

Report to the Hearing Officer

DATE ISSUED: March 1, 2023 REPORT NO. HO-23-011

HEARING DATE: March 8, 2023

SUBJECT: 5220 Anna Avenue Cannabis Outlet, Process Three Decision

PROJECT NUMBER: <u>PRJ-1074123</u>

OWNER/APPLICANT: Gafa Family Trust, Owner/Handled Management LLC, Applicant

SUMMARY

<u>Issue</u>: Should the Hearing Officer approve a Conditional Use Permit application for the operation of a 975-square-foot cannabis outlet within an existing 5,620-square-foot commercial building located at 5220 Anna Avenue within the Linda Vista Community Planning area and Council District 7?

Staff Recommendation:

1. Approve Conditional Use Permit No. 3182740.

<u>Community Planning Group Recommendation</u>: On January 23, 2023, the Linda Vista Planning Group voted 7-0-2 to recommend approval of the proposed project without conditions or recommendations.

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA State Guidelines sections 15301 (Existing Facilities) and 15332 (Infill Development). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on January 18, 2023, and the opportunity to appeal that determination ended February 1, 2023.

BACKGROUND

On March 25, 2014, the City of San Diego adopted Ordinance No O-20356 to implement regulations for Medical Marijuana Consumer Cooperatives (MMCCs), allowing the sale of medicinal marijuana with the approval of a Conditional Use Permit (CUP). On February 22, 2017, Ordinance No. O-20793 was approved, which included amendments to the Land Development Code and the Local Coastal Program, replacing the MMCC use with a new retail sales use, Marijuana Outlet. On January 8, 2020, the San Diego Municipal Code (SDMC) was amended by Council Ordinance O-21163. The revision

replaced the word "marijuana" with "cannabis", to reflect consistency with the State of California cannabis regulations. Therefore, Marijuana Outlet was renamed to Cannabis Outlet. On December 15, 2021, the Redistricting Commission voted to approve the decennial redistricting map because of the federal 2020 Census. On December 12, 2022, the revised Council Districts went into effect.

Pursuant to <u>SDMC section 141.0504</u>, cannabis outlets are limited to no more than four per each of the nine City Council districts, with existing outlets that change districts as a result of redistricting allowed to remain (36 + 2 existing to remain, for a current total of 38). These outlets are within commercial and industrial zones in order to minimize the impact on the City's residential neighborhoods. The project site is in Council District 7 (CD 7), which currently has two cannabis outlets. If approved by the Hearing Officer, the proposed project would be the third cannabis outlet CUP approved within CD 7, and the 32nd within the City.

Cannabis outlets are allowed with the approval of a Process Three CUP, pursuant to <u>SDMC section 126.0303</u>, in designated base zones. A CUP allows a cannabis outlet to sell both medicinal and recreational cannabis products subject to state licensing requirements as defined in California Business and Professions Code section 26001.

DISCUSSION

Project Description:

Project Location:	5220 Anna Avenue
Project Scope:	CUP to operate a new 975-square-foot cannabis outlet within an existing 5,620-square-foot commercial building. Also, 986 square feet set aside for 2-space ADA parking garage and 3,275 square feet for storage and distribution uses.
Lot Size:	0.33 acres (14,315 square feet)
Zoning:	IL-3-1 (Industrial)
Lane Use Plan Designations:	Industrial (Linda Vista), Industrial Employment (General Plan)
Overlays:	Airport Influence Area (NAS North Island and San Diego International Airport (SDIA) Review Area 2), Airport Land Use Compatibility Overlay (NAS North Island and SDIA), Coastal Overlay Zone (Non-Appealable Area 2), FAA Part 77 Notification area, Parking Impact Overlay Zone (Campus Impact), Parking Standards and Transit Priority Area (TPA)- Mobility Zone 2, and the TPA Overlay Zones (bold denotes relevant overlays for the project)

The site was developed in 1990 with a one story (with mezzanine) commercial building at 5220 Anna Avenue. Existing tenants include a commercial services construction related business on the ground floor and a wireless communication facility (WCF) on the mezzanine and roof. The WCF was approved by the Planning Commission in 2012, under Coastal Development Permit No. 931686 and Planned Development Permit No. 931688 and is not a part of the project. The project proposes to convert a portion of the interior to a 975-square-foot cannabis outlet. Additionally, 986 square feet of interior space will be converted into an ADA-accessible parking garage (2 spaces). The remaining space will be used as distribution and storage use.

The project site is in the Parking Standards Transit Priority Area – Mobility Zone 2. Although the project is under the threshold (5,000 square feet) of requiring Mobility Zone amenities, the project will voluntarily provide them through two (2) Electric Vehicle parking spaces, two (2) Carpool Spaces, and four (4) bicycle parking spaces. The project is also subject to exceptions to the parking regulations for nonresidential uses in SDMC Section 142.0540(a) due to the lot size being less than 15,000 square feet and without alley access. The project qualifies for a minimum of zero parking spaces, and a Coastal Development Permit is therefore not required. Nonetheless, the six (6) existing on-site parking spaces (8 total) are being reconfigured on the site.

Public improvements fronting the property require additional dedicated right-of-way, which includes a new 10-foot parkway, curb, gutter, and sidewalk. A 24-foot-wide ADA-compliant driveway will replace the two existing non-standard driveways.

Community Plan Analysis:

Community Plan - The Linda Vista Community Plan (LVCP) designates the land use as Industrial. A major goal of the LVCP is to retain the existing industrial area west of Morena Boulevard as a diverse employment base for the community and the City. As a retail use, a cannabis outlet would provide an employment opportunity.

General Plan - The project site is also designated Industrial Employment by the Land Use and Community Planning Element of the General Plan. The proposed project will promote the policies of the General Plan because cannabis outlets supply jobs and encourage and facilitate commerce within the San Diego region.

Base Zone - The project site is in the IL-3-1 Zone designation, which implements the General Plan and the LVCP. The purpose of the IL-3-1 Zone is to allow a mix of light industrial, office, and commercial uses. Cannabis outlets are a specialized, separately regulated commercial use that conforms to the IL-3-1 base zone.

The above analysis demonstrates that the proposed cannabis outlet is a compatible use at this location with a CUP and it is consistent with the Community Plan land use policies.

Separation Requirements:

Pursuant to SDMC Section 141.0504 (a), Cannabis outlets must be at least 1,000 feet away from:

- City parks
- Childcare centers
- Churches
- Playgrounds
- City libraries
- Minor-oriented facilities
- Schools
- Other outlets

Outlets must also be at least 100 feet from all residentially zoned properties. City staff has reviewed separation requirements for this project (Attachment 6) and determined that the proposed cannabis outlet complies with all separation requirements.

Operational and Security Requirements:

The proposed outlet is subject to the operational and security requirements of SDMC Sections 141.0504(b) through (m), which are included as conditions of approval of the CUP. These requirements include a prohibition on consultation by medical professionals on-site; prohibition of the use of vending machines except by a responsible person (as defined by SDMC sections 42.1502 and 11.0210); provision of interior and exterior lighting, operable cameras, alarms, security guard; restriction of hours of operation to between 7:00 am and 9:00 pm daily; maintenance of area and adjacent public sidewalks free of litter and graffiti, removal of graffiti within 24 hours, and signage restrictions. Outlets must also comply with SDMC Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation. State law also heavily regulates outlets, including their operational characteristics, testing and labeling of products, and advertising.

Conclusion:

All issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. The proposed project complies with all development regulations of the IL-3-1 zone and no deviations are required to approve the project. The project meets all separation requirements and the permit has been conditioned to ensure the proposed cannabis outlet would not be detrimental to the public health, safety, and welfare. Staff has provided draft findings (Attachment 4) to support the proposed development and draft conditions of approval (Attachment 5). Staff recommends that the Hearing Officer approve CUP No. 3182740 as proposed.

ALTERNATIVES

- 1. Approve CUP No. 3182740, with modifications.
- 2. Deny CUP No. 3182740, if the findings required to approve the project cannot be affirmed.

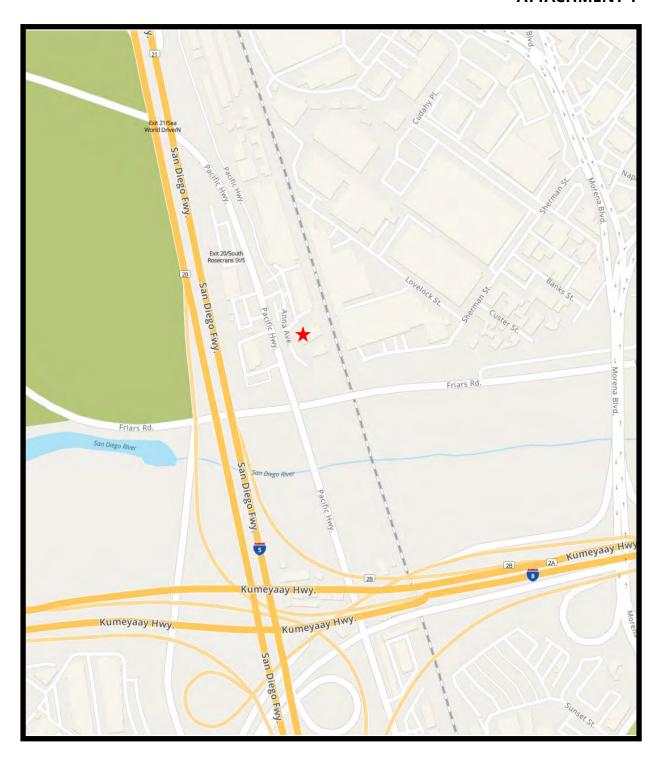
Respectfully submitted,

Francisco Mendoza, Development Project Manager

Attachments:

- 1. Project Location Map
- 2. Community Plan Land Use
- 3. Aerial Photograph
- 4. Draft Resolution with Findings
- 5. Draft Permit with Conditions

- 6. 100′/1000′ Separation Exhibit
- 7. Community Planning Group Recommendation
- 8. Ownership Disclosure Statement
- 9. Environmental Exemption
- 10. Project Plans



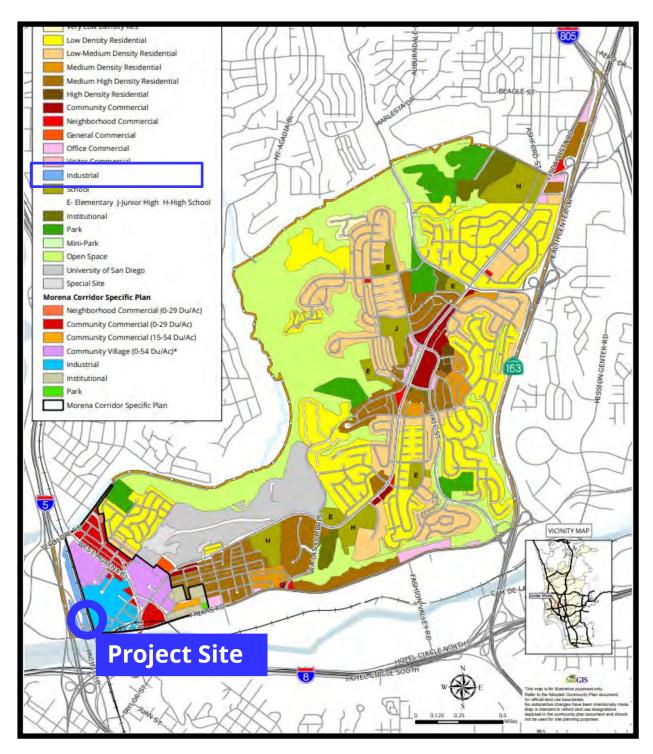


Project Location

5220 Anna Avenue Cannabis Outlet Project No. PRJ-1074123



ATTACHMENT 2





Linda Vista Land Use Plan

5220 Anna Avenue Cannabis Outlet Project No. PRJ-1074123







Aerial Photo

5220 Anna Avenue Cannabis Outlet Project No. PRJ-1074123



HEARING OFFICER RESOLUTION NO. HO-_____ CONDITIONAL USE PERMIT NO. 3182740 5220 ANNA AVENUE CANNABIS OUTLET - PRJ-1074123

WHEREAS, the GAFA FAMILY TRUST and HANDLED MANAGEMENT, LLC, a California limited liability company, Owners/Permittee, filed an application with the City of San Diego for a Conditional Use Permit to operate a cannabis outlet (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 3182740, and herein the "project"), on portions of a 0.33-acre site;

WHEREAS, the project site is located at 5220 Anna Avenue in the IL-3-1 Zone, the Airport Influence Area (NAS North Island and San Diego International Airport (SDIA) Review Area 2), the Airport Land Use Compatibility Overlay (NAS North Island and SDIA), the Coastal Overlay Zone (Non-Appealable Area 2), the FAA Part 77 Notification area, the Parking Impact Overlay Zone (Campus Impact), the Parking Standards and Transit Priority Area (TPA)- Mobility Zone 2, and the TPA Overlay Zones in the Linda Vista Community Plan area;

WHEREAS, the project site is legally described as Lot 282 of Pueblo Sands; Map No. 11888 and more particularly described within Document No. 2005-1004390, recorded November 18, 2005 of Official Records of the Office of the San Diego County Recorder;

WHEREAS, on January 18, 2023, 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 Guidelines Sections 15301 (Existing Facilities) and 15332 (Infill Development); 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 March 8, 2023, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 3182740 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Conditional Use Permit No. 3182740:

A. CONDITIONAL USE PERMIT FINDINGS – SDMC SECTION 126.0305

1. The proposed development will not adversely affect the applicable land use plan.

The project is a Conditional Use Permit (CUP) to allow the operation of a 975-square-foot cannabis outlet within an existing 5,620-square-foot commercial building. The 0.33-acre project site is located at 5220 Anna Avenue in the IL-3-1 Zone, the Airport Influence Area (NAS North Island and San Diego International Airport (SDIA) Review Area 2), the Airport Land Use Compatibility Overlay (NAS North Island and SDIA), the Coastal Overlay Zone (Non-Appealable Area 2), the FAA Part 77 Notification area, the Parking Impact Overlay Zone (Campus Impact), the Parking Standards and Transit Priority Area (TPA)- Mobility Zone 2, and the TPA Overlay Zones in the Linda Vista Community Plan area. The Linda Vista Community Plan (LVCP) designates the site as Industrial employment.

A goal of the LVCP's Industrial designation is to retain the existing industrial area west of Morena Boulevard as a diverse employment base for the community and the City. The project would not adversely affect these designations, which the cannabis outlet would provide retail goods for the adult public. The project will also promote the policies of the General Plan as a cannabis outlet will supply jobs and facilitate or encourage commerce within the San Diego Region. Both land use plans are implemented by the IL-3-1 Zone designation, which provides for a mix of industrial, commercial, and office uses. Additionally, the zone allows for a cannabis outlet with a Conditional Use Permit. Therefore, the proposed development will not adversely affect the applicable land use plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare.

The project will not be detrimental to the public health, safety, and welfare because the discretionary permit controlling the development and continued use of this site contains specific regulatory conditions of approval to assure compliance with applicable local, state and federal regulations. These conditions, which are implemented and enforced through the permit, are specifically intended to reduce, mitigate and/or prevent all adverse impacts to the public and community at large.

Approval of this application would allow the sale of cannabis to be conditioned to prevent potential adverse impacts on the community. The project is subject to specific operational requirements as set forth in SDMC Section 141.0504 (b) – (m), which have also been incorporated as conditions in the Permit, including prohibition of consultation by medical

professionals on-site, prohibition of the use of specified vending machines except by a responsible person (as defined by the SDMC), provision of interior and exterior lighting, operable cameras, alarms, and a security guard; restriction of hours of operation, maintenance of area and adjacent public sidewalks free of litter and graffiti, removal of graffiti within 24 hours, and restriction of signage to business name, two colors, and alphabetic characters.

The project must also comply with Chapter 4, Article 2, and Division 15 which provides guidelines for lawful operation. The Permit is valid for five years, however, may be revoked if the use violates the terms, conditions, lawful requirements, or provision of the permit.

Furthermore, any construction authorized by this permit will be subject to all adopted building, electrical, mechanical, fire and plumbing codes, which will be enforced through plan review and building inspections completed by the City's building inspectors.

The City of San Diego conducted an environmental review of this project in accordance with the CEQA Guidelines and the project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301 (Existing Facilities) and 15332 (Infill Development). Based on the above analysis, the proposed development would not be detrimental to the public's health, safety, and welfare.

3. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The project is exempt from the Airport Land Use Compatibility Overly Zone regulations set forth in Chapter 13, Article 2, and Division 15 of the SDMCper Section 132.1505(c)(1) and (2) as: 1) the project is limited to interior modifications which will not increase the density, floor area ratio or height of the existing structure, and 2) the proposed project would not require an increase in the number of parking spaces pursuant to Chapter 14, Article 2, Division 5.

Cannabis outlets are restricted to four per Council District, 36 city-wide, outlets are limited to no more than four per each of the nine City Council districts, with existing outlets that change districts as a result of redistricting allowed to remain (36 + 2 existing to remain, for a current total of 38). These outlets are within commercial and industrial zones in order to minimize the impact on the City's residential neighborhoods. The project site is in Council District 7 (CD 7), which currently has two cannabis outlets. If approved, the proposed project would be the third cannabis outlet CUP approved within CD 7, and the 32nd within the City. Cannabis outlets require compliance with SDMC Section 141.0504, which requires a 1,000-foot separation from resource and population-based city parks, other Outlets, churches, child care centers, playgrounds, libraries owned and operated by the City of San Diego, minor-oriented facilities, residential care facilities, and schools measured in accordance with SDMC sections 141.0504 and 113.0225, and a 100-foot separation from a residential zone. The proposed project meets the separation requirements at this location.

The project is proposed within an existing structure built in 1990 in accordance with all then applicable development regulations. The project site requires zero parking spaces, however, six (6) existing spaces are proposed to be reconfigured, with two (2) interior ADA-accessible

spaces to be provided. The project is conditioned to build public improvements to current City standards and to the satisfaction of the City Engineer.

The Permit for the project includes various conditions and corresponding exhibits of approval relevant to achieving compliance with the SDMC relative to parking, signage, lighting, security measures, hours of operation, and site maintenance. No variance or deviations are requested as part of this application. Therefore, the proposed development will comply with the regulations of the Land Development Code.

4. The proposed use is appropriate at the proposed location.

Cannabis outlets are unique in that there are only four allowed in each Council District. No other retail business regulated by the City of San Diego is subject to such restrictions. The proposed project is located in Council District 7. Since the City's recreational cannabis regulations were first adopted in 2017, the zoning and separation requirements for cannabis outlets as applied in Council District 7 have resulted in very few locations that meet all locational criteria. This project site meets all location criteria. City staff has reviewed separation requirements for this project and determined that the proposed cannabis outlet complies with SDMC Section 141.0504 separation requirements.

As stated in Finding A.1., the project will not adversely affect the applicable land use plan. As described in Findings A.2. and A.3., the project will not be detrimental to the public health, safety, and welfare and will comply with all the regulations of the Land Development Code. Findings A.1., A.2., and A.3. are incorporated herein by reference. Therefore, for the foregoing reasons, the proposed use is appropriate at the proposed location.

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, Conditional Use Permit No. 3182740, is hereby GRANTED to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 3182740, a copy of which is attached hereto and made a part hereof.

Francisco Mendoza Development Project Manager Development Services

Adopted on: March 8, 2023

IO#: 24009397

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: 24009397 SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 3182740 5220 ANNA AVENUE CANNABIS OUTLET - PRJ-1074123 HEARING OFFICER

This Conditional Use Permit No. 3182740 is granted by the Hearing Officer of the City of San Diego to GAFA FAMILY TRUST, Owner, and HANDLED MANAGEMENT LLC, a California limited liability company, Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0303(c) and 141.0504. The 0.33-acre site is located at 5220 Anna Avenue in the IL-3-1 Zone, the Airport Influence Area (NAS North Island and San Diego International Airport (SDIA) Review Area 2), the Airport Land Use Compatibility Overlay (NAS North Island and SDIA), the Coastal Overlay Zone (Non-Appealable Area 2), the FAA Part 77 Notification area, the Parking Impact Overlay Zone (Campus Impact), the Parking Standards and Transit Priority Area (TPA)- Mobility Zone 2, and the TPA Overlay Zones in the Linda Vista Community Plan;

The project site is legally described as:

LOT 282 OF PUEBLO SANDS; MAP NO. 11888 AND MORE PARTICULARLY DESCRIBED WITHIN DOCUMENT NO. 2005-1004390, RECORDED NOVEMBER 18, 2005 OF OFFICIAL RECORDS OF THE OFFICE OF THE SAN DIEGO COUNTY RECORDER.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to operate a cannabis outlet described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated March 8, 2023, on file in the Development Services Department.

The project shall include:

- a. Operation of a 975-square-foot cannabis outlet within an existing 5,620-square-foot commercial building;
- b. Off-street parking; and
- c. 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. <u>Utilization date</u>: 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 March 22, 2026.
- 2. **Expiration date:** This Conditional Use Permit [CUP] and corresponding use of this site shall expire on March 22, 2028.

This expiration date can be extended by filing for a CUP amendment pursuant to SDMC 126.0114(c), 126.0114(d), and 141.0504(n). To allow the use to continue to operate while an amendment is processed, an amendment application must be deemed complete by the close of business on the expiration date. Otherwise, this permit will expire, and all operation of the use must cease.

An amendment application should be filed at least 90 days before expiration to allow time to be deemed complete.

- 3. The continued utilization of this CUP is contingent upon (but is not limited to) the following:
 - a. The existence and utilization of a valid license for this location issued by the California Department of Cannabis Control (DCC) for the proposed business activities. Once initially obtained, this license must not be allowed to lapse while the associated business is in operation. The issuance of this CUP does not guarantee that the DCC will grant a license for this location.
 - b. Compliance with Chapter 4, Article 2, Division 15 of the San Diego Municipal Code, including payment of any fees enacted pursuant to SDMC 42.1506.
 - c. Timely payment of all Cannabis Business Tax owed pursuant to Chapter 3, Article 4, Division 1 of the San Diego Municipal Code.
 - d. Possession of a valid and current Business Tax Certificate issued by the City of San Diego for all cannabis businesses operating at this location.
 - e. Continued compliance of all Permit Conditions herein.
 - f. Continued compliance with all other applicable federal, state, and local laws.

- 4. 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.
- 5. 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.
- 6. 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.
- 7. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
- 8. 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.).
- 9. 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.
- 10. 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.
- 11. 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" conditions(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.

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.

CLIMATE ACTION PLAN REQUIREMENTS:

13. The Owner/Permittee shall comply with The Climate Action Plan (CAP) Consistency Checklist stamped as Exhibit "A." Prior to issuance of any construction permit, all CAP strategies shall be noted within the first 3 sheets of the construction plans under the heading "Climate Action Plan Requirements." The Climate Action Plan strategies as identified on Exhibit "A" shall be enforced and implemented to the satisfaction of the Development Services Department.

ENGINEERING REQUIREMENTS:

- 14. Prior to the issuance of any building permit, the Owner/Permittee shall dedicate up to an additional 10 feet along Anna Avenue for a 10-foot-wide parkway and assure by permit and bond the construction of curb, gutter and sidewalk, as shown on Exhibit "A," satisfactory to the City Engineer.
- 15. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the construction of a new 24-foot-wide driveway per current City Standards adjacent to the site on Anna Avenue, satisfactory to the City Engineer.

PLANNING/DESIGN REQUIREMENTS:

16. Lighting shall be provided to illuminate the interior, facade, and the immediate surrounding area of the cannabis outlet, including any accessory uses, parking lots, and adjoining sidewalks. Lighting shall be hooded or oriented to deflect light away from adjacent properties.

- 17. Security shall be provided at the cannabis outlet which shall include operable cameras, alarms, and a security guard. The security guard shall be licensed by the State of California and be present on the premises during business hours. The security guard shall only be engaged in activities related to providing security for the facility, except on an incidental basis.
- 18. The Owner/Permittee shall provide a sufficient odor absorbing ventilation and system capable of minimizing excessive or offensive odors emanating outside of the permitted cannabis outlet to the satisfaction of the Development Services Department.
- 19. Signage: Primary signs shall be posted on the outside of the cannabis outlet and shall only contain the name of the business, which shall contain only alphabetic characters, and shall be limited to two colors. Secondary signs advertising cannabis, window signs and any display visible from the public right-of-way, are not permitted. No marketing or advertising for cannabis or cannabis products shall be displayed visible from the public right-of-way. All cannabis licensees, and any person acting on behalf of a licensee, must comply with the State of California statutes and regulations governing commercial cannabis advertising and/or promoting.
- 20. The name and emergency contact phone number of the designated responsible managing operator shall be posted in a location visible from outside the cannabis outlet in character size at least two inches in height.
- 21. The cannabis outlet shall operate only between the hours of 7:00 a.m. and 9:00 p.m., seven days a week.
- 22. The use of vending machines which allow access to cannabis and cannabis products except by a responsible person, as defined in San Diego Municipal Code Section 42.1502, is prohibited. For purposes of this Section, a vending machine is any device which allows access to cannabis and cannabis products without a human intermediary.
- 23. An annual operating permit shall be obtained as required pursuant to San Diego Municipal Code Chapter 4, Article 2, Division 15.
- 24. Deliveries shall be permitted as an accessory use only from the cannabis outlet with a valid Conditional Use Permit unless otherwise allowed pursuant to state law.
- 25. The cannabis outlet, adjacent public sidewalks, and areas under the control of the cannabis outlet, shall be maintained free of litter and graffiti at all times.
- 26. The Owner/Permittee shall provide daily removal of trash, litter, and debris of the premises. Graffiti shall be removed from the premises within 24 hours.
- 27. Consultations by medical professionals shall not be a permitted accessory use at the cannabis outlet.

TRANSPORTATION REQUIREMENTS:

28. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing authorized by the appropriate City decision maker in accordance with the SDMC.

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.
- Cannabis businesses that operate or provide services within the City of San Diego are liable for a monthly gross receipts tax. As referenced in San Diego Municipal Code Section 34.0103(b), taxable activities include, but are not limited to, transporting, manufacturing, cultivating, packaging, and/or retail sales of cannabis and any ancillary products in the City of San Diego. For additional information, contact the Office of the City Treasurer at (619) 615-1580.

APPROVED by the Hearing Officer of the City of San Diego on March 8, 2023 and Resolution HO-

Conditional Use Permit No. 3182740 Date of Approval: March 8, 2023

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Francisco Mendoza

Development Project Manager

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

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.

	ra FAMILY TRUST rner
Ву	NAME TITLE
a C	NDLED MANAGEMENT LLC alifornia limited liability company mittee
Ву	NAME

TITLE

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

PACKAGE CONTENT LIST

This radius report package contains the following items and should not be removed by anyone but the Planning Department (with the exception of the Cover Sheet and Invoice):

- 1. One vacant property notice
- 2. One summary of owners list
- 3. 100 & 1000-Foot radius map spreadsheet
- 4. 1000-Foot vicinity/area map
- 5. Signed Certification
- 6. One set of maps

Removal of any item may delay your permit process.

Thank You,

Title Pro Information Systems

NOTE: The following information is not always publicly accessible from the Assessor's tax rolls: renter name, apartment/office suite numbers, mobile home unit numbers, etc. If needed and not publicly available, this information may have to be provided by the client or client's representative.

NOTICE

The Parcels that have no site addresses on the <u>Summary Of</u> <u>Owners List & 100/1000-FOOT RADIUS MAP SPREADSHEET</u> may be unimproved/vacant property or a public agency.

SUMMARY OF OWNERS

# PARCEL NUMBER	OWNER NAME	SITE ADDRESS	CITY	STATE ZIP		MAILING ADDRESS	CITY	STATE	dIZ	USE DESCRIPTION
1 435-480-16-00	CITY OF SAN DIEGO		SAN DIEGO	8	92110		SAN DIEGO	S	92110	NO VALUE
2 435-480-17-00	CITY OF SAN DIEGO	SEA WORLD DR	SAN DIEGO	CA	92110		SAN DIEGO	CA	92110	NO VALUE
3 435-480-18-00	M E L L 45 LLC	PACIFIC HWY	SAN DIEGO		92110 3	3565 7TH AVE	SAN DIEGO	CA	92103	VACANT
	CUDAHY PLACE REAL ESTATE L L C	1004 CUDAHY PL	SAN DIEGO		92110 1	1005 N EDWARD CT	ANAHEIM	CA	92806	INDUSTRIAL
	N D M INVESTMENTS L L C	1018 CUDAHY PL	SAN DIEGO		92110 1	1018 CUDAHY PL	SAN DIEGO	5	92110	INDUSTRIAL
6 436-290-21-00	960 SHERMAN STREET LLC		SAN DIEGO		92110 P	92110 P O BOX 847	CARLSBAD	5	92018	VACANT
	GLMLP	969 BUENOS AVE	SAN DIEGO		92110 9	92110 969 BUENOS AVE	SAN DIEGO	5	92110	INDUSTRIAL
	960 SHERMAN STREET LLC	960 SHERMAN ST	SAN DIEGO			P O BOX 847	CARLSBAD	5	92018	INDUSTRIAL
9 436-440-07-00	MORENA SELF STORAGE LP	908 SHERMAN ST	SAN DIEGO			2001 ROSS AVE #3400	DALLAS	×	75201	INDUSTRIAL
10 436-440-08-00	TRIG INVSTMENTS I LLC	5252 LOVELOCK ST	SAN DIEGO		92110 P	P O BOX 847	CARLSBAD	5	92018	AUTOMOTIVE USES
11 436-440-09-00	GOODWILL INDUSTRIES OF SAN DIEGO COUNTY	5232 LOVELOCK ST	SAN DIEGO			3663 ROSECRANS ST	SAN DIEGO	5	92110	92110 INDUSTRIAL
12 436-440-11-00	ATCHISON TOPEKA & SANTA FE RAILWAY CO		SAN DIEGO		92110		SAN DIEGO	5	92110	NO VALUE
13 436-440-12-00	ATCHISON TOPEKA & SANTA FE RAILWAY CO		SAN DIEGO		92110		SAN DIEGO	5	92110	NO VALUE
14 436-440-13-00	MORENA SELF STORAGE LP	SHERMAN ST	SAN DIEGO			2001 ROSS AVE #3400	DALLAS	¥	75201	VACANT
15 436-440-15-00	RUDIE & RUDIE L L C		SAN DIEGO			13762 PAUMA VISTA DR	VALLEY CENTER	5	92082	RESIDENTIAL
	RUDIE & RUDIE L L C	5202 LOVELOCK ST	SAN DIEGO		92110 1	13762 PAUMA VISTA DR	VALLEY CENTER	প্র	92082	92082 INDUSTRIAL
1/ 436-440-1/-00	PUNCH PROPERTIES L.L.C.	5222 LOVELOCK SI	SAN DIEGO			5222 LOVELOCK SI	SAN DIEGO	5	92110	92110 INDUSTRIAL
18 436-440-18-00	GOODWILL INDUSTRIES OF SAN DIEGO COUNTY	5232 LOVELOCK ST	SAN DIEGO			3663 ROSECRANS ST	SAN DIEGO	8 8	92110	INDUSTRIAL
19 436-440-19-00	SAIN DIEGO IMETROPOLITAN TRANSIT DEVELOPMENT BOARD	7	SAN DIEGO		92110		SAN DIEGO	5 8	92110	92110 NO VALUE
20 436-440-20-00	SCHWARIZ KENNEIH WIRUSI 04-04-12	4941 PACIFIC HWY	SAN DIEGO	5 5	92110 1	92110 1//8 BERRYDALE SI	EL CAJON	5 5	92021	92021 INDUSTRIAL
22 436-440-21-00	EVANS ANIME L	4943 PACIFIC HWY	SAN DIEGO		92110 9	990 W WISSION BAT NU	SAN DEGO	5 5	92109	INDUSTRIAL
	CELIAC PARTNERS I I C	4901 PACIFIC HWY	SAN DIEGO			4901 PACIFIC HWV	SAN DIEGO	5 2	92110	92110 INDIISTRIAL
24 436-440-24-00	4891 PCH L L C	4891 PACIFIC HWY	SAN DIEGO		92110 4	4891 PACIFIC HWY #200	SAN DIEGO	5 5	92110	92110 COMMERCIAL
25 436-440-25-00	DICKERMAN L.L.C.	5255 LOVELOCK ST	SAN DIEGO		92110 1	108 VIA CORONADO	RANCHO SANTA FE	5	92091	INDUSTRIAL
26 436-440-26-00	ATCHISON TOPEKA & SANTA FE RAILWAY CO	LOVELOCK ST	SAN DIEGO				SAN DIEGO	5	92110	NO VALUE
27 436-440-27-00	PUNCH PROPERTIES LLC	5222 LOVELOCK ST	SAN DIEGO	5	92110 5	5222 LOVELOCK ST	SAN DIEGO	5	92110	VACANT
28 436-451-06-00	CITY OF SAN DIEGO	877 SHERMAN ST	SAN DIEGO	CA	92110		SAN DIEGO	CA	92110	RECREATIONAL
29 436-451-08-00	CITY OF SAN DIEGO	FRIARS RD	SAN DIEGO		92110		SAN DIEGO	5	92110	NO VALUE
30 436-451-10-00	SAN DIEGO METROPOLITAN TRANSIT DEVELOPMENT BOARD	MORGAN ST	SAN DIEGO		92110		SAN DIEGO	8	92110	NO VALUE
31 436-451-11-00	CITY OF SAN DIEGO	FRIARS RD	SAN DIEGO		92110		SAN DIEGO	S	92110	NO VALUE
32 436-451-12-00	CITY OF SAN DIEGO	FRIARS RD	SAN DIEGO	5	92110		SAN DIEGO	5	92110	92110 NO VALUE
33 436-452-01-00	NINTEMAN DEAN N TRUST 05-18-10	5304 CUSTER ST	SAN DIEGO		92110 2	2015 W RIVER RD #1	TUCSON	AZ	85704	INDUSTRIAL
34 436-452-02-00	NINTEMAN DEAN N TRUST 05-18-10	5318 CUSTER ST	SAN DIEGO		92110 2	2015 W RIVER RD #101	TUCSON	AZ	85704	INDUSTRIAL
35 436-452-09-00	AUGUSTINE MARION ANNUITY TRUST	935 SHERMAN ST	SAN DIEGO		92110 9	92110 935 SHERMAN ST	SAN DIEGO	5	92110	92110 COMMERCIAL
36 436-660-06-00	CITY OF SAN DIEGO	!	SAN DIEGO		92110		SAN DIEGO	5	92110	NO VALUE
37 436-660-11-00	GAFA FAMILY TRUST 10-19-05	5220 ANNA AVE	SAN DIEGO		92110 1	1220 ROSECRANS ST #554		8	92106	92106 INDUSTRIAL
38 436-660-14-00	N P ANNA LLC	GREENWOOD ST	SAN DIEGO	8 8	92110 4	499 N CANON DR #3RF	SAN DIEGO	5 5	90210	INDUSTRIAL NO VALLIE
40 436-660-20-00	CITY OF SAN DIEGO		SAN DIEGO		92110		SAN DIEGO	5 5	92110	92110 NO VALUE
41 436-660-25-00	BARRIOS FAMILY TRUST 12-17-01	5265 LOVELOCK ST	SAN DIEGO			1814 ALTOZANO DR	EL CAJON	5	92020	92020 INDUSTRIAL
42 436-660-26-00	SUPER SECRET LAIR LLC	5280 ANNA AVE	SAN DIEGO	S	92110 6	640 ALBION ST	SAN DIEGO	5	92106	92106 INDUSTRIAL
43 436-660-33-00	CITY OF SAN DIEGO		SAN DIEGO	CA	92110		SAN DIEGO	CA	92110	NO VALUE
44 436-660-42-00	SAN DIEGO METROPOLITAN TRANSIT DEVELOPMENT BOARD		SAN DIEGO	CA	92110		SAN DIEGO	CA	92110	NO VALUE
45 436-660-46-00	CITY OF SAN DIEGO	FRIARS RD	SAN DIEGO	CA	92110		SAN DIEGO	CA	92110	NO VALUE
46 436-660-48-00	SAN DIEGO METROPOLITAN TRANSIT DEVELOPMENT BOARD	FRIARS RD	SAN DIEGO	8	92110		SAN DIEGO	S	92110	NO VALUE
47 436-660-50-00	ANNA AVENUE ASSOCIATES L L C	5216 ANNA AVE	SAN DIEGO			1516 NASHVILLE ST	SAN DIEGO	8	92110	INDUSTRIAL
48 436-660-51-00	CITY OF SAN DIEGO	FRIARS RD	SAN DIEGO		92110		SAN DIEGO	5	92110	NO VALUE
49 436-660-52-00	CITY OF SAN DIEGO	FRIARS RD	SAN DIEGO		92110		SAN DIEGO	5	92110	NO VALUE
50 436-660-53-00	SAN DIEGO ASSN OF GOVERNMENTS	FRIARS RD	SAN DIEGO		92110		SAN DIEGO	5	92110	NO VALUE
51 436-740-01-00	STATE OF CALIFORNIA		SAN DIEGO		92110	!	SAN DIEGO	5	92110	NO VALUE
00 00 000 000	() - L P L P 4	4850 PACIFIC HWV	SAN DIFGO	٥	27110 3	92110 3565 7TH AVE		ζ	00,00	INIGHTSHIPH COTCO

53 760-216-90-00	NORTH COUNTY TRANSIT DISTRICT	ANNA AVE	SAN DIEGO CA	5	32110	SAN DIEGO	CA	92110 N	O VALUE
760-245-31-00	901 SSS OLD TOWN LLC	4835 PACIFIC HWY SAN DIEGO CA	SAN DIEGO CA	-	92110 3866 INGRAHAM ST	SAN DIEGO	5	92109 IN	INDUSTRIAL

100 & 1000-FOOT RADIUS MAP SPREADSHEET

RESIDENT LST - 100FT

			NO RESI	DENTS C	OR RESII	DENTIAL ZONES FOU	ND WITHIN 100FT	
#	USE DESCRIPTION	SITE ADDRESS	CITY	STATE	ZIP	PARCEL NUMBER	OWNER NAME	NOTES
1	NO VALUE		SAN DIEGO	CA	92110	436-440-19-00	SAN DIEGO METROPOLITAN TRANSIT DEVELOPMENT BOARD	
2	INDUSTRIAL	4901 PACIFIC HWY	SAN DIEGO	CA	92110	436-440-23-00	CELIAC PARTNERS L L C	
3	COMMERCIAL	4891 PACIFIC HWY STE 102	SAN DIEGO	CA	92110	436-440-24-00	JANNEY & JANNEY	
4	COMMERCIAL	4891 PACIFIC HWY STE 103	SAN DIEGO	CA	92110	436-440-24-00	4891 PCH L L C	
5	COMMERCIAL	4891 PACIFIC HWY STE 104	SAN DIEGO	CA	92110	436-440-24-00	ADVERTISING TECHNIQUES & PROMOTIONS, INC.	
6	COMMERCIAL	4891 PACIFIC HWY STE 105	SAN DIEGO	CA	92110	436-440-24-00	FIRST CLASS TRANSPORTATION, LLC	
7	COMMERCIAL	4891 PACIFIC HWY STE 110	SAN DIEGO	CA	92110	436-440-24-00	SUNSET CAPITAL	
8	COMMERCIAL	4891 PACIFIC HWY STE 111	SAN DIEGO	CA	92110	436-440-24-00	MDS REALTY ADVISORS	
9	COMMERCIAL	4891 PACIFIC HWY STE 112	SAN DIEGO	CA	92110	436-440-24-00	GROUNDWORK SAN DIEGO CHOLLAS CREEK	
10	COMMERCIAL	4891 PACIFIC HWY STE 114	SAN DIEGO	CA	92110	436-440-24-00	SAN DIEGO RIVER PARK FNDTN	
11	COMMERCIAL	4891 PACIFIC HWY STE 115	SAN DIEGO	CA	92110	436-440-24-00	4891 PCH L L C	
12	COMMERCIAL	4891 PACIFIC HWY STE 200	SAN DIEGO	CA	92110	436-440-24-00	TRENDSOURCE, INC.	
13	COMMERCIAL	4891 PACIFIC HWY STE 215	SAN DIEGO	CA	92110	436-440-24-00	ABSOLUTE SOLUTIONS LLC	
14	COMMERCIAL	4891 PACIFIC HWY STE 216	SAN DIEGO	CA	92110	436-440-24-00	AMERICAN FEDERAL MORTGAGE CORPORATION	
15	COMMERCIAL	4891 PACIFIC HWY STE 218	SAN DIEGO	CA	92110	436-440-24-00	AMERICAN FEDERAL MORTGAGE SERVICE CORPORATION	
16	COMMERCIAL	4891 PACIFIC HWY STE 220	SAN DIEGO	CA	92110	436-440-24-00	AWARD COMMUNICATION, INC.	
17	COMMERCIAL	4895 PACIFIC HWY	SAN DIEGO	CA	92110	436-440-24-00	C & SD CONSTRUCTION INC	
18	INDUSTRIAL	5225 LOVELOCK ST	SAN DIEGO	CA	92110	436-440-25-00	ALLEN'S FLOWERS & PLANTS	
19	INDUSTRIAL	5235 LOVELOCK ST	SAN DIEGO	CA	92110	436-440-25-00	DIRECT DEMOS LLC	
20	INDUSTRIAL	5245 LOVELOCK ST	SAN DIEGO	CA	92110	436-440-25-00	DICKERMAN L L C	
21	INDUSTRIAL	5255 LOVELOCK ST	SAN DIEGO	CA	92110	436-440-25-00	GLENWOOD DISTRIBUTING CORPORATION	
22	INDUSTRIAL	5220 ANNA AVE	SAN DIEGO	CA	92110	436-660-11-00	SUBJECT PROPERTY	
23	INDUSTRIAL	5258 ANNA AVE	SAN DIEGO	CA	92110	436-660-14-00	N P ANNA LLC	
24	INDUSTRIAL	5260 ANNA AVE	SAN DIEGO	CA	92110	436-660-14-00	SQUARE PEG PACKAGING AND PRINTING	
25	NO VALUE		SAN DIEGO	CA	92110	436-660-42-00	SAN DIEGO METROPOLITAN TRANSIT DEVELOPMENT BOARD	
26	INDUSTRIAL	5216 ANNA AVE	SAN DIEGO	CA	92110	436-660-50-00	ANNA AVENUE ASSOCIATES L L C	
27	NO VALUE	ANNA AVE	SAN DIEGO	CA	92110	760-216-90-00	NORTH COUNTY TRANSIT DISTRICT	

BUSINESS LIST - 1,000FT

		NO PC	INTS OF	CONSI	DERATION FOUND W	/ITHIN 1.000FT	
# USE TYPE	SITE ADDRESS	CITY	STATE	i	PARCEL NUMBER	OWNER/BUSINESS NAME	NOTES
1 NO VALUE	VACANT	SAN DIEGO	CA	92110	435-480-16-00	CITY OF SAN DIEGO	
2 NO VALUE	SEA WORLD DR	SAN DIEGO	CA		435-480-17-00	CITY OF SAN DIEGO	
3 VACANT	PACIFIC HWY	SAN DIEGO	CA		435-480-18-00	M E L L 45 LLC	
4 INDUSTRIAL	1004 CUDAHY PL	SAN DIEGO	CA		436-290-05-00	TODD PIPE AND SUPPLY LLC	_
5 INDUSTRIAL	1018 CUDAHY PL STE A	SAN DIEGO	CA		436-290-06-00	NEW DIMENSION MASONRY INC	_
6 INDUSTRIAL	1018 CUDAHY PL STE B	SAN DIEGO	CA		436-290-06-00	FULLER ELECTRIC CORP	_
7 INDUSTRIAL 8 VACANT	1018 CUDAHY PL STE C	SAN DIEGO SAN DIEGO	CA CA		436-290-06-00 436-290-21-00	N D M INVESTMENTS L L C 960 SHERMAN STREET LLC	_
9 INDUSTRIAL	969 BUENOS AVE	SAN DIEGO	CA		436-290-41-00	OEM MFG & SALES	_
10 INDUSTRIAL	960 SHERMAN ST	SAN DIEGO	CA		436-440-04-00	FLOOR & DÉCOR	+
11 INDUSTRIAL	908 SHERMAN ST	SAN DIEGO	CA	-	436-440-07-00	MORENA STORAGE	_
12 AUTOMOTIVE USES	5252 LOVELOCK ST	SAN DIEGO	CA		436-440-08-00	MOSSY AUTOMOBILE GROUP	_
13 INDUSTRIAL	5232 LOVELOCK ST	SAN DIEGO	CA	92110	436-440-09-00	GOODWILL INDUSTRIES OF SAN DIEGO COUNTY	
14 NO VALUE		SAN DIEGO	CA	92110	436-440-11-00	ATCHISON TOPEKA & SANTA FE RAILWAY CO	
15 NO VALUE		SAN DIEGO	CA	92110	436-440-12-00	ATCHISON TOPEKA & SANTA FE RAILWAY CO	
16 VACANT	SHERMAN ST	SAN DIEGO	CA	92110	436-440-13-00	MORENA SELF STORAGE LP	
17 RESIDENTIAL		SAN DIEGO	CA	92110	436-440-15-00	RUDIE & RUDIE L L C	
18 INDUSTRIAL	5202 LOVELOCK ST	SAN DIEGO	CA		436-440-16-00	CATALINA OFFSHORE PRODUCTS	
19 INDUSTRIAL	5222 LOVELOCK ST	SAN DIEGO	CA		436-440-17-00	PEDRO SANCHEZ	
20 INDUSTRIAL	5232 LOVELOCK ST	SAN DIEGO	CA		436-440-18-00	GOODWILL INDUSTRIES OF SAN DIEGO COUNTY	
21 NO VALUE	4044 DACIFIC LULO: 277	SAN DIEGO	CA		436-440-19-00	SAN DIEGO METROPOLITAN TRANSIT DEVELOPMENT BOARD	+
22 INDUSTRIAL	4941 PACIFIC HWY STE A	SAN DIEGO	CA		436-440-20-00	SCHWARTZ KENNETH W TRUST 04-04-12	+
23 INDUSTRIAL	4941 PACIFIC HWY STE 5	SAN DIEGO	CA		436-440-20-00	SCHWARTZ KENNETH W TRUST 04-04-12	+
24 INDUSTRIAL 25 INDUSTRIAL	4941 PACIFIC HWY STE 6 4941 PACIFIC HWY STE 2A	SAN DIEGO SAN DIEGO	CA CA		436-440-20-00 436-440-20-00	SCHWARTZ KENNETH W TRUST 04-04-12 SCHWARTZ KENNETH W TRUST 04-04-12	+
26 INDUSTRIAL	4941 PACIFIC HWY STE 2B	SAN DIEGO	CA		436-440-20-00	SCHWARTZ KENNETH W TRUST 04-04-12	+
27 INDUSTRIAL	4941 PACIFIC HWY STE 3A	SAN DIEGO	CA		436-440-20-00	MOURA SURFBOARD REPAIR	_
28 INDUSTRIAL	4941 PACIFIC HWY STE 3B	SAN DIEGO	CA		436-440-20-00	SCHWARTZ KENNETH W TRUST 04-04-12	-
29 INDUSTRIAL	4941 PACIFIC HWY STE 4A	SAN DIEGO	CA		436-440-20-00	SCHWARTZ KENNETH W TRUST 04-04-12	
30 INDUSTRIAL	4941 PACIFIC HWY STE 4B	SAN DIEGO	CA		436-440-20-00	SCHWARTZ KENNETH W TRUST 04-04-12	
31 INDUSTRIAL	4945 PACIFIC HWY	SAN DIEGO	CA	92110	436-440-21-00	EVANS ANNE L	
32 INDUSTRIAL	4953 PACIFIC HWY	SAN DIEGO	CA	92110	436-440-21-00	ROPER WILLIAM A	
33 INDUSTRIAL	4955 PACIFIC HWY	SAN DIEGO	CA	92110	436-440-21-00	EVANS ANNE L	
34 INDUSTRIAL	4909 PACIFIC HWY	SAN DIEGO	CA	92110	436-440-22-00	SUBJECT PROPERTY	
35 INDUSTRIAL	4901 PACIFIC HWY	SAN DIEGO	CA		436-440-23-00	CELIAC PARTNERS L L C	
36 COMMERCIAL	4891 PACIFIC HWY STE 102	SAN DIEGO	CA		436-440-24-00	JANNEY & JANNEY	
37 COMMERCIAL	4891 PACIFIC HWY STE 103	SAN DIEGO	CA		436-440-24-00	4891 PCH L L C	
38 COMMERCIAL	4891 PACIFIC HWY STE 104	SAN DIEGO	CA		436-440-24-00	ADVERTISING TECHNIQUES & PROMOTIONS, INC.	
39 COMMERCIAL	4891 PACIFIC HWY STE 105	SAN DIEGO	CA		436-440-24-00	FIRST CLASS TRANSPORTATION, LLC	_
40 COMMERCIAL 41 COMMERCIAL	4891 PACIFIC HWY STE 110 4891 PACIFIC HWY STE 111	SAN DIEGO SAN DIEGO	CA		436-440-24-00 436-440-24-00	SUNSET CAPITAL MDS REALTY ADVISORS	_
41 COMMERCIAL 42 COMMERCIAL	4891 PACIFIC HWY STE 111	SAN DIEGO	CA CA		436-440-24-00	GROUNDWORK SAN DIEGO CHOLLAS CREEK	_
43 COMMERCIAL	4891 PACIFIC HWY STE 114	SAN DIEGO	CA		436-440-24-00	SAN DIEGO RIVER PARK FNDTN	_
44 COMMERCIAL	4891 PACIFIC HWY STE 115	SAN DIEGO	CA		436-440-24-00	4891 PCH L L C	_
45 COMMERCIAL	4891 PACIFIC HWY STE 200	SAN DIEGO	CA		436-440-24-00	TRENDSOURCE, INC.	_
46 COMMERCIAL	4891 PACIFIC HWY STE 215	SAN DIEGO	CA		436-440-24-00	ABSOLUTE SOLUTIONS LLC	
47 COMMERCIAL	4891 PACIFIC HWY STE 216	SAN DIEGO	CA		436-440-24-00	AMERICAN FEDERAL MORTGAGE CORPORATION	
48 COMMERCIAL	4891 PACIFIC HWY STE 218	SAN DIEGO	CA	92110	436-440-24-00	AMERICAN FEDERAL MORTGAGE SERVICE CORPORATION	
49 COMMERCIAL	4891 PACIFIC HWY STE 220	SAN DIEGO	CA	92110	436-440-24-00	AWARD COMMUNICATION, INC.	
50 COMMERCIAL	4895 PACIFIC HWY	SAN DIEGO	CA	92110	436-440-24-00	C & SD CONSTRUCTION INC	
51 INDUSTRIAL	5225 LOVELOCK ST	SAN DIEGO	CA		436-440-25-00	ALLEN'S FLOWERS & PLANTS	
52 INDUSTRIAL	5235 LOVELOCK ST	SAN DIEGO	CA		436-440-25-00	DIRECT DEMOS LLC	+
53 INDUSTRIAL	5245 LOVELOCK ST	SAN DIEGO	CA		436-440-25-00	DICKERMAN L L C	+
54 INDUSTRIAL	5255 LOVELOCK ST	SAN DIEGO	CA		436-440-25-00	GLENWOOD DISTRIBUTING CORPORATION	+
55 NO VALUE	LOVELOCK ST	SAN DIEGO	CA		436-440-26-00	ATCHISON TOPEKA & SANTA FE RAILWAY CO	+
56 VACANT	5222 LOVELOCK ST	SAN DIEGO	CA		436-440-27-00	PUNCH PROPERTIES LLC	_
57 RECREATIONAL 58 RECREATIONAL	877 SHERMAN ST 887 SHERMAN ST	SAN DIEGO SAN DIEGO	CA CA		436-451-06-00 436-451-06-00	CITY OF SAN DIEGO	+
59 RECREATIONAL	887 1/2 SHERMAN ST	SAN DIEGO	CA		436-451-06-00	CITY OF SAN DIEGO CITY OF SAN DIEGO	+
60 NO VALUE	VACANT	SAN DIEGO	CA		436-451-08-00	CITY OF SAN DIEGO CITY OF SAN DIEGO	+
61 NO VALUE	VACANT	SAN DIEGO	CA		436-451-10-00	SAN DIEGO METROPOLITAN TRANSIT DEVELOPMENT BOARD	+-
62 NO VALUE	VACANT	SAN DIEGO	CA		436-451-11-00	CITY OF SAN DIEGO	+
63 NO VALUE	VACANT	SAN DIEGO	CA		436-451-12-00	CITY OF SAN DIEGO	1
64 INDUSTRIAL	5304 CUSTER ST	SAN DIEGO	CA		436-452-01-00	FIBERLAY	
65 INDUSTRIAL	5318 CUSTER ST	SAN DIEGO	CA	92110	436-452-02-00	NINTEMAN DEAN N TRUST 05-18-10	
66 INDUSTRIAL	5320 CUSTER ST	SAN DIEGO	CA		436-452-02-00	REUSABLE FINDS	
67 COMMERCIAL	935 SHERMAN ST	SAN DIEGO	CA	92110	436-452-09-00	LLOYD PEST CONTROL	
68 NO VALUE	VACANT	SAN DIEGO	CA	92110	436-660-06-00	CITY OF SAN DIEGO	
69 INDUSTRIAL	5220 ANNA AVE	SAN DIEGO	CA		436-660-11-00	SUBJECT PROPERTY	
70 INDUSTRIAL	5258 ANNA AVE	SAN DIEGO	CA		436-660-14-00	N P ANNA LLC	
71 INDUSTRIAL	5260 ANNA AVE	SAN DIEGO	CA		436-660-14-00	SQUARE PEG PACKAGING AND PRINTING	
72 NO VALUE	VACANT	SAN DIEGO	CA		436-660-19-00	CITY OF SAN DIEGO	
73 NO VALUE	VACANT	SAN DIEGO	CA		436-660-20-00 436-660-25-00	CITY OF SAN DIEGO	
74 INDUSTRIAL	5265 LOVELOCK ST	SAN DIEGO	CA			BARRIOS DISTRIBUTING	

ATTACHMENT 6

75	INDUSTRIAL	5280 ANNA AVE	SAN DIEGO	CA	92110	436-660-26-00	SUPER SECRET LAIR LLC	
76	NO VALUE		SAN DIEGO	CA	92110	436-660-33-00	CITY OF SAN DIEGO	
77	NO VALUE		SAN DIEGO	CA	92110	436-660-42-00	SAN DIEGO METROPOLITAN TRANSIT DEVELOPMENT BOARD	
78	NO VALUE	FRIARS RD	SAN DIEGO	CA	92110	436-660-46-00	CITY OF SAN DIEGO	
79	NO VALUE	FRIARS RD	SAN DIEGO	CA	92110	436-660-48-00	SAN DIEGO METROPOLITAN TRANSIT DEVELOPMENT BOARD	
80	INDUSTRIAL	5216 ANNA AVE	SAN DIEGO	CA	92110	436-660-50-00	ANNA AVENUE ASSOCIATES L L C	
81	NO VALUE	FRIARS RD	SAN DIEGO	CA	92110	436-660-51-00	CITY OF SAN DIEGO	
82	NO VALUE	FRIARS RD	SAN DIEGO	CA	92110	436-660-52-00	CITY OF SAN DIEGO	
83	NO VALUE	FRIARS RD	SAN DIEGO	CA	92110	436-660-53-00	SAN DIEGO ASSN OF GOVERNMENTS	
84	NO VALUE	4902 PACIFIC HWY	SAN DIEGO	CA	92110	436-740-01-00	645 SQUAD CLUB	
85	INDUSTRIAL	4850 PACIFIC HWY	SAN DIEGO	CA	92110	436-740-02-00	SCHUFF INTERNATIONAL INC	
86	NO VALUE	ANNA AVE	SAN DIEGO	CA	92110	760-216-90-00	NORTH COUNTY TRANSIT DISTRICT	
87	INDUSTRIAL	4835 PACIFIC HWY	SAN DIEGO	CA	92110	760-245-31-00	CONRAD PREBYS	



13520 Scarsdale Way San Diego, CA 92128 www.titleprois.com

CERTIFICATION

I SEAN WILSON/ TITLE PRO INFORMATION SYSTEMS HEREBY CERTIFY THAT THE ATTACHED LIST CONTAINS THE NAMES, ADDRESSES AND PARCEL NUMBERS OF ALL PERSONS TO WHOM ALL PROPERTY IS ASSESSED AS THEY APPEAR ON THE LATEST AVAILABLE ASSESSMENT ROLL OF THE COUNTY WITHIN THE AREA DESCRIBED AND REQUESTED BY YOU THE CLIENT, THE REQUIRED RADIUS MEASURED FROM THE EXTERIOR BOUNDARIES OF THE PROPERTY REQUESTED AND DESCRIBED AS:

APN(S): 436-660-11 100FT & 1,000FT

PLAT DATE: 10/13/2022 COUNTY OF: SAN DIEGO CITY OF: SAN DIEGO

SEAN WILSON

TITLE PRO INFORMATION SYSTEMS

Sean Wilson

DATE:

10/13/2022

Phone: 760.295.3951 | Fax: 760.295.4038

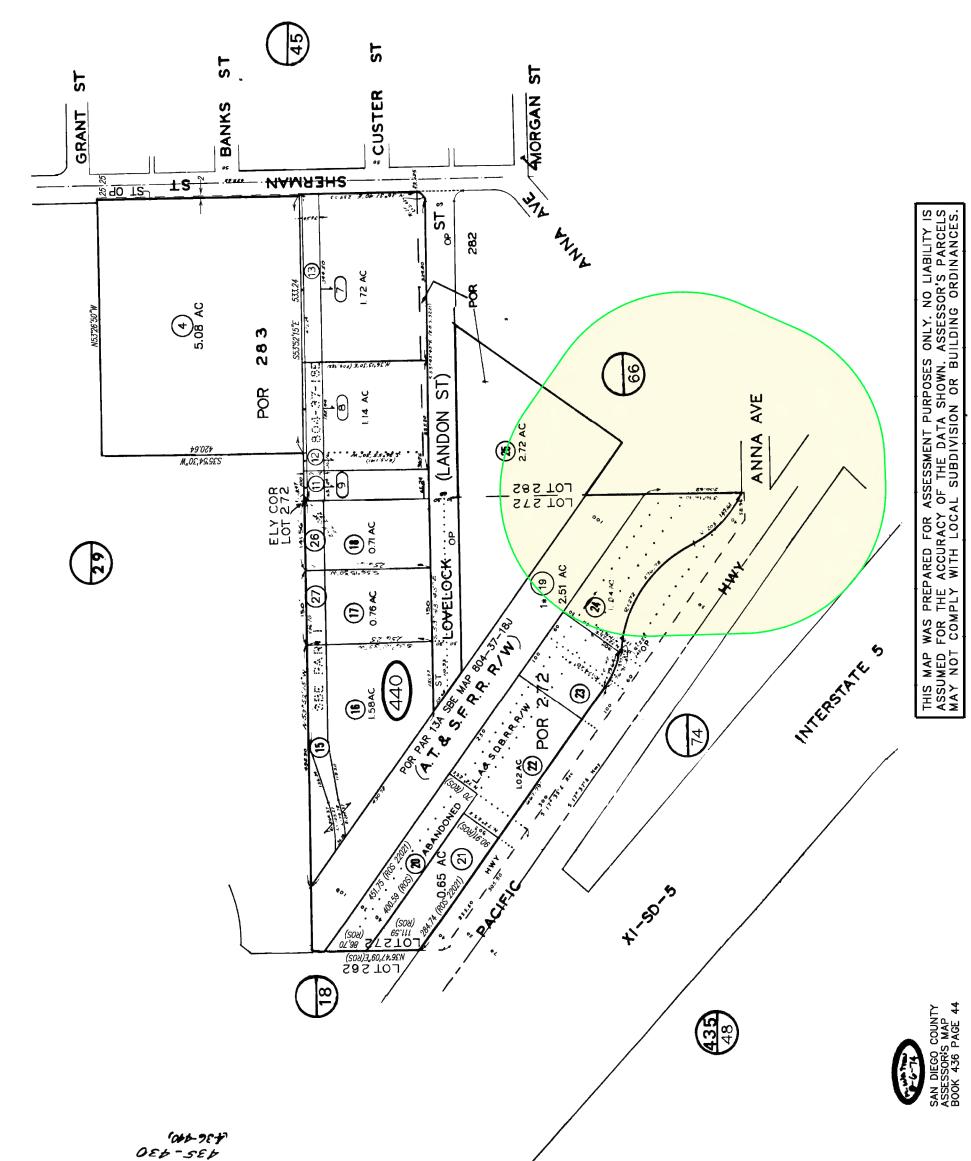
1000-FOOT VICINITY/AREA MAP



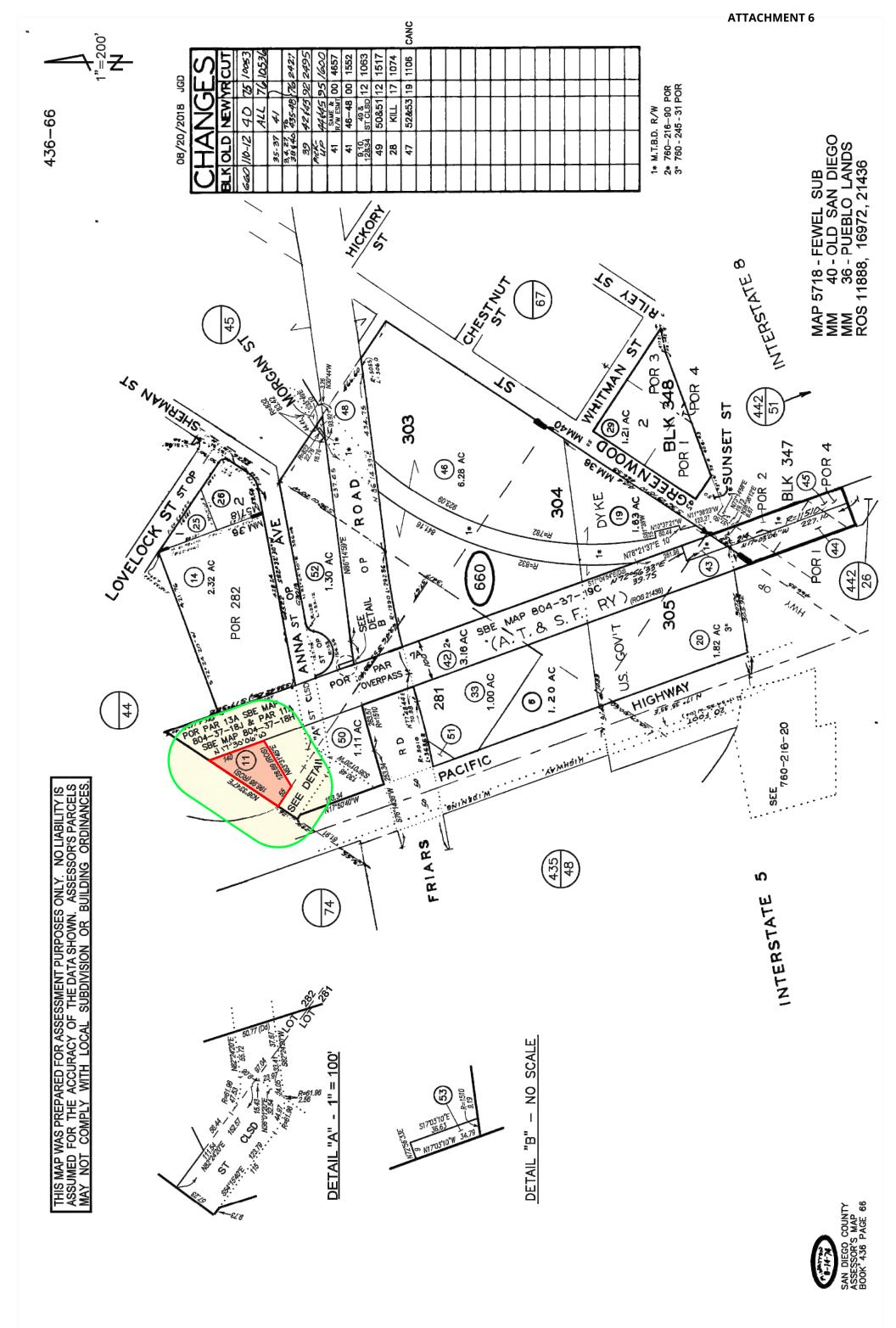


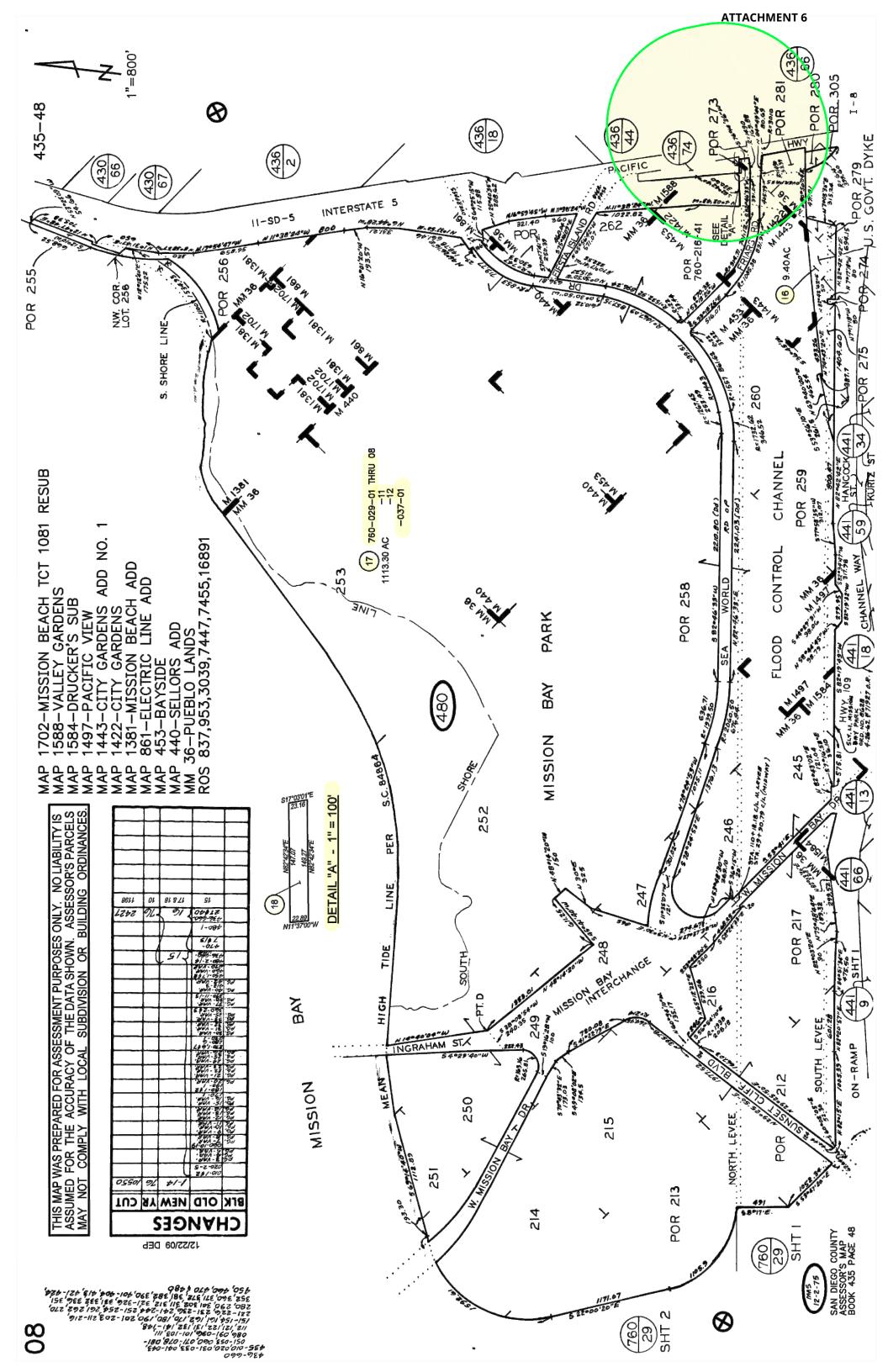
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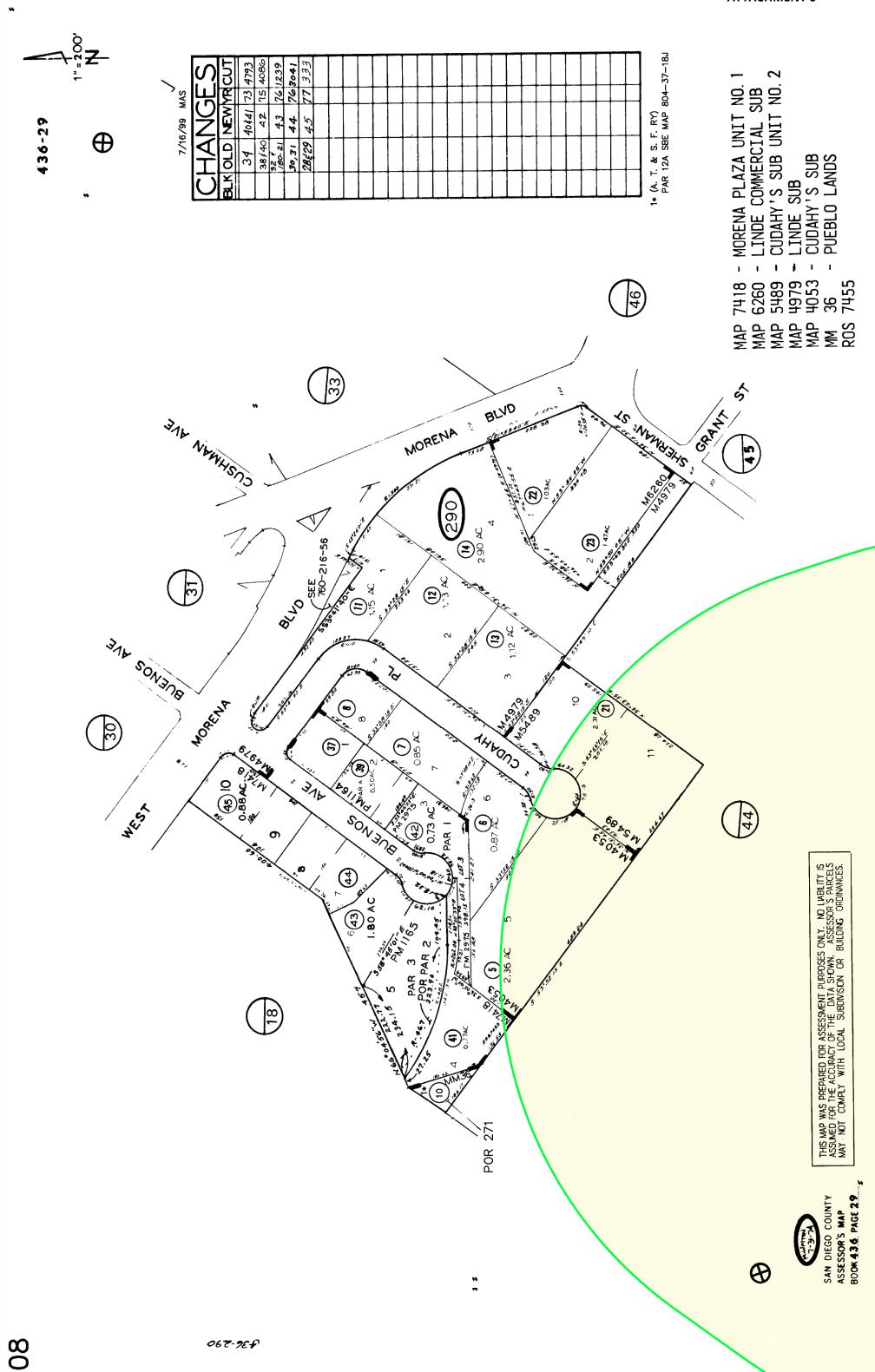
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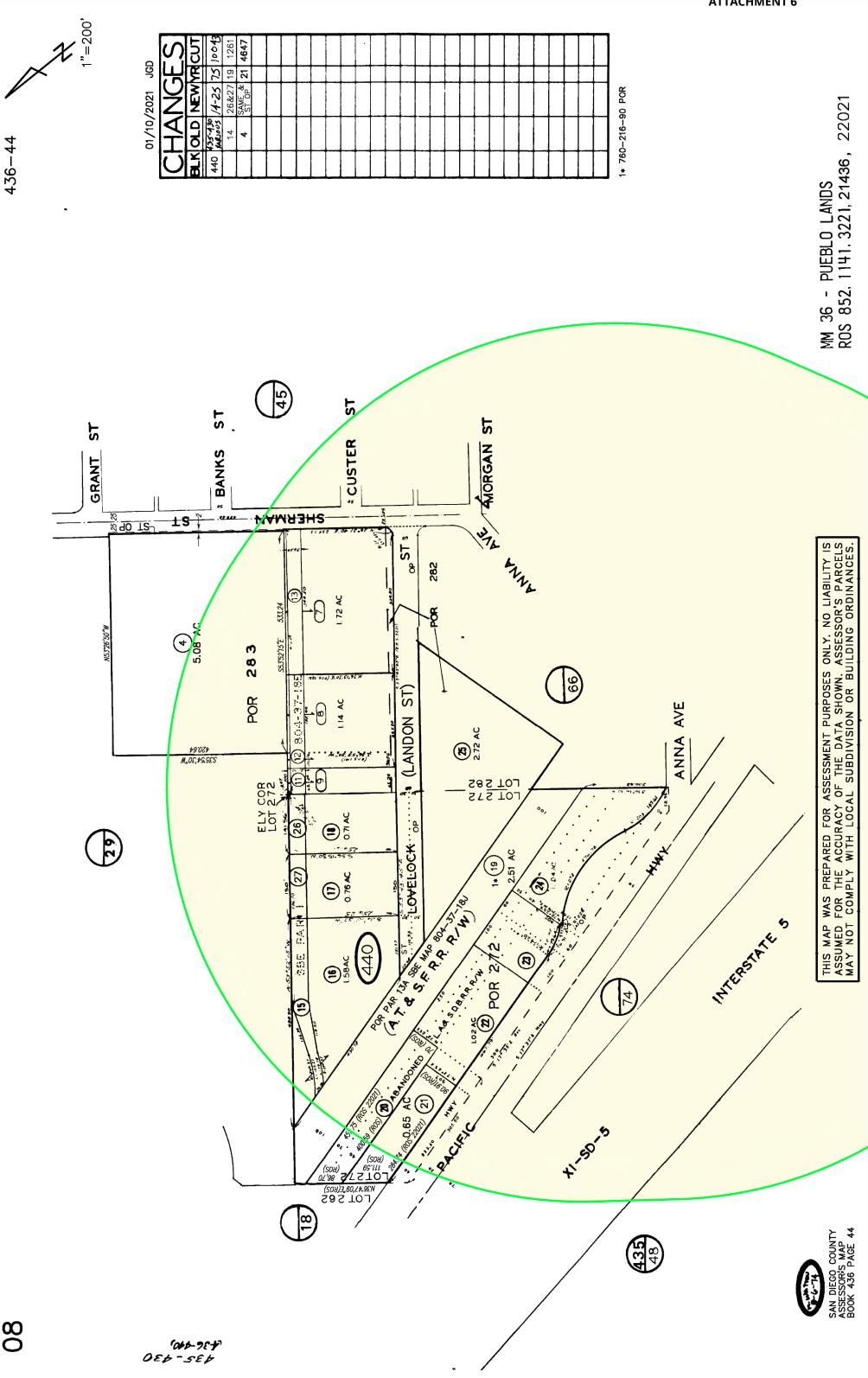


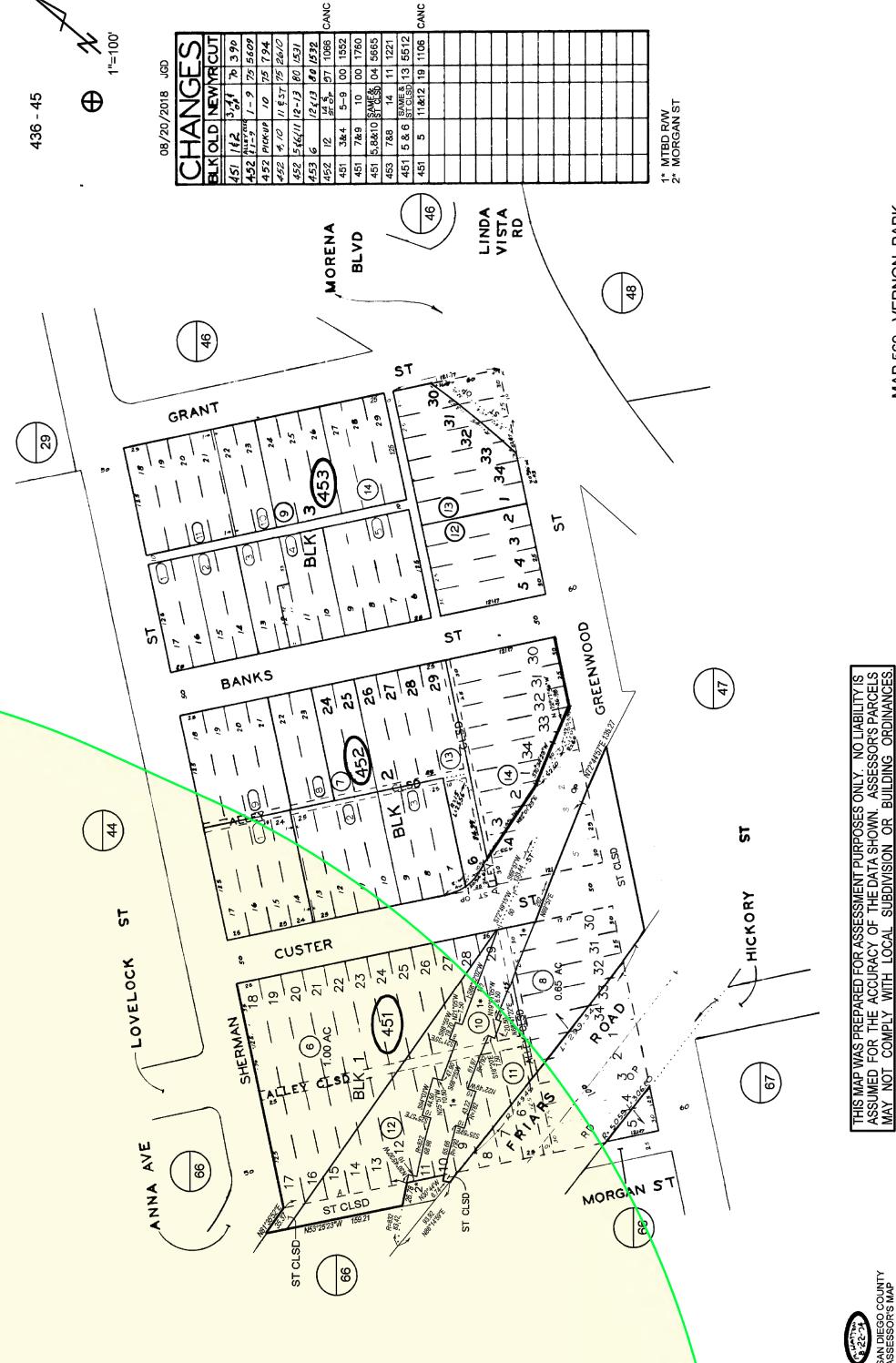
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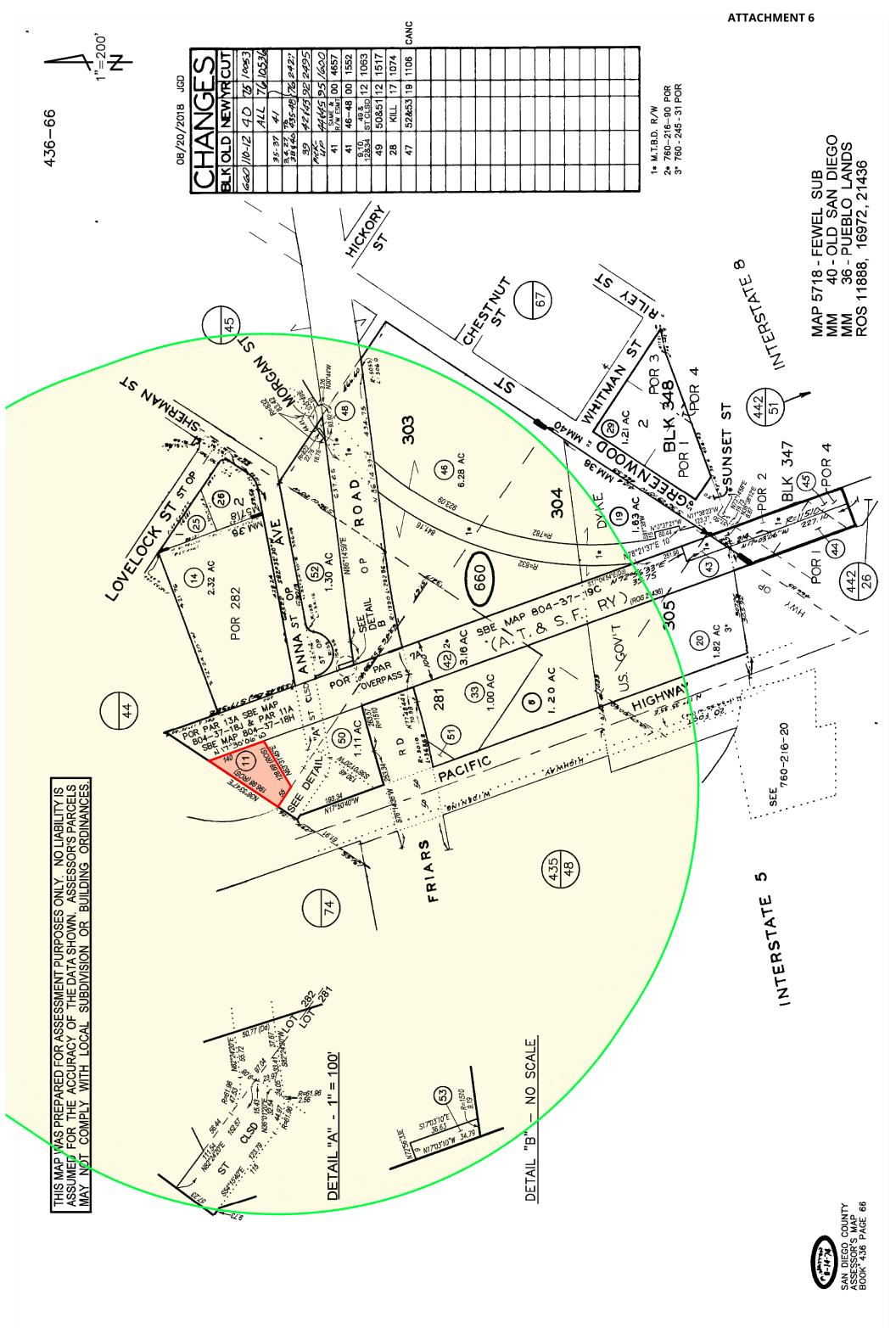


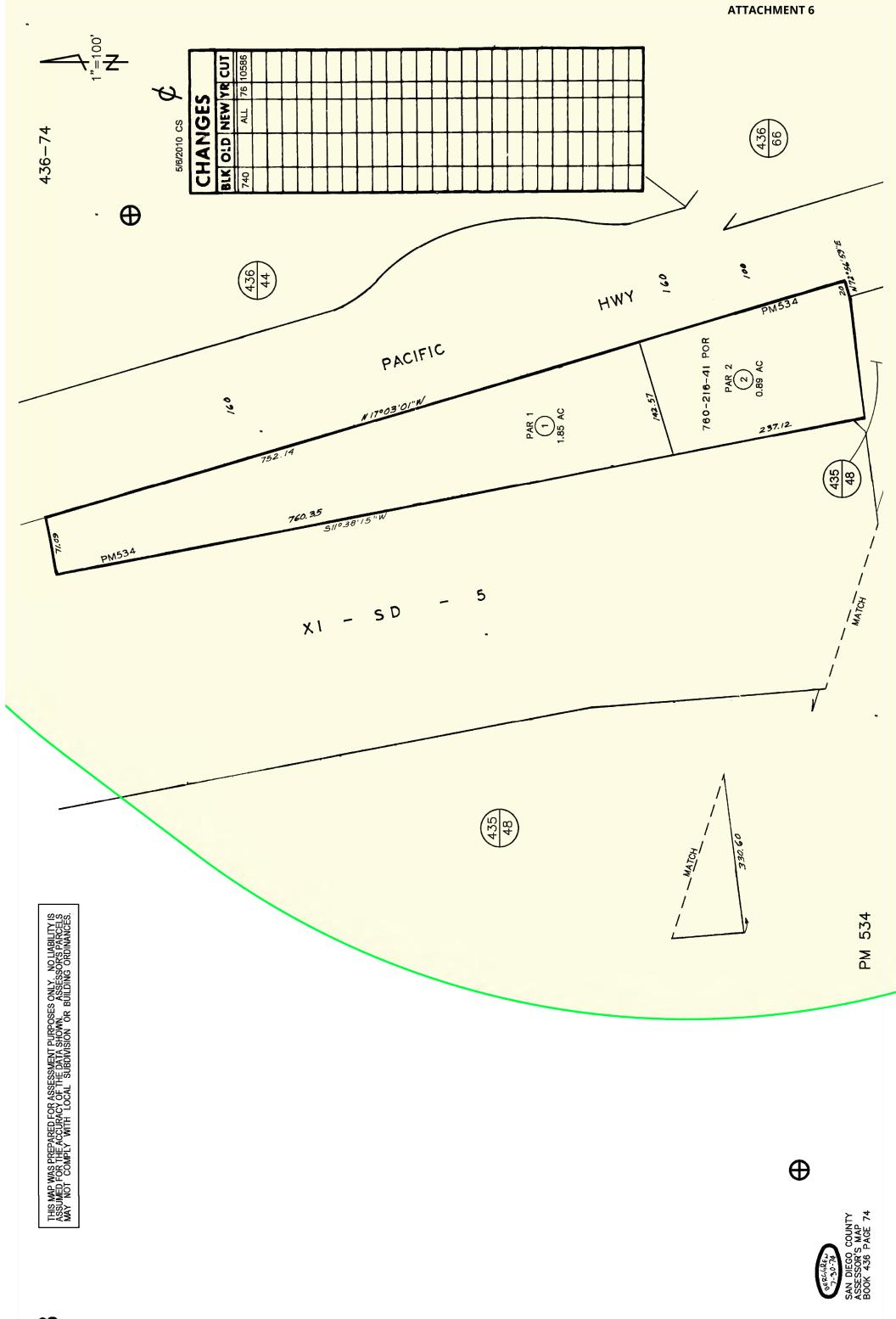






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08

432-410

LINDA VISTA PLANNING GROUP

Monday, January 23, 2023
6:30 pm -8:00 pm
Meeting Location for In-Person:
American Legion Post 731
7245 Linda Vista Rd, San Diego, CA 92111
Or Via Zoom

BOARD MEMBERS PRESENT: Howard Wayne (Interim Chair), Felicity Senoski (Interim Vice Chair), Lauree Camarato (Secretary), Victor Ochoa, Jennifer Carroll, Carol Baker, Ashley Martinez, Kim Heinle, Becky Hunt

BOARD MEMBERS ABSENT: Demi Brown, Keith Warner, Margarita Castro, Cynthia Dillon

(resigned)

QUORUM: was met

Community Members in Attendance: 22

- GENERAL MEETING MINUTES -

Call to Order: 6:30 pm by Howard Wayne (Interim Chair)

Pledge of Allegiance: led by Officer David Surwilo

Roll Call of Planning Group Members: Lauree Camarato

Approval of Draft Agenda: January 23, 2023

Motion by V. Ochoa and second by A. Martinez. Interim Chair deemed the agenda approved as presented, by all members present without objection.

Approval of November 28, 2022 Meeting Minutes

Motion by V. Ochoa to approve the November 28, 2022 general meeting minutes with minor edits submitted to the Secretary by F. Senoski. Second by A. Martinez. Minutes were approved by members present without objection.

Reports by Government Representatives

- Police Department: Officer David Surwilo
 - Shift changes and new rotations for the officers
 - Comments and questions from community members.
 - Email is dsurwilo@pd.sandiego.gov
- **Congress & State Legislature** (Senate/Assembly):
 - Congresswoman Sarah Jacobs Jawad Al Baghdadi, representative. (absent)
 - Senator Toni Atkins: Diana Lara, representative.
 - Email: diana.lara@sen.ca.gov
 - o Assemblymember Weber: Moana Cabiles, representative
 - Assemblymember Ward: Teannae Owens, representative
- County & City:
 - Mayor: Emily Piatanesi, representative.

- Email: <u>epiatanesi@sandiego.gov</u>
- o **City Attorney**: not present
- Supervisor Fletcher: Ana Laura Martinez, representative
 - Email: <u>AnaLaura.Martinez@sdcounty.ca.gov</u>
- City Council: Raul Campillo Miles Noel representative (absent)
- Kim Heinle shared a report from Miles Noel (Lauree note see email from Miles for details to add here)
 - Email <u>mnoel@sandiego.gov</u>.
- o Councilmember Campbell Carrie Munson, representative (absent)
- o **Planning Dept**: Linda Vista community planner. **Not** present.
- Development Services: Not present.
- University of San Diego (USD): Not present.
- **SANDAG:** not present

Public Non-Agenda Comments (2 minutes per person)

- Citizen expressed concern about Riverwalk construction being conducted at night and the noise and congestion. Interim Chair informed citizen that Riverwalk is an agenda item and will be addressed at that time.
- Kim Heinle Bayside will be sponsoring a Lunar New Year Celebration on Jan 26 with an open market from 2pm-7pm and entertainment from 5pm-6:30pm
- Citizen expressed concerns about paving the streets and how the city determines which streets are repaved.
- Felicity Senoski updates from the Captains Advisory Board (CAB). Officer Surwilo also shared.

Interim Chair's Report: Howard Wayne.

- Cynthia Dillon has resigned, and her position is now vacant.
- Interim Chair declared vacancy for the position held by Dorothy Perez. Secretary will send official notification to Dorothy advise she will need to apply for this position and attend March LVPG meeting to be voted as a board member.

Secretary's Report: Lauree Camarato. No report.

Information Items:

- Update from LVPG Elections Committee Jennifer Carrol provided an update on the upcoming elections. Members will be staggered terms of one year or two year. Elections that will be held at the March 27, 2023 meeting. All planning group members are subject to re-election and must reapply and must be received by February 27, 2023 meeting.
- Taco Truck on Friars Road Felicity Senoski shared an overview of the taco truck situation and concerns regarding obstruction of the public right away, trespassing and zoning/code violations. Raul Escobar, Kiko's taco truck owner, shared an overview of his business and family history. Officer Surwilo shared information on zoning and codes for food trucks and enforcement of trespassing on private property and noted the zoning

- department is currently investigating the complaints and associated zoning violations. Community members online submitted questions and comments in the chat. Community members attending in person shared comments and concerns about the location and issues with public health and safety, trash, loud music, excess traffic, overwhelming smell and trespassing. Raul Escobar thanked the community members for their concern and suggestions.
- 3. DIF Spending Priorities Jennifer Carroll shared an overview of the priority list and one item has been completed. Linda Vista has \$1.4 M in DIF funds designated for the community. DIF fees are generated by developers and the city has changed how funds are designated (placed in a general fund instead of specific community fund).

Action Items:

- 1. 1502 Via Las Cumbres, AT&T Wireless Installation (PRJ-1066122/CAL02088) Ashley Martinez, chair of the Zoning & Land Use committee shared the committee met and approve three projects to move forward to LVPG. Michele Vernotico presented an overview of the proposed AT&T wireless upgrade project.

 Motion by Zoning & Land Use Committee to recommend approval of the AT&T Wireless Installation located at 1502 Via Las Cumbres. Discussion and questions from the planning board members followed. Motion carried by a hand vote of members present with 8-0-0 result. Interim chair did not vote.
- 2. 5220 Anna Avenue Cannabis Outlet (PRJ-1074123) The applicant presented an overview of the proposed project.
 Motion by K. Heinle to approve of the Conditional Use Permit for the cannibis outlet as presented. Second by J. Carroll. Discussion and questions from the planning board members followed. Motion carried by a hand vote of members present with 7-0-2 result. B. Hunt abstained and interim chair did not vote.
- 3. **4909 Pacific Highway Cannabis Outlet (PRJ107059)** Abhay Schweitzer presented an overview of the proposed project.

 Motion by V. Ochoa to approve the project as presented. Second by C. Baker. Discussion and questions from the planning board members followed. Motion carried by a hand vote of members present with 7-0-2 result. B. Hunt abstained and Interim chair did not vote.

Committee Reports & Updates

- 1. Landscape Maintenance Assessment District (MAD) V. Ochoa. Continuing to monitor the landscape project. Chair received a question from a community member regarding the maintenance of a median by Navy housing. Rotary San Diego Downtown Breakfast committee and board approved for \$1800 to increase trees in the community.
- 2. Morena Corridor Specific Plan (ad hoc) H. Wayne. No report.
- 3. **Riverwalk Development** (ad hoc) F. Senoski. SDG&E conducting nighttime construction to relocate utilities and will be conducted in three phases and should conclude in about three months.
- 4. **Traffic & Transportation** K. Heinle will chair this committee in the interim.
- 5. **Zoning and Land Use** A. Martinez. Meeting in Feb to hear third cannabis project.

- 6. **Affordable Housing Task Force** (ad hoc) K. Heinle. Meeting with Community Planners was successful and no meeting over the holidays. Next meeting in February.
- 7. **Community Improvements** Jennifer Carroll. Attended presentation regarding the library master plan. Community members can take an online survey.

Representative Committees:

- 1. **Community Planners Committee** H. Wayne. Next meeting is Jan 24.
- 2. **Linda Vista Collaborative** K. Heinle. Next meeting is Feb 15 on decarbonization.
- 3. Mission Bay Park No representative.
- 4. **Tecolote Canyon Advisory Committee** No representative.
- 5. Linda Vista Recreation Advisory Council No representative.
- 6. **Linda Vista Town Council** B. Hunt. First meeting of the new board, open invitation for community members to join sub-committees.
- 7. **Skate World Ad Hoc** B. Hunt. Fundraiser on Jan 28 from 4-9pm. Full report at Feb meeting.

Items for February 27, 2023 meeting:

• Submit items to Interim Chair

Adjournment: Interim Chair adjourned the meeting at 9:08 pm

Respectfully submitted by: Lauree Camarato Secretary Linda Vista Planning Group



City of San Diego Development Services 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000

Ownership Disclosure Statement

FORM

DS-318

October 2017

Approval Type: Check appropriate box for type of a ☐ Neighborhood Development Permit ☐ Site Dev ☐ Tentative Map ☐ Vesting Tentative Map ☐ Map	elopment Permit 🛭 Planned Developm	ent Permit 🛚	Conditional Use Personal	
Project Title: _5220 Anna		Project No	o. For City Use Only	:
Project Address: 5220 Anna Avenue, San Diego, CA 92110				
Specify Form of Ownership/Legal Status (please	e check):			
☐ Corporation ☐ Limited Liability -or- ☐ General	- What State?Corporate	Identificatio	n No	
🗖 Partnership 🕱 Individual				
By signing the Ownership Disclosure Statement, to with the City of San Diego on the subject proper owner(s), applicant(s), and other financially intereindividual, firm, co-partnership, joint venture, assewith a financial interest in the application. If the individuals owning more than 10% of the shares. Officers. (A separate page may be attached if neceing person serving as an officer or director of A signature is required of at least one of the proposition of the Project Manager of any changes in ownership are to be given to the Project Manager accurate and current ownership information could	rty with the intent to record an encum sted persons of the above referenced pociation, social club, fraternal organizat applicant includes a corporation or par If a publicly-owned corporation, includes a nonprofit orgensary.) If any person is a nonprofit orgensary owners. Attach additional pages ownership during the time the applicar at least thirty days prior to any public	abrance again property. A tion, corporation, in the remainder the name ranization or stee or beness if needed. Ition is being hearing on	nst the property. P financially interested ition, estate, trust, r clude the names, tit s, titles, and address a trust, list the name ficiary of the nonp Note: The applicar g processed or cons	lease list below the diparty includes any eceiver or syndicate les, addresses of all ses of the corporate es and addresses of profit organization. It is responsible for idered. Changes in
Property Owner				
Name of Individual:Gafa Family Trust		Owner	☐ Tenant/Lessee	☐ Successor Agency
Street Address: 1220 Rosecrans Street, #554				
City: _ San Diego			State: CA	Zip:
Phone No.: 619-519-0446	Fax No.: N.A.	Email: Mike	@amgdemo.com	
Phone No.: 619-519-0446 Signature: Mile Gaya		Date:	/11/2022	
Additional pages Attached: Yes	⊠ No			_
Applicant				
Name of Individual: Handled Management	LLC	□ Owner	X Tenant/Lessee	☐ Successor Agency
Street Address: 3639 Midway Drive, B1				
City: San Diego		CA	State: 92110	Zip:
Phone No.: 619-405-0298	Fax No.:	Email: aa	ıronmagagna@g	
Signature:).14.2022	_
Additional pages Attached:	∑ (No			
Other Financially Interested Persons				
Name of Individual: N.A.		☐ Owner	☐ Tenant/Lessee	☐ Successor Agency
Street Address:				
City:			State:	Zip:
Phone No.:	Fax No.:	Email:		
Signature:				
Additional pages Attached:				



Date of Notice: January 18, 2023

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION DEVELOPMENT SERVICES DEPARTMENT

SAP No. 24009397

PROJECT NAME / NUMBER: 5220 Anna Ave Cannabis Outlet CUP / PRJ-1074123

COMMUNITY PLAN AREA: Linda Vista

COUNCIL DISTRICT: 2

LOCATION: 5220 Anna Ave, San Diego, CA 92110, within the City and County of San Diego

PROJECT DESCRIPTION: A CONDITIONAL USE PERMIT (CUP) to allow a 975 square-foot (sf) Cannabis Outlet within an existing commercial structure at 5220 Anna Street. The proposed project consists of interior tenant improvements and restriping to accommodate on-site parking spaces and an accessible path from the right-of-way into the site. The 0.33-acre project site is in the IL-3-1 Zone, Airport Land Use Compatibility Overlay Zone (NAS North Island and San Diego International Airport), Airport Influence Area (NAS North Island and San Diego International Airport Review Area 2), FAA Part 77 Notification Area, Coastal Overlay Zone (Non-Appealable Area 2), Parking Impact Overlay Zone (Campus Impact), Parking Standards Transit Priority Area, and Transit Priority Area within the Linda Vista Community Plan Area. LEGAL DESCRIPTION: MM 36 Block No Lot No Pl 282 Pueblo Lands of San Diego. MM 36 Block No Lot No Pl 272 Pueblo Lands of San Diego.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Hearing Officer

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15301 (Existing Facilities), Section 15332 (Infill Development Projects)

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The City of San Diego conducted an environmental review that determined the project would not have the potential to cause a significant effect on the environment. The project meets the criteria set forth in CEQA Section 15301 which consists of 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. The project is requesting the permitting of a cannabis outlet facility within an existing commercial structure. Therefore, this exemption was deemed appropriate. Additionally, the project would qualify to be categorically exempt from CEQA pursuant to CEQA Guidelines Section 15332, which consists of in-fill projects meeting the following conditions in this section.

Development is consistent with the applicable general plan designation and policies and with the applicable zoning designation and regulations; occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; has no value as habitat for endangered, rare or threatened species; would not result in any significant effects relating to traffic, noise, air quality, or water quality; and can be adequately served by all required utilities and public services. In addition, the exceptions listed in CEQA Section 15300.2 would not apply.

DEVELOPMENT PROJECT MANAGER:

Francisco Mendoza

MAILING ADDRESS:

1222 First Avenue, MS 501, San Diego, CA 92101-4153

PHONE NUMBER / EMAIL:

(619) 446-5292 / fjmendoza@sandiego.gov

On January 18, 2023, the City of San Diego 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 within 10 business days from the date of the posting of this Notice (February 1, 2023). Per the revised Public Notice issued by the Office of the City Clerk on September 28, 2021, appeals to the City Clerk must be filed via e-mail or in-person as follows:

 Appeals filed via E-mail: The Development Permit/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.

Send the completed appeal form (including grounds for appeal and supporting documentation in pdf format) by email to Hearings1@sandiego.gov by 5:00pm. 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.

 Appeals filed in person: The Development Permit/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.

The appeal application can also be obtained and filed in the Lobby of the City Administration Building located at 202 'C' Street, San Diego, CA 92101. The completed appeal package must include the required appeal fee in the form of a check or money order payable to the "City Treasurer." Please include the project number on the memo line of the check/money order.

This information will be made available in alternative formats upon request OSTED IN THE OFFICE OF DSD

Posted JAN 1 8 2023 M

Removed_FEB 0 1 2023

Posted by Myralel

Mobility Choices - VMT Reduction Measures

The project is located within the 2035 Transit Priority Area, which is within Mobility Zone 2. Per SDMC Section 143.1103(b)(1), development in Mobility Zone 2 shall include VMT reduction measures totaling at least 5 points. The 5 points minimum will be achieved with the following VMT Reduction Measures:

Bicycle Supportive Measures

Providing short-term bicycle parking spaces that are available to the public, at least 10% beyond minimum requirements. Minimum 2 required. 4 proposed.

> Unit = Each multiple of 10% beyond the minimum. Points per unit = 1.5. 4 spaces = 200% over 2 minimum, therefore $20 \times 1.5 = 30$ points

30 points

Other Measures

Providing carpool parking spaces 10% beyond the minimum number of carpool spaces required (for non-residential

> Unit = Each multiple of 10% beyond the minimum. Points per unit - 1.5. No spaces are required for this project. The project proposes 2. Assume 1 is baseline, 2 = 200% over minimum, therefore $20 \times 1.5 = 30$ points





11. Pedestrian Path Survey from Proposed Project to Mission Bay Park Scale: 1" = 200'-0"

- 1 Proposed development Project: 5220 Anna Ave.
- 2 Pedestrian path to Mission Bay Park Property Line: 1,682 ft.
- 3 Pedestrian path to Mission Bay Park Fenced Entry: 2,113 ft.

*Note: Drawing information based and recommended pedestrian path of travel based upon Google Maps and in-person site visit. It should be noted that there is no dedicated sidewalk available from 5220 Anna Avenue on to Pacific Highway towards Mission Bay Park. There is only a dedicated bike lane in which pedestrian's would have to walk.

Cannabis Outlet Notes

- Cannabis outlets that are consistent with the requirements for retailer or dispensary license requirements in the California Business and Professions Code may be permitted with a Conditional Use Permit decided in accordance with Process Three in the zones indicated with a "C" in the Use Regulations Tables in Chapter 12, Article (Base Zones), provided that no more than four cannabis outlets are permitted in each City Council District. Cannabis outlets are subject to the following regulations. (Per SDMC 42.1504)
- Cannabis outlets shall maintain the following minimum separation:
 - 1) 1,000 feet from resource and population-based city parks, other cannabis outlets, churches, child care centers, playgrounds, libraries owned and operated by the City of San Diego, minor-oriented facilities, residential care facilities, and schools. For purposes of this section, school means any public or private institution of learning providing instruction in kindergarten or grades 1 to 12, inclusive, but does not include any private school in which education is primarily conducted in private homes. The distance shall be measured between the property lines, in accordance with Section 113.0225. (Per SDMC 42.1504.a.1) 2) 100 feet from the property line of a residentially zoned lot or premises. The distance shall be measured horizontally in a straight line between the two closest points of the property lines without regard to topography or structures that would interfere with a straight-line measurement. (Per SDMC 42.1504.a.2)
- Lighting shall be provided to illuminate the interior, facade, and the immediate surrounding area of the cannabis outlet, including any accessory uses, parking lots, and adjoining sidewalks. Lighting shall be hooded or oriented to deflect light away from adjacent properties. (Per SDMC 141.0504.b.)
- Security shall be provided at the cannabis outlet which shall include operable cameras, alarms, and a security guard. The security guard shall be licensed by the State of California and be present on the premises during business hours. The security guard shall only be engaged in activities related to providing security for the facility, except on an incidental basis. (Per SDMC 141.0504.c.)
- 5. Primary signs shall be posted on the outside of the cannabis outlet and shall only contain the name of the business, which shall contain only alphabetic characters, and shall be limited to two colors. Secondary signs advertising cannabis, window signs and any display visible from the public right-of-way are not permitted. (Per SDMC 141.0504.d.)
- The name and emergency contact phone number of the designated responsible managing operator shall be posted in a location visible from outside the cannabis outlet in character size at least two inches in height. (Per SDMC 141.0504.e.)
- 7. The cannabis outlet shall operate only between the hours of 7:00 a.m. and 9:00 p.m., seven days a week. (Per SDMC 141.0504.f.)
- The use of vending machines which allow access to cannabis and cannabis products except by a responsible person, as defined in San Diego Municipal Code Section which allows access to cannabis and cannabis products without a human
- 10. A Conditional Use Permit for a cannabis outlet shall expire no later than five (5) years
- 11. Deliveries shall be permitted as an accessory use only from cannabis outlets with a valid Conditional Use Permit unless otherwise allowed pursuant to state law. (Per
- cannabis outlet, shall be maintained free of litter and graffiti at all times. (Per SDMC
- be removed from the premises within 24 hours. (Per SDMC 141.0504.l.)
- 14. Consultations by medical professionals shall not be a permitted accessory use at a cannabis outlet. (Per SDMC 141.0504.m.)

Professional Certification Statement

- 1. I am accountable for knowing and complying with the governing policies, regulations and submittal requirements applicable to this proposed
- 2. I have performed reasonable research to determine that required approvals and decision process for the proposed project, and that failure to accurately identify
- 4. Submitting incomplete documents and plans on a consistent basis may result in the denial of future submittals by certification for Development Permit
- 6. This submittal package meets all of the minimum submittal requirements contained in Land Development Manual, Volume 1, Chapter 4, and/or Section 6 for Rezones.

Project Process Level (2-5): 3 Project Approval(s) Needed: CUP (CO) Responsible Certified Professional Name: Kristine M. Byers

Development Summary		
Scope of Work Narrative:	This project is an application for a Process 3 Conditional Use Permit (CUP) for a Cannabis Outlet (CO). The CO is a proposed interior tenant improvement within an existing building on a	

Architect:

436-660-11-00

pre-developed site. A. Proposed new work would include lighting, security cameras and system, millwork, finishes throughout, non-load bearing partitions and associated mechanical, electrical and plumbing

The site paving would be re-striped to provide for on-site parking and an ADA parking

There are previously approved discretionary permits for a Verizon Cell Phone project associated with this site. It will remain and is not part of this CUP Application. (Planned Development Permit No. 931688 and Coastal Development Permit No. 931686.)

619.599.5984

Kristi Byers, Architect A.P.C.

2801 B Street, # 161 (Point-of-Contact) San Diego, CA 92102 Contact: Kristi Byers, AIA LEED AP BD&C kb@kristibyersaia.com

MM 36 BLOCK NO LOT NO PL 282 PUEBLO LANDS OF SAN DIEGO. MM36 BLOCK NO LOT Legal Description: NO PL 272 PUEBLO LANDS OF SAN DIEGO.

Property Owner Information: Gafa Family Trust 1220 Rosecrans Street, #554 San Diego, CA 92106 Contact: Mike Gafa 619.519.0446

Project Team:

APN:

Gross Site Area:

Building Floor Area:

Sheet Index: Development Summary, Vicinity Map, & Outlet Notes A1.00 Site Plan & Parking Calculations A2.00 Proposed Floor Plans, Lighting & Security Plans A3.00 Existing Exterior Elevation Imagery

Proposed: M, Mercantile

III-B, non-sprinklered Type of Construction:

- 42.1502, is prohibited. For purposes of this Section, a vending machine is any device intermediary. (Per SDMC Section 141.0504.g.)
- 9. A permit shall be obtained as required pursuant to Chapter 4, Article 2, Division 15. (Per SDMC 141.0504.h.)
- from the date of issuance. (Per SDMC 141.0504.i.)
- 12. The cannabis outlet, adjacent public sidewalks, and areas under the control of the
- 13. The cannabis outlet shall provide daily removal of trash, litter, and debris. Graffiti shall

I hereby acknowledge and certify that:

- an approval or decision process could significantly delay the permitting process or result in a change in fee/deposit requirements.
- 3. Certifying submittals for Development Permit Completeness Review is a privilege and requires accurate submittals on a consistent basis.
- Completeness Review.
- 5. If required documents or plan content is missing, project review will be delayed.

For the proposed project, I have determined the appropriate process and approval types to be as follows:

Date: October 14, 2022

Occupancy Classification: Existing: S-2, Low-Hazard Storage with Accessory Office

IL-3-1 Zoning & Overlays: Base Zone: Overlay Zones: Airport Land Use Compatibility Overlay Zone (ALUCOZ) NAS North Island San Diego International Airport Coastal Overlay Zone (COZ)

N-APP-2 Parking Impact Overlay Zone (PIOZ) PIOZ-COASTAL-IMPACT PIOZ-CAMPUS-IMPACT Parking Standards Transit Priority Area (PSTPA)

Transit Priority Area (TPA) Affordable Housing Parking Demand - High ALUCP Airport Influence Area (AIA) San Diego International Airport - Review Area 2 NAS North Island - Review Area 2

14,315 SF (+/-) 975 SF (Proposed CO Project Area) 384 SF (Existing Adjacent Tenant Mezzanine. Not part of this project.) 3,275 SF (Adjacent Distribution & Storage Use with Accessory Office. Not part of this project.)

986 SF (Portion of building proposed for parking spaces.) 5,620 SF (To remain unchanged. No square footage to be added) Commercial Services, Building Services Existing & Proposed Use: Proposed: Separately Regulated Retail Sales Uses, Cannabis Outlet

1990 Year Constructed: 340 SF (+/-) Landscape Area:

Project Address: 5220 Anna Avenue, San Diego, CA 92110 Proposed Building Height: Top of Building Parapet:

24.23' (Existing to remain unchanged) 31.23' (Existing to remain unchanged) Top of Verizon Antenna Screen:

Geologic Hazard: Historic District: Historic: Designated Historic:

FAA Notification (Part 77): Yes Applicable Building Codes: City of San Diego Municipal Code

> 2019 California Building Code 2019 California Green Building Code 2019 California Plumbing Code 2019 California Mechanical Code

2019 California Energy Code 2019 California Fire Code

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Development Summary, Vicinity Map & Outlet Notes

(1 of 4)





ATTACHMENT 10

Site Plan General Notes

- A. There are no known easements for this site.
- B. See A1.10 Parking Plans & Parking Calculations for additional information.
- C. No transit stops are within 0.5 miles of the property.
- D. Plans are based upon information received from landlord, the County of San Diego Assessor's office, previously City of San Diego approved project plans and limited

on-site measurements. All dimensions and building conditions to be field verified.

Site Plan Keynotes: (#)

- Property line.
- 2. Minimum front setback. 3. Standard front setback.
- 4. Minimum side setback.
- 5. Minimum rear setback. Per SDMC 131.0643 (d) Rear Setback in IL Zones. In the IL zones, no rear setback is required for up to 50 percent of the width of the building envelop provided the remainer of the building envelope observes at least the standard rear setback as shown in SDMC Diagram 131-06B. 6. New landscape.
- 7. Building address numbers, visible and legible from Anna Avenue per FHPS Policy P-00-6
- 8. Equipment enclosure for adjacent tenant. Not part of this project.
- 9. Proposed main entry to Cannabis Outlet.
- 10. Fire hydrant located 58'-0" (+/-) to the northwest of the property.
 11. Proposed 8'-0" x 21'-0" parallel parking space.
- 12. Proposed drive aisle.
- 13. Proposed 24'-0" driveway to meet the requirements of City of San Diego Standard Drawings SDC-163 and SDC-164. 14. Accessible van parking space to be located within existing building vehicular bay per CBC
- 15. Accessible path-of-travel from accessible van space to CO Main Entry door.
- 16. Standard parking space to be located within existing building per CBC 2019 11B-502.
- 17. Existing concrete curb to remain.
- 18. Distance from property line to centerline of street 23'-0".
- 19. Existing single story building with mezzanine to remain.
- 20. New accessible path-of-travel from right-of-way to CO Main Entry. 21. Building electrical room. Not part of this project.
- 22. Adjacent property. Not part of this project.
- 23. Proposed 3'-0" x 8'-0" Motorcycle parking space.
- 24. Short term bicycle racks. (4 spaces total)
- 25. Bollards.
- 26. Visibility area at the intersection of a street and driveway. No objects higher than 24 inches will be proposed in the visibility area.
- 27. Hatched area represents proposed area of right-of-way dedication for the creation of a 10'-0" parkway with contiguous sidewalk.
- 28. Future proposed cul-de-sac.
- 29. Proposed trash and recycling enclosure within existing building footprint.
- 30. Relocated utility pole. Final location to be confirmed with utility provider.
- 31. Future right-of-way line after dedication.
- 32. Existing right-of-way line.

Vicinity Map & Transit Stops

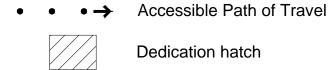
Scale: Not to scale

from 5220 Anna Avenue at the Old Town Transit Station.

- 1 5220 Anna Ave: Project Site.
- 2 Old Town Transit Station: Trolley, Coaster, and Bus Stops.

Legend:

Fire Hydrant International Symbol of Accessibility



Visibility triangle hatch

Accessible Entrance

ATTACHMENT 10

Architect Sustainability **ers** Design

 \Box

Kristi

Project:

Drawing Preparation and Revision Dates

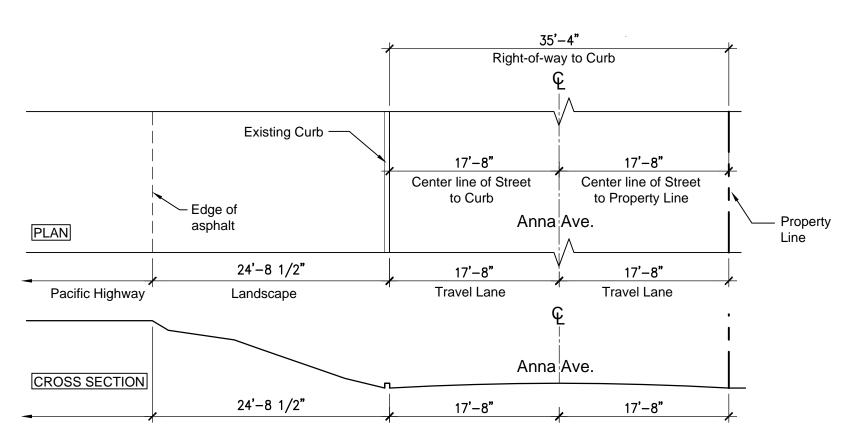
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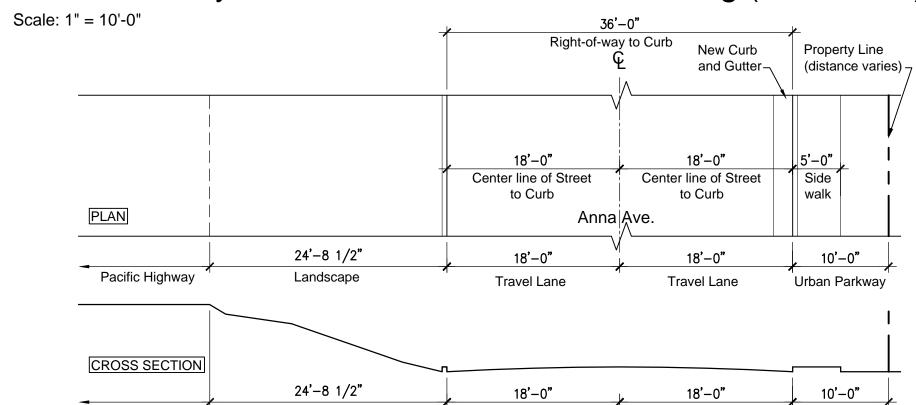
Drawing Name:

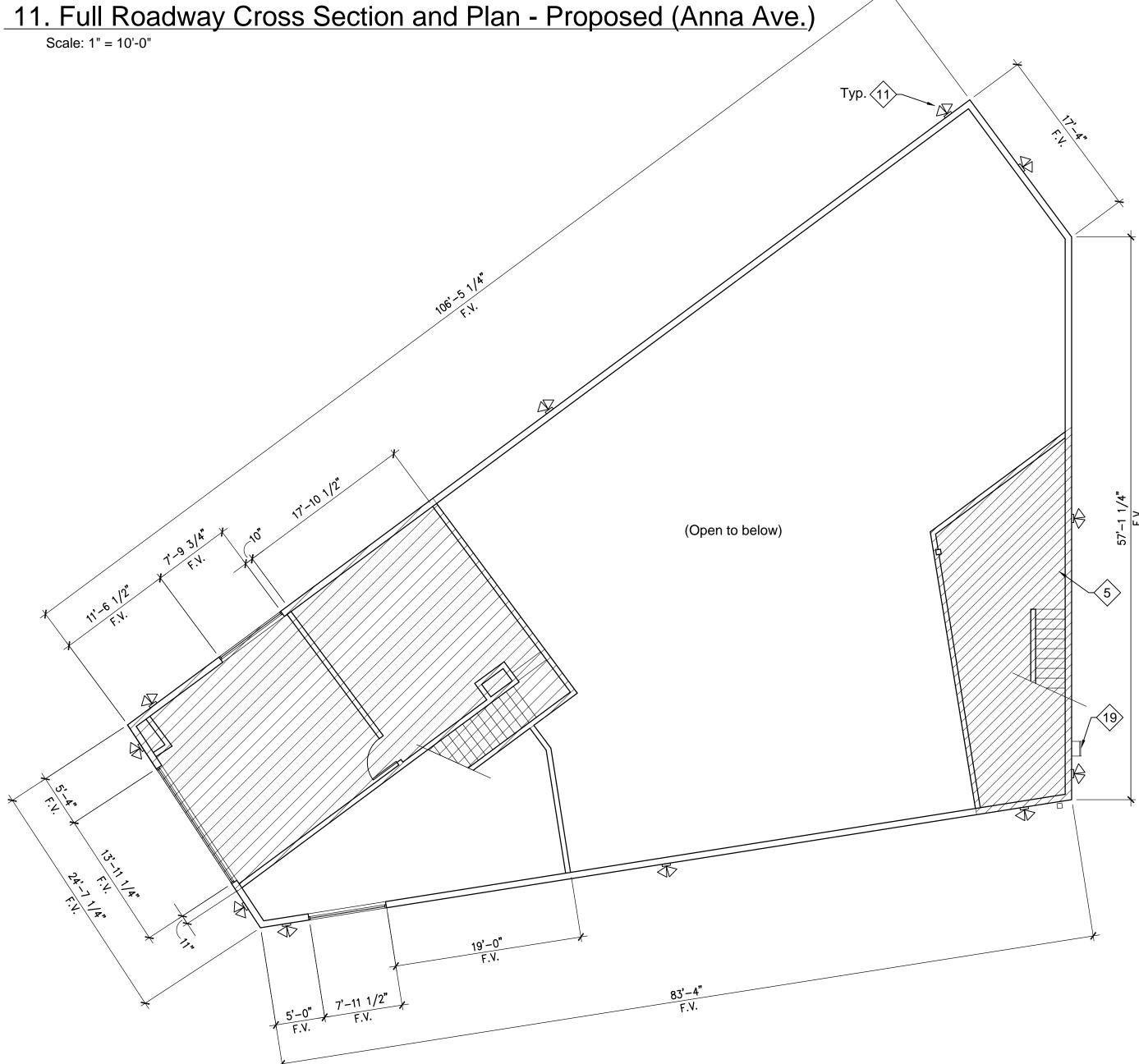
Proposed Site Plan

A1.00



12. Full Roadway Cross Section and Plan - Existing (Anna Ave.)

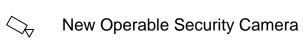




10. Mezzanine Floor Plan with Security Scale: 1/8" = 1'-0"

Legend:

Existing Adjacent Suite. Not Part of This Project



New Security Lighting

Floor Plan General Notes

A. See A1.00 Site Plan for additional information.

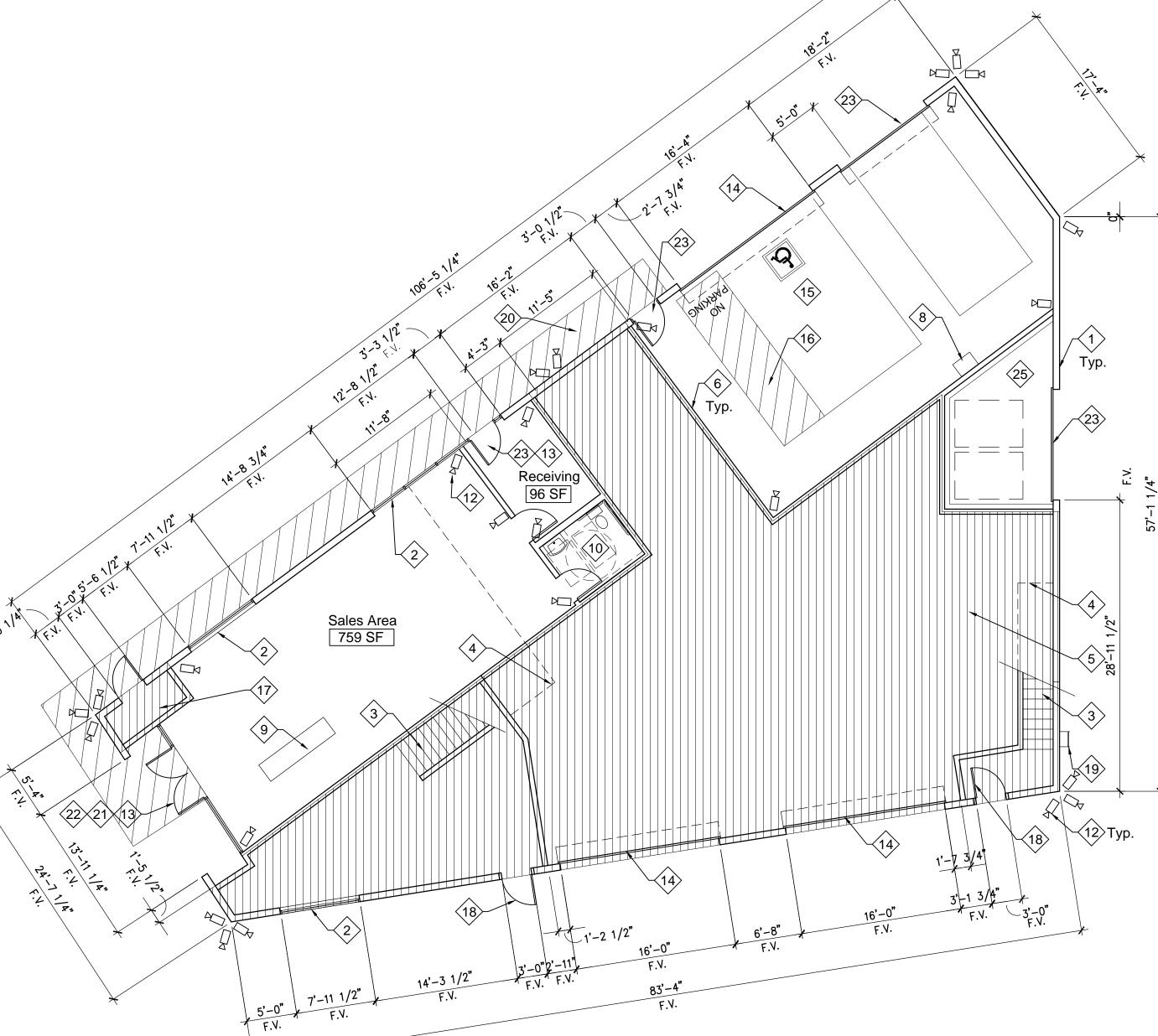
Plans are based upon information received from landlord, the County of San Diego Assessor's office, previously City of San Diego approved project plans and limited on-site measurements. All dimensions and building conditions to be field verified.

Floor Plan Keynotes:



- 1. Existing exterior concrete masonry unit (CMU) wall to remain.
- 2. Existing exterior storefront glazing system to remain.
- 3. Existing interior stair to remain.
- 4. Dashed line represents line of mezzanine level above.
- 5. Separate tenant. Not part of this project.
- 6. New interior non-bearing partition. 7. New interior door.
- 8. Electric Vehicle Charging Station to serve ADA parking space.
- 9. New millwork. Check-in counter.
- 10. New accessible restroom.
- 11. New security lighting to illuminate the immediate surrounding area of the facility, including parking lots and adjoining sidewalks. Lighting shall be hooded or oriented so as to deflect light away from adjacent properties. (Per City of San Diego Municipal Code Section 141.1004.c.)
- 12. New security camera.
- 13. Commercial-grade, nonresidential door locks at all limited access areas and on all points of entry and exit to the licensed premises.
- 14. Existing vehicular roll-up door to remain.
- 15. Accessible van parking space (inside existing building garage bay).
- 16. Accessible aisle.
- 17. Existing building electrical room to remain. Not part of this project.
- 18. Existing exterior door to remain.
- 19. Existing roof ladder to remain.
- 20. Accessible path-of-travel from ADA van parking space to Cannabis Outlet main entry
- 21. Main Entry door to Cannabis Outlet.
- 22. Accessible entrance.
- 23. New exterior door.

24. Parking space (inside the existing building garage bay). 25. Proposed trash and recycling enclosure within the existing building.



4. Level 1 Floor Plan with Security

Scale: 1/8" = 1'-0"

ATTACHMENT 10

Architect Sustainability

GrS Design



Project:

Proposed Floor Plans with Security

A2.00

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31.23'
T.O. Equip. Screen T.O. Equip. Screen 24.23' T.O. Parapet 24.23' T.O. Parapet 0'-0" F.F. Ground Flr Lvl F.F. Ground Fir Lvi

Exterior Elevation General Notes:

A. See A1.00 Site Plan for additional information.
B. Plans are based upon information received from landlord, the County of San Diego Assessor's office, previously City of San Diego approved project plans and limited on-site measurements. All dimensions and building conditions to be field verified.

Exterior Elevation Keynotes: (#)

Existing door to separate tenant to remain.
 New exterior storefront system door. Match existing adjacent system profile.

New exterior storemont system door. Material
 Existing door to remain.
 Existing window opening to remain.
 Existing vehicular roll-up door to remain.
 New exterior door and frame.

7. Existing equipment screening to remain.

ATTACHMENT 10

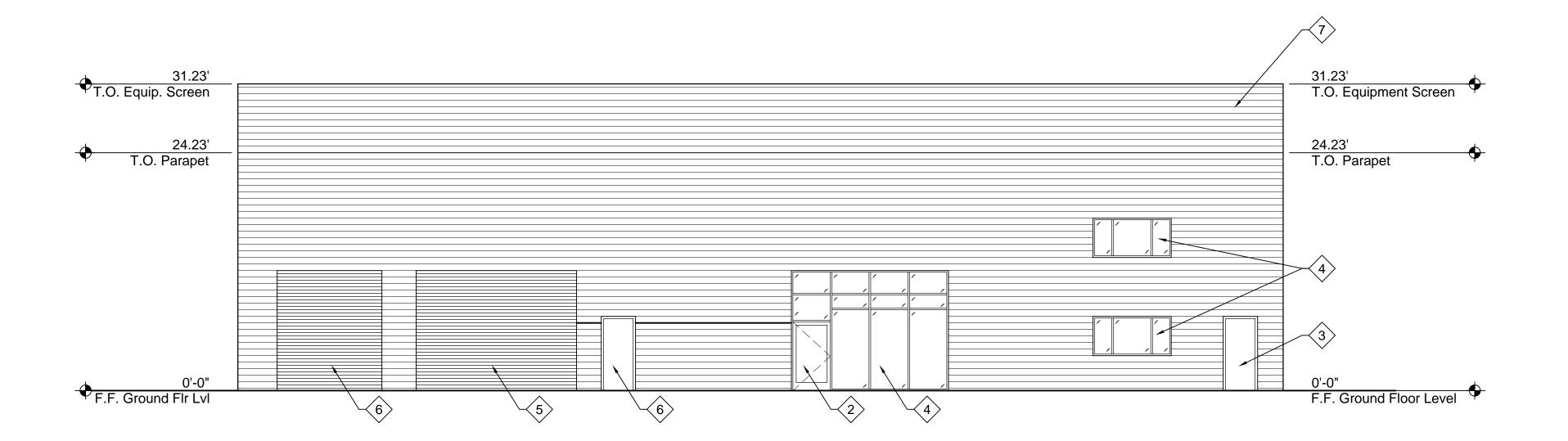
Architect Sustainability

Byers,

10. Proposed North Elevation

Scale: not to scale

10. Proposed East Elevation Scale: not to scale



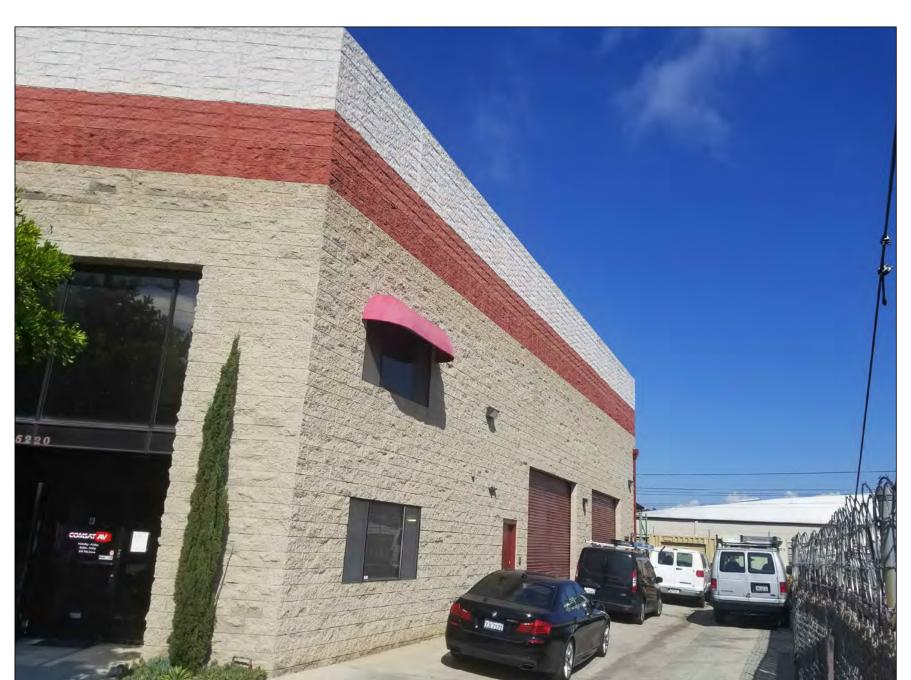


10. Proposed South Elevation Scale: not to scale

10. South Elevation Scale: not to scale



10. North Elevation Scale: not to scale



1. East Elevation (Facing Anna Avenue)

Scale: not to scale

Project:

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Exterior Images & Proposed Elevations

A3.00

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5. West Elevation

Scale: not to scale