

#201 B
6/24/19

(R-2019-698)

RESOLUTION NUMBER R- 312532
DATE OF FINAL PASSAGE JUN 26 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE APPROVAL OF THE CITY OF SAN DIEGO PERCENTAGE LEASE WITH NORTHEAST MB, LLC FOR CITY-OWNED PROPERTY LOCATED AT 2727 DE ANZA ROAD IS COVERED BY THE GENERAL RULE IN SECTION 15061(B)(3) AND IS CATEGORICALLY EXEMPT FROM CEQA PURSUANT TO CEQA GUIDELINES 15301, 15302, 15303, 15304, 15311, AND 15323 AND THE APPROVAL OF A FIRST AMENDMENT TO THAT CERTAIN CITY OF SAN DIEGO PERCENTAGE LEASE WITH CAMPLAND, LLC FOR THE LEASE OF CITY-OWNED PROPERTY LOCATED AT 2211 PACIFIC BEACH DRIVE IS COVERED BY THE GENERAL RULE IN SECTION 15061(B)(3) AND IS CATEGORICALLY EXEMPT FROM CEQA PURSUANT TO CEQA GUIDELINES 15301 AND 15323.

WHEREAS, the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.), section 21084, states that the CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.) shall list those classes of projects which have been determined not to have a significant effect on the environment and which shall be exempt from CEQA; and

WHEREAS, pursuant to that authority, CEQA Guidelines sections 15300-15333 list the categorical exemptions promulgated by the California Office of Planning and Research and adopted by the Secretary of the California Natural Resources Agency for those classes of Projects which have been determined not to have a significant effect on the environment; and

WHEREAS, the City of San Diego desires to authorize the City of San Diego Percentage Lease between the City and Northeast MB, LLC, on file in the Office of the City Clerk as Document No. RR- 312531-1 to lease the property located at 2727 De Anza Road, San Diego, California, commonly known as De Anza Cove (De Anza Project); and

WHEREAS, the Planning Department has established that the De Anza Project is covered by the General Rule pursuant to section 15061(b)(3) of the CEQA Guidelines and is also categorically exempt from CEQA pursuant to CEQA Guidelines sections 15301, 15302, 15303, 15304, 15311, and 15323, and that no exception to the exemptions, as set forth in CEQA Guidelines section 15300.2, applies to the De Anza Project; and

WHEREAS, the City also desires to authorize the First Amendment to Lease Agreement between the City and Campland, LLC, on file in the Office of the City Clerk as Document No. RR- **312531-2**, to lease the property located at 2211 Pacific Beach Drive, San Diego, California, commonly known as Campland on the Bay (Campland Project); and

WHEREAS, the Planning Department has established that the Campland Project is covered by the General Rule pursuant to section 15061(b)(3) and is categorically exempt from CEQA pursuant to CEQA Guidelines sections 15301 and 15323 and that no exception to the exemptions, as set forth in CEQA Guidelines section 15300.2, applies to the Campland Project; and

WHEREAS, the Council of the City of San Diego (Council) has considered the potential environmental effects of both the De Anza Project and the Campland Project; and

WHEREAS, the Council held a duly noticed public meeting and considered the written record for the De Anza Project and the Campland Project, as well as public comment; and

WHEREAS, the Council, using its independent judgment, has determined that both the De Anza Project and the Campland Project are covered by the General Rule, section 15061(b)(3) of the CEQA Guidelines in that CEQA only applies to projects which have the potential for causing a significant effect on the environment; and

WHEREAS, the Council, using its independent judgment, has further determined that the De Anza Project will not have 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 or facilities, with negligible or no expansion of the use of the property; Section 15302 (Replacement or Reconstruction) which consists of the 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; 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, including utility extensions and related street improvements; Section 15304 (Minor Alterations to Land) which consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve the removal of healthy, mature, scenic trees except for forestry or agricultural purposes; Section 15311 (Accessory Structures) which consists of the construction or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities; and 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 kinds of purpose; and

WHEREAS, the Council, using its independent judgment, has further determined that the Campland Project will not have 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 or facilities, with negligible or no expansion of the use of the property and 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 kinds of purpose; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

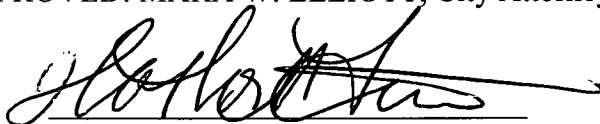
1. Using its independent judgment and considering the written record and public comment for the requested authorization, the Council determines that the De Anza Project is covered by the General Rule, CEQA Guidelines Section 15061(b)(3) and is categorically exempt from CEQA pursuant to CEQA Guidelines sections 15301, 15302, 15303, 15304, 15311, and 15323, and that an exception to the exemptions, as set forth in CEQA Guidelines section 15300.2, does not apply.

2. Using its independent judgment and considering the written record and public comment for the requested authorization, the Council determines that the Campland Project is covered by the General Rule, CEQA Guidelines Section 15061(b)(3) and is categorically exempt from CEQA pursuant to CEQA Guidelines sections 15301 and 15323, and that an exception to the exemptions, as set forth in CEQA Guidelines section 15300.2, does not apply.

3. That the City Clerk is directed to file a Notice of Exemption regarding the De Anza Project and the Campland Project with the Clerk of the Board of Supervisors for the County of San Diego.

APPROVED: MARA W. ELLIOTT, City Attorney

By



Heather M. Ferbert
Deputy City Attorney

HMF:nja:als
06/13/2019
Or.Dept: Real Estate Assets
Doc. No.: 2024729

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 24 2019.

ELIZABETH S. MALAND
City Clerk

By *Linda Bruin*
Deputy City Clerk

Approved: 6/26/19
(date)

Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUN 24 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUN 26 2019

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal).

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Linda Irwin, Deputy

Office of the City Clerk, San Diego, California

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