



Date of Notice: October 10, 2024

NOTICE OF RIGHT TO APPEAL

ENVIRONMENTAL DETERMINATION

CITY PLANNING DEPARTMENT

- PROJECT NAME/NUMBER:** Execute the Flat Rate Lease between the City of San Diego, a California Municipal Corporation ("Landlord") and 94TH Aero Squadron SD, Inc. ("Tenant").
- COMMUNITY PLAN AREA:** Kearny Mesa
- COUNCIL DISTRICT:** 7
- LOCATION:** 9,787 square feet of unimproved land located on the northern boundary of the Montgomery-Gibbs Executive Airport located at 3750 John J. Montgomery Drive, San Diego, CA 92123, behind the 94th Aero Squadron restaurant located at 8885 Balboa Avenue, San Diego, CA 92123
- PROJECT DESCRIPTION:** The City of San Diego will execute a Three-Year Flat Rate Lease Agreement covering that certain real property at Montgomery-Gibbs Executive Airport, for approximately 9,787 square feet of unimproved land, solely for purpose of a seating and viewing area for the patrons of 94th Aero Squadron restaurant to watch the aircrafts landing and taking off from Montgomery Gibbs Executive Airport.
- 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; and the project was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

CITY CONTACT: Cheryl Mossa, Property Agent, Department of Real Estate and Airport Management

MAILING ADDRESS: 3750 John J. Montgomery Drive, MS 14, San Diego, CA 92123

PHONE NUMBER/E-MAIL: (858) 273-1428 / cmossa@sandiego.gov

On October 10, 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 (**October 17, 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 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: 10/10/2024

REMOVED: _____

POSTED: G. Johansen