

Notice of Determination

To: State Clearinghouse
<https://ceqanet.opr.ca.gov/>

Assessor/Recorder/County Clerk
Attn: Fish and Wildlife Notices
1600 Pacific Highway, Suite 260
San Diego, CA 92101
MS: A-33

From: **CITY OF CARLSBAD**
Planning Division
1635 Faraday Avenue
Carlsbad, CA 92008
(442) 339-2600

Project No: SDP 2023-0022/CDP 2023-0034 (DEV2022-0094)

Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

PALOMAR AND AVIARA OFFICE PROJECT

Project Title

2004121003	City of Carlsbad, Lauen Yzaguirre, Associate Planner	442-339-2634
State Clearinghouse No.	Lead Agency, Contact Person	Telephone Number

Southeast corner of Palomar Airport Rd. and Aviara Pkwy., City of Carlsbad, 92008 (APN 212-040-64-00)

Project Location (include County)

Name of Applicant: James McCann

Applicant's Address: 330 Encinitas Blvd. # 201, Encinitas, CA 92024

Applicant's Telephone Number: 760-632-9400

Name of Applicant/Identity of person undertaking project (if different from the applicant above):

Project Description: Construction of a 62,600-square-foot, three-story, 42-foot-tall, medical office building with a 52-foot-tall glass tower, a surface parking lot with 316 spaces and interior and exterior employee eating areas.

On September 18, 2007, the City of Carlsbad adopted a Mitigated Negative Declaration (SCH# 2004121003) and Mitigation Monitoring and Reporting Program (MMRP) for the Kelly/JRM Office Project by Resolution No. 2007-199 for a three-story, approximately 85,000 SF office building on the Project site. The office was never constructed. The City of Carlsbad, after considering the public comments received and the evidence and testimony before it, determined the request to construct a 62,600-square-foot, three-story, 42-foot-tall, medical office building with a 52-foot-tall glass tower, a surface parking lot with 316 spaces and interior and exterior employee eating areas is within the scope of the of the previously-adopted MND for the Kelly/JRM Office Project. The project would not result in new or more severe impacts beyond those addressed in the adopted MND and would not meet any other standards requiring further environmental review pursuant to state CEQA Guidelines sections 15162 and 15164. No further analysis, public review or environmental documentation is required.

This is to advise that the City of Carlsbad has approved the above-described project on February 5, 2025, and has made the following determination regarding the above described project.

1. The project **will not** have a significant effect on the environment.
2. An Environmental Impact Report (EIR) was prepared for this project pursuant to the provisions of CEQA.
 A Mitigated Negative Declaration (MND) was previously prepared for this project pursuant to the provisions of CEQA (SCH# 2004121003).

This project was reviewed previously and a(n) **MND** was prepared pursuant to the provisions of CEQA.

3. Mitigation measures **were** made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan **was** adopted for this project.
5. Pursuant to the provisions of the California Environmental Quality Act (CEQA-Public Resources Code, Section 21083 et. seq.) Guidelines Section 15162 and 15164, and as demonstrated by the substantial evidence contained in the administrative record, the project activities [are are not] covered by and within the scope of the project approved by a previously adopted MND, the previous adopted MND [does does not] adequately describe the project for purposes of CEQA, and therefore, no further environmental documentation is required

This is to certify that the final **MND** with comments and responses and record of project approval is available to the General Public at THE CITY OF CARLSBAD.

MMS

FEB 7 2025

MIKE STRONG, Assistant Director of Community Development

Date

Date received for filing at OPR: