



**Date of Notice:** April 17, 2024

# **NOTICE OF RIGHT TO APPEAL**

## **ENVIRONMENTAL DETERMINATION**

### **CITY PLANNING DEPARTMENT**

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**PROJECT NAME/NUMBER:** Street and Sidewalk Improvements

**COMMUNITY PLAN AREA:** Otay Mesa-Nestor

**COUNCIL DISTRICT:** 8

**LOCATION:** Del Sol Boulevard and Kostner Drive

**PROJECT DESCRIPTION:** The project includes installing a roundabout within the intersection of Del Sol Boulevard and Kostner Drive, eight new pedestrian ramps, converting four pedestrian ramps into sidewalks, and installation of new four-foot-high black chain link fencing directly behind four existing curb returns. The roundabout will consist of plastic boards that will be drilled and anchored into the existing asphalt. No trenching will occur, and all work will be within the public right-of-way (ROW) (paved streets) or previously disturbed, and non-sensitive areas only. Traffic Control Plan (TCP) and Best Management Practices will be implemented throughout construction activities.

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

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt from CEQA pursuant to CEQA State Guidelines Sections 15301(b) (Existing Facilities), 15302(c) (Replacement or Reconstruction), and Section 15303 (New Construction or Conversion of Small Structures).

**ENTITY MAKING ENVIRONMENTAL DETERMINATION:** City of San Diego Mayor-Appointed Designee.

**STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION:**

The City of San Diego conducted an environmental review and determined the project is exempt pursuant to State CEQA Guidelines Section 15301(b) (Existing Facilities) which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use including both investor and publicly owned utilities used to provide electric power, natural gas, sewerage, or other public utility services; Section 15302(c) (Replacement or Reconstruction) which consists of replacement or 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, including replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity; and Section 15303 (New Construction or Conversion of Small Structures) which consists of the construction and location of limited numbers of new, small facilities or structures, installation of small new equipment and facilities in small structures, and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The project area is located fully within developed ROW or previously disturbed, and non-sensitive areas. The project will comply with the City's Construction Noise Limits [San Diego Municipal Code (SDMC) Section

59.5.0404]. As-needed stormwater construction Best Management Practices (BMPs) to prevent non-stormwater discharges from entering the City's stormwater conveyance system will be implemented throughout project construction. Portions of the project are located within an area of the development period in which historic sidewalks with scored patterns and stamps would have been constructed. The historical date stamps and impressions will be preserved per the City's Standard Drawings SDG-115 (Existing Historical Stamp or Impression Placement). In the event that additional historic sidewalk stamps, street signs, lampposts, street trees, and/or other hardscape and cultural landscape elements are identified during project construction, the Contractor would be required to protect and preserve these per Policy HP-A.5 of the City's General Plan Historic Preservation Element and SDMC Section 142.0670(a)(1). The exceptions listed in CEQA Guidelines Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effects on the environment were identified; no historical resources would be affected by the action; the project is not adjacent to a scenic highway; no historical resources would be affected by the action; and the project was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

**CITY CONTACT:** Sonja Olsen, Associate Planner, Transportation Department

**MAILING ADDRESS:** 2781 Caminito Chollas, San Diego, CA 92105

**PHONE NUMBER/E-MAIL:** (619) 527 – 8092 / [solsen@sandiego.gov](mailto:solsen@sandiego.gov)

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On April 17, 2024 the City of San Diego made the above-referenced environmental determination pursuant to CEQA. This determination is appealable to the City Council. If you have any questions about this determination, contact the City Contact listed above.

Applications to appeal the CEQA determination to the City Council must be filed with the Office of the Clerk within five (5) business days from the date of the posting of this Notice (**April 24, 2024**). Appeals to the City Clerk must be filed via e-mail or in-person as follows:

1. Appeals filed via Email: 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.pdf>. 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.
2. Appeals filed In-Person: 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.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.

The appeal application can also be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

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

**POSTED ON THE CITY'S CEQA WEBSITE**

**POSTED: 04/17/2024**

**REMOVED:**

**POSTED: v. Sandoval**