#)  
**To:** [Lightner, Councilmember Sherri; Mezo, Renee; DSD EAS: white@wwarch.com](#);  
**Subject:** ONE PASEO, Project #193036/SCH No. 2010051073  
**Date:** Monday, April 02, 2012 5:18:19 PM

Dear : Sherry, Renee, Frisco & the Environment Planner,

I am very concerned about the current One Paseo Plan.

The Environmental Impact report concludes that the project would result in significant transportation/circulation/and parking issues. The area is already congested and experiencing traffic issues and a project of this size far exceeds what the area is designed to handle. The additional traffic, congestion, parking issues would significantly impact the community and could not be mitigated due to space constraints. This is extremely troubling.

Further, this would irreparably destroy the visual effects and nature of the neighborhood. Its current character would be forever ruined and changed by a project with several massive buildings far greater than the 2 story buildings currently in the area. The project will have so much greater scale, density and traffic generation than what would be allowed by the existing entitlement or Community Plan, and the project is considerably more dense than any mixed-use project, existing or planned, in similar planned communities in greater San Diego.

I am seriously concerned that Carmel Valley's existing community character and its Community Plan will be destroyed if the proposed One Paseo/Main Street project gets approved.

From: Name Michelle Seda  
 Address:4133 Paseo Montanas

Date:April 3 2012

260.1 The Final EIR acknowledges, in Sections 5.2.2 and 12.9, that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections and identifies mitigation measures that would reduce many impacts to below a level of significance. As noted in Section 12.9 of the Final EIR, the traffic impacts of the Revised Project would be reduced from those of the Originally Proposed Project.

The Draft EIR concluded (in Table 5.2-42) that a parking surplus would occur during each phase of the Originally Proposed Project. The same conclusion is reached in Section 12.9 of the Final EIR.

260.2 The Final EIR acknowledges that the bulk and scale associated with both the Originally Proposed Project and the Revised Project would be inconsistent with the character of surrounding development. The Revised Project has reduced the scale, bulk, and height of structures to more closely conform to the existing community. Despite the reductions, community character is still considered a significant unmitigated impact, as described in Section 12.9 of the Final EIR.

COMMENTS

RESPONSES

**From:** [Alyssa Sepinwall](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo DEIR Comments (Project No. 193036/SCH No. 2010051073)  
**Date:** Wednesday, April 11, 2012 2:46:04 PM

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Hello,

I am very much opposed to the One Paseo plan. The environmental impact report seems unrealistic. The plan seems likely to completely transform Carmel Valley, with much more density than it can handle, making traffic everyday as bad or worse than for the Del Mar fair in the summer. As many community members have noted, the size and scale of the project is not consistent with Carmel Valley's existing character, and existing roads cannot handle the size and scale of the project. Please do not approve the project!

Alyssa Sepinwall  
 13165 Janetta Place  
 SD, CA 92130

261.1 The Final EIR, in Section 5.3.3, recognizes that the Originally Proposed Project and the Revised Project would result in significant impacts to the neighborhood character of the area. In addition, the Final EIR acknowledges that the Originally Proposed Project and the Revised Project would result in significant traffic impacts in the area.

COMMENTS

RESPONSES

From: Stacy Silverwood  
To: DSD EAS;  
Subject: Project Number (193036) One Paseo  
Date: Friday, May 11, 2012 8:57:56 AM

Dear Sirs:

Please include the following observations in the Draft Environmental Impact Report comments section for the above listed project - One Paseo:

We have a serious concern with Kilroy Realty's One Paseo proposal. Let me emphasize that my concerns are anecdotal in nature based upon a thirty year fire service career, ten of which were experienced at the rank of Captain at Fire Station 24 in Carmel Valley. That being said, I am qualified to point out potential problems and concerns, while, at the end of the day, it will be up to the Fire Department to determine how best to address these issues. I see two issues of primary concern here. The first is comparatively easy to address. The second, is nearly impossible to address, regardless of budget.

The DEIR discusses the first of these issues briefly and seems to completely ignore the second. And yet, they are directly tied together.

1. First Responders will need to access the One Paseo project for a variety of emergencies including Fire and EMS. Access routes on the property itself are easily dealt with in the planning stage by requiring designated routes of travel to accommodate various emergency vehicles (Engines and Ladder Trucks) and with the installation of Fire Lanes. Keeping in mind the first due Ladder Truck for Carmel Valley comes from Fire Station 35 in the UTC area (via I-5 NB), this could present a problem with the additional multi-story office and hotels planned for One Paseo. The second due Ladder Truck (with a very similar response time depending of time of day) is from Fire Station 40 in Rancho Penesquitos (via SR-56 WB and El Camino Real). This leads directly to the second issue, which has not been addressed at all in the DEIR, as follows.

2. **How will First Responders be impacted by the traffic generated by One Paseo?** Del Mar Heights Road is the primary East-West response corridor for both the Engine and Paramedic Ambulance at FS24, the Engines responding from FS41 in Sorrento Valley and FS35 in UTC, (Ladder) Truck 35 and Battalion (Chief) 5 from the same station (all of these via I-5 NB) - as

262.1 As indicated in the comment, the proposed development plan must be reviewed by the City's fire department.

262.2 Refer to response to comment 8.2.

COMMENTS

RESPONSES

well as any automatic aid units responding from Del Mar and Solana Beach (via I-5 SB). El Camino Real is a primary North-South response corridor for Engine 24 as well as the previously mentioned units as well as units responding from Rancho Santa Fe. While it could be argued that units responding to an incident somewhere in Carmel Valley from out of the area could modify their routes to avoid the traffic in the area of One Paseo (Del Mar Heights/El Camino Real/High Bluff) this would have an obvious and as yet undetermined impact upon response times and levels of service.

So, once again, my concerns are not as much with Engine and Medic 24 responding *to One Paseo*, which is only a couple of blocks away. My concern is for all First Responders having to negotiate *around One Paseo*, in order to reach all areas within Carmel Valley. Here lies the rub. The Draft Environmental Impact Report seems to address only the needs of One Paseo to the exclusion of every other business, resident and visitor of Carmel Valley. I've outlined my concerns regarding emergency response. Really though, these are a metaphor for several related issues regarding a project of this magnitude.



**Lights and sirens mean absolutely nothing when there is nowhere for traffic to go.** This image of Del Mar Heights suffering under the burden of traffic from the Del Mar Fair, several miles away, will become the norm. Even negotiating traffic on I-5 by First Responders responding both into and out of Carmel Valley will be impacted by this project.

Best regards,

Stacy Silverwood, Captain

San Diego Fire-Rescue Department - Retired

"Action is the foundational key to all success." - Pablo Picasso

COMMENTS

RESPONSES

**From:** [simmknb@aol.com](mailto:simmknb@aol.com)  
**To:** [DSD EAS](#);  
**Subject:** Project Number (193036)  
**Date:** Tuesday, May 29, 2012 7:03:23 PM

263.1 Hello, I live in Carmel Valley across Del Mar Heights Road from the One Paseo development. I love my East Bluff development and community. The proposed One Paseo will change my wonderful community for ever. My quiet community will be replaced with massive high-rise buildings and traffic jams like downtown San Diego or Los Angeles. The proposed development is not the right use of this space across from my development. Please do not approve this development. Please do not destroy my neighborhood. Thank you for your consideration.  
Kathy Simmons

263.1 The Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a substantial reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.

Drew Slacum  
4955 Sterling Grove Lane  
San Diego, CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake:

Thank you for the opportunity to comment on the Draft EIR for the One Paseo project. I believe that the Draft EIR serves as an important informational document and provides the community an opportunity to weigh the benefits of the project against any environmental impacts.

Carmel Valley could really use more places for residents to dine and shop locally. This is one of many reasons why I am enthusiastic about the prospect of Kilroy's proposed One Paseo project. I recognize that traffic may be an issue, but I don't think it will be a real problem. The benefits that One Paseo would bring to our community would far outweigh any potential traffic concerns. It's important to keep in mind that any project satisfying the current zoning would also generate traffic, but would not provide any of the wonderful benefits of One Paseo's mixed-use development.

If approved and developed, One Paseo would increase local options for shopping, dining and entertainment, all while ensuring more than adequate parking for the development. The plans for One Paseo are detailed and thoughtful, including a visually appealing layout for the development and ample, well-situated parking. It's a plan that has been honed and refined to incorporate environmentally sustainable practices, as well as the needs and interests of the community.

I would be glad to see the project move forward. Thank you for your efforts thus far.

Sincerely,

  
Drew Slacum

264.1 The Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a substantial reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.



**PAM SLATER-PRICE**  
SUPERVISOR, THIRD DISTRICT  
SAN DIEGO COUNTY BOARD OF SUPERVISORS

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- Torrey Pines*

May 29, 2012

Martha Blake, Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101  
[DSDEAS@saniego.gov](mailto:DSDEAS@saniego.gov)

**RE: One Paseo Draft EIR (Project No. 193036/SCH No. 20100510730)**

Dear Ms. Blake:

Please accept my comments on the Draft Environmental Impact Report for One Paseo, a mixed-use project located on a 23.6-acre parcel at the southwest corner of El Camino Real and Del Mar Heights Road in the Carmel Valley Community Planning Area.

My constituents will be impacted by this project, including the communities of Carmel Valley, Del Mar Mesa, Torrey Highlands, Pacific Highlands Ranch, Del Mar Heights, and Torrey Pines, as well as the cities of Del Mar and Solana Beach.

Carmel Valley is a master-planned community, which has developed primarily in conformance with the 25-year old Master Plan. While changes have occurred over the years of project development, those changes have not significantly altered the original vision for the community.

The project site is one of the last undeveloped parcels and is designated for Employment Center uses in the Carmel Valley Community Plan. It is currently zoned CVPD-EC (Carmel Valley Planned District-Employment Center).

The City of San Diego General Plan land-use designation for the site is Industrial Employment, which allows a range of office and industrial uses with a maximum square footage of approximately 500,000 square feet.

The One Paseo Project is proposing almost 2,000,000 square feet of mixed-use development – a 400% increase in project density. Additionally, it will result in nearly 27,000 additional daily trips on the local roadway system.

County Administration Center • 1600 Pacific Highway, Room 335 • San Diego, CA 92101-2470  
(619) 531-5533 • Toll Free (800) 852-7334  
Email: [pam.slater@sdcounty.ca.gov](mailto:pam.slater@sdcounty.ca.gov)

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Page 2

265.1 The proposed project walls itself off from the street. While it purports to be a *Community Village*, which is a walkable development, the project, based on photo simulations provided in the EIR, presents a wall of five-story structures along Del Mar Heights Road. Along El Camino Real, there is a large entry into what appears to be a courtyard. All the activity appears to face an internal courtyard with an entry on El Camino Real designed for cars, not pedestrians.

This is a significant, unmitigable community character impact. A statement of overriding considerations is not an acceptable solution. A community center should invite the surrounding community, not just those within the center.

265.2 A *Community Village* is also supposed to include transit options so that residents can walk, bicycle, and use public transit. The proposed project relies on a single bus rapid transit stop for its connection to mass transit. This transit line, however, is not scheduled to come into service until 2030, while One Paseo is anticipated to be built out by 2015.

In fact, there is no guarantee that this transit route will ever be completed if regional transit funding is inadequate. Will the developer subsidize transit development as a mitigation measure for the significant, unmitigable traffic impacts? Additionally, the developer should have worked, or at least consulted, with SANDAG and used SANDAG's Smart Growth Design Guidelines in planning potential transit to the community.

265.3 With little to no transit, the approximate 27,000 ADT generated by the proposed project will trigger significant, unmitigable traffic impacts. Table 5.2-37 indicates that the ramp meter at Del Mar Heights Road/I-5 SB Ramp (WB) would experience a delay of 47.61 minutes during the AM Peak period and 29.84 minutes during the PM peak period under the Long-Term Cumulative (Year 2030) with Project Conditions.

When roads/ramps/freeways reach significant delays, as projected, drivers tend to look for relief through neighborhood streets. Were impacts to surrounding neighborhood streets carefully analyzed with appropriate mitigation proposed?

265.4 **Since the proposed project is adding approximately four times the planned development for the area, all impacts should be fully mitigated to a level below significance. A statement of overriding considerations is not an acceptable solution.**

265.5 When all the major arterials are congested, how will emergency response services meet the City's minimum requirements? Emergency services may respond within the minimum time requirements to One Paseo, but what about the surrounding community that also relies on those services? This issue is not adequately addressed in the EIR.

265.1 The Originally Proposed Project is consistent with the characteristics of a Community Village, as defined in the General Plan. A similar analysis of the Revised Project is included in Section 12.9 of the Final EIR.

As discussed in detail in response to comment 5.6, the project applicant has revised the Originally Proposed Project to reduce the overall intensity and density and provide more open space to better relate to the surrounding community. The Revised Project reduces the overall square footage by 22 percent from 1,857,440 to 1,454,069 square feet. The total floor area ratio (FAR) is reduced by 22 percent from 1.8 to 1.4. In addition, the proposed hotel has been eliminated. With the Revised Project, the amount of open space within the proposed development would increase from 7.6 acres with the Originally Proposed Project to 10.7 acres. A 1.1-acre passive recreation area and nearby 0.4-acre children's play area open to the public would be created at the northwest corner of the project. In addition, 1.5 acres of greenbelts and plazas would be open to the public. As discussed in Section 3.0 and 5.2.7 in the Draft EIR and Section 12.9 of the Final EIR, the Originally Proposed Project and Revised Project would include a network of sidewalks, pathways, plazas, and paseos that would provide pedestrian connections to existing sidewalks and trails in the surrounding area. Refer to response to comment 6.7 for additional information related to the proposed pedestrian improvements.

The Final EIR acknowledges that the bulk and scale associated with both the Originally Proposed Project and the Revised Project would be inconsistent with the character of surrounding development. The Revised Project has reduced the scale, bulk, and height of structures to more closely conform to the existing community. Despite the reductions, community character is still considered as a significant unmitigated impact, as described in Section 12.9 of the Final EIR. As stated in Sections 5.3 and 12.9 of the Final EIR, there is no feasible mitigation to reduce the development's neighborhood character impacts to below a level of significance. The proposed buildings would incorporate design features and strategies to minimize mass and height, such as building articulation and setbacks, but the height of the buildings would still be sufficiently greater than, and different from, existing surrounding development.

265.2 As discussed in response to comment 10.40, the City of Villages Strategy in the City's General Plan does not require that regional transit service be immediately available to proposed village developments. The General

COMMENTS

RESPONSES

265.2 cont. Plan indicates that future transit service is acceptable as long as the source of funding is identified. As discussed in response to comment 10.40, the 2050 RTP, the long-range transportation plan for the region, indicates that Bus Route 473, which would serve the Originally Proposed Project, is anticipated to be funded by the year 2030.

265.3 Refer to response to comment 5.2.

265.4 As stated in response to comment 265.1, the Final EIR acknowledges that the bulk and scale associated with both the Originally Proposed Project and the Revised Project would be inconsistent with the character of surrounding development and there is no feasible mitigation to reduce the development's neighborhood character impacts to below a level of significance. The proposed buildings would incorporate design features and strategies to minimize mass and height, such as building articulation and setbacks, but the height of the buildings would still be sufficiently greater than, and different from, existing surrounding development. However, the decision of appropriateness of the proposed development, taking a range of factors into account, rests with the City Council.

265.5 Refer to response to comment 5.2.

COMMENTS

RESPONSES

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Page 3

The community is deficient in parks. There are not enough parks for the people who currently live there or for those who will be moving into the remaining planned residential units. The Carmel Valley area is almost completely built out.

The developer proposes to pay a fee in lieu of developing a park. The proposed project is adding a large number of residential units, but is not providing a park. There are few if any parcels in Carmel Valley available for purchase to be developed as parks. The in lieu fee is not an acceptable mitigation measure when a planned community is being expanded to add over 600 multi-family homes without recreational space for those future residents.

I have only lightly touched on the problems and lack of adequate analysis and appropriate mitigation for the proposed One Paseo Project. The many affected Community Planning Boards in this area will be sending their letters, and I fully support their concerns.

When persons live in a Planned Community, they expect a certain amount of development and they accept a certain amount of change. They do not expect to see a proposal with four times the planned development area and four times the planned traffic volume. They also know that a Planned Community is designed to provide the facilities, services, and amenities to fit the community. They do not anticipate a project that does not provide or augment the facilities, services, and amenities to offset additional development.

Sincerely,

PAM SLATER-PRICE  
Supervisor, District 3  
San Diego County Board of Supervisors  
PSP/sk

265.6 Refer to responses to comments 63.168 through 63.170 and Section 12.9 of the Final EIR.

COMMENTS

RESPONSES

Sallie Small  
12897 Caminito Diego • San Diego CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake,

The Draft Environmental Impact Report for One Paseo is a very useful document that is a credit to the City of San Diego. I appreciate how comprehensively it addresses the project's potential impact on the local environment. That said, I think it's also important to consider those potential impacts against the project's expected benefits—and I think it's altogether clear that the benefits weigh much more heavily. That's why I'm writing today in support of this important project.

One Paseo will act as a "community village" for Carmel Valley by combining many different uses on a single piece of land. I think that the convenience factor alone makes this project very worthy of our support. Right now, residents have to drive to Carlsband, La Jolla, or Carmel Mountain Ranch to do the shopping they need. This wastes time, costs far too much in terms of gas money, and creates unnecessary pollution with all the driving. By placing more shops and restaurants in a single, central location within Carmel Valley, residents will have access to everything they need. Because the project is sited along a planned bus route, I think we'd see the benefit of driving alternatives – especially since the site is also within walking distance of so many homes. This is a smart use of the property.

Considering all of these benefits, I think One Paseo would be a great fit for Carmel Valley. Thank you for accepting residents' comments on this important project.

Sincerely,

Sallie Small

266.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

From: linda.mcintosh@utsandiego.com
To: DSD EAS
Subject: FW: Project Number 193036 One Paseo
Date: Monday, May 07, 2012 8:15:29 AM

UT San Diego logo
Linda McIntosh | Reporter
O: 760-752-6754
linda.mcintosh@utsandiego.com
UTSanDiego.com
350 Camino de la Reina, San Diego, CA 92108

From: David Smith [mailto:4dsmit132@san.rr.com]
Sent: Saturday, May 05, 2012 2:19 PM
To: DSDSEA@sandiego.gov
Cc: McIntosh, Linda; sherrilightner@sandiego.gov
Subject: Project Number 193036 One Paseo

Dear San Diego City Project Reviewers:

- 267.1 Please consider that the One Paseo project, as it is currently proposed, has a grossly exaggerated density level of work/retail/living space that is not adequately addressed in the draft environmental impact report.
267.2 I believe the density level of the project requested by the developer, Kilroy Realty, is a negotiating ploy and should be recognized as such. I believe Kilroy expects to have the project density reduced because of the extraordinary impacts this project will have on the immediate community, especially in regards to highly negative impacts on traffic, parking and noise. And I believe the City should give Kilroy what it expects in project density reduction. So, let's be perfectly clear - cut the fat out of this bloated project, thank you.
267.3 It is my opinion that the One Paseo project should be reduced in size by at least one third. That should include height limits of no more than 4-stories. While the "special mix" of work/retail/living space is smart in this time of development opportunities, Kilroy should not be able to label the project a "hybrid", and under that guise, magnificently under plan for parking and traffic flow. (Really? Synchronized swimming through traffic lights will fix everything? Someone get me a nose plug.)
267.4 Kilroy may well figure that using a genetically green term like "hybrid" will fool some people into believing this is a must have "environmentally sensitive" project, and it shouldn't be held to the same standards as other projects. Hogwash - of course!

- 267.1 The Draft EIR comprehensively evaluated density-related environmental issues associated with the Originally Proposed Project, particularly in Sections 5.1 and 5.3. Section 12.9 of the Final EIR also evaluates the same density-related environmental issues associated with the Revised Project. The Final EIR, in Sections 5.3.3 and 12.9, recognizes that the Originally Proposed Project and the Revised Project would result in significant impacts to the neighborhood character of the area.
267.2 The Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on traffic and noise. Similarly, Section 12.9 of the Final EIR indicates that the Revised Project would also result in significant traffic and noise impacts. However, both documents conclude that the parking associated with each of these versions of the project would be adequate.
267.3 As discussed in detail in response to comment 5.6, the project applicant has revised the Originally Proposed Project to reduce the overall intensity and density. The Revised Project reduces the overall square footage by 22 percent from 1,857,440 to 1,454,069 square feet. The total floor area

COMMENTS

RESPONSES

267.3 ratio (FAR) is reduced by 22 percent from 1.8 to 1.4. In addition, the  
cont. proposed hotel has been eliminated. The Revised Project reduces the  
building heights in comparison with the Originally Proposed Project.  
With the Revised Project, no building would exceed 9 stories.

267.4 The Draft EIR concluded (in Table 5.2-42) that a parking surplus would  
occur during each phase of the Originally Proposed Project. The same  
conclusion is reached in Section 12.9 of the Final EIR.

The Final EIR acknowledges, in Sections 5.2.2 and 12.9, that the  
traffic generated by the Originally Proposed Project and the Revised  
Project would result in significant impacts to local street segments and  
intersections and identifies mitigation measures that would reduce many  
impacts to below a level of significance. As noted in Section 12.9 of the  
Final EIR, the traffic impacts of the Revised Project would be reduced  
from those of the Originally Proposed Project.

COMMENTS

RESPONSES

267.5

For once, maximum standards should be applied across the board, just for Kilroy's attempt to squirm under the "minimum" bar.

While there are a number of small hot-air balloons that float over the Del Mar Highlands area for sightseeing purposes, Kilroy has floated a spectacularly - massive "blimp" of a project, that needs to release a serious amount of gas, before it explodes and flattens the little Highlands community below! (Let's hear it for hyperbole - but, you get the point.)

I strongly urge the City of San Diego to not approve this project and/or its DEI report as it stands. The project must be restructured in several critical areas, some of which are noted above.

Thank you for your consideration,  
D. Smith

(P.S... The irony of naming the project "One Paseo" perhaps means Kilroy expects to get the developer-special "One Pass" through City Hall. Let's hope not. Reconfigured, "Multi Pass-ee" might be a welcome addition to the community.)

267.5 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

From: Bo and Bruce Smitham  
To: DSD EAS;  
Subject: One Paseo  
Date: Friday, May 25, 2012 12:22:44 PM

Dear Mrs. Blake,

I'm writing you in regard to the proposed 'One Paseo' project in Carmel Valley.

The proposed project is too big, too dense, too out of character with the neighborhood character, and generates far too much traffic. The number of parking spaces is really high and should give you and indication of how many people they're expecting.

Furthermore, the developer doesn't provide for adequate schooling and new parks for the more than 1,600 new residents. The impact will be immens on both schools and parks. Currently the public schools are already really impacted.

My husband and I moved to Carmel Valley from Los Angeles to raise our children here. Now a Los Angeles developer wants to built a nearly 2,000.000-square foot One Paseo mega-project in our neighborhood.

I'm not against a low-density mixed use project. The focus should be on quality places for tweens and teens. The Del Mar Highland Project across the street from One Paseo already has a number of stores, restaurants and an upscale movie theater for adults.

Thanks in advance for keeping Carmel Valley liveable.

Kind Regards,

Bo Smitham  
4217 Corte Famosa  
San Diego, CA 92130  
Tel: 858-947-5889

268.1 The Final EIR acknowledges that the bulk and scale associated with both the Originally Proposed Project and the Revised Project would be inconsistent with the character of surrounding development. The Revised Project has reduced the scale, bulk, and height of structures to more closely conform to the existing community. Despite the reductions, community character is still considered a significant unmitigated impact, as described in Section 12.9 of the Final EIR.

The Final EIR acknowledges, in Sections 5.2.2 and 12.9, that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections and identifies mitigation measures that would reduce many impacts to below a level of significance. As noted in Section 12.9 of the Final EIR, the traffic impacts of the Revised Project would be reduced from those of the Originally Proposed Project.

The total number of on-site parking spaces that would be provided for the Originally Proposed Project and Revised Project is based on the proposed mix and size of land uses. As discussed in Section 5.2.3 of the Draft EIR, shared parking for all of the proposed uses, except residential, would be provided since peak activity times for some proposed uses, such as office and cinema are essentially opposite one another.

268.2 As discussed in response to comment 7.11, the project's impact on local schools would be mitigated through the payment of school fees. As described in responses to comments 63.168 through 63.170 and Section 12.9 of the Final EIR, the City considers payment of FBA fees to ensure that no significant impacts to parkland would occur. FBA fees are used for acquisition of parkland or intensification of recreational uses at existing parks that will expand use of those parks.

COMMENTS

RESPONSES

**From:** [H Bruce Smitham](#)  
**To:** [DSD EAS](#)  
**Subject:** Paseo One  
**Date:** Tuesday, May 29, 2012 2:22:35 PM

---

To Whom it May Concern:

This is to protest the gigantic size of Paseo One.  
The impacts are enormous and need to be reduced by 75%.

Yours truly,  
H Bruce Smitham  
4233 Corte Favor  
San Diego, CA 92130  
858-755-5547

269.1 The Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a substantial reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.

COMMENTS

RESPONSES

**From:** [Jane Smitham](#)  
**To:** [DSD EAS](#);  
**Subject:** No to One Paseo  
**Date:** Monday, May 28, 2012 8:36:27 PM

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270.1  I am against One Paseo due to traffic and congestion.

Thank you,

Jane Smitham

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270.1 With respect to project-related traffic impacts, the Draft EIR, in Section 5.2.2, and Section 12.9 of the Final EIR, acknowledges that both the Originally Proposed Project and Revised Project would result in significant impacts to local street segments and intersections. Although the proposed development would include roadway improvements which would improve traffic flow in the community, certain traffic impacts would remain significant. For example, improvements to the Del Mar Heights Road bridge interchange at I-5, required to fully mitigate project traffic impacts, are within the jurisdiction of Caltrans and beyond the control of the City and the project applicant.

COMMENTS

RESPONSES

**From:** [Sandra Smitham](#)  
**To:** [DSD EAS](#);  
**Subject:** Re: One Paseo  
**Date:** Tuesday, May 29, 2012 3:23:42 PM

To whom it may concern:

271.1 "One Paseo" as "Kilroy Development" is purposing is "obsence".  
 It is far too big and garish a design and will cause  
 overt traffic congestion ruining the suburban charm of Carmel Valley.

A "Trader Joe's" and small shopping center is all that amount of property  
 can reasonably handle. That is so obvious it is ridiculous.

Please do all you can to help retain "Carmel Valley's charm.

Thank you,

Sandra@smitham.com

271.1 With respect to project-related traffic impacts, the Draft EIR, in Section 5.2.2, and Section 12.9 of the Final EIR, acknowledges that both the Originally Proposed Project and Revised Project would result in significant impacts to local street segments and intersections. Although the proposed development would include roadway improvements which would improve traffic flow in the community, certain traffic impacts would remain significant. For example, improvements to the Del Mar Heights Road bridge interchange at I-5, required to fully mitigate project traffic impacts, are within the jurisdiction of Caltrans and beyond the control of the City and the project applicant.

In addition, the Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.

COMMENTS

RESPONSES

ANNE SNEED



architectural interiors

Ms. Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101  
RE: Project No. 193036/SCH No. 2010051073

I am writing in support of One Paseo as an incredible opportunity for Carmel Valley to have a premier destination project in the heart of our community. As a near by resident and business owner I am excited to see the possibilities this thoughtful well planned project bring to my neighborhood. My young employees are excited about living near by in a busy, fun environment; while I'm looking forward to having wonderful new options for entertaining clients.

The entire Carmel Valley community will delight in the energy and life this mixed use project will provide. I especially love that the One Paseo keeps a people friendly scale with charming walks and plazas and details. Having multiple options for restaurants, retail, hotel, office space and fun public gathering spaces all with well designed functional parking will be an undeniable unifying asset for Carmel Valley. We need destination projects like One Paseo, which will make Carmel Valley not just a suburban bedroom community but an engaging hilltop town.

We hope to see your full endorsement of this project and look forward to ground breaking soon.

Sincerely,

Anne Sneed, AIA + LEED AP  
Principal  
Anne Sneed Architectural Interiors

4757 sun valley road del mar ca 92014  
phone: 619-235-6166

272.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

BOKAL  
& SNEED  
ARCHITECTS

5-29-2012

Ms. MARTHA BLAKE  
CITY OF SAN DIEGO DEVELOPMENT SERVICES CENTER  
1222 FIRST AVE, MS 501  
SAN DIEGO CA 92101

RE: PROJECT 193036/SCH No. 2010051073

I AM A SMALL BUSINESS OWNER IN DEL MAR  
AND ALSO LIVE IN THE AREA. I HAVE REVIEWED  
THE ONE PASEO PROPOSAL AND I AM IN COMPLETE  
SUPPORT OF THE PROJECT. IT IS AN EXEMPLARY  
PROJECT THAT WILL MAKE CARMEL VALLEY A  
WONDERFUL PLACE TO LIVE & BE AND NOT JUST  
ANOTHER EXIT OFF OF I-5.  
THERE WAS MUCH OPPOSITION TO OTHER PROJECTS  
LIKE THE DEL MAR PLAZA & PETCO PARK.

273.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

273.1

COMMENTS

RESPONSES

BOKAL  
& SNEED  
ARCHITECTS

P 2

THROUGH THE FORTITUDE OF THE APPLICANTS,  
THESE PROJECTS BECAME GREAT LANDMARKS  
IN OUR COMMUNITY.

FORTUNATELY, THIS APPLICANT HAS SHOWN  
GREAT VISION & HAS BEEN CONSIDERATE OF  
ALL THE ISSUES INVOLVED. I AM QUITE  
CONFIDENT THIS PROJECT WILL BE A  
MAGNIFICENT ADDITION TO THE AREA.

SINCERELY,  
Jim SNEED

273.1  
cont.

COMMENTS

RESPONSES

From: Pam Snyder  
To: DSD EAS;  
Subject: One Paseo, Project 193036  
Date: Saturday, May 26, 2012 4:54:58 PM

274.1 [ As a 25 year Carmel Valley resident, I am strongly opposed to the One Paseo project in Carmel Valley. It is TOO BIG! The density and height of the project is too large for our community. One of the biggest concerns residents have is the traffic that would overwhelm our streets if this project is built. The current traffic is already a problem at certain times of day. This project does not follow our community plans. We need MORE PARKS to support our sports teams and community events.

274.2 [  
274.3 [  
274.4 [  
274.5 [ The One Paseo project, as planned, would RUIN the character of our community.  
Pam Snyder

274.1 The Final EIR acknowledges that the bulk and scale associated with both the Originally Proposed Project and the Revised Project would be inconsistent with the character of surrounding development. The Revised Project has reduced the scale, bulk, and height of structures to more closely conform to the existing community. Despite the reductions, community character is still considered a significant unmitigated impact, as described in Section 12.9 of the Final EIR.

274.2 The Final EIR acknowledges, in Sections 5.2.2 and 12.9, that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections and identifies mitigation measures that would reduce many impacts to below a level of significance. As noted in Section 12.9 of the Final EIR, the traffic impacts of the Revised Project would be reduced from those of the Originally Proposed Project.

274.3 Section 5.1 of the Draft EIR acknowledged that the Originally Proposed Project would be inconsistent with the current land use designation for the property. However, this inconsistency would be eliminated with approval of the amendment to the Carmel Valley Community Plan, which accompanies the proposed project. The proposed Community Plan Amendment would change the site designation from Employment Center to Community Village. Approval of the Originally Proposed Project is contingent on the approval of the community plan amendments. Thus, the inconsistency would be eliminated. The same circumstances would be associated with the Revised Project. Furthermore, as described on pages 5.1-15 and 5.1-16 of the Draft EIR, the Community Village concept, as implemented by the Originally Proposed Project and the Revised Project, would be consistent with the goals identified in the Community Plan.

274.4 As described in responses to comments 63.168 through 63.170 and Section 12.9 of the Final EIR, the City considers payment of FBA fees to ensure that no significant impacts to parkland would occur. FBA fees are used for acquisition of parkland or intensification of recreational uses at existing parks that will expand use of those parks.

COMMENTS

RESPONSES

274.5 The Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a substantial reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.

COMMENTS

RESPONSES

Martha Blake, Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Thursday, May 24, 2012

Re: Please Vote NO on One Paseo (Project 193036)!!

Dear Ms. Blake,

My husband and I are firmly against One Paseo (Project 193036). This project is completely against what Carmel Valley is about. We used to know a couple people somewhat for this project but after the DEIR report came out, not a single resident we know is in favor is this. Approval of this will destroy the life style and community feel we seek to maintain.

This is a massive change to our master plan and is rife with problems that have no solution. It will dangerously increase our traffic in our most congested area and close to our only schools. It will further burden this community and exasperate our park plans which already are far short of the master plan.

WE ask that you uphold our master plan and deny these plans and variations.

We thank you in advance for your consideration in this matter.

Sincerely,

Ericka & David Southcombe  
4594 Da Vinci St  
San Diego, CA 92130

275.1 The Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Proposed Project to yield a reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.

275.2 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

275.3 The Final EIR acknowledges, in Sections 5.2.2 and 12.9, that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections and identifies mitigation measures that would reduce many impacts to below a level of significance. As noted in Section 12.9 of the Final EIR, the traffic impacts of the Revised Project would be reduced from those of the Originally Proposed Project. As discussed in responses to comments 7.4 and 9.1, no substantial safety risk is expected to occur with respect to children associated with future development of the proposed development.

275.4 As discussed in responses to comments 63.168 through 63.170 the City considers payment of FBA fees to ensure that no significant impacts to parkland would occur. FBA fees are used for acquisition of parkland or intensification of recreational uses at existing parks that will expand use of those parks.

275.5 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

Martha Blake, Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Friday, May 25, 2012

Re: One Paseo, Project 193036 -- Please Vote NO (AGAINST)!!

Dear Ms. Blake,

My family and I are completely against approving the One Paseo. We urge, we deplore, we insist you DO NOT approve this project. Since release of the DEIR, I have not found a single neighbor in favor of this project.

This land was purchased in full knowledge of zoning and master plan limitations. This is not a request for a small deviation/variation from the Carmel Valley master plan. This project is a massive deviation that goes completely against the master plan and the look-and-feel of Carmel Valley. Throwing away this unique environment to simply pad the pockets (primarily the developers') is unconscionable.

When we moved to San Diego 10 years ago, we carefully evaluated many locations to buy within and outside San Diego. We chose Carmel Valley specifically because of its community feel, a result of its master plan. This project is the antithesis of that look and feel. I firmly believe this would be detrimental to our community, dangerous to its citizens, and fundamentally degrading to the significant investment we've made to be a part of this community.

We like that this community is lower density, has reduced office and commercial space, and a higher park space to citizen ratio. We paid a premium price (& consequently pay more taxes) and for a smaller house as compared to other communities. We made these tradeoffs for this look and feel. If people want higher density or more commercial retailers, there are other locations in the city to continue that look-and-feel. But not here!

This project significantly increases concurrently vehicle and pedestrian density in the part of the city that already has the highest density for both. This is a recipe for danger, injury, and likely death. It places this significant increase in congestion blocks from our only high school and middle school further endangering our children. The only mitigation for this congestion is to further gridlock Del Mar Heights Road by simply adding light. And coordinating the lights only works for 1 direction at a time. The other direction of traffic is guaranteed to have more and longer delays because they are guaranteed to have red lights (in order to provide green lights for the other direction).

The DEIR clearly shows that evaluation and planning is both severely incomplete and riddled with already known and identified issues/problems which have no mitigation options. Simply throwing some small amount of money into a community basket to these insurmountable problems is not the solution.

Please do not approve this project or anything along the scales of this. It is not for our betterment and is not what we want. Please vote NO.

Sincerely,



William Southcombe (& family of 5)  
4594 Da Vinci St  
San Diego, CA 92130

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276.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

276.2 The Draft EIR acknowledged that the density of the Originally Proposed Project exceeds that which is currently allowed by the applicable planning and zoning for the property. In addition, as indicated in Section 12.9 of the Final EIR, the Revised Project would also exceed the development currently allowed by applicable planning and zoning. As such, the Originally Proposed Project and the Revised Project include a General Plan Amendment, Community Plan Amendment, Precise Plan Amendment, and a Rezone. The adoption of these land use plan amendments will bring the proposed development into conformance with adopted planning documents. Nonetheless, the Final EIR identified a significant project impact on the neighborhood character in the area for both the Originally Proposed Project and the Revised Project.

276.3 The Final EIR acknowledges, in Sections 5.2.2 and 12.9, that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections and identifies mitigation measures that would reduce many impacts to below a level of significance. As noted in Section 12.9 of the Final EIR, the traffic impacts of the Revised Project would be reduced from those of the Originally Proposed Project. As discussed in responses to comments 7.4 and 9.1, no substantial safety risk is expected to occur with respect to children associated with future development of the proposed development.

276.4 The comment makes a general claim that the Draft EIR did not completely evaluate impacts and identify mitigation; however, it does not identify specific details. Furthermore, the comment incorrectly states that mitigation for project impacts consists of the provision of small financial contributions to a general community fund. Mitigation is identified in the Draft EIR and the Final EIR, which includes some fair-share contributions to programmed traffic improvements; it also involves

COMMENTS

RESPONSES

276.4 construction of specific traffic improvements, as well as other specific cont. environmental issue-related measures, such as noise and historical resources to name a few.

276.5 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

May 21, 2012

Martha Blake, Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake:

**We write to share our concerns about the One Paseo project, and to request that the project as currently planned be disapproved.**

There are two reasons for our concern: unmitigated adverse impact on the character of the local community, and unmitigated adverse impact on traffic. We write this after reviewing the Environmental Impact Report.

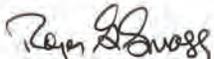
One Paseo is not linked to any regional transit system – in fact there is no regional transit system. One Paseo is designed as an island of density, turned in upon itself, with the assumption that visitors will come by car. It will generate a volume of traffic never foreseen in the General Plan (City of San Diego General Plan, March 2008, LU-6) or by residents of the surrounding communities. Although the impact is claimed to be for only several hours per day, that impact comes at a time of day **when vast numbers of those residents will be adversely affected. The adverse impact on delivery of emergency services has not been adequately addressed.**

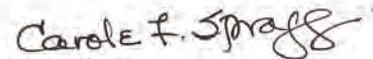
The local communities, including Del Mar Highlands Town Center and the Del Mar Heights Village are cherished by their residents. These centers are already zoned for mixed use, but are not fully developed. Del Mar Highlands Town Center is zoned for many uses, including “apartments”, with a height limit of 45 feet, and a floor-area ratio (FAR) of .75. Del Mar Heights Village is also zoned for multiple dwelling units, with the same limitations for height and FAR.

The One Paseo site is currently zoned for office use, with no height limit, but a FAR of .5. The One Paseo Kilroy project proposes that this be changed to a height limit of 200 feet and a FAR of 2.00. **We propose that a much better planning decision would be to limit the One Paseo project to the same measures as these two nearby developing villages.** This would integrate the project into its surroundings without overwhelming them, and allow for harmonious development of all three villages. Hopefully, in time, a transportation system will be developed to link these three villages.

Thank you for your concern.

Sincerely,

  
Roger G. Spragg

  
Carole F. Spragg

13752 Mercado Drive  
Del Mar, CA 92014

277.1  
277.2  
277.3  
277.4

277.5

277.1 As discussed in response to comment 10.40, the City of Villages Strategy in the City’s General Plan does not require that regional transit service be immediately available to proposed village developments. As discussed in response to comment 10.40, the 2050 RTP, the long-range transportation plan for the region, indicates that Bus Route 473, which would serve the Originally Proposed Project, is anticipated to be funded by the year 2030.

277.2 As discussed in detail in response to comment 5.6, the project applicant has revised the Originally Proposed Project to reduce the overall intensity and density and provide more open space to better relate to the surrounding community. The Revised Project reduces the overall square footage by 22 percent from 1,857,440 to 1,454,069 square feet. The total floor area ratio (FAR) is reduced by 22 percent from 1.8 to 1.4. In addition, the proposed hotel has been eliminated. With the Revised Project, the amount of open space within the proposed development would increase from 7.6 acres with the Originally Proposed Project to 10.7 acres. A 1.1-acre passive recreation area and nearby 0.4-acre children’s play area open to the public would be created at the northwest corner of the project. In addition, 1.5 acres of greenbelts and plazas would be open to the public. As discussed in Section 3.0 and 5.2.7 in the Draft EIR and Section 12.9 of the Final EIR, the Originally Proposed Project and Revised Project would include a network of sidewalks, pathways, plazas, and paseos that would provide pedestrian connections to existing sidewalks and trails in the surrounding area.

As discussed in detail in response to comment 6.7, the Revised Project includes an enhanced TDM Plan that incorporates the following key strategies which are intended to reduce private automobile trips associated with the development of the Revised Project.

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RESPONSES

277.3 The Final EIR acknowledges, in Sections 5.2.2 and 12.9, that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections and identifies mitigation measures that would reduce many impacts to below a level of significance. As noted in Section 12.9 of the Final EIR, the traffic impacts of the Revised Project would be reduced from those of the Originally Proposed Project.

277.4 Refer to response to comment 8.2.

277.5 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [David Stangland](#)  
**To:** [DSD EAS](#)  
**Subject:** Project Name: ONE PASEO Project No. 193036/SCH No. 2010051073  
**Date:** Thursday, May 10, 2012 6:57:53 PM

278.1 [ As a resident of San Diego , I sincerely hope you will argue against the Size & Use variance for the One Paseo project that is being proposed for the intersection of Del Mar Heights Rd and El Camino in the Carmel Valley area. I'm very concerned that the city hasn't considered the impact of this project and its attendant traffic increases on the citizens in my neighborhood. I recommend that the original zoning be enforced and that no exception be granted for this project.

278.2 [

Sincerely,

David Stangland

Pinewood Drive (city of San Diego, not city of Del Mar)

Del Mar, CA 92014

278.1 The City considers the Draft EIR to be a comprehensive document that represents a good faith disclosure of the environmental impacts associated with the Originally Proposed Project. Similarly, Section 12.9 of the Final EIR is considered a sufficient analysis of the traffic impacts related to the Revised Project.

278.2 As discussed in Section 12.5.3 of the Draft EIR, developing the property in accordance with existing Employment Center land use designation would not meet identified project objectives because it would fail to develop a mixed-use project to serve the community, provide additional housing types in Carmel Valley, provide a place for public gathering and social interaction, or promote sustainable development principles and smart growth.

COMMENTS

RESPONSES

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake:

As a longtime Carmel Valley resident, I'm pleased to submit these comments in support of the One Paseo development proposal. The Draft Environmental Impact Report identifies some of the project's potential negative impacts. I'd like to counterbalance those findings today by focusing on the many benefits One Paseo would offer. I think that One Paseo would make an excellent addition to our community, especially because it would provide a central location where residents could easily get out, shop, dine, take a walk, watch a movie, watch the sunset, grab coffee - the list goes on. This is a community-enhancing project through and through.

I am impressed by the level of detail that has gone into the planning for this development. I think it's great that so many walking and biking paths would connect the development to existing neighborhoods. I would love to be able to go out and have dinner and drinks with my girlfriend, without having to take a taxi. One Paseo would be close enough that we could actually walk home - and I know this would be a significant benefit to many of my neighbors and friends as well.

I think that aesthetically speaking, the project will also blend well with the surrounding neighborhoods and businesses. The design of the project is certainly visually appealing, but the developers have also made sure that its density would be offset with lots of public open space and varied building heights that work with the natural topography. The result would be a site that offers a little something for everyone, while building up the natural character of our community. I know that's a matter of concern for some, but I am confident that One Paseo would only help to unify the area by providing a core to the community.

I have been excited about this project for quite some time now, and I'd love to see it move forward with your blessing.

Thanks,



Brian Stenzler  
3617 Bernwood Place, Unit 97  
San Diego, CA 92130

279.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [martin streim](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo Project  
**Date:** Saturday, April 14, 2012 2:44:57 PM

280.1

I vote "NO" on the current plan. The office buildings are too big. The site is too dense. Traffic will be a nightmare.

Marty Streim  
12433 Cavallo Street  
San Diego, CA 92130  
858.509.4187 (H)  
858.243.7655 (M)

280.1 The Final EIR acknowledges that the bulk and scale associated with both the Originally Proposed Project and the Revised Project would be inconsistent with the character of surrounding development. The Revised Project has reduced the scale, bulk, and height of structures to more closely conform to the existing community. Despite the reductions, community character is still considered a significant unmitigated impact, as described in Section 12.9 of the Final EIR.

The Final EIR acknowledges, in Sections 5.2.2 and 12.9, that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections and identifies mitigation measures that would reduce many impacts to below a level of significance. As noted in Section 12.9 of the Final EIR, the traffic impacts of the Revised Project would be reduced from those of the Originally Proposed Project.

COMMENTS

RESPONSES

**From:** [Marty Surtes](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo, Project 193036  
**Date:** Sunday, May 27, 2012 10:25:48 PM

I am very concerned about the One Paseo project changing the character of our community.

It seems that the people planning One Paseo are just plain greedy!

One Paseo will be overbuilt for the community. I fear that we are becoming another Los Angeles with the density of the buildings, and adding traffic that is already very difficult to contend with when the fair and racetrack are running.

There is already a problem with public parking in the area with new restaurants that have come in.

I would like to see One Paseo developed with shops (only if there is enough parking to accommodate them) possible with two story residential over shops. It needs to be walking friendly with some green spaces, not with tall buildings blocking out light.

We need shuttles/buses along the Del Mar Heights corridor to help with the traffic.

We have a lovely community, please save it from becoming snarled with traffic.

Concerned Citizen

Karen Surtes

281.1 The Final EIR acknowledges that the bulk and scale associated with both the Originally Proposed Project and the Revised Project would be inconsistent with the character of surrounding development. The Revised Project has reduced the scale, bulk, and height of structures to more closely conform to the existing community. Despite the reductions, community character is still considered a significant unmitigated impact, as described in Section 12.9 of the Final EIR.

The Final EIR acknowledges, in Sections 5.2.2 and 12.9, that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections and identifies mitigation measures that would reduce many impacts to below a level of significance. As noted in Section 12.9 of the Final EIR, the traffic impacts of the Revised Project would be reduced from those of the Originally Proposed Project.

281.2 The Draft EIR concluded (in Table 5.2-42) that a parking surplus would occur during each phase of the Originally Proposed Project. The same conclusion is reached in Section 12.9 of the Final EIR. Any parking issues associated with existing shopping center are outside the purview of this EIR.

281.3 Limiting buildings to two stories would not allow the primary objectives of the proposed project to be achieved because it would not provide the critical mass needed to achieve a successful mixed-use development on the property.

281.4 As discussed in response to comment 6.7, an enhanced TDM Plan is proposed as part of the Revised Project, which among other things, calls for a shuttle service to promote use of public transit by connecting with the Sorrento Valley transit station.

COMMENTS

RESPONSES

From: Jackie Teague  
To: DSD EAS;  
Subject: ONE PASEO, Project #193036/SCH No. 2010051073  
Date: Monday, April 09, 2012 5:42:42 PM

To Whom It May Concern:

I strenuously object to the proposed One Paseo project in Carmel Valley. Please see the letter below, which I originally wrote and submitted last year to "What Price, Main Street?", a local group organized around opposition to this project. In addition:

282.1 The Environmental Impact report concludes that the project would result in significant transportation/circulation/and parking issues. The area is already congested and experiencing traffic issues, and a project of this size far exceeds what the area is designed to handle. The additional traffic, congestion, and parking issues would significantly impact the community and could not be mitigated due to space constraints. This is extremely troubling.

282.2 Further, this would irreparably destroy the visual effects and nature of the neighborhood. Its current character would be forever ruined and changed by a project with several massive buildings far greater than the 2 story buildings currently in the area. The project will have so much greater scale, density, and traffic generation than what would be allowed by the existing entitlement or Community Plan, and the project is considerably more dense than any mixed-use project, existing or planned, in similar planned communities in greater San Diego.

I am seriously concerned that Carmel Valley's existing community character and its Community Plan will be destroyed if the proposed One Paseo/Main Street project gets approved.

Sincerely,

Jacqueline Teague  
4614 Bryson Terrace, San Diego, CA 92130  
Dated 4/9/12

encl: Letter to What Price Main Street? dated 4/7/11

282.1 The Final EIR acknowledges, in Sections 5.2.2 and 12.9, that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections and identifies mitigation measures that would reduce many impacts to below a level of significance. As noted in Section 12.9 of the Final EIR, the traffic impacts of the Revised Project would be reduced from those of the Originally Proposed Project.

The Draft EIR concluded (in Table 5.2-42) that a parking surplus would occur during each phase of the Originally Proposed Project. The same conclusion is reached in Section 12.9 of the Final EIR.

282.2 The Final EIR acknowledges that the bulk and scale associated with both the Originally Proposed Project and the Revised Project would be inconsistent with the character of surrounding development. The Revised Project has reduced the scale, bulk, and height of structures to more closely conform to the existing community. Despite the reductions, community character is still considered a significant unmitigated impact, as described in Section 12.9 of the Final EIR.

COMMENTS

RESPONSES

To Whom It May Concern:

I have been following the Kilroy Realty Development's Carmel Valley "Main Street" proposal for the parcel at the corner of Del Mar Heights and El Camino Real with great interest. I have serious objections to this project. They are as follows:

1) Scale: I am very disappointed with the size of the proposed development. It is so huge, so dense, and so commercial. Carmel Valley will simply become another UTC. Think the La Jolla Village Drive/Genesee/Nobel/Regents block in UTC. Is that what we're now to accept as "Main Street"?

2) Traffic: Traffic will be unmanageable. Del Mar Heights Road during rush hour is bad enough as it is. Has anyone proposing this project ever even tried to get on or off of the 5 at Del Mar Heights during rush hour, which in the afternoon starts at 2:30 pm—and I'm not even talking about during the Del Mar Fair or Racetrack seasons?! **Frustrated drivers will begin to cut through our residential neighborhoods to bypass the development to get to other places in Carmel Valley.** The now quiet and family-friendly Del Mar Highlands neighborhoods (including streets such as High Bluff, Long Run, and Quarter Mile) will bear the brunt of this.

3) Safety: My greatest concern is that there are two elementary schools right near the proposed site: Solana Highlands Elementary (at High Bluff and Long Run, one block off of Del Mar Heights in the aforementioned Del Mar Highlands neighborhood) and Solana Pacific (on Townsgate between Carmel Country Road and El Camino Real). Del Mar Heights Road, El Camino Real, and adjacent surface streets like Long Run, High Bluff, Quarter Mile, and Townsgate are main thoroughfares for children and their parents bicycling, walking, and driving to and from these schools. I find the potential for all of the thousands of additional cars and strangers to our neighborhood to be extremely troubling.

Additionally, the Carmel Valley Recreation Center and Carmel Valley

282.3 As indicated in response to comment 282.2, the Final EIR addresses the bulk and scale of the Originally Proposed Project and Revised Project. While the comment asserts that the proposed development would be "so commercial" in nature, the Originally Proposed Project and the Revised Project would include a mix of uses, including residential, retail, office, and open space areas, as discussed in Sections 3.0 and 12.9 of the Final EIR.

282.4 With respect to project-related traffic impacts, the Sections 5.2.2, and 12.9 of the Final EIR, acknowledge that both the Originally Proposed Project and Revised Project would result in significant impacts to local street segments and intersections. Although the proposed development would include roadway improvements which would improve traffic flow in the community, certain traffic impacts would remain significant. For example, improvements to the Del Mar Heights Road bridge interchange at I-5, required to fully mitigate project traffic impacts, are within the jurisdiction of Caltrans and beyond the control of the City and the project applicant.

282.5 Refer to response to comment 5.2.

282.6 Refer to responses to comments 7.4 and 9.1.

282.7 Refer to responses to comments 7.4 and 9.1.

COMMENTS

RESPONSES

282.7 cont. Library (both on Townsgate) and the new skate park (on El Camino near the police station) are all heavily-used public spaces after school. The proposed development is being built so close to FIVE public facilities that cater primarily to children. Won't that put a great number of children at risk to bring thousands of people every day into our community? People who have no connection to our community other than to drive in and out of it?

282.8 With increased safety and security issues comes the need for more peace officers and an expanded police station. Who is going to pay for that? The developer? The police station is understaffed as it is.

4) False advertising: Banana Republic, P.F. Chang's, and the like do not a Main Street make. I enjoy those places as much as the next person but am content to drive down the 5 a few minutes and get my fill of them at UTC.

282.9 Over the years, I have taken mental note of what so many of my friends and neighbors have said we REALLY need in our community: a YMCA; a bigger library; healthy, family-friendly, affordable dining choices; a Trader Joe's. Instead, we are getting the same old dining and retail chains? A hotel? A bunch of office space? Kilroy is trying to sell this plan as "Main Street", but that's false advertising. There is so little usable space for building in Carmel Valley. **It's a shame that what little we have will be used for a project that serves no one in the community nor addresses real community needs.** I honestly don't see how this project serves anyone in Carmel Valley but the developer.

282.10 5) Fairness: It is not fair that Kilroy will rake in the dollars at the expense of residents of this community. This project is unfair to Carmel Valley residents because: 1) congestion will make getting around in our neighborhood unbearable; 2) our children's safety will be at risk with the added strangers and traffic to the primarily RESIDENTIAL community; 3) I believe that because of these issues, home values will go down because Carmel Valley will become a less desirable place to live. When home values go down, property tax revenues do, too. Then, schools and city services suffer.

This will not be idyllic Main Street. It will be a mess.

282.8 As discussed in Sections 5.12.2 and 12.9 of the Final EIR, the Originally Proposed Project and Revised Project would not significantly impact police protection services. Additionally, the Originally Proposed Project and the Revised Project would be conditioned to pay applicable Facility Benefit Assessment (FBA) fees to address capital costs of police services.

282.9 Many of the items referenced in the comment are included in the Revised Project. As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

282.10 Refer to response to comment 282.1.

282.11 Refer to responses to comments 7.4 and 9.1.

282.12 Refer to response to comment 10.13.

COMMENTS

RESPONSES

Ms. Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101  
RE: Project No. 193036/SCH No. 2010051073

Dear Ms. Blake,

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the One Paseo Project. I understand that the Environmental Impact Report identifies certain project impacts. However, I firmly believe that the project's benefits would outweigh the identified impacts.

The project would positively impact our community in many ways. For example, it would help the local economy by increasing employment opportunities in Carmel Valley. One Paseo would also bring new specialty stores like a Trader Joes to the area. Most importantly, it would enhance the community character by providing a true "heart" for Carmel Valley.

Thank you.

Sincerely,

*202*

*Brad Tecca*

*10713 Calle Mar de Mariposa  
San Diego, Ca 92130*

283.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

May 29, 2012

Martha Blake, Environmental Planner

[DSDEAS@san Diego.gov](mailto:DSDEAS@san Diego.gov)

Re: One Paseo, Project 193036

Dear Ms. Blake,

My husband and I attended the meeting of the Carmel Valley Community Planning Board on May 24, 2012. As Carmel Valley community members, we attended the meeting to express our concerns about the One Paseo Project. We are opposed to the One Paseo Project 193036 as currently proposed. The consensus of the Carmel Valley Community members present at the meeting was also in opposition to the project as currently proposed. The scale of the project is too large for our community. When the City and the Planning Board look at the project, please remember the Carmel Valley Community members that will be adversely affected by the large scale project on a daily basis. When my husband and I chose to purchase a home in Carmel Valley, the most appealing aspect of the community was the character and style of this suburban community. We know that if the One Paseo Project is built as proposed, it will have a negative impact on the character and style of life in Carmel Valley.

Thank you for reading our feedback about the One Paseo Project.

Terrie Tiegs & Jaime Olmos

Carmel Valley residents since 2001

284.1 The Final EIR acknowledges that the bulk and scale associated with both the Originally Proposed Project and the Revised Project would be inconsistent with the character of surrounding development. The Revised Project has reduced the scale, bulk, and height of structures to more closely conform to the existing community. Despite the reductions, community character is still considered a significant unmitigated impact, as described in Section 12.9 of the Final EIR.

COMMENTS

RESPONSES

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake,

I appreciate the City's thorough work in developing the Draft Environmental Impact Report for One Paseo. This document provides a wealth of important information that will help the community to assess the project's benefits against its potential environmental impacts. To that end, I am submitting these comments in light of the report's draft findings. To me, it seems clear that One Paseo would bring considerable benefits to Carmel Valley residents.

On a recent trip to Arizona, I saw a mixed-use development rather similar to what has been proposed with One Paseo. It's been a very successful endeavor, and I think One Paseo would fare similarly. This would be a great way to utilize the property at Del Mar Heights and El Camino Real, consistent with the smart growth principles the City has embraced. Mixed-use developments offer much more than traditional single-use developments might. A project consisting only of office buildings and a sea of parking, for example, wouldn't do anything to advance the City's smart growth goals for this site, including the desire to create a focal point and greater sense of place for our community, as described in the San Diego's "City of Villages" plan.

I think it's important to consider the project's potential traffic impact in light of this reality. If we were simply to build more office buildings on the property, under its current zoning, that too would generate an increase in traffic – but it would only benefit those residents who whose work would relocate to the site. One Paseo, on the other hand, would benefit our community broadly. It would provide office and residential space, along with shops and restaurants that would be convenient for the whole community. Plus, with all the great design and ample open space, it seems like this site could really function as a central gathering place for residents. This is something we will enjoy for a long time to come.

I fully support this project, and I hope to see it become a reality for Carmel Valley.

Best regards,

John Toman  
6945 The Preserve Way  
San Diego, CA 92130-6856

285.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Toman, John P](#)  
**To:** [DSD EAS](#)  
**Subject:** I SUPPORT ONE PASEO  
**Date:** Tuesday, May 29, 2012 11:00:14 AM

Subject: Project No. 193036

Dear Ms. Blake

I appreciate the City's thorough work in developing the Draft Environmental Impact Report for One Paseo. This document provides a wealth of important information that will help the community to assess the project's benefits against its potential environmental impacts. To that end, I am submitting these comments in light of the report's draft findings. To me, it seems clear that One Paseo would bring considerable benefits to Carmel Valley residents.

On a recent trip to Arizona, I saw a mixed-use development rather similar to what has been proposed with One Paseo. It's been a very successful endeavor, and I think One Paseo would fare similarly. This would be a great way to utilize the property at Del Mar Heights and El Camino Real, consistent with the smart growth principles the City has embraced. Mixed-use developments offer much more than traditional single-use developments might. A project consisting only of office buildings and a sea of parking, for example, wouldn't do anything to advance the City's smart growth goals for this site, including the desire to create a focal point and greater sense of place for our community, as described in the San Diego's "City of Villages" plan.

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I fully support this project, and I hope to see it become a reality for Carmel Valley.

Best regards,  
John Toman  
6945 The Preserve Way  
San Diego, CA 92130-6856

286.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

*John P. Toman*

Morgan Stanley - Smith Barney LLC  
Senior Vice President - Wealth Management  
Financial Planning Specialist  
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COMMENTS

RESPONSES

**From:** [Toman, John P](#)  
**To:** [DSD EAS](#)  
**Subject:** I SUPPORT ONE PASEO!  
**Date:** Tuesday, May 29, 2012 11:53:27 AM

-----  
  
Subject: Project No. 193036

To whom it may concern:

I appreciate the City's thorough work in developing the Draft Environmental Impact Report for One Paseo. This document provides a wealth of important information that will help the community to assess the project's benefits against its potential environmental impacts. To that end, I am submitting these comments in light of the report's draft findings. To me, it seems clear that One Paseo would bring considerable benefits to Carmel Valley residents.

On a recent trip to Arizona, I saw a mixed-use development rather similar to what has been proposed with One Paseo. It's been a very successful endeavor, and I think One Paseo would fare similarly. This would be a great way to utilize the property at Del Mar Heights and El Camino Real, consistent with the smart growth principles the City has embraced. Mixed-use developments offer much more than traditional single-use developments might. A project consisting only of office buildings and a sea of parking, for example, wouldn't do anything to advance the City's smart growth goals for this site, including the desire to create a focal point and greater sense of place for our community, as described in the San Diego's "City of Villages" plan.

I think it's important to consider the project's potential traffic impact in light of this reality. If we were simply to build more office buildings on the property, under its current zoning, that too would generate an increase in traffic – but it would only benefit those residents who whose work would relocate to the site. One Paseo, on the other hand, would benefit our community broadly. It would provide office and residential space, along with shops and restaurants that would be convenient for the whole community. Plus, with all the great design and ample open space, it seems like this site could really function as a central gathering place for residents. This is something we will enjoy for a long time to come.

I fully support this project, and I hope to see it become a reality for Carmel Valley.

Best regards,

287.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

John Toman  
6945 The Preserve Way  
San Diego, CA 92130-6856

*John P. Toman*

Morgan Stanley - Smith Barney LLC  
Senior Vice President - Wealth Management  
Financial Planning Specialist  
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COMMENTS

RESPONSES

**From:** [Karen Toohill](#)  
**To:** [DSD EAS](#);  
**cc:** [Lightner, Councilmember Sherri](#);  
**Subject:** One Paseo, Project 193036  
**Date:** Saturday, May 26, 2012 7:01:42 PM

Dear Sir or Madam,

As a 24 year resident of Carmel Valley, I wanted to express my distress over the proposed One Paseo project. This project will definitely destroy our community with its ten story towers and traffic gridlock. Kilroy Realty has proposed timing the traffic lights on Del Mar Heights to ameliorate the significant traffic congestion that will result. How insincere! Why hasn't the City of San Diego already timed the traffic lights? There are three high schools (Torrey Pines, Cathedral Catholic and Canyon Crest) along Del Mar Heights and there is already an enormous amount of school traffic during morning drop off, off campus lunch and dismissal.

Furthermore, although Kilroy was required to submit alternative development plans, Kilroy has shown how disingenuous those alternative plans are in hopes to garner support for its massive undertaking and requested increased density.

While I support intelligent growth in our community and have enjoyed the improvements to the Del Mar Highlands shopping center, everyone would agree that parking there is already an enormous challenge and something needs to be done to correct this situation before we add more businesses and cars to the same intersection. In addition, the High Bluff business corridor already saturates the I-5 on ramps with excessive traffic during rush hours beyond what we anticipated when we moved to Carmel Valley.

I encourage you to direct Kilroy to modify its development plan so that it is the correct scale and consistent with the originally anticipated density for Carmel Valley.

Karen Kiley Toohill

288.1 The Final EIR acknowledges that the bulk and scale associated with both the Originally Proposed Project and the Revised Project would be inconsistent with the character of surrounding development. The Revised Project has reduced the scale, bulk, and height of structures to more closely conform to the existing community. Despite the reductions, community character is still considered a significant unmitigated impact, as described in Section 12.9 of the Final EIR.

With respect to project-related traffic impacts, Sections 5.2.2, and 12.9 of the Final EIR, acknowledge that both the Originally Proposed Project and Revised Project would result in significant impacts to local street segments and intersections. Although the proposed development would include roadway improvements which would improve traffic flow in the community, certain traffic impacts would remain significant. For example, improvements to the Del Mar Heights Road bridge interchange at I-5, required to fully mitigate project traffic impacts, are within the jurisdiction of Caltrans and beyond the control of the City and the project applicant.

The traffic signals on Del Mar Heights Road are already “timed” in accordance with traditional methods. The ATCS proposed as part of the proposed project is a new technology which is more expensive than traditional techniques. As a result of the newness of the technology and the cost, the City has not incorporated ACTS into any of the traffic signals within the City. Thus, incorporation of this technology on Del Mar Heights Road is not likely to happen in the near future without being implemented by the project applicant.

288.2 It should be noted that the project applicant has modified the development proposal which was analyzed in the Draft EIR. The Revised Project reduces the overall square footage by 22 percent from 1,857,440 to 1,454,069 square feet. The total floor area ratio (FAR) is reduced by 22 percent from 1.8 to 1.4. In addition, the proposed hotel has been eliminated.

COMMENTS

RESPONSES

288.3 The total number of on-site parking spaces that would be provided for the Originally Proposed Project and Revised Project is based on the proposed mix and size of land uses and is intended to accommodate the peak parking demand for the proposed development. The Draft EIR concluded (in Table 5.2-42) that a parking surplus would occur during each phase of the Originally Proposed Project. The same conclusion is reached in Section 12.9 of the Final EIR. Any issues associated with parking at existing shopping centers are outside the purview of this EIR.

288.4 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

288.5 Refer to response to comment 288.2.

Comments by Timothy E. Torchia, Ph.D. on DEIR Project One Paseo

**Comments on Draft Environmental Impact Report (“DEIR”)**

**from Timothy E. Torchia, Ph.D.**

**Project Name: ONE PASEO**

**City of San Diego Project No. 193036/SCH No. 2010051073**

Background of Commenter: I have been a resident of Carmel Valley Neighborhood 3 for nearly 13 years. I am familiar with traffic patterns and traffic composition of commutes to and from CV Del Mar Heights Road to UTC, Sorrento Valley and/or Torrey Pines areas during that time as an employee in the biotech/pharma field.

As noted in the comments, it is effectively impossible for a member of the public to effectively and sufficiently address the entire voluminous and highly technical DEIR and its associated citations. Nevertheless, my initial (and necessarily incomplete) comments and questions regarding only a small portion of the referenced DEIR follow:

**Has an analysis been done on home property values in the adjacent Del Mar Highlands as a result of the Project density, tall and imposing building structures and traffic impacts?**

- 1. Does the DEIR Quality of Life impact analysis consider the likely reduction of home property values in the adjacent Del Mar Highlands as a result of the Project density, tall and imposing building structures and traffic impacts?

**Is it reasonable to accept the DEIR report as unbiased in its conclusions?**

- 2. The Air Quality and Greenhouse Gas Technical Report, Appendix G, was **“Prepared for** Kilroy Realty Corporation...”
  - a. See Appendix G, cover page.

289.1 Refer to response to comment 10.13.

289.2 The City considers the Draft EIR (including technical reports contained in the Appendices) to be a comprehensive document that represents a good faith disclosure of the environmental impacts associated with the Originally Proposed Project. Similarly, Section 12.9 of the Final EIR is considered a sufficient analysis of the impacts related to the Revised Project. The conclusions drawn in the Final EIR are based on analysis performed in accordance with City standards and procedures applicable to the preparation of EIRs, as defined in the CEQA Guidelines and the City’s own CEQA procedures and CEQA Guidelines.

COMMENTS

RESPONSES

Comments by Timothy E. Torchia, Ph.D. on DEIR Project One Paseo

- 3. The Air Quality and Greenhouse Gas Technical Report, Appendix G, was prepared by HELIX Environmental Planning, Inc. of La Mesa, CA, company engaged in development and construction.
  - a. Helix owns a “wholly owned subsidiary, HELIX Environmental Construction Group, Inc. (HECG)” that “specializes in the installation and maintenance of native habitat and low-water-use landscaping.”
    - i. See <http://www.helixepi.com/helix-environmental-planning-about-us.html>
  - b. A brief review of Helix history and its website indicates that, while Helix is experienced, it partakes in subsequent design, construction, consulting or “mitigation” efforts as part of its services.
  - c. Did Helix provide a declaration that it will not partake in subsequent design, construction or consulting efforts related to Paseo One?
  - d. Does Helix or its subsidiaries have any on-going or pending relationships with the One Paseo developer?
  - e. Importantly, a review of the Helix projects listed and described on its website does not indicate any projects apparently stopped as a result of a Helix analysis.
  - f. As commented elsewhere, various (unsupported) assumptions, various assumed probabilities (e.g. “it is possible” instead of the more realistic “it is likely” or “it is certain”) and resulting conclusions made in the DEIR suggest a possible lack of bias, with a possible bias towards favoring development.

289.3 Refer to response to comment 289.2.

**Has the Public been provided a reasonable time period for a sufficient, effective analysis and/or independent assessment of the DEIR?**

- 4. Reasonably sufficient time should be allowed for public review and comment, as well as independent assessment of environmental impact.
- 5. The reasonable possibility that the report DEIR is unbiased (as commented elsewhere) supports the need for a reasonable time period for an efficient and/or independent review.

289.4 The Draft EIR was circulated for public review for a total of 60 days (March 29, 2012 to May 29, 2012), which included a 15-day extension beyond the required 45-day public review period, pursuant to CEQA Guidelines 15105(a).

COMMENTS

RESPONSES

Comments by Timothy E. Torchia, Ph.D. on DEIR Project One Paseo

289.4  
cont.

- 6. The reasonable possibility that the report DEIR contains errors (as commented elsewhere) supports the need for a reasonable time period for an efficient and/or independent review.
- 7. Experience has repeatedly shown that a non-peered reviewed technical report (such as the DEIR) often contains errors, either in its assumptions, raw data used, its methodology, its data generation, its interpretation of data, or its conclusions.

289.5

- a. Confidence in a technical report can be achieved only after independent and/or peer review.
- b. Which of the individual technical reports, e.g. "Appendix G Air Quality and Greenhouse Gas Technical Report" have been assessed by peer-review? Please list technical report and peer reviewer(s).
- c. Which of the individual technical reports, e.g. "Appendix G Air Quality and Greenhouse Gas Technical Report," have been assessed by an independent expert entity? Please list technical report and independent assessor(s).

289.6

- 8. Two (2) months is not a reasonable time period to review a **4500 page** technical document.
  - a. Even more so when the document influences decision making, and on projects that affect health, quality of life and home values.
  - b. The **numerous technical and social disciplines comprising the numerous technical reports** are not reasonably reviewable by a public member in two months.
  - c. The 4500 page DEIR does not account for the **additional thousands of pages** of documents relied on and cited within the DEIR, e.g. SD Municipal codes, CA General Plan, CARB studies, etc.
  - d. The intertwining of data between and amongst the DEIR Technical Reports adds to the complexity, time and effort required to effectively review the DEIR.
    - i. For one example, the Air Quality and Greenhouse Gas Emissions TR uses data from the Traffic Impact Analysis TR.
  - e. As a comparison, the United States Patent Office by law must allow **nine (9) months** to review and challenge a single United States patent that averages about **45 pages** and is confined to a **single technical discipline**. Typically a patent is reviewed and challenged by experts in that technical discipline.

289.5 As stated in response to comment 289.2, the City considers the Draft EIR and supporting technical studies to be comprehensive documents that represent a good faith disclosure of the environmental impacts associated with the Originally Proposed Project. Similarly, Section 12.9 of the Final EIR is considered a sufficient analysis of the impacts related to the Revised Project.

289.6 Refer to response to comment 289.4.

COMMENTS

RESPONSES

Comments by Timothy E. Torchia, Ph.D. on DEIR Project One Paseo

f. The expectation that the DEIR can be effectively reviewed by a lay person or even a technical expert in the time period allowed to date is not reasonable.

289.6 cont.

**Is it possible for the Project to maintain the "Park-Like" vision of the CV Precise Plan and it high quality of life associated with the EC zoning?**

289.7

9. That the original EC zoning vision called for a "park-like" corporate space design in the 23 acre site as about 500K sf—to enhance both daily working quality of life and non-working life quality for all time--means that the Paseo One plan packing and stacking 537sf of corporate office space amongst an additional 1,320K sf of various retail and CANNOT possibly achieve the "park-like" vision nor associated quality of life envisioned by the CV Precise Plan.

289.8

- a. Recall that the CV Precise Plan was generated in about 1980 when "open space" and high quality of life was the vision and hope for future generations.
- b. The 23.6 acre original EC zone is equivalent to 1,028,016 sf. of which about one-half (less ~500k corporate sf) would be available to provide a "park-like" quality under the original EC zoning.

10. The approx. 15-foot elevation between each of the three graded levels of the Project means that approx. 2 stories should be added to the actual height of each proposed building in order to assess visual impact as well as other impacts, like quality of life, air quality effects, practical use considerations like sun/shade throughout the day and seasons, etc.

289.9

- a. Has the DEIR adequately accounted for these additional heights in its technical reports?

11. Even if these grading level heights are not directly considered into bulidng hieghts for vsual impact, the differences in elevation grading should be considered when assessing the impacts such as health risk assessment, for example due to emissions from one stationary sources (e.g. roof vents) adjacent to a recepotr (e.g. ground level on an adjacent grading).

289.10

- a. Has the DEIR adequatley accounted for the grading levels potential for unacceptabte TAC (Toxic Air Contaminants) emission patterns in its air quality technical rpeort?

289.7 As discussed in Section 12.9 of the Final EIR, the Revised Project would include 10.7 acres of open space. Thus, open space would comprise over 40% of the project site. The open space would include a 1.1-acre recreation area and nearby 0.4-acre children's play area at the corner of Del Mar Heights Road and High Bluff Drive as well as landscaped greenbelts along Del Mar Heights Road and El Camino Real. Open space within the proposed development would include a series of plazas and paseos.

289.8 As discussed in detail in response to comment 5.6, the project applicant has revised the Originally Proposed Project to reduce the overall intensity and density and provide more open space. The Revised Project reduces the overall square footage by 22 percent from 1,857,440 to 1,454,069 square feet. The total floor area ratio (FAR) is reduced by 22 percent from 1.8 to 1.4. In addition, the proposed hotel has been eliminated. With the Revised Project, the amount of open space within the proposed development would increase from 7.6 with the Originally Proposed Project to 10.7 acres. A 1.1-acre passive recreation and nearby 0.4-acre children's play area open to the public would be created at the northwest corner of the project. In addition, 1.5 acres of greenbelts and plazas would be open to the public. As discussed in Section 3.0 and 5.2.7 in the Draft EIR and Section 12.9 of the Final EIR, the Originally Proposed Project and Revised Project would include a network of sidewalks, pathways, plazas, and paseos that would provide pedestrian connections to existing sidewalks and trails in the surrounding area.

289.9 The Draft EIR accurately described the Originally Proposed Project and the potential visual impacts in Section 5.3. Additionally, the visual simulations and cross-sections included in the EIR are considered accurate representations of the appearance of the proposed development in the context of the surrounding community.

289.10 The elevation of the source does not affect the emissions estimated in the Draft EIR. The pollutant emissions are averages of all available data of acceptable quality, in accordance with CARB methodology, and are generally assumed to be representative of long-term averages for

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289.10  
cont.

- i. It has not, as commented on elsewhere.
- ii. TACs include carcinogenic as well as non-carcinogenic compounds and particulates.

289.11

**Have the DEIR Technical Reports been independently assessed for errors? Should they be independently assessed? And if so, by what entity?**

289.12

**Has the URBEMIS modeling software been validated for use in San Diego?**

289.13

**Does the identification of “obvious” errors in the Air Quality and Greenhouse Gas Emissions Technical Report (AQGHGE TR) of Appendix G demonstrate that an effective review of the report was not performed prior to its submission, and that other errors (buried in its data sets, assumptions, data entry, etc.) likely exist?**

289.14

- 12. Errors found in one Technical Report of the DEIR can cause errors in a different Technical report of the DEIR because data and results are shared between reports.
  - a. **The Air Quality and Greenhouse Gas Emission Technical Report, Appendix G,** Section 4.2.1 states that Operation Impacts such as vehicular traffic will create pollutants. The modeling software was adjusted to include traffic estimates from the companion “Traffic Impact Analysis Technical Report” of the DEIR.
    - i. Specifically used was “the trip generation rate information for each land uses from the Traffic Impact Analysis (TIA; Urban Systems Associates 2012)... According to the TIA, Phase 1 would generate a total of 9,888 average daily trips (ADT); Phase 1 and 2 would generate 17,812 ADT; and Project Buildout would generate 26,961 ADT.”
  - b. Should any of the Traffic Impact Analysis values be in dispute or demonstrated as invalid (such as by members of the public other than by this commenter), then the data underlying and the conclusions in the Air Quality and Greenhouse Gas Emission Technical Report, Appendix G, must also be suspect and/or invalid.

289.15

13. The “Environmental Analysis” Section 5, based on the Air Quality and GHG Emissions TR Appendix G, reminds us there are numerous “sensitive receptors” in intimate proximity to

289.10 all emission source categories. Most emissions would be emitted and cont. dispersed into the atmosphere before reaching the surface. Therefore, the emissions from the building heights would not impact the receptors at the surface.

The City acknowledges that TACs include carcinogenic as well as non-carcinogenic compounds and particulates. However, as discussed in response to comment 63.134, there are no significant health risks associated with either the Originally Proposed Project or the Revised Project, as a TAC generator or receptor, because the TAC emissions would be below significance thresholds.

289.11 The City’s Development Services Department reviews each document included in an EIR prepared by environmental consultants to assure that the documents reflect the independent judgment of the City, as well as an accurate and unbiased analysis of a project. In keeping with this practice, the Air Quality and Greenhouse Technical Report was reviewed by City staff prior to public review.

289.12 As discussed in response to comment 63.136, URBEMIS2007 is an appropriate model, approved by the CARB, for evaluating air emissions related to the proposed development, and includes numerous factors associated with urban development projects, including workers vehicle trips, area disturbances, fugitive dust emissions, operational emissions from vehicle trips and appliance combustion, etc. With the additional emission estimates calculated with respect to energy use, solid waste, and water consumption, the results of the analysis included in the Draft EIR and associated air quality report are considered valid.

289.13 The comment claims there are “obvious errors” in the Air Quality and Greenhouse Gas technical report prepared for the Originally Proposed Project, but does not cite specific examples. As stated in response to comment 289.2, the City considers the Draft EIR and supporting technical studies to be comprehensive documents that represent a good faith disclosure of the environmental impacts associated with the Originally Proposed Project.

289.14 The City does not anticipate any major changes in the trip generation estimates estimated by the Traffic Impact Analysis. Furthermore, it is unlikely that any changes which could occur would have a substantial

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289.14 effect on the analysis and conclusions of the Draft EIR because the cont. emissions generated by individual projects, including the proposed development, have a cumulative rather than direct impact on regional air quality.

289.15 There are no significant health risks associated with either the Originally Proposed Project or the Revised Project. As discussed in response to comment 63.134, no significant levels of DPM would be generated by diesel-powered or refrigerated trucks making daily deliveries to the project, and a health risk assessment is not required. The potential TAC sources associated the project VOC emissions from the rooftop ventilation would be minor and not generate significant levels of TACs. Thus, TACs generated by the proposed development were found to be not significant and not to pose a health safety risk to future residents or sensitive receptors located in the project vicinity.

In addition, sensitive receptors (e.g., residential uses) associated with the proposed would not be exposed to unacceptable levels of DPMs from external sources (e.g. freeway emissions). CARB's Air Quality and Land Use Handbook: a Community Health Perspective recommends locating sensitive land uses such as residences, schools, daycare centers, playgrounds, or medical facilities at least 500 feet from roads with traffic volumes exceeding 100,000 vehicles/day. As the proposed development would be located over 1,500 feet from I-5, future development would not be exposed to a significant health risk from I-5.

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the Project, which should require decision makers to error on the side of caution with sufficient and reliable safeguards, such as requiring a quantitative Health Risk Assessment, not simply a qualitative, "back of the envelope," possibly biased and error-prone DEIR report.

- a. Existing sensitive receptor locations include schools and parks identified in Table 5.5-3, are Kinder Care Learning Center 3790 Townsgate Drive 0.15 mile; Carmel Valley Recreation Center 3777 Townsgate Drive 0.15 mile; Bridges – A Learning Center 3020 Del Mar Heights Road 0.15 mile; Solana Pacific Elementary 3901 Townsgate Drive 0.19 mile; Solana Highlands Elementary 3520 Long Run Drive 0.22 mile; Del Mar Pines School 3975 Torrington Street 0.45 mile; Carmel Creek Elementary 4210 Carmel Center Road 0.5 mile; Torrey Pines High School 3710 Del Mar Heights Road 0.6 mile.
- b. What the Air Quality report fails to adequately address is the health risk to the planned 608 new multi-family residences, which will contain children and elderly, as part of the Project.
  - i. The DEIR analysis of pounds/year of pollutants if all three Phases are on-going in parallel is insufficient to address these safety concerns. Release of pollutants as "mass/time" as presented in the DEIR Appendix G does not adequately address the "mass/volume", e.g. ug/m<sup>3</sup>, CAAQS and NAAQS standards listed in the Appendix G, for example at Table 3 and 4.
  - ii. Nor does such an analysis address whether during the Operational Phase the CAAQS and NAAQS standards listed in the Appendix G, for example at Table 3 and 4, are attained at the site. Only an HRA can adequately address this.
- c. Consequently, the DEIR fails to adequately address the Project's Operational phase TAC effects to either these sensitive receptors identified in Table 5.5-3, nor more surprisingly, to the residents of the 608 multi-family new residences that are part of the Project.

289.15  
cont.

289.16

289.16 As discussed in response to comment 63.134, there are no significant health risks associated with the Originally Proposed Project or the Revised Project. As also discussed in response to comment 63.134, the number of diesel-powered delivery trucks and refrigerated trucks visiting the project on a daily basis would fall well below the threshold identified by CARB. Therefore, DPM related to construction equipment as well as trucks delivering goods to the project in the operational phase would not pose a significant TAC risk to future residents on the property. As the potential for TAC impacts from the proposed development on surrounding receptors cited in this comment (e.g. local schools) would be even less than within the proposed development, the Draft EIR appropriately concluded that the project would not pose a health risk to sensitive receptors on or around the project site without specific analysis of each surrounding sensitive receptor. Thus, a detailed HRA is not warranted.

The emission levels identified in Tables 3 and 4 of Appendix G of the Draft EIR represent emission levels which are considered acceptable with local air basis such as the San Diego Air Basin. The emission levels in these tables are concentration-based and, consequently, are expressed in parts per million (ppm) or cubic meters (m3). Based on these concentration goals, the SDAPCD developed trigger levels based on pollutant mass in order to facilitate identification of impacts related to individual developments (refer to Regulation II, Rule 20.2, Table 20.2, Air Quality Impact Analysis (AQIA) Trigger Levels [SDAPCD 1998]). In turn, the City used these trigger levels to develop the thresholds cited in Sections 5.5 and 5.7 as well as of the Draft EIR. Thus, the Draft EIR and Appendix G of the Draft EIR appropriately utilize the mass-based rather than concentration-based thresholds in order to evaluate potential criteria pollutant impacts related to the proposed development.

The commenter correctly identifies a constant 70-year exposure as a standard assumption in health risk assessments. However, despite the scenarios suggested in the comment, it is highly unlikely that an individual would spend the 70 continuous years within or adjacent to the proposed development. Furthermore, as indicated in response to comment 63.134,

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- i. For example, although some pollutants can be assessed as exposure over a 70-year life span (as noted in the Appendix G), the report cavalierly fails to address the impacts to these sensitive and closest receptors.
  - 1. It can be assumed that these new residents can be exposed over the course of 70 years of Project Operational phase increase in pollutants and TACs caused by the Project.
  - 2. Further, since it seems to be a key DEIR assumption that some residents will live AND work AND play in the Project site (an assumption made when the DEIR attempts to justify mitigating traffic impacts), then the exposure to such residents may be increased.
  - 3. A Health Risk Assessment, accounting for air flow, air collection pockets, location of roof vents and other emitters in relation to ground level in view of the three levels of the Project, collection of pollutants/TACs in underground parking garages, etc. should be requested.
  - 4. Further, the Air Quality TR did not adequately account for the additional TACs/pollutants resulting from adjacency to I-5, particularly the reality of the Golden Triangle. No accurate or reliable measurement of TACs/pollutants from this area has been generated to date, as admitted in the report.
- d. A Health Risk Assessment (HRA) consists of four basic steps to assess potential public health risk from a particular facility.
  - i. First, **emissions of TACs from the facility are quantified.**
  - ii. Second, **ground-level impacts resulting from the transport and dilution of these emissions through the atmosphere are assessed by air dispersion modeling.**
  - iii. Third, **potential public exposure to these compounds resulting from this atmospheric transport are calculated.**

289.16 no significant levels of air contaminants are expected to affect future cont. occupants of the proposed development. Thus, no detailed health risk assessment is warranted.

289.16 cont.

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289.16  
cont.

iv. Finally, **potential cancer and non-cancer health risks resulting from the calculated exposures are estimated** using dose-response relationships developed from toxicological data.

e. Which above steps of an HRA were followed in the DEIR?

i. None were performed quantitatively.

ii. By definition (and as admitted in the report) the Air Quality and GHG Emissions TR is a qualitative assessment.

1. This is true despite the tables and calculations in the TR.

2. As admitted in Appendix G, section 4.2.4 Operational Toxic Air

Contaminants Impacts, "It is unknown at the time of writing, the types of tenants that would occupy retail space at the project site."

Consequently, a quantitative assessment was not performed.

f. Because of the multiple sensitive receptors and their intimate proximity to the Project, potentially during all Phases including the Operational Phase, and the potential for long-term exposure, and in view of the Project characteristics (multi-level, high-density etc.) should decision makers error on the side of caution by requesting an HRA?

289.17

14. The URBEMIS modeling software selection and its method of use in the **Air Quality and Greenhouse Gas Emission Technical Report, Appendix G**, raises the additional following concerns.

15. Appendix G, page 37, states that "Construction emissions were estimated using the URBEMIS model, Version 9.2.4 (Rimpo and Associates 2007) and construction equipment estimates based on default values in the model."

a. What were the default values? Are they relevant to San Diego? Are they relevant to Carmel Valley?

289.18

16. The modelling software that underlies the Air Quality and Greenhouse Gas Emissions Technical Report, the URBEMIS model, Version 9.2.4 (Rimpo and Associates 2007), has NOT been adapted to San Diego.

289.19

289.17 Refer to response to comment 63.134.

289.18 Construction activities across the state are considered similar. Thus, the emission factors used in the URBEMIS2007 for construction equipment are considered sufficiently comparable across the State to validate the estimates contained in the Draft EIR. In addition, the County of San Diego's Report Format and Content Requirements related to Greenhouse Gas Analyses and Reporting (June 20, 2012) identifies URBEMIS as an acceptable model for quantifying construction GHG emissions (page 12). Lastly, the Draft EIR estimates are based on construction material and earth quantities which are specific to the Originally Proposed Project.

289.19 As recommended in the FAQ text included in the comment, the California state-wide default values in URBEMIS2007 were adjusted, whenever possible. Although the default meteorological conditions from URBEMIS were used, other model factors were adapted to the San Diego region and the proposed development. The average daily trip (ADT) generation rate used for the analysis were based on the Traffic Impact Analysis for One Paseo Project. URBEMIS default values for the trip characteristics such as average trip speeds, trip percentages, and

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- a. This is stated by the developer of the URBEMIS software. See the FAQ by the URBEMIS developer at [http://www.urbemis.com/support/FAQv9\\_2.html](http://www.urbemis.com/support/FAQv9_2.html)
- b. The URBEMIS FAQ States:
  - i. "Why isn't there an Emfac database for San Diego?"
    - 1. "The **San Diego County Air Pollution Control District has not participated in the development of Urbemis**. Consequently, neither county level default files nor San Diego specific EMFAC2007 files have been developed for use with Urbemis 9. For projects in San Diego, one possible solution is to use the California Statewide default file and then modify temperatures, trip lengths, etc. We encourage users to leave a message on the Support Forum discussing the specific changes they have made and sharing their ideas for modeling projects in the San Diego area."
    - 2. However, the "Support Forum" has been discontinued due to spamming and complaints about this software. See <http://www.urbemis.com/phpbbs/removeBB.html>
      - a. The Support Board states: "The Urbemis Bulletin Board has been temporarily removed. The board was compromised and numerous spam was placed on the site. We are working to correct the problem, and apologize for the inconvenience."
- c. In view of the above, the Air Quality Technical Report and Greenhouse Gas Emission Technical Report did not use "default values" much less other values noted above that have been **validated** for San Diego.

- 17. At least one error has been identified with the URBEMIS model, Version 9.2.4, software selected for modeling in the DEIR.
  - a. More errors might exist and could be reported, however, the "Support Form Board" for this software has been removed, as noted above.
  - b. This error is reported at the "South Coast Air Quality Management District web site at <http://www.aqmd.gov/ceqa/models.html>
  - c. The SCAQMD reports this error stating:
    - i. "Transportation and Land Use Programs Computer Model (URBEMIS 2007 v.9.2.4): The latest URBEMIS 2007 model (version 9.2.4, February 2008) estimates air pollution emissions from a wide variety of land use projects. (NOTE: An **error has been identified** associated with **the fugitive dust**

289.19 trip lengths for six different trip types (home-based work trips, home-cont. based shopping trips, home-based other trips, work trips, commercial-based non-work trips, and commercial-based customer trips) were used. According to the URBEMIS User Guide, the vehicle trip characteristics data were obtained from the Institute of Traffic Engineers (ITE) and the San Diego Association of Governments (SANDAG) and are, therefore, specific to San Diego. Further, as discussed in the response to comment 289.18, the County of San Diego guidance identifies URBEMIS as an acceptable model for quantifying GHG emissions.

Thus, it is concluded that the use of the statewide default values in URBEMIS2007 model, as customized to reflect the proposed development, was an appropriate basis for assessing air quality and greenhouse gas impacts in the Draft EIR.

289.20 With regards to the fugitive dust error in the URBEMIS2007 model, the cited error in the URBEMIS model would occur if both watering and chemical suppressants measures are used in the analysis. Therefore, the SCAQMD recommends that users not apply both watering and chemical suppressants measures in the URBEMIS2007 model at the same time, and instead choose only one option. In San Diego County, the project applicant is free to choose whatever fugitive dust controls are feasible for the site, in accordance with SDAPCD Rule 55. For the proposed development, it was assumed that dust control would be achieved by watering alone. Chemical suppressants were not assumed in the analysis. Because only watering was modeled, in accordance with SCAQMD guidance, the error cited in the UREMBIS2007 model does not affect the air quality analysis in the Draft EIR.

289.19 cont.

289.20

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289.20  
cont.

construction mitigation measures for PM. Therefore, the only mitigation measures acceptable for use are either watering OR chemical suppressants.)”

18. Appendix G Air Quality TR states that “fugitive dust” will be generated during the Construction phase of the project. See Appendix G, page 64: “Construction emissions would include emissions associated with fugitive dust, heavy construction equipment and construction worker commuting to and from the site.”

289.21

a. Despite the above error noted in the URBEMIS model software, rather than create a mitigation requirement to reduce “fugitive dust”, the DEIR in contrast states, at DEIR page 5-5.11 with respect to construction phase: “Mitigation, Monitoring, and Reporting: No mitigation measures would be required.”

19. Regarding generation of “fugitive dust”, particulates (PM10, PM2.5) and other soil generated pollutants, the Project requires significant Underground Parking. An estimate of cubic yards of soil to be removed from the Project site is stated in the Air Quality and GHG Emissions TR Appendix G, but without any supporting documentation. See Section 3.3.2 Grading and Construction.

289.22

a. **This is a critical input data, but is apparently undocumented.**  
b. Further, the estimated square footage relied on by the Appendix G and URBEMIS software to apparently calculate fugitive dust, particulate matter, and other pollutants for the Construction phases (and possibly for the Operational phase) “excludes parking structures” as stated in Appendix G, Table 1, footnote 3.

- i. While this exclusion of square feet may be correct for the purpose of describing and calculating gross leasable space according to the cited City of San Diego LDC Sections 113.0234 and 142.0560 as noted in that Table, it would underestimate air quality impacts due to construction, excavating, grading, etc. and perhaps other impacts investigated by the DEIR as well.
- ii. Since the parking structures are three dimensional underground, the volume for each parking floor must be determined, not simply the “square footage”; thus, this exclusion may have a higher impact than immediately apparent.

289.23

20. Given the seriousness of Air Quality to health, and in view of the concerns raised herein, and further in view of the limitations of the URBEMIS software admitted in the DIER Appendix G,

289.21 The dust control measure of watering twice daily during construction is considered a project design feature (not mitigation measure) because dust control is mandated by SDAPCD Rule 55 as well as Section 142.0710 of the City’s Municipal Code. Furthermore, as discussed in response to comment 289.20, the error cited in URBEMIS did not affect the analysis conducted for the Draft EIR.

289.22 The commenter correctly indicates that the footnote in Table 1 of the Appendix G of the Draft EIR is a disclosure related to the basis for calculating GLA. However, that figure was not the basis for calculating emissions associated with grading. Rather, the dust analysis in Appendix G of the Draft EIR is based on the grading estimates provided by the project applicant’s engineer.

Excavation was not based on square footage of the parking structures. The estimate of excavation for the parking structures was based on the volume of soil to be removed based on the grading plan included as Figure 3-7 of the Final EIR. A grading estimate prepared by a Registered Civil Engineer, based on an explicit plan, is an appropriate basis for calculating dust impacts associated with the proposed development.

289.23 Refer to response to comment 289.18.

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then (at the least) a second “modeling” software should be selected and used, if only to validate the URBEMIS modeling software.

- a. The South Coast AQDM, for example, lists several modeling software. See <http://www.aqmd.gov/ceqa/models.html>
  - i. “The following models are available to assist the CEQA practitioner in calculating impact to air quality. The following links will take you directly to these models located on other websites.”
  - ii. Each has strengths and weaknesses related to coastal areas and San Diego in particular.

- 21. Air Quality modeling software can provide output “Based on inputs of meteorological data and source information like **emission rates and stack height...**” amongst other project specific factors. See <http://www.epa.gov/scram001/aqmindex.htm>
  - a. However, despite the fact that three levels of grading are present in the Project such that various mobile and stationary TAC and pollutant emitters, e.g. “stack heights”, roof vents, etc. are likely to be in proximity to ground level or other receptors, the DEIR Appendix G Air Quality and GHG Emissions TR does not address or measure air quality affects due to such height differences of three levels as mentioned above.
  - b. Does the URBEMIS software include the ability to adjust for such variances from a standard one-level project?
  - c. Did use of the URBEMIS software account for this feature of the Project? It is believed this was not done.

- 22. The Air Quality and Greenhouse Gas Emission TR bases its conclusions of lack of significant effect of pollutants on time periods described as about 40 months of construction, but full build-out is also described as taking until 2030. Thus construction and its impacts should not be dismissed merely as being over in “less than two years” as done in (see Section 5, Environmental Analysis at page 5-13.4.
  - a. “The proposed construction period of less than two years for each phase...” (see Section 5, Environmental Analysis, page 5-13.4:)
  - a. “A horizon year **of 2030 is expected to be the Project’s full buildout.** The air quality and climate change evaluation addresses the potential for air emissions during construction and after full buildout of the Project.” (AQGHGE TR at page 1)

289.24 As discussed in response to comment 289.10, the elevations of the potential TAC sources on the project site are not relevant. Furthermore, as discussed in response to comment 63.134, significant TAC emissions would not be generated by the project. Nor would future residents be significantly impacted by TAC generated by surrounding land uses. TAC impacts associated with the project are not considered significant, and no need exists to conduct a quantitative health risk assessment. Thus, the elevation differences between buildings are immaterial for the purposes of the analysis.

289.25 This comment mischaracterizes the conclusions of the Draft EIR. As discussed on page 37 of Appendix G of the Draft EIR, the analysis of potential construction emissions was based on three different construction scenarios. The 40-month buildout would occur under the third scenario, which makes the unlikely assumption that all three phases of the project are built at one time. The reference to the construction period being less than two years on page 5.13-4 does conflict with the construction phasing information presented on page 37 of the air quality report. However, the analysis is predicated upon the information presented in the air quality report. This does not change the conclusion that the construction period would be less than the 70-year exposure threshold used for determining the potential for health risks. In order to provide a comprehensive estimate of the potential air quality and greenhouse gas impacts associated with the project, the analysis also examines the combined impacts of construction which occur after portions of the project have already been developed. Upon completion of the project, the analysis appropriately limits its focus on daily operational emissions without construction emissions.

289.23 cont.

289.24

289.25

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23. The time to Full-Buildout, and thus its impacts and exposure times, cannot be reliably predicted.

a. As noted by another EIR company:

- i. "It is important to point out that these buildouts do not predict when full buildout will occur, at what rate it will occur, or where it will occur first. It only predicts the possible end result. There are some models that attempt to predict these characteristics, but **my experience is that these models are wildly inaccurate**, especially when used for the small towns and rural areas I work with." See <http://donmeltz.com/blog/index.php/2010/06/22/buildout-analysis-overview/> (quoting Don Meltz, planning and GIS is an independent planning consulting firm since 2002.)
- i. A fair Buildout analysis must consider full buildout in neighboring areas, and must also assume that re-zoning to High Density Mixed Use according to CA General Plan will occur in other areas. That is not adequately addressed in the DEIR.
- ii. As a consequence, the long-term Air Quality impact may not be reliable.

b. Further, long term health impacts are impacted directly by the "types of tenants" of the Project and their associated type, amount, location of emissions, during Operations Phase. Since the DEIR admits this has not been taken into account, the Air Quality impact may not be reliable.

24. At least some assumptions in the AQGHGE TR that are project specific are not fully or adequately cited or supported.

- a. For example, no clear data is cited or provided for the assumption of the cubic yard of excavation soil to be removed and transported from the Project site. (Or even fill brought to the Project site.)
- b. For example, selection of the Marine Corp Air Station (MCAS) Miramar meteorological monitoring station simply because it is "the closest meteorological monitoring station to the Project site" is not scientifically justifiable, although it may have been convenient. See Appendix G, 2.1 CLIMATE AND METEOROLOGY, page 3.
  - i. The MCAS meteorological station is approx. 8 miles further inland and 10 miles south of the Project site, and has intervening land masses between it and the ocean not present in at the Carmel Valley Project site. And

289.26 This comment misinterprets the meaning of the word "buildout" in the context of the air quality/GHG analysis completed for the Draft EIR. For purposes of the air quality/GHG analysis, buildout referred to completion of all phases of the proposed development. It was not intended to refer to full buildout of the area around the project site or the region. Thus, the suggestion that regional buildout predictions would be unreliable is unrelated to the validity of the air quality/GHG analysis completed for the proposed development.

289.27 As stated in response to comment 63.134, there is no evidence to suggest that there is a significant health risk to future tenants of the proposed development or existing uses around the project. Because the project would not exceed screening thresholds for a health risk assessment, there is no need to attempt to more specifically characterize future residents within the project or their sensitivity of air emissions.

289.28 Refer to response to comment 289.22.

Meteorological information from MCAS Miramar was used in the air quality analysis because it is the meteorological station closest to the project site. As stated on page 5.5-7, criteria pollutant monitoring stations operated by the SDAPCD were used to evaluate the criteria pollutant impacts of the project. The MCAS Miramar meteorological data is applicable to the project site because the site is located in an urban area and the surface prevailing winds generally move in the same directions over large geographic areas.

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289.28  
cont.

experiences different weather patterns and air flow than CV and the Project site.

- c. What meteorological monitoring or weather data gathering station(s) is a better representative of CV weather and wind patterns?
  - i. A Del Mar Heights weather station (Station 610) exists nearby to the Project. See SDGE website <http://www.sdgeweather.com/station.php?s=DMH>
  - ii. Why was the Del Mar Heights station not selected?
  - iii. Would the Camp Pendleton metrological station, closer to the coast, be a better representative station?
  - iv. What difference to the model outcome if the Del Mar Heights station data was selected?
  - v. A comparison of published wind and weather data reported for the Del Mar Heights station to the Miramar station indicates significant differences.
- d. The AQGHGE TR at page 4 admits to the degradation of air quality by such coastal weather patterns, such as temperature inversions of subsidence and radiation, that contribute to local air quality degradation, and prevents dispersion of toxic emissions. And further, the sun, particularly in summer, contributes to creation of toxic chemicals. See Appendix G, page 4:
  - i. "Due to its climate, the SDAB experiences frequent temperature inversions (temperature increases as altitude increases). Temperature inversions prevent air close to the ground from mixing with the air above it. As a result, air pollutants are trapped near the ground. During the summer, air quality problems are created due to the interaction between the ocean surface and the lower layer of the atmosphere, creating a moist marine layer. An upper layer of warm air mass forms over the cool marine layer, preventing air pollutants from dispersing upward. Additionally, hydrocarbons and nitrogen dioxide (NO2) react under strong sunlight, creating smog. Light, daytime winds, predominately from the west, further aggravate the condition by driving the air pollutants inland, toward the foothills. During the fall and winter, air quality problems are created due to carbon monoxide (CO) and NO2 emissions. High NO2 levels usually occur during autumn or winter, on days with summer-like conditions (SDAPCD 2008a)."

289.29

289.30

289.29 The SDG&E's Del Mar Heights weather data was not used because this site is designed to assist SDG&E in maintaining the integrity of its power lines. As a result, the site monitors only relative humidity and gust wind speeds. If the gust wind speed data were used in the air dispersion models, the predicted emission concentrations would be near zero, due to the high wind speeds, which could underestimate potential impacts.

The Camp Pendleton station is not considered appropriate because the monitoring station has been used for reporting background information on O<sub>3</sub>, NO<sub>2</sub> and PM<sub>2.5</sub> being transported into the San Diego Air Basin from the South Coast regions (i.e., L.A. and Orange Counties) to the north. Because the land use around Camp Pendleton are mostly open space and not urbanized, the use of the Camp Pendleton monitoring data would not be representative for the proposed development area.

289.30 The excerpt from the Air Quality analysis cited in this comment refers to conditions within the overall San Diego Air Basin. This regional context is appropriate for impacts from criteria pollutants, other than CO, because they occur and are measured in a basin-wide context. While marine layers are more common toward the coast, they can extend inland. Inversions can be experienced inland as well as along the coast. Nevertheless, the criteria pollutant emissions from projects are assessed on a basin-wide rather than local basis, except for CO. Thus, specific local meteorological conditions are generally not relevant to assessing air quality impacts.

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289.30  
cont.

e. The near-coastal zone in which CV and the Project site are located is affected by coastal weather patterns, such as inversions, marine layer, etc. that can seriously degrade air quality and air flow, that **are not the same as sites further inland.**

289.31

25. Neither the URBEMIS model nor the AQGHGE TR has included a prediction of La Nina/El Nino conditions that can drastically increase temperature inversions.

- a. Forecasts and predictions are available.
- f. For example, the Experimental Climate Prediction Center at the Scripps Institution of Oceanography is forecasting the moderating of La Niña conditions to transition to El Niño (warm) conditions during winter/spring of 2012/2013.
- g. The selected MCAS meteorological station and areas east of CV and the Project site are not as drastically affected by coastal temperature inversions.

289.32

26. The Project’s high-density and obvious traffic blocks create downtown-like scenario, not a “village.”

- a. The AQGGE TR admits that downtown San Diego has CO values higher than other areas of SD County because of its traffic congestion!
- b. The study fails to adequately account for emissions due to the proximity of I-5, the Golden Triangle gridlock, etc. as stated elsewhere in these comments.
- c. See Appendix G, page 13, states that: “Because of the location of the monitoring station in downtown San Diego, where traffic congestion is prevalent, the station has higher concentrations of CO than are measured elsewhere in San Diego County and the background data are not likely to be representative of background ambient CO concentrations in the Project vicinity.”
- d. The NO1, particulate matter (PM10, PM2.5) and Ozone were not reported using the Downtown site was deemed as not similar to the Project site. as “conservative measures.” Instead, Del Mar/Mira Costa College and Kearney Mesa Overland Ave. were used.

289.33

27. Neither of the two monitoring stations, Del Mar/Mira Costa College and Kearney Mesa Overland Ave., selected in the AQGGE TR are representative of the CV Project site.

289.31 The air quality analysis completed for the project is appropriately based on climate conditions which have historically occurred in the San Diego region. While intermittent conditions, such as La Niña/El Niño cited in this comment, would temporarily affect the local climate, it would be inappropriate to base the analysis on these conditions because they occur infrequently, would not exist at the time the project is constructed and/or would vary through time.

289.32 As discussed on pages 5.5-6 and 5.5-7 of the Draft EIR, ambient criteria pollutants were evaluated using different APCD monitoring stations to be most representative of the project site. Due to its coastal influence, the data from the Del Mar-Mira Costa College monitoring station was used for ozone levels due to the localized influence of marine layers on ozone levels. The Kearny Mesa station was used for all other pollutants (except CO and SO<sub>2</sub>) because it provides a conservative estimate of the highest background pollutant concentrations in the project area. The downtown monitoring station was chosen for CO and SO<sub>2</sub> because background CO levels are higher downtown than in Carmel Valley. By using elevated ambient CO levels, the CO hot spot analysis for the proposed development would be considered conservative because the base level downtown would already be high.

289.33 As discussed in response to comment 289.32, the air quality analysis carefully selected which monitoring station to be used for each specific criteria pollutant. The baseline data from these monitoring stations is unaffected by future emission sources because the stations only measure actual criteria pollutant levels. Furthermore, the current pollutant levels are not relevant to the calculations of the project impacts. While they are

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289.33  
cont.

- a. Neither are similarly located with respect to the coast, coastal winds, to adjacent freeways and traffic congestion sites, or with respect to population density or land use. See map at <http://www.sandiego.gov/planning/genplan/pdf/peir/3p2d1airbasins.pdf>
- b. As discussed elsewhere herein, the CV Project site and adjacent area has additional possible emission concerns. As consequence, the baseline current emissions values may be artificially low.
- c. As a consequence, the cumulative assessment of emissions during the Project and at full-buildout may be artificially low.
- d. The health risks are increased accordingly.

289.34

- 28. Was the air quality model selected to calculate particulate emission and or fugitive dust adjusted for the clay and/or silt soil of the Project site, with its higher fine particulate content, as opposed to a standard dirt/organic soil?
  - a. Section 5.2, page 5.2, confirms the clay and/silt soil rather than a dirt soil will be present at the Project site: "As indicated in the Geotechnical Report (Geotechnical Investigations, Inc. 2008), soils underlying the site include **clay and silty soil.**"
  - b. **Silt** is granular material of a size somewhere between sand and clay. Silt is easily transported in water or other liquid and is **fine enough to be carried long distances by air** in the form of dust. A main source of silt in urban rivers is disturbance of soil by construction activity. **Clays are typically even finer than silts.**

289.35

- 29. Cancer Risks associated with the Project, have not been fully estimated or calculated, and absent a quantitative determination, e.g. HRA, should not be tolerated or risked, particularly with schools, daycare and homes in intimate proximity with the Project and its TAC and other pollutant emitters.
  - a. Project-associated emitted TACs include carcinogenic compounds and particulates.
  - b. Appendix G, Section 2.2.2, page 6, admits: "The carcinogenic potential of TACs is a particular public health concern because it is **currently believed by many scientists that there is no "safe" level of exposure to carcinogens**, that is, any exposure to a carcinogen poses some risk of causing cancer."

289.33 indicative of existing air quality and are useful in developing regional cont. strategies to reduce levels which exceed state and federal standards, they are not relevant to the primary focus on the air quality analysis prepared for the proposed development which is to determine the criteria pollutant quantities generated by future development. Similarly, the data from air monitoring stations is not relevant to the discussion of cumulative impacts, as project emissions determine whether contributions to regional air quality impacts are cumulatively considerable.

289.34 The default soil conditions assumed in the URBEMIS2007 model are adequate for assessing potential construction dust impacts associated with the project. Soil conditions assumed in the model are based on a 1996 BACM study conducted by Midwest Research Institute (MRI) for the South Coast Air Quality Management District (SCAQMD). MRI observed operations at eight construction sites (three in Las Vegas, and five in California). The observed activity data was then combined with operation-specific emission factors provided in U.S. EPA's AP-42 (5th Edition) document to produce site emissions estimates. These site soil estimates (which include clay and silt) were then combined to produce the overall average emission factor of 20 pounds PM<sub>10</sub>/acre-month.

289.35 As discussed in response to comment 63.134, future residents, employees and patrons of the proposed development would not be exposed to significant health risks. As noted in this response, TAC emissions from major sources beyond 500 feet of a receptor do not pose a health hazard. Thus, contaminants from I-5, the Golden Triangle, or other areas outside of this radius need not be considered.

The conclusions in the Draft EIR with respect to health risks were not "cavalier or calloused." The evidence for this conclusion is presented in response to comment 63.134, as well as pages 5.5-25 and 26 of the Draft EIR. As discussed in response to comment 289.25, the reference to a two-year exposure is misleading, and does not accurately characterize the analysis.

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- c. The DEIR analysis is further faulted for not considering the additional effect of TAC and pollutant emitters from the adjacent I-5, the consequences of the Golden Triangle grid-lock, increased diesel truck traffic from Mexico due to NAFTA, increased non-EPA-compliant trucks from Mexico due to NAFTA, etc.
- d. The Appendix G does not directly calculate or adequately address this serious exposure concern.
- e. The conclusions of the DEIR are cavalier and callous, based on its “less than two year” exposure period. Particularly when other emitters have not been determined, and monitoring stations may not be accurately representative of the Project site
- f. According to the CA Air Resources Board (see <http://www.arb.ca.gov/research/aaqs/caaqs/pm/pm.htm>)
  - i. “Extensive research indicates that exposure to outdoor PM 10 and PM 2.5 levels exceeding current air quality standards is associated with **increased risk of hospitalization for lung and heart-related respiratory illness, including emergency room visits for asthma**. PM exposure is also associated with **increased risk of premature deaths, especially in the elderly** and people with pre-existing cardiopulmonary disease. **In children, studies have shown associations between PM exposure and reduced lung function and increased respiratory symptoms and illnesses**. Besides reducing visibility, the acidic portion of PM (nitrates, sulfates) can harm crops, forests, aquatic and other ecosystems.”

30. An additional error in the related Environmental Analysis Section 5, relates to timing of the construction phases. The time period stated in the Analysis conclusion section is “**less than two years for each phase**.” In contrast, elsewhere the DEIR provides numbers **longer than two years** for two of the most polluting phases 1 and 3:

- a. Section 5: “The proposed construction period of **less than two years for each phase** would be much less than the 70-year period used for health risk determination.”
- b. Elsewhere the DEIR inconsistently states: “Based on construction schedule estimates provided in the Project Traffic Impact Analysis (USAI 2012; Draft EIR Appendix C), Scenario 1 (sequential construction of Phases 1, 2, and 3) assumes durations of **28 months** for construction of Phase 1, 22 months for Phase 2, and **31 months for Phase 3**.” (And that assumes no delays!)

289.36 Although the references to the duration of the various construction phases would not be consistent throughout the Draft EIR and Appendix G of the Draft EIR, this inconsistency did not affect the daily mass emission rates, and would not change the overall conclusion that construction activities would not result in a significant direct or cumulative impacts with respect to air quality and greenhouse gas emissions.

289.35  
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289.36

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- 289.37 31. An additional error is found in the Appendix G, Table 3, pages 10-11, that presents 2010 standards for federal (NAAQS) and state (CAAQS) Ambient Air Quality Standards, **not the more recent 2012 standards.**
- a. Table 3 and its footnotes are a direct cut-and-paste from the California Air Resources Board slide dated Sept. 8, 2010, reproduced for example at <http://www.vcapcd.org/pubs/Monitoring/aaqs2.pdf>.
  - b. Table 3 presents the outdated standards and list of pollutants.
  - c. The new 2012 standards from the California Air Resources Board, dated Feb.7, 2012, are found at <http://www.arb.ca.gov/research/aaqs/aaqs2.pdf>.
  - d. At least one difference between the new and old standards is that the new standard lists Sulfates as a pollutant, setting a maximal 24- Hour period exposure of 25 µg/m3. No federal standard has been set.
    - i. **The DEIR does not assess Sulfate emissions**, even though it mentions the health hazards of "Sulfates": "The CARB's sulfates standard is designed to prevent aggravation of respiratory symptoms. Effects of sulfate exposure at levels above the standard include a decrease in ventilatory function, aggravation of asthmatic symptoms and an increased risk of cardio-pulmonary disease. Sulfates are particularly effective in degrading visibility, and due to fact that they are usually acidic, can harm ecosystems and damage materials and property."
- 289.38 32. As already noted, the DEIR failed to use the 2012 Ambient Air Quality Standards, relying instead on the 2010 standards.
- a. This commenter identified at least one additional difference between the old and new standard: A new Sulfur Dioxide (SO2) standard has been established that is not properly reflected in the Appendix G Table 3 of the DEIR.
  - b. The new standard lowers the Sulfur Dioxide threshold needed for attainment and safety.
  - c. This commenter has not examined every aspect of the new standards against the old standard used in the DEIR.
  - d. Are there other less obvious errors and perhaps more difficult to find errors in the TR?

289.37 Table in Appendix G of the Draft EIR and Table 5.5-1 have been updated in the Final EIR to reflect the most recent version of the CARB's State and National Ambient Air Quality Standards released in February 7, 2012. Refer to response to comment 63.127 for more discussion about the NAAQS updates.

The revised state standard for sulfates has been added to Table 5.5-1 of the Draft EIR. However, this revised standard does not affect the conclusion that the project would not have a significant sulfate impact because the impact determination is based on mass standards identified in Table 5.5-4 of the Draft EIR. As concluded in Table 5.5-7, the sulfates produced by the project would not exceed the mass standards established by CARB.

289.38 As discussed in the previous response, the CAAQS standards have been updated in Appendix G of the Final EIR and the Final EIR. As also discussed in response to comment 63.127, the air basin is in attainment for sulfates, and sulfate impacts associated with the project would not be significant.

Without specific citations of errors inferred at the end of this comment, no specific response can be offered.

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33. The determination of "Existing Criteria Pollutant Levels" presented in Section 2.2.3 of Appendix G, page 13, Table 4, **fails to list correct standards or accurately describe those standards.**

289.39

a. In presenting the "Existing Criteria Pollutant Levels" in Section 2.2.3 of Appendix G, page 13, Table 4, the PM10 and PM2.5 values are described as "Annual Max". This is incorrect. The values are "annual arithmetic means" not "maximums". See San Diego County Air Pollution Control District data at <http://www.sdapcd.org/info/reports/5-year-summary.pdf>

289.40

b. The "Existing Criteria Pollutant Levels" in Section 2.2.3 of Appendix G, page 13, Table 4, fails to list the correct CA Ambient Air Quality Standard (CAAQS) Annual Mean for PM2.5. Table 4 incorrectly states the standard as 15 ug/m3. However, the correct CAAQS standard provided by the CA Air Resources Board is **12 µg/m3** (see <http://www.arb.ca.gov/research/aaqs/aaqs2.pdf> )

289.41

c. The "Existing Criteria Pollutant Levels" in Section 2.2.3 of Appendix G, page 13, Table 4, fails to list the correct National Ambient Air Quality Standard (NAAQS) Annual Mean for PM2.5. Table 4 incorrectly states the standard as 12 ug/m3. However, the correct NAAQS standard provided by the CA Air Resources Board is **15 µg/m3** (see <http://www.arb.ca.gov/research/aaqs/aaqs2.pdf> )

289.42

d. The "Existing Criteria Pollutant Levels" in Section 2.2.3 of Appendix G, page 13, Table 4, incorrectly lists a National Ambient Air Quality Standard (NAAQS) Annual Mean for PM10. The National standard has been revoked. See <http://www.arb.ca.gov/research/aaqs/aaqs2.pdf> )

289.43

e. The "Existing Criteria Pollutant Levels" in Section 2.2.3 of Appendix G, page 13, Table 4, fails a CA Ambient Air Quality Standard (CAAQS) Annual Mean for PM10. Table 4 provides not CAAQS value for PM10 Annual Mean. However, a State standard does exist. The CAAQS standard provided by CA Air Resources Board is 20 ug/m3 (see <http://www.arb.ca.gov/research/aaqs/aaqs2.pdf> )

289.44

f. The accuracy of the other pollutant standard values, and calculated values, have not been verified by this commenter.

289.39 The purpose of Table 4 in Appendix G of the Final

289.40 The commenter is correct. Table 4 inadvertently transposed the PM<sub>2.5</sub> standards between the NAAQS and CAAQS. Table 5.5-1 has been revised to show that the annual PM<sub>2.5</sub> standard is 12 µg/m<sup>3</sup> for CAAQS and 15 µg/m<sup>3</sup> for NAAQS. However the corrections to the standards have no effect on the analysis because the model predicts the mass emission rates for each pollutant, which are compared to the City's thresholds.

289.41 Refer to response to comment 289.40.

289.42 The commenter is correct. Table 5.5-1 for the Final EIR has been corrected to show that the annual PM10 standard of 20 µg/m<sup>3</sup> is for CAAQS, not NAAQS. However, this correction has no effect on the analysis because the model predicts the mass emission rates for each pollutant, which are compared to the City's thresholds.

289.43 Refer to response to comment 289.42.

289.44 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

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289.45 g. Since Table 4 was generated by the drafter of the AQGHGE TR, and is not a direct cut-paste, it may reflect carelessness, misjudgment, and/or lack of proper internal review prior to submission.

289.46 34. These errors once again raise the question whether less obvious, harder to find errors underlie the DEIR report and its conclusions.

a. For example, the conclusion at Appendix G, page 12 and based on Table 4, of days where PM exceeded the state or national thresholds may be inaccurate.

289.47 35. For example, Appendix G, page 12, may not be accurate in stating that "The Kearny Mesa monitoring station measured one exceedance of the daily California PM10 standard in 2007, during the period of the October 2007 wildfire season." and incorrectly concludes that: "The Kearny Mesa monitoring station measured at least one exceedance of the annual federal PM10 standard during the period from 2007 to 2010; however, one exceedance per year is exempted under NAAQS."

a. Under State law and CAAQS standards, one exceedance of air quality is NOT EXEMPTED.

b. Consequently, according to State law, the existing ambient air quality for Carmel Valley area may already in exceedance of CAAQS, even assuming the Kearney Mesa monitoring station is a fair selection and reasonable representation of CV (which is disputed in these comments), and further troubling as adjacent emitters and conditions discussed elsewhere in these comments have not been adequately accounted for.

289.48 36. Further examples suggesting bias is found in Appendix G, Table 4.

a. The Table 4 of Appendix G arguably misleadingly represents the existing ambient background concentrations for PM2.5. The state standard, CAAQS, not to be exceeded is 12 ug/m3 as an annual arithmetic mean. The Table 4 presents the 2008 values as "11.75", which if rounded is 12. A value of "12" would carry more impact on decision makers, as it implies there is no room for increase. In contrast, values in the Table for other emissions not so close to or already over their standard values, e.g. "annual max" PM10, were rounded upwards.

289.45 Without specific citations of errors inferred in this comment, no specific response can be offered.

289.46 The number of days that PM exceeded the state or national standards is accurately stated in Table 4 of Appendix G of the Draft EIR and Table 5.5-1 of the Draft EIR.

289.47 The comment is correct that exemptions from ozone standards are not allowed under the CAAQS. However, the discussion of an exemption from the ozone standard on page 5.5-10 of the Draft EIR is only related to federal standards. The Draft EIR did not claim that such an exemption is allowed under CAAQS.

As discussed in response to comment 289.33, current criteria pollutant measurements taken at SDAPCD monitoring stations are unaffected by future development, and only serve as a baseline for the analysis.

289.48 The commenter suggested that the annual arithmetic mean monitored value 11.75 µg/m³ for PM<sub>2.5</sub> should have been rounded up to 12 µg/m³ in Table 4 of Appendix G of the Draft EIR. The values reported in Table 4 were obtained directly from APCD, and presented to the degree of accuracy they were recorded.

The City acknowledges that air quality within the SDAB fluctuates. However, as stated in response to comment 289.33, the current pollutant levels are not relevant to the calculations of the project impacts.

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289.49 b. The Appendix G states that the Kearney Mesa site experienced only one exceedance of National standards and one exceedance of State standards. However, the San Diego County Air Pollution Control District acknowledges that many more days were actually exceeded during and subsequent to the 2007 Wildfire. Levels were as high as PM10 of 500 µg/m3 (See [http://sandiegohealth.org/air/apcd/5year\\_smog.pdf](http://sandiegohealth.org/air/apcd/5year_smog.pdf) ) Fine PM2.5 particulates remained airborne much longer than the heavier PM10 particulates. The federal PM2.5 24-hour standard was exceeded 22 times among five different sites during the fires. Maximum 24-hour PM2.5 concentrations of over 125 µg/m3 were recorded in October. Accumulated ash and strong winds contributed to elevated particulate levels for many weeks following the fires. **Admittedly, these exceptional fire-related exceedances of 2007 are not** used for purposes of attainment/non-attainment designation, being considered exceptional events. Nevertheless, one must question the related summary provided in the DEIR.

289.49 As acknowledged in the comment, the particulate conditions which occurred during the 2007 wildfires were an anomaly and do not provide a basis for questioning the validity of the air quality analysis, as inferred in this comment.

289.50 37. One can question the DEIR’s wisdom and/or validity of selecting the Kearney Mesa Overland Avenue monitoring station to represent particulate matter (PM10 and PM2.5) and its carcinogenic potential. The Kearney Mesa Overland Avenue location is not adjacent to I-5, and is west of I-805. **In contrast**, the Project site is essentially adjacent to the I-5 freeway and the notorious Golden Triangle, where traffic gridlocks and idles daily, and increases during summer and racing season. Westerly winds would tend to push pollutants and emissions to the project area.

289.50 As discussed in response to comment 289.33, the selection of the Kearny Mesa station is considered appropriate for particulate matter because it provides a conservative estimate of the highest background pollutant concentrations in the project area.

On-site monitoring of criteria pollutants is not warranted. As stated in response to comment 289.33, the current pollutant levels are not relevant to the calculations of the project impacts. Furthermore, as discussed in response to comment 63.134, there is no reason to measure TACs because TAC levels anticipated on the property would be below significance thresholds.

- a. These proximity factors can be critical to proper estimates of emissions.
- b. For example, the San Diego County Air Pollution Control District acknowledges that the **proximity of the Otay Mesa emissions monitoring station to the US-Mexico border crossing lead to higher emission readings.**
- c. According to the SDCPCS “PM10 concentrations at the Otay Mesa site are heavily influenced by the site's proximity to the truck border crossing at the U.S.-Mexico port of entry. To better measure concentrations representing the Otay Mesa area as a whole, a parallel monitor (Donovan) was established two miles north of the existing monitor, which is not unduly influenced by specific local sources.”

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289.50  
cont.

- d. Thus a new station (Donovan) was established, **only 2 miles** from the Otay Mesa location, which was **sufficient to reduce emission measurements**.
- e. Would a site other than the Kearney Mesa site better represent emissions at the CV Project site?
- f. Should an independent emissions measurement, including DPM (Diesel Particulate Matter) and PM, taken over at least several days, if not months, especially during traffic gridlock or other time of day when truck track is highest, be performed at the CV Project site to validate the selection of monitoring station and better determine relevant emission values and rates?

289.51

- 38. Can we ignore obtaining accurate estimates of DPM and PM and more accurate air quality assessment (such as the four steps associated with the HRA note above)?
  - a. According to the CA Air Resources Board (see <http://www.arb.ca.gov/research/aaqs/caaqs/pm/pm.htm>):
    - i. "Extensive research indicates that exposure to outdoor PM 10 and PM 2.5 levels exceeding current air quality standards is associated with increased risk of hospitalization for lung and heart-related respiratory illness, including emergency room visits for asthma. PM exposure is also associated with increased risk of premature deaths, especially in the elderly and people with pre-existing cardiopulmonary disease. In children, studies have shown associations between PM exposure and reduced lung function and increased respiratory symptoms and illnesses. Besides reducing visibility, the acidic portion of PM (nitrates, sulfates) can harm crops, forests, aquatic and other ecosystems."
    - ii. **"Both short- and long-term exposures to PM have been shown to lead to harmful health effects."**

289.52

- 39. Is the Existing Criteria Pollutant Levels accurate and/or valid for carcinogenic DPM (Diesel particulate matter)?
  - a. Appendix G, section 2.4.3 "Existing Toxic Air Contaminants Level, mentions that Diesel Particulate Matter (DPM) is guessed to be 1.4 ug/m3 based on a 2009 CA Almanac of Emissions Air Quality report.
  - b. This is arguably a misleading assessment, and may be an underestimate with serious health consequences.

289.51 As discussed in responses to comments 289.17, 289.33 and 289.50, the data upon which the air quality analysis is based relative to particulates and TAC is considered adequate to support the conclusion that the proposed development would not result in significant impacts with respect to either of these emission types. The CAPCOA's procedures for the health risk assessment for land use projects were followed, and no further health risk analysis was warranted for the Draft EIR.

289.52 The estimate of DPM level on page 17 of Appendix G of the Draft EIR did not make any reference to the estimate being a "guess." The level cited is taken directly from the California Air Resources Annual Almanac of Emissions (emission inventory) for various air basins in the state of California. The data in the almanac presented the factual information about DPM levels. Thus, there is no basis for the claim that Appendix G of the Draft EIR contains a "misleading" assessment of DPM impacts.

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- 289.53 c. The 1.4 ug/m3 value presented in the DEIR was calculated in **2000**, at least 12 years out of date. See the full 2009 CA Almanac of Emissions Air Quality report.
- d. The health consequences and seriousness of DPM is disclosed in the SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT 2010 report at [http://www.sdapcd.org/toxics/toxics\\_10\\_rpt.pdf](http://www.sdapcd.org/toxics/toxics_10_rpt.pdf) , summarizing industrial-generated TACS in its Table 1 and footnotes, stating that while DPM is emitted as a particulate, “The estimate of diesel particulate matter emissions are **from stationary diesel internal combustion engines only.**” And further that “**Individual toxins of diesel particulate matter** (i.e., arsenic, cadmium, copper, hexavalent chromium, lead, nickel, selenium, and zinc) from sources other than stationary diesel internal combustion engines **are reported separately** in above table.” Table 2 of the same report presents non-industrial generated TACs including DPM.
- 289.54 e. Although measurements are of stationary sources, approx. **96 percent of the emissions of diesel PM are from mobile sources.** (see ARB Almanac 2009 – Chapter 5: Toxic Air Contaminant Emissions, Air Quality, and Health Risk).
- f. Diesel PM poses the **greatest health risk among the ten TACs.** In the San Diego Air Basin, the estimated health risk from diesel PM was 20 excess cancer cases per million people in 2000. Although the health risk is higher than the statewide average.... (from ARB Almanac 2009 – Chapter 5: Toxic Air Contaminant Emissions, Air Quality, and Health Risk)
- g. There is no guarantee that DPM will be reduced significantly. To the contrary, the increased traffic along I-5 and increased idling due to traffic gridlock, increased population growth, increased use of diesel, increased truck traffic from Mexico, can be expected to increase DPM.
  - i. The CARB prepared “NAFTA/MEXICAN TRUCK EMISSIONS OVERVIEW (Rev. 01/21/05) indicates that trucks from Mexico will significantly increase the DPM.

289.53 The commenter is correct that the annual average DPM concentration of 1.4 micrograms per cubic meters (µg/m<sup>3</sup>) was calculated by CARB in 2000. However, this remains the best available data. Furthermore, as discussed in response to comment 289.33, the current pollutant levels are not relevant to the calculations of the project impacts.

289.54 The commenter is correct that DPM is a serious health-related issue for San Diego Basin. DPM contain substances that are suspected carcinogens. Diesel exhaust contains both pulmonary irritants and hazardous compounds that could affect sensitive receptors such as young children, senior citizens, or those susceptible to chronic respiratory diseases such as asthma, bronchitis, and emphysema.

Because of the potential for health risks from DPM, CARB approved a comprehensive Diesel Risk Reduction Plan in 2000 to reduce diesel emissions from both new and existing diesel-fueled engines. The plan focuses on reducing emissions from diesel-fueled engines (through new standards and retrofitting) and reducing the sulfur content of diesel fuel to enable the use of advanced DPM emissions controls. The plan’s goals are to achieve an 85 percent reduction by 2020 (from the 2000 baseline). Many of the new regulations are addressed in the Draft EIR. In summary, CARB approved several regulatory measures to reduce DPM emissions from heavy-duty diesel off-road equipment and highway vehicles. Trucks serving the proposed development would be required to comply with these new regulations.

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289.54  
cont.

ii. In fact, the Otay Mesa air quality sampling station had to be moved because of its proximity to the US-Mexico border crossing and its "unduly exposure" to trucks at that site.

h. Accordingly, the consequence of intimate proximity to I-5, etc. as noted elsewhere in these comments, should be considered and added to the other emission estimates.

289.55

40. Appendix G, section 4.2.4 Operational Toxic Air Contaminants Impacts, cavalierly concludes that "Therefore, onsite or offsite **sensitive receptors** would not be exposed to substantial TAC concentrations from these sources." However, there is no clear and unambiguous technical basis supporting this critical conclusion that affects residents, including elderly and children in intimate proximity, including day-care, schools and residences. A reliably accurate study has not been performed.

a. **Mobile Sources of TACs.** Troubling is the DEIR description and dismissal of "mobile sources of TACs" that "include proposed land uses that involve the long-term use of heavy-duty diesel trucks" such as delivery trucks, and further ignoring of cumulative effects from the projects proximity to I-5, increased traffic on I-5, the gridlock at the Golden Triangle, increasing truck traffic from Mexico, the westerly winds driving TACs to the project, and the increased traffic due to the Project.

289.56

- i. The DEIR admits that "It is **unknown** at the time of writing, **the types of tenants** that would occupy retail space at the project site."
- ii. The DEIR admits that certain tenants would require mobile TAC sources that "The operation of such a source could **result in the exposure of sensitive receptors**, especially **those within close proximity**, to toxic air emissions that exceed the significance threshold.
- iii. The DEIR admits that this type of tenant includes restaurants, food chains, and retail stores, which of course will be the most common tenants,
- iv. The DEIR ignores and fails to address the commercial space tenants, that would have constant deliveries.
- v. Nevertheless, these deficiencies do not prevent the DEIR from providing an unqualified conclusion.

289.55 The basis for the determination of TAC impacts is addressed on pages 5.5-25 and 26 of the Draft EIR, and further supported in response to comment 63.134. As noted in response to comment 63.134 as well as 289.35, TAC emissions from major sources beyond 500 feet of a receptor do not pose a health hazard. Thus, contaminants from I-5, the Golden Triangle, or other areas outside of this radius need not be considered.

289.56 As stated in responses to comments 63.134 and 289.27, there is no evidence to suggest that there is a significant health risk to future tenants of the proposed development or existing uses around the project. Thus, there is no need to attempt to more specifically characterize the nature of future tenants within the proposed development to determine whether TACs pose a health risk.

Delivery trucks associated with commercial uses without docks would be left idling while the driver makes a quick drop-off. Nevertheless, as discussed in response to comment 63.134, this additional source of truck idling does not change the conclusion that the number of daily delivery trucks would not exceed the threshold identified by CARB. Furthermore, truck idling is limited by the Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling Regulation contained in Section 2485 of the California Code of Regulations. Compliance with existing regulations is assumed in the Draft EIR on page 5.5-28, consistent with CEQA.

Comments by Timothy E. Torchia, Ph.D. on DEIR Project One Paseo

vi. Further, the DEIR provides numerous naïve assumptions, for example that “The loading delivery docks are the only locations where routine truck idling associated with operation of the project would be expected.”

1. Of course, delivery trucks in a “village” (or crowded city-like area) are not limited to “loading docks.”

b. **Stationary Sources of TACs.** The DEIR admits that “It is unknown at the time of writing, the types of tenants that would occupy retail space at the project site.”

i. The DEIR assumes that: “It is possible that restaurants serving the residential uses could be included as tenants.” Of course, it is not only possible, is likely, and in fact it is certain, that restaurants will be tenants, especially in view of the developer’s marketing of “One Paseo” to the public.

1. As an aside, the lower probability estimate offered and relied on by the DIER AQGHGE TR is a clear example of bias by the drafter towards the Project.

ii. The question the DEIR should be asking is how many and where will TAC emitters be located?

iii. The DEIR AQGHGE TR fails to adequately address other stationary sources of TACs such as dry cleaners, graphic arts (e.g. copiers, printers), medical space, hotel, etc. While a dry-cleaner is mentioned under producers of TACs in Appendix G Section 2.4.1, the concern is not adequately addressed. The DEIR fails to mention or adequately address other stationary sources of TACs commercial tenants such as gas station, repair shops, supermarkets, hardware or paint stores.

iv. In view of these comments above, the following from the DEIR is simply not an acceptably rigorous analysis in view of the health risks in years to come.

1. “Restaurants emit minor amount of TACs from the cooking of animal fats and oils. TAC emissions would be controlled through an exhaust hood to a roof-top vent. It is possible that operation of the restaurant would require use of trucks equipped with transportation refrigeration storage units (TRUs) to deliver cold-stored food items. Trucks equipped with TRUs typically result in higher TAC emissions, because

289.57 The reference to restaurants possibly being associated with the project does not confer a low level of probability, as implied by the comment. In fact, restaurants are expected to be located within the proposed development, and are an essential component of the mixed-use concept. However, there is no reason to attempt to quantify the number of restaurants within the development. The number of restaurants has no bearing on the potential for health risks because restaurants are not considered major TAC sources. While other TAC sources such as dry cleaners and grocery stores are expected within the project and were not explicitly mentioned on page 52 of Appendix G of the Draft EIR, these additional sources would not change the basic conclusion that the proposed development would not expose occupants to a significant health risk from air pollutants.

289.56  
cont.

289.57

COMMENTS

RESPONSES

Comments by Timothy E. Torchia, Ph.D. on DEIR Project One Paseo

289.57  
cont.

they are equipped with diesel generator sets to keep perishable food cold, in addition to diesel engine exhaust from the truck. However, it is not anticipated that the retail establishments would experience high truck volumes (i.e., warehouses with distribution centers that have greater than 100 commercial trucks per day or 40 TRU-equipped trucks per day as defined by CARB as the screening level) delivering materials on a frequent basis. Therefore, onsite or offsite sensitive receptors would not be exposed to substantial TAC concentrations from these sources.”

289.58

41. Mitigation proposed in the DEIR and even estimation of the extent of impacts, particularly of the Operation Phase impacts, are largely based on a belief in behavioral changes in residents, workers and guests. Mitigation and estimated reduced impact are concluded based on the belief (really a hope) that biking, walking, public transportation, car-pooling, and tele-commuting will increase substantially, e.g. simply because of a mixed use “jobs/housing balance.” There is simply no scientific basis nor real-world basis supporting this expectation. To the contrary, Californians continue to and will continue to commute. For example, despite residences in close proximity to Del Mar Highlands Towne Center with walking bridges, there is still no significant or impactful use of bicycles or walking from these residences. Nor is tele-commuting anything more than an occasional occurrence in the local industries of the type along the CV corridor. Effective, convenient public transportation, such as that found in European cities, simply has not and will not be created over the full buildout period. This hope for a change in behavior is a fundamental flaw in the 2003 General Plan upon which the proposed CV Precise Plan Amendment is based. It should not be acceptable as justification in whole or in part in assessment of Paseo One impacts and mitigations.

289.59

**A personal comment on One Paseo in general.**

I am opposed to the currently proposed One Paseo in part because it is simply too big for Carmel Valley, its impacts are too big, and the impacts are not reliably measurable in view of the risks. There is no second chance to get it right.

289.58 Contrary to the comment, mitigation measures identified in the Draft EIR did not assume, or rely on, any “behavioral changes” regarding transportation mode shifts.

289.59 The Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a substantial reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.

COMMENTS

RESPONSES

Comments by Timothy E. Torchia, Ph.D. on DEIR Project One Paseo

289.60

The developer's own impact reports state it will bring 27,000 more cars per day (a number in dispute as an underestimate); it will add two new traffic lights on Del Mar Heights that will cause even more traffic gridlock nightmares than what we already have. The impact reports also conclude that the traffic increase will affect nearby communities. There is no guarantee that the State, already financially constrained, will mitigate any of the traffic impacts by adjustments to I-5 and nearby exits. To the contrary, there is no plan in place to do so.

289.61

The 8-10 story buildings, which will appear even higher and more imposing due to the site's three levels, will not fit with the CV character since there is nothing of comparable size in Carmel Valley. In addition the buildings will look down upon nearby adjacent residences. The retail space that is proposed is quite small, only about 15% of the total space, so most of the One Paseo office workers, residents and hotel guests will use the Del Mar Highlands shopping center for meals and shopping, making an already over-crowded plaza with a severe parking shortage even worse. Most of the nearly 2 million square feet of One Paseo is for residential units, a hotel and office space.

All that in a lot that is the same size as the Carmel Valley Middle school.

When we moved here over 13 years ago, we were reassured by the Carmel Valley Community Precise Plan that states that the One Paseo lot was zoned for the EC commercial space with a park-like atmosphere similar to existing Carmel Valley offices, not the mega development that Kilroy has proposed.

It has been said that One Paseo will provide Carmel Valley with a heart. Carmel Valley already has a heart; what **it does not need is another clogged artery.**

Thank you,

Commenter:

**Timothy E. Torchia, Ph.D.**

3654 Newcrest point

San Diego CA 92130

289.60 With respect to project-related traffic impacts, Sections 5.2.2 and 12.9 of the Final EIR, acknowledge that both the Originally Proposed Project and Revised Project would result in significant impacts to local street segments and intersections. Although the proposed development would include roadway improvements which would improve traffic flow in the community, certain traffic impacts would remain significant. For example, as noted in the comment, improvements to the Del Mar Heights Road bridge interchange at I-5, required to fully mitigate project traffic impacts, are within the jurisdiction of Caltrans and beyond the control of the City and the project applicant.

289.61 The Final EIR acknowledges that the bulk and scale associated with both the Originally Proposed Project and the Revised Project would be inconsistent with the character of surrounding development. The Revised Project has reduced the scale, bulk, and height of structures to more closely conform to the existing community. Despite the reductions, community character is still considered a significant unmitigated impact, as described in Section 12.9 of the Final EIR.

The comment also claims that residents, employees, and hotel guests will utilize the existing retail uses at the nearby Del Mar Highlands Town Center. This assumption is speculative and is not based on any supporting facts. As discussed in response to comment 5.6, the Revised Project would include 198,500 square feet of retail space. As discussed in response to comment 41.1, the parking included in the proposed development would be adequate to meet the needs of the planned uses. Thus, no impact on parking in the adjacent Del Mar Highlands Shopping Center would be expected.

COMMENTS

RESPONSES

**From:** [Kevin Tremblay](#)  
**To:** [DSD EAS:](#)  
**cc:** [Mezo, Renee](#); [Lightner, Councilmember Sherri](#); [white@wwarch.com](mailto:white@wwarch.com);  
**Subject:** One Paseo  
**Date:** Tuesday, May 29, 2012 7:46:23 AM

Dear Ms.Blake,

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the One Paseo Project. I understand that the Environmental Impact Report identifies certain project impacts. However, I firmly believe that the project’s benefits would outweigh the identified impacts.

The project would positively impact our community in many ways. For example, it would help the local economy by increasing employment opportunities in Carmel Valley. One Paseo would also bring new specialty stores like a Trader Joes to the area. Most importantly, it would enhance the community character by providing a true “heart” for Carmel Valley.

Thank you.  
 Sincerely,

**Kevin Tremblay**  
 Industrial Division

Cassidy Turley San Diego  
 4350 La Jolla Village Drive, Suite 500  
 San Diego, CA 92122  
 T 858.546.5442 F 858.630.6320  
[Kevin.Tremblay@cassidytruley.com](mailto:Kevin.Tremblay@cassidytruley.com) [www.cassidytruley.com/sandiego](http://www.cassidytruley.com/sandiego)

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If you need to send me a file larger than 5MB [please use this link](#)

290.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

290.01

COMMENTS

RESPONSES

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

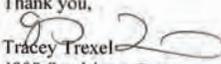
Dear Ms. Blake,

Having lived in Carmel Valley for 20 years, I know this community well and care about its future. As such, I am strongly in favor of the One Paseo project as proposed. To me, the draft EIR affirms what I have long felt about this project: the numerous benefits it would provide significantly outnumber any potential impacts. This project would be a boon to Carmel Valley in terms of new jobs, new walking paths and new shops close to home.

Currently, there are not many shopping and dining options in this area, and many of us find ourselves going all the way to Encinitas or La Jolla for these amenities. One Paseo would eliminate the need to travel outside our own community for such basic needs. Having the shops and restaurants of One Paseo would provide options close to home, and the high level of design evident in the plans would only serve to improve the community character of Carmel Valley.

In addition, I support the project because it would create jobs in our community. Jobs are essential as we work to bounce back from the recession, and I know many local families would benefit from the opportunities One Paseo would generate. On a more personal note, I have kids in college, and it is important to me that they are able to get summer jobs that are close to home.

These benefits to Carmel Valley are more important than any environmental impacts that One Paseo may have.

Thank you,  
  
Tracey Trexel  
4909 Sandshore Court  
San Diego, CA 92130

291.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [btseng1](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo: 193036/SCH No.2  
**Date:** Friday, June 01, 2012 11:31:17 AM

292.1 This project is too large for the community and should be required to scale back to the development size set out in the community plan, not the elephantine expansion to 4 times the density.

If community plans can be modified to such an extent, what is the value of any original plan?

Ben Tseng, resident Carmel Valley  
 13255 Capstone Dr  
 92130

292.1 As discussed in response to comment 274.3, the Draft EIR acknowledged that the Originally Proposed Project would be inconsistent with the current land use designation for the property. However, this inconsistency would be eliminated with approval of the amendment to the Carmel Valley Community Plan, which accompanies the proposed project. Additionally, as discussed in response to comment 10.42, the proposed development would be consistent with the overall goals of the Carmel Valley Community Plan and City General Plan even though it would require a change in the existing land use designation which applies to the project site.

COMMENTS

RESPONSES

Frederick Tsuji  
12711 Camarena Rd.  
San Diego, CA 92130

Frisco White  
Chair, Carmel Valley Community Planning Board  
c/o Allen Kashani  
6025 Edgewood Bend Ct.  
San Diego, CA 92130

Dear Mr. White:

I'm glad to see some progress on the One Paseo development proposal, with the recent release of the Draft Environmental Impact Report. I've always thought that this development could be a real asset to the Carmel Valley community. The corner of Del Mar Heights and El Camino Real would be a perfect location for a functional "Main Street" area, with new shops and restaurants for residents to enjoy. The plans for the development have been crafted through years of community participation and feedback, and I think they've responded well to our needs. I believe that the proposed "Main Street" would have a positive impact on community character.

Carmel Valley residents need a wider variety of neighborhood amenities. One Paseo would provide these amenities in a single, well-designed location that would be easily accessible to residents. I am confident that the benefits of the project would easily outweigh any of the potential environmental impacts.

This land will be used for one development purpose or another, and I believe that with One Paseo, Carmel Valley would be getting the most value out of the property.

Sincerely,

*Frederick J. Tsuji*  
Frederick Tsuji

*P.S. This letter was provided by Lou Ann of Paseo One, with whom I discussed the project and my concerns:*

- 1) There are already 3 hotels down the road. Do we need another one.*
- 2) The schools are already overcrowded. Who will pay for any addition to the school system?*
- 3) There will be an overall increase in traffic, not only at the site, but road leading to the site of the project. How will this problem be overcome environmentally?*

293.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

293.2 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

293.3 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

293.4 Since the preparation of the Draft EIR, the hotel component of the proposed development has been eliminated, and a revised project (with no hotel) is now being pursued by the project applicant.

293.5 Refer to response to comment 7.11.

COMMENTS

RESPONSES

293.6 Specific road improvements are identified in the Final EIR as mitigation measures. Unless implementation of the roadway improvements is beyond the control of the City and/or the project applicant, these improvements must be in place prior to specifically identified development phases. As discussed in the Final EIR, implementation of these mitigation measures would reduce many of these impacts to below a level of significance. However, other traffic impacts of the proposed development would remain significant despite mitigation measures due to the fact that implementation of the improvements would be beyond the control of the City and/or project applicant. For example, improvements to the I-5/Del Mar Heights Road interchange must be approved by Caltrans. If Caltrans does not approve or implement the mitigation identified in the Final EIR, the related project impact would not be mitigated.

COMMENTS

RESPONSES

**From:** [Stephanie Tsukada](#)  
**To:** [DSD EAS](#)  
**Subject:** Project Number: 193036/SCH No. 2010051073.  
**Date:** Wednesday, May 02, 2012 3:38:47 AM

I am writing in regards to the current One Paseo Plan in [Carmel Valley](#).

294.1 I do not believe that what the Environmental Impact report concludes is the best choice for this area. Considering traffic/congestion/parking issues/water consumption/ and overall environmental issues, the project size of One Paseo is much too great. Also, I am completely against the building of a hotel and more residential living space. Carmel Valley is saturated with apartments and condominiums and we don't need any more.

294.2  
 294.3 I hope that other, more environmentally-conscious and less massive, ideas and plans will be considered for the development of this open space in Carmel Valley.

Sincerely,  
 Stephanie Tsukada  
 resident, Carmel Valley

294.1 With respect to traffic congestion, the Final EIR acknowledges that the Originally Proposed Project and the Revised Project (discussed in response to comment 5.6) would result in significant traffic impacts; however, the proposed development would not result in significant parking impacts, as explained in Table 5.2-42 of the Draft EIR. No impacts related to water consumption would occur, as discussed on pages 5.11-9 through 5.11-11 of the Draft EIR. Lastly, the hotel component of the proposed development has been eliminated from the Revised Project.

294.2 A housing component is included in the project to achieve a broad mix of uses consistent with the “City of Villages” concept articulated in the General Plan. Inclusion of housing allows people to shop, work, and recreate without having to use their cars. As indicated on page 5.1-10 of the Draft EIR, SANDAG’s Smart Growth Concept Map identifies the project site as a Town Center smart growth area.

294.3 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Kurt Turley](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo Support  
**Date:** Tuesday, May 29, 2012 2:02:53 PM

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To Whom it May Concern:

I wish to express my support for the One Paseo project in Carmel Valley.

Like many residents, I support the project for numerous reasons. Most importantly, I believe that having a community village would provide a sense of place and a gathering point for the residents, something that has always been missing from Carmel Valley. Once developed, I think that the project would enhance Carmel Valley's community character. Additionally, One Paseo will balance the community's current needs for additional retail options with our future needs for residences and transportation demand management.

For these and many other reasons, I am encouraged by the release of the comprehensive DEIR for One Paseo and hope that construction can start soon.

Thank you for your consideration.

Sincerely,

Kurt Turley

295.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Mike Vairo](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo, Project193036  
**Date:** Tuesday, May 22, 2012 4:22:43 PM

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To Whom it May Concern:

I am opposed to the proposed One Paseo project in Carmel Valley. Please submit my comments to the City of San Diego on my behalf. The density is just too much for Carmel Valley and the traffic congestion will most definitely overwhelm Carmel Valley and the neighboring communities.

Thank You ,  
Sincerely,  
Joseph M. Vairo  
Ocean Valley Lane  
San Diego, CA (Carmel Valley)

296.1 The Final EIR acknowledges that the Originally Proposed Project and the Revised Project would result in significant neighborhood character and traffic impacts in the area.

COMMENTS

RESPONSES

Dorothy Varonin  
3515 Caminito El Rincon, Unit 286  
San Diego, CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake:

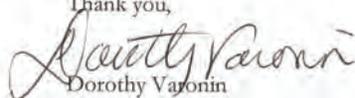
I am a strong supporter of the One Paseo development proposal. Now that the DEIR has been made available to the public, I think it's even more critical to focus on the beneficial aspects of the project. While the DEIR focuses solely on possible environmental impacts, I'm writing today to remind you of the many positive social, economic, and community benefits this project would bring to Carmel Valley.

First, I think this would be a beautiful, family-friendly space for the community, especially since Carmel Valley currently lacks any focal gathering place. I know that my own family would certainly benefit from having more shopping and restaurant options closer to home. In addition, the design is strong and would blend in well with the surrounding structures and neighborhoods.

One Paseo also appeals to me because of its walkability factor. I like the idea of being able to walk to the site, rather than having to drive out of the area to attend to shopping needs. I support the concept of creating a village atmosphere in the heart of our community, encouraging neighbors to come together – and also encouraging more walking, biking, or public transit, which should also help to cut down on car use. The office component is also well-placed; bringing jobs and homes closer together is a smart use of the land.

All of the new businesses incorporated into the One Paseo development (along with all of the new jobs they'd offer residents) would in turn help to boost local tax revenue. This is another aspect of the project that will benefit the community in its entirety.

For these reasons and many more, I hope that you will extend your support to this well-designed project. It would be a wonderful addition to Carmel Valley.

Thank you,  
  
Dorothy Varonin

297.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

May 26, 2012

Ms. Martha Blake, Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

RE: Project No. 193036/SCH No. 2010051073 – One Paseo

Dear Ms. Blake:

I am a homeowner in the Torrey Hills community of 92130. I have lived in the same home for 13 years and have seen first-hand the positive impact the development of the Torrey Hills retail, office buildings and apartments have had on the community. I can walk to buy groceries, get my coffee and do my banking. Neighbors bike to work in the office buildings that are less than 1 mile from their home.

I am very excited about the One Paseo mixed use project and the benefits it will bring to Carmel Valley and the surrounding communities. I am positive that One Paseo will be just as well received by the Carmel Valley residents as Torrey Hills has been.

Additionally, between Torrey Hills retail, Piazza Carmel and Del Mar Highlands, the overall retail component offered in 92130 is abysmal. There is very little selection, parking is a nightmare and the majority of retailers that are in place do not reflect the community's needs. One Paseo is perfectly located within the community to bring fresh & desired retailers into the area.

I have reviewed the Draft EIR and firmly believe that One Paseo will be a positive addition to Carmel Valley and the City of San Diego.

Regards,



Bess Wakeman  
4538 Vereda Mar De Ponderosa  
San Diego, CA 92130  
858-945-4538

Cc via email:

[DSDEAS@sandiego.gov](mailto:DSDEAS@sandiego.gov) - Environmental Planner, City of San Diego  
[rmezo@sandiego.gov](mailto:rmezo@sandiego.gov) - Renee Mezo, Project Planner  
[sherrilightner@sandiego.gov](mailto:sherrilightner@sandiego.gov) - Sherri Lightner, City Councilmember  
[white@wwarch.com](mailto:white@wwarch.com) - Frisco White, Chair of Community Planning Board

298.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

Ms. Martha Blake, Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

RE: One Paseo Project No. 193036/SCH No. 2010051073

Dear Ms. Blake:

As a local business owner, I wanted to let you know that I am in support of the One Paseo project and the project's Draft Environmental Impact Report.

One Paseo will attract new businesses to the area that will in turn employ local and nearby residents. I believe the mixed use nature of the project of office, housing and retail is a blend that compliments existing commercial applications in and around the area and it will be a benefit to residents.

I have also owned a home in 92130 for the past 13 years. From a homeowner and business owners' perspective, I am in favor of One Paseo.

Thank you for the opportunity to comment on the One Paseo project and the One Paseo Draft Environmental Impact Report.

Sincerely,



Patrick A. Wakeman  
Principal  
CalCap Advisors  
858-764-7890

299.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Bobbie Walton](#)  
**To:** [DSD EAS](#)  
**Subject:** Fwd: Support One Paseo Email  
**Date:** Sunday, June 03, 2012 8:33:46 AM

> Subject: Project No. 193036

>

> Dear Martha Blake,

> I believe that One Paseo would be a great addition to our  
> community. Although the draft EIR focuses on environmental impacts,  
> I think it's just as important to note the many benefits that One  
> Paseo offers to Carmel Valley.

>

> What I like most about One Paseo is that it would provide our  
> community a family-friendly gathering place where children, parents,  
> and grandparents can all spend quality time together. It's similar  
> to the central plazas I've seen in Latin America, which do a lot to  
> bring communities together in a safe, beautiful, enjoyable space. I  
> really like the idea of having a place nearby that would be so  
> hospitable to the youth in this area.

>

> One Paseo would be a great place to walk around. I would love the  
> opportunity to walk there on a good day, to enjoy the relaxing  
> outdoor spaces that are woven into the project. Along with all the  
> different amenities that the site would offer, I think it's quite  
> clear that plans for One Paseo are responsive to the needs of Carmel  
> Valley residents.

>

> One Paseo would provide an excellent, convenient, local space for  
> families to enjoy, while also doing a lot to bring our community  
> closer together.

>

> Thank you for your time and consideration.

> Sincerely,

> Barbara Walton

>

300.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake :

Since 2000, I have lived in Carmel Valley. The proposed One Paseo site is only two blocks from my home, and I know the area well. This project would bring more business to our community and give our residents more options for retail. This would be a very welcome change from the limited shopping that is currently available to us here.

New shopping options would be just one of many new features that the site would bring to the community, including lots of open space and walkways, a movie theater, some nice cafes and restaurants, and plenty of parking. With everything available in single location, I think One Paseo could function as the "town center" Carmel Valley currently lacks. It would be great to have one central space where members of the community could easily come together to enjoy the best of what Carmel Valley has to offer. One Paseo would fill a longstanding gap in Carmel Valley, and I think city planners should be pleased to see the gap filled with a strong focus on the smart growth principles that San Diego prizes.

I do not feel the potential traffic or congestion from the site should be a deterrent. The developers have committed large amounts of money to mitigate potential impacts, and we just need to make sure that traffic lights, driveways, and so forth are all taken into consideration in that planning. Kilroy has done a great job working with the community and with area authorities throughout the process, and I expect that would continue as traffic mitigation plans are put in place. I will also point out that building an office complex on that site to comply with current zoning would also result in significant traffic impacts – yet unlike One Paseo, there would be no greater good provided to the community.

As a longtime resident, I am pleased to submit these comments in support of the development. The report is an excellent tool for the community to use as it weighs the merits of this project, and to me, it's clear that the merits are far greater than any of the impacts identified. I hope the plans will be approved soon.

Sincerely,  
  
Sandra Wang

301.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Carlie Ward](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo, Project 193036  
**Date:** Tuesday, May 29, 2012 9:26:23 AM

To Whom it May Concern,

I would like to take the time to express my concern with the One Paseo Project. I am a resident of Carmel Valley and though I am happy to have increased retail opportunities within close distance of my home, I have been very dismayed at the size of this mega-project. Why should this project be allowed to have office and residential towers four times what is currently allowed in Carmel Valley? The effect on parking and traffic in and around Carmel Valley is a great concern to me. Please ask that the One Paseo project be revised to a more appropriate size that reflects the character of our community, not downtown or UTC.

Respectfully,  
 Carlie Ward

- 302.1 As discussed in response to comment 10.42, the proposed development would be consistent with the overall goals of the Carmel Valley Community Plan and City General Plan even though it would require a change in the existing land use designation which applies to the project site. The proposed development is consistent with the City of Villages strategy to focus growth into mixed-use activity centers or villages. Furthermore, as discussed in Section 5.1 of the Draft EIR, General Plan Figure LU-1 (Village Propensity Map) identifies the project site as having “moderate” village propensity.
- 302.2 With regard to traffic, the Final EIR acknowledges that the Originally Proposed Project and the Revised Project would result in significant traffic impacts; however, no significant parking impacts would occur.
- 302.3 The Final EIR acknowledges that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a substantial reduction in the intensity and density of the proposed development. Despite the reductions, neighborhood character is still considered a significant unmitigated impact, as described in Section 12.9 of the Final EIR.

COMMENTS

RESPONSES

Judith Wasik  
12236 Caminito Del Mar Sands  
San Diego, CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

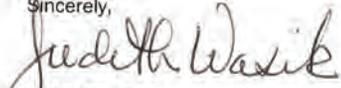
Dear Ms. Blake:

As a local resident, I am excited about the prospect of One Paseo's development in Carmel Valley. I realize that a Draft Environmental Impact Review for the project was recently released. I am hopeful that with the achievement of this milestone, we'll soon see more progress toward the development's approval.

I am impressed by the plans for this project, which reflect a long process of engagement with community members and officials. We could all really use the new dining and shopping choices that One Paseo would bring to the area.

I recognize that some are concerned about additional traffic resulting from a project like this. I think those concerns ignore an important reality: any project built under the site's current zoning would result in traffic impacts. However, a project built under the site's current zoning would not offer the same benefits that One Paseo promises. Plus, the developers have committed to providing millions of dollars toward addressing existing and potential traffic impacts. I think this demonstrates a very good faith effort to ensure that One Paseo is a properly integrated and welcome addition to our community.

Sincerely,

  
Judith Wasik

303.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

Holly Watkinson  
13325 Via Magdalena, Number 6  
San Diego, CA 92129

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake:

As a local who has worked in Carmel Valley for five years now, I am one of many who would love to see the proposed One Paseo development go from concept to construction soon. I've supported One Paseo's plans for some time, and I feel certain that the project would have a positive impact on the community's health and wellbeing.

Even at a most basic level, I appreciate that the project would bring so many new retail and dining choices to the community. As things currently stand, I have to drive out of town to do basic shopping. It would be fantastic to be able to take care of some errands on my lunch hour or right after work, and still know that I was close to home. One Paseo promises a convenience that would undoubtedly improve the quality of residents' daily lives.

With the Draft Environmental Impact Report for the project released, I would like to make another point. I recognize that some people remain concerned about the project's potential impact on traffic. I would submit that they haven't considered the reality that any other development on this site that fits its current zoning would also increase traffic. The difference with One Paseo is simply (and crucially) the vast array of benefits it would generate for residents – from the conveniences I mentioned earlier, to a real sense of a community center, to a bolstered local tax base. In short, I believe this project is well worth our support, and I would love to see the city provide its approval so that it might be developed soon.

Thank you,

*Holly Watkinson*  
Holly Watkinson

**STEVEN E. AKERS**  
CERTIFIED PUBLIC ACCOUNTANT  
Holly Watkinson  
Tax Manager  
12626 High Bluff Dr., Suite 220  
San Diego, California 92130  
Telephone 858/792-9200  
Fax 619/792-1860  
Holly@SAkerscpa.com

304.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [dwehenkel@earthlink.net](mailto:dwehenkel@earthlink.net)  
**To:** [DSD EAS; ken@cvsd.com](mailto:ken@cvsd.com); [Lightner, Councilmember Sherri; white@wwarch.com](mailto:Lightner,Councilmember@sherri.white@wwarch.com); [editor@delmartimes.net](mailto:editor@delmartimes.net);  
**Subject:** NO on One Paseo  
**Date:** Tuesday, May 29, 2012 3:56:17 PM

My husband and I are ***against*** the One Paseo project as it is currently proposed.

I initially sent the comment card that was enclosed with the fancy glossy brochure we received expressing my opposition and concern about traffic. I received a response back "thanking me for my support"! Was this "support" relayed to politicians and planning groups as positive support for the project? It certainly was not our intent! For the past year we have felt that Kilroy has not been honest and straight forward with the community and the decision makers who will ultimately approve the construction of this development. There has been too much propoganda from groups who have a conflict of interest, and Kilroy has not been transparent in their associations with people like MoveSD. It is too expansive a project and should held to the current 510000 sq ft restriction.

Major concerns/issues:

1. TRAFFIC

Will be forever impacted in a horrific way  
 SANDAG says One Paseo could add 25 minutes to commute times among all the other issues in the EIR report.  
 "Walking" or "biking" for a few, but not the majority of Carmel Valley residents. Only the people living in the development or close by will be walking or biking.  
 We lived in San Jose and saw the Town Center transform into Santana Row, but traffic already supported a large shopping mall and has easy freeway access. One Paseo does not.  
 Parking - 4000+ spaces?!?!?

2. EMERGENCY

Did anyone happen to try to evacuate via Del Mar Hgts Rd during the fires or during the blackout? We did and it was a nightmare.

305.1 The City does not agree with the commenter's assertion that project applicant has been dishonest in the presentation of the proposed development. As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

305.2 The Final EIR acknowledges that the Originally Proposed Project and the Revised Project would result in significant traffic impacts in the area.

305.3 The City is unaware with the source of the claim that SANDAG predicts that the proposed development would "add 25 minutes to commute times." As discussed in response to comment 189.2, the City measures the impact of project traffic in terms of LOS and seconds of delay, rather than travel time. This practice is a professionally accepted means for determining the significance of a project's impact on traffic circulation, and continues established City practice.

305.4 As discussed in response to comment 5.6, the bicycle and pedestrian paths within the proposed development would connect with similar facilities within the Carmel Valley community. The internal bicycle routes would connect with Class II bicycle lanes associated with High Bluff Drive, Del Mar Heights Road, and El Camino Real. Similarly, the sidewalk system would connect to sidewalks along these same roadways.

COMMENTS

RESPONSES

305.5 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

305.6 Refer to response to comment 41.1.

305.7 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

- 305.8 [ ] ○Emergency response will be compromised
- 305.9 [ ] ○Will police and fire protection be added to support the increased population/employees?
- 305.10 [ ] 3. HOTEL
  - It is hard to believe occupancy rates at the Marriott, Doubletree or Hampton Inn, which are walking distance to the proposed One Paseo, warrant another hotel.

Finally, after reading all of the letters to the Carmel Valley News, the responses can be summarized pretty easily.

The people opposed to the project have given facts and evidence as to why this project should not go forward as proposed.

The people who have written in favor of One Paseo all seem to quote from the same "talking point" memo but offer little facts and/or evidence to support their claims; "well designed", "thought through", "will generate *thousands* of jobs and boost the local economy" and my favorite from several people – will fill the need for a "Main Street gathering place". huh?!?

- 305.11 [ ] Please consider disapproving this project as it stands now. We are not opposed to building on this piece of property, but whatever is built there needs to be in line with the community and its needs. This proposal is not in our opinion.

Dianne Wehenkel  
5207 Pearlman Way  
San Diego, CA 92130

305.8 Refer to response to comment 8.2.

305.9 As stated in Section 5.12 of the Draft EIR, the project would not require the construction or expansion of fire and police facilities. By law, the applicant is required to pay development impact fees that are specifically allocated to fund improvements to public facilities, such as fire and police facilities.

305.10 Since the preparation of the Draft EIR, the hotel component of the proposed development has been eliminated, and a revised project (with no hotel) is now being pursued by the project applicant.

305.11 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Edward Weiner](#)  
**To:** [DSD EAS](#);  
**cc:** [Susan Weiner](#); [ecweiner@yahoo.com](mailto:ecweiner@yahoo.com);  
**Subject:** Project No. 193036/SCH No. 2010051073 (One Paseo)  
**Date:** Tuesday, May 29, 2012 9:49:38 AM

To: Martha Blake, Environmental Planner  
 City of San Diego Development Service Center  
 From: Edward C. Weiner and Susan J. Weiner  
 Residents of Carmel Valley Since 1988 (24 Years)  
 3840 Quarter Mile Drive, San Diego, CA 92130-1291  
 Telephone: (858) 792-9058  
 May 29, 2012

Subject: Support for One Paseo

306.1 [ Having participated in several community meetings about the DEIR (but not having studied it as experts), we believe that One Paseo should be approved by the City of San Diego. Its benefits (jobs, community gathering place, mixed use where none existed before in Carmel Valley) outweigh the concerns about traffic congestion which the developer and the City of San Diego should be able to work on together. We believe that some of the opponents have vested interests in the adjoining Del Mar Highlands Town Center. We believe that compromise by the developer in making some adjustments to the One Paseo plan (such as reducing the size of the office buildings and the addition of a pedestrian bridge to One Paseo similar to the pedestrian bridge over Del Mar Heights Road to the Del Mar Highlands Town Center) should result in lessening traffic problems. We support the mixed use One Paseo project.

306.2 [

306.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

306.2 The project applicant has revised the project from the version evaluated in the Draft EIR; the Revised Project would reduce the overall density and intensity in comparison with the Originally Proposed Project, along with the associated impacts.

As with the Originally Proposed Project, the Revised Project would not include a pedestrian bridge over either Del Mar Heights Road or El Camino Real. As discussed in response to comment 75.40, the traffic study takes into account the effect of pedestrian activity on traffic flow by utilizing conservative assumptions for the anticipated number of future pedestrians crossing area streets. In light of the conclusion that the improvements to the Del Mar Heights Road/High Bluff Drive and Del Mar Heights Road/El Camino Real intersections would fully mitigate the impacts of project traffic at these locations, a pedestrian bridge is not be required.

COMMENTS

RESPONSES

**From:** [PerlaW](#)  
**To:** [Lightner, Councilmember Sherri](#);  
**cc:** [DSD EAS](#); [DSD PlanningCommission](#);  
**Subject:** ONE PASEO, PROJECT NO. 193036/SCH NO. 2010051073  
**Date:** Wednesday, June 06, 2012 11:38:34 PM

307.1 One Paseo was aware of the existing zoning on the property they purchased. The zoning exists to benefit the community.

We request that you not allow the greed of one company to affect the lifestyle of all who live in the surrounding areas.

Please reject the re-zoning requested by One Paseo.

Perla and Ronald Wichner

307.1 Sections 5.3 and 12.9 of the Final EIR acknowledge that the Originally Proposed Project as well as the Revised Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development allowed by the change in land use designation and zoning.

COMMENTS

RESPONSES

**From:** [Steve Wingis](#)  
**To:** [DSD EAS](#)  
**Subject:** Project Name: ONE PASEO Project No. 193036/SCH No. 2010051073  
**Date:** Tuesday, May 29, 2012 9:58:47 AM

I'm writing in response to the DEIR on the proposed One Paseo project.

I've lived in Carmel Valley since 1994 and love our community. I'm **absolutely against** the One Paseo project proposed for the Carmel Valley neighborhood of San Diego because it is much bigger than was originally supposed to go on that piece of land. As a result, the traffic, which is already bad, will get much worse. Furthermore, the mixed-use nature of the project, which I support, means it is likely to be crowded at all times. I am not against all development, and I'm not against a scaled-down version of One Paseo on the proposed site.

But the scale of the proposed project is ridiculous. The Draft Environmental Impact Report shows that there will be big impact on traffic. When I have queried Kilroy on this, they brush off my concerns. If the plan goes through as proposed, there will be FOUR major traffic signals in just 1/3 of a mile on Del Mar Heights Road between Ralph's and the freeway! This means:

- No place to go for the simple purchase of a quart of milk or a bottle of wine without fighting traffic and searching for parking.
- No easy access to the freeway. (56 is already backed up during rush hours and will surely get worse as people hop on the only alternative to Interstate 5.)
- No easy access to the beach. Despite our close proximity to the coast.
- Sitting in traffic EVERY DAY for the rest of my life!

This is not what I had in mind when I moved to Carmel Valley! And this is certainly not what was promised by the General Plan.

308.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

308.2 The Final EIR acknowledges that the Originally Proposed Project and the Revised Project would result in significant traffic impacts in the area.

308.3 The Final EIR acknowledges that the Originally Proposed Project and the Revised Project would result in a significant unmitigated impacted on neighborhood character due to the bulk and scale of the proposed development.

308.4 The Final EIR acknowledges that the Originally Proposed Project and the Revised Project would result in significant traffic impacts in the area. It also recognizes that the proposed development would add to the congestion at the I-5/Del Mar Heights Road interchange through which many local residents pass to reach beaches in the area.

As discussed in response to comment 10.165, the two proposed signals on Del Mar Heights Road would not significantly impact traffic flow on Del Mar Heights Road.

As discussed in response to comment 41.1, the proposed onsite parking would adequately meet the demand generated by the Revised Project.

COMMENTS

RESPONSES

308.5 [ This project is too big for our suburban community. The developer has clearly NOT followed the process required by the General Plan, which requires early and meaningful community input on the scope and scale of the development. I am more than willing to work with the developer to create a version of the project we can all enjoy. (And yes, a version of the project where they can still make money!)

308.6 [

The advantages do NOT outweigh the negative impact on our way of life here in Carmel Valley.

Thanks for your consideration.

Thanks!  
Steve Wingis  
858-775-1669

308.5 Final EIR acknowledges that the Originally Proposed Project and the Revised Project would result in significant neighborhood character impacts due to the proposed bulk and scale. The Revised Project currently being pursued by the project applicant has reduced the scale, bulk, and height of structures to more closely conform to the existing community. Despite the reductions, neighborhood character is still considered a significant unmitigated impact, as described in Section 12.9 of the Final EIR.

308.6 Contrary to the comment, and as discussed in response to comment 50.2, there have been numerous opportunities for public input regarding the proposed development, in accordance with the City's project review and entitlement process. In addition, the input from the community has led to revisions in the plans for the proposed development, and the project applicant is now pursuing the Revised Project discussed in response to comment 5.6.

COMMENTS

RESPONSES

**From:** [Winters, Kevin](#)  
**To:** [DSD EAS](#)  
**Subject:** One Paseo Project in Carmel Valley  
**Date:** Tuesday, May 29, 2012 9:48:44 AM

Hello,

I am voicing my concern over the One Paseo Project in Carmel Valley, San Diego, CA.

309.1 I am **against** expanding the projects size and scope above the agreed to master plan for the community.

Please do not allow the scope of this project to increase beyond what was originally intended.

309.2 The roads and surface streets especially in the summer months cannot sustain **any** additional traffic.

Thank you.

Kevin G. Winters.

309.1 The Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a substantial reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.

309.2 The Final EIR acknowledges that the Originally Proposed Project and the Revised Project would result in significant traffic impacts in the area.

COMMENTS

RESPONSES

**From:** [Karolina Witczak](#)  
**To:** [DSD EAS](#)  
**Subject:** No to One Paseo  
**Date:** Monday, May 21, 2012 9:51:25 PM

Dear Martha Blake,

As a resident of Del Mar Heights (Carmel Valley), I would like to express my opposition to the construction and development of the One Paseo shopping center. It would cause unnecessary traffic jams and congestion in the area. It would also alter the residential character of the area. on top of all that, there are many schools here and increased traffic would severely obstruct efficient and safe access to them. It would affect the safety of our children and other pedestrians who walk and bike.

Sincerely,

Karolina Witczak

- 310.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.
- 310.2 The Final EIR acknowledges that the Originally Proposed Project and the Revised Project would result in significant neighborhood character and traffic impacts in the area.
- 310.3 As discussed in response to comment 7.4 and 9.1, no substantial safety risk is expected to occur with respect to school children in the project area. With regard to “efficient” access to schools, the Draft and Final EIR conclude that the proposed development would have a significant impact on local traffic, and the analyses with respect to traffic took school traffic into account (refer to response to comment 15a.118).
- 310.4 As discussed in response to comment 63.277, the increase in traffic associated with the proposed development is not expected to result in any significant offsite pedestrian safety issues. As discussed in response to comment 7.4 and 9.1, no substantial safety risk is expected to occur with respect to school children in the project area.

COMMENTS

RESPONSES

**From:** [R Wities](#)  
**To:** [DSD EAS](#)  
**Subject:** NO on One Paseo Project193036  
**Date:** Thursday, May 24, 2012 6:57:31 PM

311.1 Please do not approve this massive project in our community,  
I'm a homeowner and community member with no vested interest but the betterment of my community and my city.  
This project is horrible! The negatives FAR outweigh the positive.

Robert Wities  
Carmel Valley, SD 92130

311.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

From: Robert Wolf  
To: DSD EAS;  
Subject: On Paseo Project 193036  
Date: Tuesday, May 22, 2012 12:04:24 AM

Hello Martha:

312.1 It is rare that I take the time to get involved in an issue such as the One Paseo Issue. However, I am a Real Estate Broker and have practiced and lived in Carmel Valley for over 13 years and strongly feel that the One Paseo Project should be limited to the original size it was zoned for. Given the traffic in the community  
312.2 staggering lights may help the traffic slightly, but that will have little effect on the traffic when interstate 5 is backed up as does happen during the rush hours of 7 to 8 AM and 3 PM on. And in addition what will happen during race and fair season!!

312.3 I do not see how a ten story buildings will blend into the community that consists of three story office buildings. As a Real Estate Broker, I am normally pro development, but Kilroy is trying to flex their muscles and strong arm the powers that may be. In particular, I am against the parking structure and hotels which are uncharacteristic of the neighborhood. Where else in Carmel Valley do you find a parking structure.

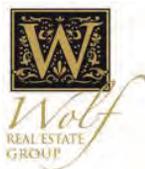
312.4 This will remind me of my days in parking my car in Hicksville, Long Island. Where is the open space within the development.

312.5 The Development can be modified but should be limited to the original size and square footage that it was zoned from.

I hope that you will listen to the people, in light of the economic pressures that the City in under.

Thank you,

Robert



**Robert Wolf, CPA**  
Broker of Record  
Cell: 858 243-4110  
Fax: 858-345-4735  
[www.wolfrealestategroup.com](http://www.wolfrealestategroup.com)  
DRE#01249563

312.1 The Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a substantial reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.

312.2 The Final EIR acknowledges, in Sections 5.2.2 and 12.9, that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections, and identifies mitigation measures that would reduce many impacts to below a level of significance. As noted in Section 12.9 of the Final EIR, the traffic impacts of the Revised Project would be reduced from those of the Originally Proposed Project.

312.3 The Final EIR acknowledges that the Originally Proposed Project and the Revised Project would result in significant neighborhood character impacts due to the proposed bulk and scale. Since the preparation of the Draft EIR, the hotel component of the proposed development has been eliminated, and a revised project (with no hotel) is now being pursued by the project applicant. The Revised Project has reduced the scale, bulk, and height of structures to more closely conform to the existing community. The maximum building height would be reduced from 10 to 9 stories. Despite the reductions, neighborhood character is still considered a significant unmitigated impact, as described in Section 12.9 of the Final EIR.

312.4 Both the Originally Proposed Project and the Revised Project include designated parkland and open space. Specifically, the Revised Project includes a 1.1-acre multi-purpose open space amenity and nearby 0.4-acre children's play area, and 1.5 acres of public greenbelt and paseos. Additionally, as discussed in responses to comments 63.168 through 63.170, adequate parkland and open space to serve the proposed development would be assured through payment of FBA fees.

COMMENTS

RESPONSES

312.5 As discussed in Section 12.5.3 of the Draft EIR, developing the property in accordance with existing Employment Center land use designation would not meet identified project objectives because it would fail to develop a mixed-use project to serve the community, provide additional housing types in Carmel Valley, provide a place for public gathering and social interaction, or promote sustainable development principles and smart growth.

COMMENTS

RESPONSES

From: Terry  
To: DSD EAS:  
Subject: ONE PASEO  
Date: Tuesday, May 29, 2012 8:25:30 AM

Dear Martha,

I look forward to the many benefits that One Paseo could bring to Carmel Valley. Given the release of the Draft Environment Impact Report on the project, I am writing to share my ongoing support for its development. While the DEIR does a great job assessing potential environmental impacts, I also believe that it's important to weigh these findings against the project's benefits. In this case, the pluses of building One Paseo outnumber the minuses by a landslide.

It would be a wonderful thing to bring more shopping alternatives to the Carmel Valley area. We simply don't have enough choices, and as a result, people spend a lot of time taking their business outside the community. One Paseo's businesses, shops, and restaurants would provide residents some much-needed convenience, which would in turn keep a lot more business within Carmel Valley. That will mean more tax revenue staying within the area as well – and that's certainly to everyone's benefit as these revenues go toward funding essential community services.

I appreciate the mixed-use design of the project, embodying a Main Street atmosphere and making the most of the space available to create a smart, focal gathering area for our community. Certainly, this is a different land use than other neighboring developments, but I think that One Paseo would work seamlessly with Carmel Valley's existing neighborhoods and commercial districts.

I'd love to see One Paseo become a part of our community, and I know that many other residents feel similarly. Please consider the aforementioned benefits as you deliberate on the project.

Sincerely,

Theresa Wolter

*Terry Wolter  
14327 Calle Andalucia  
PO Box 675764  
Rancho Santa Fe,  
CA 92067  
858-350-0731*

313.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

Theresa Wolter

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake,

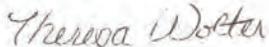
I look forward to the many benefits that One Paseo could bring to Carmel Valley. Given the release of the Draft Environment Impact Report on the project, I am writing to share my ongoing support for its development. While the DEIR does a great job assessing potential environmental impacts, I also believe that it's important to weigh these findings against the project's benefits. In this case, the pluses of building One Paseo outnumber the minuses by a landslide.

It would be a wonderful thing to bring more shopping alternatives to the Carmel Valley area. We simply don't have enough choices, and as a result, people spend a lot of time taking their business outside the community. One Paseo's businesses, shops, and restaurants would provide residents some much-needed convenience, which would in turn keep a lot more business within Carmel Valley. That will mean more tax revenue staying within the area as well – and that's certainly to everyone's benefit as these revenues go toward funding essential community services.

I appreciate the mixed-use design of the project, embodying a Main Street atmosphere and making the most of the space available to create a smart, focal gathering area for our community. Certainly, this is a different land use than other neighboring developments, but I think that One Paseo would work seamlessly with Carmel Valley's existing neighborhoods and commercial districts.

I'd love to see One Paseo become a part of our community, and I know that many other residents feel similarly. Please consider the aforementioned benefits as you deliberate on the project.

Sincerely,



Theresa Wolter  
P.O. Box 675764  
Rancho Santa Fe, CA 92067

314.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

From: [Dee Wood](#)  
To: [DSD EAS](#)  
Subject: Comments regarding ONE PASEO, RROJECT 193036  
Date: Wednesday, May 23, 2012 3:54:19 PM

Dear Government Official;

One Paseo is the worst development proposal for this area I have seen.

315.1

- The DENSITY is too high for Carmel Valley
- The BUILDING HEIGHTS do not match our community character
- The TRAFFIC will overwhelm Carmel Valley and our neighboring communities
- One Paseo DOES NOT COMPLY with Carmel Valley's community plans

315.2

315.3

I have lived in Carmel Valley for 15 years. This once beautiful and tranquil neighborhood is overdeveloped to the extent that we are now bombarded with traffic noise 24/7. We are burdened with a high population density with accompanying congestion and crime. And we suffer a glut of office buildings which take no notice that they are plop in the middle of a residential area. And now you want to approve a mega development? Really??

315.4

As the kids today say, "Oh, HELLS to the NO!"

And, by the way, I vote. I blog. I write letters. I email. I advocate.

Most sincerely,

*Dorothy M Wood*  
*Carmel Valley, San Diego*

315.1 The Final EIR acknowledges that the density associated with both the Originally Proposed Project and the Revised Project exceeds that which is currently allowed by the applicable planning and zoning for the property. The Final EIR also concludes that the bulk and scale of the Originally Proposed Project and the Revised Project would negatively impact the character of the surrounding community due to the differences in building heights with surrounding land uses. Lastly, the Draft EIR concluded that the project would result in significant traffic impacts. However, as discussed on page 5.2-5 of the Draft EIR, City approval of the proposed changes in zoning and land use designations applicable to the site would eliminate the consistency issues.

315.2 The Draft EIR acknowledged that the traffic generated by the Originally Proposed Project would result in significant impacts to local street segments and intersections, and identifies mitigation measures that would reduce many impacts to below a level of significance. As noted in Section 12.9 of the Final EIR, the traffic impacts of the Revised Project would be reduced as compared to those of the Originally Proposed Project, but would remain significant and not mitigated.

315.3 As discussed in response to comment 274.3, the Draft EIR acknowledged that the Originally Proposed Project would be inconsistent with the current land use designation for the property. However, this inconsistency would be eliminated with approval of the amendment to the Carmel Valley Community Plan, which accompanies the proposed project.

315.4 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

11 May 2012

Ms. Martha Blake

Environmental Planner

City of San Diego Development Services Center

I attended the May 2nd meeting of the CVPB Regional Issues Subcommittee (RIS) meeting and was appalled by the way it was conducted.

Along with many others in attendance, I was there in favor of the One Paseo project -- and was extremely dismayed that comments regarding the project's potential positive impacts were immediately shut down by the subcommittee chair. At the same time, opponents were given ample time to speak about the havoc and destruction this project would wreak on Carmel Valley.

My understanding was that the purpose of this meeting was for the subcommittee to gather input from the community regarding the impacts of One Paseo - good or bad - as it prepares a comment letter addressing the Draft EIR on the project.

I am seriously concerned that the RIS's letter would only echo the anti-One Paseo bias on display that evening, rather than provide a true reflection of the range of opinion in the community.

If I had the opportunity to speak that evening, I would have told you I am a longtime Carmel Valley resident, and I am proud to support this project. I've lived here since April 1984 (in fact, at 3102 Lower Ridge Road, just up the street from the proposed development) and have long felt we lack a community core - one of the many benefits One Paseo would provide.

Since the RIS's letter will address the DEIR, I would like to offer my thoughts on what I see as the positive environmental impacts coming out of this project. First, on visual effects, the impact of on neighborhood character would be hugely beneficial. One Paseo would provide a great public open space area, creating a visual break from surrounding development, as well as a public gathering area that could become a focal point for the community. These are all positive environmental impacts that must be weighed as we look at the full picture.

This is not a huge project, as some have made it out to be. In any case, the project has been carefully designed so that the placement of structures around the site would reduce the apparent mass, and setbacks would provide a visual buffer. I would also point out that its mix of uses would generally match surrounding like

316.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

316.2 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

316.3 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

316.3 cont. uses, in the sense that residential would face residential, office would face office, retail would face retail, etc. One Paseo would blend well into the community.

316.4 It's important to note that alternatives would also impact local roads, but wouldn't provide anywhere near the public benefits of this project: open space, a dynamic gathering place for the community, traffic control system upgrades, and tax revenue, to name a few.

316.5 I'm very much in tune with the traffic situation on Del Mar Heights Road at the intersections of High Bluff Drive and El Camino Real and feel strongly that it would have less of an impact on traffic than the alternative of office building. Traffic impact at these intersections would be worse by far with AM and PM entry and exit of several thousand employees. In the case of One Paseo it is clear to me that the benefits of this project would easily overshadow any potential negative impacts.

As a local resident, I respectfully request that the subcommittee's DEIR comment letter provide an accurate and unbiased reflection of the various perspectives in the community regarding the project. This must include an acknowledgment of the tremendous good One Paseo would bring to Carmel Valley.

Thank you,

Carl Woodend  
3102 Lower Ridge Road  
San Diego, CA 92130

316.4 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

316.5 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

From: Ron Yardley  
To: DSD EAS  
Subject: Re: One Paseo, Carmel Valley, Project # 193036  
Date: Friday, May 04, 2012 6:47:38 PM

317.1 I am not anti-development. In fact, I am in favor of development that fits the scale of the community for which it is intended and brings in the necessary services, shopping, businesses, and/or residential living when and where it is needed. However, One Paseo, as currently drawn up, not only does not fit the scale of our Carmel Valley community, it comes down on it like a sledgehammer.

317.2 The project's developer, Kilroy Realty, appears to vastly misrepresent the scale of the project in drawings, sketches, depictions, and narrative provided to the public when, in fact, it will dwarf the type of development that currently exists at the Del Mar Town Center and Del Mar Heights Village located on either side of I-5. It will also likely create a virtual "prison wall" effect along Del Mar Heights Road, which many of our Del Mar Highlands residents face. When we purchased in Del Mar Highlands, we saw a general plan that promised open space and a scale compatible with Carmel Valley, a livable, non-high-rise community.....we did not foresee an urban development consisting of 9-story buildings and over 500,000 square feet of occupied space. Just based on the over-sized scale I am currently opposed to the development .

317.3 But I also oppose it based on the increased traffic, noise, and congestion nightmare it will bring, despite it's "pie-in-the-sky" public relation promises. The brochure put out by Kilroy states that traffic issues would be "addressed" (vague), including plans for adopting a traffic light synchronization along Del Mar Heights Road between High Bluff Drive east to Carmel Valley Road. And maybe they will, which could help move traffic between that section of Carmel Valley.

317.4 However, I see absolutely nothing that addresses the traffic problems we deal with in our neighborhood of Del Mar Highlands (the one located immediately west of Del Mar Heights Road with the main entrance at High Bluff Drive). It is a totally residential area with one elementary school. During morning and particularly evening rush hours, it is virtually impossible to make west-bound (right hand) turns onto Del Mar Heights Road because of the stack-up of cars trying to get to the I-5 southbound and northbound ramps using the outside two lanes of Del Mar Heights, even when we have a green light allowing access to Del Mar Heights Road because cars constantly back up into that intersection and barely move, even during the green light segment

317.1 The Final EIR acknowledges that the Originally Proposed Project and the Revised Project would result in significant neighborhood character impacts due to the proposed bulk and scale. The Revised Project currently being pursued by the project applicant has reduced the scale, bulk, and height of structures to more closely conform to the existing community. Despite the reductions, neighborhood character is still considered a significant unmitigated impact, as described in Section 12.9 of the Final EIR.

317.2 While the Final EIR acknowledges that the Originally Proposed Project and the Revised Project would result in significant neighborhood character impacts, the City does not agree with the commenter's assertion that the depictions of the project misrepresented the scale of the proposed development. As discussed in response to comment 79.14, the visual simulations included in the Draft EIR were produced from an AutoCAD model which maintains a true scale for all of the buildings depicted in the simulation from the point at which the view is taken. No adjustments were made to make buildings appear smaller.

317.3 With respect to project-related traffic impacts, the Draft EIR, in Section 5.2.2, and Section 12.9 of the Final EIR, acknowledges that both the Originally Proposed Project and Revised Project would result in significant impacts to local street segments and intersections. Although the proposed development would include roadway improvements which would improve traffic flow in the community, certain traffic impacts would remain significant. For example, improvements to the Del Mar Heights Road bridge interchange at I-5, required to fully mitigate project traffic impacts, are within the jurisdiction of Caltrans and beyond the control of the City and the project applicant.

With respect to noise impacts, as indicated on page 5.4-6 of the Draft EIR and discussed in Response to Comment 63.125, substantial stationary noise from the project would not extend 120 feet beyond the source. Similarly, as indicated on page 5.4-15 of the Draft EIR, the addition of project traffic to the surrounding streets would not significantly impact traffic noise experienced by surrounding development.

COMMENTS

RESPONSES

317.4 cont. from the High Bluff Drive right-turn lane, in part because the metering system set up to access I-5 northbound lanes from a ramp coming off Del Mar Heights road does not "care" (i.e. measure/take into account) how backed up surface streets become behind the already backed-up ramp; metering is only concerned that it allows the requisite number of cars onto the freeway to maintain somewhat satisfactory freeway movement.

And all of this is occurring right now without any development at the proposed One Paseo sight (nor does it take into account the even worse stack-ups during the county fair or racing season, which is a whole new debate).

317.5 One Paseo developers say they will mitigate some of the increased traffic and congestion that the development will add, but it gives no accountable timetable on when that will happen, to what extent it will happen, and realistic projections of how any mitigation will work in a real-life scenario. And it does not address the huge  
 317.6 scale of the project vis-a-vis our current, acceptable, community scale.

317.7 In summary, I can, in principle and concept, support this type of mixed-use development. But, in it's present state, I am opposed to it. Scale it back, reduce the height of buildings to no more than five or six, add more open space, give it some appealing features along Del Mar Heights Road, and assure entrance in/out of our Del Mar Highlands community will be less congested than it is now (good luck on that one since I don't think access to I-5 northbound at evening rush hours is in its, or the city's, bailiwick), and perhaps I will change my tune. But right now, I'm singing the blues.

Sincerely,  
  
 Ron Yardley  
 Voyager Circle  
 San Diego, 92130

317.4 No traffic impacts resulting from the Originally Proposed Project or Reduced Project would occur to roadways within the neighborhood north of Del Mar Heights Road (Neighborhood Three). In fact, no roadways in Neighborhood Three are located within the traffic study area shown on Figure 5.2-1 in the Draft EIR because none would carry at least 50 project-generated trips in one direction during a peak hour.

With respect to the specific concern expressed regarding turning right onto Del Mar Heights Road from High Bluff Drive, mitigation measures to be imposed on the proposed development would help alleviate this problem. Mitigation Measure 5.2-2 would extend the existing right-turn on Del Mar Heights Road to the I-5 northbound ramp by 845 feet. This will provide more storage capacity for motorists wishing to access the I-5 northbound ramp, and free up capacity in through-lanes on Del Mar Heights Road. Mitigation Measure 5.2-1 would provide more storage for motorists wishing to access the I-5 southbound on ramp from Del Mar Heights Road; however, this additional storage would require approval for Caltrans. Additionally, Mitigation Measures 5.2-6 and 5.2-7 would improve operating conditions at the Del Mar Heights Road/High Bluff Drive intersection which would facilitate traffic in and out of Neighborhood Three.

317.5 As discussed in the comment, the Final EIR identifies mitigation measures that would reduce many of the traffic impacts associated with the project to below a level of significance. Contrary to the assertion in the comment, the mitigation measures identified in Section 5.2 of the Draft EIR included specific trigger points which will assure that they are in place at the appropriate time in the development of the project. These trigger points require installation of improvements concurrent with need. As indicated in Section 12.9 of the Final EIR, the same measures will be applied to the Revised Project although the amount of the fair share contributions will be adjusted to reflect the lower trip generation associated with the Revised Project.

317.6 Contrary to the assertion in the comment, the Final EIR does acknowledge that the Originally Proposed Project and the Revised Project would result in significant neighborhood character impacts due to the proposed bulk and scale.

317.7 As discussed in detail in response to comment 5.6, the project applicant has revised the Originally Proposed Project to reduce the overall intensity and density and provide more open space to better relate to the surrounding community. The Revised Project reduces the overall square footage by 22 percent from 1,857,440 to 1,454,069 square feet. The total floor area ratio (FAR) is reduced by 22 percent from 1.8 to 1.4. In addition, the proposed hotel has been eliminated. With the Revised Project, the amount of open space within the proposed development would increase from 7.6 acres with the Originally Proposed Project to 10.7 acres. A 1.1-acre passive recreation area and nearby 0.4-acre children's play area open to the public would be created at the northwest corner of the project. In addition, 1.5 acres of greenbelts and plazas would be open to the public. As discussed in Sections 3.0, 5.2.7 and 12.9 of the Final EIR, the Originally Proposed Project and Revised Project would include a network of sidewalks, pathways, plazas, and paseos that would provide pedestrian connections to existing sidewalks and trails in the surrounding area.

COMMENTS

RESPONSES

Charles Yates  
11363 Fairwind Court  
San Diego, CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

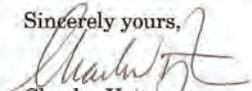
Dear Ms. Blake,

I've been grateful to see the developers of the proposed One Paseo project so heavily engaged with the community throughout the planning process for their project. I think that the current plans truly reflect the community's feedback and needs, and I am certain that One Paseo would be a strong and vibrant addition to the area. In light of the Draft EIR's release, I am writing to express my support for this important project. I believe that the Draft EIR provides a clear and comprehensive analysis of the project's environmental effects.

As it stands right now, I rarely frequent the area where One Paseo would be built. A mixed-use development would be the best use for the property at Del Mar Heights and El Camino Real. The development has been planned to meet a variety of specific needs in the community, from more convenient access to shops and restaurants, to increased local entertainment options and fun, family-friendly outdoor spaces. I am confident that One Paseo will enhance the community character of Carmel Valley.

I have been consistently impressed with how community-oriented this project is. I know that this feeling will only increase if One Paseo is approved and thousands of new jobs are thus created for locals. This is an important endeavor for Carmel Valley, and I hope to see the project move forward soon.

Sincerely yours,

  
Charles Yates

318.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Pam Yochem](#)  
**To:** [DSD EAS](#)  
**Subject:** Project No. 193036 Draft EIR  
**Date:** Thursday, May 10, 2012 8:17:37 PM

- 319.1  The Draft EIR for the One Paseo project does not adequately address significant traffic impacts that cannot be mitigated. The developers should present an alternative that is reduced in scope/size such
- 319.2  that traffic impacts can be addressed/mitigated.

- 319.1 The City disagrees with the commenter’s assertion that the Draft EIR did not adequately address traffic impacts. The Final EIR acknowledges, in Sections 5.2.2 and 12.9, that the traffic generated by the Originally Proposed Project and the Revised Project would result in significant impacts to local street segments and intersections, and identifies mitigation measures that would reduce many impacts to below a level of significance. As noted in Section 12.9 of the Final EIR, the traffic impacts of the Revised Project would be reduced from those of the Originally Proposed Project.
- 319.2 As discussed in response to comment 63.177, the City believes the Final EIR includes a reasonable range of alternatives including the new reduced mixed-use alternative (refer to response to comment 5.6). It should also be noted that the project applicant has revised the Originally Proposed Project. The Revised Project would reduce the overall density and intensity in comparison with the Originally Proposed Project, along with the associated impacts to traffic. However, the impacts would remain significant and not mitigated.

COMMENTS

RESPONSES

**From:** [Karin Yoelin](#)  
**To:** [Mezo, Renee; Lightner, Councilmember Sherri; white@wwarch.com; DSD EAS;](#)  
**Subject:** One Paseo @193036/Sch No.2010051073  
**Date:** Wednesday, May 09, 2012 12:50:20 PM

320.1 As a 27 year resident of Carmel Valley and a homeowner in this community, I oppose One Paseo as it is proposed. This project is too large for Carmel Valley. The traffic impact and monstrous size of the project will destroy the residential suburban nature of our community forever.

Development of this vacant parcel is inevitable. But NOT at the greedy level that Kilroy proposes. The Ralphs shopping center is now a nightmare due to the recent changes, and now this. This is the wrong development in the wrong place.

320.2 Several years ago AT&T proposed an expansion to their existing building on Del Mar Heights Road. After much discussion, it was decided by the city council at the urging of the Carmel Valley Planning Board that this expansion was not in keeping with the character of Carmel Valley. AT&T is fine and discovered other acceptable solutions. The AT&T expansion was NOTHING as compared to One Paseo. Wasn't a precedent already established by the city council???

Carmel Valley does NOT want this high density development. Only Kilroy Realty wants it. It began as a small shopping center with coffee shops and now it has grown. **This project is bringing URBAN density to a suburban residential community.** \_

\_ Thank you for your time and consideration.

Karin Yoelin  
 3503 Voyager Circle  
 San Diego, CA 92130  
 858-259-1403  
[karin@karinyoelin.com](mailto:karin@karinyoelin.com)  
 -

320.1 The Final EIR acknowledges that the Originally Proposed Project and the Revised Project would result in significant neighborhood character and traffic impacts in the area.

320.2 The Draft EIR acknowledged that the Originally Proposed Project would have a significant impact on neighborhood character due to the proposed bulk and scale of the development. As discussed in response to comment 5.6, the project applicant has modified the Originally Proposed Project to yield a substantial reduction in the intensity and density of the proposed development. With the Revised Project, no building would exceed 9 stories. Nevertheless, as indicated in Section 12.9 of the Final EIR, the overall effect of the proposed development on the local neighborhood character would remain significant with the Revised Project.

The density of the proposed project is intended to achieve the underlying goal of the City's General Plan to promote village development in keeping with the recent emphasis at the state level to promote smart growth. It should be noted that the project applicant has modified the Originally Proposed Project. The Revised Project reduces the intensity of the project by 22 percent as well as reduces the maximum building height from 10 to 9 stories. However, as stated in the Draft EIR and Section 12.9 of the Final EIR, the density associated with both the Originally Proposed Project and Revised Project contribute to the conclusion that the proposed development would result in a significant and not mitigated impact on neighborhood character.

COMMENTS

RESPONSES

**From:** [Tom Yoo](#)  
**To:** [Tom Yoo](#)  
**Subject:** One Paseo Project  
**Date:** Monday, May 21, 2012 12:06:55 PM

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Greetings,

321.1

As a member of the Del Mar Highlands community I want to express my disapproval of the proposed One Paseo project in Del Mar. I am extremely concerned by what the potential negative traffic, environmental and community impact it will have on our city. It just seems like an aggressive development out to maximize the limited space for the greatest profit of the developer at the cost of our town.

I hope you had can take my concerns into consideration in your decision making process.

Best,

Tom Yoo

321.1 The Final EIR acknowledges that the Proposed Project and the Revised Project would result in significant neighborhood character and traffic impacts in the area.

COMMENTS

RESPONSES

Wenru Yu  
12588 Carmel Creek Rd  
San Diego CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake,

One Paseo would make a fantastic addition to the Carmel Valley community. There is no question in my mind that it would blend beautifully into the area, creating a hugely positive impact on community character.

I would love it if my family were able to more easily get shopping done or enjoy dinners out. With One Paseo nearby, our family could actually walk to the site. In addition, the project is meant to act as a community core of sorts for Carmel Valley, along the lines of what San Diego's "City of Villages" plan envisions. As such, it would serve as a focal point for the neighborhoods here - a safe, attractive family-friendly place where people can enjoy the best of Carmel Valley.

One Paseo would also create new employment opportunities. These new jobs, along with all the business that One Paseo would stimulate here, would help to generate much-needed tax revenue. That money would in turn go to supporting our local schools, the fire department, and the police. These are important factors to consider as city planners continue their deliberations on the project.

I'm anxious to see One Paseo become a reality for Carmel Valley residents. Please give this project the support it most certainly merits. Thank you for your time.

Sincerely,

Wenru Yu

- 322.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.
- 322.2 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.
- 322.3 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.
- 322.4 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Justin Yurasek](#)  
**To:** [DSD EAS](#)  
**Subject:** Project Number 193036  
**Date:** Monday, May 21, 2012 10:34:05 AM

I think it's important to have a food market like Trader Joe's, Whole Foods, Fresh & Easy, etc.

I also think it's important to have more "reasonably" priced food and entertainment. All the new stores/restaraunts at the existing remodeled Del Mar Highlands have priced many families out of purchasing in that area. I understand that many wealthy people live in the area, but I recently heard that Red Robin and Pollo Loco are being pushed out of the marketplace also. Unacceptable, and this needs to be addressed with the new development. It's still a family area, and there needs to be better access to these places.

323.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

**From:** [Jenny Zhang \(SanDiego\)](#)  
**To:** [DSD EAS:](#)  
**Subject:** One Paseo, Project 193036  
**Date:** Friday, May 25, 2012 8:43:23 PM

- 324.1  One Paseo project is a very bad idea. It should not be approved.
- 324.2  It adds A LOT of traffic to the already congested roads in the area. The amount of traffic on Del Mar Heights Road, El Camino Real, and I-5 is maddening.
- 324.3  Combined with no additional community park to accommodate the 1,600 new residents, the overly dense and tall buildings, will permanently damage the character of carmel Valley community, lower the property value, and lower our quality of life.
- 324.4  I strongly against this project!  
 Please listen to the communities input, and do what is right for the benefit of the community!  
 Jenny Zhang  
 5095 Seachase Way  
 San Diego, CA 92130

- 324.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.
- 324.2 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.
- 324.3 As discussed in responses to comments 63.168 through 63.170, the proposed development would not significantly impact parks. Additionally, Sections 5.3 and 12.9 of the Final EIR acknowledge that the building heights included as part of the Originally Proposed Project and Revised Project would contribute to the significant neighborhood character impact associated with the proposed development. However, the potential effect of the project on property value is beyond the purview of the EIR.
- 324.4 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.

COMMENTS

RESPONSES

*Mahvash Ziaee*  
3773 Carmel View Road, Unit 6  
San Diego, CA 92130

Martha Blake  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Dear Ms. Blake,

The completion of the City's Draft EIR for One Paseo is great news for Carmel Valley. This report is an important document that will help residents become better informed about the project's possible environmental effects. Of course, I think it's also very important that the community and city planners alike remember the significant benefits this project offers Carmel Valley. I would like to see the project developed, because I think its overall contribution to the community will be overwhelmingly positive.

I would love to have a place where I could easily spend time with family, and I think Carmel Valley is lacking in that regard. Right now, there's no clear, focal area for the community to come together. If approved, One Paseo could serve as that central area for Carmel Valley. The site is perfectly located, convenient for many residents to walk or bike to, and it would include a variety of different shops and restaurants that we could all enjoy (without having to drive far out of town like we usually do). One Paseo would be a great way to implement San Diego's "City of Villages" plan right here in Carmel Valley and it would be beautifully compatible with our community in general and with nearby surrounding uses in particular.

I am also in favor of the development because of the jobs and the new tax revenue it would stimulate in our community. I am certain that One Paseo would be a good addition to the Carmel Valley community, and I hope to see it approved soon.

Sincerely,

  
MahvashZiaee

325.1 As this comment does not raise any issues with respect to the adequacy of the Draft EIR, no specific response is required.