



THREE ON GARFIELD PROJECT FINAL ENVIRONMENTAL IMPACT REPORT

SCH No. 2022110423

March 2024

Prepared for:



Community Development Department
Planning Division
1635 Faraday Avenue
Carlsbad, CA 92008

THREE ON GARFIELD PROJECT FINAL ENVIRONMENTAL IMPACT REPORT

CONTENTS

	<u>Page</u>
1. Introduction	1-1
1.1 Overview	1-1
1.2 Format of the Final EIR.....	1-1
2. Responses to Comments.....	2-1
2.1 Introduction	2-1
2.2 Comments and Responses	2-2
2.3 Agency Letters.....	2-3
2.3.1 Letter A1: California Department of Toxic Substances Control	2-3
2.4 Organizations Letters	2-6
2.4.1 Letter O1: San Diego County Archaeological Society, Inc.....	2-6
2.5 Individuals Letters	2-9
2.5.1 Letter I1: Armistead Smith	2-9
3. Mitigation Monitoring and Reporting Program.....	3-1

Tables

Table RTC-1	List of Commenting Agencies, Organizations, and Individuals	2-2
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THREE ON GARFIELD PROJECT FINAL ENVIRONMENTAL IMPACT REPORT

1. INTRODUCTION

1.1 Overview

This Final Environmental Impact Report (FEIR) has been prepared in accordance with the California Environmental Quality Act (CEQA) as amended (Public Resources Code Section 21000 et. seq.) and the CEQA Guidelines (California Administrative Code Section 15000 et seq.).

According to the CEQA Guidelines Section 15132, the FEIR shall consist of the following:

- a) The Draft Environmental Impact Report (DEIR) or a revision of the DEIR;
- b) Comments and recommendations received on the DEIR, either verbatim or in summary;
- c) A list of persons, organizations, and public agencies commenting on the DEIR;
- d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process; and
- e) Any other information added by the Lead Agency.

In accordance with these requirements, the Three on Garfield Project Environmental Impact Report (EIR) includes the following:

- This FEIR document, dated March 2024, that incorporates the information required by CEQA Guidelines Section 15132, including responses to comments received on the DEIR; and
- The DEIR document, dated October 2023 (SCH #2022110423).

1.2 Format of the Final EIR

This document is organized as follows:

- **Section 1: Introduction:** This section describes CEQA requirements and the contents of this FEIR.
- **Section 2: Response to Comment Letters Received on the DEIR.** This section provides copies of the written comment letters received and individual responses to comments. In accordance with Public Resources Code Section 21092.5, copies of the written responses to public agencies will be forwarded to the agencies at least 10 days prior to certifying an EIR. The responses will conform to the legal standards established for responses to comments on EIRs.

- **Section 3: Mitigation Monitoring and Reporting Program:** This section includes the Mitigation Monitoring and Reporting Program (MMRP), which identifies the mitigation measures for the project, timing, and responsibility for implementation of the measures.

2. RESPONSES TO COMMENTS

2.1 Introduction

Letters of comment to the Draft Environmental Impact Report (DEIR) were received from agencies, organizations, and individuals (see below table) during the 45-day public review from October 30, 2023, to December 15, 2023. There were three comment letters and/or e-mails received by the city during the DEIR public review period. No late letters were received after the public review period closed at 5 p.m. on December 15, 2023.

In addition, during the public review period, consistent with the requirements of Carlsbad Municipal Code (CMC) Section 2.42.040, the City of Carlsbad Historic Preservation Commission (Commission) reviewed the DEIR to provide any DEIR feedback to staff. This regularly scheduled meeting was conducted on November 13, 2023. During the Historic Preservation Commission meeting, a presentation regarding the project was provided by city staff. Commission members asked questions regarding the construction date of the structure and asked for clarification regarding criterion used for determination of the structure's historic status. A Commission member indicated that the DEIR has been completed consistent with the purposes of CEQA and identifies a significant and unavoidable impact to historic resources, provides mitigation for the identified impact, and concludes that the impact to historic resources would remain significant and unavoidable after implementation of mitigation. A second Commission member agreed with these comments; however, another Commission member requested additional time to review the document. A special meeting of the Historic Preservation Commission was held on November 30, 2023, to complete the Historic Preservation Commission's review of the DEIR. During the November 30, 2023, meeting, a Commissioner asked for clarifications regarding mitigation and alternatives. Additional comments from the Commissioners addressed the proposed mitigation, and whether the building is special or architecturally significant. No comments from the two Historic Preservation Commission meetings raised issues or concerns regarding the adequacy of or the content of the DEIR.

Comments that address environmental issues related to the DEIR are addressed in full in this Final EIR (FEIR). Comments that (1) do not address the adequacy or completeness of the DEIR; (2) do not raise environmental issues; or (3) request the incorporation of additional information not relevant to environmental issues, do not require a response, pursuant to CEQA Guidelines Section 15088(a). Individual comments within each letter are bracketed and subsequently numbered in the margin of the comment letter. Bracketed/numbered comment letters are placed before the responses to the letter. **Table RTC-1, List of Commenting Agencies, Organizations, and Individuals**, provides a list of each of the comment letters received, organized by type commenter (i.e., agencies, organizations, and individuals).

Information provided in the response to comments (RTC) clarifies or amplifies information included in the DEIR; however, the RTC did not require changes to the information contained in the DEIR. No significant new information has been added that would require recirculation of the document, per CEQA Guidelines Section 15088.5.

**Table RTC-1
LIST OF COMMENTING AGENCIES, ORGANIZATIONS, AND INDIVIDUALS**

Letter	Commenter	Date	Page
Agencies			
A1	California Department of Toxic Substances Control	December 14, 2023	RTC-2-3
Organizations			
O1	San Diego County Archaeological Society, Inc.	December 2, 2023	RTC-2-6
Individuals			
I1	Armistead Smith	December 8, 2023	RTC-2-9

2.2 Comments and Responses

Responses to specific comments in the letters received by the city during public review are provided in this section of the FEIR. The bracketed letters and corresponding responses are arranged in the order presented in Table RTC-1.

Opinions concerning issues not within the purview of CEQA, as well as expressions of opposition or support for a project, are made a part of the administrative record and forwarded to the decision makers for their consideration but they do not require a response in a CEQA document.

Comments

Responses

2.3 Agency Letters

2.3.1 Letter A1: California Department of Toxic Substances Control

Letter A1

A1-1

DTSC’s summary of the project description is acknowledged.



SENT VIA ELECTRONIC MAIL

December 14, 2023

Kyle Van Leeuwen
 Associate Planner
 City of Carlsbad
 1635 Faraday Ave.
 Carlsbad, CA 92008
kyle.vanleeuwen@carlsbadca.gov

RE: DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE THREE ON GARFIELD PROJECT DATED OCTOBER 30, 2023 STATE CLEARINGHOUSE NUMBER [2022110423](#)

Dear Kyle Van Leeuwen,

✓ A1-1

The Department of Toxic Substances Control (DTSC) received an EIR for the Three on Garfield project (Project). The Project proposes 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. Vehicular access is proposed to be provided via Beech Avenue. Each residential unit includes an attached two-car garage with direct entrance into the unit. The units range in size from 1,701 square feet to 1,713 square feet.

After reviewing the project, DTSC recommends and requests consideration of the following comment:

Comments

Responses

Kyle Van Leeuwen
December 14, 2023
Page 2

- A1-2
1. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition, and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 [Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers](#)
 2. DTSC recommends that all imported soil and fill material should be tested to ensure any contaminants of concern are within approved screening levels for the intended land use. To minimize the possibility of introducing contaminated soil and fill material there should be documentation of the origins of the soil or fill material and, if applicable, sampling be conducted to ensure that the imported soil and fill material meets screening levels for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of the prior land use.
- A1-3

DTSC appreciates the opportunity to comment on the EIR for the Three on Garfield project. If you have any questions or concerns, simply respond to this [email](#) for guidance.

Sincerely,



Dave Kereazis
Associate Environmental Planner
HWMP-Permitting Division – CEQA Unit
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

A1-2

As described in the DEIR, the structure is proposed for demolition and was constructed in 1982. This comment from the DTSC recommends surveys for the presence of lead-based paints or products, mercury, asbestos-containing materials, and polychlorinated biphenyl caulk; however, per DTSC's referenced guidance (DTSC 2006), residential structures with paint or surface coatings constructed on or after January 1, 1979, are excepted from the presumed presence of lead-based paint. Similarly, due to the age of the existing structure, mercury, asbestos-containing materials, and polychlorinated biphenyl caulk are not expected to be present. Hazardous materials and hazardous wastes are highly regulated, and the project would be required to adhere to applicable regulations regarding hazardous materials and hazardous waste, including appropriate demolition and material removal procedures, to ensure that demolition of the existing structure and the construction of the project would not result in a release of hazardous materials, including those identified in the comment. The project would adhere to all applicable regulations regarding hazardous materials and hazardous waste, including those associated with the demolition of the existing structure. Therefore, as stated in DEIR Section 6.5.7, the project would result in less than significant impacts related to hazards and hazardous materials.

A1-3

As discussed in DEIR Section 3.5, the project would require 140 cubic yards of soil export. The project site has previously been developed with a residential use, and the import of fill material is not expected or proposed. Thus, the recommended soil sampling would not be necessary.

Comments

Responses

Kyle Van Leeuwen
December 14, 2023
Page 3

cc: (via email)

Governor's Office of Planning and
Research State Clearinghouse
State.Clearinghouse@opr.ca.gov

Tamara Purvis
Associate Environmental Planner
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Tamara.Purvis@dtsc.ca.gov

Scott Wiley
Associate Governmental Program Analyst
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Scott.Wiley@dtsc.ca.gov

2.4 Organizations Letters

2.4.1 Letter O1: San Diego County Archaeological Society, Inc.

Letter O1

O1-1



San Diego County Archaeological Society, Inc.

Environmental Review Committee

2 December 2023

To: Mr. Kyle Van Leeuwen, Associate Planner
 Planning Division
 City of Carlsbad
 1635 Faraday Avenue
 Carlsbad, California 92008

Subject: Draft Environmental Impact Report
 Three on Garfield
 PUD 2021-0003, SDP 2021-0008, CDP 2021-0010, MS 2023-0002,
 NCP 2021-0001, EIR 2022-0005

Dear Mr. Van Leeuwen:

I have reviewed the cultural resources aspects of the subject DEIR on behalf of this committee of the San Diego County Archaeological Society.

Based on the information contained in the DEIR and its Appendices B, C and D, we have the following comments:

O1-1

Section 5.2.1 of the DEIR lists Project Objectives which were overtly intended to justify the demolition of the current structures, which have been recommended (in Appendix B) as eligible for inclusion in the California Register. For example:

- Objective 1 explicitly says that an objective is to remove the existing structures.
- Objective 4 is moot, as any new construction or other action will have to comply with applicable codes and standards.
- Objective 5 is not applicable as the project is not infill, it is purely replacement of three with three dwelling units.
- Objective 6 is an obvious statement that the applicant does not like the historic design and uses that to justify demolition of the historic structure.
- Objective 9 is unnecessary as nothing prohibits internal changes to historic private residences.
- Objective 10 is another attempt to justify the destruction of an historic structure. The current structures presumably complied with, and continue to comply with, all requirements imposed by the City of Carlsbad.

The deliberate, intentional demolition of an historic resource is not a legitimate project objective and should be rejected by the City.

Each of the objectives listed in the DEIR, (stated in DEIR Sections 3.3 and 5.2.1), are project objectives identified by the project applicant for the project. Per CEQA Guidelines Section 15124(b), "the statement of objectives should include the underlying purpose of the project and may discuss benefits." Demolition of the existing structure is a primary objective of the project. The specific comments regarding the intent of the listed objectives 1, 4–6, 9, and 10 do not raise issues regarding the adequacy of the DEIR, but rather indicate the commentator’s disagreement with the project objectives identified by the project applicant. The DEIR analysis of historical resources is based on the Historical Resources Assessment Report (HRAR) (Appendix B) and concludes that the proposed demolition of the existing structure would result in significant and unavoidable impacts.

P.O. Box 81106 San Diego, CA 92138-1106 (858) 538-0935

Comments

Responses

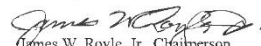
O1-2 Appendix D is a feasibility study of preservation alternatives. The version of that report posted for public review omits the information in the "Conceptual Opinion of Probable Costs", prepared by Campbell-Anderson & Associates, Inc. While the financial aspects of the project should generally not be a factor in the City's decision-making, the analysis which the appendix contained is relevant to the public review and should be disclosed.

O1-3 As Appendix B, on page 60, states, the proposed HABS recordation of the existing structures (Mitigation Measure CR-1, and the related CR-2 and CR-3) does not mitigate the impacts of demolition to the level of insignificance. Therefore, the City must produce findings overriding the impacts of demolition. Section 5 of the DEIR demonstrates that there are feasible alternatives to demolition, making overriding findings unsupported.

O1-4 Regarding Mitigation Measure CR-4, any historic period material recovered, such as related to agricultural operations or the construction of the present structures, would presumably not be subject to repatriation. This can likely be resolved between the Tribal and archaeological monitors.

Thank you for the opportunity to respond to the posted documents as part of the public review process for this project.

Sincerely,


James W. Royle, Jr., Chairperson
Environmental Review Committee

cc: ASM Affiliates
SDCAS President
File

P.O. Box 81106 • San Diego, CA 92138-1106 • (858) 538-0935

O1-2

Appendix D, *Victor Condo Building Feasibility Study*, of the DEIR incorrectly references a "Conceptual Opinion of Probable Costs" prepared by Campbell-Anderson & Associates; however, an Economic Analysis for the project was prepared by Worden Williams, LLP, utilizing a market valuation (Eshelman Appraisals, Inc. 2023) and construction costs estimates (WNC Contractors, Inc. 2024). An Economic Analysis is not required as part of the CEQA analysis or as components of the DEIR. The omission of the economic analysis does not affect the adequacy or content of the DEIR and does not alter the environmental impacts of the project or the conclusions of the DEIR. CEQA Guidelines Section 15131 specifically states that economic effects of a project shall not be treated as significant effects on the environment. However, economic factors shall be considered by public agencies in deciding whether changes in a project are feasible to reduce or avoid a project's significant effects. If economic information is not presented in the EIR, the information can be added to the record in a manner to allow the public agency to consider economics (and other social, technological, and environmental factors) when reaching a decision on the project. As such, the economic analysis referenced in the appendix will be disclosed in the future, should the city choose to use economics when deciding to approve or deny the project.

O1-3

This comment is correct, the HRAR states that implementation of identified mitigation would not reduce the impacts of demolition to a historic structure to a less-than-significant level. The text of the DEIR also indicates that implementation of Mitigation Measures CR-1, CR-2, and CR-3 would not reduce impacts to historical resources to a less-than-significant level (refer to Section 4.3.7 in DEIR Section 4.3, *Historical, Cultural, and Tribal Cultural Resources*). As discussed in Section 4.3.7, the identified measures would not be enough to avoid, rectify, or reduce or compensate for the loss of the building. A substantial adverse change to a historic resource would occur which would be inconsistent with the Secretary of the Interior

Comments	Responses
	<p>Standards, and the DEIR concludes that the impact would be significant and unavoidable.</p> <p>Because of this impact conclusion, the city acknowledges that it would be required to produce Candidate Findings and a Statement of Overriding Considerations in order to approve the project. CEQA (Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (14 California Code of Regulations Section 15000 et seq.) require that no public agency shall approve or carry out a project for which an EIR has been certified that identifies one or more significant environmental impacts of the project unless the public agency makes one or more written findings for each of those significant impacts, accompanied by a brief explanation of the rationale for each finding. CEQA further requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental effects when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable" (CEQA Guidelines Section 15093(a)). The City, as lead agency, is responsible for making the findings for the project, in compliance with CEQA and the CEQA Guidelines.</p>
	<p>01-4</p> <p>This comment is correct, repatriation of history-period materials would not occur, and any repatriation issues related to archaeological materials would be resolved between the Tribal and archaeological monitors.</p>

Comments

Responses

2.5 Individuals Letters

2.5.1 Letter I1: Armistead Smith

Letter I1

Smith and Others Architects
1910 State Street # 208
San Diego, CA 92101

December 8, 2023

City of Carlsbad
Community Development Department
Planning Division
1635 Faraday Ave.
Carlsbad, CA 92008

Attention Kyle Van Leeuwen

Re: Three on Garfield project (Victor Condo) Draft EIR

Good morning Mr. Van Leeuwen,

I1-1 I wanted to be sure those who are reviewing this demolition permit, are aware of the offer we have made to provide pro bono architectural design services as regards accomplishing one of the proposed means of mitigation outlined in the EIR, a remodel that saves the historic facades of the building.

I1-2 Attached please find:
1. An economic analysis provided by our office to determine a cost to remodel the portion of the building impacted by the neighboring view blocking new building to the West, that partially instigated the owners interest in demolishing the three condos and replacing them with another three condos of the same size. The analysis prepared and presented to the owner's representative, the ex-husband of the petitioner, in June of 2022 outlines how a remodel of the structure to solve the issue caused by the view blockage could be close to free given the Mills Act tax advantage closely matching the financed cost of the remodel. Although interest rates are higher today, a similar advantage, if not break even would be possible. Smith and Others is a development firm as well as architects, with extensive experience preparing economic analysis, and construction cost estimating.
2. Plans of the proposed remodel showing the addition in plan and section

I1-3 In addition, we would like to place in the record an omission in the report. The central thesis behind our development work over the last 40 years has been the invention and development of "GoHomes", which are market rate affordable housing where bedroom suites in a unit are designed to be shared by unrelated adults. Victor Condo is the first built example of the strategy where these suites are provided with private exterior doors and the option to use a master bedroom vanity as a mini kitchenette or for roommates to live together using the main kitchen. The suit is flexible so that it can be used as a third bedroom or an affordable rental

I1-1


Comment noted. However, as indicated in project objectives outlined in DEIR Chapter 3, the project applicant's proposal is to demolish and not remodel the existing structure. To clarify, there is no mitigation proposed for the project that retains or preserves the historic facade of the building at its current location, but Mitigation Measure CR-3 would allow for salvage of character-defining features of the building. The Partial and Full Rehabilitation Alternatives identified in DEIR Chapter 5, *Alternatives*, would allow for the possible retention of the facade through reconstruction of the false front facade, in kind, due to significant dry rot documented to occur throughout the facade.

I1-2

Comment noted, attachments were received. This comment does not address the adequacy or content of the DEIR. Refer to response to comment O1-2, which describes the role of economics in the CEQA process, as outlined in CEQA Guidelines Section 15131.

I1-3

Although this comment identifies an "omission in the report", the background information regarding the development of GoHomes and programs teaching architects strategies to stop urban sprawl are not relevant in the context of or conclusions reached in the DEIR discussion. The Historical Resources Assessment Report (HRAR), located in DEIR Appendix B, does contain a brief discussion of the GoHomes program

Comments	Responses
<p>11-3 cont. providing financial benefit to both the sub tenant and the owner. We have gone on to build many such housing opportunities that have mostly been constructed in the City of San Diego. The most notable example is the Via Donada project where six suites share a kitchen. The project was extensively published most notably in Art and Architecture, article attached.</p> <p>I founded Woodbury University's Master's in Real Estate Development program primarily to teach this strategy to architects hoping to stop sprawl, densify the suburban condition, and provide affordability. The program ran successfully for 14 years graduating over a hundred trained architect developers who have gone on to build the majority of San Diego first ring housing in Hillcrest, North Park, South Park, University Heights, Normal Heights and Golden Hills as well as many projects in the urban core.</p>	<p>in the "Historic Context" section of the HRAR, as part of the overall discussion of the architect's background. As discussed in DEIR Section 4.3.4.1, both the HRAR and the DEIR identify the Victor Condo as a structure recommended as eligible for listing in the California Register of Historical Resources under Criterion 3 (it embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values). Additionally, the HRAR and DEIR Section 4.3.4.1 recommend the Victor Condo as eligible for listing as a Carlsbad Historic Resource, provided there was owner consent, under local criteria a and c because it exemplifies special elements of the city's architectural history, specifically Postmodern architecture. The additional information provided regarding the GoHomes program and programs teaching architects strategies to stop urban sprawl would not affect or alter the resource's eligibility or the conclusions of the HRAR or DEIR, which identifies Victor Condo as a historical resource for the purposes of CEQA.</p>
<p>11-4 The first project in this rather long history was Victor Condo. I am hoping that accomplishment can add further credence to the report's conclusion that the project is a significant example worth saving.</p> <p>We also would like to take exception to the reports structural condition report. When we presented the Mills Act remodel proposal. We were invited into the building where the interior framing had been examined and uncovered exposing a structural frame showing no damage at all to the wood in the interior from leakage. They were no on-going leak pointed out and if there was any noticeable mold at all, (I did not see any mold or smell anything) it was not serious enough to cause demolition. We also observed a slight calcification of lime on the interior of the retaining walls, that is very normal in buildings even a year old, and easily mitigated. There were no visible structural deficiencies. We disagree whole heartedly with the report's description of the structural integrity posing any problem approaching a need to demolish.</p>	<p>11-4</p>
<p>11-5 And finally, please make it be known that we are willing and able to help the owner in any way possible to remodel or even purchase or market the property on their behalf.</p> <p>Thank you for attaching this letter and attached illustrations as responses to the EIR.</p> <p>Sincerely,  Armistead Smith</p>	<p>The Feasibility Study prepared for Victor Condo, included in DEIR Appendix D, documents the condition of the property based on a field investigation conducted in July 2023. The field investigation was conducted by two surveyors, including one that meets the Secretary of the Interior's Professional Qualification Standards for Architecture and Historic Architecture (refer to page 1 of DEIR Appendix D, <i>Victor Condo Building Feasibility Study</i>). The field investigation included a visual survey of accessible exterior and interior areas of the property. Photographs of the existing conditions of the property are included in pages 17 through 36 of the Feasibility Study. While it is unclear if the commenter has the expertise for evaluating the condition of the property, the preparer of the Feasibility Study does have expertise in the field of historic preservation. CEQA Guidelines Section 15151, <i>Standards for Adequacy of an EIR</i>, states that "Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts." In this case, it is assumed that the commenter does not have the</p>

Comments

Responses

Victor Condo Property Tax Reduction, Mills Act

Current Tax estimate															
	\$	1,265,202.00													
	\$	893,499.00													
	\$	959,842.00													
	\$	3,118,543.00	total assessment (purchase price)												
tax rate	0.0125	\$ 38,981.79	current yearly tax estimate												
Mills Act Tax estimate															
	\$	5,500.00	market rental rate each for Mills Act ?												
	\$	16,500.00	assume all three the same												
	\$	198,000.00	yearly Gross Scheduled Income												
or more ?	30%	\$ 59,400.00	typical operating expenses and vacancy												
		\$ 138,600.00	Net Operating Income												
<table border="1" style="margin: auto;"> <tr> <th colspan="2">Mills Act Cap Rate</th> </tr> <tr> <td>6.75%</td> <td>interest component</td> </tr> <tr> <td>4%</td> <td>Historic Property risk component</td> </tr> <tr> <td>1.67%</td> <td>Amortization component</td> </tr> <tr> <td>1.24%</td> <td>property tax component</td> </tr> <tr> <td>13.66%</td> <td>total Cap rate</td> </tr> </table>				Mills Act Cap Rate		6.75%	interest component	4%	Historic Property risk component	1.67%	Amortization component	1.24%	property tax component	13.66%	total Cap rate
Mills Act Cap Rate															
6.75%	interest component														
4%	Historic Property risk component														
1.67%	Amortization component														
1.24%	property tax component														
13.66%	total Cap rate														
	\$	1,014,641.29	Mills Act determination of value for Taxes												
tax rate	0.0125	\$ 12,683.02	yearly tax												
		\$ 26,298.77	yearly tax savings												
Calculation of potential matching borrowed budget															
rate 4%		\$ (26,294.59)	yearly mortgage portion of refi or 2nd TD												
		(\$2,191.22)	Refurbish budget monthly payment @												
			1504 Existing Square footage (no garage)												
			4512 Total Three Buildings												
	\$	108.15	Loan Budget per foot tax savings would finance												
	\$	487,972.80	remodel and refurbish budget												

Secretary of the Interior’s Professional Qualification Standards for Architecture and Historic Architecture expertise for evaluating the condition of the property. No revisions to the DEIR are necessary or have been made in response to this comment; however, the commentor’s disagreement with the conclusions of the expert’s Feasibility Report are noted.

11-5

Comment noted; as noted in DEIR Chapter 3, the project objectives do not state the applicant’s desire to remodel the Victor Condo building. This comment does not address the adequacy or content of the DEIR.

Comments	Responses
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REFURBISH BUDGET

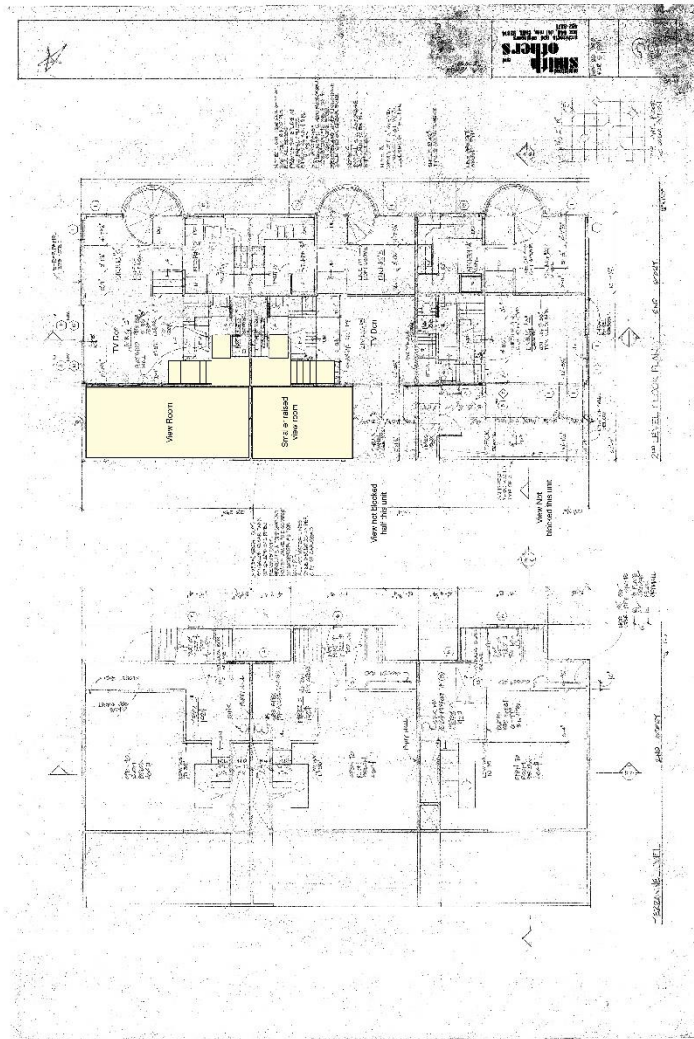
9 Bathrooms	strip to studs	\$ 6,500.00	\$	58,500.00
3 kitchens		\$ 30,000.00	\$	90,000.00
	water proof. Front retaining wall		\$	20,000.00
	new roof deck (recent new roof)		\$	35,000.00
	new floor coverings		\$	45,000.00
	most windows newly replaced		\$	15,000.00
	new window coverings		\$	20,000.00
	repaint		\$	25,000.00
	contingency		\$	75,000.00
	sub total		\$	383,500.00
HARD	Contractor	10%	\$	38,350.00
SOFT			\$	421,850.00
	consultants reduced		\$	10,000.00
	permit		\$	-
	misc.			
	construction period insurance		\$	5,000.00
	carry empty building		\$	15,000.00
	financing		\$	15,000.00
	Soft Contingency		\$	15,000.00
Total Refurbish Budget			\$	481,850.00
	Budget based mon Mills Act Tax Savings		\$	487,972.80

Assumed Estimate of Existing Equity

	\$ 893,499.00	Condo 1
	\$ 959,842.00	Condo 2
	\$ 1,265,202.00	Condo 3
	\$ 3,118,543.00	Total Purchase
20%	\$ 623,708.60	assumed equity
	\$ 264,603.73	equity required

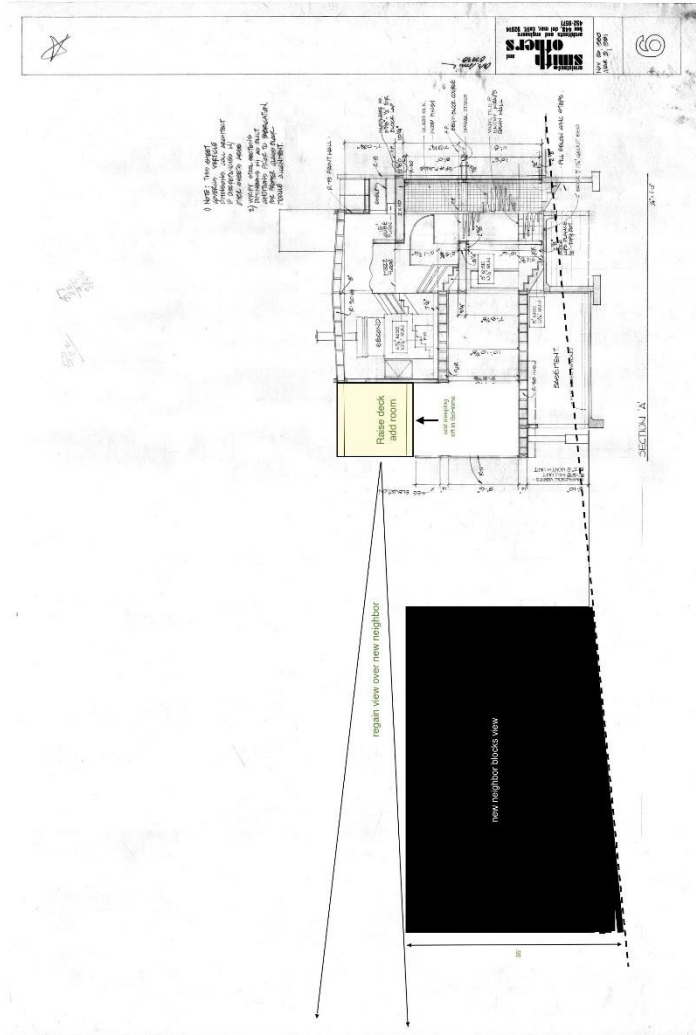
Comments

Responses



Comments

Responses



Comments

Responses

Sheryl Horn

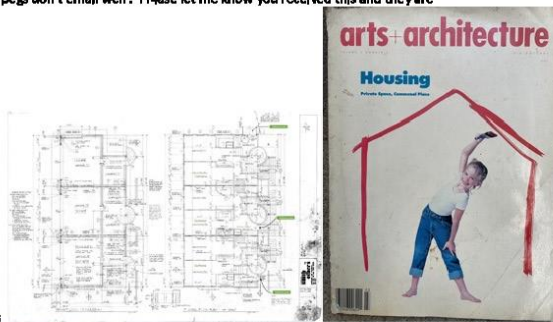
From: Kyle Van Leeuwen <Kyle.VanLeeuwen@carlsbadca.gov>
Sent: Thursday, December 14, 2023 8:49 AM
To: Sheryl Horn
Cc: Kim Baranek
Subject: FW: Three on Garfield GoHome information and plans

Second email.

- KVL

From: A B SMITH <smithandothers@cox.net>
Sent: Thursday, December 14, 2023 8:28 AM
To: Kyle Van Leeuwen <Kyle.VanLeeuwen@carlsbadca.gov>
Subject: Three on Garfield GoHome information and plans

Sometimes this jpegs don't email well. Please let me know you received this and they are

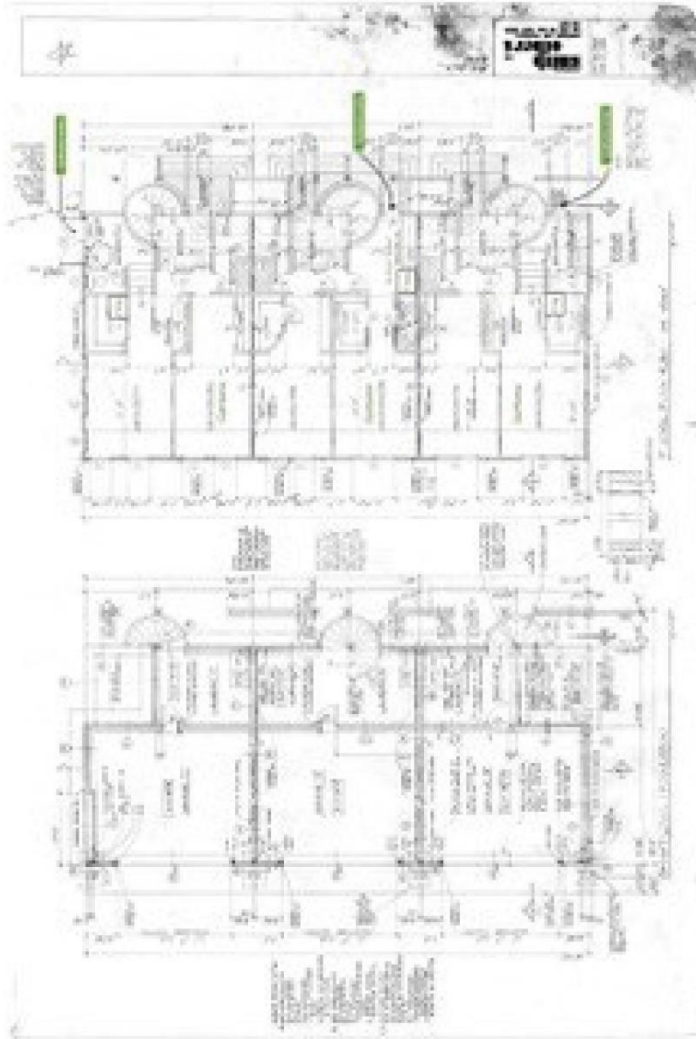


readable.Thanks



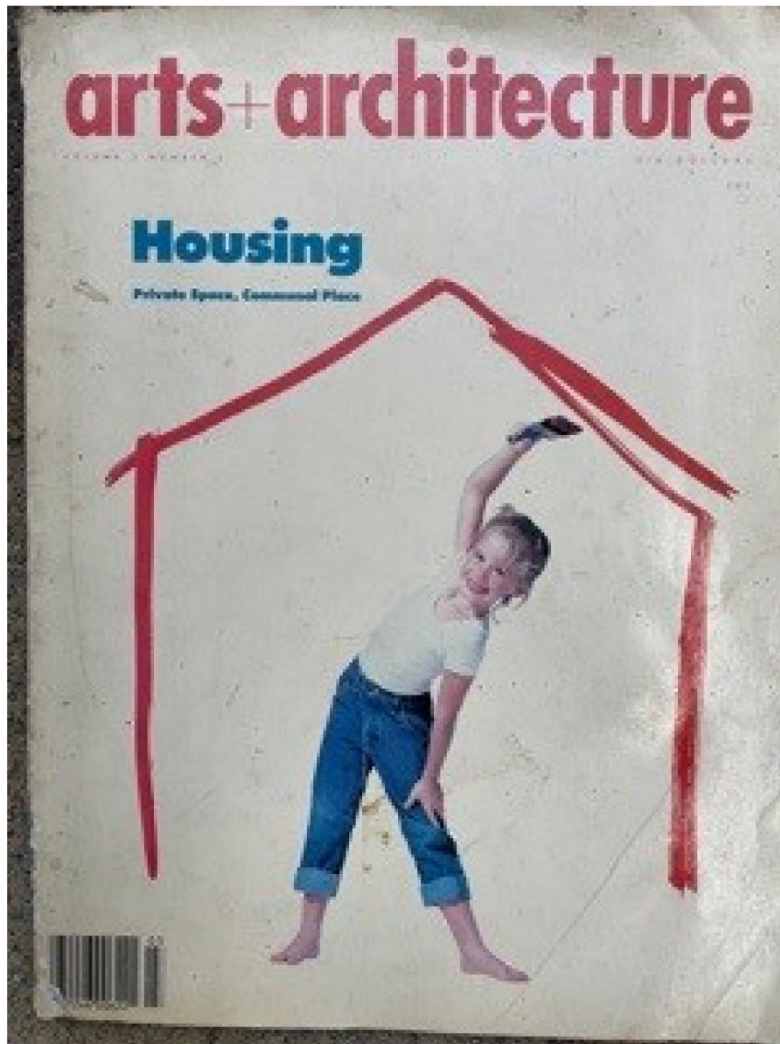
Comments

Responses



Comments

Responses



Comments

Responses



Comments

Responses



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3. MITIGATION MONITORING AND REPORTING PROGRAM

Project Name: Three on Garfield

Project Location: 2685, 2687, and 2689 Garfield Street, Carlsbad, California

Project Description: Three attached, three-story residential air-space condominiums

City Contact: Kyle Van Leeuwen, Associate Planner, Carlsbad Planning Division; Phone Number: 442.339.2611

Mitigation Measure		Responsible for Mitigation	Responsible for Verification	Method of Verification	Timing of Verification	Verification Date	Comments
Historical, Cultural, and Tribal Cultural Resources							
MM CR-1-	<p>Historic American Building Survey (HABS) Documentation</p> <p>Prior to the issuance of the demolition permits, the Victor Condo building shall be documented to Historic American Buildings Survey (HABS) Level 2 standards according to the outline format described in the Historic American Building Survey Guidelines for Preparing Written Historical Descriptive Data. The documentation shall be undertaken by a qualified professional who meets Secretary of the Interior’s Professional Qualification Standards (36 CFR, part 61) for architectural history. The documentation shall consist of the following:</p> <ul style="list-style-type: none"> • Photographic Documentation: Documentation should follow the Photographic Specification–Historic American Building Survey, including 15 to 20 archival quality, large-format photographs of the exterior and interior of the building and its architectural elements. Construction techniques and architectural details should be documented, especially noting the measurements, hardware, and other features that tie architectural elements to a specific date. 	Applicant	City of Carlsbad Planning Department	Review and approval of HABS documentation package	Prior to issuance of demolition permit		

Mitigation Measure		Responsible for Mitigation	Responsible for Verification	Method of Verification	Timing of Verification	Verification Date	Comments
	<ul style="list-style-type: none"> HABS Historical Report: A written historical narrative and report completed according to the HABS Historical Report Guidelines. Original architectural plans shall be archivally reproduced, following HABS standards, or included as figures in the HABS historical report. <p>Three copies of the HABS documentation package, with one copy including original photo negatives, shall be produced, with at least one copy placed in an archive or history collection accessible to the general public, such as the Carlsbad Public Library and San Diego History Center.</p>						
MM CR-2	<p>Interpretation</p> <p>Prior to the issuance of demolition permits, the project applicant, in coordination with, and subject to approval by the City Planner, shall develop an interpretative opportunity that would communicate the significance of the Victor Condo building to the local community. The opportunity could consist of a permanent plaque or sign with general information at the project site with an opportunity for the public to digitally link to additional information, such as historic photographs, HABS documentation or other materials that are maintained by the city or other organization, such as the Historical Society. The interpretive exhibit shall be developed by a qualified team including a historian and graphic designer or other professional with demonstrated experience in displaying information and graphics to the public in a visually interesting manner. The exhibit should be located at the project site, or at some other location determined as appropriate by the qualified team and the City Planner.</p>	Applicant	City of Carlsbad Planning Department	Review and approval of interpretation opportunity	Prior to issuance of demolition permit		

Mitigation Measure		Responsible for Mitigation	Responsible for Verification	Method of Verification	Timing of Verification	Verification Date	Comments
MM CR-3	<p>Architectural Salvage</p> <p>Prior to the issuance of demolition permits that would remove character-defining features of the building, the developer shall consult with city Planning Department staff as to whether any such features may be salvaged. This could include both interior and exterior features for preservation on or off-site or for sale or use in another structure. The developer shall make a good faith effort to salvage materials of historical interest to be utilized as part of the interpretative program. The developer shall prepare a salvage plan for review and approval by the City Planner prior to issuance of any site demolition permit.</p>	Applicant	City of Carlsbad Planning Department	Submittal of salvage plan	Prior to issuance of demolition permit		
MM CR-4	<p>Construction Monitoring</p> <p>Prior to the commencement of any ground disturbing activities, the project developer shall enter into a Pre-Excavation Agreement, otherwise known as a Tribal Cultural Resources Treatment and Tribal Monitoring Agreement, with a Traditionally and Culturally Affiliated Luiseño tribe (TCA Tribe). This agreement will contain provisions to address the proper treatment of any tribal cultural resources and/or Luiseño Native American human remains inadvertently discovered during the course of the project. The agreement will outline the roles and powers of the Luiseño Native American monitors and the archaeologist. Such agreement shall include at minimum, that, if a possible tribal cultural resource is uncovered during ground disturbing activities, all work shall cease within a minimum distance of 50 feet from the find until a Qualified Tribal Monitor and Archaeological Monitor have had the opportunity to evaluate the find. If a Qualified Tribal Monitor or Archaeological Monitor determines that the object or artifact appears to be a potentially significant tribal cultural resource, the City of Carlsbad shall notify the</p>	Applicant's Construction Contractor	City of Carlsbad Planning Department	Pre-Excavation Agreement, Tribal and Archaeological Monitor Contract, and Site inspections	<p>Prior to issuance of grading permit.</p> <p>During site preparation and grading</p>		

Mitigation Measure	Responsible for Mitigation	Responsible for Verification	Method of Verification	Timing of Verification	Verification Date	Comments
<p>affiliated Tribes to conduct a site visit and make recommendations to the City regarding the monitoring of future ground disturbance activities and the treatment and disposition of any discovered tribal cultural resources. A copy of said archaeological contract and Pre-Excavation Agreement shall be provided to the City of Carlsbad prior to the issuance of a grading permit. A Luiseño Native American monitor shall be present during all ground disturbing activities. Ground disturbing activities may include, but are not be limited to, archaeological studies, geotechnical investigations, clearing, grubbing, trenching, excavation, preparation for utilities and other infrastructure, and grading activities. Consistent with Public Resources Code Section 21083.2, the handling, treatment, preservation, and recordation of tribal cultural resources should occur as follows:</p> <ul style="list-style-type: none"> • The find should be preserved in place or left in an undisturbed state unless the project would damage the resource. • All collected artifacts, if not human remains or other mortuary objects, shall be repatriated to the affiliated Tribes for reburial on the project site. 						
<p>MM CR-5 Discovery of Human Remains</p> <p>In the event human remains are encountered, State Health and Safety Code Section 7050.5 and State CEQA Guidelines Section 15064.5(e)(1) state that no further disturbance shall occur to the area of the find until the County Coroner has made a determination of origin and disposition of the human bone pursuant to Public Resources Code Section 5097.98. The County Coroner shall be notified of the find immediately and shall make their determination within two working days of being notified. If the remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission (NAHC) by phone within</p>	<p>Applicant's Construction Contractor</p>	<p>City of Carlsbad Planning Department</p>	<p>Site inspections</p>	<p>During site preparation and grading</p>		

Mitigation Measure	Responsible for Mitigation	Responsible for Verification	Method of Verification	Timing of Verification	Verification Date	Comments
<p>24 hours, and the NAHC shall then immediately determine and notify a Most Likely Descendant. With the permission of the landowner or his/her authorized representative, the Most Likely Descendant may inspect the site of the discovery. The Most Likely Descendant shall complete the inspection and make recommendations or preferences for treatment of the remains within 48 hours of being granted access to the site. The Most Likely Descendant's recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials, preservation of Native American human remains and associated items in place, relinquishment of Native American human remains and associated items to the descendants for treatment, or any other culturally appropriate treatment.</p>						

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