



Date of Notice: April 26, 2021

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION PLANNING DEPARTMENT

PROJECT NAME: Consent to Assignment and Estoppel Certificate

COMMUNITY PLAN AREA: Kearny Mesa

COUNCIL DISTRICT: District 6

LOCATION: Montgomery-Gibbs Executive Airport, 3717 John J Montgomery Dr, San Diego, CA, 92123

PROJECT DESCRIPTION: Authorize the Mayor or his designee to sign a Consent to Assignment and Estoppel Certificate allowing Lessee to assign all of its right, title, and interest to and under their prior leases (on file with the City Clerk as Document No.: 732107, dated May 19, 1970, as amended, and that certain Flat Rate Lease entered into between the City of San Diego and Gibbs on file with the City Clerk as Document No.: 273253, filed on April 17, 1989, collectively, the "Prior Lease") for the Premises, which was in holdover status to MYF Properties LLC, a California limited liability company.

The property is leased to the Lessee for the purpose of construction, operation and maintenance of a fixed base flying service, including sales and rental of aircraft, aircraft parts and accessories, aircraft engine and airframe repair, flight instruction, renting aircraft storage and tiedown space, operating an aircraft charter, air taxi and flight service, sale of aeronautical supplies, car rental, sale of aviation petroleum products to the general public and such other incidental uses.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Mayor-Appointed Designee

ENVIRONMENTAL DETERMINATION: This activity is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15301 (Existing Facilities) and CEQA Guidelines Section 15323 (Normal Operations of Facilities for Public Gatherings).

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 CEQA Guidelines Section 15301 (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; and CEQA Guidelines Section 15323 (Normal Operations of Facilities for Public Gatherings) which consists of the normal operations of existing facilities for public gatherings for which the facilities were designed, where there is a past history of the facility being used for the same or similar kind of purpose. For the purposes of this section, "past history" shall mean that the same or similar kind of activity has been occurring for at least three years and that there is a reasonable expectation that the future occurrence of the activity would not represent a change in the operation of the facility. 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, 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.

PROJECT MANAGER: Thurman Hodges, Real Estate Assets, Airport Division

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

EMAIL / PHONE NUMBER: THodges@sandiego.gov / (858) 573-1433

On April 26, 2021, the City of San Diego 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 Project Manager listed above.

Applications to appeal the CEQA determination to the City Council must be filed with the Office of the Clerk within 5 business days from the date of the posting of this Notice (**May 3, 2021**). During the Statewide "Safer-at-Home" directive to reduce the spread of COVID-19, beginning March 19, 2020, appeals to the City Clerk must be filed by email or US Mail as follows:

1. Appeals filed via Email: Send the appeal by email to Hearings1@sandiego.gov; your email appeal will be acknowledged within 24 hours. You must separately mail the required appeal fee by check payable to the City Treasurer to: **City of San Diego Planning Department, Attn: Sureena Basra, 9485 Aero Drive, MS 413, San Diego, CA 92123**. The appeal filing fee must be postmarked within 5 business days of the date the appeal is filed.
2. Appeals filed via US Mail: Send the appeal by US Mail to **City Clerk/Appeal, MS 2A, 202 C**

Street, San Diego, CA 92101. Appeals filed by US Mail must have a United States Postal Service (USPS) postmark by the appeal deadline to be considered valid. You must separately mail the required appeal fee by check payable to the City Treasurer to: **City of San Diego Planning Department, Attn: Sureena Basra, 9485 Aero Drive, MS 413, San Diego, CA 92123.** The appeal filing fee must be postmarked within 5 business days of the date the appeal is filed.

If you have any questions regarding the procedures to file the appeal, please contact **Sureena Basra** at SBasra@sandiego.gov.

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

POSTED ON THE CITY'S CEQA WEBSITE

POSTED: 04/26/2021

REMOVED:

POSTED: S. Basra