



Date of Notice: August 22, 2024

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

CITY PLANNING DEPARTMENT

PROJECT NAME/NUMBER: License Agreement – City of San Diego & Brooklyn Dogs

COMMUNITY PLAN AREA: Downtown

COUNCIL DISTRICT: Council District 3

LOCATION: 1200 Third Avenue, San Diego, CA 92101

PROJECT DESCRIPTION: This is a license agreement between the City of San Diego (City) and Brooklyn Dogs (Licensee) for the exclusive use of the License Area (City real property commonly known as Civic Center Plaza), located at 1200 Third Avenue, San Diego, California 92101. Licensee and City desire to enter into this Agreement to provide Licensee certain limited rights to undertake the Permitted Use or the operation of one (1) mobile hot dog vending cart and incidental equipment for a period of three (3) years.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Existing Facilities).

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 that determined the project would not have the potential for causing a significant effect on the environment pursuant to State CEQA Guidelines Section 15301 (Existing Facilities), which allows 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; and where the exceptions listed in CEQA Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effects on the environment were identified; the project is not adjacent to a scenic highway; no historical resources would be affected by the action. As to the exception for hazardous materials, there are locations identified on GeoTracker and EnviroStor within 1,000 feet of this site. While these locations are listed, the proposed project would not involve ground disturbance, which would expose potential hazardous materials, and as such, would not preclude the use of a CEQA exemption pursuant to Section 65962.5 of the Government Code.

CITY CONTACT: Terrell A. Brown

MAILING ADDRESS: 1200 Third Avenue, Suite 1700
San Diego, CA 92101

PHONE NUMBER/E-MAIL: (619) 236-6303 / brownta@san Diego.gov

On August 22, 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 (August 29, 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@san Diego.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: 8/22/24

REMOVED: _____

POSTED: G. Johansen