



THE CITY OF SAN DIEGO

## Report to the Hearing Officer

DATE ISSUED: May 14, 2025 REPORT NO. HO-25-021

HEARING DATE: May 21, 2025

SUBJECT: 3333 Kellogg, Process Three Decision

PROJECT NUMBER: [PRJ-1121168](#)

OWNER/APPLICANT: 3403 Kellogg, LLC

### SUMMARY

Issue: Should the Hearing Officer approve a Coastal Development Permit (CDP) for the slope repair and construction of a retaining wall due to slope failure at a site with an existing single-dwelling unit located at [3333 Kellogg Way](#), within the [Peninsula community planning area](#)?

### Proposed Action:

APPROVE Coastal Development Permit No. PMT-3312458.

Fiscal Considerations: All costs associated with the processing of this project are paid by the applicant.

Community Planning Group Recommendation: On November 21, 2024, the Peninsula Community Planning Group voted 11-0-0 to recommend approval of the proposed project with no additional conditions (Attachment 6).

### Environmental Impact:

This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303, New Construction or Conversion of Small Structures. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on February 12, 2025, and the opportunity to appeal that determination ended February 27, 2025.

### BACKGROUND

The project site is located at 3333 Kellogg Way within the Peninsula Community Plan. The site is zoned Residential - Single Unit (RS-1-4) with overlay zones including the Airport Land Use

Compatibility Overlay Zone (NAS North Island and San Diego International Airport), Coastal Height Limit Overlay Zone, Coastal Overlay Zone (Appealable Area), First Public Roadway, Transit Priority Area, Airport Influence Area (SDIA and NAS North Island Review Area 2), and FAA Part 77 Noticing Area.

The existing one-story single-dwelling unit was built in 1955. Staff has reviewed the photos, Assessor's Building Records, water and sewer records, and considered all other information received from the applicant, as well as any input received through applicable public noticing and outreach. It has been determined that the project site does not meet local designation criteria as an individually significant resource under any adopted Historical Resources Board Criteria. Therefore, no historical research report is required at this time. The property is surrounded by other large lot single-dwelling units and Naval Base property to the south.

## DISCUSSION

The 0.28-acre project site is fully developed with an existing single dwelling unit within an urbanized area. The project scope of work includes slope repair and construction of a retaining wall due to slope failure at a site with an existing single-dwelling unit. There are no modifications proposed to the existing dwelling unit. Per the Peninsula Community Plan (Community Plan), there are no public views on or across the project site, which is located on a private street. The nearest coastal view corridor is approximately 1 mile north of the property (Community Plan Figure 27) on Talbot Street. The project site is located approximately 0.4 miles from the coastline and is located within the First Public Roadway, which includes all areas east of Catalina Boulevard in this area. However, the project site itself does not provide any access to the coastline, either public or private. The project features and overall development of the site, which will stay within private property, will not encroach upon any existing or proposed physical access to the coast.

The Community Plan designates the site as Single-Family Residential allowing up to 4 dwelling units per acre. The proposed slope repair does not alter the site's land use or density. The project site is consistent with the residential density identified in the land use plan as no increase in density is proposed. The plan also describes the La Playa neighborhood as "characterized by large single-family homes" (Community Plan, pg. 6).

The proposed project is located approximately 0.4 miles east of the Pacific Ocean. There is no public access from the project site, as identified in the Community Plan. The project site is located on Kellogg Way within a private community which does not provide access to any view corridor. The proposed project is for the repair of a damaged slope and construction of retaining walls to an existing single dwelling unit. The project will not adversely impact any public recreation opportunities, as it will remain entirely on private property.

### Permit Required:

A Process 3, Coastal Development Permit per SDMC Section 126.0707(b) is required for development within the appealable area of the Coastal Overlay Zone.

Conclusion:

Staff recommends approval of a Coastal Development Permit as the proposed development complies with the development regulations of the Land Development Code, the underlying RS-1-4 base zone, and the community plan and local coastal program.

ALTERNATIVES

1. Approve Coastal Development Permit No. PMT-3312458, with modifications.
2. Deny Coastal Development Permit No. PMT-3312458 if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

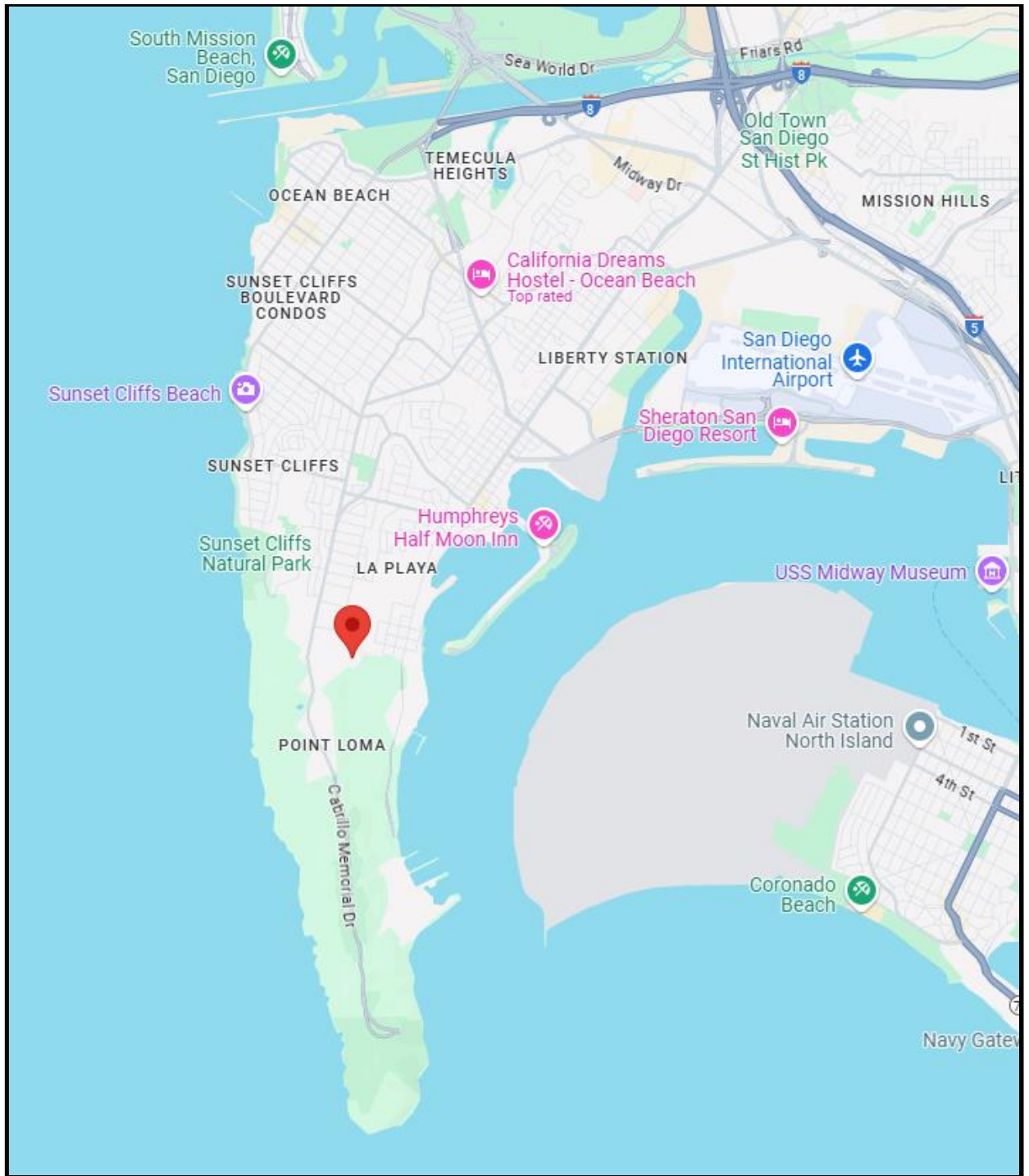


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Andrew Murillo  
Development Project Manager  
Development Services Department

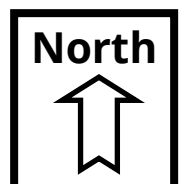
Attachments:

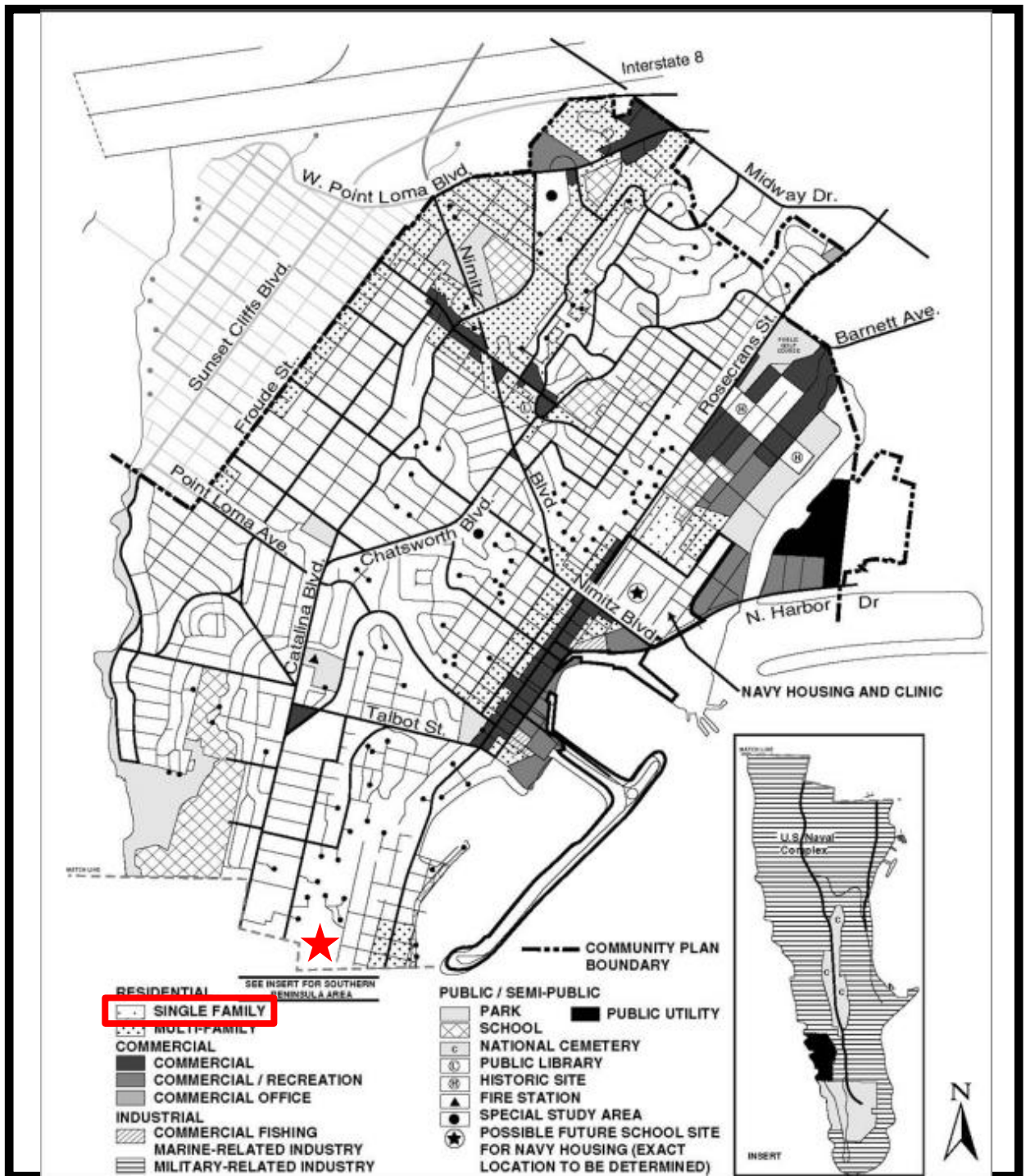
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Draft Permit with Conditions
5. Draft Permit Resolution with Findings
6. Community Planning Group Recommendation
7. Notice of Environmental Exemption
8. Ownership Disclosure Statement
9. Site Development Plans



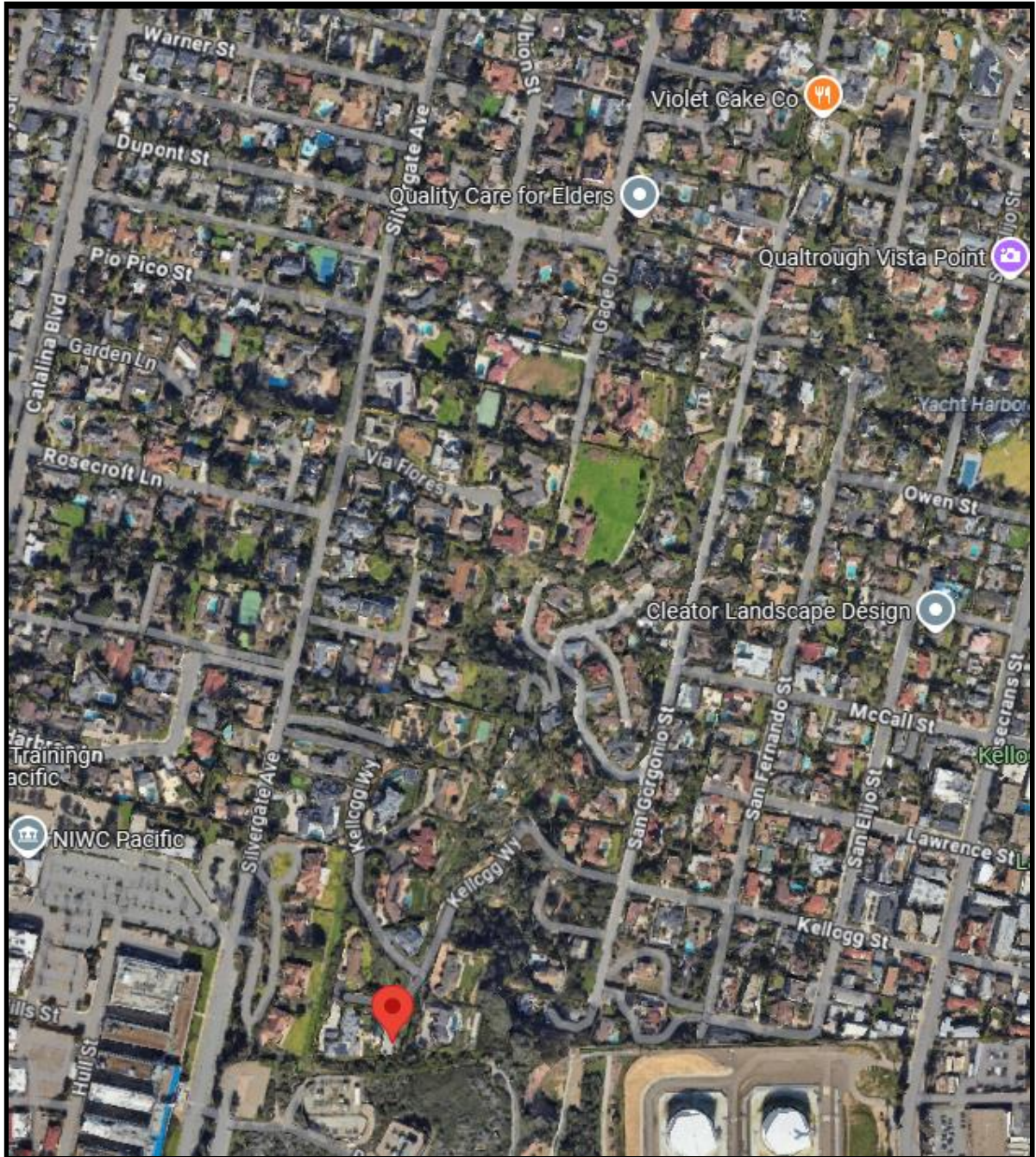
## Project Location

3333 Kellogg Way  
Project No. PRJ-1121168



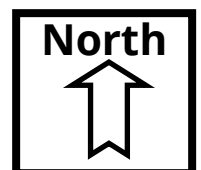






## **Aerial Photo**

3333 Kellogg Way  
Project No. PRJ-1121168



**RECORDING REQUESTED BY**  
CITY OF SAN DIEGO  
DEVELOPMENT SERVICES  
PERMIT INTAKE, MAIL STATION  
501

**WHEN RECORDED MAIL TO**  
**PROJECT MANAGEMENT**  
**PERMIT CLERK**  
**MAIL STATION 501**

INTERNAL ORDER NUMBER: 24010001

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT PMT-3312458  
**3333 KELLOGG WAY - PROJECT NO. PRJ-1121168**  
HEARING OFFICER

This Coastal Development Permit No. PMT-3312458 is granted by the Hearing Officer of the City of San Diego to 3403 Kellogg, LLC, a Limited Liability Company, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0708. The 0.28-acre site is located at 3333 Kellogg Way in the Residential - Single Unit (RS-1-4) base zone with overlay zones including Airport Land Use Compatibility Overlay Zone (NAS North Island and San Diego International Airport), Coastal Height Limit Overlay Zone, Coastal Overlay Zone (Appealable Area), First Public Roadway, Transit Priority Area, Airport Influence Area (SDIA and NAS North Island Review Area 2), and FAA Part 77 Noticing Area within the Peninsula Community Plan Area. The project site is legally described as: That portion of Pueblo Lot 105 of the Pueblo Lands of San Diego in the City of San Diego, County of San Diego, State of California, according to Map thereof made by James Pascoe in 1870.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee for slope repair and construction of retaining wall due to slope failure at a site with an existing single-dwelling unit described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated May 21, 2025, on file in the Development Services Department.

The project shall include:

- a. Slope repair and retaining walls; and
- b. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

**STANDARD REQUIREMENTS:**

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1

of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by [REDACTED], 2028.

2. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action or following all appeals.

3. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

- a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
- b. The Permit is recorded in the Office of the San Diego County Recorder.

4. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.

5. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.

6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

7. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

8. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

9. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

10. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.



If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

11. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

**PLANNING/DESIGN REQUIREMENTS:**

12. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

13. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

**ENGINEERING REQUIREMENTS:**

14. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

15. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

**INFORMATION ONLY:**

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Hearing Officer of the City of San Diego on May 21, 2025, and [Approved Resolution Number].

## ATTACHMENT 4

Coastal Development Permit No. PMT-3312458  
Date of Approval: May 21, 2025

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

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Andrew Murillo  
Development Project Manager

**NOTE: Notary acknowledgment  
must be attached per Civil Code  
section 1189 et seq.**

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**The undersigned Owner/Permittee**, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

3403 Kellogg, LLC  
Owner/Permittee

By \_\_\_\_\_  
Jack R. White  
TRUSTEE

**NOTE: Notary acknowledgments  
must be attached per Civil Code  
section 1189 et seq.**

HEARING OFFICER RESOLUTION NO. [REDACTED]  
COASTAL DEVELOPMENT PERMIT PMT-3312458  
**3333 KELLOGG PROJECT NO. PRJ-1121168**

WHEREAS, 3403 Kellogg, LLC, a limited liability company, filed an application with the City of San Diego for a permit for the slope repair and construction of a retaining wall due to slope failure at a site with an existing single-dwelling unit (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. PMT-3312458), on portions of a 0.28-acre site;

WHEREAS, the project site is located at 3333 Kellogg Way within the Peninsula Community Plan. The site is zoned Residential - Single Unit (RS-1-4) with overlay zones including Airport Land Use Compatibility Overlay Zone (NAS North Island and San Diego International Airport), Coastal Height Limit Overlay Zone, Coastal Overlay Zone (Appealable Area), First Public Roadway, Transit Priority Area, Airport Influence Area (SDIA and NAS North Island Review Area 2), and FAA Part 77 Noticing Area;

WHEREAS, the project site is legally described as: That portion of Pueblo Lot 105 of the Pueblo Lands of San Diego in the City of San Diego, County of San Diego, State of California, according to Map thereof made by James Pascoe in 1870;

WHEREAS, on February 12, 2025, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guideline Section 15303, New Construction or Conversion of Small Structures, and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;



WHEREAS, on May 21, 2025, the Hearing Officer of the City of San Diego considered Coastal Development Permit PMT-3312458 pursuant to the Land Development Code of the City of San Diego;

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Coastal Development Permit PMT-3312458:

**A. Coastal Development Permit SDMC Section 126.0708**

**1. Findings for all Coastal Development Permits:**

- a. The proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.**

The 0.28-acre site project site is fully developed with an existing single dwelling unit within an urbanized area. The Peninsula Community Plan (Community Plan) does not identify public views at the project site. The nearest coastal view corridor is approximately 1 mile north of the property (Community Plan; Figure 27) on Talbot Street. The project site is located approximately 0.4 miles from the coastline. The project features and overall development of the site, which will stay within private property, will not encroach upon any existing or proposed physical access to the coast.

The project scope is to repair a slope and build retaining walls that are designed to be below the thirty-foot height limit and will not obstruct the ocean or other scenic views from public vantage points. Therefore, the proposed project will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway and will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.

- b. The proposed coastal development will not adversely affect environmentally sensitive lands.**

The project site is located in a developed, urbanized area and no environmentally sensitive lands exist on the site. Chapter 11 of the SDMC defines "steep hillsides" as all lands that have a slope with a natural gradient of 25 percent (4 feet of horizontal distance for every 1 foot of vertical distance) or greater and a minimum elevation differential of 50 feet, or a natural gradient of 200 percent (1 foot of horizontal

distance for every 2 feet of vertical distance) or greater and a minimum elevation differential of 10 feet. The slopes on the project site are not considered steep hillsides as the site has been previously disturbed, and the slopes are not natural. In addition, there are no sensitive biological resources on the project site. Therefore, the project will not adversely affect any environmentally sensitive lands.

**c. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.**

The proposed project is for the repair of a damaged slope and construction of retaining walls to an existing single dwelling unit. The Community Plan designates the site as Single-Family Residential, allowing up to 4 dwelling units per acre. The proposed slope repair does not alter the density or the land use of the site that only contains an existing single-dwelling unit. The project site is consistent with the residential density identified in the land use plan, as no increase in density is proposed. The plan also describes the La Playa neighborhood as “characterized by large single-family homes” (Community Plan, pg. 6). Per p. 23 of the Residential Element, it is recommended that rehabilitation of existing housing should be prioritized. There are no site-specific proposals for providing low- and moderate-cost housing in the community plan, although preservation of the existing housing stock is recommended. Therefore, the proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

**d. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea of the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.**

The proposed project is located approximately 0.4 miles east of the Pacific Ocean. There is no public access from the project site, as identified in the Community Plan. The project site is located on Kellogg Way within a private community which does not provide access to any view corridor. The proposed project is for the repair of a damaged slope and construction of retaining walls to an existing single dwelling unit. The project does not adversely impact any public recreation opportunities, as it will remain entirely on private property. Therefore, the project conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

The above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Coastal Development permit PMT-3312458 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. PMT-3312458, a copy of which is attached hereto and made a part hereof.

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Andrew Murillo  
Development Project Manager  
Development Services

Adopted on: May 21, 2025

IO#: 24010001

Page 3	City of San Diego · Information Bulletin 620		August 2018
	<b>City of San Diego Development Services</b> 1222 First Ave., MS-302 San Diego, CA 92101		<b>Community Planning Committee Distribution Form</b>
Project Name: 3333 Kellogg Way		Project Number: PRJ-1121168	
Community: Peninsula			
<p>For project scope and contact information (project manager and applicant), log into OpenDSD at <a href="https://aca.accela.com/SANDIEGO">https://aca.accela.com/SANDIEGO</a>.</p> <p>Select "Search for Project Status" and input the Project Number to access project information.</p>			
<input checked="" type="radio"/> Vote to Approve <input type="checkbox"/> Vote to Approve with Conditions Listed Below <input type="checkbox"/> Vote to Approve with Non-Binding Recommendations Listed Below <input type="checkbox"/> Vote to Deny			Date of Vote:  November 21,
# of Members Yes 11	# of Members No 0	# of Members Abstain 0	
Conditions or Recommendations: None			
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)			
NAME: Eric H Law			
TITLE: Chair, Project Review Committee			DATE: November 22, 2024

Visit our web site at [www.sandiego.gov/development-services](http://www.sandiego.gov/development-services).

Upon request, this information is available in alternative formats for persons with disabilities.

DS-5620 (08-18) ONLINE FORM





FORM

DS-318

May 2024

## Ownership Disclosure Statement

**Permit/Approval Type:** *Check appropriate box for permit/approval and type(s) requested (See Project Submittal Manual):*

- ☒ **Development Permit:** Coastal Development Permit
- ☐ **Subdivision Approval:** \_\_\_\_\_
- ☐ **Policy Approval:** \_\_\_\_\_

**Project Title:** Kellogg Way Slope Repair CDP **Project No. For City Use Only:** PRJ-1113533

**Project Location/Address/Accessor's Parcel Number:** 3333 Kellogg Way, San Diego CA 92107 (APN 532-410-37-00)

### Specify Form of Ownership/Legal Status (please check):

- ☐ Individual   ☐ Partnership   ☐ Corporation   ☒ Limited Liability -or-   ☐ General – What State? CA
- Corporate Identification No.: 201701810400   ☐ Trust - Date of Trust: \_\_\_\_\_
- ☐ City of San Diego/Asset Management Department: \_\_\_\_\_

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the owner(s), applicant(s), and other financially interested persons of the above referenced property. **A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of ANY person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization.** A signature is required of at least one of the property owners. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

**Property Owner/Authorized Agent (Per SDMC 112.0102)**☐ Owner ☒ Authorized Agent ☐ Member ☐ Trustee ☐ Tenant/Lessee ☐ Successor Agency

Name of Individual:

Benjamin White

On behalf of: 3403 Kellogg, LLC

Street Address: 1330 Orange Avenue, Suite 250

City: Coronado

State: CA

Zip: 921118

Phone No.: 619-268-4754

Email: ben.white@sestantecapital.com

Signature:

Date: 07/31/2024

Additional pages attached: ☐ Yes ☒ No**Applicant ☒ Check if Same as Property Owner/Authorized Agent (Per SDMC 112.0102)**☐ Owner ☐ Authorized Agent ☐ Member ☐ Trustee ☐ Tenant/Lessee ☐ Successor Agency

Name of Individual:

On behalf of:

Street Address:

City:

State:

Zip:

Phone No.:

Email:

Signature:

Date:

Additional pages attached: ☐ Yes ☐ No**Other Financially Interested Persons ☒ Check if N/A**☒ Owner ☐ Authorized Agent ☐ Member ☒ Trustee ☐ Tenant/Lessee ☐ Successor Agency

Name of Individual:

Jack R. White, Jr.

On behalf of: Jack and Jennifer White Trust (the sole member of 3403 Kellogg, LLC)

Street Address: 3403 Kellogg Way

City: San Diego

State: CA

Zip: 92106

Phone No.: 619-994-9631

Email: white.hm@icloud.com

Signature:

Date: 7/31/2024

Additional pages attached: ☐ Yes ☒ NoVisit [our web site](#).

Upon request, this information is available in alternative formats for persons with disabilities.

DS-318 (05-24)



FORM

DS-318

May 2024

## Ownership Disclosure Statement

**Permit/Approval Type:** *Check appropriate box for permit/approval and type(s) requested (See Project Submittal Manual):*

- ☒ **Development Permit:** Coastal Development Permit
- ☐ **Subdivision Approval:** \_\_\_\_\_
- ☐ **Policy Approval:** \_\_\_\_\_

**Project Title:** Kellogg Way Slope Repair CDP **Project No. For City Use Only:** PRJ-1113533

**Project Location/Address/Accessor's Parcel Number:** 3333 Kellogg Way, San Diego CA 92107 (APN 532-410-37-00)

### Specify Form of Ownership/Legal Status (please check):

- ☐ Individual   ☐ Partnership   ☐ Corporation   ☒ Limited Liability -or-   ☐ General – What State? CA
- Corporate Identification No.: 201701810400   ☐ Trust - Date of Trust: \_\_\_\_\_
- ☐ City of San Diego/Asset Management Department: \_\_\_\_\_

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the owner(s), applicant(s), and other financially interested persons of the above referenced property. **A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of ANY person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization.** A signature is required of at least one of the property owners. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.



**Property Owner/Authorized Agent (Per SDMC 112.0102)**☐ Owner ☒ Authorized Agent ☐ Member ☐ Trustee ☐ Tenant/Lessee ☐ Successor Agency

Name of Individual:

Benjamin White

On behalf of: 3403 Kellogg, LLC

Street Address: 1330 Orange Avenue, Suite 250

City: Coronado

State: CA

Zip: 921118

Phone No.: 619-268-4754

Email: ben.white@sestantecapital.com

Signature:

Date: 07/31/2024

Additional pages attached: ☐ Yes ☒ No**Applicant ☒ Check if Same as Property Owner/Authorized Agent (Per SDMC 112.0102)**☐ Owner ☐ Authorized Agent ☐ Member ☐ Trustee ☐ Tenant/Lessee ☐ Successor Agency

Name of Individual:

On behalf of:

Street Address:

City:

State:

Zip:

Phone No.:

Email:

Signature:

Date:

Additional pages attached: ☐ Yes ☐ No**Other Financially Interested Persons ☒ Check if N/A**☒ Owner ☐ Authorized Agent ☐ Member ☒ Trustee ☐ Tenant/Lessee ☐ Successor Agency

Name of Individual:

Jack R. White, Jr.

On behalf of: Jack and Jennifer White Trust (the sole member of 3403 Kellogg, LLC)

Street Address: 3403 Kellogg Way

City: San Diego

State: CA

Zip: 92106

Phone No.: 619-994-9631

Email: white.hm@icloud.com

Signature:

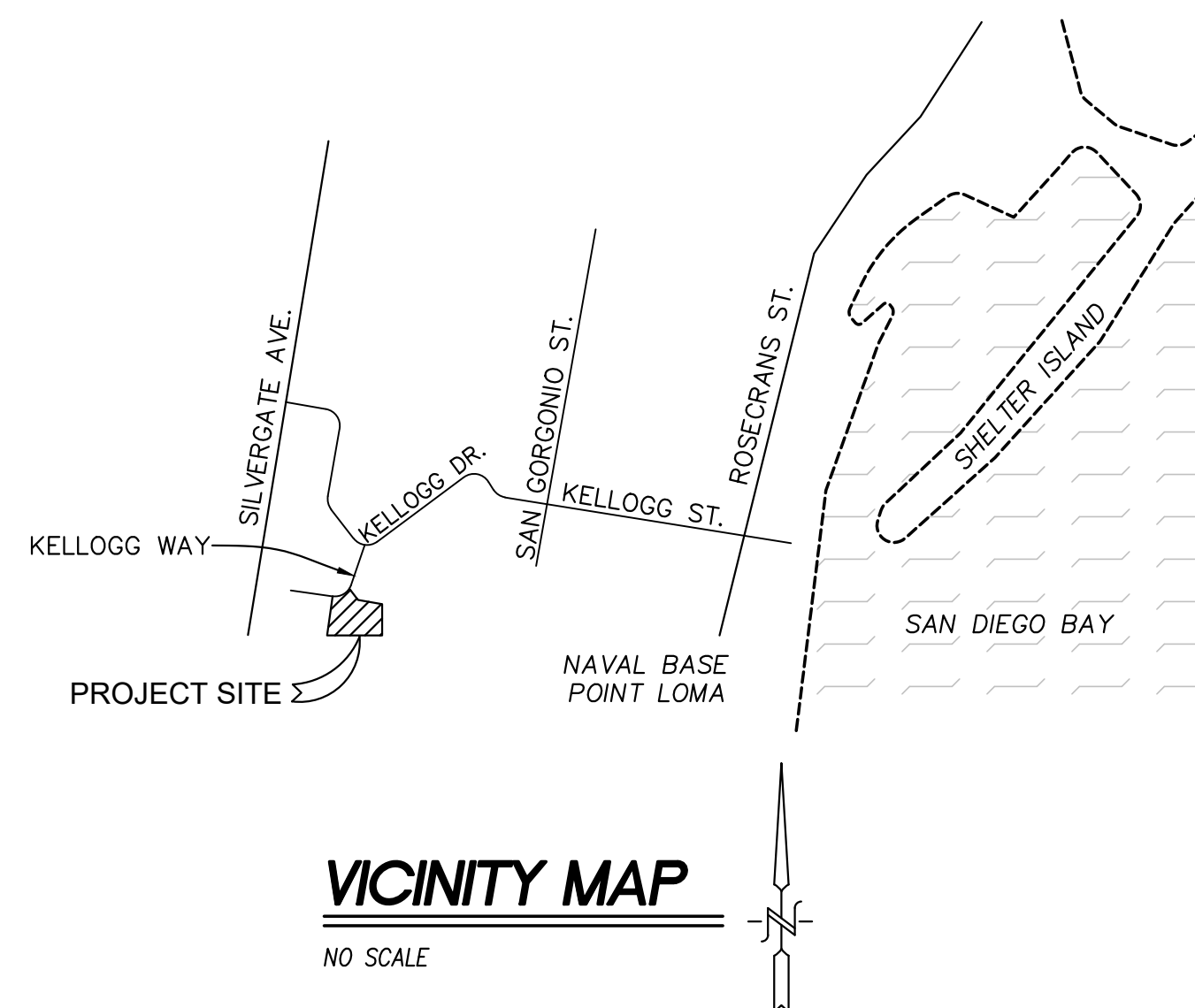
Date: 7/31/2024

Additional pages attached: ☐ Yes ☒ NoVisit [our web site](#).

Upon request, this information is available in alternative formats for persons with disabilities.

DS-318 (05-24)





1. THERE ARE NO EXISTING OR PROPOSED ADJACENT TRANSIT STOPS
2. THERE ARE NO HYDRANTS WITHIN 600 FEET FROM THE SITE

## 53

[illegible]

Civil Engineering ~ Land Surveying  
Water Resources  
2970 Fifth Avenue, Unit 340  
San Diego, CA 92103  
(619) 232-9700 (619) 232-9210 Fax

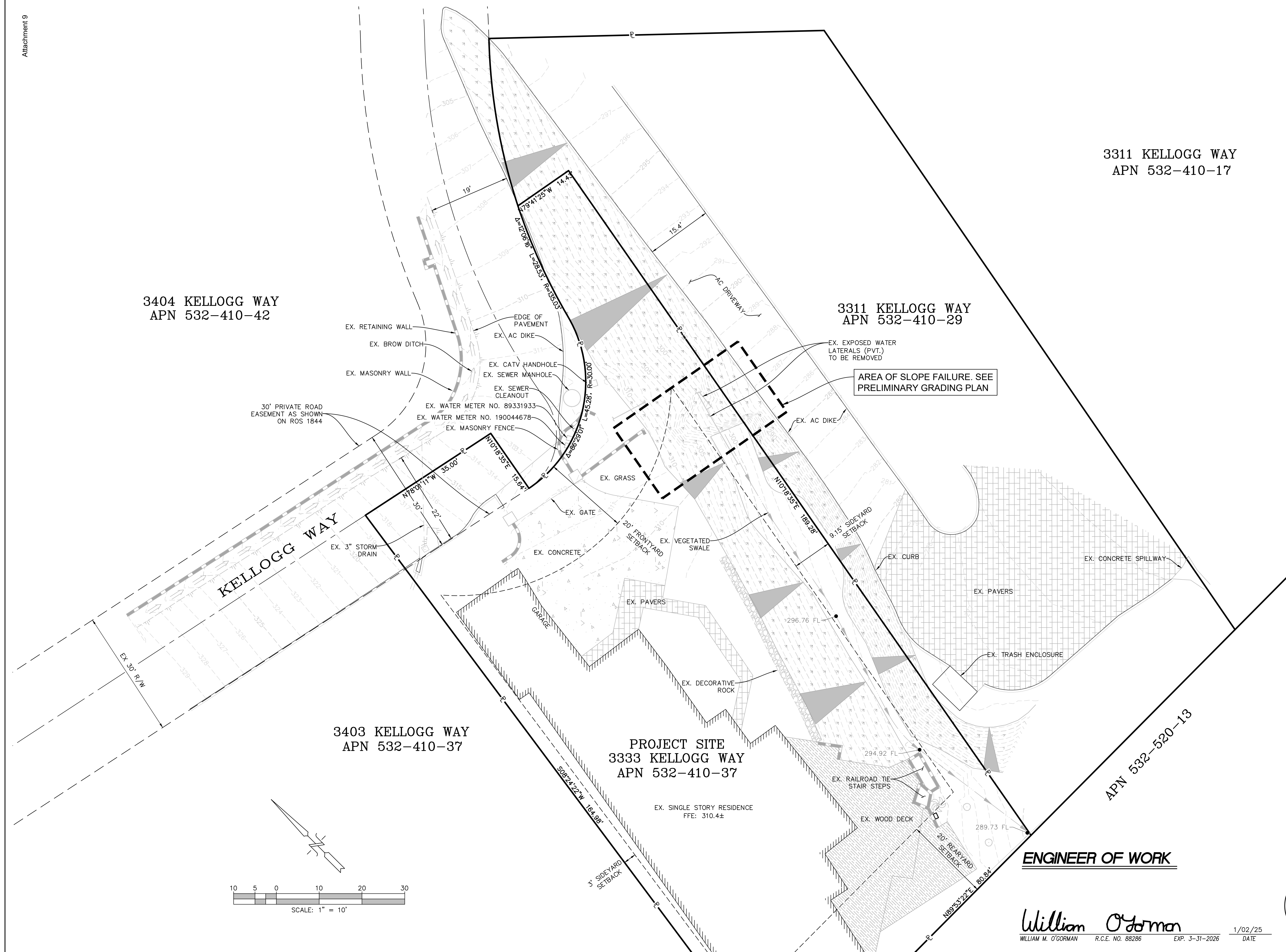


SHEET	SHEET TITLE	DATE: 01/03/25
	PROJECT	SCALE: 1" = 20'
1	KELLOGG WAY SLOPE REPAIR CDP CDP	DRAWN: W.O.G.
	3333 KELLOGG WAY	CHECKED: W.O.G.
	SAN DIEGO, CA 92106	

William O'Gorman  
WILLIAM M. O'GORMAN R.C.F. NO. 88286 EX

EXP. 3-31-2026 1/02/25  
DATE





**ENGINEER OF WORK**

William O'Gorman  
WILLIAM M. O'GORMAN R.C.E. NO. 88286 EXP.

EXP. 3-31-2026

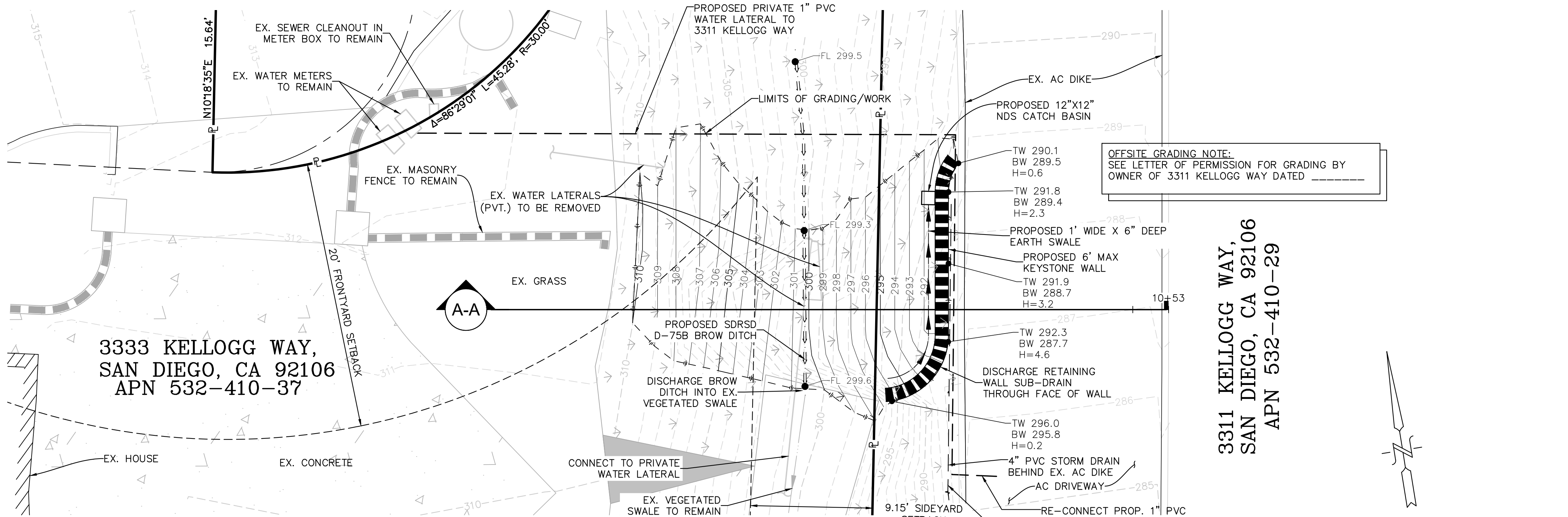


SHEET	SHEET TITLE	DATE:	<div><div>REC</div><div>Consultants, Inc.</div></div> <div>Civil Engineering ~ Land Surveying</div> <div>Water Resources</div> <div>2970 Fifth Avenue, Unit 340 San Diego, CA 92103 (619)232-9200 (619)232-9210 Fax</div>	REVISIONS			
	EXISTING CONDITION PLAN	01/03/25		NO.	DESCRIPTION	DATE	APP'D
PROJECT	KELLOGG WAY SLOPE REPAIR CDP	SCALE:					
	3333 KELLOGG WAY	1" = 10'					
	SAN DIEGO, CA 92106	DRAWN:					
		W.O.G.					
		CHECKED:					
		W.O.G.					

OF 4 SHEETS

2





## LEGEND

### EXISTING IMPROVEMENTS

#### ITEM

PROPERTY LINE

MAJOR CONTOURS

MINOR CONTOURS

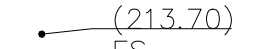
ELEVATION POINT

GRADED SLOPE

CONCRETE

AC DIKE

#### SYMBOL



### PROPOSED PRIVATE IMPROVEMENTS

#### IMPROVEMENT

#### STANDARD DWGS.

#### SYMBOL

MAJOR CONTOURS

MINOR CONTOURS

GRADED SLOPE (1:1:1)

ELEVATION POINT

BROW DITCH (1' WIDE X 6" DEEP)

SDRSD D-75B

RETAINING WALL

PER SEPARATE PERMIT

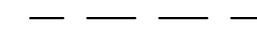
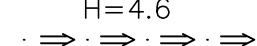
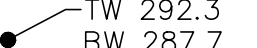
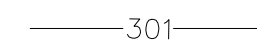
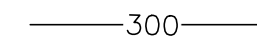
PROJECT BOUNDARY & LIMIT OF WORK

4" PVC STORM DRAIN

12"X12" NDS CATCH BASIN

1" PVC WATER SERVICE (PRIVATE)

EARTH SWALE (1' WIDE X 6" DEEP)



## TOPOGRAPHY SOURCE

FIELD SURVEY PERFORMED BY REC CONSULTANTS, INC ON 12-11-23 & 12-12-23

## BENCHMARK

BENCHMARK PER CITY OF SAN DIEGO VERTICAL CONTROL BENCHMARK BOOK, NEBP

LOCATED AT THE INTERSECTION OF SAN GORGONIO STREET AND KELLOGG STREET.

ELEVATION: 123.654' DATUM: MSL

## GRADING QUANTITIES

GRADED AREA 0.01 [ACRES]

CUT QUANTITIES 0 [CYD]

FILL QUANTITIES 25 [CYD]

IMPORT 25 [CYD]

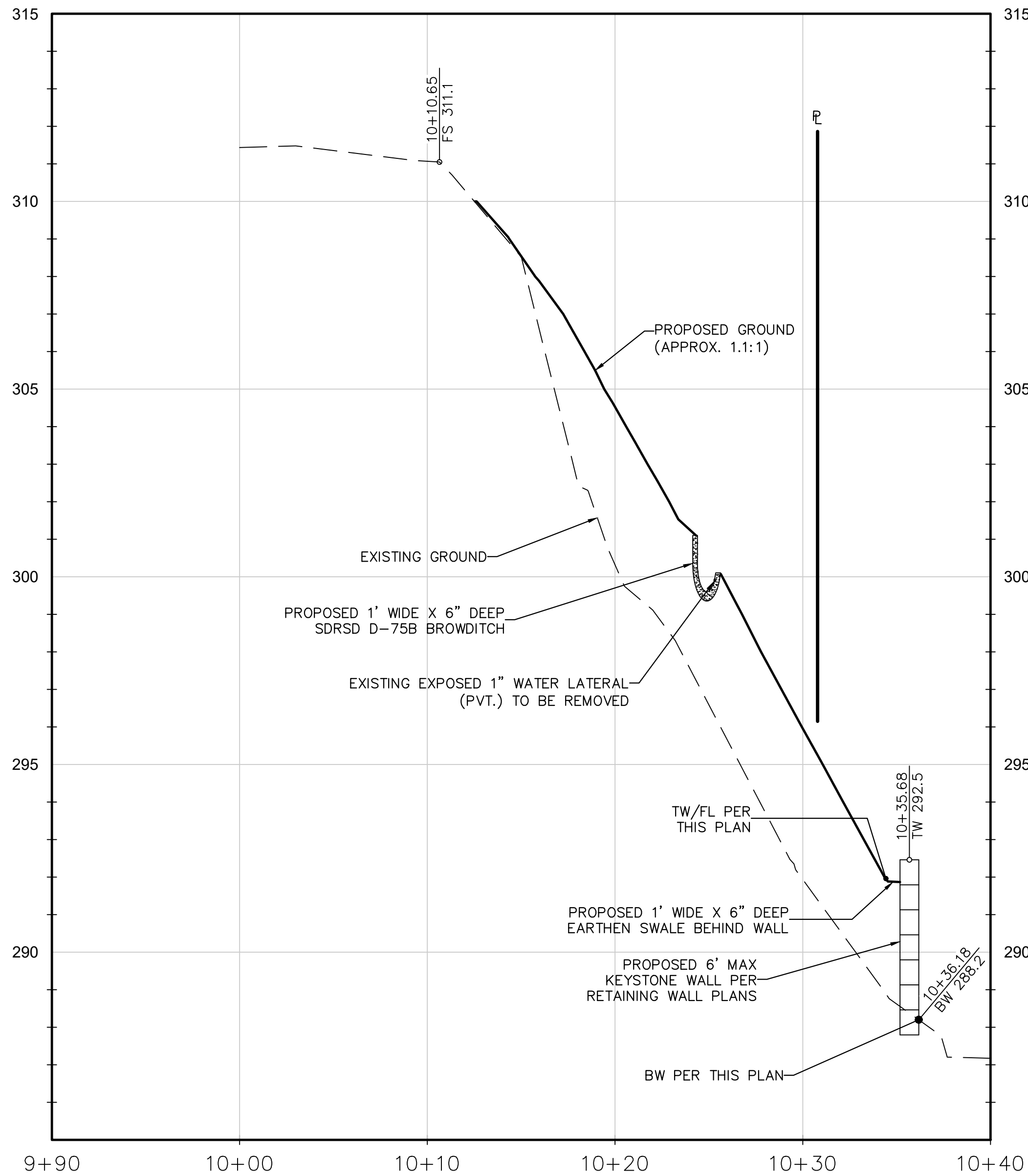
MAX. CUT DEPTH: 0 FT

MAX CUT SLOPE RATIO: 1:1

MAX. FILL DEPTH: 6 FT

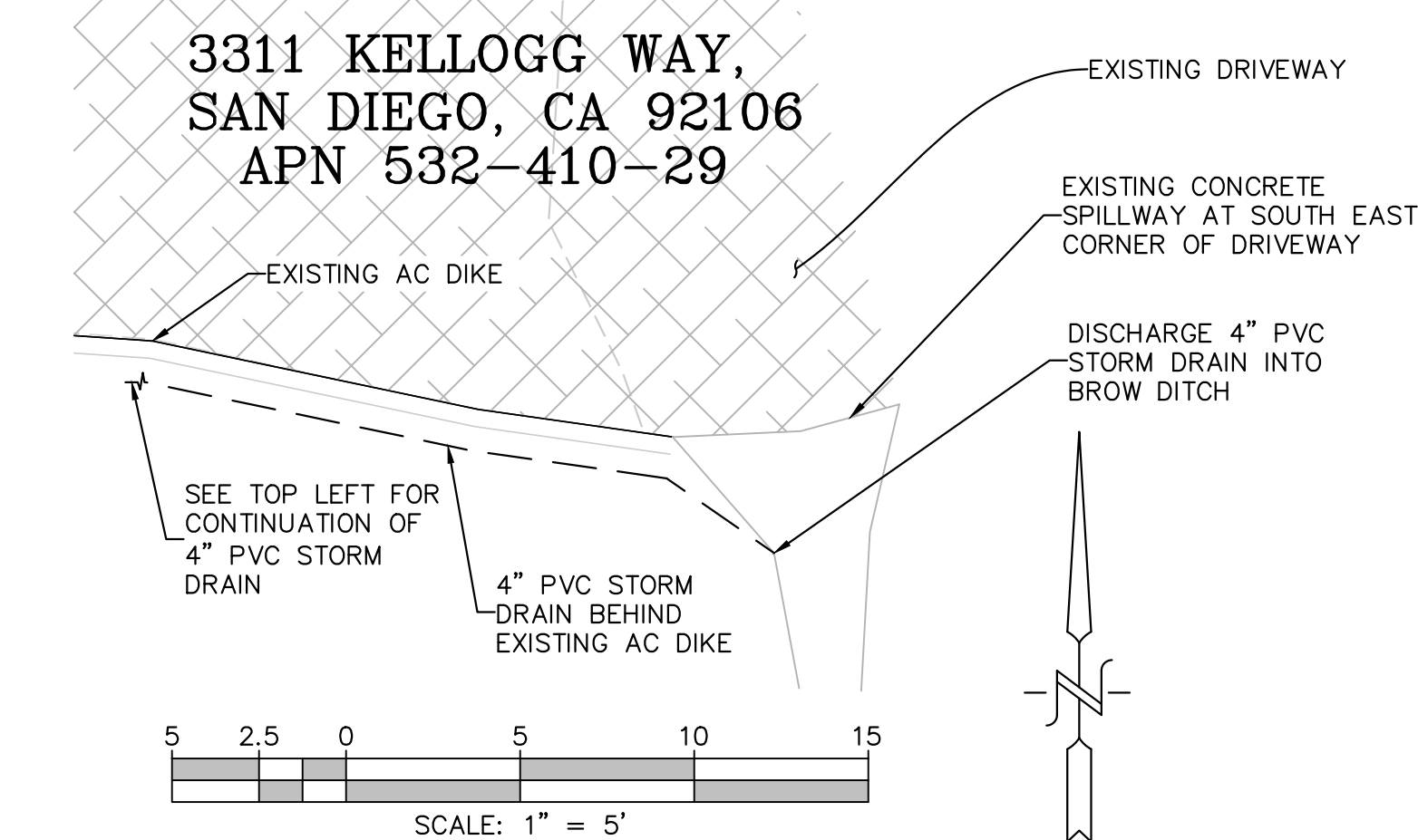
MAX FILL SLOPE RATIO: 1:1

THIS PROJECT PROPOSES TO EXPORT 0 CUBIC YARDS OF MATERIAL FROM THIS SITE. ALL EXPORT MATERIAL SHALL BE DISCHARGED TO A LEGAL DISPOSAL SITE. THE APPROVAL OF THIS PROJECT DOES NOT ALLOW PROCESSING AND SALE OF THE MATERIAL. ALL SUCH ACTIVITIES REQUIRE A SEPARATE CONDITIONAL USE PERMIT.



SECTION A-A

SCALE: HORZ: 1" = 5'  
VERT: 1" = 10'



RETAINING WALL

SCALE: HORZ: 1" = 5'  
VERT: 1" = 10'

## ENGINEER OF WORK

William O'Gorman  
WILLIAM M. O'GORMAN R.C.E. NO. 88286 EXP. 3-31-2026

1/02/25  
DATE



Civil Engineering ~ Land Surveying

Water Resources

2970 Fifth Avenue, Unit 340  
San Diego, CA 92103  
(619)232-9200 (619)232-9210 Fax

REC  
Consultants, Inc.

DATE: 01/03/25

SCALE: 1" = 10'

DRAWN: W.O.G.

CHECKED: W.O.G.

SHEET TITLE PRELIMINARY GRADING PLAN

PROJECT KELLOGG WAY SLOPE REPAIR CDP

3333 KELLOGG WAY

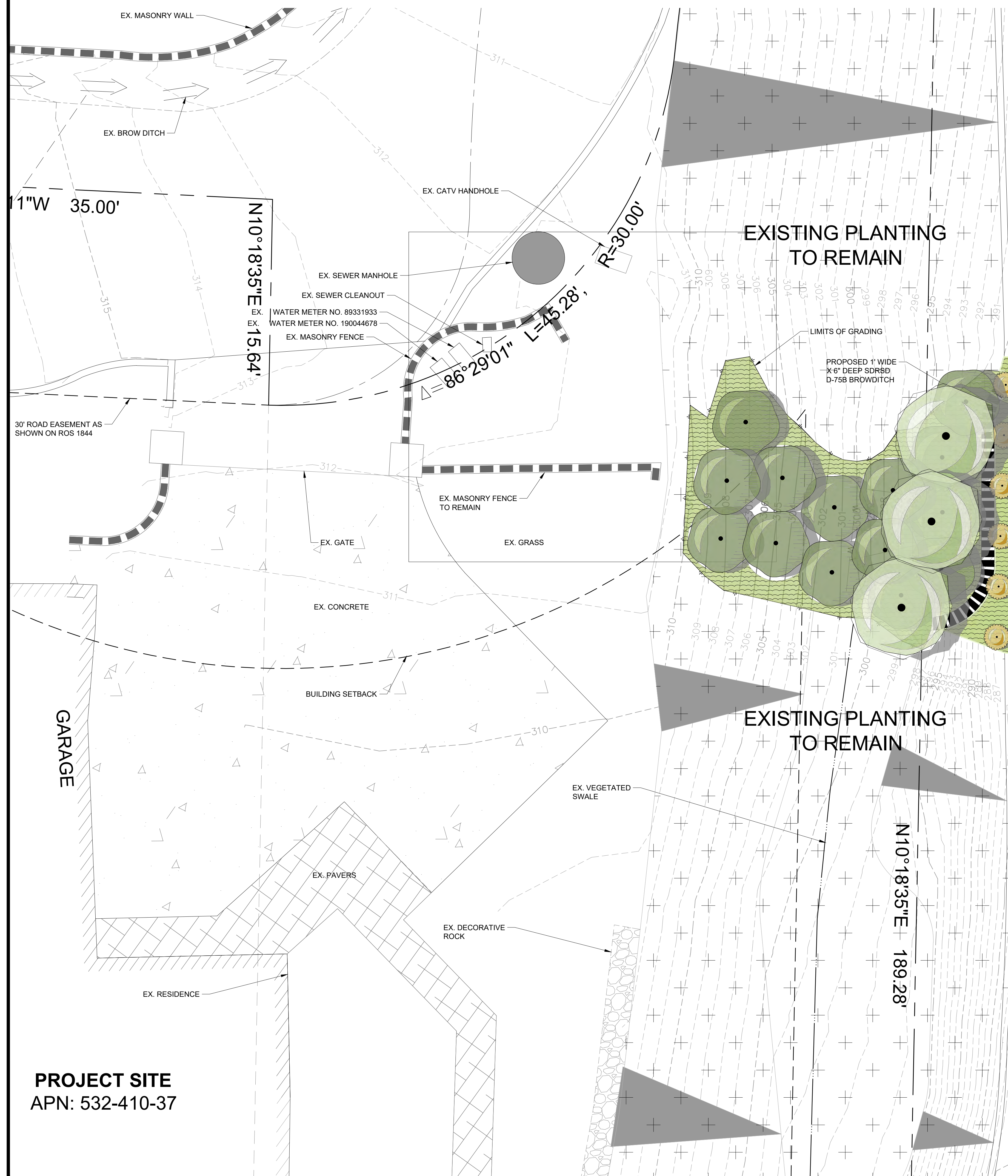
SAN DIEGO, CA 92106

SHEET




3

OF 4 SHEETS








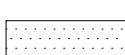
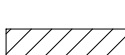
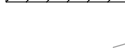
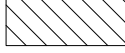
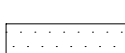
## CONCEPT PLANT SCHEDULE

- |   |   |    |
|---|---|----|
|  | <p><b>LARGE SCREENING SHRUBS - SIZES:</b><br/>         25% @ 15 GAL., 50% @ 5 GAL, 25% @ 1 GAL..<br/>         LOW WATER USE (0.1 - 0.3 ETO)<br/>         HETEROMELES ARBUTIFOLIA / TOYON<br/>         LEUCADENDRON X 'SAFARI SUNSET' / CONEBUSH<br/>         MALOSMA LAURINA / LAUREL SUMAC (12"-20" H X W)<br/>         RHUS INTEGRIFOLIA / LEMONADE BERRY</p>                                       | 3  |
|  | <p><b>MEDIUM HEDGE - 5 GAL.</b><br/>         LOW WATER USE (0.1 - 0.3 ETO)<br/>         PORTULACARIA AFRA / ELEPHANT BUSH<br/>         RHAPHIOLEPIIS UMBELLATA 'MINOR' / YEDDA HAWTHORN<br/>         WESTRINGIA FRUTICOSA 'GREY COB' / COAST ROSEMARY</p>   | 6  |
|  | <p><b>LOW MOUNDING SHRUB - 1 GAL.</b><br/>         LOW WATER USE (0.1 - 0.3 ETO)<br/>         CARISSA MACROCARPA 'GREEN CARPET' / NATAL PLUM<br/>         LANTANA X 'NEW GOLD' / NEW GOLD LANTANA<br/>         PORTULACARIA AFRA 'VARIEGATA' / VARIEGATED ELEPHANT BUSH<br/>         ROSMARINUS OFFICINALIS 'PROSTRATUS' / DWARF ROSEMARY<br/>         WESTRINGIA F. 'MUNDI' / LOW COAST ROSEMARY</p> | 14 |

NOTES:

1. PLANTING PLANS: WHERE SLOPES ARE PROPOSED THAT ARE 4:1 OR GREATER, AND GREATER THAN 5 FEET IN HEIGHT, PROVIDE A PLAN THAT GRAPHICALLY REPRESENTS THE INSTALLATION OF A PLANTING DESIGN PROPOSED FOR THE SITE. WHERE RETAINING WALL (5 FEET IN HEIGHT OR GREATER) ARE PROPOSED, SHOW PLANTING AND IRRIGATION TO SCREEN THE RETAINING WALLS. NOTE: THE PLANT MATERIAL USED TO SCREEN THE WALLS MUST COVER 80% IN TWO YEARS.
2. THE APPLICANT AGREES TO COMPLY WITH THE REQUIREMENTS OF THE PRESCRIPTIVE COMPLIANCE OPTION TO THE MODEL WATER EFFICIENT LANDSCAPE ORDINANCE (MWELO) IN ACCORDANCE WITH STATE LAW AND LAND DEVELOPMENT CODE SECTION 142.0413(H) AND WILL PROVIDE THE RECORD OWNER AT THE TIME OF FINAL INSPECTION WITH A CERTIFICATE OF COMPLETION, CERTIFICATE OF INSTALLATION, IRRIGATION SCHEDULE, AND SCHEDULE OF LANDSCAPE AND IRRIGATION MAINTENANCE.
3. IRRIGATION: AN AUTOMATIC, ELECTRICALLY CONTROLLED IRRIGATION SYSTEM SHALL BE PROVIDED AS REQUIRED BY LDC 142.0403(C) FOR PROPER IRRIGATION, DEVELOPMENT, AND MAINTENANCE OF THE VEGETATION IN A HEALTHY, DISEASE-RESISTANT CONDITION. THE DESIGN OF THE SYSTEM SHALL PROVIDE ADEQUATE SUPPORT FOR THE VEGETATION SELECTED. PROPOSED IRRIGATION SYSTEM TO BE DRIP.
4. IF ANY REQUIRED LANDSCAPE INDICATED ON THE APPROVED CONSTRUCTION PLANS IS DAMAGED OR REMOVED, IT SHALL BE REPAIRED AND/OR REPLACED IN KIND AND EQUIVALENT SIZE PER THE APPROVED DOCUMENTS TO THE SATISFACTION OF THE DEVELOPMENT SERVICES DEPARTMENT WITHIN 30 DAYS OF DAMAGE.
5. MAINTENANCE: ALL REQUIRED LANDSCAPE AREAS SHALL BE MAINTAINED BY THE OWNER. LANDSCAPE AND IRRIGATION AREAS IN THE PUBLIC RIGHT OF WAY SHALL BE MAINTAINED BY THE OWNER. THE LANDSCAPE AREAS SHALL BE MAINTAINED FREE OF DEBRIS AND LITTER, AND ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION. DISEASED OR DEAD PLANT MATERIAL SHALL BE SATISFACTORILY TREATED OR REPLACE PER THE CONDITIONS OF THE PERMIT.
6. EXISTING TREES TO REMAIN ON SITE WITHIN 10-FT OF THE AREA OF WORK WILL BE PROTECTED IN PLACE. THE FOLLOWING PROTECTION MEASURES WILL BE PROVIDED:
  1. A BRIGHT YELLOW OR ORANGE TEMPORARY FENCE WILL BE PLACED AROUND EXISTING TREES AT THE DRIP LINE.
  2. STOCKPILING, TOPSOIL DISTURBANCE, VEHICLE USE, AND MATERIAL STORAGE OF ANY KIND IS PROHIBITED WITHIN THE DRIP LINE.
  3. A TREE WATERING SCHEDULE WILL BE MAINTAINED AND DOCUMENTED DURING CONSTRUCTION.
  4. ALL DAMAGED TREES WILL BE REPLACED WITH ONE OF EQUAL OR GREATER SIZE.

## 04 SITE IMPROVEMENTS SCHEDULE

SYMBOL	DESCRIPTION	QTY
	BUILDING FOOTPRINT AREA (45% OF TOTAL LOT AREA @ 13,355 S.F.)	3,857 SF
	HARDSCAPE AREA	2,934 SF
	TOTAL LANDSCAPE AREA	5,961 SF
	ROW EASEMENT AREA PAVING	518 SF
	AREA OF WORK - PROPOSED SLOPE PLANTING AND IRRIGATION ONLY	368 SF
	AREA OF WORK - OFF-SITE - PROPOSED PLANTING AND IRRIGATION ONLY	129 SF
	TOTAL LOT AREA	13,355 SF
	LANDSCAPE AREA (LOW WATER USE PLANTS, IRRIGATED)	368 SF

City of San Diego Water Budget Calculations

**Project:** 3333 KELLOGG WAY RESIDENCE  
**Date:** 3/7/2024

### 1. MAXIMUM APPLIED WATER ALLOWANCE (MAWA) WATER BUDGET CALCULATION

$$\text{Residential MAWA} = [(\text{Eto})(0.62)][(0.55)(\text{LA}) + (0.45)(\text{SLA})]$$

							Result in
Controller							Gallons per
No.	Eto	(0.62)	PF	LA	PF	SLA	Year
NA	40	0.62	0.55	368.00	0.45	0	5,020
				<i>Total MAWA gallons per year:</i>			<i>5,020</i>

## 2. SYSTEM CONTROLLER INFORMATION TABLE

Controller	Hydrozone	Valve	Plant	Hydozone	Irrigation	Irrigation	% Total
No.	No.	Circuit	Factor	Area in s.f.	Method	Efficiency	Landscape
			(PF)	(HA)		(IE)	Area
NA	1	NA	0.3	368.00	DRIP	0.81	1.00
				368.00	S.F.		100%

### 3. ESTIMATED TOTAL WATER USE (ETWU) CALCULATIONS

$$ETWU = [(Eto)(0.62)][(PF \times HA) / IE + SLA]$$

							Result in
Hydrozone							Gallons per
No.	Eto	(0.52)	PF	HA	IE	SLA	Year
1	40	0.62	0.30	368.00	0.81	NA	3,380
			T. S.F.:	368.00	S.F.		3,380
				Total ETWU gallons per year:			3,380

NOTES:

1. ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE STANDARDS OF THE CITY-WIDE LANDSCAPE REGULATIONS AND THE CITY OF SAN DIEGO LAND DEVELOPMENT MANUAL LANDSCAPE STANDARDS AND ALL OTHER LANDSCAPE RELATED CITY AND REGIONAL STANDARDS.
2. MULCH: ALL REQUIRED PLANTING AREAS AND ALL EXPOSED SOIL AREAS WITHOUT VEGETATION SHALL BE COVERED WITH MULCH TO A MINIMUM DEPTH OF 3 INCHES, EXCLUDING SLOPES REQUIRING REVEGETATION PER SDMC 142.0411.



LANDSCAPE/HYDROZONE AREA DIAGRAM  
SCALE: 1"=20'

