



THE CITY OF SAN DIEGO

## Report to the Hearing Officer

DATE ISSUED: November 13, 2019 REPORT NO. HO-19-103

HEARING DATE: November 20, 2019

SUBJECT: MARIJUANA OUTLET 11189 SORRENTO VALLEY ROAD, SUITE #103,  
PROCESS THREE DECISION

PROJECT NUMBER: [559038](#)

OWNER/APPLICANT: Beachwalk Properties, Inc., Owner and STWC Holdings, Inc., Applicant

### SUMMARY

Issue: Should the Hearing Officer approve the request for a Conditional Use Permit to allow the operation of a Marijuana Outlet located at 11189 Sorrento Valley Road, Suite #103 within the Torrey Pines Community Planning area?

Staff Recommendation: Approve Conditional Use Permit No. 2038237.

Community Planning Group Recommendation: On October 11, 2018, the Torrey Pines Community Planning Board (TPCPB) voted 9-3-0 to recommend denial of the proposed project. The Board's concerns are summarized in Attachment 7.

#### Environmental Review:

This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA section 15301, Existing Facilities. An appeal of the CEQA determination was previously made and the City Council denied the CEQA appeal on September 16, 2019 per Resolution Number [R-312655](#). The scope of the subject hearing only includes the project, and not the environmental determination.

### BACKGROUND

On March 25, 2014, the City of San Diego adopted Ordinance No O-20356 to implement regulations for Medical Marijuana Consumer Cooperatives (MMCCs), which allowed the sale of medicinal marijuana with the approval of a Conditional Use Permit (CUP). The ordinance limited MMCCs to four per Council District for a total of 36 MMCCs citywide.

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, known as a Marijuana Outlet (Outlet). The Outlets are subject to the same regulations as the MMCCs, but allow the sale of both medicinal and recreational marijuana. All Outlets are subject to State licensing requirements. To date, 23 MMCCs/Outlets have been approved citywide, three in Council District 1.

The project site is located on a 3.2-acre site located at 11189 Sorrento Valley Road in a 1,767-square-foot, vacant tenant space, within an existing five-unit commercial condominium complex. The property site was developed in 1982 and was subdivided in 2008. The lot contains two, single-story buildings totaling 46,995 square feet. The site is in Council District 1, within the IL-3-1 Zone, Airport Influence Area (Miramar – Review Area 1), Airport Land Use Compatibility Overlay Zone (Marine Corps Air Station (MCAS) – Miramar), Accident Potential Zone 2 (Miramar), Special Flood Hazard Area (100 Year Floodway and 100 Year Floodplain), Transit Priority Area, Parking Impact Overlay Zone (Coastal), Coastal Height Limitation Overlay Zone, Coastal Overlay (Non-Appealable) Zone, and Prime Industrial Lands within the Torrey Pines Community Plan area.

The project site is subject to the Environmentally Sensitive Lands (ESL); Special Flood Hazard Area (100 Year Floodway and 100 Year Floodplain). However, the project was determined to be exempt from the ESL regulations pursuant to San Diego Municipal Code (SDMC) Sections 143.0110 (b)(4) and (c)(1), because there are no proposed additions or modifications to the existing development, other than interior tenant improvements for retail sales of marijuana and marijuana products.

## DISCUSSION

### Project Description:

The project is a request for a CUP to operate an Outlet in a 1,767-square-foot vacant tenant space in Unit #103, within an existing five-unit commercial condominium complex located at 11189 Sorrento Valley Road. The site is in Council District 1; only four Outlets are allowed per Council District. To date, 23 MMCCs/Outlets have been approved citywide, three in Council District 1.

Operations would include the retail sale of marijuana and marijuana products. The project proposes tenant improvements consisting of interior walls and bulletproof glasses. The project is subject to public improvements and is required to reconstruct the existing driveways to current City Standards adjacent to the site on Sorrento Valley Road. The proposed improvements would also require a change of use/occupancy building permit consistent with all California Codes and Regulations in effect at the time of building permit.

### Separation Requirements:

The SDMC allows the operation of Outlets in specific land use zones of the City and provides regulations for Marijuana Outlets. One of the criteria of the SDMC is the minimum separation requirements between an Outlet and other specified uses. SDMC Section 141.0504(a) requires a 1,000-foot separation from resource and population-based city parks, other marijuana outlets, churches, child care centers, playgrounds, libraries owned and operated by the City of San Diego, minor-oriented facilities, residential care facilities, and schools. In addition, there is a minimum distance requirement of 100 feet from all residentially zoned properties. City staff has reviewed the

100/1,000-foot radius map and spreadsheet provided by the applicant identifying all the existing uses and determined that the Outlet complies with the minimum separation requirements.

Operational and Security Requirements:

The proposed Outlet is subject to specific operational requirements and restrictions as set forth in SDMC Section 141.0504(b) through (m), which are incorporated as conditions in the CUP (Attachment 5). These include prohibition of consultation by medical professionals on-site, prohibition of specified vending machines, provision of interior and exterior lighting, operable cameras, alarms, a security guard, restriction of hours of operation to between 7:00 a.m. and 9:00 p.m. daily, and the requirement to maintain the site and adjacent public sidewalks free of litter and graffiti. Outlets must also comply with SDMC Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

Conclusion:

City staff has reviewed the proposed project and 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. Staff has provided draft findings (Attachment 4) to support the proposed development and draft conditions of approval (Attachment 5). Staff is recommending the Hearing Officer approve the project as presented.

ALTERNATIVES

1. Approve Conditional Use Permit No. 2038237, with modifications.
2. Deny Conditional Use Permit No. 2038237, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



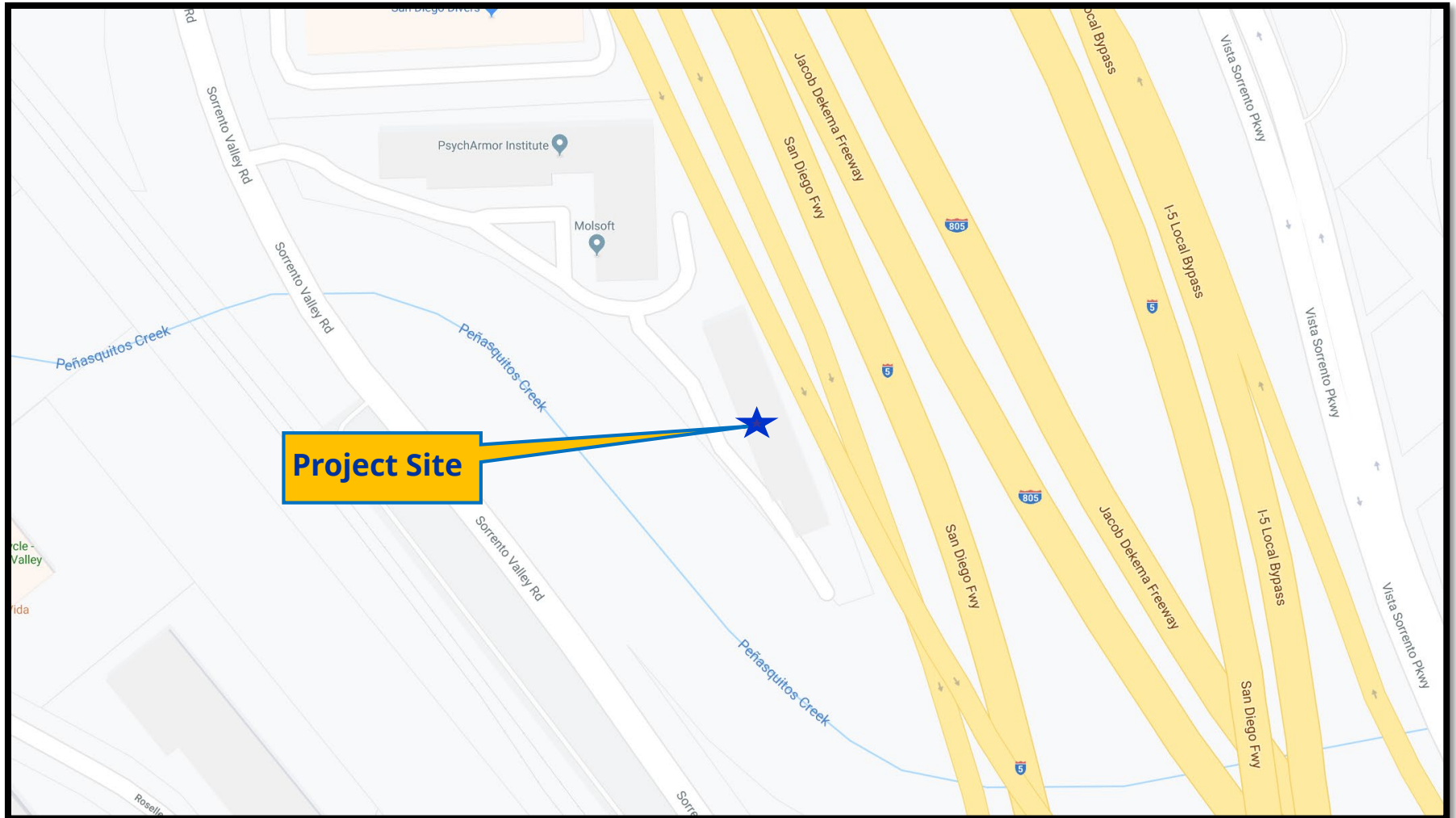
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For Sammi Ma, Development Project Manager

Attachments:

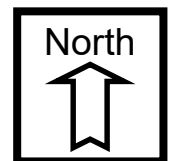
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Draft Resolution with Findings

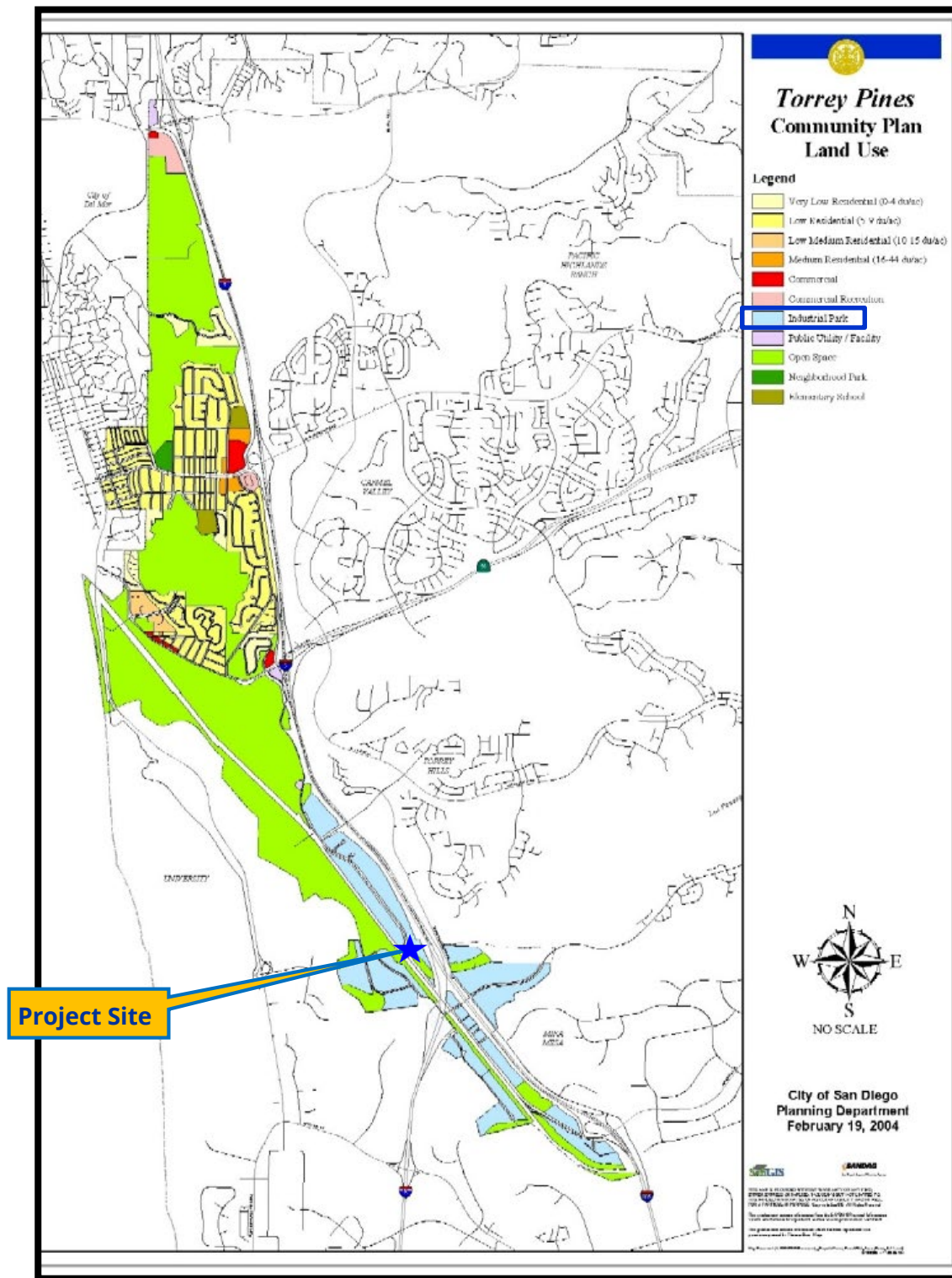
5. Draft Permit with Conditions
6. Environmental Exemption
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement
9. Project Plans



## Land Use Map

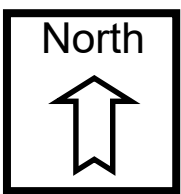
MO 11189 Sorrento Valley Road #103  
PROJECT NO. 559038





# Land Use Map

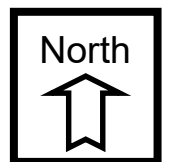
MO 11189 Sorrento Valley Road #103  
PROJECT NO. 559038





## Aerial Photo

MO 11189 Sorrento Valley Road #103  
PROJECT NO. 559038



HEARING OFFICER  
RESOLUTION NO. \_\_\_\_\_  
CONDITIONAL USE PERMIT NO. 2038237  
**MO 11189 SORRENTO VALLEY ROAD, SUITE #103 - PROJECT NO. 559038**

WHEREAS, BEACHWALK PROPERTIES, INC., a California Corporation, Owner and STWC HOLDINGS, INC., a California Corporation, Permittee, filed an application with the City of San Diego for a Conditional Use Permit to operate a Marijuana Outlet in a 1,767-square-foot tenant space in Suite #103, within an existing five-unit commercial condominium complex at 11189 Sorrento Valley Road, (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 2038237), on portions of a 3.2-acre site;

WHEREAS, the project site is located at 11189 Sorrento Valley Road in the IL-3-1 Zone, Coastal Overlay Zone (Non-Appealable), Coastal Height Limitation Overlay Zone, Coastal Parking Impact Overlay Zone, Special Flood Hazard Area (100 Year Floodway and 100 Year Floodplain), Transit Priority Area, and MCAS Miramar Land Use Compatibility Overlay Zone (Airport Influence Area – Review Area 1 and Accident Potential Zone 2), and Prime Industrial Lands of the Torrey Pines Community Plan;

WHEREAS, the project site is legally described as Unit 103 as shown and defined on that certain condominium plan Venture Commerce Center Sorrento, recorded August 21, 2008 as instrument No. 2008-0449961 of official records, together with an appurtenant undivided 23.95%, percentage interest in and to the common area, being a portion of lot 3 of "Torrey Knolls Park", in the City of San Diego, County of San Diego, State of California, according to map thereof no. 7991, filed in the Office of the County Recorder of San Diego County on July 31, 1974; and said common area is further defined and described in that certain Declaration of Covenants and Restrictions

establishing plan for condominium ownership for Venture Commerce Center – Sorrento, recorded August 21, 2008 as instrument no. 2008-0449962 of official records;

WHEREAS, on June 12, 2019, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guideline Section 15301 (Existing Facilities), and the Environmental Determination was appealed to City Council, which heard and denied the appeal on September 16, 2019, pursuant to Resolution No. 312655;

WHEREAS, on November 20, 2019, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 2038237 pursuant to the Land Development Code of the City of San Diego;

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Conditional Use Permit No. 2038237:

**A. CONDITIONAL USE PERMIT [SDMC Section 126.0305]**

**1. Findings for all Conditional Use Permits:**

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

The project is a request for a Conditional Use Permit (CUP) to allow the operation of a Marijuana Outlet (Outlet) in a 1,767-square-foot tenant space in Suite 103 within an existing five-unit commercial condominium complex located at 11189 Sorrento Valley Road. The developed 3.2-acre project site is located in the IL-3-1 zone of the Torrey Pines Community Plan (TPCP).

The TPCP designates the site as Industrial Element. The industrial land use allows light industrial, retail, and commercial uses. Industrial development in Sorrento Valley includes manufacturing firms, research and development, laboratories, offices, industrial services, incubator industry and business uses, and supports commercial and retail uses. Pursuant to San Diego Municipal Code (SDMC) §131.0622, retail sales and commercial services are permitted uses in the IL-3-1 Zone. The proposed Outlet is an allowed use in the IL-3-1 Zone with a CUP pursuant to SDMC Sections §131.0622 and §141.0504. The Sorrento Valley industrial area, including this site, is identified as Prime Industrial Lands

(PIL) by the General Plan, which encourages the protection of valuable employment land for base sector industries important to the region's economy. An Outlet is not considered a base sector employment. The General Plan allows development or redevelopment of individual properties pursuant to the development regulations and permitted uses of the existing zone and community plan designation, provided a site is not critical to base sector employment. The project site is not critical to achieving the City's base sector employment goal. The General Plan policies also specifically restrict sensitive receptor land use such as residential and public assembly in PIL. An Outlet is not a sensitive receptor land use.

The TPCP contains a policy that states development of freestanding retail commercial uses in industrially designated areas shall be restricted to those uses that serve only the immediate Sorrento Valley industrial area. Due to the limited amount of Marijuana Outlets permitted in each Council District, and the use restricted to a few zones with a CUP, the proposed Outlet would serve the community. The proposed Outlet is a compatible use at this location with a Conditional Use Permit and is consistent with the community plan. Therefore, the proposed Outlet will not adversely affect the applicable land use plan.

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

The project proposes the operation of an Outlet in a 1,767 square-foot tenant space in Suite 103, within an existing five-unit, 46,995 square-foot building located at 11189 Sorrento Valley Road. The project proposes interior improvements to an existing tenant space, including walls and bulletproof glasses for secure check-in/waiting room, office area, dispensary retail area, restrooms, product check-in area, product receiving area, and safe room.

The proposed development will not be detrimental to the public health, safety and welfare because the discretionary permit controlling the development and continued use of the site contains specific regulatory conditions of approval. These regulations, 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 the CUP includes required conditions to allow the sale of marijuana and marijuana products in order to prevent potential adverse impacts on the community. The conditions include the following: prohibiting consultation by medical professionals on-site, prohibiting the use of specified vending machines, interior and exterior lighting, alarms, restriction of hours of operation to between 7:00 a.m. to 9:00 p.m. daily, 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-color signs, and alphabetic characters.

In addition to the above, the CUP includes additional security conditions to improve the safety of the building and surrounding neighborhood, including the provision of operable surveillance cameras and a metal detector, use of cameras with a recording

device that maintains records for a minimum of 30 days, two security guards during business hours with one security guard present on the premises 24 hours a day, seven days a week. Outlets must also operate in compliance with the SDMC Chapter 4, Article 2, Division 14, which provides requirements for lawful operation. Furthermore, construction of the project authorized through this permit will be subject to all adopted building, electrical, mechanical, fire and plumbing codes, which will be enforced through construction review and building inspections.

Outlets must comply with SDMC §141.0504(a), which require a 1,000-foot separation, measured between property lines from resource and population-based City parks, churches, child care centers, playgrounds, City libraries, minor-oriented facilities, residential care facilities, and schools. Outlets must also be a minimum distance of 100 feet from a residential zone. The proposed Outlet complies with the separation requirements between sensitive uses set forth in SDMC §141.0504(a).

The proposed project will be required to comply with development conditions as described in CUP No. 2038237 which is valid for five years and may be revoked if the Owner or Permittee violates the terms, conditions, lawful requirements, or provisions of the Permit.

The referenced regulations and conditions have been determined as necessary to avoid adverse impact upon the health, safety, and welfare. Therefore, the proposed Outlet will not be detrimental to the public health, safety and welfare.

**c. 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 proposes a CUP to operate an Outlet in a 1,767-square-foot tenant space in Suite 103 within an existing five-unit commercial condominium complex located at 11189 Sorrento Valley Road. The site was developed in 1982.

The developed 3.2-acre site is located in the IL-3-1 zone and an Outlet is allowed with a CUP pursuant to SDMC Sections 131.0622 and 141.0504. The project has been determined to be exempt from the Environmentally Sensitive Lands (ESL) regulations of the Special Flood Hazard Area (100 Year Floodplain and 100 Year Floodway) pursuant to SDMC Sections 143.0110 (b)(4) and (c)(1), because there is no addition or modification to the existing development. Only interior tenant improvements are proposed. Furthermore, the proposed Outlet is exempt from the Airport Land Use Compatibility Overlay Zone regulations set forth in Chapter 13, Article 2, and Division 15 of the SDMC pursuant to Section 132.1505 (c)(1) as the project is limited to interior modifications and will not increase the density, floor area ratio or height of the existing structure.

Outlets must comply with SDMC §141.0504(a), which require a 1,000-foot separation, measured between property lines from resource and population-based City parks, churches, child care centers, playgrounds, City libraries, minor-oriented facilities, residential care facilities, and schools. Outlets must also be a minimum distance of 100 feet from a residential zone. The proposed Outlet complies with the separation

requirements between sensitive uses set forth in SDMC §141.0504(a). Outlet must also operate in compliance with the SDMC Chapter 4, Article 2, Division 14, which provides requirements for lawful operation.

The CUP for the project includes various conditions and corresponding exhibits of approval relevant to achieving compliance with all relevant regulations of the SDMC for an Outlet. No variance or deviations are requested as part of this application, nor are any required to approve the CUP. Therefore, the proposed development will comply with the regulations of the Land Development Code.

**d. The proposed use is appropriate at the proposed location.**

The project proposes a CUP to allow the operation of an Outlet in a 1,767-square-foot tenant space in Suite 103 within an existing five-unit, 17,389-square-foot commercial condominium complex located at 11189 Sorrento Valley Road. The 3.2-acre site is in the IL-3-1 Zone of the Torrey Pines Community Plan (TPCP).

Outlets must comply with SDMC §141.0504(a), which require a 1,000-foot separation, measured between property lines from resource and population-based City parks, churches, child care centers, playgrounds, City libraries, minor-oriented facilities, residential care facilities, and schools. Outlets must also be a minimum distance of 100 feet from a residential zone. The proposed Outlet complies with the separation requirements between sensitive uses set forth in SDMC §141.0504(a). Outlet must also operate in compliance with the SDMC Chapter 4, Article 2, Division 14, which provides requirements for lawful operation.

The proposed Outlet is consistent with all land development regulations relevant for the site and the use. No variance or deviations are requested as part of this application, nor are any required to approve the CUP. The proposed Outlet is classified as retail sales use and marijuana retail sales are allowed at this location with a CUP. Therefore, based on all the facts cited above and conditions of approval, the proposed Outlet is an appropriate use 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. 2038237 is hereby GRANTED by the HEARING OFFICER to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Conditional Use Permit No. 2038237, a copy of which is attached hereto and made a part hereof.

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Sammi Ma  
Development Project Manager  
Development Services

Adopted on: November 20, 2019

IO#: 24007352

DRAFT

**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: 24007352

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 2038237

**MO 11189 SORRENTO VALLEY ROAD, SUITE 103 - PROJECT NO. 559038**

HEARING OFFICER

This Conditional Use Permit No. 2038237 ("Permit") is granted by the Hearing Officer of the City of San Diego to Beachwalk Properties, Inc., a California Corporation, Owner and STWC Holdings, Inc., a California Corporation, Permittee, pursuant to San Diego Municipal Code [SDMC] section and 126.0305. The 3.2-acre site is located at 11189 Sorrento Valley Road, Suite 103, in the IL-3-1 Zone, Coastal Overlay Zone (Non-Appealable), Coastal Height Limitation Overlay Zone, Coastal Parking Impact Overlay Zone, Special Flood Hazard Area (100 Year Floodway and 100 Year Floodplain), Transit Priority Area, and MCAS Miramar Land Use Compatibility Overlay Zone (Airport Influence Area – Review Area 1 and Accident Potential Zone 2), and Prime Industrial Lands, within the Torrey Pines Community Plan area. The project site is legally described as Unit 103 as shown and defined on that certain condominium plan Venture Commerce Center Sorrento, recorded August 21, 2008 as instrument No. 2008-0449961 of official records, together with an appurtenant undivided 23.95%, percentage interest in and to the common area, being a portion of lot 3 of "Torrey Knolls Park", in the City of San Diego, County of San Diego, State of California, according to map thereof no. 7991, filed in the Office of the County Recorder of San Diego County on July 31, 1974; and said common area is further defined and described in that certain Declaration of Covenants and Restrictions establishing plan for condominium ownership for Venture Commerce Center – Sorrento, recorded August 21, 2008 as instrument no. 2008-0449962 of official records.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to operate a Marijuana Outlet in a 1,767-square-foot tenant space within an existing five-unit commercial condominium complex, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated November 20, 2019, on file in the Development Services Department.

The project shall include:

- a. Operation of a Marijuana Outlet in a 1,767-square-foot tenant space in Suite 103 within an existing five-unit commercial condominium complex. The operation shall include the requirements consistent with the State of California statutes and California Departments of Food and Agriculture, Consumer Affairs and Public Health regulations;

- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking; and
- d. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

**STANDARD REQUIREMENTS:**

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by December 5, 2022.
2. This Conditional Use Permit [CUP] and corresponding use of this site shall expire on December 5, 2023. The Owner/Permittee may request that the expiration date be extended in accordance with SDMC Section 141.0504(n).
3. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
  - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
  - b. The Permit is recorded in the Office of the San Diego County Recorder.
  - c. An annual Operational Permit issued by the Development Services Department is approved in accordance with SDMC Section 42.1504.
4. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
5. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

7. 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.

8. 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.

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

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

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

**PLANNING/DESIGN REQUIREMENTS:**

11. The sale of marijuana and marijuana products shall be prohibited without a valid license from the State authorizing such activity.

12. Consultations by medical professional shall not be a permitted accessory use at the Marijuana Outlet.
13. Lighting shall be provided to illuminate the interior of the Marijuana Outlet, façade, and the immediate surrounding area, including any accessory uses, parking lots, and adjoining sidewalks. Lighting shall be hooded or oriented so as to deflect light away from adjacent properties.
14. Security shall include operable cameras and a metal detector to the satisfaction of Development Services Department. This Marijuana Outlet shall also include alarms and two security guards. The security guards shall be licensed by the State of California. Two security guards must be on the premises during business hours. At least one security guard must be on the premises 24 hours a day, seven days a week. The security guards should only be engaged in activities related to providing security for the Marijuana Outlet, except on an incidental basis. The cameras shall have and use a recording device that maintains the recordings for a minimum of 30 days.
15. All signs associated with this development shall be consistent with sign criteria established by City-wide sign regulations and shall further be restricted by this permit. Ground signs shall not be pole signs. A primary sign shall be posted on the outside of the Marijuana Outlet and shall only contain the name of the business, which shall contain only alphabetic characters, and shall be limited to two colors.
16. The Owner/Permittee shall post and maintain a sign showing the name and emergency contact phone number of an operator or manager in a location visible from outside the Marijuana Outlet in character size at least two inches in height.
17. The Marijuana Outlet shall operate only between the hours of 7:00 a.m. and 9:00 p.m., seven days a week.
18. The use of vending machines which allow access to marijuana and marijuana products except by a responsible person, as defined in the San Diego Municipal Code Section 42.1502, is prohibited. For purposes of this Section, a vending machine is any device which allows access to marijuana and marijuana products without a human intermediary.
19. The Owner/Permittee shall maintain the Marijuana Outlet, adjacent public sidewalks, and areas under the control of the Owner/Permittee, free of litter and graffiti at all times.
20. The Owner/Permittee shall provide for daily removal of trash, litter, and debris. Graffiti shall be removed from the premises within 24 hours.
21. The Owner/Permittee shall provide a sufficient odor absorbing ventilation and exhaust system capable of minimizing excessive or offensive odors emanating outside of the permitted Marijuana Outlet to the satisfaction of the Development Services Department.

**LANDSCAPE REQUIREMENTS:**

22. Prior to issuance of any construction permits, the Owner/Permittee shall submit to the Development Services Department for approval a Site Plan that documents existing landscape to remain, consistent with Exhibit 'A,' on file in the Office of the Development Services Department. The site plan shall include reconstruction of existing driveways at Sorrento Valley Road per current City Standard and demonstrate a minimum 5-ft clearance from the trunks of adjacent, existing trees to remain protected in place.

23. The Owner/Permittee shall be responsible for the maintenance of all previously required landscape improvements as shown on the approved plans. All required landscape shall be maintained in a disease, weed and litter free condition at all times consistent with the City of San Diego Landscape Regulations and Standards.

24. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, the Owner/Permittee shall repair and/or replace in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Certificate of Occupancy.

**ENGINEERING REQUIREMENTS:**

25. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to reconstruct the existing driveways, per current City Standard, adjacent to the site on Sorrento Valley Road, satisfactory to the City Engineer.

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

**TRANSPORTATION REQUIREMENTS**

27. All automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. 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 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.

## ATTACHMENT 5

- 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.
- =Marijuana 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, or retail sales of marijuana and any ancillary products in the City. 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 November 20, 2019 and [Approved Resolution Number].

## ATTACHMENT 5

Permit Type/PTS Approval No.: Conditional Use Permit No. 2038237  
Date of Approval: November 20, 2019

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

\_\_\_\_\_  
Sammi Ma  
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.

**Beachwalk Properties, Inc.**  
Owner

By \_\_\_\_\_  
*NAME: John Kraemer*  
*TITLE:*

**STWC Holdings, Inc.**  
Permittee

By \_\_\_\_\_  
*NAME: Erin Phillips*  
*TITLE:*

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

## NOTICE OF EXEMPTION

(Check one or both)

TO: ☒ Recorder/County Clerk  
 P.O. Box 1750, MS A-33  
 1600 Pacific Hwy, Room 260  
 San Diego, CA 92101-2400

FROM: City of San Diego  
 Development Services Department  
 1222 First Avenue, MS 501  
 San Diego, CA 92101

☐ Office of Planning and Research  
 1400 Tenth Street, Room 121  
 Sacramento, CA 95814

**Project Name/Number:** MO 11189 Sorrento Valley #103 / 559038

**SCH No.:** N/A

**Project Location-Specific:** 11189 Sorrento Valley Road, Suite 103, San Diego CA, 92121

**Project Location-City/County:** San Diego/San Diego

**Description of nature and purpose of the Project:** The project requests a Conditional Use Permit (CUP) and a Coastal Development Permit (CDP) to operate a Marijuana Outlet (MO) within Suite 103, comprising of an operational area of 1,767 square-feet within an existing five-unit commercial condominium complex located at 11189 Sorrento Valley Road. The 3.2-acre site is designated Industrial pursuant to the Torrey Pines Community Plan and is subject to the IL-3-1 zoning requirements. The project is also subject to the Coastal Overlay Zone (Non-Appealable 1), Airport Influence Area - Miramar (Review Area 1), Airport Land Use Compatibility Overlay Zone (MCAS Miramar), Accident Potential Zone 2 - Miramar, Special Flood Hazard Area (100 Year Floodway and 100 Year Floodplain), Parking Impact Overlay Zone (Coastal), Coastal Height Limitation Overlay Zone, and Council District 1.

**Name of Public Agency Approving Project:** City of San Diego

**Name of Person or Agency Carrying Out Project:** Erin Phillips  
 1350 Independence Street, #300  
 Lakewood, CO 80215  
 (303) 961-2204

**Exempt Status:** (CHECK ONE)

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))
- ☒ Categorical Exemption: CEQA State Guidelines, Section 15301, *Existing Facilities*.

**Reasons why project is exempt:** The City conducted an environmental review which determined that the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15301, which allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing facilities (public or private), involving negligible or no expansion of existing or former use. The proposed project, as included in the Project Description of this notice, is not an expansion of use as all operations will be contained within the existing building. No environmental impacts were identified for the proposed project. Additionally, none of the exceptions described in CEQA Guidelines Section 15300.2 apply.

Lead Agency Contact Person: Rachael Lindquist

Telephone: (619) 446-5129

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? ( ) Yes ( ) No

It is hereby certified that the City of San Diego has determined the above activity to be exempt from CEQA



Senior Planner

Signature/Title

10/22/19

Date

Check One:

(X) Signed By Lead Agency

( ) Signed by Applicant

Date Received for Filing with County Clerk or OPR:



BOARD MEMBERS: Dennis Ridz, Chair; Dee Rich, Vice Chair; Patti Ashton, Treasurer; Wayne Cox, Secretary; Jake Mumma; Susan Lyon; Barbara Cerny; Pat Whitt; Troy Van Horst; Mike Hastings; Samson Gavranian; Brad Remy; Sheryl Adams;

To: Tim P. Daly, Project Manager, DSD    October 16, 2018

Torrey Pines Committee Planning Board MONTHLY MEETING

THURSDAY October 11, 2018 at 7:00 PM– 9:00 PM

**ACTION Items:**

1. Retail Marijuana Operation (MO) #559038 at 11189 Sorrento Valley Rd. suite 103 –Gina Austin STWC 1,767 sq ft. Note: Del Mar Union School District Maintenance and Operation office located Suite 101-102. Existing five unit condominium complex.

**Results** of TPCPB vote on project #559038 – This MO project was **DENIED** by a 9-3 vote. The following describes some of the issues raised and reasons for rejection of this application for a marijuana retail outlet at 11189 Sorrento Valley Rd., Suite 103.

**Quasi Legal Issues**

The Del Mar Union School District’s attorney, presented to the TPCPB , “Second Amendment to the Declaration of Covenants, Conditions and Restrictions establishing a plan for Condominium ownership **for Venture Commerce Center – Sorrento**”. Under Article 7, Section 7.1 A line (9) Marijuana dispensary are not allowed. Strainwise marijuana Outlet, along with DSD were aware of this prohibition against allowing a marijuana outlet within Venture Commerce Center. The Board is not involved in what will clearly be a future legal action which may take years to adjudicate. This lengthy delay will mean that NO 4<sup>th</sup> Marijuana retail shop will be viable at this site for years. Therefore, the City should move on to the next application and reject this site as being suitable for a MO.

### **Lack of Proper Notification**

DSD only sent notices to businesses within 300 feet of suite 103 and the applicant posted notice on their suite's front door. Venture Commerce Center and other firms within the complex were not aware of redesign of driveway entrance or American's with Disabilities Act (ADA) creation of a pathway into the complex. This improper notification is alone reason to deny the project until all firms within the Commerce Center have a chance to weigh-in on this issue.

The legal precedent regarding "Grandfathering" established city guidelines for Marijuana Outlets was clearly provided in the approval of Torrey Holistics on Roselle Street. DSD should review it's own rulings on ADA requirements which Grandfathered that project from needing to meet current standards. The same holds true for Driveway Enlargement which was handled after the fact as a Ministerial permit.

### **Security Plan –Public Safety**

Two Armed Security guards are present 24/7. Suite 103 is 'bullet-proofed' but **zero protection** is afforded to suites adjacent to Suite 103. DMUSD office at Suite 101-102 has a very large glass frontage with a reception area, offices and conference room within a few feet of 'armed guards'. Again the precedent was establish by DSD regarding Torrey Holistic facility that all adjacent commercial uses within the building to be provide with 'bullet-proofing measures'. This lack of concern for the public's safety is direct grounds to deny this application.

### **Parking Concerns**

The applicant claims that the complex provides approximately 143 spaces. This ignores the fact that Suite 103 via the Venture Commerce Center – Sorrento Condominium Association, allows a **total of 3 spaces for this suite**. Applicant stated that they plan to hire 8 to 10 employees and contract for 2 armed guards. No plans were provided to indicate that staff could park offsite. The applicant indicated that at peak hours of operation that 19 marijuana customers could be expect to access the site. The applicant claims that there is adequate parking at the far end of the complex. IT is worth noting that there is no street parking due to bicycle lanes Posted No Parking. This does not account for the fact that the two end units are currently unoccupied. This lack of parking for a retail unit within a commercial venture is **clear grounds** for denial.

**Environmental Issues**

Some of the following commentary was provided by the Executive Director of the Los Penasquitos Lagoon Foundation, a member of the TPCPB. Working beyond the parcel boundary (ADA patch), are major concerns about encroachment and potential modification to the designated floodway. Has this been cleared with City departments of Transportation and Storm Water? In fact the City has been sued for allowing construction within the floodplain when construction occurred in Sorrento Valley prior to issuance of FEMA 100-year floodplain designation and mapping. BioMed Reality has sued the City for flooding of their properties. Altering the floodway could trigger lawsuits from property owners or tenants at this location.

Will this ADA walkway comply with Standard Urban Storm Water Mitigation Plan (SUSMP)? This is a county and city-wide document that looks to reduce impacts related to **hydromodification** (e.g. increased volume of storm water entering the system and/or increase peak flow velocities at the intake/discharge point or downstream that can occur through new development or improvements to existing developments. Typically both volume and velocity of storm water discharge off the property cannot be increased due to improvements of existing facilities or new construction such as building new ADA walkways within the 'Green Belt' next to the Los Penasquitos Creek.

Addition construction concerns over discharges into the Los Penasquitos Creek which is a tributary to Los Penasquitos Lagoon (State Preserve and 303(d) listed waterbody for sediment/siltation and light/noise along a **primary wildlife corridor**. San Diego Waterboard requires a stricter level of monitoring for SWAPP compliance when discharges enter a 303(d) waterbody or tributary. Furthermore, there is a potential conflict with CIP projects identified by the City for floodway improvements that will be part of a 84 acre habitat restoration project. Simply stated the ADA walkway removes at least 5 feet of grass and plants from a slope leading directly in the Los Penasquitos Creek and replace the slope with a level concrete walkway that increases runoff and decreases ground absorption.

Direct impact on **circadian rhythm within a wildlife corridor**

The project creates both **noise and security lighting** within a major wildlife corridor due to hours of operation (i.e., open until (9:00 PM). Additional time for clean-up, trash disposal and getting both workers and marijuana clients with vehicle lights on

will extend past 9:00 PM for all practical purposes. This parcel is adjacent to the major and the only wildlife corridor that connects Los Penaquitos Canyon to Los Penaquitos Lagoon and other sub watersheds within Carroll Canyon and Carmel Valley. Los Penaquitos Canyon is the largest of the three sub watersheds with over 20,000 acres. Wildlife corridors are vital for species survival in both short term (foraging, refuge from predators, access to prey) and long term genetic diversity.

**Clapper Rail –listed as an Endangered subspecies**

The Clapper Rail (*Rallus Longirostris obsoletus*) has been identified as living within this wildlife corridor and uses this area as a nesting ground.

**Conclusion**

Board members even questioned the applicant as to why they would even consider this site to be viable, knowing both the legal challenges and the ultra-sensitive environmental issues. The final result was that the TPCPB **denied this application for numerous issues.**

Dennis E. Ridz, Chair Torrey Pines Community Planning Board



**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 approval(s) requested: ☐ Neighborhood Use Permit ☐ Coastal Development Permit  
☐ Neighborhood Development Permit ☐ Site Development Permit ☐ Planned Development Permit ☒ Conditional Use Permit ☐ Variance  
☐ Tentative Map ☐ Vesting Tentative Map ☐ Map Walver ☐ Land Use Plan Amendment ☐ Other \_\_\_\_\_

**Project Title:** 11189 Sorrento Valley Road Marijuana Outlet, #103

**Project No. For City Use Only:** \_\_\_\_\_

**Project Address:** 11189 Sorrento Valley Road, #103

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

☒ Corporation ☒ Limited Liability -or- ☐ General - What State? \_\_\_\_\_ Corporate Identification No. \_\_\_\_\_  
☐ Partnership ☐ Individual

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

**Property Owner**

Name of Individual: Beachwalk Properties, Inc. ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: 777 S. Highway 101, Suite 210

City: Solana Beach

State: CA Zip: 92075

Phone No.: 858-350-1907

Fax No.: \_\_\_\_\_

Email: john@beachwalk.com

Signature: John Kraemer

Date: 7-8-19

Additional pages Attached: ☒ Yes ☐ No

**Applicant**

Name of Individual: STWC Sorrento Valley, LLC c/o Erin Phillips ☐ Owner ☒ Tenant/Lessee ☐ Successor Agency

Street Address: 1350 Independence St. #300

City: Lakewood

State: CO Zip: 80215

Phone No.: 303-961-2204

Fax No.: \_\_\_\_\_

Email: erin@strainwise.com

Signature: [Signature]

Date: 7-8-19

Additional pages Attached: ☐ Yes ☒ No

**Other Financially Interested Persons**

Name of Individual: \_\_\_\_\_ ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone No.: \_\_\_\_\_

Fax No.: \_\_\_\_\_

Email: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Additional pages Attached: ☐ Yes ☐ No



# State of California Secretary of State

S

## Statement of Information

(Domestic Stock and Agricultural Cooperative Corporations)

FEES (Filing and Disclosure): \$25.00.

If this is an amendment, see instructions.

**IMPORTANT – READ INSTRUCTIONS BEFORE COMPLETING THIS FORM**

G632529

FILED

In the office of the Secretary of State  
of the State of California

MAY-06 2019

### 1. CORPORATE NAME

BEACHWALK PROPERTIES, INC.

### 2. CALIFORNIA CORPORATE NUMBER

C3305061

This Space for Filing Use Only

**No Change Statement** (Not applicable if agent address of record is a P.O. Box address. See instructions.)

3. If there have been any changes to the information contained in the last Statement of Information filed with the California Secretary of State, or no statement of information has been previously filed, this form must be completed in its entirety.

☐ If there has been no change in any of the information contained in the last Statement of Information filed with the California Secretary of State, check the box and proceed to Item 17.

**Complete Addresses for the Following** (Do not abbreviate the name of the city. Items 4 and 5 cannot be P.O. Boxes.)

4. STREET ADDRESS OF PRINCIPAL EXECUTIVE OFFICE	CITY	STATE	ZIP CODE
777 S. HIGHWAY 101 210, SOLANA BEACH, CA 92075			

5. STREET ADDRESS OF PRINCIPAL BUSINESS OFFICE IN CALIFORNIA, IF ANY	CITY	STATE	ZIP CODE
777 S. HIGHWAY 101 210, SOLANA BEACH, CA 92075			

6. MAILING ADDRESS OF CORPORATION, IF DIFFERENT THAN ITEM 4	CITY	STATE	ZIP CODE
MARY USHER 777 S. HIGHWAY 101 210, SOLANA BEACH, CA 92075			

**Names and Complete Addresses of the Following Officers** (The corporation must list these three officers. A comparable title for the specific officer may be added; however, the preprinted titles on this form must not be altered.)

7. CHIEF EXECUTIVE OFFICER/	ADDRESS	CITY	STATE	ZIP CODE
JOHN KRAEMER	15115 PASO DEL SOL, DEL MAR, CA 92014			

8. SECRETARY	ADDRESS	CITY	STATE	ZIP CODE
JOHN KRAEMER	15115 PASO DEL SOL, DEL MAR, CA 92014			

9. CHIEF FINANCIAL OFFICER/	ADDRESS	CITY	STATE	ZIP CODE
JOHN KRAEMER	15115 PASO DEL SOL, DEL MAR, CA 92014			

**Names and Complete Addresses of All Directors, Including Directors Who are Also Officers** (The corporation must have at least one director. Attach additional pages, if necessary.)

10. NAME	ADDRESS	CITY	STATE	ZIP CODE
JOHN KRAEMER	15115 PASO DEL SOL, DEL MAR, CA 92014			

11. NAME	ADDRESS	CITY	STATE	ZIP CODE

12. NAME	ADDRESS	CITY	STATE	ZIP CODE

13. NUMBER OF VACANCIES ON THE BOARD OF DIRECTORS, IF ANY: 0

**Agent for Service of Process** If the agent is an individual, the agent must reside in California and Item 15 must be completed with a California street address, a P.O. Box address is not acceptable. If the agent is another corporation, the agent must have on file with the California Secretary of State a certificate pursuant to California Corporations Code section 1505 and Item 15 must be left blank.

14. NAME OF AGENT FOR SERVICE OF PROCESS  
JOHN THOMAS KRAEMER

15. STREET ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL	CITY	STATE	ZIP CODE
777 S. HIGHWAY 101 210, SOLANA BEACH, CA 92075			

### Type of Business

16. DESCRIBE THE TYPE OF BUSINESS OF THE CORPORATION  
BEACHWALK PROPERTIES, LLC

17. BY SUBMITTING THIS STATEMENT OF INFORMATION TO THE CALIFORNIA SECRETARY OF STATE, THE CORPORATION CERTIFIES THE INFORMATION CONTAINED HEREIN, INCLUDING ANY ATTACHMENTS, IS TRUE AND CORRECT.

05/06/2019 MARY USHER ASSISTANT

DATE TYPE/PRINT NAME OF PERSON COMPLETING FORM TITLE SIGNATURE



# State of California

## Secretary of State

F

### Statement of Information

(Foreign Corporation)

FEES (Filing and Disclosure): \$25.00.

If this is an amendment, see instructions.

**IMPORTANT – READ INSTRUCTIONS BEFORE COMPLETING THIS FORM**

#### 1. CORPORATE NAME

#### 2. CALIFORNIA CORPORATE NUMBER

This Space for Filing Use Only

**No Change Statement** (Not applicable if agent address of record is a P.O. Box address. See instructions.)

3. **If there have been any changes to the information contained in the last Statement of Information filed with the California Secretary of State, or no statement of information has been previously filed, this form must be completed in its entirety.**

☐ If there has been no change in any of the information contained in the last Statement of Information filed with the California Secretary of State, check the box and proceed to Item 13.

**Complete Addresses for the Following** (Do not abbreviate the name of the city. Items 4 and 5 cannot be P.O. Boxes.)

4. STREET ADDRESS OF PRINCIPAL EXECUTIVE OFFICE CITY STATE ZIP CODE

5. STREET ADDRESS OF PRINCIPAL BUSINESS OFFICE IN CALIFORNIA, IF ANY CITY STATE ZIP CODE

6. MAILING ADDRESS OF THE CORPORATION, IF DIFFERENT THAN ITEM 4 CITY STATE ZIP CODE

**Names and Complete Addresses of the Following Officers** (The corporation must list these three officers. A comparable title for the specific officer may be added; however, the preprinted titles on this form must not be altered.)

7. CHIEF EXECUTIVE OFFICER/ ADDRESS CITY STATE ZIP CODE

8. SECRETARY ADDRESS CITY STATE ZIP CODE

9. CHIEF FINANCIAL OFFICER/ ADDRESS CITY STATE ZIP CODE

**Agent for Service of Process** If the agent is an individual, the agent must reside in California and Item 11 must be completed with a California street address, a P.O. Box address is not acceptable. If the agent is another corporation, the agent must have on file with the California Secretary of State a certificate pursuant to California Corporations Code section 1505 and Item 11 must be left blank.

10. NAME OF AGENT FOR SERVICE OF PROCESS

11. STREET ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL CITY STATE ZIP CODE

#### Type of Business

12. DESCRIBE THE TYPE OF BUSINESS OF THE CORPORATION

13. THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.

DATE

TYPE/PRINT NAME OF PERSON COMPLETING FORM

TITLE

SIGNATURE


**Secretary of State  
Statement of Information**

 (California Nonprofit, Credit Union and  
General Cooperative Corporations)

SI-100

114

**FILED**  
 Secretary of State  
 State of California  
**MAY 20 2019**
**IMPORTANT** — Read instructions **before completing this form.**
**Filing Fee** — \$20.00;

**Copy Fees** — First page \$1.00; each attachment page \$0.50;  
 Certification Fee — \$5.00 plus copy fees

**1. Corporation Name** (Enter the **exact** name of the corporation as it is recorded with the California Secretary of State)

 Venture Commerce Center Sorrento  
 Condominium Association

NF

This Space For Office Use Only

**2. 7-Digit Secretary of State File Number**

C3085169

**3. Business Addresses**

a. Street Address of California Principal Office, if any - Do not enter a P.O. Box

2555 Camino Del Rio S. Ste. 201

City (no abbreviations)

San Diego

State

CA

Zip Code

92108

b. Mailing Address of Corporation, if different than item 3a

City (no abbreviations)

State

Zip Code

**4. Officers**

 The Corporation is required to enter the names and addresses of **all** three of the officers set forth below. An additional title for Chief Executive Officer or Chief Financial Officer may be added; however, the preprinted titles on this form must not be altered.

a. Chief Executive Officer/

First Name

Middle Name

Last Name

Suffix

Boris

Dantus

Address

City (no abbreviations)

State

Zip Code

11199 Sorrento Valley Rd Ste. 205

San Diego

CA

92121

b. Secretary

First Name

Middle Name

Last Name

Suffix

Steve

Laverson

Address

City (no abbreviations)

State

Zip Code

11199 Sorrento Valley Rd Ste. 202

San Diego

CA

92121

c. Chief Financial Officer/

First Name

Middle Name

Last Name

Suffix

Jeff

Muenl

Address

City (no abbreviations)

State

Zip Code

11199 Sorrento Valley Rd Ste. 208

San Diego

CA

92121

**5. Service of Process** (Must provide either Individual OR Corporation.)

**INDIVIDUAL** — Complete Items 5a and 5b only. Must include agent's full name and California street address.

 a. California Agent's First Name (if agent is **not** a corporation)

Middle Name

Last Name

Suffix

Scott

Alan

Cook

 b. Street Address (if agent is **not** a corporation) - Do not enter a P.O. Box

City (no abbreviations)

State

Zip Code

2555 Camino Del Rio S. Ste. 201

San Diego

CA

92108

**CORPORATION** — Complete Item 5c only. Only include the name of the registered agent Corporation.

c. California Registered Corporate Agent's Name (if agent is a corporation) — Do not complete Item 5a or 5b

Scott A. Cook

**6. Common Interest Developments**
☒ Check here if the corporation is an association formed to manage a common interest development under the Davis-Sterling Common Interest Development Act (California Civil Code section 4000, et seq.) or under the Commercial and Industrial Common Interest Development Act (California Civil Code section 6500, et seq.). The corporation must file a Statement by Common Interest Development Association (Form SI-CID) as required by California Civil Code sections 5405(a) and 6760(a). See Instructions.

**7. The Information contained herein, including in any attachments, is true and correct.**

 5-10-19  
 Date

 Scott A. Cook  
 Type or Print Name of Person Completing the Form

 President  
 Title

 SN  
 Signature

S. T. W. C.

SORRENTO VALLEY, LLC

11189 SORRENTO VALLEY RD, CA. 92121

ATTACHMENT 9

REVISIONS	BY
06-14-18	MJC
06-18-18	MJC
09-10-18	MJC
07-31-2019	OQ

S T W C

SORRENTO VALLEY, LLC

11189 SORRENTO VALLEY ROAD SUITE 103

AUSTIN & ASSOCIATES

ALAN LLOYD AUSTIN

1622 PIONEER WAY EL CAJON CA. 92020

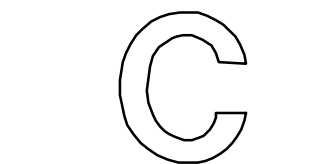
RESIDENTIAL & COMMERCIAL PLANNING AND DESIGN

MEMBER, AMERICAN INSTITUTE OF BUILDING DESIGN

Ph: (619)440-3624

A B D

DRAWN BY:	MJC
CHECKED BY:	ALA
DATE:	11-6-17
SCALE:	AS NOTED
JOB NO.	



- The sale of recreational marijuana shall be prohibited without a valid license from the State authorizing such activity.
- Consultations by medical professional shall not be a permitted accessory use at the Marijuana Outlet.
- Lighting shall be provided to illuminate the interior of the Marijuana Outlet, fa-ad e, and the immediate surrounding area, including any accessory uses, parking lots, and adjoining sidewalks. Lighting shall be hooded or oriented so as to deflect light away from adjacent properties. Security shall include operable cameras and a metal detector to the satisfaction of Development Services Department. This Marijuana Outlet shall also include alarms and two security guards. The security guards shall be licensed by the State of California. Two security guards must be on the premises during business hours. At least one security guard must be on the premises 24 hours a day, seven days a week. The security guards should only be engaged in activities related to providing security for the Marijuana Outlet, except on an incidental basis. The cameras shall have and
- use a recording device that maintains the recordings for a minimum of 30 days.
- All signs associated with this development shall be consistent with sign criteria established by City-wide sign regulations and shall further be restricted by this permit. Ground signs shall not be pole signs. A primary sign shall be posted on the outside of the Marijuana Outlet and shall only contain the name of the business, which shall contain only alphabetic characters, and shall be limited to two colors. The Owner/Permittee shall post and maintain a sign showing the name and emergency contact phone number of an operator or manager in a location visible from outside the Marijuana Outlet in character size at least two inches in height.
- The Marijuana Outlet shall operate only between the hours of 7:00 a.m. and 9:00 p.m., seven days a week. (
- The use of vending machines which allow access to marijuana and marijuana products except by a responsi person, as defined in the San Diego Municipal Code Section 42.1502, is prohibited. For purposes of this Section, a vending machine is any device which allows access to marijuana and marijuana products without human intermediary.
- The Owner/Permittee shall maintain the Marijuana Outlet, adjacent public sidewalks, and areas under the control of the Owner/Permittee, free of litter and graffiti at all times. The Owner/Permittee shall provide for daily removal of trash, litter, and debris. Graffiti shall be removed from the premises within 24 hours.
- 

TENANTS:

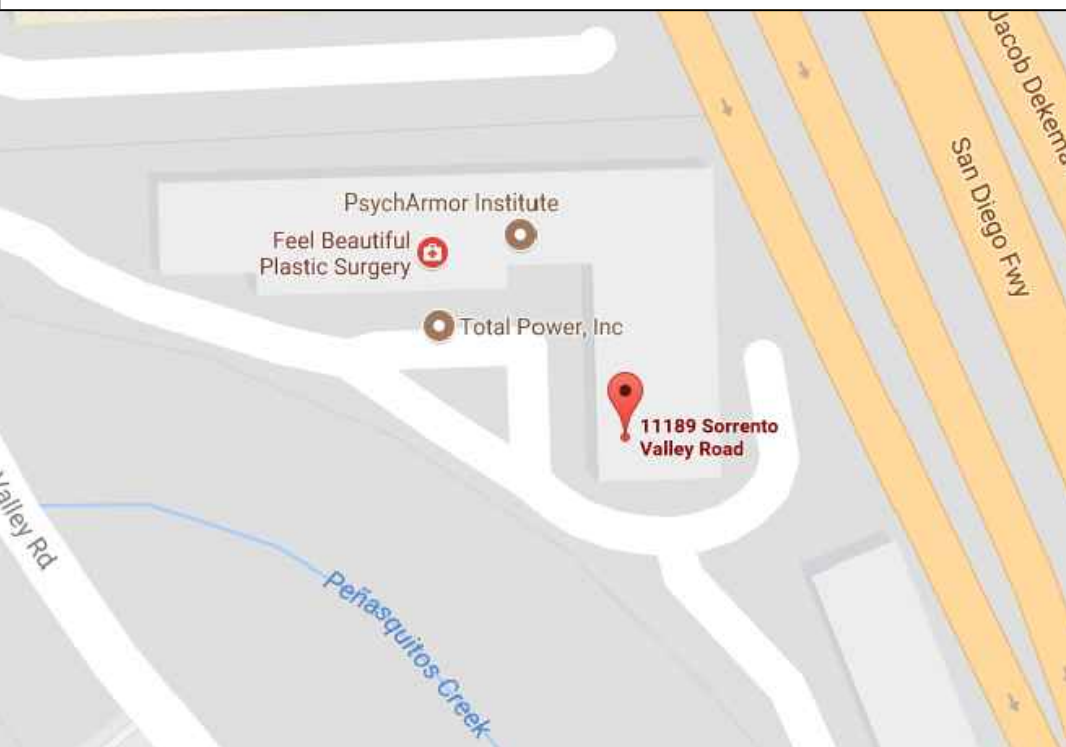
SUITE 101	DEL MAR UNION SCHOOL DISTRICT MAINTENANCE	3,118 S.F.
SUITE 102	AND OPERATION OFFICE	2,426 S.F.
SUITE 103	STCW MARIJUANA OUTLET	1,761 S.F.
SUITE 104	ARISAN (THERAPEUTIC), DOCTORS OFFICE	4,543 S.F.
SUITE 105	INTO THE SUNSET (WILLOW CENTER)	2,282 S.F.
SUITE 201	INTEGRATIVE VETERINARY, DOCTORS OFFICE	
SUITE 202	BACK IN MOTION (CHIROPRACTIC & REHABILITATION), DOCTORS OFFICE,	3,346 S.F.
SUITE 203	FEEL BEAUTIFUL (PLASTIC SURGERY), DOCTORS OFFICE	3,155 S.F.
SUITE 204	PSYCHARTIOR INSTITUTE, MILITARY ONLINE SUPPORT TRAINING	3,453 S.F.
SUITE 205	TORREY FINES (MICRO ENDODONTICS), DOCTORS OFFICE	2,113 S.F.
SUITE 206	Dx BIOSAMPLE (SYNTETIC FUEL ADDITIVES AND FUEL	3,218 S.F.
SUITE 207	MANAGEMENT SYSTEM), MEDICAL OFFICE	
SUITE 208	CHEM BRIDGE, CORP. / MEDICAL RESEARCH	4,992 S.F.
SUITE 209	VACANT	3,155 S.F.
	DENTIST (COSMETIC DENTISTRY), DOCTORS OFFICE	2,584 S.F.
	MOLSOFL (MOLECULES IN SILICO), LAB, OFFICE	4,211 S.F.

APPLICABLE CODES

THE CURRENT PREVAILING BUILDING AND CONSTRUCTION CODES IN THE CITY OF SAN DIEGO ARE:

2016 CALIFORNIA BUILDING CODE (CBC), PART 2, TITLE 24 C.C.R.  
2016 CALIFORNIA MECHANICAL CODE (CMC), PART 4, TITLE 24 C.C.R.  
2016 CALIFORNIA PLUMBING CODE (CPC), PART 5, TITLE 24 C.C.R.  
2016 CALIFORNIA ELECTRICAL CODE (CEC), PART 3, TITLE 24 C.C.R.  
2016 CALIFORNIA GREEN BUILDING STANDARDS CODE  
2016 CALIFORNIA ENERGY EFFICIENCY STANDARDS, AND TITLE 18 OF THE LONG BEACH MUNICIPAL CODE  
2016 CALIFORNIA ELEVATOR SAFETY CONSTRUCTION CODE, PART 7, TITLE 24 C.C.R.  
2016 CALIFORNIA HISTORICAL BUILDING CODE, PART 8, TITLE 24 C.C.R.  
2016 CALIFORNIA FIRE CODE, PART 9, TITLE 24 C.C.R.  
2016 CALIFORNIA REFERENCED STANDARDS, PART 12, TITLE 24 C.C.R.

VICINITY MAP



SHEET INDEX

C	COVER SHEET
S	SITE PLAN
A-1	FLOOR PLAN
A-2	SURVEILLANCE & LIGHTING PLAN
A-3	SITE LIGHT PLAN
A-4	FLOODWAY PLAN

SITE DATA

ZONE:	IL-3-1
EXISTING OCCUPANCY:	B
EXISTING USE:	OFFICE SPACE
PROPOSED USE:	MARIJUANA OUTLET
PROPOSED OCCUPANCY:	B
SITE:	11189 SORRENTO VALLEY ROAD SUITE 103 SAN DIEGO, CA. 92121
LOT SIZE:	140,503 S.F. (3,225 A.)
PAVING AREA:	54,632 S.F.
LANDSCAPE AREA:	32,211 S.F.
EXISTING FAR:	323 (EXIST'G BUILDING SIZE 46,935 S.F.)
LOT COVERAGE:	32%
YEAR BUILT:	1982 CONVERTED TO CONDOMINIUM 2008
TYPE OF CONSTRUCTION:	VS
NUMBER OF STORIES:	2
BUILDING AREA:	46,935 SQ. FT.
SETBACK:	
FRONT:	15' / 20'
SIDES:	10'
STREET SIDE YARD:	15' / 20'
REAR YARD:	0' / 10'
SAFETY ZONE:	2

PROJECT CONSULTANTS

DESIGNER:

AUSTIN & ASSOCIATES  
ALAN LLOYD AUSTIN  
1622 PIONEER WAY  
EL CAJON, CA 92020  
619-440-3624

LEGAL DESCRIPTION

A.P.N. No. 310-121-18-03  
PARCEL A,B,C TORREY KNOLLS PARK MAP 1991, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA

REAL PROPERTY IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS: A CONDOMINIUM COMPRISE OF: PARCELA: UNIT 301 AS SHOWN AND DEFINED ON THAT CERTAIN CONDOMINIUM PLAN VENTURE COMMERCE CENTER SORRENTO, RECORDED AUGUST 21, 2008 AS INSTRUMENT NO. 2008-0449361 OF OFFICIAL RECORDS, TOGETHER WITH AN APPURTENANT UNDIVIDED 3.95% PERCENTAGE INTEREST IN AND TO THE COMMON AREA, BEING A PORTION OF LOT 3 OF "TORREY KNOLLS PARK", IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO.1991, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON JULY 31, 1914+ AND AS SAID COMMON AREA IS FURTHER DEFINED AND DESCRIBED IN THAT CERTAIN DECLARATION OF COVENANTS AND RESTRICTIONS ESTABLISHING A PLAN FOR CONDOMINIUM OWNERSHIP FOR VENTURE COMMERCE CENTER-SORRENTO, RECORDED AUGUST 21, 2008 AS INSTRUMENT NO. 2008-0449362 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM, THE RIGHT AND TITLE TO ONE-HALF OF ALL PETROLEUM, OIL OR GAS OR BY-PRODUCTS OF SUCH PETROLEUM, OIL OR GAS WHICH MAY BE HEREFTER FOUND UPON SAID PROPERTY OR IN THE EARTH UNDER SAID PROPERTY WITHOUT RIGHTS OF SURFACE ENTRY AND WITHOUT THE RIGHT TO ENTER, DRILL, EXTRACT OR REMOVE ANY MINERALS, INCLUDING OIL AND GAS ABOVE A DEPTH OF 500 FEET BELOW THE PRESENT SURFACE OF SAID PROPERTY, AND TOGETHER WITH THE PROCEEDS AVAILABLE AND PROFITS ARISING FROM THE SALE OR DISPOSITION OF SAID ONE-HALF OF THE AFORESAID MINERAL PRODUCTS, FOR THE TERM OF 99 YEARS, AS RESERVED BY D.C. HANDLEY IN DEED RECORDED IN BOOK 650, PAGE 191 OF DEEDS. EXCEPTING THEREFROM CERTAIN EXCLUSIVE, RESTRICTED AND/OR NON-EXCLUSIVE EASEMENTS FOR ACCESS AND OTHER PURPOSES, OVER AND ACROSS THE COMMON AREA, AS SAID COMMON AREA IS FURTHER SET FORTH AND DEFINED IN THAT CERTAIN DECLARATION OF COVENANTS AND RESTRICTIONS ESTABLISHING A PLAN FOR CONDOMINIUM OWNERSHIP FOR VENTURE COMMERCE CENTER-SORRENTO, RECORDED AUGUST 21, 2008 AS INSTRUMENT NO. 2008-0449362 OF OFFICIAL RECORDS.

PARCEL B: THE EXCLUSIVE RIGHT TO USE THOSE PORTIONS OF THE EXCLUSIVE USE COMMON AREAS DESIGNATED AS PT1 AND PT2, BEING THOSE PARKING SPACES DESIGNATED AS APPURTENANT TO THE UNITS(S) DEFINED IN PARCEL A HEREIN ABOVE; SAID EXCLUSIVE USE COMMON AREAS ARE FURTHER DEFINED IN THAT CERTAIN DECLARATION OF COVENANTS AND RESTRICTIONS ESTABLISHING A PLAN FOR CONDOMINIUM OWNERSHIP FOR VENTURE COMMERCE CENTER-SORRENTO, RECORDED AUGUST 21, 2008 AS INSTRUMENT NO. 2008-0449362 OF OFFICIAL RECORDS.

PARCEL C: CERTAIN NON-EXCLUSIVE EASEMENTS FOR INGRESS AND EGRESS AND OTHER PURPOSES, WHICH EASEMENTS SHALL BE APPURTENANT TO THE CONDOMINIUM UNIT(S) DESCRIBED IN PARCEL A HEREIN ABOVE, OVER AND ACROSS THE COMMON AREA, AS SET FORTH AND DEFINED IN THAT CERTAIN DECLARATION OF COVENANTS AND RESTRICTIONS ESTABLISHING A PLAN FOR CONDOMINIUM OWNERSHIP FOR VENTURE COMMERCE CENTER-SORRENTO, RECORDED AUGUST 21, 2008 AS INSTRUMENT NO. 2008-0449362 OF OFFICIAL RECORDS.

ZONING

ZONE: IL-3-1  
OVERLAY ZONES: AIRPORT INFLUENCE AREA FOR MIRAMAR REVIEW AREA 1, AIRPORT LAND USE COMPATIBILITY OVERLAY ZONE (MCAS MIRAMAR), ACCIDENT POTENTIAL ZONE 2 FOR MIRAMAR, COASTAL OVERLAY ZONE (NON-APPEALABLE AREA 1), SPECIAL FLOOD HAZARD AREA (100 YEAR FLOODWAY AND 100 YEAR FLOODPLAIN) PARKING IMPACT OVERLAY ZONE (COASTAL), WITHIN A TRANSIT PRIORITY AREA (TPA), PREVIOUS DISCRETIONARY: CONDO PLAN, MAP 1991 CDP-411195.

SCOPE OF WORK

A COASTAL DEVELOPMENT PERMIT FOR A MARIJUANA OUTLET PERMIT TO LEGALLY OPERATE THE STUC SORRENTO VALLEY, LLC MARIJUANA OUTLET 1761 S.F. THE CURRENT SITE CONSISTS OF A COMMERCIAL CONDOMINIUM THAT CONTAINS FIVE (5) UNITS. THIS PROJECT WILL UTILIZE UNIT 103 WHICH IS 1761 SQUARE FEET. THE PROJECT WILL ONLY CONSIST OF INTERIOR IMPROVEMENTS (TENANT FINISH) TO ALLOW THE SPACE TO BE SUITABLE FOR USE AS A MARIJUANA OUTLET. REBUILD TWO DRIVEWAYS TO BE CONSTRUCTED PER CITY STANDARDS AND PROPOSED PEDESTRIAN PATH.

OWNER:

BEACHFRONT PROPERTIES, INC.  
1189 SORRENTO VALLEY ROAD # 103  
SAN DIEGO, CA. 92121  
JOHN KREAMER  
858-344-0355

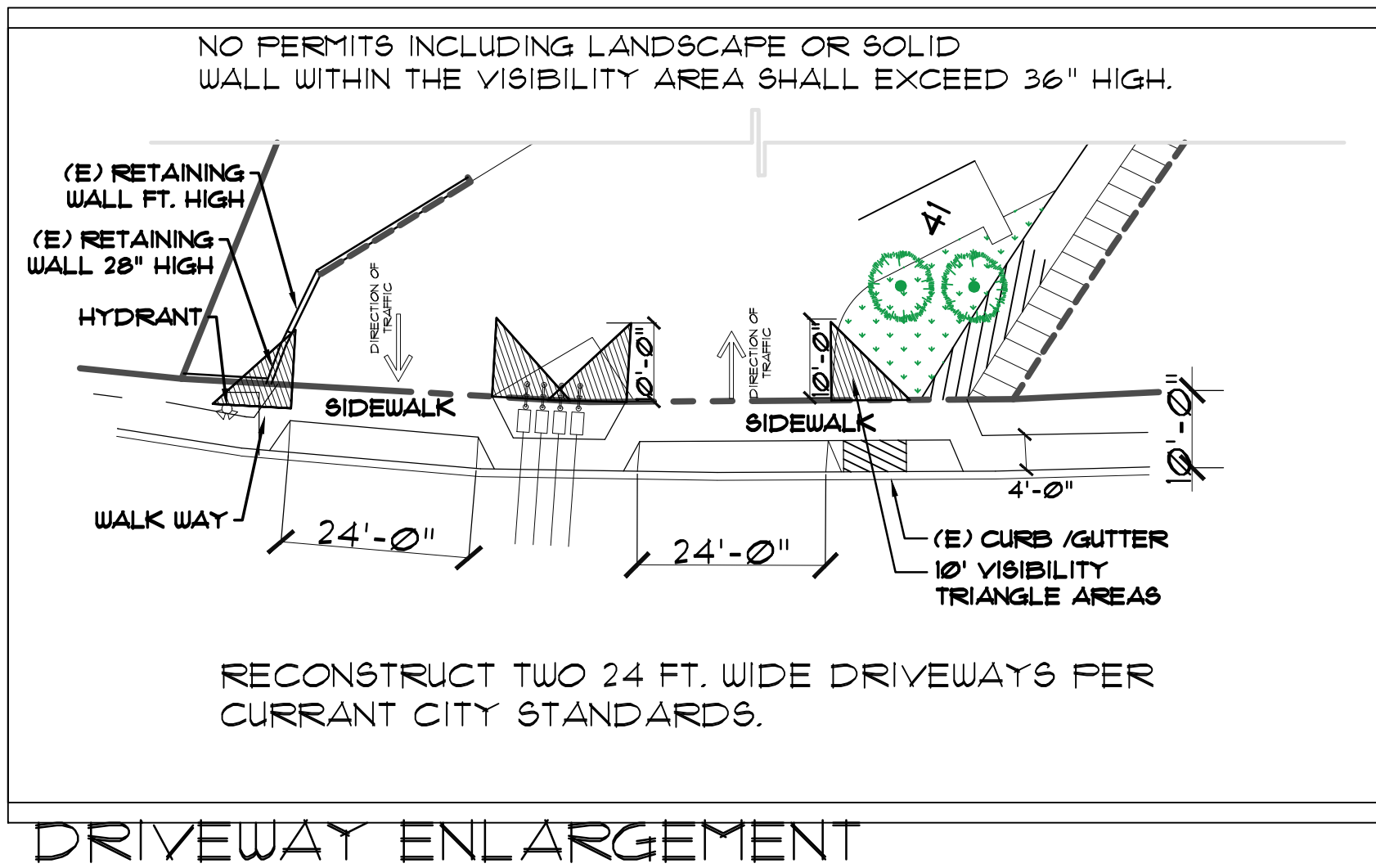
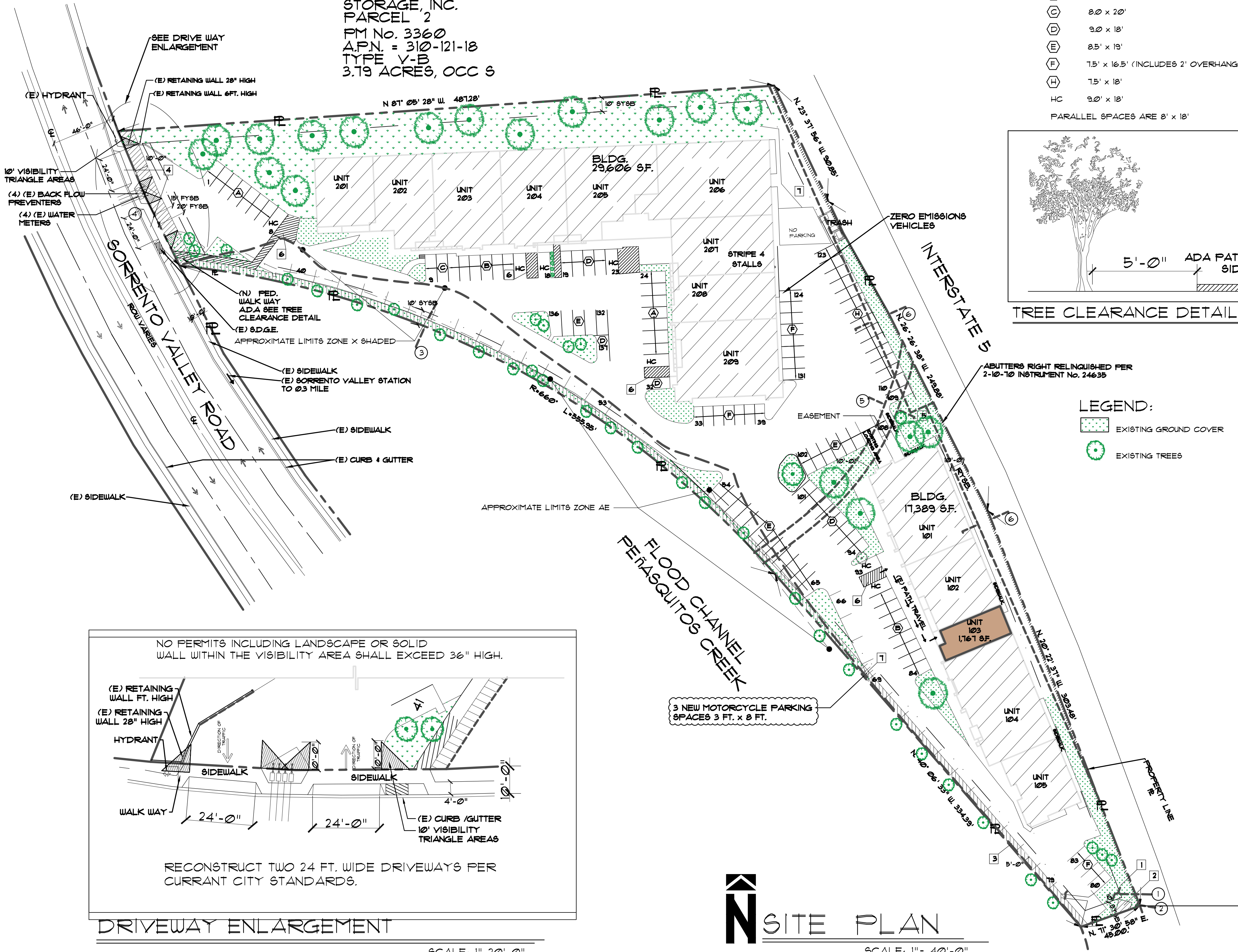
TENANT:

STUC SORRENTO VALLEY, LLC  
1189 SORRENTO VALLEY RD. NO. 103  
SAN DIEGO, CA. 92121

SITE PLAN NOTE:

- A. TRANSIT STOPS.  
EXISTING BUS STOP IS 166.0 FT. AWAY.
- B. VISIBILITY TRIANGLE:  
NO PERMITS INCLUDING LANDSCAPING OR SOLID WALL WITHIN THE VISIBILITY AREA SHALL EXCEED 36" HIGH.
- C. DRIVEWAY:  
RECONSTRUCT TWO 24 FT. WIDE DRIVEWAYS PER CURRENT CITY STANDARDS.
- D. CARBON AIR FILTERS WILL BE INSTALLED TO LIMIT THE RELEASE OF ODORS TO ADJACENT USES.  
ALL MECHANICAL SYSTEMS HAVE FILTERS TO CONTROL ODOR, PER SDMC SECTION 142.010.
- E. IN ACCORDANCE WITH SDMC 9514.040, SIGN PLANS SHALL BE A REQUIRED ELEMENT OF SAN DIEGO DEVELOPMENT PERMIT APPLICATION SUBMITTALS AND SIGNAGE SHALL BE IN CONFORMANCE WITH LAND DEVELOPMENT CODE CHAPTER 12, ARTICLE 9 DIVISION 8 (SIGN PERMIT PROCEDURES) AND ARTICLE 9 DIVISION 9 (SIGN PERMIT PROCEDURES) AND CHAPTER 14, ARTICLE 2 DIVISION 12, SDMC 1410614 MARIJUANA OUTLET (SIGN REGULATIONS).
- F. ALL USES OF THIS PROPERTY MAY BE ANY USE PERMITTED IN THE IL-3-1 ZONE.
- G. PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITTEE SHALL INCORPORATE ANY CONSTRUCTION BEST MANAGEMENT PRACTICES NECESSARY TO COMPLY WITH CHAPTER 14, ARTICLE 2, DIVISION 1 (GRADING REGULATIONS) OF THE SAN DIEGO MUNICIPAL CODE, INTO THE CONSTRUCTION PLANS OR SPECIFICATION.
- H. THIS PROJECT PROPOSES NO DEVELOPMENT IMPROVEMENT OUTSIDE THE EXISTING BUILDING FOOTPRINT FOR THIS DISCRETIONARY REVIEW AND THEREFORE DOES NOT REQUIRE ANY PERMANENT STORY WATER BEST MANAGEMENT PRACTICES (BMP's).
- I. NO PERMANENT STRUCTURE IS ALLOWED WITHIN THE EASEMENT LIMITS.
- J. NO GRADING IS PROPOSED FOR THIS PROJECT.
- K. SIGNS SHALL BE POSTED ON THE OUTSIDE OF THE MARIJUANA OUTLET AND SHALL ONLY CONTAIN THE NAME OF THE BUSINESS, LIMITED TO TWO COLORS.
- L. SDMC 1410614 STATES THAT THE NAME AND EMERGENCY CONTACT PHONE NUMBER OF AN OPERATOR OR MANAGER SHALL BE POSTED IN A LOCATION VISIBLE FROM OUTSIDE OF THE MARIJUANA OUTLET IN CHARACTER SIZE AT LEAST TWO INCHES IN HEIGHT.
- M. SDMC 1410614 LIMITS THE MARIJUANA OUTLET TO OPERATION ONLY BETWEEN THE HOURS OF 7:00 AM AND 9:00 PM, SEVEN DAYS A WEEK. THERE WILL BE A CONDITION PROPOSED TO LIMIT THE HOURS OF OPERATION. HOURS OF OPERATION: 7:00 AM TO 9:00 PM SEVEN DAYS OF WEEK.
- N. SDMC 1410614 PROHIBITS THE USE OF VENDING MACHINES WHICH ALLOW ACCESS TO MARIJUANA EXCEPT BY A RESPONSIBLE PERSON, AS DEFINED IN SAN DIEGO MUNICIPAL CODE SECTION 42.1502. A VENDING MACHINE IS ANY DEVICE WHICH ALLOWS ACCESS TO MARIJUANA WITHOUT A HUMAN INTERMEDIARY.
- O. CONSULTATIONS BY MEDICAL PROFESSIONAL SHALL NOT BE A PERMITTED ACCESSORY USE AT THE MARIJUANA OUTLET.
- P. THE OWNER/PERMITTEE OR OPERATOR SHALL MAINTAIN THE MARIJUANA OUTLET, ADJACENT PUBLIC SIDEWALKS, AND AREAS UNDER THE CONTROL OF THE OWNER OR OPERATOR, FREE OF LITTER AND GRAFFITI AT ALL TIMES. THE OWNER OR OPERATOR SHALL PROVIDE FOR DAILY REMOVAL OF TRASH, LITTER, AND DEBRIS. GRAFFITI SHALL BE REMOVED WITHIN 24 HOURS.
- Q. MARIJUANA OUTLET SHALL NOT BE CONSUMED ANYWHERE WITHIN THE SITE.
- R. THE OWNER/PERMITTEE OR OPERATOR SHALL POST ANTI-LOITERING SIGNS NEAR ALL ENTRANCES OF THE MARIJUANA OUTLET.
- S. EXISTING SERVICES WILL REMAIN.
- T. THE FACILITY SHALL PROVIDE A SUFFICIENT ODOR ABSORBING VENTILATION AND EXHAUST SYSTEM CAPABLE OF ELIMINATING EXCESSIVE OR OFFENSIVE ODORS CAUSING DISCOMFORT OR ANNOYANCE TO ANY REASONABLE PERSON OF NORMAL SENSITIVITIES STANDING OUTSIDE OF THE STRUCTURAL ENVELOPE OF THE PERMITTED FACILITY IN COMPLIANCE WITH SDMC SECTION 142.010.

LANDS OF PUBLIC  
STORAGE, INC.  
PARCEL 2  
FM No. 3360  
A.P.N. = 310-121-18  
TYPE V-B  
3.79 ACRES, OCC 9



N  
SITE PLAN

SCALE: 1"=20'-0"

SCALE: 1"=40'-0"

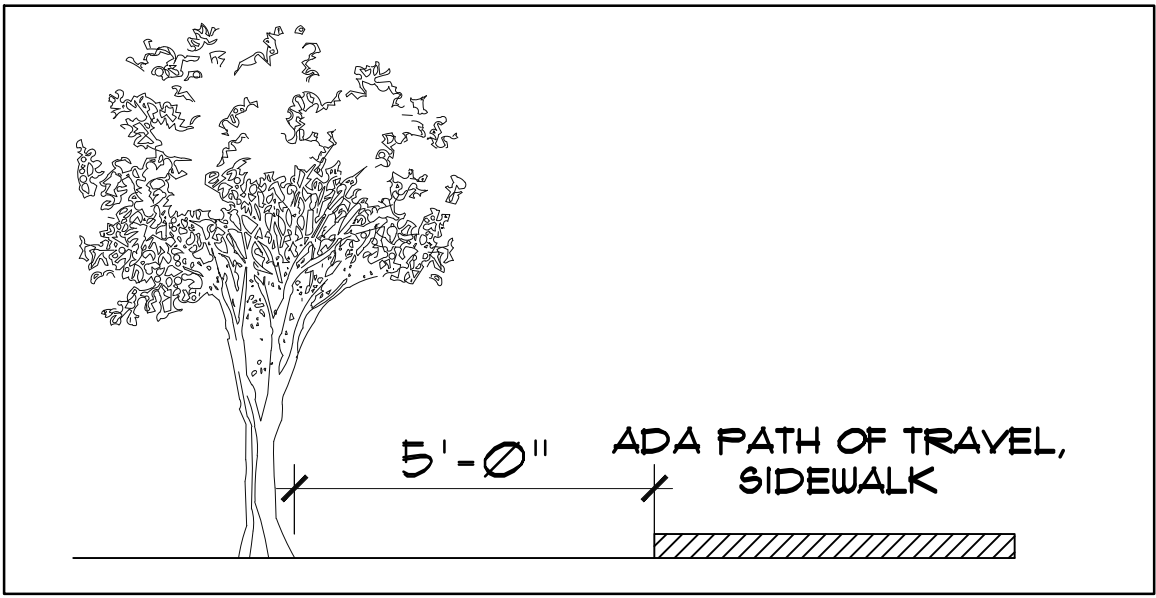
TREE PROTECTION NOTES:

- PROVIDE A MINIMUM SEPARATION OF 5 FEET BETWEEN THE PROPOSED ADA PATH OF TRAVEL FROM SORRENTO VALLEY ROAD AND MATURE TREE ON SITE. TREE SPECIES ARE PLATANUS RACEMOSA / CALIFORNIA SYCAMORE, CALIFER SIZE: 24" INCHES.
1. A BRIGHT YELLOW OR ORANGE TEMPORARY FENCE WILL BE PLACED AROUND EXISTING TREES AT THE DRIP LINE.
  2. STOCKPILING, TOPSOIL DISTURBANCE, CONSTRUCTION MATERIAL STORAGE, VEHICLE USE, FOOT TRAFFIC, AND STORAGE OF ANY KIND IS PROHIBITED WITHIN THE DRIP LINE.
  3. ROOT SYSTEMS OF EXISTING TREES WILL BE PROTECTED FROM FLOODING, EROSION, CHEMICAL SPILLS, AND EXCESSIVE WETTING AND DRYING DURING DEWATERING.
  4. THE EXISTING GRADE WILL BE MAINTAINED WITHIN THE DRIP LINE OF EXISTING TREES.
  5. ROOTS OF EXISTING TREES WILL BE CUT APPROXIMATELY 6" INCHES BACK FROM NEW CONSTRUCTION AND ALL CUTS WILL BE SEALED WITH WOOD PAINT AS MANUFACTURED BY FLINTKOTE OR APPROVED EQUAL.
  6. A CERTIFIED CONSULTING ARBORIST SHALL OVERSEE PRUNING OF ANY ROOTS 6" IN OR GREATER IN DIAMETER.
  7. MAINTAIN AND DOCUMENT A TREE WATERING SCHEDULE DURING CONSTRUCTION.
  8. ALL DAMAGED TREES WILL BE REPLACED WITH ONE EQUAL OR GREATER SIZE.

PARKING SPACE DIMENSION TABLE:

(A)	8.5' x 18'
(B)	8.0' x 18'
(C)	8.0' x 20'
(D)	9.0' x 18'
(E)	8.5' x 19'
(F)	15' x 16.5' (INCLUDES 2' OVERHANG)
(H)	7.5' x 18'
HC	9.0' x 18'

PARALLEL SPACES ARE 8' x 18'



TREE CLEARANCE DETAIL: N.T.S.

LEGEND:

- EXISTING GROUND COVER
- EXISTING TREES

SITE DATA:

ZONE: IL-3-1  
EXISTING OCCUPANCY: B  
EXISTING USE: OFFICE SPACE  
PROPOSED USE: MARIJUANA OUTLET  
PROPOSED OCCUPANCY: B

SITE: 1189 SORRENTO VALLEY ROAD SUITE 103  
SAN DIEGO, CA. 92121  
140,823 SF. (3,229 A.)  
54,632.0 SF.  
32,211.7 SF.  
323 (EXIST'G BUILDING SIZE 46,995 SF.)  
32%  
1980 CONVERTED TO CONDOMINIUM 2008  
TYPE OF CONSTRUCTION: VB  
NUMBER OF STORIES: 2  
BUILDING AREA: 46,995 SQ. FT.  
SETBACK:

FRONT: 15' / 20'  
SIDES: 10'  
STREET SIDE YARD: 15' / 20'  
REAR YARD: 0' / 10'  
SAFETY ZONE: 2'

ATTACHMENT 9

EXISTING CONDOMINIUMS: 43,916 SF. X 2.5 SPACES/1,000 SF. (PREVIOUSLY APPROVED PARKING RATIO PER CDP No. 471195) = 110 SPACES  
PROPOSED MO: 1,761 SF. X 5.0 SPACES/1,000 SF. (PER TABLE 142-05E) = 9 SPACES

TOTAL: 110 SPACES + 9 SPACES = 119 SPACES  
REQUIRED PARKING SPACES: 131 SPACES (PER CDP No. 471195)  
ACCESSIBLE PARKING SPACE REQUIRED = 5  
ACCESSIBLE PARKING SPACE PROVIDED = 7

PROPOSED TENANT: 1,761 SF. SUITE 103

ZONING:

ZONE: IL-3-1  
OVERLAY ZONES:  
AIRPORT INFLUENCE AREA FOR MIRAMAR REVIEW AREA 1, AIRPORT AND USE COMPATIBILITY OVERLAY ZONE (MIRAMAR), ACCIDENT POTENTIAL ZONE 2 FOR MIRAMAR COASTAL OVERLAY ZONE (NON-APPEALABLE AREA 1), SPECIAL FLOOD HAZARD AREA (100 YEAR FLOODWAY AND 100 YEAR FLOODPLAIN) PARKING IMPACT OVERLAY ZONE (COASTAL).  
WITHIN A TRANSIT PRIORITY AREA (TPA).  
PREVIOUS DISCRETIONARY: CONDO PLAN, MAP 1991 CDP-471195.  
THE PROPOSED PROJECT IS WITHIN THE PARKING IMPACT AREA ZONE.

SCOPE OF WORK:

A COASTAL DEVELOPMENT PERMIT FOR A MARIJUANA OUTLET PERMIT TO LEGALLY OPERATE THE STUC SORRENTO VALLEY, LLC MARIJUANA OUTLET 1,761 SF. THE CURRENT SITE CONSISTS OF A COMMERCIAL CONDOMINIUM THAT CONTAINS FIVE (5) UNITS. THIS PROJECT WILL UTILIZE UNIT 103 WHICH IS 1,761 SQUARE FEET. THE PROJECT WILL ONLY CONSIST OF INTERIOR IMPROVEMENTS (TENANT FINISH) TO ALLOW THE SPACE TO BE SUITABLE FOR USE AS A MARIJUANA OUTLET.  
REBUILD TWO DRIVEWAYS TO BE CONSTRUCTED PER CITY STANDARDS AND PROPOSED PEDESTRIAN PATH.

OWNER:

BEACHFRONT PROPERTIES, INC.  
1189 SORRENTO VALLEY ROAD • 103  
SAN DIEGO, CA. 92121  
JOHN KREAMER  
858-344-0355

TENANT:

STUC SORRENTO VALLEY, LCC  
1189 SORRENTO VALLEY RD. NO. 103  
SAN DIEGO, CA. 92121

CONSULTANT:

AUSTIN & ASSOCIATES  
ALAN LLOYD AUSTIN  
1622 PIONEER WAY  
EL CAJON, CA. 92020  
619-440-3624

PLAN SPECIFIC NOTES

- 1 EXISTING FULLY ACCESSIBLE PRIMARY ENTRANCE TO REMAIN
- 2 HEAVY DASHED LINE INDICATES EXISTING FULLY ACCESSIBLE PATH OF TRAVEL TO REMAIN
- 3 EXISTING FULLY ACCESSIBLE HANDICAPPED PARKING TO REMAIN
- 4 PROPOSED FULLY ACCESSIBLE EGRESSES / INGRESSES
- 5 EXISTING FULLY ACCESSIBLE CONCRETE WALK TO REMAIN
- 6 THE WORDS "NO PARKING" SHALL BE PAINTED ON THE GROUND WITHIN EACH 5'-0" / 8'-0" (AT VAN SPACE) LOADING AND UNLOADING ACCESS AISLE.  
THIS NOTE SHALL BE PAINTED IN WHITE LETTERS NO LESS THAN 12 INCHES HIGH AND LOCATED SO THAT IT IS VISIBLE TO TRAFFIC ENFORCEMENT OFFICIALS CBC SECTION 11298.4.1 11298.4.2
- 7 3 NEW MOTORCYCLE SPACES, 3 FT X 8 FT.

EASEMENTS :

- 1 AN EASEMENT IN FAVOR OF SAN DIEGO GAS AND ELECTRIC GRANTED PER INSTRUMENT No. 75-08183.
- 2 AN EASEMENT IN FAVOR OF SAN DIEGO GAS AND ELECTRIC GRANTED PER THE INSTRUMENT RECORDED MAY 1, 1984 No. 18895.
- 3 AN EASEMENT IN FAVOR OF CITY OF SAN DIEGO FOR DRAINAGE PURPOSES GRANTED PER INSTRUMENT No. 81-193053.
- 4 AN EASEMENT IN FAVOR OF E. RUSSELL UERDIN ET AL FOR SLOPE PURPOSES GRANTED PER INSTRUMENT No. 88-168081.
- 5 AN EASEMENT IN FAVOR OF CITY OF SAN DIEGO FOR STORM DRAINS WITH THE RIGHT OF INGRESS AND EGRESSES GRANTED PER INSTRUMENT No. 75-190110.
- 6 AN EASEMENT IN FAVOR OF THE STATE OF CALIFORNIA FOR AN OVERHEAD FREEWAY BRIDGE GRANTED PER INSTRUMENT No. 2001-568196.
- 7 AN EASEMENT IN FAVOR OF SAN DIEGO GAS AND ELECTRIC GRANTED PER INSTRUMENTS 82-171018 AND 93-37429 ARE NOT FLOTTABLE FROM THE RECORD DOCUMENTS AND ARE NOT SHOW HEREON.

REVISIONS	BY
06-14-18	MJC
06-18-18	MJC
09-10-18	MJC
04-17-2019	OD
05-29-2019	OD
07-31-2019	OD

S T W C  
SORRENTO VALLEY, LLC  
11189 SORRENTO VALLEY ROAD SUITE 103

AUSTIN & ASSOCIATES  
ALAN LLOYD AUSTIN  
1622 PIONEER WAY EL CAJON CA. 92020 Ph. (619)440-3624  
RESIDENTIAL & COMMERCIAL PLANNING AND DESIGN  
MEMBER: AMERICAN INSTITUTE OF BUILDING DESIGN

DRAWN BY:	MJC
CHECKED BY:	ALA
DATE:	11-6-17
SCALE:	AS NOTED
JOB NO.	

REVISIONS	BY
06-14-18	MJC
06-18-18	MJC
09-10-18	MJC
01-31-2019	BD

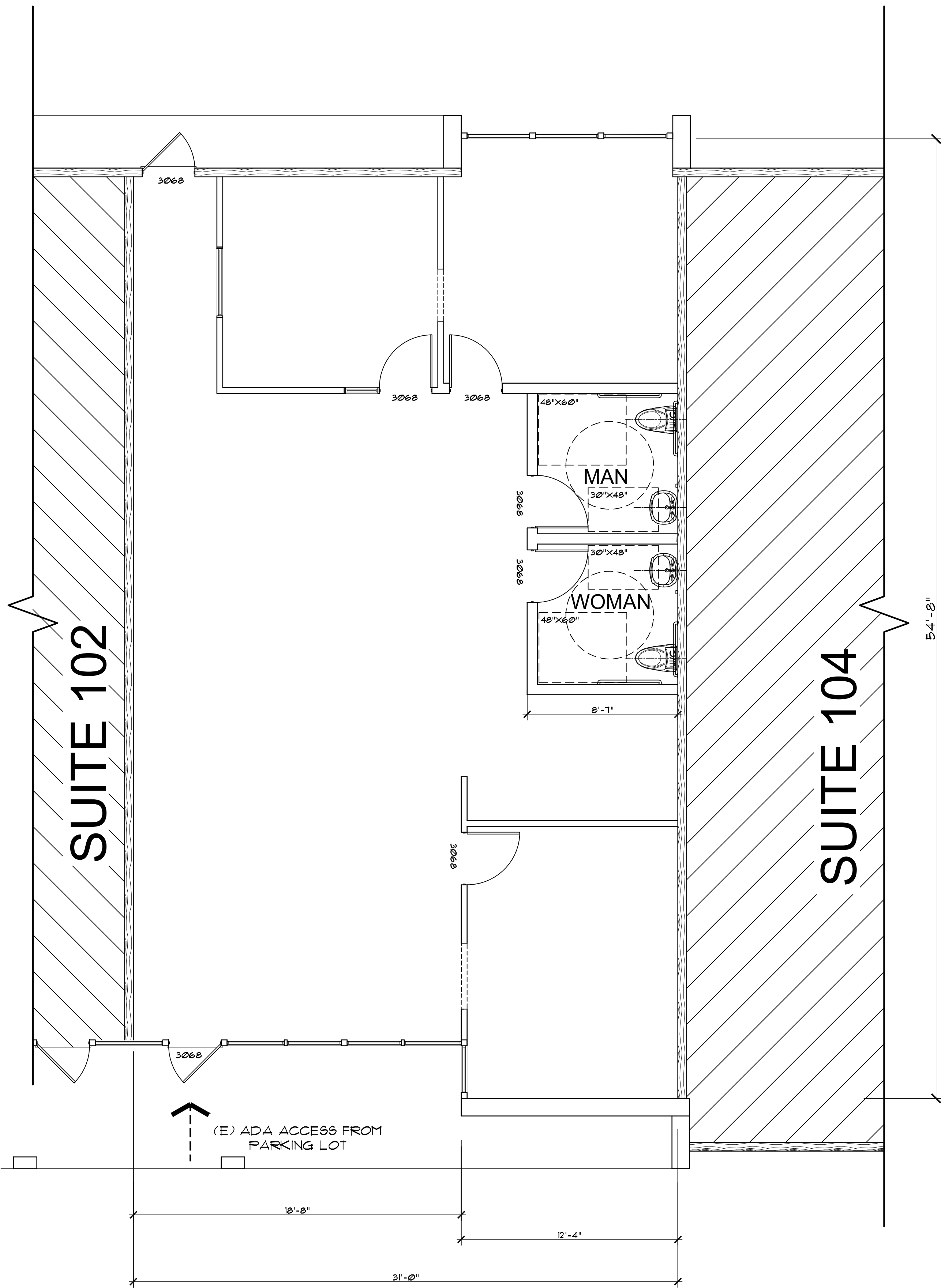
S T W C  
SORRENTO VALLEY, LLC  
11189 SORRENTO VALLEY ROAD SUITE 103

AUSTIN & ASSOCIATES  
ALAN LLOYD AUSTIN  
1622 PIONEER WAY EL CAJON CA. 92020 Ph. (619)440-3824  
RESIDENTIAL & COMMERCIAL PLANNING AND DESIGN  
MEMBER: AMERICAN INSTITUTE OF BUILDING DESIGN

DRAWN BY:  
MJC  
CHECKED BY:  
ALA  
DATE:  
11-6-17  
SCALE:  
AS NOTED  
JOB NO.

A-1

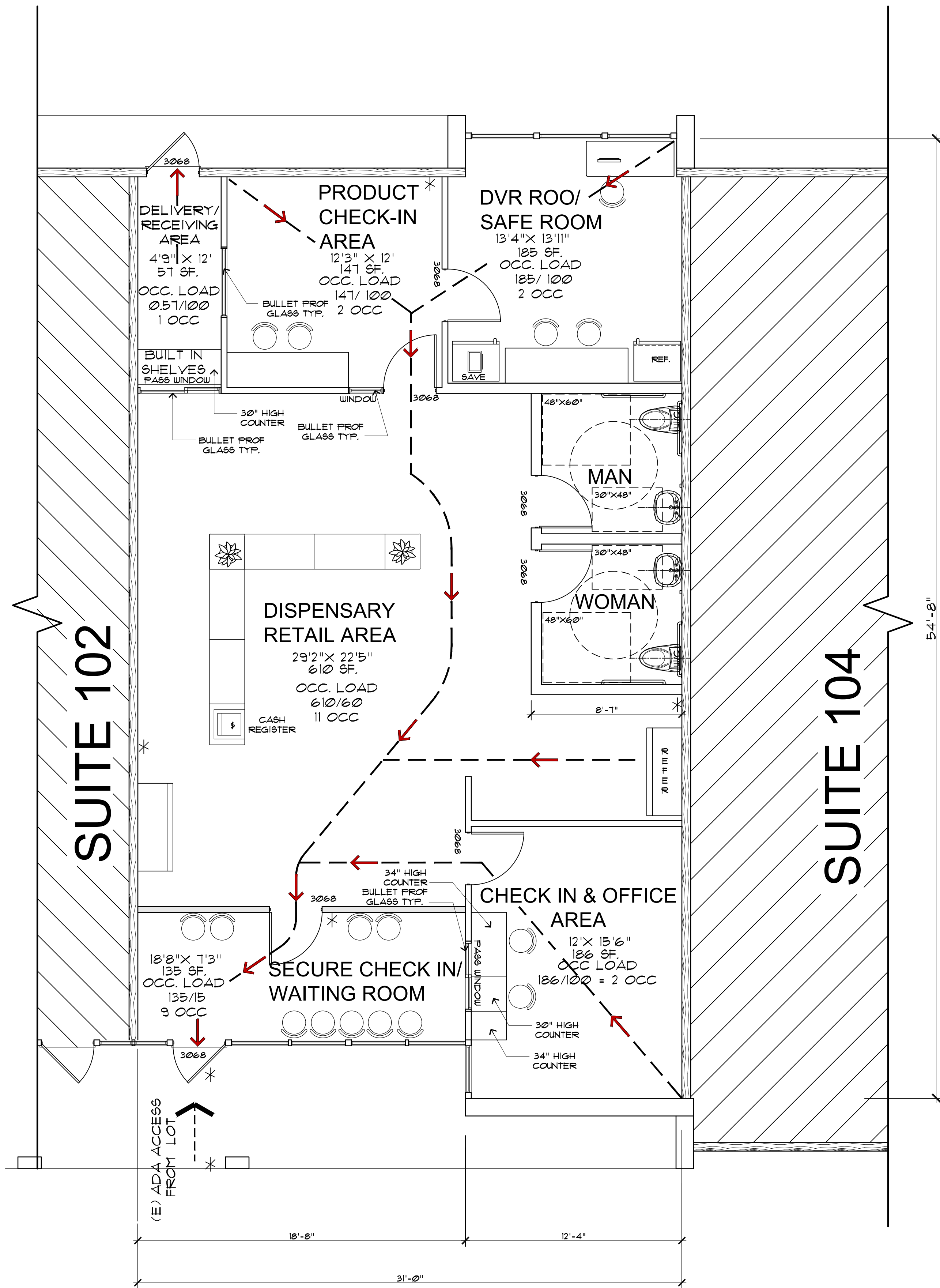
STRAINWISE



EXISTING FLOOR PLAN/ DEMOLITION

SCALE: 1/4" = 1'-0"

- WALL LEGEND:
- 2x4 STUDS @ 16" O/C, NEW WALLS
  - (E) 2x6 STUDS @ 16" O/C TO REMAIN
  - EXISTING 2x WALLS TO REMAIN
  - WALLS TO BE DEMO



FLOOR PLAN

SCALE: 1/4" = 1'-0"

- WALL LEGEND:
- 2x4 STUDS @ 16" O/C, NEW WALLS
  - (E) 2x6 STUDS @ 16" O/C TO REMAIN
  - EXISTING 2x WALLS TO REMAIN
  - WALLS TO BE DEMO

REVISIONS	BY
06-14-18	MJC
06-18-18	MJC
09-10-18	MJC

S T W C

SORRENTO VALLEY, LLC

11189 SORRENTO VALLEY ROAD SUITE 103

AUSTIN & ASSOCIATES

ALAN LLOYD AUSTIN

1622 PIONEER WAY EL CAJON CA 92020

RESIDENTIAL & COMMERCIAL PLANNING AND DESIGN

MEMBER AMERICAN INSTITUTE OF BUILDING DESIGN

Ph. (619)440-3624

ALA

BD

DRAWN BY: MJC

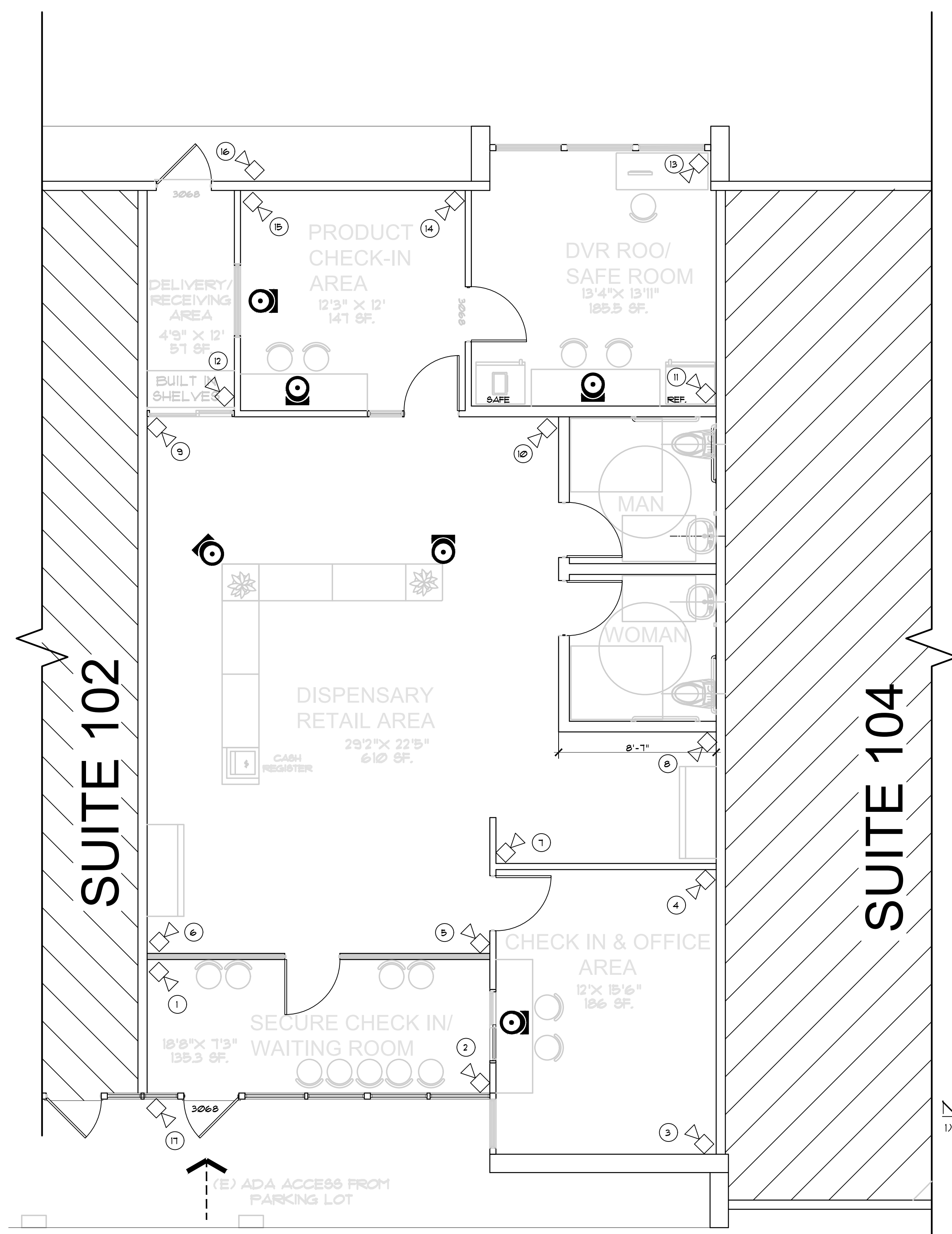
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DATE: 11-6-17

SCALE: AS NOTED

JOB NO.

A-2

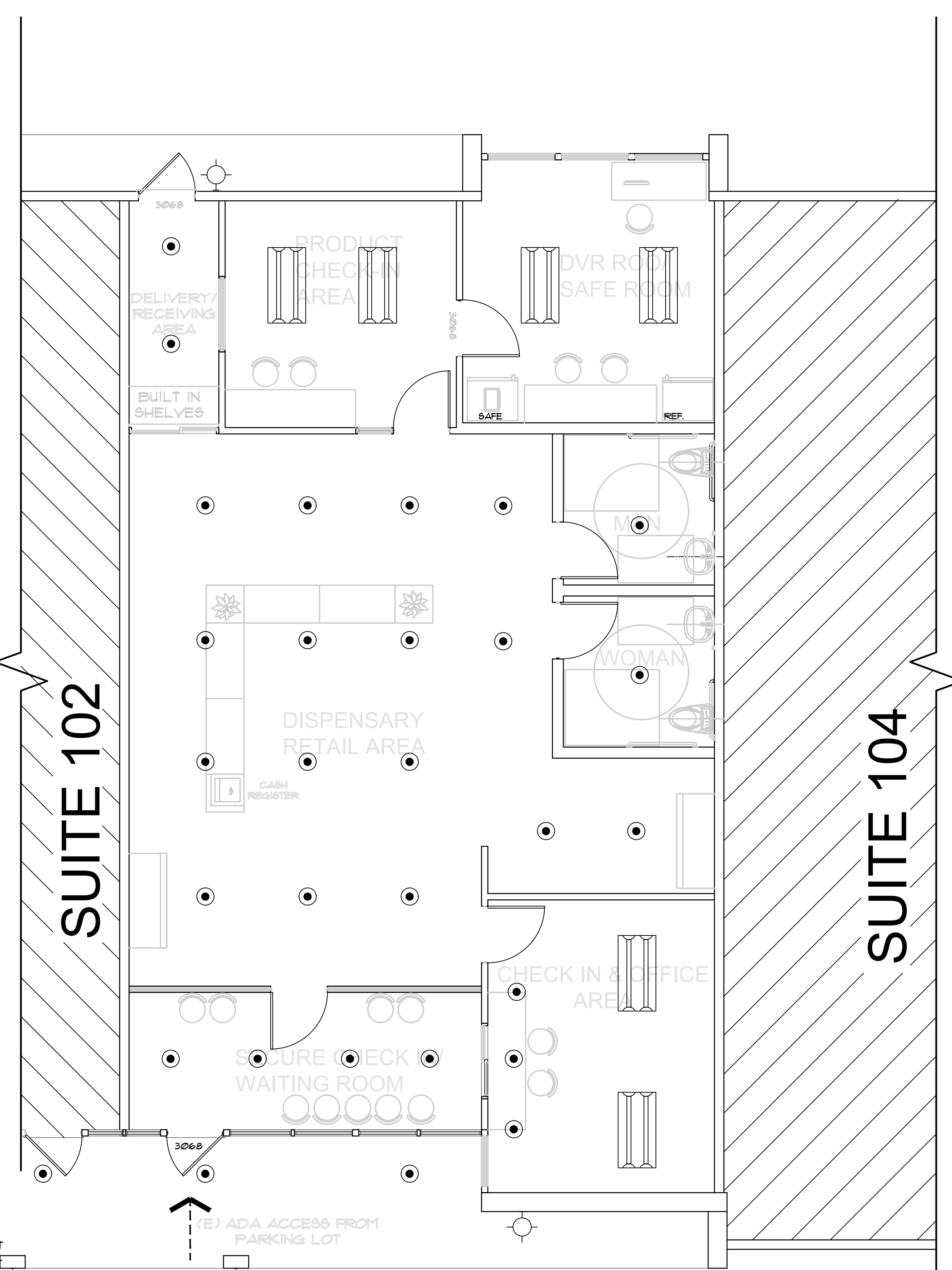


SURVEILLANCE PLAN

SCALE: 1/4" = 1'-0"

- LEGEND:
- CAMERA PLACEMENT AND DIRECTION TOTAL = 17
  - OVERHEAD CAMERA PLACEMENT TOTAL = 6

- NOTES:
- 1) LIGHTING SHALL BE PROVIDED TO ILLUMINATE THE INTERIOR OF THE MARIJUANA OUTLET CONSUMER COOPERATIVE FACADE, AND THE IMMEDIATE SURROUNDING AREA, INCLUDING ANY ACCESSORY USES, PARKING LOTS, AND ADJOINING SIDEWALK. LIGHTING SHALL BE HOODED OR ORIENTED SO AS TO DELECT LIGHT AWAY FROM ADJACENT PROPERTIES.
  - 2) SECURITY SHALL INCLUDE OPERABLE CAMERAS AND METAL DETECTOR TO THE SATISFACTION OF DEVELOPMENT SERVICES DEPARTMENT. THIS FACILITY SHALL ALSO INCLUDE ALARMS AND TWO ARMED SECURITY GUARDS TO THE EXTENT THE POSSESSION OF A FIREARM IS NOT IN CONFLICT WITH 18 U.S.C. § 922(g) AND 21 C.F.R. 418.11.
  - 3) THE SECURITY GUARDS SHALL BE LICENSED BY THE STATE OF CALIFORNIA. ONE SECURITY GUARD MUST BE ON THE PREMISES 24 HOURS A DAY, SEVEN DAYS A WEEK, THE OTHER MUST BE PRESENT DURING BUSINESS HOURS. THE SECURITY GUARDS SHOULD ONLY BE ENGAGED IN ACTIVITIES RELATED TO PROVIDING SECURITY FOR FACILITY, EXCEPT ON AN INCIDENTAL BASIS. THE CAMERAS SHALL HAVE AND USE A RECORDING DEVICE THAT MAINTAINS THE RECORD FOR MINIMUM OF 30 DAYS.
  - 4) CARBON AIR FILTERS WILL BE INSTALLED TO LIMIT THE RELEASE OF ODORS TO ADJACENT USES.



LIGHTING PLAN

SCALE: 1/4" = 1'-0"

- RECESSED CAN/ SPOT LIGHT FIXTURE
- WALL MOUNTED LIGHT FIXTURE
- MOUNTED 2'X 4' FLUORESCENT FIXTURE

LANDS OF PUBLIC  
STORAGE, INC.  
PARCEL 2  
PM No. 3360  
A.P.N. = 310-121-18  
TYPE V-B  
3.79 ACRES, OCC S

# ATTACHMENT 9



## SITE LIGHTING PLAN

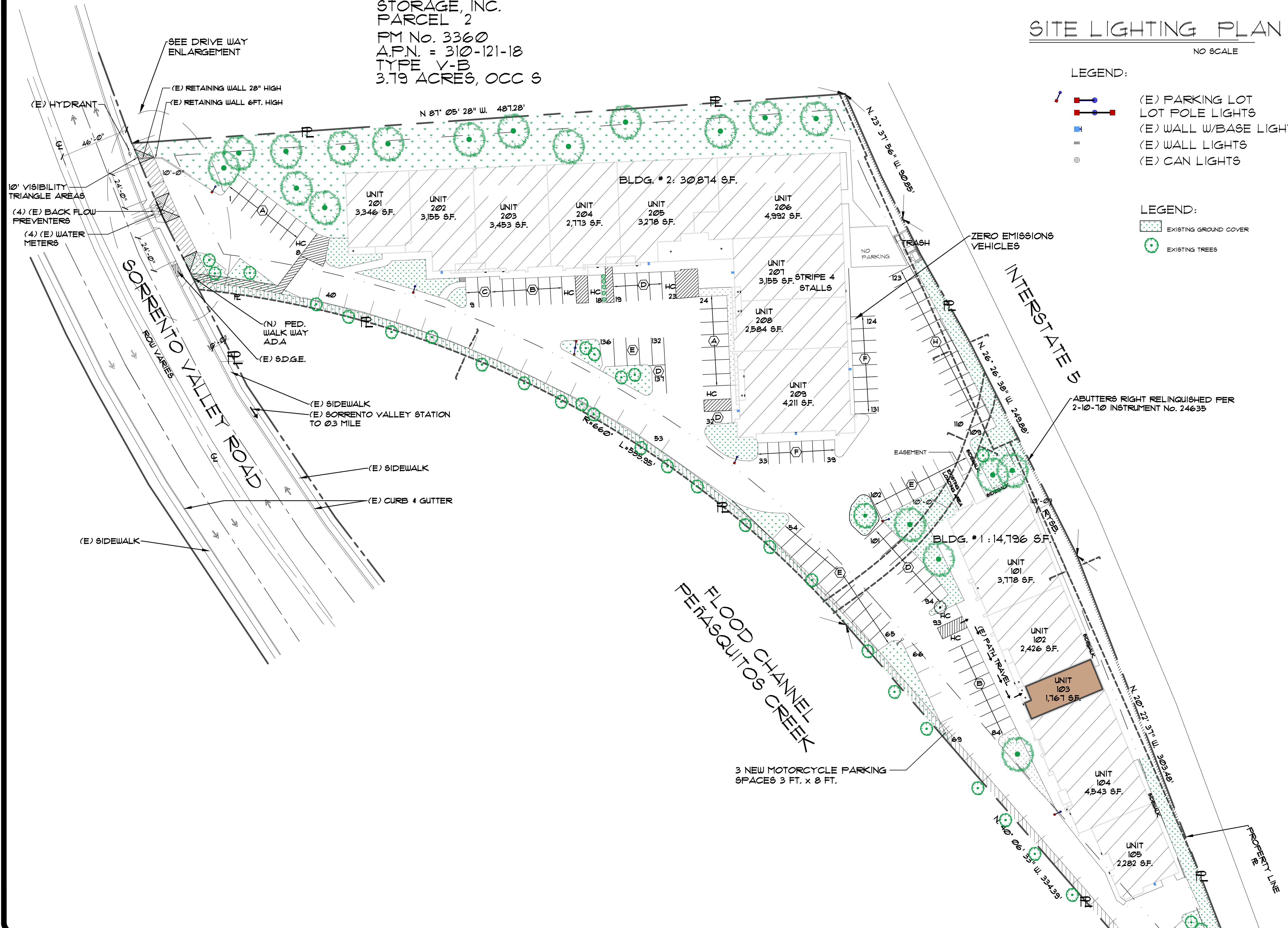
NO SCALE

### LEGEND:

- (E) PARKING LOT LOT POLE LIGHTS
- (E) WALL W/BASE LIGHTS
- (E) WALL LIGHTS
- (E) CAN LIGHTS

### LEGEND:

- EXISTING GROUND COVER
- EXISTING TREES

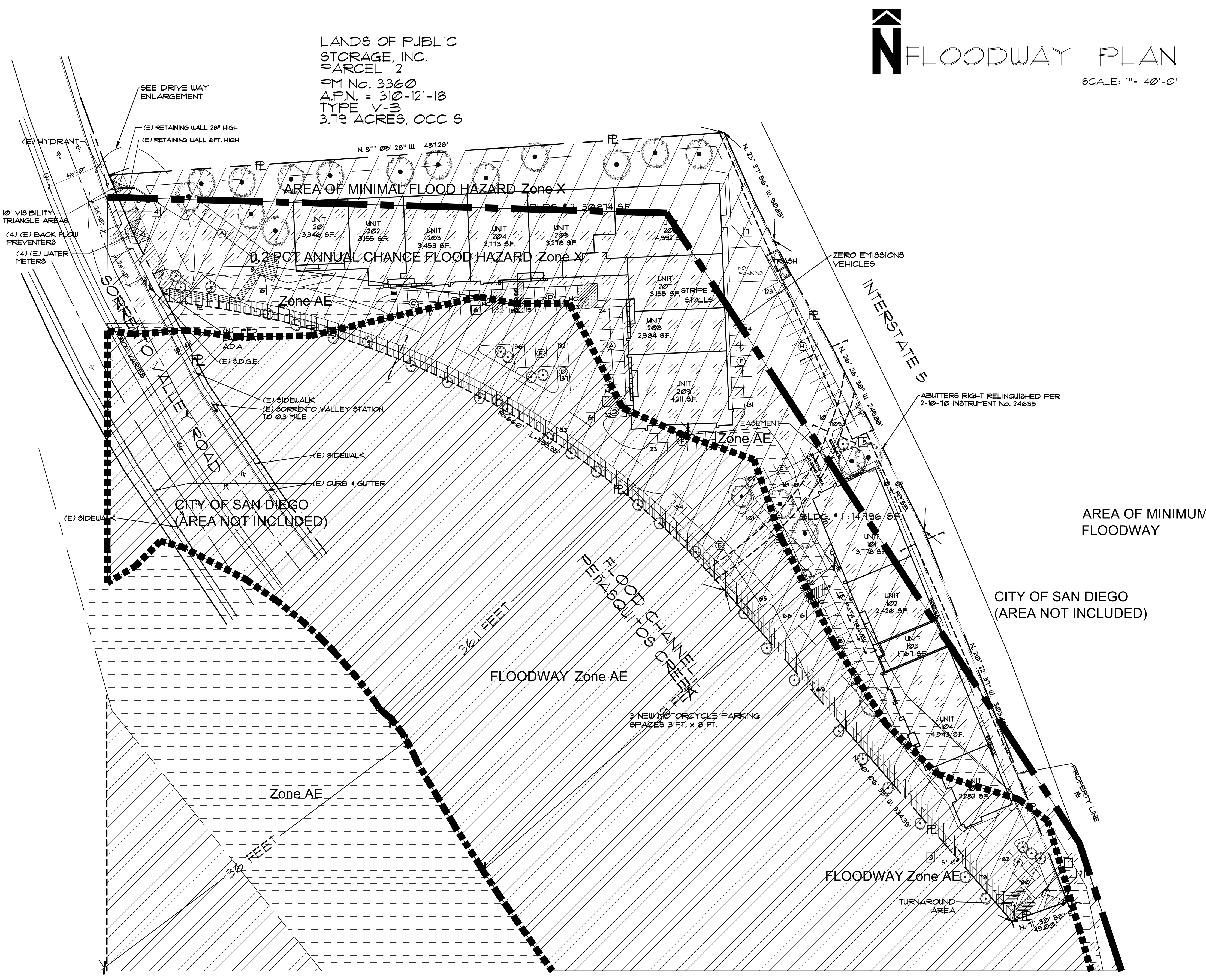


S T W C  
SORRENTO VALLEY, LLC  
11189 SORRENTO VALLEY ROAD SUITE 103

AUSTIN & ASSOCIATES  
ALAN LLOYD AUSTIN  
1622 PIONEER WAY EL CAJON CA. 92020  
RESIDENTIAL & COMMERCIAL PLANNING AND DESIGN  
MEMBER: AMERICAN INSTITUTE OF BUILDING DESIGN  
Ph. (619) 440-3824  
A B D

DRAWN BY:  
MJC  
CHECKED BY:  
ALA  
DATE:  
11-6-17  
SCALE:  
AS NOTED  
JOB NO.

A-3



ATTACHMENT 9

LEGEND:

FLOODWAY

ZONE AE

0.2 PCT ANNUAL CHANCE FLOOD HAZARD

AREA OF MINIMAL FLOOD HAZARD

COASTAL ZONE

APPEALABLE COASTAL ZONE

AREA OF MINIMUM FLOODWAY

CITY OF SAN DIEGO (AREA NOT INCLUDED)

REVISIONS	BY
06-14-18	MJC
06-18-18	MJC
09-10-18	MJC

S T W C

SORRENTO VALLEY, LLC

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SCALE: AS NOTED

JOB NO.

A-4