



HISTORIC PRESERVATION COMMISSION

AMENDED NOV. 29, 2023

Agenda

Special Meeting
Nov. 30, 2023, 6 p.m.

Vice Chair Diaz will be participating in via teleconference

TELECONFERENCE LOCATION

**Courtyard San Francisco Larkspur Landing
2500 Larkspur Landing Circle, Room 101
Larkspur, CA 94939**

Welcome to the Historic Preservation Commission Meeting

We welcome your interest and involvement in the city's legislative process. This agenda includes information about topics coming before the Historic Preservation Commission and the action recommended by city staff. You can read about each topic in the staff reports, which are available on the city website.

How to watch

In Person



Historic Preservation Commission meetings take place at City Hall, 1200 Carlsbad Village Drive

Online



Watch the livestream and replay past meetings on the city website, carlsbadca.gov/residents/communication/city-tv-channel

How to participate

If you would like to provide comments to the Committee, please:

- Fill out a speaker request form, located in the foyer.
- Submit the form to the Clerk before the item begins.
- When it's your turn, the Clerk will call your name and invite you to the podium.
- Speakers have three minutes, unless the presiding officer (usually the chair) changes that time.
- You may not give your time to another person, but groups can select a single speaker as long as three other members of your group are present. Group representatives have 10 minutes unless that time is changed by the presiding officer or the commission.
- **In writing:** Email comments to planning@carlsbadca.gov. Comments received by 2 p.m. the day of the meeting will be shared with the commission prior to the meeting. When e-mailing comments, please identify in the subject line the agenda item to which your comments relate. All comments received will be included as part of the official record.

Reasonable accommodations

Persons with a disability may request an agenda packet in appropriate alternative formats as required by the Americans with Disabilities Act of 1990. Reasonable accommodations and auxiliary aids will be provided to effectively allow participation in the meeting. Please contact the City Manager's Office at 442-339-2821 (voice), 711 (free relay service for TTY users), 760-720-9461 (fax) or manager@carlsbadca.gov by noon on Thursday the day of the meeting to make arrangements. City staff will respond to requests before the start of the meeting, and will seek to resolve requests before the start of the meeting in order to maximize accessibility.

CALL TO ORDER:

ROLL CALL:

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES: None.

CONSENT CALENDAR: *The items listed under Consent Calendar are considered routine and will be enacted by one motion as listed below. There will be no separate discussion on these items prior to the time the Commission, votes on the motion unless members of the Commission, staff, or the public request specific items be discussed and/or removed from the Consent Calendar for separate action.*

PUBLIC HEARINGS: None.

DEPARTMENTAL REPORTS:

This item was continued from the Nov. 13, 2023, Historic Preservation Commission meeting.

1. **THREE ON GARFIELD ENVIRONMENTAL IMPACT REPORT:** Review the Three on Garfield Environmental Impact Report and provide feedback to staff. (Staff contact: Mike Strong, Assistant Director of Community Development)

Recommended Action: Review the Three on Garfield Environmental Impact Report and provide feedback to staff.

COMMISSION MEMBER COMMENTS:

STAFF COMMENTS:

ADJOURNMENT:



HISTORIC PRESERVATION COMMISSION

Staff Report

Meeting Date: Nov. 30, 2023

To: Historic Preservation Commission

From: Mike Strong, Assistant Director of Community Development

Staff Contact: Mike Strong, Assistant Director of Community Development
Mike.Strong@carlsbadca.gov, 442-339-2721

Subject: Three on Garfield Environmental Impact Report

Recommended Action

Review the Three on Garfield Environmental Impact Report and provide feedback to staff.

Executive Summary

Cities and counties weigh a variety of factors when deciding whether to approve a proposed development project or discretionary project. One such factor is what kind of effect a project would have on the environment. The term "environment" includes natural and man-made elements of our surroundings. This includes land, air, water, minerals, plants, animals and noise. It also includes things like historic buildings or structures.

As part of the environmental review of development projects affecting historic buildings or structures, the Historic Preservation Commission may review and comment upon the adequacy of the environmental document during the public review period under California Environmental Quality Act (CEQA). The City of Carlsbad is currently processing an Environmental Impact Report for the Three on Garfield project. Staff will provide a brief overview of CEQA, the environmental review process, and ask the Commission to review and comment on the Three on Garfield's EIR.

EIRs do not advocate either approval or denial of a project. The feedback received from the Commission and other information received from the environmental review process helps decision-makers decide whether to approve, conditionally approve, or deny a project.

Explanation & Analysis

The California Environmental Quality Act (CEQA) was adopted in 1970 and is a procedural statute designed to inform decision makers and public about potential environmental effects of projects. CEQA is listed under sections 21000 et seq. of the Public Resources Code (PRC) with Guidelines for implementation codified in the California Code of Regulations (CCR), Title 14, Chapter 3, Sections 15000 et seq. Although one of the most important goals of CEQA is to provide decision makers with information about the environmental impacts of projects prior to

granting approval, another equally important goal is to allow the public to comment on the impacts of projects in their community.

If a project is not exempt from environmental review, the next step is to prepare an initial study. If the initial study shows that the project may have a significant effect on the environment, the next step is to prepare the more extensive environmental impact report. For the Three on Garfield project, the report prepared can be referred to by the initials "EIR."

An EIR is a detailed analysis of a proposed project's potentially significant effect on the environment. An EIR is an extensive environmental document, which contains a number of different items, such as:

- The report describes the proposed project. The EIR must include a description of the physical environmental conditions in the vicinity of the project as they exist at the time the notice of preparation is published.
- The report identifies and analyzes each significant environmental impact expected to result from the proposed project.
- The report also recommends steps to avoid or minimize those impacts. These actions are called "mitigation measures." Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments.
- The report must also identify all significant environmental effects which cannot be avoided with the proposed project.
- Alternative project options are considered in an EIR, including the option of "no project."

The City of Carlsbad prepared a Draft EIR for the Three on Garfield project. The project applicant, John Beery, Beery Group, Inc, is proposing the demolition of an existing three-story structure, containing three attached residential air-space condominiums, each with a first-floor, two-car garage, accessed from Beech Avenue, and the construction of three attached, three-story residential air-space condominiums with first-floor garages. The proposed Three on Garfield project is located on a 0.16-acre infill site at 2685, 2687, and 2689 Garfield Street in the northwestern portion of the city.

The applicant has applied for a number of entitlement applications, including a Planned Development Permit (PUD) to facilitate individual ownership of units; a Site Development Plan (SDP) as required for development within the Beach Area Overlay Zone; a Coastal Development Permit (CDP) for development on a site located in the Coastal Zone; a Minor Subdivision (MS) to create air-space condominiums; and a Nonconforming Construction Permit (NCP) to allow the continuation of the legally established use of three dwelling units on a property where two dwelling units are permitted. No General Plan Land Use or Zoning changes are proposed. No Local Coastal Program Land Use or Zoning changes are proposed.

A Notice of Availability of the Draft EIR was published in the San Diego Union Tribune on Oct. 30, 2023. The Draft EIR is on file with the City of Carlsbad Planning Division, located at 1635 Faraday Avenue, Carlsbad CA 92008 and copies of the Draft EIR are available at the City of Carlsbad website at <https://www.carlsbadca.gov/departments/community-development/planning/agendas-minutes-notice>. The Draft EIR is also available at the City Clerk's Office, 1200 Carlsbad Village Drive, and the city libraries. The Draft EIR will be available for public review and comment from October 30, 2023, through December 15, 2023.

Pursuant to section 2.42.040 of the Carlsbad Municipal Code (CMC), as part of the environmental review of development projects affecting historic buildings or structures, as identified in the environmental study, the Historic Preservation Commission may review and comment upon the adequacy of the environmental document during the public review period under CEQA. Staff is asking the Commission to review and comment on the Three on Garfield's EIR. Oral comments made during the Nov. 13 and Nov. 30, 2023 Historic Preservation Commission meetings will be summarized for inclusion in the Final EIR. Members of the public wishing their verbatim comments to be incorporated are directed to submit their comments in writing. Pursuant to section 15204 of the CEQA Guidelines, in reviewing Draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. The decision-makers will consider the information in the Final EIR along with other information presented during the approval process when determining whether to adopt or modify the proposed project. Pursuant to State CEQA Guidelines Section 15002(h), the information in the Final EIR does not control the city's ultimate decision on approval of any component of the proposal.

Fiscal Analysis

There is no direct fiscal impact associated with receiving this information report.

Environmental Evaluation (CEQA)

The action before the Planning Commission is statutorily exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15262, Feasibility and Planning Studies. This organizational and administrative activity relates to the ongoing study of the Three of Garfield project. This discussion does not have a legally binding effect on any possible future discretionary action.

The EIR is an informational document that is intended to inform the city's decision-makers and the public of the significant environmental effects of adopting the Three on Garfield project, and associated implementation measures, and the alternatives analyzed. Public input is an important component to the decision-making process.

Interested parties may provide written comments on the Draft EIR before the end of the 45-day public review and comment period. Written comments on the Draft EIR must be submitted to:

Eric Lardy, City Planner
City of Carlsbad Planning Division
1635 Faraday Avenue Carlsbad, CA 92008

Comments may also be e-mailed to Eric.Lardy@carlsbadca.gov. Following the 45-day public review and comment period for the Draft EIR, the city will prepare a written response for each written comment received on the Draft EIR. Public input received and technical information prepared during the environmental review process will be utilized in preparing a Final EIR to support the analysis of the proposed project. The written comments and city responses to those comments, as well as any required EIR changes, will be incorporated into a Final EIR. The Final EIR will be reviewed by the city at the time the proposed project is considered for approval.

Exhibits

None.