

Dear Mayor Hall, Carlsbad City Council, and California Coastal Commission:

I am informed that there is a current 6.6 acre park deficit in Coastal Southwest quadrant of Carlsbad, (south of Palomar Airport Road and west of El Camino Real); that there is a 30 acre open-space deficit in Zone 9 (west of I-5 and south of Poinsettia) of the Growth Management Plan; that the City is not requiring developers to first look at non-residential reserve and parks in Planning Area F (the large, undeveloped area west of the railroad tracks, north of Avenida Encinas and south of Cape Rey Hotel); and most importantly, I am informed that the City Council is currently reviewing plans to build a high-density, residential community in Planning Area F, a location perfectly situated to remedy the above deficits.

Accordingly, I am requesting and making my position known that:

I want the City of Carlsbad to build a park at Ponto to serve residents and visitors alike.

I believe any and all development west of I-5 should be dependent on developers providing the required and currently missing 30 acres of open-space.

I do not want high-density, residential development at Ponto.

I do not consider the proposed Veteran's Park, located 6 miles from Ponto, a suitable alternative to a Coastal Park and open-space for Ponto / west of I-5.

Thank you for your consideration!

Sign:

Print Name:

Cand Medalty

Date:

Address:

Address:

Address:

Email to:



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		ed Veteran's Park, located 6 miles from Ponto, a suitable and open-space for Ponto / west of I-5.
I thank yo	ou for your consideration!	Sign: Malder Sign:
		Print Name: Melody A Gallego
		Date: $10-20-18$
		Address: 7200 S. Marstellar Rd
Email to:		Tucson, A2 85735

<u>Email to:</u>



Dear Mayor Hall, Carlsbad City Council, and California Coastal Commission:

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M	I do not want high-density, re	esidential develop	ment at Ponto.
	I do not consider the propose alternative to a Coastal Park		, located 6 miles from Ponto, a suitable or Ponto / west of I-5.
I thank yo	ou for your consideration!	Sign:	Achonin
,	•	Print Name:	Sadie Ackerman
		Date:	10/20/18
		Address:	131 Diana St Ast 5
Email to:			Encintas et 92024

Fluarito:



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	Veteran's Park, located 6 miles from Ponto, a suitable lopen-space for Ponto / west of I-5.
ou for your consideration!	Sign: Mame: Nick Kumbell  Date: 10/20/18  Address: Vista, CA
	I want the City of Carlsbad to but I believe any and all developm providing the required and curred I do not want high-density, residud to not consider the proposed alternative to a Coastal Park and

Email to:



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	I do not consider the propose alternative to a Coastal Park		located 6 miles from Ponto, a suitable Ponto / west of I-5.
I thank y	ou for your consideration!	Sign:	
		Print Name:	SUR ATSAM
		Date:	8N/an/as_
		Address:	watgerd, UK

Email to:



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		001.0	
I thank yo	ou for your consideration!	Sign: Sign:	
		Print Name: Shawn MGvire	
		Date: 10 /20 /18	
		Address: 6267 Pasco Callado	
Email to:		Carlsbad	

Email to:



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Sign:

Print Name: Course for Ponto

Date: 10/20/20/20/8

Address: 10/25 \$ 500 w #12

Email to:



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			Shop to	A 3
I thank you	ı for your consideration!	Sign:	yeurs.	
		Print Name:	- Freu D	
		Date:	10-20-19	5
		Address:	CALISBAD	92009

Email to:



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I thank you for your consideration!	Sign: Tvanne Valanzuala  Date: 10/20/18
	Address: Pio Bico, AZ

Email to:



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	I do not consider the proposed alternative to a Coastal Park ar		x, located 6 miles from Ponto, a suitable for Ponto / west of I-5.
		_	
I thank yo	ou for your consideration!	Sign:	U.Su.
		Print Name:	COMMAD GRELL
		Date:	COMPAD GRELL OCTI 20, 20/8
Fmail to		Address:	2554 TUWN GARAEN RA CARLSBAD

Email to:



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Erin.Prahler@coastal.ca.gov; info@peopleforponto.com

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I thank yo	ou for your consideration!  Sign  Print Name: Judi Lesish
	Date: 10/20/18
Email to:	Address: 2554 Tountarden Ra
•	@carlsbadca.gov; CityCouncil@carlsbadca.gov; gbuhr@coastal.ca.gov;

# People for Ponto

Re: Ponto Beach / Parks and Open Space Deficit

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	on THOF AVENIDA ENC.		
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I thank you for your consideration! Sign:			
	Print Name: Jim Bun	exe	
	Date: 300C7	18	
	Address: 7328 Bin.	NACHE DR	
Email to:	CBA)		



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厶	I do not consider the proposed alternative to a Coastal Park a	d Veteran's Park, located 6 miles from Ponto, a suitable and open-space for Ponto / west of I-5.
I thank yo	u for your consideration!	Sign: Rayan Johnson
		Print Name: KYAN JOHNSON
		Date: 0CT 16, 20 8
		Address: 276 CHINQUAPIN, CARLSBAD

#### Email to:

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I thank you for your consideration!

Sign: Cohen lebreche

Print Name: Cohen lebreche

Date: Oct 19, 2018

Address: Chinquapin, Canusbal

Email to:

Matt.Hall@carlsbadca.gov; CityCouncil@carlsbadca.gov; gbuhr@coastal.ca.gov;

Erin.Prahler@coastal.ca.gov; info@peopleforponto.com

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Sign: AVAIDN Lebreche

Print Name: AVAIDN Lebreche

Date: OCHIA, ZUIS

Address: Ching Mai Pin Ave.

Email to:

Matt.Hall@carlsbadca.gov; CityCouncil@carlsbadca.gov; gbuhr@coastal.ca.gov;



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I thank you for your consideration!	Sign: Colin	
	Print Name: Claire La Breche	
	Date: Oct 19, 2018	
	Address: Welhinguapen Carlslead	

Email to:



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I thank you for your consideration!	Sign: Son	na Beshutt Cowan DONNA POSKITT COWAN		
	Date: 10/20 Address:	650 WOODWARD ST SAN MARCOS, CA		

Email to:



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(Ž)			
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I thank yo	ou for your consideration!	Sign: Car	Cathy D. Mead
		Print Name:	Cathy D. Mead
		Date:	Oct 18, 2018
		Address:	3574 Summit Trail Carlsbad, CA
			- · · · · · · · · · · · · · · · · · · ·

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Sign: Cove D. Cowan

Print Name: Cove Cowan

Date: 10/18 2033 Charge St.

Address:

Email to:



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Address: 503 Rules Are

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		200
Thank you for your consideration!	Sign:	about .
	Print Name:	Draw R Kent way-Hudson
	Date:	10/26/2018
	Address:	508 Rudder Ave
		Carlsbud CA 92011

Dear Mayor Hall, Carlsbad City Council and California Coastal Commission:

I am informed that there is a current 6.6 acre park deficit in Coastal Southwest quadrant of Carlsbad, (south of Palomar Airport Road and west of El Camino Real); that there is a 30 acre open-space deficit in Zone 9 (west of I-5 and south of Poinsettia) of the Growth Management Plan; that the City is not requiring developers to first look at non-residential reserve and parks in Planning Area F (the large, undeveloped area west of the railroad tracks, north of Avenida Encinas and south of Cape Rey Hotel); and most importantly, I am informed that the City Council is currently reviewing plans to build a high-density, residential community in Planning Area F, a location perfectly situated to remedy the above deficits.

Accordingly, I am requesting and making my position known that:

I want the City of Carlsbad to build a park at Ponto to serve residents and visitors alike.

I believe any and all development west of I-5 should be dependent on developers providing the required and currently missing 30 acres of open-space.

I do not want high-density, residential development at Ponto.

I do not consider the proposed Veteran's Park, located 6 miles from Ponto, a suitable alternative to a Coastal Park and open-space for Ponto / west of I-5

Thank you for your consideration!

Sign:

Print Name:

Print Name:

Date:

Address:

Address:

513 Kupf3

Cup/8 Vet B 1/18 9201

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Print Name:

GGO RIVERS

Date:

Address:

Address:

The Malsing Castraction of the proposed Veteran's Park and Open-space for Ponto / West of I-5

Castractic Castractic

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Sign:

Print Name:

Print Name:

Jana Bo Kim

Date:

Address:

Jana Bo Kim

Date:

Address:



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	not consider the proposed mative to a Coastal Park and		, located 6 miles from Ponto, a suitable or Ponto / west of I-5
Ц_			
			Sq.
Thank you for y	our consideration!	Sign:	A.
•		Print Name:	CAROBINISON
		Date:	10-12-18
		Address:	Soc Halsing CT
			Consped Citycola

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Causage Grant Paol J



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Thank you for your consideration!

Sign:

Print Name: Dulie Prince

Date:

Address: 541 Holsing Cocurt

# eople for Ponto Develop Ponto Right

#### Re: Ponto Beach / Parks and Open Space Deficit

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I do not consider the proposed alternative to a Coastal Park and	Veteran's Park, located 6 miles from Ponto, a suitable dopen-space for Ponto / west of I-5.		
I thank you for your consideration!	Sign: Michael Chamler		
	Print Name: Michelle Chamber		
	Date: 13/8/18		
	Address: 223 MONTOGINERY LUR		
Email to: Matt Hall@carlshadca gov: CityCouncil@co	Cordiff 192087		



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[ <b>X</b> ]	I believe any and all deve providing the required and	elopment west of currently missing	I-5 should be dependent on developers 30 acres of open-space.
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K	I do not consider the proposalternative to a Coastal Park	sed Veteran's Park and open-space for	x, located 6 miles from Ponto, a suitable or Ponto / west of I-5.
I thank yo	u for your consideration!	Sign:	By Shay
		Print Name:	- Qiuying Huang
		Date:	10-15-18
		Address:	7364 Escallonia Ct. 92011

Email to:



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Thank you for your consideration!

Sign:

Print Name:

Date:

Address:

Address:

Caylsbad, Ca 97011

# People for Ponto

#### Re: Ponto Beach / Parks and Open Space Deficit

Erin.Prahler@coastal.ca.gov; info@peopleforponto.com

Dear Mayor Hall, Carlsbad City Council, and California Coastal Commission:

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I thank you	u for your consideration!	Sign: addall
		Print Name: 1 5HQUES DALIERY
		Date: 0 16 2018
		Address: 7336 Escallouia Ch
Email to:		Carlibad CA 92011
Matt.Hall@	carlsbadca.gov; CityCouncil@c	carlsbadca.gov; gbuhr@coastal.ca.gov;



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I thank you	u for your consideration!	Sign:	loc Zoche	
		Print Name:	Toe Locke	
		Date:	10-16-18	
Email to:		Address:	2413 Menty oney don Control CA	



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I thank you	u for your consideration!	Sign:	2 Dung	
		Print Name:	Ann Abney	
		Date:	10/10/18	
		Address:	205 Rubenstein PL	
mail to:			dardiff (= 92007	

E



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I thank you for your consideration!		Sign:	
		Print Name:	Doe Bingham
		Date:	10-16-18
		Address:	7340 Escallonia C+

Email to:

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$\boxtimes$	I do not consider the propalternative to a Coastal Par	osed Veteran's Park rk and open-space fo	c, located 6 miles from Ponto, a suitable or Ponto / west of I-5
Thank you	for your consideration!	Sign:	y Mar
		Print Name:	GARY MCGRATH
		Date:	10/19/2018
		Address:	521 HALSING CT
			CARLSBAD CA



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Thank you for your consideration!	Sign:
	Print Name: Nichele Wolkker
	Date: 19/2018
	Address: 505 Halsing Ot
	Caulabad & 92011*



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Email to:

Matt.Hall@carlsbadca.gov; CityCouncil@carlsbadca.gov; gbuhr@coastal.ca.gov; Erin.Prahler@coastal.ca.gov; info@peopleforponto.com



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Print Name:

Date:

Address:

7472 Capstan Dr
Cabbul 7-011



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Sign:

Print Name:

Date:

10/16/18

Address:

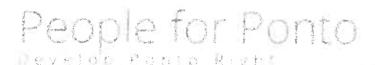
7463 Capstan Drive
Carlsbad CA PROLL



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I want the City of Carlsba	ad to build a park at Ponto to serve residents and visitors
I believe any and all deve providing the required and	elopment west of I-5 should be dependent on developers currently missing 30 acres of open-space.
I do not want high-density,	residential development at Ponto.
	osed Veteran's Park, located 6 miles from Ponto, a suitable k and open-space for Ponto / west of I-5
[Y	
Thank you for your consideration!	Sign: Print Name: 102018 Linda Campel
	Date:  Address: ATT 3 Rejectioned In
	Carland
	(97022



Dear Mayor Hall, Carlsbad City Council and California Coastal Commission:

I am informed that there is a current 6.6 acre park deficit in Coastal Southwest quadrant of Carlsbad, (south of Palomar Airport Road and west of El Camino Real); that there is a 30 acre open-space deficit in Zone 9 (west of I-5 and south of Poinsettia) of the Growth Management Plan; that the City is not requiring developers to first look at non-residential reserve and parks in Planning Area F (the large, undeveloped area west of the railroad tracks, north of Avenida Encinas and south of Cape Rey Hotel); and most importantly, I am informed that the City Council is currently reviewing plans to build a high-density, residential community in Planning Area F, a location perfectly situated to remedy the above deficits.

Accordingly, I am requesting and making my position known that:

Thank you	ı for your consideration!	Sign: Print Name: Date: Address:	CHRISTENS Young  10/14/18  509 Stern Way	
	alternative to a Coastal Park ar		x, located 6 miles from Ponto, a suitable or Ponto / west of I-5	
I do not want high-density, residential development at Ponto.				
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I want the City of Carlsbad to build a park at Ponto to serve residents and visitors alike.

I believe any and all development west of I-5 should be dependent on developers providing the required and currently missing 30 acres of open-space.

I do not want high-density, residential development at Ponto.

I do not consider the proposed Veteran's Park, located 6 miles from Ponto, a suitable alternative to a Coastal Park and open-space for Ponto / west of I-5

Thank you for your consideration!

Sign:

Print Name:

Print Name:

Address:

Address:

The Cappan



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Thank you	a for your consideration!  Sign:  Print Name:  Species King  Date:  Address:  7419 Carstan dr.



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	ed Veteran's Park, located 6 miles from Ponto, a st and open-space for Ponto / west of I-5	uitable		
Thank you for your consideration!	Sign: The Print Name: Denise Lindseg			
	Date: /0-/6-/8	<del></del>		
	Address: 745 2 Capstan Dr Carlshad (2 920			
	(SN121120 C3 270	<u>""                                   </u>		



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I do not consider the proposed Veteran's Park, located 6 miles from Ponto, a suitable alternative to a Coastal Park and open-space for Ponto / west of I-5

Thank you for your consideration!

Sign:

Print Name:

| Value | Value



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Sign:

Print Name:

Print Name:

Date:

Address:

Address:

731 Secfarer P1,

Carls bad Ch 9201



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Thank you for your consideration!	Sign:
	Print Name: Carp Campagna  Date: 10/12/18  Address: 7311 Slatarer Place
	Carlsbad, CA 92011



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Area 1, a location perfectly situated to femi	edy the above deficits.
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	Veteran's Park, located 6 miles from Ponto, a suitable lopen-space for Ponto / west of I-5
Thank you for your consideration!	Print Name: PEVAMSP Date: Address: 7309 Sparrer Pl



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Sign: Alixa Renteria Mackinel Date:

Date:

Address:

Addre



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Thank you for your consideration!

Sign:

Print Name:

Anne Omne II-Walden

Date:

10/8/2018

Address:

550 Dew Point Avenus

Carlsbad CA \$2011



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Sign:

Print Name: Jean Schinde Iheim
Date

Address:

554 Dew Point Ave



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<u></u>				
I thank you	for your consideration!	Sign: And R  Print Name: Lov. A Butcher  Date: 10/10/14		
		Print Name: Lov. H Butcher		
		Date:		
		Address: 7358 Escalonin (our		

Email to:

Matt.Hall@carlsbadca.gov; CityCouncil@carlsbadca.gov; gbuhr@coastal.ca.gov; Erin.Prahler@coastal.ca.gov; info@peopleforponto.com



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Thank you for your consideration!

Sign:

Print Name:

ARL James

Date:

Address:

7356 Escallowing the proposed Veteran's Address:

Address:

## Email to:

Matt.Hall@carlsbadca.gov; CityCouncil@carlsbadca.gov; gbuhr@coastal.ca.gov; Erin.Prahler@coastal.ca.gov; info@peopleforponto.com



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Print Name:

Print Name:

Date:

10 | 8 | 2016

Address:

502 | DEW | PONT | AVE



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Sign:

Print Name:

Date:

Address:

307 Dew Point Au

Ca Ch Datel



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Sign:

Print Nazie:

Felsey Burgular

Date:

Date:

Address:

Soz per foling Aux

CAMSSAD CA Stoll



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		Veteran's Park, located 6 miles from Ponto, a suitable d open-space for Ponto / west of I-5
Thank you	for your consideration!	Sign: Donna Stockalper
		Print Name: Donna Stockalper
		Date: 10 /8 /18
		Address: 7345 Spinnakee St
		Carls bad, CH 92011

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2 rootuiii	sty, i and requesting and making my position known that.
$\boxtimes$ i	I want the City of Carlsbad to build a park at Ponto to serve residents and visitors alike.
<b>X</b>	I believe any and all development west of I-5 should be dependent on developers providing the required and currently missing 30 acres of open-space.
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×	I do not consider the proposed Veteran's Park, located 6 miles from Ponto, a suitable alternative to a Coastal Park and open-space for Ponto / west of I-5
Thank you	print Name: Rubu D. Cobrac  Date: [0 5 201]  Address: 7314 Spinifical St  CMUSBAO, CA 9201



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Sign:

Print Name:

Missa Duralde

Date:

[0 9 18

Address:

533 Dew Point Ave Cay Ishad, CA 9201]



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Sign:

Print Name:

Carol Vecchio

Date:

Address:

7417

Masellan St



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_			
I thank yo	u for your consideration!	Sign:	Il Othery
		Print Name:	JOHN C DENRY
		Date:	10/16/17
		Address:	13/2 ESCHLLOWIA CT.

Email to:

Matt.Hall@carlsbadca.gov; CityCouncil@carlsbadca.gov; gbuhr@coastal.ca.gov; Erin.Prahler@coastal.ca.gov; info@peopleforponto.com



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		_				
thank you for your consideration!		Sign:	Jenn Bingham			
		Print Name:	Jenn Bingham			
		Date:	10-16-18			
		Address:	10-16-18 7340 Escallonia C4			

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Matt.Hall@carlsbadca.gov; CityCouncil@carlsbadca.gov; gbuhr@coastal.ca.gov; Erin.Prahler@coastal.ca.gov; info@peopleforponto.com

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Thank you	for your consideration!  Sign:  Print Name!  Fate Schildle  Date:  10[15[18]  Address:  74[3 Majellan St.  Cansbad, MA 920]				



Dear Mayor Hall, Carlsbad City Council and California Coastal Commission:

According	gly, I am requesting and making my position known that:				
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Thank you	for your consideration!  Sign:  Print Name:  Date:  10/15/18  Address:  74/7 Mayellan St  CarlShad (A 9201)				



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***************************************							
Thank you	for your consideration!	Sign:	in the di				
		Print Name:	Jon Friedman				
		Date:	10-15-18				
		Address:	7412 Magellan				
			Carls 6 2 92011				

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$\bowtie$	I do not consider the proposed Veteran's Park, located 6 miles from Ponto, a suitable alternative to a Coastal Park and open-space for Ponto / west of I-5				
Thank you	for your consideration!		Carrie Palmer		
		Date: Address:	531 Meridian Way Carlsbad, CA 9204		



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is Naya Hael	y the	best
		1
Thank you for your consideration!	Sign:	Itu f
	Print Name:	Steve chan
	Date:	001
	Address:	7405 Magella st

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Thank you	ou for your consideration!  Sign:  Print Name:  Date:  Address:  M8 Knots fa  Caus bad	N140 ne 92001

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ı for your consideration!	Sign: Print Name: Date: Address:	SILVIA AGUADEP.  10/20/2018.  Ayres 50/68. Car Angeles
	I believe any and all deve providing the required and of I do not want high-density, I do not consider the proposal ternative to a Coastal Park	I believe any and all development west of I- providing the required and currently missing 30  I do not want high-density, residential development I do not consider the proposed Veteran's Park, alternative to a Coastal Park and open-space for a for your consideration!  Sign: Print Name: Date:

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Thank you	for your consideration!  Sign:  Print Name:  Date:  Address:	Francesco NArcanelo 10/20/18 618 Knotclane, Carlabel, CA 9201

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Sign:

Print Name: Chapter Miles

Date:

Address:

Add

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Sign:

Print Name:

ASCY DiCKINSON

Date:

10/20/18

Address:

Sog New Way

CARLSBAD, CA 9/20/1



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Sign:

Print Name:

Date:

Address:

Address:

Sign:

Sign

### Re: Ponto Beach / Parks and Open Space Deficit

Erin.Prahler@coastal.ca.gov; info@peopleforponto.com

Dear Mayor Hall, Carlsbad City Council, and California Coastal Commission:

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		l Veteran's Park, located 6 miles from Ponto, a suitable nd open-space for Ponto / west of I-5.
		1/1/
I thank you	ı for your consideration!	Sign:
		Print Name: Gry Chigas
		Date: 10/18/18
		Address: 604 Navigator Ct
Email to:		Cortsbad, CA 92011
Matt.Hall@	carlsbadca.gov; CityCouncil@c	carlsbadca.gov; gbuhr@coastal.ca.gov;



Erin.Prahler@coastal.ca.gov; info@peopleforponto.com

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I thank you for your consideration!

Sign: Natalia Brenes

Date: 10/11/18

Address: Minneapolis, MN 55404

Email to:



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		Δ.
I thank you	a for your consideration!	Sign: WWW y
		Print Name: At Well Cypnen
		Date: 10/16/18
		Address:

### Email to:

### Re: Ponto Beach / Parks and Open Space Deficit

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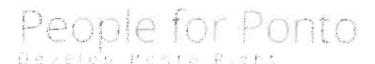
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Thank you for your consideration!	Sign: Print Name: (Custone 6/Aff
	Date:
	Address: 7409 Magzlan St
	Carlsball CA 9221



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[_]	
Thank you for your consideration!	Sign:  Print Name:  Date:    O ( F   O )
	Address: 749 mabellan St Can 1 Bap TA 1211



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I thank you for your consideration!	Sign:				
	Print Name:	0 1			
	Date: HO Sharphose H	4			
	Address:				

### Email to:

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		a: 14	$\mathcal{O}_{LA}$
I thank yo	u for your consideration!	Sign: //	A WAT
		Print Name:	Margaret Palmquit
		Date:	10/17/18
		Address:	1616 Devenshire Cyrre
Email to:			Bluelicyten, MN SPB,

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Thank you for your consideration!

Sign: Fary Fansay

Print Name: Laryn Ramsay

Date: /D/17/18

Address:

#### **Email to:**



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I thank you for your consideration!	Sign: 2	, a mus S	
,	Print Name:	Ryan Dol	1
	Date:	10/17/2018	
	Address:	755 Prairie	Cecta Doing

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Print Name: Graciela Villegus  Date: 10-17-18			*	•
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	I thank yo	u for your consideration!	Print Name:	Graciela Villeges

#### Email to:

### eople for Ponto Develop Ponto Right

#### Ponto Beach / Parks and Open Space Deficit Re:

Dear Mayor Hall, Carlsbad City Council, and California Coastal Commission:

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-				
I thank you for your consideration!		Sign: fairbro		
		Print Name: Sidney Fairbrother		
		Print Name: Sidney Fairbrother  Date: Oct 17th, 2018		
		Address: <u>826/ Riverview Lane</u> Brookton Pack, MN		
Email to:		30777		

### Re: Ponto Beach / Parks and Open Space Deficit

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		Print Name: Date: Address:	Daga	16/2018 Point/	CA

Email to:

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Thank you for your consideration!

Sign:

Print Name:

BLAD FAULO NGA

Date:

Address:

Address:

Address:

Los GATOS (A 95032)

Matt.Hall@carlsbadca.gov; CityCouncil@carlsbadca.gov; gbuhr@coastal.ca.gov;

Erin.Prahler@coastal.ca.gov; info@peopleforponto.com

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I thank you for your consideration!	Sign: Mark A			
	Print Name: MARTIN B. LEE			
2	Date: 10/16(18			
	Address: 2058 Lake Fountain Dr.			
Email to:	katy TX 77494			
Matt.Hall@carlsbadca.gov; CityCouncil@	vcarisbadca.gov; gbuhr@coastal.ca.gov;			

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	A			
I thank you for your consideration!	Sign:			
	Print Name: Marc Horne			
	Date: 16/16/18			
	Address: 7334Es callonia Ct Carsbad, CA9201			
Email to:	Carlsbad, CA92d1			

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Sign:

Sign:

Susurango

Print Name:

Swanna Samaniego

Date:

10.17.18

Address:

Bla Caminity Rosa Carlsbad, Ar
Email to:



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Sign: When I are ica (when Date: 10/17/18

Address: | 50| | Nepture Ave

Email to:

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I thank you for your consideration!

Sign: Gabriela wood

Print Name: Gabriela wood

Date: 18/10/18

Address: 3376 Escaloria etc.

#### Email to:

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	ed Veteran's Park, located 6 miles from Ponto, a suitable and open-space for Ponto / west of I-5.		
I thank you for your consideration!	Sign: D. Luchc		
	Print Name: Dee Qunninghan		
	Date: 10 17/18		
	Address: 7374 Escallona CT.		

Email to:

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	<del>-</del>			
I thank you for your consideration!		Sign:	eketo	
		Print Name:	ASHLEY KICKE	
		Date:	10/17/18	
		Address:	HOPKINS, MN 55343	

### Email to:



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U					
Thank you for your consideration!		Sign: O	POBERT SCHINDERME	- SIM	
	1	Date:	10/8/2018		
		Address:	554 DEW POINT AND	2	
		_	(ARLSBAD, CA		

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I thank you for your consideration!

Sign: Auxly Your Ohnson

Print Name: Christy Snower Tohnson

Date: Oct 13, 2018

Address: 4 Willes Place

Email to:

Matt.Hall@carlsbadca.gov; CityCouncil@carlsbadca.gov; gbuhr@coastal.ca.gov;

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Sign:

Print Name:

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Address:

904 Oldhan Cf

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		d Veteran's Park, located 6 miles from Ponto, a suitable and open-space for Ponto / west of I-5.
I thank yo	u for your consideration!	Sign:  Print Name: James M. Alvs a  Date: Oct 16, 2018  Address:
		* WARRY ANY

### Email to:

Matt.Hall@carlsbadca.gov; CityCouncil@carlsbadca.gov; gbuhr@coastal.ca.gov; Erin.Prahler@coastal.ca.gov; info@peopleforponto.com

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Sign: 

Address: 43 x N Ros Auc.

30 Acres 15 should be dependent on developers providing the required and currently missing 30 acres of open-space.

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# People for Ponto Develop Ponto Right

#### Re: Ponto Beach / Parks and Open Space Deficit

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I am informed that there is a current 6.6 acre park deficit in Coastal Southwest quadrant of Carlsbad, (south of Palomar Airport Road and west of El Camino Real); that there is a 30 acre open-space deficit in Zone 9 (west of I-5 and south of Poinsettia) of the Growth Management Plan; that the City is not requiring developers to first look at non-residential reserve and parks in Planning Area F (the large, undeveloped area west of the railroad tracks, north of Avenida Encinas and south of Cape Rey Hotel); and most importantly, I am informed that the City Council is currently reviewing plans to build a high-density, residential community in Planning Area F, a location perfectly situated to remedy the above deficits.

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LY	I do not want high-density,	residential develop	ment at Ponto.
	I do not consider the propos alternative to a Coastal Park	-	located 6 miles from Ponto, a suitable r Ponto / west of I-5.
			$\mathcal{P}$ (1) )
I thank yo	u for your consideration!	Sign:	bagan Spuna
		Print Name:	Keggy Shime
		Date:	10/16/18
		Address:	1344 Blue Heron ave Enantes, CA 92024

Matt.Hall@carlsbadca.gov; CityCouncil@carlsbadca.gov; gbuhr@coastal.ca.gov; Erin.Prahler@coastal.ca.gov; info@peopleforponto.com

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Erin.Prahler@coastal.ca.gov; info@peopleforponto.com

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Accordingly, I am requesting and making my position known that: I want the City of Carlsbad to build a park at Ponto to serve residents and visitors alike. I believe any and all development west of I-5 should be dependent on developers providing the required and currently missing 30 acres of open-space. I do not want high-density, residential development at Ponto. I do not consider the proposed Veteran's Park, located 6 miles from Ponto, a suitable alternative to a Coastal Park and open-space for Ponto / west of I-5. I thank you for your consideration! Sign: Print Name: Date: Address: Email to: Matt.Hall@carlsbadca.gov; CityCouncil@carlsbadca.gov; gbuhr@coastal.ca.gov;

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	ed Veteran's Park, located 6 miles from Ponto, a suitable and open-space for Ponto / west of I-5.				
I thank you for your consideration!	Sign: Valerie Cowan  Print Name: Valerie Cowan				
	Print Name: Valerie Cowan				
	Date: Oct 15, 2018				
	Address: 7366 Escallonia Ct Carlsbud, CA 92011				
Email to:	Carlsbad, CA 92011				

Email to:

Matt.Hall@carlsbadca.gov; CityCouncil@carlsbadca.gov; gbuhr@coastal.ca.gov; Erin.Prahler@coastal.ca.gov; info@peopleforponto.com



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LY No ped bridge	ge on walking pater
Thank you for your consideration!	Sign:  Print Name: Matt Campbell  Date:  Address: 501 Sturn Way  Carl Shal, Clt 5201

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Sign:

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Address:

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Date:

10/16/18

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I thank you	u for your consideration!	Sign:	Regina Allenzel E. Rezina D. Wenzel
		Print Name:	E. Rezina D. Wenzel
		Date:	10-16-18
		Address:	P.U. Box 131263 Causback, CA9013
Email to:			, –
Matt Hall@	Dcarlsbadca.gov: CityCouncil@ca	rishadca gov. g	buhr@coastal ca gov



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Sign:

Print Name:

| Date: | 10 | 14 | 18 |
| Address: | Third | Fractions | Third | Fractions | Third |

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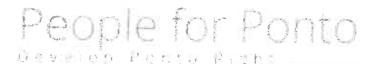
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Print Name:

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Thank you	for your consideration!	Sign:	Holli	t
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		Date:	02/01	//8
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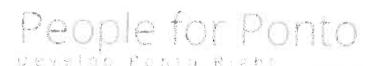


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Thank you	for your consideration!	Sign:	ay C. hucc.
		Print Name	MARIA. NUCC
		Date:	16/20/18
		Address:	7460 NEPTULE DD
			CARLETAD (14 92010



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Kı	I do not consider the proposed Veteran's Park, located 6 miles from Ponto, a suitable alternative to a Coastal Park and open-space for Ponto / west of I-5	
Thank you	Print Name: Robyn Stabayadi Date: 10-20-18  Address: 7520 Mayell an Street Caylsbad, CA 92011	



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Me need Commercial b	restau	rants and
Thank you for your consideration!	Sign:	obert I. Muhous
	Print Name:	Robert Niehaus
	Date:	10/20/18
	Address:	7512 Magellan St.
		CARUSBAD, CA. 9201



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W We need Te	estaurants and
nommercial bus	inesis
Thank you for your consideration!	Sign: Andrea Melleur Print Name: Andrea, Niehaus
	Date: $\frac{10/20/18}{}$
	Address: 75/2 MAgellan St
	CARLSBADY CA.
	92011

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Sign:

Print Name:

Emily Cetting

Date:

10/20/18

Address:

529 Stern Way



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Thank you	Frint Name: Kathless Value  Date:  Address:  Sign: Fathless Value  Date:  Lo-20-18  Cantshut Calif 970t



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LENK THE DEEN SPAZE MONE &

Print Name:

Print Name:

ANDREA LOTT

Date:

1531 EVENTING WIND WANTED ANDREA Address:

Total Residents and visitors alike.

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·	I want the City of Carlsbad to build a park at Ponto to serve residents and visitors alike.			
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	I do not want high-density, residential development at Ponto.			
	I do not consider the proposed Veteran's Park, located 6 miles from Ponto, a suitable alternative to a Coastal Park and open-space for Ponto / west of I-5			
	48			
Thank you	Print Name: Marin Goldston  Date: 10 114 118  Address: \$501 010 4014 Rd  PAINALLY PR 19141			
	Theladelyse file 1917			



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Thank you for your consideration!

Sign:

Print Name:

Print Name:

Mals Curstum A.

Carthy Col., CA. 22.00



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Thank you for your consideration!

Sign:

Print Name:

PARAPA KEGREN

Date:

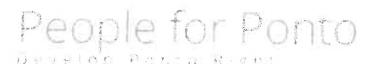
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Print Name:

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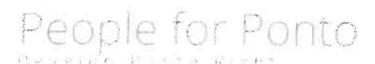
Address:

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Address:

Str. Mekron Gramus

Residents and visitors alike.



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Thank you for your consideration!

Sign:

Print Name:

By don Bacaycey

Date:

10-16-18

Address:

7456 Capstan Dr.

Carlsbad, CA 92011



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Sign:

Print Name:

Botin Meh

Date:

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Address:

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I thank you for your consideration!

Sign:

Print Name:

Valence Amold

Date:

Address:

Address:

Malel, MN SS9S4

Matt.Hall@carlsbadca.gov; CityCouncil@carlsbadca.gov; gbuhr@coastal.ca.gov;

Erin.Prahler@coastal.ca.gov; info@peopleforponto.com



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Erin.Prahler@coastal.ca.gov; info@peopleforponto.com

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I thank yo	ou for your consideration!	Sign.	Dey How	
		Print Name	e: Holey Hams	
		Date:	10/14/18	
		Address:	2724 Grand Atte S	
Email to:			Mineapolis, MN 55408	
	@carlsbadca.gov; CityCouncil@	carlsbadca.go	v; gbuhr@coastal.ca.gov;	

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	sed Veteran's Park, located 6 miles from Ponto, a suitable and open-space for Ponto / west of I-5.
	<del></del>
I thank you for your consideration!	Sign: Print Name: JASMIN JAMSW
	Date: 10/16/18
	Address: V2480 thanway 1005
	V V

### Email to:

Matt.Hall@carlsbadca.gov; CityCouncil@carlsbadca.gov; gbuhr@coastal.ca.gov; Erin.Prahler@coastal.ca.gov; info@peopleforponto.com



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Sign:

Print Name:

Date:

Date:

10 16 18

Address:

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I thank you for your consideration!	Sign:	and the same of th		
	Print Name:	Tour flam		
	Date:	10/16/18		
	Address:	CMICAGO, DC		

<u>Email to:</u>

Matt.Hall@carlsbadca.gov; CityCouncil@carlsbadca.gov; gbuhr@coastal.ca.gov; Erin.Prahler@coastal.ca.gov; info@peopleforponto.com

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[[\frac{1}{2}]	I believe any and all develo providing the required and cur	pment west of I-5 should be dependent on developers rrently missing 30 acres of open-space.
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Γhank you	ı for your consideration!	Sign: Print Name: Date:  Address:  9/7 Royle4/
		(MEVIN CA 7200+

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Sign: 

Label Realizable Strong Hudson

Print Name: 

Cade Keating Hudson

Date: 

10/20/18

Address: 508 Rudder Ave

Carlsbal CA 920//

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Sign:

Print Name:

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Address:

Address:

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Sign

Print Name:

Date:

Address:

No. 10 1918



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[X]	I do not want high-density, r	esidential develo	oment at Ponto.
[X]	I do not consider the propos alternative to a Coastal Park		k, located 6 miles from Ponto, a suitable for Ponto / west of I-5.
I thank yo	ou for your consideration!	Sign:	2
		Print Name:	George Khoury
		Date:	10-15-18
		Address:	7364 Escallenia Ct, 92011

Email to:

Matt.Hall@carlsbadca.gov; CityCouncil@carlsbadca.gov; gbuhr@coastal.ca.gov; Erin.Prahler@coastal.ca.gov; info@peopleforponto.com

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Print Name:

Print Name:

Bring V Tyrrella Name:

I c [15]

Address:

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CARLSBAD CA

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M	I do not consider the propose alternative to a Coastal Park a	d Veteran's Park, nd open-space for	located 6 miles from Ponto, a suitable Ponto / west of I-5.
M	YOU CON'T GET IT	Back once	it's bene, please
TH	ink wisely about to	415 LAST F	rectous coastal
ar	ea in north count	ry & cares	Bao. save our quant
06	UFE:		
I thank yo	ou for your consideration!	Sign:	my maustall
		Print Name:	Bevery marshall
		Date:	10/18/18
		Address:	922 rosemary overve
			caresgao 92011

#### Email to:

Matt.Hall@carlsbadca.gov; CityCouncil@carlsbadca.gov; gbuhr@coastal.ca.gov; info@peopleforponto.com

#### Re: Ponto Beach / Parks and Open Space Deficit

Dear Mayor Hall, Carlsbad City Council and California Coastal Commission:

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	I do not consider the proposed Veteran's Park, located 6 miles from Ponto, a suitable alternative to a Coastal Park and open-space for Ponto / west of I-5
Thank you	Print Name: Chas Wick Date: 10 121/18
	Address: 74-15 Neptune Dr. Carlsbaa, SA 92011

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M	YOU CON'T GET IT	Back once	it's bene, please
TH	ink wisely about to	415 LAST F	rectous coastal
ar	ea in north count	ry & cares	Bao. save our quant
06	UFE:		
I thank yo	ou for your consideration!	Sign:	my maustall
		Print Name:	Bevery marshall
		Date:	10/18/18
		Address:	922 rosemary overve
			caresgao 92011

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Thank you for your consideration!

Sign:

Print Name: Alex Wick

Date:

10[21]20[9

Address: Tuzs Nepture Dr

Carlsbad, Ca

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	I have lots of family who
	like there and we love to
	visit the parks & beach.
I thank you	a for your consideration! Sign: Wylliebla
	Print Name: AMY KUEBLEY
	Date: 10-17-18
	Address: 27 Southern Coast Dr
Email to:	The Woodlands, TX
Matt.Hall@	@carlsbadca.gov; CityCouncil@carlsbadca.gov; gbuhr@coastal.ca.gov;
	r@coastal.ca.gov: info@peopleforponto.com

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Matt.Hall@carlsbadca.gov; CityCouncil@carlsbadca.gov; gbuhr@coastal.ca.gov;

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I thank you for your consideration!

Sign:

Print Name:

Darlene Bergg uist

Address:

Address:

Email to:

Matt.Hall@carlsbadca.gov; CityCouncil@carlsbadca.gov; gbuhr@coastal.ca.gov;

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I thank you for your consideration!	Sign: Stalionne Cell
	Print Name: Michonne Vela
	Date: $0 - 16 - 18$
	Address: 3424 Austin Ave
Email to:	Waco, Tx. 76710
Matt.Hall@carlsbadca.gov: CityCouncil@	carlsbadca.gov: gbuhr@coastal ca gov:

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I thank you fo	r your consideration!	Sign: Marcy Schulman	
		Print Name: Nancy Schulman	
		Date: 10-17-18	
		Address: 5601 Bogey Ln.	
Email to:		Waco, TX 76708	
Matt.Hall@ca	rlsbadca.gov: CityCouncil@c	carlshadca gov. ghuhr@coastal ca gov.	

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I do not twant to See Condos

by the Deach when I go to CA

I thank you for your consideration!

Sign:

Print Name:

Quith a Miller

Date:

Address:

Address:

Email to:

Matt.Hall@carlsbadca.gov; CityCouncil@carlsbadca.gov; gbuhr@coastal.ca.gov;

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Sign: Marle Proctor

Date: Marle Proctor

Address: M107 Greenless In California.

Email to:

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I thank you for your consideration!	Sign: Jul Ber		
	Print Name: Lisa Berry		
	Date: 10 / 10 / 10		
	Address: OHOI Spicewood Rd		
Email to:	China Spring TX		
Matt.Hall@carlsbadca.gov;			

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<u> </u>		
I thank you for your consideration!	Sign:	Sha Partain
	Print Name:	Alisha Brittain
	Date:	10/18/18
	Address:	1420 Radisson
Email to:		Hewitt, TX 76643
Matt.Hall@carlsbadca.gov; CityCouncil@c	arlsbadca.gov; {	gbuhr@coastal.ca.gov;

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I thank you for your consideration	n! Sign:	Jusan Johnson
	Print Name:	SusaN Johnson
	Date:	10-18-18
	Address:	446 Maryland, Marlin, Tx.

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Vant to peter	heres for
guldanguer	
I thank you for your consideration!	Sign: Jueux Housland
	Print Name: Mildred Stanislaw
	Date: 10-17-18
	Address: 4224 Spruce Terran
Email to:	Address: 1224 Spruce 12rran
Matt.Hall@carlsbadca.gov; CityCouncil@carlsbadca.gov; info@peoplefo	rlsbadca.gov; gbuhr@coastal.ca.gov;

# People for Ponto Develop Ponto Right

#### Re: Ponto Beach / Parks and Open Space Deficit

Dear Mayor Hall, Carlsbad City Council, and California Coastal Commission:

I am informed that there is a current 6.6 acre park deficit in Coastal Southwest quadrant of Carlsbad, (south of Palomar Airport Road and west of El Camino Real); that there is a 30 acre open-space deficit in Zone 9 (west of I-5 and south of Poinsettia) of the Growth Management Plan; that the City is not requiring developers to first look at non-residential reserve and parks in Planning Area F (the large, undeveloped area west of the railroad tracks, north of Avenida Encinas and south of Cape Rey Hotel); and most importantly, I am informed that the City Council is currently reviewing plans to build a high-density, residential community in Planning Area F, a location perfectly situated to remedy the above deficits.

Accordingly, I am requesting and making my position known that:
I want the City of Carlsbad to build a park at Ponto to serve residents and visitors alike.
I believe any and all development west of I-5 should be dependent on developers providing the required and currently missing 30 acres of open-space.
I do not want high-density, residential development at Ponto.
I do not consider the proposed Veteran's Park, located 6 miles from Ponto, a suitable alternative to a Coastal Park and open-space for Ponto / west of I-5.
[] I have to go writ my
nice and enjoy the parts &
bearles
I thank you for your consideration! Sign: Condy Veal
Print Name: Cindy Neal
Date: $0 - 18 - 18$
Address: 3223 Brannon Dr
Email to:

Matt.Hall@carlsbadca.gov; CityCouncil@carlsbadca.gov; gbuhr@coastal.ca.gov;

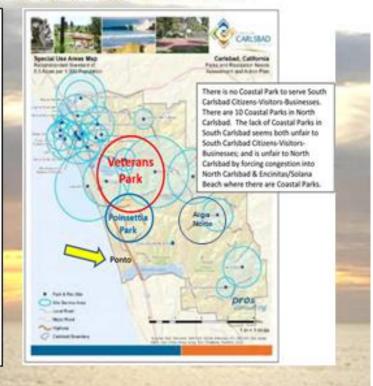
Erin.Prahler@coastal.ca.gov; info@peopleforponto.com

Part of the data provided by citizens to the Carlsbad City Council, Planning, and Parks Commissions; and California Coastal Commission regarding Planning Area F and the Carlsbad Local Coastal Program and Carlsbad's Growth Management Program and Local Facilities Management Plan for Zone 9 [Ponto].

Item #9 Updated image requested by Councilman Keith Blackburn to show Poinsettia Park's official service area relative to the South Coastal Carlsbad Park gap and deficit. The blue circle(s) show the City's adopted service areas from the City of Carlsbad Parks Master Plan for each City Park based on the park size and the population surrounding the park. A large circle represents a large park and/or low population surrounding the park. The image below shows all the City Parks (both Community Parks and Special Use Areas in Coastal Carlsbad (except for Aviara Park that is east of Poinsettia Park and west of Alga Norte Park). Data is compiled from City of Carlsbad Parks Master Plan pp 87-88.

#### Issue #1 – 6.6 Acre Park Deficit No Coastal Park in South Carlsbad

- Appx. 6 miles of Coast without a Coastal Park is a City & Regional need
- South Carlsbad has 64,000 residents & thousands of hotel visitors without a Coastal park
- Closest park to Ponto is Poinsettia Park, approx. 2.5 miles across I-5
- Proposed Veterans Park is approx. 6 miles away



#### Local Coastal Program requirements for Planning Area F at Ponto:

 Data from Official Carlsbad Public Record Requests by citizens group People for Ponto www.peopleforponto.com

Ponto is in the California Coastal Zone and land use and development decisions must not only be consistent with the City of Carlsbad General Plan and Ordinances but must also be consistent with the California Coastal Act (CCA). Per our Constitution, if there is a conflict between local City plans and the State's Coastal Act the Coastal Act prevails. The California Coastal Commission (CCC) is the State commission that makes development decisions in the Coastal Zone.

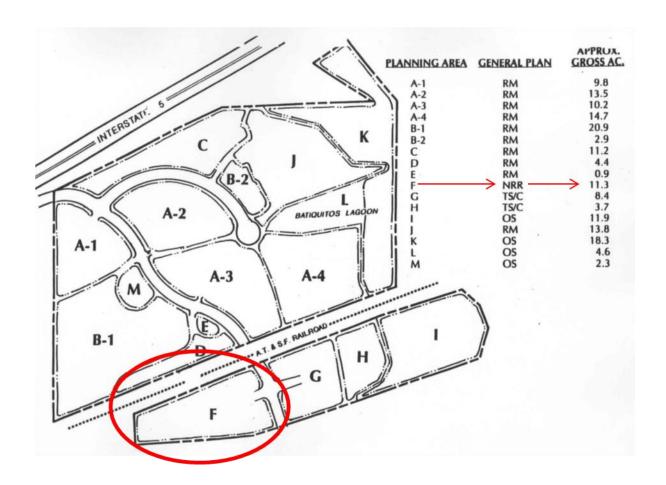
Relevant Basic Goals of the State of California for the Coastal Zone are to:

- Maximize public access to and along the coast and maximize public recreational opportunities
  in the coastal zone consistent with sound resources conservation principles and constitutionally
  protected rights of private property owners.
- Assure priority for coastal-dependent and coastal-related development over other development on the coast.
- The Legislature further finds and declares that the public has a right to fully participate in
  decisions affecting coastal planning, conservation, and development; that achievement of
  sound coastal conservation and development is dependent upon public understanding and
  support; and that the continuing planning and implementation of programs for coastal
  conservation and development should include the widest opportunity for public participation.

The CCA priority land uses to achieve the above basic California Coastal Act goals are:

- maximize public recreational opportunities in the coastal zone
- Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.
- The use of private lands suitable for visitor-serving commercial recreational facilities designed to
  enhance public opportunities for coastal recreation shall have priority over private residential,
  general industrial, or general commercial development, but not over agriculture or coastaldependent industry.
- Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.
- Public facilities [such as Public Parks] shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.
- Assure priority for coastal -dependent and coastal-related development [i.e. lower cost visitor accommodations or recreational facilities (i.e. public park) as noted in the Planning Area F LCP requirements]

The Poinsettia Shores Master Plan and Local Coastal Program (PSMP/LCP) adopted in 1996 is the City's and CA Coastal Commission Existing Adopted Coastal 'general plan land use and zoning' and regulations for Planning Area F in the San Pacifico Community at Ponto. See the following land use zoning map from the current PSMP/LCP:



The current City and CA Coastal Commission adopted land use zoning and regulations for this Planning Area F is found on page 101 Carlsbad's Existing Local Coastal Program at (<a href="http://www.carlsbadca.gov/civicax/filebank/blobdload.aspx?BlobID=24088">http://www.carlsbadca.gov/civicax/filebank/blobdload.aspx?BlobID=24088</a>) and reads as follows (bold face added for emphasis):

"10. PLANNING AREA F: Planning Area F is located at the far northwest corner of the Master Plan area west of the AT&SF Railway right-of-way. This Planning Area has a gross area of 11 acres and a net developable area of 10.7 acres. Planning Area F carries a Non-Residential Reserve (NRR) General Plan designation. Planning Area F is an "unplanned" area, for which land uses will be determined at a later date when more specific planning is carried out for areas west of the railroad right-of-way. A future Major Master Plan Amendment will be required prior to further development approvals for Planning Area F, and shall include an LCP Amendment with associated environmental review, if determined necessary. The intent of the NRR designation is not to limit the range of potential future uses entirely to non-residential, however, since the City's current general plan does not contain an "unplanned" designation, NRR was determined to be appropriate at this time. In the future, if the Local Coastal Program Amendment has not been processed, and the City develops an "unplanned" General Plan designation, then this site would likely be redesignated as "unplanned." Future uses could include, but are not limited to: commercial, residential, office, and other uses, subject to future review and approval. As part of any future planning effort, the City and

Developer must consider and document the need for the provision of lower cost visitor accommodations or recreational facilities (i.e. public park) on the west side of the railroad."

Planning Area F was originally agriculture, then in 1985 Planning Area F's planned land use was changed to Travel Service Commercial uses. Then in 1996 was changed to the current Non-Residential Reserve (a blank holding zone) land use as noted above. Since Non-Residential Reserve had no planned land use associated with it a specific requirement of the PSMP/LCP for Subarea F was that: "As part of any future planning effort, the city and developer must consider and document the need for the provision of lower cost visitor accommodations or recreational facilities (i.e., public park) on the west side of the railroad." [see Planning Area F regulations on page 101 of current Carlsbad Local Coastal Program]

The City around 2005 adopted a Ponto Beachfront Village Vision Plan (PBVVP) that adopted with primarily speculative developer input a City vision for Planning Area F with a Mixed-use Commercial area west of Ponto Drive and a 2-story Townhouse Neighborhood east of Ponto Drive. The City in this 2005 PBVVP 'planning effort' did not fully disclose to citizens the existence of the adopted Planning Area F LCP land use zoning requirements, nor did the City comply with the LCP for Planning Area F to "consider and document the need for the provision of lower cost visitor accommodations or recreational facilities (i.e. public park)". The City submitted the PBVVP to the CCC as a Local Coastal Program Amendment for Planning Area F; and in 2010 the CCC rejected the City's proposed LCP Amendment, Stating: "... there has been no evidence presented that would support the elimination of these areas [i.e. Planning Area F] for some lower cost overnight accommodations or public recreational amenities in the future." [see pages 6-11 of CCC action item F21a denying Carlsbad proposed LCP Amendment 3-07B/RF dated July 22, 2010]

The City then 5-years later updated its General Plan in 2015 after a 7-year planning process using the same PBVVP as the basis for Coastal land use changes at Ponto and Planning Area F. The updated General Plan changed the City's proposed general planned land uses for Planning Area F from Non-Residential Reserve to General Commercial (GC) west of Ponto Drive and R-23 (Residential 15-23 dwellings an acre) east of Ponto Drive. Again, the City in this 2015 'planning effort' did not as required by the Planning Area F LCP requirement publically disclose and then consider and document the need for the provision of lower cost visitor accommodations or recreational facilities (i.e. public park).

The lack of public disclosure/discussion, and compliance with the Planning Area F LCP requirements in both the City's 2010 PBVVP and 2015 General Plan Update processes was confirmed in 2017 with the following 3 official Carlsbad Public Records Requests (sometimes referred to a freedom of information act):

- # 2017-260
- #2017-261 and
- #2017-262

We request that the above 3 official Carlsbad Public Records Requests, including City replies to follow-up questions, be fully included as Public Comments in the 2019 LCPA.

Why didn't the City publically disclose and follow the existing (since 1996) LCP requirements for Ponto/Planning Area F during the 2010 PBVVP and 2015 General Plan Update? The PBVVP and General Plan Update processes were/are both fundamentally flawed due to this non-disclosure and non-compliance and did not allow full and just consideration of Coastal Priority land uses for Planning Area F.

As noted the Public Records Requests confirmed that the City did not specifically disclose and reach out to Carlsbad Citizens and the San Pacifico Community Association specifically regarding the requirements to propose changes to Planning Area F. Planning Area F is one of the planning areas of the San Pacifico Community Association.

The City's failure twice, both during the City's 2010 PBVVP and 2015 General Plan Update 'planning efforts' to fully disclose and implement the Planning Area F LCP requirements was and still is in conflict with CA Coastal Act goal indicating the "public has a right to fully participate in decisions affecting coastal planning, conservation, and development; that achievement of sound coastal conservation and development is dependent upon public understanding and support; and that the continuing planning and implementation of programs for coastal conservation and development should include the widest opportunity for public participation"

As noted it took until 2017 for the People for Ponto citizen group to first find the Planning Area F LCP requirements at Ponto and confirm the City's failure to publically disclose and implement the existence of the Planning Area F LCP requirements at Ponto by getting documented confirmation through Official Carlsbad Public Records Requests and inquiries with CCC Staff. In 2017 Coastal Commission Staff indicated that: "The City is currently undertaking a comprehensive update to their LCP funded in part through a CCC grant. As a part of this process the City will be consolidating all previous LCP segments into a single, unified LCP. The City has received direction from both the Commission (May 2016 CCC hearing) and Commission staff, that as a part of this update the City shall undertake an inventory of visitor serving uses currently provided within the City's Coastal Zone which will then serve to inform updates to the City's land use and zoning maps as necessary. This inventory could have future implications for the appropriate land use and zoning associated with the Ponto area."

On 8/31/17 (see Item #1 of 'Concerns and requests emailed to the Carlsbad City Council, Planning and Parks Commissions; and California Coastal Commission as of 8-2-18' that was previously provided as public comment on the LCPA) People for Ponto emailed the Carlsbad City Council to ask that a Ponto Coastal Park be provided and that San Pacifico Community Association be invited and engaged in the planning discussions. The email cited numerous Carlsbad General Plan Community Vision statements and data on City Park Standard deficits at Ponto and Coastal South Carlsbad that clearly supported creation of a Ponto Coastal Park. The email was a request of the Carlsbad City Council to basically restart the Ponto Planning Effort on Planning Area F with an open and honest community-based planning effort before this last area of vacant Coastal land is committed to any development.

The email was resent to the City Council on 3/6/18 due to no City response to the initial 8/17/17 email. Although the City Staff has responded by rejecting Citizens' requests to reset and restart the Ponto Area Planning Effort to address the Pubic Park needs at Ponto; we did finally on 10/31/19 receive an email confirmation from City Staff that "Regarding concerns about recreation uses in the Ponto area, the staff reports will include an analysis of the need for lower-cost recreation and visitor accommodations in the Ponto area." The actual LCP requirement notes "(i.e. Public Park)" not just 'lower-cost recreation'. The 10/31/19 email is the first City acknowledgement since the initial 2017 People for Ponto email, that the City will follow the existing LCP requirements for Planning Area F. Unfortunately it likely is not the best way to address the of the existing LCP requirements at Ponto, and most importantly the Goals and Policies of the CA Coastal Act.

As further public comments we would like to suggest maintaining Planning Area F's "Non-residential Reserve" Coastal land use (LUP) and Coastal zoning designation along with considering the entire

Ponto area as a Deferred Area of LCP Certification to allow the City to reset the Coastal planning at Ponto and start anew with a comprehensive and open Community-based Planning Process that fully addresses CA Coastal Act Goals and Policies and openly involves San Pacifico Community Association, the Citizens of South Carlsbad, and Citizens regionally. This is vitally important given Ponto is the last major vacant land in the center of a regional 6-mile coastal Park gap, and the only vacant Upland Area to a major regional Low-cost Visitor Accommodation (South Carlsbad State Campground) that is subject to destruction from sea bluff erosion due to sea level rise and increase weather events from climate change.

#### References:

California Coastal Act: see
 <a href="https://leginfo.legislature.ca.gov/faces/codes\_displayexpandedbranch.xhtml?tocCode=PRC&division=20.&title=&part=&chapter=&article="https://leginfo.legislature.ca.gov/faces/codes\_displayexpandedbranch.xhtml?tocCode=PRC&division=20.&title=&part=&chapter=&article=</p>

#### RECORDING REQUESTED BY:

Chicago Title Company - Commercial DIVISION MAIL TAX STATEMENT TO AND WHEN RECORDED, MAIL TO:

Jackson, DeMarco, Tidus & Peckenpaugh 2030 Main Street, Suite 1200 Irvine, California 92614 Attention: Steven J. Dettmann, Esq. DOC# 2019-0048295

Feb 11, 2019 01:26 PM
OFFICIAL RECORDS
Ernest J. Dronenburg, Jr.,
SAN DIEGO COUNTY RECORDER
FEES: \$115.00 (SB2 Atkins: \$75.00)
PCOR: AFNF

PAGES: 3

9232-002-KAP

989-23087407-B-SG4

APN: 216-140-43

(Space Above for Recorder's Use Only)

THE UNDERSIGNED GRANTOR DECLARES:

"The value of the property in this conveyance,
exclusive of liens and encumbrances is \$100 or less.
and there is no additional consideration
received by the grantor, R & T 11911."

Documentary Transfer Tax is \$0
Consideration less than \$100
Cup kill Name

#### **QUITCLAIM DEED**

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, SHOPOFF ADVISORS, L.P., a Delaware limited partnership ("Grantor"), hereby remises, releases and quitclaims to LSF5 CARLSBAD HOLDINGS, LLC, a Delaware limited liability company ("Grantee"), all of its right, title and interest in and to that certain real property located in the City of Carlsbad, County of San Diego, State of California, more particularly described on Schedule "1" attached hereto (the "Property").

The purpose of this quitclaim is to confirm that Grantor has relinquished any and all rights that Grantor had to the Property pursuant to that certain Option Agreement dated June 13, 2013, as same may have been amended (the "Option Agreement"), between Grantor and Grantee, as said Option Agreement is described in that certain Memorandum of Option dated November 25, 2013, and recorded in the Official Records of said County as Instrument No. 2013-0199160

**GRANTOR:** 

SHOPOFF ADVISORS, L.P., a Delaware limited partnership

By: The Shopoff Corporation, a

Delaware corporation, its General

Partner

By:

William A. Shopoff, President

This document filed to record by Chicago Title insurance Company as an accr-amodation only. It has not been examined as to its execution or as to its effect upon the title.

#### **ACKNOWLEDGEMENT**

STATE OF CALIFORNIA
COUNTY OF (MINCY)
On November 260, 2013, before me, Levi Hordentad, Notary Public
personally appeared William A. Shooff (here insert name and title of the difficer)
who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she_executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal.  TERRI HOVDESTAD Commission # 1891635 Notary Public - California Orange County My Comm. Expires Jun 28, 2014
(SEAL)

## Schedule "1" (to Quitclaim Deed)

### Legal Description of the Property

All that certain real property situated in the City of Carlsbad, County of San Diego, State of California, more particularly described as follows:

PARCEL 1:

PARCEL 1 AS DESCRIBED ON THAT CERTAIN CERTIFICATE OF COMPLIANCE FOR ADJUSTMENT PLAT RECORDED JUNE 3, 2011 AS INSTRUMENT NO. 2011-0284873, IN THE CITY OF CARLSBAD, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, BEING THOSE PORTIONS OF LOTS 1 AND 2 TOGETHER WITH A PORTION OF THE STREET ADJOINING SAID LOTS, SHOWN AS AVENIDA ENCINAS, WHICH STREET PORTION WAS SUMMARILY VACATED BY RESOLUTION RECORDED AUGUST 3, 2011 AS INSTRUMENT NO. 2011-0394673, AS SHOWN ON MAP NO. 11290, RECORDED JULY 16, 1985 AS FILE NO. 85-253280 OF OFFICIAL RECORDS, AND WHICH PARCEL 1 IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID MAP 11290; THENCE, ALONG THE EAST LINE OF SAID MAP 11290, SOUTH 21°08'29" EAST 1122.87 FEET TO THE CENTERLINE OF AVENIDA ENCINAS PER FILE NO. 1994-0612500, RECORDED OCTOBER 10, 1994; THENCE, LEAVING SAID EAST LINE ALONG SAID CENTERLINE, SOUTH 56°33'41" WEST 26.46 FEET TO THE BEGINNING OF A 670 FOOT RADIUS CURVE CONCAVE TO THE NORTH; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 15°41'17" A DISTANCE OF 183.45 FEET; THENCE SOUTH 72°14'58" WEST 323.87 FEET TO THE WESTERLY LINE OF SAID MAP 11290; THENCE, LEAVING SAID CENTERLINE ALONG SAID WESTERLY LINE, NORTH 17°30'57" WEST 229.06 FEET; THENCE NORTH 4°41'37" WEST 913.85 FEET; THENCE NORTH 0°09'24" EAST 110.33 FEET TO THE NORTHWEST CORNER OF SAID MAP 11290; THENCE, ALONG THE NORTHERLY LINE OF SAID MAP, NORTH 89°59'04" EAST 233.90 FEET TO THE POINT OF BEGINNING.

APN: 216-140-43

Re: Land Opportunity to Correct the Parks and Open Space Deficit at Ponto

Dear Mayor Hall, Carlsbad City Council, and California Coastal Commission:

Tam informed that:

Accordingly, I am making it known that:

- 1) There is a current 6.6-acre park deficit in the Coastal Southwest quadrant of Carlsbad (south of Palomar Airport Road and west of El Camino Real), and that there are no Coastal Parks in all South Carlsbad and for a 4-6-mile section of San Diego County's coastline.
- 2) There is a 30-acre open-space deficit in Zone 9 (Ponto area west of I-5 and south of Poinsettia).
- 3) The State and City of Carlsbad's Local Coastal Program (LCP) require that Planning Area F at Ponto (the 11-acre undeveloped area west of the railroad tracks, north of Avenida Encinas and south of Cape Rey Hotel) be considered as a public park for the benefit of Carlsbad residents and visitors.
- 4) And most importantly, I am informed that the 11-acre Planning Area F is NOW available for purchase.

Planning Area F and build a park at Ponto to	serve resider	capital improvement program to purchase nts and visitors alike.  ad has remaining for future generations and
our visitor industry.		
[ V] I am not in favor of future residential develo	opment at Por	nto.
I request that my comments be put on record in the	official public	records for Planning Area F.
Thank you.		M M
•	Sign:	- J. J.
	Print Name:	Gary Cunneau
	Date:	10/26/2019
	Address:	1740 Dylan Way
		Encuntas 92024
Email to: Matt.Hall@carlsbadca.gov; CityCouncil@c	arlsbadca.gov	; Scott.Chadwick@carlsbadca.gov;

Kyle.Lancaster@carlsbadca.gov; lisa.urbach@parks.ca.gov; Kathleen@carlsbad.org; mike.pacheco@carlsbadca.gov; gbuhr@coastal.ca.gov; cort.hitchens@coastal.ca.gov; Erin.Prahler@coastal.ca.gov; info@peopleforponto.com



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I want to preserv	ve what little Coastal Open Space Carlsbad has remaining for future generations and cry.
	of future residential development at Ponto.
[_]	
I request that my comme	nts be put on record in the official public records for Planning Area F.
Thank you.	Sign: R Wathkers
	Print Name: RAPAN Mathews
	Date: 10/26/19
	Address: 7509 Solaws Street
	Carlibad, A 9208

Email to: Matt.Hall@carlsbadca.gov; CityCouncil@carlsbadca.gov; Scott.Chadwick@carlsbadca.gov; Kyle.Lancaster@carlsbadca.gov; lisa.urbach@parks.ca.gov; Kathleen@carlsbad.org; mike.pacheco@carlsbadca.gov; gbuhr@coastal.ca.gov; cort.hitchens@coastal.ca.gov;

Erin.Prahler@coastal.ca.gov; Don.Neu@carlsbadca.gov; Gary.Barberio@carlsbadca.gov; info@peopleforponto.com



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## [\_\_] I want the City of Carlsbad to budget money in their capital improvement program to purchase Planning Area F and build a park at Ponto to serve residents and visitors alike.

	•
[]	I want to preserve what little Coastal Open Space Carlsbad has remaining for future generations and our visitor industry.
	lam not in favor of future residential development at Ponto.
l reque	st that my comments be put on record in the official public records for Planning Area F.
Thank	you. Sign:

Print Name: Janice Codriguet

Date: 10-26-2019

Address: 7185 Estrella de Mar #B



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Thank you.	Sign:	Belinela S. Han		
	Print Name:	Belinda Harris		
	Date:	10/16/19		
	Address:	7477 Megnaid La		
		Carlsback 90277 92011		

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	TEASON AB/E - SUSTAINABLE DEVELOP MENT MY
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gbuhr@coastal.ca.gov; cort.hitchens@coastal.ca.gov; Erin.Prahler@coastal.ca.gov; info@peopleforponto.com

Email to: Matt.Hall@carlsbadca.gov; CityCouncil@carlsbadca.gov; Scott.Chadwick@carlsbadca.gov;
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I am not in favor of future residential develo	opment at Po	nto.
I request that my comments be put on record in the Thank you.	Sign:	C records for Planning Area F.
	Print Name:	TOTAL MICHANIA
	Date:	09/10/19
	Address:	CARLERAS



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Thank you.	Sign:			
	Print Name: JORDAN GUERLAGRU			
	Date: 10/24)19			
	Address: OFFINE, CA			

Re: Land Opportunity to Correct the Parks and Open Space Deficit at Ponto

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Thank you.	Sign:	9500		
	Print Name:	DAN Schlerle		
	Date:	(0/26		
	Address:	905 N. Claveland St. Unite Oceanside, Ch 92054		
Email to: Matt.Hali@carlsbadca.gov; CityCouncil@carlsbadca	a.gov; Scott.Chadwid	:k@carlsbadca.gov; Kyle.Lancaster@carlsbadca.gov;		

lisa.urbach@parks.ca.gov; Kathleen@carlsbad.org; mike.pacheco@carlsbadca.gov; gbuhr@coastal.ca.gov; cort.hitchens@coastal.ca.gov;

Erin.Prahler@coastal.ca.gov; Don.Neu@carlsbadca.gov; Gary.Barberio@carlsbadca.gov; info@peopleforponto.com



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[_]		
	quest that my comments be put on record in the official publink you.  Sign:	Janil J
	Print Name:	Janie T. Simon
	Date:	10/26/2019
	Address:	1714 Eplus Are. Enchifes

Email to: Matt.Hall@carlsbadca.gov; CityCouncil@carlsbadca.gov; Scott.Chadwick@carlsbadca.gov; Kyle.Lancaster@carlsbadca.gov; lisa.urbach@parks.ca.gov; Kathleen@carlsbad.org; mike.pacheco@carlsbadca.gov; gbuhr@coastal.ca.gov; cort.hitchens@coastal.ca.gov; Erin.Prahler@coastal.ca.gov; info@peopleforponto.com

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l reque	st that my comments be put on record in the c	official public	records for Planning Area F.
Thanky		Sign:	La Longo
		Print Name:	Alexis Honey Cold
		Date:	10.26.19
		Address:	6439 Olea In 92011

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Address:

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$[\underline{V}]$	I am not in favor of future residential development at Ponto.			
<b>√</b> 1	it is critical to preserve the open public beaches for us and sealife wildlike.			
I reque	st that my comments be put on record in the official public records for Planning Area F.			
Thank	you. Sign:			
	Print Name: SUSAN M- SHEROD			
	Date: Qct. 26, 2019			

Address: 173 CAMINO DO Las FLORES
ENCIN 1725, CA 92024



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Thank you.	Sign:	Mate Po
	Print Name:	Cate
	Date:	18-26-19
	Address:	Escondilido

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Print Name: T

Date:

Sign:

Address:

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Thanky	ou. Sign:
	Print Name: Jeannie Bentley
	Date: 10-24-19
	Address:

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Thanky	rou.	Sign:	me
		Print Name:	Mayor Crnkovich
		Date:	10/26/19
		Address:	7328 binnucle de

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	Date: 420/2019
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Thank y	ou.	Sign:	Scan Helma		
		Print Name:	Seam Holmer		
		Date:	10/26		
		Address:	708 Freldstone Ln, Brights CA		

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Thank you.	Sign: Miranda Feuer				
	Print Name: MIranaa Feuer				
	Date: 10/26/19				
	Address: 3374 Corte Terral CA Carlsbord				



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Thanky	you.	Sign:	A		
		Print Name:	Masmine yates		
		Date:	10-20-2019		
		Address:	1405 Crossa Court		
			CALCOLOR		



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Thank you.	Sign:	MIL		
	Print Name	DEALAH		
	Date:	10/20/19		
	Address:	3 norvieta, CA		

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Thank you.	Sign:	Jeanfer baer			
	Print Name	Jennifer Baer			
	Date:	10/26/19			
	Address:	6800 Watercomse Dr.	Caulsbad		

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	/ ]				
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Thank	•	gn:	AUD		
	Pr	int Name:	418 Broulette		
	Da	ate:	004/26/2019		
	Ac	ddress:	1413 CROSY COUR,		
Cmail t	Lean Matt Hall@carlchadca gov: CityCouncil@carls	·hadea gov:	Scott Chadwick@carlshadca gov:		

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Thank	you.	Sign:	Blace
		Print Name:	Blulie Amold
		Date:	10-26-19
		Address:	14440 Via Venezia

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□.				
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Thank yo	ou.	Sign:	hum huly -	
		Print Name:	JAYME LABIDOU	
		Date:	Oct 26 2019	
		Address:	11166 Socorrosti	

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Thank	you.	Sign:	act			
		Print Name:	Alex Frazier			
		Date:	10/26/19			
		Address:	30500 Valley Center			



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ال						
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Thank y	/ou.	Sign:				
		Print Name:	Claire Olymer			
		Date:	10-26-19			
		Address:	754 sunset Dr.			

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Thank you.	Sign:	Real 2				
	Print Name:	BEATRIZ COVARRUBIAS				
	Date:	10/26/19				
	Address:	7908 RANCHO FANITADA				
Email to: Matt.Hall@carlsbadca.gov; CityCouncil@c	arlshadoa gov	SANTEE, CA 92071				
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Kyle.Lancaster@carlsbadca.gov; lisa.urbach@parks.ca.gov; Kathleen@carlsbad.org; mike.pacheco@carlsbadca.gov; gbuhr@coastal.ca.gov; cort.hitchens@coastal.ca.gov; Erin.Prahler@coastal.ca.gov; info@peopleforponto.com

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Thank y	ou.	Sign:	Jesse Goldby			
		Print Name:	Ugesse Gold Desg			
		Date:	10-26-17			
		Address:	7391 Portage way carisbail 9201			

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Thank y	ou.	Sign:				
		Print Name:	Karen Cooley			
		Date:	10.20,2019			
		Address:	7442 Sundial PI			
			42011			

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Thank you.

Sign:
Print Mame: Steven Town
Date: 10-26-19
Steven Steven



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Print Name: CA 944 STE

Date:

Sign:

Address: 1408 (APSTAV IN-

Email to: Matt.Hall@carlabadca.gov; CityCouncil@carlabadca.gov; Scott.Chadwick@carlabadca.gov; Kyle.Lancaster@carlabadca.gov; lisa.urbach@parks.ca.gov; Kathleen@carlabad.org; mike.pacheco@carlabadca.gov; gbuhr@coastal.ca.gov; info@peopleforponto.com

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I want to preserve what little Co our visitor industry.

I am not in favor of future reside

Want to Preserve Carlsbad's Open Space?

www.facebook.com/groups/developpontor by submitting the Petition Support www.peopleforponto.com/help Join the Facebook page at:

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Thank you.

Sign:

Print Name:

Date: Address:

Make your voice heard and show youl

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Thank you. Sign: Karma Reyld	
Print Name: Karina Reyo	
Date: 10/20/19	<del></del>

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	Print Name: Kathelic ZZO
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Thank you.	Sign:	Sophia Carlton
	Print Name:	Sophin Car Iton
	Date:	10/26/2019
	Address:	758 Santa Barbara
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Thanky	ou.	Sign:	Megan Matheson
		Print Name:	Megan Matheson
		Date:	10/20/19
		Address:	14980 Del Diablo Lane
			97179



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		Print Name:	Mayan Carlton
		Date:	Oct 26 2019
		Address: 158	Santa Barbara DV, San Marco

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		Print Name:	Lily Carlton
		Date:	10/26/2/19
		Address:	758 Sampabarbara Dr.
			San Marcos - 97 92078

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Print Name:

Date:

Address:

10/26/19

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~.B...

Print Name:

Date:

Address:

10/26/19

Oceanside, CA

People for Ponto apologize for this late and hastily, review and comments. We just found out about the meeting this morning. We citizens know we can together achieve great things if you allow us to work with you.

Staff Report

#### <u>Page</u> <u>clarification/correction</u>:

The LCP Land Use Plan Update is in fact an Amendment to an Existing LCP Land Use Plan. The Existing LCP Land Use Plan is already certified by the CA Coastal Commission as being consistent with the CA Coastal Act, except for some Amendments needed to address Sea Level Rise impacts and some other issues.

The LCP Amendment proposes to change the Existing CA Coastal Commission certified LCP Land Use Plan's "Non-residential Reserve" Land Use and Policy on Planning Area F to consider and document the need for "i.e. Public Park" at Ponto.

- Staff summarizes the CA Coastal Act objectives to "ensure maximum public access to the coast and public recreation areas."
  - Carlsbad's Adopted Park Service Area/Equity Mapping shows there is no Park Service for the Ponto Area and Ponto Citizens, and no Park Service for the Coastal South Carlsbad area west of Interstate-5 and the rail corridor.
  - The City's mapping of land that meets the developer required Growth Management Open Space Standard of 15% Unconstrained land shows about 30-acres of this Open Space is missing at Ponto. This missing Open Space could have provided needed Park facilities that are missing at Ponto.
  - Citizens in over 2,500 emails to the City Council have cited the need for a Public Park at Ponto as part of the Existing LCP Land Use Plan Amendment proposed at Ponto. These requests area consistent with the CA Coastal Act.
- 2<sup>nd</sup> bullet: says city staff proposes to replace, amend, or retain various Existing LCP policies, so the Staff has a documented understanding how each Existing LCP policy is being treated in the proposed Amendment. Citizens asked in Oct 20, 2019 for this 'redline' version of the Existing LCP Policies and Land Use Maps so citizens can understand what the Amendments are so we as citizens could then provide informed public comment. This 'redline' version is also important for the City Council and Planning and other Commissions so they know what Amendments to Existing City LCP Land Use policy are being proposed. Citizens again request this 'redline' version that it appears the staff already has; as they know what Existing LCP Land Use policies are being replaced, amended, or retained.
- V is incomplete: the community asked on Oct 20, 2019 for 3 things: 1) a 'redline' version as noted above, 2) true Public Workshops to help inform and resolve community concerns about the proposed LCP land Use Plan Amendments, and 3) more public review time to provide for the above two other requests. All 3 requests should be acknowledged in the staff report. All 3 requests are rational and reasonable considering the proposed Draft LCP Land Use Plan

Amendment is the "buildout" plan for Carlsbad's Coastal Zone, and there were multiple documented fundamental "planning mistakes" regarding past City public information and participation in the Coastal Land Use planning. Providing such a process as outlined by the 3 requests would help to correct these documented public disclosure/participation and 'planning mistakes' that have gone on for many years. It is the right thing to do and most productive approach for all concerned.

- Staff should accurately disclose that in 2010 the CA Coastal Commission in fact rejected the City's proposed Ponto Beachfront Village Vision Plan for failing to disclose and comply with the then and current LCP Land Use Plan policy for Planning Area F at Ponto. Carlsbad Public Record Requests confirmed the staff did not disclose to citizens the existence LCP Land Use Plan policy for Planning Area F at Ponto, so citizens had no idea a Public Park at Planning Area F at Ponto needed to be considered. How can citizens, provide input if citizens don't have complete and accurate information to review and comment on?
- Staff should correctly disclose that the 2015 application at Planning Area F at Ponto is first for a Local Coastal Program Amendment and Master Plan Amendment. These are both applications to change City Land Use Plan Policy and Zoning regulations. The actual applications for 'development' permits can in fact not even be considered by the City until the Local Coastal Program Land Use of "Non-residential Reserve" is changed and Master Plan rezoning is approved. Only then can the 'development' permit application can applied for. The developer abandoned their application to change the LCP and Master Plan and then apply for developer permit review about a year ago. However, the city staff is keeping the application 'alive' even though there has been no progress on the application for over a year. It is unclear if the staff has authority to do this, or if the City Council has authority to withdrawal the application due to non-activity. The City has permit standards that withdraw applications if applicants make no progress on the applications after 6-months. What is troubling is that it appears the city staff proposal is to process the developer's application to change the Existing LCP Land Use Plan for the developer.

Staff notes that the Planning Area F sites now designated as Residential R-23 and General Commercial by the Carlsbad General Plan Update. However, staff fails to disclose that until the Existing LCP Land Use Plan Amendment (as proposed by City Staff) is in fact approved by both the City and the CA Coastal Commission the Existing LCP Land Use Plan for Planning Area F supersedes the City's General Plan Update. Carlsbad's General Plan Land Use Element clearly states this on page 2-26 stating: "The city's LCP Land Use Plan will be updated consistent with this General Plan. However, to take effect, the LCP must be certified by the Coastal Commission as well as adopted by the city. Until such time that this occurs, the existing (as of 2013) LCP must be adhered to." So until the City Council adopts the staff's proposed Draft LCP Land Use Plan Amendment, AND the CA Coastal Commission "certifies" that LCP LUP Amendment; the City's General Plan Update Land Use change cannot take effect. The General Plan Land Use at Ponto Planning Area F has in fact not been changed by the General Plan Update, but can only change with staff's proposed Draft LCP Land Use Plan Amendment that the City Council can choose to approve or disapprove. Also official Public Records Requests have documented that the City's General Plan Update planning process was also fundamentally flawed at Ponto. Again, like during Ponto Beachfront Village Vision Plan planning process a few years earlier the city failed to comply with the then and current LCP Land Use Plan policy for Planning Area F at Ponto. The flawed General Plan Update process at Ponto prevented Citizens

from knowing the facts so they could properly participate and provide review and comment during the General Plan Update. The significant citizen comments to the City Council asking for a Ponto Coastal Park is reflective of the fundamental public disclosure and processing flaws that the city is only now acknowledging as one of the repeated 'planning mistakes' at Ponto. This is why citizens are asking for full disclosure of the facts and a complete planning process re-boot at Ponto. It also should be noted that the Existing LCP Land Use Policy for Planning Area F states that "as part of any future planning effort ... consideration of a "Public Park" is required. CA Coastal Commission Staff has indicated the City's proposed land use planning changes at Ponto as part of the General Plan Update are subject to change.

At the bottom of the page regarding SB 330, as noted above the "residential land use designation on the site" is not in effect until the currently proposed LCP Land Use Plan Amendment is both approved the City Council AND also certified by the CA Coastal Commission, so SB 330 does not apply. Also SB 330 has specific language that exempts land use in the Coastal Zone. SB 330 (Skinner) Section 13 states: "(2) Nothing in this section supersedes, limits, or otherwise modifies the requirements of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code). For a housing development project proposed within the coastal zone, nothing in this section shall be construed to prohibit an affected county or an affected city from enacting a development policy, standard, or condition necessary to implement or amend a certified local coastal program consistent with the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code)." This language is consistent with CA case law, and other housing laws that recognize the obvious – there is very limited amount of Coastal land v. significant land area inland. Limited Coastal Land per the CA Coastal Act is needed for "High-Priority" Coastal Land Uses" - i.e. Coastal Recreation and Low-cost visitor accommodations primarily in a city such as Carlsbad. The CA Coastal Act identifies both residential and general commercial land uses as "low-priority". So although affordable housing is important there are other more appropriate locations, than on the last remaining vacant Coastal land in Carlsbad that will be needed to address the "High-Priority" Coastal Land Uses to serve Carlsbad and California's 'buildout' needs. CA case law recognizes the supremacy of the CA Coastal Act over CA Housing Laws as noted in "Kalnel Gardens, LLC v. City of Los Angeles". This case law data has already been provided to the City Council as part of Staff's housing discussions over the past few years. The staff report should have disclosed the above information, as it appears SB 330 is not a factor at Ponto.

2005-2010 Housing Element: As noted above the General Plan Land Use Element states the General Plan Land Use Plan is not effective until the proposed Draft LCP Land Use Plan Amendment is both approved by the City Council AND certified by the CA Coastal Commission. So, the Housing Element Cannot recognizes the proposed residential use change at Ponto until then. Also as noted before there were multiple documented fundamental 'planning mistakes' in public disclosure, participation and process that flawed the Housing Element. It should be noted that these flaws occurred during the time the CA Coastal Commission specifically rejected the Ponto Beachfront Village Vision Plan due to those flaws. The now City acknowledged 'planning mistakes' at Ponto prevented Carlsbad citizens from providing informed participation during the Housing Element.

Also, it is unclear why the staff misrepresented the amount of housing proposed in the Housing Element on the Ponto Planning Area F site as "the Ponto site for high density residential use at a

minimum density of 20 dwellings per acre (128 units minimum)"; as this is not true. The City's General Plan promises only the minimum 15 dwelling units/acre for the R-23 Land Use designation. See the "Ponto" unit capacity table below from the City of Carlsbad General Plan Housing Element Table B-1 on page B-2 that lists 98 dwellings for the site on the east side of Ponto Road and 11 **optional dwellings** on the west side of Ponto Road for 109 total units for both sites, v. the 128 units mentioned by staff. Not sure why staff misrepresented the density by 17 to 30%.

Table B-1: Vacant Sites for Lower and Moderate Income Housing						
			Site	Unit Capacity, by Househ Income		Household
APN	General Plan Designation <sup>1</sup>	Zoning District	Size (Acres)	Very Low	Low	Moderate
2090901100 (Sunny Creek)	R15 (12 du/ac)	RD-M	9.6	-	-	115
2161404300 (Ponto)	R23	P-C	6.5	-	-	98
	GC (Mixed Use) <sup>3</sup>	P-C	3	-	-	11
0404704400	500	DD 14	0.44			-

2007 Ponto Beachfront Village Vision Plan: As noted several times above there were fundamental public disclosure and participation flaws with this plan. It was rejected by the CA Coastal Commission in 2010 in part for those reasons. These flaws are confirmed by the City's own data as a result of multiple Official Carlsbad Public Records Requests. This should be disclosed to the City Council and citizens.

2015 General Plan Update: As noted several times above there were also fundamental public disclosure and participation flaws with this General Plan Update with regards to Ponto. These flaws are confirmed by the City's own data as a result of multiple Official Carlsbad Public Records Requests. This should be disclosed to the City Council and citizens.

Citizens are asking the City Staff and City Council:

- for honesty; to fully and publicly recognize and disclose the past "planning mistakes" at Ponto, and fundamental flaws from the from those mistakes that prevented citizens from knowing about and participating in the planning process for Ponto.
- To keep the Existing LCP Land Use Plan at Ponto until a new open-honest and inclusive Community-based planning process can be achieved at Ponto.
- To be honest with respect to Park Serve Area and Equity issues at Ponto and Coastal South Carlsbad west of I-5 and the rail corridor.
- Consider the needs for inland South Carlsbad citizens, visitors and business to have their ONLY Coastal Park.
- Consider the larger regional Coastal Park need, and the forever 'buildout' Coastal Recreation needs for future generations.
- To be true and honest in translating and implementing our Community Vision

Nov 30, 2020
People for Ponto citizen public input on:
Carlsbad's Draft Housing Element Update
Carlsbad Planning Commission for the Draft Local Coastal Program Land Use Plan Amendment;
Carlsbad Park Commission for the Draft Parks Master Plan Update; and
City Council and CA Coastal Commission for all the above Draft updates and amendments

#### Page# Citizen concern & public input

Overall Since 2017 there has been extensive Carlsbad Citizen input provided to the City Staff and City Council concerning the documented past/present 'City Coastal land use planning mistakes' at Planning Area F at Ponto (a site the City Staff is including in the housing inventory), and Citizens documenting and expressing the need for Ponto Park on Planning Area F and desire for the City Council to acquire it for a much needed (and only) Coastal Park for South Carlsbad.

The extensive Carlsbad Citizen input to the City gathered by People for Ponto Carlsbad Citizens (as of Nov 2020) includes over 2,700 emailed requests for the Ponto Park, over 200-pages of public testimony and data documentation showing the Carlsbad Citizen need for Ponto Park, and numerous presentations to the City Council showing Ponto Park needs and Citizen's requests for Ponto Park. Ponto Park was also by far the most cited Citizen need and request for City Council funding during both the 2019 and 2020 Budget processes. Over 90% of Citizen requests during both those City budget processes asked or Ponto Park [see attachment 1 & go to the 6/2 & 6/24/20 City Budget at https://carlsbadca.swagit.com/play/06022020-906 & https://carlsbadca.swagit.com/play/06232020-1181 and listen to and read the public testimony as the files are too big to email]. Due to the 4-person City Council and 2-2 City Council split these extensive Citizens needs and requests were not acted on. With the recent election, there is now a 5<sup>th</sup> Council person (from District 4 that includes Ponto) to provide a City Council decision on Citizen needs and desire for Ponto Park. People for Ponto citizens have asked the City Staff circulate and provide the extensive Carlsbad Citizen input, need and request for Ponto Park to Carlsbad's Planning, Parks and Housing Commissions, and the Housing Element Advisory Committee (HEAC), so the primary CA Coastal Land Use planning issues area coordinated between the City Staff's proposed Draft Local Coastal Program Land Use Plan Amendment, Housing Element Update, and Parks Master Plan Update processes. Unfortunately, City Staff communication, coordination and inviting People for Ponto Carlsbad Citizens to be involved when the Ponto Planning Area F land use issues are being considered by the Planning, Parks and Housing Commissions, and the Housing Element Advisory Committee does not seem to be happing.

On 2017 what is now a much larger People for Ponto group of Carlsbad Citiznes asked the City Council and City Staff for a better Ponto Planning Process, and documented why Ponto Park is more consistent with Carlsbad's Community Vision (the foundation for Carlsabd's Genral Plan, and land use plan) [see attachment #2]

In 2017 People for Ponto filed official Carlsbad Public Records Requests, and found the City make multiple 'planning mistakes' at Ponto, and particularly at Planning Area F with regard to non-compliance with Carlsbad exiting Local Coastal Program and also overall Growth Management Standard Open Space acreage requirements at Ponto. These have been

documented to the City on several occasions and are highlighted on pages 2-5, 6-7, 11-12, and 14-16 in Attachment #3.

As summarized on page 11 in Attachment #3, in 2017 the CA Coastal Commission informed the City how the City's proposed Ponto Planning Area F General Plan Land Use designation change from the existing "Non-residential Reserve" to R-23 & General Commercial could change if 'higher-priority' Coastal Recreation or Low-cost Visitor Accommodations area needed at Ponto. City Staff first and only provided that information to the City Council (and one assumes also the Carlsbad Planning, Parks and Housing Commissions) on 1/28/20. On 1/28/20 City Staff introduced the Draft Local Coastal Program Land Use Plan Amendment process to the City Council. We are not sure if City Staff provided the CA Coastal Commissions' direction tot eh City on Ponto Planning Area F to the Planning, Park, and Housing Commissions and HEAC? The CA Coastal Commission is the final land use authority at Ponto since Ponto is in the CA Coastal Zone and is governed by the CA Coastal Act, which supersedes Carlsbad's General Plan. Land use in the CA Coastal Zone and the State law that governs land use in the CA Costal Zone, the CA Coastal Act is not constrained many CA Housing laws. This is logical as the Coast is a very limited State resource and many critical Coastal land uses can only be provided in the Coast, whereas housing can be provided over a much larger land area and based on beneficial surrounding land use adjacencies is better located in inland locations.

At the above mentioned 1/28/20 City Council meeting there were numerous apparent errors, omissions or misrepresentations in the Staff Report. These errors/omissions/misrepresentations had critical reference and relevance to the Draft Housing Element and how CA Coastal Act and state housing laws interact. People for Ponto submitted written and verbal testimony at the 1/28/20 meeting on these errors/omissions/misrepresentations [see attachment #4]. The Housing Commission and HEAC, Planning Commission and Parks Commission should review and consider Attachment #4 in evaluating the Draft Housing Element Update, Draft LCP-LUPA and Draft Parks Master Plan Update.

As documented in Attachment #5 Carlsbad's 2015 General Plan clearly recognizes that Carlsbad's General Plan land use changes to Carlsbad's Coastal Zone from the 2015 General Plan Update are not valid until the CA Coastal Commission fully "Certifies" a Local Coastal Program Land Use Plan Amendment (LCP-LUPA). This has not yet occurred. The CA Coastal Commission will likely consider Carlsbad's Draft LCP-LUPA in 2021-2022. As noted in Attachment #3, based on the 2010 and two 2017 communications from the CA Coastal Commission, the CA Coastal Commission may or may not "Certify" the City's proposed, Coastal land use change at Ponto Planning Area F from it's current "Non-residential Reserve" land use to R-23 Residential and General Commercial. People for Ponto Citizen data provided to both the City and CA Coastal Commission show Carlsbad appears to both significantly lag behind other Coastal cities in providing both Coastal Recreation (i.e. Public Park) and Low-cost Visitor Accommodation that at high-priority Coastal land uses at Ponto [see Attachments #5 & #6]. Thus the CA Coastal Commission may direct Carlsbad to change its General Plan at both Ponto Planning Area F and maybe at other areas to provide these 'higher-priority' Coastal land uses consistent with the CA Costal Act, and Carlsbad's existing LCP requirements for Ponto Planning Area F. The Housing Commission and HEAC, Planning Commission and Parks Commission should review and consider Attachments #5 & #6 in evaluating the Draft Housing Element Update, Draft LCP-LUPA and Draft Parks Master Plan Update.

Ponto Planning Area F is only 11-acres is size, and is the last remaining vacant and unplanned Coastal land is South Carlsbad to provide for the 'forever supply' of Coastal Recreation to accommodate the 'forever increasing population and visitor demands' of 'High-Priority Coastal Recreation and Low-cost Visitor Accommodations'. This issues of Coastal 'buildout' of 'Highpriority Coastal land uses v. a forever increasing Carlsbad and CA residential population and visitor demand for those 'High-Priority Coastal land uses was presented to and asked of Carlsbad's City Council; Planning, Housing and Parks Commissions, HEAC, CA Coastal Commission and CA Housing and Community Development on 9/14/20 by People for Ponto Citizens [see attachment #7 on page XX below]. As yet there has been no City/State reply and City opportunity to fully discuss the issues in the 9/14/20 email. Ponto Planning Area F is the last critical and most economical area for those high-priority uses in South Carlsbad. Conversely, Planning Area F has a negligible impact on Carlsbad's affordable housing supply as documented in the Draft Housing Element. The Draft Housing Element documents a significant oversupply of housing and most critically affordable housing opportunities without even including the potential (only if both the City ultimately proposes and CA Coastal Commission actually 'Certifies' a change to Ponto Area F Coastal land use to residential) for Ponto Planning area F's residential use. As noted on the comments below relative to Draft housing Element page 10-92 and Table 10-29, the City's proposed Planning Area F's R-23 residential and General Commercial use would yield a potential 108-161 min-max range of dwellings. Of these 20% would be required to be affordable at the "Lower" income category since the City would have to transfer "excess Dwelling Units" to Planning Area F's "Non-residential Reserve" Coastal land Use. This 20% is a relatively small 22-32 "Low" income units. 22-32 "Low" income units is only .40% to .59% of all the "Lower" income housing units provided by Carlsbad in the Draft Housing Element; and is only .66% to .96% of the amount of the "Excess" (beyond the RHNA requirement) Lower Income housing units" provided by Carlsbad's Draft Housing Element. So Ponto Planning Area F has no impact on Carlsbad meeting its RNHA allocation, and has a negligible 0.66% to 0.96% impact on the amount of "Excess" (beyond the RHNA requirement) Lower Income housing units" provided by Carlsbad's Draft Housing Element. Yet Ponto Planning Area F has a profound, critical and truly forever impact on Carlsbad's and the State of California's Coastal Land Use Priorities for Coastal Recreation for the 64,000 current and growing numbers of South Carlsbad residents who want and need a Coastal Park. Ponto Planning Area F is the last meaningful vacant and unplanned Coastal land is South Carlsbad to provide Coastal Park, and the most affordable and tax-payer efficient Park Carlsbad could provide. Forever squandering this last bit of precious Coastal Land for residential use so a few (86-129) can buy \$ 1+ million homes, and a fewer 'lucky' (22-32) subsidized affordable homeowners have a coastal location; while forever denying a far greater 64,000 (and growing) South Carlsbad residents-children their only South Carlsbad Coastal Recreation (i.e. Public Ponto Park) opportunity does not make sense for ether the City or State of California. Forever squandering Ponto Planning Area F for a few years of "Excess" residential land for some very expensive luxury homes does not seem to make sense.

So, the Housing Commission and HEAC should at this time remove Ponto Planning Area F from the Housing Element at this time. The City should only consider including it in the Housing Element as 'vacant housing site' if and after the CA Coastal Commission 'Certifies" the City's proposed Coastal Land Use change from the existing LCP-LUPA "Non-residential Reserve" land use to a 'lower-Coastal-priority' residential land.

#### Additional Data in support of the above Citizen request, & Draft Housing Element Comments:

10-63 States: "Coastal Zone: Although sites located within the Coastal Zone, as defined in the 2019 Local Coastal Program (LCP) Land Use Plan, are not excluded, areas within the Coastal Zone have been carefully considered, as any necessary redesignations in this zone would require additional processes and time, which can be a constraint to housing development." It is unclear what this means?

Also, this section fails to disclose some very critical Coastal Zone, that are governed by the CA Coastal Act, issues relative to the CA Coastal Act's superiority over CA Housing Laws if there is competing land use priorities or conflicts. This is logical and also written into State Law such as SB 330 (Skinner) Section 13 that states: "(2) Nothing in this section supersedes, limits, or otherwise modifies the requirements of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code). For a housing development project proposed within the coastal zone, nothing in this section shall be construed to prohibit an affected county or an affected city from enacting a development policy, standard, or condition necessary to implement or amend a certified local coastal program consistent with the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code)." This language is consistent with CA case law, and other housing laws that recognize the obvious – there is very limited amount of Coastal land v. significant land area inland. Limited Coastal Land per the CA Coastal Act is needed for CA "High-Priority" Coastal Land Uses" - i.e. Coastal Recreation and Low-cost visitor accommodations primarily in a city such as Carlsbad. The CA Coastal Act identifies both residential and general commercial land uses as "low-priority" as these can be well provided in non-Coastal Zone areas. So although affordable housing is important there are other more appropriate locations, than on the last remaining vacant Coastal land in South Carlsbad that will be needed to address the "High-Priority" Coastal Land Uses to serve Carlsbad and California's 'buildout' needs. CA case law recognizes the supremacy of the CA Coastal Act over CA Housing Laws as noted in "Kalnel Gardens, LLC v. City of Los Angeles" et. al.

The Coastal Zone section on 10-63 should be clarified and acknowledge the CA Coastal Act Polices that concern California's Coastal Land Use priorities. Given future increases in Carlsbad and CA populations (and visitors) and those populations needing increases in Coastal Land for Coastal Recreation, it is prudent for the City of Carlsbad to plan and reserve the last remaining fragments of Coastal Land for Coastal Recreation land use to address these population increases [see Attachment 7].

- 10-92 Table 10-29: This table shows that Carlsbad has more than sufficient housing sites to address all its RHNA numbers in this cycle. Carlsbad and the State of California both have higher priority Coastal Land Use needs at Ponto Planning Area F then for housing. This is all the more relevant in that the housing proposed at the 11-acre Ponto Planning Area F is:
  - relatively small and has negligible impact on overall city housing goals,
  - would not really further Carlsbad's nor the State of California's affordable goals, in that
    housing being designed-marketed and that housing market will price and sell homes for
    well over \$1 million per unit; and even if you build 3-5-10 stories high the market sell
    price would be the same or very similar, due to its Coastal location, will likely not even
    be exclusively used for housing, but market forces will promote more profitable shortterm or medium term visitor rental use, and

- if for some reason the City will still be requiring the Ponto Planning Area speculative land owner to actually provide 20% of Planning Area F's potential 108-161 min-max range of dwellings as affordable at the "Lower" income category as is currently required, this is a relatively small 22-32 "Low" income units. 22-32 "Low" income units is only .40% to .59% of all the "Lower" income housing units provided by Carlsbad and is only .66% to .96% of the amount of "Excess" Lower Income housing units" provided by Carlsbad's land use plan. The landowner already has tried to offload their 20% Lower income requirement to an inland location around the airport but could not do so for several reasons, but likely will try again. So Ponto Planning Area F is well below 1% influence on Carlsbad housing; yet has a significant impact on Carlsbad's and the State of California's Coastal Land Use Priorities for Coastal Recreation.
- In reference to the above bullet, The current Costal Land Use for Ponto Planning Area F is "Non-Residential Reserve" and has no residential land use associated with it under Carlsbad's General Plan as currently Certified by the CA Coastal Commission. So the City of Carlsbad currently requires under its Growth Management Plan to transfer some excess SW Quadrant dwelling units from the City' housing unit bank to the Ponto Planning Area F site change the Area F's land use for residential use. For this dwelling unit transfer the City requires a developer/land owner to provide 20% of the dwelling as affordable to "Low" incomes. The City has a formal agreement with the Ponto Planning Area F land owner requiring this 20% "Low" income housing on-site in exchange for City's 'transfer of Excess Dwelling Units' specifically to an existing "Non-residential Reserve" Coastal land use site in Carlsbad's current LCP. Draft Housing Element pages 10-117 to 119 documents the City's 'Excess Dwelling Units' program.
- 10-110 Construction and Labor Costs: The Draft Housing Element states that the total cost to build housing is composed of the following cost components 63% are construction building materials and labor, 19% are administrative legal, professional, insurance, and development fee costs, 10% are conversion (title fees, operating deficit reserve) cost, and 8% are acquisition costs (land and closing costs). Developer profit is then added on top of these costs and sets the 'minimum price' a developer can offer to sell/rent a housing unit. Typical minimum estimated developer profit to determine if a project is feasible is around 10%. So land cost at 8% is the lowest cost component in housing development. Developer profit can increase beyond this in a hotter housing and can reduce in a cooler market than the Developer projects in their project pro-forma. A market housing builder, understandably, looks to maximize their profit and if possible reduce risk.

So should the Draft Housing Element focus on the major housing cost factors (construction costs) and possibly reduce developer risk by providing more robust policies to provide direct subsidies to market developers to pay for their developer's 10% profit and some of the major constriction costs for in exchange for permanent affordability on the dwellings so subsidized? It may be a non-typical idea, but would kind of be like developer profit insurance, and maybe worth exploring. If a market developer is guaranteed their 10% profit on their dwelling unit costs then this would seem good for them – they are guaranteed to make their 10% profit. The challenge would be how to fund the City's, or State HCD's developer profit insurance pool to fund such an affordability program.

10-115 Growth Management Plan Constraints Findings: This section starts out with the following statement: "With the passage of SB 330 in 2019, a "city shall not enact a development policy,

standard, or condition that would...[act] as a cap on the number of housing units that can be approved or constructed either annually or for some other time period." This opening statement is very incomplete and misleading on four (4) major points:

- 1. For clarity the statement should document that SB 330 applies to Charter Cities like Carlsbad. Carlsbad Charter has specific language relative to the Growth Management Program, and this should be explained.
- 2. SB 330 is clearly short-term 6-year housing crisis legislation, that is set to will expire on 1/1/2025 5-years from now.
  - a. This short-term 6-year applicability of SB 330 should be clearly disclosed upfront particularly if a short-term law is being used to overturn Carlsbad's City Charter and change decades of Carlsbad infrastructure planning. It will likely take Carlsbad 5-years to create and get adopted by the City and CA Coastal Commission (for Carlsbad's Coastal Zone) to comply with SB 330 only to have SB 330 expire.
  - b. Also, as is logical in a short-term law that will expire in 5-years, SB 330 is only applicable to a City "enacting" such policy within the time SB 330 is law (i.e. until 1/1/2025). SB 330 language is "enact" and that word reflects future action not a past City action. SB 330 being short-term 6-year legislation uses the word 'enact' that refers to a future action. To be apical to a past action the language would have to be 'have enacted' but should have clearly indicated all such past laws are now invalid until 1/1/2025. It is illogical to have a short-term crises legislation that expires in 1/1/2025 overturn over 30-years of pre-SB 330 development policies in Carlsbad and possibly other cities, particularly when the actual language of SB 330 does not clearly state so.
- 3. Carlsbad's Draft Housing Element will be valid from 2021-2029 or 4-years beyond the expiration of SB 330. If the Draft Housing Element is meeting its RHNA numbers for the years 2021-2029 and not creating "a cap on the number of housing units that can be approved or constructed" during the 6-year period when SB 330 is the law (only until 1/1/2025) then there seems no Growth Management Program "Constraint" on the 2021-2029 RHNA numbers and SB 330 set to expire on 1/1/2025.
- 4. As noted above for page 10-63, SB 330 (Skinner) Section 13 states that: "(2) Nothing in this section supersedes, limits, or otherwise modifies the requirements of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code). For a housing development project proposed within the coastal zone, nothing in this section shall be construed to prohibit an affected county or an affected city from enacting a development policy, standard, or condition necessary to implement or amend a certified local coastal program consistent with the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code)." This should be clearly stated.

This section of the Draft Housing Element needs more research and full disclosure of the four (4) above SB 330 issues.

Also the Section should address the 3 foundational issues emailed on 9/14/20 'Citizen public input for Housing Element & Parks Master Plan Updates, & Draft Local Coastal Program Land Use Plan Amendment' to the 'Carlsbad City Council, Housing-Parks-Planning Commissions & Housing Element Advisory Committee; & State of CA Coastal Commission, Parks, Housing & Community Development Department' [Attachment7].

10-119 Mitigating Opportunities, 2<sup>nd</sup> paragraph: the 3 foundational issues emailed on 9/14/20 'Citizen public input for Housing Element & Parks Master Plan Updates, & Draft Local Coastal Program Land Use Plan Amendment' to the 'Carlsbad City Council, Housing-Parks-Planning Commissions & Housing Element Advisory Committee; & State of CA Coastal Commission, Parks, Housing & Community Development Department' should be address here also. How can Carlsbad or any California City plan to assure their land use plans' "primary tenant that public facilities keep pace with growth" occur if population growth is unlimited and will increase each RHNA cycle while at the exact same time a City's vacant land, and critical vacant Coastal Zone land, is getting smaller and will eventually effectively be gone?

Without new vacant land and critical new vacant Coastal Zone Land to provide new City Parks and new Costal Recreation to 'keep pace with growth' in population and visitors how can Carlsbad's and California's quality of life be maintained or enhanced?

Are City Park Standards of 3-5 acres of Parkland per 1,000 populations to become void when there is no more vacant land to provide New Parks needed for an unlimited growth in population? Will California's Coastal Recreation resources not be allowed to concurrently grow in land area and be appropriately distributed with population and visitor growth? Will California's beloved and economically important Coastal Recreation resources then become 'loved to death' by more overcrowding from unlimited population and visitor growth? Without providing concurrent, equivalent, and unlimited growth in new Coastal Recreation land for the growth of those two populations a slow, but eventual deterioration will occur. These are fundamental issues of CA State priorities, particularly between the CA Coastal Act and CA Planning and Zoning and housing laws.

- 10-123 California Government Code Section 65863: The California Government Code Section 65863 exceptions should all be listed, and if section 65863 supersedes the CA Coastal Act and how the CA Coastal Commission may finally decide to finally Certify Coastal land use at Ponto in he next year or so. As per Carlsbad's General Plan the General Plan at Ponto is not adopted until the CA Coastal Commission fully Certifies or Certifies with Modifications Carlsbad's Draft Local Coastal Program Land Use Plan Amendment. Carlsbad's Draft Housing Element already shows "Excess" housing capacity to meet RHNA numbers limits without the need for Ponto Planning Area F.
- 10-149 California Coastal Commission: This section is incomplete. It is missing some key fundamental and common-sense land use principles regarding the CA Coastal Commission; CA Coastal Act; State 'Coastal Land Use Priorities' under the CA Coastal Act that Carlsbad needs to follow; and that CA housing law does not 'supersede, limit, or otherwise modify the requirements of the California Coastal Act of 1976'.

The fundamental and common sense land use principles are that the Coastline and Coastal Land near the Coast area a very small areas that need to provide high-priority Coastal land use to serve a magnitudes larger inland area and visitors to the coast. This very small Coastal Land needs to "forever" provide for All the Future Coastal Recreation needs for Carlsbad, Cities inland of Carlsbad, CA Citizens such as those coming from LA Metro region, and for all the out-of-state Visitors that visit Carlsbad. This is a huge amount of both Present and Future Coastal Recreation demand focused on a very small land area. Attachment #5 data documents the projection of both population and visitor growth that will increase demands for Coastal Recreation.

Most all of Carlsbad's Coastal Zone is already developed and not available to address those needs. In 2008 only 9% of Carlsbad was vacant, and maybe only ½ or less of that 9%, say only 4.5% was vacant land in the Coastal Zone. This 4.5% of vacant land is likely even a smaller percentage in 2020, and will be an even smaller in 2029 at the end of the Housing Element's planning horizon. The Draft Housing Element does not indicate amount of Vacant Coastal Land in Carlsbad in 2020. This small remaining less than 4.5% of Carlsbad must forever provide for All the future Coastal Priority Land Use needs such as critical Coastal Recreation (i.e. Public Park) that is the lowest cost method to access and enjoy the coast. Ponto Planning Area F is the last remaining vacant land to provide for "High-Priority Coastal Recreation Land Uses" in an area in need of a Coastal Park consistent with CA Coastal Act.

Housing however can be, and is better located in more inland areas where there is more land, more vacant land, more affordable land, and where there is 360 degrees of surrounding land that supports housing, such the bulk of employment and commercial centers and public services such as schools. The common-sense logic that very limited and finite Coastal Land should be used primarily for only those land uses that can only be provided by a Coastal location finally came to forefront in the 1970's after years of sometimes poor Coastal land use decisions by Cities.

In the 1970's CA citizens and then the CA State government addressed how California's limited Coastal Land area should be 'Prioritized' for use with the CA Coastal Act. In that regard the CA Coastal Act (CA PRC Section 30001.5) has the following goals:

- (c) <u>Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone</u> consistent with sound resources conservation principles and constitutionally protected rights of private property owners.
- (d) <u>Assure priority for coastal -dependent and coastal-related development over other</u> <u>development</u> on the coast.

In support of these Goals there are numerous regulatory policies that prioritize and guide how Coastal Land should be used such as:

- Section 30212.5 ... Wherever appropriate and feasible, public facilities, including
  parking areas or facilities, shall be distributed throughout an area so as to mitigate
  against the impacts, social and otherwise, of overcrowding or overuse by the public of
  any single area.
- Section 30213 ... Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. ...
- Section 30221 Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.
- Section 30222 The use of <u>private lands suitable for visitor-serving commercial</u> recreational facilities designed to enhance public opportunities for coastal recreation

- shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.
- Section 30223 Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.
- Section 30251 ... The location and amount of new development should maintain and enhance public access to the coast by ... 6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development
- Section 30255 Coastal-dependent developments shall have priority over other developments on or near the shoreline

The CA Coastal Commission (CCC) uses the CA Coastal Act Goals and Polices in reviewing the Coastal Zone areas of Carlsbad's General Plan and thus Coastal Zone area of the Housing Element to determine if the CCC can certify the Coastal Zone of Carlsbad's General Plan as being in compliance with the CA Coastal Act. Carlsbad's General Plan Land Use Element clearly states on page 2-26 that "The city's LCP Land Use Plan will be updated consistent with this General Plan. However, to take effect, the LCP must be certified by the Coastal Commission as well as adopted by the city. Until such time that this occurs, the existing (as of 2013) LCP must be adhered to."

For one small 11-acre vacant site – Ponto Planning Area F – Carlsbad's existing Local Coastal Program land use plan and regulations are:

"Planning Area F carries a Non-Residential Reserve (NRR) General Plan designation.

Planning Area F is an "unplanned" area, for which land uses will be determined at a later date when more specific planning is carried out for areas west of the railroad right-of-way. A future Major [Poinsettia Shores. aka San Pacifico Community Association] Master Plan Amendment will be required prior to further development approvals for Planning Area F, and shall include an LCP Amendment with associated environmental review, if determined necessary. ... As part of any future planning effort, the City and Developer must consider and document the need for the provision of lower cost visitor accommodations or recreational facilities (i.e. public park) on the west side of the railroad."

Although the City has twice tried to change the General Plan land use designation on Ponto's Planning Area F to R-23 Residential and General Commercial the City has:

- Never complied with this Coastal regulatory requirement as has been documented by official Carlsbad Public Records Requests 2017-260, 2017-262, R000930-072419, R001280-021720, & R001281-02170.
- Never clearly and publicly disclosed and engaged Carlsbad citizens, and particularly to the San Pacifico Community Association in which Planning Area F belongs to, in "any future planning effort" and in in our Community, South Carlsbad, and Citywide "need for the provision of lower cost visitor accommodations or recreational facilities (i.e. public park) on the west side of the railroad.",

- 3. Never conducted a "Major Master Plan Amendment", and never invited nor engaged the San Pacifico Community Association that composes over 70% of the Master Plan area to be consulted on possible changes to the Community's Master Plan, and
- 4. Had the City's/Developer's proposed land use change from Non-residential Reserve to R-23 & General Commercial denied by the CA Coastal Commission in 2010,
- 5. Not yet had the CA Coastal Commission yet consider/rule on Certification of Carlsbad's proposed Draft Local Coastal Program Land Use Plan Amendment to change Planning Area F's existing 'Non-residential Reserve' Coastal land use. The City maybe submit the City's proposal in 2021-2,
- 6. Received specific direction in 2016 and 2017 from the CA Coastal Commission regarding the City's proposed land use change for Ponto Planning Area F. Specifically:
  - a. CCC Staff acknowledged the City has not yet complied with the LCP and in an 8/16/2017 email said: "The City is currently undertaking a comprehensive update to their LCP funded in part through a CCC grant. As a part of this process the City will be consolidating all previous LCP segments into a single, unified LCP. The City has received direction from both the Commission (May 2016 CCC hearing) and Commission staff, that as a part of this update the City shall undertake an inventory of visitor serving uses currently provided within the City's Coastal Zone which will then serve to inform updates to the City's land use and zoning maps as necessary. This inventory could have future implications for the appropriate land use and zoning associated with the Ponto area."
  - b. CCC Staff sent Carlsbad City Staff on 7/3/17. City Staff provided this to City Council on 1/28/20: "The existing LUP includes policies that require certain visitor-serving developments and/or studies relevant to the Ponto/Southern Waterfront area. For example, Planning Area F requires the city and developer to "consider and document the need for the provision of lower cost visitor accommodations or recreational facilities (i.e., public park) on the west side of the railroad. This is an issue that the San Pacifico HOA community group is raising in regards to the Shopoff/Ponto development proposal, and this study should be undertaken as a part of the visitor serving use inventory analysis described above. If this analysis determines that there is a deficit of low cost visitor accommodations or recreation facilities in this area, then Planning Area F should be considered as a site where these types of uses could be developed."

Carlsbad's Draft LCP-LUPA, Draft Housing Element Update and Parks Master Plan Update should ALL land use plan and reserve Ponto Planning Area F and the other last few remaining vacant Coastal Lands to address the 'forever' or 'Buildout' High-Priority Coastal Recreation and Visitor serving Land Use needs for Carlsbad, North San Diego County, and California.

10-169 Draft Policy 10-P.7 says "Encourage distribution of development of affordable housing throughout the city to avoid over concentration in a particular area, excluding areas lacking necessary infrastructure or services." Carlsbad's Park Master Plan identifies Ponto as an area lacking park services, stating and showing on maps Ponto as 'unserved' by City Parks, and an area of 'Park Inequity'. Ponto currently has 1,025 homes that creates an 8-acre City Park demand (based on the City minimal 3-acres/1,000 population Park Standard) yet is 'Unserved'

by City Parks per the City's Park Master Plan. Ponto development and homeowners paid City park-in-lieu-fees sufficient for 8-acres of City Park.

Of Ponto's 1,025 current homes, 202 in the San Pacifico Community Association were built to be affordable condominium homes with very small 'exclusive use' lots, zero-side yards/building setbacks and only 10-15' wide 'back yards'; and 384 Lakeshore Gardens homes are affordable age-restricted manufactured homes. So 586 of Ponto's 1,025 current homes or 57% of Ponto's housing were planned and built to be affordable. At 57% Ponto has and was developed with a consideration of affordable housing, but also was denied needed City Park facilities of at least 8-acres to meet minimum City Park Standards.

Consistent with Policy 10-P.7 Ponto Planning Area F should be used to address Ponto's 'Park Inequity' being 'unserved', and not used to increase the "over concentration" of affordable housing that was already planned and built at Ponto.

- 10-171 Figure 10-13: Sites Requiring No Zone Change: Ponto Planning Area F needs to be removed form Figure 10-13. As has been previously documented Planning Area F is currently Certified in the Existing Carlsbad Local Coastal Program as "Non-residential Reserve". Both the City's General Plan Land Sue Element and Zoning Code clearly state the City needs to receive CA Coastal Commission 'Certification" of Carlsbad's Proposed Draft Local Coastal Program Land Use Plan Amendment (sometime in 2021-22) to change that existing Certification before Ponto Planning Area F's Coastal Land Use and Zoning is fully changed to R-23 Residential and General Commercial. Based on Ponto Planning Are F's existing Certified LCP regulations and well documented need for high-priority Coastal land uses at Ponto, it is likely Planning Area F's ultimate land use approved by the CA Coastal Commission could change.
- 10-191 Program 2.1: Inclusionary Housing Ordinance: this section states that "For all residential projects of fewer than seven units, payment of a fee in lieu of inclusionary units is permitted. The fee is based on a detailed study that calculated the difference in cost to produce a market rate rental unit versus a lower-income affordable unit. As of 2020, the in-lieu fee per market- rate dwelling unit was \$4,515." The City's in-lieu-affordable-housing fees seems very inadequate, as others city's like the City of Laguna Beach's (I recall) \$160,000 per unit in-lieu affordable housing inclusionary housing fee that actually reflects the in-lieu cost. This cost and fee should be similar to Carlsbad's situation. If in fact the Carlsbad's in-lieu affordable inclusionary housing cost to provide an affordable housing unit is only \$4,515 per dwelling, then the City appears have sufficient resources in the as I understand \$19 million Affordable Housing Inclusionary Fee accounts to provide the gap funding to 'buy' over 4,200 affordable dwellings. Since an in-lieu fee is to cover the costs of actually providing the affordable dwelling the fees should then be able to purchase that affordable dwelling someplace else in the housing market. There is a critical need to explain in much more detail why the in-lieu fee is what it is, if it is truly adequate in funding affordable housing "in-lieu" of a developer providing the affordable housing? If the in-lieu fee is the total cost difference between affordable and market construction then is the difference in affordable and market dwelling sales/rental price the market housing developers' Profit? If so then developer profit is the major barrier to affordable housing, as total costs are not that much different. If so then it seems logical to address this major barrier to affordable housing.

10-192 Program2.2: Replace or Modify Growth Management Plan (GMP): As mentioned before is seems imprudent to overturn the GMP for a temporary crisis housing law (SB 330) set to expire on 1/25/20. Also, it should be clearly stated in the this section that SB 330 has limited applicability or enforceability in the CA Coastal Zone if the City is pursuing compliance with the CA Coastal Act as documented in Attachment #4.

SB 330 reflects a very unusual time when national and international economic market distortion by central banks has created, historically low interest rates and resulting in historic Housing (and other) Asset (stocks and bonds) values. This manufactured temporary inflationary market stimulus is to be temporary, not long-term, and will be a temporary market distortion that will likely see asset prices 'revert to mean' once the cost of capital is properly priced. If SB 330 legally overrides Carlsbad's GMP until 2025 then that is what the State is mandating Carlsbad do. However, it is very imprudent and inappropriate to use SB 330's temporary crises language as rational for long-term changes to critical foundations of GMP. Once the temporary crises that SB 330 is designed to address is over is the time to methodically approach wise long-term and sustainable land use policy.

# Attachment #7:

**From:** Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

Sent: Monday, September 14, 2020 10:46 AM

To: Council Internet Email (CityCouncil@carlsbadca.gov); Scott Chadwick

(Scott.Chadwick@carlsbadca.gov); Erin Prahler (Erin.Prahler@coastal.ca.gov); Ross, Toni@Coastal

(Toni.Ross@coastal.ca.gov); Cort Hitchens (cort.hitchens@coastal.ca.gov); Lisa Urbach

(lisa.urbach@parks.ca.gov); 'Zachary.Olmstead@hcd.ca.gov'; 'Megan.Kirkeby@hcd.ca.gov';

'scott.donnell@carlsbadca.gov'

**Cc:** Brhiggins1@gmail.com; Phil Urbina (philipur@gmail.com); Lela Panagides

(info@lelaforcarlsbad.com); Team Teresa for Carlsbad (teamteresaforcarlsbad@gmail.com); People for Ponto (info@peopleforponto.com); Laura Walsh (lauraw@surfridersd.org); 'Steve Puterski'; Philip Diehl (philip.diehl@sduniontribune.com)

**Subject:** Citizen public input for Housing Elem & Parks Master Plan Updates, & Draft Local Coastal Program Land Use Plan Amendment

Dear Carlsbad City Council, Housing-Parks-Planning Commissions & Housing Element Advisory Committee; & State of CA Coastal Commission, Parks, Housing & Community Development Department:

As one of the many People for Ponto (<a href="www.peopleforponto.com">www.peopleforponto.com</a>), we wanted to make sure this email and attachments have been provided to you and that the issues/data in this email be publicly presented/discussed during both the City's and State's consideration of the above planning and any other related activities.

1. Legality of 'Buildout' and quality of life standards in both California and a City within California; and if planning for "buildout" is illegal, can we California Citizens be provide the specific citation in CA State Law that forbids the State and/or Cities within California from land use and public infrastructure planning to cap to a finite or "buildout" population/development condition. As California and Carlsbad citizens it important to know the State's legal policy on "buildout"; and State policy laws on how are an infinite amount of Coastal Recreation and other high-priority Coastal land

uses can be correspondently provided for infinite population growth within a largely developed and finite (and shrinking due to sea level rise) Coastal Zone?

The following public testimony and questions were presented the 6/23/20 Carlsbad Budget meeting. Coordinated answers from the State of CA and City of Carlsbad on how State Coastal and Housing planning priorities are ordered and reconciled is important. Carlsbad has a very small fragment of remaining vacant coastal land and once it is developed it essentially lost forever. This is being planned now with the above mentioned planning efforts. Most all of Carlsbad's Coastal lands are already developed with Low-Coastal-Priority residential land use, or off-limits due to endangered habitat preservation. Coastal Parks or Campgrounds can only be provided along the Coast and they are currently very crowded, and will continue to get more crowed and eventually degrade over time by increased population demands if new Coastal Parks and campgrounds are not created by coordinated Coastal Land Use planning by the State and City. How is the State of CA and City of Carlsbad to address maintaining our coastal quality of life (coastal recreation) with infinite population growth and rapidly shrinking coast land resources?

Citizens need a coordinated State of CA and City response to: "6-23-20 City Council Budget meeting — pubic testimony by Lance Schulte: People for Ponto submitted 130-pages of public testimony on 6/2/20, would like to submit the following public input to both the 6/23/20 City Budget Meeting and the City proposed Draft Local Coastal Program Amendment — and with reference to a proposed change the land use of Planning Area F from its Existing Non-Residential Reserve land use to City proposed low-coastal priority high-density residential and general commercial land uses. Contrary to what was said by 2 Council members the City's LCP policy covering Planning Area F is not a Citywide LCP policy, but is specific to the Sammis/Poinsettia Shores LCP area, and the policy's scope and regulatory authority is limited by the boundaries of the Sammis/Poinsettia Shores LCP area.

The Planning Area F Ponto Coastal Park is critical to the long-term economic vitality and sustainability of South Carlsbad's neighborhoods and extensive Visitor Industry; and Carlsbad's 1st and 3rd highest revenue sources.

Beyond Ponto there is an additional and separate Citywide Coastal Recreation requirement related to CA Coastal Commission concerns about Carlsbad's proposed LUP land use changes and proposed Local Coastal Program Amendment (LCPA) adequately providing for a Citywide 'buildout' need for Coastal Recreation land.

It is not clear if 'buildout' is a set and final amount of City and State population and development or if 'buildout' represents accommodating an endless amount of future population and development in Carlsbad and the State of California. If 'Buildout' is an endless future amount of population growth and development, then how is the City planning to provide a commensurate endless amount of City Parks and Open Space? How is an endless amount of Coastal Recreation provided to accommodate endless amount of City and Statewide growth?

Until these questions can be authoritatively answered by the City and State of California the preservation and acquisition of vacant Coastal land should be a City priority. Because once land is developed it will never be available for Park and Coastal Recreation use. Continual population and development growth without corresponding Park and Open Space growth will lead to a gradual but eventual undermining of the quality of life for Carlsbad and California, and our Carlsbad economy. It is for these and other important reasons People for Ponto ask the City to budget for the purchase of

Planning Area F for Coastal Recreation and City Park needs — needs that City has documented exist now, and needs that will only grow more critical and important in the future.

Thank you, People for Ponto love Carlsbad and our California Coast. We hope you love Carlsbad also and you take responsibility as a steward of our California Coast."

- 2. Attached is and email regarding clarification of apparent City errors/misrepresentations on 1/28/20 regarding a) the CA Coastal Act's relationship with CA Housing laws regarding CA land use priorities and requirements within the CA Coastal Zone, and b) City planning documents and City planning and public disclosure mistakes regarding Ponto. The clarification of the issues noted on 1/28/2 should be comprehensive, and holistically and consistently disclosed/discussed in each of the City's and State's Coastal-Land Use Planning-Parks-Housing planning efforts showing the principles and legal requirements for how potential conflicts within State/City Policies are to be resolved.
- 3. Similar to #2 above, People for Ponto has provided public testimony/input of over 200-pages of documented data on the need for a "Public Park" and over 2,500 Citizens' requests for that Park. Those 200+ pages and the email requests from 2,500 citizens, and the CA Coastal Commission direction to the City as noted below should also be shared with the Carlsbad's Planning-Parks-Housing Commissions and the City's Housing Element as part of the respective land use-parks-housing discussions.

The CA Coastal Commission has also provided direction to the City regarding some of the City's planning mistakes at Ponto, and those directions should also be shared with the City's Planning-Parks-Housing Commissions and Housing Element Advisory Committee regarding Coastal Land Use planning at Ponto Planning Area F. CA Coastal Commission has provided the following direction to the Carlsbad:

- a. Following is from a 7/3/17 CCC letter to City Staff on the City's proposed land use changes at Planning Area F. City Staff provided this to City Council on 1/28/20: "The existing LUP includes policies that require certain visitor-serving developments and/or studies relevant to the Ponto/Southern Waterfront area. For example, Planning Area F requires the city and developer to "consider and document the need for the provision of lower cost visitor accommodations or recreational facilities (i.e., public park) on the west side of the railroad. This is an issue that the San Pacifico HOA community group is raising in regards to the Shopoff/Ponto development proposal, and this study should be undertaken as a part of the visitor serving use inventory analysis described above. If this analysis determines that there is a deficit of low cost visitor accommodations or recreation facilities in this area, then Planning Area F should be considered as a site where these types of uses could be developed."
- b. In 2017 after citizens received the City's reply to Public Records Request 2017-260, citizens meet with CCC staff to reconfirm the City failed since before 2010 to publicly disclose and comply with Planning Area F's LCP requirements. CCC Staff acknowledged the City has not yet complied with the LCP and in an 8/16/2017 email said: "The City is currently undertaking a comprehensive update to their LCP funded in part through a CCC grant. As a part of this process the City will be consolidating all previous LCP segments into a single, unified LCP. The City has received direction from both the Commission (May 2016 CCC hearing) and Commission staff, that as a part of this update the City shall undertake an inventory of visitor serving uses currently provided within the City's Coastal Zone which will then serve to inform updates to the City's land use and zoning maps as necessary. This inventory could have future implications for the appropriate land use and zoning associated with the Ponto area."

Please do not misinterpret these comments as anti-housing or anti-development, it is the exact opposite, they are in support of existing and future development. It is a logical recognition of what is the best use of very limited (and shrinking) vacant Coastal Land resources. It is prudent and sustainable State and City Coastal Land Use planning to best serve all CA residents – now and in the future. Housing can be developed in many large inland areas that are better connected with job centers and transit. New Coastal Parks can only be located on the last few remaining vacant parcels within a short distance to the coast. This very small area (vis-a-vis) large inland areas must serve all the coastal Park and recreation needs of California's almost 40 million residents and the additional millions of annual visitors to California's coast. This very small amount of Coastal land drives a lot what makes CA desirable and successful, but it is getting very overcrowded due to population/visitor growth while at the same time shrinking due to coastal erosion and sea level rise. Squandering the few remaining Coastal vacant land resources, and not reserving (planning) these lands for more high-priority Coastal Recreation Land Uses will ultimately undermine CA both socially and economically. The attached 'Carlsbad 2019 proposed Draft LCP Amendment' file should be provided to and reviewed by Carlsbad's Planning-Parks-Housing Commissions and the Housing Element Advisory committee in their consideration of Carlsbad's proposed Housing Element update and proposed Draft LCP Land Use Plan Amendment, and also jointly by CA HCD and CCC in providing Carlsbad direction on CA Coastal Land Use priorities in the Coastal Zone relative to those two (2) City proposals.

Thank you all for your consideration and comprehensive inclusion of the various issues in both the City and States upcoming evaluation of proposed Coastal land use plan, Housing Element and Parks Master Plan updates. There is precious little vacant Coastal land left and how it is planned to be used and developed is critical and needs full public disclosure/involvement and a comprehensive and coordinated approach.

Sincerely,
Lance Schulte
www.peopleforponto.com

Following are the 2 attachments to the above 9/14/20 email:

1. 4/21/20 email of Public input to Carlsbad City Council-Planning-Parks-Housing Commissions and CA Coastal Commission on DLCPA-PMU-HEU processes: Dear Carlsbad City Council, and Planning, Parks and Housing Commissions; and CA Coastal Commission: People for Ponto submits this email, and the attachment that was provided to the Carlsbad City Council for Item#14 at the 1/28/20 meeting. The attachment provided at the 1/28/20 City Council meeting has not been recorded on the Carlsbad City website that documents public input provided at that 1/28/20 meeting. Consequently we request this email and attachment be provided to the Carlsbad City Council, and Planning, Parks and Housing Commissions; and CA Coastal Commission as public input on the City Staff proposed 1) Draft Local Coastal Program Amendment, 2) Parks Master Plan Update, and 3) Housing Element Update processes. The attachment documents apparent errors, omissions, and/or misrepresentations in the 1/28/20 Item #14 Staff Report/Presentation to the City Council. We wish this email and the attached public comments be provided to the Council and Commissions addressed to in this email and be included as public comments to be addressed in the 3 planning processes listed. Thank you. Email confirmation of receipt and delivery of this email/attachment is requested. Thank you. Sincerely, Lance Schulte People for Ponto

a. Attachment: Carlsbad City Council meeting of 1-28-20 agenda item #14 [typo corrected on 2-4-20]: People for Ponto apologize for this late and hastily, review and comments. We just found out about the meeting this morning. We citizens know we can together achieve great things if you allow us to work with you.

# Staff Report

# <u>Page</u> <u>clarification/correction</u>:

- The LCP Land Use Plan Update is in fact an Amendment to an Existing LCP Land Use Plan. The Existing LCP Land Use Plan is already certified by the CA Coastal Commission as being consistent with the CA Coastal Act, except for some Amendments needed to address Sea Level Rise impacts and some other issues. The LCP Amendment proposes to change the Existing CA Coastal Commission certified LCP Land Use Plan's "Non-residential Reserve" Land Use and Policy on Planning Area F to consider and document the need for "i.e. Public Park" at Ponto.
- Staff summarizes the CA Coastal Act objectives to "ensure maximum public access to the coast and public recreation areas." Carlsbad's Adopted Park Service Area/Equity Mapping shows there is no Park Service for the Ponto Area and Ponto Citizens, and no Park Service for the Coastal South Carlsbad area west of Interstate-5 and the rail corridor. The City's mapping of land that meets the developer required Growth Management Open Space Standard of 15% Unconstrained land shows about 30-acres of this Open Space is missing at Ponto. This missing Open Space could have provided needed Park facilities that are missing at Ponto. Citizens in over 2,500 emails to the City Council have cited the need for a Public Park at Ponto as part of the Existing LCP Land Use Plan Amendment proposed at Ponto. These requests are consistent with the CA Coastal Act.
- 2nd bullet: says city staff proposes to replace, amend, or retain various Existing LCP policies, so the Staff has a documented understanding how each Existing LCP policy is being treated in the proposed Amendment. Citizens asked in Oct 20, 2019 for this 'redline' version of the Existing LCP Policies and Land Use Maps so citizens can understand what the Amendments are so we as citizens could then provide informed public comment. This 'redline' version is also important for the City Council and Planning and other Commissions so they know what Amendments to Existing City LCP Land Use policy are being proposed. Citizens again request this 'redline' version that it appears the staff already has; as they know what Existing LCP Land Use policies are being replaced, amended, or retained.
- V is incomplete: the community asked on Oct 20, 2019 for 3 things: 1) a 'redline' version as noted above, 2) true Public Workshops to help inform and resolve community concerns about the proposed LCP land Use Plan Amendments, and 3) more public review time to provide for the above two other requests. All 3 requests should be acknowledged in the staff report. All 3 requests are rational and reasonable considering the proposed Draft LCP Land Use Plan Amendment is the "buildout" plan for Carlsbad's Coastal Zone, and there were multiple

documented fundamental "planning mistakes" regarding past City public information and participation in the Coastal Land Use planning. Providing such a process as outlined by the 3 requests would help to correct these documented public disclosure/participation and 'planning mistakes' that have gone on for many years. It is the right thing to do and most productive approach for all concerned.

- Staff should accurately disclose that in 2010 the CA Coastal Commission in fact rejected the City's proposed Ponto Beachfront Village Vision Plan for failing to disclose and comply with the then and current LCP Land Use Plan policy for Planning Area F at Ponto. Carlsbad Public Record Requests confirmed the staff did not disclose to citizens the existence LCP Land Use Plan policy for Planning Area F at Ponto, so citizens had no idea a Public Park at Planning Area F at Ponto needed to be considered. How can citizens, provide input if citizens don't have complete and accurate information to review and comment on?
- 8 Staff should correctly disclose that the 2015 application at Planning Area F at Ponto is first for a Local Coastal Program Amendment and Master Plan Amendment. These are both applications to change City Land Use Plan Policy and Zoning regulations. The actual applications for 'development' permits can in fact not even be considered by the City until the Local Coastal Program Land Use of "Non-residential Reserve" is changed and Master Plan rezoning is approved. Only then can the 'development' permit application can applied for. The developer abandoned their application to change the LCP and Master Plan and then apply for developer permit review about a year ago. However, the city staff is keeping the application 'alive' even though there has been no progress on the application for over a year. It is unclear if the staff has authority to do this, or if the City Council has authority to withdrawal the application due to non-activity. The City has permit standards that withdraw applications if applicants make no progress on the applications after 6-months. What is troubling is that it appears the city staff proposal is to process the developer's application to change the Existing LCP Land Use Plan for the developer.

Staff notes that the Planning Area F sites now designated as Residential R-23 and General Commercial by the Carlsbad General Plan Update. However, staff fails to disclose that until the Existing LCP Land Use Plan Amendment (as proposed by City Staff) is in fact approved by both the City and the CA Coastal Commission the Existing LCP Land Use Plan for Planning Area F supersedes the City's General Plan Update. Carlsbad's General Plan Land Use Element clearly states this on page 2-26 stating: "The city's LCP Land Use Plan will be updated consistent with this General Plan. However, to take effect, the LCP must be certified by the Coastal Commission as well as adopted by the city. Until such time that this occurs, the existing (as of 2013) LCP must be adhered to." So until the City Council adopts the staff's proposed Draft LCP Land Use Plan Amendment, AND the CA Coastal Commission "certifies" that LCP LUP Amendment; the City's General Plan Update Land Use change cannot take effect. The General Plan Land Use at Ponto Planning Area F has in fact not been changed by the General Plan Update, but can only change with staff's proposed

Draft LCP Land Use Plan Amendment that the City Council can choose to approve or disapprove. Also official Public Records Requests have documented that the City's General Plan Update planning process was also fundamentally flawed at Ponto. Again, like during Ponto Beachfront Village Vision Plan planning process a few years earlier the city failed to comply with the then and current LCP Land Use Plan policy for Planning Area F at Ponto. The flawed General Plan Update process at Ponto prevented Citizens from knowing the facts so they could properly participate and provide review and comment during the General Plan Update. The significant citizen comments to the City Council asking for a Ponto Coastal Park is reflective of the fundamental public disclosure and processing flaws that the city is only now acknowledging as one of the repeated 'planning mistakes' at Ponto. This is why citizens are asking for full disclosure of the facts and a complete planning process re-boot at Ponto. It also should be noted that the Existing LCP Land Use Policy for Planning Area F states that "as part of any future planning effort ... consideration of a "Public Park" is required. CA Coastal Commission Staff has indicated the City's proposed land use planning changes at Ponto as part of the General Plan Update are subject to change.

At the bottom of the page regarding SB 330, as noted above the "residential land use designation on the site" is not in effect until the currently proposed LCP Land Use Plan Amendment is both approved the City Council AND also certified by the CA Coastal Commission, so SB 330 does not apply. Also SB 330 has specific language that exempts land use in the Coastal Zone. SB 330 (Skinner) Section 13 states: "(2) Nothing in this section supersedes, limits, or otherwise modifies the requirements of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code). For a housing development project proposed within the coastal zone, nothing in this section shall be construed to prohibit an affected county or an affected city from enacting a development policy, standard, or condition necessary to implement or amend a certified local coastal program consistent with the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code)." This language is consistent with CA case law, and other housing laws that recognize the obvious – there is very limited amount of Coastal land v. significant land area inland. Limited Coastal Land per the CA Coastal Act is needed for "High-Priority" Coastal Land Uses" - i.e. Coastal Recreation and Low-cost visitor accommodations primarily in a city such as Carlsbad. The CA Coastal Act identifies both residential and general commercial land uses as "low-priority". So although affordable housing is important there are other more appropriate locations, than on the last remaining vacant Coastal land in Carlsbad that will be needed to address the "High-Priority" Coastal Land Uses to serve Carlsbad and California's 'buildout' needs. CA case law recognizes the supremacy of the CA Coastal Act over CA Housing Laws as noted in "Kalnel Gardens, LLC v. City of Los Angeles". This case law data has already been provided to the City Council as part of Staff's housing discussions over the past few years. The staff report should have disclosed the above information, as it appears SB 330 is not a factor at Ponto.

2005-2010 Housing Element: As noted above the General Plan Land Use Element states the General Plan Land Use Plan is not effective until the proposed Draft LCP Land Use Plan Amendment is both approved by the City Council AND certified by the CA Coastal Commission. So, the Housing Element Cannot recognizes the proposed residential use change at Ponto until then. Also as noted before there were multiple documented fundamental 'planning mistakes' in public disclosure, participation and process that flawed the Housing Element. It should be noted that these flaws occurred during the time the CA Coastal Commission specifically rejected the Ponto Beachfront Village Vision Plan due to those flaws. The now City acknowledged 'planning mistakes' at Ponto prevented Carlsbad citizens from providing informed participation during the Housing Element.

Also, it is unclear why the staff misrepresented the amount of housing proposed in the Housing Element on the Ponto Planning Area F site as "the Ponto site for high density residential use at a minimum density of 20 dwellings per acre (128 units minimum)"; as this is not true. The City's General Plan promises only the minimum 15 dwelling units/acre for the R-23 Land Use designation. See the "Ponto" unit capacity table below from the City of Carlsbad General Plan Housing Element Table B-1 on page B-2 that lists 98 dwellings for the site on the east side of Ponto Road and 11 optional dwellings on the west side of Ponto Road for 109 total units for both sites, v. the 128 units mentioned by staff. Not sure why staff misrepresented the density by 17 to 30%.

2007 Ponto Beachfront Village Vision Plan: As noted several times above there were fundamental public disclosure and participation flaws with this plan. It was rejected by the CA Coastal Commission in 2010 in part for those reasons. These flaws are confirmed by the City's own data as a result of multiple Official Carlsbad Public Records Requests. This should be disclosed to the City Council and citizens.

14 2015 General Plan Update: As noted several times above there were also fundamental public disclosure and participation flaws with this General Plan Update with regards to Ponto. These flaws are confirmed by the City's own data as a result of multiple Official Carlsbad Public Records Requests. This should be disclosed to the City Council and citizens.

Citizens are asking the City Staff and City Council:

- for honesty; to fully and publicly recognize and disclose the past "planning mistakes" at Ponto, and fundamental flaws from the from those mistakes that prevented citizens from knowing about and participating in the planning process for Ponto.
- To keep the Existing LCP Land Use Plan at Ponto until a new open-honest and inclusive Community-based planning process can be achieved at Ponto.
- To be honest with respect to Park Serve Area and Equity issues at Ponto and Coastal South Carlsbad west of I-5 and the rail corridor.
- Consider the needs for inland South Carlsbad citizens, visitors and business to have their ONLY Coastal Park.

- Consider the larger regional Coastal Park need, and the forever 'buildout' Coastal Recreation needs for future generations.
- To be true and honest in translating and implementing our Community Vision
- 2. The 2<sup>nd</sup> attachment to the 9/14/20 email to Carlsbad City Council, Housing-Parks-Planning Commissions & Housing Element Advisory Committee; & State of CA Coastal Commission, Parks, Housing & Community Development Department: Carlsbad City Council, Housing-Parks-Planning Commissions & Housing Element Advisory Committee; & State of CA Coastal Commission, Parks, Housing & Community Development Department was a 26-page document with a Subject line and submitted as official Citizen public input for the Housing Element & Parks Master Plan Updates, & Draft Local Coastal Program Land Use Plan Amendment regarding 'Coastal Recreation' facts, needs, issues for Ponto Planning Area F and citywide. This document has been provided as Attachment #5.

Carlsbad's proposed Draft Local Coastal Program Amendment – People for Ponto comments

## **Low Cost Visitor Accommodations:**

- 1. P. 3-3 cites CA Coast Act (CCA) Polices. But the City's proposed Local Coastal Program (LCP) Land Use Plan (LUP) in the Ponto Area, particularly for Planning Area F, appears inconsistent with these CCA policies:
  - a. Section 30213 protect, encourage and provide Lower-Cost Visitor & Recreation Facilities.
  - b. Section 30221 Visitor serving & Recreation uses have priority over Residential & General Commercial uses.
  - c. Section 30223 Upland areas reserved to support coastal Recreation uses
  - d. Section 30252(6) correlate development with Local Park acquisition & on-site recreation
- 2. Planning Area F used to be designated "Visitor Serving Commercial" as part of the original 1980's LUP and LCP Samis Master Plan for Ponto. In the 1996 this LUP was changed to the now current LCP and LUP designation of "Non-Residential Reserve" with a specific LCP requirement to reconsider a high-priority recreation or visitor serving Coastal land use while other Ponto land uses were changed to low-priority residential uses (see Poinsettia Shores Master Plan/LCP). It seems appropriated that the LUP should re-designated Planning Area F back to a Visitor Serving Commercial and Open Space ("i.e. Public Park" in the existing LCP) to provide high-priory coastal uses v. low-priority residential/general commercial uses: in part for the following reasons:
  - a. Planning Area F's existing LCP requirement requires this consideration, but the City has never disclosed this requirement to Citizens nor follow this requirement during the Cities two prior 'planning efforts' in 2010 and 2015 as documented by official Carlsbad Public Records Requests 2017-260, 261, 262.
  - b. Ponto developers (both Samis and Kaisza) were both allowed to overdevelop Ponto, by not providing the minimum Open Space required by Carlsbad's and Citizen approved Growth Management Open Space Standard. Over 30-acres of land that should have been dedicated to Growth Management Open Space (a high-priority land use) was instead allowed to be developed with low-priority residential development. If the City's Growth Management Open Space Standard was properly applied at Ponto there would be 30-acres more open space at Ponto then there is now. This is a significant impact to CCA policies that can be corrected by changes in the Ponto LUP to properly implement City Open Space Standards and CCA policies.
  - c. The LCPA acknowledges that past (2005-17) and near-term (2019-23) growth in Carlsbad visitor demand for coastal recreation and accommodations, and indicate high past hotel occupancy rates that implies current hotel supply is just meeting current demand. Although the LCPA does not discuss the high occupancy rates at the Low-Cost campground facilities, It is assumed the campground occupancy rate and demand is higher than that of hotels. This should be defined. Based on current and near term demand for visitor accmomodations the LCPA states on page 3-12 "... the City should identify and designate land where new hotels and other visitor-serving uses can be developed." It is clear where he 'City should identify and designate [this] land"? What new land(s) should be so identified and designated? However, the LCPA does not disclose longer-term visitor accommodation needs beyond 2023, nor provide a long-term plan for meeting this long-term need. The LCPA should publicly disclose, analyze and provide for the longer-term (beyond present and to beyond 2023) needs for visitor Coastal accommodations, particularly Low-Cost Accommodations and Recreation needs because the LPCA's LUP is a long-term plan for Carlsbad's buildout estimated to extend beyond 2035. Also, given the fact that there are very few vacant Coastal Sites (like Ponto) that are still available to address these long-term high priority Coastal land uses – recreation and visitor serving – reserving these vacant lands for high priority coastal land uses is consistent with the CCA Polices. Following are some longer-term projections of resident demand for Coastal park and recreation needs. It seems logical that long-term visitor will increase at a similar rate as the general population increase

rate, unless our coast becomes too overcrowded and unattractive vis-à-vis other visitor destinations. A long-term visitor demand (to go with the below long-term resident demand long-term Sea Level Rise impacts) for Coastal recreation resources should be a part of the proposed LCPA and part of the long-term LUP to provide resources for those long-term needs and to mitigate for those long-term Sea Level Rise impacts.

# Increasing demand for Coastal recreational land San Diego County Population 1980 1,861,846 1990 2,498,016 2000 2,813,833 2010 3,095,313 2020 3,535,000 = 46,500 people per mile of coast 2030 3,870,000 2040 4,163,688 2050 4,384,867 = 57,700 people per mile of coast 2010 - 2050 % Change = 42% increase in population SANDAG Preliminary 2050 Regional Growth Forecast

# Increasing demand for Coastal recreational land Yearly Visitors to San Diego County 2016 34,900,000 2017 34,900,000 2018 35,300,000 2019 35,900,000 2020 36,500,000 = average 100,000 visitors per day 2021 37,100,000 or 2.83% of Population per day 2022 37,700,000 or 1,316 Visitors/coastal mile/day Typically around 1.6% annual increase in visitors San Diego Tourism Authority, San Diego Travel Forecast, December 2017

d. City in the LCPA inaccurately analyzes and misrepresents how much Visitor Serving Accommodations, particularly Low-Cost Accommodations, Carlsbad currently provides on a relative or comparative basis. The LCPA's inaccurate and simplistic analysis does not adjust for the different sizes of the Coastal Zone in the 3 cities (Carlsbad, Oceanside and Encinitas) used in the analysis. Carlsbad's Coastal Zone is significantly larger that both the other cities, so it has more land and accommodations, just like San Diego's Coastal Zone is larger than Carlsbad's and San Diego is larger than its smaller neighbors Del Mar and National City. A simplistic how many accommodations are in your adjacent cities is an inappropriate analytical method for Carlsbad-Oceanside-Encinitas; just as it is inappropriate to compare the number of San Diego's hotels with the number hotels in San Diego's smaller neighbors Del Mar and National City. The accurate method to do a comparative analysis is based on a common denominator, such as the amount of accommodations per 1,000 acres of Coastal Zone land along with comparing each city's relative percentages. This is a more accurate and appropriate analysis that the LCPA should provide, and not that provided on page 3-13. The LCPA analysis also does not fully discuss and compare "Low-Cost" accommodations that are part of the CCA policies; nor provide a mitigation approach for "Low-Cost" accommodations lost, just 'Economy hotel rooms'. Below is data from the LCPA and other LCPs that shows the proper and more accurate comparison of existing Visitor Serving Accommodations in Carlsbad-Oceanside-Encinitas and includes Low-Cost Accommodation numbers/comparisons that are totally missing in the LCPA analysis. As the data shows, Carlsbad does not perform as well in Visitor Accommodations, and most particularly in "Low-Cost Visitor Accommodations", as the LCPA states and proposes in the LUP relative to Oceanside and Encinitas. An honest analysis like below should be provided in the LCPA LUP, particularly given the very limited amount of vacant Coastal land left to provide for high-priority Coastal Uses. Ponto is one of the last remaining vacant Coastal areas.

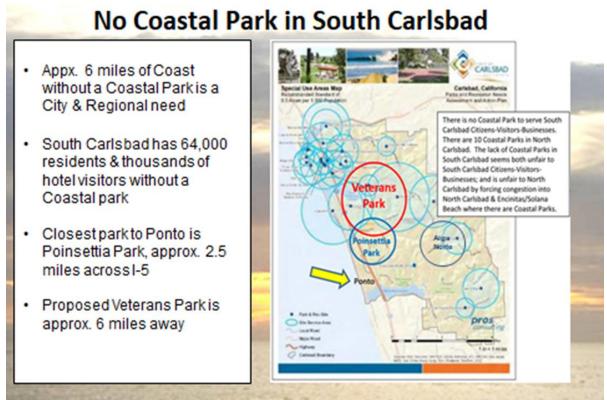
Carlsbad's proposed 2019 LCPA uses comparative 3-city data to address how Carlsbad's 2019 LCPA addresses Visitor Serving Accommodation needs. "Low-Cost" Accommodations are an important CA Coastal Act issue

Visitor Serving Accommodations	<u>Carlsbad</u>	<u>Oceanside</u>	<u>Encinitas</u>		Data source
(VSA) data Coastal Acres (i.e. in Coastal Zone)	9,216	1,460	7,845		Carlsbad Draft LCPA 2019 & Oceanside & Encinitas LCPs
VSA rooms: total	3,211	975	634		Carlsbad Draft LCPA 2019, pp 3-12 - 15
VSA rooms: Economy	589	346	346		Carlsbad Draft LCPA 2019, pp 3-12 - 15
VSA rooms: Low- Cost (campsites)	220	272	171		Carlsbad Draft LCPA 2019, State Parks, Oceanside & Paradise-by-the-sea data Carlsbad Draft LCPA 2019 does not evaluate other City's Low-Cost Accommodations
				3-city	
Data analysis VSA rooms/1,000 Coastal acres	Carlsbad <b>348</b>	Oceanside 668	Encinitas 81	Average <b>366</b>	Key Findings Carlsbad provides overall Visitor Accommodations at slightly below the 3- city average
% of VSA rooms that are Economy	18%	35%	55%	36%	Carlsbad provides a percentage of Economy Accommodations about 50% below the 3-city average
Economy VSA rooms/1,000 Coastal acres	64	237	44	115	Carlsbad provides Economy Accommodations about 50% below the 3-city average
% VSA rooms that are Low-Cost	7%	28%	27%	21%	Carlsbad provides a percentage of Low- Cost Accommodations about 66% below the 3-city average Carlsbad LCPA also does not provide protection for loss of "Low-Cost" campground rooms, only "Economy hotel rooms"
Low-Cost VSA rooms/1,000 Coastal acres	24	186	22	77	Carlsbad provides Low-Cost Accommodations about 70% below the 3-city average

e. The LCPA is not providing for any new "Low Cost Visitor Accommodation" land uses in the proposed LUP for current/long-range needs, even though page 3-12 points out the current demand for accommodations, and the current Existing LCP has polices to increase "Low Cost Visitor Accommodation" land uses. We

understand that "Low-cost Visitor Accommodation" occupancy rates at CA State Campground at near 90%. This occupancy rate is much higher [signifying higher demand] than the occupancy rates of both the hotels, and "Economy Visitor Accommodations" which the LCPA seeks to protect. The Proposed LCPA LUP should provide historic and current "Low-cost Visitor Accommodation" occupancy rate data at CA State Campground and compare to occupancy demand for other accommodations to determine the highest occupancy demands and therefore needs. Why is the Proposed LCPA LUP not protecting AND EXPANDING (for future growth and visitor demand) the supply of this higher demand for "Low-cost Visitor Accommodations" at the State Campground, particularly given the Current Existing Carlsbad LCP policies on this issue, long history of this issue documented in the Current Existing Carlsbad LCP Mello II Segment, and the fact that "Low-cost Visitor Accommodations" are a Statewide 'high-Coastal-priority" land use in CA Coastal Act Goals and Policies? Why is the proposed LUP not recognizing and incorporating these issues? The Current Existing Carlsbad LCP policies [see Existing Carlsbad LCP Mello II Segment polices 2.3, 4.1, 61, 6.4, 6.5, 6.9, 6.10, 7.5, and 7.15 for example] are not referenced and discussed in the Proposed LUP nor is a comprehensive long-term analysis of the impact of the proposed LUP's elimination of theses Current Existing Carlsbad LCP policies vis-à-vis the CA Coastal Act Goals and Policies? How and why is the City proposing changes to these Existing Carlsbad LCP policies in the Mellow II Segment, particularly given the improved knowledge about Sea Level Rise, and Sea Level Rise and Coastal Bluff erosion impacts on the State Campground's "Low-cost Visitor Accommodations" - High-Coastal-Priority land use under the CA Coastal Act?

f. At Ponto there is no low-cost/no-cost Recreational use as shown by the City of Carlsbad's adopted Parks Master Plan (pp 87-89) that show the City's adopted Park Service Areas in the following image. The image's blue dots are park locations and blue circle(s) show the City's adopted service areas:



Per the current Existing LCP requirements for Planning Area F at Ponto an "(i.e. Public Park)" must be considered. How is the Proposed LCPA LUP not reserving Upland Areas at Ponto for recreational uses given

Sea Level Rise and Coastal Bluff erosion impacts as shown in Proposed LCPA LUP Attachment B, and Exhibits B6 and B7? There is very limited amount of vacant Upland Coastal land at Ponto and South Coastal Carlsbad to accommodate low-cost/no-cost Recreational use "(i.e. Public Park)", so why is this last remaining vacant Coastal land at Ponto not being reserved for "high-Coastal Priority Land Uses"? Why is the Proposed LCPA LUP proposing this last remaining vacant Coastal land at Ponto be converted from "Non-residential Reserve" to 'low-coastal-priority residential and general commercial land uses"?

- 3. The proposed LCPA approach to protect existing 'economy hotels' but not 'Low-cost Visitor Accommodations' appears inappropriate. Existing hotel owners providing 'Economy" rooms are penalized while all other more expensive 'non-economy hotel' owners are not required to mitigate for their not providing more affordable accommodations. It seems like a fairer and rational approach is to use the same framework as the City's inclusionary affordable housing requirements and have the requirement and burden of providing affordable accommodations required by all visitor accommodation providers, including short-term rentals of residential homes. Use of any per accommodation "in-lieu fee" should be SUFFICENT TO FULLY MITIGATE for not providing a required affordable accommodation by being sufficient to fully fund a new 'affordable accommodation' on a one-for one basis. City Transit Occupancy Tax revenues could also potentially be used to provide a catch-up method for existing "non-low-cost and/or non-economy accommodation providers" to address what would nominally be their inclusionary contribution. It seems like the LCPA approach needs significant rethinking to provide a rational program to include reasonable long-term and sustainable affordability in visitor accommodation's, particularly give the Sea Level Rise and Coastal Bluff Erosion impacts on Carlsbad's Only "Low-cost Visitor Accommodations" and the State Campground and beaches and Carlsbad's Coastal access roadways.
- 4. The Proposed LCPA LUP does not provide a means for citizens to understand the proposed changes to the current Existing LCP goals and policies. There are numerous current Existing LCP goals and policies regarding "Low-cost Visitor Accommodations". These all should be listed in the Proposed LCPA LUP along with a description on how and why these current Existing LCP Goals and policies are being modified or removed in the Proposed LCPA LUP.

# Carlsbad proposed Draft Budget, Local Coastal Program Amendment, & Parks Master Plan Update – Public Comments

City Budget, Draft LCP Amendment and Parks Master Plan Update issues – South Carlsbad Boulevard (PCH) Realignment land use policy/mapping clarity, and environmental and budget feasibility:

Please see and include the attached City of Carlsbad's CARLSBAD BOULEVARD REALIGNMENT STUDY PHASE II: PRELIMINARY FINANCIAL ANALYSIS dated October 4, 2001 in this public comment. The realignment study evaluated the City selling and/or leasing portions of the exiting South Carlsbad Boulevard right-of-way for Commercial land use. This is concerning on serval levels.

This public comment requests that in the Draft Local Coastal Program Amendment (DLCPA) and Parks Master Plan Update processes:

- 1. Provide clear public disclosure and discussion as to if the City's:
  - a. proposed DLCPA Land Use policies [Pages/Figures: p. 1-5 Figure 1-1, p. 2-11 Figure 2-1, pp. 2-19 & 20 Figure 2-2b & 2-2c; and Pages/Policies: p. 2-22, Ponto/Southern Waterfront, p. 2-23 Draft Policy LCP-2-P.5, p. 2-24 Draft Policy LCP-2-P.7, p. 2-26 Draft Policy LCP-2-P.19]; or
  - b. existing General Plan Land Use Element [Pages: p. 2-35, p. 2-38, pp. 2-47-48; and Policies: 2-G.20, 2-P.51, 2-P.52, 2-P.53, 2-P.55, and 2-P.90] General Plan policies)

provide in any way the opportunity to convert South Carlsbad Boulevard right-of-way into Commercial Land Use as part of realignment. Realignment was portrayed to Citizens as an elaborate way to provide a much needed pedestrian sidewalk/pathway, or Promenade along South Carlsbad Boulevard, not a 'pathway to change open landscaped right-of-way land to Commercial uses'.

- Are the DLCPA Realignment Land Use policy and/or mapping allowing Commercial use on City designated right-of-way land like proposed in Carlsbad's 2001 Realignment Study?
- Does the City's General Plan polices allow, support or imply Commercial use in any Realignment right-of-way land?
- 2. To even start having that important public disclosure and discussion, citizens must have both clear DLCPA Land Use Policies and Land Use Maps that show exactly "what and where" the City's potential proposed Carlsbad Boulevard Realignment "is, and what and where it is not".
  - The DLCPA Land Use Policies are vague and DLCPA Land Use Maps do not show any Land Use (Open Space or Commercial) associated with the Realignment. This vagueness is counter to the some very specific land uses and areas itemized in the City's 2001 Study – why?

It is requested that both the DLCPA Land Use Policies and Maps be amended to be consistent and clear as to "what" and "where" the Realignment is and what proposed DLCPA policies apply to those areas, and what Land Uses are being proposed to be assigned to those areas in the Land Use Plan(s).

- 3. As part of this clear disclosure by the City and public discussion, it also seems logical to roughly update the 20-year old 'preliminary study' of realignment costs to have a general understanding if South Carlsbad Boulevard Realignment is even environmentally/fiscally viable. Current costs could exceed \$75 million. Carlsbad Citizens and taxpayers need to know if the 'Realignment Promenade/Linear Park' is a viable project the City will be implementing and when. Or is the 'Realignment Promenade/Linear Park' more a 'Trojan horse' outside an apparently attractive celebration, while truthfully hidden inside is disappointment resulting in ruin. The City's 20-year old 2001 Realignment Study seems to point to this concern/possibility.
- 4. The DLCPA should add a clear and accountable Public Coastal Access, Livable Streets and Connectivity Policy (Section 4.8, at p. 4-41) that requires the City to fully fund and construct as soon as possible a sidewalk/pedestrian path/'Promenade' along South Carlsbad Boulevard to "Complete" and make "Livable" this street. The missing safe pedestrian Coastal Access along South Carlsbad Boulevard represents over ½ of Carlsbad's coastline. The City's CIP #60311 Budget already has \$3.2 million, which based on City costs for sidewalk construction, is sufficient to complete most of this needed sidewalk/pedestrian path/'Promenade'. The sidewalk/pedestrian path/'Promenade' can be quickly, simply and cost effectively accomplished with an existing budget for that purpose, and within the existing right-of-way configuration. The few short sections along bridges can be cost effectively addressed with vehicle/bike lane restriping and maybe a 'jersey barrier' similar to what was done at Agua Hedionda. Again, the missing sidewalk/pedestrian path/'Promenade' can be substantially completed using existing budgeted CIP funds for that purpose. Special design and landscape qualities could be budgeted and incorporated to enhance to a 'Promenade' level, or be similar to North Carlsbad Boulevard's 'Promenade' design. A community-based design process could define consensus on that.

As supporting data that should be factored in the above 4 requests, the Mayor stated in 2020 that the South Carlsbad Boulevard Realignment would presently cost about \$75 million. This figure appears it maybe a rational estimate, but should be verified. Would South Carlsbad Boulevard Realignment be the most expensive City project ever? The \$75 million Realignment cost is \$5 million more than the City's Golf Course land acquisition and construction costs. The City Golf Course is 402.8 acres, and is understood to be the most expensive to acquire/build municipal golf course in the USA, and most expensive to-date Carlsbad City project.

Sadly in comparison, South Carlsbad Boulevard Realignment does Not acquire or add any new land. Realignment simply realigns up to 54.5 acres of existing City owned landscaped right-of-way, to then repurpose only 4 - 10.8 acres for possible Park use under the 4 Land Use Alternatives as documented in the City's 2001 Realignment Study. The \$75 million Realignment cost would thus cost \$7 - 19 million to simply repurpose each acre of existing City right-of-way land for Park use. This cost per acre appears

fiscally imprudent given much better alternatives. In comparison the Mayor stated the alternative 11 acre Ponto Coastal Park that is required to be studied under Carlsbad's Local Coastal Program would only cost \$20-22 million. The \$20-22 million figure also appears a rational estimate given vacant land costs in the area is roughly \$1.5 – 2 million per acre. So it is actually 7 to 9.5 times more cost effective to simply purchase vacant land that actually adds New land and is also required to studied/considered for Park use. Again, the Relocation proposal's \$7 – 19 million cost per acre is NOT to buy any new land, but simply rearrange existing land the City already owns and is already landscaped and open as part of the roadway median. It seems logical to fully and publicly vet the proposed South Carlsbad Boulevard Realignment Land Use Policies/Map/Costs. The Realignment concept seems fiscally imprudent and a significant squandering of taxpayer resources.

These public comments are not against a much needed Coastal Park for South Carlsbad as there is none and this is vitally needed to provide a Coastal Park for ½ of Carlsbad's citizens and for the thousands of Visitors staying at the thousands of South Carlsbad Resort and hotel rooms. As the Mayor stated this is the most cost effective solution providing MORE NEW parkland at a fraction of the cost of the Realignment. Over 2,500 emails from citizens and visitors have asked the City Council to provide this much needed Ponto Coastal Park.

These public comments are also not against a much needed sidewalk/pedestrian pathway (including a wider than normal pathway) to provide safe (Complete-Livable Streets) pedestrian Coastal Access along South CARLSBAD Boulevard - in fact just the opposite. The public comment #4 specifically asks for a clear, accountable, funded DLCPA Policy that achieves rapid implementation of a sidewalk/pedestrian path/Promenade within the existing South Carlsbad Boulevard right-of-way configuration. This requested LCP Policy would address the critically needed Coastal Access, public safety, and mobility needs along South Carlsbad Boulevard, that has been delayed way too long. Citizens and visitors should not have to wait over 20-years for this much needed Coastal Access and public safety facility for over ½ of Carlsbad's coastline.

Thank you for your consideration,

Lance Schulte

Attachment: City of Carlsbad's CARLSBAD BOULEVARD REALIGNMENT STUDY PHASE II: PRELIMINARY FINANCIAL ANALYSIS, dated October 4, 2001

Carlsbad Golf Course information: <a href="https://www.sandiegouniontribune.com/news/politics/sdut-city-to-pay-off-golf-course-bond-debt-2016jul07-story.html">https://www.sandiegouniontribune.com/news/politics/sdut-city-to-pay-off-golf-course-bond-debt-2016jul07-story.html</a>

From: <u>Lance Schulte</u>

To: Council Internet Email; City Clerk; Planning; Scott Chadwick; Gary Barberio; Don Neu; Kyle Lancaster; Mike

<u>Pacheco;</u> <u>David De Cordova;</u> <u>Scott Donnell;</u> <u>Erin.Prahler@coastal.ca.gov;</u> <u>"Ross, Toni@Coastal";</u> <u>cort.hitchens@coastal.ca.gov;</u> <u>"Lisa Urbach";</u> <u>info@peopleforponto.com;</u> <u>"Bret Schanzenbach";</u>

Kathleen@carlsbad.org; Planning; "McDougall, Paul@HCD"; "Mehmood, Sohab@HCD"

Cc: <u>info@peopleforponto.com</u>

Subject: Carlsbad DLCP-LUPA & Ponto issues resent Public Input - FW: LCPA public Comment - request for receipt of public

comments & documents

**Date:** Monday, December 21, 2020 12:38:35 PM

Attachments: <u>image001.png</u>

Carlsbad LCPA comments for the public record - Surfrider Supports a Ponto Coastal Park.msg

Carlsbad LCPA comments for the public record - FW prior Citizen presentation of requests data to Carlsbad City Council City Commissions CCC public record regarding Coastal South Carlsbad Park Open Space gaps-deficits LCP

requirements .msg

Carlsbad LCPA comments for the public record - FW 7-19-19 Ponto citizens mtg with City Manager.msg Carlsbad LCPA comments for the public record - FW 7-19-19 Ponto citizens mtg with City Manager.msg

Need an editable copy of the Draft LCPA.msg

Dear Carlsbad City Council, City Clerk, Planning Commission, Parks Commission, Housing Commission, HEAC, CA Coastal Commission, and CA HCD:

Carlsbad Citizens first became aware (due to extensive Public Records research) of the Carlsbad's failure (current and starting before 2010) to comply with the still existing Certified Local Coastal Program Land Use and Zoning Regulations (LCP) for Ponto Planning Area F (to specifically consider and document the need for a Ponto "Public Park" prior to changing the NRR land use on Planning Area F, and also developers' Growth Management Open Space Standard (GMP) non-compliance at Ponto in 2017. Since 2017 with this awareness Carlsbad and surrounding Citizens and Visitors have repeatedly documented the need for a Ponto Park and asked the Carlsbad City Council and Staff to provide for it on Planning Area F as the exiting LCP provides for. Since 2017 over 2,800 emails/petitions have been sent to the City and CA Coastal Commission (CCC), over 200 pages of official written (emailed) data and public comments, along with numerous presentations to prior City Council meetings on the LCP and GMP.

In Dec 2, 2020 Carlsbad began the Planning Commission Public Hearing on the Staff proposed Draft Local Coastal Program-Land Use Plan Amendment (DLCP-LUPA) to propose to the CA Coastal Commission a change to Planning Area F's existing NRR land use and zoning. The flood of over 450 emailed public input for that specific meeting overwhelmed the City email server. As part of that process the City said in the Dec 2 email below it was going to post on its website all the Citizen/public input received on the DLCP-LUPA. On Dec 3 People for Ponto asked the Carlsbad City Council, City Clerk and City DLCP-LUPA Staff - would that posting would include all the LCP communications since 2017 when Citizens first became aware started Public Input to the City and CCC on the Ponto LCP issues?

**From:** Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

**Sent:** Thursday, December 3, 2020 11:13 AM **To:** 'Planning'; 'info@peopleforponto.com'

Cc: 'Jennifer Jesser'; 'Don Neu'; 'City Clerk'; 'CityCouncil@carlsbadca.gov'; 'Erin Prahler'; Ross,

Toni@Coastal (Toni.Ross@coastal.ca.gov); Carrie Boyle (carrie.boyle@coastal.ca.gov)

**Subject:** RE: 121 undeliverable Protect Ponto petitions

To City of Carlsbad and Carlsbad Planning:

We assume when you say 'records department' you mean City Clerk?

We also assume you mean 'all comments submitted' includes written comments and attachments; and Ponto related communications, presentations, public testimony and Public Records Requests to the City since 2017 - when Citizens first became aware of Existing Ponto Planning Area F LCP regulations and received CCC direction to the City on those Regulations? Can you please confirm this as this is all part of the Citizen comments and data that is part of the public record regarding the subject matter? The City is [using] 2015 input to justify current City Staff proposals, so the City should acknowledge and include People for Ponto Citizen input since 2017 on the same subject matter.

Thanks,
People for Ponto

From: Planning [mailto:Planning@CarlsbadCA.gov] Sent: Wednesday, December 2, 2020 6:29 PM

To: <u>info@peopleforponto.com</u> Cc: Jennifer Jesser; Don Neu

Subject: RE: 121 undeliverable Protect Ponto petitions

Hello,

At the conclusion of the meeting all comments will be submitted to the records department. The records department will make the full record available on the city's website. At that time, I would suggest reviewing the record in its entirely to compare to what you submitted. Thank you.

It has been almost 3-weeks without a City response to the Dec 3 email, so People for Ponto will start re-emailing to the City and CCC public input on Ponto LCP and DLCP-LUPA issues since 2017 as 'resent official Public Input' to the City Council and CCC for the upcoming City Council DLCP-LUPA Public Hearing and other City meetings dealing with land use at Ponto. This '2017-present Public Input' should be posted on the City's website as noted in the City's Dec 2 email. The 2017-present Public Input is critical because there are now different City Council and CCC members since 2017. The 2017-present public input is critical to assure a proper Public Participation process consistent with Carlsbad and CA Coastal Act principles and assure the new City Council and the current CA Coastal Commission has the information and understands the extensive amount of multi-year public input expressing concerns, needs and desires for Ponto.

Following and attached is one of those many inputs.

Sincerely,
People for Ponto

**From:** Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

Sent: Wednesday, October 30, 2019 2:50 PM

To: jennifer.jesser@carlsbadca.gov

**Cc:** Melanie Saucier (Melanie.Saucier@carlsbadca.gov); Celia Brewer (Celia.Brewer@carlsbadca.gov); Council Internet Email (CityCouncil@carlsbadca.gov); Cort Hitchens (cort.hitchens@coastal.ca.gov); Erin Prahler (Erin.Prahler@coastal.ca.gov); Gabriel Buhr (gbuhr@coastal.ca.gov); Mike Sebahar (sebbiesixpack@att.net); 'Harry Peacock'; John Gama (Gama.John@scrippshealth.org); 'John Gama'; Chas Wick (chaswick@reagan.com); 'Stacy King'

Subject: LCPA public Comment - request for receipt of public comments & documents

# Jenifer:

I am forwarding the attached emails submitted as public comment on the proposed draft LCPA, as I heard you are LCPA project manager. I wanted to get a receipt confirmation of these and this email as LCPA public comments. I am sorry to ask this but on August 27<sup>th</sup>, as part of People for Ponto I met with Mayor Hall and Councilperson Blackburn and staff Gary Barbario and Debbie Fountain on LCP issues related to the 11-acre Planning Area F site at Ponto that the existing LCP currently designates "Non-residential Reserve" and which the City's LCPA is proposing to mostly change to low-coastal-priority high density residential use. Planning Area F has [since 1996] an LCP requirement to consider and document the need for high-coastal-priority uses prior to changing the existing "Non-residential Reserve" Coastal land use and zoning. Carlsbad's Park Master Plan [pp 87 & 88] shows Ponto and a significant portion of South Coastal Carlsbad is not within the City's adopted Park Service Areas, and that South Carlsbad has no City Parks west of I-5 and v. over 37-acres within 10 City Parks in North Carlsbad. See following copy of the email and image compiled from the City's Park Master Plan that was the genesis of the August 27<sup>th</sup> meeting.

# Beginning of email:

From: Lance Schulte < meyers-schulte@sbcglobal.net >

**Sent:** Monday, July 15, 2019 2:26 PM

To: Andrea Dykes <<u>Andrea.Dykes@carlsbadca.gov</u>>
Cc: People for Ponto <<u>info@peopleforponto.com</u>>
Subject: meetings with Matt Hall and Keith Blackburn

# Andi

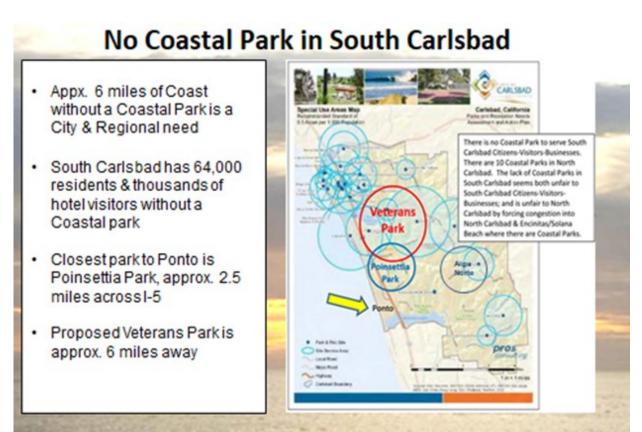
I hope your week is starting well.

I/we would like to see if we can have meetings with Matt hall and Keith Blackburn. The meetings would be concerning the South Carlsbad Coastal Park gap/deficit/shortfall.

This is an update of data provided earlier by Carlsbad Citizens to the Carlsbad City Council, Planning, and Parks Commissions; and California Coastal Commission regarding the 11-acre Planning Area F site at Ponto and the Carlsbad Local Coastal Program and Carlsbad's Growth Management Program and Local Facilities Management Plan for Zone 9 [Ponto]. For the 11-acre Planning Area F site at Ponto the City of Carlsbad is required by the CA Coastal Act to "... As part of any future planning effort, the City and Developer must consider and document the need for the provision of lower cost visitor accommodations or recreational facilities (i.e. public park) on the west side of the railroad."

Below is an image requested by Carlsbad Councilman Keith Blackburn [note: correct to reflect the request was from Michael Schumacher] to show Poinsettia Park's official service area relative to the South Coastal Carlsbad Park gap and deficit. The blue circle(s) show the City's adopted service areas

from the City of Carlsbad Parks Master Plan for each City Park based on the park size and the population surrounding the park. A large circle represents a large park and/or low population surrounding the park. The image below shows all the City Parks (both Community Parks and Special Use Areas in Coastal Carlsbad (except for Aviara Park that is east of Poinsettia Park and west of Alga Norte Park). Data is compiled from City of Carlsbad Parks Master Plan pp 87-88.



Thanks Andi, there would likely be only 1-2 citizens attending. Thanks again,
Lance

# End of email

I am concerned in that in that August 27<sup>th</sup> meeting all four refused to discuss the Parks Master Plan and LCP/LCPA related issues, stating they could not discuss these misses due to the North County Advocates lawsuit filed against the City for non-compliance with the City's Growth Management Program. I was confused as to how the City was linking our People for Ponto Parks Master Plan and LCP/LCPA discussion with the Growth Management Plan and North County Advocates Growth Management Plan lawsuit?

Can the City kindly provide an explanation as to why/how the City is linking the Parks Master Plan and LCP/LCPA with the Growth Management Plan and Growth Management Plan lawsuit?

Given the linkage if the City Staff and City Council were prevented from talking about Parks Master Plan and LCP/LCPA due to the Growth Management Plan lawsuit, how can the City proceed to process

the LCPA, and start the Parks Master Plan Update? As a citizen it is very confusing, and am not sure if the attached communications are being considered or can be discussed by City Staff and City Council as part of the LCPA.

As I explained at the August 27<sup>th</sup> meeting with Mayor Hall and Councilperson Blackburn and staff Gary Barbario and Debbie Fountain People for Ponto is not a part of North County Advocates and their lawsuit against the City. However, both People for Ponto and North County Advocates found similar significant questions regarding compliance with the Growth Management Program Open Space Standard in Local Facility Management Plan Zone 9.

Regarding the LCPA public review process, I also wanted to see if citizens could be provided:

- 1. an editable version of the LCPA can be provided to facilitate cut/paste of text/images into public comments, and
- 2. if an editable side-by-side existing LCP text and proposed LCPA text file is available? This would allow citizens a clear understanding of the proposed changes to the existing LCP text and allow citizens to effectively compare and provide comments?

These simple to provide tools would be very helpful to citizens wishing to understand and comment on the proposed Amendments to the current LCP.

Thank you, Lance Schulte

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

From: <u>Lance Schulte</u>

To: Council Internet Email; City Clerk; Planning; Scott Chadwick; Gary Barberio; Don Neu; Kyle Lancaster; Mike

Pacheco; David De Cordova; Scott Donnell; Erin.Prahler@coastal.ca.gov; "Ross, Toni@Coastal"; cort.hitchens@coastal.ca.gov; "Lisa Urbach"; info@peopleforponto.com; "Bret Schanzenbach"; Kathleen@carlsbad.org; Planning; "McDougall, Paul@HCD"; "Mehmood, Sohab@HCD"

Cc: <u>info@peopleforponto.com</u>

Subject: Carlsbad DLCP-LUPA & Ponto issues resent Public Input - FW: Local Facilities Management Plan - Zone 9

Date: Monday, December 21, 2020 8:57:20 AM
Attachments: LFMP-9 Open Space Analysis Request.docx

Dear Carlsbad City Council, City Clerk, Planning Commission, Parks Commission, Housing Commission, HEAC, CA Coastal Commission, and CA HCD:

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**From:** Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

**Sent:** Thursday, December 3, 2020 11:13 AM **To:** 'Planning'; 'info@peopleforponto.com'

Cc: 'Jennifer Jesser'; 'Don Neu'; 'City Clerk'; 'CityCouncil@carlsbadca.gov'; 'Erin Prahler'; Ross,

Toni@Coastal (<u>Toni.Ross@coastal.ca.gov</u>); Carrie Boyle (<u>carrie.boyle@coastal.ca.gov</u>)

Subject: RE: 121 undeliverable Protect Ponto petitions

To City of Carlsbad and Carlsbad Planning:

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We also assume you mean 'all comments submitted' includes written comments and attachments; and Ponto related communications, presentations, public testimony and Public Records Requests to the City since 2017 - when Citizens first became aware of

Existing Ponto Planning Area F LCP regulations and received CCC direction to the City on those Regulations? Can you please confirm this as this is all part of the Citizen comments and data that is part of the public record regarding the subject matter? The City is [using] 2015 input to justify current City Staff proposals, so the City should acknowledge and include People for Ponto Citizen input since 2017 on the same subject matter.

Thanks,
People for Ponto

From: Planning [mailto:Planning@CarlsbadCA.gov]
Sent: Wednesday, December 2, 2020 6:29 PM

To: <u>info@peopleforponto.com</u> Cc: Jennifer Jesser; Don Neu

Subject: RE: 121 undeliverable Protect Ponto petitions

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Following and attached is one of those many inputs.

Sincerely, People for Ponto

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

Sent: Tuesday, June 19, 2018 12:50 PM

To: matt.hall@carlsbadca.gov

**Cc:** Jean Camp (jeanscamp@yahoo.com); Mike Sebahar **Subject:** FW: Local Facilities Management Plan - Zone 9

Mat:

Sorry for the delay. Here is the email sent to the City Council, Planning & Parks Commissions, City Manager, Planning and Parks Directors, and CCC Staff.

**From:** Gama, John A. [mailto:Gama.John@scrippshealth.org]

Sent: Tuesday, December 5, 2017 2:44 PM

**To:** 'council@carlsbadca.gov'; 'mike.pacheco@carlsbadca.gov'; 'Don.Neu@carlbadca.gov'; 'manager@carlsbadca.gov'; 'chris.hazeltine@carlsbadca.gov'; 'gbuhr@coastal.ca.gov';

'Erin.Prahler@coastalca.gov'

Cc: 'jimn8916@gmail.com'; 'billvancleve@prodigy.net'; 'vanzyl.aakc@live.com';

'tonyruffolo616@gmail.com'; 'chaswick@reagan.com'; 'jeanscamp@yahoo.com'; 'Sebahar Family Email

(sebbiesixpack@att.net)'; 'meyers-schulte@sbcglobal.net'; 'Lee Leibenson

(lleibenson@waltersmanagement.com)'; 'Gail Norman (gnorman\_ca@yahoo.com)'

Subject: Local Facilities Management Plan - Zone 9

Dear Carlsbad City Council, Planning Commission & Planning Staff, and California Coastal Commission Staff,

Please see the attached letter from the San Pacifico Community Association Ponto Beachfront Development Review Committee regarding the Growth Management standard and Local Facilities Management Plan for Zone 9.

Sincerely,

John Gama, Pharm.D. Citizen Member PBDRC 7358 Seafarer Place Carlsbad, CA 92011 Phone (858) 722-0496

This e-mail and any files transmitted with it may contain privileged and confidential information and are intended solely for the use of the individual or entity to which they are addressed. If you are not the intended recipient or the person responsible for delivering the e-mail to the intended recipient, you are hereby notified that any dissemination or copying of this e-mail or any of its attachment(s) is strictly prohibited. If you have received this e-mail in error, please immediately notify the sending individual or entity by e-mail and permanently delete the original e-mail and attachment(s) from your computer system. Thank you for your cooperation.

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From: <u>Lance Schulte</u>

To: Council Internet Email; City Clerk; Planning; Scott Chadwick; Gary Barberio; Don Neu; Kyle Lancaster; Mike

<u>Pacheco</u>; <u>David De Cordova</u>; <u>Scott Donnell</u>; <u>Erin.Prahler@coastal.ca.gov</u>; <u>"Ross, Toni@Coastal"</u>; <u>cort.hitchens@coastal.ca.gov</u>; <u>"Lisa Urbach"</u>; <u>info@peopleforponto.com</u>; <u>"Bret Schanzenbach"</u>; <u>Kathleen@carlsbad.org</u>; <u>Planning</u>; <u>"McDougall, Paul@HCD"</u>; <u>"Mehmood, Sohab@HCD"</u>

Cc: <u>info@peopleforponto.com</u>

Subject: Carlsbad DLCP-LUPA & Ponto issues resent Public Input - FW: Ponto Support Emails

**Date:** Monday, December 21, 2020 10:14:35 AM

Attachments: 2018.10.28 People for Ponto Letters (183 signed letters).pdf

27 Ponto Support Letters.zip

Dear Carlsbad City Council, City Clerk, Planning Commission, Parks Commission, Housing Commission, HEAC, CA Coastal Commission, and CA HCD:

Carlsbad Citizens first became aware (due to extensive Public Records research) of the Carlsbad's failure (current and starting before 2010) to comply with the still existing Certified Local Coastal Program Land Use and Zoning Regulations (LCP) for Ponto Planning Area F (to specifically consider and document the need for a Ponto "Public Park" prior to changing the NRR land use on Planning Area F, and also developers' Growth Management Open Space Standard (GMP) non-compliance at Ponto in 2017. Since 2017 with this awareness Carlsbad and surrounding Citizens and Visitors have repeatedly documented the need for a Ponto Park and asked the Carlsbad City Council and Staff to provide for it on Planning Area F as the exiting LCP provides for. Since 2017 over 2,800 emails/petitions have been sent to the City and CA Coastal Commission (CCC), over 200 pages of official written (emailed) data and public comments, along with numerous presentations to prior City Council meetings on the LCP and GMP.

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**From:** Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

**Sent:** Thursday, December 3, 2020 11:13 AM **To:** 'Planning'; 'info@peopleforponto.com'

Cc: 'Jennifer Jesser'; 'Don Neu'; 'City Clerk'; 'CityCouncil@carlsbadca.gov'; 'Erin Prahler'; Ross,

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**Subject:** RE: 121 undeliverable Protect Ponto petitions

To City of Carlsbad and Carlsbad Planning:

We assume when you say 'records department' you mean City Clerk?

We also assume you mean 'all comments submitted' includes written comments and attachments; and Ponto related communications, presentations, public testimony and

Public Records Requests to the City since 2017 - when Citizens first became aware of Existing Ponto Planning Area F LCP regulations and received CCC direction to the City on those Regulations? Can you please confirm this as this is all part of the Citizen comments and data that is part of the public record regarding the subject matter? The City is [using] 2015 input to justify current City Staff proposals, so the City should acknowledge and include People for Ponto Citizen input since 2017 on the same subject matter.

Thanks,
People for Ponto

From: Planning [mailto:Planning@CarlsbadCA.gov]
Sent: Wednesday, December 2, 2020 6:29 PM

To: <u>info@peopleforponto.com</u> Cc: Jennifer Jesser; Don Neu

Subject: RE: 121 undeliverable Protect Ponto petitions

Hello,

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Following and attached is one of those many inputs.

Sincerely, People for Ponto

**From:** info@peopleforponto.com [mailto:info@peopleforponto.com]

Sent: Sunday, October 28, 2018 1:15 PM

**To:** Matt.Hall@carlsbadca.gov; CityCouncil@carlsbadca.gov; gbuhr@coastal.ca.gov;

Erin.Prahler@coastal.ca.gov

**Cc:** info info

**Subject:** Ponto Support Emails

Dear City Council and Coastal Commission,

Preserving Open Space and gaining a Coastal Park in the Southwest Quadrant of Carlsbad is a request being made by the citizens and visitors alike – more and more people are asking you to Develop Ponto Right!

Attached are **210 letters** all in favor of a Park at Ponto and upholding the Open Space in the Southwest Quadrant over the proposed high density, residential development in Area F. You will also see that people **ARE NOT** in favor of Veteran's Park being used as an alternative.

We ask that you take these requests into account when taking action on the fate of Ponto and our precious land resources. And we ask that these comments be put on record in the official public records for any projects proposed for this land.

The People for Ponto Committee

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From: <u>Lance Schulte</u>

To: Council Internet Email; City Clerk; Planning; Scott Chadwick; Gary Barberio; Don Neu; Kyle Lancaster; Mike

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Cc: <u>info@peopleforponto.com</u>

Subject: Carlsbad DLCP-LUPA & Ponto issues resent Public Input - FW: 7-19-19 Ponto citizens mtg with City Manager

Date: Monday, December 21, 2020 12:09:46 PM
Attachments: Parks Department Mission vision key goals.pdf

Dear Carlsbad City Council, City Clerk, Planning Commission, Parks Commission, Housing Commission, HEAC, CA Coastal Commission, and CA HCD:

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Cc: 'Jennifer Jesser'; 'Don Neu'; 'City Clerk'; 'CityCouncil@carlsbadca.gov'; 'Erin Prahler'; Ross,

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Following and attached is one of those many inputs.

Sincerely, People for Ponto

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

Sent: Tuesday, July 23, 2019 9:52 AM

**To:** Gary Barberio (Gary.Barberio@carlsbadca.gov); Scott Chadwick (Scott.Chadwick@carlsbadca.gov); Kyle.Lancaster@carlsbadca.gov

Cc: debbie.fountain@carlsbadca.gov; 'Harry Peacock'; 'Stacy King'; Chas Wick (chaswick@reagan.com);

Mike Sebahar (sebbiesixpack@att.net)

**Subject:** 7-19-19 Ponto citizens mtg with City Manager

## Gary:

You mentioned at our meeting, that Scott did not attend, that City Staff is constraining the Parks Master Plan Update to not consider the 2017-present citizen input on the Coastal South Carlsbad Park Gap; be constrained by existing City Council policy, and only look to update things like if/where we need more pickle ball courts. We asked if the Update would look at updating things like the lack of safely accessible [walking/biking distance] parks for children and elderly in Coastal South Carlsbad and the lack of a Coastal Park for all of South Carlsbad. Constricting the Update to not address these major Parks Master Plan issues does not seem right, and does not address the Coastal South Carlsbad Park gap and Service Area issues that area discussed/documented in the Parks Master Plan [pp 87-88] and the focus of much citizen concern. Unduly constraining the Parks Master Plan Update as you outlined also seems inconsistent with existing City Council policy statements in the City Council adopted Parks & Recreation Vision, Mission and Key Goals; such as:

- strengthening community connectivity and exceptional customer service
- promote community health and wellness
- building a culture that embraces change and continuous improvement.
- Meet the underserved needs of the community
- Build an entrepreneurial focus that supplements city contribution
- staff to deliver world class offerings and exceptional customer service
- Provide opportunities that promote health and wellness and active lifestyles
- Develop a departmental culture that embraces change and promotes continuous improvement

The above Parks Vision, Mission and Key Goals; seem consistent with discussing the South Coastal Park gap, Planning Area F LCP requirements for the City to consider a 'Public Park' at Ponto, and the significant customer requests provided to the City. We could not understand the logic of how the City can update a "Parks Master Plan" without looking at major Parks issues like the South Carlsbad Coastal Park service area and facilities gap seems inappropriate. Can we talk about this? Is this something Staff and/or citizens should take to the City Council?

Again, as we stated at our meeting, our citizens sincerely care about Carlsbad and Carlsbad's future generations.

Thanks, Lance

To: Council Internet Email; City Clerk; Planning; Scott Chadwick; Gary Barberio; Don Neu; Kyle Lancaster; Mike

Pacheco; David De Cordova; Scott Donnell; Erin.Prahler@coastal.ca.gov; "Ross, Toni@Coastal"; cort.hitchens@coastal.ca.gov; "Lisa Urbach"; info@peopleforponto.com; "Bret Schanzenbach"; Kathleen@carlsbad.org; Planning; "McDougall, Paul@HCD"; "Mehmood, Sohab@HCD"

Cc: <a href="mailto:info@peopleforponto.com">info@peopleforponto.com</a>

Subject: Carlsbad DLCP-LUPA & Ponto issues resent Public Input - FW: 2019-11-20 letter to Planning Commission - 3

requests.docx

**Date:** Monday, December 21, 2020 12:51:26 PM

Attachments: Coastal South Carlsabd-Ponto Park gap-deficit map - LCP issues - regested LCPA process.pdf

Dear Carlsbad City Council, City Clerk, Planning Commission, Parks Commission, Housing Commission, HEAC, CA Coastal Commission, and CA HCD:

Carlsbad Citizens first became aware (due to extensive Public Records research) of the Carlsbad's failure (current and starting before 2010) to comply with the still existing Certified Local Coastal Program Land Use and Zoning Regulations (LCP) for Ponto Planning Area F (to specifically consider and document the need for a Ponto "Public Park" prior to changing the NRR land use on Planning Area F, and also developers' Growth Management Open Space Standard (GMP) non-compliance at Ponto in 2017. Since 2017 with this awareness Carlsbad and surrounding Citizens and Visitors have repeatedly documented the need for a Ponto Park and asked the Carlsbad City Council and Staff to provide for it on Planning Area F as the exiting LCP provides for. Since 2017 over 2,800 emails/petitions have been sent to the City and CA Coastal Commission (CCC), over 200 pages of official written (emailed) data and public comments, along with numerous presentations to prior City Council meetings on the LCP and GMP.

In Dec 2, 2020 Carlsbad began the Planning Commission Public Hearing on the Staff proposed Draft Local Coastal Program-Land Use Plan Amendment (DLCP-LUPA) to propose to the CA Coastal Commission a change to Planning Area F's existing NRR land use and zoning. The flood of over 450 emailed public input for that specific meeting overwhelmed the City email server. As part of that process the City said in the Dec 2 email below it was going to post on its website all the Citizen/public input received on the DLCP-LUPA. On Dec 3 People for Ponto asked the Carlsbad City Council, City Clerk and City DLCP-LUPA Staff - would that posting would include all the LCP communications since 2017 when Citizens first became aware started Public Input to the City and CCC on the Ponto LCP issues?

**From:** Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

**Sent:** Thursday, December 3, 2020 11:13 AM **To:** 'Planning'; 'info@peopleforponto.com'

Cc: 'Jennifer Jesser'; 'Don Neu'; 'City Clerk'; 'CityCouncil@carlsbadca.gov'; 'Erin Prahler'; Ross,

Toni@Coastal (<u>Toni.Ross@coastal.ca.gov</u>); Carrie Boyle (<u>carrie.boyle@coastal.ca.gov</u>)

**Subject:** RE: 121 undeliverable Protect Ponto petitions

To City of Carlsbad and Carlsbad Planning:

We assume when you say 'records department' you mean City Clerk?

We also assume you mean 'all comments submitted' includes written comments and attachments; and Ponto related communications, presentations, public testimony and

Public Records Requests to the City since 2017 - when Citizens first became aware of Existing Ponto Planning Area F LCP regulations and received CCC direction to the City on those Regulations? Can you please confirm this as this is all part of the Citizen comments and data that is part of the public record regarding the subject matter? The City is [using] 2015 input to justify current City Staff proposals, so the City should acknowledge and include People for Ponto Citizen input since 2017 on the same subject matter.

Thanks,
People for Ponto

From: Planning [mailto:Planning@CarlsbadCA.gov]
Sent: Wednesday, December 2, 2020 6:29 PM

To: <u>info@peopleforponto.com</u> Cc: Jennifer Jesser; Don Neu

Subject: RE: 121 undeliverable Protect Ponto petitions

Hello,

At the conclusion of the meeting all comments will be submitted to the records department. The records department will make the full record available on the city's website. At that time, I would suggest reviewing the record in its entirely to compare to what you submitted. Thank you.

It has been almost 3-weeks without a City response to the Dec 3 email, so People for Ponto will start re-emailing to the City and CCC public input on Ponto LCP and DLCP-LUPA issues since 2017 as 'resent official Public Input' to the City Council and CCC for the upcoming City Council DLCP-LUPA Public Hearing and other City meetings dealing with land use at Ponto. This '2017-present Public Input' should be posted on the City's website as noted in the City's Dec 2 email. The 2017-present Public Input is critical because there are now different City Council and CCC members since 2017. The 2017-present public input is critical to assure a proper Public Participation process consistent with Carlsbad and CA Coastal Act principles and assure the new City Council and the current CA Coastal Commission has the information and understands the extensive amount of multi-year public input expressing concerns, needs and desires for Ponto.

Following and attached is one of those many inputs.

Sincerely, People for Ponto

**From:** Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

Sent: Friday, November 22, 2019 8:14 AM

**To:** jennifer.jesser@carlsbadca.gov; Council Internet Email (CityCouncil@carlsbadca.gov); Cort Hitchens (cort.hitchens@coastal.ca.gov); Gabriel Buhr (gbuhr@coastal.ca.gov); Erin Prahler (Erin.Prahler@coastal.ca.gov)

**Cc:** Don Neu (Don.Neu@carlsbadca.gov); People for Ponto (info@peopleforponto.com); Mike Sebahar (sebbiesixpack@att.net); jodi marie jones; 'Harry Peacock new'; John Gama

(Gama.John@scrippshealth.org); Gail Norman (GNorman\_ca@yahoo.com); 'Stacy King' **Subject:** RE: 2019-11-20 letter to Planning Commission - 3 requests.docx

### Jennifer & Don:

I apologize, but in my haste to send you the email below following-up on the 11/20/19 Planning Commission meeting on the proposed Draft Local Coastal Program Amendment to the Land Use Plan, I forgot to include the attached data/image/request that was attached to the hand delivered letter from People for Ponto to the Planning Commission on Wed 11/20/19. Can you please confirm that the Planning Commission received the attached with the letter as both were hand delivered to Staff at the meeting on 11/20/19?

The attached is a brief note summarizing one of the prior planning mistakes at Ponto that Don mentioned, and also documents City Park Service Area Gap at Ponto and Coastal South Carlsbad from the City's Park Master Plan that directly relates to the prior planning mistakes at Ponto.

### Sorry

**From:** Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

Sent: Thursday, November 21, 2019 9:41 AM

**To:** jennifer.jesser@carlsbadca.gov; Council Internet Email (CityCouncil@carlsbadca.gov); Cort Hitchens (cort.hitchens@coastal.ca.gov); Gabriel Buhr (gbuhr@coastal.ca.gov); Erin Prahler (Erin.Prahler@coastal.ca.gov)

**Cc:** Don Neu (Don.Neu@carlsbadca.gov); People for Ponto (info@peopleforponto.com); Mike Sebahar (sebbiesixpack@att.net); jodi marie jones; 'Harry Peacock new'; John Gama

(Gama.John@scrippshealth.org); Gail Norman (GNorman\_ca@yahoo.com); 'Stacy King'

Subject: 2019-11-20 letter to Planning Commission - 3 requests.docx

#### Jennifer:

As promised attached is an electronic copy of the letter hand delivered at the 11-20-19 Planning Commission meeting on the proposed Draft Local Coastal Program Amendment to the Land Use Plan (DLCPA). Providing this to the Planning Commission, and confirmation of including this email and attachment as Public Comment for the DLCPA is appreciated.

We appreciate Don publicly acknowledging that past mistakes (no public disclosure/consideration/documentation of need of in the Current LCP requirements to consider a Public Park and/or low-cost visitor accommodations at Planning Area F) were done in the City's prior Ponto Beachfront Village Vision Plan and General Plan Update process regarding Planning Area F at Ponto.

It has taken People for Ponto Citizens several years to finally get the City's public acknowledgement of these mistakes. Citizens had to use 3 Public Records Requests, numerous meetings with City/CCC staff, and too many presentations and requests to the prior City Council to finally have the Current LCP requirement and past planning mistakes publicly recognized by the City. Don, thank you for finally mentioning the mistakes last night.

As People for Ponto Citizens have repeatedly communicated, these past mistakes fundamentally

flawed the prior planning efforts at Ponto, and we hope the DLCPA process can reset planning at Ponto for this currently designated "Non-residential Reserve" land use in Carlsbad's Existing LCP to be openly/honestly addressed in a truly Community-based planning process for Ponto that can now also include projected/planned Sea Level Rise impacts on Coastal Land and High-Priority Coastal Land use such as Recreation "(i.e. Public Park)" and Low-Cost Visitor Accommodations (State Campground) as discussed in Carlsbad's Current LCP requirements for Planning Area F at Ponto.

Jennifer I noticed some statements last night that did not seem fully accurate given my understanding of the CA Coastal Act, LCP requirements/processes. Is there a method you would like me to use to bring those concerns up and get a documented reply, or should official Public Comments be the preferred method to bring up and get answers to these issues?

Please know People for Ponto are Carlsbad and other North County Citizens, and visitors concerned about the our Coast and Coastal future. The last remaining vacant Coastal land presents the only opportunities to provide High-Coastal-Priority Recreation and Visitor facilities to address future generational needs and the endless forever increase in regional population growth and visitor demand.

Thank you again, Lance Schulte

To: Council Internet Email; City Clerk; Planning; Scott Chadwick; Gary Barberio; Don Neu; Kyle Lancaster; Mike

Pacheco; David De Cordova; Scott Donnell; Erin.Prahler@coastal.ca.gov; "Ross, Toni@Coastal"; cort.hitchens@coastal.ca.gov; "Lisa Urbach"; info@peopleforponto.com; "Bret Schanzenbach"; Kathleen@carlsbad.org; Planning; "McDougall, Paul@HCD"; "Mehmood, Sohab@HCD"

Cc: <u>info@peopleforponto.com</u>

Subject: Carlsbad DLCP-LUPA & Ponto issues resent Public Input - FW: 2020-2021 FY Budget Hearing 2 June 2020

**Date:** Tuesday, December 22, 2020 6:50:52 AM

Dear Carlsbad City Council, City Clerk, Planning Commission, Parks Commission, Housing Commission, HEAC, CA Coastal Commission, and CA HCD:

Carlsbad Citizens first became aware (due to extensive Public Records research) of the Carlsbad's failure (current and starting before 2010) to comply with the still existing Certified Local Coastal Program Land Use and Zoning Regulations (LCP) for Ponto Planning Area F (to specifically consider and document the need for a Ponto "Public Park" prior to changing the NRR land use on Planning Area F), and also developers' Growth Management Open Space Standard (GMP) non-compliance at Ponto in 2017. Since 2017 with this awareness Carlsbad and surrounding Citizens and Visitors have repeatedly documented the need for a Ponto Park and asked the Carlsbad City Council and Staff to provide for it on Planning Area F as the exiting LCP provides for. Since 2017 over 2,800 emails/petitions have been sent to the City and CA Coastal Commission (CCC), over 200 pages of official written (emailed) data and public comments, along with numerous presentations to prior City Council meetings on the LCP and GMP.

In Dec 2, 2020 Carlsbad began the Planning Commission Public Hearing on the Staff proposed Draft Local Coastal Program-Land Use Plan Amendment (DLCP-LUPA) to propose to the CA Coastal Commission a change to Planning Area F's existing NRR land use and zoning. The flood of over 450 emailed public input for that specific meeting overwhelmed the City email server. As part of that process the City said in the Dec 2 email below it was going to post on its website all the Citizen/public input received on the DLCP-LUPA. On Dec 3 People for Ponto asked the Carlsbad City Council, City Clerk and City DLCP-LUPA Staff - would that posting would include all the LCP communications since 2017 when Citizens first became aware started Public Input to the City and CCC on the Ponto LCP issues?

**From:** Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

**Sent:** Thursday, December 3, 2020 11:13 AM **To:** 'Planning'; 'info@peopleforponto.com'

Cc: 'Jennifer Jesser'; 'Don Neu'; 'City Clerk'; 'CityCouncil@carlsbadca.gov'; 'Erin Prahler'; Ross,

Toni@Coastal (<u>Toni.Ross@coastal.ca.gov</u>); Carrie Boyle (<u>carrie.boyle@coastal.ca.gov</u>)

**Subject:** RE: 121 undeliverable Protect Ponto petitions

To City of Carlsbad and Carlsbad Planning:

We assume when you say 'records department' you mean City Clerk?

We also assume you mean 'all comments submitted' includes written comments and attachments; and Ponto related communications, presentations, public testimony and Public Records Requests to the City since 2017 - when Citizens first became aware of

Existing Ponto Planning Area F LCP regulations and received CCC direction to the City on those Regulations? Can you please confirm this as this is all part of the Citizen comments and data that is part of the public record regarding the subject matter? The City is [using] 2015 input to justify current City Staff proposals, so the City should acknowledge and include People for Ponto Citizen input since 2017 on the same subject matter.

Thanks,
People for Ponto

From: Planning [mailto:Planning@CarlsbadCA.gov]
Sent: Wednesday, December 2, 2020 6:29 PM

To: <u>info@peopleforponto.com</u> Cc: Jennifer Jesser; Don Neu

Subject: RE: 121 undeliverable Protect Ponto petitions

Hello,

At the conclusion of the meeting all comments will be submitted to the records department. The records department will make the full record available on the city's website. At that time, I would suggest reviewing the record in its entirely to compare to what you submitted. Thank you.

It has been almost 3-weeks without a City response to the Dec 3 email, so People for Ponto will start re-emailing to the City and CCC public input on Ponto LCP and DLCP-LUPA issues since 2017 as 'resent official Public Input' to the City Council and CCC for the upcoming City Council DLCP-LUPA Public Hearing and other City meetings dealing with land use at Ponto. This '2017-present Public Input' should be posted on the City's website as noted in the City's Dec 2 email. The 2017-present Public Input is critical because there are now different City Council and CCC members since 2017. The 2017-present public input is critical to assure a proper Public Participation process consistent with Carlsbad and CA Coastal Act principles and assure the new City Council and the current CA Coastal Commission has the information and understands the extensive amount of multi-year public input expressing concerns, needs and desires for Ponto.

Following and attached is one of those many inputs.

Sincerely, People for Ponto

**From:** Harry Peacock [mailto:hrpeacock41@gmail.com]

Sent: Thursday, May 28, 2020 5:33 PM

**To:** CityCouncil@carlsbadca.gov

Cc: Chas Wick; Jodi Marie Jones; Lance Schulte; Mike Sebahar; Scott Chadwick

Subject: 2020-2021 FY Budget Hearing 2 June 2020

In your upcoming budget hearing on June 2<sup>nd</sup> you will be getting transmitted

testimony from People for Ponto urging the members of the Council to take formal action when adopting the 2020-2021 budget to set aside funds for the acquisition of the current Ponto Planning Area F site to finally fulfill the City's obligation under the Growth Management Plan to provide three acres of park property per 1,000 city residents.

The City acknowledges that a shortfall of 6.5 acres remains to be addressed to fulfill this obligation to the Ponto area and its surrounding neighborhoods to the north and east.

This budget should address both short-term Covid-19 impacts, and both the near and longer-term investments needed for Economic Recovery and Revitalization.

The quality of the Carlsbad coastline, existing Northern Coastal Parks and open spaces are continually rated by Carlsbad's citizens and businesses as the critical foundation of our quality of life and economic vitality which relies heavily on the hospitality industry. A Coastal Park at Ponto is a critically needed investment. As such it represents the last opportunity for the City to make an investment for Carlsbad's long-term sustainability. South Carlsbad citizens, visitors, and the hospitality Industry have no Southern Coastal Park. Ponto is the only remaining place to provide the needed investment for both residents and visitors and at the same time advance economic recovery and revitalization of South Carlsbad's significant hospitality industry. A you know and the Carlsbad Visitors Bureau has noted over and over coastal recreation is the #1 attraction for visitors even more popular than Lego Land

As you know by now a significant number of citizens have submitted testimony to this desire at both the FY 2019-20 Budget Public Input Report (notwithstanding the dilution of specific citizen input provided at both the March 4, 2019 and 2020 Workshops).

Citizen input on the need for a Ponto Park was the #1 specific place need and desire citizens mentioned in the Public Input process. More than 85 specific citizen comments on Ponto area park needs and over 90% of citizen's polled requested that Council budget to address this need. These comments specifically addressed how they would like their (Park) tax dollars budgeted. Additionally, some 2,500 similar public input emails and petitions have been submitted as public comments on Carlsbad's current Draft Local Coastal Program Amendment and Parks Master Plan Update speaking to the need for a Ponto Coastal Park.

I have been told that the members of the Council know that the 11-acre Ponto Planning Area F site is for sale. This site is similar in size and shape to Holiday Park. The site would provide a perfect opportunity for a Coastal site for similar multipurpose community functions. Carlsbad's Local Costal Program (and thus General Plan and Zoning Code) require the City to first consider and document the need for a "Public Park" before any land use can be planned for the Planning Area F site.

The Park Master Plan already documents the need for a Ponto "Public Park", showing

the area as "unserved" by City Parks and an area of Park "inequity" correlating well with Citizen input.

The City has also informally received offers of potential donations, or cost-saving collaborations from Carlsbad citizens and non-profits to advance the much-needed Ponto Coastal Park. I have been told that, to date, the City disappointingly has not replied to these special opportunities.

I have also noted that a recent report on the City's investments of funds shows the City has deposits and investments in excess of \$750,000,000. To me that means that money is not the issue, its what the priority for spending funds is to address the needs and desires of the citizens of the City and the promises made by the City in the past which it now recognizes it has failed to live up to.

Therefore, it is my hope that the City will reserve \$11,000,000 for a Ponto Coastal Park in the upcoming year's budget and initiate contact with the current owner of Planning Area F site regarding its purchase.

Respectfully,

Harry Peacock 7434 Sundial Place

To: Council Internet Email; City Clerk; Planning; Scott Chadwick; Gary Barberio; Don Neu; Kyle Lancaster; Mike

<u>Pacheco; David De Cordova; Scott Donnell; Erin.Prahler@coastal.ca.gov; "Ross, Toni@Coastal"; cort.hitchens@coastal.ca.gov; "Lisa Urbach"; info@peopleforponto.com; "Bret Schanzenbach"; </u>

Kathleen@carlsbad.org; Planning; "McDougall, Paul@HCD"; "Mehmood, Sohab@HCD"

Cc: <u>info@peopleforponto.com</u>

Subject: Carlsbad DLCP-LUPA & Ponto issues resent Public Input - FW: Community input for Veterans Park and SW

Quadrant Park deficit

**Date:** Monday, December 21, 2020 12:06:27 PM

Attachments: Concerns and Requests emailed to Carlsbad CC-PC-PC CCC as of 8-17-18.pdf

Importance: High

Dear Carlsbad City Council, City Clerk, Planning Commission, Parks Commission, Housing Commission, HEAC, CA Coastal Commission, and CA HCD:

Carlsbad Citizens first became aware (due to extensive Public Records research) of the Carlsbad's failure (current and starting before 2010) to comply with the still existing Certified Local Coastal Program Land Use and Zoning Regulations (LCP) for Ponto Planning Area F (to specifically consider and document the need for a Ponto "Public Park" prior to changing the NRR land use on Planning Area F, and also developers' Growth Management Open Space Standard (GMP) non-compliance at Ponto in 2017. Since 2017 with this awareness Carlsbad and surrounding Citizens and Visitors have repeatedly documented the need for a Ponto Park and asked the Carlsbad City Council and Staff to provide for it on Planning Area F as the exiting LCP provides for. Since 2017 over 2,800 emails/petitions have been sent to the City and CA Coastal Commission (CCC), over 200 pages of official written (emailed) data and public comments, along with numerous presentations to prior City Council meetings on the LCP and GMP.

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**From:** Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

**Sent:** Thursday, December 3, 2020 11:13 AM **To:** 'Planning'; 'info@peopleforponto.com'

**Cc:** 'Jennifer Jesser'; 'Don Neu'; 'City Clerk'; 'CityCouncil@carlsbadca.gov'; 'Erin Prahler'; Ross,

Toni@Coastal (Toni.Ross@coastal.ca.gov); Carrie Boyle (carrie.boyle@coastal.ca.gov)

**Subject:** RE: 121 undeliverable Protect Ponto petitions

To City of Carlsbad and Carlsbad Planning:

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We also assume you mean 'all comments submitted' includes written comments and

attachments; and Ponto related communications, presentations, public testimony and Public Records Requests to the City since 2017 - when Citizens first became aware of Existing Ponto Planning Area F LCP regulations and received CCC direction to the City on those Regulations? Can you please confirm this as this is all part of the Citizen comments and data that is part of the public record regarding the subject matter? The City is [using] 2015 input to justify current City Staff proposals, so the City should acknowledge and include People for Ponto Citizen input since 2017 on the same subject matter.

Thanks,
People for Ponto

From: Planning [mailto:Planning@CarlsbadCA.gov]
Sent: Wednesday, December 2, 2020 6:29 PM

To: <u>info@peopleforponto.com</u> Cc: Jennifer Jesser; Don Neu

Subject: RE: 121 undeliverable Protect Ponto petitions

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Following and attached is one of those many inputs.

Sincerely,
People for Ponto

**From:** Lance Schulte [mailto:mevers-schulte@sbcglobal.net]

Sent: Thursday, April 25, 2019 8:11 AM

**To:** Scott Chadwick (Scott.Chadwick@carlsbadca.gov); barbara.kennedy@carlsbadca.gov;

debbie.fountain@carlsbadca.gov; Kyle.Lancaster@carlsbadca.gov

Cc: 'jodi marie jones'; 'Stacy King'; 'Mike Sebahar'; 'Gail Norman'; 'Chas Wick'; 'Harry Peacock'; 'Owen

Rassman'; 'Erin Prahler'; 'Gabriel Buhr'; 'Hitchens, Cort@Coastal'; Scott Chadwick (Scott.Chadwick@carlsbadca.gov); Jean Camp (kinaincarlsbad@gmail.com) **Subject:** RE: Community input for Veterans Park and SW Quadrant Park deficit

Importance: High

Scott:

I hope all is well with you, and Thank You for having a regular meetings with People for Ponto. A willingness to engage in open communication is the key to forging sound solutions. The attached communications (staring in 2017) from a polling of community members, was addressed to the City Council, Planning and Parks Commissions and various key City staff working on the Ponto, Parks, Veterans Park; and LCP, Growth Management and Parks Master Plan Update processes. The over 900 emails to the City that also reference these issues.

We would like documented confirmation when this citizen and community input was sent to the City Council, Planning and parks Commissions, and when it was input into the public record of public input for Ponto, Parks, Veterans Park; and LCP, Growth Management and Parks Master Plan Update processes.

Thanks.

Lance

PS: Following are notes to City Staff on these issues. The response or non-response to our inquiries was confusing, so our questions are included in this email so they are on the same page and to facilitate open and clear communication. Please know we are not trying to pick on anyone on Staff, but just want to know when the citizen communications were provided to those addressed and to those relevant City projects/processes to document this public input.

### Barb:

We have still not received a reply to the questions of our prior emails. We will be getting back to the growing number of People for Ponto citizens on the status of their input submitted to the City on the Veterans Park, Park and Open Space deficits in Coastal South Carlsbad. In your role as Veterans Park Project Manager we would like confirmation from the City that the above citizen input and over 900 emails on Veterans Park are being considered and is a part of the official public record. If it is not a part of the official public record, we would like to know why so we can communicate that back to citizens and the community.

#### Kvle:

When Mike and I spoke at the 3/19/19 Carlsbad Parks Commission meeting asking if the Parks Commission received the above citizen communication addressed to the Parks Commission and the over 900 emails on Parks issues. The Parks Commission did not seem aware of the citizen communication to them, but said you would get back to Mike and I on if/when those communications were provided by staff to the Parks Commission. Like with Barb above, we are trying to get information on the status of citizen concerns addressed to the Parks Commission on the Parks and Open Space deficits in Coastal South Carlsbad. Can you please let us know if/when these citizens communications were provided to the Parks Commission, and if the issues are being scheduled for

## any upcoming Park Commission meetings?

#### Debbie:

As Barb referenced your city coordinative role, can you let us know if/when the Planning Commission was provided the attached communications addressed to them, the over 900 emails, and the prior public hearing presentations made to the City Council; and if said communications are a part of the official record as these address the Growth Management Program Update issues relative to the Growth Management Open Space Standard deficit in LFMP-9, Coastal South Carlsbad Park deficits, and City policy and ordinance requirements. Like our questions to Barb and Kyle, we want to know the documented status so we can let citizens know the status of their input.

## Barb, Kyle, and Debbie:

Please know we are not picking on you or making any inferences, but simply want to know in a documented way if/when citizen communications to City Staff, and City Commissions (made up of citizens) was received and how it is being considered, and if/how citizens will be invited to participate in the discussions/decision processes relevant to citizen concerns.

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

Sent: Thursday, March 21, 2019 10:54 AM

**To:** 'Barbara Kennedy'; debbie.fountain@carlsbadca.gov

Cc: 'jodi marie jones'; 'Stacy King'; 'Mike Sebahar'; 'Gail Norman'; 'Chas Wick'; 'Harry Peacock'; 'Owen

Rassman'; 'Erin Prahler'; 'Gabriel Buhr'; 'Hitchens, Cort@Coastal'

Subject: RE: Community input for Veterans Park and SW Quadrant Park deficit

## Barb:

Thanks. We may have further communication. But this did not answer our basic questions. Did you as Veterans Park PM receive from Debbie our 2017 to present communications [including 900 emails] regarding Veteran Park and community concerns about Veterans Park? If you did receive them when did you receive them? Are they part of the Public Record for Veterans Park? I have included Debbie in the this email, if she is the spokesperson for you.

Thanks,

Lance

**From:** Barbara Kennedy [mailto:Barbara.Kennedy@carlsbadca.gov]

**Sent:** Thursday, March 21, 2019 8:05 AM

To: Lance Schulte

Cc: jodi marie jones; 'Stacy King'; Mike Sebahar; 'Gail Norman'; Chas Wick; Harry Peacock; Owen

Rassman; Erin Prahler; Gabriel Buhr; Hitchens, Cort@Coastal

Subject: RE: Community input for Veterans Park and SW Quadrant Park deficit

#### Hi Lance-

Thank you for your email. Per the attached letter dated June 11, 2018, staff has been advised that Debbie Fountain will be the city's single point of contact for the growth management program as related to proposed private development in the Ponto area. Please contact Debbie Fountain at Debbie.fountain@carlsbadca.gov

Best regards-



Barbara Kennedy, Park Planner Parks & Recreation Administration 799 Pine Ave., Ste. 200 Carlsbad, CA 92008 www.carlsbadca.gov

office 760-434-2974 I fax 760-434-5088 I barbara.kennedy@carlsbadca.gov

**From:** Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

**Sent:** Tuesday, March 19, 2019 12:41 PM

**To:** Barbara Kennedy <Barbara.Kennedy@carlsbadca.gov>

**Cc:** jodi marie jones <jodimariejones@hotmail.com>; 'Stacy King' <stacy.king.us@gmail.com>; Mike Sebahar <sebbiesixpack@att.net>; 'Gail Norman' <gnorman\_ca@yahoo.com>; Chas Wick <chaswick@reagan.com>; Harry Peacock <bhpeacock@att.net>; Owen Rassman <owen@rassman.com>; Erin Prahler <Erin.Prahler@coastal.ca.gov>; Gabriel Buhr <gbuhr@coastal.ca.gov>; Hitchens, Cort@Coastal <cort.hitchens@coastal.ca.gov>

**Subject:** Community input for Veterans Park and SW Quadrant Park deficit

## Barbra:

I hope all is well with you. Sorry I missed the first Veterans Park community input meeting due to travels. I understand there will be additional Veterans Park community meetings. If so do you know the dates/times/locations and can you let me know them?

We have gathered a lot of community input and desires concerning the 6.6 park deficit in the SW Quadrant since 2012 and the LCP requirements for Planning Area F to consider a Public Park at Ponto, that would effectively solve that deficit and also provide the only Coastal Park for South Carlsbad by filling a critical 4-6 mile Coastal Park gap for South Carlsbad and the North San Diego County Coastal region. A Ponto Coastal Park would also 'double-count' to also address the documented 30-acre Growth Management Program Open Space Standard deficit along the Coast at Ponto.

Attached are communications of community input into these Veterans Park and SW and SE Quadrant parks issues that we would like included in the public record and made part of the public discussion of Veterans Park planning and resources. The most relevant are items #1,2,3,4 and 7. We have also gathered over 900 emails that have been submitted to the City Council on these issues that should be a part of the public record for Veterans Park community input. Have you seen them

and are they a part of the public record and discussion? We have also made several presentations to the City Council on these issues that we would like to confirm are part of the Veterans Park public record and discussion.

I and/or our community am available to meet with you to provide any additional data/background and discuss community concerns. Let me know. It would be good to see you.

Lace M=760.805.3525

To: Council Internet Email; City Clerk; Planning; Scott Chadwick; Gary Barberio; Don Neu; Kyle Lancaster; Mike

Pacheco; David De Cordova; Scott Donnell; Erin.Prahler@coastal.ca.gov; "Ross, Toni@Coastal"; cort.hitchens@coastal.ca.gov; "Lisa Urbach"; info@peopleforponto.com; "Bret Schanzenbach"; Kathleen@carlsbad.org; Planning; "McDougall, Paul@HCD"; "Mehmood, Sohab@HCD"

Cc: <u>info@peopleforponto.com</u>

Subject: Carlsbad DLCP-LUPA & Ponto issues resent Public Input - FW: DLCPA Public Comments from BLF

**Date:** Tuesday, December 22, 2020 6:17:50 AM

Attachments: <u>Ltr - FINAL SIGNED Ponto Opportunity 2019-04-5 .pdf</u>

Dear Carlsbad City Council, City Clerk, Planning Commission, Parks Commission, Housing Commission, HEAC, CA Coastal Commission, and CA HCD:

Carlsbad Citizens first became aware (due to extensive Public Records research) of the Carlsbad's failure (current and starting before 2010) to comply with the still existing Certified Local Coastal Program Land Use and Zoning Regulations (LCP) for Ponto Planning Area F (to specifically consider and document the need for a Ponto "Public Park" prior to changing the NRR land use on Planning Area F, and also developers' Growth Management Open Space Standard (GMP) non-compliance at Ponto in 2017. Since 2017 with this awareness Carlsbad and surrounding Citizens and Visitors have repeatedly documented the need for a Ponto Park and asked the Carlsbad City Council and Staff to provide for it on Planning Area F as the exiting LCP provides for. Since 2017 over 2,800 emails/petitions have been sent to the City and CA Coastal Commission (CCC), over 200 pages of official written (emailed) data and public comments, along with numerous presentations to prior City Council meetings on the LCP and GMP.

In Dec 2, 2020 Carlsbad began the Planning Commission Public Hearing on the Staff proposed Draft Local Coastal Program-Land Use Plan Amendment (DLCP-LUPA) to propose to the CA Coastal Commission a change to Planning Area F's existing NRR land use and zoning. The flood of over 450 emailed public input for that specific meeting overwhelmed the City email server. As part of that process the City said in the Dec 2 email below it was going to post on its website all the Citizen/public input received on the DLCP-LUPA. On Dec 3 People for Ponto asked the Carlsbad City Council, City Clerk and City DLCP-LUPA Staff - would that posting would include all the LCP communications since 2017 when Citizens first became aware started Public Input to the City and CCC on the Ponto LCP issues?

**From:** Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

**Sent:** Thursday, December 3, 2020 11:13 AM **To:** 'Planning'; 'info@peopleforponto.com'

Cc: 'Jennifer Jesser'; 'Don Neu'; 'City Clerk'; 'CityCouncil@carlsbadca.gov'; 'Erin Prahler'; Ross,

Toni@Coastal (<u>Toni.Ross@coastal.ca.gov</u>); Carrie Boyle (<u>carrie.boyle@coastal.ca.gov</u>)

Subject: RE: 121 undeliverable Protect Ponto petitions

To City of Carlsbad and Carlsbad Planning:

We assume when you say 'records department' you mean City Clerk?

We also assume you mean 'all comments submitted' includes written comments and attachments; and Ponto related communications, presentations, public testimony and Public Records Requests to the City since 2017 - when Citizens first became aware of

Existing Ponto Planning Area F LCP regulations and received CCC direction to the City on those Regulations? Can you please confirm this as this is all part of the Citizen comments and data that is part of the public record regarding the subject matter? The City is [using] 2015 input to justify current City Staff proposals, so the City should acknowledge and include People for Ponto Citizen input since 2017 on the same subject matter.

Thanks,
People for Ponto

From: Planning [mailto:Planning@CarlsbadCA.gov]
Sent: Wednesday, December 2, 2020 6:29 PM

To: <u>info@peopleforponto.com</u> Cc: Jennifer Jesser; Don Neu

Subject: RE: 121 undeliverable Protect Ponto petitions

Hello,

At the conclusion of the meeting all comments will be submitted to the records department. The records department will make the full record available on the city's website. At that time, I would suggest reviewing the record in its entirely to compare to what you submitted. Thank you.

It has been almost 3-weeks without a City response to the Dec 3 email, so People for Ponto will start re-emailing to the City and CCC public input on Ponto LCP and DLCP-LUPA issues since 2017 as 'resent official Public Input' to the City Council and CCC for the upcoming City Council DLCP-LUPA Public Hearing and other City meetings dealing with land use at Ponto. This '2017-present Public Input' should be posted on the City's website as noted in the City's Dec 2 email. The 2017-present Public Input is critical because there are now different City Council and CCC members since 2017. The 2017-present public input is critical to assure a proper Public Participation process consistent with Carlsbad and CA Coastal Act principles and assure the new City Council and the current CA Coastal Commission has the information and understands the extensive amount of multi-year public input expressing concerns, needs and desires for Ponto.

Following and attached is one of those many inputs.

Sincerely, People for Ponto

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

Sent: Friday, January 31, 2020 8:04 AM

To: 'Matthew Hall'; 'Council Internet Email'; 'Scott Chadwick'; 'Kyle Lancaster';

'lisa.urbach@parks.ca.gov'; 'Kathleen@carlsbad.org'; 'Mike Pacheco'; 'gbuhr@coastal.ca.gov'; 'cort.hitchens@coastal.ca.gov'; 'Erin.Prahler@coastal.ca.gov'; 'Don Neu'; 'Gary Barberio';

'info@peopleforponto.com'; 'Jeff Murphy'; 'jennifer.jesser@carlsbadca.gov'

**Cc:** Fred Sandquist (sandquist2@earthlink.net); David Hill (dashill4551@gmail.com)

Subject: DLCPA Public Comments from BLF

We request an email reply confirming that the attached letter will be included as Public Comments in proposed Draft LCPA for Ponto.

Thank you,

Lance Schulte BLF Board Member

To: Council Internet Email; City Clerk; Planning; Scott Chadwick; Gary Barberio; Don Neu; Kyle Lancaster; Mike

Pacheco; David De Cordova; Scott Donnell; Erin.Prahler@coastal.ca.gov; "Ross, Toni@Coastal"; cort.hitchens@coastal.ca.gov; "Lisa Urbach"; info@peopleforponto.com; "Bret Schanzenbach";

Kathleen@carlsbad.org; Planning; "McDougall, Paul@HCD"; "Mehmood, Sohab@HCD"

Cc: <u>info@peopleforponto.com</u>

Subject: Carlsbad DLCP-LUPA & Ponto issues resent Public Input - FW: LCPA public Comment - Low-cost Visitor

Accommodations

**Date:** Monday, December 21, 2020 12:59:36 PM

Attachments: Carlsbad 2019 proposed Draft LCP Amendment - Public Comments - Low-cost Visitor Accomdations.pdf

Importance: High

Dear Carlsbad City Council, City Clerk, Planning Commission, Parks Commission, Housing Commission, HEAC, CA Coastal Commission, and CA HCD:

Carlsbad Citizens first became aware (due to extensive Public Records research) of the Carlsbad's failure (current and starting before 2010) to comply with the still existing Certified Local Coastal Program Land Use and Zoning Regulations (LCP) for Ponto Planning Area F (to specifically consider and document the need for a Ponto "Public Park" prior to changing the NRR land use on Planning Area F, and also developers' Growth Management Open Space Standard (GMP) non-compliance at Ponto in 2017. Since 2017 with this awareness Carlsbad and surrounding Citizens and Visitors have repeatedly documented the need for a Ponto Park and asked the Carlsbad City Council and Staff to provide for it on Planning Area F as the exiting LCP provides for. Since 2017 over 2,800 emails/petitions have been sent to the City and CA Coastal Commission (CCC), over 200 pages of official written (emailed) data and public comments, along with numerous presentations to prior City Council meetings on the LCP and GMP.

In Dec 2, 2020 Carlsbad began the Planning Commission Public Hearing on the Staff proposed Draft Local Coastal Program-Land Use Plan Amendment (DLCP-LUPA) to propose to the CA Coastal Commission a change to Planning Area F's existing NRR land use and zoning. The flood of over 450 emailed public input for that specific meeting overwhelmed the City email server. As part of that process the City said in the Dec 2 email below it was going to post on its website all the Citizen/public input received on the DLCP-LUPA. On Dec 3 People for Ponto asked the Carlsbad City Council, City Clerk and City DLCP-LUPA Staff - would that posting would include all the LCP communications since 2017 when Citizens first became aware started Public Input to the City and CCC on the Ponto LCP issues?

**From:** Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

**Sent:** Thursday, December 3, 2020 11:13 AM **To:** 'Planning'; 'info@peopleforponto.com'

**Cc:** 'Jennifer Jesser'; 'Don Neu'; 'City Clerk'; 'CityCouncil@carlsbadca.gov'; 'Erin Prahler'; Ross,

Toni@Coastal (Toni.Ross@coastal.ca.gov); Carrie Boyle (carrie.boyle@coastal.ca.gov)

**Subject:** RE: 121 undeliverable Protect Ponto petitions

To City of Carlsbad and Carlsbad Planning:

We assume when you say 'records department' you mean City Clerk?

We also assume you mean 'all comments submitted' includes written comments and

attachments; and Ponto related communications, presentations, public testimony and Public Records Requests to the City since 2017 - when Citizens first became aware of Existing Ponto Planning Area F LCP regulations and received CCC direction to the City on those Regulations? Can you please confirm this as this is all part of the Citizen comments and data that is part of the public record regarding the subject matter? The City is [using] 2015 input to justify current City Staff proposals, so the City should acknowledge and include People for Ponto Citizen input since 2017 on the same subject matter.

Thanks, People for Ponto

From: Planning [mailto:Planning@CarlsbadCA.gov]
Sent: Wednesday, December 2, 2020 6:29 PM

To: <u>info@peopleforponto.com</u> Cc: Jennifer Jesser; Don Neu

Subject: RE: 121 undeliverable Protect Ponto petitions

Hello,

At the conclusion of the meeting all comments will be submitted to the records department. The records department will make the full record available on the city's website. At that time, I would suggest reviewing the record in its entirely to compare to what you submitted. Thank you.

It has been almost 3-weeks without a City response to the Dec 3 email, so People for Ponto will start re-emailing to the City and CCC public input on Ponto LCP and DLCP-LUPA issues since 2017 as 'resent official Public Input' to the City Council and CCC for the upcoming City Council DLCP-LUPA Public Hearing and other City meetings dealing with land use at Ponto. This '2017-present Public Input' should be posted on the City's website as noted in the City's Dec 2 email. The 2017-present Public Input is critical because there are now different City Council and CCC members since 2017. The 2017-present public input is critical to assure a proper Public Participation process consistent with Carlsbad and CA Coastal Act principles and assure the new City Council and the current CA Coastal Commission has the information and understands the extensive amount of multi-year public input expressing concerns, needs and desires for Ponto.

Following and attached is one of those many inputs.

Sincerely,
People for Ponto

PS: the following email/attachment has important LCPA Data and Public Comments – Low-cost Visitor Accommodations need/supply in Carlsbad

**From:** Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

Sent: Friday, November 22, 2019 7:43 PM

To: 'Jennifer Jesser'

**Cc:** 'Melanie Saucier'; 'Celia Brewer'; 'Council Internet Email'; 'Cort Hitchens'; 'Erin Prahler'; 'Gabriel Buhr'; 'Mike Sebahar'; 'Harry Peacock'; 'John Gama'; 'John Gama'; 'Chas Wick'; 'Stacy King'; 'Don Neu'; 'Nika Richardson'; 'WILLIAM VAN CLEVE'; 'Jim Nardi'; 'Lisa Urbach'; Fred Sandquist (sandquist2@earthlink.net); David Hill (dashill4551@gmail.com); Laura Walsh (lauraw@surfridersd.org); 'David Hill'

**Subject:** LCPA public Comment - Low-cost Visitor Accommodations

### Jennifer:

Attached please find Public Comments on the proposed Draft Local Coastal Program Amendment (DLCPA) to the Land Use Plan regarding Low-Cost Visitor Accommodations.

As provided in other Public Comments and expressed by several citizens at the 11-20-19 Planning Commission meeting, I along with others kindly request:

- 1. a publicly accessible "Redline" version of the Existing 2016 Local Coastal Program (LCP) showing the City's proposed Draft disposition of the current Existing LCP Land Use Plan, policies and data. Without a "Redline" trying to understand the proposed Draft changes is very difficult,
- 2. true Citizen-based public Workshops on the Coastal Act goals-policies and LCP issues focused on the limited amount of key vacant (and soon to be vacant) Coastal lands in Carlsbad such as Ponto, and
- 3. A 6-month extension of time review and provide informed public comments on the Redline LCP and DLCPA, and to provide time to conduct the aforementioned Workshops.

We are still working to try to review the LCP and DLCPA documents and provide public comments on the Coastal Recreation

Thank you for including and responding to these DLCPA Public Comments and questions. Lance Schulte

To: Council Internet Email; City Clerk; Planning; Scott Chadwick; Gary Barberio; Don Neu; Kyle Lancaster; Mike

<u>Pacheco</u>; <u>David De Cordova</u>; <u>Scott Donnell</u>; <u>Erin.Prahler@coastal.ca.gov</u>; <u>"Ross, Toni@Coastal"</u>; <u>cort.hitchens@coastal.ca.gov</u>; <u>"Lisa Urbach"</u>; <u>info@peopleforponto.com</u>; <u>"Bret Schanzenbach"</u>;

Kathleen@carlsbad.org; Planning; "McDougall, Paul@HCD"; "Mehmood, Sohab@HCD"

Cc: <u>info@peopleforponto.com</u>

Subject: Carlsbad DLCP-LUPA & Ponto issues resent Public Input - FW: LCPA public Comment - request for receipt of public

comments & documents

**Date:** Monday, December 21, 2020 12:42:50 PM

Attachments: <u>image002.png</u>

2019 LCPA Public Comments and requests regarding Planning Area F & Public Records Requests 2017-260 261 and

262.pdf

Dear Carlsbad City Council, City Clerk, Planning Commission, Parks Commission, Housing Commission, HEAC, CA Coastal Commission, and CA HCD:

Carlsbad Citizens first became aware (due to extensive Public Records research) of the Carlsbad's failure (current and starting before 2010) to comply with the still existing Certified Local Coastal Program Land Use and Zoning Regulations (LCP) for Ponto Planning Area F (to specifically consider and document the need for a Ponto "Public Park" prior to changing the NRR land use on Planning Area F, and also developers' Growth Management Open Space Standard (GMP) non-compliance at Ponto in 2017. Since 2017 with this awareness Carlsbad and surrounding Citizens and Visitors have repeatedly documented the need for a Ponto Park and asked the Carlsbad City Council and Staff to provide for it on Planning Area F as the exiting LCP provides for. Since 2017 over 2,800 emails/petitions have been sent to the City and CA Coastal Commission (CCC), over 200 pages of official written (emailed) data and public comments, along with numerous presentations to prior City Council meetings on the LCP and GMP.

In Dec 2, 2020 Carlsbad began the Planning Commission Public Hearing on the Staff proposed Draft Local Coastal Program-Land Use Plan Amendment (DLCP-LUPA) to propose to the CA Coastal Commission a change to Planning Area F's existing NRR land use and zoning. The flood of over 450 emailed public input for that specific meeting overwhelmed the City email server. As part of that process the City said in the Dec 2 email below it was going to post on its website all the Citizen/public input received on the DLCP-LUPA. On Dec 3 People for Ponto asked the Carlsbad City Council, City Clerk and City DLCP-LUPA Staff - would that posting would include all the LCP communications since 2017 when Citizens first became aware started Public Input to the City and CCC on the Ponto LCP issues?

**From:** Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

**Sent:** Thursday, December 3, 2020 11:13 AM **To:** 'Planning'; 'info@peopleforponto.com'

**Cc:** 'Jennifer Jesser'; 'Don Neu'; 'City Clerk'; 'CityCouncil@carlsbadca.gov'; 'Erin Prahler'; Ross, Toni@Coastal (<u>Toni.Ross@coastal.ca.gov</u>); Carrie Boyle (<u>carrie.boyle@coastal.ca.gov</u>)

**Subject:** RE: 121 undeliverable Protect Ponto petitions

To City of Carlsbad and Carlsbad Planning:

We assume when you say 'records department' you mean City Clerk?

We also assume you mean 'all comments submitted' includes written comments and

attachments; and Ponto related communications, presentations, public testimony and Public Records Requests to the City since 2017 - when Citizens first became aware of Existing Ponto Planning Area F LCP regulations and received CCC direction to the City on those Regulations? Can you please confirm this as this is all part of the Citizen comments and data that is part of the public record regarding the subject matter? The City is [using] 2015 input to justify current City Staff proposals, so the City should acknowledge and include People for Ponto Citizen input since 2017 on the same subject matter.

Thanks,
People for Ponto

From: Planning [mailto:Planning@CarlsbadCA.gov]
Sent: Wednesday, December 2, 2020 6:29 PM

To: <u>info@peopleforponto.com</u> Cc: Jennifer Jesser; Don Neu

Subject: RE: 121 undeliverable Protect Ponto petitions

Hello,

At the conclusion of the meeting all comments will be submitted to the records department. The records department will make the full record available on the city's website. At that time, I would suggest reviewing the record in its entirely to compare to what you submitted. Thank you.

It has been almost 3-weeks without a City response to the Dec 3 email, so People for Ponto will start re-emailing to the City and CCC public input on Ponto LCP and DLCP-LUPA issues since 2017 as 'resent official Public Input' to the City Council and CCC for the upcoming City Council DLCP-LUPA Public Hearing and other City meetings dealing with land use at Ponto. This '2017-present Public Input' should be posted on the City's website as noted in the City's Dec 2 email. The 2017-present Public Input is critical because there are now different City Council and CCC members since 2017. The 2017-present public input is critical to assure a proper Public Participation process consistent with Carlsbad and CA Coastal Act principles and assure the new City Council and the current CA Coastal Commission has the information and understands the extensive amount of multi-year public input expressing concerns, needs and desires for Ponto.

Following and attached is one of those many inputs.

Sincerely, People for Ponto

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

Sent: Thursday, November 14, 2019 9:13 AM

To: 'Jennifer Jesser'

**Cc:** 'Melanie Saucier'; 'Celia Brewer'; 'Council Internet Email'; 'Cort Hitchens'; 'Erin Prahler'; 'Gabriel Buhr'; 'Mike Sebahar'; 'Harry Peacock'; 'John Gama'; 'John Gama'; 'Chas Wick'; 'Stacy King'; 'Don Neu'; 'Nika Richardson'; 'WILLIAM VAN CLEVE'; 'Jim Nardi'; Lisa Urbach (lisa.urbach@parks.ca.gov)

Subject: RE: LCPA public Comment - request for receipt of public comments & documents

Jenifer:

I would like to include this email and the attached document as part of the LCPA Public Comments and Requests related to Official Carlsbad Public Records Requests and maintain the Existing Carlsbad LCP land use designation of "Non-residential Reserve" on Planning Area F until a truly comprehensive and Community-based planning process can determine the Forever "High-Coastal-Priority" land use needs at Ponto, South Coastal Carlsbad, and to assure no overconcentration of "High/Low-Coastal-Priority" land uses.

The proposed LUP defines the forever/buildout Coastal land use for Carlsbad, and as documented the prior Ponto planning processes (Ponto Beachfront Village Vision Plan [PBVVP] and the General Plan Update that is based on PBVVP) were both fundamentally flawed by not disclosing to Citizens and the San Pacifico Community Association about the Existing Carlsbad LCP requirements for Planning Area F and inviting public participation and discussion of the Existing Carlsbad LCP requirements for Planning Area F. The proposed LUP's reliance on the fundamentally flawed prior planning (PBVVP and General Plan Update) at Ponto is inappropriate. These fundamental flaws in planning process and public participation cannot be remedied by simply a Staff Report discussion.

It seem logical that these fundamental flaws in the PBVVP, General Plan Update, and the LUP (which is based on the PBVVP and General Plan Update) are best corrected by maintaining the Existing LCP for Planning Area F and possibly leaving the entire Ponto Area as an Area of Deferred Certification until a truly comprehensive Community-based Planning process for Ponto can be completed. This is a reasonable and logical approach as the vacant Coastal land at Ponto is some of the last remaining significant sized vacant Coastal in all North San Diego County and is the in the center of a 6-mile regional Coastal Park Gap with no Coastal Park. This logic is further amplified by the impacts of Sea Level Rise on "High-Coastal Priority" land uses at Ponto and Coastal South Carlsbad, and the CA Coastal Act policy to reserve Upland Areas for "High-Coastal Priority" land uses.

Confirmation receipt, and any staff response is appreciated.

Thanks, Lance

**From:** Jennifer Jesser [mailto:Jennifer.Jesser@carlsbadca.gov]

Sent: Thursday, October 31, 2019 4:07 PM

To: Lance Schulte

**Cc:** Melanie Saucier; Celia Brewer; Council Internet Email; 'Cort Hitchens'; 'Erin Prahler'; 'Gabriel Buhr'; 'Mike Sebahar'; 'Harry Peacock'; 'John Gama'; 'Chas Wick'; 'Stacy King'; Don Neu; Nika

Richardson; WILLIAM VAN CLEVE; Jim Nardi

Subject: RE: LCPA public Comment - request for receipt of public comments & documents

Hi Lance.

Yes, I will include your email below in the LCP update comments.

Best regards, Jennifer



### Jennifer Jesser

Senior Planner
Community and Economic Development Department
Planning Division
1635 Faraday Ave.
Carlsbad, CA 92008
www.carlsbadca.gov

760-602-4637 | jennifer.jesser@carlsbadca.gov

**From:** Lance Schulte <meyers-schulte@sbcglobal.net>

Sent: Thursday, October 31, 2019 4:04 PM

**To:** Jennifer Jesser < Jennifer. Jesser@carlsbadca.gov>

**Cc:** Melanie Saucier < Melanie. Saucier@carlsbadca.gov>; Celia Brewer

<Celia.Brewer@carlsbadca.gov>; Council Internet Email <CityCouncil@carlsbadca.gov>; 'Cort

Hitchens' <cort.hitchens@coastal.ca.gov>; 'Erin Prahler' <Erin.Prahler@coastal.ca.gov>; 'Gabriel Buhr'

<gbuhr@coastal.ca.gov>; 'Mike Sebahar' <sebbiesixpack@att.net>; 'Harry Peacock'

<hrpeacock41@gmail.com>; 'John Gama' <GamaJohn@scrippshealth.org>; 'John Gama'

<johngama99@gmail.com>; 'Chas Wick' <chaswick@reagan.com>; 'Stacy King'

<stacy.king.us@gmail.com>; Don Neu <Don.Neu@carlsbadca.gov>; Nika Richardson

 $<\!\!\text{richardson@waltersmanagement.com}\!\!>; \ \text{WILLIAM VAN CLEVE }\!\!<\!\!\text{billvancleve@prodigy.net}\!\!>; \ \text{Jim Narding Nardi$ 

<jtnardi1@msn.com>

Subject: RE: LCPA public Comment - request for receipt of public comments & documents

### Jennifer:

Thank you. I sincerely appreciate the opportunity you are providing to communicate and coordinate on these important issues. Can this email please be included in LCPA Public Comments due to the information below?

For your staff analysis of "lower-cost recreation and visitor accommodations in the Ponto area" would you like images of our Ponto (San Pacifico Community Association) kids setting up play areas and playing in our streets due to lack of recreation playfields in Ponto? As you know from prior citizen comments, we have conducted several surveys of our San Pacifico Community Association that comprises the bulk of Ponto and over 90% of these Carlsbad Citizens have repeatedly said we need a

Ponto Coastal Park at Planning Area F as part of the Planning Area F's current LCP requirements. Do you have and acknowledge that San Pacifico Community Association community survey data collected by People for Ponto?

The City's Parks Master Plan's adopted Park Service Area maps also clearly shows the City's Park Service Area gap at Ponto and Coastal South Carlsbad.

As you know the City approved and developed land use at Ponto (west of I-5 & south of Poinsettia Lane) includes 947 home (with a population of 2,233) plus several commercial developments (Ralph Center and Cape Rey Resort). Based on the City's minimum park standard [3-acres per 1,000 population + commercial land use park needs], this land use should have provided a minimum of 6.7 acre City Park. As noted below People for Ponto/Carlsbad citizens provided in a 7/24/18 PowerPoint presentation to the City Council meeting [council meeting 7/24/18 Agenda Item 19] on "Carlsbad Parks Update" on one (1) slide with this information and questions:

"Ponto's Carlsbad Park In-Lieu Fees & Coastal Parks & Quality of Life Results

- 947 homes (2,233 pop.) w. of I-5 & s. of Poinsettia Lane
- City's minimum Park standard requires 6.7 acres of Park
- Homeowners paid City taxes & park-in-lieu-fees to buy & build 6.7 acres of City Park, but No Park in area.
- Taxes/fees didn't increase any Park acreage.
- Nearest Park 2.3 miles across I-5. The Veteran's Park 'solution' over 5-miles away & basically inaccessible.
- Over 90% of Community surveyed wants a Park in Ponto
- Why no Ponto Park? Ponto fees paid for it, Community wants it, and proposed Park solutions don't really work?"

Hopefully, Staff's Ponto Park needs analysis will consider this data and community input. If there are other data questions or data points that would be helpful in staff's analysis please let us know.

Again. Thank you for communicating.

Lance

From: Jennifer Jesser [mailto:Jennifer.Jesser@carlsbadca.gov]

Sent: Thursday, October 31, 2019 1:18 PM

To: Lance Schulte

Cc: Melanie Saucier; Celia Brewer; Council Internet Email; 'Cort Hitchens'; 'Erin Prahler'; 'Gabriel Buhr';

'Mike Sebahar'; 'Harry Peacock'; 'John Gama'; 'John Gama'; 'Chas Wick'; 'Stacy King'; Don Neu **Subject:** RE: LCPA public Comment - request for receipt of public comments & documents

Lance,

All comments on the LCP update will be included with the staff reports to Planning Commission and City Council; the application to CCC will include copies of the city staff reports and attachments. Public hearings with the Planning Commission and City Council are anticipated to be scheduled in early 2020.

Regarding concerns about recreation uses in the Ponto area, the staff reports will include an analysis of the need for lower-cost recreation and visitor accommodations in the Ponto area.

Regards, Jennifer



### Jennifer Jesser

Senior Planner
Community and Economic Development Department
Planning Division
1635 Faraday Ave.
Carlsbad, CA 92008
www.carlsbadca.gov

760-602-4637 | jennifer.jesser@carlsbadca.gov

**From:** Lance Schulte < meyers-schulte@sbcglobal.net >

**Sent:** Thursday, October 31, 2019 11:15 AM

**To:** Jennifer Jesser < <u>Jennifer Jesser@carlsbadca.gov</u>>

**Cc:** Melanie Saucier < <u>Melanie.Saucier@carlsbadca.gov</u>>; Celia Brewer

<<u>Celia.Brewer@carlsbadca.gov</u>>; Council Internet Email <<u>CityCouncil@carlsbadca.gov</u>>; 'Cort

Hitchens' <cort.hitchens@coastal.ca.gov>; 'Erin Prahler' <Erin.Prahler@coastal.ca.gov>; 'Gabriel Buhr'

<gbuhr@coastal.ca.gov>; 'Mike Sebahar' <<u>sebbiesixpack@att.net</u>>; 'Harry Peacock'

<a href="mailto:</a><a href="mailto:hread-strippshealth.org">hread-strippshealth.org</a>; 'John Gama'

<johngama99@gmail.com>; 'Chas Wick' <chaswick@reagan.com>; 'Stacy King'

<stacy.king.us@gmail.com>; Don Neu <<u>Don.Neu@carlsbadca.gov</u>>

**Subject:** RE: LCPA public Comment - request for receipt of public comments & documents

## Jenifer:

Thank you for your confirmation. May I ask how those comments will be referenced, accounted for and discussed during the Public Review period at both City and CCC processes?

The growing concerned citizens and coastal visitors would like to know how and when their

comments will be considered, discussed and responded to by City Staff, the Planning and Parks Commissions and City Council. Knowing these processes early, with adequate time to clear work/travel schedules, will allow citizens and the public to participate in the processes. They have asked us, so what is the City doing with our comments, what/when is the process for our comments to be considered, when are those processes scheduled, etc.? Any information you can provide regarding that would be appreciated.

Thanks, Lance

From: Jennifer Jesser [mailto:Jennifer.Jesser@carlsbadca.gov]

Sent: Thursday, October 31, 2019 9:16 AM

To: Lance Schulte

Cc: Melanie Saucier; Celia Brewer; Council Internet Email; Cort Hitchens; Erin Prahler; Gabriel Buhr; Mike

Sebahar; 'Harry Peacock'; John Gama; 'John Gama'; Chas Wick; 'Stacy King'; Don Neu **Subject:** RE: LCPA public Comment - request for receipt of public comments & documents

Hi Lance,

I received your email and will include the comments you forwarded as part of the comments on the draft LCP update.

Best regards,



### Jennifer Jesser

Senior Planner
Community and Economic Development Department
Planning Division
1635 Faraday Ave.
Carlsbad, CA 92008
www.carlsbadca.gov

760-602-4637 | jennifer.jesser@carlsbadca.gov

**From:** Lance Schulte < meyers-schulte@sbcglobal.net >

Sent: Wednesday, October 30, 2019 2:50 PM

**To:** Jennifer Jesser < <u>Jennifer Jesser@carlsbadca.gov</u>>

**Cc:** Melanie Saucier < <u>Melanie.Saucier@carlsbadca.gov</u>>; Celia Brewer

<<u>Celia.Brewer@carlsbadca.gov</u>>; Council Internet Email <<u>CityCouncil@carlsbadca.gov</u>>; Cort Hitchens <cort.hitchens@coastal.ca.gov>; Erin Prahler <<u>Erin.Prahler@coastal.ca.gov</u>>; Gabriel Buhr <gbuhr@coastal.ca.gov>; Mike Sebahar <<u>sebbiesixpack@att.net</u>>; 'Harry Peacock' <hrpeacock41@gmail.com>; John Gama <Gama.John@scrippshealth.org>; 'John Gama'

<iohngama99@gmail.com>; Chas Wick <chaswick@reagan.com>; 'Stacy King'

<stacy.king.us@gmail.com>

Subject: LCPA public Comment - request for receipt of public comments & documents

#### Jenifer:

I am forwarding the attached emails submitted as public comment on the proposed draft LCPA, as I heard you are LCPA project manager. I wanted to get a receipt confirmation of these and this email as LCPA public comments. I am sorry to ask this but on August 27<sup>th</sup>, as part of People for Ponto I met with Mayor Hall and Councilperson Blackburn and staff Gary Barbario and Debbie Fountain on LCP issues related to the 11-acre Planning Area F site at Ponto that the existing LCP currently designates "Non-residential Reserve" and which the City's LCPA is proposing to mostly change to low-coastalpriority high density residential use. Planning Area F has [since 1996] an LCP requirement to consider and document the need for high-coastal-priority uses prior to changing the existing "Non-residential Reserve" Coastal land use and zoning. Carlsbad's Park Master Plan [pp 87 & 88] shows Ponto and a significant portion of South Coastal Carlsbad is not within the City's adopted Park Service Areas, and that South Carlsbad has no City Parks west of I-5 and v. over 37-acres within 10 City Parks in North Carlsbad. See following copy of the email and image compiled from the City's Park Master Plan that was the genesis of the August 27<sup>th</sup> meeting.

#### Beginning of email:

**From:** Lance Schulte < meyers-schulte@sbcglobal.net >

**Sent:** Monday, July 15, 2019 2:26 PM

**To:** Andrea Dykes < <u>Andrea.Dykes@carlsbadca.gov</u>> **Cc:** People for Ponto < info@peopleforponto.com > **Subject:** meetings with Matt Hall and Keith Blackburn

### Andi

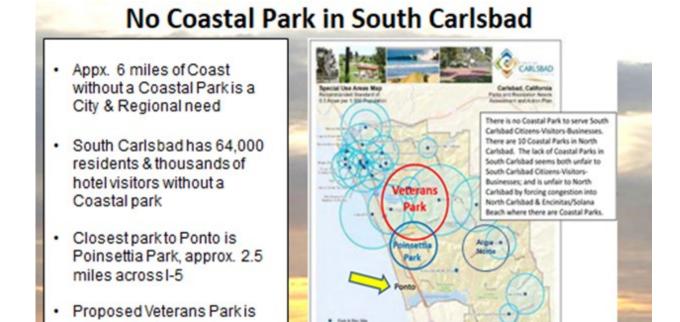
I hope your week is starting well.

I/we would like to see if we can have meetings with Matt hall and Keith Blackburn. The meetings would be concerning the South Carlsbad Coastal Park gap/deficit/shortfall.

This is an update of data provided earlier by Carlsbad Citizens to the Carlsbad City Council, Planning, and Parks Commissions; and California Coastal Commission regarding the 11-acre Planning Area F site at Ponto and the Carlsbad Local Coastal Program and Carlsbad's Growth Management Program and Local Facilities Management Plan for Zone 9 [Ponto]. For the 11-acre Planning Area F site at Ponto the City of Carlsbad is required by the CA Coastal Act to "... As part of any future planning effort, the City and Developer must consider and document the need for the provision of lower cost visitor accommodations or recreational facilities (i.e. public park) on the west side of the railroad."

Below is an image requested by Carlsbad Councilman Keith Blackburn [note: correct to reflect the

request was from Michael Schumacher] to show Poinsettia Park's official service area relative to the South Coastal Carlsbad Park gap and deficit. The blue circle(s) show the City's adopted service areas from the City of Carlsbad Parks Master Plan for each City Park based on the park size and the population surrounding the park. A large circle represents a large park and/or low population surrounding the park. The image below shows all the City Parks (both Community Parks and Special Use Areas in Coastal Carlsbad (except for Aviara Park that is east of Poinsettia Park and west of Alga Norte Park). Data is compiled from City of Carlsbad Parks Master Plan pp 87-88.



Thanks Andi, there would likely be only 1-2 citizens attending. Thanks again,
Lance

approx. 6 miles away

# End of email

I am concerned in that in that August 27<sup>th</sup> meeting all four refused to discuss the Parks Master Plan and LCP/LCPA related issues, stating they could not discuss these misses due to the North County Advocates lawsuit filed against the City for non-compliance with the City's Growth Management Program. I was confused as to how the City was linking our People for Ponto Parks Master Plan and LCP/LCPA discussion with the Growth Management Plan and North County Advocates Growth Management Plan lawsuit?

Can the City kindly provide an explanation as to why/how the City is linking the Parks Master Plan and LCP/LCPA with the Growth Management Plan and Growth Management Plan lawsuit?

Given the linkage if the City Staff and City Council were prevented from talking about Parks Master Plan and LCP/LCPA due to the Growth Management Plan lawsuit, how can the City proceed to process the LCPA, and start the Parks Master Plan Update? As a citizen it is very confusing, and am not sure if the attached communications are being considered or can be discussed by City Staff and City Council as part of the LCPA.

As I explained at the August 27<sup>th</sup> meeting with Mayor Hall and Councilperson Blackburn and staff Gary Barbario and Debbie Fountain People for Ponto is not a part of North County Advocates and their lawsuit against the City. However, both People for Ponto and North County Advocates found similar significant questions regarding compliance with the Growth Management Program Open Space Standard in Local Facility Management Plan Zone 9.

Regarding the LCPA public review process, I also wanted to see if citizens could be provided:

- 1. an editable version of the LCPA can be provided to facilitate cut/paste of text/images into public comments, and
- 2. if an editable side-by-side existing LCP text and proposed LCPA text file is available? This would allow citizens a clear understanding of the proposed changes to the existing LCP text and allow citizens to effectively compare and provide comments?

These simple to provide tools would be very helpful to citizens wishing to understand and comment on the proposed Amendments to the current LCP.

Thank you, Lance Schulte

To: Council Internet Email; City Clerk; Planning; Scott Chadwick; Gary Barberio; Don Neu; Kyle Lancaster; Mike

Pacheco: David De Cordova; Scott Donnell; Erin.Prahler@coastal.ca.gov; "Ross, Toni@Coastal"; cort.hitchens@coastal.ca.gov; "Lisa Urbach"; info@peopleforponto.com; "Bret Schanzenbach"; Kathleen@carlsbad.org; Planning; "McDougall, Paul@HCD"; "Mehmood, Sohab@HCD"

Cc: <u>info@peopleforponto.com</u>

Subject: Carlsbad DLCP-LUPA & Ponto issues resent Public Input - FW: NICE ponto video - for City Budget and DLCPA

public comments

**Date:** Tuesday, December 22, 2020 6:32:52 AM

Dear Carlsbad City Council, City Clerk, Planning Commission, Parks Commission, Housing Commission, HEAC, CA Coastal Commission, and CA HCD:

Carlsbad Citizens first became aware (due to extensive Public Records research) of the Carlsbad's failure (current and starting before 2010) to comply with the still existing Certified Local Coastal Program Land Use and Zoning Regulations (LCP) for Ponto Planning Area F (to specifically consider and document the need for a Ponto "Public Park" prior to changing the NRR land use on Planning Area F), and also developers' Growth Management Open Space Standard (GMP) non-compliance at Ponto in 2017. Since 2017 with this awareness Carlsbad and surrounding Citizens and Visitors have repeatedly documented the need for a Ponto Park and asked the Carlsbad City Council and Staff to provide for it on Planning Area F as the exiting LCP provides for. Since 2017 over 2,800 emails/petitions have been sent to the City and CA Coastal Commission (CCC), over 200 pages of official written (emailed) data and public comments, along with numerous presentations to prior City Council meetings on the LCP and GMP.

In Dec 2, 2020 Carlsbad began the Planning Commission Public Hearing on the Staff proposed Draft Local Coastal Program-Land Use Plan Amendment (DLCP-LUPA) to propose to the CA Coastal Commission a change to Planning Area F's existing NRR land use and zoning. The flood of over 450 emailed public input for that specific meeting overwhelmed the City email server. As part of that process the City said in the Dec 2 email below it was going to post on its website all the Citizen/public input received on the DLCP-LUPA. On Dec 3 People for Ponto asked the Carlsbad City Council, City Clerk and City DLCP-LUPA Staff - would that posting would include all the LCP communications since 2017 when Citizens first became aware started Public Input to the City and CCC on the Ponto LCP issues?

**From:** Lance Schulte [mailto:mevers-schulte@sbcglobal.net]

**Sent:** Thursday, December 3, 2020 11:13 AM **To:** 'Planning'; 'info@peopleforponto.com'

**Cc:** 'Jennifer Jesser'; 'Don Neu'; 'City Clerk'; 'CityCouncil@carlsbadca.gov'; 'Erin Prahler'; Ross,

Toni@Coastal (<u>Toni.Ross@coastal.ca.gov</u>); Carrie Boyle (<u>carrie.boyle@coastal.ca.gov</u>)

**Subject:** RE: 121 undeliverable Protect Ponto petitions

To City of Carlsbad and Carlsbad Planning:

We assume when you say 'records department' you mean City Clerk?

We also assume you mean 'all comments submitted' includes written comments and attachments; and Ponto related communications, presentations, public testimony and Public Records Requests to the City since 2017 - when Citizens first became aware of

Existing Ponto Planning Area F LCP regulations and received CCC direction to the City on those Regulations? Can you please confirm this as this is all part of the Citizen comments and data that is part of the public record regarding the subject matter? The City is [using] 2015 input to justify current City Staff proposals, so the City should acknowledge and include People for Ponto Citizen input since 2017 on the same subject matter.

Thanks, People for Ponto

From: Planning [mailto:Planning@CarlsbadCA.gov]
Sent: Wednesday, December 2, 2020 6:29 PM

To: <u>info@peopleforponto.com</u> Cc: Jennifer Jesser; Don Neu

Subject: RE: 121 undeliverable Protect Ponto petitions

Hello,

At the conclusion of the meeting all comments will be submitted to the records department. The records department will make the full record available on the city's website. At that time, I would suggest reviewing the record in its entirely to compare to what you submitted. Thank you.

It has been almost 3-weeks without a City response to the Dec 3 email, so People for Ponto will start re-emailing to the City and CCC public input on Ponto LCP and DLCP-LUPA issues since 2017 as 'resent official Public Input' to the City Council and CCC for the upcoming City Council DLCP-LUPA Public Hearing and other City meetings dealing with land use at Ponto. This '2017-present Public Input' should be posted on the City's website as noted in the City's Dec 2 email. The 2017-present Public Input is critical because there are now different City Council and CCC members since 2017. The 2017-present public input is critical to assure a proper Public Participation process consistent with Carlsbad and CA Coastal Act principles and assure the new City Council and the current CA Coastal Commission has the information and understands the extensive amount of multi-year public input expressing concerns, needs and desires for Ponto.

Following and attached is one of those many inputs.

Sincerely, People for Ponto

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

Sent: Wednesday, April 22, 2020 8:00 AM

**To:** Council Internet Email (CityCouncil@carlsbadca.gov); Erin Prahler (Erin.Prahler@coastal.ca.gov); Cort Hitchens (cort.hitchens@coastal.ca.gov); Gabriel Buhr (gbuhr@coastal.ca.gov); Scott Chadwick (Scott.Chadwick@carlsbadca.gov)

Cc: Laura Walsh (lauraw@surfridersd.org); Lisa Urbach (lisa.urbach@parks.ca.gov); Fred Sandquist

(sandquist2@earthlink.net); People for Ponto (info@peopleforponto.com) **Subject:** NICE ponto video - for City Budget and DLCPA public comments

Dear City Council and CA Coastal Commission:

Here is a link to a drone video of Ponto that shows how special this last bit of vacant Unplanned Coastal land is and also a look at the amount of surrounding development (with its citizen and visitor populations) that needs a Coastal Park to access and enjoy the Coast. https://www.facebook.com/mregibson/videos/10157119027568365/

As has been mentioned many times by citizens, and documented in the City's Parks Master Plan the is no Coastal Park west of I-5 in all South Carlsbad v. 10 such City Parks in North Carlsbad (these 10 total about 37-acres). The City identifies this City "park inequity" that is "unserved" regarding parks. Regionally, there is a 6-mile Coastal Park gap that is centered around. Ponto is the last significant vacant Coastal land to provide a needed Coastal Park for South Carlsbad and regionally.

Many Citizens have specifically told you how important the Coastal Park needs are at Ponto and South Carlsbad, sending over 2,500 email/petitions as part of DLCPA public comments; and providing extensive public input into the City's FY 2019-20 Budget process — where the need for a Ponto Park was the most mentioned place need in Verbatim public input documented in Carlsbad's FY 2019-20 Public Input Summary Report.

We hope the video provides you a better and inspirational understanding of the importance of Ponto as a needed Coastal Recreation resource for the future of Carlsbad and our Coast.

We request this email and video be included as public comments the City's upcoming Budget hearings, DLCPA, and Parks Master Plan Update processes. If you would like more video documentation of the Coastal Recreation values of Ponto, please let us know. Videos, provide a good way to understand important issues, like Sea Level Rise impacts on Coastal Recreation and land use.

Sincerely, Lance Schulte People for Ponto

To: Council Internet Email; City Clerk; Planning; Scott Chadwick; Gary Barberio; Don Neu; Kyle Lancaster; Mike

Pacheco; David De Cordova; Scott Donnell; Erin.Prahler@coastal.ca.gov; "Ross, Toni@Coastal"; cort.hitchens@coastal.ca.gov; "Lisa Urbach"; info@peopleforponto.com; "Bret Schanzenbach"; Kathleen@carlsbad.org; Planning; "McDougall, Paul@HCD"; "Mehmood, Sohab@HCD"

Cc: <u>info@peopleforponto.com</u>

Subject: Carlsbad DLCP-LUPA & Ponto issues resent Public Input - FW: People using Ponto for a needed Ponto Park -

images showing need

Date: Tuesday, December 22, 2020 6:25:33 AM

Dear Carlsbad City Council, City Clerk, Planning Commission, Parks Commission, Housing Commission, HEAC, CA Coastal Commission, and CA HCD:

Carlsbad Citizens first became aware (due to extensive Public Records research) of the Carlsbad's failure (current and starting before 2010) to comply with the still existing Certified Local Coastal Program Land Use and Zoning Regulations (LCP) for Ponto Planning Area F (to specifically consider and document the need for a Ponto "Public Park" prior to changing the NRR land use on Planning Area F), and also developers' Growth Management Open Space Standard (GMP) non-compliance at Ponto in 2017. Since 2017 with this awareness Carlsbad and surrounding Citizens and Visitors have repeatedly documented the need for a Ponto Park and asked the Carlsbad City Council and Staff to provide for it on Planning Area F as the exiting LCP provides for. Since 2017 over 2,800 emails/petitions have been sent to the City and CA Coastal Commission (CCC), over 200 pages of official written (emailed) data and public comments, along with numerous presentations to prior City Council meetings on the LCP and GMP.

In Dec 2, 2020 Carlsbad began the Planning Commission Public Hearing on the Staff proposed Draft Local Coastal Program-Land Use Plan Amendment (DLCP-LUPA) to propose to the CA Coastal Commission a change to Planning Area F's existing NRR land use and zoning. The flood of over 450 emailed public input for that specific meeting overwhelmed the City email server. As part of that process the City said in the Dec 2 email below it was going to post on its website all the Citizen/public input received on the DLCP-LUPA. On Dec 3 People for Ponto asked the Carlsbad City Council, City Clerk and City DLCP-LUPA Staff - would that posting would include all the LCP communications since 2017 when Citizens first became aware started Public Input to the City and CCC on the Ponto LCP issues?

**From:** Lance Schulte [mailto:mevers-schulte@sbcglobal.net]

**Sent:** Thursday, December 3, 2020 11:13 AM **To:** 'Planning'; 'info@peopleforponto.com'

**Cc:** 'Jennifer Jesser'; 'Don Neu'; 'City Clerk'; 'CityCouncil@carlsbadca.gov'; 'Erin Prahler'; Ross,

Toni@Coastal (<u>Toni.Ross@coastal.ca.gov</u>); Carrie Boyle (<u>carrie.boyle@coastal.ca.gov</u>)

**Subject:** RE: 121 undeliverable Protect Ponto petitions

To City of Carlsbad and Carlsbad Planning:

We assume when you say 'records department' you mean City Clerk?

We also assume you mean 'all comments submitted' includes written comments and attachments; and Ponto related communications, presentations, public testimony and Public Records Requests to the City since 2017 - when Citizens first became aware of

Existing Ponto Planning Area F LCP regulations and received CCC direction to the City on those Regulations? Can you please confirm this as this is all part of the Citizen comments and data that is part of the public record regarding the subject matter? The City is [using] 2015 input to justify current City Staff proposals, so the City should acknowledge and include People for Ponto Citizen input since 2017 on the same subject matter.

Thanks. People for Ponto

From: Planning [mailto:Planning@CarlsbadCA.gov] Sent: Wednesday, December 2, 2020 6:29 PM

To: <u>info@peopleforponto.com</u> Cc: Jennifer Jesser; Don Neu

Subject: RE: 121 undeliverable Protect Ponto petitions

Hello,

At the conclusion of the meeting all comments will be submitted to the records department. The records department will make the full record available on the city's website. At that time, I would suggest reviewing the record in its entirely to compare to what you submitted. Thank you.

It has been almost 3-weeks without a City response to the Dec 3 email, so People for Ponto will start re-emailing to the City and CCC public input on Ponto LCP and DLCP-LUPA issues since 2017 as 'resent official Public Input' to the City Council and CCC for the upcoming City Council DLCP-LUPA Public Hearing and other City meetings dealing with land use at Ponto. This '2017-present Public Input' should be posted on the City's website as noted in the City's Dec 2 email. The 2017-present Public Input is critical because there are now different City Council and CCC members since 2017. The 2017-present public input is critical to assure a proper Public Participation process consistent with Carlsbad and CA Coastal Act principles and assure the new City Council and the current CA Coastal Commission has the information and understands the extensive amount of multi-year public input expressing concerns, needs and desires for Ponto.

Following and attached is one of those many inputs.

Sincerely, People for Ponto

**From:** Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

Sent: Thursday, February 27, 2020 3:02 PM

To: 'Matt.Hall@carlsbadca.gov'; 'CityCouncil@carlsbadca.gov'; 'Scott.Chadwick@carlsbadca.gov';

'Kyle.Lancaster@carlsbadca.gov'; 'lisa.urbach@parks.ca.gov'; 'Kathleen@carlsbad.org'; 'mike.pacheco@carlsbadca.gov'; 'gbuhr@coastal.ca.gov'; 'cort.hitchens@coastal.ca.gov';

'Erin.Prahler@coastal.ca.gov'; 'Don.Neu@carlsbadca.gov'; 'Gary.Barberio@carlsbadca.gov';

'info@peopleforponto.com'

Subject: People using Ponto for a needed Ponto Park - images showing need

#### Dear City Council and CA Coastal Commission:

As you may know already know, many citizens already come to Ponto to enjoy it as a park because there are no City parks in the area and Ponto is a large open space that people trespass on to use as a needed Park and open space area. They walk their dogs, off-road mud and dirt racing (including hill climb over City Sidewalk onto Avenida Encinas), and even used for powered ultralight airstrip take-off and landing operations. This trespass use (except the airstrip operations which should be done at Carlsbad's Airport) reflects the lack of City Park land and facilities in the Ponto area.

I wanted to provide you these images, in case you were unaware of the 'park use' at Ponto that directly reflects the need for a Ponto Park. The images reflect an almost daily occurrence at Ponto with some days more busy that others. The last of these images is very telling, in that is a grandfather and grandson having to use the LOSSAN Railroad right-of-way corridor (2<sup>nd</sup> busiest rail corridor in the USA, and in this section many high-speed trains pass) to play. As there is no City Park at Ponto for a grandfather and grandson to play, they use the railroad right-of-way as their 'park'.

- Why is the City of Carlsbad creating this Park Desert and forcing the elderly and young to play in the railroad right-of-way?
- How can the City create this Park Desert be when both the City and CA Coastal Commission are required to consider High-Coastal-Priority Public Park needs as part of any land use being defined on Planning Area F at Ponto?
- Why did the City twice fail to fully disclose to All Carlsbad Citizens the City's requirement to consider the need for a Public Park at Planning Area F at Ponto?
- Why is the City now not fully disclosing this situation and requirement to all Citizens now so they can be informed and provide input on the City Staff's proposed Amendment to the Existing LCP?
- How can the City not provide a City Ponto Park when Ponto (W. of I-5 & S. of Poinsettia Lane) homeowners have already paid the City Park-in-Lieu fees sufficient for the City to buy land and develop a 6.6 acre City Park at Ponto to meet the City's minimum 3 acres of City Park per 1,000 population standard?
- What is the City's explanation to the little boy (and his Grandfather) in the image as to why he has no Ponto Park that he and his grandfather can walk to?

I hope these images illustrate to you the human needs for a City Park at Ponto.

People for Ponto are concerned citizens. We hope the images give you some personal evidence to illustrate to you the need for a City Park at Ponto. We hope you care about Ponto, Carlsbad's future, and this little boy and his grandfather – and their (and future generations) need for a Ponto Coastal Park.

We would like to request this email and the images be included as Public Comments for the City's proposed DLCPA, Park Master Plan Update, City Budget discussions, and any other relevant City processes at Ponto, and/or Park related.

Thank you.

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

From: <u>Lance Schulte</u>

To: Council Internet Email; City Clerk; Planning; Scott Chadwick; Gary Barberio; Don Neu; Kyle Lancaster; Mike

<u>Pacheco</u>; <u>David De Cordova</u>; <u>Scott Donnell</u>; <u>Erin.Prahler@coastal.ca.gov</u>; <u>"Ross, Toni@Coastal"</u>; <u>cort.hitchens@coastal.ca.gov</u>; <u>"Lisa Urbach"</u>; <u>info@peopleforponto.com</u>; <u>"Bret Schanzenbach"</u>; <u>Kathleen@carlsbad.org</u>; <u>Planning</u>; <u>"McDougall, Paul@HCD"</u>; <u>"Mehmood, Sohab@HCD"</u>

Cc: <u>info@peopleforponto.com</u>

Subject: Carlsbad DLCP-LUPA & Ponto issues resent Public Input - FW: Surfrider Supports a Ponto Coastal Park

Date: Monday, December 21, 2020 12:11:22 PM
Attachments: Surfrider Supports Ponto Park.pdf

Dear Carlsbad City Council, City Clerk, Planning Commission, Parks Commission, Housing Commission, HEAC, CA Coastal Commission, and CA HCD:

Carlsbad Citizens first became aware (due to extensive Public Records research) of the Carlsbad's failure (current and starting before 2010) to comply with the still existing Certified Local Coastal Program Land Use and Zoning Regulations (LCP) for Ponto Planning Area F (to specifically consider and document the need for a Ponto "Public Park" prior to changing the NRR land use on Planning Area F, and also developers' Growth Management Open Space Standard (GMP) non-compliance at Ponto in 2017. Since 2017 with this awareness Carlsbad and surrounding Citizens and Visitors have repeatedly documented the need for a Ponto Park and asked the Carlsbad City Council and Staff to provide for it on Planning Area F as the exiting LCP provides for. Since 2017 over 2,800 emails/petitions have been sent to the City and CA Coastal Commission (CCC), over 200 pages of official written (emailed) data and public comments, along with numerous presentations to prior City Council meetings on the LCP and GMP.

In Dec 2, 2020 Carlsbad began the Planning Commission Public Hearing on the Staff proposed Draft Local Coastal Program-Land Use Plan Amendment (DLCP-LUPA) to propose to the CA Coastal Commission a change to Planning Area F's existing NRR land use and zoning. The flood of over 450 emailed public input for that specific meeting overwhelmed the City email server. As part of that process the City said in the Dec 2 email below it was going to post on its website all the Citizen/public input received on the DLCP-LUPA. On Dec 3 People for Ponto asked the Carlsbad City Council, City Clerk and City DLCP-LUPA Staff - would that posting would include all the LCP communications since 2017 when Citizens first became aware started Public Input to the City and CCC on the Ponto LCP issues?

**From:** Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

**Sent:** Thursday, December 3, 2020 11:13 AM **To:** 'Planning'; 'info@peopleforponto.com'

Cc: 'Jennifer Jesser'; 'Don Neu'; 'City Clerk'; 'CityCouncil@carlsbadca.gov'; 'Erin Prahler'; Ross,

Toni@Coastal (<u>Toni.Ross@coastal.ca.gov</u>); Carrie Boyle (<u>carrie.boyle@coastal.ca.gov</u>)

Subject: RE: 121 undeliverable Protect Ponto petitions

To City of Carlsbad and Carlsbad Planning:

We assume when you say 'records department' you mean City Clerk?

We also assume you mean 'all comments submitted' includes written comments and attachments; and Ponto related communications, presentations, public testimony and Public Records Requests to the City since 2017 - when Citizens first became aware of

Existing Ponto Planning Area F LCP regulations and received CCC direction to the City on those Regulations? Can you please confirm this as this is all part of the Citizen comments and data that is part of the public record regarding the subject matter? The City is [using] 2015 input to justify current City Staff proposals, so the City should acknowledge and include People for Ponto Citizen input since 2017 on the same subject matter.

Thanks,
People for Ponto

From: Planning [mailto:Planning@CarlsbadCA.gov]
Sent: Wednesday, December 2, 2020 6:29 PM

To: <u>info@peopleforponto.com</u> Cc: Jennifer Jesser; Don Neu

Subject: RE: 121 undeliverable Protect Ponto petitions

Hello,

At the conclusion of the meeting all comments will be submitted to the records department. The records department will make the full record available on the city's website. At that time, I would suggest reviewing the record in its entirely to compare to what you submitted. Thank you.

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Following and attached is one of those many inputs.

Sincerely, People for Ponto

**From:** Kaily Wakefield [mailto:kaily@surfridersd.org]

Sent: Tuesday, August 6, 2019 1:22 PM

To: council@carlsbadca.gov

**Cc:** Scott.Chadwick@carlsbadca.gov; ebbie.Fountain@carlsbadca.gov; Don.Neu@carlsbadca.gov; megan.cooper@scc.ca.gov; gabriel.penaflor@wildlife.ca.gov; Kyle.Lancaster@carlsbadca.gov; Katie.Sadd@asm.ca.gov; Greer, Keith; hasan.ikhrata@sandag.org; tim.dillingham@wildlife.ca.gov; sam.schuchat@scc.ca.gov; gbuhr@coastal.ca.gov; Andrew.Willis@coastal.ca.gov; clerk@sandag.org; lisa.urbach@parks.ca.gov; John.Donnelly@wildlife.ca.gov; Jim.Desmond@sdcounty.ca.gov;

deborah.ruddock@scc.ca.gov; cort.hitchens@coastal.ca.gov; Erin.Prahler@coastal.ca.gov **Subject:** Surfrider Supports a Ponto Coastal Park

Hello,

Please be advised that the Surfrider Foundation San Diego County chapter supports the creation of a Ponto Coastal Park. Surfrider submitted the attached letter to the Carlsbad City Council on May 15, 2019. Those cc'd on this email have been included at the foot of the attached copy. Thank you for your consideration of this important matter.

Sincerely, Kaily Wakefield

--

Kaily Wakefield Surfrider Foundation I San Diego County Policy Coordinator (858) 812-8392 | kaily@surfridersd.org

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

From: <u>Lance Schulte</u>

To: Council Internet Email; City Clerk; Planning; Scott Chadwick; Gary Barberio; Don Neu; Kyle Lancaster; Mike

<u>Pacheco</u>; <u>David De Cordova</u>; <u>Scott Donnell</u>; <u>Erin.Prahler@coastal.ca.gov</u>; <u>"Ross, Toni@Coastal"</u>; <u>cort.hitchens@coastal.ca.gov</u>; <u>"Lisa Urbach"</u>; <u>info@peopleforponto.com</u>; <u>"Bret Schanzenbach"</u>; <u>Kathleen@carlsbad.org</u>; <u>Planning</u>; <u>"McDougall, Paul@HCD"</u>; <u>"Mehmood, Sohab@HCD"</u>

Cc: info@peopleforponto.com

Subject: Carlsbad DLCP-LUPA & Ponto issues resent Public Input - FW: The Results are IN and the People WANT a PARK

at PONTO!

**Date:** Monday, December 21, 2020 12:47:08 PM

Attachments: 2019.11.4 People for Ponto Suport Letter (62 signed letters).pdf

Dear Carlsbad City Council, City Clerk, Planning Commission, Parks Commission, Housing Commission, HEAC, CA Coastal Commission, and CA HCD:

Carlsbad Citizens first became aware (due to extensive Public Records research) of the Carlsbad's failure (current and starting before 2010) to comply with the still existing Certified Local Coastal Program Land Use and Zoning Regulations (LCP) for Ponto Planning Area F (to specifically consider and document the need for a Ponto "Public Park" prior to changing the NRR land use on Planning Area F, and also developers' Growth Management Open Space Standard (GMP) non-compliance at Ponto in 2017. Since 2017 with this awareness Carlsbad and surrounding Citizens and Visitors have repeatedly documented the need for a Ponto Park and asked the Carlsbad City Council and Staff to provide for it on Planning Area F as the exiting LCP provides for. Since 2017 over 2,800 emails/petitions have been sent to the City and CA Coastal Commission (CCC), over 200 pages of official written (emailed) data and public comments, along with numerous presentations to prior City Council meetings on the LCP and GMP.

In Dec 2, 2020 Carlsbad began the Planning Commission Public Hearing on the Staff proposed Draft Local Coastal Program-Land Use Plan Amendment (DLCP-LUPA) to propose to the CA Coastal Commission a change to Planning Area F's existing NRR land use and zoning. The flood of over 450 emailed public input for that specific meeting overwhelmed the City email server. As part of that process the City said in the Dec 2 email below it was going to post on its website all the Citizen/public input received on the DLCP-LUPA. On Dec 3 People for Ponto asked the Carlsbad City Council, City Clerk and City DLCP-LUPA Staff - would that posting would include all the LCP communications since 2017 when Citizens first became aware started Public Input to the City and CCC on the Ponto LCP issues?

**From:** Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

**Sent:** Thursday, December 3, 2020 11:13 AM **To:** 'Planning'; 'info@peopleforponto.com'

Cc: 'Jennifer Jesser'; 'Don Neu'; 'City Clerk'; 'CityCouncil@carlsbadca.gov'; 'Erin Prahler'; Ross,

Toni@Coastal (<u>Toni.Ross@coastal.ca.gov</u>); Carrie Boyle (<u>carrie.boyle@coastal.ca.gov</u>)

**Subject:** RE: 121 undeliverable Protect Ponto petitions

To City of Carlsbad and Carlsbad Planning:

We assume when you say 'records department' you mean City Clerk?

We also assume you mean 'all comments submitted' includes written comments and attachments; and Ponto related communications, presentations, public testimony and

Public Records Requests to the City since 2017 - when Citizens first became aware of Existing Ponto Planning Area F LCP regulations and received CCC direction to the City on those Regulations? Can you please confirm this as this is all part of the Citizen comments and data that is part of the public record regarding the subject matter? The City is [using] 2015 input to justify current City Staff proposals, so the City should acknowledge and include People for Ponto Citizen input since 2017 on the same subject matter.

Thanks,
People for Ponto

From: Planning [mailto:Planning@CarlsbadCA.gov]
Sent: Wednesday, December 2, 2020 6:29 PM

To: <u>info@peopleforponto.com</u> Cc: Jennifer Jesser; Don Neu

Subject: RE: 121 undeliverable Protect Ponto petitions

Hello,

At the conclusion of the meeting all comments will be submitted to the records department. The records department will make the full record available on the city's website. At that time, I would suggest reviewing the record in its entirely to compare to what you submitted. Thank you.

It has been almost 3-weeks without a City response to the Dec 3 email, so People for Ponto will start re-emailing to the City and CCC public input on Ponto LCP and DLCP-LUPA issues since 2017 as 'resent official Public Input' to the City Council and CCC for the upcoming City Council DLCP-LUPA Public Hearing and other City meetings dealing with land use at Ponto. This '2017-present Public Input' should be posted on the City's website as noted in the City's Dec 2 email. The 2017-present Public Input is critical because there are now different City Council and CCC members since 2017. The 2017-present public input is critical to assure a proper Public Participation process consistent with Carlsbad and CA Coastal Act principles and assure the new City Council and the current CA Coastal Commission has the information and understands the extensive amount of multi-year public input expressing concerns, needs and desires for Ponto.

Following and attached is one of those many inputs.

Sincerely, People for Ponto

**From:** info@peopleforponto.com [mailto:info@peopleforponto.com]

Sent: Tuesday, November 19, 2019 2:25 PM

To: Matt.Hall@carlsbadca.gov; CityCouncil@carlsbadca.gov; Scott.Chadwick@carlsbadca.gov;

Kyle.Lancaster@carlsbadca.gov; lisa.urbach@parks.ca.gov; Kathleen@carlsbad.org; mike.pacheco@carlsbadca.gov; gbuhr@coastal.ca.gov; cort.hitchens@coastal.ca.gov; Erin.Prahler@coastal.ca.gov; Don.Neu@carlsbadca.gov; Gary.Barberio@carlsbadca.gov

Cc: info@peopleforponto.com

Subject: The Results are IN and the People WANT a PARK at PONTO!

People for Ponto partnered with Surfrider SD and held a Ponto Beach Clean up.

Over 80 community members showed up to help improve our coastal land; collecting 109 pounds of trash and signing 64 letters of support for a Park at Ponto and preserving the open space in Southwest Carlsbad.

We request that the attached letters be added to the public record for Planning Area F and that all the previous letters, concerns and comments sent be considered when reviewing the LCP.

#### Break out of beach clean up results:

Volunteers	85
	109
Weight (lbs)	57
Plastic Bags Plastic Bottles	20
	49
Bottle Caps  Plastic Utensils	
	8
Plastic Food Service (lids, cups, plates)	49
Straws	34
Plastic Food Wrappers	94
Six-Pack Holders	
Styrofoam	763
Balloons	(
Fishing & Boating Items	25



Syringes Other Plastics  0 Other Plastics		
	Cyminana	
Other Plastics 179		
	Other Plastics	179

Cigarettes & Cigarette Butts	109
Metals	18
Glass	36
Paper & Cardboard	72
Fabrics	10
Wood Objects	4
Entangled or Dead Animals	8
Other	33
Comments and Unusual Items	Surfboard leash, wax, and rubber shoe sole

We appreciate all those that work hard to keep Carlsbad a wonderful place to live and ask the City and Coastal Commission to do what's right to keep it that way.

Thank you,

The People for Ponto Committee.

www.facebook.com/groups/developpontoright www.instagram.com/developpontoright

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

Submitted: May 28, 2020

Dear Carlsbad City Council, Carlsbad Planning and Parks Commissions, and Coastal Commission:

The City Budget should address both short-term Covid-19 impacts, and near/longer-term investments needed for Economic Recovery and Revitalization.

The quality of our Carlsbad coastline, Coastal Parks and open spaces are continually rated by Carlsbad citizens and businesses as the critical foundation of our quality of life, economic strength, and tourism industry. Ponto Coastal Park is a critically needed investment, and the last opportunity for the City to make an investment for Carlsbad's long-term sustainability. South Carlsbad Citizens, visitors, and the Visitor Industry have no Southern Coastal Park. Ponto is the only place to provide that needed investment for residents and visitors, and advance Economic Recovery and Revitalization of South Carlsbad's significant Visitor Industry. Coastal Recreation is the major attraction for visitors.

With these understandings we submit the following testimony and data from the City's FY 2019-20 Budget Public Input Report that highlights the documented significant number of citizens asking for a Ponto Coastal Park. We also note concerns about the Report's dilution of specific citizen input provided at both the March 4, 2019 and 2020 Citizen Workshops.

Citizen input on the need for a Ponto Coastal Park was the most numerous specific place need/desire citizens mentioned in the City's:

- Budget Public Input process,
- Draft Local Coastal Program Amendment process, and
- Parks Master Plan Update process.

The Budget Public Input process documented 85 specific, verbatim citizen comments on Ponto area park needs and over 90% of citizen requests that Council budget to address this need. These 85 Verbatim Citizen comments (listed at the end of this testimony and data) specifically address how they would like their (Park) tax dollars budgeted. Additionally, 2,500 similar public input email/petitions were submitted as public comments on Carlsbad's Draft Local Coastal Program Amendment and Park Master Plan Update processes spoke to the need for a Ponto Coastal Park.

As you know, the 11-acre Ponto Planning Area F site is for sale. This site is similar in size/shape as Holiday Park, providing a Coastal site for similar multipurpose community functions.

Carlsbad's Local Costal Program (and thus General Plan and Zoning Code) requires the City to first consider and document the need for a "Public Park" before any land use can be planned for the Planning Area F site.

The City's Park Master Plan already documents the need for a Ponto "Public Park", showing the area as "unserved" by City Parks and an area of Park "inequity" correlating well with Citizen input.

The City also received offers of potential donations, or cost-saving collaborations from Carlsbad Citizens and non-profits to advance the much needed Ponto Coastal Park. The City disappointingly has not replied to these special opportunities.

# Therefore, it is requested the City budget for a Ponto Coastal Park and contact the Planning Area F landowner regarding site purchase.

Consistent with Budget Public Input Report page 3 it is requested that this this testimony and data be provided to the Planning and Parks Commissions; and Coastal Commission as public input on the City Staff's proposed 1) City Budget, 2) Draft Local Coastal Program Amendment, and 3) Parks Master Plan Update.

Thank you.
People for Ponto

The following data is from the Carlsbad FY 2019-20 Budget Public Input Report: <a href="https://www.carlsbadca.gov/civicax/filebank/blobdload.aspx?BlobID=38546">https://www.carlsbadca.gov/civicax/filebank/blobdload.aspx?BlobID=38546</a>

In reading the data different text treatment is used to differentiate between actual page number and text in the Report, Important Report text, and public comments and analysis of Report text. Following is a legend to those text treatments:

- (p.X) is the Report page number where the information is found, and normal text is the actual Report text.
- Text in **Bold Face** is particularly important Report text.
- Arrow bullets and Text in Bold Italic Text are analysis and comments on the Report's information.

#### Introduction (p. 3):

- Members of the public have a right to be involved in decisions affecting their lives.
- It is the city's responsibility to seek out and facilitate the involvement of those interested in or
  affected by a decision. The city errs on the side of reaching out to people who might not be
  interested, rather than potentially missing people who are.
- City staff provide balanced and factual information to the public and do not engage in advocacy.
- Public dialogue strives for a focus on values over interests and positions.
- Public involvement planning is coordinated across all city departments to ensure consistency and avoid process fatigue.

On (p. 5) specific Verbatim Public Input was generalized by City Staff as follows:

Main Themes: The following themes were a high priority overall:

- Neighborhood quality of life
- Access to nature, trails and open space
- Environmental sustainability
- Traffic and mobility

Most Important Services: City services in the following areas were identified as the most important:

- Neighborhood quality of life
- Parks and recreation
- Law enforcement
- Fire and paramedic service

Environmental sustainability

Specific Areas for Budget Enhancement: When asked which services they would like to see enhanced in next year's budget, the top five responses were:

- Neighborhood quality of life
- Parks and recreation
- Environmental sustainability
- Mobility/transportation
- Arts and culture
- The lack of a Coastal Park at Ponto impacts all South Carlsbad neighborhoods' quality of life. Carlsbad's Park Master Plan documents that Ponto and Coastal South Carlsbad are "not served" by parks and Ponto and Coastal South Carlsbad is an area of park "inequity"
- The City and CA Coastal Commission are required to consider and document the need for a "Public Park" before any planning to allow any land use on Ponto Planning Area F. For over 10-years the City failed to disclose and follow this requirement – making multiple "Ponto planning mistakes". The City will now have to correct its multiple "Ponto planning mistakes" as part of the Draft Local Coastal Program Amendment
- The lack of a Park at Ponto also impacts both Environmental Sustainability and Mobility/Transportation:
  - Prevents parks within walking distance, forces driving (and the need for more parking in our Park) to access parks.
  - Forces South Carlsbad Neighborhoods to drive long distances to North Carlsbad and/or Encinitas to access a Coastal Park
  - Congests North Carlsbad and/or Encinitas Coastal Parks with South Carlsbad Coastal Park demands
  - Congests North Carlsbad and/or Encinitas roadways and parking facilities with South Carlsbad Coastal Park demands.
  - Importantly, it would forever negatively impact the economic sustainability of Carlsbad's Visitor industry. There are thousands of inland South Carlsbad resort/hotel rooms that have no access to a Coastal Park. This will ultimately undermine the attractiveness and competitiveness of South Carlsbad's Visitor industry and the tax revenue the City receives from that industry.

#### Word Maps (pp 6-8)

Staff provided 3 'word maps' saying the show the words mentioned at the March 4<sup>th</sup> 2020 workshop attend by 38 citizens.

- There is citizen concern about the accuracy of these word maps and what is conveyed on pages 6-8 of the Report.
- > Several of those 38 citizens, provided specific written (individual index cards) and verbal (round table flip chart notes) Pubic Input several stating the need for a "Ponto Coastal Park", another mentioned a "liner Park", and several mentioned the "Senior Center", all these written/verbal comments were not accurately documented or reported on pages 6-8. It appears the City Staff interrupted and translated/transformed the actual citizen comments (as documented in the index cards and flip chart notes) when creating the word maps. There is a concern that specific citizen input provided at the actual workshop was not accurately

- reported in the Public Input Repot to the City Council. As citizens we are concerned that our input is accurately reported and conveyed to the City Council.
- > Surprisingly no word map was provided in the Report for the much larger (1,330 to 1,710 person) March 5-22, 2019 Public Input process. Following is the actual word map the city showed participants at the March 4, 2019 Public Input Workshop. The image of the word map was taken with a participant's cell phone. It summarized the magnitude of citizen needs/desires expressed at this larger Budget workshop.



The word map graphic above from the March 4, 2019 Workshop although not summarized by Staff in the Report is clearly documented in the Verbatim Comments (Public Input) that was included in pages 24-91 of the Report and accounted for below.

Verbatim Comments (pp 24-91): Number of times a specific Place Name was mentioned:

- Ponto, Zone 9, and Southwest Carlsbad: 85 times (see below for list of Verbatim Public Input)
- Village: 23 times, this is 27% as much as Ponto area
- Carlsbad Senior Center: 7 times, this is 8% as much as Ponto area
- Agua Hedionda Lagoon: 3 times, this is 4% as much as Ponto area
- New Village Arts: 3 times, this is 4% as much as Ponto area
- Barrio: 2 times, this is 2% as much as Ponto area
- Calaveras: 2 times, this is 2% as much as Ponto area
- Alga Norte Park: 2 times, this is 2% as much as Ponto area

- Poinsettia Park: 2 times, this is 2% as much as Ponto area
- Veterans Park: 2 times, this is 2% as much as Ponto area
- Rancho Carrillo: 1 time, this is 1% as much as Ponto area
- Hub Park: 1 time, this is 1% as much as Ponto area
- Crossings Golf Course: 1 time, this is 1% as much as Ponto area
- Robertson Ranch: 1 time, this is 1% as much as Ponto area
- Palomar Airport: 1 time, this is 1% as much as Ponto area
- As the Budget Public Input Report suggests, reading of each of the Verbatim Comments of actual public input should be done. The place names area specific list above does not include broad places such as "beaches" the names of specific roads, and other names that appeared vague. It is clear in reading through and counting the place name references that the Ponto area expressed as Ponto, Zone 9 (i.e. Local Facilities Management Plan Zone 9), and the coastal park references to Southwest Carlsbad and South Carlsbad was by far the greatest area of public input. This makes perfect sense in that for half of the City Ponto is the last significant vacant Coastal land available to address two of Carlsbad Citizens' most important budget concerns 'Neighborhood quality of life' and 'Parks and recreation' that relate to core community values around Carlsbad's "Beach", "small beach town character", and "valued open space".

Following is the listing of the Verbatim Public Input (Appendix A in Public Input Report, pp 24-91) that specifically referenced Ponto or a clear reference to Ponto such as Zone 9 or Coastal Park needs in Southwest Carlsbad. There are many more comments such as "The purchase of remaining open space for preservation of the last remaining coastal areas." that logically and clearly refers to the Ponto situation. However these many additional comments were excluded from the list below since they did not specifically mention Ponto, Zone 9, or SW Carlsbad place names.

Of the 85 citizen comments below specifically referencing Ponto, 77 or 90.6% were asking the City to budget for a Ponto Coastal Park. Only 8, or 9.4% of those citizen comments were not asking for a Ponto Costal Park. We are not sure if the 8 commenters knew about the City's now acknowledged "Ponto planning mistakes" dating back over the past 10-years, as the City only first briefly acknowledged this recently on I/28/20. We have found once citizens are truly aware of the facts and prior "Ponto planning mistakes" there is almost uniform desire for a Ponto Coastal Park. There is citizen concern that these "Ponto planning mistakes" are not being fully, openly and accurately being disclosed to Citizens during the various Public Input processes, thus tainting those Public Input processes.

#### Verbatim Ponto City Budget Public Input from pages 24-91 of FY 2019-20 Budget Public Input Report:

- My biggest disappointment is the lack of park facilities in my section of the city, near South Ponto Beach. Lots of open land but no park within at least 2 miles. This should be a city priority
- 2. It used to be the beach but now Ponto & South Carlsbad are more like rocky shores. I'd like to see the rocks cleared up and more sand added to these beaches
- 3. COMMENT TRAFFIC IS BEING SPAMMED HERE TO PUSH THIS PONTO PARK PLOY (PPP) Develop Ponto and have the hotel maintin our beach! It's all rocks currently!
- 4. Ponto Beach. We do NOT need a commercial development or hotel there. That needs to be a park and/or open space for future generations.

- 5. Ponto beach.
- 6. Don't ruin South Ponto Beach with condos and/or hotel, need to restore the sand on the beach.
- 7. Like most residents and visitors I treasure the beach. I feel the highest priority should be open space and parks that serve the beach region. Particularly important is the open space still available in the Ponto region. There is ample space here for an extraordinary area of open space and even a park. There is not one of either of these in the southwest quadrant near the beach. Children cannot walk safely to a park from that area. Open space and a park in the Ponto area would serve all residents, visitors, and the business community.
- 8. Beaches, parks, safe neighborhoods, OPEN SPACE! Need Beach parks like Del Mar Powerhouse/Sea Grove Park & Encinitas Community Park. Ponto Beach needs some attention.
- 9. I love the beach and the parks and fields and open space and hiking trails in Carlsbad. I wish we had more!! We have had 3 kids in sports in Carlsbad. Currently, field/park space is very limited and often over committed. Currently, there aren't enough fields to meet the need of the community. Adding more parks and fields would create a better community in the following ways.... The sports played on these fields help keep our kids fit and healthy; It keeps kids busy and out of trouble; It fosters friendships and community; it teaches team work and fosters dedication and teaches a willingness to help others succeed; it brings in community \$\$ from other teams who come to play on Carlsbad fields; It's a wonderful way to showcase our city to others who will want to return thus helping grow tourism. Additional Parks would offer the same benefits. We do not need more high density building. And, Please do NOT ruin Ponto with more building!!!!!!
- 10. We love the beach and the small-town feel Carlsbad has. We love the scattered open spaces and trails. Carlsbad is a great place to live and spend time outdoors, like the Ponto area. Let's keep it that way by not developing every last square foot into a condo complex, hotel or shopping mall, if that's what you want please move to Oceanside.
- 11. Let us protect the valuable open space that is left and not develop every square inch. Especially at the beach, let us save the land across the coast highway from Ponto Beach and make a beautiful park, not more condos and hotels. Carlsbad is in great financial shape and does not need to go after every development and tax dollar it can get. Some things are more important, like quality of life, than a fat wallet. I know that this will fall upon deaf ears amongst the two older members of the City Council, but maybe some rearranging of priorities is in order.
- 12. Would love to see the last areas of open land to stay that way. I have lived here for 25 years and have seen a tremendous amount of development eating away at the open beauty of the area. We have enough shopping centers and homes. Please leave the area at Ponto open and do not approve the Ponto development.
- 13. Keep Ponto Beach development free!
- 14. Preserving Open Space and Building Ponto Park in the South West Quadrant!
- 15. I second Tisha Klingensmith's comment and all the others regarding Ponto Beach development.
- 16. Preserving open space and maintaining high quality Parks and Rec with park location emphasis on geographical location. It's time to build a park in the SW quadrant near the beach for locals and visitors alike. Veterans Park is not a solution for each quadrant's deficiency, particularly in the south.
- 17. We need more parks, especially in southwest Carlsbad!
- 18. I agree, we need more parks and open space. I live in Zone 9 and don't have apark anywhere within walking distance.
- 19. We need to continue to preserve open space and NOT develop Ponto into an awful condo complex. We would love a park!

- 20. We need a park in the Ponto area and not a development. It is the last open space next to the beach left
- 21. I agree with the need to preserve open space throughout Carlsbad and NOT develop Ponto into awful condo complex.
- 22. We need to preserve our open space --it's what keeps the city feeling like a small town. We need more parks -esp one at Ponto in the SW quad!
- 23. Preserve the open space and build a park in SW quadrant at Ponto. We do not need or want any more huge developments, especially right by the beach in one of the last remaining open spaces. Once it's built, you can't un-build it. Build Ponto Park in SW quadrant. Do the right thing. Especially for our children and grandchildren. They won't thank us for building outrageously tall high density condos, hotels and unnecessary shops right by our gorgeous beaches. The only people this benefits are some wealthy developers, not the people of Carlsbad. Think long term, not short term. We have a beautiful city and community-preserve it now or it's gone forever!
- 24. We really need a park in the southwest quad by the beach. This could be an amazing asset (on SO many levels) for the community and visitors alike. The revenue stream would return the city investment in spades!
- 25. Parks. Needed in Ponto area our children in this area don't have a close park. And the house lots in our area are small.
- 26. I agree that we should be very mindful that the citizens of Carlsbad voted out the retail space plan at the power plant site a few years ago. The new Ponto project should not replace that. Citizens should be part of the decision to build out that area
- 27. We need to preserve our open space and we need a park at Ponto!
- 28. We need a park in the Southwest quadrant of our community. Safety in the community Is what we like best in this area
- 29. Carlsbad's small town feel, friendly atmosphere and location has made it our ideal place to live for the past 20 years, We live across from South Ponto Beach and DESPERATELY need a park for our area residents. It would be sad to see the area overbuilt with high density projects and not retain some of the open space at this southern entrance to our "Village by the Sea". PLEASE help preserve some of its appeal before it is too late.
- 30. I love the quaintness of the Village, the open land areas, trails, small businesses and the arts. A huge NO to PONTO. Please stop the excessive building and development of the open areas of our beautiful and unique city. We have lived here for over 30 years and are sad to see so much over development. Keep our special village a village, and please don't turn it into another ordinary city.
- 31. Favorite is small town feel and the beach --the beach provides us with all the open space we need. The city has enough open space with all the lagoons, etc. --we don't need any more parks --especially at PONTO --I am thrilled to see and drive by every day the new resort at La Costa which is in Encinitas and that is what we need here at the South end of Carlsbad --more residential --NO more open space
- 32. What I love about Carlsbad is that it has a small village feel but it also has the beach and some restaurants and then little town. I really would like more to walk to around the Ponto area. Specifically I think it should be more of a beat centered area with places to grab ice cream or grab some food or a coffee and walk to the beach.
- 33. I love that our village that is not a strip of 101. The quaint cottages helped Carlsbad have a downtown feel. It has several streets with unique interest. I love the Trees on Grand! The landscape of the trees setting the height of the town. Unfortunately the taller buildings are killing that. Vertical dwellings are taking over.. think of the reason you travel to Europe. It's not

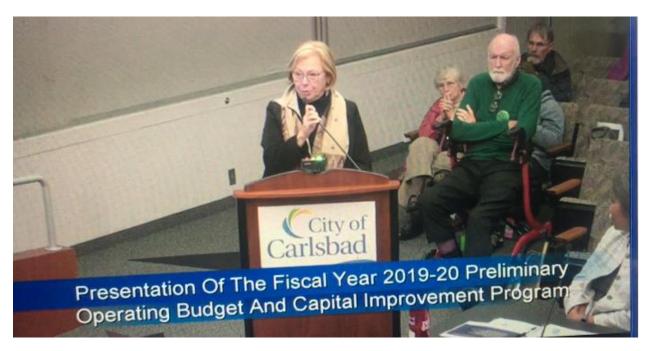
- for Developers Generica. We also want the NRG power plant space into a Park... and... I would LOVE for the city to finish the rail trail to Ponto. Imagine taking a trail to Ponto? It would be a dream!
- 34. Our San Pacifico Community and the surrounding neighborhoods need a local park. So far Carlsbad has no real performing arts venue of any size to meet the needs of a city of more than 100,000. This should be a serious consideration when the new civic center is being designed.
- 35. We need more coastal parks and open space. Especially in zone 9
- 36. protect more open space, including Ponto
- 37. We need Veterans Park completed and Ponto park developed. Everyone in Carlsbad is engaged and we have been talking about the park deficits for a while now. Veterans park is over-due!!!
- 38. Our libraries are the best in the region! But I have to put them 4th to our Neighborhood quality of life, which is being impacted by huge developments destroying our property values, our piece of mind and privacy. We do need to insure that our environment is cared for, since all of these housing projects are going in. I do love our parks but we need to insure that the SW quadrant has their share of parks (think-Ponto).
- 39. Zone 9 (in southwest Carlsbad) does not have a park within walking distance! I hope the City can remedy this.
- 40. Ponto needs a park not a hotel or more condos. Please stop building on every last piece of land
- 41. See previous comment concerning the lack of a local, beach oriented park in the South Ponto area. Ditto a performing arts venue.
- 42. PLS get the Ponto Proyect development going....., that area of Carlsbad needs it asap
- 43. I support Ponto Development. PLs get it going...
- 44. Ponto has 2 miles of unobstructed beach access and a lagoon that already act as a "park within walking distance". The Ponto project was approved long ago and is part of the citizen approved master plan. Please get it done.
- 45. Strengthen and protect the financial stability of the City. Businesses pay a significant amount of taxes, property, sales and income and those employed spend and live here. Encourage affordable housing opportunities for everyone, think outside the box and find some unique solutions. Complete build out in areas available, Ponto Beach is a great opportunity and the project is well thought out, get it built. And please don't become a 'Nanny City' and waste time to pass frivolous laws restricting straws, plastic bags, soda consumption, etc.
- 46. Development of open space and parking space in the Ponto region
- 47. Specifically, I want the city to remedy the lack of equal access to parks and trails evident in the southwest quadrant of the city. I support a park project at Ponto: in the long run, the south coastal gateway to Carlsbad needs a welcoming park with beach access and supporting facilities. Though less extensive than Village beach areas, good design would merge a Ponto park with access to beach and access to the 'memorial area on the bluff at city border with the ecology of the Batiquitos Lagoon adjacent to make a marvelous creek to beach environment accessible for all and ever.
- 48. There are two miles of unobstructed beach plus the lagoon within "walking distance" of the neighborhoods near Ponto. The project was approved long ago and is part of the Master Plan approved by the citizens of Carlsbad. Zoning changes and project vote downs are often just another way to steal private property.
- 49. Local park deficits continue to be a problem. Let's please support Ponto Park development. We as a city are losing an unobstructed landmark in our community. Please share some of that with local residents. And, did I mention parking??
- 50. The extreme southwestern (Ponto) area of Carlsbad does not have a park within walking distance -this is my top priority to fix.

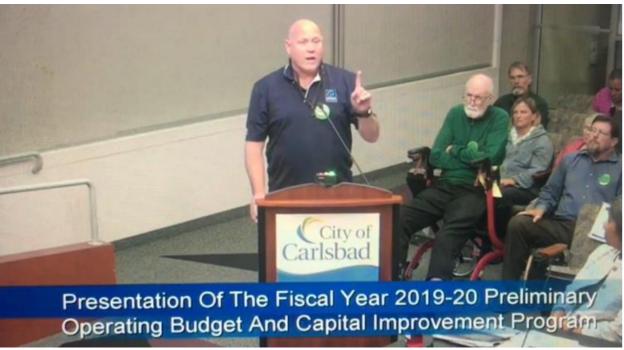
- 51. We have wonderful neighborhood parks, but not in Ponto and it's on the beach; Veteran's Park is more of a hiker/nature lover's place to enjoy nature.
- 52. We need a park at Ponto to serve not only residents, but visitors and tourists.
- 53. A park is much needed in SW Quadrant of the city
- 54. Ponto Park. So much has been done for businesses, tourism, etc. This is the last bit of Carlsbad coast line left. And the residents could use more park space in the south part of the City. I don't want to see this area developed. Carlsbad has become overdeveloped.
- 55. I want to see a park for the Ponto road area. I feel that that area should not be used for condo residential development. It is so important to showcase that wonderful piece of property, which is so rare to find all up the coast of calif. and would be a welcomed park for all as you drive north into Carlsbad. ALSO I am very concerned that the Palomar Airport and the larger airplanes the new plan will bring and ask that the city stay involved to support our concerns, thank you for help I appreciate all off the councils work.
- 56. Ponto area open space and park development
- 57. Take control of our coastline, bring fire rings to Ponto beach, every family should have the experience of gathering around a roaring fire on evening.
- 58. Cancel the Ponto development tragedy. Build a free park and keep the free beach parking there.
- 59. Buy the land for open space on Ponto Drive and build a park in Zone 9 that has no park even though developers paid into the park fees for 20 + years.
- 60. support Ponto development
- 61. Now that we have removed the jetty and allowed Warm Waters to wash away, and now we are planning to build on Ponto, where will locals access the beach? If 50% of responders stated the beach is the best part of Carlsbad living, why are continually squandering this gift? I know the council would live to sell Agua Hedionda to a developer too. When will there be decisions made to maintain our quality of life? Furthermore, I selected transportation because my commute time has DOUBLED in the past 5 years. The 55mph speed limit on El Camino is a joke. It takes me 2 light cycles just to cross each intersection now due to this unmitigated growth with no regard for how people will get around. I'm continually dismayed by this city.
- 62. Preserve the open space at Ponto. Keep traffic under control.
- 63. Preserve open space in zone 9
- 64. Money for persevering open space in zone 9 and building parks in the SW quadrant!
- 65. More parks and open space in Southwest Carlsbad!
- 66. Why another proposed hotel at Ponto? There are an abundance of hotels & stores already available ---even more than necessary. Preserving nature & some green space is more important than more concrete & businesses with "lease available" signs everywhere!
- 67. Prop to aid Ponto to keep it natural, as park area & natural habitat.
- 68. Put budget money towards Parks and Recreation, specifically Preserving Open Space in Zone 9 and Building #PontoPark in the SW Quadrant (p 84)
- 69. Please put budget money towards Parks and Recreation, specifically Preserving Open Space in Zone 9 and Building #PontoPark in the SW Quadrant (p 85)
- 70. need a park in the southwest Carlsbad post development
- 71. Parks in southwest Carlsbad!
- 72. Zone 9's lack of park and open space is sad. The SW quadrant needs more places to take kids to play, seniors to walk and get outside, and for the community to gather. A park at Ponto would be an ideal place for that and would make for a beautiful and welcoming entry into Carlsbad for locals and tourists.
- 73. We need a park site near Ponto Beach on the property now slated for a 5 star hotel which has not been built despite attempts by several developers over the last ten plus years.

- 74. Please spend more on Parks and Recreation. We need to Preserve Open Space in Zone 9 and Build Ponto Park in the SW Quadrant. We do not need more homes congesting the already packed Coast Hwy. Adding sand to Ponto Beach would be nice too -too rocky!
- 75. I'm asking the City to put budget money towards Parks and Recreation, specifically Preserving Open Space in Zone 9 and Building #PontoPark in the SW Quadrant -this will enhance the quality of life in Carlsbad, contribute to the highest and best use, meet the requirement to have a park in this area, and make the area so desirable that it will allow raising of local tax rates (I don't believe I'm saying this). Best Regards, David Johnson
- 76. Put some park and playgrounds in SW Carlsbad. There are none near Ponto, yet there are open spaces, near Avenida Encinas and 101. Nothing to walk to. Thank you
- 77. We could really use a park in southwest Carlsbad especially the San Pacifico area. Thank you
- 78. Work toward filling the deficit in parks and open space in the Southwest part of Carlsbad, especially Ponto.
- 79. Would truly love the Ponto Beach Park! As a resident of South Carlsbad we need this!!!
- 80. There are no Parks in South Carlsbad. We are neglected here yet I pay very high taxes.
- 81. Build a Park at Ponto! Keep the open space!
- 82. I would like to see the city buy the Ponto property and develop it into a park.
- 83. Build a park at ponto
- 84. Appropriate development of open space and park space in the Ponto region. We are currently at huge deficit of both of these in the Ponto region
- 85. We are very quickly running out of open space. This is probably one of the most beautiful areas in the country, we need to preserve that beauty and maintain some open space. The open land near South Ponto beach must be preserved. There are no parks in the area, developing that area would not only add to the pollution but it would sacrifice one of the most beautiful parts of Carlsbad. Towns and Cities across the country are prioritizing open space that is so important, it is time we did that in Carlsbad. We need open space near Ponto Beach.









From: <u>Lance Schulte</u>
To: <u>Melanie Saucier</u>

Cc: Cort Hitchens; Erin Prahler; Gabriel Buhr; kaily@surfridersd.org; Council Internet Email; Mike Sebahar; jodi marie

jones; hrpeacock41@gmail.com; Chas Wick; WILLIAM VAN CLEVE; Jim Nardi; Nika Richardson

Subject: Carlsbad LCPA comments for the public record - FW: 7-19-19 Ponto citizens mtg with City Manager

Attachments: Parks Department Mission vision key goals.pdf

#### Melanie:

I assume you already have the attached included in your official record of LCPA comments. However, we wanted to forward to you, and ask for your official email confirmation that the above will be part of the City's official record of LCPA public comments; and ask how and when these comments will be discussed and addressed by City Staff, Planning Commission, Parks Commission, and City Council. Your email confirmation is greatly appreciated.

Sincerely, Lance Schulte People for Ponto

Carlsbad's LCPA contact: Melanie Saucier Associate Planner 1635 Faraday Avenue Carlsbad, CA 92008 760-602-4605

From: Lance Schulte [mailto:meyers-schulte@sbcglobal.net]

Sent: Tuesday, July 23, 2019 9:52 AM

To: Gary Barberio (Gary.Barberio@carlsbadca.gov); Scott Chadwick (Scott.Chadwick@carlsbadca.gov);

Kyle.Lancaster@carlsbadca.gov

**Cc:** debbie.fountain@carlsbadca.gov; 'Harry Peacock'; 'Stacy King'; Chas Wick (chaswick@reagan.com);

Mike Sebahar (sebbiesixpack@att.net)

Subject: 7-19-19 Ponto citizens mtg with City Manager

#### Gary:

You mentioned at our meeting, that Scott did not attend, that City Staff is constraining the Parks Master Plan Update to not consider the 2017-present citizen input on the Coastal South Carlsbad Park Gap; be constrained by existing City Council policy, and only look to update things like if/where we need more pickle ball courts. We asked if the Update would look at updating things like the lack of safely accessible [walking/biking distance] parks for children and elderly in Coastal South Carlsbad and the lack of a Coastal Park for all of South Carlsbad. Constricting the Update to not address these major Parks Master Plan issues does not seem right, and does not address the Coastal South Carlsbad Park gap and Service Area issues that area discussed/documented in the Parks Master Plan [pp 87-88] and the focus of much citizen concern. Unduly constraining the Parks Master Plan Update as you outlined also seems inconsistent with existing City Council policy statements in the City Council adopted Parks & Recreation Vision, Mission and Key Goals; such as:

strengthening community connectivity and exceptional customer service

- promote community health and wellness
- building a culture that embraces change and continuous improvement.
- Meet the underserved needs of the community
- Build an entrepreneurial focus that supplements city contribution
- staff to deliver world class offerings and exceptional customer service
- Provide opportunities that promote health and wellness and active lifestyles
- Develop a departmental culture that embraces change and promotes continuous improvement

The above Parks Vision, Mission and Key Goals; seem consistent with discussing the South Coastal Park gap, Planning Area F LCP requirements for the City to consider a 'Public Park' at Ponto, and the significant customer requests provided to the City. We could not understand the logic of how the City can update a "Parks Master Plan" without looking at major Parks issues like the South Carlsbad Coastal Park service area and facilities gap seems inappropriate. Can we talk about this? Is this something Staff and/or citizens should take to the City Council?

Again, as we stated at our meeting, our citizens sincerely care about Carlsbad and Carlsbad's future generations.

Thanks, Lance From: **Lance Schulte** To: Melanie Saucier

Cc: Cort Hitchens; Erin Prahler; Gabriel Buhr; kaily@surfridersd.org; Council Internet Email; Mike Sebahar; jodi marie

jones; hrpeacock41@gmail.com; Chas Wick; WILLIAM VAN CLEVE; Jim Nardi; Nika Richardson

Subject: Carlsbad LCPA comments for the public record - Surfrider Supports a Ponto Coastal Park

Attachments: Surfrider Supports Ponto Park.pdf

#### Melanie:

I assume you already have the attached included in your official record of LCPA comments. However, we wanted to forward to you, and ask for your official email confirmation that the above will be part of the City's official record of LCPA public comments; and ask how and when these comments will be discussed and addressed by City Staff, Planning Commission, Parks Commission, and City Council. Your email confirmation is greatly appreciated.

Sincerely, Lance Schulte People for Ponto

Carlsbad's LCPA contact: Melanie Saucier Associate Planner 1635 Faraday Avenue Carlsbad, CA 92008 760-602-4605

From: Kaily Wakefield [mailto:kaily@surfridersd.org]

Sent: Tuesday, August 6, 2019 1:22 PM

**To:** council@carlsbadca.gov

**Cc:** Scott.Chadwick@carlsbadca.gov; ebbie.Fountain@carlsbadca.gov; Don.Neu@carlsbadca.gov; megan.cooper@scc.ca.gov; gabriel.penaflor@wildlife.ca.gov; Kyle.Lancaster@carlsbadca.gov; Katie.Sadd@asm.ca.gov; Greer, Keith; hasan.ikhrata@sandaq.org; tim.dillingham@wildlife.ca.gov; sam.schuchat@scc.ca.gov; gbuhr@coastal.ca.gov; Andrew.Willis@coastal.ca.gov; clerk@sandag.org; lisa.urbach@parks.ca.gov; John.Donnelly@wildlife.ca.gov; Jim.Desmond@sdcounty.ca.gov; deborah.ruddock@scc.ca.gov; cort.hitchens@coastal.ca.gov; Erin.Prahler@coastal.ca.gov

**Subject:** Surfrider Supports a Ponto Coastal Park

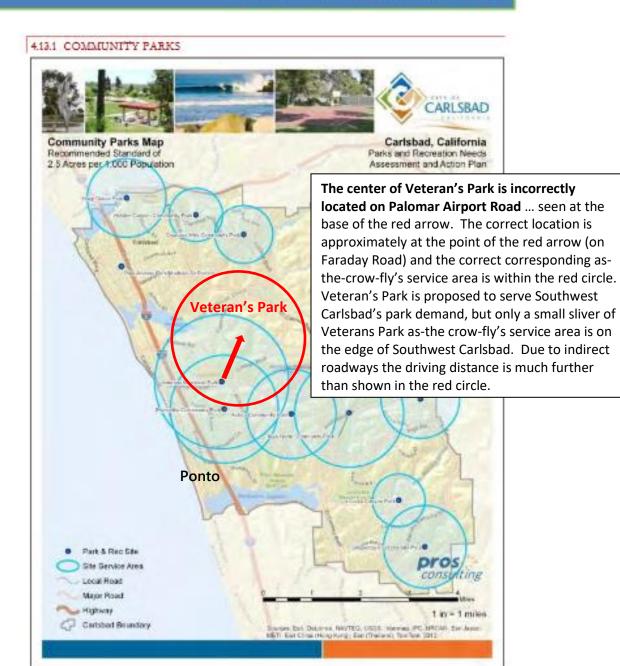
#### Hello,

Please be advised that the Surfrider Foundation San Diego County chapter supports the creation of a Ponto Coastal Park. Surfrider submitted the attached letter to the Carlsbad City Council on May 15, 2019. Those cc'd on this email have been included at the foot of the attached copy. Thank you for your consideration of this important matter.

Sincerely, Kaily Wakefield

Kaily Wakefield Surfrider Foundation I San Diego County Policy Coordinator (858) 812-8392 | kaily@surfridersd.org

#### Parks & Recreation Department Moster Plan | FINAL Report







#### 4.13.2 SPECIAL USE AREAS



## How Ponto Serves Region



- A Ponto Coastal Park fills a critical 6 mile gap of coastline without a Coastal Park - 8.6% of SD County coastline
- A Ponto Coastal Park Serves over 26,000 homes & 64,000 citizens just in South Carlsbad without a Coastal Park
- Serves many more people outside Carlsbad



#### **Economics Research Associates**

CARLSBAD BOULEVARD REALIGNMENT STUDY PHASE II: PRELIMINARY FINANCIAL ANALYSIS

Submitted to: The City of Carlsbad

Prepared by: Economics Research Associates URS Corporation Wallace, Roberts & Todd

October 4, 2001 ERA Project No. 14158

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# GENERAL LIMITING CONDITIONS Every reasonable effort has been made to ensure that the data contained in this study reflect the most accurate and timely information possible, and they are believed to be reliable. This study is based on estimates, assumptions and other information reviewed and evaluated by Economics Research Associates from its consultations with the client and the client's representatives and within its general knowledge of the industry. No responsibility is assumed for inaccuracies in reporting by the client, the client's agent and representatives or any other data source used in preparing or presenting this study. This report is based on information that was current as of October 2001 or as noted in the report, and Economics Research Associates has not undertaken any update of its research effort since such date. No warranty or representation is made by Economics Research Associates that any of the projected values or results contained in this study will actually be achieved. Possession of this study does not carry with it the right of publication thereof or to use the name of "Economics Research Associates" in any manner without first obtaining the prior written consent of Economics Research Associates. No abstracting, excerpting or summarization of this study may be made without first obtaining the prior written consent of Economics Research Associates. This report is not to be used in conjunction with any public or private offering of securities or other similar purpose where it may be relied upon to any degree by any person other than the client without first obtaining the prior written consent of Economics Research Associates. This study may not be used for purposes other than that for which it is prepared or for which prior written consent has first been obtained from Economics Research Associates.

This study is qualified in its entirety by, and should be considered in light of, these limitations, conditions

and considerations.



#### I. INTRODUCTION

The Carlsbad Boulevard Realignment Study is an analysis of alternative scenarios for realigning Carlsbad Boulevard away from the coast bluff edge and, in the process, creating opportunities for commercial, recreation, and open space uses. One of the study's objectives is to explore ways to generate revenue from useable public land created, including potential land sale or lease opportunities, and using this revenue to help offset the cost of realigning the road.

This Phase II report is a preliminary evaluation of each scenario's financial implications. The Phase I report, presented in April 1999, evaluated the market context in which development may take place. Some of the key rent and market assumptions presented in this report are based on the 1999 research, adjusted for inflation. A market analysis update has not taken place since 1999. The values presented here are preliminary estimates for planning purposes only, and should not be interpreted as valuations or appraisals since they are based on conceptual development programs, gross preliminary development cost factors, and two-year old market research. Valuations or appraisals will require greater due diligence regarding current market conditions, more specific development and site planning programs, and more detailed cost estimates.



#### II. DEVELOPMENT SCENARIOS

URS Corporation and the City of Carlsbad have identified four alternative land use scenarios for a realigned Carlsbad Boulevard. The proposed realignment creates 4-6 new surplus land areas resulting 5-7 potential parcels (see the Carlsbad Boulevard Realignment Study – Phase I and Phase II for more details regarding these alignments and surplus land areas). The consultant team prepared hypothetical development programs for each alternative. These hypothetical development programs are not recommendations; rather, they were devised to test the potential financial impact of the following alternative approaches towards reuse of the surplus land that is created with the road realignment. They were also designed to serve as a starting point for discussion of preferred uses and to allow the decision-makers to select and combine the elements from each alternative that they find most desirable. Finally, these scenarios serve as starting points for discussions with State Parks, which is critical for the pivotal Manzano parcel.

- Alternative 1 tests the financial impacts of a parks and open space scheme. It assumes that no major commercial development occurs and that the surplus parcels are used for parking, community facilities, parks, open space, and camping (concessionaire), as shown in Table 1.
- Alternative 2 tests the financial impacts of a predominately parks and open space scheme, with limited commercial development. It assumes that a time-share and executive meeting hotel is built on a small portion of Surplus Area 1, and that the rest of Surplus Area 1 and all of the other parcels are used for parking, community facilities, parks, or open space, as shown in Table 2.
- Alternative 3, as shown in Table 3, tests the financial impacts of a significant commercial development scheme. It assumes significant commercial development on almost half of Surplus Areas 1 (specialty retail, restaurants, and office) and 3 (hotel), and all of Surplus Areas 2 (time-share), 6A (time-share), and 6B (office), as shown in Table 3. More than half of Surplus Area 1 is used as park space and more than half of Surplus Area 3 remains open space. Parcels 4 and 5 provide parking and open space.
- Alternative 4 tests the financial impacts of a significant commercial development scheme for a majority of Surplus Area 1 (specialty retail, restaurants, time-share, and executive meeting hotel), with a neighborhood park on the remaining portion of Surplus Area 1, as shown in Table 4. Parcels 2, 3, and 6A remain open space, and 4, 5, and 6B contain public parking and open space.

Table 1: DEVELOPMENT PROGRAM SCENARIOS - Alternative 1 - Parks and Open Space

		Surplus Area:						
	Units	1	2	3	4	5	6A	6B
Acreage		20.8	5.1	10.1	· 13.7	2.3	0.5	2.0
Developable Commercial		-	-	-	<del>-</del>	-	-	-
Campground		-	-	-	2.8	-	-	-
Public parking		1.0	0.6	-	1.5	0.9	-	0.6
Community facility		0.8	0.1	-	0.1	•	-	
Active parks		4.0	-	-	-	-	•	-
Open space		15.0	4.4	10.1	9.3	1.4	0.5	1.4
Commercial Uses								
Commercial-Retail	s.f	-	-	_	_	-	-	-
Commercial-Restaurants	s.f.	-	-	-	-	-	-	_
Office	s.f.	-	-	-	-	-	-	-
Time Share	Rooms	-	-	-	-	-	-	-
Full Service Hotel	Rooms	-	-	-	-	-	<u>-</u>	-
Executive Meeting Hotel	Rooms	-	-	-	-	-	-	-
Campground								
Primitive sites	Sites	=	=	=	45	-	-	_
RV sites	Sites	-	-	-	50	-	-	-
Common facilities		-	-	-	3,000	-	-	-
Public Parking								
Free	Spaces	140	50	-	200	135	-	90
Community Facility								
Visitor Center	s.f.	2,500	-	-	3,000	-	=	_
Restrooms	Number	1	1	-	-	1	-	-
Active Park Facilities								
Active Parks	acres	4.0	-	-	<del>-</del> .	-		-
Open Space Facilities								
Open Space	acres	15.0	4.4	10.1	9.3	1.4	0.5	1.4

Source: URS; Wallace, Roberts & Todd; and Economics Research Associates

Table 2: DEVELOPMENT PROGRAM SCENARIOS - Alternative 2

	Su	rplus Area:						
	Units	1	2	3	4	5	6A	6B
Acreage		20.8	5.1	10.1	13.7	2.3	0.5	2.0
Developable Commercial		5.0	-	-	-	-	-	-
Campground		-	-	-	-	-	-	-
Public parking		-	2.6	6.9	3.2	1.2	0.1	0.6
Community facility		-	-	-	0.1	0.4	-	-
Active parks		-	1.6	1.6	-	0.5	-	1.4
Open space		15.8	0.9	1.6	10.4	0.2	0.4	-
Commercial Uses								
Commercial-Retail	s.f	-	-	-	-	-	-	_
Commercial-Restaurants	s.f.	-	-	-	-	-	-	_
Office	s.f.	-	-	-	-	-	-	-
Time Share	Rooms	100	-	-	-	-	-	-
Full Service Hotel	Rooms	_	-	-	-	-	-	-
Executive Meeting Hotel	Rooms	150	-	-	-	-	· -	-
Campground								
Primitive sites	Sites	-	-	-	-	-	-	-
RV sites	Sites	-	-	-	-	-	-	-
Common facilities		-	-	-	<del>-</del>	-	-	-
Public Parking								
Free	Spaces	-	150	870	520	176	10	90
Community Facility								
Visitor Center	s.f.	-	-	-	-	19,600	-	-
Restrooms	Number	-	1	3	2	1	-	-
Active Park Facilities								
Active Parks	acres	-	1.6	1.6	-	0.5	-	1.4
Open Space Facilities								
Open Space	acres	15.8	0.9	1.6	10.4	0.2	0.4	-

Source: URS; Wallace, Roberts & Todd; and Economics Research Associates

Table 3: DEVELOPMENT PROGRAM SCENARIOS - Alternative 3

		Surplus Area:						
	Units	1	2	3	4	5	6A	6B
Acreage*		20.8	5.1	10.1	_	-	0.5	2.0
Developable Commercial	******	10.0	5.1	4.3			0.5	2.0
Campground		-	-	-	-	-	•	-
Public parking			-	-	-	-	-	
Community facility			-	_	-		•	-
Active parks		10.8	-	-	-	-	-	-
Open space		-		5.8		_		
Commercial Uses								
Commercial-Retail	s.f	40,000	-	-	-	_	~	-
Commercial-Restaurants	s.f.	40,000	-	-	-	-	~	-
Office	s.f.	80,000	-	-	-	-	-	15,000
Time Share	Rooms	-	150	-	_	-	30	-
Full Service Hotel	Rooms	~	-	300	_	-	~	_
Executive Meeting Hotel	Rooms	~	-	-	-	-	•	-
Campground								
Primitive sites	Sites	_	-	_		-	_	_
RV sites	Sites	-	-	-	_	-	~	_
Common facilities	•	•	-	-	_	-	-	_
Public Parking								
Free	Spaces	-	-	-	-	-	~	-
Community Facility								
Visitor Center	s.f.	-	-	-	-	-	~	-
Restrooms	Number	-	-	-	-	-	-	-
Active Park Facilities								
Active Parks	acres	10.8	-	-	-	-	~	-
Open Space Facilities								
Open Space	acres	-	-	5.8	-	-	~	-

<sup>\*</sup>Acreages may not equal total due to rounding Source: URS; Wallace, Roberts & Todd; and Economics Research Associates

Table 4: DEVELOPMENT PROGRAM SCENARIOS - Alternative 4

		Surplus Area:						
	Units	1	2	3	4	5	6A	6B
Acreage*		20.8	_	-	_	<del>-</del>	-	_
Developable Commercial	<del></del>	15.0	-	-	-	-	-	-
Campground		_	-	-		-	-	-
Public parking			-	-			-	
Community facility			<del>-</del>	-		_	-	-
Active parks		5.8	-	-		-	<del>-</del>	_
Open space								
Commercial Uses								
Commercial-Retail	s.f	45,000	=	-	-	-	-	_
Commercial-Restaurants	s.f.	45,000	-	-	-	-	-	-
Office	s.f.	•	_	-	-	-	-	-
Time Share	Rooms	150	<del>-</del>	_	-	-	-	_
Full Service Hotel	Rooms	<u>-</u>	-	_	_	-	-	_
Executive Meeting Hotel	Rooms	150	-	-	-	-	-	-
Campground								
Primitive sites	Sites	_	-	_	_	_	_	_
RV sites	Sites	_	_	_	_	_	_	_
Common facilities	3.100	-	-	-	-	-	-	-
Public Parking								
Free	Spaces	-	-	-	-	-	-	-
Community Facility								
Visitor Center	s.f.	_	-	-	-	_	_	_
Restrooms	Number	-	-	-	-	-	-	-
Active Park Facilities								
Active Parks	acres	5.8	-	-	-	=	-	-
Open Space Facilities								
Open Space	acres	-	-	-	-	-	-	_

<sup>\*</sup>Acreages may not equal total due to rounding Source: URS; Wallace, Roberts & Todd; and Economics Research Associates



## III. LAND AND FISCAL VALUE ESTIMATES

ERA estimated the approximate residual land value and the capitalized value of the estimated fiscal revenue
associated with each of the alternative alignments and development scenarios. The estimates are very
preliminary since they are based on hypothetical development programs without architectural designs, rent
assumptions based on 1999 research (updated to 2001 values), preliminary site capacity and site planning
analysis, and gross development cost estimates for buildings and site development. The detailed analyses for
each alternative are presented in Appendix A. These estimates, which are not appraisals, will need to be revised
as development programs become more specific, and they do not form the basis for a financial offering, bond, or
prospectus without additional planning, engineering, cost estimating, and due diligence.
The residual land value estimates translate into the potential revenue generated from commercial land sales, or

The residual land value estimates translate into the potential revenue generated from commercial land sales, or the capitalized values of leases, of surplus land areas created by the road realignment. These estimates are preliminary approximations of what a developer might be willing to pay for the land in order to obtain a reasonable rate of return on total capital (debt and equity capital). In order to be conservative, no real appreciation was assumed; in other words, rents only rise with inflation. Some developers may speculate that rents will rise faster than inflation, which would result in higher values than estimated in this report. The fiscal revenue translates into the capitalized value of the potential fiscal resources to the City and Redevelopment Agency that could help finance some of the Carlsbad Boulevard realignment costs.

The total revenue from commercial land sales (or leases) and the capitalized value of fiscal revenue was compared to URS Corporation's preliminary estimate of road realignment costs (\$18.8 million), and Wallace, Roberts, and Todd's preliminary estimates of possible public parking, parks, open space, and community facility costs (\$8.5-12.1 million). While road realignment costs are required to produce the surplus parcels, costs to develop the open space are flexible. The estimates provided assume maximum improvements to the open space.

As shown in Table 5, Alternative 1, the least commercial scenario, generates very limited revenue, only \$1.1 million in commercial land value, and over \$0.2 million in the capitalized value of fiscal revenue, for a total of almost \$1.3 million. Other sources would have to fund over \$17.5 million in road construction costs, and \$9.0 million in public facility, parks, and open space costs, or the amount of improvements would have to be reduced.

Table 5: PRELIMINARY REVENUE/COST COMPARISON (Year 2001 Dollars)

	Alt	ernatives			
		1	 2	3	4
Revenues From Commercial Land Sales	\$	1,131,000	\$ 9,219,000	\$ 28,155,000	\$ 19,465,000
Capitalized Value of Fiscal Revenues to City & RDA	_\$	217,000	\$ 10,849,000	\$ 24,743,000	\$ 16,429,000
Total Potential Revenues	\$	1,348,000	\$ 20,068,000	\$ 52,898,000	\$ 35,894,000
Less: Road Construction Costs	\$	18,800,000	\$ 18,800,000	\$ 18,800,000	\$ 18,800,000
Net Revenues < Deficit> After Road Construction Costs	\$	(17,452,000)	\$ 1,268,000	\$ 34,098,000	\$ 17,094,000
Less: Public Parking, Parks, Open Space, and Facilities	_\$_	8,999,580	\$ 12,062,589	\$ 8,496,734	\$ 9,358,925
Net Revenues < Deficit> After Public Costs	\$	(26,451,580)	\$ (10,794,589)	\$ 25,601,266	\$ 7,735,075

Source: Economics Research Associates; URS; Wallace, Roberts & Todd



Alternative 2 generates over \$9.2 million in commercial land value, and \$10.8 million in fiscal revenue, for a total of \$20.1 million. This amount is enough to cover the \$18.8 million in road realignment costs, but not enough to cover the estimated \$12.1 million in potential public facility, parks, and open space costs. Other sources would have to fund approximately \$10.8 million in public facility, parks, and open space costs, or the amount or type of improvements would have to be reduced.

Alternative 3, the most commercial scenario, generates an estimated \$28.2 million in revenues from commercial land value, and \$24.7 million in capitalized fiscal revenue, for a total of \$52.9 million. This amount is substantially more than enough to cover the \$18.8 million in road realignment costs, and \$8.5 million in public facility, parks, and open space costs.

Alternative 4 generates an estimated \$19.5 million in commercial land value, and \$16.4 million in capitalized fiscal revenue, for a total of \$35.9 million, which is more than enough to cover the \$18.8 million in road realignment costs, and \$9.4 million in public facility, parks, and open space costs.

## **QUALIFICATIONS**

While it appears that alternatives 3 and 4 generate enough revenue to cover development costs, the findings at this preliminary planning stage of analysis are qualified, as follows:

- The cost estimates are based on gross cost factors and need to be refined as project design becomes more specific.
- The cost estimates do not include any extraordinary off-site costs, such as for environmental or traffic mitigation.
- Some of the parcels identified for potential development, particularly those west of the alignment, may be vulnerable to long term erosion problems; therefore, their stability needs to be verified.



- A significant share of value and fiscal revenue in scenarios 2, 3, and 4 is attributable to hotels, which in 1999 demonstrated only average performance, especially among moderately priced hotels.
   Also, a new hotel has been developed since 1999. While the parcels identified for potential hotel development are competitive because of the views they offer, hotel development and financing are relatively risky.
- WRT has determined that the hypothetical development programs can fit on the parcels, and URS
  Corporation has initially determined that the circulation system can accommodate the development.
  However, there could be difficult site planning issues with some of the parcels that would limit their
  development potential to less than what is assumed in this analysis.
- The development cost estimates for the commercial development scenarios, for the most part, do not assume structured parking. If structured parking is required, development costs could be greater which would diminish residual land values unless higher rents are achievable.
- Most of the value is generated on Surplus Area 1, which is owned by the State of California. The City or Redevelopment Agency would not realize the value of Surplus Area 1 unless the State trades the parcel to the City or Agency for other considerations. Therefore, the City or Agency may not be able to apply proceeds from the value of Surplus Area 1 to road realignment and public facility costs. Nevertheless, under Alternative 3, the capitalized value of the fiscal revenue alone might be sufficient to cover road construction costs and a portion of public facility costs. The capitalized value of fiscal revenue under Alternative 4 comes close to covering road construction costs, but is not sufficient to cover other public facility costs.
- Competitive market conditions could change which would affect the market potential of the
  development programs assumed in the scenarios analyzed in this report. The estimated values are
  based on the hypothetical development programs for each parcel. If development programs change,
  the values will change.



# IV. OTHER POTENTIAL SOURCES FOR FUNDING REALIGNMENT COSTS

The U.S. Department of Transportation (DOT) and State of California Transportation Department (CalTrans) are the traditional sources of funds for capital improvements to highways. For example, the Federal government offers approximately 70 different transportation-funding programs. The majority of these funds are made available for disbursement to regional entities such as SANDAG, while a small portion is made available directly to municipalities.

## FUNDS AVAILABLE DIRECTLY TO MUNICIPALITIES

The CalTrans Local Assistance Program (LAP) is responsible for helping municipalities located in CalTrans District 11 identify which Federal and State funding programs for which they are eligible and guiding them through the application process. Each program is specifically tailored for a given need, and has very strict eligibility requirements. One such specialized program funds "Intelligent Transportation Systems". Funds are available to projects that integrate new technology (computer-related) with the road/highway project to improve traffic flow. Because this program is new, eligibility requirements are not yet well defined.

There is no program specifically for road or highway realignment. Moreover, it is estimated that for every 10 applicants to each of the programs above, only the most urgent project is funded, leaving 90 percent of the applications unsuccessful. Given the level of competition for funds, if the City of Carlsbad finds that portions of the road may fall into one or more of the eligible categories, the application should present as compelling a case as possible. In any case, once a specific construction plan has been determined, a representative from the City of Carlsbad should meet with a representative from the Local Assistance Program to discuss the program in detail and determine whether or not portions of the project are eligible for Federal or State aid.

Finally, another option is direct funding from special state legislative action.

#### REGIONAL FUNDS

The San Diego Association of Governments (SANDAG) administers the apportionment of funds from the larger, more general State and Federal transportation funding programs. The most likely source of funding for a project such as the realignment of Carlsbad Boulevard is the Regional Arterial Projects section of the Surface Transportation Projects.



For a project to receive an apportionment from SANDAG, it must be included in the Regional Transportation Improvement Plan (RTIP). The City of Carlsbad is an active participant on the CTEC committee, the body that periodically updates the RTIP. However, it is important to note that the current RTIP (2000-2004) provides only \$153 million towards projects estimated to cost nearly \$392 million. Also, the current RTIP specifically states that "local governments will obtain private developer financing for those on- and off-site roadway and transit improvement necessary to accommodate the increased travel generated by private development."

The major source of Federal transportation funds administered by SANDAG is the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21). In addition to highway and surface road construction and improvements, TEA-21 is a source of funds for driver safety initiatives, transit programs, rail projects, and transportation research. TEA-21 was established in 1998 and funded through 2003, thus funding levels beyond that time are unknown. The Surface Transportation Program (STP) is the section of TEA-21 relevant to the realignment of Carlsbad Boulevard. One STP program, Transportation Enhancement Activities Program, funds highway enhancement activities over and above mitigation, standard landscaping and other permit requirements for a normal transportation project. Project eligibility categories under the Transportation Enhancement Program which may be applicable to the realignment of Carlsbad Boulevard are: 1) Scenic or historic highway programs; 2) Landscaping and other scenic beautification; 3) Environmental mitigation to address water pollution due to highway runoff.

Currently, all TEA-21 funds, including STP, have been assigned to projects (detailed in SANDAG's 2000 Regional Transportation Improvement Plan); however, SANDAG continues to pursue additional discretionary funding available through TEA-21 on an annual basis.

In 1987, San Diego voters passed Proposition A, which authorized a one-half percent sales tax increase dedicated for transportation improvements. The first \$1 million in annual TransNet revenue is set aside for bicycle-related projects and the remainder is divided equally between highway, public transit and local street and road projects. Highway projects are approved for funding by SANDAG, CalTrans, the San Diego Metropolitan Transit Development Board, and the North San Diego County Transit Development Board. Local street and road projects are approved for funding by the city councils of the 18 cities and the County Board of Supervisors. The Carlsbad Boulevard Realignment project is a potential candidate project. TransNet funds have been programmed through 2004, and the measure will expire in 2008.



#### **LOCAL SOURCES**

Local sources include developer financed road improvements, transportation impact fees, tax increment financing in redevelopment project areas, infrastructure financing districts, assessment districts, Community Facilities Districts, General Obligation Bonds, and the General Fund.

To the extent that the realignment also increases road capacity that is required to mitigate the impacts of new development, developer financed road improvements or impact fees may apply. If the road realignment simply moves the road without enhancing capacity for future local developments, however, the nexus may not be strong enough for developer funding or impact fees to apply. Alternatively, the City may negotiate voluntary contributions to road realignment costs through development agreements on larger land development projects in the vicinity of Carlsbad Boulevard that require City discretionary approval.

Since the proposed Carlsbad Boulevard Realignment project is within a newly adopted redevelopment project area, the City's Redevelopment Agency may use tax increment to finance some of the realignment costs. Tax increment financing does not result in higher tax rates; rather, the incremental gain in property tax revenues is directed toward certain improvements within a redevelopment project area. To the extent that the realignment creates parcels that are commercially developed, the realignment project will be directly responsible for the tax increment generated by those commercial developments. Because tax increment will not be generated until the parcels are developed with commercial uses, there may be a cash flow financing issue to overcome to fund the realignment costs that will occur in advance of tax increment.

Another type of property tax increment financing is the Infrastructure Financing District (IFD). It also is based on the incremental gain in property taxes rather than an increase in tax rates. The City of Carlsbad was one of the first jurisdictions in California to form an IFD. Unlike tax increment in redevelopment project areas, an IFDs do not have to be located in redevelopment project areas and, therefore, do not have to address blight or meet the "predominately urbanized" test of redevelopment law. The public facility that is financed must serve the community at large. However, unlike a redevelopment project area that can be formed by Council action, an IFD must be approved by two-thirds of the voters if 12 or more registered voters reside in the district. Otherwise, two-thirds of the property owners within the district must vote to approve the district. The affected taxing agencies must also approve the district and tax increment sharing must be negotiated.



Properties that benefit from the realignment may be assessed for a portion of the cost through a benefit assessment district, such as the *Municipal Improvement Act of 1913*. The assessments may be pledged to support debt service on bonds, issued under the *Improvement Bond Act of 1915*. The formation process must establish the scope of improvements, identify the benefiting parcels, and determine an equitable allocation of costs. Property owners vote for or against formation of an assessment district at a public hearing. Some of the benefiting properties that are owned by the State may not be assessed.

A Community Facilities District, commonly known as a Mello-Roos district, is a special tax that can be based on a formula that has a less strict benefit allocation. However, a Community Facilities District requires two-thirds voter approval of voters residing within the district. If there are fewer than twelve registered voters in the district, the qualified electors are defined as owners of land within the district, with each owner allowed one vote per acre.

General Obligation Bonds, backed by the full faith and credit of the City, are the most secure and lowest cost form of debt financing. However, it would require two-thirds voter approval among Carlsbad's electorate, which may be difficult for the Carlsbad Boulevard Realignment project unless it is perceived as a project that has citywide benefits.

Finally, the General Fund may be used to fund a portion of road improvements through the Capital Improvement Plan, either as direct allocations, or as annual lease payments on Certificates of Participation. Fiscal revenue from development on surplus parcels could help augment the General Fund, especially if a hotel or specialty retail is developed, to enable the City to use General Fund monies for some of the road realignment and other public facility costs.

#### **CONCLUSION**

Both the SANDAG representative and the CalTrans Local Assistance Program representative noted that most road or highway realignments are done to facilitate development. Policymakers are aware of this and generally design funding programs in a way that encourages the private sector to pay for as much of the project costs as possible. Programs are also designed to encourage municipalities to utilize funds from their share of the gas tax, TransNet, and even the General Fund and Community Development Block Grants before turning to State and Federal funds. Finally, due to the limited funds available, all funding sources give priority to projects of a regional significance over those of local importance.

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OTHER POTENTIAL SOURCES FOR FUNDING REALIGNMENT COSTS



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Table 1.A.1

CARLSBAD BOULEVARD REALIGNMENT - Alternative 1, Land Use Scenario A
PROFORMA CASH FLOW - PRELIMINARY RESIDUAL LAND VALUE
(BEFORE TAXES & FINANCING)

		Yr. 2001	2003 ear 1	200 Year		2005 Year 3	,	2006 Year 4		2007 Year 5	,	2008 Year 6	200 Yea		2010 Year_8	 2011 ear 9	201: Year 1		2013 Year 11	 2014 ear 12	201 Year		201 Year		2017 Year 15
Inflation Factor	3%_	Value	1.06	1.0		1.13		1.16		1.19		1.23	_	27	1.30	1.34	1.3		1.43	 1.47	1.5		1.5		1.60
SOURCES AND USES OF FUNDS Net Sources of Funds By Land Use																									
RV - Concessionaire Sub-total			\$ -	(0.7 \$ (0.7	,	(0.82) (0.82)		0.37 0.37	\$	0.38 0.38	\$	0.42 0.42	0.4 \$ 0.4		0.44 \$ 0.44	0.46 0.46	0.4 \$ 0.4		0.49 6 0.49	0.50 0.50	0.5 0.5	_	0.5		5.40 5.40
Net Cash Flow After Developer Costs			\$ - [	\$ (0.	8) \$	(0.8)	\$	0.4	\$	0.4	\$	0.4	\$ 0	0.4	5 0.4	\$ 0.5	\$ 0.	5 5	0.5	\$ 0.5	<u> 0</u>	.5 5	s 0	.5 \$	5.4
Net Present Value After Developer Co	sts								_																
Net Present Value @	, and the second	14.0%	\$ \$1.20 r	nillion,	Yr. 2	003 doll	lars		J																

Table 1.A.2
CARLSBAD BOULEVARD REALIGNMENT - Alternative 1, Land Use Scenario A
FISCAL REVENUES

			2003		2004	:	2005	2	2006		2007		2008		2009		2010		2011		2012		2013		2014		2015		2016	20	017
		_	Year		Year 2		ear 3		ear 4		Year 5		Year 6		Year 7		ear 8		<u>ear 9</u>	<u> </u>	ear 10	<u> </u>	ear_11	<u> Y</u>	ear 12	Y	<u>ear 13</u>	<u>Y</u>	ear 14	Yea	_
Inflation Factor	3%	L_	1.06		1.09		1.13		1.16		1.19		1.23		1.27		1.30		1.34	—	1.38		1.43		1.47		1.51		1.56	1	.60
PROPERTY TAXES													I	Expr	essed I	n Mi	llions	of U	S Dol	lars											
Land Uses																															
RV		\$	-	\$	-	\$	-	\$	-	\$	0.03	\$	0.03	\$	0.03	\$	0.04	\$	0.04	\$	0.04	\$	0.04	\$	0.04	\$	0.04	\$	0.04	\$ 0	.04
City's Share	4.75% of Property Taxes	\$	-	\$	_	\$	_	\$	_	\$	0.00	\$	0.00	\$	0.00	\$	0.00	\$	0.00	\$	0.00	\$	0.00	\$	0.00	\$	0.00	\$	0.00	\$ 0	.00
RDA's Non-housing Share	60.00% of Property Taxes	\$	-	\$	-	\$	-	\$	-	\$	0.02	\$	0.02	\$	0.02	\$	0.02	\$	0.02	\$	0.02	\$	0.02	\$	0.02	\$	0.02	\$	0.02	\$ 0	.02
													E	Expr	essed I	n Mi	llions	of U	S Doll	ars											
TRANSIENT OCCUPANCY T	AXES													•																	
Full Service Hotel		\$	-	\$	-	\$	-	\$	-	\$	-	\$	-		-			\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
Transient Occupancy Tax @	10.00% of Room Revenue	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
Gross Fiscal Operating Income	From TOT & TI	s	-	\$	-	\$	-	s	-	\$	0.02	\$	0.02	\$	0.02	\$	0.02	\$	0.02	\$	0.02	\$	0.02	\$	0.02	\$	0.03	\$	0.03	\$ 0	.03
SALES TAX REVENUE																															
Food & Beverage & 50% of Othe	r Hotel Revenues	_\$	-	\$	-	\$	-	\$	0.00	\$	0.00	\$	0.00	\$	0.00	\$	0.00	\$	0.00	\$	0.00	\$	0.00	\$	0.00	\$	0.00	\$	0.00	\$ 0	.00
Total Sales Tax Revenue		\$	-	\$	-	\$	-	\$	0.00	\$	0.00	\$	0.00	\$	0.00	\$	0.00	\$	0.00	\$	0.00	\$	0.00	\$	0.00	\$	0.00	\$	0.00	\$ 0	.00
TOTAL FISCAL REVENUE																															
Property Tax Revenue		\$	-	\$	-	\$	-	\$	-	\$	0.02	\$	0.02	\$	0.02	\$	0.02	\$	0.02	\$	0.02	\$	0.02	\$	0.02	\$	0.03	\$	0.03	\$ 0	.03
Transient Occupancy Tax Revenu	ne	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	•	-	•	-	•	-	-	-	\$	-	\$	-	\$	-	\$	-	\$ .	-
Sales Tax Revenue			_	\$	-	_\$	-		0.00	_\$_		\$	0.00		0.00				0.00		0.00		0.00				0.00		0.00	\$ 0	.00
Total Fiscal Revenue		\$	-	\$	-	\$	-	\$	0.00	\$	0.02	\$	0.03	\$	0.03	\$	0.03	\$	0.03	\$	0.03	\$	0.03	\$	0.03	\$	0.03	\$	0.03	\$ 0	0.03
Sources of Funds																															
FISCAL REVENUE		\$	-	\$	-	\$	-	\$	0.00	\$	0.02	\$	0.03	\$	0.03	\$	0.03	\$	0.03	\$	0.03	\$	0.03	\$	0.03	\$	0.03	\$	0.03	<b>\$</b> 0	.03
Reversion @	7%	_\$		\$	-	\$	-					\$	-		-													\$			.47
Total Sources of Funds		\$	-	\$	-	\$	-	\$	0.00	\$	0.02	\$	0.03	\$	0.03	\$	0.03	\$	0.03	\$	0.03	\$	0.03	\$	0.03	\$	0.03	\$	0.03	\$ 0	.50
NET CASH FLOW		\$		<b>S</b>	<u>.</u>	S	-	S	0.00	\$	0.02	S	0.03	\$	0.03	S	0.03	S	0.03	\$	0.03	S	0.03	\$	0.03	\$	0.03	\$	0.03	\$ 0	.50
Net Present Value @	10%	\$0.23 m	illion '	Yr. 20	003 dol	lars		1																							

Table 1.A.3

CARLSBAD BOULEVARD REALIGNMENT - Alternative 1, Parcel 4, Land Use Scenario A

RV Concessionaire Operating Statement

			2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
	Yr. 2001 V	/alue	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
Assumptions																_	
Inflation Factor		3%	1.06	1.09	1.13	1.16	1.19	1.23	1.27	1.30	1.34	1.38	1.43	1.47	1.51	1.56	1.60
Real Escalation		0%	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Number of RV Spaces		50	0	0	0	50	50	50	50	50	50	50	50	50	50	50	50
Total Potential Number of nights			-	-	-	18,250	18,250	18,250	18,250	18,250	18,250	18,250	18,250	18,250	18,250	18,250	18,250
Average Annual Occupancy Rate			0.0%	0.0%	0.0%	55.0%	60.0%	65.0%	65.0%	65.0%	65.0%	65.0%	65.0%	65.0%	65.0%	65.0%	65.0%
Avg. Daily RV Rate /1	\$	40	42	44	45	46	48	49	51	52	54	55	57	59	61	62	64
Number of Primitive Spaces		45	0	0	0	50	50	50	50	50	50	50	50	50	50	50	50
Total Potential Number of nights			-	-	-	18,250	18,250	18,250	18,250	18,250	18,250	18,250	18,250	18,250	18,250	18,250	18,250
Average Annual Occupancy Rate			0.0%	0.0%	0.0%	50.0%	55.0%	55.0%	55.0%	55.0%	55.0%	55.0%	55.0%	55.0%	55.0%	55.0%	55.0%
Avg. Daily RV Rate /1	\$	20	21	22	23	23	24	25	25	26	27	28	29	29	30	31	32
O					Erman	ed in Milli	one of HS T	) allows					`vnrossod i	n Millions	of HC Dall	020	
Operating Revenues		s		<b>s</b> -	S -		\$ 0.76		\$ 0.86	\$ 0.88	\$ 0.91	\$ 0.93	-				\$ 1.08
Space Rental Revenues	As % of Room	*	-	3 -	3 -	3 0.08	3 0.76	\$ 0.63	\$ 0.80	3 V.88	3 0.91	\$ 0.93	<b>3</b> 0.90	\$ 0.99	\$ 1.02	\$ 1.05	\$ 1.06
F - 1 6 D	As % of Room	20%				0.14	0.15	0.17	0.17	0.18	0.18	0.19	0.19	0.20	0.20	0.21	0.22
Food & Beverage Other Revenues		30%	-	-	-	0.14	0.13	0.17	0.17	0.18	0.18	0.19	0.19	0.20	0.20	0.21	0.22
<del></del>		50% \$		•	<u> </u>	\$ 0.34	\$ 0.38	\$ 0.42	\$ 0.43	\$ 0.44	\$ 0.45	\$ 0.47	\$ 0.48	\$ 0.50	\$ 0.51	\$ 0.53	\$ 0.54
Subtotal (Non-Room Revenues)		50% S	-	<b>3</b> -	3 -	\$ 0.34	3 0.36	3 0.42	\$ 0.43	\$ 0,44	\$ 0.43	\$ 0.47	\$ 0.48	\$ 0.50	\$ 0.51	\$ 0.33	\$ 0.34
Gross Revenues		\$	-	\$ -	\$ -	\$ 1.02	\$ 1.14	\$ 1.25	\$ 1.28	\$ 1.32	\$ 1.36	\$ 1.40	\$ 1.44	\$ 1.49	\$ 1.53	\$ 1.58	\$ 1.63
Departmental Costs & Expenses	As % of Departmen	ntal Reven	ues														
Spaces		25%	-	-	-	0.17	0.19	0.21	0.21	0.22	0.23	0.23	0.24	0.25	0.26	0.26	0.27
Food & Beverage		75%	-	-	-	0.10	0.11	0.12	0.13	0.13	0.14	0.14	0.14	0.15	0.15	0.16	0.16
Other Departments		50%	-	-	<u>-</u>	0.10	0.11	0.12	0.13	0.13	0.14	0.14	0.14	0.15	0.15	0.16	0.16
Total Departmental Expenses (% of Gross Revenues)		37% \$	•	\$ -	\$ -	\$ 0.37	\$ 0.42	\$ 0.46	\$ 0.47	\$ 0.48	\$ 0.50	\$ 0.51	\$ 0.53	\$ 0.55	\$ 0.56	\$ 0.58	\$ 0.60
Gross Operating Revenues		63% \$		\$ -	<b>s</b> -	\$ 0.64	\$ 0.72	\$ 0.79	\$ 0.81	\$ 0.84	\$ 0.86	\$ 0.89	\$ 0.91	\$ 0.94	\$ 0.97	\$ 1.00	\$ 1.03

/1 Rate, after discounts, per occupied room.

Table 1.A.4

CARLSBAD BOULEVARD REALIGNMENT - Alternative 1, Parcel 4, Land Use Scenario A

RV Operating Statement

	Yr. 2001 Value	2001 Year_1	2002 Year		2003 'ear 3		2004 'ear 4		2005 <u>'ear 5</u>		2006 'ear 6	2007 (ear.7	2008 'ear_8	2009 'ear 9	2010 ear 10	Y	2011 ear 11	. <b>Y</b>	2012 ear 12		2013 ear 13		2014 ar 14	2015 ear 15
				Ex	press	ed in	Milli	ons c	f US I	Oolla	rs				E	Expr	essed i	in M	illions	of U	S Doll	ars		
Gross Operating Revenues		-	-		-		-		-		0.79	0.81	0.84	0.86	0.89		0.91		0.94		0.97		1.00	1.03
Undistributed Operating Expenses																								
	As % of Revenue																							
Administrative & General	5.0% \$	-	\$ -	\$	-	\$	0.05	\$	0.06	\$	0.06	\$ 0.06	\$ 0.07	\$ 0.07	\$ 0.07	\$	0.07	\$	0.07	\$	0.08	\$	0.08	\$ 0.08
Management Fee	2.0%	•	-		-		0.02		0.02		0.02	0.03	0.03	0.03	0.03		0.03		0.03		0.03		0.03	0.03
Sales & Marketing	5.0%	-	-		-		0.05		0.06		0.06	0.06	0.07	0.07	0.07		0.07		0.07		0.08		0.08	0.08
Energy Costs	6.0%	-	-		-		0.06		0.07		0.07	0.08	0.08	0.08	0.08		0.09		0.09		0.09		0.09	0.10
Repairs & Maintenance	4.0%	-	-		-		0.04		0.05		0.05	 0.05	 0.05	 0.05	0.06		0.06		0.06		0.06		0.06	0.07
Total	22.0% \$	-	<b>S</b> -	\$	-	\$	0.22	\$	0.25	\$	0.27	\$ 0.28	\$ 0.29	\$ 0.30	\$ 0.31	\$	0.32	\$	0.33	\$	0.34	\$	0.35	\$ 0.36
Gross Operating Profit	41.3% \$	-	\$ -	\$	-	\$	0.42	\$	0.47	\$	0.51	\$ 0.53	\$ 0.55	\$ 0.56	\$ 0.58	\$	0.60	\$	0.61	\$	0.63	\$	0.65	\$ 0.67
Fixed Expenses & Capital Costs																								
Property Taxes (based on 1% of prior year capitalized value)	formula	_	-		_				0.03		0.03	0.03	0.04	0.04	0.04		0.04		0.04		0.04		0.04	0.04
Incentive Fee	2.0%	-	-		-		0.02		0.02		0.02	0.03	0.03	0.03	0.03		0.03		0.03		0.03		0.03	0.03
Insurance	1.0%	-	-		-		10.0		0.01		0.01	0.01	0.01	0.01	0.01		0.01		0.01		0.02		0.02	0.02
Capital Reserve	2.0%	-			-		0.02		0.02		0.02	 0.03	 0.03	0.03	 0.03		0.03		0.03		0.03		0.03	 0.03
Total	5.0%	-			-		0.05		0.09		0.10	0.10	\$ 0.10	\$ 0.10	\$ 0.11	\$	0.11	\$	0.11	\$	0.12	\$	0.12	\$ 0.12
NET OPERATING INCOME (ex. depr., interest & tax)		-					0.37		0.38		0.42	0.43	 0.44	0.46	0.47		0.49		0.50		0.52		0.53	0.55

Table 1.A.5

CARLSBAD BOULEVARD REALIGNMENT - Alternative 1, Parcel 4, Land Use Scenario A (BEFORE TAXES & FINANCING)

RV Operating Statement

			2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
	<u>Yr. 2</u>	001 Value	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
Sources of Funds					Expresse	d in Millio	ns of US D	ollars				E	xpressed i	n Millions	of US Dolla	ars	
Net Operating Income			-	-	-	0.37	0.38	0.42	0.43	\$ 0.44	\$ 0.46	\$ 0.47	\$ 0.49	\$ 0.50	\$ 0.52	\$ 0.53	\$ 0.55
Reversion @		11.0%	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5.00
Less Cost of Sales @		3.0%	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.15
Net Sales Proceeds			-	-	-	-		_	-	\$ -	S	\$ -	\$	\$ -	\$ -	<b>\$</b> -	\$ 4.85
Total Sources of Funds		•	-	-	-	0.37	0.38	0.42	0.43	\$ 0.44	\$ 0.46	\$ 0.47	\$ 0.49	\$ 0.50	\$ 0.52	\$ 0.53	\$ 5.40
Development Costs		_															
Inflation Assumptions			1.06	1.09	1.13	1.16	1.19	1.23	1.27	1.30	1.34	1.38	1.43	1.47	1.51	1.56	1.60
Number of Spaces		95	-	48	48	-	-	-	-	-	-	-	-	-	-	-	-
Development Costs - Annual %			0%	50%	50%	0%	0%	0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Development Costs per space /1	\$	15,263		0.79	0.82	-		-	-	-	-		-	_	-	-	
Total Development Costs			s -	\$ 0.79	\$ 0.82	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	<b>\$</b> -
NET CASH FLOW (before financing & taxes)		[	-	(0.79)	(0.82)	0.37	0.38	0.42	0.43	0.44	0.46	0.47	0.49	0.50	0.52	0.53	5.40
Cumulative Cash Flow		[		(0.79)	(1.61)	(1.24)	(0.86)	(0.44)	(0.01)	0.44	0.90	1.37	1.85	2.36	2.87	3.41	8.80
Net Present Value @		14.0%	\$1.20	million 20	3 dollars												

/1 New development costs include direct costs, off-site & on-site costs, indirect costs, and developer profit.

/2 Included in development cost per space

Table 2.A.1

CARLSBAD BOULEVARD REALIGNMENT - Alternative 2, Land Use Scenario A

PROFORMA CASH FLOW - PRELIMINARY RESIDUAL LAND VALUE
(BEFORE TAXES & FINANCING)

Inflation Factor	3%_	Yr. 2001 Value		2003 /ear 1 1.06	2004 Year 2 1.09	2005 Year 3	2006 Year 4 1.16	2007 Year 5		2009 Year 7	2010 Year 8 1.30	2011 Year 9 1.34	2012 Year 10	2013 Year 11	2014 Year 12 1.47	2015 Year 13	2016 Year 14 1.56	2017 Year 15
SOURCES AND USES OF FUNDS Net Sources of Funds By Land Use																		
Executive Mtg. Hotel Net Cash Flow Time Share			_	-	(11.06)	(11.40) (11.54)	2.82 9.24	2.84 (2.72)		3.02 10.10	3.11 10.40	3.21 1.07	3.31	3.41	3.52	3.63	3.74	41.24
Sub-total  Net Cash Flow After Developer Costs			\$	· 		\$ (22.93) \$ (22.9)			\$ 12.74 \$ 12.7	\$ 13.12 \$ 13.1	\$ 13.52 \$ 13.5	\$ 4.28 <b>\$ 4.3 [</b>	\$ 3.31 \$ 3,3 {	\$ 3.41 \$ 3.4	\$ 3.52 \$ 3.5	\$ 3.63 \$ 3.6	\$ 3.74	\$ 41.24 \$ 41.2

Net Present Value After Developer Costs

Net Present Value @ 14.0% \$9.78 million US dollars

Source: Economics Research Associates

02-Oct-01

Table 2.A.2

CARLSBAD BOULEVARD REALIGNMENT - Alternative 2, Parcel 1, Land Use Scenario A

FISCAL REVENUES

		;	2003	20	04	2005		2006		2007	2008	_	2009	2	010		2011		2012		2013		2014		2015		2016		2017
			ear 1		r 2	Year 3	_	Year 4		Year 5	 Year 6		ear 7		ar 8		ear 9	Y	<u>ear 10</u>	<u> Y</u>	ear 11	<u> Y</u>	ear 12	Y	ear 13	Y	ear 14		ar 15
Inflation Factor	3%		1.06	1	.09	1.13		1.16		1.19	 1.23		1.27		1.30		1.34		1.38		1.43		1.47		1.51		1.56		1.60
PROPERTY TAXES											Ex	pres	sed In	Mill	lions o	f U	S Dolla	ers											
Land Uses																													
Executive Mtg. Hotel		\$	-	<b>\$</b> .		<b>s</b> -	\$	-	\$	0.28	\$ 0.29	\$ (	0.29	\$ (	0.30	\$	0.30	\$	0.31	\$	0.32	\$	0.32	\$	0.33	\$	0.34	\$	0.34
Time Share		\$	-	\$ -		<b>\$</b> -	\$	-	\$	0.11	\$ 0.22	\$ (	0.34	\$ (	).46	\$	0.59	\$	0.62	\$	0.63	\$	0.64	\$	0.65	\$	0.67	\$	0.68
Total Property Tax Increment		\$	-	\$ .		\$ -	\$	-	\$	0.39	\$ 0.51	\$ (	0.63	\$ (	).76 _	\$	0.90	\$	0.93	\$	0.95	\$	0.96	\$	0.98	\$	1.00	\$	1.02
City's Share	4.75% of Property Taxes	\$	_	\$		<b>s</b> -	\$	_	\$	0.02	\$ 0.02	\$ (	0.03	\$ (	0.04	\$	0.04	\$	0.04	\$	0.04	\$	0.05	\$	0.05	\$	0.05	\$	0.05
RDA's Non-housing Share	60.00% of Property Taxes	\$	_	\$		<b>\$</b> -	\$	-	S	0.23	\$ 0.30	\$ (	0.38	\$ (	0.46	\$	0.54	\$	0.56	\$	0.57	\$	0.58	\$	0.59	\$	0.60	\$	0.61
The state of the s				•							Ex	pres	sed In	Mill	lions o	f U	S Dolla	ırs											
TRANSIENT OCCUPANCY T.	AXES																												
Executive Mtg. Hotel		\$	-	\$		<b>\$</b> -	\$	5.57	\$	6.18	\$ 6.36	\$ (	6.55	\$ 6	5.75	\$	6.95	\$	7.16	\$	7.38	\$	7.60	\$	7.83	\$	8.06	\$	8.30
Transient Occupancy Tax @	10.00% of Room Revenue	\$	-	\$		<b>S</b> -				0.62																	0.81	\$	0.83
Gross Fiscal Operating Income	From TOT & TI	\$	-	\$		<b>s</b> -	\$	0.56	\$	0.87	\$ 0.96	\$	1.06	<b>\$</b> 1	1.17	\$	1.28	\$	1.32	\$	1.35	\$	1.38	\$	1.42	\$	1.46	\$	1.49
SALES TAX REVENUE																													
Food & Beverage & 50% of Othe	r Hotel Revenues	\$	-	\$·		<u>s -</u> s -	\$_	0.03	\$_	0.03	\$ 0.03	\$ (	0.03	\$ (	0.04	\$	0.04	\$	0.04	\$	0.04	_\$_	0.04	\$	0.04	\$	0.04		
Total Sales Tax Revenue		\$	-	\$	•	\$ -	\$	0.03	\$	0.03	\$ 0.03	\$ (	0.03	\$ (	0.04	\$	0.04	\$	0.04	\$	0.04	\$	0.04	\$	0.04	\$	0.04	\$	0.04
TOTAL FISCAL REVENUE																													
Property Tax Revenue		\$	-	\$		\$ -	\$			0.25																	0.65	•	0.66
Transient Occupancy Tax Revenu	ie	\$	-	\$	•	\$ -				0.62																	0.81		
Sales Tax Revenue			-	<u> </u>		<u>s</u> -	<u>\$</u>	0.03	\$	0.03																	0.04		0.04
Total Fiscal Revenue		\$	-	\$	•	\$ -	\$	0.59	\$	0.90	\$ 1.00	\$	1.10	\$ 1	1.20	\$	1.31	\$	1.35	\$	1.39	\$	1.42	\$	1.46	\$	1.50	\$	1.54
Sources of Funds							_							_															
FISCAL OPERATING INCOME		\$	-	\$	-	\$ -	\$	0.59	\$	0.90	\$ 1.00	\$	1.10										1.42	\$	1.46	\$	1.50		
Reversion @	7%	- 5		\$	•	<u>s</u> -	<u> </u>	0.50	\$	-	\$ -	5	-					<u> </u>	-	_	-			\$		\$		\$ 2	
Total Sources of Funds		\$	-	\$	-	3 -	\$	0.59	\$	0.90	\$ 1.00	3	1.10	<b>5</b> 1	1.20	\$	1.31	\$	1.35	\$	1.39	\$	1.42	\$	1.46	\$	1.50	\$ 2	5.18
NET CASH FLOW		\$		\$		<b>s</b> -	\$	0.59	\$	0.90	\$ 1.00	\$	1.10	\$ 1	.20	\$	1.31	\$	1.35	\$	1.39	S	1.42	\$	1.46	\$	1.50	\$ 2	5.18
			,																										

10%

\$11.51 million 2003 dollars

Net Present Value @

Table 2.A.3

CARLSBAD BOULEVARD REALIGNMENT - Alternative 2, Parcel 1, Land Use Scenario A

Executive Meeting Hotel Operating Statement

			2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
	Yr. 2001	Value	Year 1	Year 2	Year 3	Year 4	Year 5	Year_6	Year 7	Year_8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
Assumptions																	
Inflation Factor		3%	1.06	1.09	1.13	1.16	1.19	1.23	1.27	1.30	1.34	1.38	1.43	1.47	1.51	1.56	1.60
Real Escalation		0%	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Hotel - Exec. Conf. Ctr. Number of Rooms		150	0	0	0	150	150	150	150	150	150	150	150	150	150	150	150
Total Potential Number of Room nights			-	-	-	54,750	54,750	54,750	54,750	54,750	54,750	54,750	54,750	54,750	54,750	54,750	54,750
Average Annual Occupancy Rate			0.0%	0.0%	0.0%	65.0%	70.0%	70.0%	70.0%	70.0%	70.0%	70.0%	70.0%	70.0%	70.0%	70.0%	70.0%
Avg. Daily Rm. Rate Hotel 2 /1	\$	135	143	148	152	157	161	166	171	176	181	187	192	198	204	210	217
Operating Revenues					Express	ed in Milli	ons of US	Dollars				E	xpressed i	n Millions	of US Dolla	ars	
Room Revenues		\$	-	\$ -	<b>\$</b> -	\$ 5.57	\$ 6.18	\$ 6.36	\$ 6.55	\$ 6.75	\$ 6.95	\$ 7.16	\$ 7.38	\$ 7.60	\$ 7.83	\$ 8.06	\$ 8.30
	As % of Roon	Revenues	3														
Food & Beverage		45%	-	-	-	2.51	2.78	2.86	2.95	3.04	3.13	3.22	3.32	3.42	3.52	3.63	3.74
Other Revenues		15%	-	-	-	0.84	0.93	0.95	0.98	1.01	1.04	1.07	1.11	1.14	1.17	1.21	1.25
Subtotal (Non-Room Revenues)		60% \$	-	\$ -	<b>S</b> -	\$ 3.34	\$ 3.71	\$ 3.82	\$ 3.93	\$ 4.05	\$ 4.17	\$ 4.30	\$ 4.43	\$ 4.56	\$ 4.70	\$ 4.84	\$ 4.98
Gross Revenues		\$	-	\$ -	<b>S</b> -	\$ 8.91	\$ 9.88	\$ 10.18	\$ 10.49	\$ 10.80	\$ 11.13	\$ 11.46	\$ 11.80	\$ 12.16	\$ 12.52	\$ 12.90	\$ 13.28
Departmental Costs & Expenses	As % of Departme	ental Rever	nues														
Rooms		25%	-	-	-	1.39	1.54	1.59	1.64	1.69	1.74	1.79	1.84	1.90	1.96	2.02	2.08
Food & Beverage		75%	-	-	-	1.88	2.09	2.15	2.21	2.28	2.35	2.42	2.49	2.56	2.64	2.72	2.80
Other Departments		50%			_	0.42	0.46	0.48	0.49	0.51	0.52	0.54	0.55	0.57	0.59	0.60	0.62
Total Departmental Expenses (% of Gross Revenues)		41% \$	-	\$ -	<b>S</b> -	\$ 3.69	\$ 4.09	\$ 4.22	\$ 4.34	\$ 4.47	\$ 4.61	\$ 4.74	\$ 4.89	\$ 5.03	\$ 5.18	\$ 5.34	\$ 5.50
Gross Operating Revenues		59% \$	-	\$ -	\$ -	\$ 5.22	\$ 5.79	\$ 5.97	\$ 6.14	\$ 6.33	\$ 6.52	\$ 6.71	\$ 6.92	\$ 7.12	\$ 7.34	\$ 7.56	\$ 7.78

/I Rate, after discounts, per occupied room.

Table 2.A.4

CARLSBAD BOULEVARD REALIGNMENT - Alternative 2, Parcel 1, Land Use Scenario A

Executive Meeting Hotel Operating Statement

	Yr. 2001 Value	2003 Year 1	2004 Year		2005 'ear 3		2006 ear 4		2007 ear <u>5</u>		008 ar_6		009 ar 7	2010 <u>Year 8</u>	2011 <u>'ear 9</u>		012 r.10		2013 ar_11		014 r_12		015 r_13	20 Year		2017 <u>Year 15</u>
_				Ex	press	ed in 1	Millio	ons of	f US E	ollar	s						E	xpre	ssed is	n Mill	lions (	f US	Dolla	rs		
Gross Operating Revenues		-	-		-		-		-	5	5.97	6	.14	6.33	6.52	•	5.71		6.92	•	7.12	7	7.34	7.:	i6	7.78
Undistributed Operating Expenses																										
	As % of Revenue																									
Administrative & General	5.0% \$	-	<b>S</b> -	\$	-	\$ (	0.45	\$	0.49	\$ 0	0.51	<b>\$</b> 0	.52 \$	0.54	\$ 0.56	\$ (	).57	\$	0.59	\$ (	0.61	\$ (	3.63	\$ 0.0	4 \$	0.66
Management Fee	2.0%	-	-		-	(	0.18		0.20	0	0.20	0	.21	0.22	0.22	(	).23		0.24	(	0.24	(	0.25	0.3	!6	0.27
Sales & Marketing	5.0%	-	-		-	(	0.45		0.49	0	).51	0	.52	0.54	0.56	(	).57		0.59	(	0.61	(	0.63	0.0	4	0.66
Energy Costs	6.0%		-		-	(	0.53		0.59	0	0.61	0	.63	0.65	0.67	(	).69		0.71	(	0.73	(	0.75	0.	7	0.80
Repairs & Maintenance	4.0%				-	(	0.36		0.40		).41	0	.42	0.43	 0.45	(	).46		0.47	- (	0.49	- (	0.50	0.:	52	0.53
Total	22.0% \$	-	\$ -	\$	-	\$	1.96	\$	2.17	\$ 2	2.24	\$ 2	.31 \$	2.38	\$ 2.45	\$ 2	2.52	\$	2.60	\$ 2	2.67	\$ 2	2.75	\$ 2.5	34 <b>S</b>	2.92
Gross Operating Profit	36.6% \$	-	\$ -	\$	-	\$ :	3.26	\$	3.62	\$ 3	3.73	\$ 3	.84 \$	3.95	\$ 4.07	\$ 4	1.19	\$	4.32	\$ 4	4.45	\$ 4	4.58	\$ 4.	2 \$	4.86
Fixed Expenses & Capital Costs																										
Property Taxes	formula	-	-		-		_		0.28	(	).29	0	.29	0.30	0.30	(	0.31		0.32	(	0.32	(	0.33	0.:	14	0.34
Incentive Fee	2.0%	-	-		-	(	0.18		0.20	(	0.20	0	.21	0.22	0.22	(	).23		0.24	(	0.24	(	0.25	0.3	26	0.27
Insurance	1.0%	-	-		-	(	0.09		0.10	(	0.10	0	.10	0.11	0.11	(	),11		0.12	(	0.12	(	0.13	0.	3	0.13
Capital Reserve	2.0%				-	(	0.18		0.20		).20	0	.21	0.22	0.22	(	).23		0.24		0.24	(	0.25	0.:	26	0.27
Total	5.0%		-		-		0.45		0.78	(	).80	0	.82 \$	0.84	\$ 0.86	\$ (	88.0	\$	0.91	\$ (	0.93	\$ (	0.96	\$ 0.	8 \$	1.01
NET OPERATING INCOME (ex. depr., interest & tax)		-	-		-		2.82		2.84		2.93	3	.02	3.11	3.21		3.31		3.41		3.52		3.63	3.	4	3.85

Table 2.A.5

CARLSBAD BOULEVARD REALIGNMENT - Alternative 2, Parcel 1, Land Use Scenario A (BEFORE TAXES & FINANCING)

Hotel Operating Statement

			2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
	Yr.	2001 Value	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
Sources of Funds					Expresse	d in Millio	ns of US I	Oollars				E	xpressed i	n Millions	of US Doll:	ars	
Net Operating Income			-	-	-	2.82	2.84	2.93	3.02	\$ 3.11	\$ 3.21	\$ 3.31	\$ 3.41	\$ 3.52	\$ 3.63	\$ 3.74	\$ 3.85
Reversion @		10.0%	-	-	-	-	-	-	-	-	-	-	-	-	-	-	38.54
Less Cost of Sales @		3.0%	_	-	-	-	-	_	-	-	-	-	-	-		-	1.16
Net Sales Proceeds			-	-	-	-	-		-	\$ -	\$ -	\$ -	\$ -	\$ -	<b>S</b> -	\$ -	\$ 37.38
Total Sources of Funds			-	-	-	2.82	2.84	2.93	3.02	\$ 3.11	\$ 3.21	\$ 3.31	\$ 3.41	\$ 3.52	\$ 3.63	\$ 3.74	\$ 41.24
Development Costs																	
Inflation Assumptions			1.06	1.09	1.13	1.16	1.19	1.23	1.27	1.30	1.34	1.38	1.43	1.47	1.51	1.56	1.60
Number of Rooms		150	-	75	75	-	-	-	_	-	-		-	-	-	-	-
Development Costs - Annual %			0%	50%	50%	0%	0%	0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Development Costs per room - Hotel /1	\$	135,000	-	11.06	11.40	-	-		-	-		-	-			-	-
Total Development Costs			\$ -	\$ 11.06	\$ 11.40	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
NET CASH FLOW (before financing & taxes)			-	(11.06)	(11.40)	2.82	2.84	2.93	3.02	3.11	3.21	3.31	3.41	3.52	3.63	3.74	41.24
Cumulative Cash Flow			-	(11.06)	(22.46)	(19.64)	(16.80)	(13.87)	(10.85)	(7.74)	(4.53)	(1.22)	2.19	5.71	9.34	13.07	54.31

Net Present Value @ 14.0% \$1.02 million 2003 dollars

Notes

/1 New development costs include direct costs, off-site & on-site costs, indirect costs, and developer profit.

/2 Included in development cost per room

Table 2.A.6
CARLSBAD BOULEVARD REALIGNMENT - Alternative 2, Parcel 1, Land Use Scenario A Time Share

	Yr. 20	001 Value	2003 Year			2006 <u>Year 4</u>	2007 Year 5	2008 <u>Year 6</u>	2009 <u>Year 7</u>	2010 <u>Year 8</u>	2011 <u>Year 9</u>	2012 Year 10	2013 Year 11	2014 Year 12	2015 <u>Year 13</u>	2016 Year 14	2017 <u>Year 15</u>
Assumptions		20/	1.00				1.10	1.22		1.20	1.24	1.20		1.45	1.61	1.56	
Inflation Factor		3%	1,06			1.16	1.19	1.23	1.27	1.30	1.34	1.38	1.43	1.47	1.51	1.56	1.60
Real Escalation		0%	1.00			1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Time Share (Number of Rooms)		100	U	,	) 0	50			100	100	100	100	100				100
Total Number of Intervals Available Total Number of Intervals Sold Per Year			-	-	-	2,550 1,000	2,550 1,000	5,100 1,000	5,100 1.000	5,100	5,100 100	5,100	5,100	5,100	5,100	5,100	5,100
			-	-	-		2,000	3,000		1,000		-	- - 100	- - 100		-	
Cumulative Intervals Sold	•	10.600 6	10.622			1,000			4,000	5,000	5,100	5,100	5,100	5,100	5,100	5,100	5,100
Interval Sales Price	\$	18,500 \$	19,627	\$20,215	\$20,822	\$21,447	\$22,090	\$22,753	\$23,435	\$24,138	\$24,862	\$25,608	\$26,377	\$27,168	\$27,983	\$28,822	\$ 29,687
Sales Revenues					Express	ed in Milli	ons of US	Dollars				E	xpressed i	n Millions	of US Doll	ars	
Annual Sales Volume		\$	-	<b>S</b> -	\$ -	\$ 21.45	\$ 22.09	\$ 22.75	\$ 23.44	\$ 24.14	\$ 2.49	\$ -	\$ -	<b>S</b> -	\$ -	\$ -	\$ -
Cumulative Sales Volume			-	-	-	21.45	43.54	66.29	89.72	113.86	116.35	116.35	116.35	116.35	116.35	116.35	116.35
Cost of Sales	Pe	r Room															
Product Cost (excluding land cost) /1	\$	205,000	-	_	11.54	-	12.24	-	_	_	_	_	-	-	-	-	-
Gross Profit Before Land Costs		S	-	<b>S</b> -	\$ (11.54)	\$ 21.45	\$ 9.85	\$ 22.75	\$ 23,44	\$ 24.14	\$ 2.49	\$ -	<b>S</b> -	\$ -	<b>S</b> -	<b>S</b> -	<u>s</u> -
Cumulative Profit Before Land Costs			-	-	(11.54)	9.91	19.76	42.51	65.95	90.09	92.57	92.57	92.57	92.57	92.57	92.57	92.57
Costs & Expenses/2	As % of An	nual Gross Sa	ıles														
Commissions		22.0% \$	-	<b>s</b> -	<b>S</b> -	\$ 4.72	\$ 4.86	\$ 5.01	\$ 5.16	<b>\$</b> 5.31	\$ 0.55	<b>S</b> -	<b>S</b> -	<b>S</b> -	<b>S</b> -	S -	<b>S</b> -
Marketing		22.0%	_	-		4.72	4.86	5.01	5.16	5.31	0.55	-	-	-	. ·	-	
Sales Overhead		5.0%	-	-	-	1.07	1.10	1.14	1.17	1.21	0.12	-	-	-	-	-	-
Administration		7.0%	-	_	-	1.50	1.55	1.59	1.64	1.69	0.17	-	-	-	-	-	-
Acct./Legal/Counsulting		0.5%	-	_		0.11	0.11	0.11	0.12	0.12	0.01	-	_	_	_	-	-
Depreciation		0.3%	-	-	-	0.06	0.07	0.07	0.07	0.07	0.01	-	-		-	-	_
Other		0.1%	-	-		0.02	0.02	0.02	0.02	0.02	0.00	-	-	-	-	-	-
Total Cost & Expenses (% of Annual Gross Sales)		56.9% \$	-	\$ -	\$ -	\$ 12.20	\$ 12.57	\$ 12.95	\$ 13.33	\$ 13.73	\$ 1.41	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Net Development Profit (Loss)		<u></u>		s -	\$ (11.54)	\$ 9.24	\$ (2.72)	\$ 9.81	\$ 10.10	\$ 10.40	\$ 1.07	<b>S</b> -	\$ -	\$ -	\$ -	s -	S -
Cumulative Cash Flow		S		\$ -	. ,		, ,						-	-	-	-	\$ 26.37
Net Present Value @	_	15.0%	\$8.09	million 2	2003 dollars	1											

Source: RCI Consulting, Inc.; and Economics Research Associates

<sup>/1</sup> Development costs include allocated share of onsite/offsite costs.

<sup>/2</sup> Selling and marking expenses only. Operating expenses are covered 100% by annual fees.

Table 3.A.1

CARLSBAD BOULEVARD REALIGNMENT - Alternative 3, Land Use Scenario A

PROFORMA CASH FLOW - PRELIMINARY RESIDUAL LAND VALUE
(BEFORE TAXES & FINANCING)

		Yr. 2001	2003	2004	2005	2006	2007	2008	2009 Van 7	2010	2011	2012 Year_10	2013 Year 11	2014 Year 12	2015 Year 13	2016 Year 14	2017 Year 15
Inflation Factor	3%_	Value	Year 1 1.06	Year 2 1.09	<u>Year 3</u> 1.13	Year 4 1.16	<u>Year 5</u> 1.19	Year 6 1.23	Year 7 1.27	<u>Year 8</u> 1.30	1.34	1.38	1.43	1.47	1.51	1.56	1.60
SOURCES AND USES OF FUNDS																	
Net Sources of Funds By Land Use																	
Commercial Retail Cash Flow			-	(2.95)	(3.04)	1.74	2.13	2.20	2.26	2.33	2.40	2.47	2.55	2.62	2.70	2.78	30.38
Office 1			-	-	(9.90)	1.59	1.84	2.00	2.06	2.13	2.19	2.25	2.32	2.39	2.46	2.54	27.97
Time Share			-	-	(17.30)	9.24	9.52	(9.10)	10.10	10.40	10.72	11.04	-	-	-	-	-
Full Service Hotel			-	(20.49)	(21.10)	5.55	5.60	5.77	5.95	6.14	6.33	6.52	6.72	6.93	7.15	7.37	81.27
Time Share 6A			-	-	(6.92)	6.93	7.43	-	-	-	-	-	-	-	-	-	-
Office 6B					(1.71)	0.30	0.36	0.38	0.39	0.40	0.41	0.42	0.44	0.45	0.46	0.48	5.24
Sub-total			\$ -	\$ (23.44)	\$ (59.99)	\$ 25.36	\$ 26.89	\$ 1.25	\$ 20.77	\$ 21.39	\$ 22.04	\$ 22.71	\$ 12.03	\$ 12.40	\$ 12.77	\$ 13.16	\$ 144.86
Net Cash Flow After Developer Costs	5		<b>s</b> -	\$ (23.4)	\$ (60.0)	\$ 25.4	\$ 26.9	\$ 1.2	\$ 20.8	\$ 21.4	\$ 22.0	\$ 22.7	\$ 12.0	\$ 12.4	\$ 12.8	\$ 13.2	\$ 144.9

Net Present Value After Developer Costs

Net Present Value @ 14.0% \$29.87 million 2003 dollars

Table 3.A.2 CARLSBAD BOULEVARD REALIGNMENT - Alternative 3, Land Use Scenario A FISCAL REVENUES

			2003		2004	2005		2006 Vaan 4		2007		2008		009	2010		2011	1.7	2012		2013		2014		2015		2016	2017
Inflation Factor	3%		Year 1.06		<b>еаг 2</b> 1.09	<u>Year</u> 1.13		<b>Year 4</b> 1.16		1.19		1.23		ar 7 .27	Year 3		Year 9 1.34	_1	ear 10 1.38	<u> </u>	1.43	<u> </u>	1.47	Y	ar 13 1.51		<u>ar 14</u> 1.56	Year 15 1.60
DDODEDTY TAVEC												-																
PROPERTY TAXES												Ex	cpress	sed In	Million	s of L	JS Doll	ars										
Land Uses			•	•			_		_	0.00			• •			_		_						_				
Commercial Retail			\$ -	2	-	\$ -	3								0.22								0.24				0.25	
Office 1			3 -	3	-	\$ -	3								0.20												0.23	
Time Share 2			\$ -	3	-	\$ -	5						-		0.46	-						-				-	0.92	
Full-Service Hotel			\$ -	\$	-	\$ -	\$								0.59												0.66	
Time Share 6A			\$ -	\$	-	\$ -	\$		-		-				0.09	-		-		-		-		-		-	0.10	
Office 6B		_	<b>\$</b> -	<u> </u>	-	<u>s -</u>	\$	-							0.04												0.04	\$ 0.04
Total Property Tax Increment			\$ -	\$	-	\$ -	\$	-	\$	1.17	\$	1.32	\$ 1	.46	1.60	\$	1.76	\$	1.92	\$	2.08	\$	2.12	\$	2.17	\$	2.21	\$ 2.25
City's Share	4.75% of Property Taxes		<b>s</b> -	\$	-	<b>\$</b> -	\$	-	\$	0.06	\$	0.06	\$ 0	.07 5	6 0.08	\$	0.08	\$	0.09	\$	0.10	\$	0.10	\$	0.10	\$	0.10	\$ 0.11
RDA's Non-housing Share	60.00% of Property Taxes		<b>\$</b> -	\$	-	<b>\$</b> -	\$	-	\$	0.70	\$	0.79	\$ 0	.87	0.96	\$	1.05	\$	1.15	\$	1.25	\$	1.27	\$	1.30	\$	1.33	\$ 1.35
<u> </u>	• •											Ex	press	sed In	Million	s of l	JS Doli	ars										
TRANSIENT OCCUPANCY T	AXES																											
Full Service Hotel			<b>\$</b> -	\$	-	\$ -	\$	10.31	\$	11.44	\$	11.78	\$ 12	.14 5	12.50	\$	12.88	\$	13.26	\$	13.66	\$	14.07	\$	4.49	\$ 1	4.93	\$ 15.38
Transient Occupancy Tax @	10.00% of Room Revenue		<b>\$</b> -			\$ -																						\$ 1.54
Gross Fiscal Operating Income	From TOT & TI		<b>s</b> -	\$	-	<b>s</b> -	\$	1.03	\$	1.90	\$	2.03	<b>\$</b> 2	.16	2.29	\$	2.42	\$	2.57	\$	2.71	\$	2.78	s	2.85	s	2.92	\$ 3.00
SALES TAX REVENUE																												
Retail Commercial			\$ -	\$	-	\$ -	\$	0.23	\$	0.28	\$	0.29	\$ 0	.30 \$	0.31	\$	0.32	\$	0.33	\$	0.34	\$	0.35	\$	0.36	\$	0.37	\$ 0.38
Food & Beverage & 50% of Othe	r Hotel Revenues		<b>\$</b> -	\$	-	<b>S</b> -	\$	0.07	\$	0.08	\$	0.08	\$ 0	.08	0.09	\$	0.09	\$	0.09	\$	0.10	\$	0.10	\$	0.10	\$	0.10	\$ 0.11
Total Sales Tax Revenue		-	\$ -	\$	-	\$ -	\$	0.30	\$	0.36	\$	0.37	\$ 0	.39	0.40	\$	0.41	\$	0.42	\$	0.43	\$	0.45	\$	0.46	\$	0.47	\$ 0.49
TOTAL FISCAL REVENUE																												
Property Tax Revenue			\$ -	\$	-	<b>S</b> -	\$	-	\$	0.76	\$	0.85	\$ 0	.94	1.04	\$	1.14	\$	1.24	\$	1.35	\$	1.38	\$	1.40	\$	1.43	\$ 1.46
Transient Occupancy Tax Revenu	ie		\$ -	\$	-	\$ -	\$	1.03																			1.49	\$ 1.54
Sales Tax Revenue			\$ -	\$	-	\$ -		0.30																			0.47	\$ 0.49
Total Fiscal Revenue		-	\$ -	\$	-	\$ -	\$	1.34	\$	2.26	\$	2.40	\$ 2	.54 \$	2.69	\$	2.83	\$	2.99	\$	3.15	\$	3.23	\$	3.31	\$	3.40	\$ 3.49
Sources of Funds																			^									
FISCAL REVENUE			<b>\$</b> -	\$	-	\$ -	\$	1.34	\$	2.26	\$	2.40	\$ 2	.54 \$	2.69	\$	2.83	\$	2.99	\$	3.15	\$	3.23	\$	3.31	\$	3.40	\$ 3.49
Reversion @	7%		<b>\$</b> -	\$	_	\$ -			_				\$		· -			\$				\$				\$		\$ 53.62
Total Sources of Funds		_	\$ -	\$	-	<b>S</b> -	\$	1.34																				\$ 57.11
NET CASH FLOW			<b>s</b> -	s	<u>-</u> I	<b>s</b> -	s	1.34	\$	2.26	\$	2.40	<b>\$</b> 2	.54	2.69	\$	2.83	\$	2.99	\$	3.15	\$	3.23	\$	3.31	S	3.40	\$ 57.11
Net Present Value @	10%	\$26.25	million 2	.003 do	ollars																							

Table 3.A.3

CARLSBAD BOULEVARD REALIGNMENT - Alternative 3, Parcel 1, Land Use Scenario A

Retail/Commercial: Operating Statement

				2003		2004		2005		2006		2007		2008		2009		2010	2	2011	2	2012		2013		2014		2015	2016	2017
			3	Year 1	. :	Year 2	2	Year 3		Year 4	3	Year 5	2	Year 6	3	<u>(ear 7</u>	7	ear 8	Y	<u>ear 9</u>	Ye	ar 10	Y	'ear 11	Y	ear 12	Y	<u>ear 13</u>	Year 14	Year 15
Inflation Factor		3%[		1.06		1.09		1.13		1.16		1.19		1.23		1.27		1.30		1.34		1.38		1.43		1.47		1.51	1.56	1.60
Rental Escalation		0%		1.00		1.00		1.00		1.00		1.00		1.00		1.00		1.00		1.00		1.00		1.00		1.00		1.00	1.00	1.00
Cumulative Gross Leasable Area		٠,٠٠٢		1.00		1.00					_	1.00						1.00		1.00				1.00		1.00		1.00	- 1100	1.00
Commercial Retail		40,000		_		-		_	4	0.000	4	0,000	4	0,000	4	0.000	40	0.000	40.	,000	40	,000	4	0.000	4	0,000	4	0,000	40,000	40,000
Restaurants		40,000		_		-		-	4	0,000		0,000		0,000	4	0,000	40	0,000		,000		,000	4	0,000		0,000		0,000	40,000	40,000
Total		80,000		-				-	8	0,000	80	0,000	8	0,000	8	0,000	86	0,000	80.	,000	80	,000	8	0,000	- 8	0,000	8	0,000	80,000	80,000
Occupancy Rate		•																								•				
Commercial Retail				0%	1	0%	, D	0%		80%		95%		95%		95%		95%		95%		95%		95%		95%		95%	95%	95%
Restaurants				0%		0%	,	0%		80%		95%		95%		95%		95%		95%		95%		95%		95%		95%	95%	95%
Average NNN Base Rent Per s.f. Per Yr/1		US\$																												
Commercial Retail	\$	20.00		21.22		21.85		22.51		23.19		23.88		24.60		25.34	:	26.10	2	6.88	2	7.68		28.52		29.37		30.25	31.16	32.09
Restaurants	\$	30.00		31.83		32,78		33.77		34.78		35.82		36.90		38.00	;	39.14	4	0.32	4	1.53		42.77		44.06		45.38	46.74	48.14
Average Gross Sales Per Square Foot Per Year		US\$																												
Commercial Retail	\$	250.00		265		273		281		290		299		307		317		326		336		346		356		367		378	389	401
Restaurants	\$	375.00		398		410		422		435		448		461		475		489		504		519		535		551		567	584	602
							]	Expres	sed	in Mill	ions	of US	Dol	lars									F	Expres	sed	in Milli	ons	of US	Dollars	
Operating Revenues																														
Base Rent Revenue		_	\$		\$	-	\$		\$					2.34	\$	2.41		2.48					\$		\$		\$	2.87	\$ 2.96	
Gross Revenues			\$	-	\$	-	\$	-	\$	1.85	\$	2.27	\$	2.34	\$	2.41	\$	2.48	\$	2.55	\$	2.63	\$	2.71	\$	2.79	\$	2.87	\$ 2.96	\$ 3.05
Operating Expenses		% of Rev.																,												
Administrative & General		4.0%	æ		<b>c</b>		æ		æ	0.07	\$	0.09	\$	0.09	\$	0.10	e.	0.10	•	0.10	\$	0.11	\$	0.11	\$	0.11	\$	0.11	\$ 0.12	\$ 0.12
Sales & Marketing		2.0%	Ф	-	Þ	-	Þ	-	Ф	0.07	Þ	0.05	Þ	0.05	J	0.05	Þ	0.10	-	0.10	-	0.05	J	0.11	Ф	0.11	Þ	0.11	0.06	0.06
· ·		-	•						•								•										_			
Total		6.0%	\$	-	\$	-	\$	-	\$	0.11	\$	0.14	\$	0.14	\$	0.14	\$	0.15	\$	0.15	\$	0.16	\$	0.16	\$	0.17	\$	0.17	\$ 0.18	\$ 0.18
NET OPERATING INCOME (ex. depr., inte	eres	t & tax)	\$	<del>-</del>	\$		\$	-	\$	1.74	\$	2.13	\$	2.20	\$	2.26	\$	2.33	\$	2.40	\$	2.47	\$	2.55	\$	2.62	\$	2.70	\$ 2.78	\$ 2.87
Notes:																														

<sup>/</sup>I Triple-net rent where tenant pays for pro-rata share of common area charges, insurance, property taxes, and utilities in addition to base rent. No rent for tenant improvements; tenants pay for improvements. Source: Economics Research Associates

Table 3.A.4

CARLSBAD BOULEVARD REALIGNMENT - Alternative 3, Parcel 1, Land Use Scenario A

Retail/Commercial: Operating Statement

			2003		2004		2005		2006		2007		2008		2009		2010	2011		2012		2013		2014		2015	2016		
		3	Year 1		Year	2	Year 3		Year_4	-	Year_5		Year 6	3	Year_7	-	Year 8	Year 9	Y	ear 10	Y	ear 11	Y	ear 12	Y	ear 13	Year 1	4 Year	_15
Sources of Funds							Expres	sed	in Mill	ions	of US	Do	llars								I	Express	ed i	n Milli	ons	of US	Dollar	:	
Net Operating Income		\$	•	\$	-	\$	S -	\$	1.74	\$	2.13	\$	2.20	\$	2.26	\$	2.33	\$ 2.40	\$	2.47	\$	2.55	\$	2.62	\$	2.70	\$ 2.78	\$ 2.	87
Reversion @	10.0%		-		-		-		_		_		-		-		_	_		-		-		_		-	_	\$28.	.66
Less Cost of Sales @	4.0%		-		-		-		-		-		-		-		-	-		-		-		-		-	-	\$ 1.	.15
Net Sale Proceeds		\$	-	\$	-	\$	· -	\$		\$	-	\$		\$	-	\$	-	\$ 	\$	-	\$	-	\$	-	\$	-	\$ -	\$27.	.51_
Total Sources of Funds		\$	-	\$	-	\$	3 -	\$	1.74	\$	2.13	\$	2.20	\$	2.26	\$	2.33	\$ 2.40	\$	2.47	\$	2.55	\$	2.62	\$	2.70	\$ 2.78	\$30.	38
Development Costs																													
Gross Leasable Area (s.f.)	80,000		-	4	40,000	)	40,000		-		-				-		-	-		-				-		-	-	-	<i>.</i>
Inflation Assumptions			1.06		1.09	)	1.13		1.16		1.19		1.23		1.27		1.30	1.34		1.38		1.43		1.47		1.51	1.56	5 1.	.60
Commercial Retail			0.0%	)	50.09	6	50.0%		0.0%		0.0%		0.0%		0.0%		0.0%	0.0%		0.0%		0.0%		0.0%		0.0%	0.09	% 0.	.0%
Restaurants			0.0%	)	50.0%	6	50.0%		0.0%		0.0%		0.0%		0.0%		0.0%	0.0%		0.0%		0.0%		0.0%		0.0%	0.09	% 0.	.0%
New Development Costs/2 \$ 135.00	per sf	\$		\$	2.95	\$	3.04	\$	-	\$		\$		\$	-	\$	-	\$ _	\$		\$	-	\$	-	\$	-	\$ -	\$ -	,
Total Development Costs			-		2.95	;	3.04		-		-		-		-		-	-		-		•		-		-	-	-	
NET CASH FLOW (before financing & taxes)		Γ	-	Т	(2.95	0	(3.04)		1.74	Γ	2.13	Γ	2.20	Γ	2.26		2.33	2.40		2.47	Γ	2.55		2.62		2.70	2.78	30.	.38
CUMULATIVE CASH FLOW			-		(2.95	9	(5.99)		(4.25)		(2.11)		0.08		2.35		4.68	7.08		9.55		12.10		14.72		17.42	20.20	50.	.58

/1 New development costs, include direct costs, indirect costs, and developer profit.

14.0%

\$8.28 million 2003 dollars

Source: Economics Research Associates

Residual Land Value = Net Present Value @

Table 3.A.5

CARLSBAD BOULEVARD REALIGNMENT - Alternative 3, Parcel 1, Land Use Scenario A

Office Operating Statement

	Yr. 2001 Value	2003 Year 1	2004 Year 2	2005 Year 3	2006 Year 4	2007 <u>Year 5</u>	2008 Year 6	2009 <u>Year 7</u>	2010 <u>Year 8</u>	2011 <u>Year 9</u>	2012 Year 10	2013 Year_11	2014 Year 12	2015 Year 13	2016 Year 14	2017 Year 15
Inflation Factor	3%	1.06	1.09	1.13	1.16	1.19	1.23	1.27	1.30	1.34	1.38	1.43	1,47	1.51	1.56	1.60
Rental Escalation	0%	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Office New	80,000			•	80,000	80,000	80,000	80,000	80,000	80,000	80,000	80,000	80,000	80,000	80,000	80,000
Total GLA	80,000	-	-	-	80,000	80,000	80,000	80,000	80,000	80,000	80,000	80,000	80,000	80,000	80,000	80,000
Average Annual Occupancy Rate		0%	6 0%	0%	80%	90%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%
Occupied Space		-	-	-	64,000	72,000	76,000	76,000	76,000	76,000	76,000	76,000	76,000	76,000	76,000	76,000
Average NNN Rent Per s.f., Per Year	\$ 22.80	\$ 24.19	\$ 24.91	\$ 25.66 Expr		\$ 27.22 illions of U		\$ 28.88	\$ 29.75	\$ 30.64	\$ 31.56		\$ 33.48	\$ 34.49 lions of US	\$ 35.52 Dollars	\$ 36.59
				-												
Gross Revenues		<b>S</b> -	\$ -	<b>S</b> -	\$ 1.69	\$ 1.96	\$ 2.13	\$ 2.20	\$ 2.26	\$ 2.33	\$ 2.40	\$ 2.47	\$ 2.54	\$ 2.62	\$ 2.70	\$ 2.78
Operating Expenses	% of Rev.															
Administrative & General	4.0%	-	-	_	0.07	0.08	0.09	0.09	0.09	0.09	0.10	0.10	0.10	0.10	0.11	0.11
Sales & Marketing	2.0%	_		_	0.03	0.04	0.04	0.04	0.05	0.05	0.05	0.05	0.05	0.05	0.05	0.06
Total	6.0%	\$ -	-	-	\$ 0.10	\$ 0.12	\$ 0.13	\$ 0.13	\$ 0.14	\$ 0.14	\$ 0.14	\$ 0.15	\$ 0.15	\$ 0.16	\$ 0.16	\$ 0.17
NET OPERATING INCOME (ex. depr., interest & tax) Notes:		<b>s</b> -	\$ -	\$ -	\$ 1.59	\$ 1.84	\$ 2.00	\$ 2.06	\$ 2.13	\$ 2.19	\$ 2.25	\$ 2.32	\$ 2.39	\$ 2.46	\$ 2.54	\$ 2.61

<sup>/1</sup> Triple-net rent where tenant pays for pro-rata share of common area charges, insurance, property taxes, and utilities in addition to base rent. No rent for tenant improvements; tenants pay for improvements. Source: Economics Research Associates

Table 3.A.6

CARLSBAD BOULEVARD REALIGNMENT - Alternative 3, Parcel 1, Land Use Scenario A (BEFORE TAXES & FINANCING)

Office Operating Statement

			2003	3	2004	2	005	2	006	- :	2007	20	800	20	109	2	2010	- 2	2011		2012		2013	3	201	4	201	5	201	16	2017	
		Yr. 2001 Value	Year	1	Year 2	Y	ear 3	Y	ear 4	Y	ear 5	Ye	ar_6	Ye	ar 7	Y	ear 8	Y	ear 9	7	ear 1	Q .	Year	11	Year	12	Year	13	Year	14	Year 15	
Sources of Funds							Expr	esse	d in M	lillio	ns of US	S Doi	lars										Ex	press	sed in	Millio	ons of	US D	ollars			
Net Operating Income			\$ -	•	\$ -	\$	-	\$	1.59	\$	1.84	\$	2.00	\$	2.06	\$	2.13	\$	2.19	\$	2.2	5 \$	2.	32	\$ 2	.39	\$ 2	2.46	\$ 2	2.54	\$ 2.61	
Reversion @		10.0%	-		-		-		-		-		-		-		-		-		_		-					-		-	26.14	
Less Cost of Sales @		3.0%	-		-		-		-		-		-		-		-		-		-		-					-		-	0.78	
Net Sale Proceeds			\$ -	9	\$ -	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	5			\$		\$	_	\$	-	\$ 25.35	
Total Sources of Funds			\$ -		\$ -	\$	-	\$	1.59	\$	1.84	\$	2.00	\$	2.06	\$	2.13	S	2.19	\$	2.2	5 \$	2.	32	\$ 2	.39	\$ 2	2.46	\$ 2	2.54	\$ 27.97	
Development Costs																																
Inflation Assumptions			1.0	96	1.09		1.13		1.16		1.19		1.23		1.27		1.30		1.34		1.3	8	1.	43	1	.47	1	1.51	1	1.56	1.60	
Gross Leasable Area	New	80,000	-		-		-	8	000,0		80,000	86	000,0	80	000,0	8	80,000		30,000	)	80,00	0	80,0	00	80,0	000	80,	000	80,	000	80,000	
Development Costs Annual %	New		(	)%	0%	6	100%		0%		-		-		-		-		-		_		_					-		-	-	
New Development Costs	\$ 110.00	per sf	<b>\$</b> -	9	<b>S</b> -	\$	9.90	\$	-	\$	-	\$		\$	-	\$	-	\$	-	\$	-	9			\$ .		\$	-	\$	-	<b>S</b> -	
Total Development Costs			\$ -	:	s -	\$	9.90	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	5			\$	•	\$	-	\$	-	\$ -	
NET CASH FLOW (before financing & taxes)				Т		Ι	(9.90)		1.59	Γ	1.84		2.00		2.06	Ι	2.13		2.19		2.2	5	2.	32	2	.39		2.46		2.54	27.97	
CUMULATIVE CASH FLOW							(9.90)		(8.31)		(6.47)		(4.47)		(2.41)		(0.28)		1.91		4.1	6	6.	49	8	.88	11	1.34	1.	3.88	41.85	ĺ

Residual Land Value	e= Net Present Value @	1	14.0%	\$4.79	million 2003 dollars

New development include direct costs, indirect costs, and developer profit.

Table 3.A.7
CARLSBAD BOULEVARD REALIGNMENT - Alternative 3, Parcel 2, Land Use Scenario A Time Share

	V-	2001 V-1	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012 Veen 10	2013	2014	2015	2016	2017 Voor 15
Assumptions	<u>Yr.</u>	2001 Value	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
Inflation Factor		3%	1.06	1.09	1.13	1.16	1.19	1.23	1.27	1.30	1.34	1.38	1.43	1.47	1.51	1.56	1.60
Real Escalation		0%	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Number of Rooms		150	0	. 0	0	75	75	75	150	150	150	150	150	150	150	150	150
Total Number of Intervals Available			-	-	_	3,825	3,825	3,825	7,650	7,650	7,650	7,650	7,650	7,650	7,650	7,650	7,650
Total Number of Intervals Sold Per Year			-	-	-	1,000	1,000	1,000	1,000	1,000	1,000	1,000		-	-	-	-
Cumulative Intervals Sold			-	-	-	1,000	2,000	3,000	4,000	5,000	6,000	7,000	650	650	650	650	650
Interval Sales Price	\$	18,500 \$	19,627	\$20,215	\$20,822	\$21,447	\$22,090	\$22,753	\$23,435	\$24,138	\$24,862	\$25,608	\$26,377	\$27,168	\$27,983	\$28,822	\$ 29,687
Sales Revenues					Express	ed in Milli	ons of US	Dollars				E	xpressed i	n Millions	of US Doll	lars	
Annual Sales Volume		\$	-	\$ -	\$ -	\$ 21.45	\$ 22.09	\$ 22.75	\$ 23.44	\$ 24.14	\$ 24.86	\$ 25.61	\$ -	<b>S</b> -	\$ -	\$ -	\$ -
Cumulative Sales Volume			-	-	-	21.45	43.54	66.29	89.72	113.86	138.73	164.33	164.33	164.33	164.33	164.33	164.33
Cost of Sales	1	Per Room															
Product Cost (excluding land cost) /1	\$	205,000	-	-	17.30		-	18.91	-			-		-	-	-	
Gross Profit Before Land Costs		\$	-	\$ -	\$ (17.30)	\$ 21.45	\$ 22.09	\$ 3.84	\$ 23.44	\$ 24.14	\$ 24.86	\$ 25.61	<b>S</b> -	\$ -	\$ -	<b>\$</b> -	\$ -
Cumulative Profit Before Land Costs			-	-	(17.30)	4.14	26.23	30.08	53.51	77.65	102.51	128.12	128.12	128.12	128.12	128.12	128.12
Costs & Expenses/2	As % of A	Annual Gross Sa	les														
Commissions		22.0% \$	-	<b>S</b> -	\$ -	\$ 4.72	\$ 4.86	\$ 5.01	\$ 5.16	\$ 5.31	\$ 5.47	\$ 5.63	\$ -	<b>S</b> -	\$ -	\$ -	\$ -
Marketing		22.0%	-	-	-	4.72	4.86	5.01	5.16	5.31	5.47	5.63	-	-	-	-	-
Sales Overhead		5.0%	-	-	-	1.07	1.10	1.14	1.17	1.21	1.24	1.28	-	-	-	-	-
Administration		7.0%	-	-	-	1.50	1.55	1.59	1.64	1.69	1.74	1.79	-	-	-	-	-
Acct./Legal/Counsulting		0.5%	-	-	-	0.11	0.11	0.11	0.12	0.12	0.12	0.13	-	-	-	-	-
Depreciation		0.3%	-	-	-	0.06	0.07	0.07	0.07	0.07	0.07	0.08	-	-	-	-	-
Other		0.1%	-	-	-	0.02	0.02	0.02	0.02	0.02	0.02	0.03	-	-		-	<u> </u>
Total Cost & Expenses (% of Annual Gross Sales)		56.9% \$	-	\$ -	\$ -	\$ 12.20	\$ 12.57	\$ 12.95	\$ 13.33	\$ 13.73	\$ 14.15	\$ 14.57	\$ -	\$ -	\$ -	\$ -	<b>s</b> -
Net Development Profit (Loss)		-	-	\$ -	\$ (17.30)	\$ 9.24	\$ 9.52	\$ (9.10)	\$ 10.10	\$ 10.40	<b>\$</b> 10.72	\$ 11.04	\$ -	\$ -	\$ -	\$ -	\$ -
Cumulative Cash Flow		\$	-	\$ -	\$ (17.30)	\$ (8.06)	\$ 1.46	\$ (7.64)	\$ 2.46	\$ 12.86	\$ 23.58	\$ 34.61	\$ 34.61	\$ 34.61	\$ 34.61	\$ 34.61	\$ 34.61
Net Present Value @		15.0%	\$7.68	million 20	03 dollars	Ī											

Source: RCI Consulting, Inc.; and Economics Research Associates

<sup>/1</sup> Development costs include allocated share of onsite/offsite costs.

<sup>/2</sup> Selling and marking expenses only. Operating expenses are covered 100% by annual fees.

Table 3.A.8

CARLSBAD BOULEVARD REALIGNMENT - Alternative 3, Parcel 3, Land Use Scenario A

Full Service Hotel

			2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
	Yr. 2001	Value	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
Assumptions																	
Inflation Factor		3%	1.06	1.09	1.13	1.16	1.19	1.23	1.27	1.30	1.34	1.38	1.43	1.47	1.51	1.56	1.60
Real Escalation		0%	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
DPU 1.5 (Hotel 2 - Exec. Conf. Ctr.) Number of Rooms		300	0	0	0	300	300	300	300	300	300	300	300	300	300	300	300
Total Potential Number of Room nights			-	-	-	109,500	109,500	109,500	109,500	109,500	109,500	109,500	109,500	109,500	109,500	109,500	109,500
Average Annual Occupancy Rate			0.0%	0.0%	0.0%	65.0%	70.0%	70.0%	70.0%	70.0%	70.0%	70.0%	70.0%	70.0%	70.0%	70.0%	70.0%
Avg. Daily Rm. Rate Hotel 2 /1	\$	125	133	137	141	145	149	154	158	163	168	173	178	184	189	195	201
Operating Revenues					Express	ed in Milli							•		of US Doll:		
Room Revenues		\$	-	\$ -	\$ -	\$ 10.31	\$ 11.44	\$ 11.78	\$ 12.14	\$ 12.50	\$ 12.88	\$ 13.26	\$ 13.66	\$ 14.07	\$ 14.49	\$ 14.93	\$ 15.38
	As % of Room	Revenues								,							
Food & Beverage		55%	-	-	-	5.67	6.29	6.48	6.68	6.88	7.08	7.29	7.51	7.74	7.97	8.21	8.46
Other Revenues		30%				3.09	3.43	3.54	3.64	3.75	3.86	3.98	4.10	4.22	4.35	4.48	4.61
Subtotal (Non-Room Revenues)		85% \$	-	\$ -	\$ -	\$ 8.77	\$ 9.72	\$ 10.02	\$ 10.32	\$ 10.63	\$ 10.94	\$ 11.27	\$ 11.61	\$ 11.96	\$ 12.32	\$ 12.69	\$ 13.07
						<b>4</b> 10 00	0.0116	6 21 00	6 22 45	6 22 12	0.00.00	6.24.54	6 26 27	<b>f</b> 26.02	£ 26.01	0.07.62	0 20 44
Gross Revenues		\$	-	\$ -	\$ -	\$ 19.08	\$ 21.16	\$ 21.80	\$ 22.45	\$ 23.13	\$ 23.82	\$ 24.54	\$ 25.27	\$ 26.03	\$ 26.81	\$ 27.62	\$ 28.44
Departmental Costs & Expenses	As % of Departme	ental Reven	nes														
Rooms	, , , , , , , , , , , , , , , , , , ,	25%		_	_	2.58	2.86	2.95	3.03	3.13	3.22	3.32	3.42	3.52	3.62	3.73	3.84
Food & Beverage		75%	-	_	-	4.25	4.72	4.86	5.01	5.16	5.31	5.47	5.63	5.80	5.98	6.16	6.34
Other Departments		50%	_	_	_	1.55	1.72	1.77	1.82	1.88	1.93	1.99	2.05	2.11	2.17	2.24	2.31
Total Departmental Expenses (% of Gross Revenues)		44% \$		s -	<b>s</b> -	\$ 8.38	\$ 9.30	\$ 9.57	\$ 9.86	\$ 10.16	\$ 10.46	\$ 10.78	\$ 11.10	\$ 11.43	\$ 11.78	\$ 12.13	\$ 12.49
(70 00 01000 1000 1000 1000 1000 1000 10				•	•												
Gross Operating Revenues		56% \$	-	\$ -	\$ -	\$ 10.70	\$ 11.87	\$ 12.23	\$ 12.59	\$ 12.97	\$ 13.36	\$ 13.76	\$ 14.17	\$ 14.60	\$ 15.04	\$ 15.49	\$ 15.95

/1 Rate, after discounts, per occupied room.

Table 3.A.9

CARLSBAD BOULEVARD REALIGNMENT - Alternative 3, Parcel 3, Land Use Scenario A

Full Service Hotel

	Yr. 2001 Value	2003 <u>Year 1</u>	20 Yea		2005 Year		2006 Year 4		2007 <u>(ear 5</u>		2008 ear 6		009 ear 7	20 Yea		2011 <u>Year 9</u>	2012 ear 10		2013 ear_11		2014 ar_12		015 r 13		016 r 14		2017 <u>ar 15</u>
_				1	Expres	sed i	n Milli	ons o	f US I	Dollar	rs						E	Expre	essed i	n Mi	lions o	of US	Dolla	ars			
Gross Operating Revenues		-	-		-		-		-	1:	2.23	12	2.59	12.	97	13.36	13.76		14.17	I	4.60	1.5	5.04	15	.49	1	5.95
Undistributed Operating Expenses																											
	As % of Revenue																										
Administrative & General	5.0% \$	-	\$ -	\$	-	\$	0.95	\$	1.06	\$	1.09	\$ 1	1.12	\$ 1.	16	\$ 1.19	\$ 1.23	\$	1.26	\$	1.30	\$ 1	1.34	\$ i	.38	\$	1.42
Management Fee	2.0%	-	-		-		0.38		0.42		0.44	(	0.45	0.	46	0.48	0.49		0.51		0.52	(	0.54	0	.55		0.57
Sales & Marketing	5.0%	-	-		-		0.95		1.06		1.09	1	1.12	1.	16	1.19	1.23		1.26		1.30	1	1.34	1	.38		1.42
Energy Costs	6.0%	-	-		-		1.14		1.27		1.31	1	1.35	1	39	1.43	1.47		1.52		1.56	1	1.61	1	.66		1.71
Repairs & Maintenance	4.0%	-			-		0.76		0.85		0.87	(	0.90	0.	93	0.95	0.98		1.01		1.04	1	1.07	1	.10		1.14
Total	22.0% \$	•	\$ -	\$	-	\$	4.20	\$	4.66	\$	4.80	\$ 4	4.94	\$ 5.	09	\$ 5.24	\$ 5.40	\$	5.56	\$	5.73	\$ 5	5.90	\$ 6	.08	\$	6.26
Gross Operating Profit	34.1% \$	-	\$ -	\$	-	\$	6.50	\$	7.21	\$	7.43	\$ 7	7.65	\$ 7.	88	\$ 8.12	\$ 8.36	\$	8.61	\$	8.87	\$ 9	9.14	<b>\$</b> 9	.41	\$	9.69
Fixed Expenses & Capital Costs																	-										
Property Taxes (based on 1% of prior year capitalized value)	formula	-	-		-		-		0.55		0.57	(	0.58	0.	59	0.60	0.61		0.62		0.64	(	0.65	C	.66		0.68
Incentive Fee	2.0%	-	-		-		0.38		0.42		0.44	(	0.45	0.	46	0.48	0.49		0.51		0.52	(	0.54	0	.55		0.57
Insurance	1.0%	-	-		-		0.19		0.21		0.22	(	0.22	0.	23	0.24	0.25		0.25		0.26	(	0.27	0	.28		0.28
Capital Reserve	2.0%	-	-		-		0.38		0.42		0.44	(	0.45	0.	46	0.48	 0.49		0.51		0.52	(	0.54	- 0	.55		0.57
Total	5.0%	-					0.95		1.61		1.66		1.70	\$ 1.	75	\$ 1.79	\$ 1.84	\$	1.89	\$	1.94	\$ 1	1.99	\$ 2	.04	\$	2.10
NET OPERATING INCOME (ex. depr., interest & tax)		-	-		-		5.55		5.60		5.77		5.95	6.	14	6.33	6.52		6.72		6.93		7.15	7	.37		7.60

Table 3.A.10
CARLSBAD BOULEVARD REALIGNMENT - Alternative 3, Parcel 3, Land Use Scenario A (BEFORE TAXES & FINANCING)
Full Service Hotel

	Yr. 2	2001 Value	2003 Year 1	2004 Year 2	2005 Year 3	2006 Year 4	2007 Year 5	2008 Year 6	2009 Year 7	2010 Year 8	2011 Year 9	2012 Year 10	2013 Year 11	2014 Year 12	2015 Year 13	2016 Year 14	2017 Year 15
Sources of Funds					Expresso	ed in Millio	ns of US I	Pollars				E	xpressed i	n Millions	of US Doll	lars	
Net Operating Income			-	-	-	5.55	5.60	5.77	5.95	\$ 6.14	\$ 6.33	\$ 6.52	\$ 6.72	\$ 6.93	\$ 7.15	\$ 7.37	<b>\$</b> 7.60
Reversion @		10.0%	-	-	-	-	-	-	-	-	-	-	-	-	-	-	75.95
Less Cost of Sales @		3.0%	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2.28
Net Sales Proceeds			-			<del>-</del>	-	-	-	\$ -	\$ -	\$ -	\$ -	\$ -	<b>\$</b> -	\$ -	\$ 73.68
Total Sources of Funds			-	-	•	5.55	5.60	5.77	5.95	\$ 6.14	\$ 6.33	\$ 6.52	\$ 6.72	\$ 6.93	\$ 7.15	\$ 7.37	\$ 81.27
Development Costs																	
Inflation Assumptions			1.06	1.09	1.13	1.16	1.19	1.23	1.27	1.30	1.34	1.38	1.43	1.47	1.51	1.56	1.60
Number of Rooms		300	-	150	150	-	-	-	-	-	-	•	-	-	-	-	-
Development Costs - Annual %			0%	50%	50%	0%	0%	0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Development Costs per room - Hotel /1	\$	125,000 _	-	20.49	21.10	-	-	-	-	-	-		-		-		
Total Development Costs		\$	\$ -	\$ 20.49	\$ 21.10	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
NET CASH FLOW (before financing & taxes)			- [	(20.49)	(21.10)	5.55	5.60	5.77	5.95	6.14	6.33	6.52	6.72	6.93	7.15	7.37	81.27
Cumulative Cash Flow			- 1	(20.49)	(41.59)	(36.04)	(30.44)	(24.67)	(18.72)	(12.58)	(6.25)	0.27	6.99	13.93	21.07	28.44	109.71
Net Present Value @		14.0%	\$3.94	million 200	03 dollars												

/1 New development costs include direct costs, off-site & on-site costs, indirect costs, and developer profit.

/2 Included in development cost per room

Table 3.A.11
CARLSBAD BOULEVARD REALIGNMENT - Alternative 3, Parcel 6A, Land Use Scenario A
Time Share

Assumptions	Yr. 20	001 Value		2003 'ear 1	200 Yea		2005 Year 3		006 ear 4	2007 <u>Year 5</u>	2008 <u>Year 6</u>	2009 <u>Year 7</u>	2010 Year 8	2011 <u>Year 9</u>	2012 <u>Year 10</u>	2013 Year 11	2014 Year 12	2015 Year 13	2016 Year 14	2017 Year 15
Inflation Factor		3%		1.06	1.0	19	1.13	1	1.16	1.19	1.23	1.27	1.30	1.34	1.38	1.43	1.47	1.51	1.56	1.60
Real Escalation		0%		1.00	1.0		1.00		1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Time Share Rooms		30	-	0		0	0		30	30	30	30	30	30	30	30		30	30	30
Total Number of Intervals Available				_	_			1.	530	1,530	1,530	1,530	1,530	1,530	1,530	1,530	1,530	1,530	1,530	1,530
Total Number of Intervals Sold Per Year				-	_		_		750	780	´-	,_	, -		· -	-	-	-	-	
Cumulative Intervals Sold				-	-		_		750	1,530	1,530	1,530	1,530	1,530	1,530	1,530	1,530	1.530	1,530	1,530
Interval Sales Price	\$	18,500	\$ 19	,627	\$20,2	15	\$20,822	\$21,	447	\$22,090	\$22,753	\$23,435	\$24,138	\$24,862	\$25,608	\$26,377	\$27,168	\$27,983	\$28,822	\$ 29,687
Sales Revenues							Express	ed in !	Millio	ons of US	Dollars				E	expressed i	in Millions	of US Dol	lars	
Annual Sales Volume			\$	-	\$ -		<b>S</b> -	\$ 16	5.08	\$ 17.23	\$ -	<b>S</b> -	\$ -	\$ -	\$ -	<b>S</b> -	<b>S</b> -	<b>S</b> -	\$ -	<b>S</b> -
Cumulative Sales Volume				-	-		-	16	5.08	33.32	33.32	33.32	33.32	33.32	33.32	33.32	33.32	33.32	33.32	33.32
Cost of Sales	Per	r Room																		
Product Cost (excluding land cost) /1	\$	205,000		-			6.92		-		-	-	-	-	-		-	-	-	
Gross Profit Before Land Costs			\$	-	\$ -		\$ (6.92)	\$ 16	5.08	\$ 17.23	\$ -	\$ -	\$ -	\$ -	\$ -	<b>S</b> -	\$ -	\$ -	\$ -	\$ -
Cumulative Profit Before Land Costs				-	-		(6.92)	9	9.16	26.39	26.39	26.39	26.39	26.39	26.39	26.39	26.39	26.39	26.39	26.39
Costs & Expenses/2	As % of An	nual Gross	Sales																	
Commissions		22.0%	\$	-	\$ -	:	\$ -	<b>\$</b> 3	3.54	\$ 3.79	\$ -	\$ -	<b>\$</b> -	\$ -	<b>\$</b> -	<b>S</b> -	<b>S</b> -	<b>\$</b> -	<b>\$</b> -	\$ -
Marketing		22.0%		-	-		-	3	3.54	3.79	-	-	-	-	-	-	-	-	-	-
Sales Overhead		5.0%		-	-		-	(	08.0	0.86	-	-	-	-	-	-	-	-	-	-
Administration		7.0%		-	-		-	1	1.13	1.21	-	-	-	-	-	-	-	-	-	-
Acct./Legal/Counsulting		0.5%		-	-		-	(	80.0	0.09	-	-	-	-	-	-	-	-	-	-
Depreciation		0.3%		-	-		~	(	0.05	0.05	-	-	-	-	-	-	-	-	-	-
Other		0.1%		-	-		-	(	0,02	0.02	-	-	-	-	-		-	-	-	
Total Cost & Expenses (% of Annual Gross Sales)		56.9%	\$	-	\$ -		\$ -	\$ 9	9.15	\$ 9.80	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Net Development Profit (Loss)		43%	\$	-	\$ -		\$ (6.92)	\$ 6	5.93	\$ 7.43	<b>S</b> -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Cumulative Cash Flow			\$	-	\$ -		\$ (6.92)	\$ (	0.01	\$ 7.44	\$ 7.44	\$ 7.44	\$ 7.44	\$ 7.44	\$ 7.44	\$ 7.44	\$ 7.44	\$ 7.44	\$ 7.44	\$ 7.44
Net Present Value @		15.0%		3.10	million	200	3 dollars	1												

/1 Development costs include allocated share of onsite/offsite costs.

/2 Selling and marking expenses only. Operating expenses are covered 100% by annual fees.

Source: RCI Consulting, Inc.; and Economics Research Associates

Table 3.A.12 CARLSBAD BOULEVARD REALIGNMENT - Alternative 3, Parcel 6B, Land Use Scenario A Office Operating Statement

	Yr. 2001 Value	2003 Year 1	2004 Year 2	2005 <u>Year 3</u>	2006 Year 4	2007 Year 5	2008 Year 6	2009 <u>Year 7</u>	2010 <u>Year 8</u>	2011 <u>Year 9</u>	2012 Year 10	2013 <u>Year 11</u>	2014 Year 12	2015 Year 13	2016 <u>Year 14</u>	2017 Year_15
Inflation Factor	3%	1.06	1.09	1.13	1.16	1.19	1.23	1,27	1.30	1.34	1.38	1.43	1.47	1.51	1.56	1.60
Rental Escalation	0%	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Office New	15,000		-		15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000
Total GLA	15,000	-		-	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000
Average Annual Occupancy Rate		0%	0%	0%	80%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%
Occupied Space		-	•		12,000	14,250	14,250	14,250	14,250	14,250	14,250	14,250	14,250	14,250	14,250	14,250
Average NNN Rent Per s.f., Per Year	\$ 22.80	\$ 24.19	\$ 24.91	\$ 25.66	\$ 26.43	\$ 27.22	\$ 28.04	\$ 28.88	\$ 29.75	\$ 30.64	\$ 31.56	\$ 32.51	\$ 33.48	\$ 34.49	\$ 35.52	\$ 36.59
				Exp	ressed in M	lillions of US	S Dollars					Expre	ssed in Mill	ions of US	Dollars	
Gross Revenues		<b>s</b> -	<b>s</b> -	\$ -	<b>\$</b> 0.32	\$ 0.39	\$ 0.40	\$ 0.41	\$ 0.42	\$ 0.44	<b>\$</b> 0.45	\$ 0.46	\$ 0.48	<b>S</b> 0.49	\$ 0.51	\$ 0.52
Operating Expenses	% of Rev.															
Administrative & General	4.0%		-		0.01	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02
Sales & Marketing	2.0%				0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01
Total	6.0%	<b>S</b> -	•	•	\$ 0.02	\$ 0.02	\$ 0.02	\$ 0.02	\$ 0.03	\$ 0.03	\$ 0.03	\$ 0.03	\$ 0.03	\$ 0.03	\$ 0.03	\$ 0.03
NOT ORED TING INCOME.					£ 0.20	\$ 0.36	6 030	6 0.20	\$ 0.40	S 0.41	\$ 0.42	• • • • •		<b>6</b> 046	£ 0.40	5 0 10
NET OPERATING INCOME (ex. depr., interest & tax	)	<b>s</b> -	s -	5 -	\$ 0.30	3 U.36	\$ 0.38	\$ 0.39	\$ 0.40	\$ 0.41	\$ 0.42	\$ 0.44	\$ 0.45	\$ 0.46	\$ 0.48	\$ 0.49

/1 Triple-net rent where tenant pays for pro-rata share of common area charges, insurance, property taxes, and utilities in addition to base rent. No rent for tenant improvements; tenants pay for improvements.

Source: Economics Research Associates

Table 3.A.13 CARLSBAD BOULEVARD REALIGNMENT - Alternative 3, Parcel 6B, Land Use Scenario A (BEFORE TAXES & FINANCING) Office Operating Statement

Sources of Funds Net Operating Income														ur_7		r.8		ar 9		ar 10	1.5	ar 11	1.54	г 12	Year		Year 1	•	Year_15
Net Operating Income						E	xpres	sed in	n Mill	ions of	US D	oliars										Expre	ssed in	n Milli	ons of	US D	ollars		
		\$ .	-	\$ -	. :	\$ .	- :	\$ 0.	30 \$	0.3	6 <b>S</b>	0.38	\$	0.39	\$	.40	\$	0.41	\$	0.42	S	0.44	S	0.45	\$ (	.46	\$ 0.4	8 \$	0.49
Reversion @	10.0%		-					-		-		-		-		-				-		-		-		-	-		4.90
Less Cost of Sales @	3.0%		-	-			-	-				-				-		-		-		-				-			0.15
Net Sale Proceeds		\$	-	\$ -	. :	\$ .		<b>s</b> -	5		\$		S		s _		\$		S	-	\$	-	S	-	\$		\$ -	9	4.75
Total Sources of Funds		\$		\$		\$ .	- :	<b>S</b> 0.	30 5	0.3	6 <b>S</b>	0.38	S	0.39	5	).40	\$	0.41	\$	0.42	\$	0.44	s	0.45	\$ (	.46	\$ 0.4	8 5	5.24
Development Costs																													
Inflation Assumptions		1	.06	1.	.09	1	.13	1.	16	1.1	9	1.23		1.27		.30		1.34		1.38		1.43		1.47	i	.51	1.3	6	1.60
Gross Leasable Area New 1	5,000		-	-				15.0	00	15,00	0	15,000	15	000,	15.	000	1:	5,000	- 1	5,000		15,000	15	,000	15,	000	15,00	0	15,000
Development Costs Annual % New			0%		0%	10	)0%		0%			-				-		-				-		-		-	-		-
New Development Costs \$ 101.44 per s	f	\$ .	-	\$ -	. :	<b>\$</b> 1	.71	\$ -	. 5		S	-	\$	-	\$		\$	-	\$	-	\$	-	\$	-	\$	-	<b>S</b> -	5	۔ ؤ
Total Development Costs		\$	-	\$ -	. :	<b>\$</b> 1	.71	<b>s</b> -		-	\$	-	\$	•	\$	-	S	-	\$	-	S	-	\$	-	\$	-	<b>s</b> -	5	<b>S</b> -
NET CASH FLOW (before financing & taxes)	1	Γ.	- 1			(1	.71)	0.	30	0.3	6	0.38		0.39		0.40		0.41	Γ	0.42		0.44		0.45		.46	0.4	8	5.24
CUMULATIVE CASH FLOW			. T	-	.	(1	.71)	(1.	41)	(1.0	5)	(0.67)	(	0.29)		0.11		0.52		0.94	T	1.38		1.83	2	.29	2.	7	8.01

Residual Land Value= Net Present Value @

14.0% \$1.01 million 2003 dollars

Notes:

New development costs include direct costs, indirect costs, and developer profit,

Table 4.A.1

CARLSBAD BOULEVARD REALIGNMENT - Alternative 4, Parcel 1, Land Use Scenario A

PROFORMA CASH FLOW - PRELIMINARY RESIDUAL LAND VALUE
(BEFORE TAXES & FINANCING)

02-Oct-01

		V- 2001	200		2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
I-G-ti Ft	20/	Yr. 2001	Year		Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	<u>Year 10</u>	Year 11	Year 12	Year 13	Year 14	Year 15
Inflation Factor	3%_	Value	1.0	6 1.09	1.13	1.16	1.19	1.23	1.27	1.30	1.34	1.38	1.43	1.47	1.51	1.56	1.60
SOURCES AND USES OF FUNDS Net Sources of Funds By Land Use																	
Executive Mtg. Hotel Net Cash Flow			_	(11.06)	(11.40)	2.82	2.84	2.93	3.02	3.12	3.21	3.31	3.42	3.52	3.63	3.74	41.27
Commercial Retail Cash Flow			-	(3.32)	(3.42)	1.96	2.40	2.47	2.55	2.62	2.70	2.78	2.86	2.95	3.04	3.13	34.18
Time Share					(17.30)	9.24	9.52	(9.10)	10.10	10.40	10.72	11.04	7.39	<b>-</b> .	-	<u> </u>	-
Sub-total			s -	\$ (14.38)	\$ (32.12)	\$ 14.02	\$ 14.76	\$ (3.70)	\$ 15.67	\$ 16.14	\$ 16.63	\$ 17.13	\$ 13.67	\$ 6.47	\$ 6.67	\$ 6.87	\$ 75.45
Net Cash Flow After Developer Costs			<b>S</b> -	\$ (14.4)	\$ (32.1)	\$ 14.0	\$ 14.8	\$ (3.7)	\$ 15.7	\$ 16.1	\$ 16.6	\$ 17.1	\$ 13.7	\$ 6.5	\$ 6.7	\$ 6.9	\$ 75.5

Net Present Value After Developer Costs

Net Present Value @ 14.0% \$20.65 million 2003 dollars

Table 4.A.2
CARLSBAD BOULEVARD REALIGNMENT - Alternative 4, Parcel 1, Land Use Scenario A
FISCAL REVENUES

			2003	:	2004	2	005	200	6	2007		2008		2009	:	2010		2011		2012		2013		2014		2015		2016	2017
		_	Year 1		ear 2		ar 3	Year		Year 5		Year 6		ear 7		ear 8		<u>'ear 9</u>	Y	ear 10	Y	<u>ear 11</u>	<u>Y</u>	ear 12		ear 13	Y	ear 14	
Inflation Factor	3%		1.06		1.09	1	1.13	1.1	6	1.19	_	1.23		1.27		1.30		1.34		1.38		1.43	—	1.47		1.51		1.56	1.60
PROPERTY TAXES Land Uses												E	xpre	essed Ir	Mil	llions	of US	S Dolla	ırs										
Executive Mtg. Hotel		e		•		e		s -	e	0.20	e	0.28	e	0.20	¢	0.20	e	0.20	e	0.31	•	0.31	e	0.33	e	0.22	•	0.33	\$ 0.34
Commercial Retail		. D	•	•	•	e e	-	s -				0.24																0.33	
Time Share		•	-	•	-	-	-	\$ -	-		-	0.22	-		-		-								-			1.01	
Total Property Tax Increment		-\$		-\$	<del>-</del>	<del>-</del> -		<del>\$ -</del>				0.74																1.62	
Total Property Tax Increment		J	-	J		Ψ		<b>.</b>	Ψ	0.02	J	0.74	J	0.07	Ψ	1.00	Ψ	1.15	Ψ	1.27	Ψ	1.45	3	1.50	Ψ	1.57	•	1.02	J 1.00
City's Share	4.75% of Property Taxes	\$		\$		\$		<b>s</b> -				0.04																0.08	•
RDA's Non-housing Share	60.00% of Property Taxes	\$	-	\$	-	\$	-	\$ -	\$	0.37	\$	0.44								0.78	\$	0.87	\$	0.94	\$	0.96	\$	0.97	\$ 0.99
												E	xpre	essed Ir	Mil	llions	of U	S Dolla	ırs										
TRANSIENT OCCUPANCY T	AXES			•		•				ć 10	•		•		•		•		•	7.16	•	7.20	•	7.00	•	7.03	•	0.07	e 0.20
Executive Mtg. Hotel	10 000/ CD D	\$	-	S								6.36 0.64																8.06 0.81	
Transient Occupancy Tax @	10.00% of Room Revenue	3	-	3	-	Þ	-	\$ U.5	0 3	0.62	3	0.04	Þ	0.00	3	0.08	Þ	0.70	3	0.72	3	0.74	3	0.76	Э	0.78	Þ	0.81	\$ 0.83
Gross Fiscal Operating Income	From TOT & TI	\$	-	\$	-	\$	-	\$ 0.5	6 <b>S</b>	1.02	\$	1.12	\$	1.22	\$	1.33	\$	1.44	\$	1.55	\$	1.67	\$	1.77	\$	1.81	\$	1.86	\$ 1.90
SALES TAX REVENUE																													
Retail Commercial		\$	-	\$	-	\$	-	\$ 0.2	6 \$	0.32	\$	0.33	\$	0.34	\$	0.35	\$	0.36	\$	0.37	\$	0.38	\$	0.39	\$	0.40	\$	0.42	\$ 0.43
Food & Beverage & 50% of Other	er Hotel Revenues		-	\$	-	\$	-					0.03																0.04	
Total Sales Tax Revenue		\$	-	\$	-	\$	-	\$ 0.2	9 \$	0.35	\$	0.36	\$	0.37	\$	0.38	\$	0.40	\$	0.41	\$	0.42	\$	0.43	\$	0.45	\$	0.46	\$ 0.47
TOTAL FISCAL REVENUE																													
Property Tax Revenue		\$	-	\$	-	\$	-	\$ -	\$	0.40	\$	0.48	\$	0.56	\$	0.65	\$	0.74	\$	0.84	\$	0.94	\$	1.01	\$	1.03	\$	1.05	\$ 1.07
Transient Occupancy Tax Reven	ue	\$	-	\$	-	\$						0.64																0.81	
Sales Tax Revenue		_\$_	-		-	\$	-					0.36																0.46	
Total Fiscal Revenue Available f	or Fiscal Operating Costs	\$	-	\$	-	\$	-	\$ 0.8	5 \$	1.37	\$	1.48	\$	1.59	\$	1.71	\$	1.83	\$	1.96	\$	2.09	\$	2.20	\$	2.26	\$	2.32	\$ 2.38
Sources of Funds																													
FISCAL OPERATING INCOMI	3	\$	-	\$	-	\$	-	\$ 0.8	5 \$	1.37	\$	1.48	\$	1.59	\$	1.71	\$	1.83	\$	1.96	\$	2.09	\$	2.20	\$	2.26	\$	2.32	\$ 2.38
Reversion @	7%	\$	-	\$	-	\$						-																-	\$ 36.54
Total Sources of Funds		\$	-	\$	-	\$	-	\$ 0.8	5 \$	1.37	\$	1.48	\$	1.59	\$	1.71	\$	1.83	\$	1.96	\$	2.09	\$	2.20	\$	2.26	\$	2.32	\$ 38.92
NET CASH FLOW		\$	•	\$	-	\$	<u>-</u> I	\$ 0.8	5   \$	1.37	S	1.48	\$	1.59	\$	1.71	\$	1.83	\$	1.96	\$	2.09	\$	2.20	\$	2.26	\$	2.32	\$ 38.92
						_																							

\$17.43 million 2003 dollars

Source: Economics Research Associates

10%

Net Present Value @

Table 4.A.3

CARLSBAD BOULEVARD REALIGNMENT - Alternative 4, Parcel 1, Land Use Scenario A

Executive Meeting Hotel Operating Statement

			2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
	Yr. 2001	Value	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
Assumptions																	
Inflation Factor		3%	1.06	1.09	1.13	1.16	1.19	1.23	1.27	1.30	1.34	1.38	1.43	1.47	1.51	1.56	1.60
Real Escalation		0%	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Hotel Rooms		150	0	0	0	150	150	150	150	150	150	150	150	150	150	150	150
Total Potential Number of Room nights			-	-	-	54,750	54,750	54,750	54,750	54,750	54,750	54,750	54,750	54,750	54,750	54,750	54,750
Average Annual Occupancy Rate			0.0%	0.0%	0.0%	65.0%	70.0%	70.0%	70.0%	70.0%	70.0%	70.0%	70.0%	70.0%	70.0%	70.0%	70.0%
Avg. Daily Rm. Rate Hotel 2 /1	\$	135	143	148	152	157	161	166	171	176	181	187	192	198	204	210	217
Operating Revenues					Express	ed in Millio	ons of US I	ollars				E	xpressed i	n Millions	of US Doll	ars	
Room Revenues		\$	-	\$ -	\$ -	\$ 5.57	\$ 6.18	\$ 6.36	\$ 6.55	\$ 6.75	\$ 6.95	\$ 7.16	\$ 7.38	<b>\$</b> 7.60	\$ 7.83	\$ 8.06	\$ 8.30
	As % of Roor	n Revenues	S														
Food & Beverage		45%	-	-	-	2.51	2.78	2.86	2.95	3.04	3.13	3.22	3.32	3.42	3.52	3.63	3.74
Other Revenues		15%	-	-		0.84	0.93	0.95	0.98	1.01	1.04	1.07	1.11	1.14	1.17_	1.21	1.25
Subtotal (Non-Room Revenues)		60% \$	-	\$ -	\$ -	\$ 3.34	\$ 3.71	\$ 3.82	\$ 3.93	\$ 4.05	\$ 4.17	\$ 4.30	\$ 4.43	\$ 4.56	\$ 4.70	\$ 4.84	\$ 4.98
		_															
Gross Revenues		\$	-	\$ -	\$ -	\$ 8.91	\$ 9.88	\$ 10.18	\$ 10.49	\$ 10.80	\$ 11.13	\$ 11.46	\$ 11.80	\$ 12.16	\$ 12.52	\$ 12.90	\$ 13.28
Departmental Costs & Expenses	As % of Departm		nues														
Rooms		25%	-	-	-	1.39	1.54	1.59	1.64	1.69	1.74	1.79	1.84	1.90	1.96	2.02	2.08
Food & Beverage		75%	-	-	-	1.88	2.09	2.15	2.21	2.28	2.35	2.42	2.49	2.56	2.64	2.72	2.80
Other Departments		50%		-	-	0.42	0.46	0.48	0.49	0.51	0.52	0.54	0.55	0.57	0.59	0.60	0.62
Total Departmental Expenses (% of Gross Revenues)		41% \$	-	\$ -	\$ -	\$ 3.69	\$ 4.09	\$ 4.22	\$ 4.34	\$ 4.47	\$ 4.61	\$ 4.74	<b>\$</b> 4.89	\$ 5.03	\$ 5.18	\$ 5.34	\$ 5.50
				_													
Gross Operating Revenues		59% \$	. •	\$ -	\$ -	\$ 5.22	\$ 5.79	\$ 5.97	\$ 6.14	\$ 6.33	\$ 6.52	\$ 6.71	\$ 6.92	\$ 7.12	\$ 7.34	\$ 7.56	\$ 7.78

/1 Rate, after discounts, per occupied room.

Table 4.A.4

CARLSBAD BOULEVARD REALIGNMENT - Alternative 4, Parcel 1, Land Use Scenario A

Executive Meeting Hotel Operating Statement

	Yr. 2001 Value	2003 Year 1	2004 Year 2		2005 ear 3	2006 Year	-	2007 Year 5		008 ar_6	20 Yea		2010 Year	2011 (ear 9	2012 ar 10		2013 ar 11		2014 ar 12	20 Yea	015 r_13	2016 Year 1	2017 ear 15
				Exp	pressed	in Mil	llions	of US	Dollar	s					E	xpre	ssed ii	n Mil	llions c	of US	Dolla	rs	
Gross Operating Revenues		-	-		-	-		-	:	5.97	6.	14	6.33	6.52	6.71		6.92		7.12	7	.34	7.5€	7.78
Undistributed Operating Expenses																							
	As % of Revenue																						
Administrative & General	5.0% \$	-	\$ -	\$	- \$	0.45	5 \$	0.49	\$ (	0.51	\$ 0.	52 \$	0.54	\$ 0.56	\$ 0.57	\$	0.59	\$	0.61	\$ 0	.63	\$ 0.64	\$ 0.66
Management Fee	2.0%	-	-		-	0.18	8	0.20	(	0.20	0.	21	0.22	0.22	0.23		0.24		0.24	0	.25	0.26	0.27
Sales & Marketing	5.0%	-	-		-	0.45	5	0.49	(	).51	0.	52	0.54	0.56	0.57		0.59		0.61	0	.63	0.64	0.66
Energy Costs	6.0%	-	-		-	0.53	3	0.59	(	0.61	0.	.63	0.65	0.67	0.69		0.71		0.73	0	.75	0.77	0.80
Repairs & Maintenance	4.0%		-		-	0.36	6	0.40	(	0.41	0.	42	0.43	0.45	0.46		0.47		0.49	0	.50 _	0.52	 0.53
Total	22.0% \$	-	\$ -	\$	- \$	1.96	6 \$	2.17	\$ 2	2.24	\$ 2.	31 \$	2.38	\$ 2.45	\$ 2.52	\$	2.60	\$	2.67	\$ 2	.75	\$ 2.84	\$ 2.92
Gross Operating Profit	36.6% \$		<b>s</b> -	\$	- \$	3.26	6 \$	3.62	\$ .	3.73	\$ 3.	84 \$	3.95	\$ 4.07	\$ 4.19	\$	4.32	\$	4.45	\$ 4	.58	\$ 4.72	\$ 4.86
Fixed Expenses & Capital Costs																							
Property Taxes	formula	-	-		_	-		0.28		0.28	0.	.29	0.30	0.30	0.31		0.31		0.32	0	.33	0.33	0.34
Incentive Fee	2.0%	-	-		-	0.18	8	0.20	(	0.20	0.	.21	0.22	0.22	0.23		0.24		0.24	0	.25	0.26	0.27
Insurance	1.0%	-	-		-	0.09	9	0.10	(	0.10	0.	10	0.11	0.11	0.11		0.12		0.12	0	.13	0.13	0.13
Capital Reserve	2.0%	_			-	0.18	8	0.20	(	0.20	0.	21	0.22	0.22	0.23		0.24		0.24	0	.25	0.26	 0.27
Total	5.0%		-		-	0.45	5	0.78	(	).79	0.	81 \$	0.84	\$ 0.86	\$ 0.88	\$	0.90	\$	0.93	<b>S</b> 0	.95	\$ 0.98	\$ 1.00
NET OPERATING INCOME (ex. depr., interest & tax)					•	2.82	2	2.84		2.93	3.	02	3.12	3.21	 3.31		3.42		3.52	3	.63	3.74	 3.86

Table 4.A.5

CARLSBAD BOULEVARD REALIGNMENT - Alternative 4, Parcel 1, Land Use Scenario A (BEFORE TAXES & FINANCING)

Hotel Operating Statement

	Yr.	2001 Value	2003 Year 1	2004 <u>Year 2</u>	2005 Year 3	2006 <u>Year 4</u>	2007 <u>Year 5</u>	2008 <u>Year 6</u>	2009 <u>Year 7</u>	2010 <u>Year 8</u>	2011 <u>Year 9</u>	2012 Year 10	2013 Year 11	2014 Year 12	2015 Year 13	2016 <u>Year 14</u>	2017 <u>Year 15</u>
Sources of Funds					Expresse	d in Millio	ns of US E	ollars				E	expressed i	in Millions	of US Doll	ars	
Net Operating Income			-	-	-	2.82	2.84	2.93	3.02	\$ 3.12	\$ 3.21	\$ 3.31	\$ 3.42	\$ 3.52	\$ 3.63	\$ 3.74	\$ 3.86
Reversion @		10.0%	-	-	-	-	-	-	-	-	-	-	-	-	-	-	38.57
Less Cost of Sales @		3.0%	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1.16
Net Sales Proceeds		_				_			<u> </u>	<b>S</b> -	\$	\$ -	\$ <u>-</u>	\$	\$ -	S	\$ 37.42
Total Sources of Funds			-	-	-	2.82	2.84	2.93	3.02	\$ 3.12	\$ 3.21	\$ 3.31	\$ 3.42	\$ 3.52	\$ 3.63	\$ 3.74	\$ 41.27
Development Costs																	
Inflation Assumptions		[	1.06	1.09	1.13	1.16	1.19	1.23	1.27	1.30	1.34	1.38	1.43	1,47	1.51	1.56	1.60
Number of Rooms		150	-	75	75	-	-	-	-	-	-	-	-	-	-	-	
Development Costs - Annual %			0%	50%	50%	0%	0%	0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Development Costs per room - Hotel /1	5	135,000	-	11.06	11.40				-			-					
Total Development Costs		•	s -	\$ 11.06	\$ 11.40	\$ -	\$ -	\$ -	<b>s</b> -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	<b>s</b> -	\$ -
NET CASH FLOW (before financing & taxes)				(11.06)	(11.40)	2.82	2.84	2.93	3.02	3.12	3.21	3.31	3.42	3.52	3.63	3.74	41.27
Cumulative Cash Flow		į		(11.06)	(22.46)	(19.64)	(16.80)	(13.87)	(10.85)	(7.73)	(4.52)	(1.20)	2.21	5.73	9.36	13.10	54.38
Net Present Value @		14.0%	\$1.04	million 20	03 dollars							*					

/1 New development costs include direct costs, off-site & on-site costs, indirect costs, and developer profit.

Table 4.A.6

CARLSBAD BOULEVARD REALIGNMENT - Alternative 4, Parcel 1, Land Use Scenario A

Retail/Commercial: Operating Statement

			200	3	2004		2005	2	2006	2	007		2008	2	2009	2	010	20	011	201	2	201	3	2014		2015	2016	2017
			Year	1	Year 2	3	<u>ear 3</u>	Y	ear 4	Ye	ear 5	7	<u>ear 6</u>	Y	ear 7	Y	ear 8	Ye	ar 9	Year	10	Year :	1	Year 12	Y	ear 13	Year 14	Year 15
Inflation France		20/ F	1.0		1.00		1 12		1.16		1 10		1 22		1 27		1 20		2.4	1.3	0	1.4	,	1.47		1.51	1.56	1.60
Inflation Factor		3%	1.0		1.09		1.13		1.16		1.19		1.23		1.27		1.30		1.34	1.0		1.4		1.47			1.00	1.60
Rental Escalation		0%[	1.0	<u> </u>	1.00		1.00		1.00		1.00		1.00		1.00		1.00	1	.00	1.0	U	1.0	<u>,                                     </u>	1.00		1.00	1.00	1.00
Cumulative Gross Leasable Area		45.000						4.5	000		000		- 000	4.5	000	4.5	000	46	000	45.00	^	45.00	2	45.000		5.000	45.000	45.000
Commercial Retail		45,000	-		-		-		,000		,000		5,000		,000		,000	45,0		45,00		45,00		45,000		5,000	45,000	
Restaurants		45,000							,000		,000		5,000		,000		,000	45,0		45,00		45,00		45,000		5,000	45,000	45,000
Total		90,000	-		-		-	90,	,000	90,	,000	90	0,000	90	,000	90,	,000	90,0	000	90,00	0	90,00	)	90,000	9	000,00	90,000	90,000
Occupancy Rate																												
Commercial Retail				%	0%		0%		80%		95%		95%		95%		95%		95%	95	-	95		95%		95%	95%	
Restaurants			0	%	0%		0%		80%		95%		95%		95%		95%		95%	95	%	95	%	95%		95%	95%	95%
Average NNN Base Rent Per s.f. Per Yr/1		US\$																										
Commercial Retail	\$	20.00	21.2	2	21.85	:	22.51	2.	3.19	23	3.88	1	24.60	2	5.34	26	6.10	26	5.88	27.6	8	28.5	2	29.37		30.25	31.16	32.09
Restaurants	\$	30.00	31.8	3	32.78		33.77	3-	4.78	35	5.82		36.90	3	8.00	39	9.14	40	0.32	41.5	3	42.7	7	44.06		45.38	46.74	48.14
Average Gross Sales Per Square Foot Per Year		US\$																										
Commercial Retail	\$	250.00	26	5	273		281		290		299		307		317		326		336	34	6	35	5	367		378	389	401
Restaurants	\$	375.00	39	8	410		422		435		448		461		475		489	:	504	51	9	53	5	551		567	584	602
						E	xpress	ed in	Milli	ons of US Dollars							Expressed in Millions of US Dollars											
Operating Revenues							-																					
Base Rent Revenue			\$ -		\$ -	\$	-	\$ :	2.09	\$ 2	2.55	\$	2.63	\$	2.71	\$ 2	2.79	\$ 2	2.87	\$ 2.9	6 \$	3.0	5 \$	3.14	\$	3.23	\$ 3.33	\$ 3.43
Gross Revenues		-	\$ -		\$ -	\$	-	\$ :	2.09	\$ 2	2.55	\$	2.63	\$	2.71	\$ 2	2.79	\$ 2		\$ 2.9					\$	3.23	\$ 3.33	
Operating Expenses		% of Rev.																										
Administrative & General		4.0%	\$ -	:	<b>S</b> -	\$	-	\$ (	0.08	\$ 0	0.10	\$	0.11	\$	0.11	\$ (	0.11	<b>\$</b> 0	).11	\$ 0.1	2 \$	0.1	2 \$	0.13	\$	0.13	\$ 0.13	\$ 0.14
Sales & Marketing		2.0%	-		-		-	(	0.04	(	0.05		0.05		0.05	(	0.06	0	0.06	0.0	6	0.0	5	0.06		0.06	0.07	0.07
Total		6.0%	\$ -		\$ -	\$	-	\$ (	0.13	\$ 0	0.15	\$	0.16	\$	0.16	\$ (	0.17	\$ 0	).17	\$ 0.1	8 9	0.1	3 \$	0.19	\$	0.19	\$ 0.20	\$ 0.21
NET OPERATING INCOME (ex. depr., into Notes:	eres	st & tax)	<b>s</b> -	:	<b>\$</b> -	\$	-	\$	1.96	\$ 2	2.40	\$	2.47	\$	2.55	\$ 2	2.62	\$ 2	2.70	\$ 2.7	8 5	2.8	6 \$	2.95	\$	3.04	\$ 3.13	\$ 3.22

<sup>/1</sup> Triple-net rent where tenant pays for pro-rata share of common area charges, insurance, property taxes, and utilities in addition to base rent. No rent for tenant improvements; tenants pay for improvements. Source: Economics Research Associates

Table 4.A.7

CARLSBAD BOULEVARD REALIGNMENT - Alternative 4, Parcel 1, Land Use Scenario A

Retail/Commercial: Operating Statement

			2003 (ear 1	L	2004 Year 2		2005 Year 3		2006 <u>Year 4</u>	3	2007 <u>Year 5</u>	-	2008 <u>Year 6</u>	3	2009 Year 7		2010 <u>Year 8</u>		2011 <u>Year 9</u>	Y	2012 ear 10	Y	2013 ear 11		2014 ear 12		2015 ear 13	201 Year	-	2017 Year 15
Sources of Funds							Expres	sed	in Mill	ions	of US	Dol	llars									E	Express	ed i	n Milli	ons	of US	Dollar	s	
Net Operating Income		\$	-	\$	-	\$	-	\$			2.40		2.47	\$	2.55	\$	2.62	\$	2.70	\$	2.78	\$	2.86		2.95			\$ 3.1		\$ 3.22
Reversion @	10.0%		-		-		_		-		-		-		-		-		-		-		-				-	-	9	\$32.24
Less Cost of Sales @	4.0%		-		-		-		-		-		-		-		-		-		-		-		•		-	-	5	1.29
Net Sale Proceeds		_\$_	-	\$		\$	<u> </u>	\$		_\$_		\$		\$		\$	-	\$	-	\$		\$	-	\$	•	\$	•	<u>\$ -</u>		\$30.95
Total Sources of Funds		\$	-	\$	-	\$	-	\$	1.96	\$	2.40	\$	2.47	\$	2.55	\$	2.62	\$	2.70	\$	2.78	\$	2.86	\$	2.95	\$	3.04	\$ 3.1	3 9	\$34.18
Development Costs																														
Gross Leasable Area (s.f.)	90,000		-	4	15,000		15,000				-				-		<u>-</u>						-		-		-			
Inflation Assumptions		<u> </u>	1.06		1.09		1.13		1.16		1.19		1.23		1.27		1.30		1.34		1.38		1.43		1.47		1.51	1.5		1.60
Commercial Retail			0.0%		50.0%		50.0%		0.0%		0.0%		0.0%		0.0%		0.0%		0.0%		0.0%		0.0%		0.0%		0.0%	0.0		0.0%
Restaurants			0.0%	)	50.0%		50.0%		0.0%		0.0%		0.0%		0.0%		0.0%		0.0%		0.0%		0.0%		0.0%		0.0%	0.0	%	0.0%
New Development Costs/2 \$ 135.00	per sf	_\$_		\$	3.32	\$	3.42	\$		\$	-	\$		_\$_		_\$_		_\$_		_\$_		\$		\$			-	<u>\$ -</u>		<u> </u>
Total Development Costs			-		3.32		3.42		•		-		-		-		-		-		-		-		-		-	-		-
NET CASH FLOW (before financing & taxes)			_		(3.32)	_	(3.42)	_	1.96		2.40		2.47		2.55		2.62		2.70		2.78		2.86		2.95		3.04	3.1		34.18
CUMULATIVE CASH FLOW		L_	-	1	(3.32)	)[	(6.74)	<u> </u>	(4.78)	L	(2.38)	<u> </u>	0.09		2.64	<u> </u>	5.26	<u> </u>	7.96	L	10.74		13.61		16.56		19.60	22.7	3	56.90

\$9.32 million 2003 dollars

Notes:

/1 New development costs, include direct costs, indirect costs, and developer profit.

14.0%

Source: Economics Research Associates

Residual Land Value = Net Present Value @

Table 4.A.8

CARLSBAD BOULEVARD REALIGNMENT - Alternative 4, Parcel 1, Land Use Scenario A

Time Share

	Vr '	2001 Value	2003 Year		2004 ear 2	2005 Year 3	2006 Year 4	2007 Үеаг 5	2008 Year 6	2009 Year 7	2010 Year 8	2011 Year 9	2012 Year 10	2013 Year 11	2014 Year 12	2015 Year 13	2016 Year 14	2017 Year 15
Assumptions		2001 Value	Ital		THI E	1tar_	Tent	ت القال	I.a. v	ASALI	Italo	Ttat	TEAL IV	7.m. 11	Trut II	Tun 13	Tracts	14412
Inflation Factor		3%	1.06	,	1.09	1.13	1.16	1.19	1.23	1.27	1.30	1.34	1.38	1.43	1.47	1.51	1.56	1.60
Real Escalation		0%	1.00	)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Time Share (Number of Rooms)		150	0	)	0	0	75	75	75	150	150	150	150	150	150	150	150	150
Total Number of Intervals Available			-		_	-	3,825	3,825	3,825	7,650	7,650	7,650	7,650	7,650	7,650	7,650	7,650	7,650
Total Number of Intervals Sold Per Year			_		-	-	1,000	1,000	1,000	1,000	1,000	1,000	1,000	650	-	-		-
Cumulative Intervals Sold			_		-	-	1,000	2,000	3,000	4,000	5,000	6,000	7,000	7,650	7,650	7,650	7,650	7,650
Interval Sales Price	\$	18,500	\$ 19,627	\$20	,215	\$20,822	\$21,447	\$22,090	\$22,753	\$23,435	\$24,138	\$24,862	\$25,608	\$26,377	\$27,168	\$27,983	\$28,822	\$ 29,687
Sales Revenues						Express	ed in Milli	ions of US	Dollars				E	xpressed i	n Millions	of US Dol	lars	
Annual Sales Volume			<b>S</b> -	\$	-	\$ -	\$ 21.45	\$ 22.09	\$ 22.75	\$ 23.44	\$ 24.14	\$ 24.86	\$ 25.61	\$ 17.14	S -	<b>\$</b> -	\$ -	<b>S</b> -
Cumulative Sales Volume			-		-	-	21.45	43.54	66.29	89.72	113.86	138.73	164.33	181.48	181.48	181.48	181.48	181.48
Cost of Sales	P	er Room																
Product Cost (excluding land cost) /1	\$	205,000	-		-	17.30	-	-	18.91		_				-		-	
Gross Profit Before Land Costs		_	s -	\$	-	\$ (17.30)	\$ 21.45	\$ 22.09	\$ 3.84	\$ 23.44	\$ 24.14	\$ 24.86	\$ 25.61	\$ 17.14	\$ -	<b>S</b> -	\$ -	<u>s</u> -
Cumulative Profit Before Land Costs			-		-	(17.30)	4.14	26.23	30.08	53.51	77.65	102.51	128.12	145.26	145.26	145.26	145.26	145.26
Costs & Expenses/2	As % of A	nnual Gross S	ales															
Commissions		22.0%	<b>S</b> -	\$	-	\$ -	\$ 4.72	\$ 4.86	\$ 5.01	\$ 5.16	\$ 5.31	\$ 5.47	\$ 5.63	\$ 3.77	\$ -	\$ -	\$ -	<b>S</b> -
Marketing		22.0%	-		-	-	4.72	4.86	5.01	5.16	5.31	5.47	5.63	3.77	-	-	-	-
Sales Overhead		5.0%	-		-	-	1.07	1.10	1.14	1.17	1.21	1.24	1.28	0.86	-	-	-	-
Administration		7.0%	-		-	-	1.50	1.55	1.59	1.64	1.69	1.74	1.79	1.20	-	-	-	-
Acct./Legal/Counsulting		0.5%	-		-	-	0.11	0.11	0.11	0.12	0.12	0.12	0.13	0.09	-	-	-	-
Depreciation		0.3%	-		-	-	0.06	0.07	0.07	0.07	0.07	0.07	0.08	0.05	-	-	-	-
Other		0.1%	-	_	-		0.02	0.02	0.02	0.02	0.02	0.02	0.03	0.02		-	-	
Total Cost & Expenses (% of Annual Gross Sales)		56.9%	s -	\$	-	\$ -	\$ 12.20	\$ 12.57	\$ 12.95	\$ 13.33	\$ 13.73	\$ 14.15	\$ 14.57	\$ 9.76	\$ -	\$ -	\$ -	\$ -
Net Development Profit (Loss)		43%	s -	\$	_	\$ (17.30)	\$ 9.24	\$ 9.52	\$ (9.10)	\$ 10.10	\$ 10.40	\$ 10.72	\$ 11.04	\$ 7.39	\$ -	\$ -	<b>S</b> -	<u> </u>
Cumulative Cash Flow			\$ -	\$	-	\$ (17.30)	\$ (8.06)	\$ 1.46	\$ (7.64)	\$ 2.46	\$ 12.86	\$ 23.58	\$ 34.61	\$ 42.00	\$ 42.00	\$ 42.00	\$ 42.00	\$ 42.00
Net Present Value @	<del></del>	15.0%	\$9.27	mill	ion 20	03 dollars	1											

/1 Development costs include allocated share of onsite/offsite costs.

/2 Selling and marking expenses only. Operating expenses are covered 100% by annual fees.

Source: RCI Consulting, Inc.; and Economics Research Associates

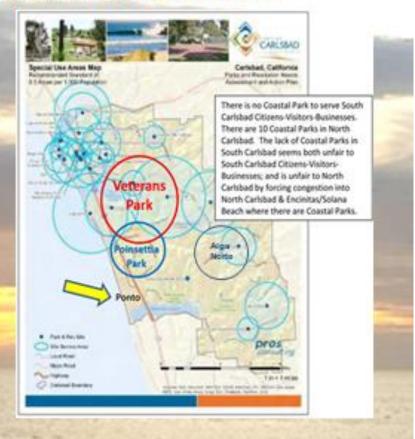
This is part of the data People for Ponto has provided since 2017 to the Carlsbad City Council, Planning & Parks Commissions; and CA Coastal Commission regarding the Coastal 11-acre Planning Area F site at Ponto and LFMP Zone 9.

For the 11-acre Planning Area F site at Ponto, Carlsbad's Existing (since 1994) Local Coastal Program (p. 101) LUP currently states for Planning Area F: carries a Non-Residential Reserve (NRR) General Plan designation. Carlsbad's Local Coastal Program states: "Planning Area F carries a Non-Residential Reserve (NRR) General Plan designation. Planning Area F is an "unplanned" area ..." and requires that: "... As part of any future planning effort, the City and Developer must consider and document the need for the provision of lower cost visitor accommodations or recreational facilities (i.e. public park) on the west side of the railroad." CA Coastal Commission actions and Carlsbad Public Records Requests 2017-260, 261, and 262 confirm the City and Developer never did this! The City did not disclose to Citizens the existence of this Existing LCP LUP policy nor follow the LCP LUP policy during BOTH the Ponto Beachfront Village Vision Plan and General Plan Update planning processes. Those processes are fundamentally flawed. They are built on missing information and missing Citizen input.

The image below was requested by former Carlsbad Councilman Michael Schumacher at the Oct 23, 2018 City Council meeting. It shows how the South Coastal Carlsbad (Ponto) is not served by a Park per the City's adopted Parks Master Plan. It shows the nearest Poinsettia Park's official Park Service Area relative to the Ponto/South Coastal Carlsbad Park gap and deficit. The blue dots are park locations and blue circle(s) show the City's Adopted Park Service Areas. This data, from pages 87-88 of the City of Carlsbad Parks Master Plan. The City data below shows all City Parks (both Community Parks and Special Use Areas in Coastal Carlsbad (except Aviara Park east of Poinsettia Park and west of Alga Norte Park).

# No Coastal Park in South Carlsbad

- Appx. 6 miles of Coast without a Coastal Park is a City & Regional need
- South Carlsbad has 64,000 residents & thousands of hotel visitors without a Coastal park
- Closest park to Ponto is Poinsettia Park, approx. 2.5 miles across I-5
- Proposed Veterans Park is approx. 6 miles away



The above information (along with a lot of other relevant data) was never disclosed to Citizens nor discussed or considered relative to City planning efforts at Ponto. The LCPA Public Review should be extended to allow time for City Staff to provide Redline version of the Existing LCP and the corresponding Draft LCPA LUP changes, full public review of this Redline Draft, and open and honest Community-based planning Workshops for specific areas of vacant Coastal Land - including a Ponto specific LCPA Community Workshop(s) to resolve issues. www.peopleforponto.com

From: Tommy Dean
To: Planning
Subject: please clarify

**Date:** Friday, December 11, 2020 11:37:09 AM

I own two properties ,4517 Adams Street and 2701 Ocean Street, that are located in the proposed land use plan that is being considered. Please clarify what zoning change that is being considered. I read the change as being "legal non conforming".

If this is the new zoning proposed, please answer these questions. If my houses burn down, will I be able to rebuild? If I need a major repair such as a new roof, window replacement, stuccoing etc.; will I be able to repair these needed repairs?

Your prompt response would be greatly appreciated.

Sincerely,

Tommy Dean

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