



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: March 15, 2023 REPORT NO. HO-23-012

HEARING DATE: March 22, 2023

SUBJECT: 4909 Pacific Highway Cannabis Outlet, Process Three Decision

PROJECT NUMBER: [PRJ-1070598](#)

OWNER/APPLICANT: RAP HOLDINGS, LLC, Owner, and AARON MAGAGNA, Applicant

SUMMARY

Issue: Should the Hearing Officer approve a new, a 464-square-foot cannabis outlet (CO) within an existing 32,829-square-foot commercial building previously permitted as a cannabis production facility (CPF), at 4909 Pacific Highway in the IL-3-1 zone within the Linda Vista Community Plan (LVCP) area?

Staff Recommendation:

1. Approve Conditional Use Permit Nos. 3142554 and 3203668

Community Planning Group Recommendation: On January 23, 2023 (Attachment 6), the Linda Vista Community Planning Board (LVCPB) voted 7-0-2 to recommend approval of the project.

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Existing Facilities. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on February 15, 2023 and the opportunity to appeal that determination ended March 1, 2023.

BACKGROUND

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

replaced the word “marijuana” with “cannabis”, to reflect consistency with the State of California cannabis regulations. Therefore, Marijuana Outlet was renamed to cannabis outlet.

Cannabis outlets are allowed with the approval of a Process Three CUP, pursuant to [SDMC section 126.0303](#), in designated base zones. A CUP allows a cannabis outlet to sell both medicinal and recreational cannabis products subject to state licensing requirements.

The project is located in City Council District 7. Pursuant to [SDMC section 141.0504](#), cannabis outlets are limited to no more than four per City Council district, with existing outlets that changed City Council districts as a result of redistricting allowed to remain. This results in four outlets allowed in Council Districts 2, 3, 4, 5, 6, 7, and 8, and five allowed in Council Districts 1 and 9, or 38 City-wide, within commercial and industrial zones. At this time, Council District 7 has only two permitted cannabis outlets, located at 1028 Buenos Avenue and 8863 Balboa Avenue. If approved by the Hearing Officer, the proposed project would be the third cannabis outlet CUP approved within Council District 7.

DISCUSSION

Project Description:

Project Location:	4909 Pacific Highway, Linda Vista Community Plan
Project Scope:	Conditional Use Permit for a 464-square-foot cannabis outlet to operate within an existing 32,829-square-foot commercial building previously permitted as a cannabis production facility
Lot Size:	1.02-acre (44,511-square-feet)
Zoning:	IL-3-1 (Light Industrial, Office, and Commercial Uses)
Overlay Zones:	Airport Influence Area (NAS North Island and San Diego International Airport (SDIA) Review Area 2), Airport Land Use Compatibility Overlay (NAS North Island and SDIA), Coastal Overlay Zone (Non-Appealable Area 2), FAA Part 77 Notification area, Parking Impact Overlay Zone (Campus Impact), Parking Standards and Transit Priority Area (PSTPA) - Mobility Zone 2, Transit Priority Area (TPA)
Community Plan Designation:	Industrial

This project is a request for a CUP and CUP amendment pursuant to SDMC Section 126.0303 to allow the operation of a 464-square-foot cannabis outlet within an existing 32,829-square-foot commercial building located at 4909 Pacific Highway (Attachment 1). The site is currently improved with a one-story commercial structure constructed in 1953 and occupied by commercial warehouse tenants. CUP No. 2066720 approved the operation of a CPF and would be amended to allow the CO use on a portion of the site.

The proposed cannabis outlet is required to provide two (2) parking spaces, which will be accommodated within the existing number of total spaces on the site, twelve (12). A Vehicle Miles Traveled (VMT) Screening Analysis was prepared and concluded that the project is presumed to have a less than significant transportation VMT impact as a locally-serving retail use, and no additional VMT analysis is required.

Operation of the cannabis outlet 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 the landscape regulations and will be included in the building permit scope of work.

General Plan and Community Plan Consistency: The LVCP designates the site as Industrial to accommodate and promote a mix of industrial and non-industrial uses to ensure a diverse job base. The site is in the industrial area west of Morena Boulevard, which Linda Vista Commercial and Industrial Goal #2 seeks to retain as a diverse employment base for the community and the City. Additionally, the IL base zone is intended to provide a wide range of light industrial, office, and commercial uses to encourage sound industrial development by providing an attractive environment free from adverse impacts associated with some heavy industrial uses.

As a retail establishment specialized in the sale of cannabis, a cannabis outlet fits the Industrial designation. The use would serve the needs of residents who want to purchase recreational cannabis and will also provide jobs to area residents. City and state requirements for security systems, guards, and secured facilities will ensure that the potential for criminal activity is minimized, and conditions of the permit will ensure prompt resolution of litter and graffiti if it occurs onsite. Furthermore, the project is conditioned to plant trees, shrubs, and ground cover (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 3142555).

The City's General Plan Land Use and Community Planning Element designates the site Industrial Employment. The proposed project will promote the policies of the General Plan because cannabis outlets supply jobs and encourage and facilitate commerce within the San Diego region.

Separation Requirements: The SDMC allows the operation of cannabis outlets in specific land use zones of the City and provides regulations for cannabis outlets. One of the criteria of the SDMC is the minimum separation requirements between an outlet and other specified uses. SDMC Section 141.0504(a) requires a 1,000-foot separation from resource and population-based city parks, other cannabis outlets, 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.

During project review, staff identified one potential conflict with the separation requirements. Mission Bay Park, a resource-based park designated by the General Plan, lies within 1,000 feet by straight-line measurement. Staff has verified, in accordance with [SDMC 113.0225\(c\)](#), that significant natural and constructed barriers that impede direct physical access between the park and the CO

exist and that a signed survey (Attachment 8), showing a valid path of travel around those barriers establishes the park and proposed CO are 1,634 feet apart using the most direct route around the identified barriers. Therefore, the proposed cannabis outlet conforms with the separation requirements.

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

Conclusion: Cannabis outlets are unique in that there are only four allowed per council district, or 36 city-wide, with existing outlets that changed districts because of redistricting allowed to remain. Redistricting effective December 12, 2022 resulted in 5 existing outlets in Districts 1 and 9, for a total of 38 outlets allowed city-wide. No other retail business regulated by the City of San Diego is subject to such restrictions.

Since the City's recreational cannabis regulations were first adopted in 2017, the zoning and separation requirements for cannabis outlets have resulted in very few locations that meet all locational criteria. This limits the ability of local residents to obtain legal cannabis nearby and can result in purchases from outside residents' local area (retail or delivery) or obtaining cannabis from the illegal market, both of which may have negative consequences including: increased cost to the end user, more vehicle miles traveled, loss of tax revenue to the City, and (in the case of illegal cannabis) purchase of cannabis that has not been tested or quality controlled and which undercuts the legal, taxed regulated market. It also means that different areas of the City have different concentrations of cannabis outlets, which may have social equity implications. The more difficult it is to obtain legal cannabis, the more likely a consumer will be to turn to the illegal market.

This project meets all locational restrictions of the cannabis outlet ordinance. The proposed project is in Council District 7. At this time, District 7 has only two permitted cannabis outlets, located at 1028 Buenos Avenue and 8863 Balboa Avenue. The proposed project would be the third outlet in a district capped at four, leaving one remaining opportunity in District 7. This project would be the 30th cannabis outlet permitted in the City.

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

draft conditions of approval (Attachment 5). Staff recommends that the Hearing Officer approve Conditional Use Permit No. 3142554 and Conditional Use Permit No. 3203668 as proposed.

ALTERNATIVES

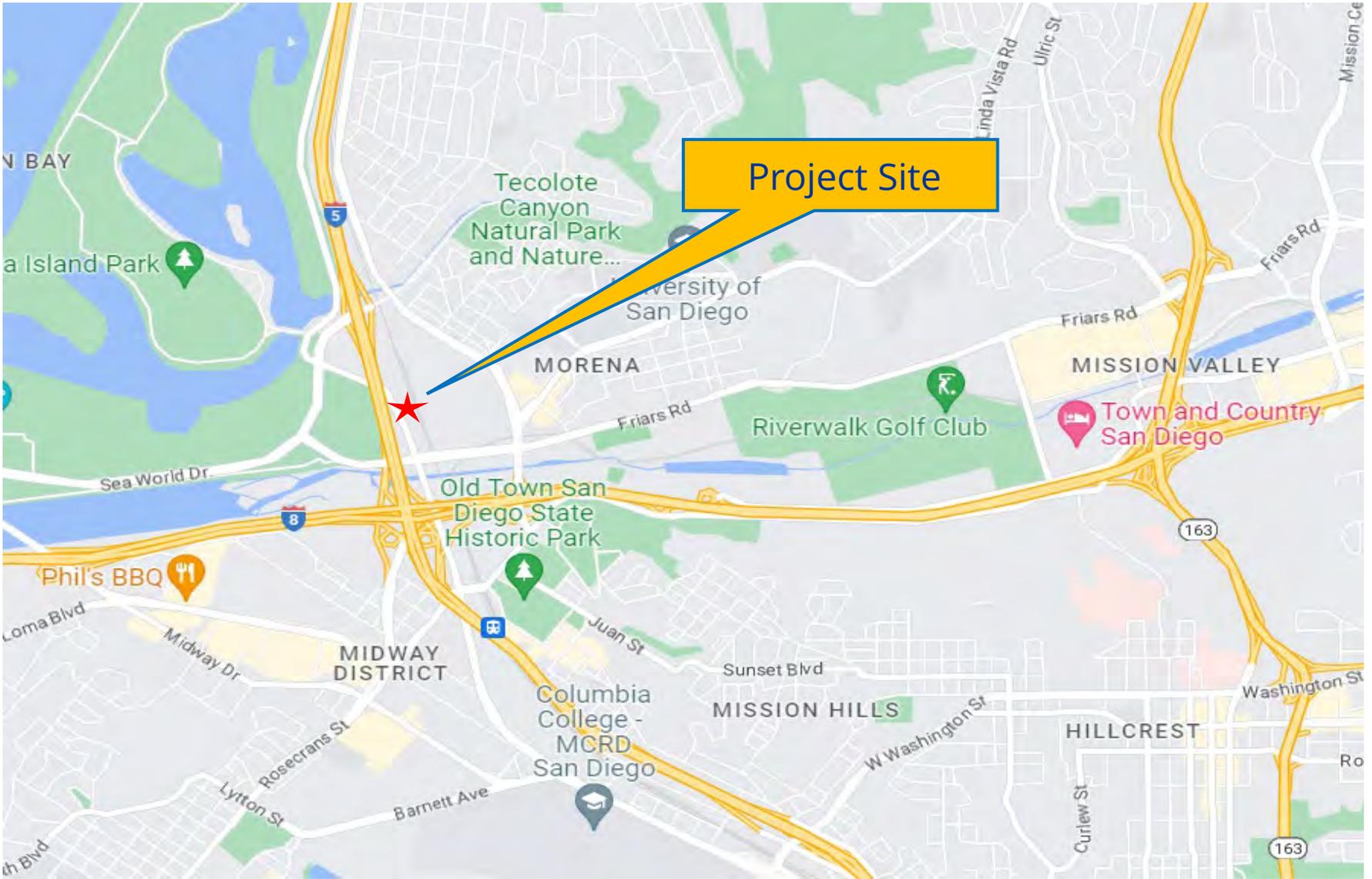
1. Approve Conditional Use Permit No. 3142554 and Conditional Use Permit No. 3203668, with modifications.
2. Deny Conditional Use Permit No. 3142554 and Conditional Use Permit No. 3203668, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



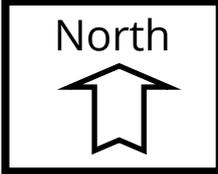
Tyler Sherer
Development Project Manager
Cannabis Business Division

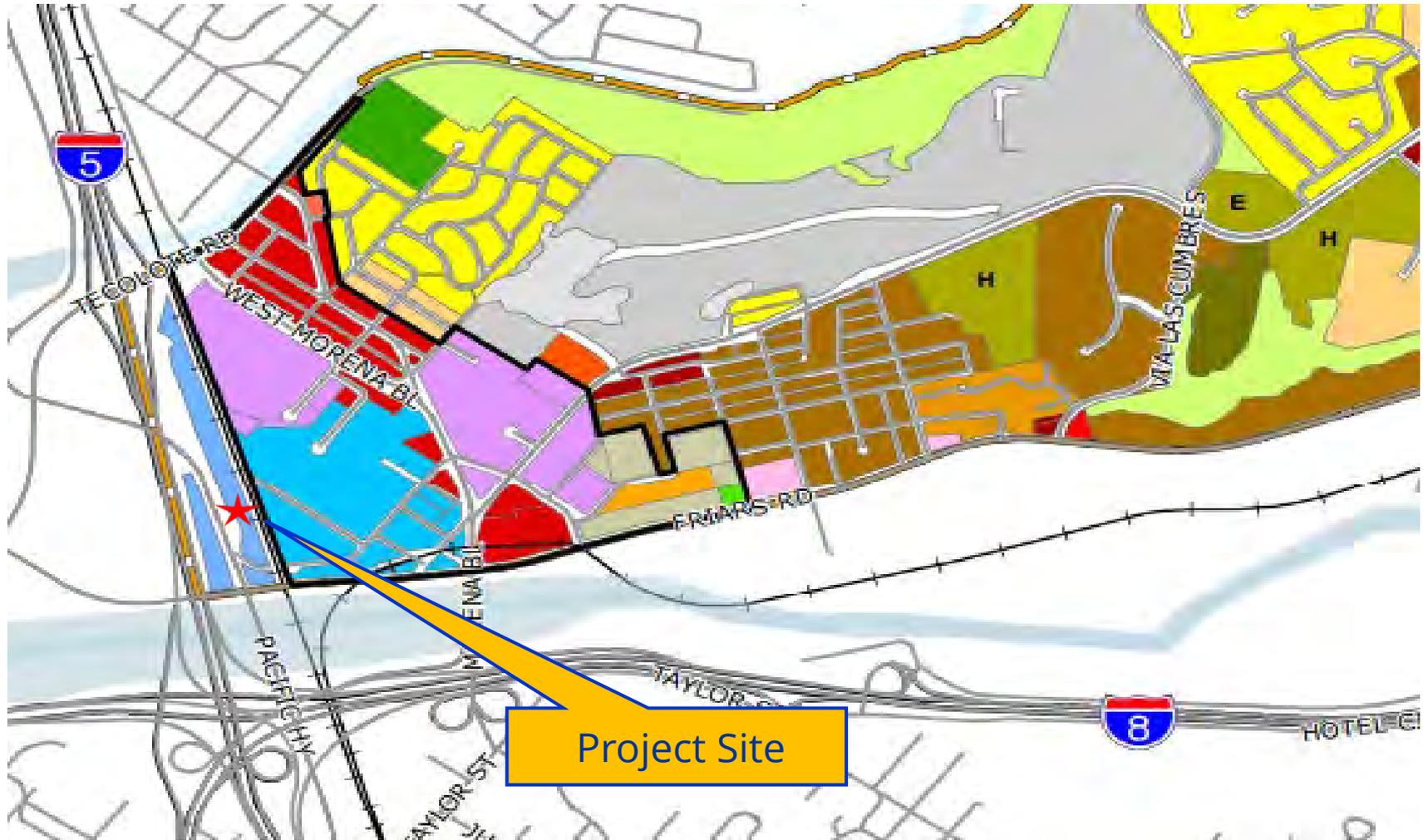
1. Project Location Map
2. Community Plan Land Use
3. Aerial Photograph
4. Draft Resolution with Findings
5. Draft Permit with Conditions
6. Community Planning Group Recommendation
7. Ownership Disclosure Statement
8. Signed Survey – Separation Exhibit
9. Project Plans



Project Location Map

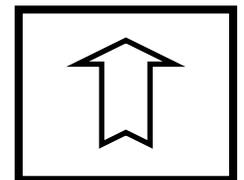
4909 Pacific Highway Cannabis Outlet
PROJECT NO. 1070598





Land Use Map

4909 Pacific Highway Cannabis Outlet
PROJECT NO. 1070598

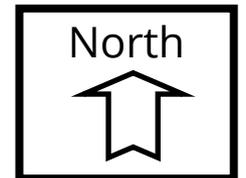


North



Aerial Photo

4909 Pacific Highway Cannabis Outlet
PROJECT NO. 1070598



HEARING OFFICER RESOLUTION NO. HO-23-012
CONDITIONAL USE PERMIT NO. 3142554
CONDITIONAL USE PERMIT NO. 3203668 (AMENDMENT TO
CONDITIONAL USE PERMIT NO. 2066720)
4909 PACIFIC HIGHWAY CANNABIS OUTLET - PROJECT NO. 1070598

WHEREAS, RAP HOLDINGS, LLC, A California Limited Liability Company, "Owner", and AARON MAGAGNA, "Permittee", filed an application with the City of San Diego for a Conditional Use Permit to operate a new cannabis outlet and a Conditional Use Permit (CUP) to amend CUP No. 2066720 to modify the operations of a cannabis production facility (as described in and by reference to the approved Exhibit "A" and corresponding conditions of approval for the associated Permit No. 3142554 and Permit No. 3203668 and herein) (the "project"), on portions of a 1.02-acre site;

WHEREAS, the project site is located at 4909 Pacific Highway in the IL-3-1 Zone, the Airport Influence Area (NAS North Island and San Diego International Airport (SDIA) Review Area 2), the Airport Land Use Compatibility Overlay (NAS North Island and SDIA), the Coastal Overlay Zone (Non-Appealable Area 2), the FAA Part 77 Notification area, the Parking Impact Overlay Zone (Campus Impact), the Parking Standards and Transit Priority Area (PSTPA) - Mobility Zone 2, and the TPA Overlay Zones in the Linda Vista Community Plan area;

WHEREAS, the project site is legally described as Lot 272 of the Pueblo Lands of San Diego, County of San Diego, State of California, according to Map thereof made by James Pascoe in May 1870, a copy of which said Map was filed in the Office of the County Recorder of San Diego County November 14, 1921 and is known as miscellaneous Map No. 36;

WHEREAS, on February 15, 2023, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guidelines Sections 15301 (Existing Facilities) and there was no

appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, on March 22, 2023, the Hearing Officer of the City of San Diego considered CUP No. 3182554 and CUP No. 3203668 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 CUP No. 3182554 and CUP No. 3203668:

A. CONDITIONAL USE PERMIT FINDINGS – SDMC SECTION 126.0305

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

The project is a Conditional Use Permit (CUP) to allow the operation of a 464-square-foot cannabis outlet (CO) within an existing 32,829-square-foot commercial building, and to reduce the scope of an existing cannabis production facility in the same building from 32,829 square-feet to 32,365 square-feet. The 1.02-acre project site is located at 4909 Pacific Highway in the IL-3-1 Zone of the Linda Vista Community Plan (LVCP) Area.

The LVCP designates the site as Industrial and the site is zoned IL-3-1. The purpose of the IL zones is to accommodate a wide range of industrial and manufacturing activities in designated areas to promote balanced land use and job mix. The IL zone promotes flexibility in the design of new and redeveloped industrial projects and encourages high-quality development while protecting land for industrial uses and limiting non-industrial uses. The LVCP designation of Industrial further promotes a mix of industrial and non-industrial uses to ensure a diverse job base. Specifically, Linda Vista Commercial and Industrial Goal #2 seeks to retain the existing industrial area west of Morena Boulevard where the project is located as a diverse employment base for the community and the City.

As a retail establishment specialized in the sale of cannabis, a cannabis outlet and a cannabis production facility fit the Industrial designation and conform with the IL zone. Permitted in the IL-3-1 zone with a CUP, the uses would serve the needs of residents who want to purchase recreational cannabis and will also provide jobs to area residents. City and state requirements for security systems, guards, and secured facilities will ensure that the potential for criminal activity is minimized, and conditions of the permit will ensure prompt resolution of litter and graffiti if it occurs onsite. Furthermore, the project will provide non-industrial employment in conformance with Linda Vista Commercial and Industrial Goal #2.

The City's General Plan Land Use and Community Planning Element designates the site Industrial Employment. The proposed project will promote the policies of the General Plan

because cannabis outlets supply jobs and encourage and facilitate commerce within the San Diego region.

Therefore, the project 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, a cannabis retail sales floor, and employee and storage areas. 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.

A CO and a CPF in the IL-3-1 zone are allowed with a CUP at this location and consistent with the goals and policies of the LVCP as stated in Finding A.1. incorporated here by reference. 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 conditions are specifically intended to reduce, mitigate, 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 each of the nine City Council districts (36) within commercial and industrial zones to minimize the impact on the City and residential neighborhoods. Existing permits are also allowed to remain if redistricting causes them to change districts (2), for a total of 38 currently allowed city-wide. There are currently two approved outlets in District 7. The project will be the third cannabis outlet CUP to be approved within District 7. Cannabis production facilities are not regulated per council district. They are capped at 40 city-wide. This would be the 33rd active cannabis production facility CUP in the City.

Previously permitted cannabis production facilities are not required to observe the separation requirements of SDMC 141.1004(a) per SDMC 141.1004(h)(1). New cannabis outlets require compliance with the separation requirements of SDMC section 141.0504(a). The project was deemed complete on March 18, 2022 and is subject to the regulations in effect at that time. At that time, SDMC 141.0504(a) read as follows:

(a) Cannabis outlets shall maintain the following minimum separation:

(1) 1,000 feet from resource and population-based city parks, other cannabis outlets, churches, child care centers, playgrounds, libraries owned and operated by the City of San Diego, minor-oriented facilities, residential care facilities, and schools. For purposes of this section, school means any public or private institution of learning providing instruction in kindergarten or grades 1 to 12, inclusive, but does not include any private school in which education is primarily conducted in private homes. The distance shall be measured between the property lines, in accordance with Section 113.0225.

(2) 100 feet from the property line of a residentially zoned lot or premises. The distance shall be measured horizontally in a straight line between the two closest points of the property lines without regard to topography or structures that would interfere with a straight-line measurement.

During project review, staff identified one potential conflict with the separation requirements. Mission Bay Park, a resource-based park designated by the General Plan, lies within 1,000 feet by straight-line measurement. Staff has verified that significant natural and constructed barriers that impede direct physical access between the park and the proposed CO exist. Therefore, the separation distance is measured as the most direct route around the barrier, in a manner that establishes direct access per SDMC 113.0225(c). Staff reviewed a signed survey showing a valid path of travel around identified barriers to direct physical access and determined that the exhibit establishes the path of travel measurement of 1,634-feet, therefore showing the proposed cannabis outlet conforms with the separation requirements.

The proposed CO is within the Transit Priority Area, Coastal Overlay Zone, and IL-3-1 and is required to provide a minimum rate of 4.3 spaces/1,000 square feet, or 2 parking spaces. CUP No. 3203668 will amend the current CUP No. 2066720 by reducing the number of employees for the cannabis production facility (CPF) to 10, and thereby, the number of parking spaces required, to 10, or 1 per employee. Therefore, the site with both uses will have a minimum parking requirement of 12 spaces, which is the number of existing off-street parking spaces. CUP No. 3142554 contains specific CO regulatory conditions of approval. These regulations, which are implemented and enforced through the permit, are specifically intended to reduce, mitigate, or prevent all adverse impacts to the public and community at large.

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 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 provisions 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 determined to be exempt from CEQA pursuant to CEQA Guidelines Section 15301 (Existing Facilities). 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.

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 proposed CO is located within the IL-3-1 Zone, which allows cannabis outlets with the approval of a Conditional Use Permit per SDMC Table 131-06B. No deviations are requested or required by this project. As outlined in Finding A.2. above incorporated here by reference, the project complies with the separation requirements of the Land Development Code Section 141.0504(a).

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

The project is proposed within an existing structure built in 1953 in accordance with all then applicable development regulations. The proposed CO project requires 2 parking spaces, which will be accommodated within the parking available on site, for a total of 12 spaces to serve both the existing CPF (10 spaces) and the proposed CO project (2 spaces).

The permits for the proposed project include various conditions and corresponding exhibits of approval relevant to achieving compliance with SDMC Section 141.0504(b) through (m) as outlined in Finding A.2. above, and incorporated here by reference, relative to parking, signage, lighting, security measures, hours of operation, and site maintenance. No variance or deviations are requested as part of this application. Therefore, the proposed development will comply with the regulations of the Land Development Code.

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

Cannabis outlets are unique in that there are only four allowed per council district, or 36 city-wide, with existing outlets that change districts because of redistricting allowed to remain. Redistricting effective December 12, 2022 resulted in 5 existing outlets in Districts 1 and 9, for a total of 38 outlets allowed city-wide. No other retail business regulated by the City of San Diego is subject to such restrictions.

The proposed project is in District 7. At this time, District 7 has only two permitted cannabis outlets and since the city's recreational cannabis regulations were first adopted in 2017, the zoning and separation requirements for cannabis outlets have resulted in very few locations that meet all locational criteria. This project is one of those locations.

The cannabis production facility use was previously permitted at the site and has had no known code violations or operational issues. The site is currently improved with a

commercial warehouse building built in 1953. The previous tenant and many existing uses have similar operational characteristics (retail sales, warehouse, manufacturing, and distribution). Other existing uses in the vicinity include a wholesale bakery, warehouse, and offices. The proposed cannabis outlet will provide two off-street parking spaces, accommodated on the site, and does not propose any public improvements. Furthermore, the project is located within an established commercial area with nearby access to transit nodes (Tecolote Trolley Station) and freeways (Interstate 5).

As stated in findings A.1., 2., and 3. above, and incorporated here by reference, the project meets all separation requirements for cannabis outlets, as well as the requirements of the applicable land uses plans and the Land Development Code. 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. 3182554 and Conditional Use Permit No. 3203668 are hereby GRANTED to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 3182554 and 3203668, copies of which are attached hereto and made a part hereof.

Tyler Sherer
Development Project Manager
Development Services

Adopted on: March 22, 2023

IO#: 24009373

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: 24009373

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 3142554
CONDITIONAL USE PERMIT NO. 3203668 (AMENDMENT TO CONDITIONAL
USE PERMIT NO. 2066720 (PTS 585434))
4909 PACIFIC HIGHWAY CANNABIS OUTLET - PROJECT NO. 1070598
HEARING OFFICER

This Conditional Use Permit No. 3142554 and Conditional Use Permit (CUP) No. 3203668 (amendment to Conditional Use Permit No. 2066720, approved November 7, 2018, recorded in the Office of the San Diego County Recorder on January 25, 2019, as Document No. 2019-0028509), ("Permit"), are granted by the Hearing Officer of the City of San Diego to RAP HOLDINGS, LLC, a California Limited Liability Company, "Owner", and AARON MAGAGNA, "Permittee", pursuant to San Diego Municipal Code (SDMC) Section(s) 126.0301 et seq., 126.0701 et seq., and 141.0504. The 1.02-acre site is located at 4909 Pacific Highway in the IL-3-1 Zone of the Linda Vista Community Plan area. The project site is legally described as: Lot 272 of the Pueblo Lands of San Diego, County of San Diego, State of California, according to Map thereof made by James Pascoe in May 1870, a copy of which said Map was filed in the Office of the County Recorder of San Diego County November 14, 1921 and is known as miscellaneous Map No. 36.

Subject to the terms and conditions set forth in this Permit, permission is granted to the Owner and Permittee to operate a 464-square-foot cannabis outlet (CO) within an existing 32,829-square-foot commercial building previously permitted as a cannabis production facility (CPF), reduce the floor area of the permitted CPF to 32,365 square-feet, and reduce the number of parking spaces required for the CPF to ten to accommodate the two required parking spaces for the CO as described and identified by size, dimension, quantity, type, and location on the approved exhibits (Exhibit "A") dated March 22, 2023, on file in the Development Services Department.

The project shall include:

- a. A 464-square-foot cannabis outlet in an existing 32,829-square-foot commercial building;
- b. Two (2) off-street parking spaces for the CO and ten (10) off-street parking spaces for the CPF, for a total of twelve (12) spaces on the site;
- c. Landscaping (planting, irrigation and landscape related improvements);

- 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 Permit must be utilized by April 7, 2026.
2. **Expiration Date:** This Permit and corresponding use of this site shall expire on April 7, 2028. This expiration date can be extended by filing for a CUP amendment pursuant to SDMC 126.0114(c), 126.0114(d), 141.0504(n), and 141.1004(h). 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. The existence of a valid license at this location by the California Department of Cannabis Control (DCC) for any operating business. 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 current and future Cannabis Business Tax owed pursuant to Chapter 3, Article 4, Division 1 of the San Diego Municipal Code.
 - d. Possession of a Business Tax Certificate for any operating business.
 - e. Fulfillment of all Permit conditions.
 - 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. This Permit amends CUP No. 2066720 by reducing the CPF floor area to 32,365-square-feet, limiting the number of employees and required parking spaces to ten. All other provisions of CUP No. 2066720 except for the expiration date remain in full force and effect for the CPF use and are hereby incorporated by reference.

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

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

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

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

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

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

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

ENVIRONMENTAL / MITIGATION REQUIREMENTS:

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

LANDSCAPE REQUIREMENTS:

14. Prior to issuance of any grading permit, 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.

15. Prior to issuance of any public improvement permit, 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.

16. Prior to issuance of any building permit (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 §142.0403(b)6.

17. In the event that a foundation only permit is requested by the Owner/Permittee, a site plan or

staking layout plan, shall be submitted to the Development Services Department identifying all landscape areas consistent with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions, and labeled as 'landscaping area.'

18. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in 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 Landscape Standards in a disease, weed, and litter free condition at all times. Severe pruning or "topping" of trees is not permitted.

PLANNING/DESIGN REQUIREMENTS:

19. Amendment to CUP No. 2066720: The term "Cannabis Production Facility" (CPF) shall replace the term "Marijuana Production Facility" (MPF).

20. Amendment to CUP No. 2066720: The CPF use on the site shall expire on April 7, 2028. Permit and corresponding use of this site shall expire on April 7, 2028, except as provided in SDMC Section 141.1004(h).

21. Amendment to CUP No. 2066720: All operations, including equipment and storage, shall be conducted indoors within a secured structure. Greenhouses are prohibited.

22. Amendment to CUP No. 2066720: Security shall include operable cameras, alarms, and a security guard. The security guard shall be licensed by the State of California and be present on the premises during business hours. The security guard shall only be engaged in activities related to providing security for the facility, except on an incidental basis.

23. Amendment to CUP No. 2066720: The name and emergency contact phone number of the designated responsible managing operator shall be posted outside the cannabis production facility in a location visible to the public from the public right-of-way in character size at least two inches in height. The permittee shall provide this contact information to the San Diego Police Department. The designated responsible managing operator shall also be available 24 hours a day to address public nuisance complaints and interact with local, state, and federal law enforcement authorities. Other than the contact information, a cannabis production facility shall limit signage on the exterior of the property visible from the public right-of-way to the address.

24. Amendment to CUP No. 2066720: A maximum of ten (10) CPF employees shall be allowed on-site at any given time to correspond with the ten parking spaces provided for the project.

25. 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.

26. 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.

27. 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.

28. 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.

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

30. 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.

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

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

33. 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.

34. The cannabis outlet shall provide daily removal of trash, litter, and debris from the premises. Graffiti shall be removed from the premises within 24 hours.

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

TRANSPORTATION REQUIREMENTS

30. 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.

31. A maximum of ten (10) employees for the cannabis production facility (CPF) shall be allowed on-site at any given time to correspond to the ten (10) provided parking spaces for the CPF.

INFORMATION ONLY:

ATTACHMENT 5

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

APPROVED by the Hearing Officer of the City of San Diego on March 22, 2023 and Resolution No. HO-23-012.

ATTACHMENT 5

Conditional Use Permit No. 3142554
Conditional Use Permit No. 3203668
Date of Approval: March 22, 2023

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Tyler Sherer
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.

RAP HOLDINGS, LLC

Owner

By _____
Name:
Title:

AARON MAGAGNA

Permittee

By _____
Aaron Magagna
Permittee

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

LINDA VISTA PLANNING GROUP

Monday, January 23, 2023

6:30 pm -8:00 pm

Meeting Location for In-Person:

American Legion Post 731

7245 Linda Vista Rd, San Diego, CA 92111

Or Via Zoom

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

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

QUORUM: was met

Community Members in Attendance: 22

- GENERAL MEETING MINUTES -

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

Pledge of Allegiance: led by Officer David Surwilo

Roll Call of Planning Group Members: Lauree Camarato

Approval of Draft Agenda: January 23, 2023

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

Approval of November 28, 2022 Meeting Minutes

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

Reports by Government Representatives

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

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

Public Non-Agenda Comments (2 minutes per person)

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

Interim Chair's Report: Howard Wayne.

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

Secretary's Report: Lauree Camarato. No report.

Information Items:

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

department is currently investigating the complaints and associated zoning violations. Community members online submitted questions and comments in the chat. Community members attending in person shared comments and concerns about the location and issues with public health and safety, trash, loud music, excess traffic, overwhelming smell and trespassing. Raul Escobar thanked the community members for their concern and suggestions.

3. DIF Spending Priorities – Jennifer Carroll shared an overview of the priority list and one item has been completed. Linda Vista has \$1.4 M in DIF funds designated for the community. DIF fees are generated by developers and the city has changed how funds are designated (placed in a general fund instead of specific community fund).

Action Items:

1. **1502 Via Las Cumbres, AT&T Wireless Installation (PRJ-1066122/CAL02088)** Ashley Martinez, chair of the Zoning & Land Use committee shared the committee met and approve three projects to move forward to LVPG. Michele Vernotico presented an overview of the proposed AT&T wireless upgrade project.
Motion by Zoning & Land Use Committee to recommend approval of the AT&T Wireless Installation located at 1502 Via Las Cumbres. Discussion and questions from the planning board members followed. Motion carried by a hand vote of members present with 8-0-0 result. Interim chair did not vote.
2. **5220 Anna Avenue – Cannabis Outlet (PRJ-1074123)** The applicant presented an overview of the proposed project.
Motion by K. Heinle to approve of the Conditional Use Permit for the cannabis outlet as presented. Second by J. Carroll. Discussion and questions from the planning board members followed. Motion carried by a hand vote of members present with 7-0-2 result. B. Hunt abstained and interim chair did not vote.
3. **4909 Pacific Highway – Cannabis Outlet (PRJ107059)** Abhay Schweitzer presented an overview of the proposed project.
Motion by V. Ochoa to approve the project as presented. Second by C. Baker. Discussion and questions from the planning board members followed. Motion carried by a hand vote of members present with 7-0-2 result. B. Hunt abstained and Interim chair did not vote.

Committee Reports & Updates

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

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

Representative Committees:

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

Items for February 27, 2023 meeting:

- Submit items to Interim Chair

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

Respectfully submitted by:

Lauree Camarato

Secretary

Linda Vista Planning Group

	City of San Diego Development Services 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	<h1>Ownership Disclosure Statement</h1>	FORM DS-318 October 2017
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Approval Type: Check appropriate box for type of approval(s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit Variance
 Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment • Other _____

Project Title: 4909 PCH CO **Project No. For City Use Only:** _____

Project Address: 4909 Pacific Highway San Diego CA 92110

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: Aaron Magagna Owner Tenant/Lessee Successor Agency

Street Address: 3639 Midway Dr Suite B #132

City: San Diego State: CA Zip: 92110

Phone No.: 6194050298 Fax No.: _____ Email: ramin@pourtymour.com

Signature: *Aaron Magagna* Date: 2/17/23

Additional pages Attached: Yes No

Applicant

Name of Individual: Aaron Magagna Owner Tenant/Lessee Successor Agency

Street Address: 3639 Midway Dr Suite B #132

City: San Diego State: CA Zip: 92110

Phone No.: 6194050298 Fax No.: _____ Email: aaronmagagna@gmail.com

Signature: *Aaron Magagna* Date: 2/17/23

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

