



**CEQA and COASTAL DETERMINATIONS  
and  
NOTICE OF APPROVAL**

**Project:** Sublease and Tenant Improvements to Fedex at Marriott Marquis San Diego Marina at Centre City Embarcadero  
**Location:** 333 West Harbor Drive, San Diego, CA 92101  
**Parcel No.:** 019-003  
**Project No.:** 2021-029  
**Applicant:** Fedex Office and Print Services, Inc., 7900 Legacy Drive, Plano TX 75024  
**Date Approved:** April 13, 2021

**PROJECT DESCRIPTION**

The proposed project is a Sublease and tenant improvements to Fedex Office and Print Services Inc. (Fedex/Tenant) with Pacific Gateway, Ltd. (dba Marriott Marquis San Diego Marina) in the City of San Diego, California. The District entered into a sixty-six (66) year amended, restated and combined lease (Lease) with Marriott (Hotel) on December 1, 1995 for the operation of two hotel towers providing 1,355 guest rooms, meeting and banquet space, restaurants and a 446-slip marina, located at 333 West Harbor Drive, in the City of San Diego. CCMH San Diego, LLC subleases the Hotel from Marriott Marquis San Diego Marina, and Marriott International Inc. (Marriott) manages and operates the hotel on behalf of CCMH San Diego, LLC pursuant to a hotel management agreement consented to by the District. The proposed Sublease is comprised of: (1) an approximately one thousand five-hundred (1,500) sq. ft. Business Center on the lobby level of the Hotel and; (2) an approximately 522 square foot space for a storage cage on level 2 of the parking garage portion of the Hotel and an approximately 248 square foot storage cage space on the dock level of the Hotel. The Business Center will offer the following goods, products and services: photocopying (color and black and white copying); printing; digital printing; digital imaging; binding; mounting; laminating; blueprinting; desktop publishing; document exchange; retail art and graphic design; signs and graphics; large/grand format printing (including banners and cut vinyl signs); surface graphics/clings; facsimile services; on-site computer rentals, including internet access; passport photography; digital photo processing; parcel carrier and delivery courier services; parcel packing; parcel storage, shipping and receiving services; and locker services (which allow for the pick-up and/or return of parcels/packages).

Work to specifically complete the proposed tenant improvements would involve suite improvements including re-keying doors and gates, new interior floor, base, wall, and ceiling finishes, tenant equipment, blockings for built-in shelves, furniture, furnishings, accessories and fixtures, low 69-inch storage units at the Business Center, Dock and Garage Parcel storages, and electrical power modifications and relocations. All existing walls, fences, windows, doors, security grilles, gates, millwork, HVAC, fire sprinkler, fire alarm, and lighting systems components shall remain. There will also be no structural, plumbing, and demolition (except for minor carpet removal) work involved. Construction of the proposed project is anticipated to occur in Spring 2021 and would take approximately four (4) weeks to complete.

It is anticipated that the Sublease would have a total term of five (5) years with a five year option to extend.

Due to its nature and limited scope, construction of the proposed project would generate a minor amount of vehicle trips and would require limited use of equipment. Therefore, significant impacts related to air quality, greenhouse gas emissions, and transportation and traffic are not anticipated to occur. Furthermore, the Tenant would be responsible for complying with all applicable federal, state, and local laws regarding construction demolition debris, hazards and hazardous materials, and stormwater.

The following categorical determinations are based on the project submittal and all project information known to the District as of the date of this determination.

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## **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

### ***CATEGORICAL DETERMINATION***

Categorical Exemptions: SG §15301, Class 1/Section 3.a: Existing Facilities; and SG §15302, Class 2/Section 3.b: Replacement or Reconstruction

- 3.a. Existing Facilities (SG § 15301) (Class 1): Includes operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to:
- (3) Interior and exterior remodeling or alterations, involving negligible or no expansion of use beyond that previously existing, including, but not limited to, marine terminal facilities, and marine-oriented commercial, industrial, and public and commercial recreational facilities, including buildings, piers, wharves, marine ways; railroads; airport facilities, runways, taxiways, aprons, and ancillary structures to those facilities; or mechanical systems and equipment.
  - (4) New and renewed short-term tenancy agreements which do not result in change in the existing use. This exemption does not apply to any new development associated with the activities of the tenant. This exception is also inapplicable if the cumulative impact of continuing the existing use or conditions in the same place, over time, is significant.
  - (5) Minor exterior or interior alterations to incorporate architectural changes.
  - (7) Existing facilities used to provide electric power, natural gas, sewerage, or other public utility service.

AND/OR

- 3.b. Replacement or Reconstruction (SG § 15302) (Class 2): Includes replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site and will have substantially the same purpose and capacity as the structure being replaced.

The proposed project is determined to be Categorically Exempt pursuant to the CEQA Guidelines and the Sections of the District's *Guidelines for Compliance with CEQA* as identified above. These are appropriate for the proposed project because it consists of a sublease for office and print services and tenant improvements, would involve negligible expansion of use beyond the previously existing office and print service use, would not result in a significant cumulative impact due to the continuation of the existing use, would consist of the reconstruction of an existing facility, would be located on the same site as the facility replaced, and would have substantially the same purpose and capacity. The District has determined none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

Pursuant to CEQA Guidelines Section 15062, a 35-day statute of limitations for this CEQA exemption shall apply from the date a Notice of Exemption is posted with the San Diego County Clerk, or a 180-day statute of limitations for this CEQA exemption shall apply if no Notice of Exemption is filed.

## **CALIFORNIA COASTAL ACT**

### ***PORT MASTER PLAN CONSISTENCY***

Planning District: 3 - Centre City Embarcadero (Precise Plan Figure 11)

Land Use Designation: Commercial Recreation

The proposed project conforms to the certified Port Master Plan because it would involve a sublease for office and print services and tenant improvements, consistent with the existing certified Land use designation. The proposed project would not change the use of the site nor would it interrupt or expand the existing conforming use of the site.

**CATEGORICAL DETERMINATION**

Categorical Exclusions: Section 8.a: Existing Facilities; and Section 8.b: Replacement or Reconstruction

8.a. Existing Facilities: The operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to:

- (1) Interior or exterior alterations involving such things as partitions, plumbing, and electrical conveyances;
- (2) Public and private utilities used to provide electric power, natural gas, sewer, or other utility services
- (12) Interior and exterior remodeling of airport facilities, marine terminal facilities, existing marine-oriented industrial structures, and commercial or recreational facilities;

AND/OR

8.b. Replacement or Reconstruction: Replacement or reconstruction of existing structures and facilities where the new structure will be located essentially on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

The proposed project is determined to be Categorically Excluded pursuant to the Sections of the District's *Coastal Development Permit Regulations* as identified above. These are appropriate for the proposed project because it consists of a sublease for office and print services and tenant improvements, would involve negligible expansion of use beyond that previously existing, would be located essentially on the same site as the facility replaced, and will have substantially the same purpose and capacity as the facility replaced.

Pursuant to California Coastal Act Section 30717, there is a 10-working-day period to appeal this "Coastal Act Categorical Determination of Exclusion" to the California Coastal Commission.

**CALIFORNIA PUBLIC TRUST DOCTRINE**

The proposed project complies with Section 87.(a)(2) of the Port Act, which allows for all commercial and industrial uses and purposes, and the construction, reconstruction, repair, and maintenance of commercial and industrial buildings, plants, and facilities. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed project is consistent with the Public Trust Doctrine.

J. STUYVESANT  
President/CEO

Determination by:  
Michael Paul  
Assistant Planner  
Development Services

Signature: Michael Paul  
Date: Apr 14, 2021

Deputy General Counsel

Signature: Chris Burt  
Date: Apr 13, 2021