



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: May 30, 2019 REPORT NO. PC-19-040

HEARING DATE: June 6, 2019

SUBJECT: MPF 8390 MIRAMAR PLACE, Process Three Decision

PROJECT NUMBER: [585648](#)

REFERENCE: [Report to the Hearing Officer No. HO-19-023](#)

OWNER/APPLICANT: R. Michael Pack, Owner and Wayne Yamamoto, Applicant

SUMMARY

Issue: Should the Planning Commission deny or approve the appeal of the Hearing Officer's decision to approve the operation of a Marijuana Production Facility within an existing 16,752 square-foot building located at 8390 Miramar Place, Suites A, B, and C in the IL-2-1 Zone of the University Community Plan area?

Staff Recommendation: DENY the appeals and affirm the Hearing Officer's decision to APPROVE Conditional Use Permit No. 2068281.

Community Planning Group Recommendation: On October 9, 2018, the University Community Planning Group voted 17-0-1 to recommend approval of the proposed project with no conditions (Report to the Hearing Officer No. HO-19-023, Attachment 7).

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301, Existing Facilities. An appeal of the CEQA determination was previously made and the City Council denied the CEQA appeal on January 8, 2019, [Resolution No. R-312176](#). The scope of the subject hearing only includes the project, and not the environmental determination.

Fiscal Impact Statement: All costs associated with processing of this project are paid through a deposit account by the applicant.

Code Enforcement Impact: None with this application.

Housing Impact Statement: The project site is designated Prime Industrial Lands within the Economic Prosperity Element of the General Plan, and Restricted Industrial per the

University Community Plan (Community Plan). The General Plan identifies a Citywide shortage of land suitable for manufacturing activities and a need to protect manufacturing land from non-manufacturing uses. The Restricted Industrial designation in the Community Plan permits light manufacturing uses, such as large and small industrial, scientific research, warehousing, mini-storage, and automotive commercial. The proposed MPF, classified as an industrial use, is an appropriate use in the light industrial zone. Therefore, the project would not impact the housing supply within the City of San Diego.

BACKGROUND

The proposed MPF 8390 Miramar Place project is a request for a Conditional Use Permit pursuant to [San Diego Municipal Code \(SDMC\) Section 126.0303](#) to operate a Marijuana Production Facility (MPF) within an existing 16,752-square-foot building located at 8390 Miramar Place in Suites A, B, and C. Operation includes the manufacturing, extraction, and distribution of cannabis products to State of California licensed marijuana outlets, consistent with the requirements of State of California statutes and California Departments of Food and Agriculture, Consumer Affairs and Public Health regulations. The project proposes tenant improvements to accommodate operations, including non-load bearing partitions, doors, lighting, security cameras and system, millwork, finishes throughout and associated mechanical, electrical, and plumbing improvements. No exterior building alterations would occur. Operations include manufacturing, production, storage and distribution of cannabis products. Public improvements include the construction of one new 25-foot driveway, two new 20-foot driveways, and the reconstruction of an existing curb ramp, with current City Standards. The facility is also subject to State of California statutes and regulations.

On March 6, 2019, the Hearing Officer approved the project. The [Report to the Hearing Officer HO-19-023](#) (Attachment 1) contains the project background, analysis and necessary draft findings with staff recommendation of approval.

PROJECT APPEAL DISCUSSION

Two appeals of the Hearing Officer's decision were filed on March 20, 2019. The first appeal was filed by Matthew Shapiro (Attachment 2), and the second appeal was filed by Khoa Nguyen (Attachment 3).

The appellants' appeal issues are provided below along with the City staff responses:

Matthew Shapiro Appeal Issue No. 1: "Proposed project is within 1000' of sensitive uses with no barriers, natural or constructed."

Staff Response: Appellant did not identify any sensitive uses within 1000' of the proposed project in this appeal. Staff reviewed the project and determined the project complies with the separation requirements pursuant to SDMC Section 141.1004.

Matthew Shapiro Appeal Issue No. 2: "Proposed project has multiple design flaws leading to security, and safety concerns and are not to city and state standards."

Staff Response: Appellant did not identify the specific design flaws the project contains. Staff reviewed the project in accordance with the Land Development Code. Additionally, the project's CUP contains various conditions related to security measures pursuant to [SDMC Section 141.1004](#).

Khoa Nguyen Appeal Issue: "Findings Not Supported: The Hearing Officer's stated finding to approve is not supported by the information that was provided to the Hearing Officer. It is widely known that Marijuana Production Facilities produce strong odors. The applicant has not sufficiently demonstrated that their marijuana production facility will not produce odors that will be detrimental to surrounding businesses and to the public."

Staff Response: The project's CUP contains various conditions related to San Diego Municipal Code Chapter 14, Article 2, Division 7: Off-Site Development Impact Regulations, which include: requiring the Owner/Permittee to provide an odor absorbing ventilation and exhaust system capable of minimizing excessive or offensive odors emanating outside of the permitted facility; requiring the continued use of this MPF, subject to the regulations of the City and any other applicable governmental agency; and stating that the issuance of the Permit by the City of San Diego does not authorize the Owner/Permittee for the Permit to violate any Federal, State or City laws, ordinances, regulations or policies.

In addition, the Municipal Code regulates air contaminants. Specifically, [SDMC Section 142.0710](#), Air Contaminant Regulations, states air contaminants including smoke, charred paper, dust, soot, grime, carbon, noxious acids, toxic fumes, gases, odors, and particulate matter, or any emissions that endanger human health, cause damage to vegetation or property, or cause soiling shall not be permitted to emanate beyond the boundaries of the premises upon which the use emitting the contaminants is located. Nuisance complaints for non-compliance will be investigated by the City and/or other regulatory agencies, including, but not limited to, the California Department of Public Health and the Air Pollution Control District.

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 design of the proposed project complies with all development regulations of the IL-2-1 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 Planning Commission deny the appeals and approve the project as presented.

ALTERNATIVES

1. Deny the appeals and modify the Hearing Officer's decision to Conditional Use Permit No. 2068281.
2. Uphold the appeals and reverse the Hearing Officer's decision to approve Conditional Use Permit No. 2068281, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



PJ Fitzgerald
Assistant Deputy Director
Development Services Department



Sammi Ma
Development Project Manager
Development Services Department

PJF/SYM

Attachments:

1. [Report to the Hearing Officer No. HO-19-023](#)
2. Matthew Shapiro Appeal
3. Khoa Nguyen Appeal
4. Draft Permit Resolution with Findings
5. Draft Permit with Conditions



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: February 27, 2019 REPORT NO. HO-19-023

HEARING DATE: March 6, 2019

SUBJECT: MPF 8390 MIRAMAR PLACE, Process Three Decision

PROJECT NUMBER: [585648](#)

OWNER/APPLICANT: R. Michael Pack, Owner and Wayne Yamamoto, Applicant

SUMMARY

Issue: Should the Hearing Officer approve a Marijuana Production Facility located at 8390 Miramar Place in the IL-2-1 Zone of the University Community Plan area?

Staff Recommendation: Approve Conditional Use Permit No. 2068281.

Community Planning Group Recommendation: On October 9, 2018, the University Community Planning Group voted 17-0-1 to recommend approval of the proposed project without conditions (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 (Attachment 6). An appeal of the CEQA determination was previously made and the City Council denied the CEQA appeal on January 8, 2019. The scope of the subject hearing only includes the project, and not the environmental determination.

BACKGROUND

The project is a request for a Conditional Use Permit pursuant to San Diego Municipal Code (SDMC) Section 126.0303 for the operation of a Marijuana Production Facility (MPF) in Suites A, B, and C of an existing 16,752-square-foot building located at 8390 Miramar Place (Attachment 1). The 0.72-acre site is in the IL-2-1 Zone, Community Plan Implementation Overlay Zone – Type B, the Airport Land Use Compatibility (MCAS Miramar) Overlay Zone, MCAS Miramar - Noise 70-75 CNEL, the Airport Influence Area (MCAS Miramar Review Area 1), MCAS Miramar Accident Potential Zone 1, the Federal Aviation Authority (FAA) Part 77 Noticing Area, and is identified as Prime Industrial Lands within the Economic Prosperity Element of the General Plan. The project site is also designated Restricted Industrial per the University Community Plan (Attachment 2).

The project site is designated Restricted Industrial by the University Community Plan and is also identified as Prime Industrial Lands within the Economic Prosperity Element of the General Plan. The General Plan identifies a citywide shortage of land suitable for manufacturing activities and a need to protect manufacturing land from non-manufacturing uses. The Restricted Industrial designation in the community plan permits light manufacturing uses, such as large and small industrial, scientific research, warehousing, mini-storage, and automotive commercial. Surrounding properties are zoned IL-2-1 and includes uses consistent with the Restricted Industrial designation of the community plan. The proposed MPF, classified as an industrial use, is consistent with the underlying zone and land use designation.

Marijuana Production Facilities (MPFs) are restricted to forty facilities City-wide, within light and heavy industrial zones. MPFs require compliance with San Diego Municipal Code (SDMC), section 141.1004, 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. MPFs also require a minimum distance requirement of 100 feet from a residential zone. Security requirements include interior and exterior lighting, security cameras, alarms and a security guard. The security guard must be licensed by the State of California and be present on the premises during business hours. MPFs must also comply with SDMC Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

DISCUSSION

Project Description

The proposed project to operate a Marijuana Production Facility within an existing 16,752 square-foot building located at 8390 Miramar Place in Suites A, B, and C. The project proposes tenant improvements to accommodate operations, including non-load bearing partitions, doors, lighting, security cameras and system, millwork, finishes throughout and associated mechanical, electrical and plumbing improvements. No exterior building alterations would occur. Operations include manufacturing, production, storage and distribution of cannabis products. Public improvements include the construction of one new 25-foot driveway, two new 20-foot driveways, and the reconstruction of an existing curb ramp, with current City Standards.

The proposed MPF is subject to specific operational and security requirements as set forth in SDMC Section 141.1004. Furthermore, the proposed improvements would require the Owner/Permittee to obtain a change of use/occupancy building permit consistent with all California Codes and Regulations in effect at the time of building permit, satisfactory to the Building Official. The facility is also subject to State of California statutes and regulations.

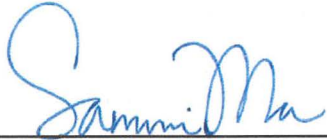
Conclusion

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 design of the proposed Project complies with all development regulations of the IL-2-1 Zone and no deviations are requested. 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. 2068281, with modifications.
2. Deny Conditional Use Permit No. 2068281, if the findings required to approve the project cannot be affirmed.

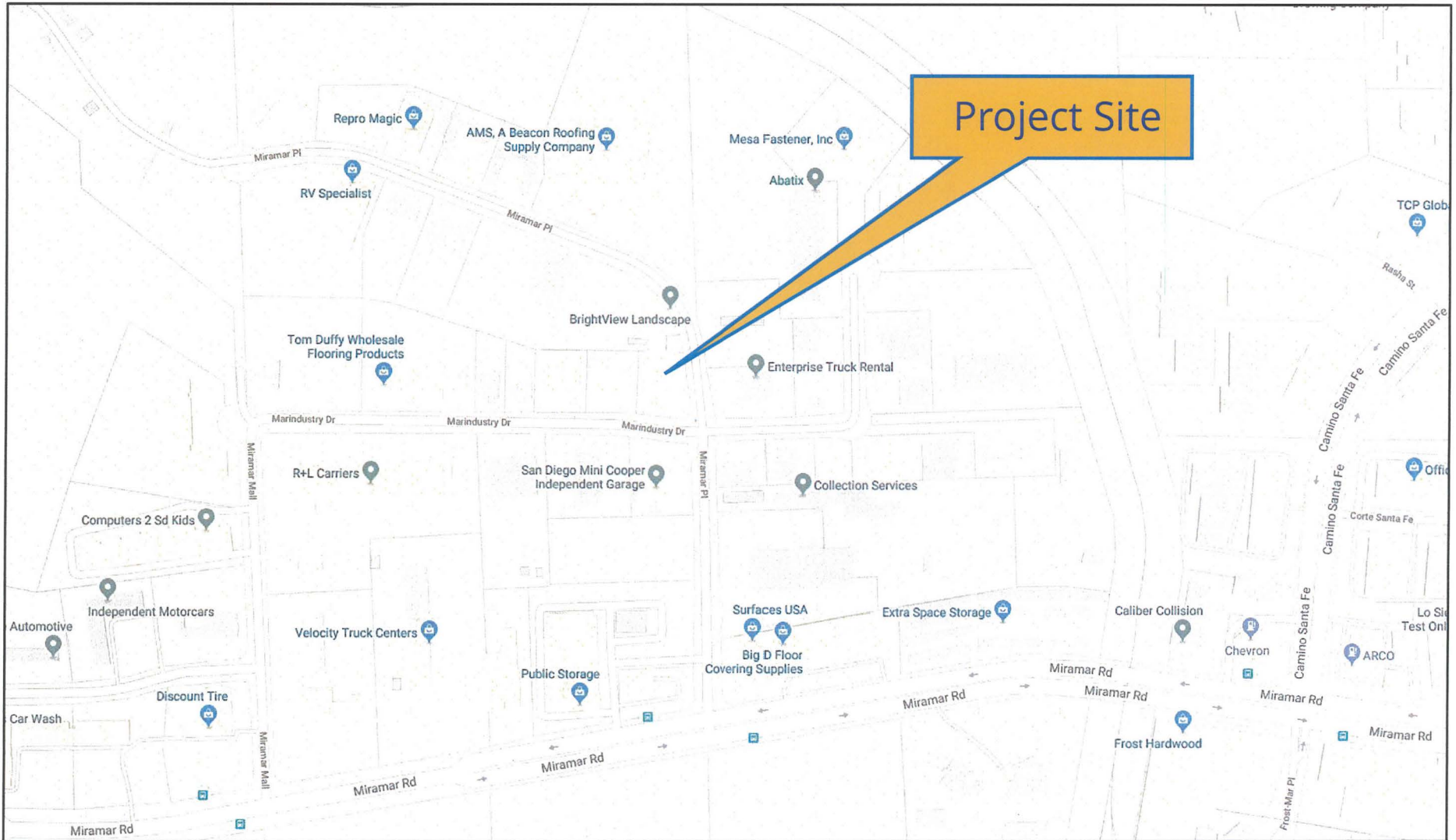
Respectfully submitted,



Sammi Ma, Development Project Manager

Attachments:

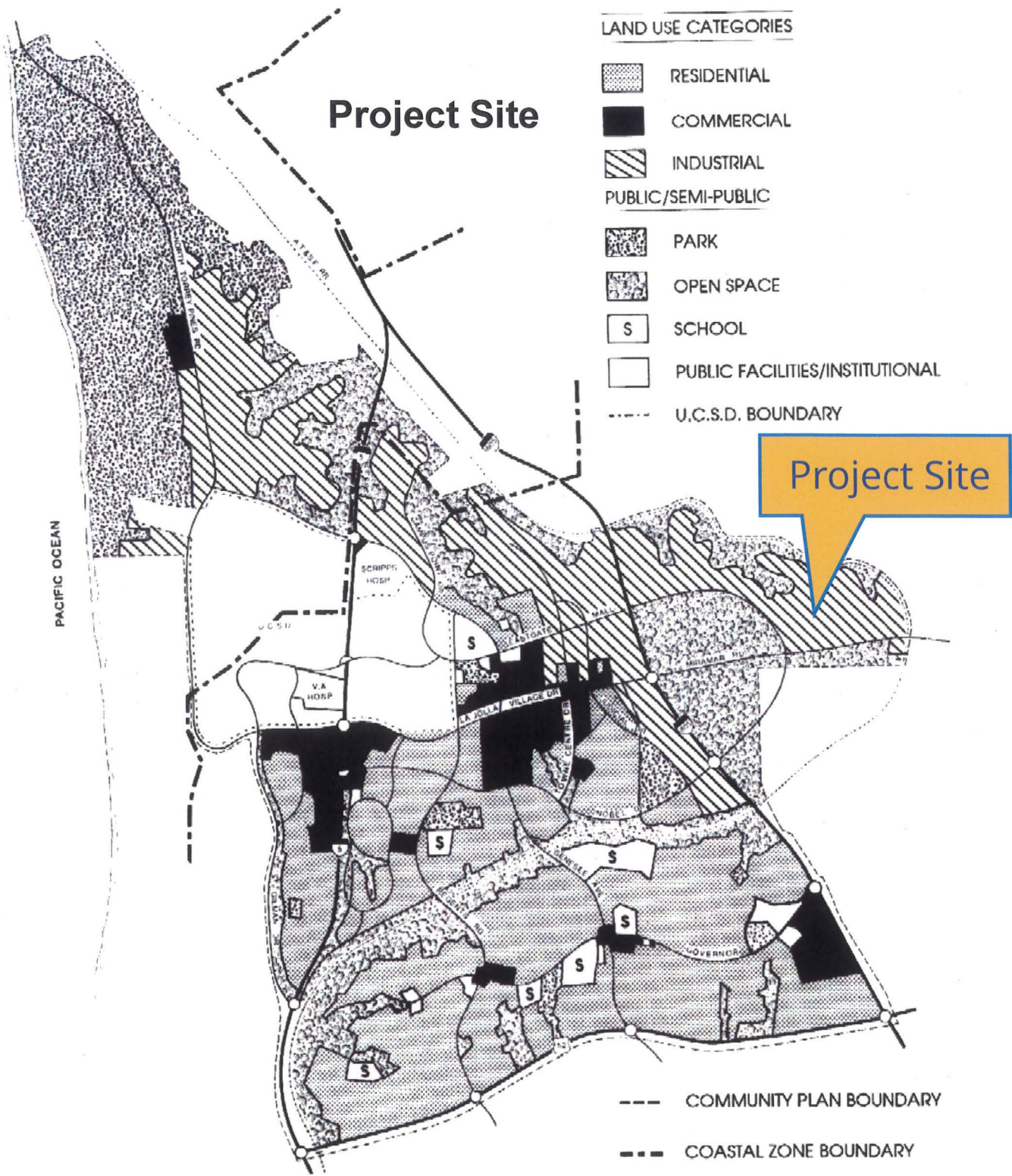
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Draft Resolution with Findings
5. Draft Permit with Conditions
6. Environmental Exemption
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement
9. Project Plans



Project Location Map

MPF 8390 Miramar Place
PROJECT NO. 585648

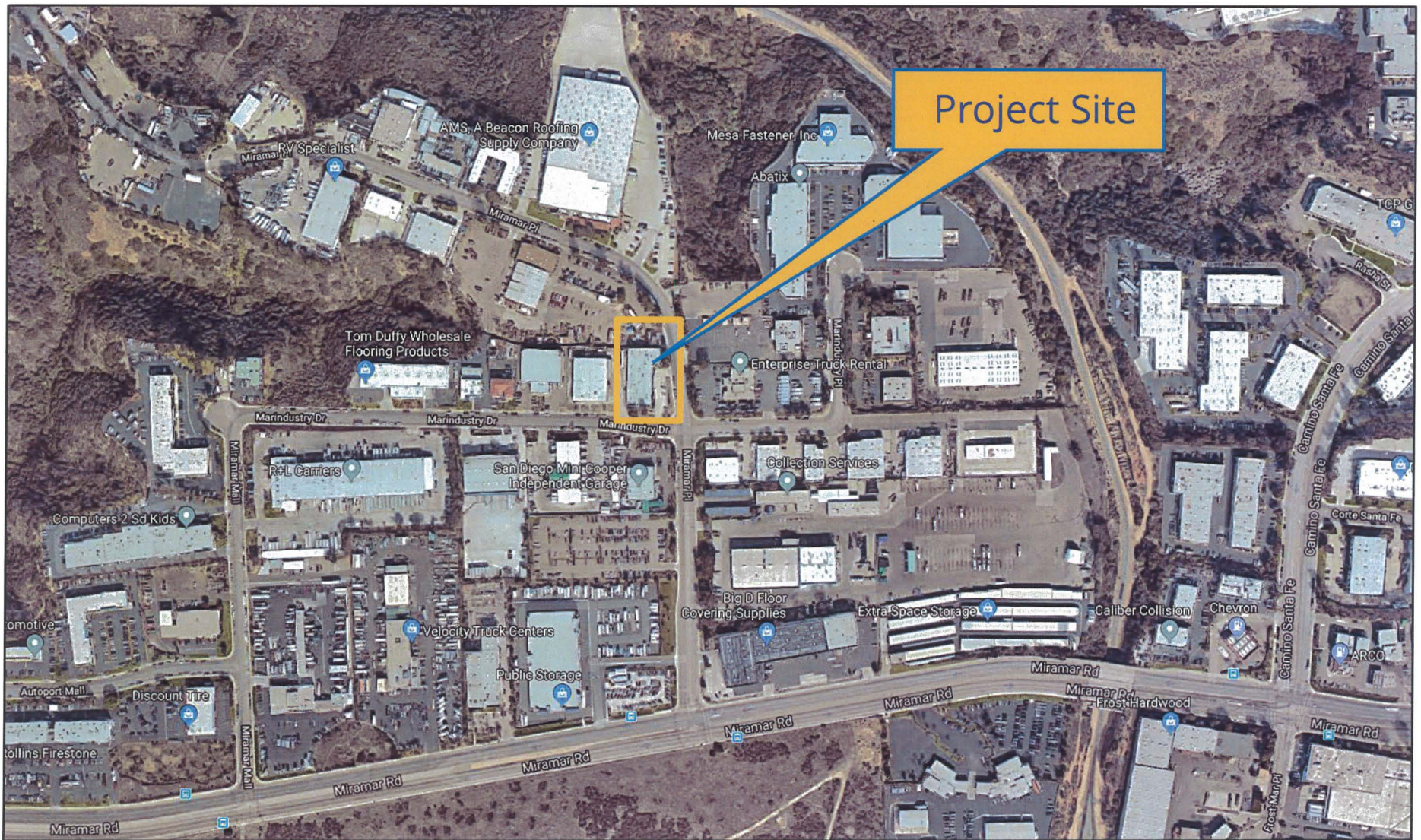




Community Plan Land Use Map

MPF 8390 Miramar Place
PROJECT NO. 585648





Aerial Photograph
MPF 8390 Miramar Place
PROJECT NO. 585648



HEARING OFFICER
RESOLUTION NO. _____
CONDITIONAL USE PERMIT NO. 2068281
MPF 8390 MIRAMAR PLACE - PROJECT NO. 585648

WHEREAS, R. MICHAEL PACK, Owner and WAYNE YAMAMOTO, Permittee, filed an application with the City of San Diego for a permit to operate a Marijuana Production Facility within an existing 16,752 square-foot building (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 2068281), on portions of a 0.72-acre site;

WHEREAS, the project site is located at 8390 Miramar Place, Suites A, B, and C in the IL-2-1 Zone, Prime Industrial Lands, Community Plan Implementation Overlay Zone – Type B, the Airport Land Use Compatibility (MCAS Miramar) Overlay Zone, MCAS Miramar – Noise 70-75 CNEL, the Airport Influence Area (MCAS Miramar Review Area 1), MCAS Miramar Accident Potential Zone 1, and the Federal Aviation Authority (FAA) Part 77 Noticing Area within the University Community Plan area;

WHEREAS, the project site is legally described as Lot 1 of Miramar Ridge, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 10438, filed in the Office of the County Recorder of San Diego County on July 22, 1982;

WHEREAS, on October 23, 2018, 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 January 8, 2019 pursuant to Resolution No. 312176;

WHEREAS, on March 6, 2019, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 2068281 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. 2068281:

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 proposed project requests a Conditional Use Permit to operate a Marijuana Production Facility in Suites A, B, C within an existing 16,752 square-foot building located at 8390 Miramar Place. The 0.72-acre site is located in the IL-2-1 Zone within the Miramar Subarea of the University Community Plan area.

The project site is designated Restricted Industrial by the University Community Plan and is also identified as Prime Industrial Lands within the Economic Prosperity Element of the General Plan. The variety of industrial land use designations in community plan is intended to protect and enhance the existing industrial uses while providing an opportunity to increase industrial capacity to encourage new and relocated industries that provide employment opportunities for community residents. The General Plan identifies a citywide shortage of land suitable for manufacturing activities and a need to protect a reserve of manufacturing land from non-manufacturing uses. The Restricted Industrial designations in the community plan would permit light manufacturing uses, such as large and small industrial, scientific research, warehousing, mini-storage, and automotive commercial. Thereby providing additional land suitable for manufacturing activities.

The proposed MPF, classified as an industrial use, is a compatible use for this location with a Conditional Use Permit and is consistent with the community plan, and therefore 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 proposed project requests a Conditional Use Permit to operate a Marijuana Production Facility (MPF) in Suites A, B, and C of an existing 16,752-square-foot building. The project also proposes tenant improvements to accommodate operations, including non-load bearing partitions, doors, lighting, security cameras and system, millwork, finishes throughout, and associated mechanical, electrical and plumbing improvements. No exterior building alterations would occur. Operations include the manufacturing,

production, storage and distribution of cannabis products. Public improvements include the construction of one 25-foot driveway, two new 20-foot driveways, and the reconstruction of an existing curb ramp with current City Standards. Furthermore, the proposed improvements would require the Owner/Permittee to obtain a change of use/occupancy building permit consistent with all California Codes and Regulations in effect at the time of building permit, satisfactory to the Building Official.

MPFs are restricted to forty facilities City-wide, within light and heavy industrial zones. MPFs require compliance with San Diego Municipal Code (SDMC) section 141.1004, 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. MPFs also require a minimum distance requirement of 100 feet from a residential zone. The proposed MPF complies with the separation requirements as set forth in SDMC Section 141.1004(a). Security requirements include interior and exterior lighting, security cameras, alarms and a security guard. The security guard must be licensed by the State of California and be present on the premises during business hours. MPFs must also comply with SDMC Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

The proposed project will be required to comply with the development conditions as described in the Conditional Use Permit No. 2068281. The Conditional Use Permit No. 2068281 will be valid for five years and may be revoked if the Owner/Permittee violates the terms, conditions, lawful requirements, or provisions of the Permit.

The proposed development will not be detrimental to the public's health, safety and welfare in that the discretionary permit controlling the use of this site contains specific regulatory conditions of approval, as referenced in the Conditional Use Permit No. 2068281. The referenced regulations and conditions have been determined as necessary to avoid adverse impact upon the health, safety and general welfare of persons patronizing, residing or working within the surrounding area. Therefore, the proposed MPF 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 proposed project requests a Conditional Use Permit to operate a Marijuana Production Facility within an existing 16,752 square-foot building located at 8390 Miramar Place in Suites A, B, and C. The building was constructed in 1985. The existing use is warehouse and offices. The project proposes interior improvements including manufacturing areas, storage rooms, labs, harvest batch holding areas, preparation and extraction rooms, distribution areas and offices. Other minor site improvements proposed are consistent with the City of San Diego requirements.

MPFs are allowed in the IL-2-1 Zone of the University Community Plan with a Conditional Use Permit. The proposed use requires compliance with SDMC section 141.1004 and SDMC Chapter 4, Article 2, Division 15. SDMC section 141.1004 requires 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. There is also a minimum distance requirement of 100 feet from a residential zone. Security requirements, expressed as conditions in the Permit, include interior and exterior lighting, security cameras, alarms and a security guard. The security guard must be licensed by the State of California and be present on the premises during business hours.

The proposed MPF is consistent with all land development regulations relevant for the site and the use and no deviations are requested or required. Therefore, the proposed MPF will comply with the regulations of the Land Development Code.

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

The proposed project requests a Conditional Use Permit to operate a Marijuana Production Facility within an existing 16,752 square-foot building located at 8390 Miramar Place in Suites A, B, C. The project site is located in the IL-2-1 Zone within the Miramar Subarea of the University Community Plan area. The project site is designated Restricted Industrial by the University Community Plan and is also identified as Prime Industrial Lands within the Economic Prosperity Element of the General Plan. The variety of industrial land use designations in community plan is intended to protect and enhance the existing industrial uses while providing an opportunity to increase industrial capacity to encourage new and relocated industries that provide employment opportunities for community residents. The Restricted Industrial designations in the community plan would permit light manufacturing uses, such as large and small industrial, scientific research, warehousing, mini-storage, and automotive commercial. Thereby providing additional land suitable for manufacturing activities.

The purpose and intent of the IL Base Zone is to permit a range of uses, including nonindustrial uses in some instances. Specifically, the IL-2-1 allows a mix of light industrial, office, and commercial uses. Surrounding properties are zoned IL-2-1 and include uses consistent with the Restricted Industrial designation of the community plan.

The proposed MPF, classified as an industrial use, is a compatible use for this location with a Conditional Use Permit and is consistent with all land development regulations relevant for the site and the use and no deviations are requested or required. The proposed project is consistent with the Restricted Industrial designation of the University Community Plan. Therefore, the proposed MPF 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. 2068281 is hereby GRANTED by the Hearing Officer to the

ATTACHMENT 4

referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 2068281, a copy of which is attached hereto and made a part hereof.

Sammi Ma
Development Project Manager
Development Services

Adopted on: March 6, 2019

IO#: 24007611

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: 24007611

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 2068281
MPF 8390 MIRAMAR PLACE - PROJECT NO. 585648
HEARING OFFICER

This Conditional Use Permit No. 2068281 is granted by the Hearing Officer of the City of San Diego to R. Michael Pack, Owner, and Wayne Yamamoto, Permittee, pursuant to San Diego Municipal Code [SDMC] Section 126.0305. The 0.72-acre site is located at 8390 Miramar Place in the IL-2-1 Zone, Prime Industrial Lands, Community Plan Implementation Overlay Zone – Type B, the Airport Land Use Compatibility (MCAS Miramar) Overlay Zone, MCAS Miramar – Noise 70-75 CNEL, the Airport Influence Area (MCAS Miramar - Review Area 1), MCAS Miramar Accident Potential Zone 1, and the Federal Aviation Authority (FAA) Part 77 Noticing Area, within the University Community Plan area. The project site is legally described as Lot 1 of Miramar Ridge, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 10438, filed in the Office of the County Recorder of San Diego County on July 22, 1982.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to operate a Marijuana Production Facility within an existing building, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated March 6, 2019, on file in the Development Services Department.

The project shall include:

- a. Operation of a Marijuana Production Facility in Suites A, B, and C within an existing 16,752 square-foot building. The operation shall include requirements consistent with the State of California statutes and the California Departments of Food and Agriculture, Consumer Affairs and Public Health regulations;
- b. The Marijuana Production Facility operations include cannabis manufacturing, storage and distribution;
- 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 March 21, 2022.
2. This Conditional Use Permit [CUP] and corresponding use of this site shall expire on March 21, 2024. Upon expiration of this Permit, the facilities and improvements described herein shall be removed from this site and the property shall be restored to its original condition preceding approval of this Permit.
3. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
4. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
5. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
7. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
8. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements

may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

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

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

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

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

CLIMATE ACTION PLAN REQUIREMENTS:

12. 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 three (3) sheets of the construction plans under the heading "Climate Action Plan Requirements" and shall be enforced and implemented to the satisfaction of the Development Services Department.

BUILDING OFFICIAL REQUIREMENT:

13. Prior to the commencement of operations granted by this Permit, the Owner/Permittee shall obtain a change of use/occupancy building permit consistent with all California Codes and Regulations in effect at the time of building permit, satisfactory to the Building Official.

ENGINEERING REQUIREMENTS:

14. The project proposes to export no material from the project site. Any excavated material that is exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2015 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

15. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.

16. Prior to the issuance of any construction permits, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement, from the City Engineer, for the sidewalk underdrains in the Miramar Place Right-of-Way.

17. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications.

18. Prior to the issuance of any construction permits, 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.

19. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, the construction of a new 25-foot driveway per current City Standards, on the southwest side of the site adjacent to Marindustry Drive.

20. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, the construction of a new 20-foot driveway per current City Standards, on the southeast side of the site adjacent to Marindustry Drive.

21. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, the construction of a new 20-foot driveway per current City Standards, adjacent to the site on Miramar Place.

22. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, to reconstruct the existing curb ramp, with current City Standard curb ramp and with Detectable/Tactile Warning Tile, adjacent to the site on Marindustry Drive and Miramar Place, satisfactory to the City Engineer.

PLANNING/DESIGN REQUIREMENTS:

23. All operations shall be conducted indoors within a secured structure. All equipment and storage shall also be located within a secure structure.
24. Lighting shall be provided 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.
25. Security 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.
26. The name and emergency contact phone number of an operator or manager shall be posted outside the Marijuana Production Facility in a location visible to the public from the public right-of-way in character size at least two inches in height. The Permittee shall provide this contact information to the San Diego Police Department. The operator or manager shall also be available 24 hours a day to address public nuisance complaints and interact with local, state, and federal law enforcement authorities. Other than the contact information, a Marijuana Production Facility shall limit signage on the exterior of the of the property visible from the public right-of-way to the address.
27. A permit shall be obtained as required pursuant to Chapter 4, Article 2, Division 15.
28. A Condition Use Permit for a Marijuana Production Facility shall expire no later than five (5) years from the date of issuance.
29. The sale of marijuana and marijuana products shall only be conducted by a Marijuana Outlet in accordance with Section 141.0504. A Marijuana Production Facility is prohibited from providing marijuana and marijuana products to any person other than another Marijuana Production Facility, a testing lab, or a Marijuana Outlet.
30. The Marijuana Production Facility, adjacent public sidewalks, and areas under the control of the Marijuana Production Facility shall be maintained free of litter and graffiti at all times.
31. The Marijuana Production Facility shall provide daily removal of trash, litter, and debris. Graffiti shall be removed from the premises within 24 hours.
32. 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 facility, to the satisfaction of the Development Services Department.
33. Owner/Permittee shall maintain minimum off-street parking spaces on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply

at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

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

TRANSPORTATION REQUIREMENTS

35. 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.

36. A maximum of 12 employees shall be allowed on-site at any given time to correspond to the 12 provided parking spaces for the project.

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, or retail sales of cannabis 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 March 6, 2019 and [Approved Resolution Number].

ATTACHMENT 5

Permit Type/PTS Approval No.: Conditional Use Permit No. 2068281
Date of Approval: March 6, 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.

R. Michael Pack
Owner

By _____
R. Michael Pack
TITLE

Wayne Yamamoto
Permittee

By _____
Wayne Yamamoto
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: MPF 8390 Miramar Place / 585648

SCH No.: N/A

Project Location-Specific: 8390 Miramar Place, Suites A-C, San Diego CA, 92121

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

Description of nature and purpose of the Project: The project is requesting a Conditional Use Permit (CUP) for a Marijuana Production Facility (MPF) to operate within Suites A-C, comprising of an operational interior area (including the mezzanine floor) of 16,246 square feet. This would be contained within an existing 16,752 square foot building (including a soffit area of 506 square feet) located at 8390 Miramar Place. The project proposes tenant improvements and operations would include manufacturing, packaging, storage, and distribution of cannabis products to State of California licensed outlets. No cultivation or retail sales are proposed. The 0.72-acre site is designated Restricted Industrial per the University Community Plan and is subject to the IL-2-1 zone requirements. The project is also subject to Prime Industrial Lands, Airport FAA Part 77 Noticing Area - MCAS Miramar 490'-495' (Elevation at approx. 400' AMSL), Airport Influence Area -MCAS Miramar Review Area 1, Airport Land Use Compatibility Overlay Zone - MCAS Miramar, ALUCP MCAS Noise Contours 70-75 CNEL, MCAS Accident Potential Zone 1, Community Plan Implementation Overlay zone - B, and Council District 1.

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: Benjamin Hynes
 9171 Santiago Drive
 Huntington Beach CA, 92646
 (949) 295-1497

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 use beyond that existing at the time of the determination. 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

Revised May 2018

ATTACHMENT 6

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


Signature/Title

CHRIS TRACY, ACP
SENIOR PLANNER

1/8/19
Date

Check One:

(X) Signed By Lead Agency

() Signed by Applicant

Date Received for Filing with County Clerk or OPR:



City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101

Community Planning Committee Distribution Form Part 2

Project Name: MPF 8390 Miramar Place		Project Number: 585648		Distribution Date:	
Project Scope/Location:					
Applicant Name:				Applicant Phone Number:	
Project Manager:		Phone #:		E-mail Address:	
Committee Recommendations (To be completed for Initial Review):					
<input checked="" type="checkbox"/> Vote to Approve		Members Yes 17	Members No 0	Members Abstain 1	
<input type="checkbox"/> Vote to Approve With Conditions Listed Below		Members Yes 17	Members No 0	Members Abstain 1	
<input type="checkbox"/> Vote to Approve With Non-Binding Recommendations Listed Below		Members Yes 17	Members No 0	Members Abstain 1	
<input type="checkbox"/> Vote to Deny		Members Yes 17	Members No 0	Members Abstain 1	
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)				<input type="checkbox"/> Continued	
CONDITIONS:					
NAME: Chris Nielsen			TITLE: Chair, UCPG		
SIGNATURE: 			DATE: 10/9/2018		
Attach Additional Pages If Necessary.			Please return to: Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101		
Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services . Upon request, this information is available in alternative formats for persons with disabilities.					

	City of San Diego Development Services 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	<h1 style="margin: 0;">Ownership Disclosure Statement</h1>	FORM DS-318 October 2017
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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 Waiver ☐ Land Use Plan Amendment • ☐ Other _____

Project Title: MPF 8390 MIRAMAR PLACE **Project No. For City Use Only:** _____

Project Address: 8390 MIRAMAR PLACE, SUTIE A, B, C, SAN DIEGO, CA 92121

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: R. MICHAEL PACK ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: 5005 TEXAS STREET, SUITE 305

City: SAN DIEGO State: CA Zip: 92108

Phone No.: 619-291-4441

Fax No.: 619-291-6619

Email: RMPSUNCAL@GMAIL.COM

Signature: 

Date: 1-30-19

Additional pages Attached: ☐ Yes ☐ No

Applicant

Name of Individual: WAYNE YAMAMOTO ☐ Owner ☒ Tenant/Lessee ☐ Successor Agency

Street Address: 1750 EL CAMINO REAL, #K110

City: SAN DIEGO State: CA Zip: 92024

Phone No.: 858-663-0076

Fax No.: _____

Email: WYAMAMOTO202@GMAIL.COM

Signature: 

Date: 1-30-19

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

1350 COLUMBIA ST.
SUITE 702
SAN DIEGO, CA 92101

TEL (619) 230-1088
FAX (619) 230-1089



KAIZENGREEN,
LLC

PROJECT:

KAIZENGREEN CUP

APN: 343-300-01-00
8390 MIRAMAR PLACE
SUITES A,B & C
SAN DIEGO, CA 92121-2104

[illegible]

THIS SET	ISSUE DATE
<input type="checkbox"/> SCHEMATIC	_____
<input type="checkbox"/> DESIGN DEV.	_____
<input checked="" type="checkbox"/> FULL SUBMITTAL	11/17/2017
<input checked="" type="checkbox"/> RESUBMITTAL 1	7/20/2018
<input checked="" type="checkbox"/> RESUBMITTAL 2	9/5/2018
<input checked="" type="checkbox"/> RESUBMITTAL 3	9/27/2018
<input type="checkbox"/> CONSTRUCTION	_____

SITE PLAN, LEGEND & KEYNOTES

TRH PROJECT#:	281-17
SCALE:	AS NOTED
DRAWN BY:	TRH
DATE DRAWN:	8/10/2017
CHECKED BY:	KDS

SHEET: 1 OF: 10

A0.1

ACCESSIBILITY STATEMENTS

I AM THE DESIGNER IN RESPONSIBLE CHARGE OF THIS TENANT IMPROVEMENT PROJECT; I HAVE INSPECTED THE SITE/PREMISES AND DETERMINED THAT EXISTING CONDITIONS ARE IN FULL COMPLIANCE WITH CURRENT SITE ACCESSIBILITY REQUIREMENTS TO THE EXTENT REQUIRED BY LAW.

SIGNATURE:

PRINT NAME: KYLE STEPHENS DATE: 07/19/2018

I AM THE DESIGNER IN RESPONSIBLE CHARGE OF THIS TENANT IMPROVEMENT PROJECT; I HAVE INSPECTED THE PREMISES AND DETERMINED THAT EXISTING RESTROOM(S) SERVING AREA(S) OF ALTERATION ARE ACCESSIBLE ACCORDING TO CURRENT REQUIREMENTS.

SIGNATURE:

PRINT NAME: KYLE STEPHENS DATE: 07/19/2018

ADDITIONAL NOTES

PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL INCORPORATE ANY CONSTRUCTION BEST MANAGEMENT PRACTICES NECESSARY TO COMPLY WITH CHAPTER 14, ARTICLE 2, DIVISION 2 (GRADING REGULATIONS) OF THE SAN DIEGO MUNICIPAL CODE, INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS.

PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE 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.

PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL OBTAIN AN ENCROACHMENT MAINTENANCE REMOVAL AGREEMENT FROM THE CITY ENGINEER FOR LANDSCAPING AND SIDEWALK UNDERDRAIN IN THE MIRAMAR PLACE AND MARINDUSTRY DRIVE RIGHT-OF-WAY.

SITE NOTES

PROVIDE BUILDING ADDRESS NUMBERS TO BE VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER FHPS POLICY P-00-6 (JFC 901.4.4).

ALL VEHICULAR PARKING SPACES TO BE MARKED WITH 4" WIDE WHITE STRIPES AT EACH SIDE OF STALL. SAID STRIPES FOR EACH PARKING SPACE SHALL BE MAINTAINED BY THE OWNER/TENANT AT ALL TIMES.

LOT DRAINAGE MUST MEET CURRENT CITY ENGINEERING STANDARDS. RUNOFF SHALL NOT BE INCREASED WITHOUT THE ADDITION OF AN ON-SITE DETENTION FACILITY TO DECREASE RUNOFF.

WHEEL STOPS ARE REQUIRED TO PROTECT FENCES AND LANDSCAPING ADJACENT TO AUTO VEHICULAR PARKING AREAS.

VERIFY LOCATION OF ALL UTILITIES & STREET IMPROVEMENTS SHOWN ON THESE PLANS.

NO OBJECTS HIGHER THAN 24" WILL BE IN THE VISIBILITY TRIANGLES.

NO EXISTING OR PROPOSED MECHANICAL EQUIPMENT, TANK, DUCT, ELEVATOR ENCLOSURE, COOLING TOWER OR MECHANICAL VENTILATOR OR AIR CONDITIONER SHALL BE ERRECTED, CONSTRUCTED, CONVERTED, ESTABLISHED, ALTERED, OR ENLARGED ON THE ROOF OF ANY BUILDING, UNLESS ALL SUCH EQUIPMENT AND APPURTENANCES ARE FULLY SCREENED AS REQUIRED BY THE CITY OF SAN DIEGO.

THIS PROJECT IS NOT SUBJECT TO STEP 2 BECAUSE IT IS A USE PERMIT THAT DOES NOT RESULT IN THE EXPANSION OR ENLARGEMENT OF A BUILDING .

ALL EXISTING DRIVE AISLES SHALL COMPLY TO SDMC 142.0560, TABLE 142-05 L.

NEAREST MTS BUS STOP: STOP ID #12114.

DISTANCE TO NEAREST MTS BUS STOP = 935'-4".

DISTANCE TO NEAREST FIRE HYDRANT = 72'-9".

ANY AND ALL GATES SHALL REMAIN OPEN DURING BUSINESS HOURS.

THIS PROJECT SHALL IMPLEMENT A PRE-PACKAGED CARBON FILTRATION OR EQUAL ODOR SUPPRESSION SYSTEM TO ADDRESS POTENTIAL ODOR IMPACTS.

THERE ARE NO EXISTING OR PROPOSED EASEMENTS ON THIS SITE.

THERE IS NO RESIDENTIAL ZONE WITHIN 100 FEET OF THIS PROJECT SITE.

PROVIDE POSTED SIGN INDICATING THE AVAILABILITY OF BICYCLE PARKING FACILITIES.

ALL MECHANICAL EQUIPMENT AND TRASH ENCLOSURE SHALL BE PROPERLY SCREENED.

THIS PROJECT IS SUBJECT TO HAVING ALL PUBLIC IMPROVEMENTS ADJACENT TO THE PROJECT SITE STATE ACCESSIBILITY COMPLIANCE AND CURRENT CITY STANDARDS.

THE DRIVEWAY CURB CUT SHALL BE LOCATED A MINIMUM OF 3 FEET FROM PROPERTY LINES AND ANY OBSTRUCTIONS TO ACCOMMODATE A STANDARD DRIVEWAY APRON.

REMOVE ANY AND ALL OBSTRUCTIONS IN THE VISIBILITY AREA TRIANGLES, INCLUDING LANDSCAPE AND RETAINING WALLS OVER 2 FEET PER SAN DIEGO MUNICIPAL CODE DIAGRAM 113-02SS AS APPLICABLE.

ONCE THE CONDITIONAL USE PERMIT (CUP) IS RECORDED, THE APPLICANT SHALL PROVIDE DOCUMENTATION TO THE DEVELOPMENT SERVICES PROJECT MANAGER THAT THE EXISTING CURB RAMP AND THE EXISTING DRIVEWAYS HAVE BEEN RECONSTRUCTED TO CURRENT CITY STANDARDS, ADJACENT TO THE SITE ON MIRAMAR PLACE AND MARINDUSTRY DRIVE, TO THE SATISFACTION OF THE CITY ENGINEER. IF THIS WORK IS NOT COMPLETED WITHIN 8 MONTHS OF THE PUBLIC HEARING APPROVAL OF THE CUP, THE PERMITEE SHALL BE DEEMED TO BE OUT OF COMPLIANCE WITH THE CONDITIONAL USE PERMIT, AND THE PERMIT WILL BE SUBJECT TO RESCISSION BY THE DEVELOPMENT SERVICES DIRECTOR.

THERE IS AN EXISTING EASEMENT GRANTED TO THE USA ON THIS SITE. NO PROPOSED EASEMENTS.

THERE IS NO RESIDENTIAL ZONE WITHIN 100 FEET OF THIS PROJECT SITE.

CUP CONDITIONS

ALL OPERATIONS SHALL BE CONDUCTED INDOORS WITHIN A SECURED STRUCTURE. ALL EQUIPMENT AND STORAGE SHALL BE ALSO LOCATED WITHIN A SECURE STRUCTURE.

LIGHTING SHALL BE PROVIDED 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.

SECURITY 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.

THE NAME AND EMERGENCY CONTACT PHONE NUMBER OF AN OPERATOR OR MANAGER SHALL BE POSTED OUTSIDE THE MARIJUANA PRODUCTION FACILITY IN A LOCATION VISIBLE TO THE PUBLIC FROM THE PUBLIC RIGHT-OF-WAY IN CHARACTER SIZE AT LEAST TWO INCHES IN HEIGHT. THE PERMITEE SHALL PROVIDE THIS CONTACT INFORMATION TO THE SAN DIEGO POLICE DEPARTMENT. THE OPERATOR OR MANAGER SHALL ALSO BE AVAILABLE 24 HOURS A DAY TO ADDRESS PUBLIC NUISANCE COMPLAINTS AND INTERACT WITH LOCAL, STATE, AND FEDERAL LAW ENFORCEMENT AUTHORITIES.

OTHER THAN THE CONTACT INFORMATION, A MARIJUANA PRODUCTION FACILITY SHALL LIMIT SIGNAGE ON THE MPF PER REGULATIONS, CHAPTER 14.

A PERMIT SHALL BE OBTAINED AS REQUIRED PURSUANT TO CHAPTER 4, ARTICLE 2, DIVISION 15.

A CONDITIONAL USE PERMIT FOR A MARIJUANA PRODUCTION FACILITY SHALL EXPIRE NO LATER THAN FIVE (5) YEARS FROM THE DATE OF ISSUANCE.

THE SALE OF MARIJUANA AND MARIJUANA PRODUCTS SHALL ONLY BE CONDUCTED BY A MARIJUANA OUTLET IN ACORDANCE WITH SECTION 141.0504. A MARIJUANA PRODUCTION FACILITY IS PROHIBITED FROM PROVIDING MARIJUANA AND MARIJUANA PRODUCTS TO ANY PERSON OTHER THAN ANOTHER MARIJUANA PRODUCTION FACILITY, A TESTING LAB, OR A MARIJUANA OUTLET.

THE MARIJUANA PRODUCTION FACILITY, ADJACENT PUBLIC SIDEWALKS, AND AREAS UNDER THE CONTROL OF THE MARIJUANA PRODUCTION FACILITY SHALL BE MAINTAINED FREE OF LITTER AND GRAFFITI AT ALL TIMES.

THE MARIJUANA PRODUCTION FACILITY SHALL PROVIDE DAILY REMOVAL OF TRASH, LITTER, AND DEBRIS. GRAFFITI SHALL BE REMOVED FROM THE PREMISES WITHIN 24 HOURS.

BMP NOTES

THIS PROJECT SHALL COMPLY WITH ALL CURRENT REQUIREMENTS OF THE STATE PERMIT, CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD (SDRWQCB), SAN DIEGO MUNICIPAL STORM WATER PERMIT, THE CITY OF SAN DIEGO LAND DEVELOPMENT CODE, AND THE STORM WATER STANDARDS MANUAL.

The contractor shall be responsible for cleanup of all silt and mud on adjacent street(s), due to construction vehicles or any other construction activity, at the end of each work day, or after a storm event that causes a breach in installed construction BMP's which may compromise storm water quality within any street(s). A stabilized construction exit may be required to prevent construction vehicles or equipment from tracking mud or silt onto the street.

All stockpiles of soil and/or building materials that are intended to be left for a period greater than seven calendar days are to be covered. All removable BMP devices shall be in place at the end of each working day when five day rain probability forecast exceeds 40%.

A concrete washout shall be provided on all projects which propose the construction of any concrete improvements which are to be poured in place on site.

The contractor shall restore all erosion/sediment control devices to working order after each run-off producing rainfall or after any material breach in effectiveness.

All slopes that are created or disturbed by construction activity must be protected against erosion and sediment transport at all times.

The storage of all construction materials and equipment must be protected against any potential release of pollutants into the environment.

SITE DATA

GENERAL PLAN LAND USE:
COMMUNITY PLAN:
ZONING:

GENERAL PLAN:
COUNCIL DISTRICT:
HISTORICAL:
APN:
MAP NUMBER:
EXISTING USE:
PROPOSED USE:

PROPERTY CLASS:

GROSS SITE AREA:
NET SITE AREA:
EX. LANDSCAPE AREA:
GEOLOGIC HAZARD CAT.:

AIRPORT FAA PART 77 NOTICING AREA - MCAS MIRAMAR 490-495
AIRPORT INFLUENCE AREA - MCAS MIRAMAR REVIEW AREA 1,
AIRPORT LAND USE COMPATIBILITY OVERLAY ZONE - MCAS MIRAMAR, ALL CP MCAS NOISE CONTOURS 70-75 CNEL, MCAS ACCIDENT POTENTIAL ZONE 1, AND CPIOZ-B.

BUILDING DATA

TYPE OF CONSTRUCTION:
BUILDING CONSTRUCTED:
OCCUPANCY GROUP:

1ST FLOOR AREA:
MEZZANINE FLOOR AREA:
TOTAL EXISTING BUILDING:
EXISTING F.A.R.:
PROPOSED CUP AREA:

PARKING REQUIRED:
PARKING PROVIDED:

TYPE V (NON-SPRINKLERED)
1985
B & S-2

13,632 S.F.
3,120 S.F.
16,752 S.F.
0.53
16,752 S.F.

12
12

BUILDING CODE

2016 CALIFORNIA BUILDING CODE
2016 CALIFORNIA GREEN BUILDING STANDARDS CODE
2016 CALIFORNIA PLUMBING CODE
2016 CALIFORNIA ELECTRICAL CODE
2016 CALIFORNIA FIRE CODE
2016 ENERGY CODE / 2008 EES

GRADING TABLE

TOTAL AREA TO BE DISTURBED =
TODAL AMOUNT OF CUT =
TODAL AMOUNT OF FILL =
TODAL AMOUNT OF EXPORT =
TODAL AMOUNT OF IMPORT =
EXISTING PAVEMENT AREA =

0.0 S.F. / 0.0 A.C.
0.0 C.Y.
0.0 C.Y.
0.0 C.Y.
0.0 C.Y.
12,573 S.F.

SETBACKS (TABLE 131-06C)

LOCATION:

FRONT STREET SETBACK
(MARINDUSTRY DRIVE)

STREET SIDE SETBACK
(MIRAMAR PLACE)

SIDE YARD SETBACK

REAR YARD SETBACK

REQUIRED

MIN. 15'-0"
STD. 20'-0"

MIN. 15'-0"
STD. 20'-0"

MIN. 10'-0"

MIN. 0'-0"
STD. 15'-0"

EXISTING

24'-1"
24'-1"

15'-0"
VARIES > 20'-0"

30'-0"

0'-0"
0'-0"

ACTIVITY DESCRIPTION

SUITE A

ACTIVITIES IN THIS SUITE ARE LIMITED TO THE WHOLESALE DISTRIBUTION, PACKAGING, RE-PACKAGING, LABELING, RE-LABELING AND STORAGE OF PROCESSED AND NON-PROCESSED CANNABIS AND MARIJUANA PRODUCTS.

SUITE B

ACTIVITIES IN THIS SUITE INCLUDE THE EXTRACTION, REFINING & FORMULATION (MIXING) OF CONCENTRATED CANNABIS PRODUCTS FROM RAW OR SEMI-REFINED MATERIALS.

EXTRACTION ACTIVITIES REQUIRE MIXING OF RAW LEAF MATERIAL WITH A SOLVENT (ETHANOL) FOLLOWED BY REFINING STAGES THAT INVOLVE VARIOUS HEATING, COOLING, AND PRESSURE CONTROL STEPS CONDUCTED IN CLOSED SYSTEMS TO SEPARATE AND RECOVER THE SOLVENT AND PRODUCE REFINED CONCENTRATED PRODUCT.

REMAINING RAW (LEAF) MATERIAL IS DISCARDED.

SUITE C

ACTIVITIES IN THIS SUITE ARE LIMITED TO THE DEVELOPMENT AND MANAGEMENT OF PROCESSED AND NON-PROCESSED CANNABIS AND MARIJUANA PRODUCT RELATED BUSINESSES.

VICINITY MAP

5

5

805

Miramar Rd.

15

JOB SITE

Canino Santa Fe

Mira Mesa Blvd

Miramar Place

Marindustry Dr.

Miramar Mall

NO SCALE

PARKING CALCULATIONS

PARKING FOR APPLICATIONS PROPOSING TO UTILIZE EXISTING DEVELOPED PROPERTIES WILL BE BASED ON THE FOLLOWING:

a) THE NUMBER OF EMPLOYEES IDENTIFIED BY THE APPLICANT NEEDED TO OPERATE THE MPF = 12

AUTO VEHICULAR PARKING REQUIRED: 12
AUTO VEHICULAR PARKING PROVIDED: 12
VAN ACCESSIBLE PARKING REQUIRED: 1
VAN ACCESSIBLE PARKING PROVIDED: 1
MOTORCYCLE PARKING REQUIRED: 2
MOTORCYCLE PARKING PROVIDED: 2
SHORT-TERM BICYCLE PARKING REQUIRED: 2
SHORT-TERM BICYCLE PARKING PROVIDED: 2
LONG-TERM BICYCLE PARKING REQUIRED: 1
LONG-TERM BICYCLE PARKING PROVIDED: 1
CARPOOL/ZERO EMISSION PARKING REQUIRED: 1
CARPOOL/ZERO EMISSION PARKING PROVIDED: 1

PRODUCTION FACILITY INFO

All ideas, designs, arrangements, and plans indicated or represented by these drawings are owned by, and property of, TRH, Inc., and were created, evolved, and developed in connection with the performance of services on, and in connection with, the project identified in the title block of this drawing. No other such ideas, designs, arrangements, or plans shall be used or disclosed to any person, firm, or organization for any purpose whatsoever without written permission of TRH, Inc. Written dimensions on these drawings shall have precedence over scaled dimensions. Contractors shall verify and be responsible for all dimensions on the project. TRH, Inc. shall be notified of any variations from the dimensions and conditions shown on these drawings.



INC.
1350 COLUMBIA ST.
SUITE 702
SAN DIEGO, CA 92101
TEL (619) 230-1088
FAX (619) 230-1089



CLIENT:

KAIZENGREEN,
LLC

2903 CANON STREET, SUITE B
SAN DIEGO, CA 92106

PROJECT:

KAIZENGREEN
CUP

APN: 343-300-01-00
8390 MIRAMAR PLACE
SUITES A,B & C
SAN DIEGO, CA 92121-2104

REVISION	ITEM	DATE
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THIS SET	ISSUE DATE
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<input type="checkbox"/> DESIGN DEV.	
<input checked="" type="checkbox"/> FULL SUBMITTAL	11/17/2017
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<input checked="" type="checkbox"/> RESUBMITTAL 3	9/27/2018
<input type="checkbox"/> CONSTRUCTION	

SHEET TITLE / CONTENTS

EXISTING
SITE PLAN,
LEGEND &
KEYNOTES

TRH PROJECT#: 281-17
SCALE: AS NOTED
DRAWN BY: TRH
DATE DRAWN: 8/10/2017
CHECKED BY: KDS

SHEET: 2 OF: 10

A1.1

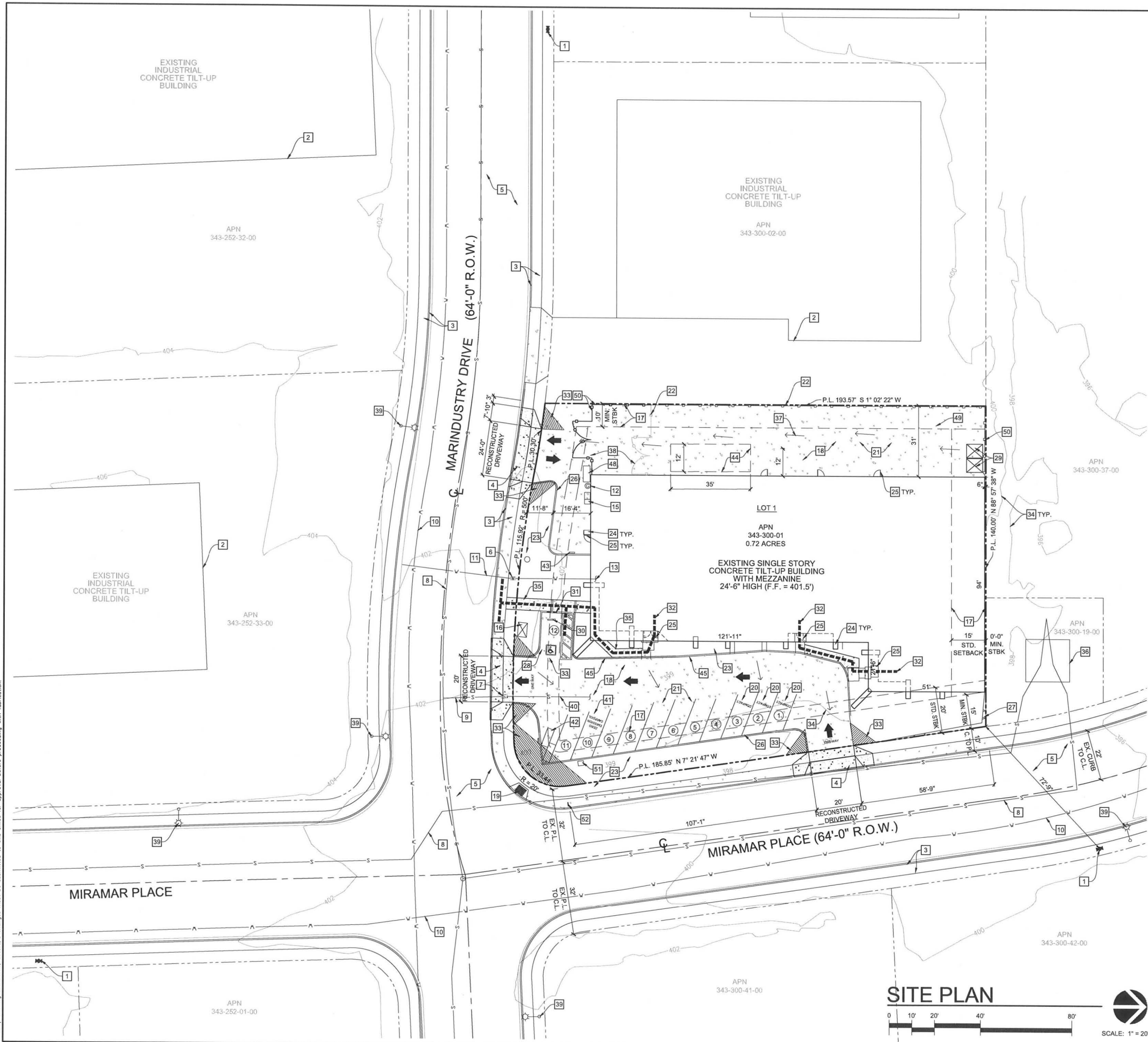
SITE KEYNOTES

- EXISTING FIRE HYDRANT - V.I.F.
- EXISTING BUILDING - NOT-A-PART
- EXISTING 6" H. CONCRETE CURB, 12" W. GUTTER & 5'-0" W. SIDEWALK TO REMAIN
- EXISTING DRIVEWAY TO BE RECONSTRUCTED PER CURRENT CITY STANDARDS
- EXISTING ASPHALT PAVEMENT TO REMAIN
- EXISTING WATER METER LOCATION - V.I.F.
- EXISTING SEWER P.O.C. - V.I.F.
- EXISTING SEWER MAIN - V.I.F.
- EXISTING SEWER LATERAL - V.I.F.
- EXISTING WATER MAIN - V.I.F.
- EXISTING WATER LATERAL - V.I.F.
- EXISTING GAS METER - V.I.F.
- EXISTING PRIVATE WATER LINE TO REMAIN - V.I.F.
- EXISTING BACKFLOW PREVENTER - V.I.F.
- EXISTING 600 A. ELECTRICAL MSB & METERS TO REMAIN - V.I.F.
- EXISTING SDG&E ELECTRICAL TRANSFORMER - V.I.F.
- EXISTING SETBACK LINE
- EXISTING CONCRETE PAVEMENT TO REMAIN
- EXISTING CURB RAMP TO BE RECONSTRUCTED TO CURRENT CITY STANDARDS
- EXISTING COMPACT VEHICULAR PARKING SPACE TO REMAIN
- EXISTING STANDARD VEHICULAR PARKING SPACE TO REMAIN
- EXISTING FENCE TO REMAIN
- EXISTING LANDSCAPE AND IRRIGATION TO REMAIN
- EXISTING BUILDING CONCRETE COLUMN TO REMAIN
- EXISTING EXTERIOR DOOR TO REMAIN
- EXISTING 6" HIGH CONCRETE CURB TO REMAIN
- EXISTING SLOPE TO REMAIN
- EXISTING ACCESSIBLE PARKING SPACE TO REMAIN
- EXISTING REFUSE & RECYCLABLE CONTAINERS TO REMAIN
- EXISTING 6" CONCRETE WHEELSTOP
- EXISTING ACCESSIBLE SIGNS
- PROPOSED ACCESSIBLE PATH OF TRAVEL PER LEGEND
- PROPOSED VISIBILITY TRIANGLES PER LEGEND
- EXISTING TOPOGRAPHIC CONTOUR LINES FOR REFERENCE
- PROPOSED ACCESSIBLE SIDEWALK - SLOPE NOT TO EXCEED 2.1%
- EXISTING SEWER PUMP STATION
- EXISTING 0.5% CONCRETE SWALE TO REMAIN
- EXISTING SWINGING GATES TO BE RELOCATED - PROVIDE KNOX BOX
- EXISTING STREET LIGHT TO REMAIN - V.I.F.
- EXISTING PRIVATE SEWER LINE TO REMAIN - V.I.F.
- PROPOSED DESIGNATED ZERO EMISSION/CARPOOL PARKING SPACE
- PROPOSED 3' x 8' MOTORCYCLE PARKING SPACE (TOTAL 2)
- PROPOSED SHORT-TERM BICYCLE RACK FOR (2) TWO BICYCLES
- PROPOSED LOADING/UNLOADING AREA
- PROPOSED 6" HIGH CONCRETE CURB PER CITY STANDARDS
- PROPOSED EXIT ONLY SIGN
- EXISTING 6" HIGH CONCRETE CURB TO BE REMOVED
- PROPOSED 3' X 7' LONG-TERM BICYCLE PARKING ENCLOSURE
- EXISTING CHAINLINK FENCE TO BE REMOVED
- PROPOSED CHAINLINK FENCE TO MATCH EXISTING
- PROPOSED LOCATION FOR FUTURE EV CHARGING STATION
- EXISTING STOP SIGN TO REMAIN

SITE LEGEND

- EXISTING PROPERTY LINE
- EXISTING SETBACK LINE
- EXISTING LIGHT POLE & FIXTURE
- EXISTING FIRE HYDRANT
- KEYNOTE SYMBOL THIS SHEET
- VEHICULAR PARKING SPACE PER CITY STANDARDS
- ACCESSIBLE ROUTE OF TRAVEL - MAXIMUM 2.1% CROSS SLOPE PER CBC 11B - 403.3. SURFACES SHALL BE STABLE, FIRM & RESISTANT MATERIAL (CBC 11B - 302.1)
- VISIBILITY TRIANGLES. NO FENCES/SHRUBS HIGHER THAN 24" ARE PERMITTED IN THIS AREA
- CONCRETE PAVEMENT PER CITY STANDARDS
- EXISTING CONTOUR LINES
- EXISTING DIRECTION OF TRAVEL
- EXISTING FENCE TO REMAIN
- PROPOSED FENCE TO MATCH EXISTING

SITE PLAN



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**ENLARGED
SITE PLAN,
LEGEND &
KEYNOTES**

TRH PROJECT#: 281-17
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DRAWN BY: TRH
DATE DRAWN: 8/10/2017
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SHEET: 3 OF: 10

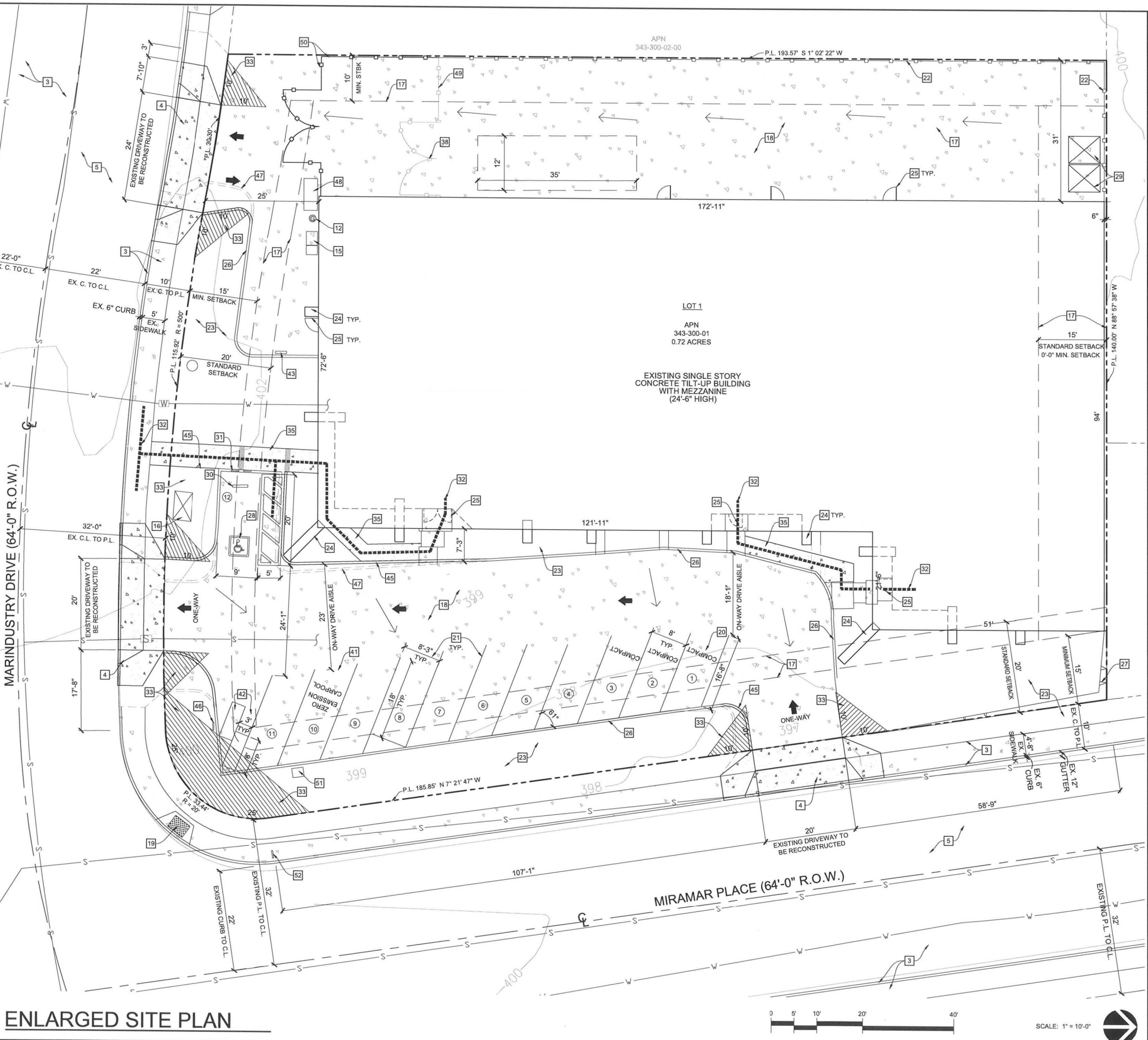
A1.2

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ENLARGED SITE PLAN

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SAN DIEGO, CA 92106

PROJECT:
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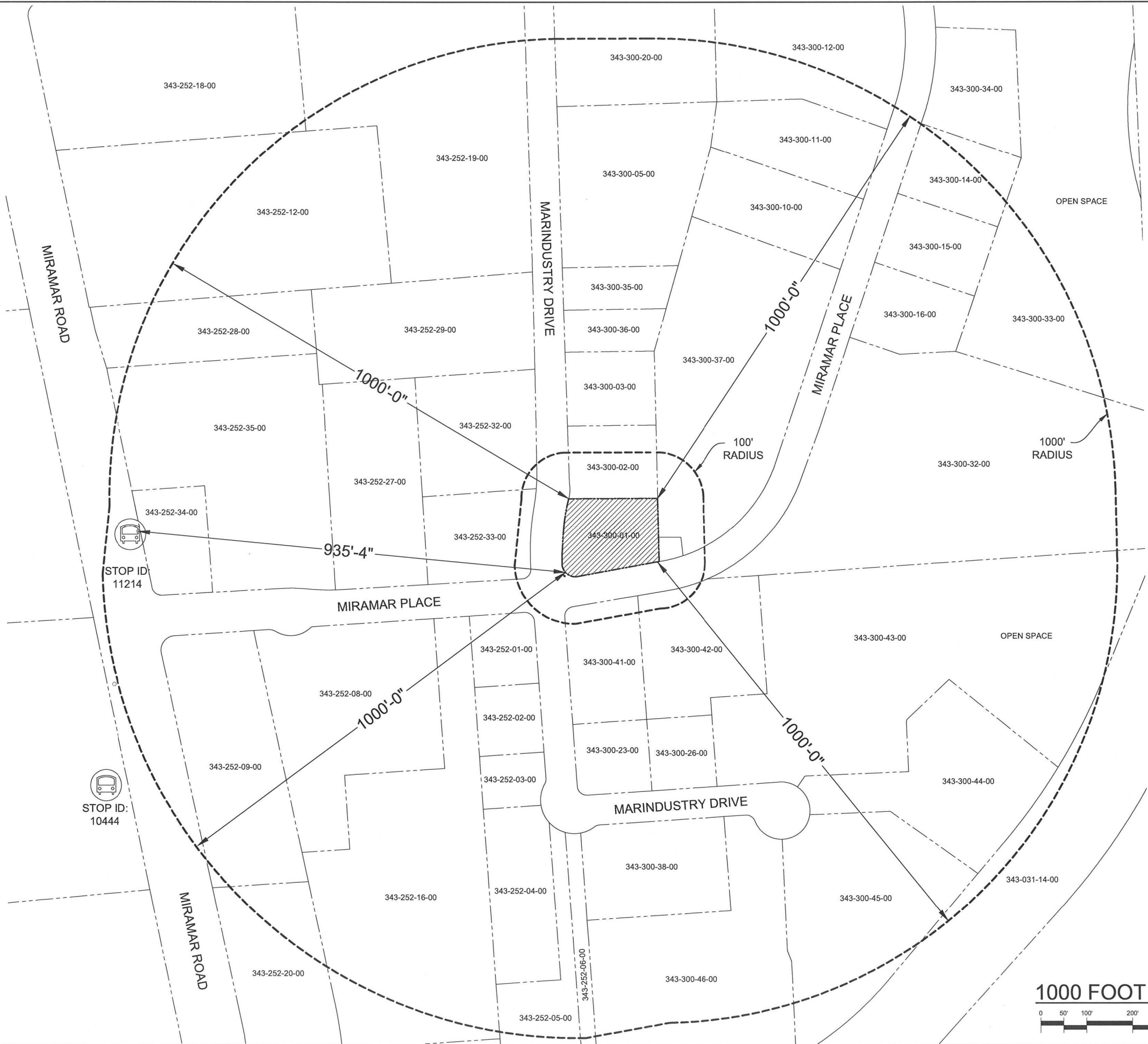
**1000 FOOT
RADIUS MAP**

TRH PROJECT#: 281-17
SCALE: AS NOTED
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SHEET: 4 OF: 10

A1.3

NOTE:
THERE ARE NO RESIDENTIAL ZONES WITHIN 100
FEET OF THE PROJECT SITE



1000 FOOT RADIUS MAP



SCALE: 1" = 100'-0"

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SHEET TITLE / CONTENTS

EXISTING/DEMO FIRST FLOOR PLAN

TRH PROJECT#: 281-17
SCALE: AS NOTED
DRAWN BY: TRH
DATE DRAWN: 8/10/2017
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SHEET: 5 OF: 10

A2.0

EXISTING KEYNOTES

- EXISTING EXTERIOR CONCRETE TILT-UP WALL TO REMAIN
- EXISTING CONCRETE COLUMN TO REMAIN
- EXISTING INTERIOR FULL HEIGHT 1 HOUR RATED WALL TO REMAIN
- EXISTING INTERIOR WALL TO REMAIN
- EXISTING INTERIOR WOOD COLUMNS TO REMAIN
- EXISTING STOREFRONT GLASS WINDOWS TO REMAIN
- EXISTING STOREFRONT GLASS DOORS TO REMAIN
- EXISTING EXTERIOR METAL DOOR TO REMAIN
- EXISTING METAL ROLL-UP DOOR TO REMAIN
- EXISTING INTERIOR DOOR TO REMAIN
- EXISTING INTERIOR WINDOWS TO REMAIN
- EXISTING SOFFIT LINE ABOVE
- EXISTING INTERIOR STAIRS WITH HANDRAILS TO REMAIN
- EXISTING RESTROOM TO REMAIN
- EXISTING CONCRETE SLAB
- EXISTING COUNTER TO REMAIN
- EXISTING ELECTRICAL PANELS TO REMAIN

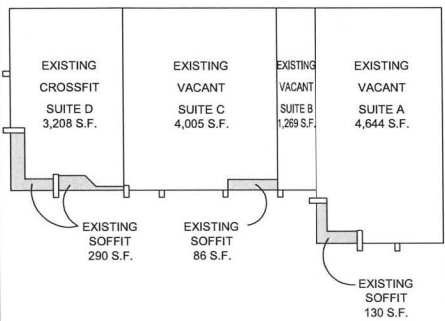
DEMO KEYNOTES

- REMOVE EXISTING INTERIOR WALL
- REMOVE EXISTING INTERIOR DOOR
- REMOVE EXISTING EXTERIOR DOOR
- REMOVE RESTROOMS FIXTURES
- REMOVE INTERIOR STAIRS

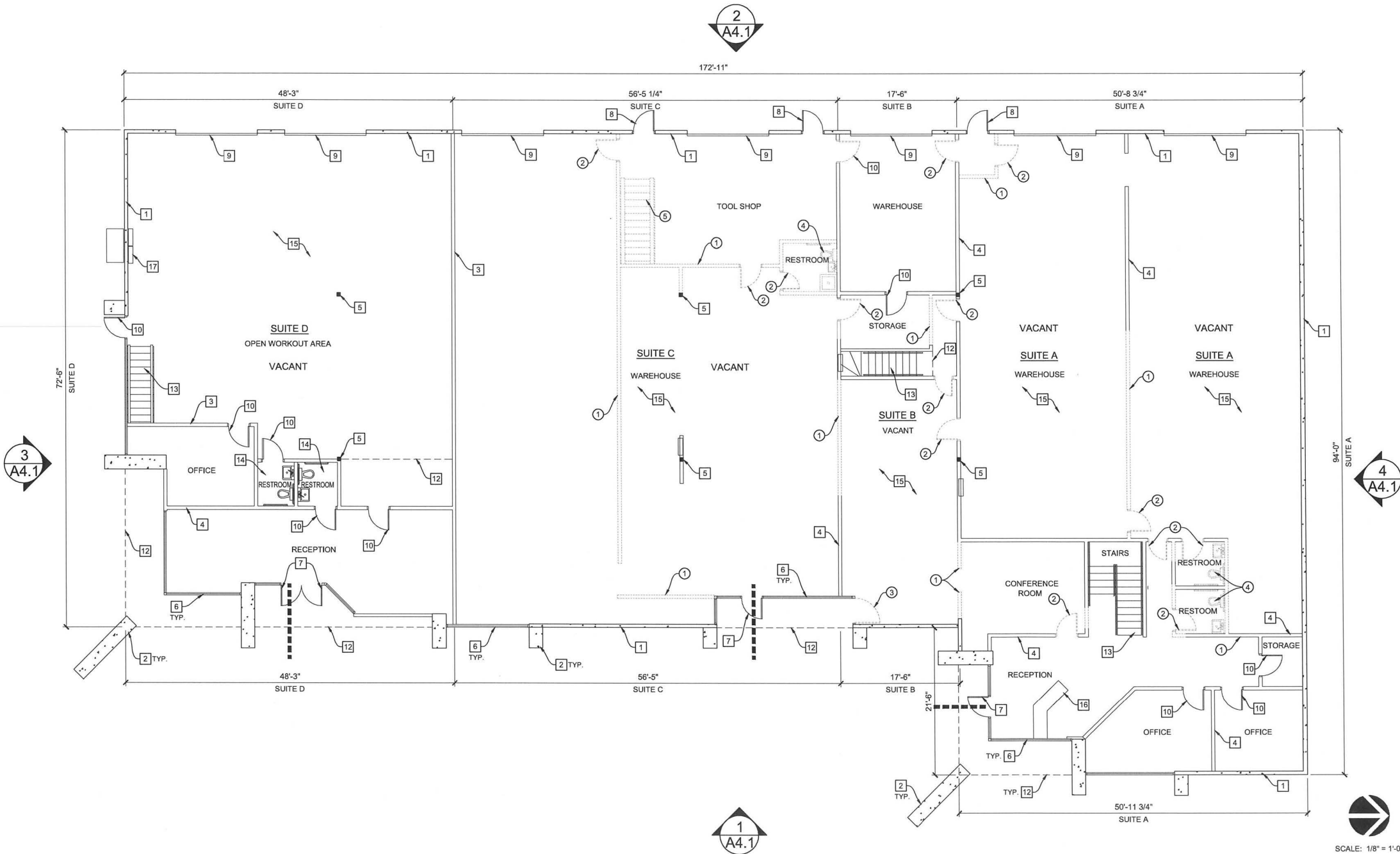
FLOOR PLAN LEGEND

- EXISTING EXTERIOR WALLS
- EXISTING INTERIOR WALLS
- EXISTING INTERIOR WALLS TO BE REMOVED
- DIMENSION TO FACE OF STUD, COLUMN OR WALL
- ACCESSIBLE PATH OF TRAVEL
- KEYNOTE SYMBOL
- EXTERIOR ELEVATIONS DETAIL NUMBER
- EXTERIOR ELEVATIONS SHEET NUMBER

1ST FLOOR KEYMAP



EXISTING/DEMO FIRST FLOOR PLAN



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PROPOSED FIRST FLOOR PLAN

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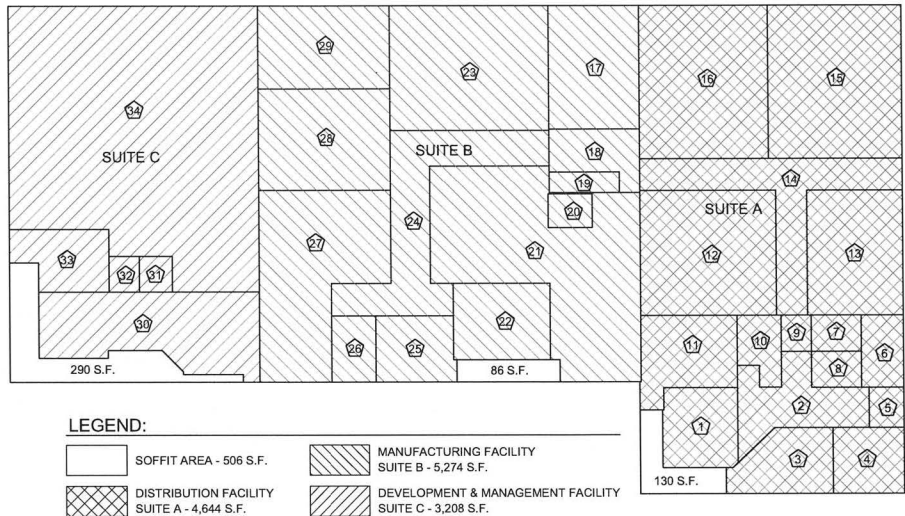
SHEET: 6 OF: 10

A2.1

FLOOR PLAN LEGEND

- EXISTING EXTERIOR WALLS
- EXISTING INTERIOR WALLS
- PROPOSED EXTERIOR 2 HOUR RATED WALL
- PROPOSED INTERIOR 1 HOUR RATED WALL
- PROPOSED FREEZER WALLS
- PROPOSED CHAINLINK FENCE
- DIMENSION TO FACE OF STUD COLUMN OR WALL
- ACCESSIBLE PATH OF TRAVEL
- KEYNOTE SYMBOL
- ROOM NUMBER
- ACTIVITY KEY SYMBOL
- EXTERIOR ELEVATIONS DETAIL NUMBER
- EXTERIOR ELEVATIONS SHEET NUMBER

ACTIVITY AREA DIAGRAM



FIRST FLOOR

KEY	ROOM NO.	AREA	ACTIVITY DESCRIPTION	# OF EMPLOYEES
SUITE A - 4,644 S.F.				
1	101	224 S.F.	SECURITY AREA - 24 HOUR SECURITY GUARD, COUNTER & WAITING	1
2	102	279 S.F.	FRONT CORRIDOR - LIMITED ACCESS AREA	-
3	103	221 S.F.	MANAGER'S OFFICE, DATA, DVR, CAMERA ROOM	1
4	104	174 S.F.	OFFICE - ADMINISTRATIVE, BOOKKEEPING, FILING	-
5	105	52 S.F.	STORAGE 1 - OFFICE SUPPLIES	-
6	106	113 S.F.	AV-MONITORED LAB TRANSACTION ROOM	-
7	107	68 S.F.	RESTROOM - WOMENS	-
8	108	68 S.F.	RESTROOM - MENS	-
9	109	40 S.F.	HALLWAY - NON-LIMITED ACCESS	-
10	110	100 S.F.	STAIRS - NON-LIMITED ACCESS TO MEZZANINE LEVEL	-
11	111	277 S.F.	STORAGE 3 - PACKAGING MATERIALS	-
12	112	629 S.F.	RETAIL PACKAGED PRODUCT LIMITED ACCESS HOLDING AREA	1
13	113	445 S.F.	BULK PRODUCT LIMITED ACCESS HOLDING AREA	-
14	114	416 S.F.	CORRIDOR - LIMITED ACCESS AREA	-
15	115	765 S.F.	DISTRIBUTION 1 - FINISHED PRODUCT LOADING & UNLOADING	1
16	116	732 S.F.	DISTRIBUTION 2 - FINISHED PRODUCT LOADING & UNLOADING	1
SUITE B - 5,274 S.F.				
17	117	416 S.F.	DEDICATED SOLVENT STORAGE ROOM	-
18	118	161 S.F.	UTILITY ROOM - SANITARY OPERATIONS STORAGE	-
19	119	55 S.F.	EXISTING STAIRS - NON-LIMITED ACCESS TO MEZZANINE LEVEL	-
20	120	55 S.F.	WALK-IN FREEZER - WINTERIZATION PROCESS ROOM	-
21	121	575 S.F.	DISTILLATION LAB & CONCENTRATED PRODUCT HOLDING AREA	1
22	122	276 S.F.	LIMITED ACCESS SECURE ENTRANCE/WAITING AREA	-
23	123	740 S.F.	INCOMING HARVEST BATCH HOLDING AREA	1
24	124	533 S.F.	CORRIDOR - LIMITED ACCESS AREA	-
25	125	195 S.F.	QUALITY CONTROL QUARANTINE & TESTING - TRANSACTION ROOM	-
26	126	109 S.F.	SHOWER/RESTROOM - WASH ROOM, GOWNING, LOCKERS	-
27	127	724 S.F.	HARVEST BATCH PREP & EXTRACTION AREA 2	-
28	128	502 S.F.	HARVEST BATCH PREP & EXTRACTION AREA 1	1
29	129	410 S.F.	HARVEST BATCH WASTE & CHEMICAL WASTE HOLDING AREA	-
SUITE C - 3,208 S.F.				
30	130	580 S.F.	EXISTING RECEPTION AREA - WAITING ROOM	1
31	131	44 S.F.	EXISTING RESTROOM - WOMENS	-
32	132	40 S.F.	EXISTING RESTROOM - MENS	-
33	133	201 S.F.	EXISTING SHOWER ROOM	-
34	134	2,343 S.F.	PROPOSED COMPLIANCE AND STAFF TRAINING AREA	1
TOTAL:				10

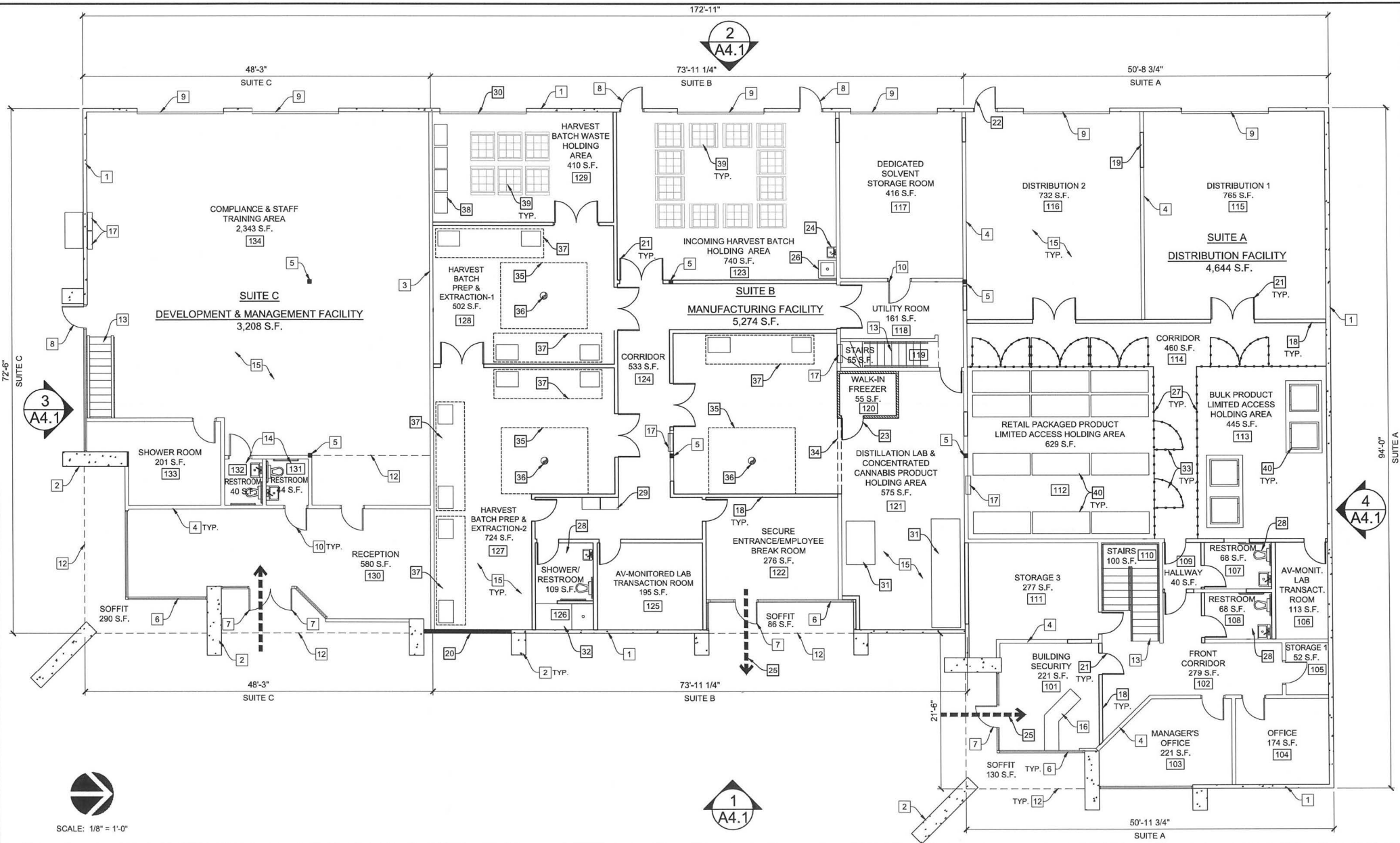
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- EXISTING SOFFIT LINE ABOVE
- EXISTING INTERIOR STAIRS WITH HANDRAILS AND DECK ABOVE
- EXISTING RESTROOM TO REMAIN
- EXISTING CONCRETE SLAB
- EXISTING COUNTER TO REMAIN
- EXISTING ELECTRICAL PANELS

PROPOSED KEYNOTES

- PROPOSED INTERIOR FULL HEIGHT 1 HOUR RATED WALL
- PROPOSED INTERIOR PARTITION WALL
- PROPOSED EXTERIOR RATED WALL TO MATCH EXISTING
- PROPOSED INTERIOR DOOR
- PROPOSED EXTERIOR DOOR
- PROPOSED WALK-IN FREEZER DOOR
- PROPOSED SINK
- PROPOSED ACCESSIBLE PATH OF TRAVEL PER LEGEND
- PROPOSED MOP SINK
- PROPOSED CHAINLINK FENCE
- PROPOSED ACCESSIBLE RESTROOM
- PROPOSED EMPLOYEE LOCKERS
- PROPOSED ROLL-UP DOOR TO MATCH EXISTING
- PROPOSED LAB EQUIPMENT
- PROPOSED ACCESSIBLE SHOWER
- PROPOSED SECURITY GATES
- PROPOSED SOFFIT LINE ABOVE
- PROPOSED PORTABLE DUST CONTAINMENT ENCLOSURE
- PROPOSED EXHAUST FAN ABOVE
- PROPOSED EXTRACTION EQUIPMENT
- PROPOSED CHEMICAL WASTE LOCKERS
- PROPOSED STORAGE PALLETS
- PROPOSED STORAGE SHELVES

PROPOSED FIRST FLOOR PLAN



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I N C.
1350 COLUMBIA ST.
SUITE 702
SAN DIEGO, CA 92101
TEL (619) 230-1088
FAX (619) 230-1089



CLIENT:
KAIZENGREEN, LLC

2903 CANON STREET, SUITE B
SAN DIEGO, CA 92106

PROJECT:
KAIZENGREEN CUP

APN: 343-300-01-00
8390 MIRAMAR PLACE
SUITES A,B & C
SAN DIEGO, CA 92121-2104

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<input type="checkbox"/> CONSTRUCTION	

SHEET TITLE / CONTENTS
EXISTING/DEMO MEZZANINE FLOOR PLAN

TRH PROJECT#: 281-17
SCALE: AS NOTED
DRAWN BY: TRH
DATE DRAWN: 8/10/2017
CHECKED BY: KDS

SHEET: 7 OF: 10

A2.2

EXISTING KEYNOTES

- EXISTING EXTERIOR CONCRETE TILT-UP WALL TO REMAIN
- EXISTING CONCRETE COLUMN TO REMAIN
- EXISTING INTERIOR FULL HEIGHT 1 HOUR RATED WALL TO REMAIN
- EXISTING INTERIOR WALL TO REMAIN
- EXISTING INTERIOR METAL COLUMNS TO REMAIN
- EXISTING STOREFRONT GLASS WINDOWS TO REMAIN
- EXISTING WOOD HANDRAILS TO REMAIN
- EXISTING MECHANICAL SHAFT TO REMAIN
- (NOT USED)
- EXISTING INTERIOR DOOR TO REMAIN
- EXISTING INTERIOR WINDOWS TO REMAIN
- EXISTING SOFFIT LINE ABOVE
- EXISTING INTERIOR STAIRS WITH HANDRAILS TO REMAIN
- EXISTING RESTROOM TO BE REPLACED WITH NEW
- EXISTING WOOD FLOOR TO REMAIN
- EXISTING ROOF LADDER TO REMAIN
- EXISTING ROOF HATCH ABOVE
- EXISTING HOT WATER HEATER TO REMAIN

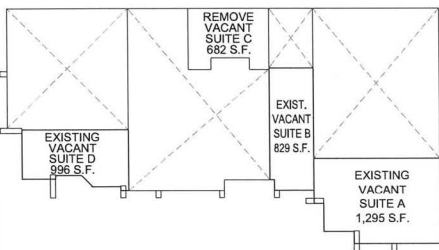
DEMO KEYNOTES

- REMOVE EXISTING INTERIOR PARTITION WALL
- REMOVE EXISTING INTERIOR DOOR
- REMOVE EXISTING WALL BELOW PER A2.0
- REMOVE EXISTING INTERIOR WOOD STAIRS

FLOOR PLAN LEGEND

- EXISTING EXTERIOR WALLS
- EXISTING INTERIOR WALLS
- EXISTING INTERIOR WALLS TO BE REMOVED
- DIMENSION TO FACE OF STUD, COLUMN OR WALL
- KEYNOTE SYMBOL
- EXTERIOR ELEVATIONS DETAIL NUMBER
- EXTERIOR ELEVATIONS SHEET NUMBER

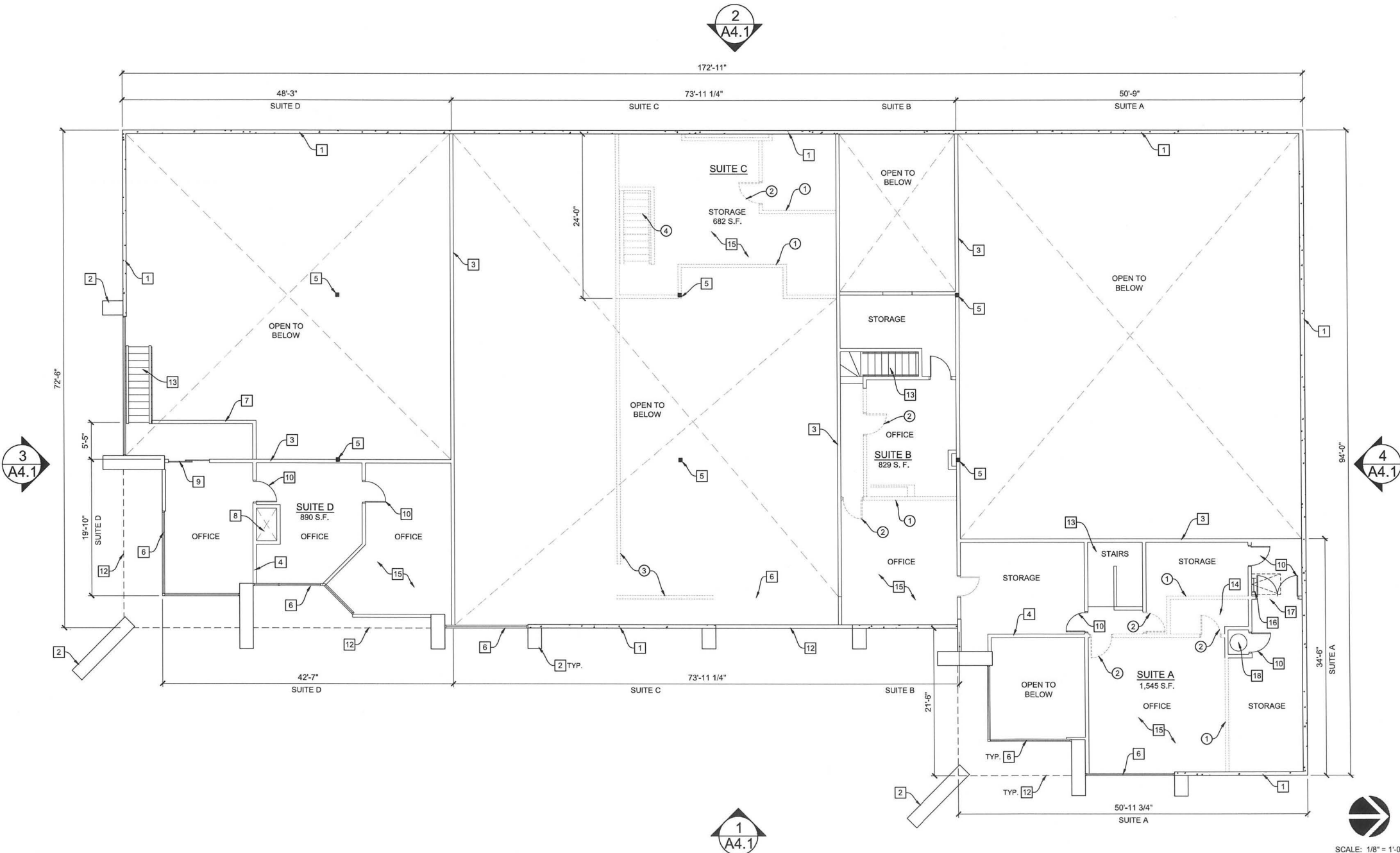
MEZZANINE KEYMAP



NO SCALE

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

EXISTING/DEMO MEZZANINE FLOOR PLAN



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SHEET TITLE / CONTENTS

PROPOSED MEZZANINE FLOOR PLAN

TRH PROJECT#: 281-17
SCALE: AS NOTED
DRAWN BY: TRH
DATE DRAWN: 8/10/2017
CHECKED BY: KDS

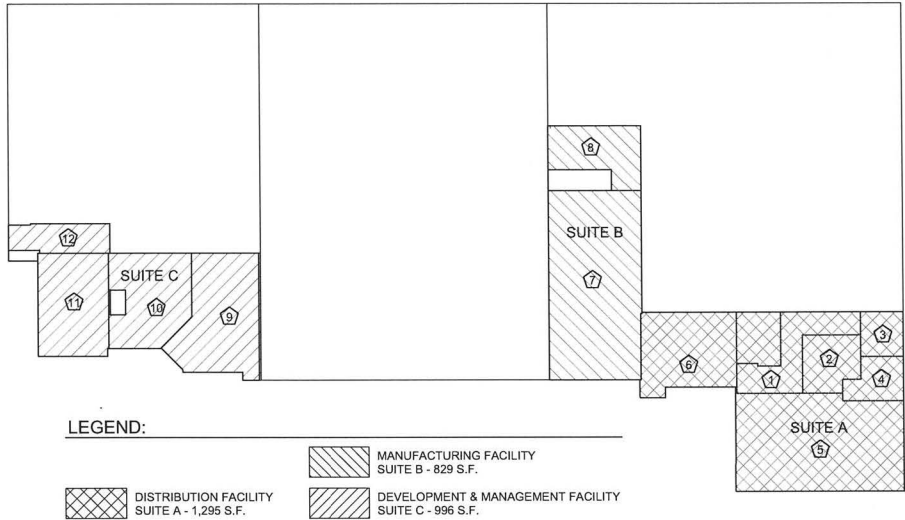
SHEET: 8 OF: 10

A2.3

FLOOR PLAN LEGEND

- EXISTING EXTERIOR WALLS
- EXISTING INTERIOR WALLS
- PROPOSED EXTERIOR 2 HOUR RATED WALL
- PROPOSED INTERIOR 1 HOUR RATED WALL
- DIMENSION TO FACE OF STUD COLUMN OR WALL
- ACCESSIBLE PATH OF TRAVEL
- KEYNOTE SYMBOL
- ROOM NUMBER
- ACTIVITY KEY SYMBOL
- EXTERIOR ELEVATIONS DETAIL NUMBER
- EXTERIOR ELEVATIONS SHEET NUMBER

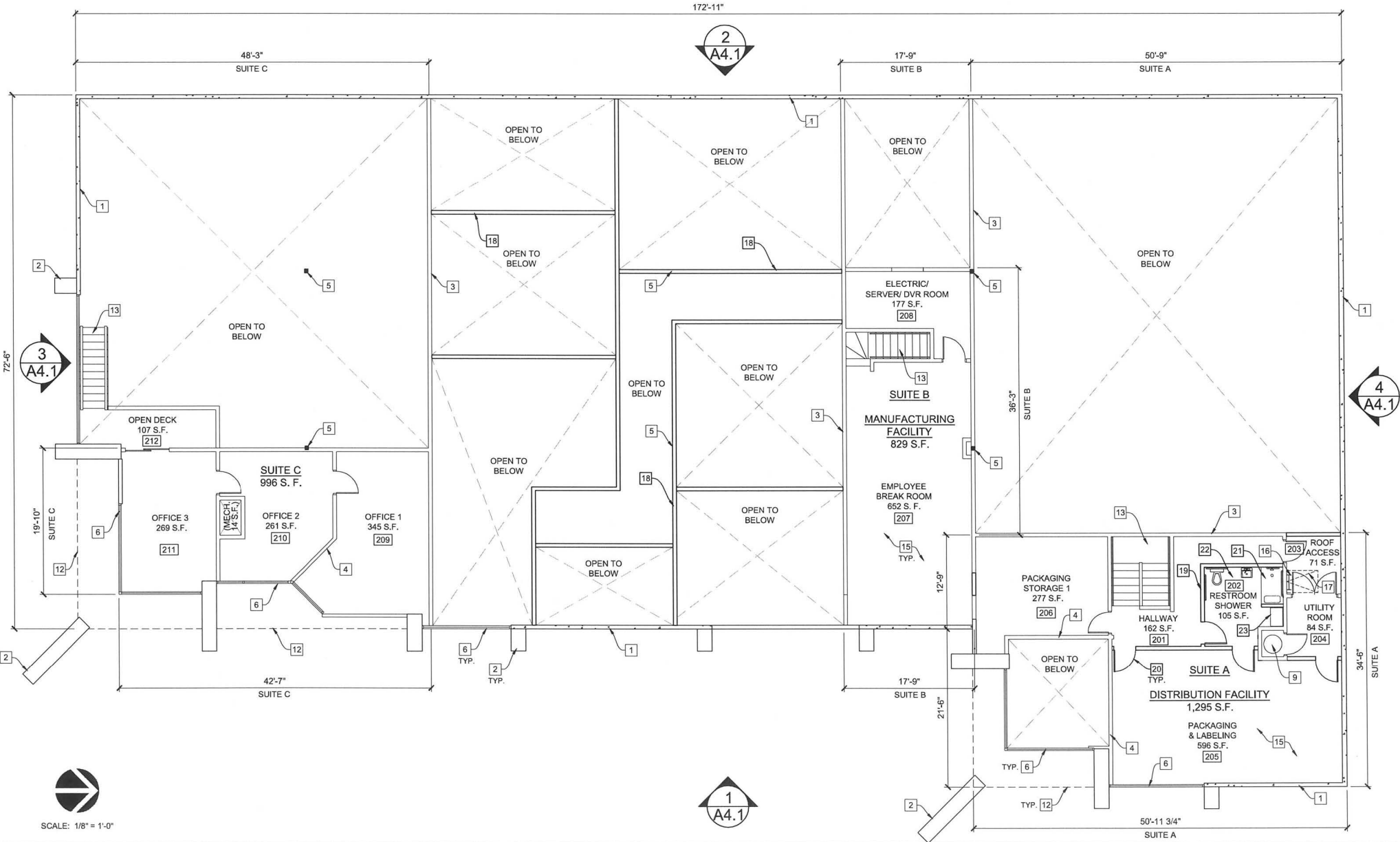
ACTIVITY AREA DIAGRAM



MEZZANINE FLOOR

KEY	ROOM NO.	AREA	ACTIVITY DESCRIPTION	# OF EMPLOYEES
SUITE A - 1,295 S.F.				
1	201	162 S.F.	HALLWAY - LIMITED ACCESS AREA	-
2	202	105 S.F.	SHOWER/RESTROOM - WASH ROOM, GOWNING & LOCKERS	-
3	203	71 S.F.	ROOF ACCESS ROOM - ACCESS TO ROOF	-
4	204	84 S.F.	UTILITY ROOM - JANITORIAL STORAGE	-
5	205	596 S.F.	PACKAGING AND LABELING	-
6	206	277 S.F.	PACKAGING MATERIAL STORAGE 1	-
SUITE B - 829 S.F.				
7	207	652 S.F.	EMPLOYEE BREAK ROOM	-
8	208	177 S.F.	ELECTRIC/ DATA, SERVER, DVR, SECURITY CAMERA ROOM	1
SUITE C - 996 S.F.				
9	209	345 S.F.	EXISTING OFFICE 1 - MANAGEMENT	1
10	210	261 S.F.	EXISTING OFFICE 2 - CONFERENCE ROOM	-
11	211	269 S.F.	EXISTING OFFICE 3 - COMPLIANCE	-
12	212	107 S.F.	EXISTING OPEN DECK - NON-LIMITED ACCESS TO FIRST FLOOR	-
TOTAL: 3,120 S.F.				2

PROPOSED MEZZANINE FLOOR PLAN



EXISTING KEYNOTES

- 1 EXISTING EXTERIOR CONCRETE TILT-UP WALL TO REMAIN
- 2 EXISTING CONCRETE COLUMN TO REMAIN
- 3 EXISTING INTERIOR FULL HEIGHT 1 HOUR RATED WALL TO REMAIN
- 4 EXISTING INTERIOR WALL TO REMAIN
- 5 EXISTING INTERIOR WOOD COLUMNS TO REMAIN
- 6 EXISTING STOREFRONT GLASS WINDOWS TO REMAIN
- 7 EXISTING WOOD HANDRAILS TO REMAIN
- 8 EXISTING MECHANICAL SHAFT TO REMAIN
- 9 EXISTING WATER HEATER
- 10 EXISTING INTERIOR DOOR TO REMAIN
- 11 EXISTING INTERIOR WINDOWS TO REMAIN
- 12 EXISTING SOFFIT LINE ABOVE
- 13 EXISTING INTERIOR STAIRS WITH HANDRAILS TO REMAIN
- 14 EXISTING RESTROOM TO REMAIN
- 15 EXISTING WOOD FLOOR TO REMAIN
- 16 EXISTING ROOF LADDER TO REMAIN
- 17 EXISTING ROOF HATCH ABOVE

PROPOSED KEYNOTES

- 18 PROPOSED INTERIOR FULL HEIGHT 1 HOUR RATED WALL
- 19 PROPOSED INTERIOR PARTITION WALL
- 20 PROPOSED INTERIOR DOOR
- 21 PROPOSED ACCESSIBLE SHOWER
- 22 PROPOSED ACCESSIBLE RESTROOM
- 23 PROPOSED EMPLOYEE LOCKERS



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SHEET TITLE / CONTENTS

**EXISTING
ROOF PLAN**

TRH PROJECT#: 281-17
SCALE: AS NOTED
DRAWN BY: TRH
DATE DRAWN: 8/10/2017
CHECKED BY: KDS

SHEET: 9 OF: 10

A2.5

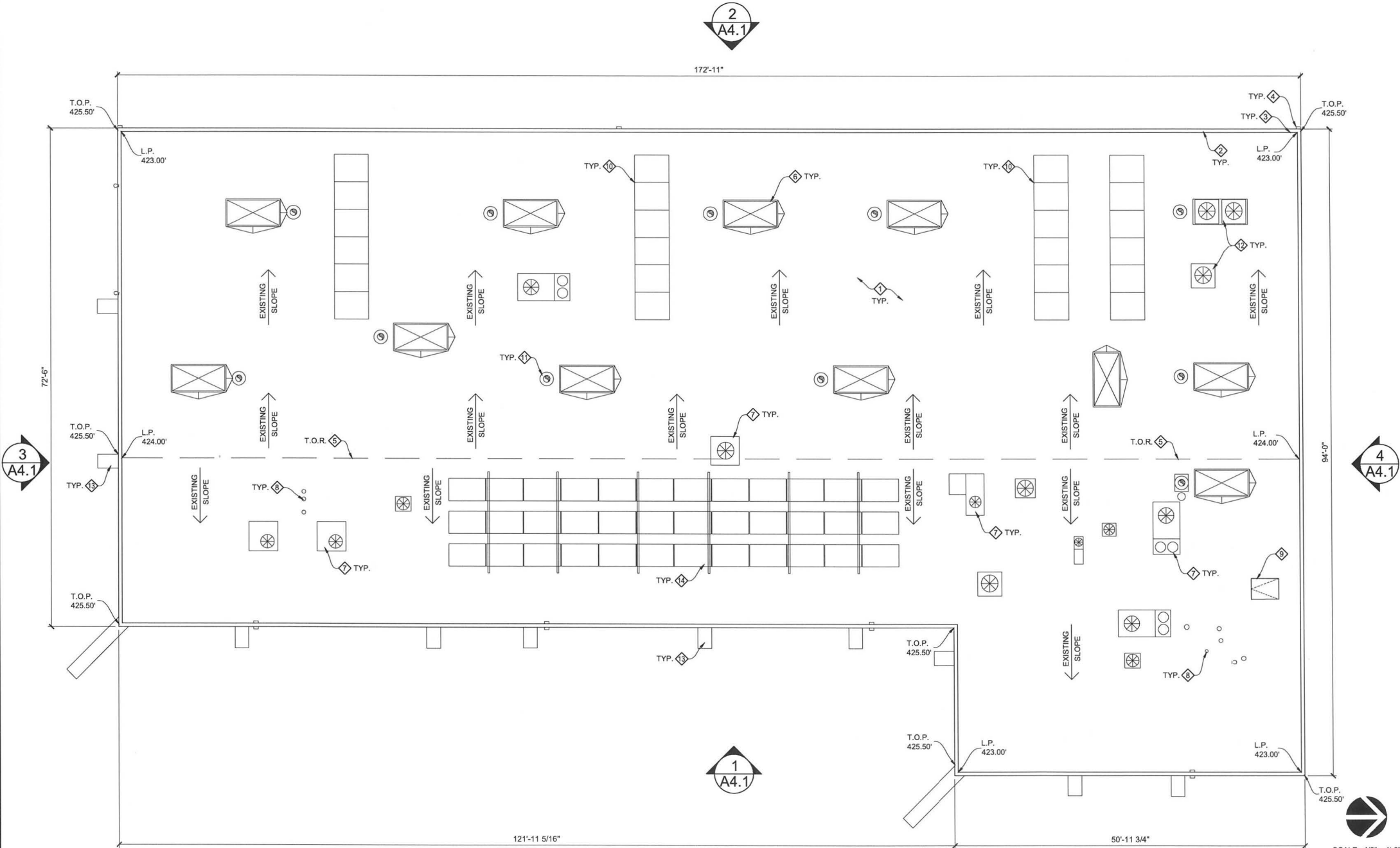
ROOF KEYNOTES

- EXISTING CLASS "A" ROOF SYSTEM TO REMAIN
- EXISTING CONCRETE TILT-UP PARAPET WALL TO REMAIN
- EXISTING ROOF DRAIN AND SCUPPER TO REMAIN
- EXISTING DOWNSPOUTS TO REMAIN
- EXISTING RIDGE LINE TO REMAIN
- EXISTING SKYLIGHT TO REMAIN
- EXISTING ROOF TOP MECHANICAL EQUIPMENT TO REMAIN
- EXISTING ROOF VENTS TO REMAIN
- EXISTING ROOF HATCH TO REMAIN
- EXISTING SOLAR PANELS TO REMAIN
- EXISTING 12" ROUND GRAVITY VENTILATOR TO REMAIN
- EXISTING CONDENSER TO REMAIN
- EXISTING CONCRETE COLUMNS BELOW
- PROPOSED SOLAR PANELS

ROOF PLAN LEGEND

- EXISTING EXTERIOR CONCRETE TILT-UP PARAPET
- DIMENSION TO FACE OF STUD, COLUMN OR WALL
- ROOF KEYNOTE SYMBOL
- H.P. HIGH POINT
- L.P. LOW POINT
- T.O.P. TOP OF PARAPET
- T.O.R. TOP OF ROOF
- DIRECTION OF EXISTING ROOF DRAINAGE
- EXTERIOR ELEVATIONS DETAIL NUMBER
- EXTERIOR ELEVATIONS SHEET NUMBER

EXISTING ROOF PLAN - FOR REFERENCE ONLY



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SAN DIEGO, CA 92106

PROJECT:
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EXISTING EXTERIOR ELEVATIONS FOR REFERENCE ONLY

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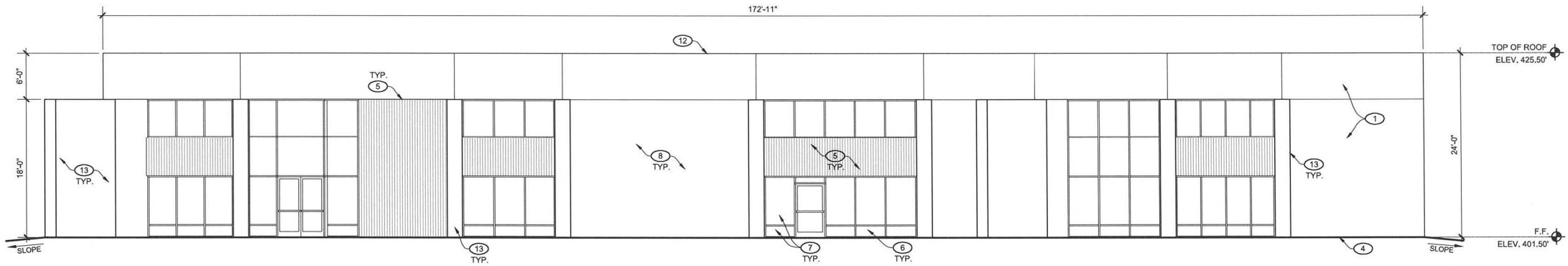
SHEET: 10 OF: 10

A4.1

EXISTING EAST ELEVATION - FOR REFERENCE ONLY

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

①



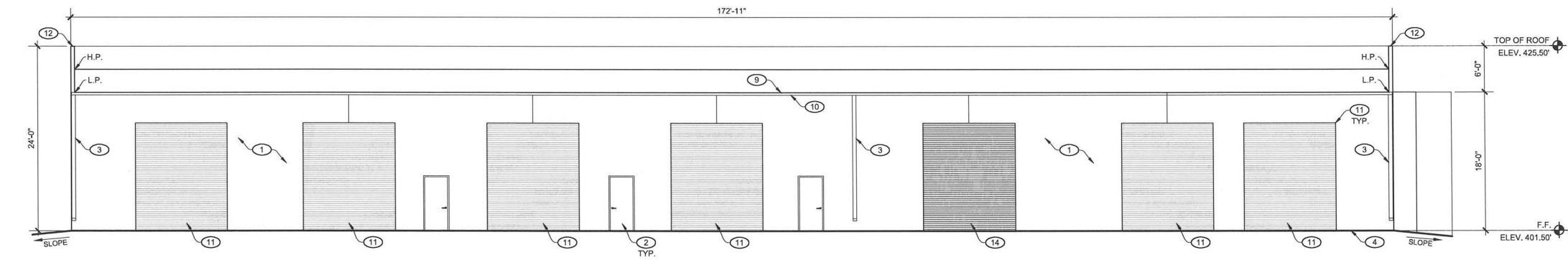
KEYNOTES

- ① EXISTING EXTERIOR CONCRETE WALL
- ② EXISTING PERSONNEL DOOR
- ③ EXISTING 6" x 4" METAL DOWNSPOUT
- ④ EXISTING LINE OF GRADE
- ⑤ EXISTING 1" x 8" CEDAR CHANNEL SIDING
- ⑥ EXISTING STOREFRONT SYSTEM
- ⑦ EXISTING STOREFRONT GLASS TEMPERED
- ⑧ EXISTING WOOD TEXTURED CONCRETE
- ⑨ EXISTING ROOF LINE - L.P.
- ⑩ EXISTING CONTINUOUS METAL GUTTER
- ⑪ EXISTING ROLL-UP DOOR TO REMAIN
- ⑫ EXISTING TOP OF PARAPET
- ⑬ EXISTING CONCRETE COLUMN
- ⑭ PROPOSED ROLL-UP DOOR TO MATCH EXISTING

WEST ELEVATION

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

②



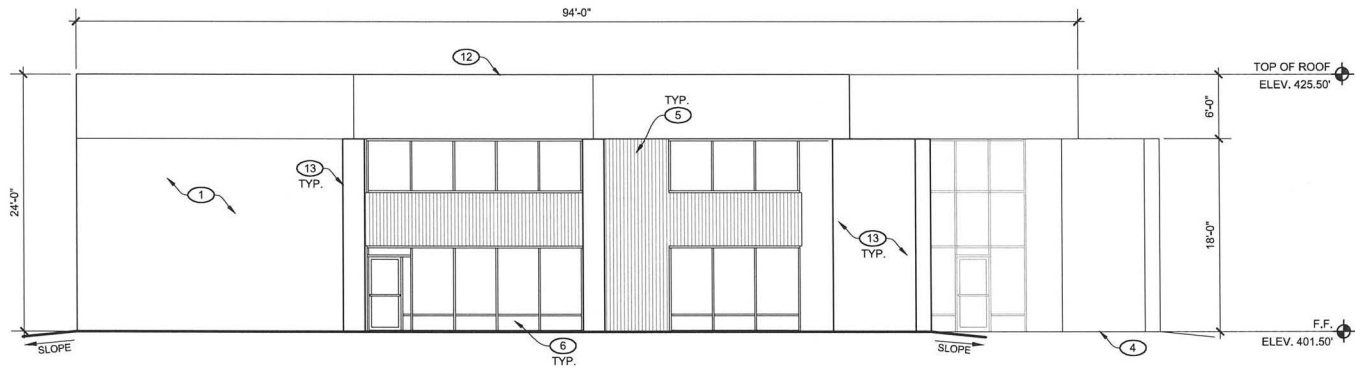
LEGEND

L.P. LOW POINT
H.P. HIGH POINT

EXISTING SOUTH ELEVATION - FOR REFERENCE ONLY

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

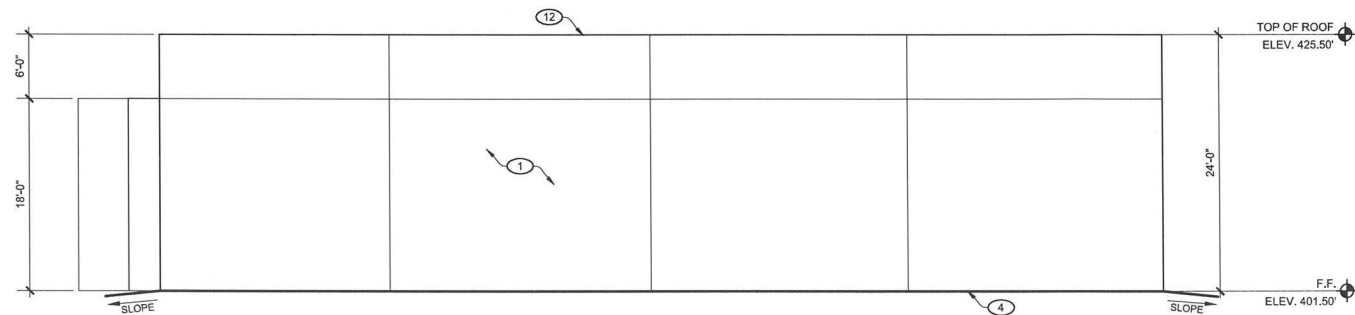
③



EXISTING NORTH ELEVATION - FOR REFERENCE ONLY

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

④



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City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101

**Development Permit/
Environmental Determination
Appeal Application**

**FORM
DS-3031**

November 2017

In order to assure your appeal application is successfully accepted and processed, you must read and understand
Information Bulletin 505, "Development Permits/Environmental Determination Appeal Procedure."

1. Type of Appeal: ☒ Appeal of the Project
☐ Appeal of the Environmental Determination

2. Appellant: Please check one ☐ Applicant ☐ Officially recognized Planning Committee ☒ "Interested Person"
(Per M.C. Sec. 113.0103)

Name: Matthew Shapiro E-mail: matthew@shapiro.legal
Address: 7676 Hazard Center Drive, #500 City: San Diego State: CA Zip Code: 92108 Telephone: 858-859-2420

3. Project Name:
MPF 8390 Miramar Place, Project#: 585648

4. Project Information
Permit/Environmental Determination & Permit/Document No.: CUP #: 2068281 Date of Decision/Determination: March 6, 2019 City Project Manager: Sammi Ma

Decision(Describe the permit/approval decision):
Approval by hearing officer to approve conditional use permit for a marijuana production facility.

5. Ground for Appeal(Please check all that apply):
☐ Factual Error ☐ New Information
☐ Conflict with other matters ☐ City-wide Significance (Process Four decisions only)
☒ Findings Not Supported

Description of Grounds for Appeal (Please relate your description to the allowable reasons for appeal as more fully described in
Chapter 11, Article 2, Division 5 of the San Diego Municipal Code. Attach additional sheets if necessary.)

See attached.

RECEIVED

MAR 20 2019

DEVELOPMENT SERVICES

6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature: _____

Date: March 20, 2019

Note: Faxed appeals are not accepted.

I would like to voice my opposition on this project for the following reasons:

1. Proposed project is within 1000' of sensitive uses with no barriers, natural or constructed.
2. Proposed project has multiple design flaws leading to security, and safety concerns and are not to city and state standards.

For the foregoing reasons, the findings for the proposed Conditional Use Permit for this project cannot be made.



City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101

Development Permit/ Environmental Determination Appeal Application

FORM
DS-3031

November 2017

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1. Type of Appeal: ☒ Appeal of the Project
☐ Appeal of the Environmental Determination

2. Appellant: Please check one ☐ Applicant ☐ Officially recognized Planning Committee ☒ "Interested Person"
(Per M.C. Sec. 113.0103)

Name: Khoa Nguyen E-mail: khoa@rathmiller.com
Address: 525 B Street, Suite 1410 City: San Diego State: CA Zip Code: 92101 Telephone: 619.550.6037

3. Project Name:
MPF 8390 Miramar Place, Project No. 585648

4. Project Information
Permit/Environmental Determination & Permit/Document No.: Conditional Use Permit No. 2068281 Date of Decision/Determination: March 6, 2019 City Project Manager: Sammi Ma

Decision(Describe the permit/approval decision):
Approval of a Conditional Use Permit by Hearing Officer for MPF Located at 8930 Miramar Place.

5. Ground for Appeal(Please check all that apply):
☐ Factual Error ☐ New Information
☐ Conflict with other matters ☐ City-wide Significance (Process Four decisions only)
☒ Findings Not Supported

Description of Grounds for Appeal (Please relate your description to the allowable reasons for appeal as more fully described in [Chapter 11, Article 2, Division 5 of the San Diego Municipal Code](#). Attach additional sheets if necessary.)

please see attached

RECEIVED

MAR 20 2019

DEVELOPMENT SERVICES

6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature: *Khoa Nguyen*

Date: *3/20/19*

Note: Faxed appeals are not accepted.

MPF 8390 Miramar Place, Project No. 585648

DESCRIPTION OF GROUNDS FOR APPEAL:

Findings Not Supported. The Hearing Officer's stated finding to approve is not supported by the information that was provided to the Hearing Officer. It is widely known that Marijuana Production Facilities produce strong odors. The applicant has not sufficiently demonstrated that their marijuana production facility will not produce odors that will be detrimental to surrounding businesses and to the public.

PLANNING COMMISSION RESOLUTION NO. XXXX-PC
CONDITIONAL USE PERMIT NO. 2068281
MPF 8390 MIRAMAR PLACE - PROJECT NO. 585648

WHEREAS, R. MICHAEL PACK, Owner and WAYNE YAMAMOTO, Permittee, filed an application with the City of San Diego for a permit to operate a Marijuana Production Facility within an existing 16,752 square-foot building (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 2068281), on portions of a 0.72-acre site;

WHEREAS, the project site is located at 8390 Miramar Place, Suites A, B, and C in the IL-2-1 Zone, Prime Industrial Lands, Community Plan Implementation Overlay Zone – Type B, the Airport Land Use Compatibility (MCAS Miramar) Overlay Zone, MCAS Miramar – Noise 70-75 CNEL, the Airport Influence Area (MCAS Miramar Review Area 1), MCAS Miramar Accident Potential Zone 1, and the Federal Aviation Authority (FAA) Part 77 Noticing Area within the University Community Plan area;

WHEREAS, the project site is legally described as Lot 1 of Miramar Ridge, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 10438, filed in the Office of the County Recorder of San Diego County on July 22, 1982;

WHEREAS, on October 23, 2018, 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 January 8, 2019 pursuant to Resolution No. 312176;

WHEREAS, on March 6, 2019, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 2068281 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on March 20, 2019, Matthew Shapiro and Khoa Nguyen respectfully filed Development Permit Appeal Applications (Appeals); and

WHEREAS, on June 6, 2019, the Planning Commission of the City of San Diego considered the Appeals and Conditional Use Permit No. 2068281 pursuant to the Land Development Code of the City of San Diego, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the Planning Commission having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it denies the Appeals, affirms the Hearing Officer decision, and adopts the following findings with respect to Conditional Use Permit No. 2068281:

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 proposed project requests a Conditional Use Permit to operate a Marijuana Production Facility in Suites A, B, C within an existing 16,752 square-foot building located at 8390 Miramar Place. The 0.72-acre site is located in the IL-2-1 Zone within the Miramar Subarea of the University Community Plan area.

The project site is designated Restricted Industrial by the University Community Plan (Community Plan) and is also identified as Prime Industrial Lands within the Economic Prosperity Element of the General Plan. The variety of industrial land use designations in community plan is intended to protect and enhance the existing industrial uses while providing an opportunity to increase industrial capacity to encourage new and relocated industries that provide employment opportunities for community residents. The General Plan identifies a Citywide shortage of land suitable for manufacturing activities and a

need to protect a reserve of manufacturing land from non-manufacturing uses. The Restricted Industrial designations in the Community Plan would permit light manufacturing uses, such as large and small industrial, scientific research, warehousing, mini-storage, and automotive commercial.

The proposed MPF, classified as an industrial use, is a compatible use for this location with a Conditional Use Permit and is consistent with the Community Plan, and therefore 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 proposed project requests a Conditional Use Permit to operate a Marijuana Production Facility (MPF) in Suites A, B, and C of an existing 16,752-square-foot building. The project also proposes tenant improvements to accommodate operations, including non-load bearing partitions, doors, lighting, security cameras and system, millwork, finishes throughout, and associated mechanical, electrical and plumbing improvements. No exterior building alterations would occur. Operations include the manufacturing, production, storage and distribution of cannabis products. Public improvements include the construction of one 25-foot driveway, two new 20-foot driveways, and the reconstruction of an existing curb ramp with current City Standards. Furthermore, the proposed improvements would require the Owner/Permittee to obtain a change of use/occupancy building permit consistent with all California Codes and Regulations in effect at the time of building permit, satisfactory to the Building Official.

MPFs are restricted to forty facilities City-wide, within light and heavy industrial zones. MPFs require compliance with San Diego Municipal Code (SDMC) section 141.1004, 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. MPFs also require a minimum distance requirement of 100 feet from a residential zone. The proposed MPF complies with the separation requirements as set forth in SDMC Section 141.1004(a). Security requirements include interior and exterior lighting, security cameras, alarms and a security guard. The security guard must be licensed by the State of California and be present on the premises during business hours. MPFs must also comply with SDMC Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

The proposed project will be required to comply with the development conditions as described in the Conditional Use Permit No. 2068281. The Conditional Use Permit No. 2068281 will be valid for five years and may be revoked if the Owner/Permittee violates the terms, conditions, lawful requirements, or provisions of the Permit.

The proposed development will not be detrimental to the public's health, safety and welfare in that the discretionary permit controlling the use of this site contains specific regulatory conditions of approval, as referenced in the Conditional Use Permit No. 2068281. The referenced regulations and conditions have been determined as necessary to avoid adverse impact upon the health, safety and general welfare of persons

patronizing, residing or working within the surrounding area. Therefore, the proposed MPF 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 proposed project requests a Conditional Use Permit to operate a Marijuana Production Facility within an existing 16,752 square-foot building located at 8390 Miramar Place in Suites A, B, and C. The building was constructed in 1985. The existing use is warehouse and offices. The project proposes interior improvements including manufacturing areas, storage rooms, labs, harvest batch holding areas, preparation and extraction rooms, distribution areas and offices. Other minor site improvements proposed are consistent with the City of San Diego requirements.

MPFs are allowed in the IL-2-1 Zone of the University Community Plan with a Conditional Use Permit. The proposed use requires compliance with SDMC section 141.1004 and SDMC Chapter 4, Article 2, Division 15. SDMC section 141.1004 requires 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. There is also a minimum distance requirement of 100 feet from a residential zone. Security requirements, expressed as conditions in the Permit, include interior and exterior lighting, security cameras, alarms and a security guard. The security guard must be licensed by the State of California and be present on the premises during business hours.

The proposed MPF is consistent with all land development regulations relevant for the site and the use and no deviations are requested or required. Therefore, the proposed MPF will comply with the regulations of the Land Development Code.

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

The proposed project requests a Conditional Use Permit to operate a Marijuana Production Facility within an existing 16,752 square-foot building located at 8390 Miramar Place in Suites A, B, C. The project site is located in the IL-2-1 Zone within the Miramar Subarea of the University Community Plan area. The project site is designated Restricted Industrial by the University Community Plan and is also identified as Prime Industrial Lands within the Economic Prosperity Element of the General Plan. The variety of industrial land use designations in Community Plan is intended to protect and enhance the existing industrial uses while providing an opportunity to increase industrial capacity to encourage new and relocated industries that provide employment opportunities for community residents. The Restricted Industrial designations in the Community Plan would permit light manufacturing uses, such as large and small industrial, scientific research, warehousing, mini-storage, and automotive commercial. Thereby providing additional land suitable for manufacturing activities.

The purpose and intent of the IL Base Zone is to permit a range of uses, including

nonindustrial uses in some instances. Specifically, the IL-2-1 allows a mix of light industrial, office, and commercial uses. Surrounding properties are zoned IL-2-1 and include uses consistent with the Restricted Industrial designation of the Community Plan.

The proposed MPF, classified as an industrial use, is a compatible use for this location with a Conditional Use Permit and is consistent with all land development regulations relevant for the site and the use and no deviations are requested or required. The proposed project is consistent with the Restricted Industrial designation of the University Community Plan. Therefore, the proposed MPF 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 the Appeals are denied, the decision of the Hearing Officer is affirmed, and based on the findings hereinbefore adopted by the Planning Commission, Conditional Use Permit No. 2068281 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 2068281, a copy of which is attached hereto and made a part hereof.

Sammi Ma
Development Project Manager
Development Services

Adopted on: June 6, 2019

IO#: 24007611

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: 24007611

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 2068281
MPF 8390 MIRAMAR PLACE - PROJECT NO. 585648
PLANNING COMMISSION

This Conditional Use Permit No. 2068281 is granted by the Planning Commission of the City of San Diego to R. Michael Pack, Owner, and Wayne Yamamoto, Permittee, pursuant to San Diego Municipal Code [SDMC] Section 126.0305. The 0.72-acre site is located at 8390 Miramar Place in the IL-2-1 Zone, Prime Industrial Lands, Community Plan Implementation Overlay Zone – Type B, the Airport Land Use Compatibility (MCAS Miramar) Overlay Zone, MCAS Miramar – Noise 70-75 CNEL, the Airport Influence Area (MCAS Miramar - Review Area 1), MCAS Miramar Accident Potential Zone 1, and the Federal Aviation Authority (FAA) Part 77 Noticing Area, within the University Community Plan area. The project site is legally described as Lot 1 of Miramar Ridge, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 10438, filed in the Office of the County Recorder of San Diego County on July 22, 1982.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to operate a Marijuana Production Facility within an existing building, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated June 6, 2019, on file in the Development Services Department.

The project shall include:

- a. Operation of a Marijuana Production Facility in Suites A, B, and C within an existing 16,752 square-foot building;
- b. Operation shall include the manufacturing, extraction, and distribution of cannabis products to State of California licensed marijuana outlets, consistent with the requirements of State of California statutes and California Departments of Food and Agriculture, Consumer Affairs and Public Health regulations;
- 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 June 6, 2022.
2. This Conditional Use Permit [CUP] and corresponding use of this site shall expire on June 6, 2024. Upon expiration of this Permit, the facilities and improvements described herein shall be removed from this site and the property shall be restored to its original condition preceding approval of this Permit.
3. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
4. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
5. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
7. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
8. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements

may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

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

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

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

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

CLIMATE ACTION PLAN REQUIREMENTS:

12. 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 three (3) sheets of the construction plans under the heading "Climate Action Plan Requirements" and shall be enforced and implemented to the satisfaction of the Development Services Department.

BUILDING OFFICIAL REQUIREMENT:

13. Prior to the commencement of operations granted by this Permit, the Owner/Permittee shall obtain a change of use/occupancy building permit consistent with all California Codes and Regulations in effect at the time of building permit, satisfactory to the Building Official.

ENGINEERING REQUIREMENTS:

14. The project proposes to export no material from the project site. Any excavated material that is exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2015 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

15. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.

16. Prior to the issuance of any construction permits, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement, from the City Engineer, for the sidewalk underdrains in the Miramar Place Right-of-Way.

17. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications.

18. Prior to the issuance of any construction permits, 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.

19. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, the construction of a new 25-foot driveway per current City Standards, on the southwest side of the site adjacent to Marindustry Drive.

20. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, the construction of a new 20-foot driveway per current City Standards, on the southeast side of the site adjacent to Marindustry Drive.

21. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, the construction of a new 20-foot driveway per current City Standards, adjacent to the site on Miramar Place.

22. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, to reconstruct the existing curb ramp, with current City Standard curb ramp and with Detectable/Tactile Warning Tile, adjacent to the site on Marindustry Drive and Miramar Place, satisfactory to the City Engineer.

PLANNING/DESIGN REQUIREMENTS:

23. All operations shall be conducted indoors within a secured structure. All equipment and storage shall also be located within a secure structure.
24. Lighting shall be provided 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.
25. Security 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.
26. The name and emergency contact phone number of an operator or manager shall be posted outside the Marijuana Production Facility in a location visible to the public from the public right-of-way in character size at least two inches in height. The Permittee shall provide this contact information to the San Diego Police Department. The operator or manager shall also be available 24 hours a day to address public nuisance complaints and interact with local, state, and federal law enforcement authorities. Other than the contact information, a Marijuana Production Facility shall limit signage on the exterior of the of the property visible from the public right-of-way to the address.
27. A permit shall be obtained as required pursuant to Chapter 4, Article 2, Division 15.
28. The retail sale of marijuana and marijuana products shall only be conducted by a Marijuana Outlet in accordance with Section 141.0504. A Marijuana Production Facility is prohibited from providing marijuana and marijuana products to any person other than another Marijuana Production Facility, a testing lab, or a Marijuana Outlet.
29. The Marijuana Production Facility, adjacent public sidewalks, and areas under the control of the Marijuana Production Facility shall be maintained free of litter and graffiti at all times.
30. The Marijuana Production Facility shall provide daily removal of trash, litter, and debris at the Marijuana Production Facility. Graffiti shall be removed from the premises within 24 hours.
31. 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 facility, to the satisfaction of the Development Services Department.
32. Owner/Permittee shall maintain minimum off-street parking spaces on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

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

TRANSPORTATION REQUIREMENTS

34. 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.

35. A maximum of 12 employees shall be allowed on-site at any given time to correspond to the 12 provided parking spaces for the project.

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, or retail sales of cannabis and any ancillary products in the City. For additional information, contact the Office of the City Treasurer at (619) 615-1580.

APPROVED by the Planning Commission of the City of San Diego on June 6, 2019 by Resolution Number XXXX-PC.

Permit Type/PTS Approval No.: Conditional Use Permit No. 2068281

Date of Approval: June 6, 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.

R. Michael Pack
Owner

By _____
R. Michael Pack

Wayne Yamamoto
Permittee

By _____
Wayne Yamamoto

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