

RESOLUTION NUMBER R- **315377**DATE OF FINAL PASSAGE **MAR 04 2024**

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE CITY'S GRANT TO RONALD DROBECK OF A PARKING EASEMENT ON CITY OWNED REAL PROPERTY ON NATIONAL AVENUE, DESIGNATED AS ASSESSOR'S PARCEL NUMBER 551-080-35, IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER CEQA GUIDELINES SECTIONS 15301, 15302 AND 15304(e).

WHEREAS, under a settlement agreement between the City of San Diego (City) and Ronald Drobeck (Drobeck), the City proposes to grant Drobeck an easement for parking purposes only (Parking Easement) over a portion of the City-owned real property on National Avenue, designated as Assessor's Parcel Number 551-080-35 (Property); and

WHEREAS, the City plans to demolish an existing parking lot on the Property that extends onto real property that Drobeck owns and has been using for at least ten years as a parking lot, construct and install underground stormwater infrastructure, and then re-construct the parking lot over both the Property and Drobeck's adjacent real property in substantially the same location and capacity as the existing parking lot; and

WHEREAS, within the California Environmental Quality Act (CEQA) (Public Resources Code section 21000, et seq.), Public Resources Code section 21084 states that the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, Section 15000, et seq.) adopted by the California Office of Planning and Research under Public Resources Code section 21083 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, 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 that have been determined not to have a significant effect on the environment; and

WHEREAS, CEQA Guidelines section 15301 (Existing Facilities) provides a categorical exemption from CEQA for 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

WHEREAS, CEQA Guidelines section 15302 (Replacement or Reconstruction) provides a categorical exemption from CEQA for 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; and

WHEREAS, CEQA Guidelines section 15304(e) (Minor Alterations to Land) provides a categorical exemption from CEQA for 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; and

WHEREAS, the City Planning Department determined that the Parking Easement is categorically exempt from CEQA under CEQA Guidelines sections 15301, 15302, and 15304(e); and

WHEREAS, the Council of the City of San Diego (Council) considered the potential environmental effects of the Parking Easement; and

WHEREAS, the Council held a duly noticed public meeting and considered the written record and related public comment with respect to the Parking Easement; and

WHEREAS, the Council, exercising its independent judgment, determined that the Parking Easement will not result in a significant effect on the environment and is categorically exempt from CEQA under CEQA Guidelines sections 15301, 15302, and 15304; and

WHEREAS, the Council, exercising its independent judgment, determined that no exception set forth in CEQA Guidelines section 15300.2 applies to the Parking Easement because no cumulative impacts were identified; no significant effects on the environment were identified; none of the land is adjacent to a scenic highway; no historical resources will be affected by the action; and none of the land is identified on a list of hazardous waste sites pursuant to California Government Code section 65962.5; and

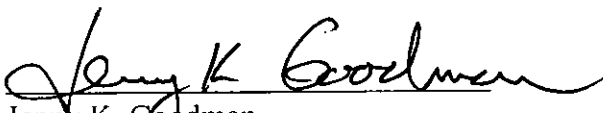
WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

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

1. The Parking Easement will not result in a significant effect on the environment and is categorically exempt from CEQA under CEQA Guidelines sections 15301, 15302 and 15304.

2. No exception to the categorical exemptions set forth in CEQA Guidelines section 15300.2 applies to the Parking Easement.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Jenny K. Goodman
Lead Deputy City Attorney

JKG:msb
1/12/2024
Or.Dept: DREAM
Doc. No. 3527872
Companion to: R-2024-297

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of FEB 27 2024.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 3/4/24
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on FEB 27 2024, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District 4 - vacant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAR 04 2024.

(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:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- **315377**