



City of Carlsbad

Housing & Redevelopment Department

July 15, 2010

DE'ANN WEIMER
FRIENDS OF AVIARA
P.O. BOX 131773
CARLSBAD, CA. 92103

RE: SUGGESTIONS/RECOMMENDATIONS FOR PONTEBELLO DEVELOPMENT

Dear De'Ann:

Thank you for your correspondence dated June 28, 2010. The following responses to the questions in your letter and others from our neighborhood meeting on May 6, 2010 are provided below. Attached is also a copy of the updated "Frequently Asked Questions" (FAQ) Summary for you to share with the concerned residents. This FAQ sheet will also be available on the city's website for the general public.

Before providing the additional information requested, I did want to share with you that the developer of the Pontebello project has formally withdrawn the application as of the date of this letter. Therefore, the city no longer has a development application on file for the subject property. Following are the city's responses to the additional questions or request for information from the residents:

Priority to build Poinsettia Lane, fees collected to date and traffic counts

Priority: Per Carlsbad's Transportation Department, Poinsettia Lane is a major arterial designated on the Circulation Element of the General Plan and is needed to complete the circulation pattern in the area. Cassia Road is not expected to carry traffic diverted from a major arterial due to the missing link on Poinsettia Lane. Also, the intersection at Cassia Road and El Camino Real was not designed for the added traffic volumes due to the diverted traffic. The Poinsettia and El Camino Real intersection will be designed and constructed to handle the added traffic volume. The noted portion of Poinsettia Lane has not been removed from the Circulation Element and the expectation is that it will be built when development occurs. The developer will be responsible for the road similar to all other developments in Carlsbad. With that all said, the Council is willing to wait for the construction to take place as a result of private development. It is not a high priority at this time.

Fees: A Mello-Roos District is an area where a special property tax on real estate, in addition to the normal property tax, is imposed on property owners within a Community Facilities District. These districts seek public financing through the sale of bonds for the purpose of financing public improvements and services. The tax paid is used to make the payments of principal and interest on the bonds. The Aviara residents have not paid a Mello-



Roos Tax for the construction of Poinsettia Lane. Funds for construction of Poinsettia Lane are provided through the development process. In Carlsbad a fee, not a tax, is applied when building permits are obtained by builders/developers in the boundaries of a district that will pay for a road. The fee is paid into the district fund and by private developers/builders. The current account balance is \$8 million. These funds can be used to pay for the core improvements of Poinsettia Lane which includes grading for the full width of the roadway, the median curbs, 18 feet of paving on either side of the median and any drainage facilities associated with the roadway grading. The estimated cost for these improvements is \$13.5 million. Therefore, as shown, there are not adequate funds available at this time to complete these core road improvements. However, as additional development occurs, the fund balance will increase. It is anticipated by the city that if the properties in the district develop per the existing General Plan from both a land use and density perspective, there will be adequate funds raised to fully fund the core improvements. Above and beyond these core improvements are the frontage improvements required by the developer. For the extension of Poinsettia, these improvements will include median paving and landscaping, the outer 14 feet of paving, the outer curb and gutter, sidewalk and parkway landscaping. The estimated cost of these frontage improvements is \$2.2 million. The city does not currently have adequate funding to build this road. Therefore, the city will wait for the road to be built when development occurs and adequate funds are available for construction.

Traffic Counts: All traffic counts on file are available for citizen review. The information is a public record and is available through the city's Transportation Department. If you would like to review the traffic counts, you may contact the Transportation Department, Engineering Division directly at (760) 602-2720.

Application Responses

The city received an original submittal from the developer in June/July, 2005. There were subsequently three (3) resubmittals from the developer to date to address application requirements and issues of concern. The formal application was responded to in July, 2005. The city subsequently responded to developer resubmittals in July, 2006, August, 2007 and June, 2008. The issues of concern included within the various responses include comments on density, site design, standards compliance, etc. No determination has been made to date that the developer has satisfactorily addressed all of the identified issues of concern. Many issues remain outstanding. All of the response letters provided to the developer are attached for your review. It should be noted, however, that since the developer has formally withdrawn the development application as of July 15, 2010 there will be no additional review and correspondence on the noted project.

Suggestions/Recommendations

The city shared the suggestions/recommendations from the Aviara residents with the developer for their consideration and knowledge of the community concerns. The City will review and give consideration to these suggestions/recommendations in its review of any future development applications for the site and for the design of Poinsettia Lane.

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Thank you for the suggestions and recommendations. If you need additional information, please contact my office (760) 434-2935. Please share with the residents of Avira that the current application for the Pontebello development has been formally withdrawn and is no longer being processed by the city.

Sincerely,



DEBBIE FOUNTAIN
Housing and Neighborhood Services Director

C: Mayor and City Council
City Manager
Community and Economic Development Director
City Planner
Senior Planner/Project Planner
Senior Civil Engineer