



THE CITY OF SAN DIEGO

DATE OF NOTICE: July 15, 2024

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

SAP No. 24009689

PROJECT NAME / NUMBER: 9173 Sky Park Court / PRJ-1074457

COMMUNITY PLAN AREA: Kearny Mesa

COUNCIL DISTRICT: 6

LOCATION: 9173 Sky Park Court, San Diego, CA 92123

PROJECT DESCRIPTION: A request for a TENTATIVE MAP and PLANNED DEVELOPMENT PERMIT to subdivide Parcel 2 of Parcel Map No 20709 into two parcels at 9173 Sky Park Court. The 3.92-acres site is designated Industrial and Technology Park per the Kearny Mesa Community Plan and zoned IL-2-1 (Industrial-Light). The project would reconstruct the driveway to current City of San Diego standards and relocate an existing sewer line within the project site. Additionally, the project site is located within the Airport Land Use Compatibility Overlay Zone (MCAS Miramar and Montgomery Field), Airport Influence Area (MCAS Miramar, Review Area 2; Montgomery Field, Review Area 1), Federal Aviation Administration Part 77 Noticing Area (MCAS Miramar and Montgomery Field), Very High Fire Hazard Severity Zone, Transit Priority Area, and Prime Industrial Lands. (LEGAL DESCRIPTION: Parcel 2 of Parcel Map No. 20709, in the City of San Diego, County of San Diego, State of California, filed in the office of the County Recorder of San Diego County, on September 16, 2009, as file no. 2009-0517501 of official records; ASSESSOR'S PARCEL NUMBER: 369-170-6800).

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Planning Commission

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA pursuant to CEQA Section 15302 (Replacement and Reconstruction) and Section 15304 (Minor Alterations to Land)

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The project meets the criteria set forth in CEQA Section 15302 (Replacement and Reconstruction) which allows for replacement and reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. The project would qualify for this exemption since the site's

driveway would remain in the same location and serve the same purpose but would be reconstructed to meet current City standards. In addition, the sewer line would serve the same purpose but would be relocated outside of the driveway where it is currently. The project also meets the criteria set forth in CEQA Section 15315 (Minor Alterations to Land) which allows for minor public or private alterations in the condition of land. The project would qualify for this exemption since it is proposing a change in the condition of land by subdividing one lot into two and the project would not involve the removal of healthy, mature, scenic trees. Further, the exceptions listed in CEQA Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effect on the environment was identified; the project is not adjacent to a scenic highway; lastly, the project was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

DEVELOPMENT PROJECT MANAGER: Christian Hoppe
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On July 15, 2024, the City of San Diego (City), as Lead Agency, has made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk by 5:00pm within ten (10) business days from the date of the posting of this Notice (July 29, 2024). Appeals to the City Clerk must be filed by email or in-person as follows:

- 1) Appeals filed via E-mail: The Environmental Determination Appeal Application Form [DS-3031](#) can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031>. Send the completed appeal form (including grounds for appeal and supporting documentation in pdf format) by email to Hearings1@sandiego.gov by 5:00p.m. on the last day of the appeal period; your email appeal will be acknowledged within 24 business hours. You must separately mail the appeal fee by check payable to the City Treasurer to: City Clerk/Appeal, MS 2A, 202 C Street, San Diego, CA 92101. The appeal filing fee must be United States Postal Service (USPS) postmarked) before or on the final date of the appeal. Please include the project number on the memo line of the check.
- 2) Appeals filed in person: Environmental Determination Appeal Application Form [DS-3031](#) can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>. Bring the fully completed appeal application [DS-3031](#) (including grounds for appeal and supporting documentation) to the City Administration Building-Public Information Counter (Open 8:00am to 5:00pm Monday through Friday excluding City-approved holidays), 1st Floor Lobby, located at 202 C Street, San Diego, CA 92101, by 5:00pm on the last day of the appeal period. The completed appeal form shall include the required appeal fee, with a check payable to: City Treasurer.

This information will be made available in alternative formats upon request.