

January 29, 2016

Matt Hall
City of Carlsbad
1200 Carlsbad Village Drive
Carlsbad, Ca 92008

Mr. Hall:

I have reviewed your response to my letter of comment to the City Council dated November 17, 2015 regarding the Agua Hedionda Lagoon South Shore Specific Plan (AH-SP) which will be the subject of the vote on Measure A. Contrary to your statement that my letter was recently sent, it was sent to you and the Council over two and a half months ago. I find it curious that at this late date before the election, you finally have the time and find it necessary to respond to my comments. Be that as it may, I stand behind my comments 100% and provide the following additional facts to further substantiate my previous comments.

1) Measure A and the AH-SP specifically lists the commercial uses that are permitted in the project. Please compare this list to the uses that are identified in the updated General Plan and the Zoning Ordinance for a "regional shopping center". They are essentially the same. Now compare this to the list of uses for "visitor serving commercial" described in the updated General Plan and the Zoning Ordinance and you will find that they are very different. The updated General Plan also states that "regional shopping centers" contain commercial square footages starting at 300,000 sq. ft. and not 1 million sq. ft. as stated in your response. The AH-SP project contains 585,000 sq. ft. and Measure A does not prohibit the project from having more than one department store. If the project is "visitor serving commercial" in conformance with the updated General Plan, than why is Measure A amending the General Plan and the Zoning designation by deleting the "visitor serving commercial" designation for the project site and changing it to "AH-SP"? Using the city's own figures contained on Page 8 of your Voter's Guide, the AH-SP project is almost twice as intense (sq. ft. of commercial use per acre) as the other regional shopping mall in the city, The Shoppes(formally Westfield Carlsbad). Measure A even allows 25% more square footage of commercial space than was allocated to the project site than when the Growth Management Plan was approved.

2) Nearly 90% of the open space proposed by the AH-SP project is already permanently protected as open space by Proposition D approved in 2006. Nearly 75% of the "additional" open space proposed by the project is located underneath major SDG&E power transmission towers. The city's Growth Management Plan specifically excludes power lines as counting toward meeting the Growth Management open space standard. Measure A also allows the project's "additional" open space to be used for parking for the shopping center and for a restaurant and produce store. The measure greatly overstates how this project enhances the amount of open space in the city.

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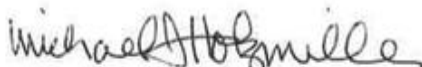
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3) I have reviewed several traffic reports prepared by traffic experts that dispute the methodology and conclusions reached by the traffic analysis contained in the city's 9212 Report for the AH-SP project. There have been requests for the city to make these available to the public. Since traffic is the No. 1 concern expressed in the city's recent citizen's survey, should there not have been a more open, transparent discussion of the project's traffic impacts before the community is asked to vote on Measure A? If the AH-SP project would have been required to go through the CEQA process like every other project previously approved in the city, this issue as well as other environmental issues could have been more thoroughly analyzed, discussed and debated in a more public manner.

4) Measure A exempts the AH-SP project from several of the city existing development standards. Other projects that have been built in the city that deviate from city standards were required to go through a very formal Variance process to justify the deviations. Other Specific Plans that were approved in the city went through the city's long-established planning process including up-front, detailed plans, environmental review, Planning Commission review, and noticed public hearings. None of this was done for the AH-SP project and Measure A permits the project to be exempt and bypass the city's normal planning process.

5) Measure A allows for the cancellation of the city right to use a portion of the AH-SP's open space for park purposes (Hub Park Lease). Shouldn't there be more public discussion of the future ramifications of this rather than the project proponent hiding it away in a 400 page document? Measure A also allows for the cancellation of the Beach Access Lease. This lease has nothing to do with the trails or picnic areas that are proposed as part the project as stated in your response to my letter. This is the legal agreement the city has with SDG&E for public use of the surface waters of the Upper Agua Hedionda Lagoon and the existing beaches and picnic areas on the south shore of the lagoon. Shouldn't the implications of this cancellation to the recreational users of the lagoon been have been more thoroughly analyzed and publically discussed rather than the project proponent hiding it away in a 400 page document?


Michael J. Holzmilller

cc. Council Members
De'Ann Weimer, CNC