



THE CITY OF SAN DIEGO

Date of Notice: March 21, 2025

# NOTICE OF RIGHT TO APPEAL

## ENVIRONMENTAL DETERMINATION

### DEVELOPMENT SERVICES DEPARTMENT

SAP No. 11004543

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**PROJECT NAME / NUMBER:** Market Street Gas Station / PRJ-1102575

**COMMUNITY PLAN AREA:** Downtown

**COUNCIL DISTRICT:** 3

**LOCATION:** 1606 Market Street, San Diego, CA 92101

**PROJECT DESCRIPTION:** A Neighborhood Use Permit (NUP) and a Planned Development Permit (PDP) for the expansion and upgrade of an existing gas station site consisting of 4 fuel dispensers and 820-square feet of retail space. The site is currently accessed via two driveways on 16<sup>th</sup> Street, two driveways on 17<sup>th</sup> Street and three driveways on Market Street. The expansion would include an addition of 820-square feet to the retail space for a total of 1,640-square feet of retail space including a drive-thru service vendor. The project would also relocate the overhead canopy and existing fuel dispensers, provide one new fuel dispenser and relocate and upgrade underground storage tanks on site. Proposed access to the site would include the existing driveways on 16<sup>th</sup> and 17<sup>th</sup> Streets and two of three existing driveways on Market Street with closure of one driveway on Market Street. The project requests vehicular access deviations to the City of San Diego's development regulations for the proposed access driveways to the project site. The 0.43-acre project site is located at 1606 Market Street within the Centre City Planned District Employment/Residential zone (CCPD-ER) the Airport Land Use Compatibility Overlay Zone (NAS North Island and San Diego International Airport), Airport Influence Area (San Diego International Airport and NAS North Island- Review Area 2) and the Transit Area Overlay Zone in the East Village neighborhood of the Downtown Community Plan Area.

**ENTITY CONSIDERING PROJECT APPROVAL:** City of San Diego Planning Commission

**ENVIRONMENTAL DETERMINATION:** Statutorily exempt from CEQA pursuant to CEQA State Guidelines, Section 15270 (Projects Which Are Disapproved).

**ENTITY MAKING ENVIRONMENTAL DETERMINATION:** City of San Diego Development Services Department

**STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION:** The City of San Diego (City) determined that the project would qualify to be statutorily exempt from CEQA pursuant to Section 15270, Projects Which Are Disapproved. Per Section 15270(a), CEQA does not apply to projects, which a public agency rejects or disapproves. It has been determined that the City's Development Services

Department cannot support the project with respect to the proposed access driveways and consequently cannot make the findings necessary for the requested deviations from the San Diego Municipal Code, (off-street parking and vehicular access). Therefore, the City's Development Services Department recommends the denial of the project, and it was determined that this CEQA exemption was appropriate.

**DEVELOPMENT PROJECT MANAGER:** James Alexander  
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On March 21, 2025, 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 (April 7, 2025). 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](mailto: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.

**POSTED ON THE CITY'S CEQA WEBSITE**  
**POSTED:** 3-21-2025  
**REMOVED:**  
**POSTED BY:** *Myra Lee*