



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: June 17, 2015 **REPORT NO.** PC-15-077

ATTENTION: Planning Commission, Agenda of June 25, 2015

SUBJECT: APPEAL OF THE HEARING OFFICER'S DECISION TO DENY
A CONDITIONAL USE PERMIT FOR GLASS TEK ENTITIES MMCC
- PROJECT NO. 368509 (PROCESS 3).

REFERENCE: Report to the Hearing Officer; Report No. HO-15-051 (Attachment 1-11).

**OWNER/
APPLICANT:** SUN DUK KIM AND YUN CHUI KIM /
Glass Tek Entities, Inc., Joel Volsky

SUMMARY

Issue: Should the Planning Commission approve or deny an appeal of the Hearing Officer's decision to deny a Conditional Use Permit (CUP) to allow a Medical Marijuana Consumer Cooperative (MMCC) to operate in a 1,200 square-foot tenant space within an existing 15,760 square-foot building on a 0.60-acre site within the Mira Mesa Community Plan area?

Staff Recommendation: Uphold the appeal, Reverse the Hearing Officer's decision and Approve Conditional Use Permit No. 1296451.

Community Planning Group Recommendation: On August 18, 2014, the Mira Mesa Community Planning Group voted under Special Rules for Consideration of the MMCC applications and ranked this project as the most preferred (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 December 8, 2014 (Attachment 8). An appeal of the CEQA determination was previously made and the City Council denied the CEQA appeal on March 3, 2015.

Fiscal Impact Statement: None with this action. All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

Code Enforcement Impact: None with this action.

Housing Impact Statement: None with this action.

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 the City of San Diego 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 project presented to the Hearing Officer on April 22, 2015, was a request for a Conditional Use Permit (CUP) to operate a MMCC in a 2,720 square-foot tenant space located on the second floor of an existing 15,760 square-foot building located at 9212 Mira Este Court. Access to the MMCC tenant space would be only through an interior staircase without access for the disabled who suffer from mobility issues associated with severe disabilities; which the MMCC is intended to treat. Staff recommended denial of the project as the applicant was not proposing access modifications to the building, such as an elevator or wheel chair lift. The Hearing Officer disagreed with staff's basis for recommendation of denial, as building improvements and accessibility requirements were not within his purview and are reviewed for compliance during the ministerial process. The Hearing Officer ultimately denied the project, not due to lack of accessibility, but due to the fact that he had already approved four MMCCs in Council District 6.

Subsequent to the Hearing Officer's decision, the applicant secured an agreement for a 1,200 square-foot tenant space located on the first floor of the same building, and submitted revised plans to Development Services Department for review. The 1,200 square-foot tenant space will require 34 off-street parking spaces, not 39 due to the reduced MMCC square footage. Staff has reviewed the revised plans and determined that the proposed MMCC meets all applicable development regulations, including the minimum distance requirements.

Based on revised plans, subsequent to the Hearing Officer's decision of denial, staff recommends that the Planning Commission uphold the appeal, reverse the Hearing Officer's decision and approve the project as it now meets all development regulations. Although the Hearing Officer has approved four MMCCs in Council District 6, three of the approvals have been appealed to

Planning Commission. One of the approvals is scheduled for Planning Commission on June 18, 2015 and the two others are scheduled for June 25, 2015. The Planning Commission is the final decision-maker of approval or denial of MMCC applications. If MMCC applications meet all the development regulations, staff will be recommending approval of the projects to the Planning Commission. Once the Planning Commission approves four applications in one Council District, staff will then be recommending denial of the remaining applications within the same district as they no longer meet the requirement of a maximum of four MMCC approvals per Council District.

DISCUSSION

Appeal: An appeal of the Hearing Officer's decision was filed on May 5, 2015, by Stephen G. Cline on the grounds of Findings not supported and New Information (Attachment 12).

The appellant's summarized grounds for appeal issues and staff responses are as follows:

Appeal Issue:

1. *There is new information on a competing application that renders it unable to obtain CUP approval. Further there is new information on the accessibility issue that resolves city staff concerns.*

Staff Response: Subsequent to the Hearing Officer's recommendation of denial on April 22, 2015, staff has reviewed the revised plans for the 1,200 square-foot tenant space located on the first floor of the building. Staff has determined that the proposed MMCC meets all applicable development regulations, including the minimum distance requirements.

Conclusion:

Staff recommends that the Planning Commission uphold the appeal and approve the revised project as it meets all applicable development regulations, including the minimum distance requirements.

Respectfully submitted,



Mike Westlake
Assistant Deputy Director
Development Services Department



Edith Gutierrez
Development Project Manager
Development Services Department

Attachments:

- 1-11 Report to the Hearing Officer – Report HO-15-051
12. Appeal Application, Stephen Cline
13. Revised Site Plans
14. Draft Permit with Conditions
15. Draft Permit Resolution with Findings



THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE: April 22, 2015

REPORT NO. HO-15-051

ATTENTION: Hearing Officer

SUBJECT: GLASS TEK ENTITIES
PROJECT NUMBER: 368509

LOCATION: 9212 Mira Este Court

APPLICANT: Joel Volsky

SUMMARY

Issue(s): Should the Hearing Officer approve a Conditional Use Permit to allow a Medical Marijuana Consumer Cooperative (MMCC) to operate in a 2,720 square foot tenant space within an existing 15,760 square foot building within the Mira Mesa Community Plan Area?

Staff Recommendation: DENY Conditional Use Permit No. 1296451.

Community Planning Group Recommendation: On August 18, 2014, the Mira Mesa Community Planning Group voted for Glass Tek Entities as the most preferred project under Special Rules for Consideration of the MMCC applications (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 December 8, 2014 (Attachment 8). An appeal of the CEQA determination was previously made and the City Council denied the CEQA appeal on March 3, 2015. The scope of the Hearing Officer's decision only includes the project, and not the environmental determination.

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

This proposed project is a request for a Conditional Use Permit (CUP) to operate a MMCC in a 2,720 square foot tenant space within an existing 15,760 square foot, two-story building on a 0.60-acre site. The site is located at 9212 Mira Este Court, north of Miramar Road, west of Interstate 15 and east of Camino Santa Fe (attachment 2). The site is in the IL-3-1 Zone, Airport Land Use Compatibility Overlay Zone and the 65-70 dB CNEL for Miramar within the Mira Mesa Community Plan Area. The site was developed in 1988 per Building Permit No. B00190788.

The site is in the Miramar Subarea, designated Light Industrial by the Mira Mesa Community Plan. The Light Industrial designation is intended for manufacturing, storage, warehousing, distribution and similar uses. The Miramar Subarea encourages a mix of light industrial and specialized commercial uses. The proposed MMCC was reviewed by MCAS Miramar and determined to be consistent with the Air Installation Compatible Use Zone (AICUZ) noise and safety compatibility guidelines. The parcels to the north and southeast are within the IL-3-1 Zone, the other adjoining parcels are in the IL-2-1 Zone. The existing surrounding uses within the IL-3-1 Zone are consistent with the Light Industrial designation of the community plan. The proposed MMCC, classified as commercial services, is a compatible use for this location with a Conditional Use Permit within this community plan.

DISCUSSION

The project site located at 9212 Mira Este Court is a 0.60-acre site developed with a two-story buildings and surface parking. The proposed project is a request for a Conditional Use Permit (CUP) to operate a MMCC in a 2,720 square foot tenant space on the second floor of an existing 15,760 square foot, two-story building. The proposed second floor MMCC tenant space is accessible only through an interior staircase and no access for the disabled is provided. The CUP application does not propose any additional physical modifications (i.e. elevator) to enhance access for the primary patients of the facility.

Qualified patients of MMCC's include California residents who have the right to obtain and use marijuana for medical purposes. Medical use of marijuana is deemed appropriate when it has been recommended by a physician, and when that physician has determined that the patient

suffers from one or more of a variety of serious medical conditions including but not limited to cancer, anorexia, AIDS, chronic pain, persistent muscle spasms, seizures, severe nausea, glaucoma, arthritis, and migraine headaches. Many of the debilitating illnesses treated by medical marijuana include symptoms that severely limit a patient's physical mobility, including their ability to walk and/or safely navigate stairways.

This proposed MMCC at the proposed location on the second floor of an existing building, without an elevator or any other alternative or enhanced access, would discriminate against persons who suffer from mobility issues associated with those severe disabilities the MMCC is intended to treat. Because this MMCC is located on the second floor of a building, is accessed only through an interior staircase, and does not provide alternative access (i.e. elevator) for the disabled, the proposed use is inappropriate at this location, and would not result in a facility that provides access appropriate to the patients it is anticipated to serve.

CONCLUSION

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 the existing uses. Although the proposed MMCC meets the applicable development regulations, including the minimum distance requirements, staff cannot support the project due to the lack of disabled access.

ALTERNATIVE

1. Approve Conditional Use Permit No. 1296451, with modifications.
2. Deny Conditional Use Permit No. 1296451, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

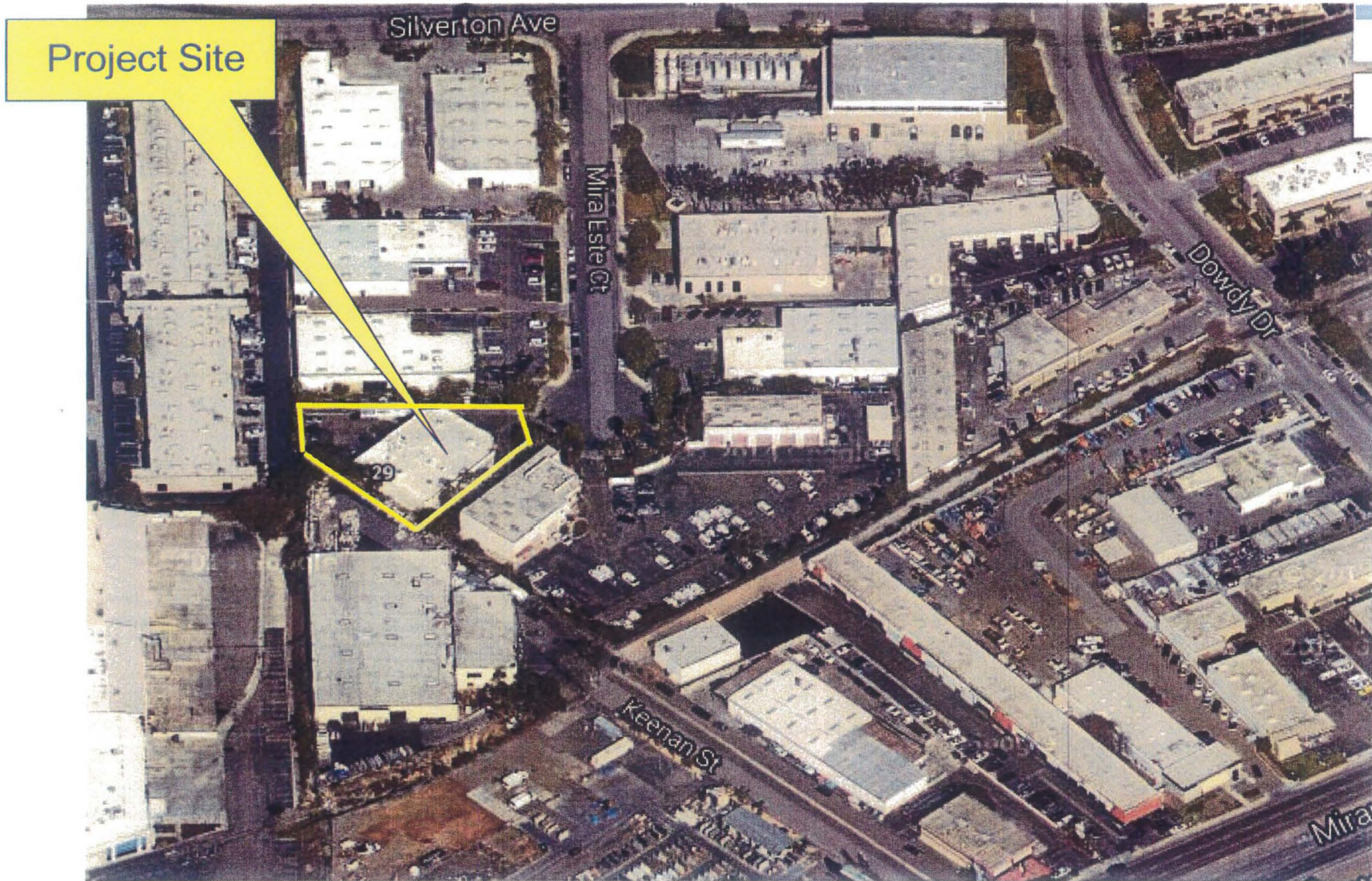


Edith Gutierrez, Development Project Manager

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
9. Project Site Plan(s)
10. Community Planning Group Recommendation
11. Ownership Disclosure Statement



Location Aerial Photo

GLASS TEC ENTITIES MMCC- 9212 MIRA ESTE COURT

PROJECT NO. 368509















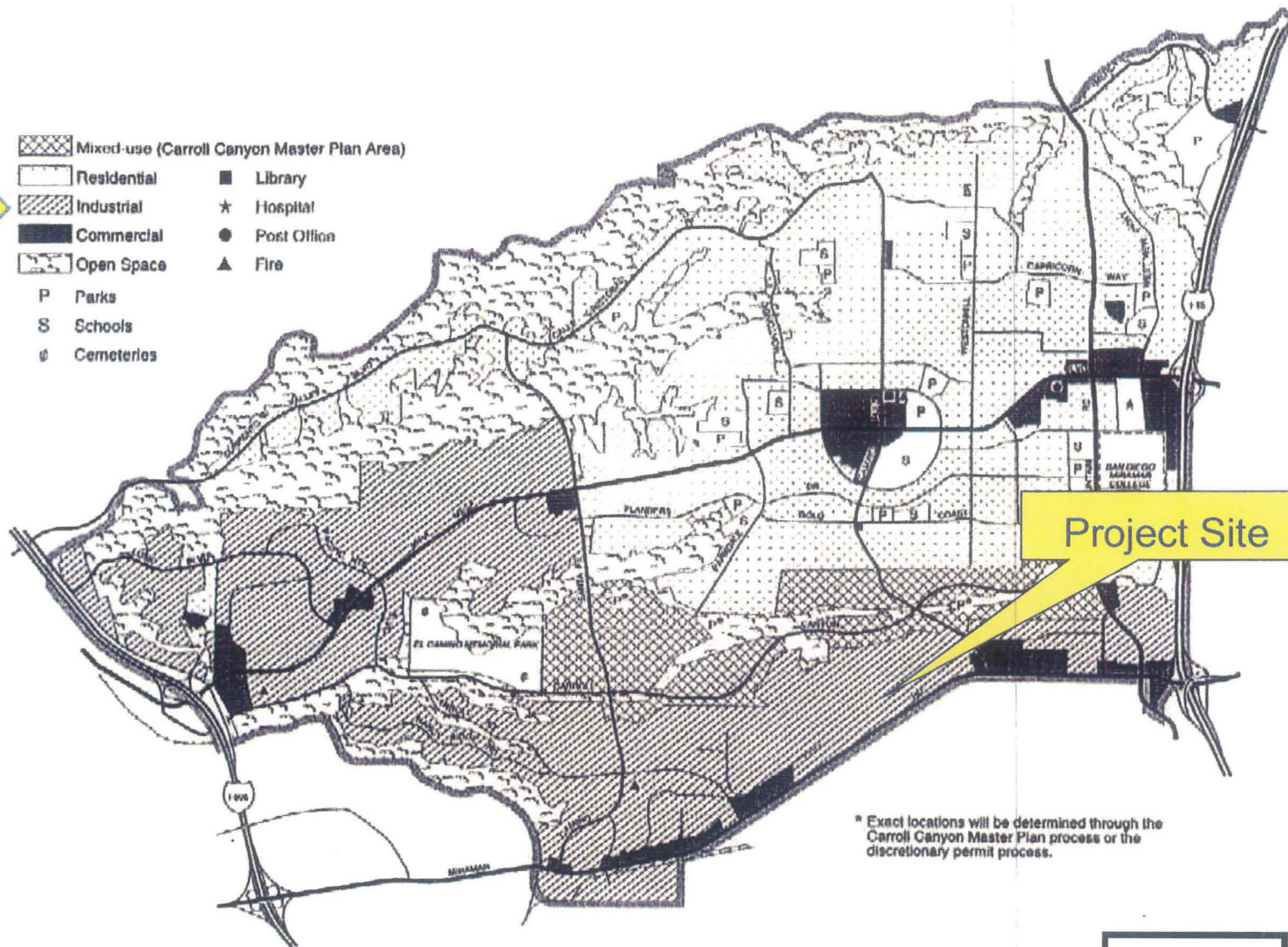
Project Location Map

GLASS TEC ENTITIES MMCC- 9212 MIRA ESTE COURT

PROJECT NO. 368509



- 
 Mixed-use (Carroll Canyon Master Plan Area)
 Residential
 Industrial
 Commercial
 Open Space
 P Parks
 S Schools
 @ Cemeteries
 Library
 Hospital
 Post Office
 Fire



* Exact locations will be determined through the Carroll Canyon Master Plan process or the discretionary permit process.



Land Use Map

GLASS TEC ENTITIES MMCC- 9212 MIRA ESTE COURT

PROJECT NO. 368509



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: 24004632

CONDITIONAL USE PERMIT NO. 1296451
GLASS TEK ENTITIES MMCC - PROJECT NO. 368509
HEARING OFFICER

This Conditional Use Permit No. 1296451 is denied by the Hearing Officer of the City of San Diego to SUN DUK KIM AND YUN CHUI KIM, Owner and GLASS TEK ENTITIES, INC., Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0305. The 0.60-acre site is located at 9212 Mira Este Court in the IL-3-1 Zone, Airport Land Use Compatibility Overlay Zone, and the 65-70 dB CNEL for Miramar within the Mira Mesa Community Plan Area. The project site is legally described as Lot 14 of Mira Este Business Park, Map No. 11683, December 17, 1986.

Subject to the terms and conditions set forth in this Permit, permission is denied to Owner/Permittee to operate a Medical Marijuana Consumer Cooperative (MMCC) and 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 April 22, 2015, on file in the Development Services Department.

The project shall include:

- a. Operation of a Medical Marijuana Consumer Cooperative (MMCC) in a 2,720 square foot tenant space within an existing 15,760 square foot building on a 0.60-acre site;
- b. Existing landscaping (planting, irrigation and landscape related improvements);
- c. Existing 30 on-site spaces and 9 shared spaces located at 7939-7965 Silverton Avenue;
- d. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning

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

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by May 7, 2018.
2. This Conditional Use Permit [CUP] and corresponding use of this MMCC shall expire on May 7, 2020.
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 2,720 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, 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 should only be engaged in activities related to providing security for the facility, except on an incidental basis.
17. 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.
18. The MMCC shall operate only between the hours of 7:00 a.m. and 9:00 p.m., seven days a week.
19. 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.
20. 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 48 hours.
21. Medical marijuana shall not be consumed anywhere within the 0.60-acre site.
22. The Owner/Permittee or operator shall post anti-loitering signs near all entrances of the MMCC.
23. 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.
24. Interior spaces exposed to exterior aircraft noise sources shall be attenuated to achieve an indoor noise level of 50 dB CNEL.

ENGINEERING REQUIREMENTS:

25. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the replacement of the existing driveway with a 30-foot City standard driveway, on Mira Este Court, per Standard Drawing SDG-159, satisfactory to the City Engineer.

TRANSPORTATION REQUIREMENTS:

26. Prior to the issuance of any building permit a signed Shared Parking Agreement between affected properties shall be recorded on all affected properties.

27. No fewer than 39 off-street parking spaces (with 30 on-site spaces and 9 shared spaces with an adjacent property provided) including 2 disabled accessible spaces shall be permanently maintained on the property within the approximate location shown on the project's Exhibit "A". Further, all on-site parking stalls and aisle widths 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.

POLICE DEPARTMENT RECOMMENDATION:

28. 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.

DENIED by the Hearing Officer of the City of San Diego on April 22, 2015 and Resolution No. HO-XXXX.

Conditional Use Permit No.1296451/PTS No. 368509

Date of Denial: April 22, 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.

SUN DUK KIM
Owner

By _____
Sun Duk Kim
Owner

YUN CHUI KIM
Owner

By _____
Yun Chui Kim
Owner

GLASS TEK ENTITIES, INC
Permittee

By _____
Joel Volsky
Chief Executive Officer

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

HEARING OFFICER
RESOLUTION NO. HO-
CONDITIONAL USE PERMIT NO. 1296451
GLASS TEK ENTITIES MMCC - PROJECT NO. 368509

WHEREAS, SUN DUK KIM AND YUN CHUI KIM, Owner and GLASS TEK ENTITIES, INC., filed an application with the City of San Diego for a permit to operate a Medical Marijuana Consumer Cooperative (MMCC) in a 2,720 square foot tenant space within an existing 15,760 square foot building (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1296451), on portions of a 0.60-acre site;

WHEREAS, the project site is located at 9212 Mira Este in the IL-3-1 Zone, Airport Land Use Compatibility Overlay Zone, and the 65-70 dB CNEL for Miramar within the Mira Mesa Community Plan Area;

WHEREAS, the project site is legally described as Lot 14 of Mira Este Business Park, Map No. 11683, December 17, 1986;

WHEREAS, on April 22, 2015, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 1296451 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on December 8, 2014, 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 March 3, 2015 pursuant to Resolution No. 309531;

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 April 22, 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 2,720 square foot tenant space within an existing 15,760 square foot building. The 0.06-acre site is located at 9212 Mira Este Court in the IL-3-1 Zone, Airport Land Use Compatibility Overlay Zone and the 65-70 dB CNEL for Miramar within the Mira Mesa Community Plan Area.

The site is in the Miramar Subarea, designated Light Industrial by the Mira Mesa Community Plan. The Light Industrial designation is intended for manufacturing, storage, warehousing, distribution and similar uses. The Miramar Subarea encourages a mix of light industrial and specialized commercial uses. The

proposed MMCC was reviewed by MCAS Miramar and determined to be consistent with the Air Installation Compatible Use Zone (AICUZ) noise and safety compatibility guidelines.

The parcels to the north and southeast are within the IL-3-1 Zone, the other adjoining parcels are in the IL-2-1 Zone. The existing surrounding uses within the IL-3-1 Zone are consistent with the Light Industrial designation of the community plan. The proposed MMCC, classified as commercial services, is a compatible use for this location with a Conditional Use Permit and is consistent with the community plan, 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 project is a request for a Conditional Use Permit to operate an MMCC in a 2,720 square foot tenant space within an existing 15,760 square foot, two-story building located at 9212 Mira Este Court. The existing tenant space is located on the second floor and is currently vacant. The project proposes interior improvements that include a reception area, dispensary area, offices, storage and employee lounge. The tenant improvement building permit will require compliance with the California Building Code, Plumbing Code, Mechanical Code, Electrical Code, Fire Code and all adopted referenced standards. Public improvements for this project include replacement of the existing driveway with a 30-foot City standard driveway on Mira Este Court.

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. 1296451. 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 proposed project is a request for a Conditional Use Permit to operate an MMCC in a 2,720 square foot tenant space within an existing 15,760 square foot, two-story building located at 9212 Mira Este Court. The project proposes interior improvements that include a reception area, dispensary area, offices, storage and employee lounge. The tenant improvement building permit will require compliance with the California Building Code, Plumbing Code, Mechanical Code, Electrical Code, Fire Code and all adopted referenced standards. Public improvements for this project include replacement of the existing driveway with a 30-foot City standard driveway on Mira Este Court.

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 land use designation of Light Industrial. 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 San Diego Municipal Code. The proposed MMCC therefore complies with the regulations of the Land Development Code.

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

The proposed project is a request for a Conditional Use Permit (CUP) to operate a MMCC in a 2,720 square foot tenant space on the second floor of an existing 15,760 square foot, two-story building. The proposed second floor MMCC tenant space is accessible only through an interior staircase and no access for the disabled is provided. The CUP application does not propose any additional physical modifications (i.e. elevator) to enhance access for the primary patients of the facility.

Qualified patients of MMCC's include California residents who have the right to obtain and use marijuana for medical purposes. Medical use of marijuana is deemed appropriate when it has been recommended by a physician, and when that physician has determined that the patient suffers from one or more of a variety of serious medical conditions including but not limited to cancer, anorexia, AIDS, chronic pain, persistent muscle spasms, seizures, severe nausea, glaucoma, arthritis, and migraine headaches. Many of the debilitating illnesses treated by medical marijuana include symptoms that severely limit a patient's physical mobility, including their ability to walk and/or safely navigate stairways.

This proposed MMCC at the proposed location on the second floor of an existing building, without an elevator or any other alternative or enhanced access, would discriminate against persons who suffer from mobility issues associated with those severe disabilities the MMCC is anticipated to treat. Because this

MMCC is located on the second floor of a building, is accessed only through an interior staircase, and does not provide alternative access (i.e. elevator) for the disabled, the proposed use is inappropriate at this location, and would not result in a facility that provides access appropriate to the patients it is anticipated to serve.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Conditional Use Permit No. 1296451 is hereby DENIED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1296451, a copy of which is attached hereto and made a part hereof.

Edith Gutierrez
Development Project Manager
Development Services

Adopted on: April 22, 2015

Job Order No. 24004632

1000-Foot Radius Map Spreadsheet

Project Name: Wellness Center (CUP)

Address : 9212 Mira Este Ct.

Date: 4/22/2014

Use	Address	Suite #	Zipcode	Parcel #	Business Name
Medical Tech	7905 Silverton Avenue	101	92126-6346	341-380-52-00	Genemay Inc.
Laboratory Testing	7905 Silverton Avenue	102	92126-6346	341-380-52-00	Paradigm
Picture framing	7905 Silverton Avenue	103	92126-6346	341-380-52-00	Tony's Picture Framing
Gaming center	7905 Silverton Avenue	104	92126-6346	341-380-52-00	Gamesync
PC repair	7905 Silverton Avenue	105	92126-6346	341-380-52-00	San Diego PC Help
Air conditioning specialist	7905 Silverton Avenue	106	92126-6346	341-380-52-00	Remon Construction Inc.
N/A	7905 Silverton Avenue	107	92126-6346	341-380-52-00	no info
N/A	7905 Silverton Avenue	108	92126-6346	341-380-52-00	no info
Flower sales	7905 Silverton Avenue	109	92126-6346	341-380-52-00	Bella Rosa Flowers
Furniture resale	7905 Silverton Avenue	110	92126-6346	341-380-52-00	Model Home Furniture
N/A	7905 Silverton Avenue	111	92126-6346	341-380-52-00	no info
Custom Molds	7905 Silverton Avenue	112	92126-6346	341-380-52-00	Coral Mold Company
Pest control	7905 Silverton Avenue	113	92126-6346	341-380-52-00	Rodent Pest Technologies Inc
Spa and home care	7905 Silverton Avenue	114	92126-6346	341-380-52-00	Majestic Pods and Spas
N/A	7905 Silverton Avenue	115	92126-6346	341-380-52-00	Serve Pro of Sorrento Valley
Telecommunications	7909 Silverton Avenue	201	92126-6347	341-380-54-00	Colombia Pacific Telesystems
N/A	7909 Silverton Avenue	202	92126-6347	341-380-54-00	no info
Window cleaning	7909 Silverton Avenue	203	92126-6347	341-380-54-00	My Window Man
No info	7909 Silverton Avenue	204	92126-6347	341-380-54-00	Rasic
Mobile X-ray machines	7909 Silverton Avenue	205	92126-6347	341-380-54-00	So Cal Mobile X-ray
General construction	7909 Silverton Avenue	206	92126-6347	341-380-54-00	Goodwin Construction Inc
Customised medical devices	7909 Silverton Avenue	207	92126-6347	341-380-54-00	Superior Machining R&D
Medical equipment	7909 Silverton Avenue	208	92126-6347	341-380-54-00	Suyntech Solution LLC
N/A	7909 Silverton Avenue	209	92126-6347	341-380-54-00	no info
Battery backup systems	7909 Silverton Avenue	210	92126-6347	341-380-54-00	American Trailer Component Tech
audio/video eqpmnt	7909 Silverton Avenue	211	92126-6347	341-380-54-00	San Diego Sound & Video Inc
India imports	7909 Silverton Avenue	212	92126-6347	341-380-54-00	Co Habitat
Refrigeration services	7909 Silverton Avenue	213	92126-6347	341-380-54-00	Sharp Refrigeration
Rehab and medical equipment	7909 Silverton Avenue	214	92126-6347	341-380-54-00	Score / Ram
Chemical	7909 Silverton Avenue	215	92126-6347	341-380-54-00	American Custom Chemicals Corp
N/A	7909 Silverton Avenue	216	92126-6347	341-380-54-00	no info
Biotech	7909 Silverton Avenue	217	92126-6347	341-380-54-00	Radian Biotechnology
N/A	7915 Silverton Avenue	301	92126-6348	341-380-52-00	no info

Laundry services	7915 Silverton Avenue	302	92126-6348	341-380-52-00	Trusted Property SVC
N/A	7915 Silverton Avenue	303	92126-6348	341-380-52-00	no info
Car audio	7915 Silverton Avenue	304	92126-6348	341-380-52-00	MRL Audio
Construction	7915 Silverton Avenue	305	92126-6348	341-380-52-00	D Carson Construction
Printing	7915 Silverton Avenue	306	92126-6348	341-380-52-00	Fox Graphics
Brewery	7915 Silverton Avenue	307	92126-6348	341-380-52-00	Joon Malange
N/A	7915 Silverton Avenue	308	92126-6348	341-380-52-00	no info
N/A	7915 Silverton Avenue	309	92126-6348	341-380-52-00	no info
Health products	7915 Silverton Avenue	310	92126-6348	341-380-52-00	Hygenex
Garage door repair	7915 Silverton Avenue	311	92126-6348	341-380-52-00	Quality Garage Door Repairs
N/A	7915 Silverton Avenue	312	92126-6348	341-380-52-00	no info
Weddings & events	7915 Silverton Avenue	313	92126-6348	341-380-52-00	Blossoms By The Beach
Medical Oxygen	7915 Silverton Avenue	314	92126-6348	341-380-52-00	Prescribed Oxygen Inc.
Elevator services	7915 Silverton Avenue	315	92126-6348	341-380-52-00	Omega Elevator Inc
N/A	7915 Silverton Avenue	316	92126-6348	341-380-52-00	no info
Soil Engineering	7915 Silverton Avenue	317	92126-6348	341-380-52-00	Allied Earth Tech
Window Tinting	7919 Silverton Avenue	401	92126-6349	341-380-54-00	Yen Window Covering & HM
Beverage dispensing Eqpmnt	7919 Silverton Avenue	402	92126-6349	341-380-54-00	RO Components
Door and security installation	7919 Silverton Avenue	403	92126-6349	341-380-54-00	Specialty Doors and Automation
Metal Products	7919 Silverton Avenue	404	92126-6349	341-380-54-00	Hale
Tshirts. Custom printing	7919 Silverton Avenue	405	92126-6349	341-380-54-00	Kuya Studio
International Art	7919 Silverton Avenue	406	92126-6349	341-380-54-00	Unique Arts International
Art sales	7919 Silverton Avenue	407	92126-6349	341-380-54-00	Unique Arts
N/A	7919 Silverton Avenue	408	92126-6349	341-380-54-00	no info
N/A	7919 Silverton Avenue	409	92126-6349	341-380-54-00	no info
Window tinting	7919 Silverton Avenue	410	92126-6349	341-380-54-00	Films Unlimited
Merble & stone restoration	7919 Silverton Avenue	411	92126-6349	341-380-54-00	Gourmet Stone Care
Mattress store	7919 Silverton Avenue	412	92126-6349	341-380-54-00	Mattress Makers
Mattress store	7919 Silverton Avenue	413	92126-6349	341-380-54-00	Mattress Makers
Vending Machine Wholesale	7919 Silverton Avenue	414	92126-6349	341-380-54-00	Heavenly Amusement
N/A	7919 Silverton Avenue	415	92126-6349	341-380-54-00	no info
Telecommunications	7919 Silverton Avenue	416	92126-6349	341-380-54-00	Blackwell Satellite Systems
Automotive equipment	7919 Silverton Avenue	417	92126-6349	341-380-54-00	Pinabuilt
N/A	7919 Silverton Avenue	418	92126-6349	341-380-54-00	no info
Manufacturing	7919 Silverton Avenue	419	92126-6349	341-380-54-00	R&D Prototype
N/A	7919 Silverton Avenue	420	92126-6349	341-380-54-00	no info
Pizza	7919 Silverton Avenue	421	92126-6349	341-380-54-00	Dang Brothers Pizza
N/A	7919 Silverton Avenue	422	92126-6349	341-380-54-00	no info
Publishing, research, consulting	7925 Silverton Avenue	501	92126-6350	341-380-54-00	Musica Russica

?	7925 Silverton Avenue	502	92126-6350	341-380-54-00	JIN
Photography	7925 Silverton Avenue	503	92126-6350	341-380-54-00	Sarah Morgan Photo
?	7925 Silverton Avenue	504	92126-6350	341-380-54-00	Andrew Miller Featherbrooke Inc
Certification Services	7925 Silverton Avenue	505	92126-6350	341-380-54-00	ENV Services
Certification Services	7925 Silverton Avenue	506	92126-6350	341-380-54-00	ENV Services
Transportation, freight	7925 Silverton Avenue	507	92126-6350	341-380-54-00	UTI
Transportation, freight	7925 Silverton Avenue	508	92126-6350	341-380-54-00	UTI
Literature	7925 Silverton Avenue	509	92126-6350	341-380-54-00	Epoch Times
N/A	7925 Silverton Avenue	510	92126-6350	341-380-54-00	no info
Classroom management	7925 Silverton Avenue	511	92126-6350	341-380-54-00	New Management
N/A	7925 Silverton Avenue	512	92126-6350	341-380-54-00	no info
Door sales, repair	7925 Silverton Avenue	513	92126-6350	341-380-54-00	Door Mart
?	7925 Silverton Avenue	514	92126-6350	341-380-54-00	Andrew Miller Featherbrooke Inc
Printing services	7925 Silverton Avenue	515	92126-6350	341-380-54-00	Market Forces Printing
Air conditioning specialist	7925 Silverton Avenue	516	92126-6350	341-380-54-00	SD Air Quality
na	7925 Silverton Avenue	517	92126-6350	341-380-54-00	no info
N/A	7929 Silverton Avenue	601	92126-6351	341-380-54-00	no info
Printing services	7929 Silverton Avenue	602	92126-6351	341-380-54-00	Sharp Printing
Mechanical engineering	7929 Silverton Avenue	603	92126-6351	341-380-54-00	Integrated Mechanical Solutions Inc
Mechanical engineering	7929 Silverton Avenue	604	92126-6351	341-380-54-00	Integrated Mechanical Solutions Inc
N/A	7929 Silverton Avenue	605	92126-6351	341-380-54-00	no info
Wildlife Services	7929 Silverton Avenue	606	92126-6351	341-380-54-00	Critter Control
N/A	7929 Silverton Avenue	607	92126-6351	341-380-54-00	no info
N/A	7929 Silverton Avenue	608	92126-6351	341-380-54-00	no info
Chemicals	7929 Silverton Avenue	609	92126-6351	341-380-54-00	Aurora Fine Chemicals
Medical equipment	7929 Silverton Avenue	610	92126-6351	341-380-54-00	MFI Medical
Construction	7929 Silverton Avenue	611	92126-6351	341-380-54-00	MBI Construction Inc
Smart lightning	7929 Silverton Avenue	612	92126-6351	341-380-54-00	Nextorch
Septic Tanks Installation	7929 Silverton Avenue	613	92126-6351	341-380-54-00	West Coast Underground Inc
Septic Tanks Installation	7929 Silverton Avenue	614	92126-6351	341-380-54-00	West Coast Underground Inc
Industrial design	7929 Silverton Avenue	615	92126-6351	341-380-54-00	Behrooz
Computer repair and service	7929 Silverton Avenue	616	92126-6351	341-380-54-00	Aztec Computer
N/A	7929 Silverton Avenue	617	92126-6351	341-380-54-00	no info
Solar Electronics	7933 Silverton Avenue	701	92126-6352	341-380-54-00	CM Electrical
Clinical trial logistics	7933 Silverton Avenue	702	92126-6352	341-380-54-00	Biocair
Foot wear	7933 Silverton Avenue	703	92126-6352	341-380-54-00	Kandals
Clinical trial logistics	7933 Silverton Avenue	704	92126-6352	341-380-54-00	Biocair
Home repair & service	7933 Silverton Avenue	705	92126-6352	341-380-54-00	Brite Electric
Graphic design	7933 Silverton Avenue	706	92126-6352	341-380-54-00	Graphiques Sunland Inc

N/A	7933 Silverton Avenue	707	92126-6352	341-380-54-00	no info
N/A	7933 Silverton Avenue	708	92126-6352	341-380-54-00	no info
Corporate meeting equipment	7933 Silverton Avenue	709	92126-6352	341-380-54-00	Audio Visual concepts
Construction	7933 Silverton Avenue	710	92126-6352	341-380-54-00	GR Sullivan
Scientific equipment supply	7933 Silverton Avenue	711	92126-6352	341-380-54-00	Biomedicure
N/A	7933 Silverton Avenue	712	92126-6352	341-380-54-00	no info
Lightning efficiency	7933 Silverton Avenue	713	92126-6352	341-380-54-00	Utility Incentive Co.
Music	7933 Silverton Avenue	714	92126-6352	341-380-54-00	Forte/Vandelay Industries
Engineering and consulting	7933 Silverton Avenue	715	92126-6352	341-380-54-00	ARTIN
Garage doors	7933 Silverton Avenue	716	92126-6352	341-380-54-00	Lockout Garage Doors
Technology services	7933 Silverton Avenue	717	92126-6352	341-380-54-00	Iridicor
Office Supply	9389 Dowdy Dr.	A	92126-4331	341-160-57-00	Office Max
Countertops	9389 Dowdy Dr.	G/H	92126-4331	341-160-57-00	Picasso Countertop
Door sales, repair	9369 Dowdy Dr.	H	92126-4300	341-160-58-00	1st United Door
Medical equipment	9369 Dowdy Dr.	F	92126-4300	341-160-58-00	Healthy Back
Furniture delivery	9369 Dowdy Dr.	D/E	92126-4300	341-160-58-00	Mahogany Run Delivery
Technology services	9369 Dowdy Dr.	G	92126-4300	341-160-58-00	Robbins Research Intl
Medical equipment	7888 Silverton Avenue	A	92126-6309	341-380-42-00	Hygenix
Toys	7888 Silverton Avenue	B	92126-6309	341-380-42-00	Funtek inc
N/A	7888 Silverton Avenue	C	92126-6309	341-380-42-00	no info
Gifts, gift supply	7888 Silverton Avenue	D	92126-6309	341-380-42-00	San Diego Gift Creations
Plumbing	7888 Silverton Avenue	E	92126-6309	341-380-42-00	Plumbing Masters
Fax, electronic supply	7888 Silverton Avenue	F	92126-6309	341-380-42-00	Hygiene Swisher
N/A	7888 Silverton Avenue	G	92126-6309	341-380-42-00	In to Ink
Machining services	7888 Silverton Avenue	H	92126-6309	341-380-42-00	A.P. Machine Tech
N/A	7888 Silverton Avenue	I	92126-6309	341-380-42-00	no info
Engineering and consulting	7888 Silverton Avenue	J	92126-6309	341-380-42-00	Christiansen Engineering and Surveying
Audio equipment	7887 Silverton Avenue	A	92126	341-380-42-00	Audio Import
Telecommunications	7887 Silverton Avenue	B	92126	341-380-42-00	Enhanced Voice Data Network
Machining services	7887 Silverton Avenue	C	92126	341-380-42-00	Symcoast Metal Processing Inc.
Automotive work	7887 Silverton Avenue	D	92126	341-380-42-00	KD Autos
corporate office - retail	7887 Silverton Avenue	E	92126	341-380-42-00	Sears
corporate office - retail	7887 Silverton Avenue	F	92126	341-380-42-00	Sears
Knife sales	7887 Silverton Avenue	G	92126	341-380-42-00	The Knife Merchant
Knife sales	7887 Silverton Avenue	H	92126	341-380-42-00	The Knife Merchant
N/A	7887 Silverton Avenue	I	92126	341-380-42-00	no info
N/A	7887 Silverton Avenue	J	92126	341-380-42-00	no info
Escrow service	7867 Silverton Avenue	A	92126	341-380-42-00	Silver Oak Escrow
N/A	7867 Silverton Avenue	B	92126	341-380-42-00	no info

N/A	7867 Silverton Avenue	C	92126	341-380-42-00	no info
N/A	7867 Silverton Avenue	D	92126	341-380-42-00	no info
Coating and tile	7867 Silverton Avenue	E	92126	341-380-42-00	All Source Co.
Medical equipment	7867 Silverton Avenue	F	92126	341-380-42-00	Carbosynth
Apparel	7867 Silverton Avenue	G	92126	341-380-42-00	1000 Mile
Nautical souvenirs	7867 Silverton Avenue	H	92126	341-380-42-00	Ancient Mariner
Water services	7868 Silverton Avenue	A	92126-6327	341-380-42-00	Immediate Flood Rescue
Water services	7868 Silverton Avenue	B	92126-6327	341-380-42-00	Immediate Flood Rescue
Apparel, outdoor gear	7868 Silverton Avenue	C	92126-6327	341-380-42-00	Search Gear
N/A	7868 Silverton Avenue	D	92126-6327	341-380-42-00	no info
Leather Products	7868 Silverton Avenue	E	92126-6327	341-380-42-00	Knights/Tombstone
Automotive equipment	7868 Silverton Avenue	F	92126-6327	341-380-42-00	All Wheel Engineering
N/A	7868 Silverton Avenue	G	92126-6327	341-380-42-00	no info
Design and development	7868 Silverton Avenue	H	92126-6327	341-380-42-00	3DYN
Bicycle shop	7868 Silverton Avenue	I	92126-6327	341-380-42-00	CA Cycleworks
Indian imports	7868 Silverton Avenue	J	92126-6327	341-380-42-00	Unique Arts From India
International trade	7835 Silverton Avenue		92126-7302	341-380-53-00	San Diego Delta
Plumbing and sewer repair	7815 Silverton Avenue		92126-7303	341-380-52-00	HPS Mechanical
Commercial copying	7960 Silverton Avenue	101	92126-6345	341-380-56-00	Copy Image Systems Inc
N/A	7960 Silverton Avenue	102	92126-6345	341-380-56-00	no info
N/A	7960 Silverton Avenue	103	92126-6345	341-380-56-00	no info
Imaging consulting services	7960 Silverton Avenue	104	92126-6345	341-380-56-00	Wilco Imaging
N/A	7960 Silverton Avenue	105	92126-6345	341-380-56-00	no info
Service & repair	7960 Silverton Avenue	106	92126-6345	341-380-56-00	Handpiece Remedy
N/A	7960 Silverton Avenue	107	92126-6345	341-380-56-00	no info
N/A	7960 Silverton Avenue	108	92126-6345	341-380-56-00	no info
N/A	7960 Silverton Avenue	109	92126-6345	341-380-56-00	no info
N/A	7960 Silverton Avenue	110	92126-6345	341-380-56-00	no info
Fashion	7960 Silverton Avenue	111	92126-6345	341-380-56-00	Fashion Leathers International
N/A	7960 Silverton Avenue	112	92126-6345	341-380-56-00	no info
N/A	7960 Silverton Avenue	113	92126-6345	341-380-56-00	no info
N/A	7960 Silverton Avenue	114	92126-6345	341-380-56-00	no info
Fire protection	7960 Silverton Avenue	115	92126-6345	341-380-56-00	West Coast Fire & Safety
Consulting	7960 Silverton Avenue	116	92126-6345	341-380-56-00	Atlas Consulting
Accountants	7960 Silverton Avenue	117	92126-6345	341-380-56-00	Harshwal & Co.
Chillers	7960 Silverton Avenue	118	92126-6345	341-380-56-00	Steve's Frozen Chillers
Block modelling	7960 Silverton Avenue	119	92126-6345	341-380-56-00	ARRK
Food	7960 Silverton Avenue	120	92126-6345	341-380-56-00	Petrou Foods
N/A	7960 Silverton Avenue	121	92126-6345	341-380-56-00	no info

Window tinting	7960 Silverton Avenue	122	92126-6345	341-380-56-00	SWS
Document & bid management	7960 Silverton Avenue	123	92126-6345	341-380-56-00	BID Mail
N/A	7960 Silverton Avenue	124	92126-6345	341-380-56-00	no info
Photography	7960 Silverton Avenue	125	92126-6345	341-380-56-00	Rob Andrew Photography
N/A	7960 Silverton Avenue	126	92126-6397	341-380-56-00	no info
Communications & e-learning	7960 Silverton Avenue	127	92126-6397	341-380-56-00	Global Services Corp.
N/A	7960 Silverton Avenue	128	92126-6397	341-380-56-00	no info
N/A	7960 Silverton Avenue	129	92126-6397	341-380-56-00	no info
N/A	7960 Silverton Avenue	130	92126-6397	341-380-56-00	no info
N/A	7960 Silverton Avenue	131	92126-6397	341-380-56-00	no info
N/A	7960 Silverton Avenue	132	92126-6397	341-380-56-00	no info
N/A	7960 Silverton Avenue	201	92126-6345	341-380-56-00	no info
Insurance	7960 Silverton Avenue	202	92126-6345	341-380-56-00	Aaron J. Farmer Insurance Agency
N/A	7960 Silverton Avenue	203	92126-6345	341-380-56-00	no info
N/A	7961 Silverton Avenue	204	92126-6345	341-380-56-00	no info
N/A	7962 Silverton Avenue	205	92126-6345	341-380-56-00	no info
N/A	7963 Silverton Avenue	206	92126-6345	341-380-56-00	no info
N/A	7964 Silverton Avenue	207	92126-6345	341-380-56-00	no info
N/A	7965 Silverton Avenue	208	92126-6345	341-380-56-00	no info
N/A	7966 Silverton Avenue	209	92126-6345	341-380-56-00	no info
N/A	7960 Silverton Avenue	210	92126-6345	341-380-56-00	no info
Electronics dealer	7950 Silverton Avenue	101	92126-6343	341-380-56-00	Stellar Data
Skin care	7950 Silverton Avenue	102	92126-6343	341-380-56-00	Yato Art
Weddings & events	7950 Silverton Avenue	103	92126-6343	341-380-56-00	LavishWed
N/A	7950 Silverton Avenue	104	92126-6343	341-380-56-00	no info
N/A	7950 Silverton Avenue	105	92126-6343	341-380-56-00	no info
Fine art printing	7950 Silverton Avenue	106	92126-6343	341-380-56-00	The Print Maker
N/A	7950 Silverton Avenue	107	92126-6343	341-380-56-00	no info
Sports statistics	7950 Silverton Avenue	108	92126-6343	341-380-56-00	Sports Stats
N/A	7950 Silverton Avenue	109	92126-6343	341-380-56-00	no info
Rustic furniture	7950 Silverton Avenue	110	92126-6343	341-380-56-00	Furniture & Treasures
Chemicals & pharmaceuticals	7950 Silverton Avenue	111	92126-6343	341-380-56-00	Chontech
N/A	7950 Silverton Avenue	112	92126-6343	341-380-56-00	no info
Plumbing	7950 Silverton Avenue	113	92126-6343	341-380-56-00	Courtesy Plumbing
Health care	7950 Silverton Avenue	114	92126-6343	341-380-56-00	Provident Home Health Care
Production & DJ management	7950 Silverton Avenue	115	92126-6343	341-380-56-00	Ambyx
Security integration	7950 Silverton Avenue	116	92126-6343	341-380-56-00	First Line
Corporate office	7950 Silverton Avenue	117	92126-6343	341-380-56-00	The Kebab Shop
Office supply	7950 Silverton Avenue	118	92126-6343	341-380-56-00	SQ1X

Electrical contractor	7950 Silverton Avenue	119	92126-6343	341-380-56-00	Rock Electric
Electrical contractor	7950 Silverton Avenue	120	92126-6343	341-380-56-00	Rock Electric
Health products	7950 Silverton Avenue	121	92126-6343	341-380-56-00	French Glory
Floor contractors	7950 Silverton Avenue	122	92126-6343	341-380-56-00	RH Designs
N/A	7950 Silverton Avenue	123	92126-6343	341-380-56-00	no info
N/A	7950 Silverton Avenue	124	92126-6343	341-380-56-00	no info
Painting contractor	7950 Silverton Avenue	125	92126-6343	341-380-56-00	Hyundai Painting
Electrical contractor	7950 Silverton Avenue	126	92126-6396	341-380-56-00	RK Electric
Neon Signs	7950 Silverton Avenue	127	92126-6396	341-380-56-00	Neon Jungle of San Diego
N/A	7950 Silverton Avenue	201	92126-6344	341-380-56-00	no info
N/A	7950 Silverton Avenue	202	92126-6344	341-380-56-00	no info
N/A	7950 Silverton Avenue	203	92126-6344	341-380-56-00	no info
N/A	7950 Silverton Avenue	204	92126-6344	341-380-56-00	no info
Interior design	7950 Silverton Avenue	205	92126-6344	341-380-56-00	CH Design Group
N/A	7950 Silverton Avenue	206	92126-6344	341-380-56-00	no info
N/A	7950 Silverton Avenue	207	92126-6344	341-380-56-00	no info
N/A	7950 Silverton Avenue	208	92126-6344	341-380-56-00	no info
N/A	7950 Silverton Avenue	209	92126-6344	341-380-56-00	no info
N/A	7950 Silverton Avenue	210	92126-6344	341-380-56-00	no info
N/A	7950 Silverton Avenue	211	92126-6344	341-380-56-00	no info
Filming	7940 Silverton Avenue	101	92126-6340	341-380-56-00	SD Film Crew
Leasing office	7940 Silverton Avenue	102	92126-6340	341-380-56-00	Silverton Business Center
Performance enhancement	7940 Silverton Avenue	103	92126-6340	341-380-56-00	MYOPharma
Office supply	7940 Silverton Avenue	104	92126-6340	341-380-56-00	Blue Ink Office Supply
Power and climate consulting	7940 Silverton Avenue	105	92126-6340	341-380-56-00	INT'L Power Association
Battery assembly and testing	7940 Silverton Avenue	106	92126-6340	341-380-56-00	BMA Batteries
Biopharmaceutical research	7940 Silverton Avenue	107	92126-6340	341-380-56-00	Bio Medicure
N/A	7940 Silverton Avenue	108	92126-6340	341-380-56-00	no info
Garments	7940 Silverton Avenue	109	92126-6340	341-380-56-00	BIB Numbers
Physical therapy	7940 Silverton Avenue	110	92126-6340	341-380-56-00	Sunny Side
Physical therapy	7940 Silverton Avenue	111	92126-6340	341-380-56-00	Sunny Side
Conference center	7940 Silverton Avenue	201	92126-6341	341-380-56-00	Silverton Conference Center
Conference center	7940 Silverton Avenue	202	92126-6341	341-380-56-00	Silverton Conference Center
Mass mailing coupon services	7940 Silverton Avenue	203	92126-6341	341-380-56-00	Money Mailer
N/A	7940 Silverton Avenue	204	92126-6341	341-380-56-00	no info
Architects	7940 Silverton Avenue	205	92126-6341	341-380-56-00	Varond Design Group
Residential cleaning services	7940 Silverton Avenue	206	92126-6341	341-380-56-00	La Jolla Maids
N/A	7940 Silverton Avenue	207	92126-6341	341-380-56-00	no info
Health services (no details)	7940 Silverton Avenue	208	92126-6341	341-380-56-00	Absolute Care Health Systems Inc

N/A	7940 Silverton Avenue	209	92126-6341	341-380-56-00	no info
Shoe repair	7940 Silverton Avenue	210	92126-6341	341-380-56-00	Progressive Shoe Repair
Marketing programs	7940 Silverton Avenue	211	92126-6341	341-380-56-00	Innovation Analysis Group
N/A	7940 Silverton Avenue	212	92126-6341	341-380-56-00	no info
Website design	7940 Silverton Avenue	213	92126-6341	341-380-56-00	Bowmans Arrow Marketing
Printing services	7940 Silverton Avenue	214	92126-6341	341-380-56-00	Upper Classmen
Professional services	7940 Silverton Avenue	215	92126-6341	341-380-56-00	Forecast Entertainment
N/A	7940 Silverton Avenue	216	92126-6341	341-380-56-00	no info
Deli	7920 Silverton Avenue	A	92126-6310	341-380-04-00	Sunrise Deli
Deli	7920 Silverton Avenue	B	92126-6310	341-380-04-00	Sunrise Deli
N/A	7920 Silverton Avenue	C	92126-6310	341-380-04-00	no info
Construction services	7920 Silverton Avenue	D	92126-6310	341-380-04-00	JANKS
Non-profit for people with ALS	7920 Silverton Avenue	E	92126-6310	341-380-04-00	ALS Association
Custom home electronic systems	7920 Silverton Avenue	F	92126-6310	341-380-04-00	Sound Ideas
Custom home electronic systems	7920 Silverton Avenue	G	92126-6310	341-380-04-00	Sound Ideas
Medical equipment	7920 Silverton Avenue	H	92126-6310	341-380-04-00	Entech Medical
Embroidery	7920 Silverton Avenue	I	92126-6310	341-380-04-00	Viola Embroidery
Water conservation	7920 Silverton Avenue	J	92126-6310	341-380-04-00	Filtration Energy Solution
Water conservation	7920 Silverton Avenue	K	92126-6310	341-380-04-00	Filtration Energy Solution
N/A	7920 Silverton Avenue	L	92126-6310	341-380-04-00	no info
N/A	7920 Silverton Avenue	M	92126-6310	341-380-04-00	no info
N/A	7920 Silverton Avenue	N	92126-6310	341-380-04-00	no info
N/A	7920 Silverton Avenue	O	92126-6310	341-380-04-00	no info
N/A	7920 Silverton Avenue	P	92126-6310	341-380-04-00	no info
N/A	7920 Silverton Avenue	R	92126-6310	341-380-04-00	no info
Garage door services	9340 Dowdy Drive	103	92126-9500	341-160-78-00	Access Custom Garage Doors
Audio video lighting services	9340 Dowdy Drive	102	92126-9500	341-160-78-00	AV Concepts
Manufacturing	9134 Dowdy Drive		92126-4315	343-082-08-00	Southwestern Sign
Transportation	9125 Dowdy Drive		92126-4314	343-082-55-00	RPM
Auto-moto	9130 Dowdy Drive		92126-4315	343-082-08-00	Mira Mar Auto Body & Paint
Auto-moto	9126 Dowdy Drive		92126-4315	343-082-28-00	J&M Auto Body
Millwork	9220 Dowdy Drive	A	92126-6360	343-082-08-00	D.C. Millworks
Auto-moto	9220 Dowdy Drive	B	92126-6360	343-082-08-00	Thomas Clarkin Machine
Auto-moto	9220 Dowdy Drive	C	92126-6360	343-082-08-00	Charlie Auto Service
Auto-moto	9220 Dowdy Drive	D	92126-6360	343-082-08-00	USA Mobile Tire Service
Auto-moto	9220 Dowdy Drive	E	92126-6360	343-082-08-00	Stroaty's Automotive
Auto-moto	9220 Dowdy Drive	F	92126-6360	343-082-08-00	Minh's Automotive
Deli	9120 Dowdy Drive	A	92126-6360	343-082-08-00	Delimart
Deli	9120 Dowdy Drive	B	92126-6360	343-082-08-00	Delimart

Auto-moto	9120 Dowdy Drive	C	92126-6360	343-082-08-00	Autoexcel
Auto-moto	9120 Dowdy Drive	D	92126-6360	343-082-08-00	Autoexcel
Auto-moto	9120 Dowdy Drive	E	92126-6360	343-082-08-00	D-Automotive
Auto-moto	9120 Dowdy Drive	F	92126-6360	343-082-08-00	Auto Glass Center
Auto-moto	9120 Dowdy Drive	G	92126-6360	343-082-08-00	Detail Works
Sunroof installation	9240 Dowdy Drive		92126-9500	343-082-43-00	ASC
Restaurant	9225 Dowdy Drive	105	92126-6364	343-082-55-00	iHop
Realty	9225 Dowdy Drive	104	92126-6364	343-082-55-00	Newland Realty & Mortgage
Production	9265 Dowdy Drive	100	92126-6371	343-082-40-00	Sunray Video Productions
Wooden Model Aircraft	9265 Dowdy Drive	109	92126-6372	343-082-40-00	Squadron Toys
Office machines	9265 Dowdy Drive	108	92126-6372	343-082-40-00	Whitaker Brothers
Printing	9265 Dowdy Drive	216	92126-6376	343-082-40-00	Foxgram
Auto-moto	9265 Dowdy Drive	106	92126-6371	343-082-40-00	Setbed
Employment agency	9265 Dowdy Drive	111	92126-6372	343-082-40-00	Service Staffing
Communications	9265 Dowdy Drive	112	92126-6372	343-082-40-00	Horizon Comms
Pool services	9265 Dowdy Drive	113	92126-6373	343-082-40-00	Seascape Pools
Business services	9265 Dowdy Drive	209	92126-6375	343-082-40-00	LXGT Inc
Finance	9265 Dowdy Drive	101	92126-6371	343-082-40-00	3G Properties
Auto repair consulting	9265 Dowdy Drive	103	92126-6371	343-082-40-00	Elite Worldwide
Taxation	9265 Dowdy Drive	207	92126-6374	343-082-40-00	Keerthi Tax Solutions
Branding design	9265 Dowdy Drive	104	92126-6371	343-082-40-00	Dynamic Vision
Plastic sheets distributor	9369 Dowdy Drive		92126-4332	341-160-58-00	SABIC's Polymershapes
Distributors	9360 Dowdy Drive		92126-4319	341-160-44-00	PreFab Granite
Mobile	9210 Mira Este Court		92126-6336	343-082-46-00	AT&T
Auto-moto	9219 Mira Este Court		92126-6336	343-082-45-00	Auto Repair
Plants	9220 Mira Este Court		92126-6336	343-082-50-00	Ambius Plants
Electronic Equipment	9212 Mira Este Court		92126-6336	343-082-49-00	Accutek Calibration Lab
Auto-moto	9219 Mira Este Court		92126-6336	343-082-45-00	Allstate Collison Repair
IT service management	9212 Mira Este Court		92126-6336	343-082-49-00	Techport Thirteen Inc
Acoustics	9225 Mira Este Court		92126-6336	343-082-44-00	T-P Acoustics Inc
Distribution	9240 Mira Este Court		92126-6336	343-082-51-00	Flexible Assembly Systems Inc
Screen Printing and Embroidery	9225 Mira Este Court		92126-6336	343-082-44-00	Sapphire Screen Printing
Transportation andlogistics	9340 Cabot Drive		92126-4397	341-160-30-00	Pilot Freight Services
Auto repair	8008 Miramar Road		92126-4322	343-082-26-00	Trans Masters
Equipment rental	8014 Miramar Road		92126-4320	343-082-06-00	Hertz Equipment Rental
Sheepskin specialties	8026 Miramar Road		92126-4320	343-082-10-00	Superlamb
Auto repair	8040 Miramar Road		92126-4320	343-082-09-00	John's Foreign Car Service
Auto repair	8008 Miramar Road	B	92126-4346	343-082-26-00	Overseas Auto Repair
Auto-moto	8008 Miramar Road	C	92126-4346	343-082-26-00	Everyday Cars, Inc

Auto repair	8008 Miramar Road	D	92126-4346	343-082-26-00	United Auto Repair
Auto repair	8008 Miramar Road	F	92126-4346	343-082-26-00	Andy's Auto Repair
Stone work, sales	7980 Miramar Road		92126-4211	343-082-20-00	Amazon Stone
Towing services	7998 Miramar Road	B	92126-4254	343-082-54-00	Eastgate Towing
Adult DVDs and Gifts	7998 Miramar Road		92126-4254	343-082-54-00	F Street
Auto-moto	7998 Miramar Road		92126-4254	343-082-54-00	Tech Auto Body & Paint
Landscaping, Stone	7998 Miramar Road		92126-4254	343-082-54-00	Landscaping Stone
Stone export	7992 Miramar Road		92126-4212	343-082-22-00	Marmol Export
Window tinting	7942 Miramar Road		92126-4205	343-082-01-00	Tint Devil
N/A	7948 Miramar Road		92126-4205	343-082-01-00	no info
Flooring	7930 Miramar Road		92126-4205	343-082-01-00	Bellawood
Flooring	7934 Miramar Road		92126-4205	343-082-01-00	Simplefloors.com
Interior design	7932 Miramar Road		92126-4205	343-082-01-00	Home By Baja
Beds retail	7944 Miramar Road		92126-4205	343-082-01-00	Wilding Wallbeds
Hardwood flooring	7930 Miramar Road	1040	92126-4205	343-082-01-00	Lumber Liquidators
Furniture store	7770 Miramar Road		92126-4203	343-081-05-00	Ashley Furniture
Decorative lightning	7816 Miramar Road		92126-4204	343-082-04-00	Illuminating Interiors
Closet design	7816 Miramar Road		92126-4204	343-082-04-00	California Closets
Laminate flooring	7816 Miramar Road	2	92126-4204	343-082-04-00	Wholesale Woodfloor Warehouse
Flooring	7666 Miramar Road		92126-4202	343-290-10-00	Sid's Carpet Barn
Flooring	8952 Empire Street		92126-4201	343-081-03-01	Longust
UCSD Receiving and Distribution facility	7835 Trade Street	100	92121-2460	341-380-47-00	UCSD Marketplace
UCSD Library additional storage	7835 Trade Street		92121-2460	341-380-47-00	UCSD Library Annex
Book sales	7825 Trade Street		92121-2446	341-380-48-00	Scholastic
Distribution company	7825 Trade Street		92121-2446	341-380-48-00	Red Bull
Supply Chain Services outsource provider	7825 Trade Street		92121-2446	341-380-48-00	Gexpro
Fitness	7698 Miramar Road		92126-4202	343-290-17-00	SD United Training Center
Fitness	7698 Miramar Road		92126-4202	343-290-17-00	De Leon Aerial Fitness
Moulding	7696 Miramar Road		92126-4202	343-290-16-00	CMI Moulding
Window replacement	7688 Miramar Road		92126-4202	343-290-15-00	Window World
N/a	7939 Silverton Avenue	801	92126	341-380-54-00	no info
Garment Restoration	7939 Silverton Avenue	802	92126	341-380-54-00	Garment Restoration Company
N/A	7939 Silverton Avenue	803	92126	341-380-54-00	no info
Computer Repair Service	7939 Silverton Avenue	804	92126	341-380-54-00	JayCo Services, Inc.
Restaurant equipment and retail	7939 Silverton Avenue	805	92126	341-380-54-00	Restaurant Tea Service
Selle Anatomica	7939 Silverton Avenue	806	92126	341-380-54-00	Bicycle seats
Heat Press Machines	7939 Silverton Avenue	807	92126	341-380-54-00	Paramount Heat Press
Electric contractors	7939 Silverton Avenue	808	92126	341-380-54-00	Allstate Electric
Auto detailing	7939 Silverton Avenue	809	92126	341-380-54-00	Euro- trim upholstery

Floor laying and resurfacing	7939 Silverton Avenue	810	92126	341-380-54-00	Oakridge Industries Inc.
Printing	7939 Silverton Avenue	811	92126	341-380-54-00	Screen Printing Products SD
Camping gear	7939 Silverton Avenue	812	92126	341-380-54-00	Camping Pros Inc
Wholesale sports gear	7939 Silverton Avenue	813	92126	341-380-54-00	Jeffrey Hassin Wholesale
N/A	7939 Silverton Avenue	814	92126	341-380-54-00	no info
N/A	7939 Silverton Avenue	815	92126	341-380-54-00	no info
Bicycle shop	7949 Silverton Avenue	901	92126-6354	341-380-55-00	Phantom Bikes
Computer repair	7949 Silverton Avenue	902	92126-6354	341-380-55-00	Computer Rescue Corp.
N/A	7949 Silverton Avenue	903	92126-6354	341-380-55-00	no info
Industrial Machinery	7949 Silverton Avenue	904	92126-6354	341-380-55-00	JK Machine & Tool
N/A	7949 Silverton Avenue	905	92126-6354	341-380-55-00	no info
N/A	7949 Silverton Avenue	906	92126-6354	341-380-55-00	no info
Health foods	7949 Silverton Avenue	907	92126-6354	341-380-55-00	American Health Food & Ingrdnt
Machining services	7949 Silverton Avenue	908	92126-6354	341-380-55-00	JIT Machining
N/A	7949 Silverton Avenue	909	92126-6354	341-380-55-00	no info
N/A	7949 Silverton Avenue	910	92126-6354	341-380-55-00	no info
Industrial Equipment	7949 Silverton Avenue	911	92126-6354	341-380-55-00	California Air tools
	7949 Silverton Avenue	912	92126-6354	341-380-55-00	
Kitchen cabinets, carpentry	7949 Silverton Avenue	913	92126-6354	341-380-55-00	Anthony Paul Designs Inc
lighting	7949 Silverton Avenue	914	92126-6354	341-380-55-00	Empire Lighting
Scientific equipment supply	7949 Silverton Avenue	915	92126-6354	341-380-55-00	Combi Blocks Inc
N/A	7949 Silverton Avenue	916	92126-6354	341-380-55-00	no info
N/A	7949 Silverton Avenue	917	92126-6354	341-380-55-00	no info
Construction	7949 Silverton Avenue	918	92126-6354	341-380-55-00	Jay Vee Construction Company Inc.
Kitchen cabinets, carpentry	7949 Silverton Avenue	919	92126-6354	341-380-55-00	Anthony Paul Designs Inc
Shower doors	7949 Silverton Avenue	920	92126-6354	341-380-55-00	Century Showe Door Co. Inc.
Doors and installation	7949 Silverton Avenue	921	92126-6354	341-380-55-00	A Specialty Doors & Automation
N/A	7949 Silverton Avenue	922	92126-6354	341-380-55-00	no info
Lighting consultants	7949 Silverton Avenue	923	92126-6354	341-380-55-00	Imasa USA Inc
Lighting consultants	7949 Silverton Avenue	924	92126-6354	341-380-55-00	West Industries LLC
N/A	7949 Silverton Avenue	925	92126-6354	341-380-55-00	no info
Beer brewery	7955 Silverton Avenue	1201	92126-6357	341-380-55-00	Hess Brewing
Beer brewery	7955 Silverton Avenue	1202	92126-6357	341-380-55-00	Hess Brewing
Tshirts, hats, signs etc	7955 Silverton Avenue	1203	92126-6357	341-380-55-00	Bump Note
Tshirts, hats, signs etc	7955 Silverton Avenue	1204	92126-6357	341-380-55-00	Bump Note
Home improvements	7955 Silverton Avenue	1205	92126-6357	341-380-55-00	Distinctive Home Improvements
Machining services	7955 Silverton Avenue	1206	92126-6357	341-380-55-00	Built Machnine
Machining services	7955 Silverton Avenue	1207	92126-6357	341-380-55-00	Built Machnine
Architectual models	7955 Silverton Avenue	1208	92126-6357	341-380-55-00	DC 3-D inc.

Picture Framing	7955 Silverton Avenue	1209	92126-6357	341-380-55-00	Frame Co.
Restoration contracting	7955 Silverton Avenue	1210	92126-6357	341-380-55-00	DKI extreme clean
forklift equipment	7955 Silverton Avenue	1211	92126-6357	341-380-55-00	Sweet
African goods	7955 Silverton Avenue	1212	92126-6357	341-380-55-00	African Accents Inc.
Metal Stamping	7955 Silverton Avenue	1213	92126-6357	341-380-55-00	Amscoware
telecom	7955 Silverton Avenue	1214	92126-6357	341-380-55-00	Cable Inc.
forklift equipment	7955 Silverton Avenue	1215	92126-6357	341-380-55-00	Miramar Forklift Inc
business services	7955 Silverton Avenue	1216	92126-6357	341-380-55-00	Tippit Sarah
Skin Care	7955 Silverton Avenue	1217	92126-6357	341-380-55-00	Dessa Logistics Inc.
N/A	7945 Silverton Avenue	1101	92126-6356	341-380-55-00	no info
Telecommunications	7945 Silverton Avenue	1102	92126-6356	341-380-55-00	Sandcastle Publishing Co.
Machining services	7945 Silverton Avenue	1103	92126-6356	341-380-55-00	LT CNC Machining, Inc.
N/A	7945 Silverton Avenue	1104	92126-6356	341-380-55-00	no info
N/A	7945 Silverton Avenue	1105	92126-6356	341-380-55-00	no info
restaurant equipment repair	7945 Silverton Avenue	1106	92126-6356	341-380-55-00	Concessions Plus
custom framing	7945 Silverton Avenue	1107	92126-6356	341-380-55-00	Castanon Custom Frames
Printing and Copying	7945 Silverton Avenue	1108	92126-6356	341-380-55-00	Adgraphics
Construction	7959 Silverton Avenue	1001	92126-6355	341-380-55-00	R&M Construction
Construction	7959 Silverton Avenue	1003	92126-6355	341-380-55-00	R&M Construction
Window tinting	7959 Silverton Avenue	1002	92126-6355	341-380-55-00	Oasis Trade
Ceramic dealer	7959 Silverton Avenue	1004	92126-6355	341-380-55-00	Versatile Surfaces
Construction & Real Estate	7959 Silverton Avenue	1005	92126-6355	341-380-55-00	Aquaspecs, Inc
Artists	7959 Silverton Avenue	1006	92126-6355	341-380-55-00	Anna Stoa & Grace Matthews
Mediterranean foods	7959 Silverton Avenue	1013	92126-6355	341-380-55-00	Baba Foods
Construction	7959 Silverton Avenue	1014	92126-6355	341-380-55-00	Richard C. Honroe Construction
	7959 Silverton Avenue	1015	92126-6355	341-380-55-00	Gallery Alexander
Plumbing	7959 Silverton Avenue	1016	92126-6355	341-380-55-00	Rapid Plumbing
Solar consulting	7959 Silverton Avenue	1017	92126-6355	341-380-55-00	Anywhere Solar
Laminating	7959 Silverton Avenue	1018	92126-6355	341-380-55-00	A-Aero Laminators
Laminating	7959 Silverton Avenue	1019	92126-6355	341-380-55-00	A-Aero Laminators
Window tinting	7959 Silverton Avenue	1020	92126-6355	341-380-55-00	Oasis Trade
Welding	7959 Silverton Avenue	1021	92126-6355	341-380-55-00	McGregor Welding Systems
Cleaning servicea	7965 Silverton Avenue	1301	92126-6358	341-380-55-00	Above All Cleaning
Stone care and restoration	7965 Silverton Avenue	1302	92126-6358	341-380-55-00	PMC - Pellegrino Stone Care
drill bushings manufacturer	7965 Silverton Avenue	1303	92126-6358	341-380-55-00	R and M Machining
Photography	7965 Silverton Avenue	1304	92126-6358	341-380-55-00	Jennie Brown Photography
Brewery	7965 Silverton Avenue	1305	92126-6358	341-380-55-00	The Tap Room
Bicycles	7965 Silverton Avenue	1306	92126-6358	341-380-55-00	YouCycle
N/A	7965 Silverton Avenue	1307	92126-6358	341-380-55-00	Empty

Plumbing	7965 Silverton Avenue	1308	92126-6358	341-380-55-00	Plumbers Depot, Inc
Plumbing	7965 Silverton Avenue	1309	92126-6358	341-380-55-00	Plumbers Depot, Inc
	7965 Silverton Avenue	1310	92126-6358	341-380-55-00	JRG Diamond Demolition
Consulting	7965 Silverton Avenue	1311	92126-6358	341-380-55-00	Amandylan Consulting Services
Medical supply store	7965 Silverton Avenue	1312	92126-6358	341-380-55-00	Joerns, LLC
Machine butique shop	7965 Silverton Avenue	1314	92126-6358	341-380-55-00	Proto-Solutions & Machining
Seamstress	7965 Silverton Avenue	1315	92126-6358	341-380-55-00	Professional Seamstress
N/A	7965 Silverton Avenue	1316	92126-6358	341-380-55-00	empty
Specialty trade contractor	7965 Silverton Avenue	1317	92126-6358	341-380-55-00	Prescribed O2 Corporation



THE CITY OF SAN DIEGO

Date of Notice: December 8, 2014

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

SAP No. 24004632

PROJECT NAME/NUMBER: Glass Tec Entities MMCC/368509

COMMUNITY PLAN AREA: Mira Mesa Community Plan

COUNCIL DISTRICT: 6

LOCATION: The project is located at 9212 Mira Este Court, San Diego, CA 92126.

PROJECT DESCRIPTION: The proposed project is to process a Conditional Use Permit (CUP) for a Medical Marijuana Consumer Cooperative (MMCC). The facility is proposing to operate in a 2720-square-foot suite within an existing 15,760-square-foot building located at 9212 Mira Este Court; The 0.60-acre site is located within the Mira Mesa Community Plan Area, in the IL-3-1 zone and Airport Influence Area (MCAS Miramar) the Part 77 Noticing Area, Airport Land Use Compatibility Overlay Zone, and the 65-70 dB CNEL for MCAS Miramar.

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 Section 15303 which allows for the conversion of existing small structures from one use to another where only minor modifications are made in 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

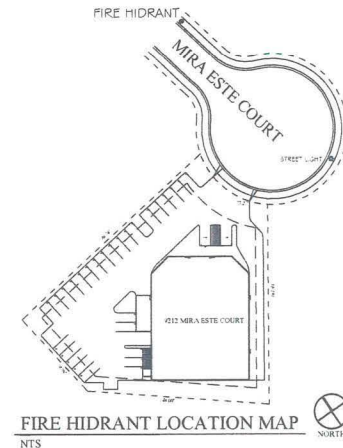
On December 8, 2014, the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is

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

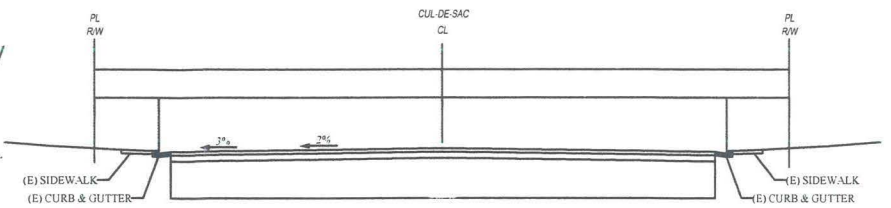
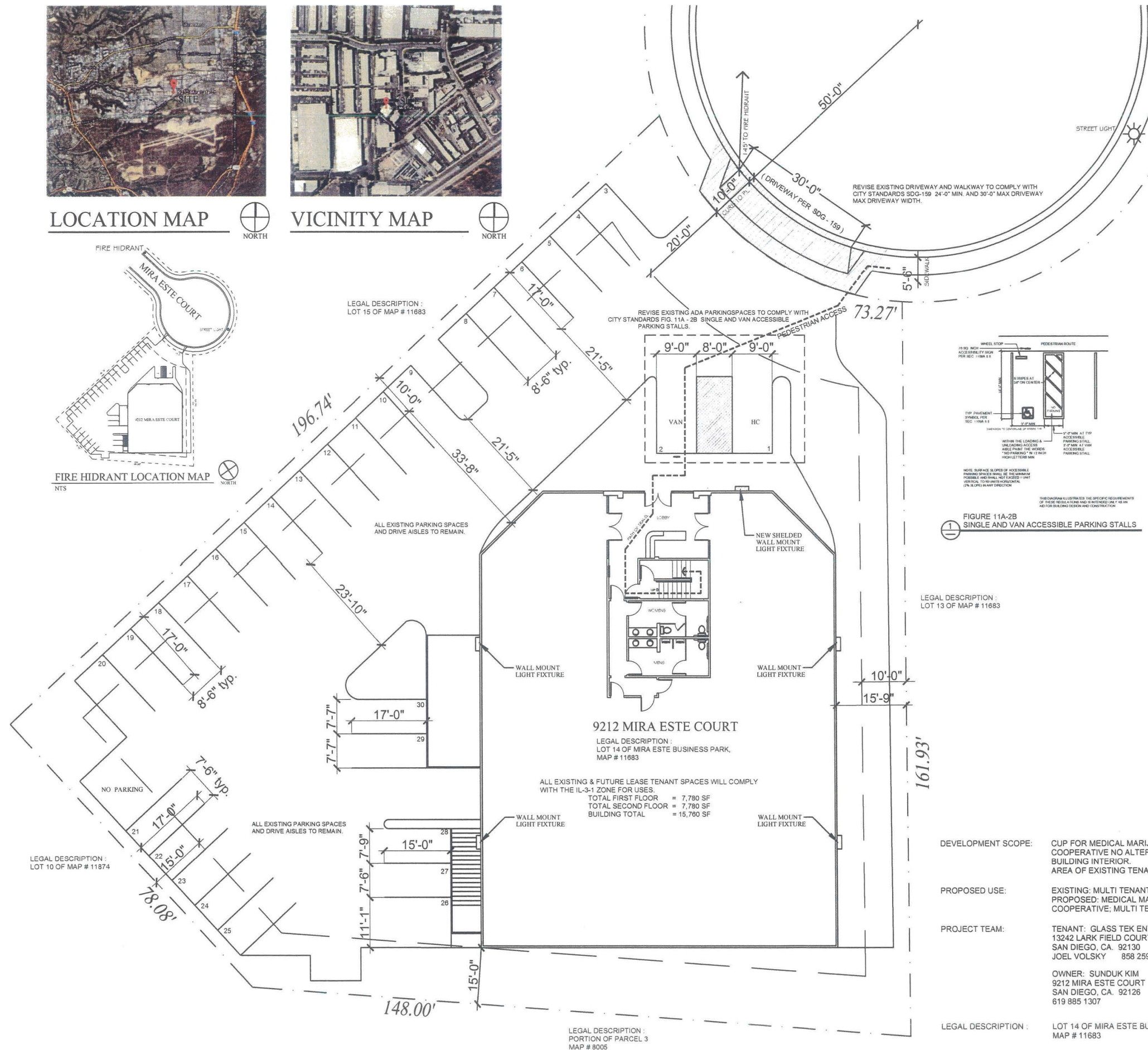
Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice (December 22, 2014). The appeal application can be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

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





FIRE HIDRANT LOCATION MAP
NTS



MIRA ESTE COURT - SECTION THROUGH CUL-DE-SAC

NO SCALE

NOTES :

1. EXISTING AND FUTURE PROPOSED USES ON THIS PROPERTY SHALL INCLUDE ANY USES PERMITTED IN THE IL - 3 - 1 - ZONE.
2. CONSULTATIONS BY MEDICAL PROFESSIONALS SHALL NOT BE PERMITTED ACCESSORY USE AT THE MEDICAL MARIJUANA CONSUMER COOPERATIVE.
3. LIGHTING SHALL BE PROVIDED TO ILLUMINATE THE INTERIOR OF THE MEDICAL MARIJUANA CONSUMER COOPERATIVE, 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. SEE PLANS FOR LOCATION OF EXISTING LIGHT FIXTURES.
4. SECURITY SHALL BE PROVIDED AT THE MEDICAL MARIJUANA CONSUMER COOPERATIVE WHICH SHALL INCLUDE OPERABLE CAMERAS, ALARMS, AND A SECURITY GUARD. THE SECURITY GUARD SHALL BE LICENSED BY THE STATE OF CALIFORNIA AND BE PRESENTS ON THE PREMISES DURING BUSINESS HOURS.
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6. A SIGN INDICATING THE NAME AND EMERGENCY CONTACT PHONE NUMBER OF AN OPERATOR OR MANAGER SHALL BE POSTED IN A LOCATION VISIBLE FROM THE OUTSIDE OF THE MEDICAL MARIJUANA CONSUMER COOPERATIVE IN CHARACTER SIZE AT LEAST TWO INCHES IN HEIGHT.
7. SDMC 141.0614 LIMITS THE MEDICAL MARIJUANA CONSUMER COOPERATIVE TO OPERATION ONLY BETWEEN THE HOURS OF 7:00 AM AND 9:00 PM.
8. 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. A VENDING MACHINE IS ANY DEVICE WHICH ALLOWS ACCESS TO MEDICAL MARIJUANA WITHOUT A HUMAN INTERMEDIARY.
9. 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 LIMITED TO TWO. A SIGN IS REQUIRED TO BE POSTED ON THE OUTSIDE OF THE MEDICAL MARIJUANA CONSUMER COOPERATIVE AND SHALL ONLY CONTAIN THE NAME OF THE BUSINESS.
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12. REVISE EXISTING DRIVEWAY TO COMPLY WITH CITY STANDARDS SDG-159 24'-0" MIN. AND 30'-0" MAX DRIVEWAY WIDTH.

EXISTING BUILDING ADDRESS NUMBERS
ARE VISIBLE FROM STREET
(FHPS POLICY P-00-6 (UFC 901.4.4)

DEVELOPMENT SCOPE:	CUP FOR MEDICAL MARIJUANA CONSUMER COOPERATIVE NO ALTERATIONS TO BUILDING INTERIOR. AREA OF EXISTING TENANT SUITE 2720 SF.
PROPOSED USE:	EXISTING: MULTI TENANT OFFICE PROPOSED: MEDICAL MARIJUANA CONSUMER COOPERATIVE; MULTI TENANT OFFICE
PROJECT TEAM:	TENANT: GLASS TEK ENTITIES, INC. 13242 LARK FIELD COURT SAN DIEGO, CA. 92130 JOEL VOLSKY 858 259 6785 OWNER: SUNDUK KIM 9212 MIRA ESTE COURT SAN DIEGO, CA. 92126 619 885 1307

APN:	343-082-49
TYPE OF CONSTRUCTION:	VB
OCCUPANCY:	B-2
ZONING:	IL-3-1
GROSS SITE:	26,560 SF
FLOOR AREA:	15,760 SF
YEAR CONSTRUCTED:	1989
No. OF EMPLOYEES:	5

LEGAL DESCRIPTION : LOT 14 OF MIRA ESTE BUSINESS PARK,
MAP # 11683

SHEET TITLE:	TITLE PAGE: SITE PLAN
DRAWING DATE:	04/24/14
REVISION 1:	08/01/14
REVISION 2:	10/24/14
REVISION 3:	11/20/14
REVISION 4:	
REVISION 5:	
REVISION 6:	
REVISION 7:	
REVISION 8:	
REVISION 9:	
REVISION 10:	

SITE PLAN

$$3/32'' = 1'-0''$$


SHEET NUMBER

A1

SHEET 1 OF 4

SHEET TITLE :	BUILDING PLANS, FLOOR PLAN
DRAWING DATE :	04/24/14
REVISION 1 :	08/01/14
REVISION 2 :	10/24/14
REVISION 3 :	11/20/14
REVISION 4 :	
REVISION 5 :	
REVISION 6 :	
REVISION 7 :	
REVISION 8 :	
REVISION 9 :	
REVISION 10 :	

A2

SHEET 2 OF 4



(7780 SF)

$$3/32'' = 1'-0''$$


(7780 SF)

$$3/32'' = 1'-0''$$


PATH OF TRAVEL

ALL EXISTING & FUTURE LEASE TENANT SPACES WILL COMPLY WITH THE IL-3-1 ZONE FOR USES.

TOTAL FIRST FLOOR	= 7,780 SF
TOTAL SECOND FLOOR	= 7,780 SF
BUILDING TOTAL	= 15,760 SF

SCOPE OF WORK



(2720 SF)



PROPOSED (IL - 3 - 1 ZONE)
COMMERCIAL SERVICES:
2720 SF x 5.0 SPACES / 1000 SF = 14 AUTOMOBILE PARKING SPACES

EXISTING BUILDING AREA TO REMAIN:
REMAIN USES AT (IL - 3 - 1 ZONE)
(ORIGINAL PARKING RATIO : 30 SPACES / 15,760 SF = 1.9 SPACES / 1000 SF)
13,404 SF x 1.9 PARKING SPACES / 1000 SF = 25 AUTOMOBILE PARKING SPACES

OVERALL AUTOMOBILE PARKING REQUIREMENTS IS 39 OFF STREET PARKING SPACES

7965 SILVERTON AVE.
16,780 SF
WAREHOUSE & STORAGE
(39 PARKING SPACES)

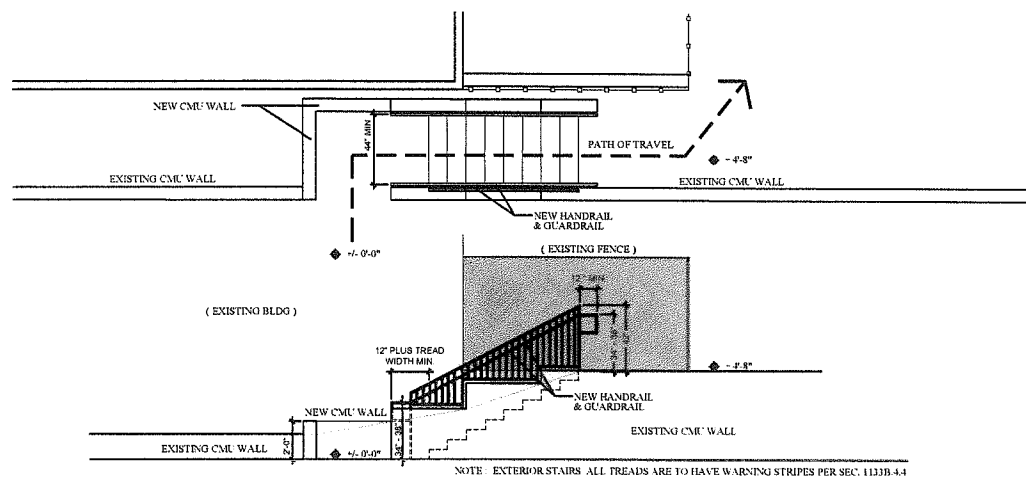
EXISTING BUILDING
(NOT A PART OF THIS PERMIT)

(SEE ENLARGED AREA)

PATH OF TRAVEL

9212 MIRA ESTE COURT

PARKING SPACES 27 - 36 = 9 SPACES



NTS


$$3/16'' = 1'-0''$$
[illegible]

Floor plan of the second floor showing existing and proposed spaces. The plan includes a central lobby, a staircase labeled "up", and restrooms for women and men. Existing offices are located on the left and right sides, while the central area is designated for new offices. Dashed lines indicate the boundaries of the existing and proposed spaces.

$$3/16'' = 1' - 0''$$


SHEET TITLE: HIGHWAY 101
PARKING ANALYSIS

DRAWING DATE: 04/24/14

REVISION 1: 08/01/14

REVISION 2: 10/24/14

REVISION 3: 11/20/14

REVISION 4:

REVISION 5:

REVISION 6:

REVISION 7:

REVISION 8:

REVISION 9:

REVISION 10:

SHEET NUMBER

A3

SHEET 3 OF 4

August 19, 2014

City of San Diego, Planning Department
1222 1st Avenue, MS 413
San Diego CA 92101

To the Director:

At our August 18, 2014 meeting the Mira Mesa Community Planning Group heard a second round of presentations by four applicants for Conditional Use Permits (CUP) to operate Medical Marijuana Community Cooperatives. Please accept this letter as our report and recommendations on this matter.

It is our strong belief that current enforcement measures on illegally operating medical marijuana shops are grossly inadequate. As such, we request that the Hearing Officer table consideration of the permit applications until such a time as the illegal "dispensaries" in the area are closed and the City demonstrates that it has the wherewithal to both keep illegal marijuana dispensaries closed and to properly regulate MMCCs.

This notwithstanding, the presentations we heard were informative, thorough and educational. Two applicants stood out in this respect and we have voted to express our preference for these two applicants. Our first preference is for Glass Tech Entities (Project # 368509). Due to the Municipal Code restrictions disallowing MMCCs within 1,000 feet of each other, this recommendation precluded us from recommending the MEDBOX application (#368322). The second applicant most preferred by the Planning Group was that of Ms. Nicole Britvar (#370687).

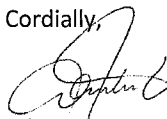
At such a time as illegal dispensaries are closed and effective enforcement mechanisms are in place to prevent them from simply opening up in a new location, we can support the awarding of only two CUPs to the two applicants mentioned above. This will allow the other two CUPs allowed for the 6th District to be awarded to applicants in Kearney Mesa with the guidance of the Kearney Mesa Community Planning Group.

This matter has of course been controversial. Numerous residents expressed their concern and opposition. However, we recognize that Proposition 215 is state law as expressed by the voters and the City Council has acted in their capacity as our representatives to craft a Municipal Ordinance to implement this law in San Diego. We wish to assist the City in implementing this Ordinance in our Community in keeping with the four criteria specified in the Municipal Code in support of necessary findings for these permits, these four criteria being:

- The proposed development will not adversely affect the applicable land use plan;
- The proposed development will not be detrimental to the public health, safety and welfare;
- The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code; and
- The proposed use is appropriate at the proposed location.

It is especially in light of the second of these four criteria that we insist that the City first remedy the inadequacies of current enforcement on illegal cooperatives. Subsequent to that, we ask that the two named applicants above be preferred in the deliberations on awarding two of the four allowable CUPs.

Cordially,



John Horst
Chairman, Mira Mesa Community Planning Group

**MIRA MESA COMMUNITY PLANNING GROUP
SPECIAL RULES OF ORDER FOR ITEM #4(d) ON THE AGENDA FOR 18 AUGUST 2014**

1. The Chair will make a motion to adopt the following as Special Rules of Order for the consideration of the Medical Marijuana Community Cooperative applications before the Planning Group for a recommendation to the City Council.
2. Members of the Planning Group will base their evaluation of the applicants on the following four criteria from the Municipal Code (Section §126.0305):
 - a. The proposed development will not adversely affect the applicable land use plan;
 - b. The proposed development will not be detrimental to the public health, safety and welfare;
 - c. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code; and
 - d. The proposed use is appropriate at the proposed location.
3. Due to the Municipal Code restriction limiting each Council District to four permits the Mira Mesa Community Planning Group will consider approval for only two among the four applicants, leaving two permits available for applicants in the Convoy/Kearny Mesa area of Council District 6.
4. Voting on the applicants before the Planning Group for a recommendation shall proceed as follows:
 - a. Voting: The Chair will request each member to express their preference for applicants by indicating the order in which the member believes they merit a recommendation of approval. The rankings shall be recorded on a spreadsheet which shall be projected for the view of those attending the meeting.
 - b. The First Vote
 - i. If a member does not wish to recommend approval for any applicant, the member will state to the Chair that he/she does not wish to recommend any of the applicants.
 - ii. Each member who wishes to recommend approval for an applicant or applicants will state their order of preference. The member may rank all four applicants, or choose to rank only those he or she feels merits a recommendation, at the member's discretion.

- iii. If an applicant receives 10 or more #1 rankings, that applicant shall receive the first recommendation for approval and voting shall proceed to the Second Vote except as provided for in 3(b)(vi) vi below.
- iv. If no applicant receives 10 or more #1 rankings, points shall be awarded as follows:
 - 1. #1 vote = 4 points.
 - 2. #2 vote = 3 points.
 - 3. #3 vote = 2 points.
 - 4. #4 vote = 1 point.
- v. A show of hands will then be taken for each of the two highest scoring applicants. ***Members not wishing to recommend any applicant may abstain from this vote.*** The applicant receiving the most votes numbering 10 or more (a majority of the entire Planning Group Executive Committee) in this show of hands shall receive the first recommendation for approval.
- vi. As a result of the awarding of the first recommendation for approval, if one of the remaining applicants has applied for a location within 1,000 feet of the first recommended applicant, due to Municipal Code restrictions disallowing MMCCs within 1,000 feet of each other, that applicant shall be ineligible for a recommendation. Voting shall proceed to the Third Vote.
- vii. Should the First Vote fail to secure 10 or more votes for the first recommendation as a result of this process, no applicant will be recommended and voting shall be concluded.

c. The Second Vote

- i. If a member does not wish to recommend approval for any of the remaining applicants, the member will state to the Chair that he/she does not wish to recommend any of the remaining applicants.
- ii. Each member who wishes to recommend approval for a second applicant will state their order of preference. The member may rank all three remaining applicants, or choose to rank only those he or she feels merits a recommendation, at the member's discretion.
- iii. If a single applicant receives 10 or more #1 rankings, that applicant shall receive the second recommendation for approval and voting shall be concluded.

- iv. If no applicant receives 10 or more #1 rankings, points shall be awarded as follows:
 - 1. #1 vote = 3 points
 - 2. #2 vote = 2 points.
 - 3. #3 vote = 1 point.
 - v. A show of hands will be taken between the two highest scoring applicants. ***Members not wishing to recommend any applicant may abstain from this vote.*** The applicant receiving the most votes numbering 10 or more (a majority of the entire Planning Group Executive Committee) in this show of hands shall receive the second recommendation of approval and voting shall be concluded.
5. The Third Vote (if necessary per 3(b)(vi) above)
- a. The Third Vote shall be between two remaining applicants.
 - b. Each of the two remaining applicants shall receive a vote by show of hands. ***Members not wishing to recommend a second applicant may abstain from these two votes.***
 - c. The applicant receiving the most votes numbering 10 or more (a majority of the entire Planning Group Executive Committee) shall receive the second recommendation.
 - d. Should neither of the two remaining applicants receive 10 or more votes at the Third Vote, no second recommendation shall be given.
6. Members are expressly under NO OBLIGATION to explain the reasons for their preferences as expressed by their votes.

My Recommendation to the Mira Mesa Community Planning Group

1. Recommend to the Hearing Officer that all CUP requests be tabled until such time as the illegal “dispensaries” in the area are closed and the City demonstrates that it has the wherewithal to both **keep** illegal marijuana dispensaries closed **and** to properly regulate MMCCs.
2. Place the CUP requests in order based upon our assessment as to their ability to serve the purposes intended by Proposition 215 with a recommendation that once the conditions above are satisfied, a maximum of two CUPs within Mira Mesa be issued to the two top applicants.

Motion made by Ted Brengel prior to vote in accordance with Special Rules of Order above.

**MIRA MESA COMMUNITY PLANNING GROUP
SPECIAL RULES OF ORDER FOR MMCC RECOMMENDATIONS**

		GLASS TEC		EJ MARKETING		MEDBOX		NICOLE BRITVAR	
		RANK	SCORE	RANK	SCORE	RANK	SCORE	RANK	SCORE
R01	Kent Lee	0	0	0	0	0	0	0	0
R02	Joe Punsalan	0	0	0	0	0	0	0	0
R03	Joe Frichtel	0	0	0	0	0	0	0	0
R04	Ted Brengel	1	4	0	0	0	0	0	0
R05	Bruce Brown	0	0	0	0	0	0	0	0
R06	Tom Derr	1	4	0	0	0	0	2	3
R07	James Ludwick	0	0	0	0	0	0	0	0
R08	Robert Mixon	1	4	0	0	0	0	2	3
R09	John Horst	0	0	0	0	0	0	0	0
R10	Jeff Stevens	0	0	0	0	0	0	0	0
R11	Pat O'Donohoe	0	0	2	3	0	0	1	4
B01	Marvin Miles	0	0	0	0	0	0	0	0
B02	Craig Radke	1	4	0	0	0	0	2	3
B03	Julia Scribner	1	4	0	0	0	0	2	3
B04	Eileen Magno	0	0	0	0	0	0	0	0
B05	Walter Kanzler	0	0	0	0	0	0	1	4
L01	Ralph Carolin	1	4	0	0	0	0	2	3
L02	Matt Woods	0	0	0	0	0	0	0	0
L03	Mike Linton	0	0	0	0	0	0	0	0
TOTAL			24		3		0		23

Members with all zeroes elected not to recommend any applicant.



THE CITY OF SAN DIEGO

City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101
(619) 446-5000

Ownership Disclosure Statement

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**Project No. For City Use Only**

M.M.C.C. for Glass Tek Entities Inc.

368509

Project Address:

9212 Mira Este Ct. San Diego, CA 92126

Part I - To be completed when property is held by Individual(s)

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 owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names 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 individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. 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

Name of Individual (type or print):

SUNDUK KIM

☒ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

9212 MIRA ESTE CT.

City/State/Zip:

SAN DIEGO, CA. 92126

Phone No:

619 885 1307

Fax No:

Signature:

L. SUNDUK

Date:

4-22-2014

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:



City of San Diego
Development Services
1222 First Ave. 3rd Floor
San Diego, CA 92101

Development Permit/ Environmental Determination Appeal Application

FORM
DS-3031
OCTOBER 2012

See Information Bulletin 505, "Development Permits Appeal Procedure," for information on the appeal procedure.

1. Type of Appeal:

- ☐ Process Two Decision - Appeal to Planning Commission
☒ Process Three Decision - Appeal to Planning Commission
☐ Process Four Decision - Appeal to City Council
- ☐ Environmental Determination - Appeal to City Council
☐ Appeal of a Hearing Officer Decision to revoke a permit

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

Name: Stephen G. Cline, Esq. - Law Offices of Stephen G. Cline E-mail Address: steve@sandiegotrialattorney.com
 Address: 533 F Street, Suite 200 City: San Diego State: CA Zip Code: 92101 Telephone: (619) 235-5638

3. Applicant Name (As shown on the Permit/Approval being appealed). Complete if different from appellant.

Glass Tek Entities MMCC

4. Project Information

Permit/Environmental Determination & Permit/Document No.: 368509	Date of Decision/Determination: April 22, 2015	City Project Manager: Edith Gutierrez
---	---	--

Decision (describe the permit/approval decision):

Denial of conditional use permit to operate an MMCC at 9212 Mira Este Court in Mira Mesa Community Plan Area.

5. Grounds for Appeal (Please check all that apply)

- ☐ Factual Error
☐ Conflict with other matters
☒ Findings Not Supported
- ☒ New Information
☐ City-wide Significance (Process Four decisions only)

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

There is new information related to competing applicant that renders it unable to obtain necessary approval for MMCC operation.

Further, there is new information as to the handicap accessibility for this application which resolves city staff concerns. With both issues in mind, findings as to denial of this application not supported.

RECEIVED

MAY 05 2015

DEVELOPMENT SERVICES

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

Signature:  Date: 5/2/15

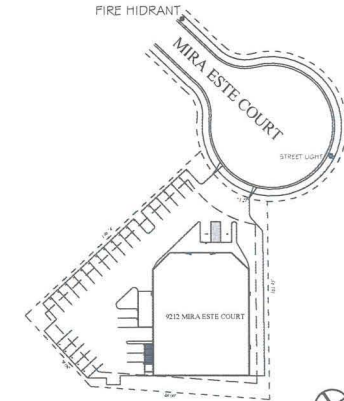
Note: Faxed appeals are not accepted. Appeal fees are non-refundable.



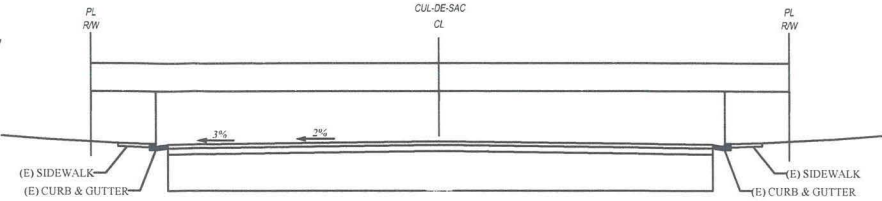
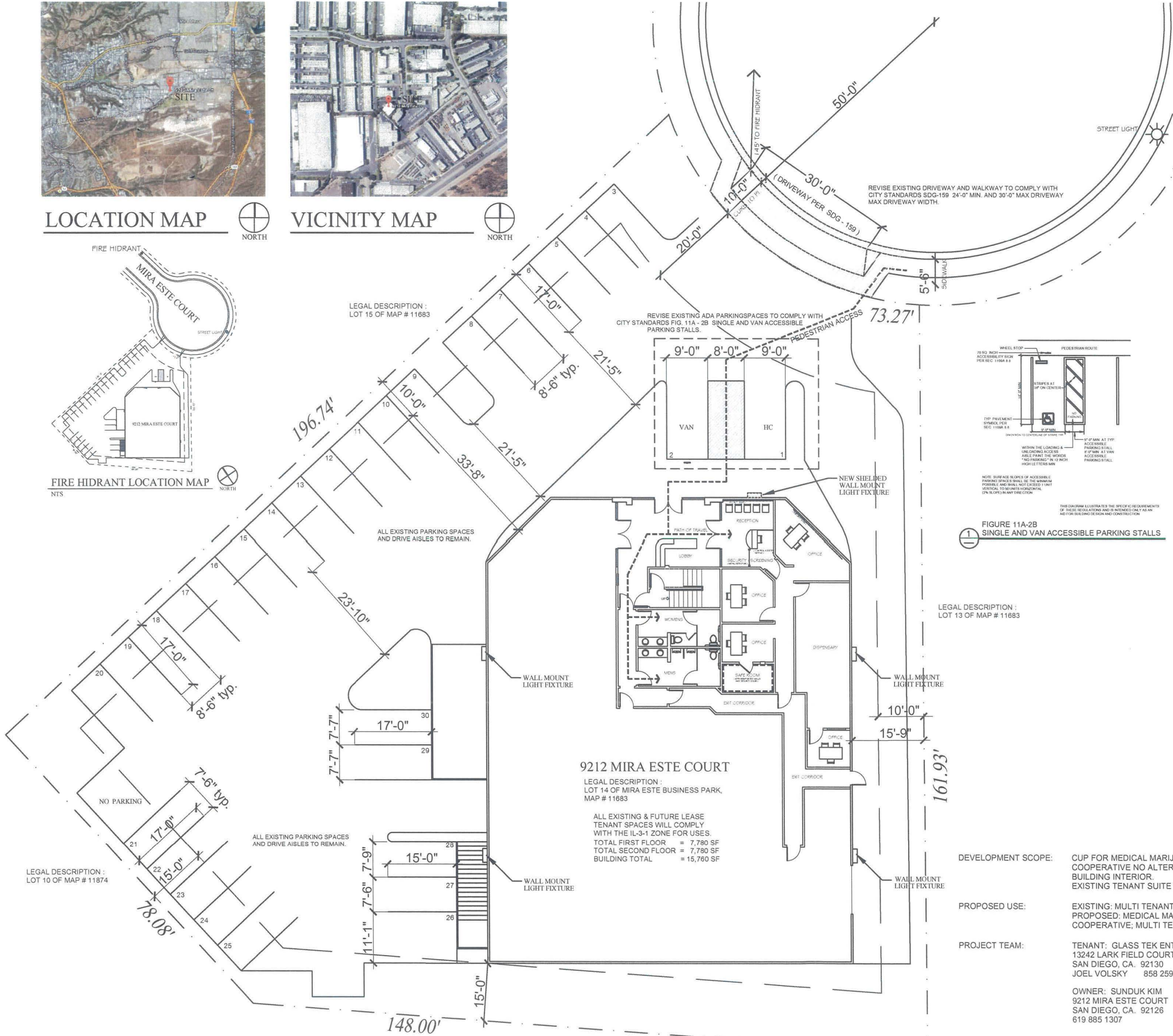
LOCATION MAP



VICINITY MAP



FIRE HYDRANT LOCATION MAP



MIRA ESTE COURT - SECTION THROUGH CUL-DE-SAC

NO SCALE

- NOTES:
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 - REVISE EXISTING DRIVEWAY TO COMPLY WITH CITY STANDARDS SDG-159 24'-0" MIN. AND 30'-0" MAX DRIVEWAY WIDTH.

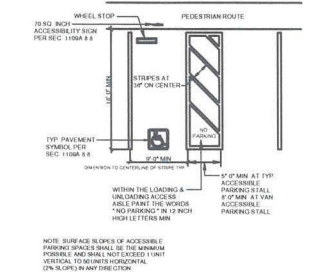


FIGURE 11A-2B SINGLE AND VAN ACCESSIBLE PARKING STALLS

LEGAL DESCRIPTION : LOT 13 OF MAP # 11683

9212 MIRA ESTE COURT

LEGAL DESCRIPTION : LOT 14 OF MIRA ESTE BUSINESS PARK, MAP # 11683

ALL EXISTING & FUTURE LEASE TENANT SPACES WILL COMPLY WITH THE IL-3-1 ZONE FOR USES:
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TOTAL SECOND FLOOR = 7,780 SF
BUILDING TOTAL = 15,560 SF

DEVELOPMENT SCOPE:	CUP FOR MEDICAL MARIJUANA CONSUMER COOPERATIVE NO ALTERATIONS TO BUILDING INTERIOR. EXISTING TENANT SUITE 101 AREA 1200 SF.
PROPOSED USE:	EXISTING: MULTI TENANT OFFICE PROPOSED: MEDICAL MARIJUANA CONSUMER COOPERATIVE; MULTI TENANT OFFICE
PROJECT TEAM:	TENANT: GLASS TEK ENTITIES, INC. 13242 LARK FIELD COURT SAN DIEGO, CA. 92130 JOEL VOLSKY 858 259 6785 OWNER: SUNDUK KIM 9212 MIRA ESTE COURT SAN DIEGO, CA. 92126 619 885 1307

APN:	343-082-49
TYPE OF CONSTRUCTION:	VB
OCCUPANCY:	B-2
ZONING:	IL-3-1
GROSS SITE:	26,560 SF
FLOOR AREA:	15,760 SF
YEAR CONSTRUCTED:	1989
No. OF EMPLOYEES:	5

LEGAL DESCRIPTION : LOT 14 OF MIRA ESTE BUSINESS PARK, MAP # 11683

SHEET TITLE:	TITLE PAGE; SITE PLAN
DRAWING DATE:	04/24/14
REVISION 1:	08/01/14
REVISION 2:	10/24/14
REVISION 3:	11/20/14
REVISION 4:	04/17/15
REVISION 5:	
REVISION 6:	
REVISION 7:	
REVISION 8:	
REVISION 9:	
REVISION 10:	

SITE PLAN

3/32"=1'-0"



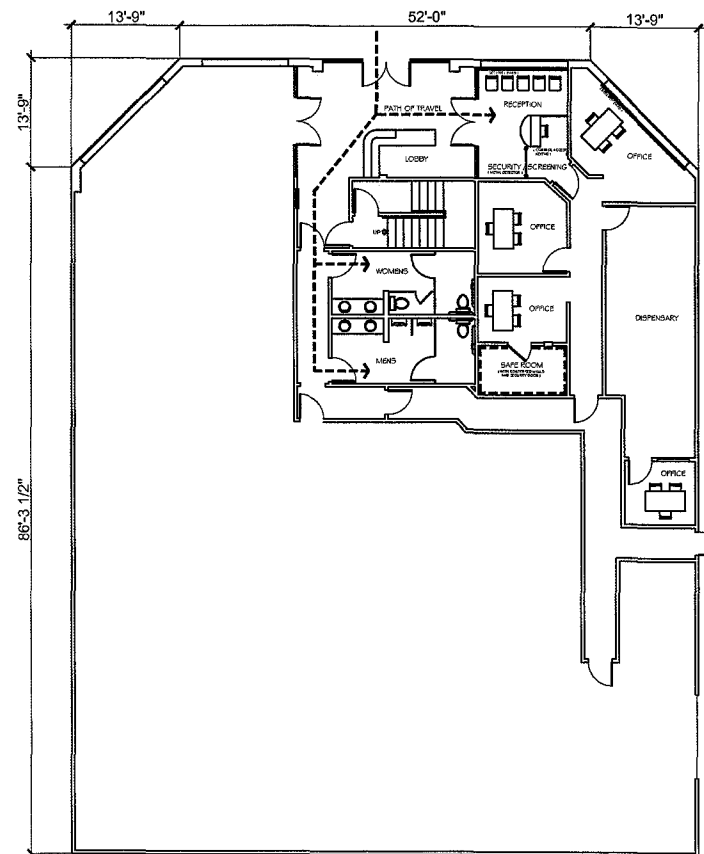
SHEET NUMBER

A1

SHEET 1 OF 4

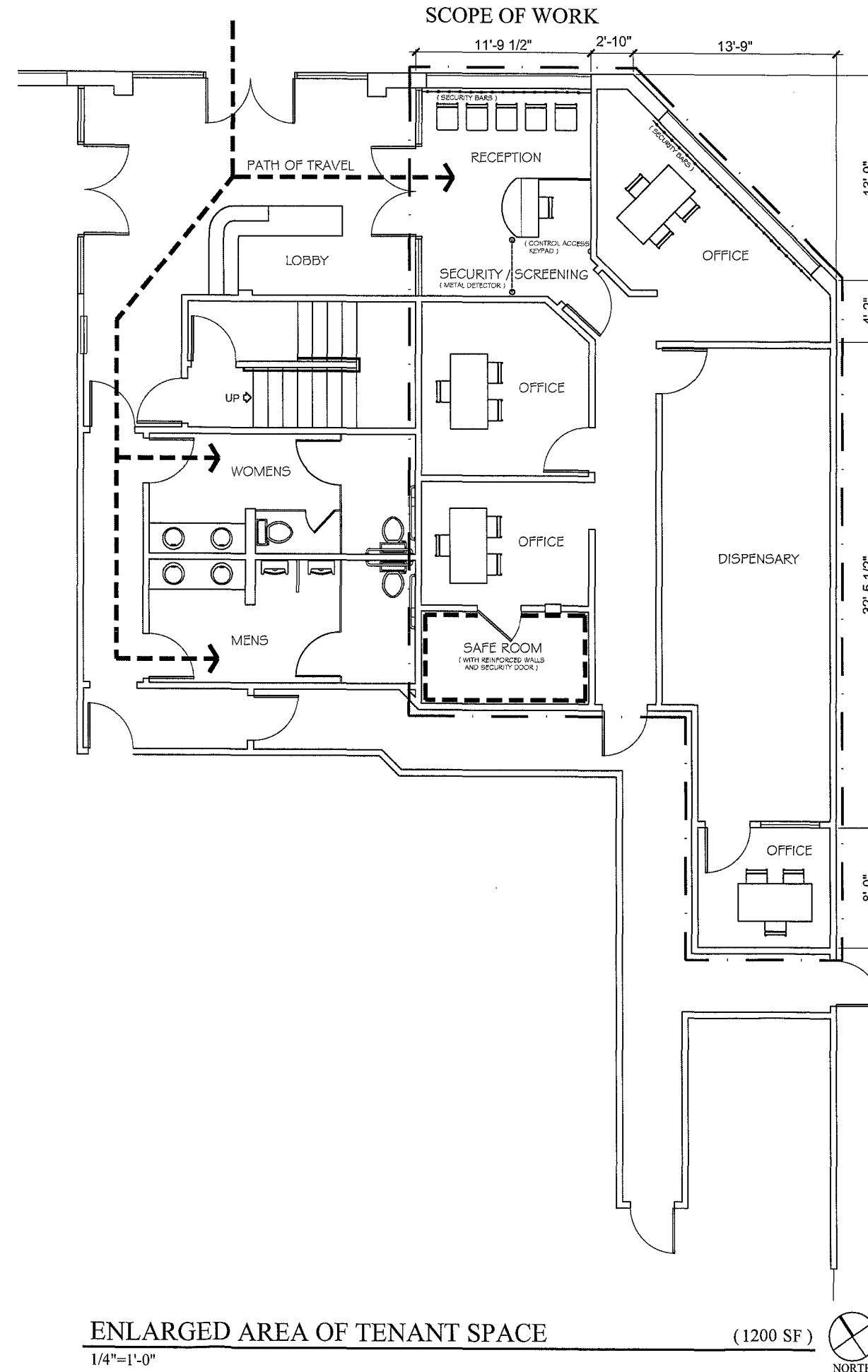
RECEPTION : 157 SF.
DISPENSARY : 339 SF.
OFFICE : 704 SF.
TOTAL TENANT: 1200 SF.

PATH OF TRAVEL

$$3/32'' = 1' - 0''$$

$$3/32'' = 1'-0''$$


ALL EXISTING & FUTURE LEASE TENANT SPACES WILL COMPLY WITH THE IL-3-1 ZONE FOR USES.

TOTAL FIRST FLOOR	= 7,780 SF
TOTAL SECOND FLOOR	= 7,780 SF
BUILDING TOTAL	= 15,760 SF



(1200 SF)



SHEET TITLE: BUILDING PLANS, FLOOR PLAN

DRAWING DATE: 04/24/14

REVISION 1: 08/01/14

REVISION 2: 10/24/14

REVISION 3: 11/20/14

REVISION 4: 04/17/15

REVISION 5:

REVISION 6:

REVISION 7:

REVISION 8:

REVISION 9:

REVISION 10:

SHEET NUMBER
A2
SHEET 2 OF 4

PARKING ANALYSIS

PROPOSED (IL - 3 - 1 ZONE)
COMMERCIAL SERVICES:
1200 SF x 5.0 SPACES / 1000 SF = 6 AUTOMOBILE PARKING SPACES

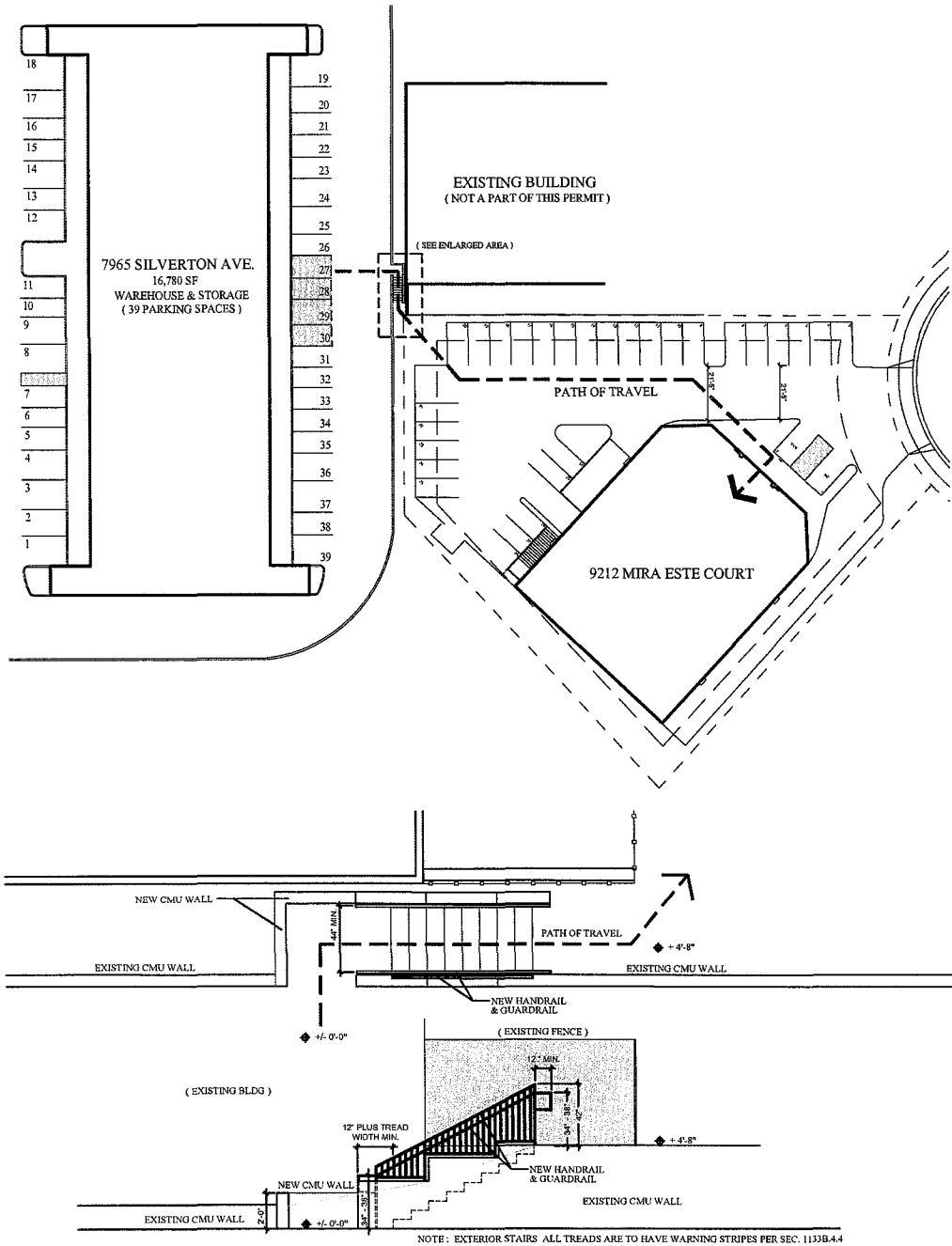
EXISTING BUILDING AREA TO REMAIN:
REMAIN USES AT (IL - 3 - 1 ZONE)
(ORIGINAL PARKING RATIO : 30 SPACES / 15,760 SF = 1.9 SPACES / 1000 SF)

14,560 SF x 1.9 PARKING SPACES / 1000 SF = 28 AUTOMOBILE PARKING SPACES
OVERALL AUTOMOBILE PARKING REQUIREMENTS IS 34 OFF STREET PARKING SPACES

7965 SILVERTON AVENUE ANALYSIS
16,781 SF 39 SPACES ON SITE

WHOLESALE / DISTRIBUTION = 1/1,000 SF 17 SPACES REQUIRED
39 - 17 = 22 SPACES AVAILABLE

SHARED PARKING AGREEMENT FOR 4 SPACES.
PARKING SPACES # 27 THROUGH # 30 = 4 SPACES



ENLARGED AREA (PROPOSED STAIR ACCESS)

NTS



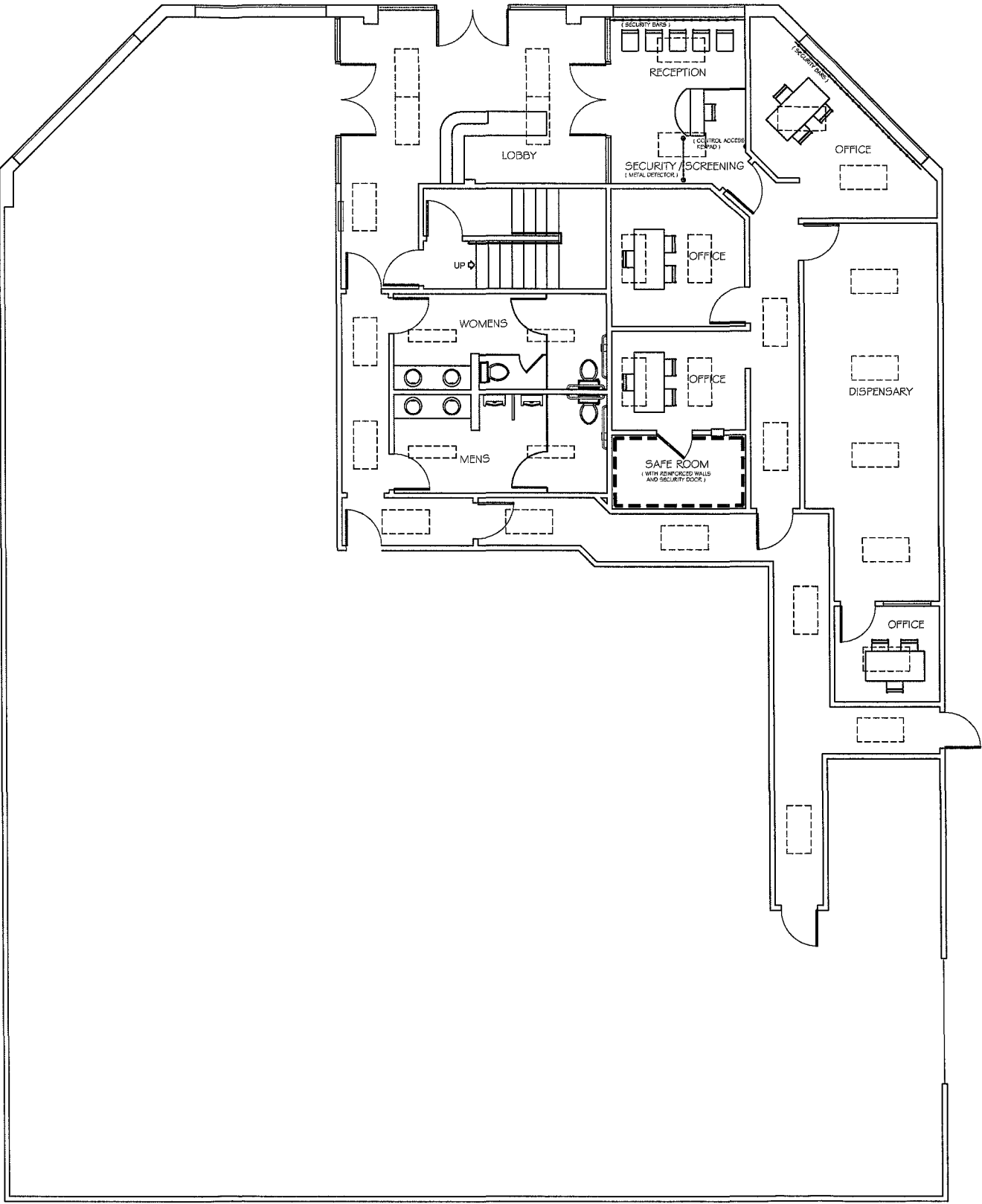
ELECTRICAL FLOOR PLAN

3/16"=1'-0"



EXISTING
2x4 FLUORESCENT LIGHT FIXTURE

EXISTING
1x4 FLUORESCENT LIGHT FIXTURE



SHEET TITLE: ELECTRICAL PLANS AND
PARKING ANALYSIS
DRAWING DATE : 04/24/14
REVISION 1 : 08/01/14
REVISION 2 : 10/24/14
REVISION 3 : 11/20/14
REVISION 4 : 04/17/15
REVISION 5 :
REVISION 6 :
REVISION 7 :
REVISION 8 :
REVISION 9 :
REVISION 10 :

SHEET NUMBER

A3

SHEET 3 OF 4



FRONT VIEW (NE)



SIDE VIEW (SE)



SIDE VIEW (NW)



REAR VIEW (SW)



SITE VIEW (NE)

SHEET TITLE:	ELEVATIONS
DRAWING DATE:	04/24/14
REVISION 1:	08/01/14
REVISION 2:	10/24/14
REVISION 3:	11/20/14
REVISION 4:	04/17/15
REVISION 5:	
REVISION 6:	
REVISION 7:	
REVISION 8:	
REVISION 9:	
REVISION 10:	
SHEET NUMBER	
A4	
SHEET 4 OF 4	

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: 24004632

CONDITIONAL USE PERMIT NO. 1296451
GLASS TEK ENTITIES MMCC - PROJECT NO. 368509
PLANNING COMMISSION

This Conditional Use Permit No. 1296451 is approved by the Planning Commission of the City of San Diego to SUN DUK KIM AND YUN CHUI KIM, Owner and GLASS TEK ENTITIES, INC., Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0305. The 0.60-acre site is located at 9212 Mira Este Court in the IL-3-1 Zone, Airport Land Use Compatibility Overlay Zone, and the 65-70 dB CNEL for Miramar within the Mira Mesa Community Plan Area. The project site is legally described as Lot 14 of Mira Este Business Park, Map No. 11683, December 17, 1986.

Subject to the terms and conditions set forth in this Permit, permission is approved to Owner/Permittee to operate a Medical Marijuana Consumer Cooperative (MMCC) and 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 June 25, 2015, on file in the Development Services Department.

The project shall include:

- a. Operation of a Medical Marijuana Consumer Cooperative (MMCC) in a 1,200 square-foot tenant space within an existing 15,760 square-foot building on a 0.60-acre site;
- b. Existing landscaping (planting, irrigation and landscape related improvements);
- c. Existing 30 on-site spaces and 4 shared spaces located at 7939-7965 Silverton Avenue;
- d. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning

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

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by June 25, 2018.
2. This Conditional Use Permit [CUP] and corresponding use of this MMCC shall expire on June 25, 2020.
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 1,200 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, 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 should only be engaged in activities related to providing security for the facility, except on an incidental basis.
17. 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.
18. The MMCC shall operate only between the hours of 7:00 a.m. and 9:00 p.m., seven days a week.
19. 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.
20. 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 48 hours.
21. Medical marijuana shall not be consumed anywhere within the 0.60-acre site.
22. The Owner/Permittee or operator shall post anti-loitering signs near all entrances of the MMCC.
23. 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.
24. Interior spaces exposed to exterior aircraft noise sources shall be attenuated to achieve an indoor noise level of 50 dB CNEL.

ENGINEERING REQUIREMENTS:

25. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the replacement of the existing driveway with a 30-foot City standard driveway, on Mira Este Court, per Standard Drawing SDG-159, satisfactory to the City Engineer.

TRANSPORTATION REQUIREMENTS:

26. Prior to the issuance of any building permit a signed Shared Parking Agreement between affected properties shall be recorded on all affected properties.

27. No fewer than 34 off-street parking spaces (with 30 on-site spaces and 4 shared spaces with an adjacent property provided) including 2 disabled accessible spaces shall be permanently maintained on the property within the approximate location shown on the project's Exhibit "A". Further, all on-site parking stalls and aisle widths 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.

POLICE DEPARTMENT RECOMMENDATION:

28. 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 Planning Commission of the City of San Diego on June 25, 2015 and Resolution No. PC-XXXX.

Conditional Use Permit No.1296451/PTS No. 368509

Date of Approval: June 25, 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.

SUN DUK KIM
Owner

By _____
Sun Duk Kim
Owner

YUN CHUI KIM
Owner

By _____
Yun Chui Kim
Owner

GLASS TEK ENTITIES, INC
Permittee

By _____
Joel Volsky
Chief Executive Officer

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

PLANNING COMMISSION
RESOLUTION NO. PC-
CONDITIONAL USE PERMIT NO. 1296451
GLASS TEK ENTITIES MMCC - PROJECT NO. 368509

WHEREAS, SUN DUK KIM AND YUN CHUI KIM, Owner and GLASS TEK ENTITIES, INC., filed an application with the City of San Diego for a permit to operate a Medical Marijuana Consumer Cooperative (MMCC) in a 1,200 square-foot tenant space within an existing 15,760 square-foot building (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1296451), on portions of a 0.60-acre site;

WHEREAS, the project site is located at 9212 Mira Este in the IL-3-1 Zone, Airport Land Use Compatibility Overlay Zone, and the 65-70 dB CNEL for Miramar within the Mira Mesa Community Plan Area;

WHEREAS, the project site is legally described as Lot 14 of Mira Este Business Park, Map No. 11683, December 17, 1986;

WHEREAS, on April 22, 2015, the Hearing Officer of the City of San Diego denied Conditional Use Permit No. 1296451 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on May 5, 2015, Stephen Cline filed an appeal of the Hearing Officer's decision;

WHEREAS, on June 25, 2015, the Planning Commission of the City of San Diego considered the appeal of Conditional Use Permit No. 1296451 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on December 8, 2014, 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 March 3, 2015 pursuant to Resolution No. 309531;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated June 25, 2015.

FINDINGS:

Conditional Use Permit Approval – Section §126.0305

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

The 1,200 square-foot tenant space is located within an existing 15,760 square foot building. The 0.06-acre site is located at 9212 Mira Este Court in the IL-3-1 Zone, Airport Land Use Compatibility Overlay Zone and the 65-70 dB CNEL for Miramar within the Mira Mesa Community Plan Area.

The site is in the Miramar Subarea, designated Light Industrial by the Mira Mesa Community Plan. The Light Industrial designation is intended for manufacturing, storage, warehousing, distribution and similar uses. The Miramar Subarea encourages a mix of light industrial and specialized commercial uses. The proposed MMCC was reviewed by MCAS Miramar and determined to be consistent with the Air Installation Compatible Use Zone (AICUZ) noise and safety compatibility guidelines.

The parcels to the north and southeast are within the IL-3-1 Zone, the other adjoining parcels are in the IL-2-1 Zone. The existing surrounding uses within the IL-3-1 Zone are consistent with the Light Industrial designation of the community plan. The proposed MMCC, classified as commercial services, is a compatible use for this location with a Conditional Use Permit and is consistent with the community plan, 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 project proposes interior improvements that include a reception area, dispensary area, offices, storage and employee lounge. The tenant improvement building permit will require compliance with the California Building Code, Plumbing Code, Mechanical Code, Electrical Code, Fire Code and all adopted referenced standards. Public improvements for this project include replacement of the existing driveway with a 30-foot City standard driveway on Mira Este Court.

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. 1296451. 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.

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 land use designation of Light Industrial. 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 San Diego Municipal Code. The proposed MMCC therefore complies with the regulations of the Land Development Code.

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

MMCCs, classified as commercial services, are allowed in the IL-3-1 zone with a Conditional Use Permit (CUP) and are consistent with the land use designation of Industrial use in the Mira Mesa Community Plan. 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 is a compatible use for this location with a Conditional Use Permit, is consistent with the community plan and the permit as conditioned assures compliance with all the development regulations of the San Diego Municipal Code, therefore the use is appropriate at the proposed location.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Conditional Use Permit No. 1296451 is hereby APPROVED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1296451, a copy of which is attached hereto and made a part hereof.

Edith Gutierrez
Development Project Manager
Development Services

Adopted on: June 25, 2015

Job Order No. 24004632