



THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE: December 16, 2015

REPORT NO. HO-15-141

ATTENTION: Hearing Officer

SUBJECT: 1028 BUENOS AVENUE MMCC
PROJECT NUMBER: 369290

LOCATION: 1028 Buenos Avenue

APPLICANT: Willie Senn

SUMMARY

Issue: Should the Hearing Officer approve a Conditional Use Permit (CUP) to allow a Medical Marijuana Consumer Cooperative (MMCC) to operate in a 2,452 square-foot tenant space within an existing 16,542 square-foot building at 1028 Buenos Avenue within the Linda Vista Community Plan area?

Staff Recommendation: APPROVE Conditional Use Permit No. 1605038.

Community Planning Group Recommendation: On July 28, 2014, the Linda Vista Community Planning Group voted 9-6-1 to approve the project (Attachment 10).

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19 Section 15303, New Construction or Conversion of Small Structures, on August 10, 2015 (Attachment 8). An appeal of the CEQA determination was previously made and the City Council denied that CEQA appeal on October 27, 2015.

BACKGROUND

In 1996 the people of the State of California passed Proposition 215, the Compassionate Use Act, which allows the use of marijuana for medical purposes when recommended by a physician and excludes the patient and the primary caregiver from criminal prosecution. In 2004, Senate Bill 420, the Medical Marijuana Program Act (MMP) became law. The MMP requires the California Department of Public Health (DPH) to establish and maintain a program for the voluntary registration of qualified medical marijuana patients and their primary caregivers

through a statewide identification card system, sets possession guidelines for cardholders, and recognizes a qualified right to collective and cooperative cultivation of medical marijuana. In 2008, the California Attorney General established guidelines for Medical Marijuana Collective Operations and allowed cities to adopt and enforce laws consistent with the MMP.

On March 25, 2014, San Diego City Council adopted Ordinance No. O-20356, to implement zoning regulations for Medical Marijuana Consumer Cooperatives (MMCC). MMCCs are allowed with a Conditional Use Permit, Process 3, Hearing Officer Decision. A limit of four MMCCs per Council District (36 city-wide) was adopted in order to minimize the impact on the City and residential neighborhoods.

The proposed project is a request for a CUP to operate a MMCC in a 2,452 square-foot tenant space within an existing one-story, 16,542 square-foot building located at 1028 Buenos Avenue. The 0.73-acre site is in the IL-3-1 Zone, Parking Impact Overlay Zone (Campus), and the Community Plan Implementation Overlay Zone (Type A) within the Linda Vista Community Plan Area.

The existing 16,542 square-foot building was developed in 1976 per Building Permit No. K48124. The proposed MMCC, classified as commercial services, is allowed in the IL-3-1 zone with a CUP and is consistent with the community plan land use designation of Industrial.

The existing 16,542 square-foot building will contain the proposed 2,452 square-foot MMCC, 1,390 square-feet of vacant space, and 12,700 feet of previously conforming warehouse use. The vacant portion of the building shall be leased by the applicant and maintained vacant at all times. This additional vacant-leased space was proposed by the applicant to meet the required parking to support both the existing use and the proposed MMCC. Staff supported the request and has conditioned the permit accordingly (Attachment 4, Condition No. 28).

DISCUSSION

The proposed MMCC located at 1028 Buenos Avenue is proposing interior improvements that include a reception area, dispensary, secured storage area, office and restrooms. The improvements will require a ministerial building permit. The tenant improvements will require compliance with the California Building Code, Plumbing Code, Mechanical Code, Electrical Code, Fire Code and all adopted referenced standards. Public improvements include the replacement of the two existing driveways to current City standards.

The proposed 2,452 square-foot MMCC (including the 1,390 square feet of vacant-leased space) requires 12 parking spaces per current SDMC regulations. The remaining warehouse use requires 9 parking spaces. The total parking requirement for the project site is 21 on-site spaces.

MMCCs must comply with San Diego Municipal Code (SDMC) Section 141.0614 which requires a 1,000-foot separation, measured between property lines, from: public parks, churches, child care centers, playgrounds, libraries, minor-oriented facilities, other medical marijuana consumer cooperatives, residential care facilities, and schools. There is also a minimum distance

requirement of 100 feet from a residential zone. In addition to minimum distance requirements, MMCCs prohibit consultations by medical professionals on site and do not allow certain types of vending machines. Security requirements include interior and exterior lighting, security cameras, alarms and a security guard. The security guard must be licensed by the State of California and be present on the premises during business hours. Hours of operation are limited from 7:00 a.m. to 9:00 p.m. seven days a week. MMCC Conditional Use Permits expire five years from date of issuance. MMCCs must also comply with Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

The City of San Diego Development Services staff has reviewed the 1,000-foot radius map (Attachment 6) and 1,000 foot spreadsheet exhibit (Attachment 7) provided by the applicant identifying all existing uses. Staff has determined that the proposed MMCC meets all applicable development regulations, including the minimum distance requirements. The permit has been conditioned to include all development restrictions in order to avoid adverse impacts upon the health, safety and general welfare of persons patronizing, residing or working within the surrounding area.

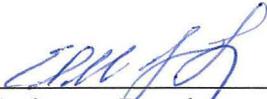
CONCLUSION

The CUP for the proposed MMCC may be approved if the Hearing Officer determines that the findings can be made. Staff has reviewed the proposed MMCC and has determined that it meets all applicable sections of the San Diego Municipal Code, the Linda Vista Community Plan and the General Plan. Staff is recommending that the Hearing Officer approve the project as proposed.

ALTERNATIVE

1. Approve Conditional Use Permit No. 1605038, with modifications.
2. Deny Conditional Use Permit No. 1605038, if the findings required approving the project cannot be affirmed.

Respectfully submitted,



Edith Gutierrez, Development Project Manager

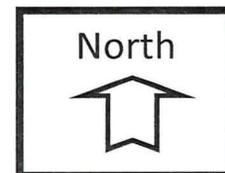
Attachments:

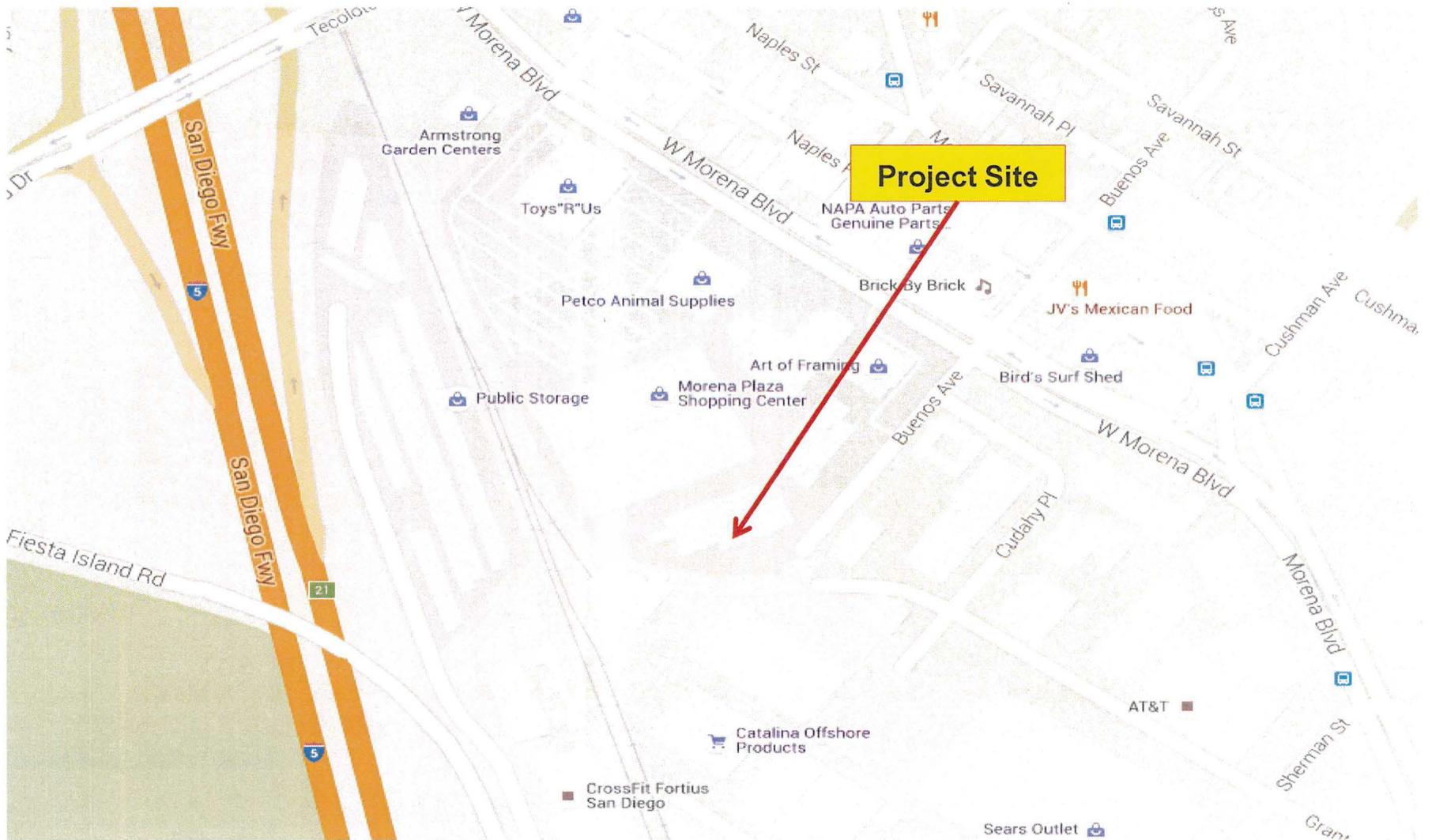
1. Aerial Photograph
2. Project Location Map
3. Community Plan Land Use Map
4. Draft Permit with Conditions
5. Draft Permit Resolution with Findings
6. 1000-Foot Radius Map
7. 1000-Foot Radius Map Spreadsheet
8. Notice of Right to Appeal Environmental Determination
9. Project Site Plan(s)
10. Community Planning Group Recommendation
11. Ownership Disclosure Statement



Project Aerial Photo

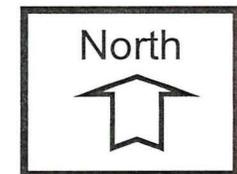
1028 BUENOS AVENUE MMCC- 1028 Buenos Avenue
PROJECT NO. 369290





Project Location Map

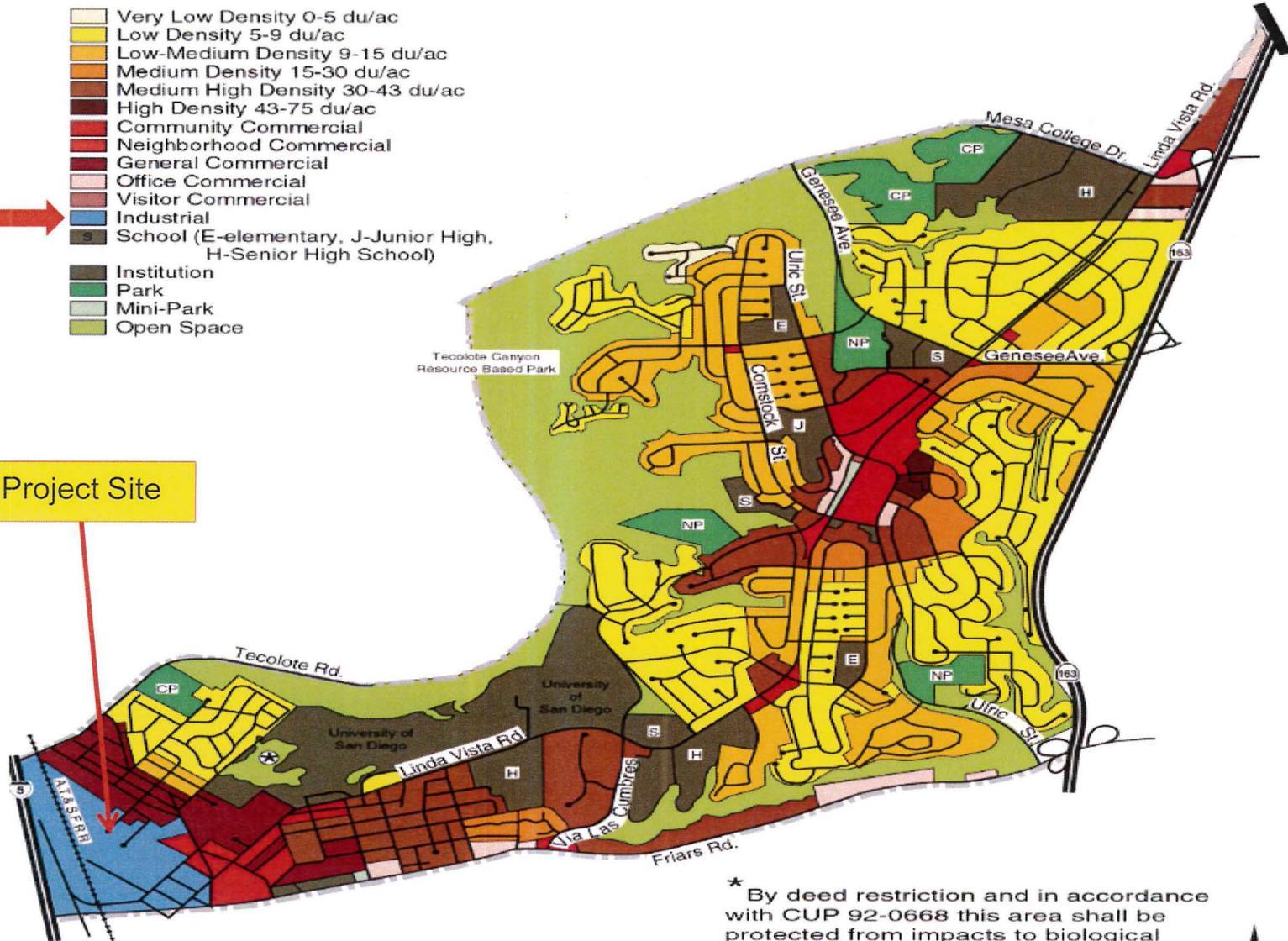
1028 BUENOS AVENUE MMCC- 1028 Buenos Avenue
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-  Very Low Density 0-5 du/ac
-  Low Density 5-9 du/ac
-  Low-Medium Density 9-15 du/ac
-  Medium Density 15-30 du/ac
-  Medium High Density 30-43 du/ac
-  High Density 43-75 du/ac
-  Community Commercial
-  Neighborhood Commercial
-  General Commercial
-  Office Commercial
-  Visitor Commercial
-  Industrial
-  School (E-elementary, J-Junior High, H-Senior High School)
-  Institution
-  Park
-  Mini-Park
-  Open Space



Project Site

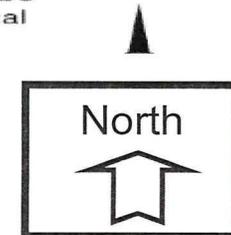


* By deed restriction and in accordance with CUP 92-0668 this area shall be protected from impacts to biological or hillside resources



Linda Vista Land Use Map

1028 BUENOS AVE MMCC- 1028 Buenos Avenue
 PPROJECT NO. 369290



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

PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24004683

CONDITIONAL USE PERMIT NO. 1605038
1028 BUENOS AVENUE MMCC - PROJECT NO. 369290
HEARING OFFICER

This Conditional Use Permit No. 1605038 is approved by the Hearing Officer of the City of San Diego to MISSION & GRAND, LLC, Owners and WILLIE SENN, Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0305. The 0.73-acre site is located at 1028 Buenos Avenue in the IL-3-1 Zone, Parking Impact Overlay Zone (Campus), and the Community Plan Implementation Overlay Zone (Type A) within the Linda Vista Community Plan Area. The project site is legally described as: Lots 7 and 8, Morena Plaza Unit No. 1, Map 7418, September 5, 1972.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to operate a Medical Marijuana Consumer Cooperative (MMCC) subject to the City's land use regulations described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated December 16, 2015, on file in the Development Services Department.

The project shall include:

- a. Operation of a Medical Marijuana Consumer Cooperative (MMCC) in a 2,452 square-foot tenant space within an existing 16,542 square-foot building on a 0.73- acre site;
- b. Existing landscaping (planting, irrigation and landscape related improvements);
- c. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning

regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. 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 January 4, 2019.
2. This Conditional Use Permit [CUP] and corresponding use of this MMCC shall expire on January 4, 2021.
3. In addition to the provisions of the law, the MMCC must comply with; Chapter 4, Article 2, Division 15 and Chapter 14, Article 1, Division 6 of the San Diego Municipal Code.
4. No construction, occupancy, or operation of any facility or improvement described herein shall commence, 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.
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
 - c. A MMCC Permit issued by the Development Services Department is approved for all responsible persons in accordance with SDMC, Section 42.1504.
5. While this Permit is in effect, the MMCC 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 MMCC 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 of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

PLANNING/DESIGN REQUIREMENTS:

13. The use within the 2,452 square-foot tenant space shall be limited to the MMCC and any use permitted in the IL-3-1 Zone.

14. Consultations by medical professionals shall not be a permitted accessory use at the MMCC.
15. Lighting shall be provided to illuminate the interior of the MMCC, facade, and the immediate surrounding area, including any accessory uses, parking lots, and adjoining sidewalks. Lighting shall be hooded or oriented so as to deflect light away from adjacent properties.
16. Security shall include operable cameras and a metal detector to the satisfaction of Development Services Department. This facility shall also include alarms and two armed security guards to the extent the possession of a firearm is not in conflict with 18 U.S.C. § 922(g) and 27 C.F.R § 478.11. Nothing herein shall be interpreted to require or allow a violation of federal firearms laws. The security guards shall be licensed by the State of California. One security guard must be on the premises 24 hours a day, seven days a week, the other must be present during business hours. The security guards should only be engaged in activities related to providing security for the facility, except on an incidental basis. The cameras shall have and use a recording device that maintains the records for a minimum of 30 days.
17. The Owner/Permittee shall install bullet resistant glass, plastic, or laminate shield at the reception area to protect employees.
18. The Owner/Permittee shall install bullet resistant armor panels or solid grouted masonry block walls, designed by a licensed professional, in the reception area and vault room.
19. The name and emergency contact phone number of an operator or manager shall be posted in a location visible from outside of the MMCC in character size at least two inches in height.
20. The MMCC shall operate only between the hours of 7:00 a.m. and 9:00 p.m., seven days a week.
21. The use of vending machines which allow access to medical marijuana except by a responsible person, as defined in San Diego Municipal Code Section 42.1502, is prohibited. For purposes of this section and condition, a vending machine is any device which allows access to medical marijuana without a human intermediary.
22. The Owner/Permittee or operator shall maintain the MMCC, adjacent public sidewalks, and areas under the control of the owner or operator, free of litter and graffiti at all times. The owner or operator shall provide for daily removal of trash, litter, and debris. Graffiti shall be removed within 24 hours.
23. Medical marijuana shall not be consumed anywhere within the 0.73-acre site.
24. The Owner/Permittee or operator shall post anti-loitering signs near all entrances of the MMCC.
25. All signs associated with this development shall be consistent with sign criteria established by City-wide sign regulations and shall further be restricted by this permit. Sign colors and

typefaces are limited to two. Ground signs shall not be pole signs. A sign is required to be posted on the outside of the MMCC and shall only contain the name of the business.

ENGINEERING REQUIREMENTS:

26. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the replacement to the existing two driveways, serving the project site on Buenos Avenue, with City standard driveways, per Standard Drawing SDG-159, satisfactory to the City Engineer.

TRANSPORTATION REQUIREMENTS:

27. No fewer than 21 off-street parking spaces shall be required, including 2 disabled accessible spaces (at least one van-sized); with 12 spaces for MMCC use and 9 spaces for remaining previously conforming warehouse use. All parking spaces shall be permanently maintained on the property within the approximate locations shown on the project's Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

28. The proposed 2,452 square-foot Buenos Avenue MMCC shall lease an additional 1,390 square feet within the 16,542 square-foot building and retain it as vacant space. The lease shall specifically state that the additional 1,390 square-foot leased space is to be kept vacant and not to be occupied at any time during the entire term, for any use whatsoever, including storage space.

POLICE DEPARTMENT RECOMMENDATION:

29. The San Diego Police Department recommends that a Crime Prevention Through Environmental Design (CPTED) review be requested by their department and implemented for the MMCC.

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use 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 December 16, 2015 and Resolution No. HO-XXXX.

Conditional Use Permit No.1605038/PTS No. 369290
Date of Approval: December 16, 2015

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

Edith Gutierrez
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.

MISSION & GRAND, LLC
Owner

By _____
Ronald E. Taylor
Manager

WILLIE SENN
Permittee

By _____
Willie Senn
Permittee

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

HEARING OFFICER
RESOLUTION NO. HO-
CONDITIONAL USE PERMIT NO. 1605038
1028 BUENOS AVENUE MMCC - PROJECT NO. 369290

WHEREAS, MISSION & GRAND, LLC, Owner and, WILLIE SENN, Permittee, filed an application with the City of San Diego for a permit to operate a Medical Marijuana Consumer Cooperative (MMCC) in a 2,452 square-foot tenant space within an existing 16,542 square-foot building (as described in and by reference to the denied Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1605038), on portions of a 0.73-acre site;

WHEREAS, the project site is located at 1028 Buenos Avenue in the IL-3-1 Zone, Parking Impact Overlay Zone (Campus), and the Community Plan Implementation Overlay Zone (Type A) within the Linda Vista Community Plan Area;

WHEREAS, the project site is legally described as Lots 7 and 8, Morena Plaza Unit No. 1, Map 7418, September 5, 1972;

WHEREAS, on August 10, 2015, 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 Section 15303 (New Construction or Conversion of Small Structures); and the Environmental Determination was appealed to City Council, which heard and denied the appeal on October 27, 2015 pursuant to Resolution No. 310046;

NOW, THEREFORE, BE IT RESOLVED by the Hearing Officer of the City of San Diego as follows:

That the Hearing Officer adopts the following written Findings, dated December 16, 2015.

FINDINGS:

Conditional Use Permit Approval – Section §126.0305

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

The proposed project is a request for a Conditional Use Permit to operate a MMCC in a 2,452 square-foot tenant space within an existing 16,542 square-foot building. The 0.73-acre site is located at 1028 Buenos Avenue in the IL-3-1 Zone, Parking Impact Overlay Zone (Campus), and the Community Plan Implementation Overlay Zone (Type A) within the Linda Vista Community Plan Area. The project site is designated Industrial by the Linda Vista Community Plan.

Parcels to the South and West are in the IL-3-1 zone and CC-4-2 zone to the North and South. The existing uses are consistent with the Industrial and Commercial designations of the community plan. The proposed MMCC, classified as commercial services, is a compatible use for this location with a Conditional Use Permit, is consistent with the community plan, and therefore 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 proposed 2,452 square-foot tenant space is located on the west side of the existing 16,542 square-foot, one-story building located at 1028 Buenos Avenue. The project proposes interior improvements only that include a reception area, dispensary, secured storage area, office and restrooms. The improvements will require a ministerial building permit. The tenant improvement will require compliance with the California Building Code, Plumbing Code, Mechanical Code, Electrical Code, Fire Code and all adopted referenced standards. Public improvements include the replacement of the two existing driveways to current City standards, requiring compliance with the appropriate public right-of-way permit.

The City of San Diego conducted an environmental review of this site in accordance with the California Environmental Quality Act (CEQA) guidelines. The project was determined to be categorically exempt from CEQA pursuant to Section 15303 (New Construction or Conversion of Small Structures).

MMCCs are restricted to four per Council District, 36 city-wide, within commercial and industrial zones in order to minimize the impact on the City and residential neighborhoods. MMCCs require compliance with San Diego Municipal Code (SDMC), section 141.0614 which require a 1,000 foot separation, measured between property lines, from: public parks, churches, child care centers, playgrounds, libraries, minor-oriented facilities, other medical marijuana consumer cooperatives, residential care facilities, and schools. There is also a minimum distance requirement of 100 feet from a residential zone. In addition to minimum distance requirements, MMCCs prohibit consultations by medical professionals on site and do not allow certain types of vending machines. Security requirements include interior and exterior lighting, security cameras, alarms and a security guard. The security guard must be licensed by the State of California and be present on the premises during business hours. Hours of operation are limited from 7:00 a.m. to 9:00 p.m. seven days a week. MMCCs must also comply with Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

The project requires compliance with the development conditions in effect for the subject property as described in Conditional Use Permit No. 1605038. The Conditional Use Permit is valid for five years, however may be revoked if the use violates the terms, conditions, lawful requirements, or provisions of the permit.

The referenced regulations and conditions have been determined as necessary to avoid adverse impact upon the health, safety and general welfare of persons patronizing, residing or working within the surrounding area and therefore, the proposed MMCC 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 16,542 square-foot, one-story building located at 1028 Buenos Avenue was developed in 1976 per Building Permit No. K48124. The project proposes interior improvements only that include a reception area, dispensary, secured storage area, office and restrooms. The tenant improvement will require compliance with the California Building Code, Plumbing Code, Mechanical Code, Electrical Code, Fire Code and all adopted referenced standards. Public improvements include the replacement of the two

existing driveways to current City standards, requiring compliance with the appropriate public right-of-way permit.

MMCCs are allowed in the IL-3-1 Zone with a Conditional Use Permit (CUP). The CUP requires MMCCs to comply with SDMC, section 141.0614 which requires a 1,000 foot separation, measured between property lines, from: public parks, churches, child care centers, playgrounds, libraries, minor-oriented facilities, other medical marijuana consumer cooperatives, residential care facilities, and schools. There is also a minimum distance requirement of 100 feet from a residential zone. In addition to minimum distance requirements, MMCCs prohibit consultations by medical professionals on site and do not allow certain types of vending machines. Security requirements include interior and exterior lighting, security cameras, alarms and a security guard. The security guard must be licensed by the State of California and be present on the premises during business hours. Hours of operation are limited from 7:00 a.m. to 9:00 p.m. seven days a week. MMCCs must also comply with Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

The proposed MMCC is consistent with the Industrial land use designation, IL-3-1 zone and SDMC Section 141.0614 regulations. The proposed MMCC meets all development regulations, no deviations are requested, and the permit as conditioned assures compliance with all the development regulations of the Land Development Code.

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

The proposed MMCC is in the IL-3-1 Zone, designated Industrial within the Linda Vista Community Plan area and allowed with a Conditional Use Permit. The CUP requires MMCCs to comply with SDMC, section 141.0614 which requires a 1,000 foot separation, measured between property lines, from: public parks, churches, child care centers, playgrounds, libraries, minor-oriented facilities, other medical marijuana consumer cooperatives, residential care facilities, and schools. There is also a minimum distance requirement of 100 feet from a residential zone. In addition to minimum distance requirements, MMCCs prohibit consultations by medical professionals on site and do not allow certain types of vending machines. Security requirements include interior and exterior lighting, security cameras, alarms and a security guard. The security guard must be licensed by the State of California and be present on the premises during business hours. Hours of operation are limited from 7:00 a.m. to 9:00 p.m. seven days a week. MMCCs must also comply with Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

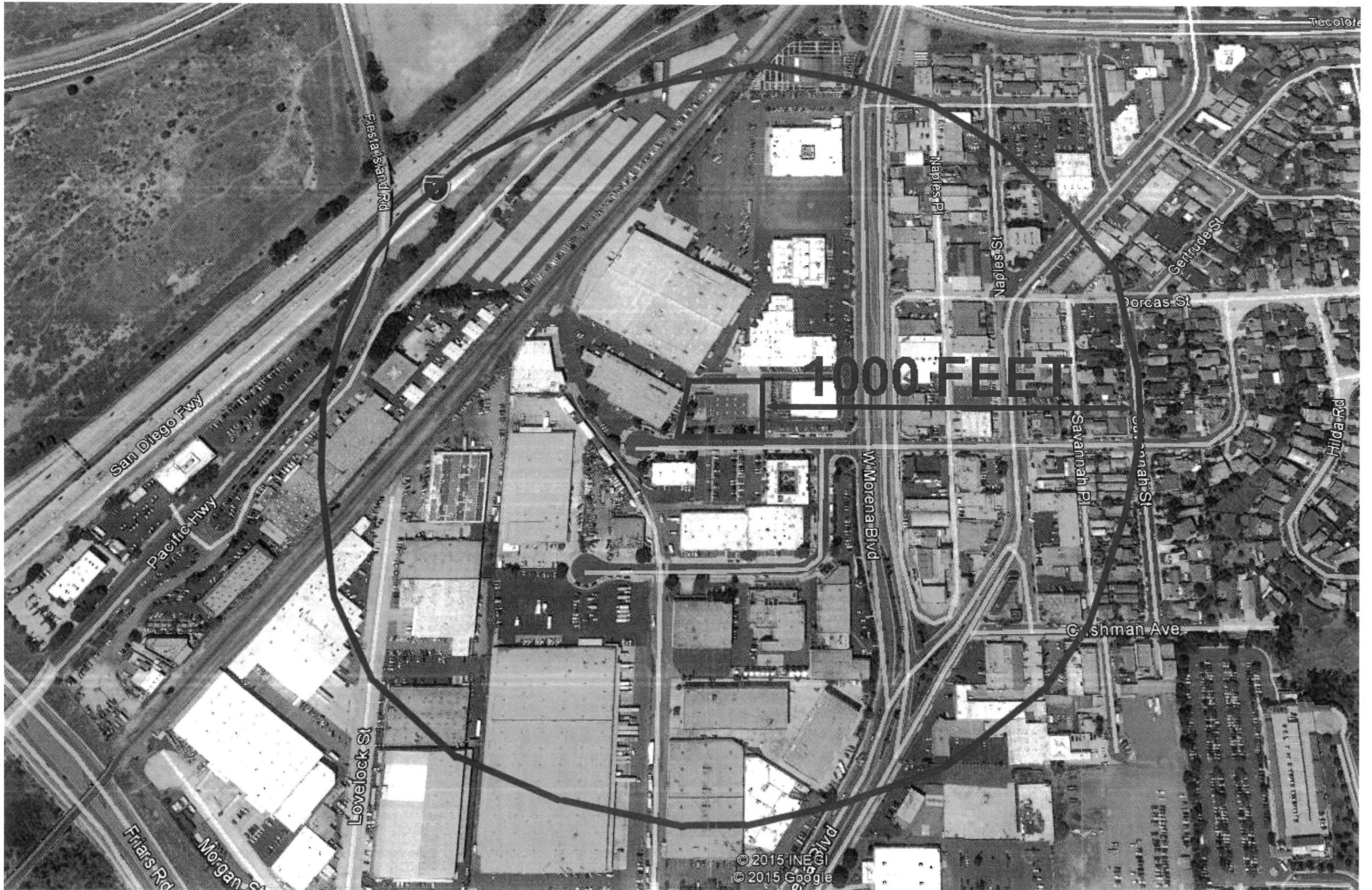
The San Diego Municipal code limits MMCCs to commercial and industrial zones and the number of MMCCs to only four per Council District, 36 city-wide, in order to minimize the impact on the City and residential neighborhoods. The proposed MMCC, classified as commercial services, is a compatible use for this location with a Conditional Use Permit in the IL-3-1 zone. Therefore, the proposed MMCC is an appropriate use at the proposed location.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Conditional Use Permit No. 1605038 is hereby APPROVED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1605038, a copy of which is attached hereto and made a part hereof.

Edith Gutierrez
Development Project Manager
Development Services

Adopted on: December 16, 2015

Job Order No. : 24004683



1000-Foot Radius Map Spreadsheet

Project Name: 1028 BUENOS AVE MMCC

1028 BUENOS AVE. SAN

Address : DIEGO, CA 92110

Date: 4/30/14

Use	Address	Assessor Parcel No.	Business Name
WAREHOUSE	4901 PACIFIC HWY # 03	436-440-23-00	BREAD AND CIE WHOLESALE
WAREHOUSE	4909 PACIFIC HWY	436-440-22-00	MOCERI, DKJY
WAREHOUSE	4945 PACIFIC HWY # 55	436-440-21-00	VACANT
WAREHOUSE	4941 PACIFIC HWY	436-440-20-00	HANLEY SURFBOARDS, KEN'S TRUCKING
WAREHOUSE	5232 LOVELOCK ST	436-440-18-00	GOODWILL
WAREHOUSE	5222 LOVELOCK ST	436-440-17-00	PUNCH, LIFESPAN RECYCLING CO.,
WAREHOUSE	5202 LOVELOCK ST	436-440-16-00	CATALINA OFFSHORE PRODUCTS
WAREHOUSE	5202 LOVELOCK ST	436-440-16-00	CATALINA OFFSHORE PRODUCTS
RESIDENTIAL	NO ADDRESS	436-440-15-00	RUDIE & RUDIE L L C
WAREHOUSE	5232 LOVELOCK ST	436-440-09-00	GOODWILL
AUTO REPAIR	5252 LOVELOCK ST	436-440-08-00	MOSSY TOYOTA
WAREHOUSE	908 SHERMAN ST	436-440-07-00	U-HAUL
WAREHOUSE	960 SHERMAN ST	436-440-04-00	SEARS, BUDGET TRUCK RENTAL
RETAIL STORES	999 MORENA BLVD # 1001	436-330-33-00	JP WITHEROW CO
RETAIL STORES	1013 MORENA BLVD	436-330-32-00	CARPETERIA
GOVERNMENT/PUBLIC USE	NO ADDRESS	436-330-21-00	CITY OF SAN DIEGO
RETAIL STORES	1019 MORENA BLVD	436-330-19-00	LIGHT BULBS UNLIMITED
RETAIL STORES	1045 CUSHMAN AVE	436-330-18-00	MORENA MARKET
WAREHOUSE	1161 CUSHMAN AVE	436-330-17-00	PRINTWORKS, SOCAL BOUNCE, MITSVEN SURFBOARDS, DAVE KAPLEN CABINETS
WAREHOUSE	1169 CUSHMAN AVE	436-330-16-00	TDS
PARKING GARAGE	1215 CUSHMAN AVE	436-330-15-00	PARKING
RETAIL STORES	1215 CUSHMAN AVE # 19	436-330-13-00	PARKING
RETAIL STORES	1221 CUSHMAN AVE	436-330-12-00	JEYCO
COMMERCIAL-VACANT LAND	MORENA BLVD	436-310-54-00	MORENA MARSEA L L C
SINGLE FAMILY RESIDENCE	5160 SAVANNAH ST	436-310-52-00	N/A
SINGLE FAMILY RESIDENCE	5162 SAVANNAH ST	436-310-51-00	N/A
SINGLE FAMILY RESIDENCE	5154 SAVANNAH ST	436-310-49-00	N/A
DUPLEX	5124 SAVANNAH ST APT B	436-310-48-00	N/A
SINGLE FAMILY RESIDENCE	5118 SAVANNAH ST	436-310-47-00	N/A
WAREHOUSE	1065 W MORENA BLVD # 69	436-310-43-00	ARIZONA TILE
WAREHOUSE	1071 W MORENA BLVD # 75	436-310-42-00	N/A
RETAIL STORES	1079 W MORENA BLVD # 85	436-310-40-00	TRUE WORLD FOODS
RETAIL STORES	1103 MORENA BLVD # 05	436-310-39-00	VISTA PAINT
RETAIL STORES	1102 MORENA BLVD	436-310-38-00	BLACKGRAPE DESIGN, CITY CABINET CENTER
SINGLE FAMILY RESIDENCE	5115 SAVANNAH ST	436-310-30-00	N/A
SINGLE FAMILY RESIDENCE	1265 BUENOS AVE	436-310-29-00	N/A
CONDOMINIUM	1225 BUENOS AVE	436-310-28-01	N/A
SINGLE FAMILY RESIDENCE	5114 SAVANNAH ST	436-310-27-00	N/A
SINGLE FAMILY RESIDENCE	5130 SAVANNAH ST	436-310-24-00	N/A
SINGLE FAMILY RESIDENCE	5138 SAVANNAH ST	436-310-23-00	N/A
SINGLE FAMILY RESIDENCE	5144 SAVANNAH ST	436-310-22-00	N/A
CONDOMINIUM	5170 SAVANNAH ST	436-310-20-01	N/A
RETAIL STORES	5171 MORENA PL	436-310-19-00	ROCKET MOTORCYCLES
RETAIL STORES	5151 MORENA PL # ABC	436-310-18-00	NICO'S TACO SHOP
RETAIL STORES	5145 MORENA PL	436-310-17-00	VERANT GROUP
GAS STATION	1123 W MORENA BLVD # 25	436-310-14-00	MISSION BAY AUTO
RETAIL STORES	1112 MORENA BLVD # 22	436-310-13-01	IV'S MEXICAN FOOD

MANUFACTURING	1090 MORENA BLVD	436-310-10-00	DRIVE LINE SERVICES
RETAIL STORES	1076 MORENA BLVD	436-310-09-00	MORENA SMOG
RETAIL STORES	1070 MORENA BLVD	436-310-08-00	N/A
GAS STATION	1083 MORENA BLVD	436-310-07-00	VALERO
MANUFACTURING	1091 W MORENA BLVD	436-310-05-00	BIRD'S SURF SHED, ACTION SPORTS SURPLUS LLC
RETAIL STORES	1105 MORENA BLVD # 15	436-310-04-00	RELAXX DRY CLEANING
RETAIL STORES	1121 W MORENA BLVD # 25	436-310-03-00	CARPET, TILE AND FLOORING DEPOT
SINGLE FAMILY RESIDENCE	5053 SAVANNAH ST	436-303-09-00	N/A
SINGLE FAMILY RESIDENCE	5045 SAVANNAH ST	436-303-05-00	N/A
SINGLE FAMILY RESIDENCE	5037 SAVANNAH ST	436-303-04-00	N/A
SINGLE FAMILY RESIDENCE	5033 SAVANNAH ST	436-303-03-00	N/A
SINGLE FAMILY RESIDENCE	5025 SAVANNAH ST	436-303-02-00	N/A
SINGLE FAMILY RESIDENCE	5007 SAVANNAH ST	436-303-01-00	N/A
RETAIL STORES	1181 MORENA BLVD # 89	436-302-19-00	QUALITY INTERIORS
COMMERCIAL-VACANT LAND	NO ADDRESS	436-302-18-00	MORRIS CHILDRENS EXEMPT TRUST B
RETAIL STORES	1155 MORENA BLVD # 61	436-302-17-00	HOT ROD JO'S
PARKING GARAGE	1221 DORCAS ST	436-302-14-00	PARKING
SINGLE FAMILY RESIDENCE	5020 SAVANNAH ST	436-302-13-00	N/A
SINGLE FAMILY RESIDENCE	5028 SAVANNAH ST	436-302-12-00	N/A
MULTI-FAMILY DWELLINGS	5036 SAVANNAH ST	436-302-11-00	N/A
SINGLE FAMILY RESIDENCE	5044 SAVANNAH ST	436-302-10-00	N/A
SINGLE FAMILY RESIDENCE	5054 SAVANNAH ST	436-302-09-00	N/A
SINGLE FAMILY RESIDENCE	1228 BUENOS AVE	436-302-08-00	N/A
DUPLEX	1212 BUENOS AVE # 14	436-302-07-00	N/A
RESTAURANT	1129 MORENA BLVD	436-302-06-00	SARDINA'S ITALIAN RESTAURANT
COMMERCIAL-VACANT LAND	MORENA BLVD	436-302-05-00	BRUNETTO SALVATORE; SARDINA GAETANO & ESTHER L
RETAIL STORES	1163 MORENA BLVD # 67	436-302-03-00	N/A
RETAIL STORES	1169 MORENA BLVD # 71	436-302-02-00	RYAN J STEIN REAL ESTATE
RETAIL STORES	1152 MORENA BLVD	436-301-14-00	CIMTREK INC., ELITE UPHOLSTRY
RETAIL STORES	1162 MORENA BLVD # 64	436-301-13-00	METRO DÉCOR
RETAIL STORES	1180 MORENA BLVD	436-301-12-00	HAUSER'S PATIO
RETAIL STORES	1172 MORENA BLVD # 76	436-301-11-00	NEWMAN WINDOWS AND DOORS
RETAIL STORES	1156 MORENA BLVD	436-301-08-00	METRO DÉCOR
RETAIL STORES	MORENA BLVD	436-301-05-00	MORRIS CHILDRENS EXEMPT TRUST B
RETAIL STORES	1129 MORENA BLVD	436-301-04-00	SARDINA'S ITALIAN RESTAURANT
RETAIL STORES	1131 W MORENA BLVD # 33	436-301-03-00	BULL'S SMOKIN' BBQ
WAREHOUSE	1171 W MORENA BLVD # 93	436-301-02-00	NAPA AUTO PARTS
INDUSTRIAL-VACANT LAND	MORENA BLVD	436-301-01-00	HOWARD BROTHERS
RETAIL STORES	1120 MORENA BLVD # 30	436-290-45-00	ALLBRIGHT CLEANERS, WORLD ART AND FRAMING, UNIQUE STONE IMPORTS
RETAIL STORES	963 BUENOS AVE	436-290-42-00	MIR WALL & SHOWER DOOR COMPANY
WAREHOUSE	969 BUENOS AVE	436-290-41-00	OEM
PARKING GARAGE	BUENOS AVE	436-290-39-00	COLCO ENTERPRISES L L C
RETAIL STORES	1094 CUDAHY PL	436-290-37-00	MORENA OFFICE CENTER MD OFFICES
BULK STORAGE, TANKS	1040 SHERMAN ST	436-290-23-00	STORAGE ETC.
RETAIL STORES	920 MORENA BLVD	436-290-22-00	PACIFIC SALES KITCHEN, BATH & ELECTRONICS
INDUSTRIAL-VACANT LAND	NO ADDRESS	436-290-21-00	SEARS ROEBUCK & CO
MANUFACTURING	984 SHERMAN ST # 86	436-290-14-00	PUBLIC STORAGE
WAREHOUSE	1033 CUDAHY PL	436-290-13-00	KELLY PAPER
MANUFACTURING	1061 CUDAHY PL	436-290-12-00	WD-40
RETAIL STORES	1022 W MORENA BLVD	436-290-11-00	MAKERPLACE, ABC ABBEY, SOUL RYDE
WAREHOUSE	1084 CUDAHY PL	436-290-08-00	N/A
WAREHOUSE	1048 CUDAHY PL	436-290-07-00	VIDEO EQUIPMENT RENTALS
WAREHOUSE	1018 CUDAHY PL	436-290-06-00	FULLER ELECTRIC COMPANY
WAREHOUSE	1004 CUDAHY PL	436-290-05-00	TODD PIPE & SUPPLY, HAJOCA SUPPLY,

RETAIL STORES	1275 W MORENA BLVD	436-193-15-00	ADVANCED FLOOR COVERING
RETAIL STORES	1205 W MORENA BLVD	436-193-14-00	DISCOUNT FABRICS
WAREHOUSE	4940 NAPLES PL	436-193-13-00	N/A
WAREHOUSE	4966 NAPLES PL	436-193-08-00	CNC
PARKING GARAGE	1245 W MORENA BLVD	436-193-07-00	ATLAS FURNITURE
WAREHOUSE	4954 NAPLES PL	436-193-06-00	BODY KRAFT
MANUFACTURING	4930 NAPLES PL	436-193-04-00	IDEAL SERVICES
RETAIL STORES	1295 W MORENA BLVD	436-193-01-00	SALON D2
WAREHOUSE	4948 NAPLES ST	436-192-15-00	SUNSHINE SUPPLY
WAREHOUSE	4994 NAPLES ST	436-192-14-00	WPD
PARKING GARAGE	4968 NAPLES ST	436-192-10-00	PARKING
WAREHOUSE	4958 NAPLES ST # 62	436-192-09-00	DARYL GRIFFIS ACOUSTICS INC
RETAIL STORES	4952 NAPLES ST	436-192-08-00	FORM-CRAFT BUSINESS SYSTEMS
IMPROVED, USE NOT SPECIFIED	4936 NAPLES ST	436-192-05-00	N/A
RETAIL STORES	4926 NAPLES ST # 30	436-192-04-00	THE GATES GROUP
RETAIL STORES	4912 NAPLES ST	436-192-03-00	PROFESSIONAL MAINTENANCE SYSTEMS
RETAIL STORES	4912 NAPLES ST	436-192-02-00	PROFESSIONAL MAINTENANCE SYSTEMS
WAREHOUSE	4904 NAPLES PL	436-192-01-00	PROFESSIONAL MAINTENANCE SYSTEMS
RETAIL STORES	1202 MORENA BLVD	436-191-17-00	PERT
SINGLE FAMILY RESIDENCE	4911 NAPLES ST	436-191-14-00	N/A
RESIDENTIAL-VACANT LAND	NAPLES ST	436-191-13-00	FIEDLER WILLIAM & MARJORIE FAMILY TRUST
RESIDENTIAL-VACANT LAND	4925 NAPLES ST # 27	436-191-12-00	N/A
RESIDENTIAL-VACANT LAND	4929 NAPLES ST # 31	436-191-11-00	N/A
MULTI-FAMILY DWELLINGS	4933 NAPLES ST	436-191-10-00	N/A
COMMERCIAL-VACANT LAND	MORENA BLVD	436-191-06-00	FIEDLER WILLIAM T SEPARATE PROPERTY TRUST
WAREHOUSE	5175 PACIFIC HWY	436-180-26-00	PUBLIC STORAGE
WAREHOUSE	1190 W MORENA BLVD # 2	436-180-20-02	JEROMES FURNITURE, BARBEQUES GALORE, A-1 STORAGE
RETAIL STORES	1240 W MORENA BLVD	436-180-17-00	TOYS R US
RETAIL STORES	1210 W MORENA BLVD	436-180-16-00	PETCO, METRO DÉCOR
R&D FACILITY, LABORATORY, RESEARCH FACILITY, COSTMETICS, PHARMACEUTICALS	1170 W MORENA BLVD # A	436-180-15-04	COLES FINE FLOORING, SALVATION ARMY
RETAIL STORES	1350 W MORENA BLVD	436-180-14-00	ARMSTRONG GARDEN CENTERS
RETAIL STORES	1303 W MORENA BLVD	436-030-18-00	LAMPS PLUS



THE CITY OF SAN DIEGO

Date of Notice: August 10, 2015

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT
SAP No. 24004683

PROJECT NAME/NUMBER: 1028 Buenos Avenue MMCC/369290

COMMUNITY PLAN AREA: Linda Vista Community Plan

COUNCIL DISTRICT: 2

LOCATION: The project is located at 1028 Buenos Avenue, San Diego, CA 92110.

PROJECT DESCRIPTION: The proposed project is a request for a Conditional Use Permit (CUP) for a Medical Marijuana Consumer Cooperative (MMCC). The facility is proposing to operate within a 2,452-square foot area within an existing 16,542 square-foot building located at 1028 Buenos Avenue on a 0.73-acre site located within the Linda Vista Community Plan Area; the site is designated Light Industrial. The project site is zoned IL-3-1 and located within a Parking Impact Overlay Zone and a Community Plan Implementation Overlay Zone (Type A).

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Designated Staff

ENVIRONMENTAL DETERMINATION: CEQA Exemption 15303 (New Construction or Conversion of Small Structures)

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The City of San Diego conducted an environmental review that determined the project would not have the potential for causing a significant effect on the environment. The project meets the criteria set forth in CEQA Guidelines Section 15303 which allows for the conversion of existing small structures from one use to another where only minor modifications are made to the exterior of the structure. The exceptions listed in CEQA Section 15300.2 would not apply.

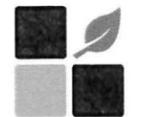
DEVELOPMENT PROJECT MANAGER: Edith Gutierrez
MAILING ADDRESS: 1222 First Avenue, MS 501
 San Diego, CA 92101
PHONE NUMBER: (619) 446-5147

On August 10, 2015 the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to

the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice (August 24, 2015). The appeal application can be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

This information will be made available in alternative formats upon request.



Delorenzo International

Landscape Architecture + Land Planning

3990 Old Town Ave. Suite A-204 San Diego, CA 92110 619.295.5115



LANDSCAPE SITE EXHIBIT

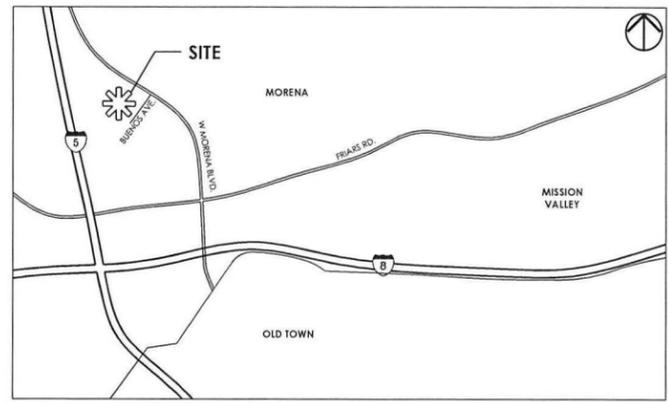
WILL SENN MMCC
1028 BUENOS AVENUE,
SAN DIEGO, CA 92110

Revision/Description	Date
△	
△	
△	
△	
△	

Drawn By: JG
Reviewed By: ML
Project Mgr.: ML

Job No: 15-021
Date: 05/13/2015
Scale: AS SHOWN

L-1



VICINITY MAP

STREET TREE & PUBLIC RIGHT-OF-WAY REQUIREMENTS

BUENOS AVENUE

STREET FRONTAGE = +/- 197 FT.
REQUIREMENT: ONE 24-INCH BOX TREE EVERY 30 FEET OF STREET FRONTAGE

NUMBER OF TREES REQUIRED: 197/30 = 7 TREES
NUMBER OF TREES PROVIDED: 7 (4 EX. CANOPY TREES + 3 PROPOSED CANOPY TREES)

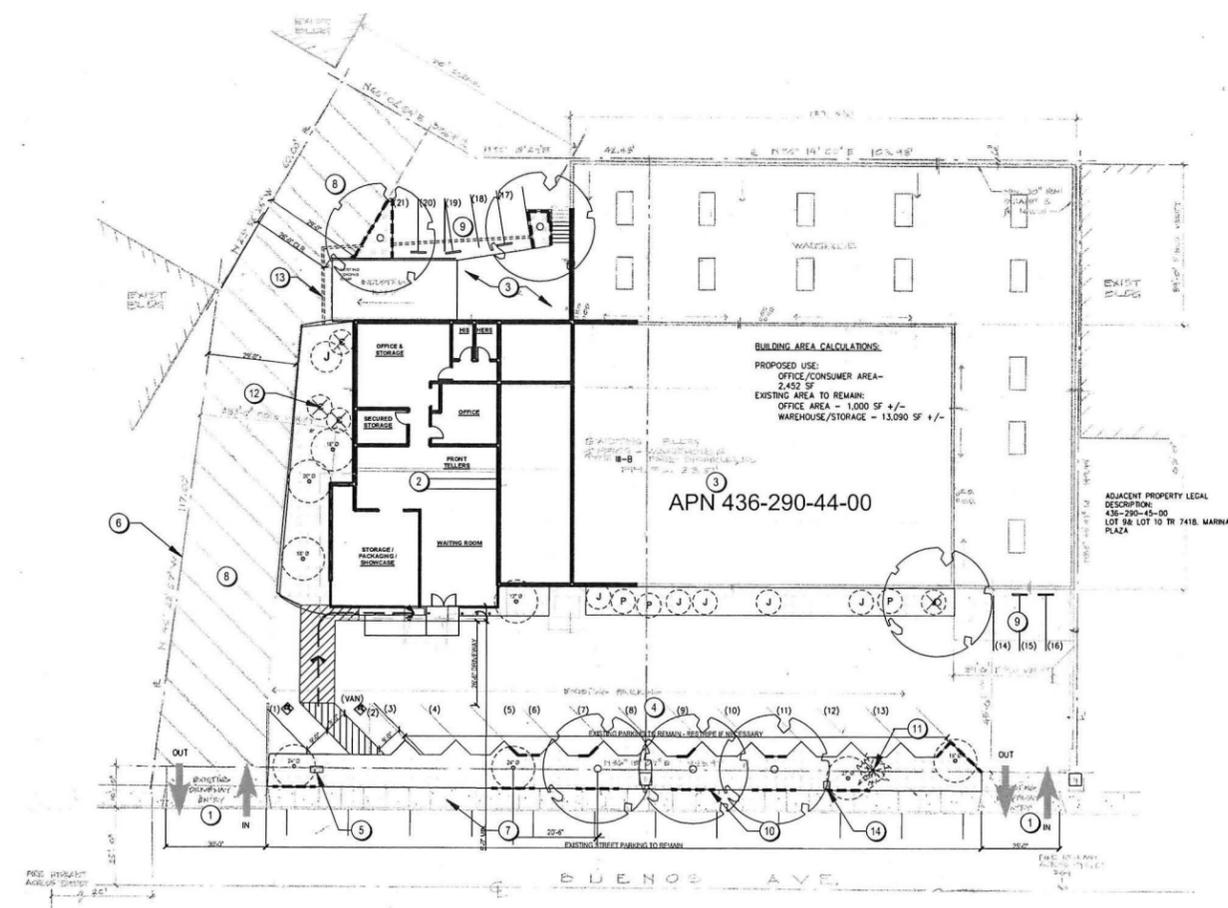
- NOTES:**
1. A MINIMUM OF 40 SQ.FT. AIR AND WATER PERMEABLE GROWING AREA SHALL BE PROVIDED FOR EACH STREET TREE.
 2. THE MINIMUM DIMENSION (WIDTH) OF EACH STREET TREE PLANTING AREA SHALL BE 5 FEET.
 3. WHERE SITE CONDITIONS DO NOT ALLOW THE INSTALLATION OF REQUIRED STREET TREES, TREES SHALL BE LOCATED ON THE PRIVATE PROPERTY WITHIN TEN (10) FEET OF THE PROPERTY LINE ALONG THAT STREET FRONTAGE.

KEY NOTES:

- 1 EX. DRIVEWAY/ PARKING ENTRANCE TO REMAIN
- 2 PROPOSED SPACE, REFER TO ARCHITECT'S DRAWINGS
- 3 EX. LOADING DOCK AREA
- 4 EX. CUSTOMER PARKING ON SITE
- 5 EXISTING UTILITIES, TYP.
- 6 PROPERTY LINE
- 7 EX. SIDE WALK TO REMAIN
- 8 EX. FIRE LANE TO REMAIN
- 9 NEW CUSTOMER PARKING
- 10 ADD ROOT BARRIERS AS SHOW, TYP.
- 11 REMOVE JUVENILE PALM
- 12 REMOVE PAMPAS GRASS
- 13 TRENCH AND ADD IRRIGATION MAINLINE, REPAIR CONCRETE TO MATCH EXISTING, TYP.
- 14 EXISTING WATER METER

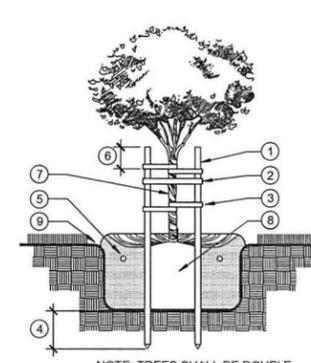
GENERAL NOTES:

1. ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE STANDARDS OF THE CITY-WIDE LANDSCAPE REGULATIONS AND THE CITY OF SAN DIEGO LAND DEVELOPMENT MANUAL LANDSCAPE STANDARDS AND ALL OTHER LANDSCAPE RELATED CITY AND REGIONAL STANDARDS.
2. IRRIGATION: AN AUTOMATIC, ELECTRICALLY CONTROLLED IRRIGATION SYSTEM SHALL BE PROVIDED AS REQUIRED BY LDC 142.0403(c) FOR PROPER IRRIGATION, DEVELOPMENT, AND MAINTENANCE OF THE VEGETATION IN A HEALTHY, DISEASE-RESISTANT CONDITION. THE DESIGN OF THE SYSTEM SHALL PROVIDE ADEQUATE SUPPORT FOR THE VEGETATION SELECTED. VERIFY THE OPERATION OF EXISTING IRRIGATION SYSTEM AND MAKE AND NECESSARY REPAIRS NEEDED FOR CORRECT OPERATION. STREET TREES WILL BE IRRIGATED WITH EXISTING IRRIGATION IF OPERATIONAL.
3. EXISTING TREES TO REMAIN ON SITE WITHIN THE AREA OF WORK WILL BE PROTECTED IN PLACE. THE FOLLOWING PROTECTION MEASURES WILL BE PROVIDED:
 - A. A BRIGHT YELLOW OR ORANGE TEMPORARY FENCE WILL BE PLACED AROUND EXISTING TREES AT THE DRIP LINE.
 - B. STOCKPILING, TOPSOIL DISTURBANCE, VEHICLE USE, AND MATERIAL STORAGE OF ANY KIND IS PROHIBITED WITHIN THE DRIP LINE.
 - C. A TREE WATERING SCHEDULE WILL BE MAINTAINED AND DOCUMENTED DURING CONSTRUCTION.
 - D. ALL DAMAGED TREES WILL BE REPLACED WITH ONE OF EQUAL OR GREATER SIZE.
4. TREE ROOT BARRIERS SHALL BE INSTALLED WHERE TREES ARE PLACED WITHIN 5 FEET OF PUBLIC IMPROVEMENTS INCLUDING WALKS, CURBS, OR STREET PAVEMENTS OR WHERE NEW PUBLIC IMPROVEMENTS ARE PLACED ADJACENT TO EXISTING TREES. THE ROOT BARRIER WILL NOT WRAP AROUND THE ROOT BALL.
5. MULCH: ALL REQUIRED PLANTING AREAS AND ALL EXPOSED SOIL AREAS WITHOUT VEGETATION SHALL BE COVERED WITH MULCH TO A MINIMUM DEPTH OF 2 INCHES, EXCLUDING SLOPES REQUIRING REVEGETATION PER SDMC 142.0411.
6. REMOVE EXISTING INVASIVE PLANT SPECIES ON SITE INCLUDING: CORTADERIA SP., WASHINGTONIA ROBUSTA, AND ANNUAL GRASSES.
 - A. REPLACEMENT TREES TO BE 36" BOX SIZE
 - B. REPLACEMENT SHRUBS TO BE 5 GAL. CONTAINER SIZE
7. IF ANY REQUIRED LANDSCAPE INDICATED ON THE APPROVED CONSTRUCTION DOCUMENT PLANS IS DAMAGED OR REMOVED DURING DEMOLITION OR CONSTRUCTION, IT SHALL BE REPAIRED AND/OR REPLACED IN KIND AND EQUIVALENT SIZE PER THE APPROVED DOCUMENTS TO THE SATISFACTION OF THE DEVELOPMENT SERVICED DEPARTMENT WITHIN 30 DAYS OF DAMAGE.
8. TREES SHALL BE MAINTAINED SO THAT ALL BRANCHES OVER PEDESTRIAN WALKWAYS ARE 6 FEET ABOVE THE WALKWAY GRADE AND BRANCHES OVER VEHICULAR TRAVEL WAYS ARE 16 FEET ABOVE THE GRADE OF TRAVEL WAY PER THE SAN DIEGO MUNICIPAL CODE, SECTION 142.0403(b)(10).
9. MAINTENANCE: ALL REQUIRED LANDSCAPE AREAS SHALL BE MAINTAINED BY OWNER. LANDSCAPE AND IRRIGATION AREAS IN THE PUBLIC RIGHT-OF-WAY SHALL BE MAINTAINED BY 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 PER THE CONDITIONS OF THE PERMIT.



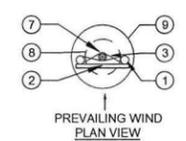
TREE LEGEND

Symbol	Abr.	Botanical Name/Common Name
EXISTING TREES		
⊙	PIN CAR	PINUS CANARIENSIS / CANARY ISLAND PINE
✱	WAS ROB	WASHINGTONIA ROBUSTA / MEXICAN PALM
PROPOSED TREES		
⊙	PYR CAL	PYRUS CALLERYANA 'BRADFORD' / BRADFORD PEAR
EXISTING SHRUBS		
⊙	COR SP.	CORTADERIA SP. / PAMPAS GRASS
⊙	JUN SP.	JUNIPERUS SP. / JUNIPER
⊙	PIT SP.	PITTIOSPORUM SP. / PITTIOSPORUM
⊗		TO BE REMOVED/DEMO

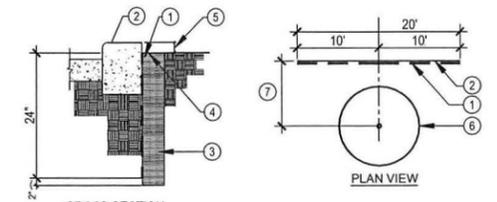


A TREE STAKING DETAIL
NO SCALE

- 1 2" DIA. X 10' LODGEPOLE PINE STAKE (2 REQ'D.).
- 2 1 X 2" WOOD BRACE.
- 3 VINYL TREE TIE (2 REQ'D. PER STAKE).
- 4 24" MIN.
- 5 SEE TREE PLANTING DETAIL.
- 6 12" MIN.
- 7 TREE TRUNK.
- 8 ROOTBALL.
- 9 REMOVE TURF TO 1" BEYOND TREE STAKES.



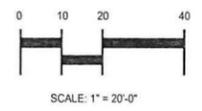
PREVAILING WIND PLAN VIEW



CROSS SECTION

- 1 24" ROLL ROOT CONTROL BARRIER (BIOBARRIER) BY BBA REEMAY, INC., OR APPROVED EQUAL. (800)284-2780. INSTALL FLUSH WITH BACK OF CURB & FINISH GRADE AS RECOMMENDED BY THE MANUFACTURER. 20' OF BARRIER PER TREE.
- 2 HARDSCAPE EDGE: SIDEWALK, CURB, SWALE OR PAVEMENT
- 3 ROOT CONTROL BARRIER TRENCH BACKFILLED WITH CLEAN SITE SOIL.
- 4 TOP OF ROOT CONTROL BARRIER FLUSH WITH GRADE.
- 5 3" IN SHRUB AREAS.
- 6 TREE.
- 7 ROOT CONTROL BARRIERS SHALL BE PROVIDED AS SHOWN ON THIS DETAIL WHERE TREES ARE PLANTED WITHIN 8' OR CLOSER FROM THE EDGES OF PAVEMENTS AND ALUMINUM EDGING.

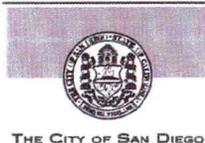
B ROOT CONTROL BARRIER
NO SCALE



MINIMUM TREE SEPARATION DISTANCE

- A. TRAFFIC SIGNALS (STOP SIGN) - 20 FEET
- B. WATER AND SEWER LINES - 10 FEET
- C. DRY UTILITY LINES - 5 FEET
- D. ABOVE GROUND UTILITY STRUCTURES - 10 FEET
- E. DRIVEWAY (ENTRIES) - 10 FEET
- F. INTERSECTIONS (INTERSECTING CURB LINES OF TWO STREETS) - 25 FEET

PLANTING AND IRRIGATION CONSTRUCTION DOCUMENTS WILL BE PROVIDED AFTER THE PROJECT IS ENTITLED, DURING THE BUILDING PERMIT PHASE.



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

Community Planning Committee Distribution Form Part 2

Project Name: 1028 Buenos Av MMCC	Project Number: 369290	Distribution Date: 5/9/2014	
Project Scope/Location: LINDA VISTA Conditional Use Permit (Process 3) for a Medical Marijuana Consumer Cooperative (MMCC) to operate in a 16,542 square foot building located at 1028 Buenos Avenue. The 0.73-acre site is located in the IL-3-1 zone within the Linda Vista Community Plan Area. Council District 2. Notice Card=1.			
Applicant Name: Britvar, Paul		Applicant Phone Number: (970) 618-7746	
Project Manager: Gutierrez, Edith	Phone Number: (619) 446-5147	Fax Number: (619) 446-5245	
E-mail Address: EGutierrez@sandiego.gov			
Committee Recommendations (To be completed for Initial Review):			
<input checked="" type="checkbox"/> Vote to Approve	Members Yes 9	Members No 6	Members Abstain 1
<input type="checkbox"/> Vote to Approve With Conditions Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Approve With Non-Binding Recommendations Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Deny	Members Yes	Members No	Members Abstain
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)			<input type="checkbox"/> Continued
CONDITIONS:			
NAME: Drew Corley		TITLE: Chairman	
SIGNATURE: <i>Drew Corley</i>		DATE: 7/28/14	
<i>Attach Additional Pages If Necessary.</i>		Please return to: Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101	
Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services . Upon request, this information is available in alternative formats for persons with disabilities.			

Project Title: <u>1028 BUENOS AVE MMCC</u>	Project No. (For City Use Only) <u>369290</u>
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Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

Corporation
 Limited Liability -or-
 General) What State? _____ Corporate Identification No. _____
 Partnership

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, 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 names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. 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. **Additional pages attached** Yes No

Corporate/Partnership Name (type or print):
MISSION & GRAND LLC

Owner Tenant/Lessee

Street Address:
628 15TH ST

City/State/Zip:
DEL MAR, CA 92014

Phone No: 619 277 4575 Fax No: _____

Name of Corporate Officer/Partner (type or print):
RONALD E TAYLOR

Title (type or print):
MANAGER

Signature: [Signature] Date: 4/30/14

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

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Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date: