



**THE CITY OF SAN DIEGO**

**M E M O R A N D U M**

DATE: December 2, 2022

TO: Planning Commission

FROM: TC Travis Cleveland, Development Project Manager, Development Services

SUBJECT: Appeal received December 1, 2022 for PRJ-1067659

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On December 1, 2022 at 3:58 pm, the attached appeal was filed on PRJ-1067659, the 995 Gateway Center Drive New CO CUP project, which appears on the Planning Commission docket for December 8, 2022. This memo provides analysis of that appeal.

The appeal was filed by Shaun Chamberlin, and states "Factual Error", "Conflict with other matters", and "Findings not supported" as grounds for appeal. The appeal is 125 pages, most of which is supporting information/attachments.

The appeal itself is 11 pages. The majority of these 11 pages is background information that does not directly support grounds for appeal. Staff has analyzed the statements which do claim grounds for appeal. This memo lists them and provides staff responses, with the complete appeal attached. The appeal does not change staff's recommendation to deny the appeal and approve the project. Staff has determined that none of the information provided in the appeal support findings to support the appeal of a Hearing Officer Decision.

Legal Standard for Appeal of Hearing Officer Decision

An appeal of a Hearing Officer decision may only be granted with evidence supporting one of the following findings:

- (1) Factual Error. The statements or evidence relied upon by the decision maker when approving, conditionally approving, or denying a permit, map, or other matter were inaccurate; or
- (2) New Information. New information is available to the applicant or the interested person that was not available through that person's reasonable efforts or due diligence at the time of the decision; or

- (3) Findings Not Supported. The decision maker's stated findings to approve, conditionally approve, or deny the permit, map, or other matter are not supported by the information provided to the decision maker; or
- (4) Conflicts. The decision to approve, conditionally approve, or deny the permit, map, or other matter is in conflict with a land use plan, a City Council policy, or the Municipal Code.

Pursuant to SDMC [section 112.0506\(c\)](#), the Planning Commission can only deny the appeal and affirm approval of the project if none of the above findings are supported by sufficient evidence or grant the appeal and reverse approval of the project if it finds one of the above findings is supported by sufficient evidence. The below analysis demonstrates how the appellants do not provide facts to support one of the above findings.

Appeal statement 1:

My name is Shaun Chamberlin, I have a vested interest in Real Property located within the Mt. Hope area in Council District 9 in the City of San Diego more specifically within a 1-mile area of the proposed site subject to the Conditional Use Permit which is the basis for this Appeal. The proposed Conditional Use Permit would adversely affect the land use plan, and would be detrimental to public health, safety and welfare.

Staff Response 1:

The statement that the proposed project adversely affects the land use plan and would be detrimental to the public health, safety, and welfare is not supported by the information given in Mr. Chamberlin's appeal. The appeal makes these statements but does not support them with evidence that is relevant to the Hearing Officer's approval of the project. The appeal focuses on issues related to the legal status of the applicant and their ability to file an application. As discussed at the Hearing Officer hearing and in this memo, the applicant's legal status to pursue a Conditional Use Permit (CUP) is confirmed.

Appeal Issue 2:

**BASIS FOR APPEAL**

Appellant appeals to the San Diego Planning Commission on the grounds that the Hearing Officer and the City Attorney conducted this hearing contrary to public policy, used information which was from a project that was previously denied by the San Diego Planning Commission. Violated the public's right of equal access to government services in providing special treatment to this specific CUP application.

Staff Response 2:

These issues are not grounds for appeal of a Process Three land use decision by the Hearing Officer, are not within the purview of the Hearing Officer and are not relevant to their approval of the project.

Appeal Issue 3:

**APPLICANT PRIME HARVEST, LLC**

**Forfeited Status with the California Secretary of State**

**Being That Prime Harvest, LLC never filed a Statement of Information, there was no recorded documents on file with the California Secretary of State, which could have verified the Managing Member of the LLC, during this hearing therefore the City of San Diego cannot assert and/or insert Duane Alexander as the Managing Member and allow him to act accordingly on behalf of the Entity.**

Staff Response 3:

The above statements appear on pages 3 and 4, and pages 3-8 discuss the circumstances related to this forfeiture, describing the Secretary of State's process for LLC registration in detail. As discussed in the staff report and in this memo, the applicant has the legal status to pursue the CUP.

Although Mr. Chamberlin's appeal is separate from the appeal filed by Kara Adams, which is the subject of the staff report for this item, it makes the same basic claim: That the legal status of the applicant entity for this project is in question, this invalidates the findings of the Hearing Officer to approve the project, and that it was improper for the Hearing Officer to approve a project without

understanding who the applicant is. The is not the case, and the appellant does not demonstrate otherwise.

As outlined in the staff report for this item and described in Mr. Chamberlin's appeal, the LLC originally listed as the applicant, Prime Harvest, LLC, was determined to no longer be registered in the State of California as of November 2, 2020. Prime Harvest LLC documents are shown in Attachment 5 to your staff report.

At the hearing, the applicant acknowledged this discrepancy and stated that the LLC had a new name, Prime Harvest D9 LLC, which was registered with the state on May 24, 2022 (the Planning Commission report on this project says May 25, which is in error), prior to application (Prime Harvest D9 LLC documents are shown in Attachment 6). At the time of the November 16, 2022 Hearing Officer hearing, Prime Harvest D9 LLC had not yet submitted a Statement of Information to the Secretary of State listing Mr. Alexander as a member. As a result of this issue being raised at that hearing, Mr. Alexander filed one the next day.

Both the former Prime Harvest LLC and the current Prime Harvest D9 have one member, Eulenthius Duane Alexander, whose name is listed on the Ownership Disclosure Statement that appears as Attachment 8 to the Hearing Officer Report, and whose name also appears on Page 1 of that report. Therefore, it is the City's position that the ownership interest of the applicant entity has been properly disclosed. The applicant is authorized and has the legal status to pursue the CUP under the entity of Prime Harvest D9 LLC, that name has been included in all of the necessary documents and permits.

The City requires applicants to disclose ownership information. However, it is not obligated to perform detailed historical research on the makeup of an LLC as part of the application process. Staff relies on the information provided. In light of this issue, the fact that the appellant raised the issue at the Hearing Officer hearing caused the issue to be corrected at the hearing by the applicant's disclosure of new LLC at the hearing.

Mr. Alexander has always been known to staff as the applicant for this project, and is the authorized agent of the property owner per [SDMC section 112.0102\(a\)](#) that has the authority to file the project application. He will sign the approved CUP, and he (or his successor in interest) will be responsible for compliance with permit conditions. Project documents have been updated to include "D9" as a part of the LLC name.

Appeal Issue 4:

**California Revenue & Tax Code § 19719 (a) provides, in pertinent part: "Any person who attempts or purports to exercise the powers, rights and privileges of a corporation that has been suspended[by the FTB] or who transacts or attempts to transact intrastate business in this state on behalf of a foreign corporation, the rights and privileges of which have been**

**forfeited pursuant to this section, is punishable by a fine of not less than two hundred fifty dollars (\$250) and not exceeding one thousand dollars (\$1,000), or by imprisonment not exceeding one year, or both fine and imprisonment.”**

Being that the above constitutes a criminal act, the City of San Diego has a duty to the People of the State of California, and the Citizens of the City of San Diego comply with the law and not permit a criminal act to take place contrary to public policy. The hearing for November 16, 2022, was impermissible.

Staff Response 4:

The Tax Code is not within the Hearing Officer’s purview however, the correct legal entity, Prime Harvest D9 LLC, was identified at the public hearing and discussed as part of the public record, and all necessary documents have been updated to include the correct applicant information.

Appeal Issue 5:

The City of San Diego Development Services Department has a fiduciary responsibility to the people of San Diego to verify information received in their applications and that simply was not done in this matter. **For this reason, this Appeal must be approved, and this project sent back to the Development Services Department for necessary corrections.** Applicant Prime Harvest D9, LLC must correct all documentation to show their true and correct names and that the true and correct information be provided in public notice and then forwarded for public hearings once all corrections are made.

Staff Response 5:

Mr. Alexander has always been known to staff as the applicant for this project, and is the authorized agent of the property owner per [SDMC section 112.0102\(a\)](#) that has the authority to file the project application. Original project noticing mentioned him by name; however, in light of appeals being filed on this issue, notices for the Planning Commission appeal hearing listed the applicant as Prime Harvest D9, LLC.

Appeal Issue 6:

**PLANS AND OTHER DOCUMENTS IMPROPER**

In this matter, Applicant Prime Harvest, LLC provided Plans and other Documents which clearly show Prime Harvest, LLC again the entity that would now have us believe everything was a typographical error, however in Distance Separation documentation it has the name of Harvest of San Diego, which had a previous application on file with the City of San Diego for the same location. That Application was denied on appeal and subsequently withdrawn by the Applicant. The current project should be required to show on their own that the necessary surveys were in fact completed and of their own true and correct knowledge. The document and plans will become a permanent record with the City of San Diego Development Services Department and therefore must reflect all true and correct information. See Staff Report which is attached hereto and incorporated by this reference **(Exhibit 9)**

Pursuant to Documents I requested through Public Information Request, the City of San Diego failed to properly support the Ownership of the Property. See Title Report **(Exhibit 10)** Pursuant to the Title Report the property is owned by San Diego GMC, LLC. The information in the Ownership Disclosure is accurate, however the Application file must reflect True and Correct documentation, and this has yet to be accomplished as information obtained is outdated and inaccurate and **therefore this appeal must be Approved**, and this matter sent back to Development Services Department for further corrections and then resubmitted through the public hearing process. **(Exhibit 10)**

Staff Response 6:

The appellant does not demonstrate how these items are relevant to the Hearing Officer's land use approval of the project. They would not change the material facts of that approval, which was not made based on who the applicant was, who the property owner was, or who performed a survey.

Appeal Issue 7:

**APPLICATION HAS BEEN FASTTRACKED  
TO BEAT REDISTRICTING DEADLINE**

It will be impossible for anybody involved with this application to deny the fact that this application was received after the City of San Diego approved the redistricting map in December 2021. The Project currently is in District 9 and will soon shift to another district which then have more than the maximum allowable Cannabis Outlets. This Application was started in June 2022 and all Application documents though incomplete and full of inaccuracies were received on August 1, 2022. On November 14, 2022, this matter was brought before the Southeast San Diego Community Planning Group and prior to the November 14, 2022, hearing we were informed that the Hearing Officer would be hearing this CUP application on November 16, 2022. There has never been another Cannabis CUP application heard this quickly for any reason.

Subsequently the Hearing Officer approved the Application and an "Interested Party" who spoke in favor of the Applicant filed her appeal the same day as the hearing arguing issues that were subject to my Opposition. This prompted the City of San Diego Development Services to immediately schedule the Planning Commission hearing for December 8, 2022, all of this so that the Planning Commission could rubber stamp this approval prior to the December 12, 2022, Redistricting Effective date.

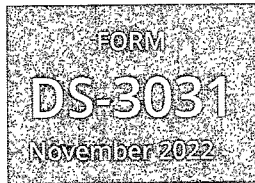
My Appeal filing deadline is December 1, 2022, by 4:00 PM and thereafter I will be invoiced for my Appeal which I must pay within 5 business days, this would place my filing fee deadline after the Appeal has been heard. Furthermore, the Permanent Rules of the Planning Commission require that all Appeal paperwork be forwarded to the Commissioners no later than one week prior to the hearing. As the Deadline is December 1, 2022, this deadline would not allow for the proper one-week review period and thus violate my appeals due process rights. Respectfully I request that the Appeal hearing be rescheduled to a later time or that the Commissioners acknowledge my request for postponement for possible litigation purposes or the need for a preliminary injunction to delay this hearing.

Based on the Foregoing the fact that Prime Harvest, LLC is a forfeited foreign Limited Liability Company and that the information allegedly relied upon at the Hearing Officers Hearing was factually false and only filed after the hearing, therefore unacceptable at the time of the hearing, the fact that a Forfeited and/or Suspended entity may not exercise its powers either by the individuals or the entity as it would violate California Law and the fact that the documents are inaccurate throughout, this Appeal must be approved and this matter sent back to the City of San Diego Development Services for corrections and only after all Applications and supporting documents are submitted, it should proceed through normal procedures once again. In the Alternative this Appeal should be postponed affording all proper due process rights under the Permanent Rules of the Planning Commission and all applicable State and Local Laws.

Staff Response 7:

The appellant does not demonstrate how these items are relevant to the Hearing Officer's land use approval of the project. They would not change the material facts of that approval.

Attachment: Shaun Chamberlin Appeal



## Development Permit/ Environmental Determination Appeal Application

In order to ensure your appeal application is successfully accepted and processed, you must read and understand Information Bulletin (IB) 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 San Diego Municipal Code (SDMC) § 113.0103)

Name:

Shaun Chamberlin

E-mail:

Shaun@integrated-mgmt.com

Address:

501 W. Broadway A370

City:

San Diego

State:

CA

Zip Code:

92101

Telephone:

619-573-7817

3. Project Name:

Prime Harvest LLC Gateway Cannabis Outlet CUP

4. Project Information:

PRJ 1067659

Permit/Environmental Information Determination and Permit/Document No:

Permit 3172940 Negative Declaration Project 660383

Date of Decision/Determination:

November 16, 2022

City Project Manager:

Travis Cleveland

Decision (Describe the permit/approval decision):

Approve the Project

5. Ground for Appeal (Please check all that apply):

☒ Facture Error (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 the SDMC § 112.0501. Attach additional sheets if necessary.)

Visit our website: [sandiego.gov/DSD](http://sandiego.gov/DSD).

Upon request, this information is available in alternative formats for persons with disabilities. DS-3031 (11-22)

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

Signature:  \_\_\_\_\_ Date: December 1, 2022

Note: Faxed appeals are not accepted.

#### Reference Table

- [San Diego Municipal Code \(SDMC\)](#)
- [Development Permits/Environmental Determination Appeal Procedure \(IB-505\)](#)

Visit our website: [sandiego.gov/DSD](http://sandiego.gov/DSD).

Upon request, this information is available in alternative formats for persons with disabilities. DS-3031 (11-22)

Shaun Chamberlin  
1220 Monterey Ave.  
Chula Vista, CA 91911  
(619) 573-7817  
Appellant

**CITY OF SAN DIEGO PLANNING COMMISSION**  
**LEVEL THREE HEARING OFFICER -APPEAL**

In the Matter of:

PRIME HARVEST, LLC's GATEWAY  
CENTER WAY CANNABIS OUTLET

CUP ID PMT 3172940  
PROJECT ID 1067659  
NEGATIVE DECLARATION 660383

SHAUN CHAMBERLIN'S  
GROUNDS FOR APPEAL AND  
APPEAL TO THE SAN DIEGO  
CITY PLANNING COMMISSION

My name is Shaun Chamberlin, I have a vested interest in Real Property located within the Mt. Hope area in Council District 9 in the City of San Diego more specifically within a 1-mile area of the proposed site subject to the Conditional Use Permit which is the basis for this Appeal. The proposed Conditional Use Permit would adversely affect the land use plan, and would be detrimental to public health, safety and welfare.

**JURISDICTION AND STANDING**

Jurisdiction and Standing: This matter is an Appeal from the Hearing Officers hearing which took place on November 16, 2022. The Hearing Officer issued her approval after the public hearing was concluded. As a speaking opponent of this Conditional Use Permit, Appellant is allowed to file an appeal and to have this decision reviewed by the San Diego Planning Commission.

## **PROCEDURAL and FACTUAL BACKGROUND**

On or about August 1, 2022, Prime Harvest, LLC applied for a Conditional Use Permit for the building located at 995 Gateway Center Way San Diego, CA 92102. The Conditional Use Permit is a (Process 3) Conditional Use Permit to operate a 2,995-square-foot Cannabis Outlet in Suite 107 and 108 within an existing three-story, 42,530-square-foot commercial building located at 995 Gateway Center Way. The 4.10-acre site is in the IL-3-1 Zone currently within the Southeastern San Diego Community Plan area in Council District 9. Pursuant to the San Diego Redistricting Map approved by the Redistricting Commission on December 15, 2021, this property will be within another District which will have more than the maximum allowable Cannabis Outlets.

This matter came before the Southeastern San Diego Planning Group for regular discussion and their recommendation on November 14, 2022. After an organized presentation by “Duane Alexander Applicant, Prime Harvest, LLC Member” and comments in support, I spoke in opposition to this project.

On November 16, 2022, this project came before the City of San Diego Development Services Public Hearing Officer Antoinette Gibbs. Travis Cleveland with the City of San Diego presented his position followed by Prime Harvest, LLC’s organized presentation in support of their project. Once Prime Harvest, LLC was done with their presentation, the Hearing Officer opened the meeting for public comment. There were members of the community present in support, I both spoke in Opposition to this Project, and prior to the hearing I presented legal argument as to why this hearing was impermissible and should not have taken place. Despite my

opposition, the hearing was conducted, and Hearing Officer Gibbs approved the project.

### **BASIS FOR APPEAL**

Appellant appeals to the San Diego Planning Commission on the grounds that the Hearing Officer and the City Attorney conducted this hearing contrary to public policy, used information which was from a project that was previously denied by the San Diego Planning Commission. Violated the public's right of equal access to government services in providing special treatment to this specific CUP application.

### **APPLICANT PRIME HARVEST, LLC**

#### **Forfeited Status with the California Secretary of State**

Applicant Prime Harvest, LLC a Nevada Limited Liability Company who registered itself to conduct business in California on December 18, 2017. A true and correct copy of the Application to Register a Foreign Limited Liability Company is attached hereto and incorporated by this reference as **Exhibit 1**.

When Prime Harvest, LLC registered as a Foreign LLC transacting business in the State of California, they were provided with additional information which provided them with the legal information that a State of Information was required to be filed within 90 days of their LLC filing. A copy of the Requirements is attached hereto and incorporated by this reference as **Exhibit 2**.

In this case they were required to file the requisite Statement of Information by March 18, 2017. Prime Harvest, LLC failed to file the requisite Statement of Information within the specified time period. In fact, as of the date of the Public Hearing Officers hearing, November 16, 2022, Prime Harvest, LLC had never filed the requisite Statement of Information. ***The Statement of Information is required to show the People of the State of California, who is fact is transacting business and who is the responsible party or in the Case the Managing Member person allowed to enter into and bind the LLC.***

The Secretary of State notified Prime Harvest, LLC on May 9, 2018, that their Statement of Information was delinquent. On August 7, 2018, the Secretary of State sent a penalty assessment of \$250 to Prime Harvest, LLC fining them for their failure to comply with the Statement of Information requirements. Prime Harvest, LLC failed to take any action and did not file the State of Information, nor did they pay the penalty assessment. On August 1, 2019, Prime Harvest, LLC status with the Secretary of State was deemed forfeited by the Franchise Tax Board for failure to file and pay its corporate taxes. On September 16, 2019, the Taxes were filed and paid and a Revivor status was obtained. Regardless Prime Harvest, LLC continuously refused to file the requisite Statement of Information and on January 7, 2020, the Secretary of State suspended Prime Harvest, LLC's status. Upon the suspension, the Secretary of State sent another notice to Prime Harvest, LLC demanding again the Statement of Information and providing them notice of pending forfeiture if the Statement was not received. On August 4, 2020, Prime Harvest, LLC's status was forfeited by the Secretary of State. Subsequently on November 20, 2020, Prime Harvest, LLC's status was also deemed forfeited once again by the Franchise Tax Board. As a result of Prime Harvest, LLC a Nevada Limited Liability Company doing business in California as Prime Harvest, LLC's status being forfeited as of November 20, 2020, Pursuant to California Corporation Code the Secretary of State declared Prime Harvest, LLC's Powers, Rights and Privileges forfeited in the State of California. A copy of the Certificate of Standing issued the day of the Public Officer's Hearing is attached hereto and incorporated by this reference as **Exhibit 3**

**Being That Prime Harvest, LLC never filed a Statement of Information, there was no recorded documents on file with the California Secretary of State, which could have verified the Managing Member of the LLC, during this hearing therefore the City of San Diego cannot assert and/or insert Duane Alexander as the Managing Member and allow him to act accordingly on behalf of the Entity.**

Prior to the Public Hearing Officer's hearing, I forwarded the information as to the status of Prime Harvest, LLC to the San Diego City Attorney's office more specifically to attorney's Noah Brazier and Jeanne Mackinnon both of whom sit regularly in the Hearing Officer Hearings. A copy of the Email and its attached letter are attached hereto and incorporated by this reference as **(Exhibit 4)**

The Hearing Officers Hearing was to take place on November 16, 2022, at 9:00 AM. After I had provided my information to the City Attorney's Office, the hearing was delayed due to "Technical Issues". When the hearing took place Travis Cleveland gave his opening presentation and affirmed that the Applicant was Prime Harvest, LLC. Thereafter Prime Harvest, LLC also gave a presentation wherein Duane Alexander using power point presentation displayed a screen that again identified this as a project by **Prime Harvest, LLC**. A true and correct Photograph of their Exhibit Screen is attached hereto and incorporated by this reference as **(Exhibit 5)**

After Prime Harvest, LLC's presentation and public comment, I spoke in opposition to the project based on the fact that Prime Harvest, LLC is a forfeited foreign Limited Liability Company by the Secretary of State and for the hearing to proceed, it would be a violation of California Law as this would be allowing a forfeited entity to exercise its Powers, Rights and Privileges which were specifically forfeited by their failure to comply with California Corporation and Taxation Codes. Furthermore, the City of San Diego is opening itself up to further litigation wherein they have aided in a criminal act.

**California Revenue & Tax Code § 19719 (a) provides, in pertinent part: "Any person who attempts or purports to exercise the powers, rights and privileges of a corporation that has been suspended[by the FTB] or who transacts or attempts to transact intrastate business in this state on behalf of a foreign corporation, the rights and privileges of which have been**

forfeited pursuant to this section, is punishable by a fine of not less than two hundred fifty dollars (\$250) and not exceeding one thousand dollars (\$1,000), or by imprisonment not exceeding one year, or both fine and imprisonment.”

Being that the above constitutes a criminal act, the City of San Diego has a duty to the People of the State of California, and the Citizens of the City of San Diego comply with the law and not permit a criminal act to take place contrary to public policy. The hearing for November 16, 2022, was impermissible. Regardless of Public Policy and the fact that this information was presented prior to the Public Hearing, the hearing went on as scheduled. The City Attorney provided the information to all parties during the “technical issue” period before the hearing got underway, and therefore allowed a period of time in which to make any amendments prior to the start of the hearing. No amendments were mentioned by anybody, the City Attorney, the development Services Department not by the applicant Prime Harvest, LLC. I used my opposition period to tell the City of San Diego, that they had failed in their duty to the people of San Diego.

An application was filed for a coveted Cannabis Conditional Use Permit, the applicant provided false information some of which is provided under penalty of perjury. The Project Manager, in his Report to the Project Manager addresses Applicant as Prime Harvest, LLC., the Plans and all documentation contained in the Report to the Hearing Officer addressed the Applicant as Prime Harvest, LLC. When my opposition was completed, the Hearing Officer acknowledged receiving my letter and supporting documentation and then permitted Applicant to address this issue. Suzanne Varko, attorney for previously denied Applicant Harvest of San Diego appeared on behalf of Prime Harvest, LLC alleging that everything contained in the application, testimony etc. was all due to typographical errors and that the Applicant was actually Prime Harvest D9, LLC a completely different entity, of which no vetting could now be completed not would the city have time to investigate and or correct the documentation. A Copy

of Prime Harvest D9, LLC Limited Liability filing is attached hereto and incorporated by this reference **(Exhibit 6)**

On November 30, 2022, in preparation of this appeal, I requested information from Project Manager Cleveland for the amended documentation for this project. I received an email response which in pertinent part stated: *"Upon further discussion, we have ultimately determined that ownership interest of the applicant entity was properly disclosed as Eulenthius Duane Alexander. Secretary of State records show that both the former Prime Harvest LLC and the current Prime Harvest D9 list him as their only member. His name was listed on the Ownership Disclosure Statement that appears as Attachment 8 to the Hearing Officer report, and whose name also appears on Page 1 of that report."* A copy of the email communication with Mr. Cleveland and myself is attached hereto and incorporated by reference. **(Exhibit 7)**

The information provided to me by Mr. Cleveland is false. Referring back to **Exhibit 1** the Application to Register a Foreign Limited Liability Company its states that Mr. Alexander was the registered agent to receive service of process. Nowhere on this document does it name any members or anybody who is in a capacity to act on behalf of the entity. The Statement of Information is the document which provides the names of the members and their capacity to enter into contracts on behalf of the entity. this is the information which Prime Harvest, LLC refused to file with the Secretary of State, and the reason for their forfeiture. Mr. Cleveland further stated that they (City of San Diego) reviewed the information for the alleged true name of the Applicant Prime Harvest D9 LLC and that Eulenthius Duane Alexander is listed as the only member, again another false statement as at the time of the hearing on November 16, 2022, at 9:00 AM Prime Harvest D9, LLC had also failed to file their Statement of Information since their formation on May 24, 2022. It was only after the Hearing Officer's hearing that Applicant filed the Statement of Information, which was done on November 17, 2022, at 6:06 PM a copy of the filed Statement of Information is attached hereto and incorporated by reference: **(Exhibit 8)**

Based on the foregoing information it would have been impossible for the Hearing Officer, Mr. Cleveland, Prime Harvest, LLC, Prime Harvest D9, LLC and the City Attorney to have reviewed any documentation on record with the California Secretary of State website that would have placed Mr. Alexander in a position to sign any document on behalf of Prime Harvest, LLC or Prime Harvest D9, LLC at the time of the Hearing Officers hearing and therefore this information is false. Not only has the City of San Diego allowed a public hearing to take place permitting a forfeited entity to participate contrary to public policy, but the Hearing Officer also approved the application absent any verifiable proof that the entity was in fact a valid California Limited Liability Company, and that Mr. Alexander held the necessary position to appear on the entity's behalf. The application is defective on its face throughout as the Application even if amended would not be valid as Mr. Alexander cannot be officially recognized as the Managing Member of either entity at the time of filing on August 1, 2022. As there is no supporting documentation with the California Secretary of State supporting that finding.

The City of San Diego Development Services Department has a fiduciary responsibility to the people of San Diego to verify information received in their applications and that simply was not done in this matter. **For this reason, this Appeal must be approved, and this project sent back to the Development Services Department for necessary corrections.** Applicant Prime Harvest D9, LLC must correct all documentation to show their true and correct names and that the true and correct information be provided in public notice and then forwarded for public hearings once all corrections are made.

#### **PLANS AND OTHER DOCUMENTS IMPROPER**

In this matter, Applicant Prime Harvest, LLC provided Plans and other Documents which clearly show Prime Harvest, LLC again the entity that would now have us believe everything was a typographical error, however in Distance Separation documentation it has the name of

Harvest of San Diego, which had a previous application on file with the City of San Diego for the same location. That Application was denied on appeal and subsequently withdrawn by the Applicant. The current project should be required to show on their own that the necessary surveys were in fact completed and of their own true and correct knowledge. The document and plans will become a permanent record with the City of San Diego Development Services Department and therefore must reflect all true and correct information. See Staff Report which is attached hereto and incorporated by this reference **(Exhibit 9)**

Pursuant to Documents I requested through Public Information Request, the City of San Diego failed to properly support the Ownership of the Property. See Title Report **(Exhibit 10)** Pursuant to the Title Report the property is owned by San Diego GMC, LLC. The information in the Ownership Disclosure is accurate, however the Application file must reflect True and Correct documentation, and this has yet to be accomplished as information obtained is outdated and inaccurate and **therefore this appeal must be Approved**, and this matter sent back to Development Services Department for further corrections and then resubmitted through the public hearing process. **(Exhibit 10)**

### **APPLICATION HAS BEEN FASTTRACKED TO BEAT REDISTRICTING DEADLINE**

It will be impossible for anybody involved with this application to deny the fact that this application was received after the City of San Diego approved the redistricting map in December 2021. The Project currently is in District 9 and will soon shift to another district which then have more than the maximum allowable Cannabis Outlets. This Application was started in June 2022 and all Application documents though incomplete and full of inaccuracies were received on August 1, 2022. On November 14, 2022, this matter was brought before the Southeast San Diego Community Planning Group and prior to the November 14, 2022, hearing we were informed that the Hearing Officer would be hearing this CUP application on November 16, 2022. There has never been another Cannabis CUP application heard this quickly for any reason.

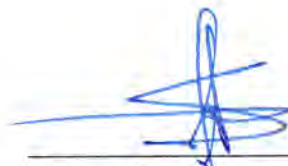
Subsequently the Hearing Officer approved the Application and an "Interested Party" who spoke in favor of the Applicant filed her appeal the same day as the hearing arguing issues that were subject to my Opposition. This prompted the City of San Diego Development Services to immediately schedule the Planning Commission hearing for December 8, 2022, all of this so that the Planning Commission could rubber stamp this approval prior to the December 12, 2022, Redistricting Effective date.

My Appeal filing deadline is December 1, 2022, by 4:00 PM and thereafter I will be invoiced for my Appeal which I must pay within 5 business days, this would place my filing fee deadline after the Appeal has been heard. Furthermore, the Permanent Rules of the Planning Commission require that all Appeal paperwork be forwarded to the Commissioners no later than one week prior to the hearing. As the Deadline is December 1, 2022, this deadline would not allow for the proper one-week review period and thus violate my appeals due process rights. Respectfully I request that the Appeal hearing be rescheduled to a later time or that the Commissioners acknowledge my request for postponement for possible litigation purposes or the need for a preliminary injunction to delay this hearing.

Based on the Foregoing the fact that Prime Harvest, LLC is a forfeited foreign Limited Liability Company and that the information allegedly relied upon at the Hearing Officers Hearing was factually false and only filed after the hearing, therefore unacceptable at the time of the hearing, the fact that a Forfeited and/or Suspended entity may not exercise its powers either by the individuals or the entity as it would violate California Law and the fact that the documents are inaccurate throughout, this Appeal must be approved and this matter sent back to the City of San Diego Development Services for corrections and only after all Applications and supporting documents are submitted, it should proceed through normal procedures once again. In the Alternative this Appeal should be postponed affording all proper due process rights under the Permanent Rules of the Planning Commission and all applicable State and Local Laws.

I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct

DATED: December 1, 2022

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke extending to the left.

---

Shaun Chamberlin  
Appellant

## EXHIBIT 1

**Secretary of State****LLC-5****Application to Register a Foreign Limited Liability Company (LLC)****201736310297****FILED**  
**Secretary of State**  
**State of California****DEC 18 2017****IMPORTANT — Read Instructions before completing this form.**

Must be submitted with a current Certificate of Good Standing issued by the government agency where the LLC was formed. See Instructions.

**Filing Fee** — \$70.00**Copy Fees** — First page \$1.00; each attachment page \$0.50;  
Certification Fee — \$5.00Note: Registered LLCs in California may have to pay minimum \$800 tax to the California Franchise Tax Board each year. For more information, go to <https://www.ftb.ca.gov>.**This Space For Office Use Only****1a. LLC Name** (Enter the exact name of the LLC as listed on your attached Certificate of Good Standing.)**PRIME HARVEST LLC****1b. California Alternate Name, If Required** (See Instructions — Only enter an alternate name if the LLC name in 1a not available in California.)**2. LLC History** (See Instructions — Ensure that the formation date and jurisdiction match the attached Certificate of Good Standing.)**a. Date LLC was formed in home jurisdiction (MM/DD/YYYY)****5 / 31 / 2016****b. Jurisdiction** (State, foreign country or place where this LLC is formed.)**NEVADA****c. Authority Statement** (Do not alter Authority Statement)

This LLC currently has powers and privileges to conduct business in the state, foreign country or place entered in Item 2b.

**3. Business Addresses** (Enter the complete business addresses. Items 3a and 3b cannot be a P.O. Box or "in care of" an individual or entity.)

<b>a. Street Address of Principal Executive Office - Do not enter a P.O. Box</b> <b>2100 4TH AVE</b>	<b>City (no abbreviations)</b> <b>SAN DIEGO</b>	<b>State</b> <b>CA</b>	<b>Zip Code</b> <b>92101</b>
<b>b. Street Address of Principal Office in California, if any - Do not enter a P.O. Box</b> <b>2100 4TH AVE</b>	<b>City (no abbreviations)</b> <b>SAN DIEGO</b>	<b>State</b> <b>CA</b>	<b>Zip Code</b> <b>92101</b>
<b>c. Mailing Address of Principal Executive Office, if different than item 3a</b>	<b>City (no abbreviations)</b>	<b>State</b>	<b>Zip Code</b>

**4. Service of Process** (Must provide either Individual OR Corporation.)**INDIVIDUAL** — Complete Items 4a and 4b only. Must include agent's full name and California street address.

<b>a. California Agent's First Name</b> (if agent is not a corporation) <b>EULENTHIUS</b>	<b>Middle Name</b> <b>DUANE</b>	<b>Last Name</b> <b>ALEXANDER</b>	<b>Suffix</b>
<b>b. Street Address</b> (if agent is not a corporation) - <b>Do not enter a P.O. Box</b> <b>2100 4TH AVE</b>	<b>City (no abbreviations)</b> <b>SAN DIEGO</b>	<b>State</b> <b>CA</b>	<b>Zip Code</b> <b>92101</b>

**CORPORATION** — Complete Item 4c only. Only include the name of the registered agent Corporation.**c. California Registered Corporate Agent's Name** (if agent is a corporation) — Do not complete Item 4a or 4b**5. Read and Sign Below** (See Instructions. Title not required.)

I am authorized to sign on behalf of the foreign LLC.

Signature

Type or Print Name

**EULENTHIUS ALEXANDER**

# SECRETARY OF STATE



## CERTIFICATE OF EXISTENCE WITH STATUS IN GOOD STANDING

I, Barbara K. Cegavske, the duly elected and qualified Nevada Secretary of State, do hereby certify that I am, by the laws of said State, the custodian of the records relating to filings by corporations, non-profit corporations, corporation soles, limited-liability companies, limited partnerships, limited-liability partnerships and business trusts pursuant to Title 7 of the Nevada Revised Statutes which are either presently in a status of good standing or were in good standing for a time period subsequent of 1976 and am the proper officer to execute this certificate.

I further certify that the records of the Nevada Secretary of State, at the date of this certificate, evidence, **PRIME HARVEST, LLC**, as a limited liability company duly organized under the laws of Nevada and existing under and by virtue of the laws of the State of Nevada since May 31, 2016, and is in good standing in this state.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office on December 11, 2017.

Barbara K. Cegavske  
Secretary of State



Electronic Certificate  
Certificate Number: C20171211-0705  
You may verify this electronic certificate  
online at <http://www.nvsos.gov/>

201736310297

## EXHIBIT 2

## Instructions for Completing the Statement of Information (Form LLC-12)

Every **California and registered foreign limited liability company** must file a Statement of Information with the California Secretary of State, **within 90 days** of registering with the California Secretary of State, and **every two years** thereafter during a specific 6-month filing period based on the original registration date, as described in the chart below.

**All Statements of Information for limited liability companies can be filed online at [bizfile.sos.ca.gov](http://bizfile.sos.ca.gov).**

**Status of LLC:** In order to file Form LLC-12, the status of the LLC **must** be active or suspended/forfeited on the records of the California Secretary of State. The status of the LLC can be checked online on the Secretary of State's Business Search at [BusinessSearch.sos.ca.gov](http://BusinessSearch.sos.ca.gov). See the *FTB Suspension/Forfeiture* section below for information about resolving an FTB suspended/forfeited status.

**Fees:** See chart below. Checks should be made payable to the Secretary of State.

**Copies:** To obtain a copy or certified copy of this filed Statement of Information, include payment for copy fees and certification fees at the time this Statement of Information is submitted. Copy fees are \$1.00 for the first page and \$.50 for each attachment page. For certified copies, there is an additional \$5.00 certification fee, per document. If you would like a free filed copy of your Statement of Information, go to [BusinessSearch.sos.ca.gov](http://BusinessSearch.sos.ca.gov).

**Processing Times:** For current processing times, go to [www.sos.ca.gov/business/be/processing-times](http://www.sos.ca.gov/business/be/processing-times).

Type of Filing	Description	Online/Form	Fee
Initial Filing	The initial filing is due 90 days from the entity's registration date.	File online at <a href="http://bizfile.sos.ca.gov">bizfile.sos.ca.gov</a> . (Form LLC-12)	\$20.00
Required Periodic Filing	<ul style="list-style-type: none"> <li>The periodic filing is due every two years based on the entity's registration date.</li> <li>If the registration occurred in an even-numbered year, the periodic filing is due every even year.</li> <li>If the registration occurred in an odd-numbered year, the periodic filing is due every odd year.</li> <li>The filing period includes the registration month and the immediately preceding five (5) months.</li> </ul>	File online at <a href="http://bizfile.sos.ca.gov">bizfile.sos.ca.gov</a> . (Form LLC-12, if changes have been made) Or (Form LLC-12NC, if no changes since the last complete Statement of Information)	\$20.00
No Fee Statement	A Statement of Information is submitted after the initial or required filing requirements have been met to update information including changes to the agent for service of process.	File online at <a href="http://bizfile.sos.ca.gov">bizfile.sos.ca.gov</a> . (Form LLC-12)	No Fee

Statutory Required 6 Month Filing Window for Limited Liability Companies

Month of Formation, Registration or Conversion	Statement of Information Applicable Filing Period	
	First Day of	Through Last Day of
January	August	January
February	September	February
March	October	March
April	November	April
May	December	May
June	January	June
July	February	July
August	March	August
September	April	September
October	May	October
November	June	November
December	July	December

If you are not completing this form **online**, type or print legibly in black or blue ink. **Complete the Statement of Information (Form LLC-12) as follows:**

Item	Instruction	Tips
1.	Enter the name of the limited liability company <b>exactly</b> as it appears on file with the California Secretary of State, including the entity ending (ex: "Jones & Company, LLC" or "Smith Construction, a Limited Liability Company").	<ul style="list-style-type: none"> <li>To ensure you have the exact name of the LLC, refer to your registration document filed with the California Secretary of State and any name change amendments.</li> <li>Some foreign LLCs may have registered in California using an alternate name. If your LLC is a registered foreign LLC using an alternate name in California, you must enter the complete alternate name.</li> </ul>
2.	Enter the 12-digit Entity (File) Number issued to the LLC by the California Secretary of State at the time of registration.	<ul style="list-style-type: none"> <li>The 12-digit Entity (File) Number is provided by the Secretary of State above the file stamp at the top of the LLC's registration document filed with the California Secretary of State or if filed electronically, in the top section, below the Entity Name.</li> <li>Secretary of State Records can be accessed online through our Business Search at <a href="http://BusinessSearch.sos.ca.gov">BusinessSearch.sos.ca.gov</a>. While searching the Business Search, be sure to identify your LLC correctly including the jurisdiction that matches your LLC.</li> </ul>
3.	<b>If formed outside of California</b> , enter the state, foreign country or other place where the LLC is organized.	<ul style="list-style-type: none"> <li>The jurisdiction must match the Secretary of State's records.</li> <li>Secretary of State Records can be accessed online through our Business Search at <a href="http://BusinessSearch.sos.ca.gov">BusinessSearch.sos.ca.gov</a>. While searching the Business Search, be sure to identify your LLC correctly including the jurisdiction that matches your registered foreign LLC.</li> <li>If the LLC is formed in California, leave Item 3 blank.</li> </ul>

4a.	Enter the complete street address, city, state and zip code of the LLC's principal office.	<ul style="list-style-type: none"> <li>The <b>complete street address</b> is required, including the street name and number, city, state and zip code.</li> <li>Address must be a physical address.</li> <li>Do not enter a P.O. Box address, an "in care of" address, or abbreviate the name of the city.</li> </ul>
4b.	If different from the address in Item 4a, enter the complete mailing address, city, state and zip code of the LLC.	<ul style="list-style-type: none"> <li>This address will be used for mailing purposes and may be a P.O. Box address or "in care of" an individual or entity.</li> <li>Do not abbreviate the name of the city.</li> </ul>
4c.	<ul style="list-style-type: none"> <li>If the LLC is formed <b>in California</b>, enter the complete street address, city and zip code of the office in California, if different from Item 4a.</li> <li>If the LLC is formed <b>outside of California</b>, enter the complete street address, city and zip code of the principle business office in California, if any.</li> </ul>	<ul style="list-style-type: none"> <li>The <b>complete street address</b> is required, including the street name and number, city and zip code.</li> <li>Address must be a physical address in California.</li> <li>Do not enter a P.O. Box address, an "in care of" address, or abbreviate the name of the city.</li> <li>If Item 4a is an address in California leave Item 4c blank and proceed to Item 5.</li> </ul>
5.	Enter the name and complete business or residential address of any manager(s), appointed or elected in accordance with the Articles of Organization or Operating Agreement, or if no manager(s) has been so elected or appointed, the name and business or residential address of each member.	<ul style="list-style-type: none"> <li>If the LLC has more than one manager or member, enter the name(s) and address(es) of the additional managers or members on <i>Form LLC-12A</i>.</li> <li>Please do not abbreviate the name of the city.</li> <li>Review your Articles of Organization or any amendments thereto, to determine if the LLC is run by a single manager, more than one manager or by its member(s).</li> <li>Every LLC is <b>required</b> to have at least one manager/member.</li> <li>A member(s) is the owner of the LLC similar to a shareholder(s) in a corporation.</li> </ul>
6.	<p><b>The LLC must have an Agent for Service of Process.</b></p> <p>There are two types of Agents that can be named:</p> <ul style="list-style-type: none"> <li>an individual (e.g. member, manager, or any other individual) who resides in California with a physical California street address; OR</li> <li>a registered corporate agent qualified with the California Secretary of State.</li> </ul>	<ul style="list-style-type: none"> <li>An Agent for Service of Process is responsible for accepting legal documents (e.g. service of process, lawsuits, subpoenas, other types of legal notices, etc.) on behalf of the LLC.</li> <li>You must provide information for either an individual OR a registered corporate agent, not both.</li> <li>If using a registered corporate agent, the corporation must have a current agent registration certificate on file with the California Secretary of State as required by Section 1505.</li> </ul>
6a & b.	<p>If <b>Individual Agent</b>:</p> <ul style="list-style-type: none"> <li>Enter the name of the agent for service of process and the agent's complete <b>California</b> street address, city and zip code.</li> <li>If an individual is designated as the agent, complete Items 6a and 6b <b>ONLY</b>. <b>Do not complete Item 6c.</b></li> </ul>	<ul style="list-style-type: none"> <li>The <b>complete street address</b> is required, including the street name and number, city and zip code.</li> <li>Do not enter a P.O. Box address, an "in care of" address, or abbreviate the name of the city.</li> <li>Many times, a small LLC will designate a member or manager as the agent for service of process.</li> <li>The individual agent should be aware that the name and the physical street address of the agent for service of process is a public record, open to all (as are all the addresses of the LLC provided in filings).</li> </ul>

6c.	<p>If <b>Registered Corporate Agent</b>:</p> <ul style="list-style-type: none"> <li>• Enter the name of the registered corporate agent exactly as registered in California.</li> <li>• If a registered corporate agent is designated as the agent, complete Item 6c ONLY. <b>Do not complete Items 6a and 6b.</b></li> </ul>	<ul style="list-style-type: none"> <li>• Before a corporation is designated as agent for the LLC, that corporation must have a current agent registration certificate on file with the California Secretary of State as required by Section 1505 stating the address(es) of the registered corporate agent and the authorized employees that will accept service of process of legal documents and notices on behalf of the LLC.</li> <li>• Advanced approval <b>must be obtained</b> from a registered corporate agent <b>prior</b> to designating that corporation as your agent for service of process.</li> <li>• No California or foreign corporation may register as a California corporate agent unless the corporation currently is authorized to engage in business in California and is in good standing on the records of the California Secretary of State.</li> <li>• Provide your Registered Corporate Agent's exact name as registered with the California Secretary of State. To confirm that you are providing the exact name of the Registered Corporate Agent, go to <a href="https://businessfilings.sos.ca.gov/frmlist1505s.asp">https://businessfilings.sos.ca.gov/frmlist1505s.asp</a>.</li> </ul>
7.	Briefly describe the general type of business that is the principal business activity of the LLC.	
8.	Enter the name and complete business or residential address of the chief executive officer, if any.	<ul style="list-style-type: none"> <li>• A chief executive officer may be in addition to members and managers but generally is the person that occupies the highest level position in the LLC's organization hierarchy in charge of managing the LLC.</li> </ul>
9.	Type or print the date, the name and title of the person completing this form and sign where indicated.	

**Mail Submission Cover Sheet (Optional):** To make it easier to receive communication related to **this document**, including the copy of the filed document, complete the Mail Submission Cover Sheet. For the Return Address: enter the name of a designated person and/or company and the corresponding mailing address. Please note the Mail Submission Cover Sheet will be treated as correspondence and will not be made part of the filed document.

**Where to File:** For faster service, this form can be **filed online** at [bizfile.sos.ca.gov](https://bizfile.sos.ca.gov). The completed form along with the applicable fees can be mailed to Secretary of State, Statement of Information Unit, P.O. Box 944230, Sacramento, CA 94244-2300 or delivered in person (drop off) to the Sacramento office, 1500 11th Street, Sacramento, CA 95814.

**Legal Authority:** General statutory filing provisions are found in Section 17702.09 unless otherwise indicated. All statutory references are to the California Corporations Code, unless otherwise stated. Failure to file this Statement of Information by the due date will result in the assessment of a \$250.00 penalty. (Sections 17713.07(b) and 17713.09; California Revenue and Taxation Code section 19141.)

**FTB Suspension/Forfeiture:** If the LLC's status is FTB suspended/forfeited, the status must be resolved with the California Franchise Tax Board (FTB) for the LLC to be returned to active status. For revivor requirements, go to the FTB's website at <https://www.ftb.ca.gov> or contact the FTB at (800) 852-5711 (from within the U.S.) or (916) 845-6500 (from outside the U.S.).

## EXHIBIT 3



# Secretary of State

## Certificate of Status

I, SHIRLEY N. WEBER, PH.D., California Secretary of State, hereby certify:

<b>Entity Name:</b>	PRIME HARVEST LLC
<b>Entity No.:</b>	201736310297
<b>Registration Date:</b>	12/18/2017
<b>Entity Type:</b>	Limited Liability Company - Out of State
<b>Formed In:</b>	NEVADA
<b>Status:</b>	Forfeited - FTB/SOS

The above referenced entity's powers, rights and privileges are forfeited in California.

This certificate relates to the status of the entity on the Secretary of State's records as of the date of this certificate and does not reflect documents that are pending review or other events that may affect status.

No information is available from this office regarding the financial condition, status of licenses, if any, business activities or practices of the entity.



IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of November 16, 2022.

SHIRLEY N. WEBER, PH.D.  
Secretary of State

**Certificate No.:** 060226517

To verify the issuance of this Certificate, use the Certificate No. above with the Secretary of State Certification Verification Search available at [bizfileOnline.sos.ca.gov](http://bizfileOnline.sos.ca.gov).

## EXHIBIT 4

**SHAUN CHAMBERLIN**

501 W. Broadway A370  
San Diego, CA 92101  
619-573-7817

November 16, 2022

San Diego City Attorney  
Attn: Noah Brazier and Jeanne Mackinnon

BY EMAIL

RE: **Public Hearing Officer's Hearing November 16, 2022 (PRJ-1067659)**

Dear Mr. Brazier and Ms. Mackinnon

This letter is to inform the City of San Diego, that Project 1067659 is impermissible under California Law. The Applicant Prime Harvest, LLC (Duane Alexander) is a Nevada Limited Liability Company, whose rights and privileges have been Suspended by the California Secretary of State and Forfeited by the California Franchise Tax Board. As such it would violate California Law for the City of San Diego to allow the Public Hearing to take place on November 16, 2022.

Prime Harvest, LLC registered on December 18, 2017, and received entity number 201736310297. A requirement of all Corporations and Limited Liability Companies doing business in California must file a Statement of Information, this was never done and over the years the State has taken various actions which were disregarded. A statement of Information was never filed, and Duane Alexander's name appears solely as the agent for service of process. Ultimately on January 7, 2020, the Secretary of State sent the entity notice of pending suspension. On August 4, 2020, the Entity was suspended, subsequent to the suspension for failure to file required state tax forms, the California Franchise Tax Board forfeited the entity, and it has remained suspended and forfeited since. The Certified Certificate of Status clearly states, **"The Above Entity's Powers, Rights and Privileges are Forfeited in California."** A copy of the Initial registration and the Certified Certificate of Status are attached hereto and incorporated by this reference.

The San Diego Development Department has failed the people of San Diego by not performing the most basic of searches of the Applicants to verify standing in presenting the application for public hearings. If this is not something that is currently done, it should be considered in the future.

Being that the Powers, Rights and Privileges were deemed forfeited as of August 4, 2020, Prime Harvest, LLC was not permitted to file this application in this project and the permit must be denied.

California Revenue & Tax Code § 19719 (a) provides, in pertinent part: "Any person who attempts or purports to exercise the powers, rights and privileges of a corporation that has been suspended[by the FTB] or who transacts or attempts to transact intrastate business in this state on behalf of a foreign corporation, the rights and privileges of which have been forfeited pursuant to this section, is punishable by a fine of not less than two hundred fifty dollars (\$250) and not exceeding one thousand dollars (\$1,000), or by imprisonment not exceeding one year, or both fine and imprisonment."

Being that the above constitutes a criminal act, the City of San Diego must comply with the law and not permit a criminal act to take place contrary to public policy. The hearing for November 16, 2022, is impermissible and the applicant Prime Harvest, LLC must not be permitted to exercise its forfeited Powers, Rights and Privileges without first obtaining a revivor status.

Your assistance in this matter is appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read 'Shaun Chamberlin', with a stylized, looped flourish at the end.

Shaun Chamberlin



Secretary of State

LLC-5

**Application to Register a Foreign Limited Liability Company (LLC)**

201736310297

**FILED**

Secretary of State  
State of California

DEC 18 2017

**IMPORTANT — Read Instructions before completing this form.**

Must be submitted with a current Certificate of Good Standing issued by the government agency where the LLC was formed. See Instructions.

**Filing Fee** — \$70.00

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

Note: Registered LLCs in California may have to pay minimum \$800 tax to the California Franchise Tax Board each year. For more information, go to <https://www.ftb.ca.gov>.

This Space For Office Use Only

**1a. LLC Name** (Enter the exact name of the LLC as listed on your attached Certificate of Good Standing.)

PRIME HARVEST LLC

**1b. California Alternate Name, If Required** (See Instructions — Only enter an alternate name if the LLC name in 1a not available in California.)

**2. LLC History** (See Instructions — Ensure that the formation date and jurisdiction match the attached Certificate of Good Standing.)

a. Date LLC was formed in home jurisdiction (MM/DD/YYYY)

5 / 31 / 2016

b. Jurisdiction (State, foreign country or place where this LLC is formed.)

NEVADA

c. Authority Statement (Do not alter Authority Statement)

This LLC currently has powers and privileges to conduct business in the state, foreign country or place entered in Item 2b.

**3. Business Addresses** (Enter the complete business addresses. Items 3a and 3b cannot be a P.O. Box or "in care of" an individual or entity.)

a. Street Address of Principal Executive Office - Do not enter a P.O. Box	City (no abbreviations)	State	Zip Code
2100 4TH AVE	SAN DIEGO	CA	92101
b. Street Address of Principal Office in California, if any - Do not enter a P.O. Box	City (no abbreviations)	State	Zip Code
2100 4TH AVE	SAN DIEGO	CA	92101
c. Mailing Address of Principal Executive Office, if different than item 3a	City (no abbreviations)	State	Zip Code

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

**INDIVIDUAL** — Complete Items 4a and 4b only. Must include agent's full name and California street address.

a. California Agent's First Name (if agent is not a corporation)	Middle Name	Last Name	Suffix
EULENTHIUS	DUANE	ALEXANDER	
b. Street Address (if agent is not a corporation) - Do not enter a P.O. Box	City (no abbreviations)	State	Zip Code
2100 4TH AVE	SAN DIEGO	CA	92101

**CORPORATION** — Complete Item 4c only. Only include the name of the registered agent Corporation.

c. California Registered Corporate Agent's Name (if agent is a corporation) — Do not complete Item 4a or 4b

**5. Read and Sign Below** (See Instructions. Title not required.)

I am authorized to sign on behalf of the foreign LLC.

Signature

Type or Print Name

EULENTHIUS ALEXANDER

# SECRETARY OF STATE



## CERTIFICATE OF EXISTENCE WITH STATUS IN GOOD STANDING

I, Barbara K. Cegavske, the duly elected and qualified Nevada Secretary of State, do hereby certify that I am, by the laws of said State, the custodian of the records relating to filings by corporations, non-profit corporations, corporation soles, limited-liability companies, limited partnerships, limited-liability partnerships and business trusts pursuant to Title 7 of the Nevada Revised Statutes which are either presently in a status of good standing or were in good standing for a time period subsequent of 1976 and am the proper officer to execute this certificate.

I further certify that the records of the Nevada Secretary of State, at the date of this certificate, evidence, **PRIME HARVEST, LLC**, as a limited liability company duly organized under the laws of Nevada and existing under and by virtue of the laws of the State of Nevada since May 31, 2016, and is in good standing in this state.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office on December 11, 2017.

A handwritten signature in cursive script that reads 'Barbara K. Cegavske'.

Barbara K. Cegavske  
Secretary of State



Electronic Certificate  
Certificate Number: C20171211-0705  
You may verify this electronic certificate  
online at <http://www.nvsos.gov/>

201736310297



# Secretary of State

## Certificate of Status

I, SHIRLEY N. WEBER, PH.D., California Secretary of State, hereby certify:

**Entity Name:** PRIME HARVEST LLC  
**Entity No.:** 201736310297  
**Registration Date:** 12/18/2017  
**Entity Type:** Limited Liability Company - Out of State  
**Formed In:** NEVADA  
**Status:** Forfeited - FTB/SOS

The above referenced entity's powers, rights and privileges are forfeited in California.

This certificate relates to the status of the entity on the Secretary of State's records as of the date of this certificate and does not reflect documents that are pending review or other events that may affect status.

No information is available from this office regarding the financial condition, status of licenses, if any, business activities or practices of the entity.



**IN WITNESS WHEREOF**, I execute this certificate and affix the Great Seal of the State of California this day of November 16, 2022.

**SHIRLEY N. WEBER, PH.D.**  
Secretary of State

**Certificate No.:** 060226517

To verify the issuance of this Certificate, use the Certificate No. above with the Secretary of State Certification Verification Search available at [bizfileOnline.sos.ca.gov](http://bizfileOnline.sos.ca.gov).

## EXHIBIT 5



## The Applicant

- Prime Harvest, LLC is an experienced local cannabis operator with licensed dispensaries in Ramona (since 2017) and upcoming in La Mesa.
- Led by E. Duane Alexander, CEO with over 25 years of experience in the cannabis industry.



- Johann Baibuena – Chief Marketing Officer & US Navy Veteran, 6+ years experience in the cannabis industry.



## EXHIBIT 6



202250910964



**STATE OF CALIFORNIA**  
*Office of the Secretary of State*  
**ARTICLES OF ORGANIZATION**  
**CA LIMITED LIABILITY COMPANY**

California Secretary of State  
1500 11th Street  
Sacramento, California 95814  
(916) 653-3516

For Office Use Only

**-FILED-**

File No.: 202250910964

Date Filed: 5/24/2022

Limited Liability Company Name	Prime Harvest D9 LLC
Limited Liability Company Name	
Initial Street Address of Principal Office of LLC	995 GATEWAY CENTER WAY, SUITE 107 - 108 SAN DIEGO, CA 92102
Principal Address	
Initial Mailing Address of LLC	995 GATEWAY CENTER WAY, SUITE 107 - 108 SAN DIEGO, CA 92102
Mailing Address	
Attention	
Agent for Service of Process	LEGALZOOM.COM, INC. Registered Corporate 1505 Agent
California Registered Corporate Agent (1505)	
Purpose Statement	The purpose of the limited liability company is to engage in any lawful act or activity for which a limited liability company may be organized under the California Revised Uniform Limited Liability Company Act.
Management Structure	One Manager
The LLC will be managed by	
Additional information and signatures set forth on attached pages, if any, are incorporated herein by reference and made part of this filing.	
Electronic Signature	
<input checked="" type="checkbox"/> By signing, I affirm under penalty of perjury that the information herein is true and correct and that I am authorized by California law to sign.	
Legalzoom.com, Inc. By: Cheyenne Moseley, Assistant Secretary	05/24/2022
Organizer Signature	Date

## EXHIBIT 7



Shaun Chamberlin &lt;shaun@integrated-mgmt.com&gt;

---

**Public Records Request**

3 messages

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**Shaun Chamberlin** <shaun@integrated-mgmt.com>  
To: "Cleveland, Travis" <TCleveland@sandiego.gov>

Wed, Nov 30, 2022 at 1:15 PM

Mr. Cleveland

As you are aware at the Public Hearing Officers Hearing, I raised the issues with Prime Harvest, LLC's (Applicants) revoked standing with the California Secretary of State. During the hearing, Suzanne Varko, Attorney for Harvest of California and now apparently Prime Harvest represented that they needed to amend their application. As this is done online, I am assuming that all revisions have by now been submitted.

I am in preparation of my appeal and these amended documents are hereby requested. Please forward the signed amended documents to me as soon as possible. If they were submitted electronically, please provide any electronic records as well.

Also in your screenshots, the application shows as a resubmittal, please provide any information that was provided prior to the resubmittal. Thank You

Shaun

---

**Shaun Chamberlin**  
General Manager

---

**Integrated Management**

501 W. Broadway, Ste A370

San Diego, CA 91911

(619) 573-7817



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**Shaun Chamberlin** <shaun@integrated-mgmt.com>  
To: "Gates, Lara" <LNGates@sandiego.gov>

Wed, Nov 30, 2022 at 2:09 PM

**Shaun Chamberlin**  
General Manager

---

**Integrated Management**

501 W. Broadway, Ste A370

San Diego, CA 91911

(619) 573-7817



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[Quoted text hidden]

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**Cleveland, Travis** <TCleveland@sandiego.gov>  
To: Shaun Chamberlin <shaun@integrated-mgmt.com>  
Cc: "Gates, Lara" <LNGates@sandiego.gov>

Wed, Nov 30, 2022 at 3:38 PM

Hi Shaun,

At the time of the Hearing Officer, it was not clear which (or if) documents may have needed to be amended. For this reason, staff and the applicant were amenable to whatever changes may have been required.

Upon further discussion, we have ultimately determined that ownership interest of the applicant entity was properly disclosed as Eulenthius Duane Alexander. Secretary of State records show that both the former Prime Harvest LLC and the current Prime Harvest D9 list him as their only member. His name was listed on the Ownership Disclosure Statement that appears as Attachment 8 to the Hearing Officer report, and whose name also appears on Page 1 of that report.

As a result, we did not require the applicant to update their Ownership Disclosure Statement. The Planning Commission staff report will list Prime Harvest D9 as the current applicant (as did the notice that went out) and will explain the issue. Amended permit and resolution with "D9" added will also be a part of the staff report. No further revisions were requested or provided.

As regards the term "resubmittal" from my screenshots, that is a term referring to an application's status in the system. The ownership disclosure statement provided at Hearing Officer is the only one that has ever been provided.

I am in receipt of your other request and will reply in a separate email.

Respectfully,

-----

Travis Cleveland

Development Project Manager

Cannabis Business Division

City of San Diego

Development Services Department

☎: 619-446-5407 (desk)

☎: 619-647-5539 (cell)

SanDiego.gov/DSD



**When emailing about a Cannabis Outlet or Cannabis Production Facility, please include the address in your inquiry.**

**Need to request a second opinion on an interpretation, or contact my supervisor for further assistance?**

**Supervisor Name and Title:** Lara Gates, Deputy Director

## EXHIBIT 8



BA20221142621



**STATE OF CALIFORNIA**  
*Office of the Secretary of State*  
**STATEMENT OF INFORMATION**  
**LIMITED LIABILITY COMPANY**  
California Secretary of State  
1500 11th Street  
Sacramento, California 95814  
(916) 653-3516

For Office Use Only

**-FILED-**

File No.: BA20221142621

Date Filed: 11/17/2022

## Entity Details

Limited Liability Company Name Prime Harvest D9 LLC  
Entity No. 202250910964  
Formed In CALIFORNIA

## Street Address of Principal Office of LLC

Principal Address 995 GATEWAY CENTER WAY, SUITE 107 - 108  
SAN DIEGO, CA 92102

## Mailing Address of LLC

Mailing Address 995 GATEWAY CENTER WAY, SUITE 107 - 108  
SAN DIEGO, CA 92102

## Attention

## Street Address of California Office of LLC

Street Address of California Office 995 GATEWAY CENTER WAY, SUITE 107 - 108  
SAN DIEGO, CA 92102

## Manager(s) or Member(s)

Manager or Member Name	Manager or Member Address
+ Eulenthius D Alexander	1210 OLIVE STREET RAMONA, CA 92065

## Agent for Service of Process

Agent Name Eulenthius D Alexander  
Agent Address 1210 OLIVE STREET  
RAMONA, CA 92065

## Type of Business

Type of Business Retail medical dispensary

## Email Notifications

Opt-in Email Notifications Yes, I opt-in to receive entity notifications via email.

## Chief Executive Officer (CEO)

CEO Name	CEO Address
+ Eulenthius D Alexander	1210 OLIVE STREET RAMONA, CA 92065

## Labor Judgment

No Manager or Member of this Limited Liability Company has an outstanding final judgment issued by the Division of Labor Standards Enforcement or a court of law, for which no appeal therefrom is pending, for the violation of any wage order or provision of the Labor Code.

Electronic Signature

☒ By signing, I affirm under penalty of perjury that the information herein is true and correct and that I am authorized by California law to sign.

John R Kazanjian

Signature

11/17/2022

Date

## EXHIBIT 9



THE CITY OF SAN DIEGO

## Report to the Hearing Officer

DATE ISSUED: November 9, 2022 REPORT NO. HO-22-051

HEARING DATE: November 16, 2022

SUBJECT: Gateway Cannabis Outlet CUP, Process Three Decision

PROJECT NUMBER: [PRJ-1067659](#)

OWNER/APPLICANT: Gateway SMP LLC, Owner and Prime Harvest LLC (Duane Alexander), Applicant

### SUMMARY

Issue: Should the Hearing Officer approve a Conditional Use Permit to allow the operation of a 2,996-square-foot Cannabis Outlet in Suites 107 and 108 within an existing three-story, 42,530-square-foot commercial building located at 995 Gateway Center Way within the Southeastern San Diego Community Plan area?

#### Staff Recommendation:

1. Approve Conditional Use Permit No. PMT-3172940.

Community Planning Group Recommendation: At the time this report went to print, the project had not yet gone before the full Southeastern San Diego Community Planning Group. The project will go before that group on November 14, 2022, and staff will be prepared to discuss the outcome of that meeting at the hearing for this item.

Environmental Review: This project is within the scope of Negative Declaration 660383, adopted on August 18, 2021. This document adequately describes the activity for the purposes of CEQA. No further environmental review is required.

### BACKGROUND

On March 25, 2014, the City of San Diego adopted Ordinance No O-20356 to implement regulations for Medical Marijuana Consumer Cooperatives (MMCCs), which allowed the sale of medicinal marijuana with the approval of a Conditional Use Permit (CUP). On February 22, 2017, Ordinance No. O-20793 was approved, which included amendments to the Land Development Code and the Local Coastal Program, replacing the MMCC use with a new retail sales use, Marijuana Outlet. On July 30, 2020, the City Council approved Ordinance [O-21163](#), which replaced the word "marijuana" with

“cannabis”, to reflect consistency with the State of California cannabis regulations. Therefore, Marijuana Outlet was renamed to Cannabis Outlet (CO).

Per A CO may be allowed with the approval of a Process Three Conditional Use Permit (CUP) pursuant to [SDMC section 126.0303](#) when allowed as a conditional use in the underlying zone. COs may sell both medicinal and retail cannabis/cannabis products subject to State licensing requirements as defined in California Business and Professions Code section 26001. Pursuant to [SDMC section 141.0504](#), Cannabis Outlets are limited to no more than four per Council District (CD), and 36 city-wide, within commercial and industrial zones in order to minimize the impact on the City and residential neighborhoods. A total of three CUPs for Cannabis Outlets have been approved in Council District 9; hence, there remains capacity for one additional Cannabis Outlet to be approved in Council District 9. If approved by the Hearing Officer, the proposed project would be the fourth Cannabis Outlet CUP approved within CD 9 and the 28<sup>th</sup> within the City and would bring forward another new business in San Diego’s emerging cannabis industry.

## DISCUSSION

### Project Description:

Project Location:	995 Gateway Center Way (Suites 107/108)
Project Scope:	Conditional Use Permit (CUP) to allow the operation of 2,996-square-foot Cannabis Outlet (CO) in Suites 107 and 108 within an existing three-story, 42,530-square-foot commercial building.
Lot Size:	4.10 acres
Zoning:	IL-3-1 (Industrial Light)
Land Use Plan Designations:	General Plan: Industrial Employment Community Plan: Business Park
Overlays:	Airport Influence Area (SDIA Lindbergh Field – Review Area 1), FAA Part 77 Noticing Area (SDIA – Lindbergh Field 200 feet), Airport Land Use Compatibility Plan Noise Contours (SDIA – 65-70 CNEL), Special Flood Hazard Area (100 Year Floodway and 100 Year Floodplain), Fire – Brush Management (100-Foot Setback and 300-Foot Buffer), and Fire – Very High Fire Hazard Severity Zone

The site is currently improved with a three-story commercial building constructed in 1989 (Attachment 3). The existing uses of the proposed tenant spaces are offices; other existing uses on site include medical, research, and professional offices; surrounding uses include a Costco Warehouse retail, medical clinics, and light industrial businesses.

Operation of the CO will include the retail sale of cannabis/cannabis products. The proposed tenant improvements will comply with the California Building Code, Plumbing Code, Mechanical Code,

Electrical Code, Fire Code and all adopted referenced standards in effect at the time the building permit is issued, and will be reviewed for conformance during the construction permit application phase prior to issuance of a change of use/certificate of occupancy. Required landscape improvements as shown on the proposed plans must also comply with landscape regulations and will be included in the building permit scope of work.

The project is required to provide 15 parking spaces for the CO use and maintain a minimum of 155 off-street parking spaces for all uses on the premises, totaling 170 parking spaces required at the site. The project proposes to reconfigure the existing 166-space parking lot to provide 170 spaces, meeting this requirement. Public improvements include the replacement of the two existing driveways and the installation of two 24-foot wide City standard driveways, located adjacent to the site on Gateway Center Way, as well as the reconstruction of sidewalk with standard concrete sidewalk along the property frontage on Gateway Center Way, to the satisfaction of the City Engineer.

General Plan and Community Plan Consistency:

The project site is within the Industrial Employment land use category per the Land Use and Street System Map (Figure LU-2) of the General Plan. The IL-3-1 zone allows a mix of light industrial, office, and commercial uses. Pursuant to SDMC section 131.0622, retail sales and commercial services are permitted uses in the IL-3-1 Zones. The Southeastern San Diego Community Plan (Community Plan) designates the site as Business Park within the Commercial, Employment and Industrial land use classification. The Business Park designation represents employment-generating uses that will both create jobs and a pleasant and safe streetscape environment. Intended uses include office, research and development, and light manufacturing; storage and distribution are discouraged to minimize truck traffic. Limited retail is allowed to augment commercial uses and serve nearby residential areas but is not intended as a primary use. The proposed CO is classified as retail sales use category, and will be one of the 12 tenants in the commercial building, occupying 7% of the entire premises; therefore, it will not be the primary use of the premises.

The proposed CO is allowed in the IL-3-1 zone with a CUP pursuant to SDMC sections 131.0622 and 141.0504. The proposed project will promote the policies of the General Plan and the Community Plan because the CO will supply jobs and encourage/facilitate commerce within the San Diego region. Therefore, the proposed CO is a compatible use at this location with a CUP and it is consistent with Community Plan land use policies.

Separation Requirements:

The SDMC allows the operation of CO in certain zones of the City and outlines their operational requirements. A CO is allowed in the IL-3-1 Zone with a CUP and is subject to minimum separation requirements between specified uses pursuant to SDMC Section 141.0504(a), which requires a 1,000-foot separation from resource and population-based city parks, other COs, churches, childcare centers, playgrounds, libraries owned and operated by the City of San Diego, minor-oriented facilities, residential care facilities, and schools. In addition, there is a minimum distance requirement of 100 feet from all residentially zoned properties. City staff reviewed the 100/1,000-foot radius map and spreadsheet (Attachment 6) submitted by the applicant identifying all the

existing surrounding uses and determined that the proposed CO complies with the minimum separation requirements between uses. See analysis below:

Iglesia Del Nazareno, 3535 Market Street: a church as defined in [SDMC section 113.0103](#), Iglesia Del Nazareno is within the 1,000-radius of the proposed CO. This church is approximately 854 feet from the project site measured property line to property line. The proposed CO is located on top of a hillside with a slope gradient between 142 to 165 feet high, which is considered a natural topographic barrier that impedes direct access to the proposed Cannabis Outlet (Attachment 7). Per [SDMC section 113.0225\(c\)](#), when measuring distance between uses, natural topographical barriers and constructed barriers such as freeways or flood control channels that would impede direct physical access between the uses can be taken into consideration. In such case, the distance is measured as the most direct route around the barrier in a manner that establishes direct access. A direct public route to the church from the proposed Cannabis Outlet would be greater than 1,500 feet. Therefore, the proposed project complies with the minimum separation requirements.

Dennis V. Allen Neighborhood Park, 800 Boundary Street: This is a population-based city park as defined in the [Recreation Element](#) of the City of San Diego General Plan. It was surveyed at 1,014 feet from the project site, measured horizontally in a straight line between the two closest points of property line to property line pursuant to [SDMC section 113.0225](#) (Attachment 7). Therefore, the proposed CO complies with the minimum separation requirements.

Mount Hope Cemetery, 3751 Market Street: Although shown as a “resource-based park” on page 19 of the City’s [Parks Master Plan](#) (PMP), this cemetery is not a City park; and Park Planning Staff have acknowledged that this represents a mapping error in the PMP. Mount Hope Cemetery does not meet the PMP’s definition of a “Resource-Based Regional Park” as shown on page 21 of the document, which is “Areas of habitat and resource protection, with compatible recreation”. The PMP designates areas such as Mission Bay, Balboa Park, Liberty Station Park, Presidio Park, Chicano Park, and Torrey Pines Golf Course as resource-based parks.

Conversely, other cemeteries such as the El Camino Memorial Park (5600 Carroll Canyon Road), Holy Cross Cemetery (4470 Hilltop Drive), Mount Olivet Cemetery (2127 Iris Avenue), and Miramar National Cemetery (5795 Nobel Drive) are not shown as resource-based parks in the PMP. The intent to define Mount Hope in particular, or cemeteries in general, as resource-based parks is not addressed in the PMP. However, it can be argued that the proposed Cannabis Outlet must be at least 1,000 feet from Mount Hope until such time as the error in the PMP map can be corrected.

Staff has determined that the proposed Cannabis Outlet meets the required separation distance due to topography as allowed by the Municipal Code. The proposed outlet is located on top of a hillside with a slope gradient between 142 to 165 feet high. This hillside is considered a natural topographic barrier that impedes direct access to the proposed Cannabis Outlet from Mount Hope Cemetery. Pursuant to [SDMC 113.0225\(c\)](#), when measuring distance between uses, natural topographical barriers that would impede direct

physical access between the uses can be taken into consideration. The shortest resulting walking distance is over 1,500 feet.

Operational and Security Requirements:

The proposed CO is subject to specific operational and security requirements and restrictions as set forth in SDMC Section 141.0504(b) through (m), which have also been incorporated as conditions in the CUP. These conditions include:

1. Prohibition of consultation by medical professionals on-site;
2. Prohibition of the use of specified vending machines except by a responsible person (as defined by [SDMC section 42.1502](#) and [Section 11.0210](#));
3. Provision of interior and exterior lighting, operable cameras, alarms, and security guard;
4. Restriction of hours of operation to between 7:00 am and 9:00 pm daily; maintenance of area and adjacent public sidewalks free of litter and graffiti, and removal of graffiti within 24 hours;
5. Restriction of signage to business name, two-color signs, and alphabetic characters;
6. Signage advertising cannabis may not be visible from the public right-of-way.

Outlets must also comply with Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

In addition to the Municipal Code requirements listed above, state law:

1. Prohibits the sale of cannabis to minors (18 and up for medicinal cannabis, 21 and up for recreational);
2. Requires strict testing and labelling of products

Conclusion:

City staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. The proposed project complies with all development regulations of the IL-3-1 Zone and no deviations are required to approve the project. The project meets all separation requirements and the permit has been conditioned to ensure the proposed Cannabis Outlet would not be detrimental to the public health, safety, and welfare. Staff has provided draft findings (Attachment 4) and draft conditions of approval (Attachment 5) to support the proposed development. Staff is recommending the Hearing Officer APPROVE Conditional Use Permit No. PMT-3172940.

ALTERNATIVES

1. APPROVE CUP No. 3172940 with modifications.
2. DENY CUP No. 3172940 if the findings required to approve the project cannot be affirmed.

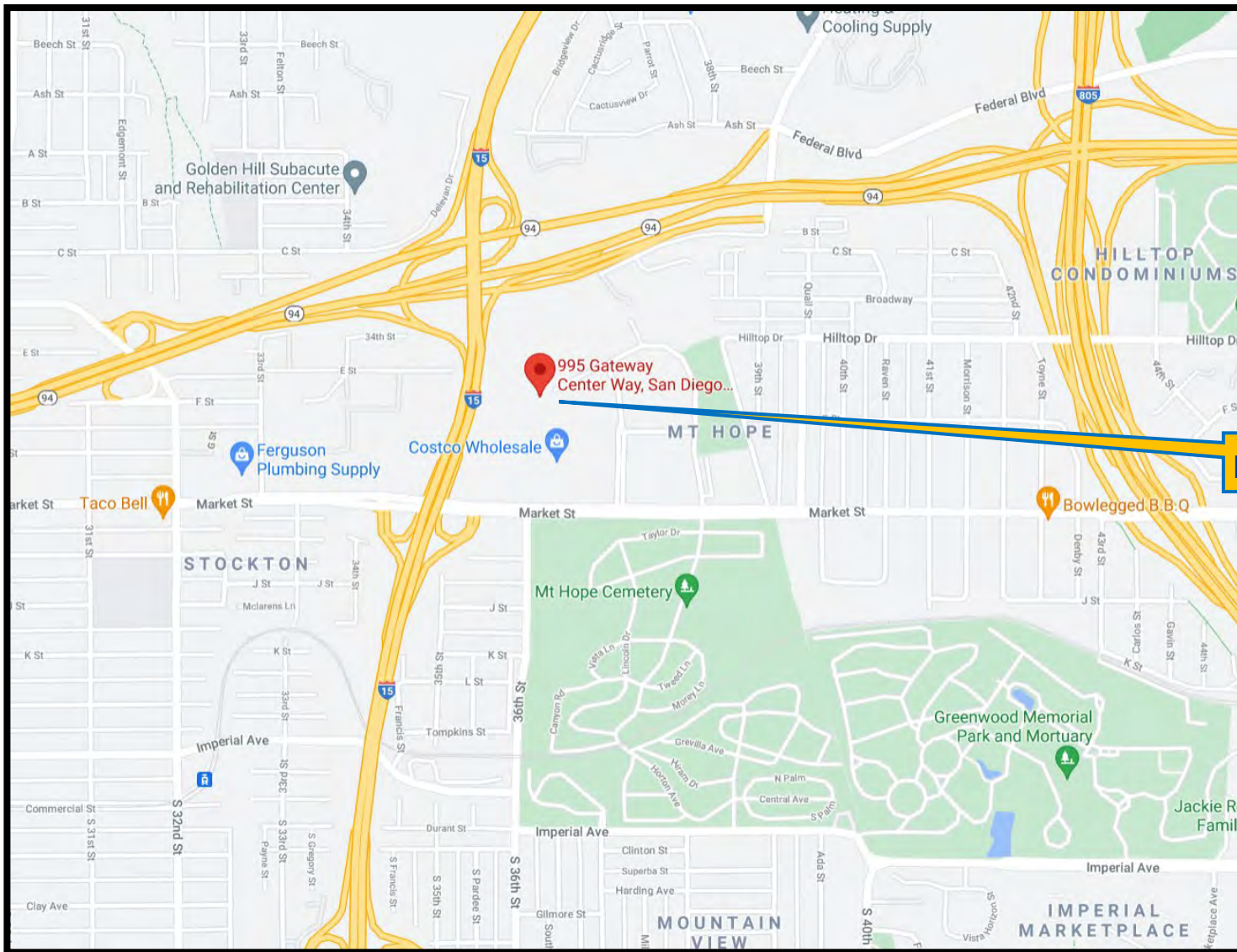
Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Travis Cleveland", written in dark ink.

Travis Cleveland, Development Project Manager

Attachments:

1. Project Location Map
2. Community Plan Land Use
3. Aerial Photograph
4. Draft Resolution with Findings
5. Draft Permit with Conditions
6. 100/1,000-foot Radius Map and Spreadsheet
7. Separation Exhibits (Iglesia Del Nazareno, Dennis V. Allen Park, and Mount Hope Cemetery)
8. Ownership Disclosure Statement
9. Project Plans



Project Site



## Project Location Map

Gateway Cannabis Outlet CUP / 995 Gateway Center Way  
PROJECT NO. PRJ-1067659

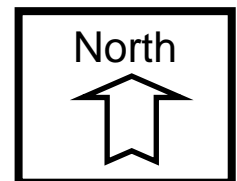
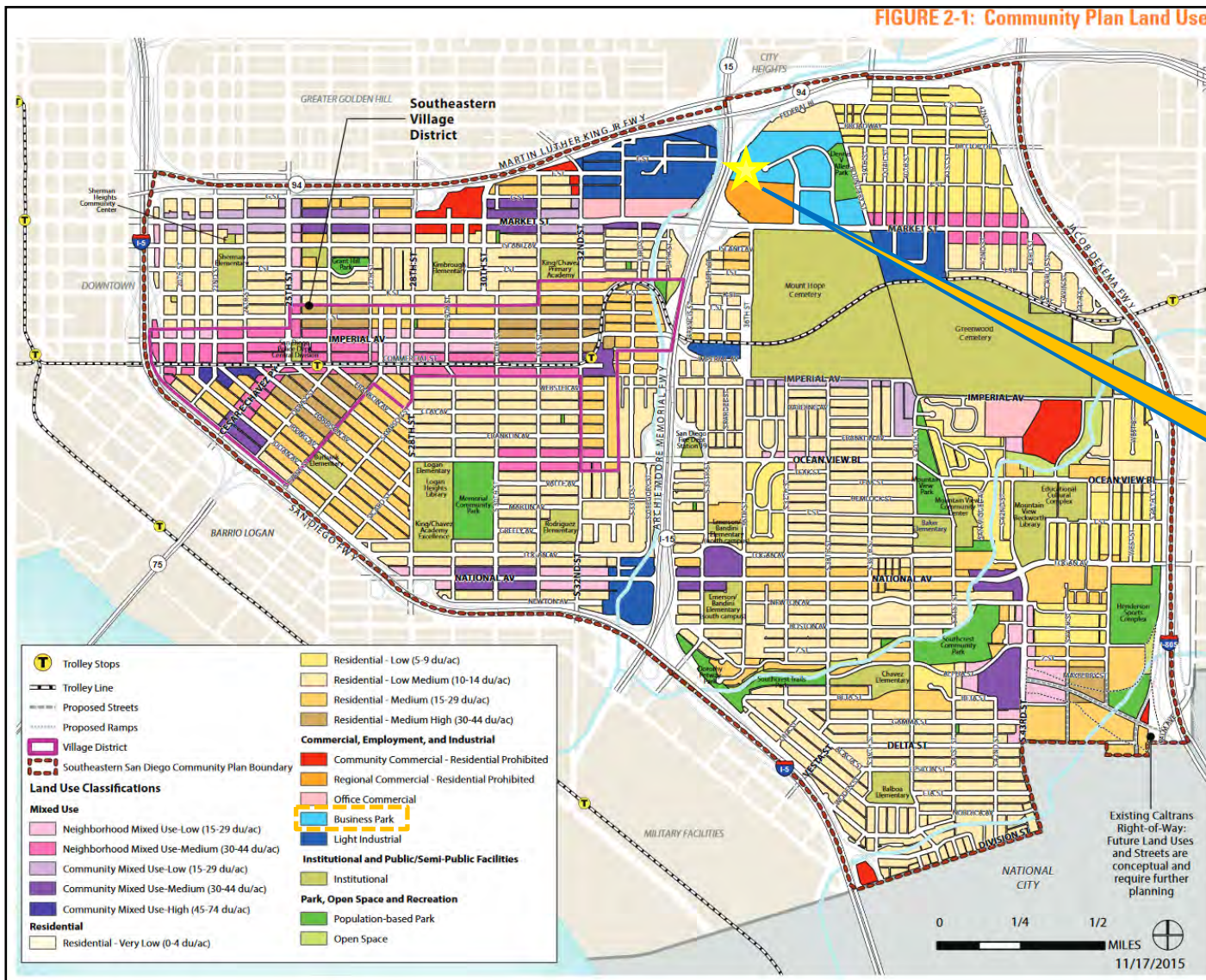
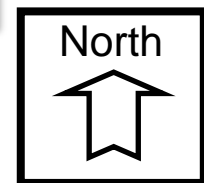


FIGURE 2-1: Community Plan Land Use

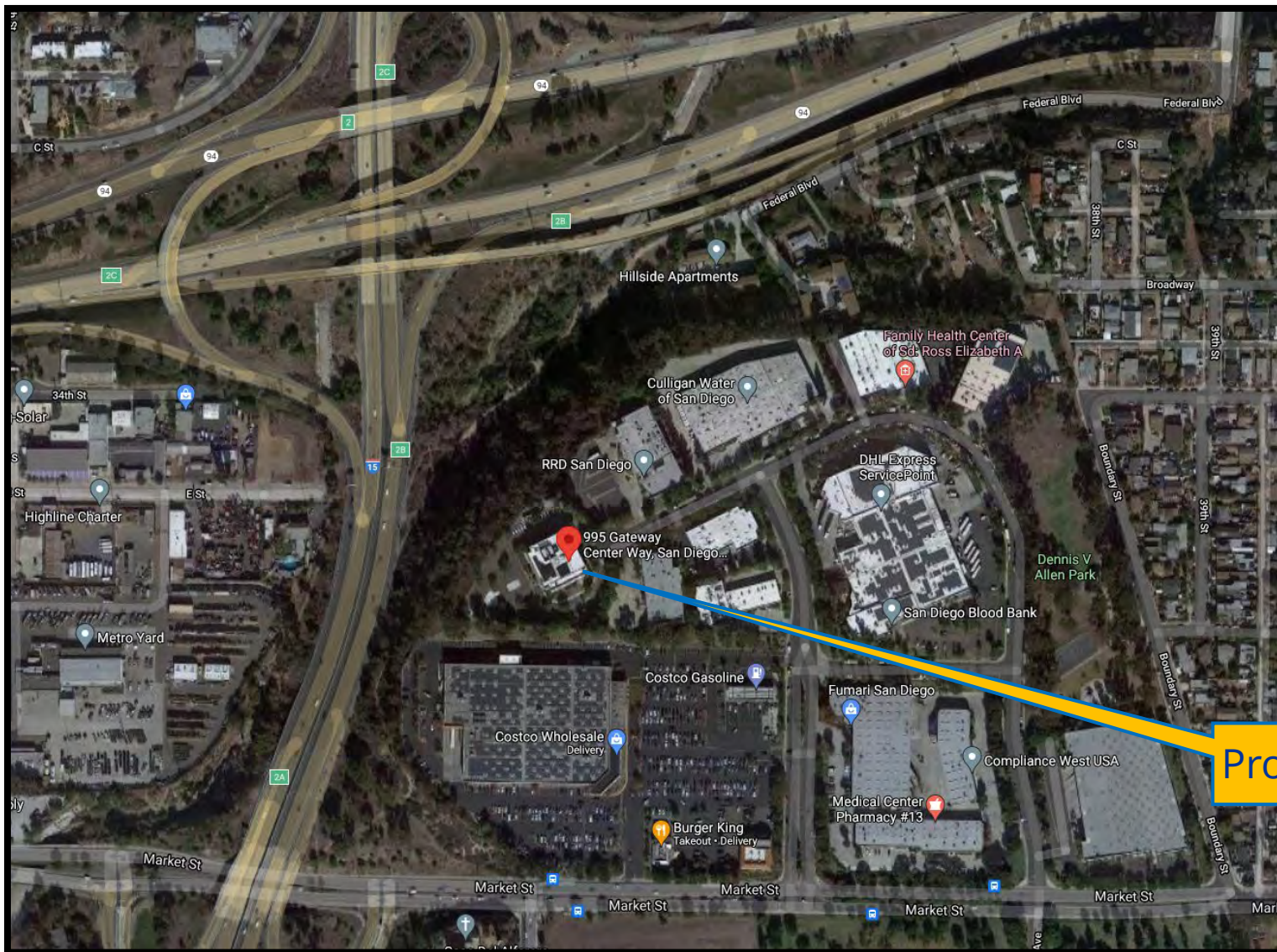


Project Site



# Community Plan Land Use Map

Gateway Cannabis Outlet CUP / 995 Gateway Center Way  
 PROJECT NO. PRJ-1067659

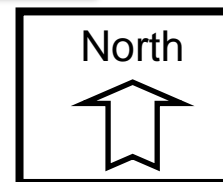


**Project Site**



## Aerial Photo

Gateway Cannabis Outlet CUP / 995 Gateway Center Way  
PROJECT NO. PRJ-1067659



HEARING OFFICER  
RESOLUTION NO. XXXX  
CONDITIONAL USE PERMIT NO. 3172940  
**GATEWAY CANNABIS OUTLET CUP - PROJECT NO. PRJ-1067659**

WHEREAS, GATEWAY SMP LLC, a California Limited Liability Company, Owner, and PRIME HARVEST LLC, a California Limited Liability Company, Permittee, filed an application with the City of San Diego for a Conditional Use Permit to allow the operation of a 2,996-square-foot Cannabis Outlet in Suites 107 and 108 within an existing three-story, 42,530-square-foot commercial building (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 3172940), on portions of a 4.10-acre site; and

WHEREAS, the project site is located at 995 Gateway Center Way in the IL-3-1 Zone, Airport Influence Area (SDIA Lindbergh Field – Review Area 1), FAA Part 77 Noticing Area (SDIA – Lindbergh Field 200 feet), Airport Land Use Compatibility Plan Noise Contours (SDIA – 65-70 CNEL), Special Flood Hazard Area (100 Year Floodway and 100 Year Floodplain), Fire – Brush Management (100-Foot Setback and 300-Foot Buffer), and Fire – Very High Fire Hazard Severity Zone within the Southeastern San Diego Community Plan area; and

WHEREAS, the project site is legally described as Lots 19 and 20 of Gateway Center East Unit No. 1, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 11512, filed in the Office of the County Recorder of San Diego County, May 14, 1986; and

WHEREAS, on November 16, 2022, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 3172940 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Conditional Use Permit No. 3172940:

**A. CONDITIONAL USE PERMIT FINDINGS [SDMC Section 126.0305]****1. The proposed development will not adversely affect the applicable land use plan.**

The project is a request for a Conditional Use Permit (CUP) to allow the operation of a 2,996-square-foot Cannabis Outlet (CO) in Suites 107 and 108 within an existing three-story, 42,530-square-foot commercial building located at 995 Gateway Center Way (Attachment 1). The 4.10-acre site is in the IL-3-1 Zone, Airport Influence Area (SDIA Lindbergh Field – Review Area 1), FAA Part 77 Noticing Area (SDIA – Lindbergh Field 200 feet), Airport Land Use Compatibility Plan Noise Contours (SDIA – 65-70 CNEL), Special Flood Hazard Area (100 Year Floodway and 100 Year Floodplain), Fire – Brush Management (100-Foot Setback and 300-Foot Buffer), and Fire – Very High Fire Hazard Severity Zone within the Southeastern San Diego Community Plan area.

The project site is within the Industrial Employment land use category per the Land Use and Street System Map (Figure LU-2) of the General Plan. The IL-3-1 zone allows a mix of light industrial, office, and commercial uses. Pursuant to SDMC section 131.0622, retail sales and commercial services are permitted uses in the IL-3-1 Zones. The Southeastern San Diego Community Plan (Community Plan) designates the site as Business Park within the Commercial, Employment and Industrial land use classification. The Business Park designation represents employment-generating uses that will both create jobs and a pleasant and safe streetscape environment. Intended uses include office, research and development, and light manufacturing; storage and distribution are discouraged to minimize truck traffic. Limited retail is allowed to augment commercial uses and serve nearby residential areas but is not intended as a primary use. The proposed CO is classified as retail sales use category, and will be one of the 12 tenants in the commercial building, occupying 7% of the entire premises; therefore, it will not be the primary use of the premises.

The proposed Cannabis Outlet is allowed in the IL-3-1 zone with a CUP pursuant to SDMC sections 131.0622 and 141.0504. The proposed project will promote the policies of the General Plan and the Community Plan because the Cannabis Outlet will supply jobs and encourage/facilitate commerce within the San Diego region. Therefore, the proposed Cannabis Outlet is a compatible use at this location with a CUP, it is consistent with the Community Plan land use policies and will not adversely affect the applicable land use plan.

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

The project proposes interior improvements to an existing tenant space, including entry/exit areas, waiting areas, lobby, cannabis retail sales floor, employee break room, manager's office, janitor's closet, restrooms, storage room, express room, vault/fulfillment room, product transfer corridor, and vendor receiving area. Construction of the project authorized through this permit will be subject to all adopted building, electrical, mechanical, fire and plumbing codes, which will be enforced through plan review and building inspections completed by the City's building inspectors.

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

Pursuant to SDMC section 141.0504, Cannabis Outlets are limited to no more than four per Council District (CD), and 36 city-wide, within commercial and industrial zones in order to minimize the impact on the City and residential neighborhoods. A total of three CUPs for Cannabis Outlets have been approved in Council District 9; hence, one additional Cannabis Outlet may be approved in Council District 9. Cannabis Outlets require compliance with SDMC section 141.0504, which requires a 1,000-foot separation, measured in accordance with SDMC sections 141.0504 and 113.0225, from resource and population-based city parks, other Cannabis Outlets, churches, child care centers, playgrounds, libraries owned and operated by the City of San Diego, minor-oriented facilities, residential care facilities, and schools including private or public institutions of learning providing instruction in kindergarten grades 1 to 12. There is also a minimum distance requirement of 100 feet from a residentially zoned property or lot. City staff has reviewed the 100/1,000-foot radius map and the 100/1,000-foot radius map spreadsheet submitted by the applicant identifying all the existing surrounding uses, measured uses in accordance with SDMC section 113.0225, and determined that the proposed Cannabis Outlet complies with the minimum separation requirements between uses and residentially zoned lots or premises.

Public improvements include the removal of the two existing driveways and the installation of two 24-foot wide City standard driveways, providing for accessible pathways for pedestrians adjacent to the site on Gateway Center Way, as well as the reconstruction of sidewalk with standard concrete sidewalk, to the satisfaction of the City Engineer.

The discretionary permit controlling the development of this site contains specific regulatory conditions of approval. These regulations, which are implemented and enforced through the permit, are specifically intended to reduce, mitigate and/or prevent all adverse impacts to the public and community at large. Based on the above analysis, project features and conditions of approval, the proposed development will not be detrimental to the public health, safety, and welfare.

The proposed Cannabis Outlet is subject to specific operational and security requirements and restrictions as set forth in SDMC section 141.0504(b) through (m), which have also been incorporated as conditions in the CUP including prohibition of consultation by medical professionals on-site; prohibition of the use of specified vending machines except by a responsible person (as defined by the SDMC); provision of interior and exterior lighting, operable cameras, alarms, security guard; restriction of hours of operation to between 7:00 a.m. and 9:00 p.m. daily; maintenance of area and adjacent public sidewalks free of litter and graffiti, and removal of graffiti within 24 hours; restriction of signage to business name, two-color signs, and alphabetic characters; and signage advertising cannabis may not be visible from the public right-of-way. Cannabis Outlets must also comply with Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation. The CUP is valid for five years, however, may be revoked if the use violates the terms, conditions, lawful requirements, or provision of the permit.

Construction of the project authorized through this permit will be subject to all adopted building, electrical, mechanical, fire and plumbing codes, which will be enforced through plan review and building inspections completed by the City's building inspectors. Furthermore, this project has been reviewed pursuant to the California Environmental Quality Act, and project is within the scope of Negative Declaration 660383, adopted on August 18, 2021, which determined that the project would not have a significant effect on the environment. Based on the above analysis, the proposed development would not be detrimental to the public health, safety, and welfare.

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

The project proposes to operate a 2,996-square-foot Cannabis Outlet within an existing 42,530-square-foot commercial building, located at 995 Gateway Center Way. The project proposes interior improvements to an existing tenant space, including entry/exit areas, waiting areas, lobby, cannabis retail sales floor, employee break room, manager's office, janitor's closet, restrooms, storage room, express room, vault/fulfillment room, product transfer corridor, vendor receiving area. Building improvements of the project authorized through this permit will be subject to all adopted building, electrical, mechanical, fire and plumbing codes, which will be enforced through plan review and building inspections completed by the City's building inspectors.

The project is required to provide 15 parking spaces for the Cannabis Outlet use and maintain a minimum of 155 off-street parking for all uses on the premises, totaling 170 parking spaces required at the site. The project proposes to reconfigure the existing parking lot to satisfy this requirement.

Pursuant to SDMC section 141.0504, Cannabis Outlets are limited to no more than four per Council District (CD), and 36 city-wide, within commercial and industrial zones in order to minimize the impact on the City and residential neighborhoods. A total of three CUPs for Cannabis Outlets have been approved in Council District 9; hence, there remains capacity for one additional Cannabis Outlet to be approved in Council District 9. Cannabis Outlets require compliance with SDMC section 141.0504, which requires a 1,000-foot separation, measured in accordance with SDMC sections 141.0504 and 113.0225, from resource and population-based city parks, other Cannabis Outlets, churches, child care centers, playgrounds, libraries owned and operated by the City of San Diego, minor-oriented facilities, residential care facilities, and schools including private or public institutions of learning providing instruction in kindergarten grades 1 to 12. There is also a minimum distance requirement of 100 feet from a residentially zoned property or lot. City staff has reviewed the 100/1,000-foot radius map and the 100/1,000-foot radius map spreadsheet submitted by the applicant identifying all the existing surrounding uses, measured uses in accordance with SDMC section 113.0225, and determined that the proposed Cannabis Outlet complies with the minimum separation requirements between uses and residentially zoned lots or premises.

Iglesia Del Nazareno, 3535 Market Street: a church as defined in SDMC section 113.0103, Iglesia Del Nazareno is within the 1,000-radius of the proposed CO. This church is

approximately 854 feet from the project site measured property line to property line. The proposed CO is located on top of a hillside with a slope gradient between 142 to 165 feet high, which is considered a natural topographic barrier that impedes direct access to the proposed Cannabis Outlet (Attachment 7). Per SDMC section 113.0225(c), when measuring distance between uses, natural topographical barriers and constructed barriers such as freeways or flood control channels that would impede direct physical access between the uses can be taken into consideration. In such case, the distance is measured as the most direct route around the barrier in a manner that establishes direct access. A direct public route to the church from the proposed Cannabis Outlet would be greater than 1,500 feet. Therefore, the proposed project complies with the minimum separation requirements.

Dennis V. Allen Neighborhood Park, 800 Boundary Street: This is a population-based city park as defined in the Recreation Element of the City of San Diego General Plan. It was surveyed at 1,014 feet from the project site, measured horizontally in a straight line between the two closest points of property line to property line pursuant to SDMC section 113.0225 (Attachment 7). Therefore, the proposed CO complies with the minimum separation requirements.

Mount Hope Cemetery, 3751 Market Street: Although it is shown as a “resource-based park” on page 19 of the City’s Parks Master Plan (PMP), this cemetery is not a City park; and Park Planning Staff have acknowledged that this represents a mapping error in the PMP. Mount Hope Cemetery does not meet the PMP’s definition of a “Resource-Based Regional Park” as shown on page 21 of the document, which is “Areas of habitat and resource protection, with compatible recreation”. The PMP designates areas such as Mission Bay, Balboa Park, Liberty Station Park, Presidio Park, Chicano Park, and Torrey Pines Golf Course as resource-based parks.

Conversely, other cemeteries such as the El Camino Memorial Park (5600 Carroll Canyon Road), Holy Cross Cemetery (4470 Hilltop Drive), Mount Olivet Cemetery (2127 Iris Avenue), and Miramar National Cemetery (5795 Nobel Drive) are not shown as resource-based parks in the PMP. The intent to define Mount Hope in particular, or cemeteries in general, as resource-based parks is not addressed in the PMP. However, it can be argued that the proposed Cannabis Outlet must be at least 1,000 feet from Mount Hope until such time as the error in the PMP map can be corrected. Therefore, the below analysis treats it as a park.

The proposed cannabis outlet meets the required separation distance to Mount Hope Cemetery due to topography as allowed by the Municipal Code. The proposed outlet is located on top of a hillside with a slope gradient between 142 to 165 feet high. This hillside is considered a natural topographic barrier that impedes direct access to the proposed Cannabis Outlet. Pursuant to SDMC 113.0225(c), when measuring distance between uses, natural topographical barriers that would impede direct physical access between the uses can be taken into consideration. The shortest resulting walking distance is over 1,500 feet.

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

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

Pursuant to SDMC section 141.0504, Cannabis Outlets are limited to no more than four per Council District (CD), and 36 city-wide, within commercial and industrial zones in order to minimize the impact on the City and residential neighborhoods. A total of three CUPs for Cannabis Outlets have been approved in Council District 9; hence, there remains capacity for one additional Cannabis Outlet to be approved in Council District 9.

Council District 9 contains very few parcels of land that are zoned to allow Cannabis Outlets. The project site and immediate area generally bounded by Interstate 15, Market Street, and Gateway Center Way may be the only available space left in District 9. It would be difficult to achieve the Municipal Code's number of four cannabis outlets allowed per Council District if a cannabis outlet is not able to locate in this area.

The site is currently improved with a three-story commercial building constructed in 1989. The existing uses of the proposed tenant spaces are offices; other existing uses on site include medical, research, and professional offices; surrounding uses include retail, medical clinics, and light industrial businesses.

Finding #A.1 above, hereinafter incorporated by reference, describes how the project meets the land use and employment goals of both the General and Community plans.

Finding #A.2 above, hereinafter incorporated by reference, describes how the project will contain several operational restrictions that ensure the public health, safety, and welfare.

Finding #A.3 above, hereinafter incorporated by reference, describes how the project meets the requirements of the IL-3-1 zone and the required operational conditions and separation distances of SDMC sections 141.0504 and 113.0225.

The proposed Cannabis Outlet is consistent with the underlying IL-3-1 Zone and Community Plan land use designation and objectives of encouraging a range of commercial goods and services, and with a CUP, is a compatible use with the surrounding development. Therefore, based on the above analysis, the proposed use is appropriate at the proposed location.

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

BE IT FURTHER RESOLVED that, based on these findings adopted by the Hearing Officer, Conditional Use Permit No. 3172940 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 3172940, a copy of which is attached hereto and made a part hereof.

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Travis Cleveland  
Development Project Manager  
Development Services

Adopted on: November 16, 2022

IO No.: 24009343

DRAFT

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

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

INTERNAL ORDER NUMBER: 24009343

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 3172940  
**GATEWAY CANNABIS OUTLET CUP - PROJECT NO. PRJ-1067659**  
HEARING OFFICER

This Conditional Use Permit No. 3172940 ("Permit") is granted by the Hearing Officer of the City of San Diego to Gateway SMP LLC, a California Limited Liability Company, Owner, and Prime Harvest LLC, a California Limited Liability Company, Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0305. The 4.10-acre site is located at 995 Gateway Center Way in the IL-3-1 Zone, the Airport Influence Area (SDIA Lindbergh Field – Review Area 1), the FAA Part 77 Noticing Area (SDIA – Lindbergh Field 200 feet), the Airport Land Use Compatibility Plan Noise Contours (SDIA – 65-70 CNEL), the Special Flood Hazard Area (100 Year Floodway and 100 Year Floodplain), Fire – Brush Management (100-Foot Setback and 300-Foot Buffer), and the Fire – Very High Fire Hazard Severity Zone within the Southeastern San Diego Community Plan area. The project site is legally described as:

LOTS 19 AND 20 OF GATEWAY CENTER EAST UNIT NO. 1, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 11512, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MAY 14, 1986.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to operate a Cannabis Outlet, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated November 16, 2022, on file in the Development Services Department.

The project shall include:

- a. Operation of a 2,996-square-foot Cannabis Outlet in Suites 107 and 108 within an existing three-story, 42,530-square-foot commercial building;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking; and

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

**STANDARD REQUIREMENTS:**

1. **Utilization date:** 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 Conditional Use Permit (CUP) must be utilized by December 1, 2025.

2. **Expiration Date:** This Conditional Use Permit (CUP) and corresponding use of this site shall expire on November 16, 2027.

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

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

3. The continued utilization of this CUP is contingent upon (but not limited to) the following, with non-compliance with any of the following being cause to revoke this permit:

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

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

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

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

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

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

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

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

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

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

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" 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.

12. 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.

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

**CLIMATE ACTION PLAN REQUIREMENTS:**

14. 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.

**ENGINEERING REQUIREMENTS:**

15. Prior to the issuance of any construction permit, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement (EMRA) for any landscape and irrigation located within the City's Right-Of-Way, satisfactory to the City Engineer.

16. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the reconstruction of the existing driveway and the installation of a new City standard driveway, Gateway Center Way, satisfactory to the City Engineer.

**LANDSCAPE REQUIREMENTS:**

17. Prior to issuance of any construction permit for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydro-seeding of all disturbed land in

accordance with the City of San Diego Landscape Standards, Storm Water Design Manual, and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A," on file in the Development Services Department.

18. Prior to issuance of any construction permit for public improvements, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40-square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

19. Prior to issuance of any construction permit for building (including shell), the Owner/Permittee shall submit complete landscape and irrigation construction documents, which are consistent with the Landscape Standards, to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. Construction plans shall provide a 40-square-foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per SDMC 142.0403(b)6.

20. The Brush Management Program shall consist of a standard Zone One of 35-ft. in width, and a Zone Two of 65-ft. in width, extending out from the structure towards the native/naturalized vegetation, consistent with SDMC 142.0412.

21. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including the right-of-way, unless long-term maintenance of said landscaping will be the responsibility of another entity approved by the Development Services Department. All required landscape shall be maintained consistent with the City's Landscape Standards in a disease, weed, and litter free condition at all times. Severe pruning or "topping" of trees is not permitted.

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

### **PLANNING/DESIGN REQUIREMENTS:**

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

24. Security shall be provided at the cannabis outlet which shall include operable cameras, alarms, and a security guard. The security guard shall be licensed by the State of California and be present

on the premises during business hours. The security guard shall only be engaged in activities related to providing security for the facility, except on an incidental basis.

25. The Owner/Permittee shall provide a sufficient odor absorbing ventilation and system capable of minimizing excessive or offensive odors emanating outside of the permitted cannabis outlet to the satisfaction of the Development Services Department.

26. Signage: Primary signs shall be posted on the outside of the cannabis outlet and shall only contain the name of the business, which shall contain only alphabetic characters, and shall be limited to two colors. Secondary signs advertising cannabis, window signs and any display visible from the public right-of-way, are not permitted. No marketing or advertising for cannabis or cannabis products shall be displayed visible from the public right-of-way. All cannabis licensees, and any person acting on behalf of a licensee, must comply with the State of California statutes and regulations governing commercial cannabis advertising and/or promoting.

27. The name and emergency contact phone number of the designated responsible managing operator shall be posted in a location visible from outside the cannabis outlet in character size at least two inches in height.

28. The cannabis outlet shall operate only between the hours of 7:00 a.m. and 9:00 p.m., seven days a week.

29. The use of vending machines which allow access to cannabis and cannabis products except by a responsible person, as defined in San Diego Municipal Code Section 42.1502, is prohibited. For purposes of this Section, a vending machine is any device which allows access to cannabis and cannabis products without a human intermediary.

30. An annual operating permit shall be obtained as required pursuant to San Diego Municipal Code Chapter 4, Article 2, Division 15.

31. Deliveries shall be permitted as an accessory use only from the cannabis outlet with a valid Conditional Use Permit unless otherwise allowed pursuant to state law.

32. The cannabis outlet, adjacent public sidewalks, and areas under the control of the cannabis outlet, shall be maintained free of litter and graffiti at all times.

33. The Owner/Permittee shall provide daily removal of trash, litter, and debris of the premises. Graffiti shall be removed from the premises within 24 hours.

34. Consultations by medical professionals shall not be a permitted accessory use at the cannabis outlet.

**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. The Owner/Permittee will provide the following Vehicle Miles Traveled (VMT) reduction measures:

- a. Provide one on-site bicycle repair station in the location shown in Exhibit A.
- b. Provide short-term bicycle parking spaces that are available to the public, at least 10% beyond the minimum requirements. The project is required to have 2 short-term bicycle parking spaces. Additional short-term bicycle spaces are being provided in excess of the minimum requirement. Three short-term spaces (1 additional for VMT Reduction Measures) are being proposed and their location is shown in Exhibit A.
- c. Provide long-term bicycle parking spaces that are available to the public, at least 10% beyond the minimum requirements. The project is required to have 1 long-term bicycle parking space. Additional long-term bicycle spaces (lockers) are being provided in excess of the minimum requirement. Four long-term bicycle parking spaces (3 additional for VMT Reduction Measures) are being proposed and their location is shown in Exhibit A.

These improvements shall be completed and operational prior to first occupancy.

**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 November 16, 2022 and Resolution Number XXXX.

**ATTACHMENT 5**

Permit Type/PTS Approval No.: Conditional Use Permit No. 3172940  
Date of Approval: November 16, 2022

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

\_\_\_\_\_  
Travis Cleveland  
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.

**Gateway SMP LLC**  
A California Limited Liability Company  
Owner

By \_\_\_\_\_  
NAME  
TITLE

**Prime Harvest, LLC**  
A California Limited Liability Company  
Permittee

By \_\_\_\_\_  
NAME  
TITLE

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

## NOTICE

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

## SUMMARY OF OWNERS

#	PARCEL NUMBER	OWNER NAME	SITE ADDRESS	CITY	STATE	ZIP	MAILING ADDRESS	CITY	STATE	ZIP	USE DESCRIPTION
1	545-071-08-00	875 34TH STREET L L C		SAN DIEGO	CA	92102	875 34TH ST	SAN DIEGO	CA	92102	VACANT
2	545-071-09-00	875 34TH STREET L L C		SAN DIEGO	CA	92102	875 34TH ST	SAN DIEGO	CA	92102	VACANT
3	545-071-10-00	NORBY MICHAEL J	3433 PICKWICK ST	SAN DIEGO	CA	92102	3960 W POINT LOMA BLVD #H368	SAN DIEGO	CA	92110	INDUSTRIAL
4	545-071-11-00	NORBY MICHAEL J	3443 PICKWICK AVE	SAN DIEGO	CA	92102	3960 W POINT LOMA BLVD #H-368	SAN DIEGO	CA	92110	INDUSTRIAL
5	545-071-12-00	ROSS REVOCABLE TRUST 09-19-07	3451 PICKWICK AVE	SAN DIEGO	CA	92102	14633 PRESILLA DR	JAMUL	CA	91935	INDUSTRIAL
6	545-071-13-00	ROSS REVOCABLE TRUST 09-19-07	PICKWICK AVE	SAN DIEGO	CA	92102	14633 PRESILLA DR	JAMUL	CA	91935	INDUSTRIAL
7	545-071-14-00	SAN DIEGO AIR FREIGHT SERVICES INC	3471 PICKWICK ST	SAN DIEGO	CA	92102	3471 PICKWICK ST	SAN DIEGO	CA	92102	INDUSTRIAL
8	545-071-15-00	875 34TH STREET LLC	3485 PICKWICK ST	SAN DIEGO	CA	92102	875 34TH ST	SAN DIEGO	CA	92102	INDUSTRIAL
9	545-071-16-00	ROSS REVOCABLE TRUST 09-19-07	35TH ST	SAN DIEGO	CA	92102	14633 PRESILLA DR	JAMUL	CA	91935	VACANT
10	545-071-17-00	ROSS REVOCABLE TRUST 09-19-07	35TH ST	SAN DIEGO	CA	92102	14633 PRESILLA DR	JAMUL	CA	91935	VACANT
11	545-071-18-00	PROM SARAH J	E ST	SAN DIEGO	CA	92102	2259 GALVESTON ST	SAN DIEGO	CA	92110	VACANT
12	545-071-19-00	PROM SARAH J	E ST	SAN DIEGO	CA	92102	2259 GALVESTON ST	SAN DIEGO	CA	92110	VACANT
13	545-071-20-00	YOUNG LESLIE K	3504 E ST	SAN DIEGO	CA	92102	8147 CANDIES CREEK RIDGE RD NW #13	CHARLESTON	TN	37310	VACANT
14	545-071-21-00	ROSS REVOCABLE TRUST 09-19-07	3496 E ST	SAN DIEGO	CA	92102	14633 PRESILLA DR	JAMUL	CA	91935	COMMERCIAL
15	545-071-22-00	ROSS REVOCABLE TRUST 09-19-07	3488 E ST	SAN DIEGO	CA	92102	14633 PRESILLA DR	JAMUL	CA	91935	RESID. SINGLE FAMILY
16	545-071-23-00	RAND RICHARD B	3474 E ST	SAN DIEGO	CA	92102	4758 POCAHONTAS AVE	SAN DIEGO	CA	92117	INDUSTRIAL
17	545-071-24-00	RAND RICHARD B	3462 E ST	SAN DIEGO	CA	92102	4758 POCAHONTAS AVE	SAN DIEGO	CA	92117	INDUSTRIAL
18	545-071-25-00	SUNSET TOWERS E STREET L C	3454 E ST	SAN DIEGO	CA	92102	5288 S COMMERCE DR #B150	MURRAY	UT	84107	INDUSTRIAL
19	545-071-26-00	SUNSET TOWERS E STREET L C	3442 E ST	SAN DIEGO	CA	92102	5288 S COMMERCE DR #B150	MURRAY	UT	84107	INDUSTRIAL
20	545-071-27-00	SUNSET TOWERS E STREET L C	3432 E ST	SAN DIEGO	CA	92102	5288 S COMMERCE DR #B150	MURRAY	UT	84107	INDUSTRIAL
21	545-071-28-00	ORANGE CITY HOLDINGS L L C	3420 E ST	SAN DIEGO	CA	92102	3420 E ST	SAN DIEGO	CA	92102	AUTOMOTIVE USES
22	545-071-29-00	ORANGE CITY HOLDINGS L L C	3420 E ST	SAN DIEGO	CA	92102	3420 E ST	SAN DIEGO	CA	92102	AUTOMOTIVE USES
23	545-071-30-00	ORANGE CITY HOLDINGS L L C	3410 E ST	SAN DIEGO	CA	92102	3420 E ST	SAN DIEGO	CA	92102	AUTOMOTIVE USES
24	545-071-31-00	PROM SARAH J		SAN DIEGO	CA	92102	2259 GALVESTON ST	SAN DIEGO	CA	92110	VACANT
25	545-071-32-00	LAPORTE INTER VIVOS TRUST 02-16-95	3428 PICKWICK AVE	SAN DIEGO	CA	92102	4083 RAFFEE DR	SAN DIEGO	CA	92117	INDUSTRIAL
26	545-072-01-00	3407 E STREET LLC	3407 E ST	SAN DIEGO	CA	92102	3407 E ST	SAN DIEGO	CA	92102	COMMERCIAL
27	545-072-02-00	MUSSEN MARK E	3411 E ST	SAN DIEGO	CA	92102	1246 CONCORD ST	SAN DIEGO	CA	92106	COMMERCIAL
28	545-072-04-00	KUVELAS JAMES D & JACK D	3475 E ST	SAN DIEGO	CA	92102	231 CALLE FLORECITA	ESCONDIDO	CA	92029	INDUSTRIAL
29	545-072-05-00	KUVELAS JAMES D & JACK D	E ST	SAN DIEGO	CA	92102	231 CALLE FLORECITA	ESCONDIDO	CA	92029	INDUSTRIAL
30	545-072-06-00	KUVELAS JAMES D & JACK D	E ST	SAN DIEGO	CA	92102	231 CALLE FLORECITA	ESCONDIDO	CA	92029	INDUSTRIAL
31	545-072-07-00	YOUNG LESLIE K	3517 E ST	SAN DIEGO	CA	92102	8147 CANDIES CREEK RIDGE RD NW #13	CHARLESTON	TN	37310	RESID. SINGLE FAMILY
32	545-072-08-00	YOUNG LESLIE K	3515 E ST	SAN DIEGO	CA	92102	8147 CANDIES CREEK RIDGE RD NW #13	CHARLESTON	TN	37310	RESID. SINGLE FAMILY
33	545-151-27-00	STATE OF CALIFORNIA		SAN DIEGO	CA	92102		SAN DIEGO	CA	92102	NO VALUE
34	545-151-38-00	3380 MARKET LP		SAN DIEGO	CA	92102	14092 BALBOA BLVD	SYLMAR	CA	91342	INDUSTRIAL
35	545-156-01-00	SAN DIEGO GAS & ELECTRIC CO	735 33RD ST	SAN DIEGO	CA	92102		SAN DIEGO	CA	92102	NO VALUE
36	546-030-05-00	STROM FAMILY TRUST 03-12-99	3540 ISLAND AVE	SAN DIEGO	CA	92102	1567 WOODY HILLS DR	EL CAJON	CA	92019	RESID. MULTIPLE FAMILY
37	546-030-06-00	GILBERT JUAN C & FLOR G	3554 ISLAND AVE	SAN DIEGO	CA	92102	3554 ISLAND AVE	SAN DIEGO	CA	92102	RESID. SINGLE FAMILY
38	546-030-07-00	MCINERNEY VICTOR	3560 ISLAND AVE	SAN DIEGO	CA	92102	2540 CLAIREMONT DR #308	SAN DIEGO	CA	92117	RESID. MULTIPLE FAMILY
39	546-030-12-00	MORALES IRMA	3582 ISLAND AVE	SAN DIEGO	CA	92102	3582 ISLAND AVE	SAN DIEGO	CA	92102	RESID. SINGLE FAMILY
40	546-030-13-00	BURRIEL PAULINE	3590 ISLAND AVE	SAN DIEGO	CA	92102	3590 ISLAND AVE	SAN DIEGO	CA	92102	RESID. SINGLE FAMILY
41	546-030-15-00	CITY OF SAN DIEGO		SAN DIEGO	CA	92102		SAN DIEGO	CA	92102	NO VALUE
42	546-030-16-00	GENERAL BOARD OF THE CHURCH OF THE NAZARENE KANSAS C	ISLAND AVE	SAN DIEGO	CA	92102	P O BOX 2537	NATIONAL CITY	CA	91951	CHURCH
43	546-030-17-00	GENERAL BOARD OF THE CHURCH OF THE NAZARENE KANSAS C	3595 MARKET ST	SAN DIEGO	CA	92102	P O BOX 2537	NATIONAL CITY	CA	91951	CHURCH
44	546-040-04-00	HILLSIDE APTS L L C	3625 FEDERAL BLVD	SAN DIEGO	CA	92102	716 ORPHEUS AVE	ENCINITAS	CA	92024	COMMERCIAL
45	546-040-12-00	CROFT MATTHEW C & LAUREN N	3715 FEDERAL BLVD	SAN DIEGO	CA	92102	4804 34TH ST	SAN DIEGO	CA	92116	RESID. SINGLE FAMILY
46	546-040-17-00	PEARSON KYLE D	FEDERAL BLVD	SAN DIEGO	CA	92102	716 ORPHEUS AVE	ENCINITAS	CA	92024	VACANT
47	546-040-18-00	FU FAMILY TRUST A 08-08-91	3685 FEDERAL BLVD	SAN DIEGO	CA	92102	3685 W FEDERAL BLVD	SAN DIEGO	CA	92102	RESID. SINGLE FAMILY
48	546-140-11-00	CITY OF SAN DIEGO		SAN DIEGO	CA	92102		SAN DIEGO	CA	92102	NO VALUE
49	546-140-12-00	CITY OF SAN DIEGO		SAN DIEGO	CA	92102		SAN DIEGO	CA	92102	NO VALUE
50	546-440-06-00	SAN DIEGO BLOOD BANK	3636 GATEWAY CENTER AVE #100	SAN DIEGO	CA	92102	3636 GATEWAY CENTER AVE #100	SAN DIEGO	CA	92102	INDUSTRIAL
51	546-440-11-00	A B L E CAPP PROPERTIES L L C	789 GATEWAY CENTER WAY	SAN DIEGO	CA	92102	4195 NORFOLK TER	SAN DIEGO	CA	92116	INDUSTRIAL
52	546-440-21-00	W F P-GATEWAY L P	960 GATEWAY CENTER WAY	SAN DIEGO	CA	92102	P O BOX 12440	SAN DIEGO	CA	92112	INDUSTRIAL
53	546-440-22-00	GATEWAY SAN DIEGO LLC	720 GATEWAY CENTER DR	SAN DIEGO	CA	92102	675 GATEWAY CENTER DR #A	SAN DIEGO	CA	92102	INDUSTRIAL
54	546-440-23-00	ARMADA 7 HOLDINGS INC	770 GATEWAY CENTER WAY	SAN DIEGO	CA	92102	716 ARMADA TER	SAN DIEGO	CA	92106	INDUSTRIAL
55	546-440-24-00	FAMILY HEALTH CENTERS OF SAN DIEGO INC	823 GATEWAY CENTER WAY	SAN DIEGO	CA	92102	823 GATEWAY CENTER WAY	SAN DIEGO	CA	92102	INDUSTRIAL
56	546-440-25-00	GATEWAY SMP L L C	995 GATEWAY CENTER WAY	SAN DIEGO	CA	92102	5710 LA JOLLA MESA DR	LA JOLLA	CA	92037	OFFICE
57	546-440-28-00	LIA ASSOCIATES LLC	955 GATEWAY CENTER WAY	SAN DIEGO	CA	92102	300 LANG BLVD	GRAND ISLAND	NY	14072	COMMERCIAL
58	546-440-29-00	WHITE BYRON F 2001 REVOCABLE TRUST 08-08-01	3676 MARKET ST	SAN DIEGO	CA	92102	4901 MORENA BLVD #119	SAN DIEGO	CA	92117	COMMERCIAL
59	546-440-30-00	COSTCO WHOLESALE CORPORATION	650 GATEWAY CENTER DR	SAN DIEGO	CA	92102	999 LAKE DR	ISSAQUAH	WA	98027	COMMERCIAL
60	546-440-31-00	C R H LIMITED CO L L C	885 GATEWAY CENTER WAY	SAN DIEGO	CA	92102	1617 N WATERFRONT PKY #400	WICHITA	KS	67206	INDUSTRIAL

61	546-440-32-00	GATEWAY KNITTING LTD	675 GATEWAY CENTER DR	SAN DIEGO	CA	92102	P O BOX 12440	SAN DIEGO	CA	92112	INDUSTRIAL
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100 & 1000-FOOT RADIUS MAP SPREADSHEET

NO RESIDENTS OR RESIDENTIALLY ZONED PARCELS WITHIN 100FT								
#	USE DESCRIPTION	SITE ADDRESS	CITY	STATE	ZIP	PARCEL NUMBER	OWNER NAME	NOTES
1	INDUSTRIAL	960 GATEWAY CENTER WAY	SAN DIEGO	CA	92102	546-440-21-00	W F P-GATEWAY L P	
2	OFFICE	995 GATEWAY CENTER WAY	SAN DIEGO	CA	92102	546-440-25-00	GATEWAY SMP L L C	
3	COMMERCIAL	955 GATEWAY CENTER WAY	SAN DIEGO	CA	92102	546-440-28-00	LIA ASSOCIATES LLC	
4	COMMERCIAL	650 GATEWAY CENTER DR	SAN DIEGO	CA	92102	546-440-30-00	COSTCO WHOLESALE CORPORATION	

THERE IS ONE CONSIDERATION POINT FOUND WITHIN 1,000FT. PLEASE SEE NOTES AND CONSIDERATION POINT MARKED BELOW.								
#	Use Description	Site Address	City	State	Zip	Parcel Number	Owner/Business Name	Notes
1	VACANT		SAN DIEGO	CA	92102	545-071-08-00	875 34TH STREET L L C	
2	VACANT		SAN DIEGO	CA	92102	545-071-09-00	875 34TH STREET L L C	
3	INDUSTRIAL	3433 PICKWICK ST	SAN DIEGO	CA	92102	545-071-10-00	YOO PATRICK Y	
4	INDUSTRIAL	3443 PICKWICK ST	SAN DIEGO	CA	92102	545-071-11-00	JUAN C VILLEGAS	
5	INDUSTRIAL	3451 PICKWICK AVE	SAN DIEGO	CA	92102	545-071-12-00	VIC ROSS MASONRY INC	
6	INDUSTRIAL	PICKWICK AVE	SAN DIEGO	CA	92102	545-071-13-00	ROSS REVOCABLE TRUST 09-19-07	
7	INDUSTRIAL	3471 PICKWICK ST	SAN DIEGO	CA	92102	545-071-14-00	SAN DIEGO AIR FREIGHT SERVICES INC	
8	INDUSTRIAL	3485 PICKWICK ST	SAN DIEGO	CA	92102	545-071-15-00	SOS ROOTER PLUMBING SVC	
9	VACANT	35TH ST	SAN DIEGO	CA	92102	545-071-16-00	ROSS REVOCABLE TRUST 09-19-07	
10	VACANT	35TH ST	SAN DIEGO	CA	92102	545-071-17-00	ROSS REVOCABLE TRUST 09-19-07	
11	VACANT	E ST	SAN DIEGO	CA	92102	545-071-18-00	PROM SARAH J	
12	VACANT	E ST	SAN DIEGO	CA	92102	545-071-19-00	PROM SARAH J	
13	VACANT	3504 E ST	SAN DIEGO	CA	92102	545-071-20-00	YOUNG LESLIE K	
14	COMMERCIAL	3496 E ST	SAN DIEGO	CA	92102	545-071-21-00	ROSS REVOCABLE TRUST 09-19-07	
15	RESID. SINGLE FAMILY	3488 E ST	SAN DIEGO	CA	92102	545-071-22-00	ROSS REVOCABLE TRUST 09-19-07	
16	INDUSTRIAL	3474 E ST	SAN DIEGO	CA	92102	545-071-23-00	RAND RICHARD B	
17	INDUSTRIAL	3462 E ST	SAN DIEGO	CA	92102	545-071-24-00	RAND RICHARD B	
18	INDUSTRIAL	3454 E ST	SAN DIEGO	CA	92102	545-071-25-00	MYRIAD INDUSTRIES	
19	INDUSTRIAL	3442 E ST	SAN DIEGO	CA	92102	545-071-26-00	SUNSET TOWERS E STREET L C	
20	INDUSTRIAL	3432 E ST	SAN DIEGO	CA	92102	545-071-27-00	E. P. WILSON CO.	
21	AUTOMOTIVE USES	3420 E ST	SAN DIEGO	CA	92102	545-071-28-00	WESTECH METAL FABRICATION INC	
22	AUTOMOTIVE USES	3420 E ST	SAN DIEGO	CA	92102	545-071-29-00	ORANGE CITY HOLDINGS L L C	
23	AUTOMOTIVE USES	3410 E ST	SAN DIEGO	CA	92102	545-071-30-00	ORANGE CITY HOLDINGS L L C	
24	VACANT		SAN DIEGO	CA	92102	545-071-31-00	PROM SARAH J	
25	INDUSTRIAL	3428 PICKWICK ST	SAN DIEGO	CA	92102	545-071-32-00	NEON SOURCE	
26	COMMERCIAL	3407 E ST	SAN DIEGO	CA	92102	545-072-01-00	ELSCO INTERNATIONAL INC	
27	COMMERCIAL	3411 E ST	SAN DIEGO	CA	92102	545-072-02-00	ANTONIO JAIME	
28	COMMERCIAL	3413 E ST	SAN DIEGO	CA	92102	545-072-02-00	ANTONIO JAIME	
29	INDUSTRIAL	3475 E ST	SAN DIEGO	CA	92102	545-072-04-00	KUVELAS JAMES D & JACK D	
30	INDUSTRIAL	E ST	SAN DIEGO	CA	92102	545-072-05-00	KUVELAS JAMES D & JACK D	
31	INDUSTRIAL	E ST	SAN DIEGO	CA	92102	545-072-06-00	KUVELAS JAMES D & JACK D	
32	NO VALUE		SAN DIEGO	CA	92102	545-151-27-00	STATE OF CALIFORNIA	
33	INDUSTRIAL	3380 MARKET ST	SAN DIEGO	CA	92102	545-151-38-00	3380 MARKET LP	
34	NO VALUE	735 33RD ST	SAN DIEGO	CA	92102	545-156-01-00	SAN DIEGO GAS & ELECTRIC CO/METRO YARD	
35	NO VALUE		SAN DIEGO	CA	92102	546-030-15-00	CITY OF SAN DIEGO	
36	CHURCH	3535 MARKET ST	SAN DIEGO	CA	92102	546-030-16-00	CASA DEL ALFARERO IGLESIA DEL NAZARENO	~2500ft
37	CHURCH	3595 MARKET ST	SAN DIEGO	CA	92102	546-030-17-00	GENERAL BOARD OF THE CHURCH OF THE NAZARENE KANSAS C	~2500ft
The Casa Del Alfarero Iglesia Del Nazareno Churh is within 1,000ft when measuring from parcel to parcel in a straight line. The walking distance is more than 2,500ft when walking from door to door using public walkways and roadways.								
38	COMMERCIAL	3625 FEDERAL BLVD	SAN DIEGO	CA	92102	546-040-04-00	HILLSIDE APTS L L C	
39	RESID. SINGLE FAMILY	3715 FEDERAL BLVD	SAN DIEGO	CA	92102	546-040-12-00	CROFT MATTHEW C & LAUREN N	
40	VACANT	FEDERAL BLVD	SAN DIEGO	CA	92102	546-040-17-00	PEARSON KYLE D	
41	NO VALUE	3751 MARKET ST	SAN DIEGO	CA	92102	546-140-11-00	CITY OF SAN DIEGO/MT HOPE CEMETERY	
42	NO VALUE	3751 MARKET ST	SAN DIEGO	CA	92102	546-140-12-00	CITY OF SAN DIEGO/MT HOPE CEMETERY	
43	INDUSTRIAL	3636 GATEWAY CENTER AVE STE 100	SAN DIEGO	CA	92102	546-440-06-00	SAN DIEGO BLOOD BANK	
44	INDUSTRIAL	3636 GATEWAY CENTER AVE STE 101	SAN DIEGO	CA	92102	546-440-06-00	DHL	
45	INDUSTRIAL	789 GATEWAY CENTER WAY	SAN DIEGO	CA	92102	546-440-11-00	OOPSY DAISY FINE ART FOR KIDS	
46	INDUSTRIAL	960 GATEWAY CENTER WAY	SAN DIEGO	CA	92102	546-440-21-00	COMMERCIAL PRESS RR DONNELLEY	
47	INDUSTRIAL	720 GATEWAY CENTER DR STE A	SAN DIEGO	CA	92102	546-440-22-00	BAYVIEW COMMUNITY DEVELOPMENT	
48	INDUSTRIAL	720 GATEWAY CENTER DR STE B	SAN DIEGO	CA	92102	546-440-22-00	GATEWAY SAN DIEGO LLC	
49	INDUSTRIAL	720 GATEWAY CENTER DR STE C	SAN DIEGO	CA	92102	546-440-22-00	GATEWAY SAN DIEGO LLC	
50	INDUSTRIAL	930 GATEWAY CENTER WAY	SAN DIEGO	CA	92102	546-440-23-00	LIFE DECK COATING INSTALLATIONS	
51	INDUSTRIAL	770 GATEWAY CENTER DR	SAN DIEGO	CA	92102	546-440-23-00	LIFE DECK COATING INSTALLATIONS	
52	INDUSTRIAL	823 GATEWAY CENTER WAY	SAN DIEGO	CA	92102	546-440-24-00	FAMILY HEALTH CENTERS OF SAN DIEGO INC	
53	OFFICE	995 GATEWAY CENTER WAY STE 101	SAN DIEGO	CA	92102	546-440-25-00	DAVITA	
54	OFFICE	995 GATEWAY CENTER WAY STE 105	SAN DIEGO	CA	92102	546-440-25-00	NANCY JONES-SOTO, M.D., A MEDICAL CORPORATION	
55	OFFICE	995 GATEWAY CENTER WAY STE 106	SAN DIEGO	CA	92102	546-440-25-00	GATEWAY SMP L L C	
56	OFFICE	995 GATEWAY CENTER WAY STE 107	SAN DIEGO	CA	92102	546-440-25-00	SANDS HYPERBARIC CORPORATION	
57	OFFICE	995 GATEWAY CENTER WAY STE 108	SAN DIEGO	CA	92102	546-440-25-00	ALEXANDER SALLOUM, MD	
58	OFFICE	995 GATEWAY CENTER WAY STE 202	SAN DIEGO	CA	92102	546-440-25-00	CLINICA MEDICAL DE LA MORA INC	
59	OFFICE	995 GATEWAY CENTER WAY STE 207	SAN DIEGO	CA	92102	546-440-25-00	SAN DIEGO ACCESS CARE / VEIN CENTER OF DEL MAR	
60	OFFICE	995 GATEWAY CENTER WAY STE 208	SAN DIEGO	CA	92102	546-440-25-00	GATEWAY SMP L L C	
61	OFFICE	995 GATEWAY CENTER WAY STE 300	SAN DIEGO	CA	92102	546-440-25-00	MARCUS L. BYRD	
62	OFFICE	995 GATEWAY CENTER WAY STE 302	SAN DIEGO	CA	92102	546-440-25-00	GATEWAY SMP L L C	
63	OFFICE	995 GATEWAY CENTER WAY STE 303	SAN DIEGO	CA	92102	546-440-25-00	GATEWAY SMP L L C	
64	OFFICE	995 GATEWAY CENTER WAY STE 308	SAN DIEGO	CA	92102	546-440-25-00	AT YOUR SERVICE PRODUCTIONS, INC.	
65	COMMERCIAL	955 GATEWAY CENTER WAY	SAN DIEGO	CA	92102	546-440-28-00	R R DONNELLEY	
66	COMMERCIAL	3676 MARKET ST	SAN DIEGO	CA	92102	546-440-29-00	WHITE BYRON F 2001 REVOCABLE TRUST 08-08-01	
67	COMMERCIAL	620 GATEWAY CENTER DR	SAN DIEGO	CA	92102	546-440-29-00	WHITE BYRON F 2001 REVOCABLE TRUST 08-08-01	
68	COMMERCIAL	650 GATEWAY CENTER DR	SAN DIEGO	CA	92102	546-440-30-00	COSTCO WHOLESALE CORPORATION	
69	INDUSTRIAL	885 GATEWAY CENTER WAY STE 101	SAN DIEGO	CA	92102	546-440-31-00	CULLIGAN WATER CONDITIONING	
70	INDUSTRIAL	885 GATEWAY CENTER WAY STE 102	SAN DIEGO	CA	92102	546-440-31-00	ALSCO INC	
71	INDUSTRIAL	885 GATEWAY CENTER WAY STE 103	SAN DIEGO	CA	92102	546-440-31-00	CAMPESINOS UNIDOS, INC.	
72	INDUSTRIAL	885 GATEWAY CENTER WAY STE 201	SAN DIEGO	CA	92102	546-440-31-00	QUALITY CABINET & FIXTURE COMPANY	
73	INDUSTRIAL	675 GATEWAY CENTER DR	SAN DIEGO	CA	92102	546-440-32-00	XTERRA WETSUITS	
74	INDUSTRIAL	650 GATEWAY CENTER WAY STE A	SAN DIEGO	CA	92102	546-440-32-00	PACIFIC ENERGY SERVICES LLC	
75	INDUSTRIAL	650 GATEWAY CENTER WAY STE B	SAN DIEGO	CA	92102	546-440-32-00	WEST COAST BEVERAGE	
76	INDUSTRIAL	650 GATEWAY CENTER WAY STE D	SAN DIEGO	CA	92102	546-440-32-00	COMPLIANCE WEST USA	
77	INDUSTRIAL	650 GATEWAY CENTER WAY STE G	SAN DIEGO	CA	92102	546-440-32-00	WESCRAFT INC	
78	INDUSTRIAL	650 GATEWAY CENTER WAY STE I	SAN DIEGO	CA	92102	546-440-32-00	ELECTRORECYCLE INC	

79	INDUSTRIAL	610 GATEWAY CENTER WAY STE A	SAN DIEGO	CA	92102	546-440-32-00	ST MARYS PHARMACIES INC	
80	INDUSTRIAL	610 GATEWAY CENTER WAY STE E	SAN DIEGO	CA	92102	546-440-32-00	BAJA PRINTING, INC.	
81	INDUSTRIAL	610 GATEWAY CENTER WAY STE G	SAN DIEGO	CA	92102	546-440-32-00	GEORGE AWAD	
82	INDUSTRIAL	610 GATEWAY CENTER WAY STE I	SAN DIEGO	CA	92102	546-440-32-00	GATEWAY KNITTING LTD	
83	INDUSTRIAL	610 GATEWAY CENTER WAY STE J	SAN DIEGO	CA	92102	546-440-32-00	LEADER BIKE, LLC	
84	INDUSTRIAL	610 GATEWAY CENTER WAY STE K	SAN DIEGO	CA	92102	546-440-32-00	COMPLETE CAMPAIGNS.COM, LLC	
85	INDUSTRIAL	610 GATEWAY CENTER WAY STE L	SAN DIEGO	CA	92102	546-440-32-00	THE LIGHTHOUSE	

	<b>City of San Diego Development Services</b> (619) 446-5000	<b>Affidavit for Cannabis Outlet or Cannabis Production Facility for Conditional Use Permit (CUP)</b>	<b>FORM DS-190</b>  March 2020
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The purpose of this affidavit is for the property owner, authorized agent, or business owner of the Cannabis Outlet (Outlet) and Cannabis Production Facility (Facility) to affirm that all uses within 1,000 feet from the subject property line have been identified, including residential zones within 100 feet, as defined in San Diego Municipal Code (SDMC), Sections [113.0103](#), [141.0504](#), and [141.1004](#).

The proposed Outlet and Facility location must be 100 feet from any residential zone and not within 1,000 feet of the property line of the following:

- |  |   |
|--|---|
| 1. Resource and population-based city park | 6. Minor-oriented facility                    |
| 2. Church                                  | 7. Residential Care Facility                  |
| 3. Child care center                       | 8. Schools                                    |
| 4. Playground                              | 9. Other Cannabis Outlets                     |
| 5. City library                            | (applicable to Outlet CUP applications only). |

#### GENERAL INFORMATION

Project Name: <a href="#">995 Gateway Center CO</a>	Project No.: <i>For City Use Only</i>
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Project Address: <a href="#">995 Gateway Center Way, Suites 107 &amp; 108, San Diego, CA 92102</a>
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Date Information Verified by Owner or Authorized Agent: <a href="#">06/07/2022</a>
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**DECLARATION:** *The property owner, authorized agent, or business owner of the Outlet and Facility must complete the following section and sign their name where indicated.*

We are aware that the business described above is subject to the Cannabis Outlet or Cannabis Production Facility requirements regulated by SDMC Section [141.0504](#) (Outlet) and Section [141.1004](#) (Facility), and [Chapter 4, Article 2, Division 15](#). We hereby affirm under penalty of perjury that the proposed business location is not within 1,000 feet, measured in accordance with SDMC Section [113.0225](#) of the property line of any resource and population-based city park, church, child care center, playground, library owned and operated by the City of San Diego, minor-oriented facility, residential care facility, and other Cannabis Outlets (applicable to Outlet CUP applications only), or schools; and is 100 feet from any residential zone as identified on the 1000-foot radius map and spreadsheet submitted with the Conditional Use Permit application.

Property Owner or Authorized Agent Name: <i>Check one</i> <input type="checkbox"/> Owner <input type="checkbox"/> Agent	Telephone No.:
---	----------------

Mailing Address:	City:	State:	Zip Code:
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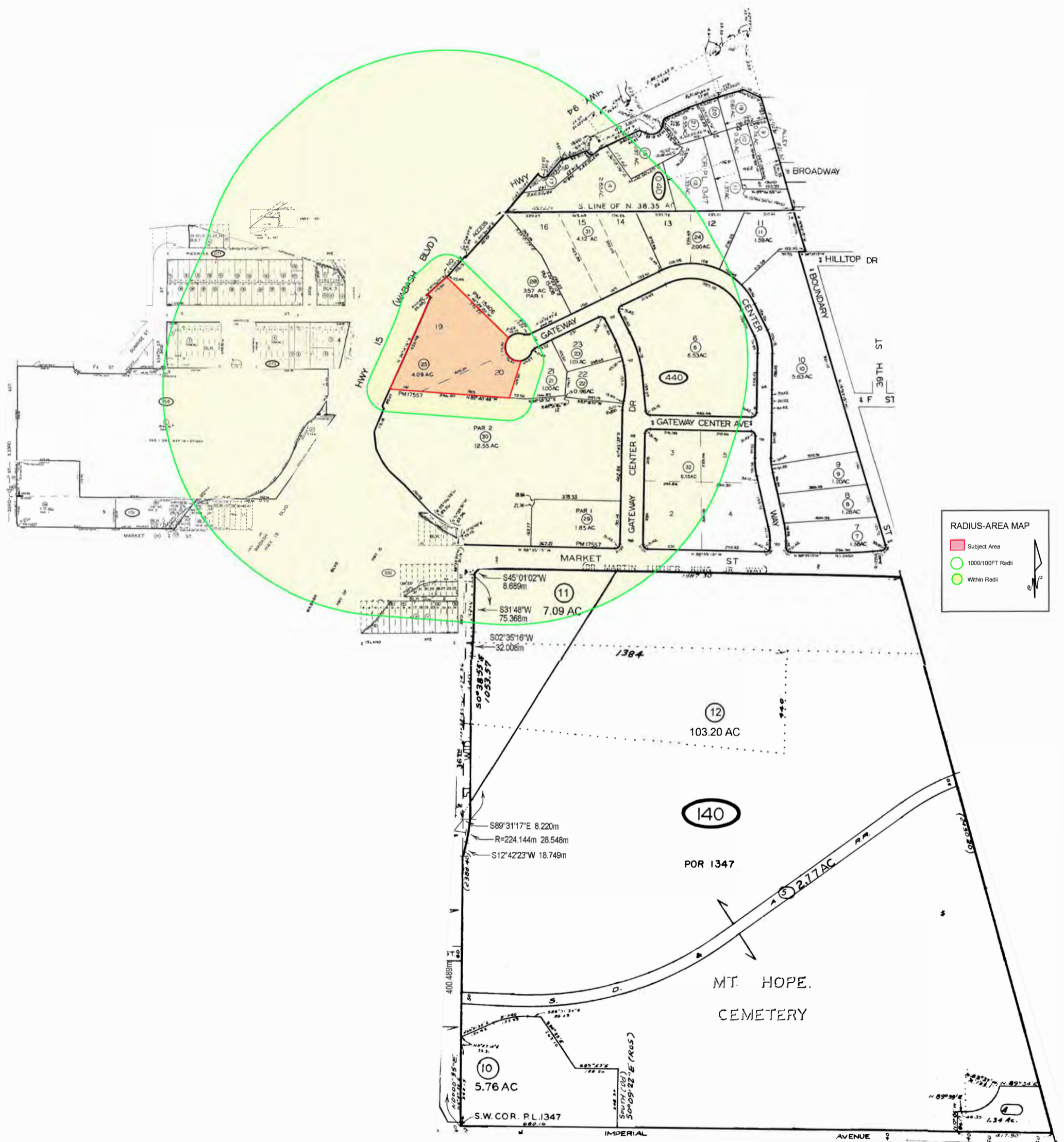
Signature:	Date:
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Business Owner Name: <a href="#">Prime Harvest, LLC (Contact: Duane Alexander)</a>	Telephone No.: <a href="#">duane@primeharvestinc.com / 702-350-9699</a>
---	--

Mailing Address: <a href="#">1210 Olive St.,</a>	City: <a href="#">Ramona</a>	State: <a href="#">CA</a>	Zip Code: <a href="#">92065</a>
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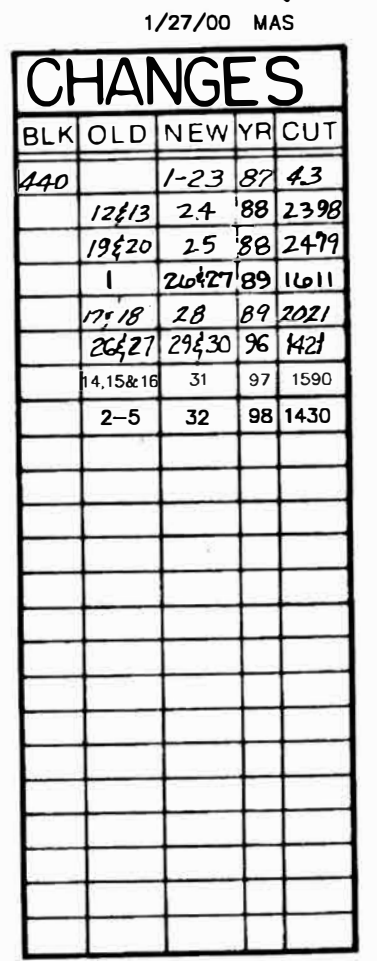
Signature: 	Date: <a href="#">8/1/2022</a>
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## 1000-FOOT VICINITY/AREA MAP

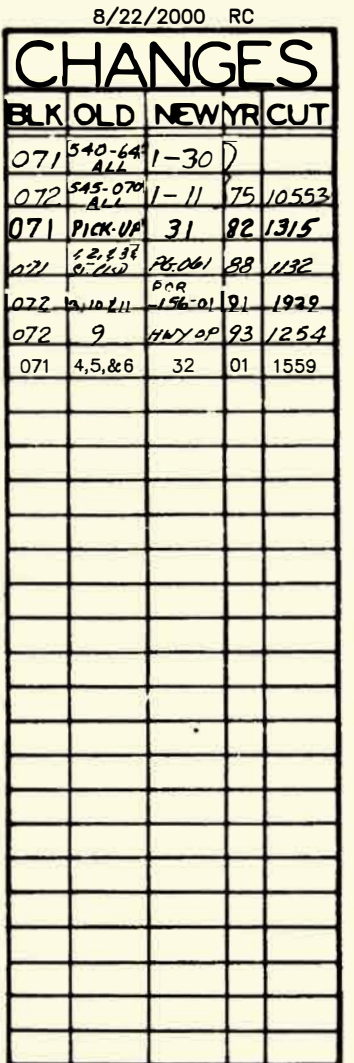




## ONE SET OF MAPS



MAP 11512 - GATEWAY CENTER EAST UNIT NO. 1



THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO-LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.

MAP 1210 - ORANGE PARK  
MAP 419 - HAFFENDEN'S SUNNYDALE  
ROS 15102

08

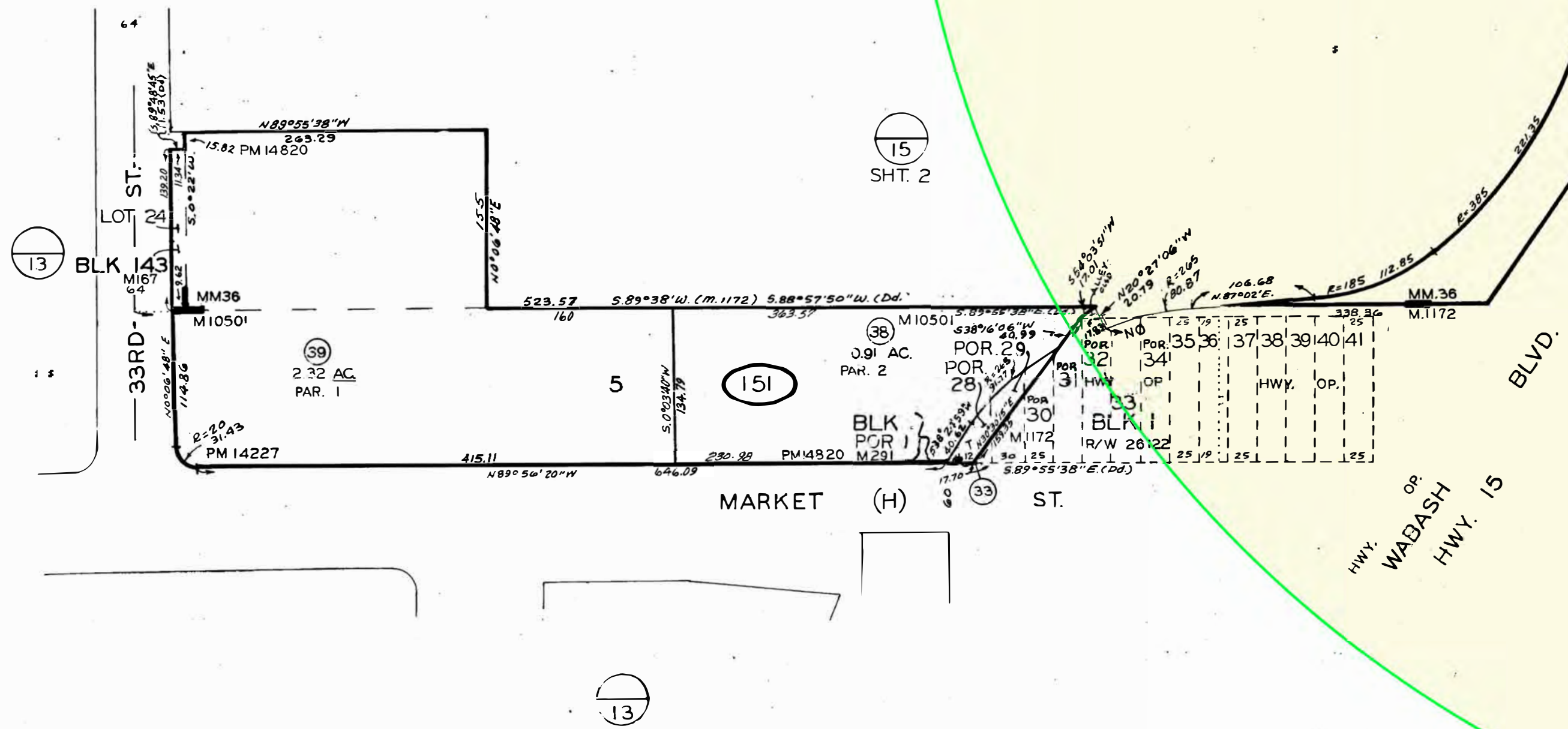
545-080 & 151-155

1" = 100'

BLK. 3  
POR. 1  
M419

POR. 2  
SE. COR. LOT 2

CHANGES				
BLK	OLD	NEW	YR	CUT
151	3	25 & 26	68	3002
155	5 & 6	12	72	4503
151	9, 10 & 11	27-29		
	080-1	30	80	1311
151	052-01	31		
151	053-03	32		
	-152-01	130-44		
	-153-01	130-45	83	10083
	-154-01	130-43		
	-155-1-4	130-46		
	-155-7-12	130-37		
	124-8	33 & 130		
	1112 M-2	55 & 56	83	145
	30 & 32	34 & 35	86	2084
	-130-55			
	28 & 34	35 & 37	87	1521
	29 & 31	SAME	87	5536
	36	38 & 39	87	1746
	PICK-UP	40	88	1666
	POR 060-16	41	89	2037
	31, 37 & 40	POR 156-01	91	1939
	29	HWY OP	93	1352



MAP 10501 - THE DELLS UNIT NO. 2  
MAP 1172 - DELLS PK  
MAP 419 - HAFFENDENS SUNNYDALE  
MAP 291 - MCLARENS H STREET ADD  
MAP 167 - CHOATES ADD POR P L 1151  
MM 36 - PUEBLO LANDS  
ROS 15102

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.

$r = 100'$

05

545-060  
-072  
-151

\*SUNRISE ST

634TH ST.

E 72 ST.

589° 23' 13" E

50° 29' 02" W  
199.97

199.98

589° 23' 05" E  
322.50



A circular logo with a horizontal line. The number '546' is in the top half and '44' is in the bottom half.

PAR. I S.B.E. MAP 141-37-124A

15.62 AC <sup>5</sup>  
PAR. 1

PM 16295  
ROS 15102

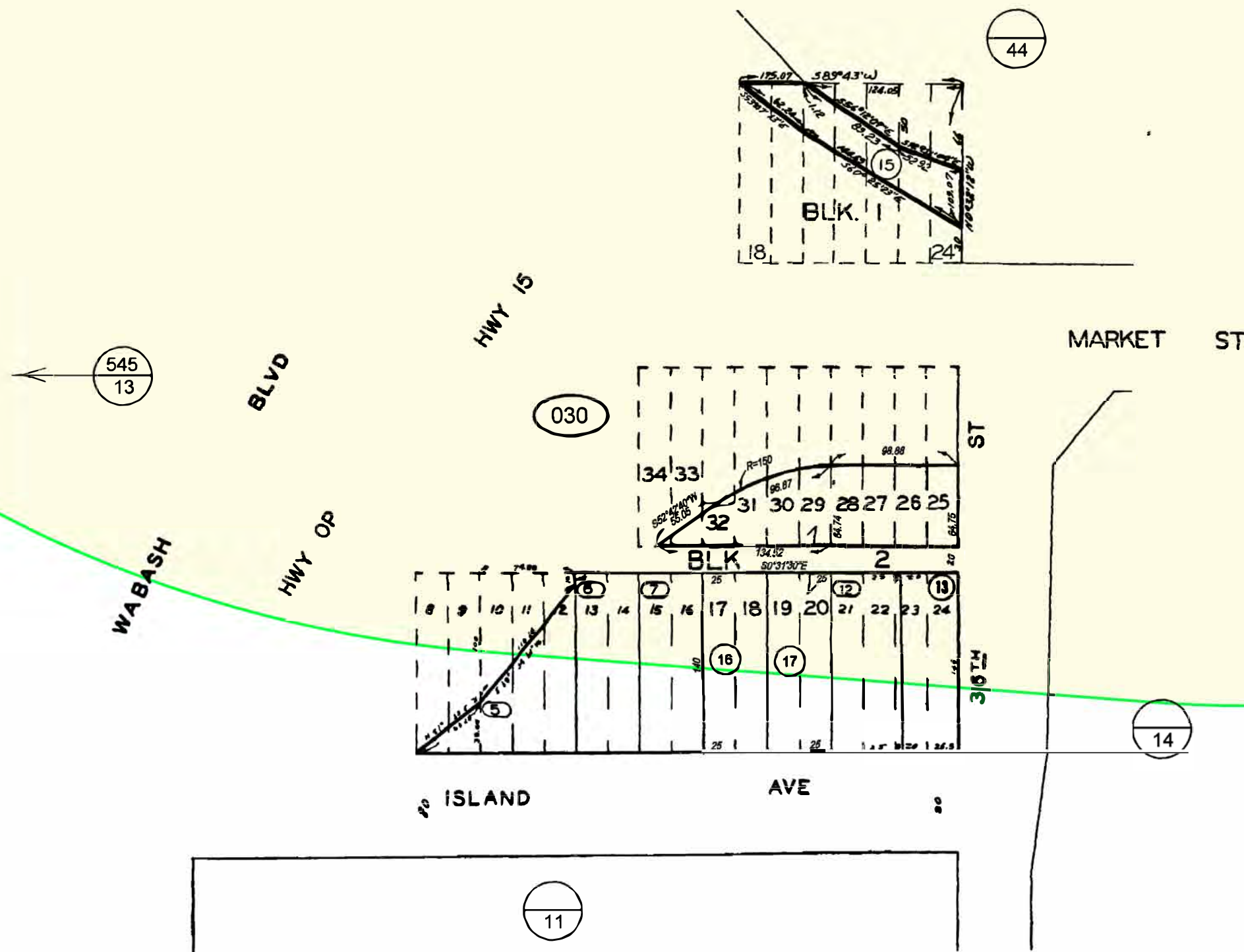
15  
SHT. I

SAN DIEGO COUNTY  
ASSESSOR'S MAP  
BOOK 545 PAGE 15 SHT. 2 OF 2  
MAPPED FOR ASSESSMENT PURPOSES ONLY

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.

16/10/91

TLM  
12-6-90

[illegible]

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.



ALLEY

ALLEY

1

POR. P. L. 1347

040

④  
2.65AC

17

44

NLY COR. OF  
BK 1770 PG. 349  
OF DEEDS

HWY. 94

S. LINE OF N. 38.35 Ad.

17

SAN DIEGO COUNTY  
ASSESSOR'S MAP  
BOOK 546 PAGE 04...MAPPED FOR ASSESSMENT PURPOSES ONLY

MM 36 - PUEBLO LANDS  
ROS 11686

## CHANGES

[illegible]

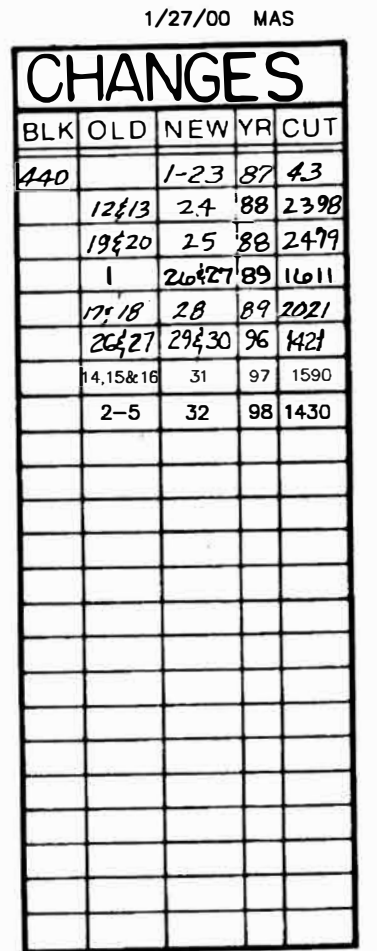


*L. Barnes*  
2-6-75

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.

MM 36 - PUEBLO LANDS  
ROS 15246

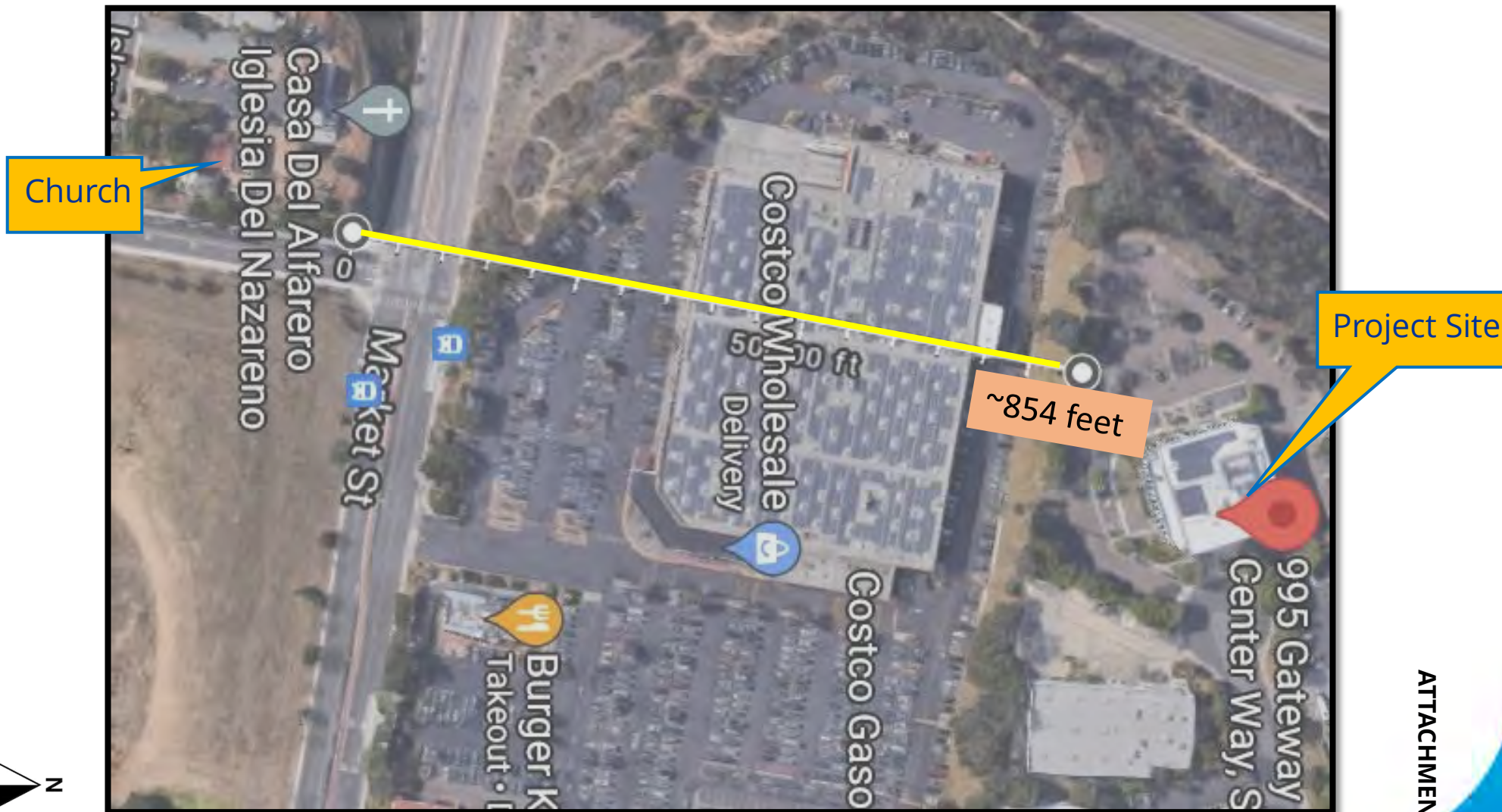
[illegible]



MAP 11512 - GATEWAY CENTER EAST UNIT NO. 1

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.

# Separation Analysis – Iglesia Del Nazareno





2B

95 Gateway Center Way,  
San Diego, CA 92102

Project Site

142 to 165 feet high

Gateway Center Way

Gateway Center Dr

Gateway Center Dr

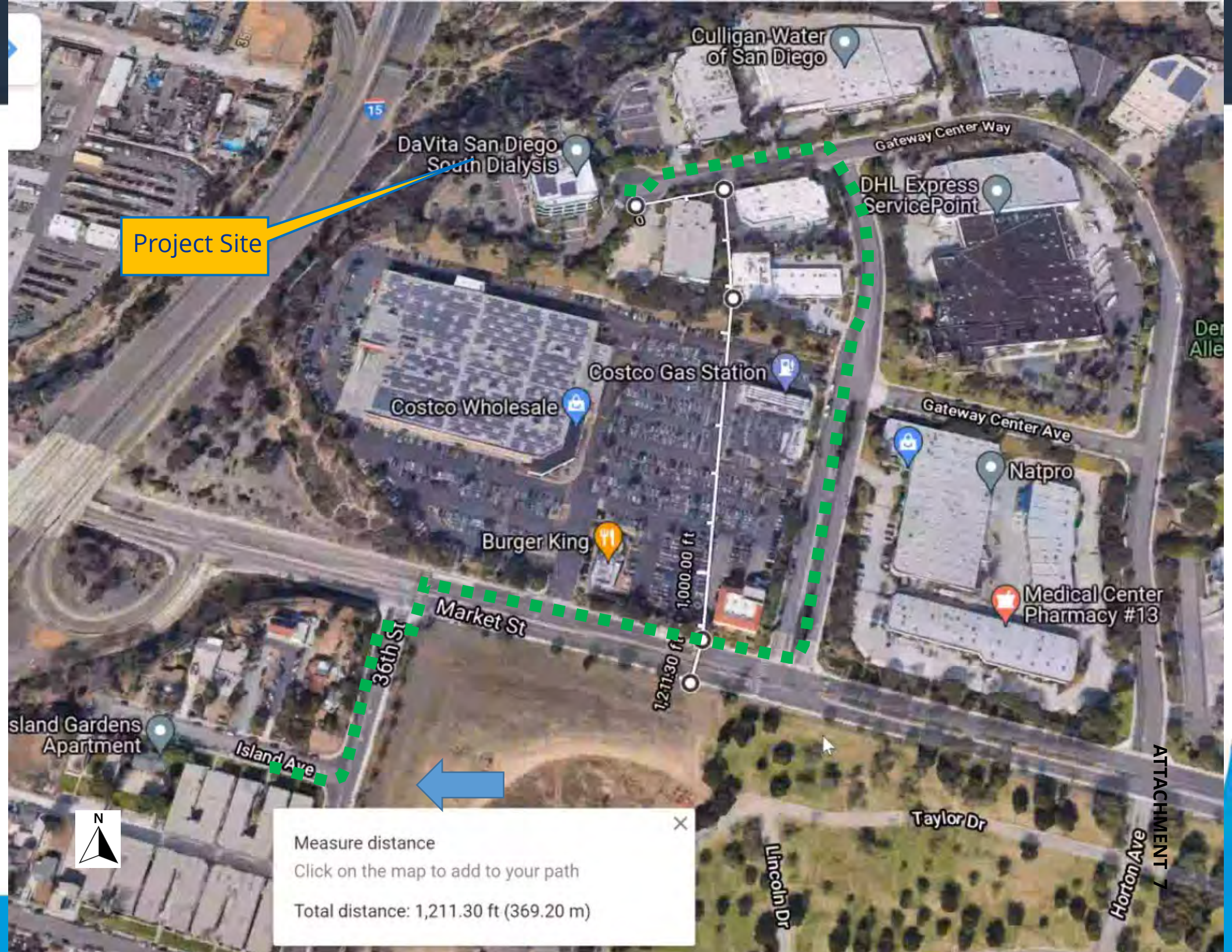
36th St

~1,584 ft

~2,600 ft



ATTACHMENT 7



Project Site

Culligan Water of San Diego

DaVita San Diego South Dialysis

Gateway Center Way

DHL Express ServicePoint

Costco Gas Station

Costco Wholesale

Gateway Center Ave

Natpro

Burger King

Medical Center Pharmacy #13

Market St

36th St

Island Ave

Taylor Dr

Lincoln Dr

Horton Ave



Measure distance

Click on the map to add to your path

Total distance: 1,211.30 ft (369.20 m)

ATTACHMENT 7





# Separation Analysis - Mount Hope Cemetery

Project Site

Mount Hope  
Cemetery



Even if  
Mount  
Hope was  
a park, it  
meets the  
separation  
distance

1,541 feet  
>  
1,000 feet



	<b>City of San Diego Development Services</b> 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	<b>FORM DS-318</b>  <b>October 2017</b>
---	---	---

**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:** 995 Gateway Center CO **Project No. For City Use Only:** \_\_\_\_\_

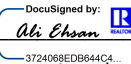
**Project Address:** 995 Gateway Center Way, Suites 107 & 108, SD, CA 92102

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

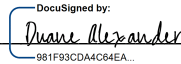
☐ Corporation ☒ Limited Liability -or- ☐ General – What State? \_\_\_\_\_ Corporate Identification No. \_\_\_\_\_  
☐ Partnership ☐ Individual

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: Ali Ehsan ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency  
 Street Address: 5710 La Jolla Mesa Dr  
 City: La Jolla State: CA Zip: 92037  
 Phone No.: 858-242-5670 Fax No.: \_\_\_\_\_ Email: ali@aliehsan.com / mraliehsan@yahoo.com  
 Signature:  Date: 6/30/2022  
 Additional pages Attached: ☒ Yes ☐ No

**Applicant**

Name of Individual: Duane Alexander ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency  
 Street Address: 1210 Olive St.  
 City: Ramona State: CA Zip: 92065  
 Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Email: duane@primeharvestinc.com  
 Signature:  Date: 8/1/2022  
 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

	<b>City of San Diego Development Services</b> 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	<b>FORM DS-318</b>  <b>October 2017</b>
---	---	---

**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:** 995 Gateway Center CO **Project No. For City Use Only:** \_\_\_\_\_

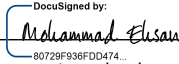
**Project Address:** 995 Gateway Center Way, Suites 107 & 108, SD, CA 92102

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

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

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**Property Owner**

Name of Individual: Mohammad Ehsan ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency  
 Street Address: 5710 La Jolla Mesa Dr  
 City: La Jolla State: CA Zip: 92037  
 Phone No.: 619-988-1037 Fax No.: \_\_\_\_\_ Email: moreehsan@gmail.com  
 Signature:  Date: 6/30/2022  
 Additional pages Attached: ☒ Yes ☐ No

**Applicant**

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

**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

	<b>City of San Diego Development Services</b> 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	<b>FORM DS-318</b>  <b>October 2017</b>
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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:** 995 Gateway Center CO **Project No. For City Use Only:** \_\_\_\_\_

**Project Address:** 995 Gateway Center Way, Suites 107 & 108, SD, CA 92102

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

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

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**Property Owner**

Name of Individual: Patrick Ehsan ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency  
 Street Address: 5710 La Jolla Mesa Dr  
 City: La Jolla State: CA Zip: 92037  
 Phone No.: 510-326-5611 Fax No.: \_\_\_\_\_ Email: patehsan@yahoo.com  
 Signature: DocuSigned by: PATRICK EHSAN Date: 6/30/2022  
BOCD4570037C44C...  
 Additional pages Attached: ☒ Yes ☐ No

**Applicant**

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

**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

995 Gateway Center Way, Suites 107 & 108,  
San Diego, CA 92102  
Conditional Use Permit  
Cannabis Outlet(CO)

2 VMT REDUCTION MEASURES

Per SDMC Section 143.1103(b)(1), development in Mobility Zone 3 shall include VMT Reduction Measures totaling at least 8 points.  
The measures are provided as follows:

- Providing on-site bicycle repair station. (1.5 points)
- Providing short-term bicycle parking spaces that are available to the public, at least 10% beyond the minimum requirements. (1.5 points)
- Providing long-term bicycle parking spaces at least 10% beyond minimum requirements. (6 points)

Total VMT Reduction Measure Points: 9 points

APPLICABLE CODES

- City of San Diego Municipal Code
- 2019 California Building Code
- 2019 California Green Code
- 2019 California Plumbing Code
- 2019 California Electrical Code
- 2019 California Mechanical Code

PROJECT TEAM

**PROPERTY OWNER:**  
GATEWAY SMP LLC  
6950 Amber Ln., Carlsbad, CA 92009  
**APPLICANT:**  
Prime Harvest, LLC  
1210 Olive St., Ramona, CA 92065  
Phone #: 702-350-9699  
email: duane@primeharvestinc.com  
**DESIGN FIRM:**  
TECHNE  
Project Contact: Abhay Schweitzer - Assoc. AIA  
2934 Lincoln Ave., San Diego, CA 92104  
Phone #: 619-940-5814  
email: abhay@techne-us.com

SCOPE OF WORK

The project consists of the conversion of an existing suite with an approximate area of 2,995.6 sf into a Cannabis Outlet in an existing multi-story commercial building with an approximate area of 42,530 sf.

- Tenant Improvements to Include:
  - First floor reconfiguration of approximately 2,995 sf to convert into proposed Cannabis Outlet
- Site Improvements to include
  - Partial re-stripping of parking lot
  - Landscape
  - Lighting
  - Security

**ARCHITECT OF RECORD:**  
Michael Rene Morton, AIA - C-19371  
Phone #: 619-857-8144  
m.morton.blueskydesign@gmail.com  
**SURVEYOR:**  
San Diego Land Surveying & Engineering, Inc.  
Project Contact: Robert J. Bateman P.L.S. No. 7046  
9665 Chesapeake Dr., Suite 445, San Diego, CA 92123  
Phone #: 858-565-8362  
email: RBateman@sdlse.com  
**LANDSCAPE ARCHITECT:**  
Sam Wade Landscape Architect  
2204 Garnet Ave., Ste 205, San Diego, CA 92109  
email: sam@samwadelandscapearchitect.com  
**TRAFFIC ENGINEER:**  
Linscott, Law & Greenspan, Engineers  
Contact: John Boorman, P.E.  
4542 Ruffner Street, Suite 100, San Diego, CA 92111  
Phone: 858-300-8800  
**RADIUS REPORT & PUBLIC NOTICE PACKAGE:**  
Title Pro Information Systems  
Contact: Sean Wilson  
13520 Scarsdale Way San Diego, CA 92128  
Phone: 760-295-3951

\* Conditional Use Permit (CUP) Requested

SHEET INDEX

#	SHEET NAME
G001	Cover Sheet
G002	Conditions for Cannabis Outlet
G003	Abbreviations / General Notes
G004	Existing Approved Site Plan - Exhibit (Reference Only)
G005	Existing Approved Irrigation Plan - Exhibit (Reference Only)
G006	Storm Water Requirements Applicability Checklist
A101	Topography Survey
A102	Site Plan - Existing
A103	Site Plan - Proposed
A104	Site Plan - ROW Improvements
A105	First Floor Plan - Existing / Demolition
A106	Second Floor Plan - Existing
A107	Third Floor Plan - Existing
A108	Roof Plan - Existing
A109	First Floor Plan - Proposed
A110	First Floor Accessibility Plan - Proposed
A111	First Floor Egress Plan - Proposed
A112	First Floor Security Plan - Proposed
A113	First Floor Lighting Plan - Proposed
A201	Exterior Elevations - Existing
A202	Exterior Elevations - Existing
A401	Enlarged Accessible Parking Plan - Proposed
BM-1	Landscape Development Plan / Brush Management Plan
BM-2	Brush Management Notes, Photo Inventory Plan

#	SHEET NAME
BM-1	Landscape Development Plan / Brush Management Plan
BM-2	Brush Management Notes, Photo Inventory Plan

VICINITY MAP



GENERAL PROJECT INFORMATION

PROJECT SCOPE OF WORK: 1. CUP for new Cannabis Outlet (CO)

PROJECT INFORMATION

**PROJECT ADDRESS:** 995 Gateway Center Way, Suites 107 & 108  
San Diego, CA 92102  
**ASSESSORS PARCEL NUMBER:** 546-440-25-00  
**LEGAL DESCRIPTION:** Lot: 19,20 Tract No: 11512 Map Ref: 011512 Abbreviated Description: LOT:19,20 CITY:SAN DIEGO SUBD: GATEWAY CENTER EAST UNIT #1 TRH:11512 TR 11512 LOT 20\*LOT 19 & MAP REF:011512City/Muni/Twp: SAN DIEGO  
**YEAR BUILT:** 1989  
**EXISTING OCCUPANCY CLASSIFICATION:** B - Business  
**PROPOSED OCCUPANCY CLASSIFICATION:** M Mercantile / B - Business  
**EXISTING USE:** Medical Commercial Office  
**PROPOSED USE:** Cannabis Outlet / Office  
**CONSTRUCTION TYPE:** TYPE II - B - Sprinklered  
**EXISTING NUMBER OF STORIES:** 3  
**PROPOSED NUMBER OF STORIES:** 3 (No Change)  
**BUILDING HEIGHT:** 45'-4" (No Change)  
**LOT AREA:** 178,443.2 sf 4.10 ACRES  
**GROSS FLOOR AREA**  
**GROSS FLOOR AREA, SUITES 107 & 108 (First Floor):** 2,995.6 sf (Project Suite, Proposed CO)  
**GROSS FLOOR AREA (First Floor, Remainder):** 10,298.8 sf (Not Part of Project Scope)  
**GROSS FLOOR AREA (Second Floor):** 14,456.0 sf (Not Part of Project Scope)  
**GROSS FLOOR AREA (Third Floor):** 14,779.6 sf (Not Part of Project Scope)  
**TOTAL BUILDING GROSS FLOOR AREA:** 42,529.9 sf

ZONING INFORMATION

**BASE ZONE:** IL-3-1 - Industrial Light (mix of light industrial, office and commercial uses)  
**Overlay Zones:** Airport Influence Area - SDIA Lindbergh Field Area 1, Airport FAA Part 77 Noticing Area - SDIA Lindbergh Field 200 ft, Airport ALUCP - Notice 65-70 SDIA Lindbergh Field, Airport Environs Overlay (AE02), Fire - Brush Management: 100 ft. Foot Setback, Fire - Brush Zone 300 ft Buffer, and Fire - Very High Fire Hazard Severity Zone, San Diego Unified School District (SDUSD), Diamond Business Improvement District (BID), Southeastern Community Plan Area, Council Dist. 9.  
**GEOLOGICAL HAZARD CATEGORY:** 52  
**NUMBER OF BUILDINGS:** 1

**SETBACKS:**  
**FRONT:** 10'-0" (Min) 20'-0" (std.)  
**STREET:** 15'-0" (max) 20'-0" (std.)  
**SIDE:** 10'-0" (min) 25'-0" (abutting residential)  
**REAR:** 0'-0" (min) 15'-0" (std.) 25'-0" (abutting residential)

**MAX. STRUCTURE HEIGHT:** (Unlimited, except as limited by Overlay Zones)  
**MIN. LOT COVERAGE:** 35% 62,455.1 sf  
**ACTUAL LOT COVERAGE:** 24% 42,529.9 sf  
**MAXIMUM FLOOR AREA RATIO:** 2.0 356,886.4 sf  
**ACTUAL FLOOR AREA RATIO:** 0.2 42,529.9 sf

2 PARKING CALCULATION

Prime Harvest, LLC  
995 Gateway Center Way, Suites 107 & 108, San Diego, CA 92102

PARKING CALCULATIONS*					
Uses	Area	Ratio	Parking Stalls		
Cannabis Outlet (First Floor, Project Suite)	2,995.6 sf	5.00 Per 1,000 sf	15.0		
Commercial Office (First Floor Remainder, Previously Conforming):	10,298.8 sf	3.90 Per 1,000 sf	40.2		
Commercial Office (Second Floor, Previously Conforming):	14,456.0 sf	3.90 Per 1,000 sf	56.4		
Commercial Office (Third Floor, Previously Conforming):	14,779.6 sf	3.90 Per 1,000 sf	57.7		
Total Parking Required			169.3		
Total Building Gross Floor Area			42,529.9 sf		
* Per SDMC Sec. 142.0530 - Table 142-05E					
Required Carpool/ZOV/Electric Vehicle Parking (On site)	Req. Parking	Ratio	Req. Parking		
*Per SDMC Sec. 142.0530 - Table 142-05G(4)(1)(B)(ii)	15	10 to 25	1.0		
Total Carpool/ZOV/Electric Vehicle Parking*			1.0		
Required Motorcycle Spaces (On site)	Req. Parking	Ratio	Req. Parking		
2% Min. of Req. Automobile Parking (Min. Req. = 2)	15	0.02 Per 1,000 S.F.	0.3		
Total Motorcycle Spaces Required *			2.0		
Required Bicycle Spaces (Short Term)	Req. Parking	Ratio	Bicycle Spaces		
5% of Req. Automobile parking or 10% per 1,000 sf of Building Area whichever is more. (Min. Req. = 2)	2,995.6 sf	0.10 Per 1,000 S.F.	0.3		
Total Short term Bicycle Spaces Required			2.0		
Total Short term Bicycle Spaces Proposed			3.0		
Required Bicycle Spaces (Long Term)	Parking Spaces	Ratio	Parking Stalls		
5% of Req. Automobile Parking (Min. Req. = 1)	15	0.05	0.7		
Total Long term Bicycle Spaces Required			1.0		
Total Long term Bicycle Spaces Proposed			4.0		
EXISTING PARKING		Number / Area	Ratio	Parking Stalls	
Standard Parking Spaces (Previously Conforming)	42,529.9 sf	3.90	Per 1,000 S.F.	61	
Compact Parking Spaces (Previously Conforming)	166	Varies		96	
Accessible Spaces (Previously Conforming)	166	Varies		9	
TOTAL EXISTING PARKING (On Site)			166		
PROPOSED PARKING (Cannabis Outlet)		Number / Area	Ratio	Parking Stalls	
Parking Spaces (Proposed Cannabis Outlet, On Site)	2,995.6 sf	5.00	Per 1,000 S.F.	12	
Parking Spaces (Existing Previously Conforming Medical Offices, On Site)	39,534.3 sf	3.90	Per 1,000 S.F.	155	
Carpool/ZOV/Electric Vehicle Parking (Proposed Cannabis Outlet, On Site)	15	10 to 25		2	
Accessible Parking Spaces (Proposed Cannabis Outlet, On Site)	15	1:25 (Table 11B-208.2)		1	
Motorcycle Parking (On site)	15	2 (Min)		2	
Bicycle Parking (On site, short/long term)	15	Varies		7	
TOTAL PARKING - On Site			170		
PARKING SUMMARY					
Standard Parking	Compact Parking	Accessible Spaces	Carpool/ZEV/EV Parking Spaces	Totals	
995 Gateway Center Way, San Diego, CA 92102	61	101	6	170	
* Per SDMC Sec. 142.0530 - Table 142-05E					
			2 (1 EV Accessible)	170	

TECHNE  
DESIGN | DEVELOPMENT

7934 Lincoln Ave., San Diego, CA 92104  
techne-us.com sustainablearchitect.org  
619-940-5814 313-595-5814

CONSULTANTS

10-07-2022



995 Gateway Center Way,  
Suites 107 & 108,  
San Diego CA 92102

APPLICANT

Prime Harvest, LLC  
1210 Olive St.,  
Ramona, CA 92065

01 08.02.22 Completeness Review - 1st Submittal  
02 10.07.22 Conditional Use Permit - 2nd Submittal

MARK DATE DESCRIPTION

PROJECT NO: 2215  
CAD DWG FILE: 0001-G004 COVER SHEET.DWG  
DRAWN BY: A.S., S.V., D.C., J.A.  
CHK'D BY: A.S., M.M.  
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SHEET TITLE

COVER SHEET

G001

SHEET 1 OF 24

CONDITIONS FOR CANNABIS OUTLET (CO) CUP:

PLANNING/DESIGN REQUIREMENTS:

SIGNAGE LIMITATION

- All signage shall be limited to two colors and typeface.
- Pole signs are prohibited.

POSSIBLE FUTURE USES

- Possible future uses include any use permitted in the I-3-1 zone.

CONSULTATION BY MEDICAL PROFESSIONALS

- Consultations by medical professionals shall not be a permitted accessory use at a cannabis outlet.

LIGHTING

- Lighting shall be provided to illuminate the interior, façade, and the immediate surrounding area of the cannabis outlet, including any accessory uses, parking lots, and adjoining sidewalks. Lighting shall be hooded or oriented to deflect light away from adjacent properties.
- All exterior lighting shall be hooded or oriented so as to deflect light away from adjacent properties.

SECURITY

- Security shall be provided at the cannabis outlet which shall include operable cameras, alarms, and a security guard. The security guard shall be licensed by the State of California and be present on the premises during business hours. The security guard shall only be engaged in activities related to providing security for the facility, except on an incidental basis.
- NOT USED

SIGNAGE

- Primary signs shall be posted on the outside of the cannabis outlet and shall only contain the name of the business, which shall contain only alphabetic characters, and shall be limited to two colors. Secondary signs advertising cannabis, window signs and any display visible from the public right-of-way are not permitted.
- A permit shall be obtained as required pursuant to Chapter 4, Article 2, Division 15.

EMERGENCY CONTACT

- The name and emergency contact phone number of an operator or manager shall be posted in a location visible from outside the cannabis outlet in character size at least two inches in height.

OPERATING HOURS

- The cannabis outlet shall operate only between the hours of 7:00 a.m. and 9:00 p.m., seven days a week.

VENDING MACHINES

- The use of vending machines which allow access to cannabis and cannabis products except by a responsible person, as defined in San Diego Municipal Code Section 42.1502, is prohibited. For purposes of this Section, a vending machine is any device which allows access to cannabis and cannabis products without a human intermediary.
- For the purpose of this section, a vending machine is any device that allows access to medical cannabis without a human intermediary.

CONDITIONS FOR CANNABIS OUTLET (CO) CUP

- A Conditional Use Permit for a cannabis outlet shall expire no later than five years from the date of issuance.
- Deliveries shall be permitted as an accessory use only from cannabis outlets with a valid Conditional Use Permit unless otherwise allowed pursuant to state law under the Compassionate Use Act of 1996.
- The cannabis outlet, adjacent public sidewalks, and areas under the control of the cannabis outlet, shall be maintained free of litter and graffiti at all times.
- The cannabis outlet shall provide daily removal of trash, litter, and debris. Graffiti shall be removed from the premises within 24 hours.
- The Owner/Permittee shall install a combination of full-height bullet resistant glass, plastic or laminate shield and bullet resistant armor panels or solid grouted masonry block walls, designed by a licensed professional, at the reception area.
- The Owner/Permittee shall install full-height bullet resistant armor panels or solid grouted masonry block walls, designed by a licensed professional, at all walls adjoining common areas and other tenants, and vault room.
- 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 CO to the satisfaction of the Development Services Department.
- An extension of time for a Conditional Use Permit granted to a cannabis outlet shall comply with the requirements of Section 126.0111, with the following exceptions: (1) The extension shall be for no more than five years. (2) A decision on an application for an extension of time shall be made in accordance with Process Two. Appeals of a decision to approve an extension of time shall be made to the Planning Commission. (Cont.)
- (3) The separation requirements in Section 141.0504(a) shall not be considered in making the findings required in Section 126.0111(g) when a specified use in Section 141.0504(a) has located within the required distance after the approval date of the initial Conditional Use Permit. (4) A change in zoning after the approval date of the initial Conditional Use Permit shall not be considered in making the findings required in Section 126.0111(g).
- Prior to the issuance of any building permit, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement for the landscape and irrigation located within the City's right-of-way, satisfactory to the City Engineer.
- Prior to the issuance of any building permits, the Owner/Permittee shall assure by permit and bond the reconstruction of the existing driveway and the installation of a new 24-foot wide City standard driveway, Gateway Center Way, satisfactory to the City Engineer.
- Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the reconstruction of sidewalk, with the standard concrete sidewalk along the property frontage on Gateway Center Way, satisfactory to the City Engineer.
- Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

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MARK DATE DESCRIPTION

10/25/2022 4:03:57 PM

PROJECT NO: 2215

CAD DWG FILE: G007-0004 COVER SHEET DWG

DRAWN BY: A.S., S.V., D.C., J.A.

CHK'D BY: A.S., M.M.

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SHEET TITLE

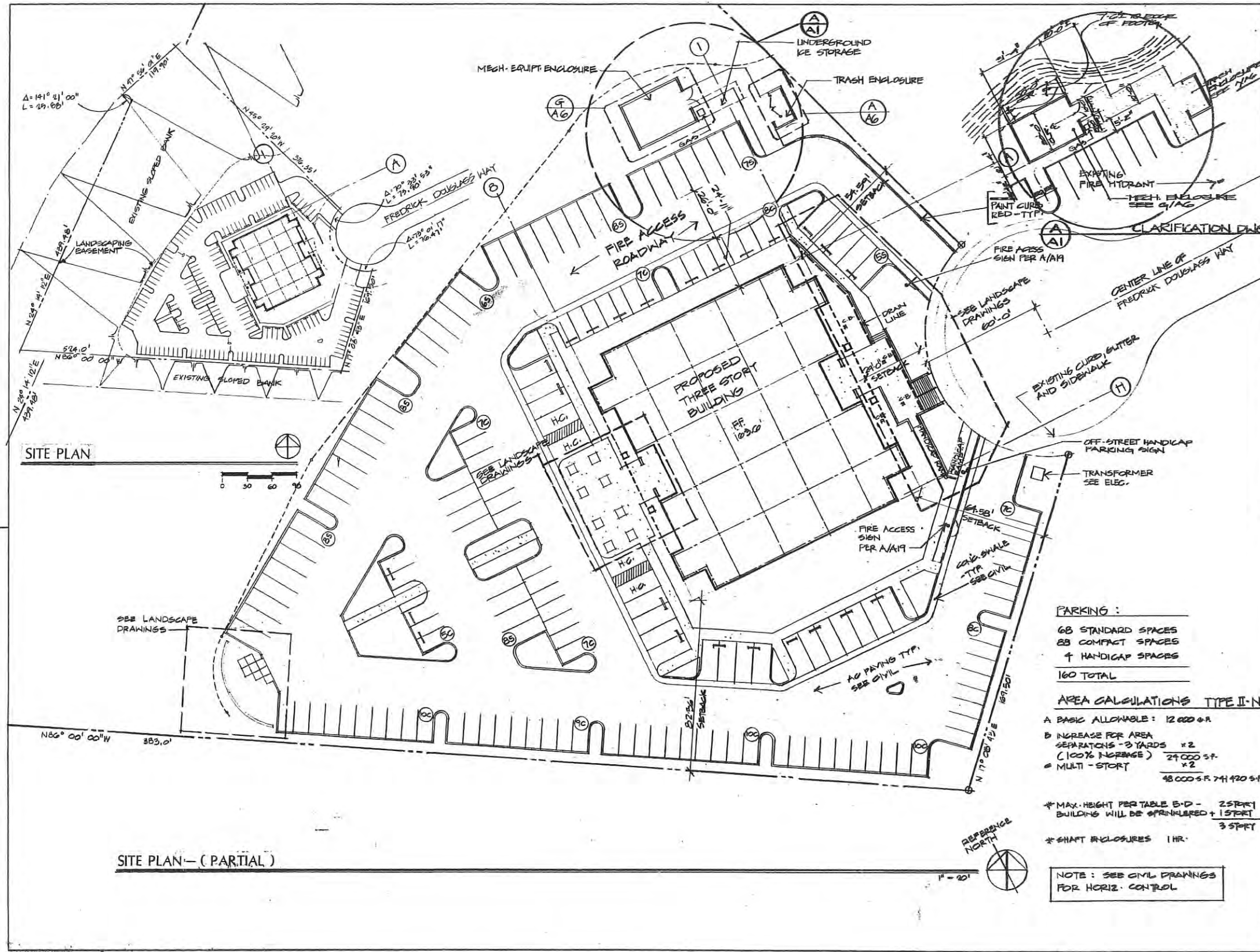
CONDITIONS FOR  
CANNABIS OUTLET

3 G002

SHEET 2 OF 24



ALL IDEAS, DESIGNS AND ARRANGEMENTS INDICATED ON THESE DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND ARE TO BE USED IN CONNECTION WITH THIS SPECIFIC PROJECT ONLY AND SHALL NOT BE USED OTHERWISE WITHOUT THE EXPRESSED CONSENT OF THE ARCHITECT. THERE SHALL BE NO CHANGES OR DEVIATION FROM THE DRAWINGS OR ACCOMPANYING SPECIFICATION WITHOUT THE EXPRESSED CONSENT OF THE ARCHITECT.



**Delawie/Bretton Wilkes Associates AIA**

Planning (619) 299-4545  
Architecture 2827 Presidio Drive San Diego CA 92110

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

**GATEWAY MEDICAL CENTER**

Job No. STGATE  
Sheet Title  
SITE PLAN  
Sheet No. 10 of 70  
A1

**TECHNE**  
DESIGN | DEVELOPMENT

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10-07-2022  
Michael M. M. AIA  
C-19371  
RENEWAL  
04.30.2023

995 Gateway Center Way,  
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San Diego CA 92102

APPLICANT

Prime Harvest, LLC  
1210 Olive St.,  
Ramona, CA 92065

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

**1** EXISTING APPROVED SITE PLAN - EXHIBIT (Reference Only)

MARK DATE DESCRIPTION  
10/07/22 10/07/22 Completeness Review - 1st Submittal  
10/07/22 10/07/22 Conditional Use Permit - 2nd Submittal

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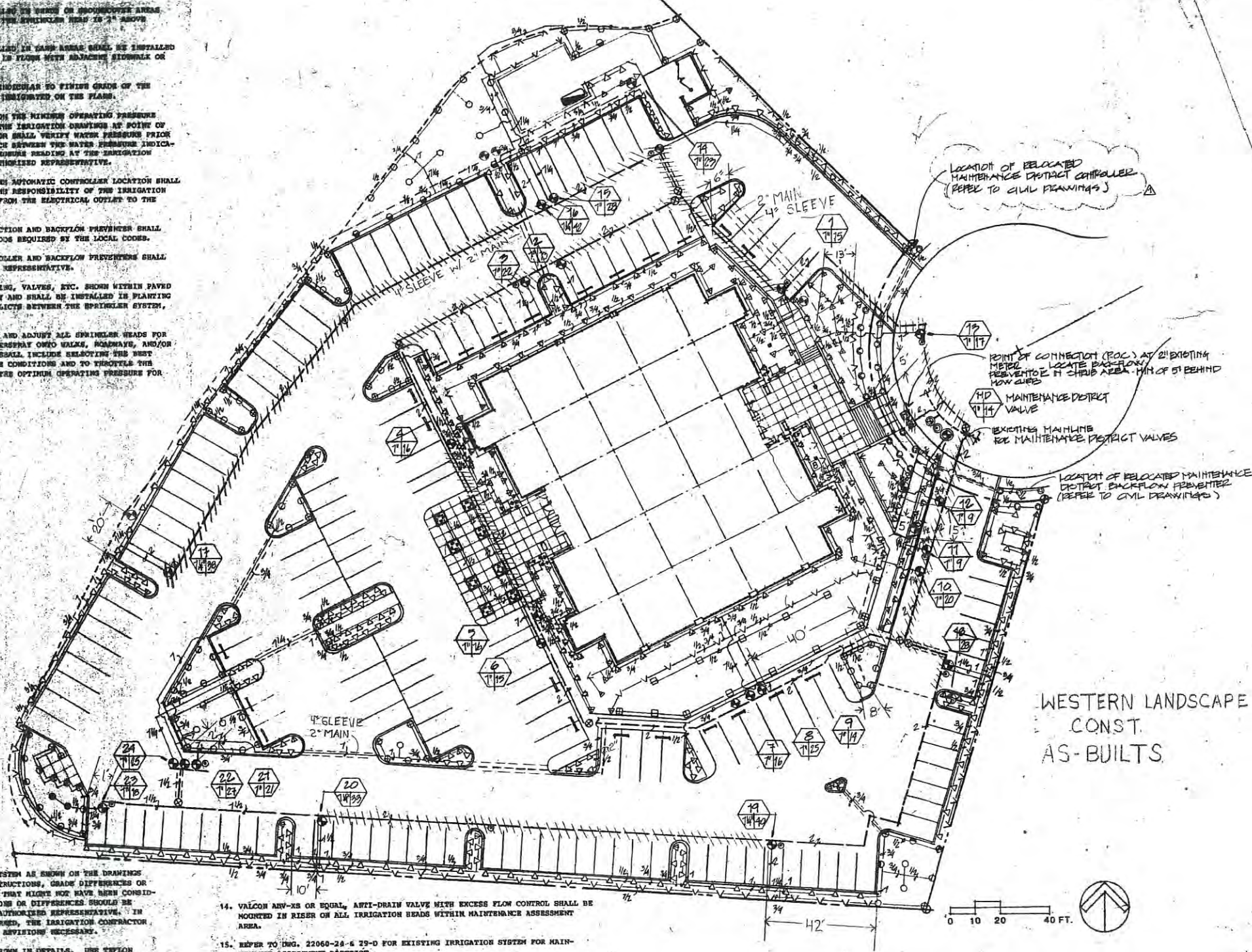
SHEET TITLE  
EXISTING APPROVED  
SITE PLAN - EXHIBIT  
(Reference Only)

G004

SHEET 4 OF 24

# IRRIGATION NOTES

- ALL RUN-UP TYPE SPRINKLER HEADS INSTALLED IN DRIVE OR DRIVEWAY AREAS SHALL BE INSTALLED SO THAT THE TOP OF THE SPRINKLER HEAD IS AT LEAST 1" ABOVE FINISHED GRADE.
- ALL RUN-UP TYPE SPRINKLER HEADS INSTALLED IN DRIVE AREAS SHALL BE INSTALLED SO THAT THE TOP OF THE SPRINKLER HEAD IS FLUSH WITH ADJACENT SIDEWALK OR CURB.
- ALL SPRINKLER HEADS SHALL BE SET PERPENDICULAR TO FINISH GRADE OF THE AREA TO BE IRRIGATED UNLESS OTHERWISE INDICATED ON THE PLANS.
- THE SPRINKLER SYSTEM DESIGN IS BASED ON THE HIGHEST OPERATING PRESSURE AND THE HIGHEST FLOW DEMAND SHOWN ON THE IRRIGATION DRAWINGS AT POINT OF CONNECTION. THE IRRIGATION CONTRACTOR SHALL VERIFY WATER PRESSURE PRIOR TO CONSTRUCTION. REPORT ANY DIFFERENCE BETWEEN THE WATER PRESSURE INDICATED ON THE DRAWINGS AND THE ACTUAL PRESSURE READING AT THE IRRIGATION POINT OF CONNECTION TO THE OWNER'S AUTHORIZED REPRESENTATIVE.
- THE POINT ELECTRICAL POWER OUTLET AT THE AUTOMATIC CONTROLLER LOCATION SHALL BE PROVIDED BY OTHERS. IT SHALL BE THE RESPONSIBILITY OF THE IRRIGATION CONTRACTOR TO MAKE THE FINAL RUN-UP FROM THE ELECTRICAL OUTLET TO THE AUTOMATIC CONTROLLER.
- ALL PIPING BETWEEN THE POINT OF CONNECTION AND BACKFLOW PREVENTER SHALL BE BY MATERIALS AND INSTALLATION METHODS REQUIRED BY THE LOCAL CODES.
- THE LOCATION OF THE AUTOMATIC CONTROLLER AND BACKFLOW PREVENTER SHALL BE APPROVED BY THE OWNER'S AUTHORIZED REPRESENTATIVE.
- THIS DESIGN IS DIAGNOSTIC. ALL PIPING, VALVES, ETC. SHOWN WITHIN PAVED AREAS IS FOR DESIGN CLARIFICATION ONLY AND SHALL BE INSTALLED IN PLANTING AREAS WHERE POSSIBLE. AVOID ANY CONFLICTS BETWEEN THE SPRINKLER SYSTEM, PLANTING AND ARCHITECTURAL FEATURES.
- THE IRRIGATION CONTRACTOR SHALL FLUSH AND ADJUST ALL SPRINKLER HEADS FOR OPTIMUM PERFORMANCE AND TO PREVENT OVERSPRAY ONTO WALKS, ROADWAYS, AND/OR BUILDINGS AS MUCH AS POSSIBLE. THIS SHALL INCLUDE SELECTING THE BEST DESIGN OF LINE TO FIT THE EXISTING SITE CONDITIONS AND TO THROTTLE THE FLOW CONTROL AT EACH VALVE TO OBTAIN THE OPTIMUM OPERATING PRESSURE FOR EACH ZONE.
- DO NOT WILLFULLY INSTALL THE SPRINKLER SYSTEM AS SHOWN ON THE DRAWINGS WHEN IT IS OBVIOUS IN THE FIELD THAT OBSTRUCTIONS, GRADE DIFFERENCES OR DIFFERENCES IN THE AREA DIMENSIONS EXIST THAT MIGHT NOT HAVE BEEN CONSIDERED IN THE ENGINEERING. SUCH OBSTRUCTIONS OR DIFFERENCES SHOULD BE BROUGHT TO THE ATTENTION OF THE OWNER'S AUTHORIZED REPRESENTATIVE. IN THE EVENT THIS NOTIFICATION IS NOT PERFORMED, THE IRRIGATION CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ANY REVISIONS NECESSARY.
- INSTALL ALL MATERIALS AND EQUIPMENT AS SHOWN IN DETAILS. USE TYPOLON PAVE OR TYPOLON PIPE DOPE ON ALL HALF PIPE THROUGHS ON ALL SPRINKLER SWING JOINTS AND VALVE ASSEMBLIES.
- IT IS THE RESPONSIBILITY OF THE IRRIGATION CONTRACTOR TO FAMILIARIZE HIMSELF WITH ALL GRADE DIFFERENCES, LOCATION OF WALLS, REMAINING VALVES, ETC. HE SHALL COORDINATE HIS WORK WITH THE GENERAL CONTRACTOR AND OTHER SUB-CONSULTANTS FOR THE LOCATION AND THE INSTALLATION OF FIRE SLEEVES THROUGH WALLS, UNDER ROADWAYS, PAVING, STRUCTURES, ETC.
- IN ADDITION TO THE CONTROL WIRE SLEEVES AND FIRE SLEEVES SHOWN ON THE DRAWINGS, THE IRRIGATION CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION OF ALL CONTROL WIRE SLEEVES AND FIRE SLEEVES OF SUFFICIENT SIZE UNDER ALL PAVED AREAS. ALL PRESSURE PIPES AND CONTROL WIRES INSTALLED UNDER SIDEWALKS AND PAVED AREAS SHALL BE INSTALLED IN SLEEVES. ALL NON-PRESSURE PIPES INSTALLED UNDER SIDEWALKS AND PAVED AREAS SHALL BE INSTALLED IN SLEEVES.
- VALCON AIR-XS OR EQUAL, ANTI-DRAIN VALVE WITH EXCESS FLOW CONTROL SHALL BE MOUNTED IN RISER ON ALL IRRIGATION HEADS WITHIN MAINTENANCE ASSESSMENT AREA.
- REFER TO DWG. 22060-28-6 29-D FOR EXISTING IRRIGATION SYSTEM FOR MAINTENANCE ASSESSMENT DISTRICT.



WESTERN LANDSCAPE  
CONST.  
AS-BUILTS

0 10 20 40 FT.

GATEWAY  
MEDICAL  
CENTER

Job No. STGATE

Sheet Title

IRRIGATION  
PLAN/NOTES

Sheet No.

12

TECHNE  
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Date MAY 4, 1984

Revision

Δ JUNE 11, 1984

01	08.02.22	Completeness Review - 1st Submittal
02	10.07.22	Conditional Use Permit - 2nd Submittal

MARK DATE DESCRIPTION

PROJECT NO: 2215

CAD DWG FILE: 0005 IRRIGATION PLAN EXHIBIT - EXISTING DWG

DRAWN BY: A.S., S.V., D.C., J.A.

CHK'D BY: A.S., M.M.

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SHEET TITLE

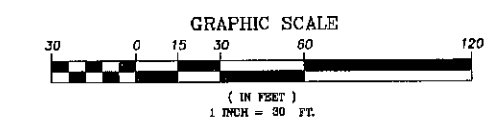
EXISTING APPROVED  
IRRIGATION PLAN -  
EXHIBIT(Reference Only)

G005

SHEET 5 OF 24

1 EXISTING APPROVED IRRIGATION PLAN - EXHIBIT (Reference Only)



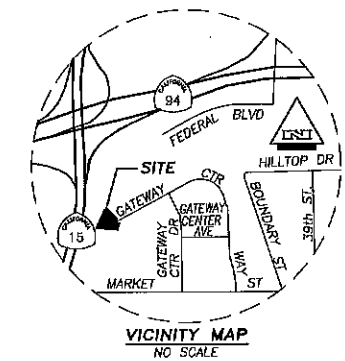


EASEMENT NOTES:

1. EASEMENTS FOR LANDSCAPING PURPOSES AS DEDICATED AND SHOWN ON MAP NO. 11512. PLOTTED HEREON.
2. THE FACT THAT THE OWNERSHIP OF SAID LAND DOES NOT INCLUDE RIGHTS OF ACCESS TO OR FROM THE PUBLIC STREET OR HIGHWAY ABUTTING SAID LAND, SUCH RIGHTS HAVE BEEN RELINQUISHED OR SEVERED BY MAP NO. 11512, WHICH AFFECTS STATE HIGHWAY 15. SHOWN HEREON.
3. MATTERS CONTAINED IN A DOCUMENT ENTITLED "ENCROACHMENT REMOVAL AGREEMENT" RECORDED JULY 24, 1987 AS INSTRUMENT NO. 87-418562 OF OFFICIAL RECORDS. SHOWN HEREON.
4. AN EASEMENT GRANTED TO SAN DIEGO GAS & ELECTRIC COMPANY FOR PUBLIC UTILITIES, INGRESS AND EGRESS, RECORDED JANUARY 14, 1988 AS INSTRUMENT NO. 88-018022 OF OFFICIAL RECORDS. THE EXACT LOCATION AND EXTENT OF SAID EASEMENT IS NOT DISCLOSED OF RECORD AND THEREFORE COULD NOT BE PLOTTED.

LEGEND:

- FOUND 3/4" IRON PIPE WITH DISC STAMPED "L.S. 4512", EXCEPT AS NOTED
- FOUND LEAD AND DISC AS NOTED
- ⊠ VAULT
- ⊗ GAS METER/VALE
- ⊕ WATER METER
- ⊙ LIGHT POLE
- BACK FLOW PREVENTION VALVE
- FIRE DEPARTMENT CONNECTION
- TR TRASH RECEPTACLE
- GE GENERATOR ENCLOSURE
- HE HVAC ENCLOSURE
- SCO SEWER CLEANOUT
- SMH SEWER MANHOLE
- SDMH STORM DRAIN MANHOLE
- CS CONCRETE SURFACE
- DI DRAIN INLET
- LS LANDSCAPE AREA
- ⊙ FLAGPOLE
- TRAFFIC FLOW
- ♿ HANDICAPPED PARKING
- T TRASH ENCLOSURE
- WALL
- CHAIN LINK FENCE
- GUARDRAIL
- ABUTTERS RIGHTS OF ACCESS RELINQUISHED PER MAP NO. 11512
- PROPERTY LINE



LEGAL DESCRIPTION:

LOTS 19 AND 20 OF GATEWAY CENTER EAST UNIT NO. 1, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 11512, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MAY 14, 1986.

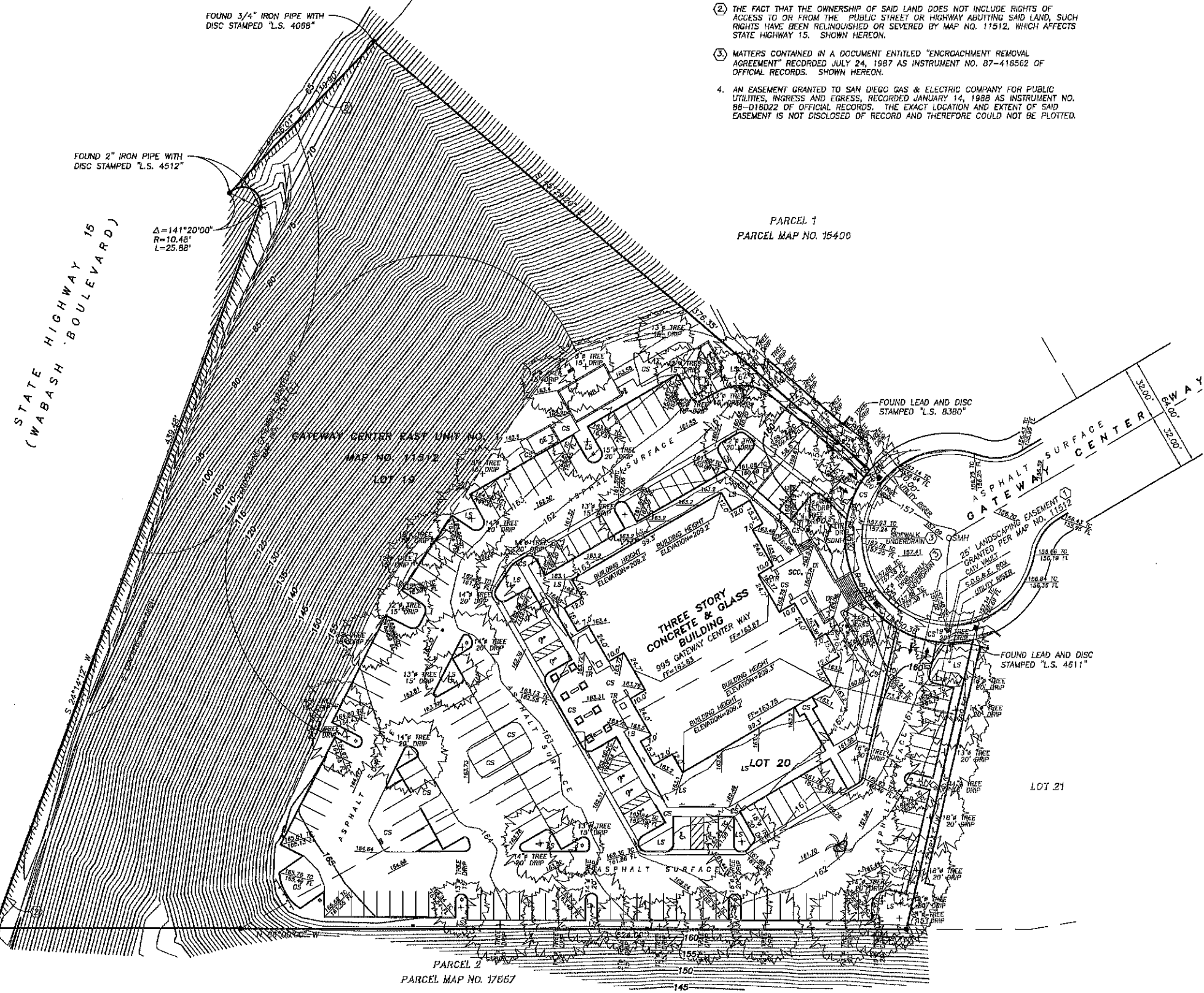
BASIS OF ELEVATION:

CITY OF SAN DIEGO VERTICAL CONTROL:  
SOUTHWEST BRASS PLUG  
HILLTOP DRIVE AND 39TH STREET  
ELEVATION = 172.65 M.S.L. N.G.V.D. 1929 FEET



TOPOGRAPHY SURVEY		
For the exclusive use of: <b>PRIME HARVEST, LLC</b> 1210 OLIVE STREET RAMONA, CALIFORNIA 92065		
<b>San Diego Land Surveying &amp; Engineering, Inc.</b> 7028 Convey Court, San Diego, CA 92111-1017 Phone: (658) 565-8562 Fax: (658) 565-4354		
Date: 01-28-2020	Revised: 07-05-2022	Revised:
Scale: 1"=30'	Drawn by: R.J.B.	Sheet 1 of 1 Sheet
Drawing: Gateway Center Way 995 TP		A.P.N. 560-440-25

Robert J. Bateman  
ROBERT J. BATEMAN, P.L.S. 7046



STATE HIGHWAY 15  
(WABASH BOULEVARD)

3" CONCRETE  
BROW DITCH

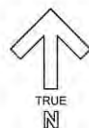
PARCEL 1  
PARCEL MAP NO. 15408

PARCEL 2  
PARCEL MAP NO. 17557

1 SITE PLAN - EXISTING

SCALE: 1/32" = 1'-0"

0 16' 32' 64'  
SCALE: 1/32" = 1'-0"



## SITE PLAN LEGEND

- PROPERTY LINE
- OUTLINE OF EXISTING STRUCTURES
- AREA OF EXISTING LANDSCAPE
- AREA OF EXISTING ON SITE SIDEWALK & HARDSCAPE
- SITE DRAINAGE PATTERN
- VEHICULAR CIRCULATION
- ACCESSIBLE ROUTE

## SITE PLAN NOTES

- The site plan is for informational and general site reference only. Refer to other construction documents for complete scope of work.
- Before commencing any site foundation or slab cutting or excavation, the contractor shall verify and mark locations of all site utilities, dimensions and conditions. These include but are not limited to property lines, setback location to all new or existing walls, easements (if any), existing site utilities, including water, sewer, gas and electrical lines and any other new or existing site items which could affect in any way the construction of the building. Flag or otherwise mark all locations of site property lines, easements (if any), underground utilities, and indicate utility type.
- The Contractor or subcontractor shall notify TECHNE if any conflicts or discrepancy occurs between the information on this plan and actual field conditions. Do not proceed with work in conflict with these drawing until written or verbal instructions are issued by TECHNE.
- Protect and mark all existing building structure including walls, beams, columns, area separation walls, and other items that are part of the existing structure and not part of the scope of the tenant improvement, and mark perimeter of construction zone.
- Coordinate with other tenants the temporary shutoff of any site utilities.
- No proposed improvement will block or alter the existing surface drainage flow pattern.
- The existing water and sewer services will remain.
- Refer to Topographic Survey for additional information.
- BUILDING ADDRESS: Building address numbers must be visible and legible from the street or road fronting the property, per FHP Policy P-00-6 (UFC 901.4.4)
- TRANSIT STOP: Nearest transit stop is approximately 1,900' away from project.
- If the City Building Inspector determines non-compliance with any accessibility provisions, a complete and detailed revised plans clearly showing all existing non-complying conditions and the proposed modifications to meet current accessibility requirements (including site plan, floor plans, details, etc.) will be submitted to the department for review and approval.
- Visibility Triangles: No obstruction including solid walls in the visibility area shall exceed 3 feet in height. Plant material, other than trees, within the public right-of-way that is located within visibility areas shall not exceed 24 inches in height, measured from the top of the adjacent curb per San Diego Municipal Code diagram 113-0255.

## SITE PLAN KEYNOTES

- EXISTING CURB AND GUTTER
- EXISTING WATER METERS
- EXISTING FIRE DEPARTMENT CONNECTION
- EXISTING PREVIOUSLY CONFORMING DRIVEWAY CURB CUT
- ACCESSIBLE PATH OF TRAVEL FROM RIGHT-OF-WAY
- EXISTING UTILITY RISER
- EXISTING SDG&E TRANSFORMER BOX
- EXISTING PAVED DRIVEWAY
- EXISTING BACKFLOW PREVENTER DEVICE
- ACCESSIBLE PATH OF TRAVEL TO REAR ENTRY FROM ACCESSIBLE PARKING SPACES
- EXISTING STANDARD PARKING SPACES
- EXISTING ACCESSIBLE PARKING
- EXISTING COMPACT PARKING SPACES
- EXISTING OFFSITE CONCRETE SIDEWALK
- EXISTING LOT LINE
- EXISTING TRASH ENCLOSURE
- EXISTING GAS METER
- EXISTING HVAC ENCLOSURE
- EXISTING GENERATOR ENCLOSURE
- EXISTING FIRE HYDRANT
- EXISTING ASPHALT SURFACE PARKING LOT
- EXISTING ON SITE WALKWAYS & HARDSCAPE
- EXISTING ON SITE LIGHT, STANDARD
- EXISTING ON SITE RAISED CURBS
- EXISTING 10" PVC SEWER MAIN - 22167-7-D
- EXISTING 12" ACP WATER MAIN - 22167-7-D
- EXISTING 6" SEWER LATERAL, EXISTING SEWER LATERAL TO BE RETAINED.
- EXISTING 2" WATER LATERAL, EXISTING WATER SERVICE TO BE RETAINED.
- EXISTING 6" FIRE SERVICE LINE TO BE RETAINED
- VISIBILITY TRIANGLE: 10' X 10'

## EASEMENT NOTES

- EASEMENTS FOR LANDSCAPING PURPOSES AS DEDICATED AND SHOWN ON MAP NO. 11512, PLOTTED HEREON.
- THE FACT THAT THE OWNERSHIP OF SAID LAND DOES NOT INCLUDE RIGHTS OF ACCESS TO OR FROM THE PUBLIC STREET OR HIGHWAY ADJUTING SAID LAND, SUCH RIGHTS HAVE BEEN RELINQUISHED OR SEVERED BY MAP NO. 11512, WHICH AFFECTS STATE HIGHWAY 15, SHOWN HEREON.
- MATTERS CONTAINED IN A DOCUMENT ENTITLED "ENCROACHMENT REMOVAL AGREEMENT" RECORDED JULY 24, 1987 AS INSTRUMENT NO. 87-416562 OF OFFICIAL RECORDS. SHOWN HEREON.

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CAD DWG FILE: A101 SITE PLAN - EXISTING DWG  
DRAWN BY: A.S., S.V., D.C., J.A.  
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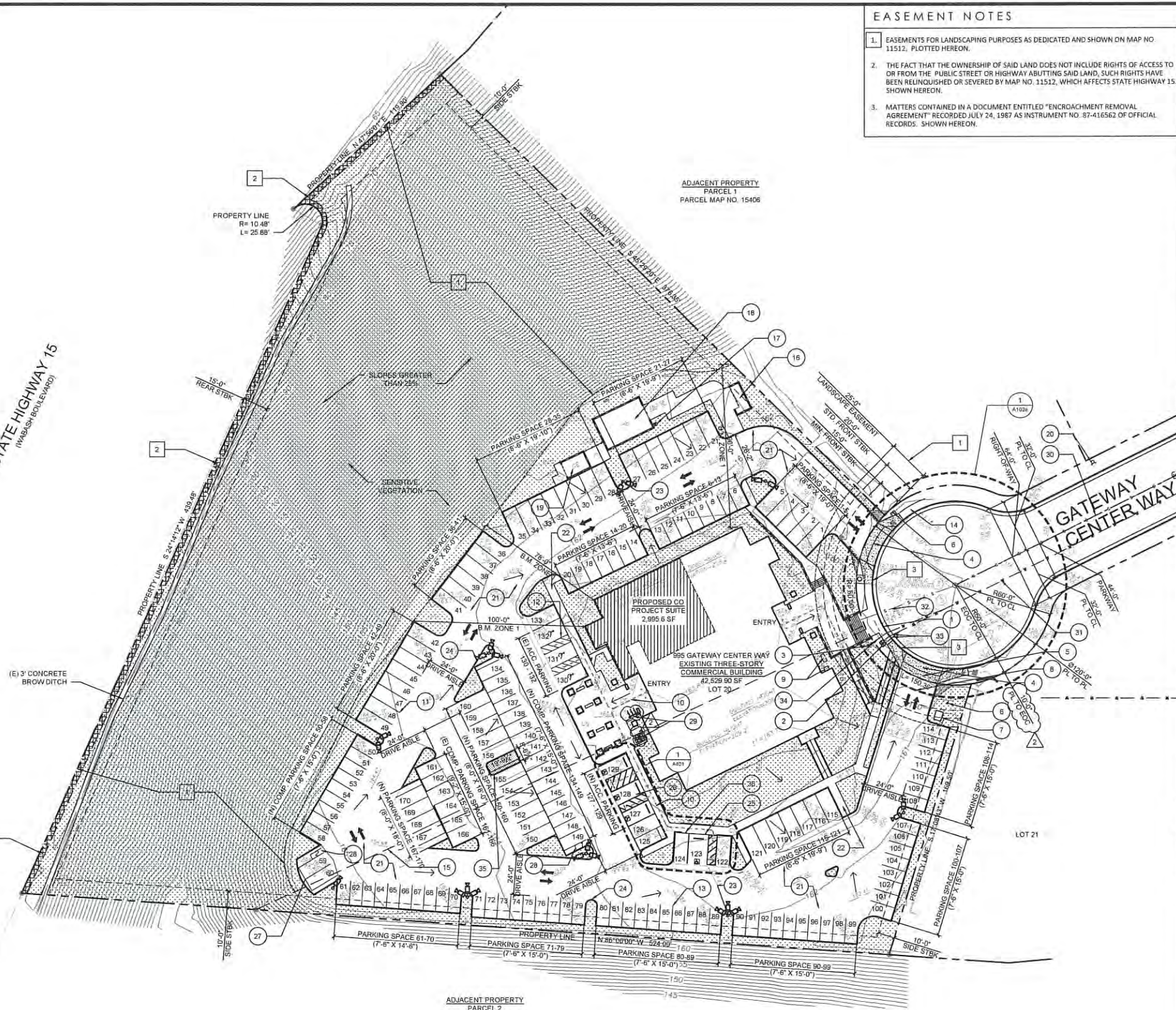
SITE PLAN -  
EXISTING

A101

SHEET 8 OF 23

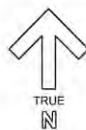
STATE HIGHWAY 15  
(WASHBURN BOULEVARD)

(E) 3' CONCRETE  
BROW DITCH



1 SITE PLAN - PROPOSED  
SCALE: 1/32" = 1'-0"

0 16' 32' 64'  
SCALE: 1/32" = 1'-0"



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#### SITE PLAN LEGEND

- PROPERTY LINE
- OUTLINE OF EXISTING STRUCTURES
- AREA OF PROPOSED CO (PROJECT SUITE) - TENANT IMPROVEMENT
- AREA OF EXISTING LANDSCAPE
- AREA OF EXISTING ON SITE SIDEWALK & HARDSCAPE
- AREA OF PROPOSED SIDEWALK (SDG-155) & DRIVEWAY (SDG-159)
- AREA OF PROPOSED LANDSCAPE WITH TREE
- SITE DRAINAGE PATTERN
- VEHICULAR CIRCULATION
- ACCESSIBLE ROUTE
- 21 PARKING SECURITY CAMERAS. REFER TO SHEET A110 FOR ADDITIONAL INTERIOR AND EXTERIOR SECURITY CAMERAS

#### SITE PLAN NOTES

- The site plan is for informational and general site reference only. Refer to other construction documents for complete scope of work.
- Before commencing any site foundation or slab cutting or excavation, the contractor shall verify and mark locations of all site utilities, dimensions and conditions. These include but are not limited to property lines, setback location to all new or existing walls, easements (if any), existing site utilities, including water, sewer, gas and electrical lines and any other new or existing site items which could affect in any way the construction of the building. Flag or otherwise mark all locations of site property lines, easements (if any), underground utilities, and indicate utility type.
- The Contractor or subcontractor shall notify TECHNE if any conflicts or discrepancy occurs between the information on this plan and actual field conditions. Do not proceed with work in conflict with these drawing until written or verbal instructions are issued by TECHNE.
- Protect and mark all existing building structure including walls, beams, columns, area separation walls, and other items that are part of the existing structure and not part of the scope of the tenant improvement, and mark perimeter of construction zone.
- Coordinate with other tenants the temporary shutoff of any site utilities.
- No proposed improvement will block or alter the existing surface drainage flow pattern.
- The existing water and sewer services will remain.
- Refer to Topographic Survey for additional information.
- BUILDING ADDRESS: Building address numbers must be visible and legible from the street or road fronting the property, per FHP Policy P-00-6 (UFC 901.4.4).
- TRANSIT STOP: Nearest transit stop is approximately 1,900' away from project.
- If the City Building Inspector determines non-compliance with any accessibility provisions, a complete and detailed revised plans clearly showing all existing non-complying conditions and the proposed modifications to meet current accessibility requirements (including site plan, floor plans, details, etc.) will be submitted to the department for review and approval.
- Prior to the issuance of any building permit, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement for the landscape and irrigation located within the City's right-of-way, satisfactory to the City Engineer.
- Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the reconstruction of the existing driveway and the installation of a new 24-foot wide City standard driveway, Gateway Center Way, satisfactory to the City Engineer.
- Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the reconstruction of sidewalk, with standard concrete sidewalk along the property frontage on Gateway Center Way, satisfactory to the City Engineer.
- Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.
- Visibility Triangles: No obstruction including solid walls in the visibility area shall exceed 3 feet in height. Plant material, other than trees, within the public right-of-way that is located within visibility areas shall not exceed 24 inches in height, measured from the top of the adjacent curb per San Diego Municipal Code diagram 113-0255.

#### SITE PLAN KEYNOTES

- EXISTING CURB AND GUTTER
- EXISTING WATER METERS
- EXISTING FIRE DEPARTMENT CONNECTION
- PROPOSED NEW DRIVEWAY CURB CUT PER SDG-159
- ACCESSIBLE PATH OF TRAVEL FROM RIGHT-OF-WAY
- EXISTING UTILITY RISER
- EXISTING SDG&E TRANSFORMER BOX
- EXISTING PAVED DRIVEWAY
- EXISTING BACKFLOW PREVENTER DEVICE
- ACCESSIBLE PATH OF TRAVEL TO REAR ENTRY FROM ACCESSIBLE PARKING SPACES
- EXISTING STANDARD PARKING SPACES
- EXISTING ACCESSIBLE PARKING
- EXISTING COMPACT PARKING SPACES
- EXISTING OFFSITE CONCRETE SIDEWALK
- EXISTING LOT LINE
- EXISTING TRASH ENCLOSURE
- EXISTING GAS METER
- EXISTING HVAC ENCLOSURE
- EXISTING GENERATOR ENCLOSURE
- EXISTING FIRE HYDRANT (APPROXIMATELY 135 FT FROM PROPERTY)
- EXISTING ASPHALT SURFACE PARKING LOT
- EXISTING ON SITE SIDEWALK & HARDSCAPE
- EXISTING ON SITE LIGHT, STANDARD
- EXISTING ON SITE RAISED CURB
- PROPOSED VAN ACCESSIBLE ELECTRIC VEHICLE CHARGING STATION
- RE-STRIPED ACCESSIBLE PARKING (VARIES, SEE ENLARGED PLAN ON SHEET A402)
- PROPOSED STRIPED STANDARD PARKING SPACES (8'-0" X 18'-0")
- PROPOSED STRIPED MOTORCYCLE PARKING SPACES (5'-0" X 8'-0")
- PROPOSED SHORT-TERM AND LONG-TERM BICYCLE PARKING SPACES
- EXISTING 10" PVC SEWER MAIN - 22167-7-D
- EXISTING 12" ACP WATER MAIN - 22167-7-D

#### SITE PLAN KEYNOTES, CONT.

- EXISTING 6" SEWER LATERAL, EXISTING SEWER LATERAL TO BE RETAINED.
- EXISTING 2" WATER LATERAL, EXISTING WATER SERVICE TO BE RETAINED.
- EXISTING 6" FIRE SERVICE LINE TO BE RETAINED
- NEW LANDSCAPE ISLAND WITH TREE
- PROPOSED ELECTRIC VEHICLE CHARGING STATION (EVCS)

TECHNE  
DESIGN | DEVELOPMENT

2934 Lincoln Ave., San Diego, CA 92104  
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619-940-5814 313-595-5814

#### CONSULTANTS

10-05-2022



995 Gateway Center Way,  
Suites 107 & 108,  
San Diego CA 92102

#### APPLICANT

Prime Harvest, LLC  
1210 Olive St.,  
Ramona, CA 92065

01	08.02.22	Completeness Review - 1st Submittal
02	10.05.22	Conditional Use Permit - 2nd Submittal

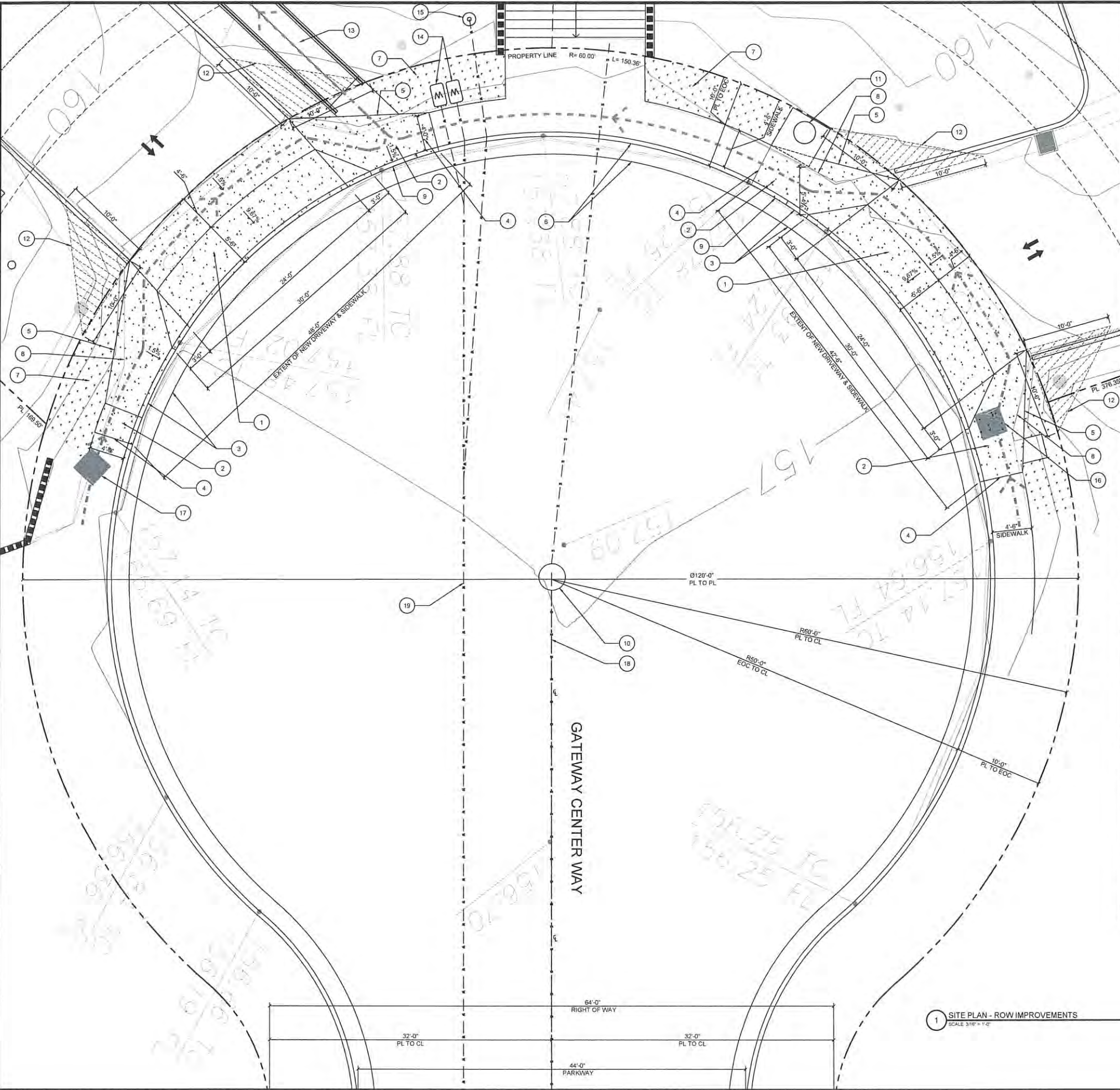
MARK	DATE	DESCRIPTION
02/02/2022	4:52 PM	

PROJECT NO: 2215  
CAD DWG FILE: A102 SITE PLAN - PROPOSED DWG  
DRAWN BY: A.S., S.V., D.C., J.A.  
CHK'D BY: A.S., M.M.

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SHEET TITLE  
SITE PLAN -  
PROPOSED

A102



**SITE PLAN LEGEND**

- PROPERTY LINE
- AREA OF EXISTING LANDSCAPE IN RIGHT-OF-WAY
- AREA OF EXISTING SIDEWALK
- AREA OF PROPOSED SIDEWALK (SDG-155) & DRIVEWAY (SDG-159)
- VEHICULAR CIRCULATION
- ACCESSIBLE ROUTE
- VISIBILITY TRIANGLES PER SDMC §113.0273

- SITE PLAN NOTES**
- A. The site plan is for informational and general site reference only. Refer to other construction documents for complete scope of work.
  - B. Before commencing any site foundation or slab cutting or excavation, the contractor shall verify and mark locations of all site utilities, dimensions and conditions. These include but are not limited to property lines, setback location to all new or existing walls, easements (if any), existing site utilities, including water, sewer, gas and electrical lines and any other new or existing site items which could affect in any way the construction of the building. Flag or otherwise mark all locations of site property lines, easements (if any), underground utilities, and indicate utility type.
  - C. The Contractor or subcontractor shall notify TECHNÉ if any conflicts or discrepancy occurs between the information on this plan and actual field conditions. Do not proceed with work in conflict with these drawing until written or verbal instructions are issued by TECHNÉ.
  - D. Protect and mark all existing building structure including walls, beams, columns, area separation walls, and other items that are part of the existing structure and not part of the scope of the tenant improvement, and mark perimeter of construction zone.
  - E. Coordinate with other tenants the temporary shutdown of any site utilities.
  - F. No proposed improvement will block or alter the existing surface drainage flow pattern.
  - G. The existing water and sewer services will remain.
  - H. Refer to Topographic Survey for additional information.
  - I. BUILDING ADDRESS: Building address numbers must be visible and legible from the street or road fronting the property, per FHPS Policy P-00-6 (UFC 901.4.4).
  - J. TRANSIT STOP: Nearest transit stop is approximately 1,900' away from project.
  - K. If the City Building Inspector determines non-compliance with any accessibility provisions, a complete and detailed revised plans clearly showing all existing non-complying conditions and the proposed modifications to meet current accessibility requirements (including site plan, floor plans, details, etc.) will be submitted to the department for review and approval.
  - L. Prior to the issuance of any building permit, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement for the landscape and irrigation located within the City's right-of-way, satisfactory to the City Engineer.
  - M. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the reconstruction of the existing driveway and the installation of a new 24-foot wide City standard driveway, Gateway Center Way, satisfactory to the City Engineer.
  - N. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the reconstruction of sidewalk, with standard concrete sidewalk along the property frontage on Gateway Center Way, satisfactory to the City Engineer.
  - O. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.
  - P. Visibility Triangles: No obstruction including solid walls in the visibility area shall exceed 3 feet in height. Plant material, other than trees, within the public right-of-way that is located within visibility areas shall not exceed 24 inches in height, measured from the top of the adjacent curb per San Diego Municipal Code diagram 113-0255.

- SITE PLAN KEYNOTES**
- 1. PROPOSED CONCRETE DRIVEWAY - TYPE A WITH CONTIGUOUS SIDEWALK; PER SAN DIEGO STANDARD DRAWINGS SDG-159
  - 2. PROPOSED SIDEWALK PER SDG-155
  - 3. PROPOSED CURB AND GUTTER PER SDG-151
  - 4. PROPOSED SIDEWALK JOINT PER SDG-156
  - 5. PROPOSED CONTINUOUS SIDE WALK 2:1 TRANSITION
  - 6. EXISTING CURB & GUTTER
  - 7. EXISTING LANDSCAPE IN RIGHT-OF-WAY
  - 8. OUTLINE OF EXISTING SIDEWALK
  - 9. EXISTING SIDEWALK UNDERDRAIN TO REMAIN
  - 10. EXISTING MANHOLE TO REMAIN
  - 11. EXISTING STORM DRAIN MANHOLE TO REMAIN
  - 12. 10'x10' VISIBILITY TRIANGLE
  - 13. EXISTING ACCESSIBLE WALKING SURFACE FROM ROW TO BUILDING'S ENTRY
  - 14. EXISTING WATER METER
  - 15. EXISTING FIRE DEPARTMENT CONNECTION
  - 16. FOUND LEAD AND DISC STAMPED "L.S. 8380"
  - 17. FOUND LEAD AND DISC STAMPED "L.S. 4611"
  - 18. EXISTING 10" PVC SEWER MAIN - 22167-7-D
  - 19. EXISTING 12" ACP WATER MAIN - 22167-7-D

**1 SITE PLAN - ROW IMPROVEMENTS**

SCALE: 3/16" = 1'-0"

0 2'-6" 5'-4" 10'-8"

SCALE: 3/16" = 1'-0"

TRUE NORTH

**TECHNÉ**

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10-07-2022

Michael Mosen AIA

C-19371  
RENEWAL  
04.30.2023

995 Gateway Center Way,  
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San Diego CA 92102

APPLICANT

Prime Harvest, LLC  
1210 Olive St.,  
Ramona, CA 92065

01	08.02.22	Completeness Review - 1st Submittal
02	10.07.22	Conditional Use Permit - 2nd Submittal

MARK	DATE	DESCRIPTION
0110222	3:38:30 PM	

PROJECT NO: 2215

CAD DWG FILE: A102a-SITE PLAN - ROW IMPROVEMENTS.DWG

DRAWN BY: A.S., S.V., D.C., J.A.

CHK'D BY: A.S., M.M.

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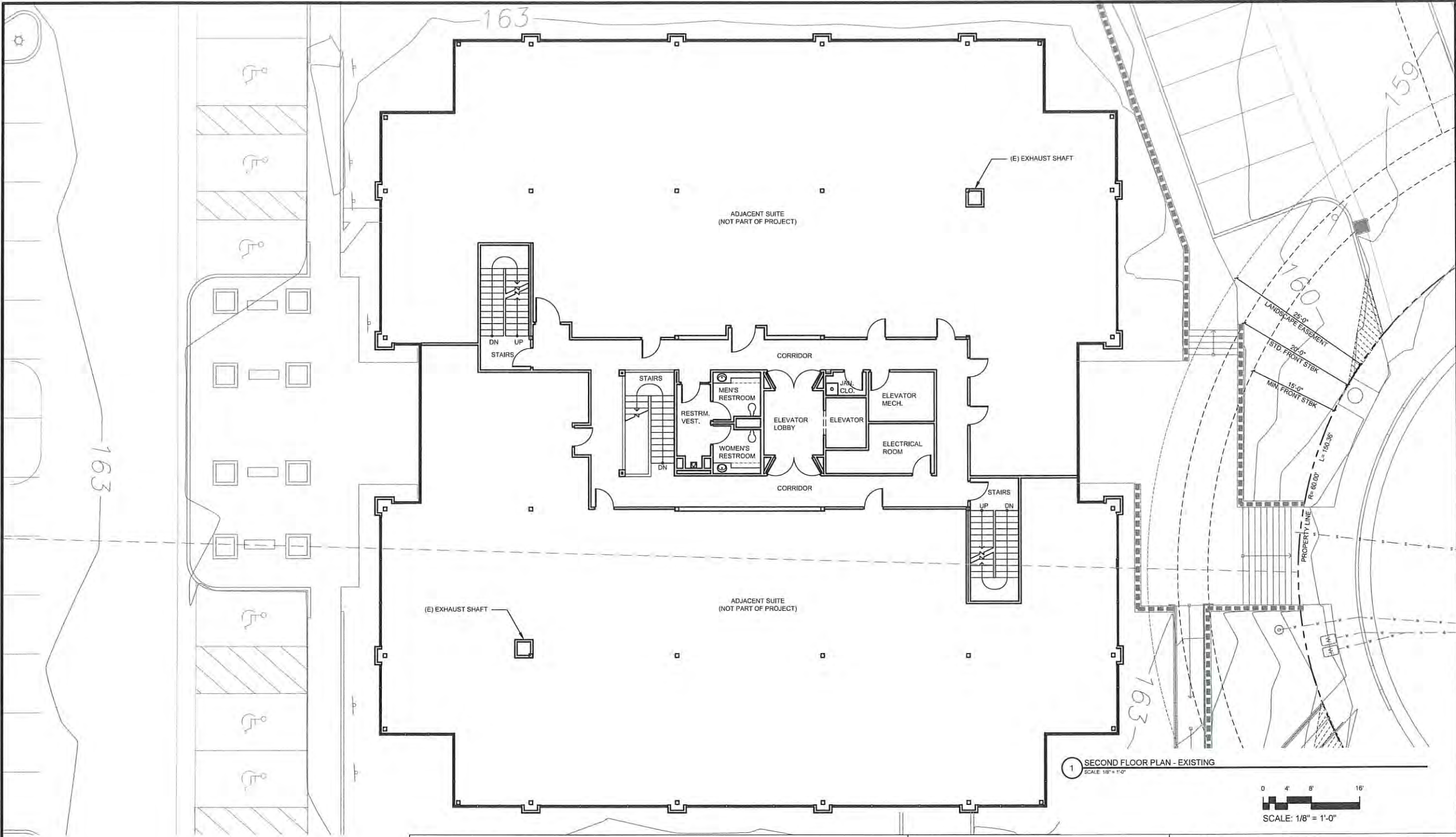
SHEET TITLE

**SITE PLAN - ROW IMPROVEMENTS**

A102a

SHEET 10 OF 24





DEMOLITION GENERAL NOTES

- TECHNE shall be notified immediately when any discrepancy with Architectural or Structural drawings are found at the project site. All drawings may have to be modified upon removal of existing construction. Do not proceed with work in question until TECHNE issues directions.
- Contractor shall verify layout of existing structure, property boundaries, location of site utilities - underground and overhead, and field conditions as shown on the plans prior to demolition.
- Before start of demolition contractor shall verify with the owner any item to be saved (S), covered, or stored, verify storage locations with owner before demolition commences. Contractor to pay for and replace any item not intended for demolition but damaged during construction.
- Contractor to pay for and replace any item not intended for demolition but damaged during construction.
- Any outdoor structures or landscaping marked to be saved, shall be protected, fenced and/or covered to avoid damage.
- All demolition material shall be transported off site and properly disposed at city-approved locations by the contractor.
- Contractor to verify Dumpster location with owner before demolition commences.
- Contractor shall also refer to floor plans and other construction plans for new work to be incorporated into the project and to proceed with demolition accordingly.
- Carefully remove structure as shown on plan. Remove all materials carefully to avoid damage to adjacent surfaces.
- Contractor shall notify TECHNE and owner if any removed wood showing evidence of active water leaks, termites or dry rot.
- Prepare existing window and door framing openings (to remain) to receive new window units. Coordinate work with proposed floor plans, elevations and door & window schedules.
- When demolition is complete, the structure and site shall be broom clean and ready to receive new work.
- Remove all existing landscape and tree roots within 3 feet of the outline of new structure. If the removal of tree roots produces potentially unstable trees, the contractor shall immediately contact a tree specialist to make a recommendation.
- Demolition of openings in roof and exterior walls shall be covered each night with plastic tarps and secured to prevent water and dust from entering the building.
- Existing floors shall be covered during construction. Openings shall be taped and sealed to walls at edges of construction zone to minimize dust. Temporary wall shall be built and sealed as if needed or shown on plans.
- Should any portion of the structure being removed produce unstable of unsafe conditions the contractor shall provide shoring and bracing.
- Existing FAU & Water Heater shall be turned off to and/or salvaged units removed and stored for re-use. Existing natural gas service shall be turned off and lines temporarily capped at residence.
- Electrical service shall be turned off at residence and provisions for temporary power made during construction.
- Contractor shall verify in the field the condition of all foundations, stem walls, sill attachments, pier-footing conditions and attachment to framing. Deficiencies, cracks or other structural issues in foundations or footings or lack thereof shall be brought to the attention of TECHNE and structural engineer.
- Existing framing and floor surfaces may be out of plumb and not level. They shall be inspected and made plumb and leveled by the contractor. Wood framing adjacent to soil may be encountered and modifications and/or protection measures shall be taken.
- Elevation changes between door openings and adjacent grade shall be verified in the field and if discrepancies exist between field conditions and plans exist, notify TECHNE to make modifications and/or other corrective measures.

FLOOR PLAN LEGEND

- EXISTING WALL TO REMAIN
- EXISTING DOOR TO REMAIN
- EXISTING MISC. ITEM TO REMAIN
- EXISTING STRUCTURAL COLUMN TO REMAIN

FLOOR PLAN NOTES

- The General Contractor or Sub-Contractor shall verify all conditions or dimensions on these plans in the field with actual site conditions.
- Written dimensions shall take precedence over scaled dimensions and shall be verified on the job site. On-site verification of all dimensions and conditions shall be the sole responsibility of the General Contractor and Sub-Contractors.
- The Contractor or sub-contractor shall notify TECHNE if any conflicts or discrepancy occurs between this information on this plan and actual field conditions.
- Any discrepancies with this drawing affecting project layout shall be brought to the attention of TECHNE. Do not proceed with work until written or verbal instructions are issued by TECHNE.
- DIMENSIONS**
  - EXTERIOR WALL DIMENSIONS TO FACE OF FINISH (U.N.O.)
  - INTERIOR WALL DIMENSIONS TO CENTER LINE OF STUD (U.N.O.)
  - CLEARANCE DIMENSIONS ARE TO FACE OF FINISH MATERIALS, NOTED WITH CLR.

TECHNE

DESIGN | DEVELOPMENT

2934 Lincoln Ave., San Diego, CA 92104  
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619-940-5814 313-595-5814

CONSULTANTS

10-07-2022

Michael Moore AIA

C-19371

RENEWAL

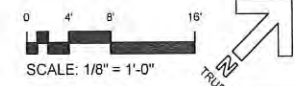
04/30/2023

995 Gateway Center Way,  
Suites 107 & 108,  
San Diego CA 92102

APPLICANT

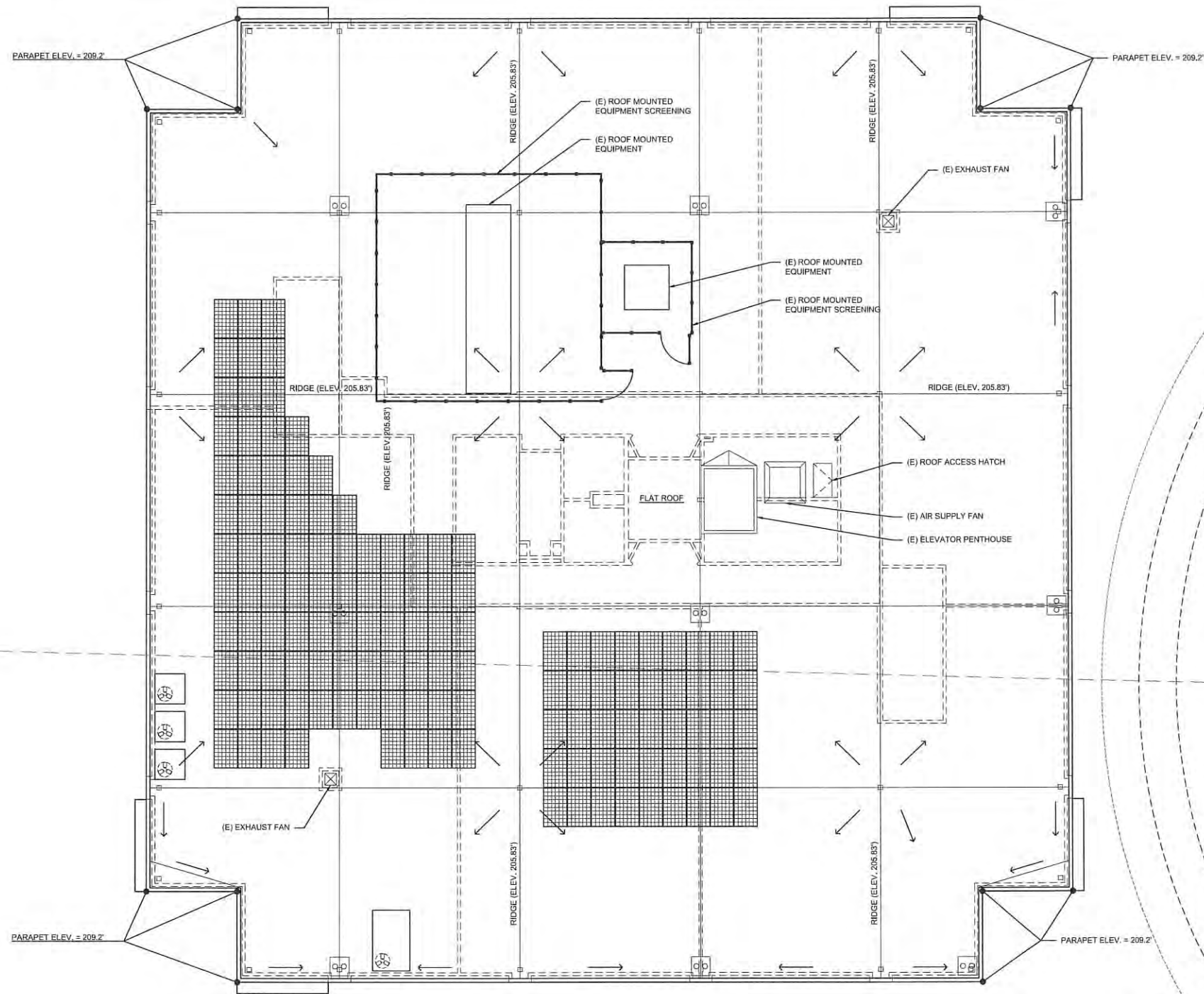
Prime Harvest, LLC  
1210 Olive St.,  
Ramona, CA 92065

D1	08.02.22	Completeness Review - 1st Submittal
D2	10.07.22	Conditional Use Permit - 2nd Submittal
MARK	DATE	DESCRIPTION
06/20/2022 1:41:44 PM		
PROJECT NO: 2215		
CAD DWG FILE: A104 SECOND FLOOR PLAN - EXISTING.DWG		
DRAWN BY: A.S., S.V., D.C., J.A.		
CHK'D BY: A.S., M.M.		
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SHEET TITLE		
SECOND FLOOR PLAN - EXISTING		
A104		
SHEET	12	OF 24

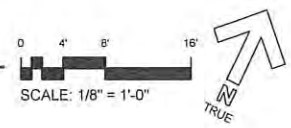


A105

SHEET 13 OF 24



1 ROOF PLAN - EXISTING  
SCALE: 1/8" = 1'-0"



ROOF PLAN LEGEND

- ROOF SLOPE INDICATOR
- OUTLINE OF WALLS BELOW
- EXISTING ROOF DRAIN
- EXISTING MECHANICAL EQUIPMENT
- EXISTING PHOTOVOLTAIC PANELS

ROOF PLAN NOTES

- EXISTING ROOFTOP EQUIPMENT TO REMAIN

TECHNE  
DESIGN | DEVELOPMENT

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619-940-5814 313-595-5814

CONSULTANTS

10-07-2022



995 Gateway Center Way,  
Suites 107 & 108,  
San Diego CA 92102

APPLICANT

Prime Harvest, LLC  
1210 Olive St.,  
Ramona, CA 92065

01	08.02.22	Completeness Review - 1st Submittal
02	10.07.22	Conditional Use Permit - 2nd Submittal

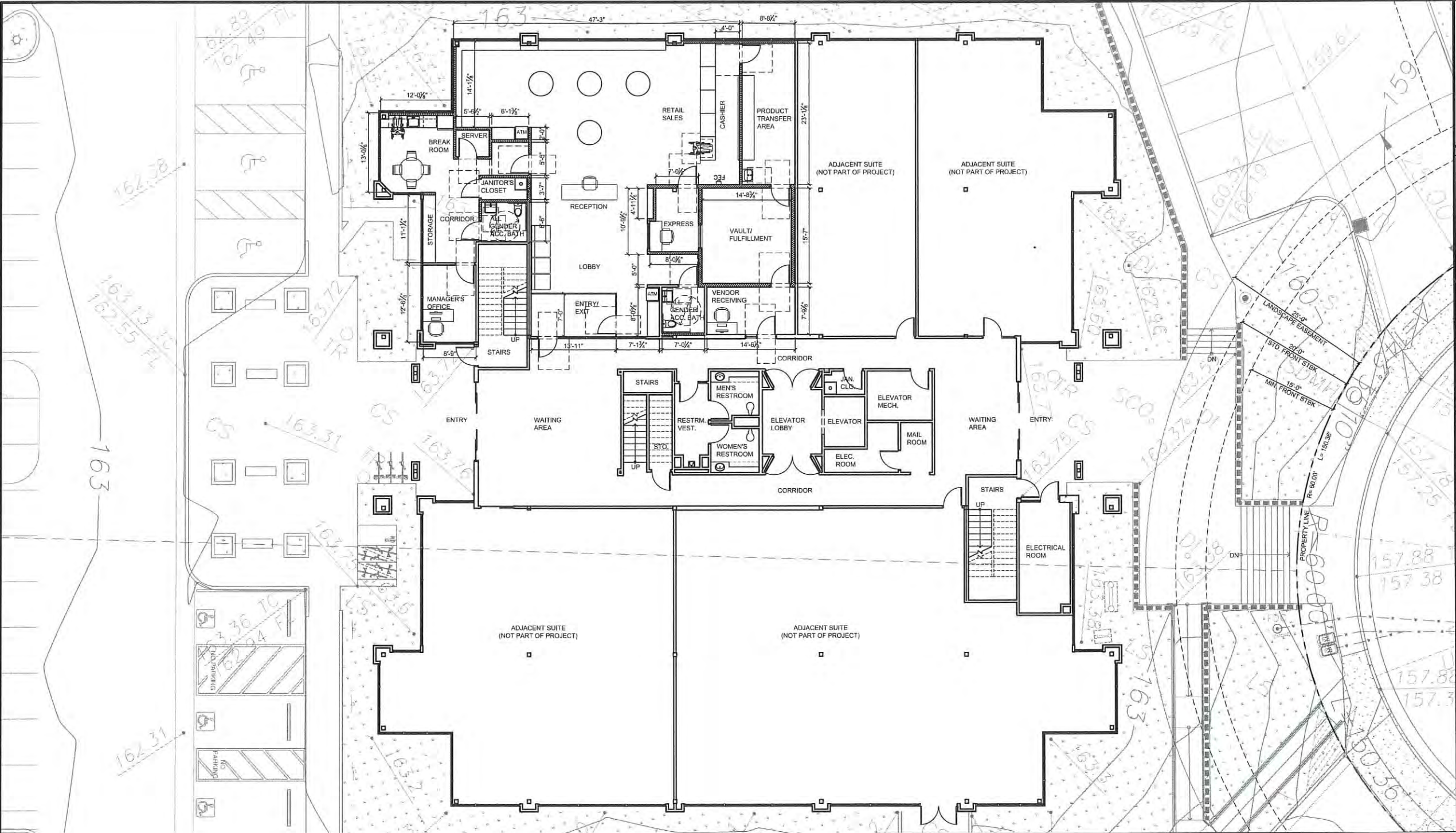
MARK	DATE	DESCRIPTION
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PROJECT NO: 2215  
CAD DWG FILE: A106 ROOF PLAN - EXISTING.DWG  
DRAWN BY: A.S., S.V., D.C., J.A.  
CHK'D BY: A.S., M.M.

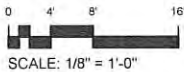
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ROOF PLAN - EXISTING

A106



1 FIRST FLOOR PLAN - PROPOSED  
SCALE: 1/8" = 1'-0"



FLOOR PLAN NOTES

- A. The General Contractor or Sub-Contractor shall verify all conditions or dimensions on these plans in the field with actual site conditions.  
B. Written dimensions shall take precedence over scaled dimensions and shall be verified on the job site. On-site verification of all dimensions and conditions shall be the sole responsibility of the General Contractor and Sub-Contractors.  
C. The Contractor or sub-contractor shall notify TECHNE if any conflicts or discrepancy occurs between this information on this plan and actual field conditions.  
D. Any discrepancies with this drawing affecting project layout shall be brought to the attention of TECHNE. Do not proceed with work until written or verbal instructions are issued by TECHNE.

DIMENSIONS

- EXTERIOR WALL DIMENSIONS TO FACE OF FINISH (U.N.O.)
- INTERIOR WALL DIMENSIONS TO CENTER LINE OF STUD (U.N.O.)
- CLEARANCE DIMENSIONS ARE TO FACE OF FINISH MATERIALS, NOTED WITH CLR.

ODOR SUPPRESSION MEASURES

- a. 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 CO to the satisfaction of the Development Services Department.  
b. The project will implement a strategy of filtering any exhaust air through a carbon scrubber to mitigate odor and will also design the HVAC system with negative and positive pressure rooms, as appropriate, to control the flow of air and to prevent it from escaping the building. The carbon scrubber (filtering system) shall be Air Box 4+ Stealth Edition 3,500 CFM 12" Flange or similar as specified by a qualified licensed design professional.

FLOOR PLAN LEGEND

	EXISTING NON-STRUCTURAL INTERIOR WALL
	PROPOSED NON-STRUCTURAL INTERIOR WALL: 3 1/2" Light Gauge Steel Stud @ 24" O.C. with 1 layer of 5/8" gypsum board each side.
	PROPOSED NON-STRUCTURAL INTERIOR WALL: 6" Light Gauge Steel Stud @ 24" O.C. with 1 layer of 5/8" gypsum board each side.
	DOOR SYMBOL
	WINDOW SYMBOL
	FIRE EXTINGUISHER CABINET

TECHNE  
DESIGN | DEVELOPMENT

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619-940-5814 m 313-595-5814

CONSULTANTS

10-07-2022



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APPLICANT

Prime Harvest, LLC  
1210 Olive St.,  
Ramona, CA 92065

01	08.07.22	Completeness Review - 1st Submittal
02	10.07.22	Conditional Use Permit - 2nd Submittal

MARK DATE DESCRIPTION

PROJECT NO: 2215

CAD DWG FILE: A107 FIRST FLOOR PLAN - PROPOSED - C.DWG

DRAWN BY: A.S., S.V., D.C., J.A.

CHK'D BY: A.S., M.M.

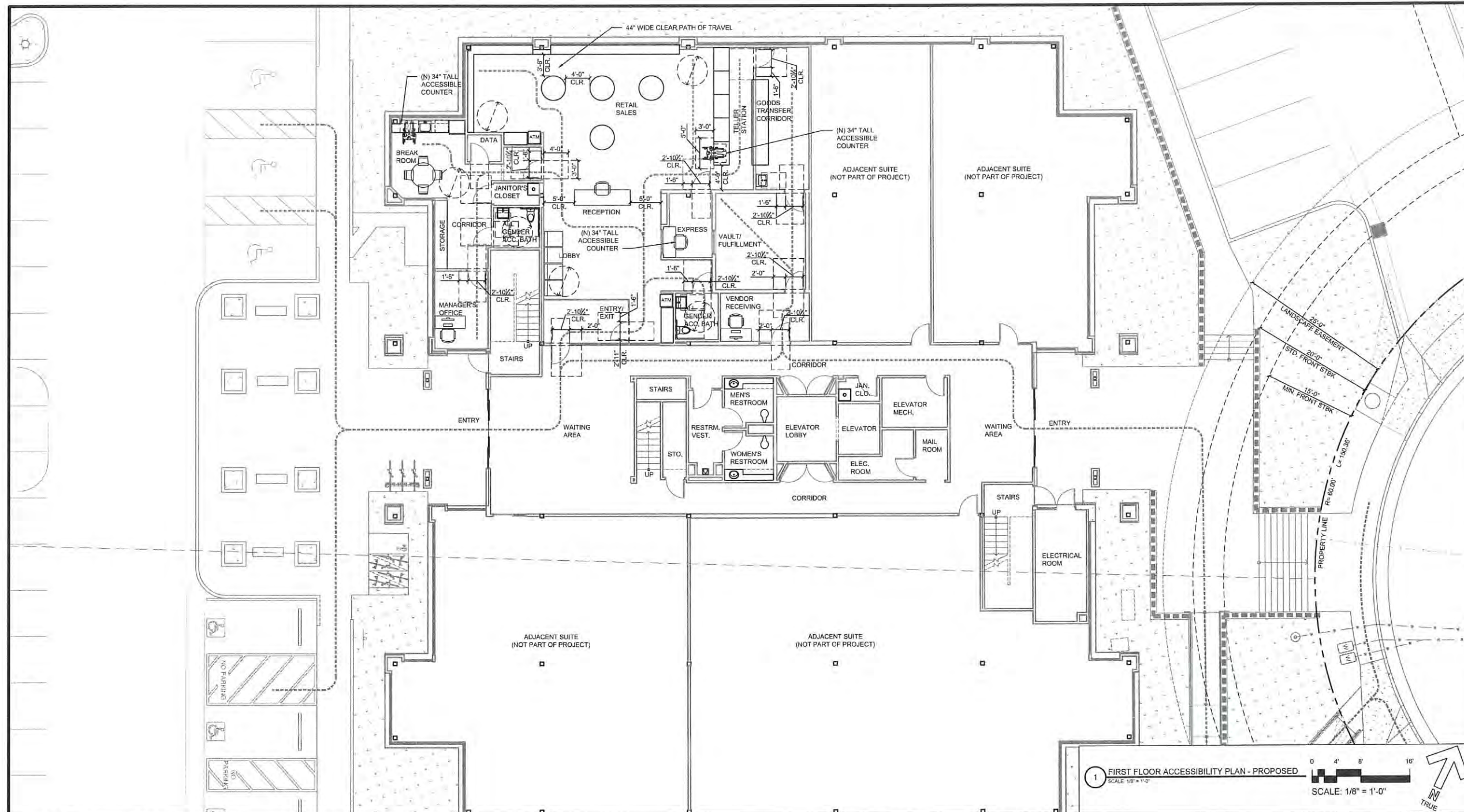
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SHEET TITLE

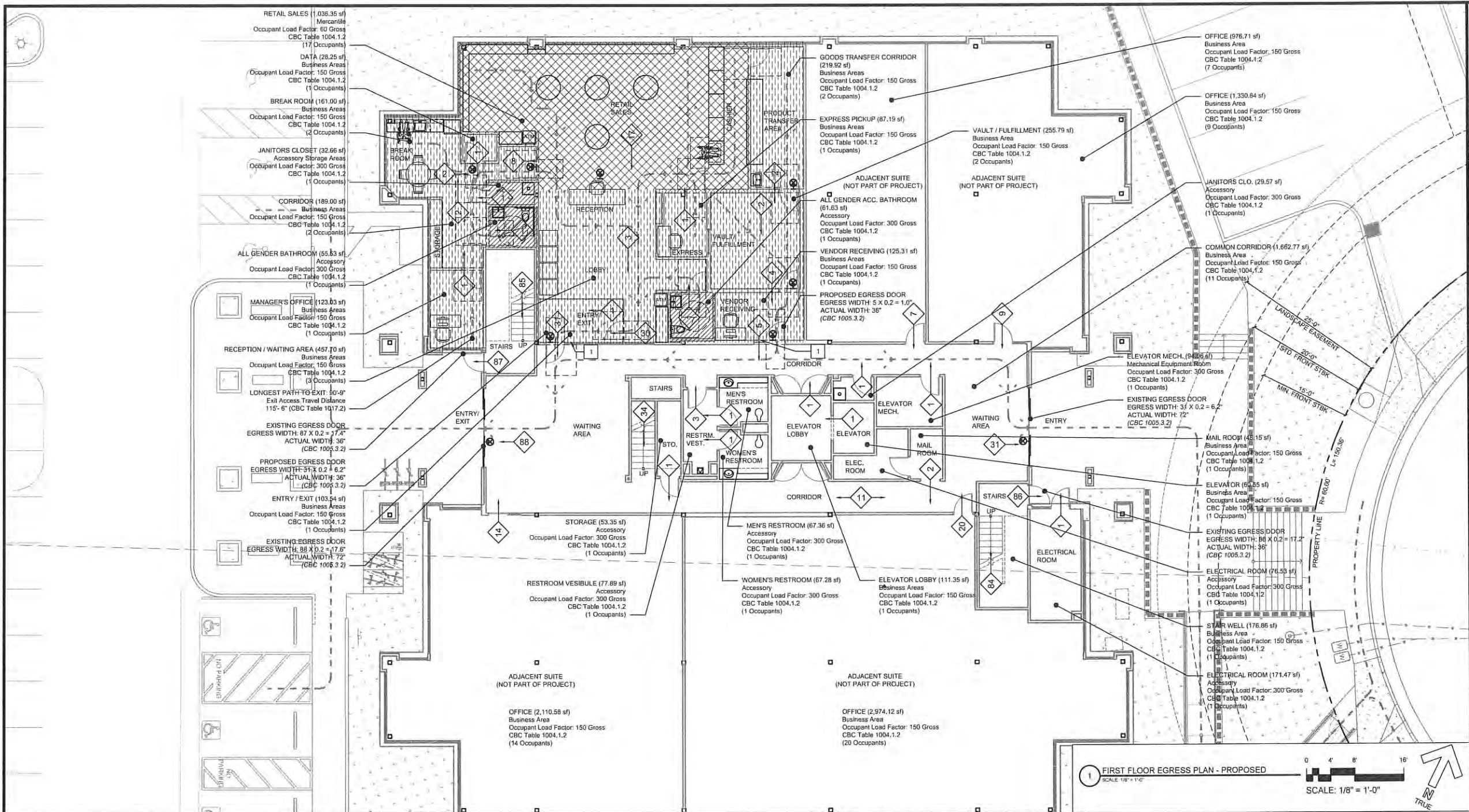
FIRST FLOOR PLAN  
- PROPOSED

A107

SHEET 15 OF 24



01	08.02.22	Completeness Review - 1st Submittal
02	10.07.22	Conditional Use Permit - 2nd Submittal
MARK DATE DESCRIPTION		
6390000 2-41-81 PM		
PROJECT NO: 2215		
CAD DWG FILE: A10-A109 FIRST FLOOR GREEN ACCESSIBILITY PLAN - FIRST FLOOR DWG		
DRAWN BY: A.S., S.V., D.C., J.A.		
CHK'D BY: A.S., M.M.		
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SHEET TITLE		
<p><b>FIRST FLOOR ACCESSIBILITY PLAN - PROPOSED</b></p>		
A108		
SHEET	18	OF 24



EGRESS PLAN LEGEND	
	FUNCTION OF SPACE: Mercantile Occupant Factor: 60 gross Class C - Flame Spread Classification for walls and ceiling per CBC Table 803.11
	FUNCTION OF SPACE: Business areas Occupant Factor: 150 gross Class C - Flame Spread Classification for walls and ceiling per CBC Table 803.11
	FUNCTION OF SPACE: Accessory Occupant Factor: 300 gross Class C - Flame Spread Classification for walls and ceiling per CBC Table 803.11
EGRESS PLAN KEYNOTES	
1	TACTILE EXIT SIGN
HE	WALL MOUNTED EMERGENCY EXIT SIGN

ACCESSIBILITY NOTES	
1.	At least one accessible route shall be provided within the site from accessible parking spaces and accessible passenger drop-off and loading zones; public streets and sidewalks; and public transportation stops to the accessible building or facility entrance they serve. Where more than one route is provided, all routes must be accessible. (CBC Sec. 11B-206.2.1)
2.	At least one accessible route shall connect accessible buildings, accessible facilities, accessible elements, and accessible spaces that are on the same site. (CBC Sec. 11B-206.2.2)
3.	At least one accessible route shall connect accessible building or facility entrances with all accessible spaces and elements within the building or facility, including mezzanines, which are otherwise connected by a circulation path unless exempted by CBC 2019 Section 11B-206.2.3 Exceptions 1 through 7. (CBC Sec. 11B-206.2.4)
4.	Handles, pulls, latches, locks, and other operable parts on doors and gates shall comply with CBC Section 11B-309.4. Operable parts of such hardware shall be 34 inches (864 mm) minimum and 44 inches (1118 mm) maximum above the finish floor or ground. Where sliding doors are in the fully open position, operating hardware shall be exposed and usable from both sides. (CBC Sec. 11B-404.2.7)
5.	Operable parts shall be operable with one hand and shall not require tight grasping, pinching, or twisting of the wrist. The force required to activate operable parts shall be 5 pounds (22.2 N) maximum. (CBC Sec. 11B-309.4)
6.	Door openings shall provide a clear width of 32 inches (813 mm) minimum. Clear openings of doorways with swinging doors shall be measured between the face of the door and the stop, with the door open 90 degrees. Openings more than 24 inches (610 mm) deep shall provide a clear opening of 36 inches (914 mm) minimum. There shall be no projections into the required clear opening width lower than 34 inches (864 mm) above the finish floor or ground. Projections into the clear opening width between 34 inches (864 mm) and 80 inches (2032 mm) above the finish floor or ground shall not exceed 4 inches (102 mm). (CBC Sec. 11B-404.2.3)
7.	Minimum maneuvering clearances at doors and gates shall comply with CBC Section 11B-404.2.4, Figure 11B-404.2.4.1 and Table 11B-404.2.4.1. Maneuvering clearances shall extend the full width of the doorway and the required latch side or hinge side clearance. (CBC Sec. 11B-404.2.4)
8.	Floor or ground surface within required maneuvering clearances shall be stable, firm, and slip resistant in compliance with CBC Section 11B-302. Changes in level are not permitted. (CBC Sec. 11B-404.2.4)
9.	Maneuvering clearances for forward approach shall be provided when any obstruction within 18 inches (457 mm) of the latch side at an interior doorway, or within 24 inches (610 mm) of the latch side of an exterior doorway, projects more than 8 inches (203 mm) beyond the face of the door or gate. (CBC Sec. 11B-404.2.4.3 and Fig. 11B-404.2.4.3)
10.	Thresholds, if provided at doorways, shall be as follows: Changes in level of 1/4 inch (6.4 mm) high maximum shall be permitted to be vertical and without edge treatment (CBC Sec. 11B-303.2) and changes in level between 1/4 inch (6.4 mm) high minimum and 1/2 inch (12.7 mm) high maximum shall be beveled with a slope not steeper than 1:2 (CBC Sec. 11B-303.3)
11.	Swinging door and gate surfaces within 10 inches (254 mm) of the finish floor or ground measured vertically shall have a smooth surface on the push side extending the full width of the door or gate. Parts creating horizontal or vertical joints in these surfaces shall be within 1/16 inch (1.6 mm) of the same plane and be free of sharp or abrasive edges. Cavities created by added kick plates shall be capped. (CBC Sec. 11B-404.2.3)
12.	The force for pushing or pulling open a door or gate shall be as follows: Interior hinged doors and gates: 5 pounds (22.2 N) maximum; Sliding or folding doors: 5 pounds (22.2 N) maximum; Required fire doors: the minimum opening force allowable by the appropriate administrative authority, not to exceed 15 pounds (66.7 N); Exterior hinged doors: 5 pounds (22.2 N) maximum. These forces do not apply to the force required to retract latch bolts or disengage other devices that hold the door or gate in a closed position. (CBC Sec. 11B-404.2.9)
13.	Except as provided in CBC Sections 11B-403.5.2 and 11B-403.5.3, the clear width of walking surfaces shall be 36 inches (914 mm) minimum. (CBC Sec. 11B-403.5.1)
14.	Employee workstations shall be on an accessible route complying with Division 4. Spaces and elements within employee workstations shall only be required to comply with CBC Sections 11B-207.1, 11B-215.3, 11B-302.8, 11B-303, 11B-308.1.1, 11B-308.1.2, and 11B-404.2.3 unless exempted by other parts of this code. Common use circulation paths within employee workstations shall comply with CBC Section 11B-206.2.8. (CBC Sec. 11B-203.9)
15.	The clear width shall be permitted to be reduced to 32 inches (813 mm) minimum for a length of 24 inches (610 mm) maximum provided that reduced width segments are separated by segments that are 48 inches (1219 mm) long minimum and 36 inches (914 mm) wide minimum. (CBC Sec. 11B-403.5.1, exception 1)
16.	Exterior Exit doors shall have a sign posted above stating: THIS DOOR TO REMAIN UNLOCKED WHILE BUSINESS IS OCCUPIED.
17.	PROVIDE PANIC HARDWARE AT EXIT DOORS WHERE NOTED.
18.	Means of egress doors shall be readily distinguishable from the adjacent construction & finishes such that the doors are easily recognized. Mirrors or similar reflecting materials shall not be used on means of egress doors. Means of egress doors shall not be concealed by curtains, drapes, decorations or similar materials. (CBC Sec. 1010.1)
19.	Gates used as a means of egress shall conform to the applicable requirements for doors. (CBC Sec. 1010.2)
20.	Door closers and gate closers shall be adjusted so that from an open position of 90 degrees, the time required to move the door to a position of 12 degrees from the latch is 5 seconds minimum. (CBC Sec. 11B-404.2.8.1)

EGRESS & ACCESSIBILITY NOTES	
-----	ACCESSIBLE ROUTE - Accessible routes shall comply with CBC Section 11B-402. Walking surfaces shall provide clearances complying with CBC Section 11B-403.5. The running slope of walking surfaces shall not be steeper than 1:20. The cross slope of walking surfaces shall not be steeper than 1:48 per CBC Section 11B-403.3. Except as provided in CBC Sections 11B-403.5.2 and 11B-403.5.3, the clear width of walking surfaces shall be 36 inches (914 mm) minimum. The clear width for walking surfaces in corridors serving an occupant load of 10 or more shall be 44 inches (1118 mm) minimum. The clear width for sidewalks and walks shall be 48 inches (1219 mm) minimum.
-----	MEANS OF EGRESS - A continuous and unobstructed path of vertical and horizontal egress travel from any occupied portion of a building or structure to a public way. A means of egress consists of three separate and distinct parts: the exit access, the exit and the exit discharge. Means of Egress shall comply with CBC Chapter 10.
DOOR	DESIGN OCCUPANT LOAD - The number of occupants whom means egress facilities shall be provided. Where occupants from accessory area egress through a primary space, the calculated occupant load for the primary space shall include the total occupant load of the primary space plus the number of occupants egressing through it from the accessory area.
DOOR	MINIMUM EGRESS WIDTH - The total width of means of egress in inches (mm) shall not be less than the total occupant load served by the means of egress multiplied by 0.3 inches (7.62 mm) per occupant for stairways and by 0.2 inches (5.08 mm) per occupant for other egress components. Multiple means of egress shall be sized such that the loss of any one means of egress shall not reduce the available capacity to less than 50 percent of the required capacity. The maximum capacity required from any story of a building shall be maintained to the termination of the means of egress. (CBC Sec. 1005.1)
DOOR	DOOR ENCLOSUREMENT - Doors, when fully opened, and handrails shall not reduce the required means of egress width by more than 7 inches (178 mm). Doors in any position shall not reduce the required width by more than one-half. Other nonstructural projections such as trim and similar decorative features shall be permitted to project into the required width a maximum of 1 1/2 inches (38 mm) on each side (CBC Sec. 1005.7)
EGRESS	EGRESS - Egress doors must be readily operable from egress side without use of a key or any special knowledge or effort. (CBC Sec. 1010.1.9) Unlatching any door or leaf shall not require more than one operation. (CBC Sec. 1010.1.9.6)
EXIT SIGNS	EXIT SIGNS - Exit signs shall be internally and externally illuminated at all times. Externally illuminated exit signs shall be connected to an emergency power system (batteries, unit equipment or an on-site generator) that will automatically illuminate the exit signs for a duration of not less than 90 minutes in case of primary loss. (CBC Sec. 1013.1, 1013.3, 1013.6.3)
EGRESS ILLUMINATION	EGRESS ILLUMINATION - The means of egress, including the exit discharge, shall be illuminated to a level of not less than 1 footcandle (11 lux) at the walking surface at all times the building space served by the means of egress is occupied. (CBC Sec. 1008.2.1)
ILLUMINATION EMERGENCY POWER	ILLUMINATION EMERGENCY POWER - The power supply for means of egress illumination shall normally be provided by the premises' electrical supply. (CBC Sec. 1008.3)
IN THE EVENT OF POWER SUPPLY FAILURE	In the event of power supply failure in buildings that require two or more means of egress, an emergency electrical system shall automatically illuminate all of the following areas: 1. Interior exit access stairways and ramps. 2. Interior and exterior exit stairways and ramps. 3. Exit passageways. 4. Vestibules and areas on the level of discharge used for exit discharge in accordance with CBC Section 1018.1. 5. Exterior landings as required by CBC Section 1010.1.6 for exit doorways that lead directly to the exit discharge. (CBC Sec. 1008.3.2)
EMERGENCY POWER SYSTEM	The emergency power system shall provide power for a duration of not less than 90 minutes and shall consist of storage batteries, unit equipment or an on-site generator. The installation of the emergency power system shall be in accordance with CBC Section 2702. (CBC Sec. 1008.3.4)
ILLUMINATION LEVEL UNDER EMERGENCY POWER	ILLUMINATION LEVEL UNDER EMERGENCY POWER - Emergency lighting facilities shall be arranged to provide initial illumination that is at least an average of 1 footcandle (11 lux) and a minimum at any point of 0.1 footcandle (1 lux) measured along the path of egress at floor level. Illumination levels shall be permitted to decline to 0.05 footcandle (0.5 lux) average and a minimum at any point of 0.05 footcandle (0.5 lux) at the end of the emergency lighting time duration. A maximum-to-minimum illumination uniformity ratio of 40 to 1 shall not be exceeded. (CBC Sec. 1008.3.5)
EGRESS COMPONENTS	This facility will not utilize delayed egress components or systems.

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10-07-2022

C-19371  
RENEWAL  
04.30.2023

995 Gateway Center Way,  
Suites 107 & 108,  
San Diego CA 92102

APPLICANT

Prime Harvest, LLC  
1210 Olive St.,  
Ramona, CA 92065

01	08.02.22	Completeness Review - 1st Submittal
02	10.07.22	Conditional Use Permit - 2nd Submittal
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PROJECT NO: 2215

CAD DWG FILE: A109-101 FIRST FLOOR EGRESS ACCESSIBILITY PLAN - 2nd Submittal

DRAWN BY: A.S., S.V., D.C., J.A.

CHK'D BY: A.S., M.M.

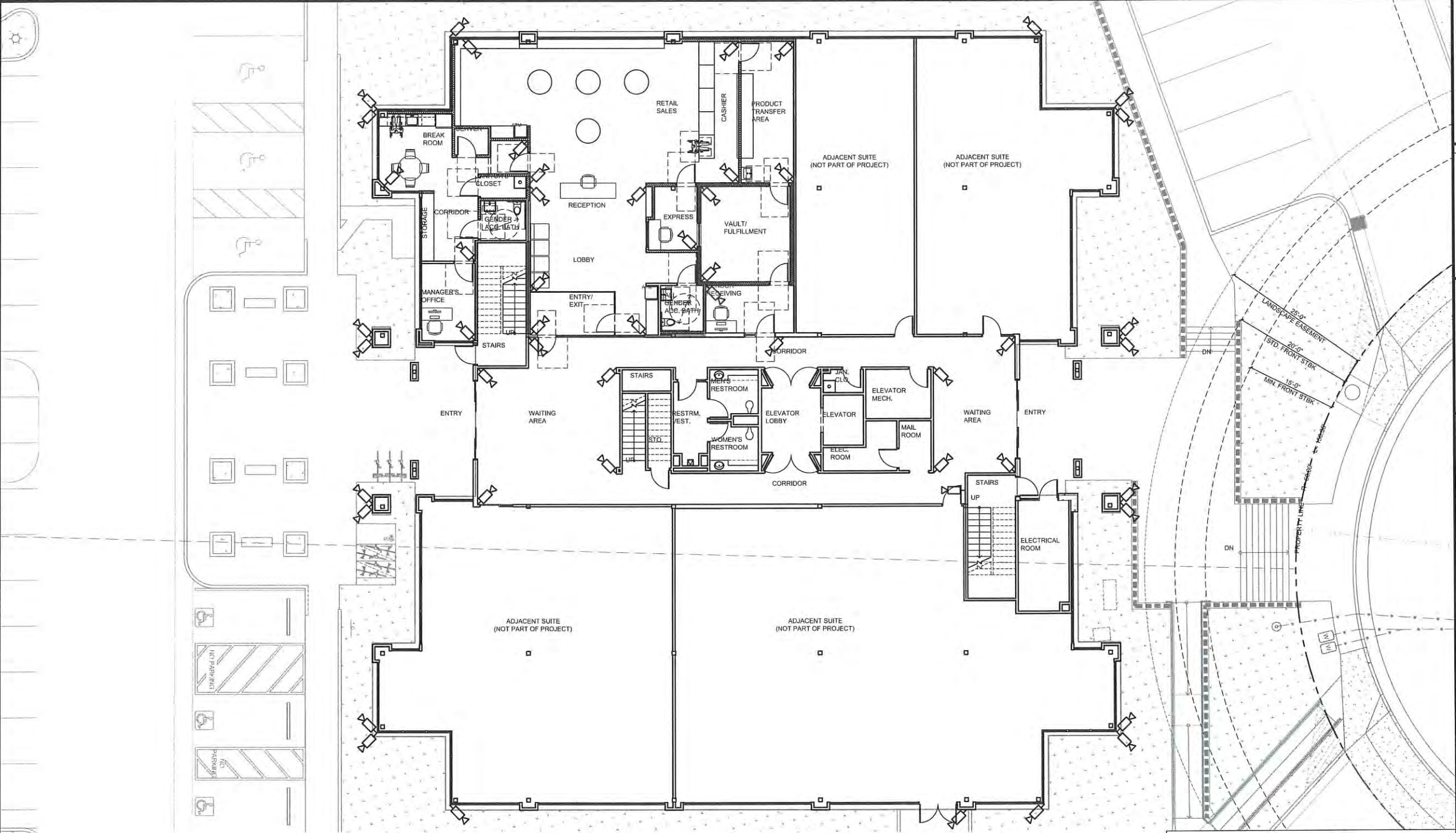
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SHEET TITLE

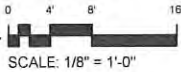
FIRST FLOOR  
EGRESS PLAN -  
PROPOSED

A109

SHEET 17 OF 24



1 FIRST FLOOR SECURITY PLAN - PROPOSED  
SCALE: 1/8" = 1'-0"



SECURITY PLAN LEGEND

- SECURITY CAMERA
  - 30 - INTERIOR SECURITY CAMERAS
  - 21 - EXTERIOR SECURITY CAMERAS
- \*REFER TO SHEET A102 FOR PARKING SECURITY CAMERAS
- LEVEL 1 BULLET RESISTANT WALL  
(Doors and windows located in bullet resistant walls shall also be bullet resistant)
- FULL HEIGHT BULLET RESISTANT GLASS, PLASTIC OR LAMINATE SHIELD OR BULLET RESISTANT ARMOR PANELS

SECURITY PLAN NOTES

1. REFER TO CONDITION USE PERMIT CONDITIONS FOR ADDITIONAL INFORMATION, SHEET G002.

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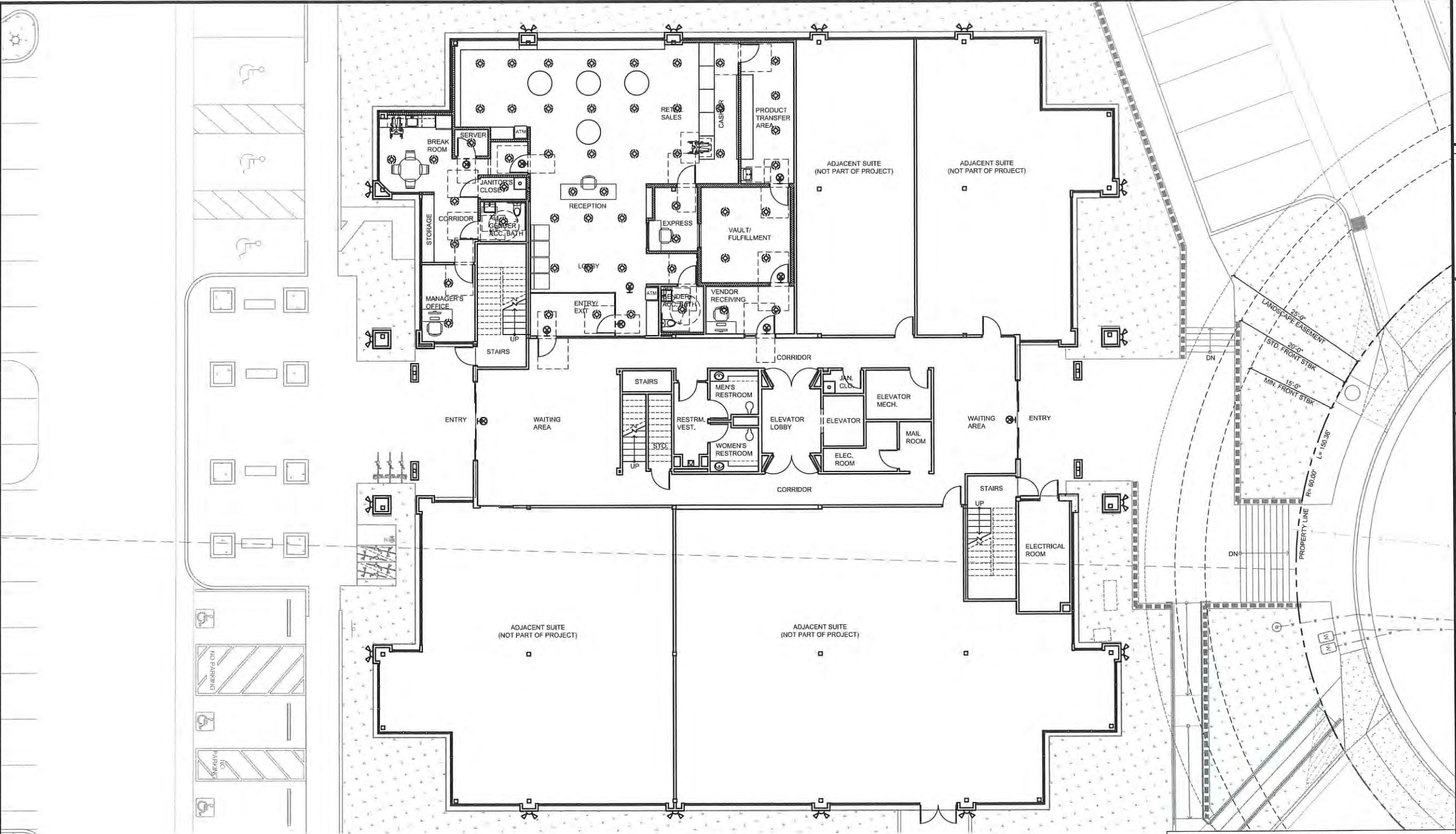
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	PROJECT NO:	2215
	CAD DWG FILE:	A110 FIRST FLOOR SECURITY PLAN - PROPOSED.DWG
	DRAWN BY:	A.S., S.V., D.C., J.A.
	CHK'D BY:	A.S., M.M.

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SHEET TITLE  
FIRST FLOOR  
SECURITY PLAN -  
PROPOSED

A110



1 FIRST FLOOR LIGHTING PLAN - PROPOSED  
SCALE: 1/8" = 1'-0"

0 4' 8' 16'  
SCALE: 1/8" = 1'-0"



LIGHTING PLAN LEGEND

- RECESSED CAN LIGHT
- WALL MOUNTED LIGHT
- EMERGENCY EXIT SIGN

LIGHTING PLAN NOTES

- A. ALL PARKING AREAS SHALL BE ILLUMINATED
- B. ALL AREAS AROUND THE BUILDING SHALL BE ILLUMINATED
- C. LIGHTING SHALL BE SHIELD SO AS TO NOT ILLUMINATE ADJACENT PROPERTIES

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PROJECT NO: 2215

CAD DWG FILE: A111 FIRST FLOOR LIGHTING PLAN - PROPOSED DWG

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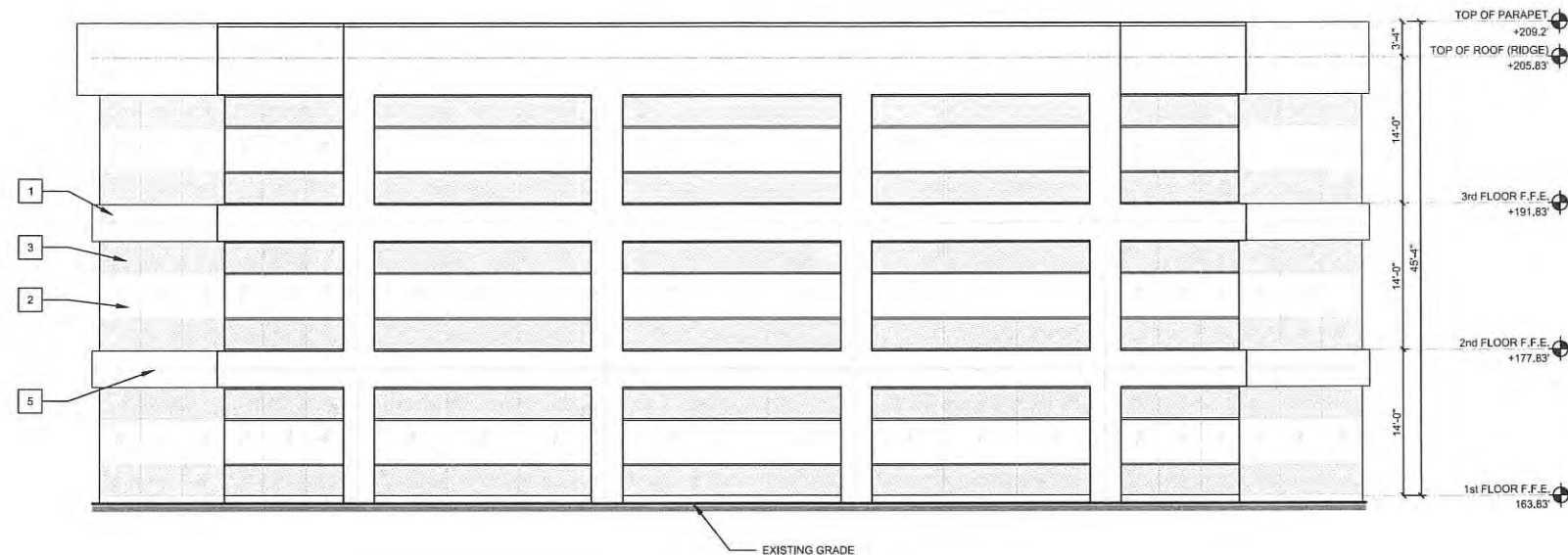
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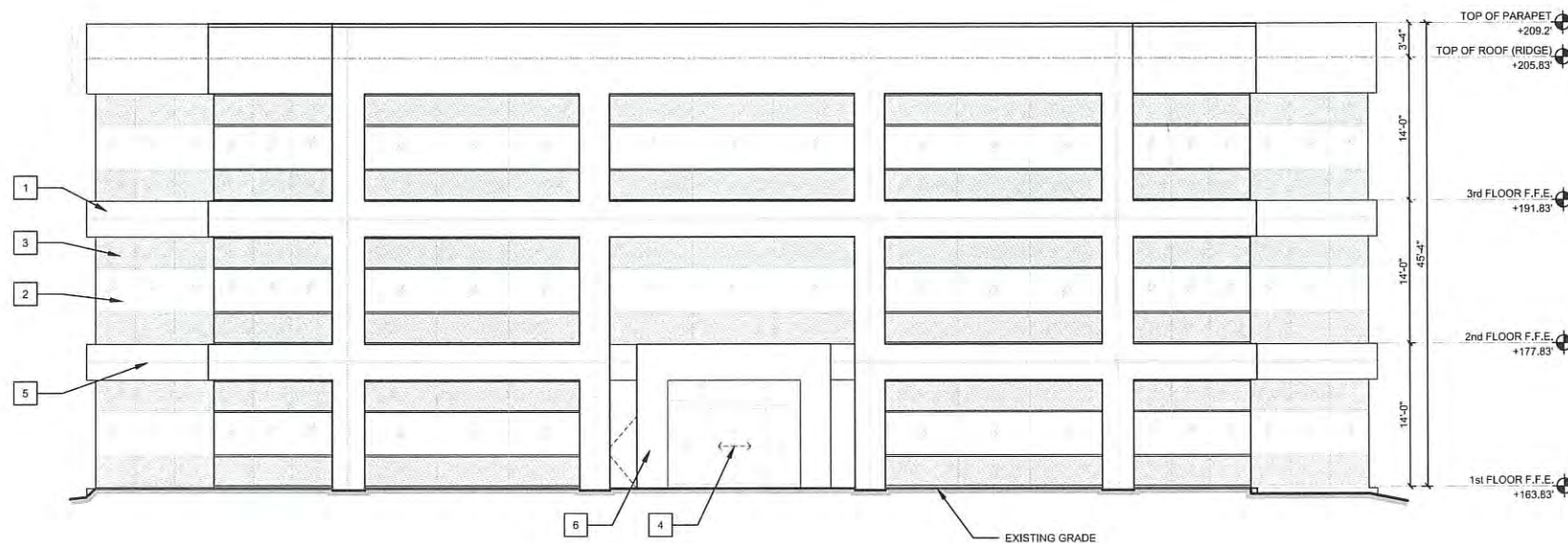
FIRST FLOOR  
LIGHTING PLAN -  
PROPOSED

A111

SHEET 19 OF 24



1 NORTH ELEVATION - EXISTING  
SCALE: 1/8" = 1'-0"



2 EAST ELEVATION - EXISTING  
SCALE: 1/8" = 1'-0"

#### ELEVATION KEYNOTES

1. EXISTING STUCCO FINISH TO REMAIN.
2. EXISTING VISION GLASS TO REMAIN.
3. EXISTING SPANDREL GLASS TO REMAIN.
4. EXISTING EXIT DOOR TO REMAIN.
5. EXISTING EXPANSION JOINT TO REMAIN.
6. EXISTING ALUMINUM CLADDING TO REMAIN.

#### ELEVATION NOTES

Elevations shown are relative to mean sea level.

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10/29/2022 2:28:08 PM

PROJECT NO: 2215

CAD DWG FILE: A201-A202 EXTERIOR ELEVATIONS - EXISTING DWG

DRAWN BY: A.S., S.V., D.C., J.A.

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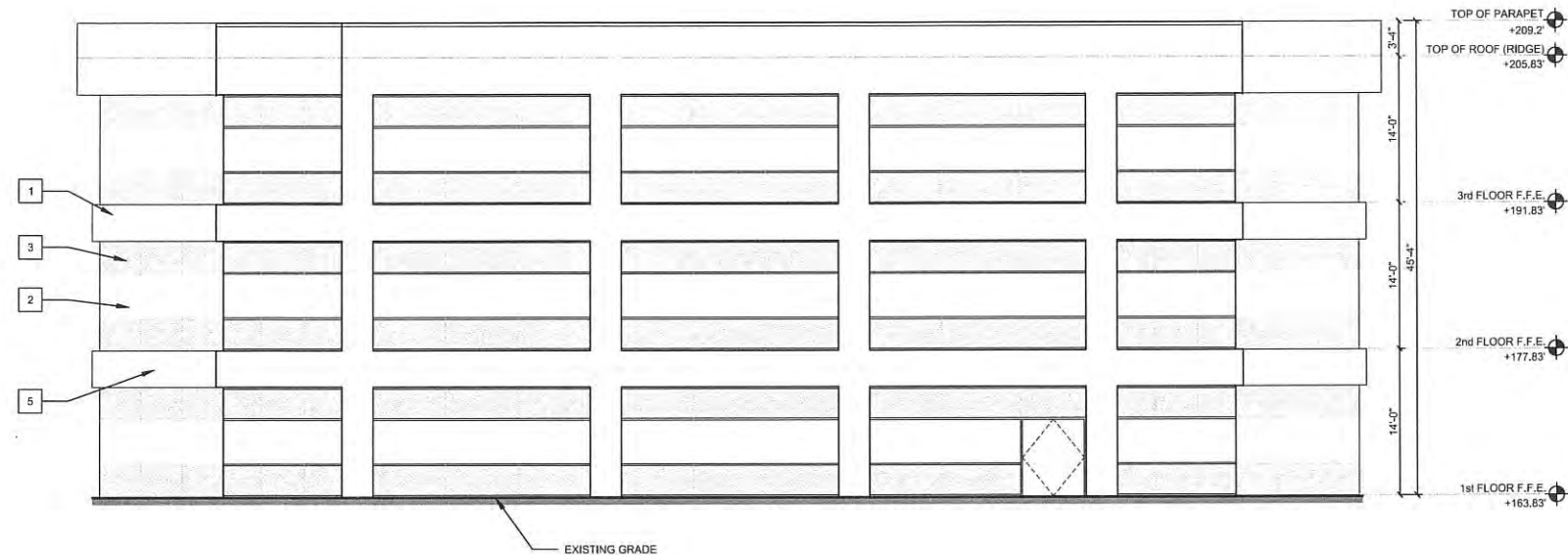
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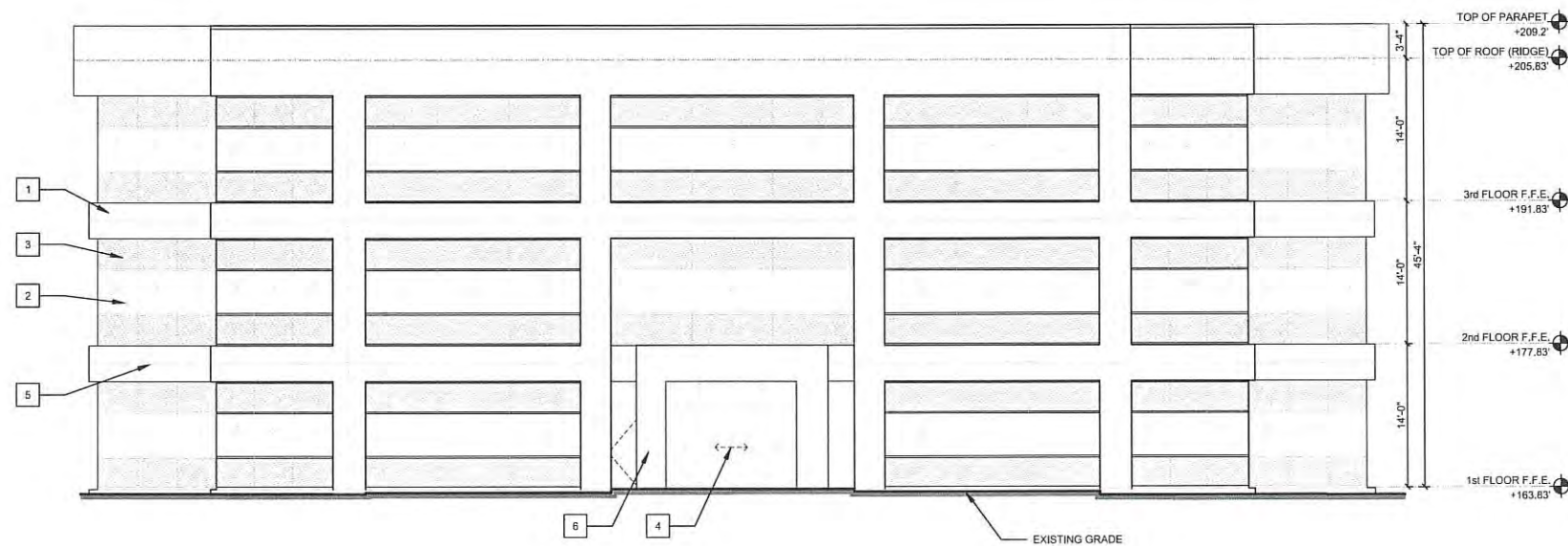
EXTERIOR  
ELEVATIONS -  
EXISTING

A201

SHEET 20 OF 24



1 SOUTH ELEVATION - EXISTING  
SCALE: 1/8" = 1'-0"



2 WEST ELEVATION - EXISTING  
SCALE: 1/8" = 1'-0"

#### ELEVATION KEYNOTES

1. EXISTING STUCCO FINISH TO REMAIN.
2. EXISTING VISION GLASS TO REMAIN.
3. EXISTING SPANDREL GLASS TO REMAIN.
4. EXISTING STOREFRONT TO REMAIN.
5. EXISTING EXPANSION JOINT TO REMAIN.
6. EXISTING ALUMINUM CLADDING TO REMAIN.

#### ELEVATION NOTES

Elevations shown are relative to mean sea level.

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PROJECT NO:	2215
CAD DWG FILE:	A201A202 EXTERIOR ELEVATIONS - EXISTING DWG

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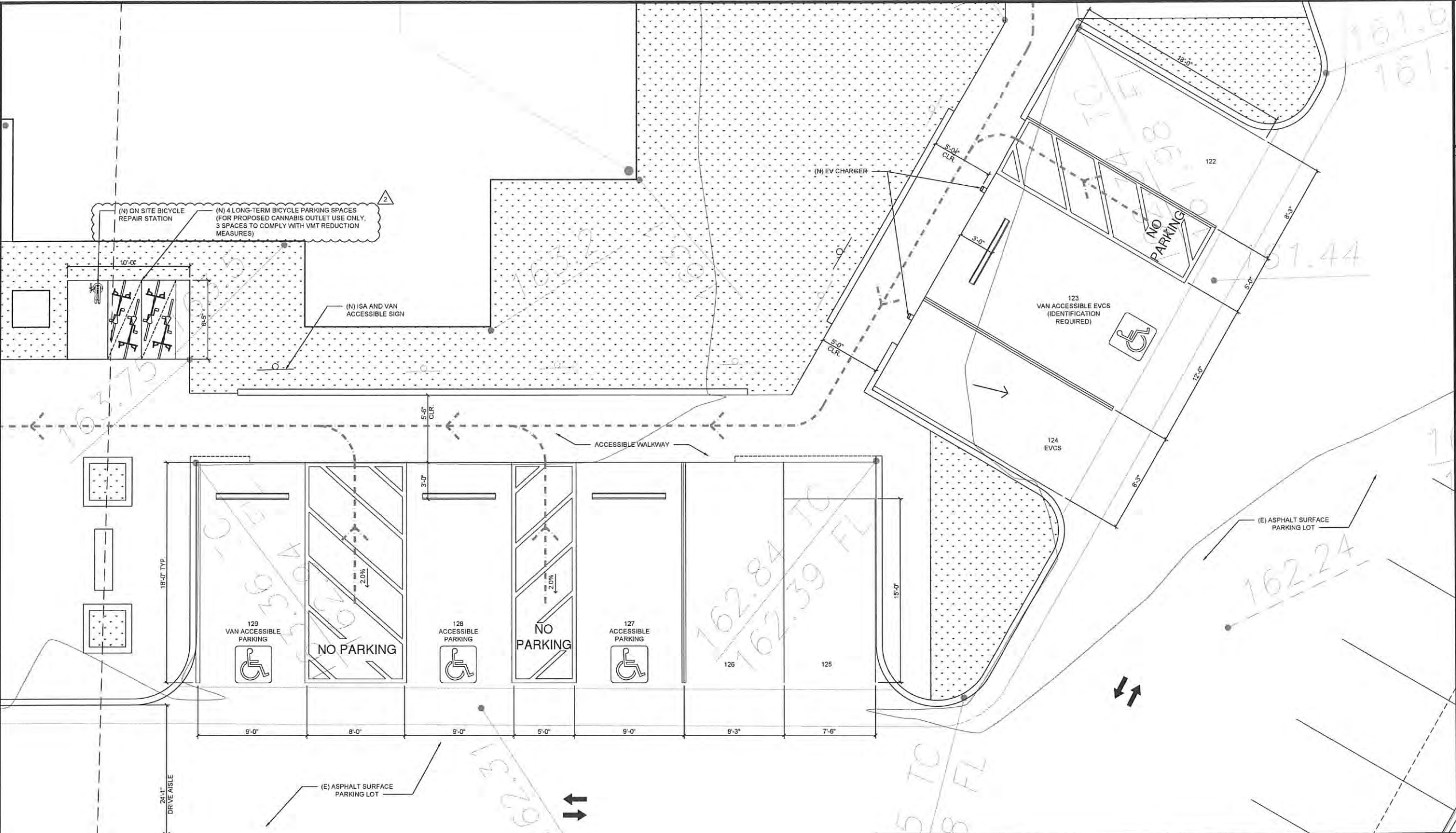
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SHEET TITLE

EXTERIOR  
ELEVATIONS -  
EXISTING

A202

SHEET 21 OF 24



1 ENLARGED ACCESSIBLE PARKING PLAN - PROPOSED  
SCALE: 1/4" = 1'-0"



SITE PLAN NOTES

- A. The site plan is for informational and general site reference only. Refer to other construction documents for complete scope of work.
- B. Before commencing any site foundation or slab cutting or excavation, the contractor shall verify and mark locations of all site utilities, dimensions and conditions. These include but are not limited to property lines, setback location to all new or existing walls, easements (if any), existing site utilities, including water, sewer, gas and electrical lines and any other new or existing site items which could affect in any way the construction of the building. Flag or otherwise mark all locations of site property lines, easements (if any), underground utilities, and indicate utility type.
- C. The Contractor or subcontractor shall notify TECHNE if any conflicts or discrepancy occurs between the information on this plan and actual field conditions. Do not proceed with work in conflict with these drawing until written or verbal instructions are issued by TECHNE.
- D. Protect and mark all existing building structure including walls, beams, columns, area separation walls, and other items that are part of the existing structure and not part of the scope of the tenant improvement, and mark perimeter of construction zone.
- E. Coordinate with other tenants the temporary shutoff of any site utilities.
- F. No proposed improvement will block or alter the existing surface drainage flow pattern.
- G. The existing water and sewer services will remain.
- H. Refer to Topographic Survey for additional information.
- I. BUILDING ADDRESS: Building address numbers must be visible and legible from the street or road fronting the property, per FHPS Policy P-00-6 (UFC 901.4.4).
- J. TRANSIT STOP: Nearest transit stop is approximately 1,900' away from project.
- K. If the City Building Inspector determines non-compliance with any accessibility provisions, a complete and detailed revised plans clearly showing all existing non-complying conditions and the proposed modifications to meet current accessibility requirements (including site plan, floor plans, details, etc.) will be submitted to the department for review and approval.

SITE PLAN LEGEND

- OUTLINE OF EXISTING BUILDING
- AREA OF EXISTING HARDSCAPE
- AREA OF PROPOSED HARDSCAPE
- AREA OF EXISTING LANDSCAPE
- SITE DRAINAGE PATTERN
- VEHICULAR CIRCULATION
- ACCESSIBLE PATH OF TRAVEL

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1210 Olive St.,  
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10/07/2022	4:50:11 PM	
PROJECT NO:	2215	
CAD DWG FILE:	AR01 ENLARGED ACCESSIBLE PARKING PLAN.DWG	
DRAWN BY:	A.S., S.V., D.C., I.A.	
CHK'D BY:	A.S., M.M.	

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SHEET TITLE

ENLARGED  
ACCESSIBLE PARKING  
PLAN - PROPOSED

A401

# SUMMARY OF LANDSCAPE CALCULATIONS

Industrial Development / 995 Gateway Center Way

## STREET YARD

Total Area 4,379 s.f.  
 Planting Area Required 1,094 s.f. Provided 2,328 s.f. Excess Area Provided 1,234 s.f.  
 Planting Points Required 218 Provided 3,340 Excess Points Provided 3,121  
 Planting Area As Hardscape 0 s.f. Points Achieved Through Trees 3,340

## FAÇADE PLANTING AREA

Length of Street Wall 122 ft.  
 Planting Area Required 610 s.f. Provided 860 s.f. Excess Area Provided 250 s.f.  
 Planting Points Required 305 Provided 443 Excess Points Provided 138

## LONG-TERM MAINTENANCE

ALL REQUIRED ON-SITE LANDSCAPE AREAS AS SHOWN ON THESE PLANS, INCLUDING THE RIGHT-OF-WAY, SHALL BE MAINTAINED BY THE PROPERTY OWNER. THE LANDSCAPE AREAS SHALL BE MAINTAINED FREE OF DEBRIS AND LITTER, AND ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION. DISEASED OR DEAD PLANT MATERIAL SHALL BE SATISFACTORILY TREATED OR REPLACED WITHIN 90 DAYS AND PRIOR TO FINAL LANDSCAPE INSPECTION.

## ADJACENT PROPERTIES BRUSH MANAGEMENT MAINTENANCE

BRUSH MANAGEMENT ON ADJACENT PROPERTIES SHALL BE THE RESPONSIBILITY OF ADJACENT PROPERTY OWNER. FOR MAINTENANCE ISSUES, CONTACT THE FIRE-RESCUE DEPARTMENT'S FIRE HAZARD ADVISOR-BRUSHWEED COMPLAINT LINE AT (619) 593-4444.

## PLANTING LEGEND

SYMBOL	BOTANICAL NAME / COMMON NAME	QTY.	SIZE	HT.	SPREAD	FORM / FUNCTION	POINTS
<b>Street Yard</b>							
<b>Existing Trees</b>							
	<i>Ficus nitida</i> Indian Laurel	5	12"	cal. min. avg.	30' x 30'	Upright, spreading / Screening, Shade	1,500
	<i>Podocarpus gracilior</i> Fern Pine	6	12"	cal. min. avg.	25' x 25'	Upright, spreading / Screening, Shade	1,800
<b>Proposed Trees</b>							
	<i>Lophostemon confertus</i> Brisbane Box	2	24" box	20' x 15'		Upright, spreading / Accent, Shade	40

ADJACENT PROPERTY  
 PARCEL 1  
 PARCEL MAP NO. 15400

## PLANTING LEGEND (Cont.)

SYMBOL	BOTANICAL NAME / COMMON NAME	QTY.	SIZE	HT.	SPREAD	FORM / FUNCTION	POINTS
<b>Existing Shrubs</b>							
	<i>Abelia grandiflora</i> Glossy Abelia	-	4' x 4'			Upright, arching / Accent, Scale	-
	<i>Carissa grandiflora</i> Natal Plum	-	4' x 4'			Upright, spreading / Screening, Scale	-
	<i>Philosporum l. 'Variegata'</i> Varig. Mock Orange	-	4' x 4'			Upright, spreading / Accent, Scale	-
<b>Proposed Groundcover</b>							
	<i>Myoporum p. 'Pulchrum'</i> P. C. Myoporum	1 gal. @ 2' o.c.			Low, spreading / Flowers, texture		LID -
<b>Existing Groundcover</b>							
	<i>Doliosperma alba</i> Iceplant	Continuous			Low, spreading / Flowers, texture		LID -
							<b>Total Plant Points</b>
							Required
							3,340
							Excess
							3,121

## FAÇADE PLANTING AREA

<b>Proposed Trees</b>							
	<i>Lophostemon confertus</i> Brisbane Box	2	24" box	20' x 15'		Upright, spreading / Accent, Shade	40
<b>Existing Shrubs</b>							
	<i>Carissa grandiflora</i> Natal Plum	-	4' x 4'			Upright, spreading / Screening, Scale	403
<b>Proposed Groundcover</b>							
	<i>Myoporum p. 'Pulchrum'</i> P. C. Myoporum	1 gal. @ 2' o.c.			Low, spreading / Flowers, texture		LID -
							<b>Total Plant Points</b>
							Required
							443
							Excess
							138

**BRUSH MANAGEMENT ZONES REDUCTIONS**  
 THE ZONE TWO WIDTH MAY BE DECREASED BY 1 FEET FOR EACH 1 FOOT OF INCREASE IN ZONE ONE WIDTH UP TO A MAXIMUM REDUCTION OF 30 FEET OF ZONE TWO WIDTH.

## BRUSH MANAGEMENT PHOTOGRAPH KEY

1-8 Photographs of 995 Gateway Center Way Brush Management Zones

## SITE PHOTOGRAPH KEY

12 (Subject)

NUMBER OF PHOTOGRAPH / DIRECTION OF IMAGE REFER TO SHEET BM-2 FOR PHOTOGRAPHS 1-8 AND FOR BRUSH MANAGEMENT NOTES.

## PLANTING LEGEND (Cont.)

SYMBOL	BOTANICAL NAME / COMMON NAME	QTY.	SIZE	HT.	SPREAD	FORM / FUNCTION	POINTS
<b>Remaining Yard</b>							
<b>Proposed Trees</b>							
	<i>Lophostemon confertus</i> Brisbane Box	2	24" box	20' x 15'		Upright, spreading / Accent, Shade	40
<b>Existing Trees</b>							
	<i>Ficus nitida</i> Indian Laurel	14	12"	cal. min. avg.	30' x 30'	Upright, spreading / Screening, Shade	4,200
	<i>Pinus canariensis</i> Canary Island Pine	3	12"	cal. min. avg.	40' x 15'	Upright, spreading / Screening, Shade	900
<b>Existing Shrubs</b>							
	<i>Carissa grandiflora</i> Natal Plum	-	4' x 4'			Upright, spreading / Screening, Scale	-
	<i>Philosporum l. 'Variegata'</i> Varig. Mock Orange	-	4' x 4'			Upright, spreading / Accent, Scale	-
							<b>Total Plant Points</b>
							Required
							5,140
							Excess
							4,351

## VEHICULAR USE AREA INSIDE STREET YARD

<b>Existing Trees</b>							
	<i>Ficus nitida</i> Indian Laurel	2	12"	cal. min. avg.	30' x 30'	Upright, spreading / Screening, Shade	600
	<i>Podocarpus gracilior</i> Fern Pine	1	12"	cal. min. avg.	30' x 30'	Upright, spreading / Screening, Shade	300
<b>Existing Shrubs</b>							
	<i>Carissa grandiflora</i> Natal Plum	-	4' x 4'			Upright, spreading / Screening, Scale	-
	<i>Philosporum l. 'Variegata'</i> Varig. Mock Orange	-	4' x 4'			Upright, spreading / Accent, Scale	-
							<b>Total Plant Points</b>
							Required
							86
							Excess (Deficit)
							812

## VEHICULAR USE AREA OUTSIDE STREET YARD

<b>Proposed Trees</b>							
	<i>Lophostemon confertus</i> Brisbane Box	12	24" box	20' x 15'		Upright, spreading / Accent, Shade	240
<b>Existing Trees</b>							
	<i>Ficus nitida</i> Indian Laurel	14	12"	cal. min. avg.	30' x 30'	Upright, spreading / Screening, Shade	4,200
	<i>Pinus canariensis</i> Canary Island Pine	5	12"	cal. min. avg.	40' x 15'	Upright, spreading / Screening, Shade	1,500
	<i>Washingtonia robusta</i> Mexican Fan Palm	1	22" b.Lh.	40' x 12'		Upright, spreading / Screening, Scale	80
							<b>Total Plant Points</b>
							Required
							5,970
							Excess (Deficit)
							5,429

## SUMMARY OF LANDSCAPE CALCULATIONS (Cont.)

### REMAINING YARD

Total Area 15,776 s.f.  
 Planting Area Required 4,739 s.f. Provided 9,208 s.f. Excess Area Provided 4,469 s.f.  
 Planting Points Required 789 Provided 5,140 Excess Points Provided 4,351

1,193 Excess Remaining Yard plant points provided and applied to Remaining Yard Area Planting Area requirement a maximum of 25% per SDMC 142.0410(b)(3)

### VEHICULAR USE AREA (65,000 s.f.)

VUA Inside Street Yard Area 1,760 s.f.  
 Planting Area Required 88 s.f. Provided 949 s.f. Excess Area Provided 861 s.f.  
 Planting Points Required 88 Provided 900 Excess Points Provided 812  
 Points Achieved Through Trees 900

VUA Outside Street Yard Area 22,900 s.f.  
 Planting Area Required 687 s.f. Provided 5,800 s.f. Excess Area Provided 5,113 s.f.  
 Planting Points Required 687 Provided 5,970 Excess Points Provided 5,429  
 Points Achieved Through Trees 5,970

## MINIMUM TREE SEPARATION DISTANCE

IMPROVEMENT / MINIMUM DISTANCE TO STREET TREE  
 TRAFFIC SIGNALS (STOP SIGN) - 20 FEET  
 UNDERGROUND UTILITY LINES - 5 FEET (10 FEET FOR SEWER)  
 ABOVE GROUND UTILITY STRUCTURES - 10 FEET  
 DRIVEWAYS (ENTRIES) - 10 FEET  
 INTERSECTIONS (INTERSECTING CURB LINES OF TWO STREETS) - 25 FEET

## PARKING TABULATIONS

Original Parking, Existing (E)	Proposed Parking, New (N)
Compact 96	101
Standard 61	81
Handicap 9	6
EV 0	1
CH202 1	1
<b>Totals</b> 166 (E)	170 (N)
(N) / (E) = 2.4% Increase of parking; SDMC 142.0410(b)(3)(D)	

0 16' 32' 64'  
 SCALE: 1/32" = 1'-0"



TECHNE  
 DESIGN | DEVELOPMENT

2934 Lincoln Ave., San Diego, CA 92104  
 techne-us.com sustainablearchitect.org  
 O 619-940-5814 M 313-595-5814

## CONSULTANTS



SAM WADE

Landscape Architect

1204 Garrett Ave, Suite 305  
 San Diego, CA 92101  
 Tel: 619-270-8698  
 sam@samwadelandscape.com  
 samwadelandscape.com  
 AZ LIC. #26705 | CA LIC. #13703

995 Gateway Center Way,  
 Suites 107 & 108,  
 San Diego CA 92102

## APPLICANT

Prime Harvest, LLC  
 1210 Olive St.,  
 Ramona, CA 92065

NO.	DATE	DESCRIPTION
01	08.02.22	Completeness Review - 1st Submittal
02	08.05.22	Conditional Use Permit - 2nd Submittal
<b>MARK DATE DESCRIPTION</b>		
PROJECT NO: 2216		
CAD DWG FILE:		
DRAWN BY: SW		
CHK'D BY: SW		
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<b>SHEET TITLE</b>		
LANDSCAPE DEVELOPMENT / BRUSH MANAGEMENT PLAN		
<b>BM-1</b>		
SHEET OF		

San Diego Municipal Code  
§142.0412 - Brush Management

Table 142-04H

	Standard Width	Provided Width
Zone One	35-feet	75-feet
Zone Two	65-feet	65-feet



- (f) The Zone Two width may be decreased by 1½ feet for each 1 foot of increase in Zone One width.
- (g) Zone One Requirements
- The required Zone One width shall be provided between native or naturalized vegetation and any structure and shall be measured from the exterior of the structure to the vegetation.
  - Zone One shall contain no habitable structures, structures that are directly attached to habitable structures, or other combustible construction that provides a means for transmitting fire to the habitable structures. Structures such as fences, walls, palapas, play structures, and non-habitable gazebos that are located within brush management Zone One shall be of noncombustible, one hour fire-rated or heavy timber construction.
  - Plants within Zone One shall be primarily low-growing and less than 4 feet in height with the exception of trees. Plants shall be low-fuel and fire-resistant.
  - Trees within Zone One shall be located away from structures to a minimum distance of 10 feet as measured from the structures to the drip line of the tree at maturity in accordance with the Landscape Standards of the Land Development Manual.
  - Permanent irrigation is required for all planting areas within Zone One except as follows:
    - When planting areas contain only species that do not grow taller than 24 inches in height, or
    - When planting areas contain only native or naturalized species that are not summer-dormant and have a maximum height at plant maturity of less than 24 inches.
  - Zone One irrigation overspray and runoff shall not be allowed into adjacent areas of native or naturalized vegetation.
  - Zone One shall be maintained on a regular basis by pruning and thinning plants, controlling weeds, and maintaining irrigation systems.
- (h) Zone Two Requirements
- The required Zone Two width shall be provided between Zone One and the undisturbed, native or naturalized vegetation, and shall be measured from the edge of Zone One that is farthest from the habitable structure, to the edge of undisturbed vegetation.
  - No structures shall be constructed in Zone Two.
  - Within Zone Two, 50 percent of the plants over 24 inches in height shall be cut and cleared to a height of 6 inches.
  - Within Zone Two, all plants remaining after 50 percent are reduced in height, shall be pruned to reduce fuel loading in accordance with the Landscape Standards in the Land Development Manual. Non-native plants shall be pruned before native plants are pruned.
  - The following standards shall be used where Zone Two is in an area previously graded as part of legal development activity and is proposed to be planted with new plant material instead of clearing existing native or naturalized vegetation:
    - All new plant material for Zone Two shall be native, low-fuel, and fire-resistant. No non-native plant material may be planted in Zone Two either inside the MHPA or in the Coastal Overlay Zone, adjacent to areas containing sensitive biological resources.
    - New plants shall be low-growing with a maximum height at maturity of 24 inches. Single specimens of fire resistant native trees and tree form shrubs may exceed this limitation if they are located to reduce the chance of transmitting fire from native or naturalized vegetation to habitable structures and if the vertical distance between the lowest branches of the trees and the top of adjacent plants are three times the height of the adjacent plants to reduce the spread of fire through ladder fueling.
    - All new Zone Two plantings shall irrigated temporarily until established to the satisfaction of the City Manager. Only low-flow, low-gallage spray heads may be used in Zone Two. Overspray and runoff from the irrigation shall not drift or flow into adjacent areas of native or naturalized vegetation. Temporary irrigation systems shall be removed upon approved establishment of the plantings. Permanent irrigation is not allowed in Zone Two.

San Diego Landscape Standards  
Section III - Brush Management

3-1 BRUSH MANAGEMENT - DESCRIPTION

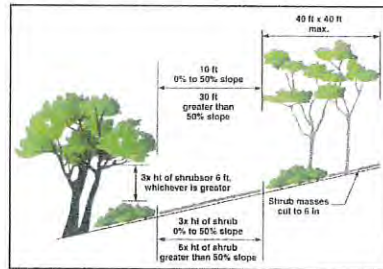
Fire safety in the landscape is achieved by reducing the readily flammable fuel adjacent to structures. This can be accomplished by pruning and thinning of native and naturalized vegetation, revegetation with low fuel volume plantings or a combination of the two. Implementing brush management in an environmentally appropriate manner requires a reduction in the amount and continuity of highly flammable fuel while maintaining plant coverage for soil protection. Such a transition will minimize the visual, biological and erosion impacts while reducing the risks of wildland fires.

3-2 BRUSH MANAGEMENT- REQUIREMENTS

3.2-1 Basic requirements - All Zones

- 3.2-1.01 For zone two, plants shall not be cut below six inches.
- 3.2-1.02 Debris and trimmings produced by thinning and pruning shall be removed from the site or if left, shall be converted into mulch by a chipping machine and evenly dispersed, non-irrigated, to a maximum depth of 6 inches.
- 3.2-1.03 Trees and large tree form shrubs (e.g., Oaks, Sumac, Toyon) which are being retained shall be pruned to provide clearance of three times the height of the under story plant material or six feet whichever is higher (Figure 3-1). Dead and excessively twiggy growth shall also be removed.

Figure 3-1  
Pruning Trees to Provide Clearance for Brush Management



- 3.2-1.04 All plants or plant groupings except cacti, succulents, trees and tree-form shrubs shall be separated by a distance three times the height of the tallest adjacent plants (Figure 3-1).
- 3.2-1.05 Maximum coverage and area limitations as stated herein shall not apply to indigenous native tree species (i.e., Pinus, Quercus, Platanus, Salix and Populus).
- 3.2-2 Zone 1 Requirements - All Structures
- 3.2-2.01 Do not use, and remove if necessary, highly flammable plant materials (see Appendix "B").
- 3.2-2.02 Trees should not be located any closer to a structure than a distance equal to the tree's mature spread.
- 3.2-2.03 Maintain all plantings in a succulent condition.
- 3.2-2.04 Non-irrigated plant groupings over six inches in height may be retained provided they do not exceed 100 square feet in area and their combined coverage does not exceed 10 percent of the total Zone 1 area.

3.2-3 Zone 2 Requirements - All Structures

- 3.2-3.01 Individual non-irrigated plant groupings over 24 inches in height may be retained provided they do not exceed 400 square feet in area and their combined coverage does not exceed 30 percent of the total Zone 2 area.

Brush Management Maintenance Notes

- General Maintenance - Regular inspections and landscape maintenance are necessary to minimize the potential damage or loss of property from brush fires and other natural hazards such as erosion and slope failures. Because each property is unique establishing a precise maintenance schedule is not feasible. For effective fire and watershed management, however, property owners should expect to provide maintenance according to each brush management zone: Zone 1: Year-round maintenance, Zone 2: Seasonal maintenance. Brush management activities are prohibited within coastal sage scrub, maritime succulent scrub, and coastal sage-chaparral habitats from March 1 through August 15, except where documented to the satisfaction of the City Manager that the thinning would be consistent with conditions of species coverage described in the City of San Diego's MSCP Subarea Plan.
- Brush Management Zone 1 - This is the most critical area for fire and watershed safety. All ornamental plantings should be kept well watered and any irrigation run-off should drain toward the street. Rain gutters and drainage pipes should be cleaned regularly and all leaves removed from the roof before the fire season begins. All planting, particularly non-irrigated natives and large trees should be regularly pruned to eliminate dead fuels, to reduce excessive fuel and to provide adequate space between plants and structures.
- Brush Management Zone 2 - Seasonal maintenance in this zone should include removal of dead woody plants, eradication of weedy species and periodic pruning and thinning of trees and shrubs. Removal of weeds should not be done with hand tools such as hoes, as this disturbs valuable soil. The use of weed trimmers or other tools which retain short stubble that protects the soil is recommended. Native shrubs should be pruned in the summer after the major plant growth occurs. Well pruned healthy shrubs should typically require several years to build up excessive live and dead fuel. On slopes all drainage devices must be kept clear. Re-inspect after each major storm since minor soil slips can block drains. Various groundcovers should be periodically sheared and thatch removed. Diseased and dead wood should be pruned from trees. Fertilizing trees and shrubs is not typically recommended as this may stimulate excessive growth.
- Long-term Maintenance Responsibility - All Landscaping / Brush Management within the Brush Management Zone(s) as shown on these plans shall be the responsibility of the Owner [please Specify, e.g. Owner, H.O.A.]. The Brush Management Zone areas shall be maintained free of debris and litter and all plant material shall be maintained in a healthy growing condition.

SITE PHOTOGRAPHS; REFER TO SHEET BM-1 FOR PHOTO KEY MAP



PHOTO 1 LOOKING SOUTHWESTERLY AT BUILDING ZONE ONE



PHOTO 3 LOOKING SOUTHWESTERLY IN ZONE ONE



PHOTO 5 LOOKING WESTERLY IN ZONE ONE



PHOTO 7 LOOKING NORTHERLY IN ZONE ONE



PHOTO 2 LOOKING NORTHEASTERLY AT BUILDING ZONE ONE



PHOTO 4 LOOKING WESTERLY IN ZONE ONE



PHOTO 6 LOOKING NORTHERLY IN ZONE ONE




PHOTO 8 LOOKING NORTHERLY IN ZONE ONE

**BRUSH MANAGEMENT ZONES PHOTO INVENTORY**  
1-8 Photographs of 995 Gateway Center Way Brush Management Zones  
REFER TO BRUSH MANAGEMENT PLAN SHEET BM-1  
FOR PHOTOGRAPH LOCATIONS KEY

TECHNE  
DESIGN | DEVELOPMENT

2934 Lincoln Ave., San Diego, CA 92104  
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A7 LUL #26705 | CA LUL #37319

995 Gateway Center Way,  
Suites 107 & 108,  
San Diego CA 92102

APPLICANT

Prime Harvest, LLC  
1210 Olive St.,  
Ramona, CA 92065

01	08.02.22	Completeness Review - 1st Submittal
02	10.05.22	Conditional Use Permit - 2nd Submittal

MARK DATE DESCRIPTION

PROJECT NO:	2218
CAD DWG FILE:	
DRAWN BY:	SW
CHK'D BY:	SW

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SHEET TITLE

BRUSH  
MANAGEMENT NOTES,  
PHOTO INVENTORY PLAN

BM-2

SHEET OF

## EXHIBIT 10



*First American*

myFirstAm

Recorded Document

995 Gateway Center Way, San Diego, CA 92102

The requested Recorded Document images are displayed in the subsequent pages for the following property:

**995 Gateway Center Way  
San Diego, CA 92102**

**Document Number: 0000363741  
Document Date: 19970730**

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RECORDING REQUESTED BY:

**NORTH AMERICAN TITLE COMPANY**  
AND WHEN RECORDED, MAIL TO:

SAN DIEGO GMC, LLC  
455 University Avenue, Suite 270  
Sacramento, CA 95825

Fl  
TR  
SD

1766

DOC # 1997-0363741  
30-JUL-1997 03:16 F

OFFICIAL RECORDS  
SAN DIEGO COUNTY RECORDER'S OFFICE  
GREGORY SMITH, COUNTY RECORDER  
RF: 5.00 FEES: 3.99  
AF: 1.00 CC  
MF: 1.00  
TAX: 3987.50

THIS SPACE FOR RECORDER'S USE ONLY

ASSESSOR'S PARCEL NO.: 546-440-25-00

TITLE ORDER NO.: 30-81885-98

ESCROW NO.: 6973-LL

The undersigned Grantor(s) declare(s) that the **DOCUMENT TRANSFER**  
**TAX IS:**

\$ 3,987.50 County \$ City

XX computed on the full value of the interest of property conveyed, or  
— computed on the full value less the value of liens or encumbrances  
remaining thereon at the time of sale  
— OR transfer is EXEMPT from tax for the following reason:

## GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,  
GRANITE MANAGEMENT CORPORATION, INC., a Delaware Corporation

hereby GRANT(S) to  
SAN DIEGO GMC, LLC, a limited liability company

all that real property situated in the City of SAN DIEGO  
County of SAN DIEGO, State of California, described as:

LOTS 19 AND 20 INCLUSIVE OF GATEWAY CENTER EAST UNIT NO. 1, ACCORDING TO MAP THEREOF NO.  
11512, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON MAY 14, 1986.

Dated July 24, 1997

STATE OF NEW YORK,  
COUNTY OF New York, ss.

On July 28, 1997, before me David  
Fish, Notary Public, personally appeared  
Pamela L. Gheysen

GRANITE MANAGEMENT CORPORATION  
a Delaware Corporation

By: Pamela L. Gheysen  
Pamela L. Gheysen  
First Vice President

personally known to me (or proved to me on the basis of  
satisfactory evidence) to be the person(s) whose name(s)  
is/are subscribed to the within instrument and acknowledged  
to me that he/she/they executed the same in his/her/their  
authorized capacity(ies), and that by his/her/their signature(s)  
on the instrument the person(s), or the entity upon behalf of  
which the person(s) acted, executed the instrument.  
WITNESS my hand and official seal.

Signature David Fish

MAIL TAX STATEMENTS TO:

SAN DIEGO GMC, LLC-455 UNIVERSITY AVENUE, SUITE 270, SACRAMENTO, CA 95825

NAME

ADDRESS

CITY, STATE & ZIP

DAVID FISH  
Notary Public, State of New York  
No. 31-600667  
Qualified in New York County  
Certificate filed in New York County  
Commission Expires March 22, 1999

(This area for official notary seal)



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

# General Application

**FORM  
DS-3032**

**JANUARY 2019**

Part I (Must be completed for all permits/approvals)

**1. Approval Type:** *Separate electrical, plumbing and/or mechanical permits are required for projects other than single-family residences or duplexes* ☐ Electrical/Plumbing/Mechanical ☐ Sign ☐ Building ☐ Grading ☐ Public Right-of-Way ☐ Public Right-of-Way Small Cell Wireless Facility ☐ Subdivision ☐ Demolition/Removal ☐ Development Approval ☐ Vesting Tentative Map ☐ Tentative Map ☐ Map Waiver ☒ Other Conditional Use Permit

**2. Project Address/Location:** *Include Building or Suite No.*  
995 Gateway Center Way, Suites 107 & 108, SD, CA 92102

**Project Title:**  
995 Gateway Center CO

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

**Legal Description:** *(Lot, Block, Subdivision Name & Map Number)*  
Lots 19 & 20, Gateway Center East Unit No. 1, Map No. 11512

**Assessor's Parcel Number:**  
546-440-25-00

**Existing Use:** ☐ House/Duplex/Townhouse ☐ Condominium/Apartment ☒ Commercial/Non-Residential ☐ Vacant Land  
**Proposed Use:** ☐ House/Duplex/Townhouse ☐ Condominium/Apartment ☒ Commercial/Non-Residential ☐ Vacant Land

**Project Description:**

The project consists of the conversion of an existing suite with an approximate area of 2,995.6 sf into a Cannabis Outlet in an existing multi-story commercial building with an approximate area of 42,530 sf.

**3. Property Owner Name:**  
GATEWAY SMP LLC

**Telephone:**  
858-242-5670

Address: 5710 La Jolla Mesa Dr City: La Jolla State: CA Zip Code: 92037 E-mail Address: ali@alieshan.com / mralieshan@yahoo.com

**4. Permit Holder** - This is the property owner, person, or entity that is granted authority by the property owner to be responsible for scheduling inspections, receiving notices of failed inspections, permit expirations or revocation hearings, and who has the right to cancel the approval (in addition to the property owner). SDMC Section 113.0103.

Name:  
Prime Harvest, LLC (Contact: Duane Alexander)

Telephone:  
702-350-9699

Address: 1210 Olive St., City: Ramona State: CA Zip Code: 92065 E-mail Address: duane@primeharvestinc.com

**5. Licensed Design Professional** (if required): (check one) ☐ Architect ☐ Engineer

License No.: \_\_\_\_\_

Name:

Telephone:

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

**6. Historical Resource Information** (not required for roof mounted Electric-Photovoltaic Permits and deferred fire approvals)

- a. Does the project contain a designated historic resource or is it located within a designated historic district? ☒ No ☐ Yes  
b. List the year constructed for all structures on the project site: 1989. If the project site contains any structure 45 years old or older, supplemental submittal requirements may be required. See information Bulletin 580, Potential Historical Resource Review, for additional information.

**7. Active Code Enforcement Case** - Is there an active code enforcement violation case on this site? ☒ No ☐ Yes  
If yes: Is this application related to the code violation? ☐ No ☐ Yes Will this application resolve the code violation? ☐ No ☐ Yes

**8. Applicant Name:** Check one ☐ Property Owner ☐ Authorized Agent of Property Owner ☒ Other Person per M.C. Section 112.0102

Prime Harvest, LLC (Contact: Duane Alexander)

Telephone:  
702-350-9699

Address: 1210 Olive St., City: Ramona State: CA Zip Code: 92065 E-mail Address: duane@primeharvestinc.com

**Applicant's Signature:** I certify that I have read this application and state the above information is correct, and that I am the property owner, authorized agent of the property owner, or other person having a legal right, interest, or entitlement to the use of the property that is the subject of this application ([Municipal Code Section 112.0102](#)). I understand that the applicant is responsible for knowing and complying with the governing policies and regulations applicable to the proposed development or permit. The City is not liable for any damages or loss resulting from the actual or alleged failure to inform the applicant of any applicable laws or regulations, including before or during final inspections. City approval of a permit application, including all related plans and documents, is not a grant of approval to violate any applicable policy or regulation, nor does it constitute a waiver by the City to pursue any remedy, which may be available to enforce and correct violations of the applicable policies and regulations. I authorize representatives of the city to enter the above-identified property for inspection purposes. I have the authority and grant City staff and advisory bodies the right to make copies of any plans or reports submitted for review and permit processing for the duration of this project.

DocuSigned by:

Signature:

Duane Alexander

Date: 8/1/2022

981F93CDA4C64EA

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

Project Address/Location: Include Building or Suite No.:

Project No. For City Use Only

9. Contractor Name:

Telephone:

Address:

City:

State:

Zip Code:

E-mail Address:

State License No.:

License Class:

**\*Licensed Contractor's Declaration:** I hereby affirm under penalty of perjury that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

Contractor Signature or authorized agent: \_\_\_\_\_

**10. \*Worker's Compensation Declaration:** I hereby affirm under penalty of perjury one of the following declarations:  
WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

I hereby affirm under penalty of perjury one of the following declarations:

- ☐ a. I have and will maintain a certificate of consent to self-insure for workers' compensation, issued by the Director of Industrial Relations as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.
- ☐ b. I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Insurance Carrier: \_\_\_\_\_ Policy No.: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Name of Agent: \_\_\_\_\_ Phone No.: \_\_\_\_\_

- ☐ c. I certify that, in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that, if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

Contractor, owner, or authorized agent signature: \_\_\_\_\_

**11. \*Owner-Builder Declaration:** I hereby affirm under penalty of perjury that I am exempt from the Contractors' State License Law for the reason(s) indicated below by the checkmark(s) I have placed next to the applicable item(s). (Section 7031.5, Business and Professions Code: Any city or county that requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for the permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractor's State License Law (Chapter 9 commencing with Section 7000 of Division 3 of the Business and Professions Code) or that he or she is exempt from licensure and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500).

- ☐ a. I, as owner of the property, or my employees with wages as their sole compensation, will do ( ) all of or ( ) portions of the work, and the structure is not intended or offered for sale (Section 7044, Business and Professions Code: The Contractors' State License Law does not apply to an owner of property who, through employees' or personal effort, builds or improves the property, provided that the improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the Owner-Builder will have the burden of proving that it was not built or improved for the purpose of sale).
- ☐ b. I, as owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, Business and Professions Code: The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and contracts for such projects with contractor(s) licensed pursuant to the Contractor's License Law).
- ☐ c. I am exempt from licensure under the Contractors' State License Law for the following reason: \_\_\_\_\_

By my signature below I acknowledge that, except for my personal residence in which I must have resided for at least one year prior to completion of the improvements covered by this permit, I cannot legally sell a structure that I have built as an owner-builder if it has not been constructed in its entirety by licensed contractors. I understand that a copy of the applicable law, Section 7044 of the Business and Professions Code, is available upon request when this application is submitted or at the following web site:  
<http://leginfo.ca.gov/faces/codes.xhtml>.

Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

Owner Signature or authorized agent: \_\_\_\_\_

A separate Owner-Builder Verification form (DS-3042) must also be signed by the owner)

**12. Construction Lending Agency:** I hereby affirm that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civ. C).

Lender's Name: \_\_\_\_\_ Lender's Address: \_\_\_\_\_

\*Required per California State Law, Health &amp; Safety Code Section 19825-29

Clear Form

Part II (Must be completed for all Construction Permits, except Grading and Public Right-of-way)