



THE CITY OF SAN DIEGO

DATE OF NOTICE: February 12, 2025

# NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

SAP No. 24010001

---

**PROJECT NAME / NUMBER:** 3333 Kellogg / PRJ-1121168

**COMMUNITY PLAN AREA:** Peninsula

**COUNCIL DISTRICT:** 2

**LOCATION:** 3311 and 3333 Kellogg Way, San Diego, CA 92106

**PROJECT DESCRIPTION:** Coastal Development Permit to construct a retaining wall and repair a failed slope located between two residential lots, 3311 Kellogg Way and 3333 Kellogg Way. The slope repair would import approximately 25 cubic yards of soil at a maximum fill depth of 6 feet within an 0.01-acre (368 square feet) area and would be landscaped to prevent further erosion. The proposed retaining wall would be located at the bottom of the slope on the property located at 3311 Kellogg Way and measure approximately 5 feet, 7 inches in height and 9 feet in length. Both properties are zoned Residential – Single Unit (RS-1-4) and designated as Residential Single Family in the Peninsula Community Plan. The project is also located within the following overlays: Complete Communities Mobility Choices, Airport Land Use Compatibility Overlay Zone, Coastal Height Limit Overlay Zone, Coastal Overlay Zone, Coastal Overlay Zone First Public Roadway, Parking Impact Overlay Zone, Transit Priority Area, Affordable Housing Parking Demand, ALUCP Airport Influence Area, FAA Part 77 Noticing Area, and Very High Fire Hazard Severity Zone, within Council District 2. **LEGAL DESCRIPTION:** Portion of Lots 105 and 106 of Block 410 of Map No. 0036, Recorded November 14, 1921.

**ENTITY CONSIDERING PROJECT APPROVAL:** City of San Diego Hearing Officer

**ENVIRONMENTAL DETERMINATION:** Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15303, New Construction or Conversion of Small Structures.

**ENTITY MAKING ENVIRONMENTAL DETERMINATION:** City of San Diego

**STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION:** The City of San Diego determined that the project would qualify to be categorically exempt from CEQA pursuant to Section 15303, New Construction or Conversion of Small Structures. CEQA Section 15303 allows for

the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The legal parcel is allowed to construct accessory (appurtenant) structures. The project is proposing to repair the failed slope and construct a retaining wall on a developed lot; this would not exceed the maximum limit for the parcel. The project site is located within an urbanized area and does not support any native habitats or sensitive biological resources as defined by the City's Biological Resources Guidelines and Environmentally Sensitive Lands Regulations. The exceptions listed in CEQA Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effect on the environment was identified; the project is not adjacent to a scenic highway; lastly, the project was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

**DEVELOPMENT PROJECT MANAGER:** Andrew Murillo  
**MAILING ADDRESS:** 1222 First Avenue, MS 501, San Diego, CA 92101-4153  
**PHONE NUMBER / EMAIL:** (619) 557-7986 / JMurillo@sandiego.gov

---

On February 12, 2025 the City of San Diego (City), as Lead Agency, has 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 City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk by 5:00pm within ten business days from the date of the posting of this Notice (February 27, 2025). Appeals to the City Clerk must be filed by email or in-person as follows:

- 1) Appeals filed via E-mail: 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>. Send the completed appeal form (including grounds for appeal and supporting documentation in pdf format) by email to [Hearings1@sandiego.gov](mailto: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. Please include the project number on the memo line of the check.
- 2) Appeals filed in person: 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.

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

**POSTED ON THE CITY'S CEQA WEBSITE**

**POSTED:** 2-12-2025

**REMOVED:** \_\_\_\_\_

**POSTED BY:** *Myra Lee*