



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: August 24, 2017 REPORT NO. PC-17-070

HEARING DATE: August 31, 2017

SUBJECT: SDMM CUP, Process Three Appeal Decision

PROJECT NUMBER: [523179](#)

REFERENCE: Hearing Officer Report [HO-17-045](#)

OWNER/APPLICANT: Mission Valley South, LTD/Sean St. Peter

SUMMARY:

Issue: Should the Planning Commission approve or deny the appeals of the Hearing Officer's decision to approve a Marijuana Outlet located at 1233 Camino Del Rio South within the Mission Valley Community Plan area?

Staff Recommendation: Deny the appeals and uphold the decision of the Hearing Officer to Approve Conditional Use Permit No. 1846240 and Site Development Permit No. 1952272.

Community Planning Group Recommendation: On March 1, 2017, the Mission Valley Planning Group voted 10-7-1 to recommend approval of the proposed project conditioned upon all City review cycle comments being addressed.

Environmental Review: The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15303, New Construction or Conversion of Small Structures. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on April 21, 2017 and the opportunity to appeal that determination ended May 5, 2017.

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

Housing Impact Statement: None with this action.

BACKGROUND:

The Hearing Officer Report No. HO-17-045 (Attachment 1) includes all project specific background and analysis of the Conditional Use Permit (CUP) and Site Development Permit (SDP) requirements, and

necessary findings by which staff recommended approval of the project. The project is an application for a CUP and SDP to operate a Marijuana Outlet (Outlet) within a 5,074 square-foot tenant space located on the second floor of an existing 71,130 square-foot, two-story commercial building located at 1233 Camino Del Rio South. The 6.65-acre site is improved with two buildings and is located east of Mission Center Road and south of Interstate-8, in the MV-CO-CV Zone of the Mission Valley Planned District (MVPD) within the Mission Valley Community Plan (MVCP), and the Airport Land Use Compatibility (Montgomery Field), Airport Influence Area (Montgomery Field Review Area 2 and SDIA-Lindbergh Field Review Area 2), and the Federal Aviation Authority (FAA) Part 77 Overlay Zones, within City Council Districts 3 and 7. The majority of the site, including the buildings, are located within Council District 7. The site is designated for Office or Commercial Recreation use in the MVCP.

The existing two-story commercial building was constructed in 1971, and includes a fitness club, and several professional office, commercial service, and retail suites. Adjacent uses include a multi-story commercial office building and the Sheraton San Diego Hotel to the east, multi-story commercial office building and a fast food restaurant to the west, open space/hillside to the south, and Camino Del Rio South and Interstate-8 to the north. The project site abuts the Uptown Community Plan area to the south.

The proposed Outlet, classified as retail sales, is allowed in the MVPD MV-CO-CV Zone with a CUP pursuant to SDMC Sections 141.0504 and 1514.0305(b). The proposed project is considered a change in use from the prior use of the site, a bar (Club Fuego), to a Marijuana Outlet and subject to the MVPD Ordinance, including the Development Intensity District (DID) requirements. The MVPD Ordinance limits development intensity to levels allowed under the adopted MVCP, and includes three traffic areas (Area 1, Area 2, and Area 3) and thirteen DIDs, A through M, with two thresholds within each DID. In addition to a CUP, the project requires a SDP pursuant to SDMC 1514.0201(d) due to the estimated traffic resulting in a value in excess of the allowed Threshold 1 and less than Threshold 2 for the designated DID as detailed in the Hearing Officer Report.

Outlets are restricted to four per Council District, 36 city-wide, within commercial and industrial zones. To date, a total of 15 Medical Marijuana Consumer Cooperatives (MMCC) and one Outlet have been approved within the City of San Diego, three of which are in the MVCP area: two within Council District 3 and one within Council District 7. Development Services Department is currently processing five CUP applications for proposed Marijuana Outlets within the MVCP area and Council District 7, including the subject application which is pending a final decision.

Outlets must comply with San Diego Municipal Code ([SDMC](#)) [Section 141.0504\(a\)](#), which requires a 1,000-foot distance from resource and population-based parks, other marijuana outlets, churches, child care centers, playgrounds, libraries owned and operated by the City of San Diego, minor-oriented facilities, residential care facilities, and schools including private or public institutions of learning providing instruction in kindergarten and grades 1 to 12. There is also a minimum distance requirement of 100 feet from a residential zone. Per [SDMC Section 113.0225\(c\)](#), when measuring distance between uses, natural topographical barriers and constructed barriers such as freeways or flood control channels that would impede direct physical access between the uses can be taken into consideration. In such cases, the distance can be measured as the most direct route around the barrier in a manner that establishes direct access.

On June 28, 2017, the SDMM CUP and SDP application was presented to the Hearing Officer of the City of San Diego at a noticed public hearing. The Hearing Officer was provided the City staff's Hearing Report and recommendation to approve the project. After hearing public testimony, the Hearing Officer supported the required findings and approved CUP No. 1846240 and SDP No. 1952275.

DISCUSSION:

This item is an appeal of the Hearing Officer's June 28, 2017 decision to approve the CUP and SDP. The City received appeal applications from:

1. Susan Wilcox, appeal filed on June 30, 2017 on the grounds of Findings Not Supported (Attachment 2); and
2. Michael Morton, appeal filed on July 7, 2017 on the grounds of Factual Error (Attachment 3).

The following are the appeal issues and responses by City staff:

Appeal Issue as Stated by the appellant, Susan Wilcox:

"Disagree with Finding 2: "Development will not be detrimental to public health, safety, welfare". Proposed site was previously illegal pot shop, well documented to be severe problem to adjoining businesses b/c of smell, loitering and car burglaries. It is the same landlord. Past behavior is a clear indicator of future problems. These activities are indeed detrimental to public health, safety, and welfare, and have been shown to be of no concern to the landlord. Documentation of previous activity is available by googling past pot shop address and reading testimonies of bridal Shop and 2 other adjoin businesses to the proposed pot shop."

Staff Responses: With regard to the operation of illegal pot shops, Development Services Department (DSD) Code Enforcement (CE) has had approximately fourteen cases for illegal marijuana dispensaries in Mission Valley since CE began enforcement of this issue in 2010. The majority were located on Camino Del Rio South, with one illegal dispensary located within the building at 1233 Camino Del Rio South. A CE case was opened on January 15, 2010 in response to a citizen complaint with regard to an illegal marijuana dispensary operating under the name of San Diego Medical Collective at the subject location. A Notice of Violation was issued by CE on April 12, 2010, and in May of 2010, the case was referred to the City Attorney for prosecution. A Stipulated Judgment was filed with the Court on November 22, 2011 requiring the dispensary operators to cease operations. The CE case was closed in 2014.

Dispensaries have been regulated within the City of San Diego with the adoption of Ordinance No. O-20356 on March 25, 2014 and the implementation of zoning regulations for MMCC. On February 22, 2017, Ordinance No. O-20793 was final, and approved amendments to the Land Development Code and the Local Coastal Program, replacing the MMCC use with a new retail sales use, Marijuana Outlet (Outlet). The Ordinance became effective on April 12, 2017 in areas of the City of San Diego outside of the Coastal Overlay Zone, and will become effective within the Coastal Overlay Zone upon the California Coastal Commission's certification.

Permits issued by the City of San Diego would allow an Outlet to sell both medicinal and recreational marijuana. However, retail sales would be prohibited until such time the State of California (State) has begun issuing licenses for commercial marijuana activities, as defined in California Business and Professional Code section 26001. In light of a recent State law, the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), effective June 27, 2017, which requires State license applicants to choose between a license for commercial medicinal marijuana activities and commercial adult-use, or recreational activities, Outlets with a City of San Diego issued permit to sell both medicinal and recreational (or adult-use) marijuana will need to choose which license to obtain from the State.

City regulations restrict Outlets to four per Council District, for a total of 36 city-wide, within commercial and industrial zones. The regulations intend to minimize the impact on the City and residential neighborhoods, and include separation requirements (SDMC Section 141.0504). The SDMC requires a 1,000-foot separation from resource and population-based parks, other marijuana outlets, churches, child care centers, playgrounds, libraries owned and operated by the City of San Diego, minor oriented facilities, residential care facilities, and schools (including private or public institutions of learning providing instruction in kindergarten and grades 1 to 12).

As stated in Finding No. 2 of the Resolution (Attachment 5), the proposed Outlet will not be detrimental to the public's health, safety and welfare because the permit controlling the development and continued use of this site contains specific regulatory conditions of approval to assure the project's compliance with applicable local, regional, state and federal codes and rules. These regulations, which are implemented and enforced through the permit, are specifically intended to reduce, mitigate and/or prevent all adverse impacts to the public and community at large.

Denial of the appeal, and upholding the approval of this application would allow the sale of marijuana at this location to be conditioned in order to prevent potential adverse impacts on the community. The proposed Outlet is subject to specific operational requirements as set forth in SDMC Section 141.0504 (b) – (m), which have also been incorporated as conditions in the permit including prohibition of consultation by medical professionals on-site; prohibition of the use of specified vending machines except by a responsible person (as defined by the SDMC); provision of interior and exterior lighting, operable cameras, alarms, and a security guard; restriction of hours of operation to between 7:00 am and 9:00 pm; maintenance of area and adjacent public sidewalks free of litter and graffiti, and removal of graffiti within 24 hours; and restriction of signage to business name, two colors, and alphabetic characters.

In addition to the above, the permit includes additional security conditions including the provision of operable surveillance cameras and a metal detector, use of cameras with a recording device that maintains records for a minimum of 30 days, two armed security guards to the extent the possession of a firearm is not in conflict with 18 U.S.C. § 922(g) and 27 C.F.R § 478.11 with one security guard present on the premises 24 hours a day, seven days a week, installation of bullet resistant glass, plastic, or laminate shield and bullet resistant armor panels or solid grouted masonry block walls, designed by a licensed professional, in common areas with other tenants, reception area, and vault room. The Outlet must also comply with SDMC Chapter 4, Article 2, and Division 15 which provides guidelines for lawful operation. Furthermore, the permit is valid for five years, however, may be revoked if the use violates the terms, conditions, lawful requirements, or provision of the permit.

The Hearing Officer determined that there was substantial evidence in the record to approve CUP No. 1846240 and SDP 1952275, and concluded that the proposed Outlet would not have an adverse impact on the surrounding neighborhood with incorporation of the proposed conditions.

Appeal Issue as Stated by the appellant, Michael Morton:

"Project as proposed is not in area 3 not area two as in the report the Hearing Officer. The project does not have adequate parking spaces and list in the report of 13 parking spaces, the project should have 25 parking spaces."

Staff Responses: The MVPD Ordinance limits development intensity to levels allowed under the adopted MVCP, and includes three traffic areas (Area 1, Area 2, and Area 3) and thirteen Development Intensity Districts (DIDs), A through M, with two thresholds within each DID. The Hearing Officer Report incorrectly indicated the project site is in Area 2. The project site is within DID J, which is in Area 3 (Attachment 6). This was a typographical error and does not affect the project's trip generation analysis. As stated in the Hearing Officer Report, the expected trip generation for the proposed 5,074-square-foot Outlet is approximately 203 average daily trips (ADT), at 40 trips per 1,000 square feet. The combined trip value calculated for the existing uses and proposed use is 588 trips per acre (AC); above Threshold 1 (200 trips/AC) and below Threshold 2 (671 trips/AC) and in conformance with the development intensity intended for the site.

With respect to project parking, the minimum parking ratio for retail sales in the MVPD Commercial Visitor Zone is 2.5 spaces per 1,000 square feet per [SDMC Section 142.0530 Table 142-05E](#). The proposed 5,074 square-foot Outlet requires a minimum of 13 automobile parking spaces. The project site is in compliance with the 274 required off-street parking spaces for all uses on the premises, including 13 spaces for the proposed Outlet, and 261 spaces for the remaining 99,836 square feet of combined commercial services and office uses within both buildings on the project site.

CONCLUSION:

City staff has reviewed the application for the CUP and SDP for an Outlet at this location and has determined that the project is consistent with the recommended land use and development standards in effect for this site per the MVCP and the SDMC, including minimum separation requirements and required off-street parking for all uses on the premises. The single incident of an illegal marijuana dispensary operating at the project site occurred before the City began to regulate this use, and operations were ceased pursuant to a Stipulated Judgement. The Outlet is subject to operational requirements set forth in the SDMC, as well as the aforementioned operational and security conditions in the permit to ensure the proposed Outlet would not be detrimental to the public, health, safety and welfare. The Hearing Officer determined that there was substantial evidence in the record to approve CUP No. 1846240 and SDP No. 1952272. Therefore, City staff recommends the Planning Commission deny the appeals and uphold the approval of CUP No. 1846240 and SDP No. 1952272.

ALTERNATIVES:

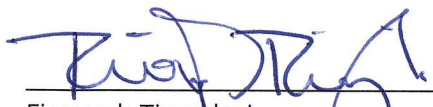
1. Deny the appeals and uphold the Hearing Officer's Decision to approve Conditional Use Permit No. 1846240 and Site Development Permit No. 1952272, with modifications.

2. Approve the appeals and deny Conditional Use Permit No. 1846240 and Site Development Permit No. 1952272, if the findings to approve the project cannot be affirmed.

Respectfully submitted,



Elyse W. Lowe
Deputy Director
Development Services Department



Firouzeh Tirandazi
Development Project Manager
Development Services Department

EWL/FT

Attachments:

1. Hearing Officer Report HO-17-045
2. Appeal Application –Susan Wilcox
3. Appeal Application – Michael Morton
4. Draft Permit with Conditions
5. Draft Resolution with Findings
6. Mission Valley DID Exhibit
7. Project Plans



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: June 21, 2017 REPORT NO. HO-17-045

HEARING DATE: June 28, 2017

SUBJECT: SDMM CUP. Process Three Decision

PROJECT NUMBER: [523179](#)

OWNER/APPLICANT: Mission Valley South, LTD, Owner / Sean St. Peter, Applicant (Attachment 12)

SUMMARY

Issue: Should the Hearing Officer approve a Conditional Use Permit to allow a Marijuana Outlet to operate within a 5,074-square-foot tenant space in an existing 71,130-square-foot building on a 6.65 -acre site within the Mission Valley Community Plan area?

Staff Recommendation: APPROVE Conditional Use Permit No. 1846240 and Site Development Permit No. 1952275.

Community Planning Group Recommendation: On March 1, 2017, the Mission Valley Planning Group voted 10-7-1 to recommend approval of the proposed project conditioned upon all City review cycle comments being addressed (Attachment 11).

Environmental Review: The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15303, New Construction or Conversion of Small Structures. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on April 21, 2017 and the opportunity to appeal that determination ended May 5, 2017 (Attachment 10).

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), which allowed MMCCs with a Process Three, Conditional Use Permit (CUP), and limited them to four per Council District for a total of 36 MMCCs City-wide. A total of 15 MMCCs have been approved to date, 10 of which are currently operating.

Since then, the Adult Use of Marijuana Act (AUMA) was introduced and took effect on November 9, 2016, requiring a state license to engage in commercial non-medical marijuana activities. The State Departments of Food and Agriculture (cultivation), Consumer Affairs (retail sales, transportation, and storage and distribution), and Public Health (Manufacturing and testing) will each be responsible for developing regulations and licensing requirements by January 2018. A local jurisdiction may adopt and enforce local ordinances that regulate local zoning and land use requirements, business license requirements, and other requirements it deems necessary to reduce potential impacts associated with retail marijuana use.

On February 22, 2017, San Diego City Council adopted Ordinance No. O-20793 approving amendments to the Land Development Code and the Local Coastal Program, replacing the MMCC use with a new retail sales use, Marijuana Outlet (Outlet). The Ordinance became effective on April 12, 2017 in areas of the City of San Diego outside of the Coastal Overlay Zone. It will become effective within the Coastal Overlay Zone upon California Coastal Commission certification. An Outlet may be approved with a Process Three, CUP, and limited to no more than four per Council District, and 36 City-wide. An Outlet would be allowed to sell both medicinal and recreational marijuana. However, retail sales would be prohibited until such time the State has begun issuing licenses for commercial marijuana activities, as defined in California Business and Professional Code section 26001. The 15 currently approved MMCCs would become Outlets at that time, and would be allowed retail sale of marijuana as well.

This project was deemed complete on December 6, 2016, prior to the effective date of the Outlet regulations. However, the applicant has elected to process this application under the current regulations and is requesting a CUP for an Outlet. The 6.65-acre project site is improved with two buildings; a two-story building located at 1233 Camino Del Rio South, and a three-story building located at 1333 Camino Del Rio South. The project proposes to operate an Outlet in a 5,074-square-foot tenant space located on the second floor of the 71,130-square-foot, two-story commercial office building located at 1233 Camino Del Rio South, east of Mission Center Road and south of Interstate 8 (Attachment 1). The project site is in the MV-CO-CV Zone of the Mission Valley Planned District (MVPD) within the Mission Valley Community Plan (MVCP), and the Airport Land Use Compatibility (Montgomery Field), Airport Influence Area (Montgomery Field Review Area 2 and SDIA-Lindbergh Field Review Area 2), the Federal Aviation Authority (FAA) Part 77 (Montgomery Field and SDIA-Lindbergh Field) Overlay Zones, and within City Council Districts 3 and 7. The majority of the site, including the buildings, are located within Council District 7. The site is designated for Office or Commercial Recreation use in the MVCP (Attachment 2).

The existing two-story office building was constructed in 1971, and includes a fitness club, and several professional office, commercial service, and retail suites. Adjacent uses include a multi-story commercial office building and the Sheraton San Diego Hotel to the east, a multi-story commercial office building and fast food restaurant to the west, open space/hillside to the south, and Camino Del Rio South and Interstate-8 to the north. The project site abuts the Uptown Community Plan area to the south.

DISCUSSION

The proposed Outlet, classified as retail sales, is allowed in the MV-CO-CV Zone of the MVPD with a CUP pursuant to San Diego Municipal Code (SDMC) [Section 141.0504](#) and [SDMC Section 1514.0305\(b\)](#). Prior use of the tenant space was a bar (Club Fuego). The project has been determined to be a change of use from a bar to a Marijuana Outlet, and therefore is subject to the MVPD Ordinance. The MVPD Ordinance limits development intensity to levels allowed under the adopted Mission Valley Community Plan, and includes three traffic areas (Area 1, Area 2, and Area 3) and thirteen Development Intensity Districts (DID), A through M, with two thresholds within each DID. The proposed project is located in Area 2 – DID J. The expected trip generation for the proposed 5,074-square-foot Outlet is approximately 203 average daily trips (ADT), at 40 trips per 1,000 square feet. The combined trip value calculated for the existing uses and proposed use is 588 trips per acre (AC); above Threshold 1 (200 trips/AC) and below Threshold 2 (671 trips/AC). Pursuant to [SDMC 1514.0201\(d\)](#), a Site Development Permit (SDP) is required for any new project which would cause the entire site to generate traffic in excess of that provided by Threshold 1, but not exceeding the limits established by Threshold 2.

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

Project Description:

The project proposes the operation of an Outlet within an existing 5,074-square-foot tenant space located on the second floor of a 71,130 -square-foot building. The Outlet has been designed to include an entry, five office suites, display area, sales counter, storage room, vault, and restrooms.

Access to the Outlet will be provided via three existing curb cuts on Camino Del Rio South, which have been conditioned to be reconstructed to 25-foot wide, City standard driveways (Attachment 5, Condition No. 29). The project will also construct a 4-foot wide ADA accessible path of travel from Camino Del Rio South public right of way to the building entrance. Access to the Outlet will be provided via the existing interior stairwell and elevator, and an exterior stairwell located on the south side of the building.

The project proposes to restripe the parking area to comply with the minimum drive aisle widths. The project complies with the 274 required off-street parking for all uses on the premises, including 13 spaces for the proposed 5,074-square-foot Outlet, and 261 spaces for the remaining 99,836

square feet of combined commercial services and office uses within both buildings on the project site.

Community Plan Consistency:

The project site is designated for Commercial Office/Recreation use in the MVCP (Attachment 2). This land use designation is intended to support multi-tenant office buildings, single purpose office-administrative facilities, professional-medical buildings, and financial institutions, as well as lodging, entertainment and recreational facilities. The MVCP further encourages a range of retail uses and multi-use development in which commercial uses are combined or integrated with other uses. The proposed Outlet, classified as a retail sales use category, is consistent with the community plan land use designation and objective of encouraging a range of retail uses integrated with other uses, and with a Conditional Use Permit, is a compatible use with the surrounding commercial establishments.

Separation Criteria:

The SDMC allows the operation of Outlets in limited areas of the City and provides criteria in the form of minimum separation requirements between an Outlet and specified uses in order to minimize potential adverse impacts on the community. [SDMC Section 141.0504\(a\)](#) requires a 1,000-foot separation from resource and population-based parks, other marijuana outlets, churches, child care centers, playgrounds, libraries owned and operated by the City of San Diego, minor oriented facilities, residential care facilities, and schools including private or public institutions of learning providing instruction in kindergarten and grades 1 to 12. There is also a minimum distance requirement of 100 feet from a residential zone.

City 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. City staff has determined that the project complies with the separation requirements as explained below.

The project site is not located within 100 feet of residentially-zone properties. The project site abuts the OR-1-1 (Open Space-Residential) Zone to the south, which is an open space base zone. Per SDMC Section 131.0204(a), "the purpose of the OR zone is to preserve privately owned property that is designated as open space in a land use plan for such purposes as preservation of public health and safety, visual quality, sensitive biological resources, steep hillsides, and control of urban form, while retaining private development potential."

The project site is within 1,000 feet of City-owned land dedicated as park within University Heights Open Space located south of the project site within the Uptown Community Plan (UCP) area. The UCP Community Plan identifies two future pocket parks within the University Heights Open Space area: Golden Gate Pocket Park and Mission Valley Overlook (Attachment 8). These areas are dedicated as a park and identified as proposed population-based parks in the UCP Recreation Element (pages 129, 130). The parks are located on top of a hillside with a slope gradient greater than 50% and an elevation difference of approximately 220 feet (Attachment 9). Although there is City owned land dedicated for population-based parks within the UCP, there are no resource or population-based parks currently existing within 1,000 feet of the proposed Outlet. Therefore, the proposed Outlet is in compliance with the separation requirements.

Operational and Security Requirements:

The proposed Outlet is subject to specific operational requirements and restrictions as set forth in SDMC Section 141.0504 (b) – (m), which have also been incorporated as conditions in the CUP (Attachment 5). These include prohibition of consultation by medical professionals on-site; prohibition of the use of specified vending machines except by a responsible person (as defined by the SDMC); provision of interior and exterior lighting, operable cameras, alarms, and a security guard; restriction of hours of operation to between 7:00 am and 9:00 pm daily; maintenance of area and adjacent public sidewalks free of litter and graffiti, and removal of graffiti within 24 hours; and restriction of signage to business name, two-colors signs, and alphabetic characters. Outlets must also comply with Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

The applicant has also voluntarily agreed to the following additional security conditions in order to improve the safety of the building and surrounding neighborhood and prevent potential adverse impacts on the community:

- The provision of operable surveillance cameras and a metal detector;
- Use of cameras with a recording device that maintains records for a minimum of 30 days;
- Two armed security guards to the extent the possession of a firearm is not in conflict with 18 U.S.C. § 922(g) and 27 C.F.R § 478.11., 4) with one security guard present on the premises 24 hours a day, seven days a week;
- Installation of bullet resistant glass, plastic, or laminate shield at the reception area to protect employees; and
- Installation of bullet resistant armor panels or solid grouted masonry block walls, designed by a licensed professional, in common areas with other tenants, reception area, and vault room.

Community Planning Group Recommendation:

The Mission Valley Planning Group voted 10-7-1 to recommend approval of the proposed project with cycle comments being addressed (Attachment 11). City staff has completed the review of the project and all previously identified review comments have been adequately addressed.

CONCLUSION

City staff has reviewed the application for the CUP and SDP for an Outlet at this location and has determined that the project is consistent with the recommended land use and development standards in effect for this site per the MVCP and the SDMC, including the minimum separation requirements. The project is not requesting, nor does it require any deviation or variance from the applicable regulations and policy documents. The permit has been conditioned to ensure the proposed Outlet would not be detrimental to the public, health, safety and welfare. Staff has prepared draft findings (Attachment 4) for consideration and is recommending approval of the project as proposed.

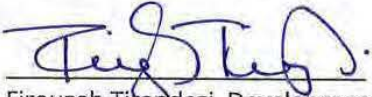
ALTERNATIVES

1. Approve Conditional Use Permit No. 1846240 and Site Development Permit No. 1952275, with modifications.

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2. Deny Conditional Use Permit No. 1846240 and Site Development Permit No. 1952275, if the findings required to approve the project cannot be affirmed.

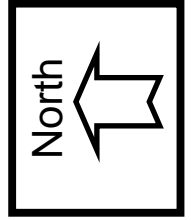
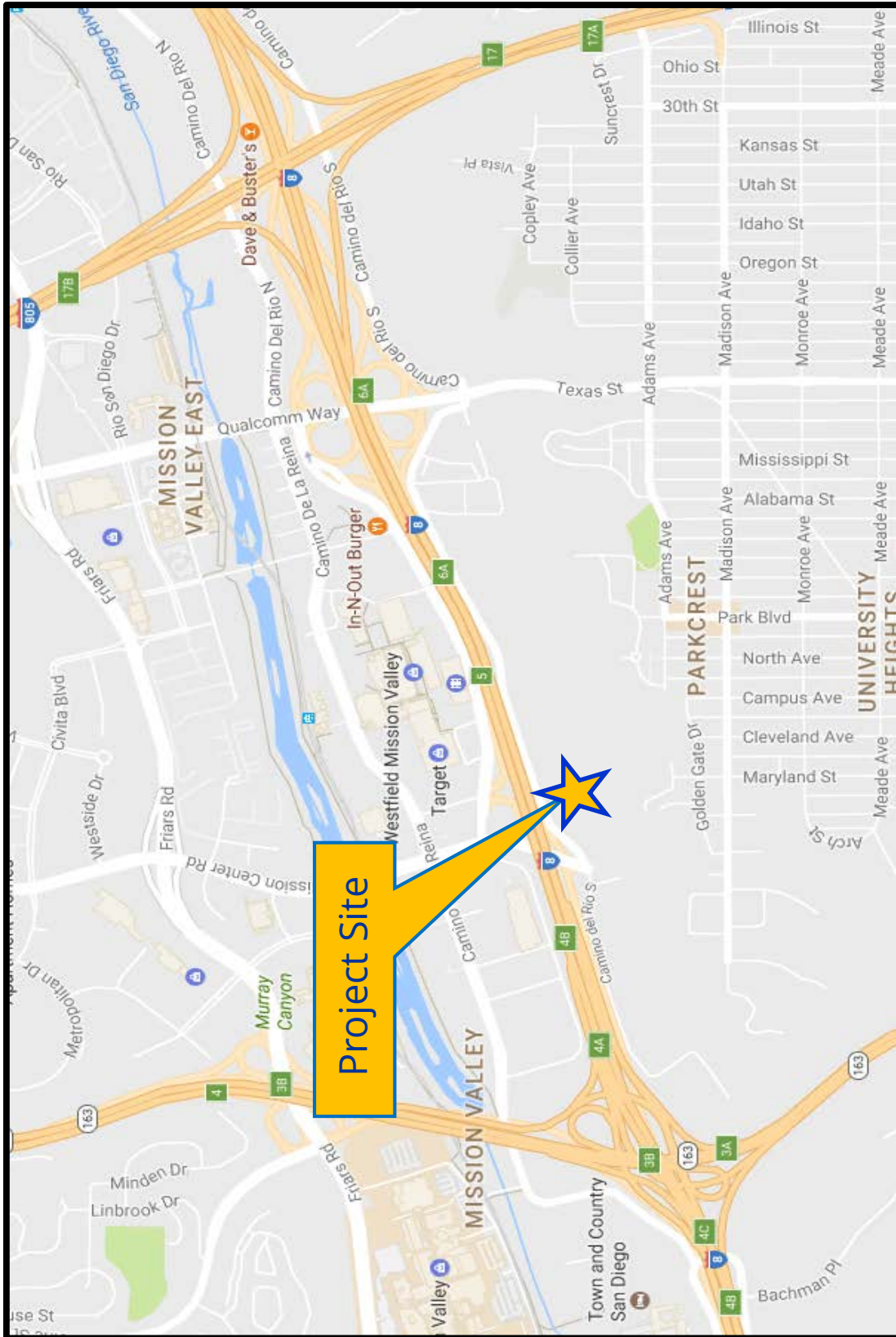
Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Firouzeh Tirandazi', is written over a horizontal line.

Firouzeh Tirandazi, Development Project Manager

Attachments:

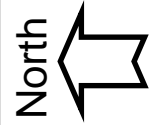
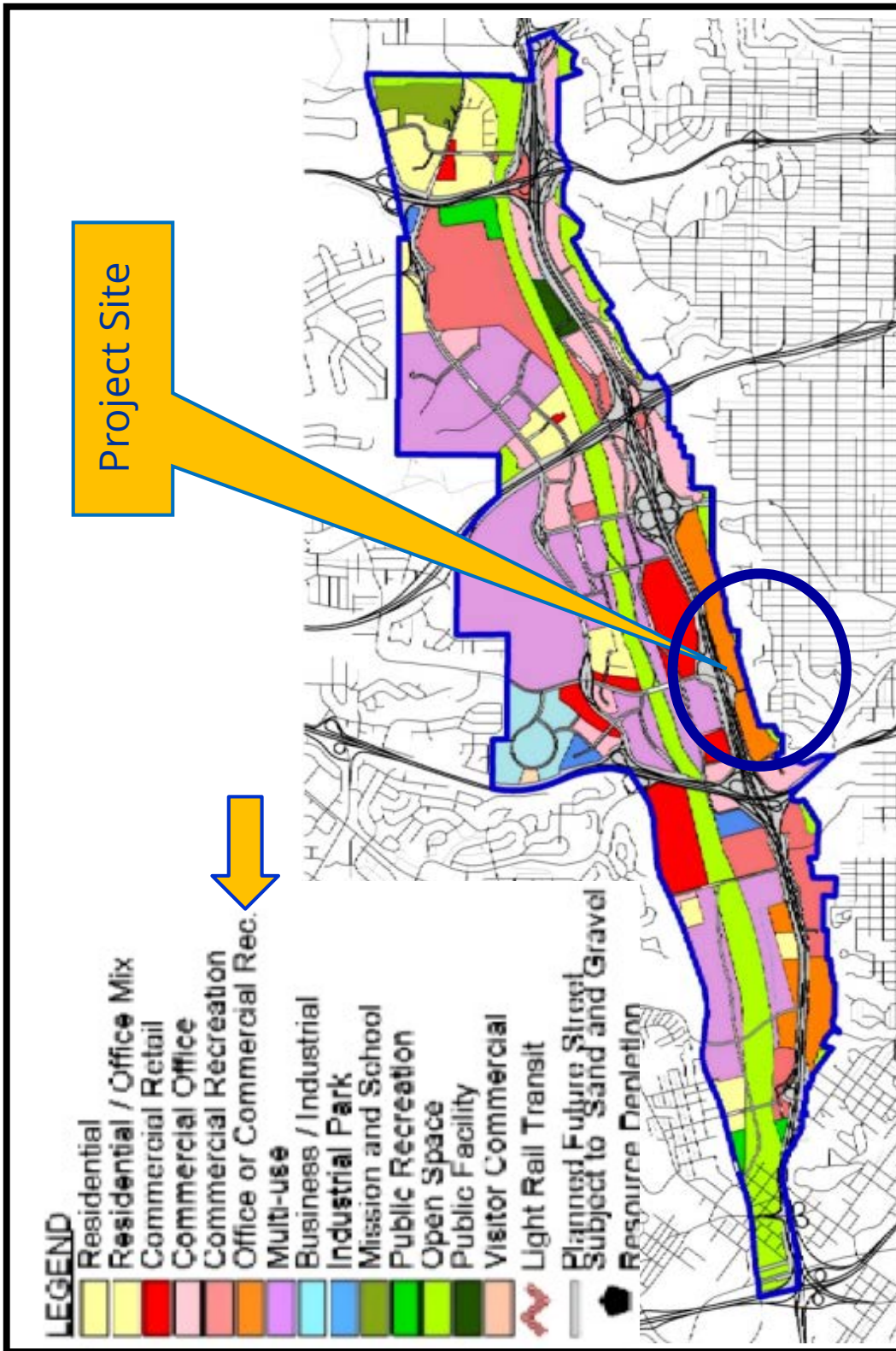
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Draft Resolution with Findings
5. Draft Permit with Conditions
6. 1000-Foot Radius Map
7. 1000-Foot Radius Map Spreadsheet
8. Uptown Community Plan, Figure 7-1: Parks, Recreation Facilities and Open Space
9. Slope Exhibit
10. Environmental Exemption
11. Community Planning Group Recommendation
12. Ownership Disclosure Statement
13. Project Plans



Project Location Map

SDMM CUP / 1233 Camino Del Rio South
PROJECT NO. 523179



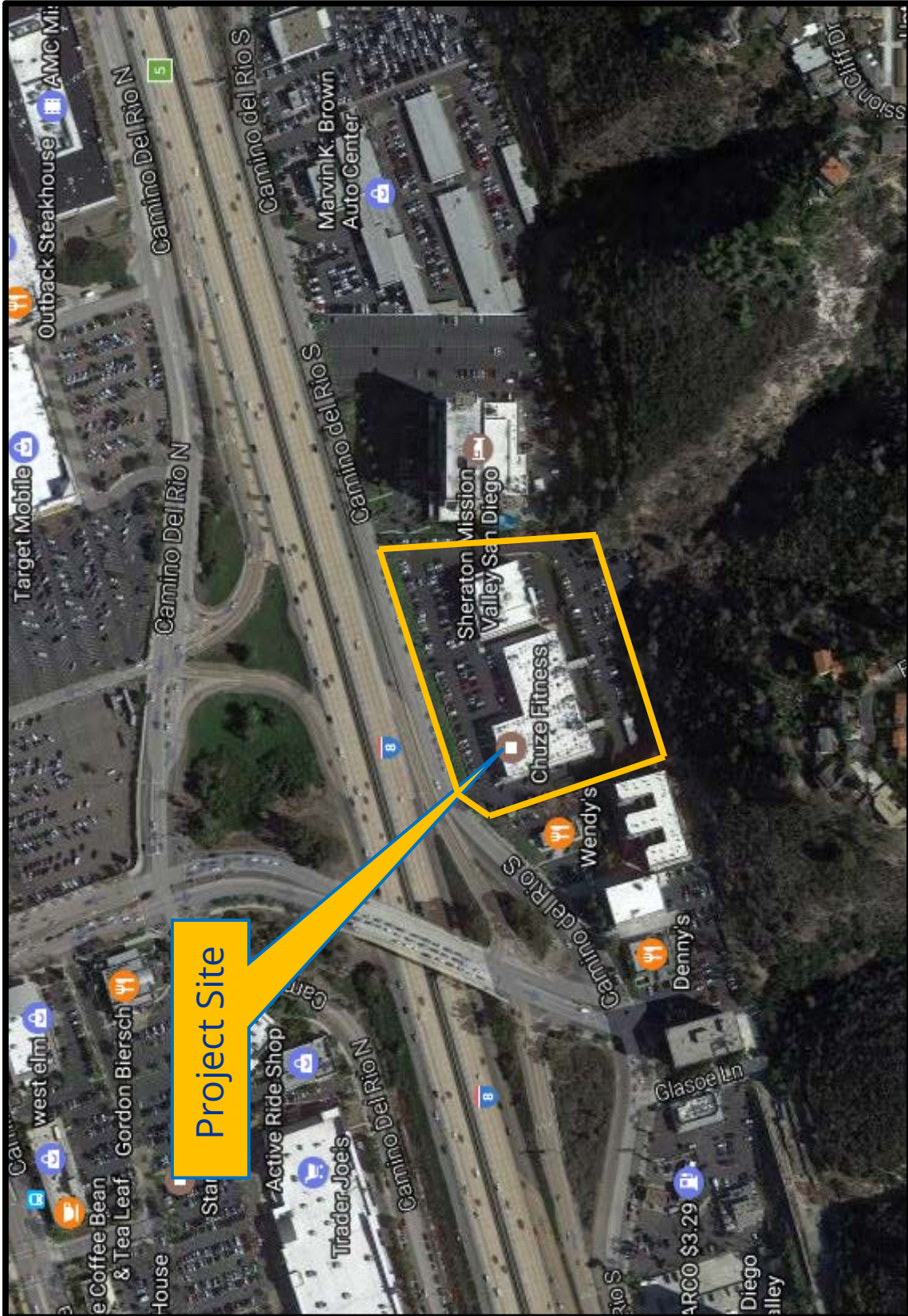


Mission Valley Community Land Use Map

SDMM CUP / 1233 Camino Del Rio South

PROJECT NO. 523179





Aerial Photograph

SDMM CUP / 1233 Camino Del Rio South
PROJECT NO. 523179



HEARING OFFICER RESOLUTION NO. _____
CONDITIONAL USE PERMIT NO. 1846240
AND SITE DEVELOPMENT PERMIT NO. 1952275
SDMM CUP - PROJECT NO. 523179

WHEREAS, MISSION VALLEY SOUTH, LTD, Owner, and SEAN ST. PETER, Permittee, filed an application with the City of San Diego for a permit to operate a Marijuana Outlet in a 5,074-square-foot tenant space located on the second floor of an existing 71,130-square-foot, two-story commercial office building (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 1846240 and 1952275, on portions of a 6.65-acre site;

WHEREAS, the project site is located at 1233 Camino Del Rio South, in the MV-CO-CV Zone of the Mission Valley Planned District (MVPD), and the Airport Land Use Compatibility (Montgomery Field), Airport Influence Area (Montgomery Field Review Area 2 and SDIA-Lindbergh Field Review Area 2), and the Federal Aviation Authority (FAA) Part 77 (Montgomery Field and SDIA-Lindbergh Field) Overlay Zones within the Mission Valley Community Plan Area;

WHEREAS, the project site is legally described as Lot 1 of Mission Valley South, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 5984, filed in the Office of the County Recorder of San Diego County, October 31, 1967;

WHEREAS, on June 28, 2017, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 1846240 and Site Development Permit No. 1952275 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on April 21, 2017, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guideline Section 15303 (New Construction or Conversion of Small Structures), and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520; 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 June 28, 2017.

FINDINGS:

Conditional Use Permit Approval – SDMC Section 126.0305

(a) The proposed development will not adversely affect the applicable land use plan.

The project is an application for a Conditional Use Permit (CUP) and Site Development Permit (SDP) to allow the operation of a Marijuana Outlet (Outlet) in a 5,074-square-foot tenant space on the second floor of an existing 71,130-square-foot, two-story commercial

office building. The 6.65-acre project site is located at 1233 Camino Del Rio South within the Mission Valley Community Plan (MVCP) area.

The project site is designated for Commercial Office/Recreation use in the MVCP. This land use designation is intended to support multi-tenant office buildings, single purpose office-administrative facilities, professional-medical buildings, and financial institutions, as well as lodging, entertainment and recreational facilities. The MVCP further encourages a range of retail uses and multi-use development in which commercial uses are combined or integrated with other uses. The proposed Outlet, classified as a retail sales use category, is consistent with the community plan objective of encouraging a range of retail uses integrated with other uses, and is a compatible use with the surrounding commercial establishments at this location with a CUP and SDP, is consistent with the community plan, and therefore, the proposed Outlet will not adversely affect the applicable land use plan.

(b) The proposed development will not be detrimental to the public health, safety, and welfare.

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

Approval of this application would allow the sale of marijuana to be conditioned in order to prevent potential adverse impacts on the community. The proposed Outlet is subject to specific operational requirements as set forth in SDMC Section 141.0504 (b) – (m), which have also been incorporated as conditions in the CUP/SDP including prohibition of consultation by medical professionals on-site; prohibition of the use of specified vending machines except by a responsible person (as defined by the SDMC); provision of interior and exterior lighting, operable cameras, alarms, and a security guard; restriction of hours of operation to between 7:00 am and 9:00 pm; maintenance of area and adjacent public sidewalks free of litter and graffiti, and removal of graffiti within 24 hours; and restriction of signage to business name, two colors, and alphabetic characters.

In addition to the above, the CUP/SDP includes additional security conditions including the provision of operable surveillance cameras and a metal detector, use of cameras with a recording device that maintains records for a minimum of 30 days, two armed security guards to the extent the possession of a firearm is not in conflict with 18 U.S.C. § 922(g) and 27 C.F.R § 478.11., 4) with one security guard present on the premises 24 hours a day, seven days a week, installation of bullet resistant glass, plastic, or laminate shield at the reception area to protect employees, and installation of bullet resistant armor panels or solid grouted masonry block walls, designed by a licensed professional, in common areas with other tenants, reception area, and vault room. The Outlet must also comply with Chapter 4, Article 2, and Division 15 which provides guidelines for lawful operation. The CUP/SDP is valid for five years, however, may be revoked if the use violates the terms, conditions, lawful requirements, or provision of the permit.

Furthermore, any project construction related activities authorized through this permit will be subject to all adopted building, electrical, mechanical, fire and plumbing codes, which will be enforced through plan review and building inspections completed by the City's building inspectors.

The City of San Diego conducted an environmental review of this project in accordance with the State of California Environmental Quality Act (CEQA) guidelines, and concluded there would be no environmental impacts associated with the proposed project. Based on the above analysis, the proposed development would not be detrimental to the public's health, safety, and welfare.

(c) The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The project proposes the operation of an Outlet within an existing 5,074-square-foot tenant space on the second floor of an existing 71,130-square-foot, two-story commercial office building. The proposed Outlet, classified as retail sales, is allowed in the MV-CO-CV Zone of the MVPD with a CUP pursuant to SDMC Sections 141.0504 and 1514.0305(b). The proposed project is considered a change in use from a bar (Club Fuego) to a Marijuana Outlet and subject to the MVPD Ordinance, including DID requirements. The project requires a SDP pursuant to SDMC 1514.0201(d) due to the estimated traffic resulting in a value in excess of the allowed Threshold 1 and less than Threshold 2 for the designated DID.

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

Pursuant to SDMC Section 141.0504(a), Outlets are subject to separation requirements including a 1,000-foot separation from resource and population-based parks, other Outlets, churches, child care centers, playgrounds, libraries owned and operated by the City of San Diego, minor oriented facilities, residential care facilities, and schools including private or public institutions of learning providing instruction in kindergarten grades 1 to 12. There is also a minimum distance requirement of 100 feet from a residential zone. The proposed Outlet is in compliance with the required separation requirements.

The project is proposed within an existing structure constructed in 1971 in accordance with all applicable development regulations. The project is in compliance with the required 274 off-street parking spaces, 13 spaces for the proposed 5,074-square-foot Outlet and 261 spaces for the remaining 99,836 square feet of combined commercial services and office uses within both buildings on the project site.

The CUP and SDP for the project includes various conditions and corresponding exhibits of approval relevant to achieving compliance with the SDMC relative to parking, signage,

lighting, security measures, hours of operation, and site maintenance. No variance or deviations are requested as part of this application. Therefore, the proposed development will comply with the regulations of the Land Development Code.

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

The proposed project is a request for a CUP to operate an Outlet in an existing 5,074-square-foot tenant space on the second floor of an existing 71,130-square-foot, two-story commercial office building. The existing two-story office building was constructed in 1971, and includes a fitness club, and several professional office, commercial service, and retail suites. The project site is surrounded by a multi-story commercial office building and the Sheraton San Diego to the east, a multi-story commercial office building and fast food restaurant to the west, open space/hillside to the south, and Camino Del Rio South and Interstate 8 to the north.

The project site and surrounding parcels to the east, west, and north are designated for Commercial Office/Recreation use in the MVCP. This land use designation is intended to support multi-tenant office buildings, single purpose office-administrative facilities, professional-medical buildings, and financial institutions, as well as lodging, entertainment and recreational facilities. The MVCP further encourages a range of retail uses and multi-use development in which commercial uses are combined or integrated with other uses. The proposed Outlet, classified as a retail sales use category, is consistent with the community plan objective of encouraging a range of retail uses integrated with other uses, and is a compatible use with the surrounding commercial establishments.

The project site abuts the OR-1-1 (Open Space-Residential) Zone to the south, and designated for Open Space use in the Uptown Community Plan. The OR-1-1 Zone is an open space base zone intended to preserve privately owned property that is designated as open space in a land use plan. The existing hillside has a slope gradient greater than 50% and an elevation difference of approximately 220 feet, with City-owned designated park sites and residential development located on top of the hillside.

The proposed Outlet is allowed in the MV-CO-CV Zone of the MVPD with a CUP and SDP and is subject to separation requirements set forth in SDMC Section 141.0504(a) including a 1,000-foot separation from resource and population-based parks, other Outlets, churches, child care centers, playgrounds, libraries owned and operated by the City of San Diego, minor oriented facilities, residential care facilities, and schools including private or public institutions of learning providing instruction in kindergarten grades 1 to 12. There is also a minimum distance requirement of 100 feet from a residential zone. The project site is not located within 100 feet of a residential zone, or within 1,000 feet of the aforementioned uses, and therefore, is in compliance with the minimum separation requirements.

Outlets are also subject to specific operational requirements set forth in SDMC Section 141.0504 (b) – (m), which have also been incorporated as conditions in the CUP including prohibition of consultation by medical professionals on-site; prohibition of the use of specified vending machines except by a responsible person (as defined by the SDMC); provision of interior and exterior lighting, operable cameras, alarms, and a security guard;

restriction of hours of operation to between 7:00 am and 9:00 pm; maintenance of area and adjacent public sidewalks free of litter and graffiti, and removal of graffiti within 24 hours; and restriction of signage to business name, two colors, and alphabetic characters. The Outlet must also comply with Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

The SDMC limits Outlets to commercial and industrial zones and the quantity of Outlets to only four per each City Council District (36 city-wide) in order to minimize the impact on the City and residential neighborhoods. The proposed Outlet is a compatible use with the surrounding commercial establishments. Based on the commercial nature of the use, compliance with the separation requirements, and conditions of approval, the proposed development is appropriate at the proposed location.

Site Development Permit Approval – Part 1 SDMC Section 126.0504

(a) The proposed development will not adversely affect the applicable land use plan.

The 6.65-acre project site is located at 1233 Camino Del Rio South within the MVCP area, and designated for Commercial Office/Recreation use in the MVCP. This land use designation is intended to support multi-tenant office buildings, single purpose office-administrative facilities, professional-medical buildings, and financial institutions, as well as lodging, entertainment and recreational facilities. The MVCP further encourages a range of retail uses and multi-use development in which commercial uses are combined or integrated with other uses. The proposed Outlet, classified as a retail sales use category, is consistent with the community plan objective of encouraging a range of retail uses integrated with other uses, and is a compatible use with the surrounding commercial establishments at this location with a CUP and SDP, is consistent with the community plan, and therefore, the proposed Outlet will not adversely affect the applicable land use plan.

(b) The proposed development will not be detrimental to the public health, safety, and welfare.

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

Approval of this application would allow the sale of marijuana to be conditioned in order to prevent potential adverse impacts on the community. The proposed Outlet is subject to specific operational requirements as set forth in SDMC Section 141.0504 (b) – (m), which have also been incorporated as conditions in the CUP/SDP including prohibition of consultation by medical professionals on-site; prohibition of the use of specified vending machines except by a responsible person (as defined by the SDMC); provision of interior and exterior lighting, operable cameras, alarms, and a security guard; restriction of hours of operation to between 7:00 am and 9:00 pm; maintenance of area and adjacent public

sidewalks free of litter and graffiti, and removal of graffiti within 24 hours; and restriction of signage to business name, two colors, and alphabetic characters.

In addition to the above, the CUP/SDP includes additional security conditions including the provision of operable surveillance cameras and a metal detector, use of cameras with a recording device that maintains records for a minimum of 30 days, two armed security guards to the extent the possession of a firearm is not in conflict with 18 U.S.C. § 922(g) and 27 C.F.R § 478.11., 4) with one security guard present on the premises 24 hours a day, seven days a week, installation of bullet resistant glass, plastic, or laminate shield at the reception area to protect employees, and installation of bullet resistant armor panels or solid grouted masonry block walls, designed by a licensed professional, in common areas with other tenants, reception area, and vault room. The Outlet must also comply with Chapter 4, Article 2, and Division 15 which provides guidelines for lawful operation. The CUP/SDP is valid for five years, however, may be revoked if the use violates the terms, conditions, lawful requirements, or provision of the permit.

Furthermore, any project construction related activities authorized through this permit will be subject to all adopted building, electrical, mechanical, fire and plumbing codes, which will be enforced through plan review and building inspections completed by the City's building inspectors.

The City of San Diego conducted an environmental review of this project in accordance with the State of California Environmental Quality Act (CEQA) guidelines, and concluded there would be no environmental impacts associated with the proposed project. Based on the above analysis, the proposed development would not be detrimental to the public's health, safety, and welfare.

(c) The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The project proposes the operation of an Outlet within an existing 5,074-square-foot tenant space on the second floor of an existing 71,130-square-foot, two-story commercial office building. The proposed Outlet, classified as retail sales, is allowed in the MV-CO-CV Zone of the MVPD with a CUP pursuant to SDMC Sections 141.0504 and 1514.0305(b). The proposed project is considered a change in use from a bar (Club Fuego) to a Marijuana Outlet and subject to the MVPD Ordinance, including Development Intensity District (DID) requirements. The project requires a SDP pursuant to SDMC 1514.0201(d) due to the estimated traffic resulting in a value in excess of the allowed Threshold 1 and less than Threshold 2 for the designated DID.

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

Pursuant to SDMC Section 141.0504(a), Outlets are subject to separation requirements including a 1,000-foot separation from resource and population-based parks, other Outlets, churches, child care centers, playgrounds, libraries owned and operated by the City of San Diego, minor oriented facilities, residential care facilities, and schools including private or public institutions of learning providing instruction in kindergarten grades 1 to 12. There is also a minimum distance requirement of 100 feet from a residential zone. The proposed Outlet is in compliance with the required separation requirements.

The project is proposed within an existing structure constructed in 1971 in accordance with all applicable development regulations. The project is in compliance with the required 274 off-street parking spaces, 13 spaces for the proposed 5,074-square-foot Outlet and 261 spaces for the remaining 99,836 square feet of combined commercial services and office uses within both buildings on the project site.

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

Site Development Permit Approval – Part 2, SDMC Section 1514.0201

(a) The proposed development is consistent with the Mission Valley Community Plan and the Progress Guide and General Plan.

The project site is located at 1233 Camino Del Rio South within the MVCP area, and designated for Commercial Office/Recreation use in the MVCP. This land use designation is intended to support multi-tenant office buildings, single purpose office-administrative facilities, professional-medical buildings, and financial institutions, as well as lodging, entertainment and recreational facilities. The MVCP further encourages a range of retail uses and multi-use development in which commercial uses are combined or integrated with other uses. The proposed Outlet, classified as a retail sales use category, is consistent with the community plan objective of encouraging a range of retail uses integrated with other uses.

The MVPD Ordinance limits development intensity to levels allowed under the adopted Mission Valley Community Plan, and includes three traffic areas (Area 1, Area 2, and Area 3) and thirteen DIDs, A through M, with two thresholds within each DID. A SDP is required due to estimated traffic resulting in a value in excess of the allowed Threshold 1 for the designated DID. The proposed project is located in Area 2 – DID J. The expected trip generation for the proposed 5,074-square-foot Marijuana Outlet is approximately 203 average daily trips (ADT), at 40 trips per 1,000 square feet. The combined trip value calculated for the existing uses and proposed use is 588 trips per acre (AC); above Threshold 1 (200 trips/AC) and below Threshold 2 (671 trips/AC).

The proposed Outlet is a compatible use with the surrounding commercial establishments at this location, consistent with the community plan land use designation and within the

development intensity intended for the site, therefore, the proposed development is consistent with Mission Valley Community Plan with a CUP and SDP.

(b) The proposed development provides the required public facilities and is compatible with adjacent open space areas.

The existing two-story commercial office building was constructed in 1971, and includes a fitness club, and several professional office, commercial service, and retail suites. The area south of the project site consists of steep slope and is designated as open space within the UCP. The Outlet is proposed within an existing building and no exterior building improvements are proposed, and would not affect the abutting open space area. The project will provide an ADA accessible path of travel from the Camino Del Rio South public right-of-way to the building entrance. Public improvements include replacement of the damaged portions of the sidewalk and existing driveways along Camino Del Rio South with City standard sidewalk and driveways. The existing building was constructed in compliance with all development regulations in effect at the time.

(c) The proposed development meets the purpose, intent and criteria of the Mission Valley Planned District Ordinance including the applicable "Guidelines for Discretionary Review" adopted as part of the planned District.

Marijuana Outlets are allowed in the MV-CO-CV Zone of the Mission Valley Planned District with a CUP and SDP, Process Three decision. A SDP is required due to the estimated traffic resulting in a value in excess of the allowed Threshold 1 for the designated DID. The project will result in a development intensity intended for the site.

Guidelines for Discretionary Review has have been fulfilled as the project has successfully submitted a deemed complete application for review through the City of San Diego and brought forward to a decision maker for decision in accordance to SDMC Section 1514.0201 (Permit Application, Review, and Issuance). Therefore, the proposed development meets the purpose, intent and criteria of MVPD Ordinance including the application "Guidelines for Discretionary Review" adopted as a part of this planned district.

(d) The proposed development will comply with all other relevant regulations in the San Diego Municipal Code.

The proposed Outlet, classified as retail sales, is allowed in the MV-CO-CV Zone of the MVPD with a CUP pursuant to SDMC Sections 141.0504 and 1514.0305(b). The proposed project is considered a change in use from a bar (Club Fuego) to a Marijuana Outlet and subject to the MVPD Ordinance, including DID requirements. The project requires a SDP pursuant to SDMC 1514.0201(d) due to the estimated traffic resulting in a value in excess of the allowed Threshold 1 and less than Threshold 2 for the designated DID.

The proposed Outlet is exempt from the Airport Land Use Compatibility Overlay Zone regulations set forth in Chapter 13, Article 2, and Division 15 of the SDMC pursuant to [Section 132.1505\(c\)\(1\) and \(2\)](#) as 1) the project is limited to interior modifications and will not increase the density, floor area ratio or height of the existing structure, and 2) the proposed

change in non-residential occupancy would not require an increase in the number of parking spaces pursuant to Chapter 14, Article 2, Division 5.

Pursuant to SDMC Section 141.0504(a), Outlets are subject to separation requirements including a 1,000-foot separation from resource and population-based parks, other Outlets, churches, child care centers, playgrounds, libraries owned and operated by the City of San Diego, minor oriented facilities, residential care facilities, and schools including private or public institutions of learning providing instruction in kindergarten grades 1 to 12. There is also a minimum distance requirement of 100 feet from a residential zone. The proposed Outlet is in compliance with the required separation requirements.

The project is proposed within an existing structure constructed in 1971 in accordance with all applicable development regulations. The project is in compliance with the required 274 off-street parking spaces, 13 spaces for the proposed 5,074-square-foot Outlet and 261 spaces for the remaining 99,836 square feet of combined commercial services and office uses within both buildings on the project site.

The CUP and SDP for the project includes various conditions and corresponding exhibits of approval relevant to achieving compliance with the SDMC relative to parking, signage, lighting, security measures, hours of operation, and site maintenance. Marijuana Outlets must also comply with chapter 4, Article 2, Division 15, which provides guidelines for lawful operation. Therefore, the proposed development will comply with all other relevant regulations in the San Diego Municipal Code.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Conditional Use Permit No. 1846240 and Site Development Permit No. 1952275 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 1846240 and 1952275, a copy of which is attached hereto and made a part hereof.

Firouzeh Tirandazi
Development Project Manager
Development Services

Adopted on: June 28, 2017

IO#: 24007021

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

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

INTERNAL ORDER NUMBER: 24007021

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 1810030
AND SITE DEVELOPMENT PERMIT NO. 1952275

SDMM CUP - PROJECT NO. 523179

HEARING OFFICER

This Conditional Use Permit No. 1810030 is granted by the Hearing Officer of the City of San Diego to Mission Valley South, LTD, Owner, and Sean St. Peter, Permittee pursuant to San Diego Municipal Code [SDMC] sections 126.0305 and 126.0504. The 6.65-acre site is located at 1233 Camino Del Rio South, in the MVPD-MV-CO-CV Zone, and the Airport Land Use Compatibility (Montgomery Field), Airport Influence Area (Montgomery Field Review Area 2 and SDIA-Lindbergh Field Review Area 2), and the Federal Aviation Authority (FAA) Part 77 (Montgomery Field and SDIA-Lindbergh Field) Overlay Zones within the Mission Valley Community Plan Area. The project site is legally described as: Lot 1 of Mission Valley South, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 5984, Filed in the Office of the county Recorder of San Diego County, October 31, 1067.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to operate a Marijuana Outlet within an existing building described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated June 28, 2017, on file in the Development Services Department.

The project shall include:

- a. Operation of a Marijuana Outlet in a 5,074-square-foot tenant space located on the second floor of an existing 71,130-square-foot, two-story commercial office building;
- b. Existing landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking;
- 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 July 14, 2020.
2. This Conditional Use Permit [CUP] and corresponding use of this Marijuana Outlet shall expire on July 14, 2022. The Owner/Permittee may request that the expiration date be extended in accordance with SDMC Section 141.0504 (n).
3. In addition to other provisions of the law, the Marijuana Outlet must comply with Chapter 4, Article 2, Division 15 and Chapter 14, Article 1, Division 5 of the San Diego Municipal Code.
4. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
 - c. A Marijuana Outlet 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 subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
6. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
7. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
8. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 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 5,074-square-foot tenant space shall be limited to the Marijuana Outlet and any use permitted by right in the MVPD-MV-CO Zone.

14. The sale of recreational marijuana shall be prohibited without a valid license from the State authorizing such activity.
15. Consultations by medical professional shall not be a permitted accessory use at the Marijuana Outlet.
16. Lighting shall be provided to illuminate the interior of the Marijuana Outlet, façade, 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.
17. Security shall include operable cameras and a metal detector to the satisfaction of Development Services Department. This facility shall also include alarms and two armed security guards to the extent the possession of a firearm is not in conflict with 18 U.S.C. § 922(g) and 27 C.F.R. § 478.11. Nothing herein shall be interpreted to require or allow a violation of federal firearms laws. The security guards shall be licensed by the State of California. The security guards must be on the premises during business hours. One security guard must be on the premises 24 hours a day, seven days a week. The security guards should only be engaged in activities related to providing security for the facility, except on an incidental basis. The cameras shall have and use a recording device that maintains the records for a minimum of 30 days.
18. The Owner/Permittee shall install a combination of full-height bullet resistant glass, plastic or laminate shield and bullet resistant armor panels or solid grouted masonry block walls, designed by a licensed professional, at the reception area.
19. The Owner/Permittee shall install full-height bullet resistant armor panels or solid grouted masonry block walls, designed by a licensed professional, in common areas with other tenants, reception area and vault room.
20. 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. Ground signs shall not be pole signs. A primary sign shall be posted on the outside of the Marijuana Outlet and shall only contain the name of the business, which shall contain only alphabetic characters, and shall be limited to two colors.
21. The Owner/Permittee shall post and maintain a sign showing the name and emergency contact phone number of an operator or manager in a location visible from outside the Marijuana Outlet in character size at least two inches in height.
22. The Marijuana Outlet shall operate only between the hours of 7:00 a.m. and 9:00 p.m., seven days a week.
23. The use of vending machines which allow access to marijuana and marijuana products except by a responsible person, as defined in the San Diego Municipal Code Section 42.1502, is prohibited. For purposes of this Section, a vending machine is any device which allows access to marijuana and marijuana products without a human intermediary.

24. The Owner/Permittee shall maintain the Marijuana Outlet, adjacent public sidewalks, and areas under the control of the Owner/Permittee, free of litter and graffiti at all times.

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

TRANSPORTATION REQUIREMENTS:

26. All automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the appropriate City decision maker in accordance with the SDMC.

27. The Owner/Permittee must construct and maintain an accessible path from the building entrance to the public street.

28. Prior to any work starting in the City street right-of-way, the applicant shall apply for a "Public Right-of-Way Permit for Traffic Control."

ENGINEERING REQUIREMENTS:

29. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, the reconstruction of the existing driveways with current City Standard 25-foot wide driveways, adjacent to the site on Camino Del Rio South, satisfactory to the City Engineer.

30. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, the reconstruction of the existing AC curb, gutter and sidewalk with current City Standard curb, gutter and sidewalk, adjacent to the site on Camino Del Rio South, satisfactory to the City Engineer.

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

32. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Hearing Officer of the City of San Diego on June 28, 2017 and Resolution No._____.

DRAFT

Permit Type/PTS Approval No.: CUP No. 1846240 and SDP No. 1952275

Date of Approval: June 28 2017

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Firouzeh Tirandazi
Development Project Manager

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

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

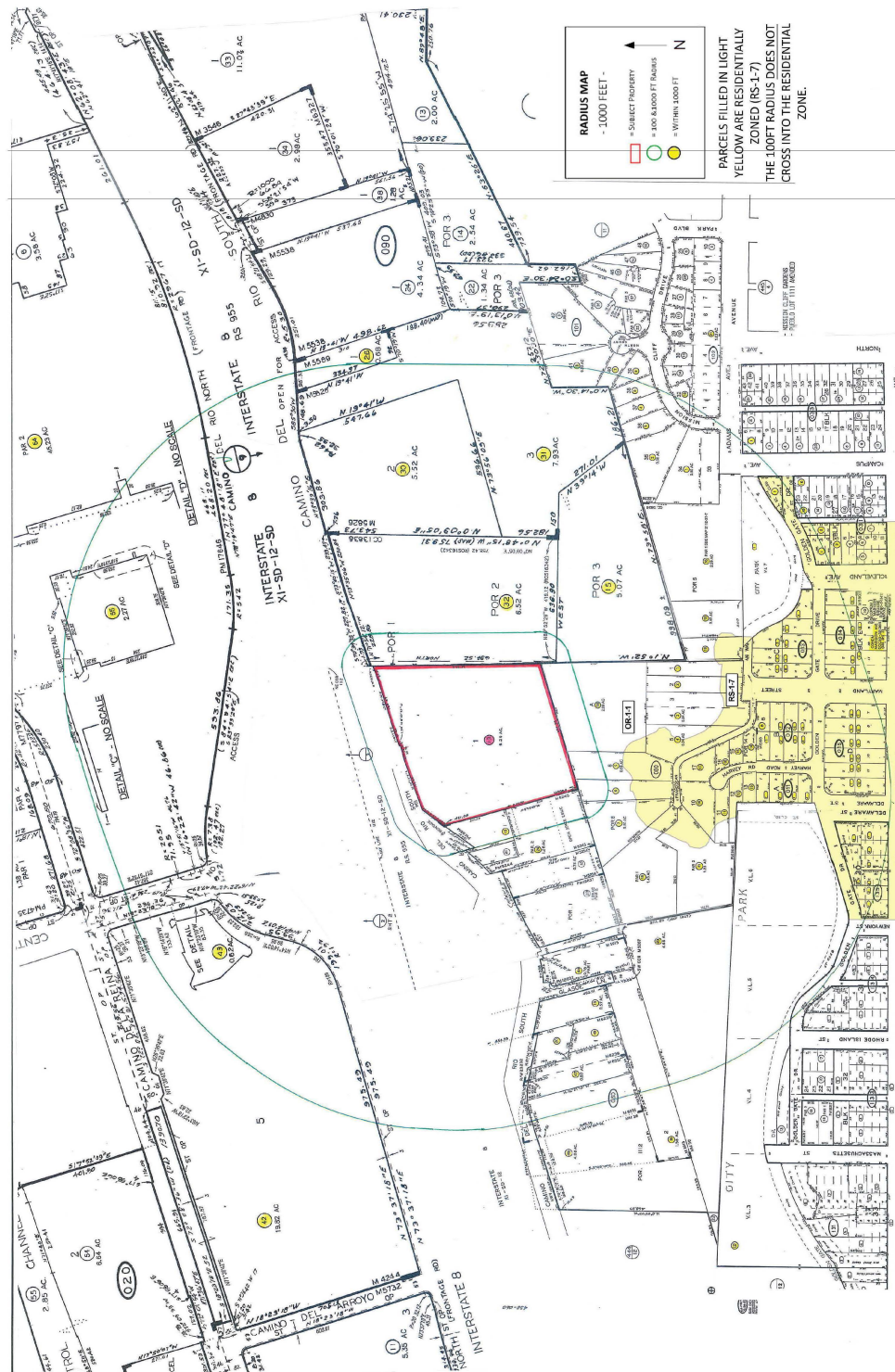
MISSION VALLEY SOUTH, LTD
Owner

By _____
Edward Goldberg
Chief Executive Officer

SEAN ST. PETER
Permittee

By _____
Sean St. Peter

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



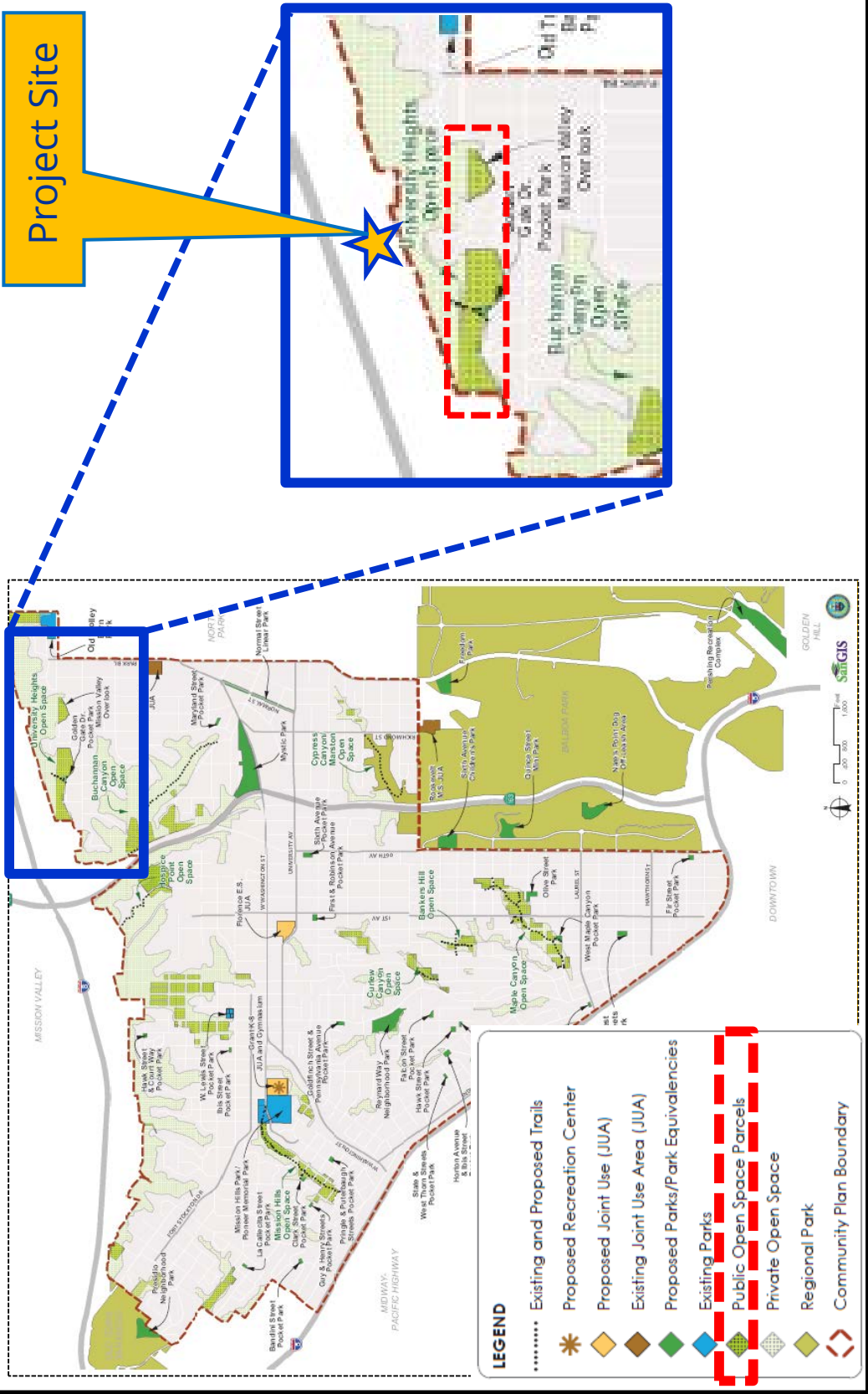
1000FT SUMMARY OF PARCELS						
APN: 438-070-13 1000FT BUSINESS LISTINGS						
#	USE DESCRIPTION	SITE ADDRESS	CITY	STATE	ZIP	PARCEL NUMBER BUSINESS/OWNER NAME
1	SHOPPING CENTER	825 CAMINO DE LA REINA	SAN DIEGO	CA	92108	438-020-42-00 KING'S FISH HOUSE
2	SHOPPING CENTER	845 CAMINO DE LA REINA	SAN DIEGO	CA	92108	438-020-42-00 THE HABIT BURGER GRILL
3	SHOPPING CENTER	891 CAMINO DE LA REINA	SAN DIEGO	CA	92108	438-020-42-00 FUDDRUCKERS
4	SHOPPING CENTER	925 CAMINO DE LA REINA STE A	SAN DIEGO	CA	92108	438-020-42-00 BEV MO
5	SHOPPING CENTER	925 CAMINO DE LA REINA STE B	SAN DIEGO	CA	92108	438-020-42-00 ITAN
6	SHOPPING CENTER	925 CAMINO DE LA REINA STE C	SAN DIEGO	CA	92108	438-020-42-00 THE COFFEE BEAN & TEA LEAF
7	SHOPPING CENTER	1072 CAMINO DEL RIO N	SAN DIEGO	CA	92108	438-020-42-00 TRADER JOE'S
8	SHOPPING CENTER	1144 CAMINO DEL RIO N	SAN DIEGO	CA	92108	438-020-42-00 ACTIVE RIDE SHOP
9	SHOPPING CENTER	1202 CAMINO DEL RIO N	SAN DIEGO	CA	92108	438-020-42-00 LAZY DOG RESTAURANT & BAR
10	SHOPPING CENTER	824 CAMINO DEL RIO N	SAN DIEGO	CA	92108	438-020-42-00 GO.FSMITH
11	SHOPPING CENTER	836 CAMINO DEL RIO N	SAN DIEGO	CA	92108	438-020-42-00 DSW DESIGNER SHOE WAREHOUSE
12	SHOPPING CENTER	908 CAMINO DEL RIO N	SAN DIEGO	CA	92108	438-020-42-00 MARSHALLS
13	SHOPPING CENTER	990 CAMINO DEL RIO N	SAN DIEGO	CA	92108	438-020-42-00 OLD NAVY
14	SHOPPING CENTER	5080 MISSION CENTER RD	SAN DIEGO	CA	92108	438-020-42-00 WEST ELM
15	RESTAURANT, BAR, FOOD SERVICE	5010 MISSION CENTER RD	SAN DIEGO	CA	92108	438-020-43-00 GORDON BIERSCH
16	SHOPPING CENTER	1640 CAMINO DEL RIO N	SAN DIEGO	CA	92168	438-030-54-00 MISSION VALLEY SHOPPINGTOWN LLC
17	SHOPPING CENTER	1025 CAMINO DE LA REINA STE 1	SAN DIEGO	CA	92168	438-030-54-00 JARED THE GALLERIA OF JEWELRY
18	SHOPPING CENTER	1025 CAMINO DE LA REINA STE 2	SAN DIEGO	CA	92168	438-030-54-00 CHIPOTLE MEXICAN GRILL
19	SHOPPING CENTER	1025 CAMINO DE LA REINA STE 3	SAN DIEGO	CA	92168	438-030-54-00 CORNER BAKERY CAFÉ
20	SHOPPING CENTER	1025 CAMINO DE LA REINA STE 4	SAN DIEGO	CA	92168	438-030-54-00 ROBEX FRESH JUICES & SMOOTHIES
21	SHOPPING CENTER	1025 CAMINO DE LA REINA STE 5	SAN DIEGO	CA	92168	438-030-54-00 PEI WEI
22	SHOPPING CENTER	1288 CAMINO DEL RIO N	SAN DIEGO	CA	92108	438-030-55-00 TARGET
23	RESTAURANT, BAR, FOOD SERVICE	967 CAMINO DEL RIO S	SAN DIEGO	CA	92108	438-060-13-00 MISSION VALLEY CAFÉ
24	VACANT COMMERCIAL	VACANT/UNIMPROVED LAND	SAN DIEGO	CA	92108	438-060-16-00 SILVER STATE EQUITY LLC
25	SERVICE STATION, GAS STATION	915 CAMINO DEL RIO S	SAN DIEGO	CA	92108	438-060-20-00 ARCO
26	VACANT MISCELLANEOUS	VACANT/UNIMPROVED LAND	SAN DIEGO	CA	92108	438-060-23-00 BAYASI FAMILY TRUST
27	STORES, RETAIL OUTLET	1011 CAMINO DEL RIO S STE 100	SAN DIEGO	CA	92108	438-060-44-00 FARMERS INSURANCE
28	STORES, RETAIL OUTLET	1011 CAMINO DEL RIO S STE 150	SAN DIEGO	CA	92108	438-060-44-00 LINCOLN FINANCIAL SVC.
29	STORES, RETAIL OUTLET	1011 CAMINO DEL RIO S STE 200	SAN DIEGO	CA	92108	438-060-44-00 CALIFORNIA DRUG TESTING ASSOC.
30	STORES, RETAIL OUTLET	1011 CAMINO DEL RIO S STE 205	SAN DIEGO	CA	92108	438-060-44-00 PLAZA ASSOCIATES C D R S
31	STORES, RETAIL OUTLET	1011 CAMINO DEL RIO S STE 210	SAN DIEGO	CA	92108	438-060-44-00 MULTI-VENTURES INC.
32	STORES, RETAIL OUTLET	1011 CAMINO DEL RIO S STE 220	SAN DIEGO	CA	92108	438-060-44-00 BONITA TREAT & ASSOC.
33	STORES, RETAIL OUTLET	1011 CAMINO DEL RIO S STE 230	SAN DIEGO	CA	92108	438-060-44-00 COASTAL SATELLITE INC
34	STORES, RETAIL OUTLET	1011 CAMINO DEL RIO S STE 300	SAN DIEGO	CA	92108	438-060-44-00 MVI ADMINISTRATORS
35	STORES, RETAIL OUTLET	1011 CAMINO DEL RIO S STE 320	SAN DIEGO	CA	92108	438-060-44-00 TELESIS INC.
36	STORES, RETAIL OUTLET	1011 CAMINO DEL RIO S STE 330	SAN DIEGO	CA	92108	438-060-44-00 FINANCIAL LAW ASSOCIATES
37	STORES, RETAIL OUTLET	1011 CAMINO DEL RIO S STE 340	SAN DIEGO	CA	92108	438-060-44-00 WORK SMART PHYSICAL THERAPY
38	STORES, RETAIL OUTLET	1011 CAMINO DEL RIO S STE 400	SAN DIEGO	CA	92108	438-060-44-00 STUART NANCY CPA
39	STORES, RETAIL OUTLET	1011 CAMINO DEL RIO S STE 420	SAN DIEGO	CA	92108	438-060-44-00 DITECSA
40	STORES, RETAIL OUTLET	1011 CAMINO DEL RIO S STE 430	SAN DIEGO	CA	92108	438-060-44-00 PLAZA ASSOCIATES C D R S
41	STORES, RETAIL OUTLET	1011 CAMINO DEL RIO S STE 500	SAN DIEGO	CA	92108	438-060-44-00 VENTURA KUEHN & ASSOC. INC.
42	STORES, RETAIL OUTLET	1011 CAMINO DEL RIO S STE 510	SAN DIEGO	CA	92108	438-060-44-00 MUTUAL OF OMAHA INSURANCE CO.
43	STORES, RETAIL OUTLET	1011 CAMINO DEL RIO S STE 530	SAN DIEGO	CA	92108	438-060-44-00 STEPHEN BREWER PSYD
44	STORES, RETAIL OUTLET	1011 CAMINO DEL RIO S STE 550	SAN DIEGO	CA	92108	438-060-44-00 BARRETT FINANCIAL SVC.
45	STORES, RETAIL OUTLET	1011 CAMINO DEL RIO S STE 600	SAN DIEGO	CA	92108	438-060-44-00 SIEGEL MORENO & STETTLER
46	RESTAURANT, BAR, FOOD SERVICE	911 CAMINO DEL RIO S	SAN DIEGO	CA	92108	438-060-47-00 FUJI JAPANESE STEAKHOUSE & SUSHI
47	HOTEL/MOTEL	901 CAMINO DEL RIO S	SAN DIEGO	CA	92108	438-060-48-00 HILTON SAN DIEGO MISSION VALLEY
48	PARKING LOT, PARKING STRUCTURE	VACANT/PARKING LOT	SAN DIEGO	CA	92108	438-060-49-00 PEARCE-MISSION VALLEY LLC
49	MEDICAL/DENTAL/PROFESSIONAL BLDG	1075 CAMINO DEL RIO S STE 100	SAN DIEGO	CA	92108	438-070-12-00 MISSION BAY PLANNED PARENTHOOD
50	MEDICAL/DENTAL/PROFESSIONAL BLDG	1075 CAMINO DEL RIO S STE 200	SAN DIEGO	CA	92108	438-070-12-00 PLANNED PARENTHOOD; CLINICS; PACIFIC BEACH EXPRESS

MISSION VALLEY MALL - 130 SUITES

51.	MEDICAL/DENTAL/PROFESSIONAL BLDG	1075 CAMINO DEL RIO S STE 300	SAN DIEGO CA	92108 438-070-12-00	WASHINGTON SIERRA L MD
52.	SHOPPING CENTER	1231 CAMINO DEL RIO S STE C	SAN DIEGO CA	92108 438-070-13-00	THE GOLF MART
53.	SHOPPING CENTER	1233 CAMINO DEL RIO S FRONT	SAN DIEGO CA	92108 438-070-13-00	CHUZE FITNESS
54.	SHOPPING CENTER	1233 CAMINO DEL RIO S STE 103	SAN DIEGO CA	92108 438-070-13-00	MISSION VALLEY SOUTH LTD 60% MIS
55.	SHOPPING CENTER	1233 CAMINO DEL RIO S STE 200	SAN DIEGO CA	92108 438-070-13-00	PIANO SD (CLOSED)
56.	SHOPPING CENTER	1233 CAMINO DEL RIO S STE 275	SAN DIEGO CA	92108 438-070-13-00	STEPHINA PHOTOGRAPHY
57.	SHOPPING CENTER	1233 CAMINO DEL RIO S STE 277	SAN DIEGO CA	92108 438-070-13-00	CHUZE FITNESS
58.	SHOPPING CENTER	1233 CAMINO DEL RIO S STE 279	SAN DIEGO CA	92108 438-070-13-00	BRIDAL & VEIL MISSION VALLEY
59.	SHOPPING CENTER	1257 CAMINO DEL RIO S	SAN DIEGO CA	92108 438-070-13-00	5.13 TACTICAL
60.	SHOPPING CENTER	1299 CAMINO DEL RIO S STE 283	SAN DIEGO CA	92108 438-070-13-00	CLUB MIAMI
61.	SHOPPING CENTER	1333 CAMINO DEL RIO S STE 101	SAN DIEGO CA	92108 438-070-13-00	ENTERPRISE; MISSION VALLEY
62.	SHOPPING CENTER	1333 CAMINO DEL RIO S STE 102	SAN DIEGO CA	92108 438-070-13-00	FREEMAN INSURANCE; CHULA VISTA
63.	SHOPPING CENTER	1333 CAMINO DEL RIO S STE 103	SAN DIEGO CA	92108 438-070-13-00	CATALYST PHYSICAL THERAPY
64.	SHOPPING CENTER	1333 CAMINO DEL RIO S STE 104	SAN DIEGO CA	92108 438-070-13-00	SUZI FELDMAN
65.	SHOPPING CENTER	1333 CAMINO DEL RIO S STE 105	SAN DIEGO CA	92108 438-070-13-00	KELLAZ SHARONNA
66.	SHOPPING CENTER	1333 CAMINO DEL RIO S STE 106	SAN DIEGO CA	92108 438-070-13-00	BROADWAY & 9TH LP
67.	SHOPPING CENTER	1333 CAMINO DEL RIO S STE 107	SAN DIEGO CA	92108 438-070-13-00	MISSION VALLEY SOUTH LTD 60% MIS
68.	SHOPPING CENTER	1333 CAMINO DEL RIO S STE 201	SAN DIEGO CA	92108 438-070-13-00	VACANT SUITE
69.	SHOPPING CENTER	1333 CAMINO DEL RIO S STE 201B	SAN DIEGO CA	92108 438-070-13-00	LANDMARK FINANCIAL INC.
70.	SHOPPING CENTER	1333 CAMINO DEL RIO S STE 202	SAN DIEGO CA	92108 438-070-13-00	SMILE CARE
71.	SHOPPING CENTER	1333 CAMINO DEL RIO S STE 203	SAN DIEGO CA	92108 438-070-13-00	MISSION VALLEY SOUTH LTD 60% MIS
72.	SHOPPING CENTER	1333 CAMINO DEL RIO S STE 300	SAN DIEGO CA	92108 438-070-13-00	ANTHONY DEGASPERIS
73.	SHOPPING CENTER	1333 CAMINO DEL RIO S STE 302	SAN DIEGO CA	92108 438-070-13-00	BARZAL & SCOTTI
74.	SHOPPING CENTER	1333 CAMINO DEL RIO S STE 303	SAN DIEGO CA	92108 438-070-13-00	VACANT SUITE
75.	SHOPPING CENTER	1333 CAMINO DEL RIO S STE 304	SAN DIEGO CA	92108 438-070-13-00	SWANSON LAW OFFICES
76.	SHOPPING CENTER	1333 CAMINO DEL RIO S STE 306	SAN DIEGO CA	92108 438-070-13-00	MISSION VALLEY SOUTH LTD 60% MIS
77.	SHOPPING CENTER	1333 CAMINO DEL RIO S STE 308	SAN DIEGO CA	92108 438-070-13-00	HEIL TAX & ACCOUNTING SVC. INC.
78.	SHOPPING CENTER	1333 CAMINO DEL RIO S STE 310	SAN DIEGO CA	92108 438-070-13-00	CAL WEST REAL ESTATE
79.	SHOPPING CENTER	1333 CAMINO DEL RIO S STE 311	SAN DIEGO CA	92108 438-070-13-00	VACANT SUITE
80.	SHOPPING CENTER	1333 CAMINO DEL RIO S STE 315	SAN DIEGO CA	92108 438-070-13-00	CMAPS ANALYTICS
81.	SHOPPING CENTER	1333 CAMINO DEL RIO S STE 317	SAN DIEGO CA	92108 438-070-13-00	VACANT SUITE
82.	RESTAURANT, BAR, FOOD SERVICE	1111 CAMINO DEL RIO S	SAN DIEGO CA	92108 438-070-19-00	WENDY'S
83.	RESTAURANT, BAR, FOOD SERVICE	VACANT/PARKING LOT	SAN DIEGO CA	92108 438-070-21-00	NENOW, NANCY TRUST
84.	RESTAURANT, BAR, FOOD SERVICE	1065 CAMINO DEL RIO S	SAN DIEGO CA	92108 438-070-23-00	DENNY'S
85.	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 103	SAN DIEGO CA	92108 438-070-24-00	MAGNUS REALTY GROUP
86.	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 104	SAN DIEGO CA	92108 438-070-24-00	JOEL WEISSMAN REAL ESTATE
87.	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 105	SAN DIEGO CA	92108 438-070-24-00	PRIMO VALET SERVICES
88.	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 106	SAN DIEGO CA	92108 438-070-24-00	TIM USA
89.	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 107	SAN DIEGO CA	92108 438-070-24-00	AMERICAN CONTRACTORS INDEMNITY
90.	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 108	SAN DIEGO CA	92108 438-070-24-00	MISSION CENTER OFFICE SUITES LTD
91.	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 109	SAN DIEGO CA	92108 438-070-24-00	POSTAL CONNECTIONS
92.	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 110	SAN DIEGO CA	92108 438-070-24-00	MISSION CENTER OFFICE SUITES LTD
93.	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 111	SAN DIEGO CA	92108 438-070-24-00	CENTER FOR MEDICAL ETHICS
94.	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 112	SAN DIEGO CA	92108 438-070-24-00	HAMLIN PROPERTIES
95.	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 114	SAN DIEGO CA	92108 438-070-24-00	SK FINANCIAL
96.	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 115	SAN DIEGO CA	92108 438-070-24-00	4 SALE HOTLINE
97.	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 118	SAN DIEGO CA	92108 438-070-24-00	INFO - SEARCH
98.	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 119	SAN DIEGO CA	92108 438-070-24-00	MISSION CENTER OFFICE SUITES LTD
99.	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 120	SAN DIEGO CA	92108 438-070-24-00	ELSIE JACOBSON
100.	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 121	SAN DIEGO CA	92108 438-070-24-00	MISSION CENTER OFFICE SUITES LTD
101.	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 122	SAN DIEGO CA	92108 438-070-24-00	PAUL MILLER.NET
102.	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 123	SAN DIEGO CA	92108 438-070-24-00	MISSION CENTER OFFICE SUITES LTD
103.	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 124	SAN DIEGO CA	92108 438-070-24-00	GOLD CROWN MORTGAGE INC.

104	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 125	SAN DIEGO CA	92108 438-070-24-00	MISSION CENTER OFFICE SUITES LTD
105	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 126	SAN DIEGO CA	92108 438-070-24-00	OLIVE CREST FOSTER FAMILY AGENCY, INFORMATION
106	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 127	SAN DIEGO CA	92108 438-070-24-00	RENEW YOU
107	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 128	SAN DIEGO CA	92108 438-070-24-00	TRI-STAR MORTGAGE INC.
108	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 129	SAN DIEGO CA	92108 438-070-24-00	CRASH INC.
109	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 201	SAN DIEGO CA	92108 438-070-24-00	DISH HD NETWORK
110	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 202	SAN DIEGO CA	92108 438-070-24-00	FAMILY LAW INSTITUTE
111	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 203	SAN DIEGO CA	92108 438-070-24-00	WEALTHBRIDGE INSURANCE SUTNS
112	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 204	SAN DIEGO CA	92108 438-070-24-00	HOPLAND LTD.
113	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 205	SAN DIEGO CA	92108 438-070-24-00	KSA ELECTRONICS
114	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 206	SAN DIEGO CA	92108 438-070-24-00	COLIAR LLC
115	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 207	SAN DIEGO CA	92108 438-070-24-00	D J RAUSA ATTORNEY AT LAW
116	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 208	SAN DIEGO CA	92108 438-070-24-00	ROCHA A STEPHEN
117	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 209	SAN DIEGO CA	92108 438-070-24-00	MISSION CENTER OFFICE SUITES LTD
118	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 210	SAN DIEGO CA	92108 438-070-24-00	TODD SWANSON - CLOSED
119	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 211	SAN DIEGO CA	92108 438-070-24-00	CSC SECURITY SERVICES
120	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 212	SAN DIEGO CA	92108 438-070-24-00	MISSION CENTER OFFICE SUITES LTD
121	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 213	SAN DIEGO CA	92108 438-070-24-00	MY ACCOUNTANT SAN DIEGO
122	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 214	SAN DIEGO CA	92108 438-070-24-00	RESTAURANT NET LEASE
123	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 215	SAN DIEGO CA	92108 438-070-24-00	VENTURA KUEHN & ASSOCIATES INC
124	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 216	SAN DIEGO CA	92108 438-070-24-00	GRANDER HOME LOANS
125	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 217	SAN DIEGO CA	92108 438-070-24-00	A D T SECURITY
126	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 218	SAN DIEGO CA	92108 438-070-24-00	CAREGEN
127	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 219	SAN DIEGO CA	92108 438-070-24-00	SAN DIEGO INVESTMENT BROKERS
128	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 220	SAN DIEGO CA	92108 438-070-24-00	MISSION CENTER OFFICE SUITES LTD
129	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 221	SAN DIEGO CA	92108 438-070-24-00	ACRE INVESTMENT REAL ESTATE
130	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 222	SAN DIEGO CA	92108 438-070-24-00	ASAP PRINT & DESIGN
131	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 223	SAN DIEGO CA	92108 438-070-24-00	MYSTERY CAFE DINNER THEATRE
132	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 224	SAN DIEGO CA	92108 438-070-24-00	AFFLUENT LIVING PUBLICATIONS
133	STORES, RETAIL OUTLET	1081 CAMINO DEL RIO S STE 225	SAN DIEGO CA	92108 438-070-24-00	MISSION CENTER OFFICE SUITES LTD
134	VACANT MISCELLANEOUS	VACANT/UNIMPROVED LAND	SAN DIEGO CA	92108 438-090-15-00	CUTRIALBERT A & SHARON M REVOC
135	AUTO SALES, SERVICES	1461 CAMINO DEL RIO S	SAN DIEGO CA	92108 438-090-26-00	SAN DIEGO AUTOMOTIVE
136	AUTO SALES, SERVICES	1441 CAMINO DEL RIO S	SAN DIEGO CA	92108 438-090-30-00	ELECTRIC CHARGING STATION
137	AUTO SALES, SERVICES	1443 CAMINO DEL RIO S	SAN DIEGO CA	92108 438-090-31-00	SAN DIEGO BEEMERS
138	HOTEL/MOTEL	1433 CAMINO DEL RIO S	SAN DIEGO CA	92108 438-090-32-00	SHERATON MISSION VALLEY SAN DIEGO HOTEL
139	VACANT/UNIMPROVED LAND	VACANT/UNIMPROVED LAND	SAN DIEGO CA	92108 438-101-15-00	PACTEL MOBILE ACCESS
140	PUBLIC AGENCY	VACANT/UNIMPROVED LAND	SAN DIEGO CA	92108 444-131-12-00	CITY OF SAN DIEGO
141	PUBLIC AGENCY	VACANT/UNIMPROVED LAND	SAN DIEGO CA	92108 445-020-01-00	CITY OF SAN DIEGO

FIGURE 7-1: PARKS, RECREATION FACILITIES AND OPEN SPACE

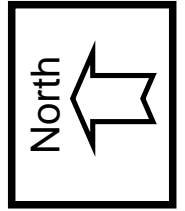


Uptown Community Plan – Figure 7-1

SDMM CUP / 1233 Camino Del Rio South

PROJECT NO. 523179





Existing Zones and Topography

SDMM CUP / 1233 Camino Del Rio South
PROJECT NO. 523179



NOTICE OF EXEMPTION

ATTACHMENT 10

(Check one or both)

TO: ☒ RECORDER/COUNTY CLERK
 P.O. Box 1750, MS A-33
 1600 PACIFIC HWY, ROOM 260
 SAN DIEGO, CA 92101-2422

FROM: CITY OF SAN DIEGO
 DEVELOPMENT SERVICES DEPARTMENT
 1222 FIRST AVENUE, MS 501
 SAN DIEGO, CA 92101

____ OFFICE OF PLANNING AND RESEARCH
 1400 TENTH STREET, ROOM 121
 SACRAMENTO, CA 95814

Project No.: 523179

Project Title: SDMM CUP

PROJECT LOCATION-SPECIFIC: The project site is located at 1233 Camino Del Rio South San Diego, CA 92108 within the Mission Valley Community Plan

PROJECT LOCATION-CITY/COUNTY: San Diego/San Diego

Description of nature and Purpose of the Project: Conditional Use Permit (CUP) and Site Development Permit (SDP) to operate a Medical Marijuana Consumer Cooperative (MMCC) to operate within a 5,074 square foot space of an existing 2-story, 71,130 square foot commercial building. The project site is located within the MV-CO-CV Zone and is within the Mission Valley Planned District. Tenant improvements would consist of the installation of new frame construction to include walls for new offices, a secured bullet proof glass reception room and the conversion of an existing freezer into a secured vault. The MMCC would comply with all height and bulk regulations and is located on a site that is currently developed with public utilities in place to serve the facility.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Sean St. Peter, 4231 Balboa Avenue, San Diego CA 92117. (619) 618-8139

EXEMPT STATUS: (CHECK ONE)

- () MINISTERIAL (SEC. 21080(b)(1); 15268);
- () DECLARED EMERGENCY (SEC. 21080(b)(3); 15269(a));
- () EMERGENCY PROJECT (SEC. 21080(b)(4); 15269 (b)(c)).
- (X) CATEGORICAL EXEMPTION: 15303 (New Construction)
- () STATUTORY EXEMPTION:

REASONS WHY PROJECT IS EXEMPT: The City of San Diego conducted an environmental review that determined that the project would not have the potential to cause a significant effect on the environment. Since the project would operate within an existing commercial space and would only make modifications to the space the project meets the criteria set forth in CEQA Section 15303. The section allows for the conversion of existing small structures from one use to another where only minor modifications are made and the exceptions listed in CEQA Section 15300.2 would not apply.

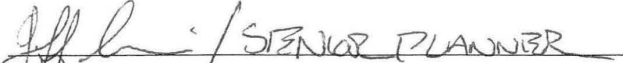
LEAD AGENCY CONTACT PERSON: JEFFREY SZYMANSKI

TELEPHONE: 619 446-5324

IF FILED BY APPLICANT:

1. ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING.
2. HAS A NOTICE OF EXEMPTION BEEN FILED BY THE PUBLIC AGENCY APPROVING THE PROJECT?
() YES () NO

IT IS HEREBY CERTIFIED THAT THE CITY OF SAN DIEGO HAS DETERMINED THE ABOVE ACTIVITY TO BE EXEMPT FROM CEQA


SIGNATURE/TITLE

6/6/2017

DATE

CHECK ONE:

(X) SIGNED BY LEAD AGENCY

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:

**MINUTES OF THE REGULAR MEETING OF THE
MISSION VALLEY PLANNING GROUP**

March 1, 2017

MEMBERS PRESENT

Steve Abbo
Deborah Bossmeyer
Paul Brown
Bob Cummings
Robert Doherty
Randall Dolph
Alan Grant
Derek Hulse
John La Raia
Elizabeth Leventhal
Kathy McSherry
Andrew Michajlenko
Jim Penner
Keith Pittsford
Marco Sessa
Dottie Surdi
Josh Weiselberg
Larry Wenell

MEMBERS ABSENT

Matthew Guillory
Rob Hutsel
Rick Tarbell

CITY STAFF

Nancy Graham
Liz Saidkhanian

- A. CALL TO ORDER:**
Verify Quorum: 18 of 21 members were present, constituting a quorum. Chairman Dottie Surdi called the regular meeting of the Mission Valley Planning Group (MVPG) to order at 12:03 p.m. at the Mission Valley Library Community Room located at 2123 Fenton Parkway, San Diego, CA.
- B. PLEDGE OF ALLEGIANCE** – led by Randall Dolph
- C. INTRODUCTIONS / OPENING REMARKS:**
Dottie Surdi welcomed everyone to the meeting and reminded those present to sign the sign in sheets. Guests introduced themselves.
- D. APPROVAL OF MINUTES:**
Dottie Surdi asked for a motion to approve the February 1, 2017 minutes.
A motion was made by Keith Pittsford to approve the minutes. Alan Grant seconded the motion. The motion was approved 14-0-4 with Andrew Michajlenko, Derek Hulse, Dotti Surdi and Josh Weiselberg abstaining.
- E. PUBLIC INPUT – NON-AGENDA ITEMS BUT WITHIN THE SCOPE OF AUTHORITY OF THE PLANNING GROUP.**
“The Mission Valley Planning Group has been formed and recognized by the City Council to make recommendations to the City Council, Planning Commission, City staff, and other governmental agencies on land use matters, specifically concerning the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to the Mission Valley community

highest in the nation. They have also conducted some levels of pricing models with MLS to assess the viability of the market, and are working with top level executives in Soccer.

- (Q) Do the Kinder Morgan tanks impact the project? (A) Mr. Stone said that the tank farm is outside the scope of the project.
- (Q) How active is the FS Investors team working with San Diego State University on the size of the stadium to see if would be useful to their football program. (A) Mr. Stone said that they have had multiple conversations with the University over the past six months, and would continue on an ongoing basis.
- (Q) Questions arose on the permitting process. (A) Mr. Stone stated that they are putting forward a specific plan through the citizen's initiative process, followed by a request for council vote on the initiative. Going forward if the project or timelines stray outside the specific plan initiative language then the project would revert to the traditional permitting process.
- (Q) Questions regarding mitigation measures such as traffic, and the timing of the installation of mitigation measures. It was noted that traditional permitting process would insure that mitigation measures would be implemented and not side stepped. (A) Mr. Stone stated that the specific plan addresses traffic impacts with specific road an intersection improvements.
- (Q) Question regarding the trolley line, specifically the addition of the purple line to offset traffic impact. (A) Mr. Stone noted that the purple line as of today is unfunded, and for the purposes of the initiative were not assumed in their studies.
- (Q) It was noted that Serra Mesa was not mentioned in the specific plan traffic study, and that there is a direct impact of traffic from the current Qualcomm Stadium event days. (A) Mr. Stone stated that the specific plan indicates improvement on Friars to offset traffic.
- (Q) It was noted that the study states that traffic in the study is double what a typical Chargers 'game day' traffic was, but that would now be every day of the week/year. (A) Mr. Stone stated that was misleading as the ADT's in the specific plan study are spread throughout the day, and not bundled in a 3 or 4 hour window. He also stated that the specific plan traffic assumes a worst case scenario, and that the envisioned live, work, play environment follows the city of villages concept where there is less reliance on cars.
- (Q) Parking concerns were raised. (A) Mr. Stone said the parking study assumes a shared parking analysis based on the various uses.

The Planning Group briefly discussed how best to proceed with making a recommendation to the Council on such a significant City asset as the Qualcomm Stadium site. As the item was before the planning group as an 'information item' no action was taken. The chair noted that the item would be placed on the April agenda as an action item so further discussion and/or formal action could be taken.

ACTION ITEMS:

1. SDMM - Sean St. Peter Presenting – Action Item:

Project # 523179: The project is returning seeking approval from the MVPG for a conditional use permit for a proposed MMCC. The project consists of a Conditional Use Permit for a MMCC to operate within a 5,074 square foot tenant space of an existing two-story, 17,299 square foot commercial building located at 1233 Camino Del Rio South.

Applicant introduced himself and provided photographic maps of the area surrounding the CUP location that demonstrated 1,000 foot radius boundary limits of the property. This was in response to the February request by the MVPG. The applicant then invited questions about the application.

Comments and Questions included:

- Was the property properly noticed with signed posted as required. Applicant stated that they were, and has checked on them periodically as notices tend to be stolen or removed by those in opposition to the facility.
- San Diego for Safe Neighborhoods expressed concerns of criminal activity and sited concerns for the ill health effects of such use. Applicant briefly stated the benefits to those with illnesses.
- Is there an issue of the proposed CUP being within 1,000 feet of a school/park. Applicant stated that the steep hillsides elevation change breaks 1,000 foot path of travel to the school/park. Nancy Graham confirmed the stipulated code.
- Concern about proper noticing of neighbors within 1,000 feet. Applicant stated that they have followed all requirements of the city for noticing.
- Concerns of neighbors and how it would affect their customer base.
- One local business owner stated they had no concerns about the applicant or proposed CUP.



The board discussed that the San Diego City Council has adopted four MMCC's for each district, meaning a total of 4 MMCC CUP's are available for District 7 (within Mission Valley). It was also noted that a small portion of District 3 intersects with Mission Valley south of the 8 freeway and two MMCC's have been approved in that location of Mission Valley.

A motion was made by Marco Sessa to support the project with all cycle comments addressed. Alan Grant seconded the motion. The motion was approved:

10 Ayes: Grant, Pittsford, McSherry, Bossmeyer, Sessa, Cummings, Penner, Hulse, Brown, Michajlenko.

7 Against: La Raia, Leventhal, Wenell, Surdi, Abbo, Doherty, Dolph

1 Abstain: Weiselberg

2. City of San Diego Public Works, Amy Mills, Project Manager and Jim Bliss, Psomas Presenting.
Project #523881: Mission Village Drive – from Ronda to Qualcomm, sidewalk improvements. The presenter gave a visual presentation of the project along Mission Village Drive traveling north up the hill from Qualcomm Stadium.
Comments and Questions included:
 - Due to the steep hillside nature of the street, does or could the project include a few safe zones, specifically to accommodate ADA path of travel. The presenter stated that it may be difficult due to the steep hillsides beside the sidewalk but they understood the concern and would look into the issue further.

A motion was made by Jim Penner to recommend the project for approval, with inclusion of Keith Pittsford's suggestion to add "safe zones" along the path of travel for ADA due to steep grade of the street. Bob Cummings seconded the motion. Motion was approved unanimously.

3. Town and Country, Todd Majcher (Lowe Enterprises) Presenting.
Project #424475 Recommend approval of the Town and Country project including: Removal from the Atlas Specific Plan, Mission Valley Planned Development Ordinance Amendment, Rezone from MVPD-MV-MV/SP to MVPD-MV-M (MV-CV and MVR-5), General Plan Amendment, Mission Valley Community Plan Amendment, Planned Development Permit (Master Plan), Site



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

SDMM

Project No. For City Use Only

523179

Project Address:

13.33 CAMINO DEL RIO S. SAN DIEGO CA 92108

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):

☐ 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:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Project Title: <u>SDMM</u>	ATTACHMENT 12 Project No. (For City Use Only)
----------------------------	--

Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

☐ Corporation
 ☒ Limited Liability -or-
 ☐ General) What State? CA
 Corporate Identification No. 95-6178246
☒ Partnership

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. **Note:** The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. **Additional pages attached** ☐ Yes ☒ No

Corporate/Partnership Name (type or print): <u>MISSION VALLEY SO LTD</u> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: <u>1333 CAMINO DEL RIO SO #310</u> City/State/Zip: <u>SAN DIEGO, CA 92108</u> Phone No: <u>(619) 297-3900</u> Fax No: Name of Corporate Officer/Partner (type or print): <u>AGENT</u> <u>MISSION VALLEY SOUTH LTD</u> Title (type or print): <u>Asset Manager</u> Signature: <u>[Signature]</u> Date: <u>11-14-16</u>	Corporate/Partnership Name (type or print): <u>Sean St. Peter</u> <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Tenant/Lessee Street Address: <u>4251 Balboa Ave #162</u> City/State/Zip: <u>SAN DIEGO CA 92117</u> Phone No: <u>(619) 618 8139</u> Fax No: Name of Corporate Officer/Partner (type or print): <u>Sean St. Peter</u> Title (type or print): <u>[Signature]</u> Signature: <u>[Signature]</u> Date: <u>11.14.16</u>
---	---

Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature: Date:	Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature: Date:
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Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature: Date:	Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature: Date:
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San Diego, California 92103
(619) 591-2911

SDMM (LIVING GREEN)
MMCC - CUP 3
1233 CAMINO DEL RIO SOUTH SUITE 1299
SAN DIEGO, CA 92108

CONTRACTOR SHALL BUILD ONLY FROM SETS
STAMPED "CONSTRUCTION SET HEREIN"

...ING SUBMITTAL

ISSUE DATE: 04.18.17



REVISIONS:

03.03.17	1	CITY COMMENTS
03.13.17	2	CITY COMMENTS
04.18.17	8	CITY COMMENTS

SHEET TITLE:

STORM WATER NOTES

City of San Diego • Development Services Department • Storm Water Requirements Applicability Checklist

Page 2 of 24

PART D: PDP Exempt Requirements.

PDP Exempt projects are required to implement site design and source control BMPs.

If "yes" was checked for any questions in Part D, continue to Part F and check the box labeled "PDP Exempt."

1. Does the project ONLY include new or revised sidewalks, bicycle lanes or trails that:

Are designed and constructed to direct storm water runoff to adjacent vegetated areas, or other non-erodible permeable runoff? ☐

Are designed and constructed to direct storm water runoff to adjacent vegetated areas, or other non-erodible permeable runoff? ☐

☐ Yes

☐ No

2. Does the project ONLY include existing or redeveloping existing paved areas, streets or roads designed and constructed in accordance with the Green Streets guidance in the City of San Diego Storm Water Manual?

☐ Yes

☐ No

☐ Yes

☐ No

3. Does the project ONLY include existing or redeveloping existing paved areas, streets or roads designed and constructed in accordance with the Green Streets guidance in the City of San Diego Storm Water Manual?

☐ Yes

☐ No

☐ Yes

☐ No

PART E: Determine if Project is a Priority Development Project (PDP).

Project that fulfill one of the definitions below are subject to additional requirements (Implementation of a City Storm Water Quality Management Plan (SWQMP)).

If "yes" was checked for any number in PART E, continue to PART F.

If "no" is checked for every number in PART E, continue to PART F and check the box labeled "Standard Development Project."

1. New Development, that creates 15,000 square feet or more of impervious surface collectively over the project site.

☐ Yes

☐ No

2. Redevelopment, that creates 15,000 square feet or more of impervious surface collectively over the project site.

☐ Yes

☐ No

3. New Development or redevelopment of a restaurant, facilities that sell prepared food and drinks for consumption, including accessory food containers and related equipment such as coffee makers, blenders, dishwashers, and other equipment used in food preparation.

☐ Yes

☐ No

4. New Development or redevelopment of a multi-unit residential development, including accessory parking, 3,000 square feet or more of impervious surface.

☐ Yes

☐ No

5. New Development or redevelopment of a multi-unit residential development, including accessory parking, 3,000 square feet or more of impervious surface.

☐ Yes

☐ No

6. New Development or redevelopment of a parking lot that creates another parking lot, 5,000 square feet or more of impervious surface (collectively over the project site).

☐ Yes

☐ No

7. New Development or redevelopment of a parking lot, 5,000 square feet or more of impervious surface (collectively over the project site).

☐ Yes

☐ No

[illegible]

Site Design BMP Checklist for Standard Projects		Form 1.5
All development projects must implement the design BMPs SD-1 through SD-8. Refer to Chapter 4 and Appendix E of the BMP Design Manual for information to implement BMPs shown in this checklist.		
Note: All selected BMPs must be shown on the construction plans.		
Site Design Requirements		
SD-1 Minimum Natural Drainage Pathways and Hydrologic Features	Yes	No
SD-2 Preserve Natural Areas, Soils, and Vegetation	Yes	No
SD-3 Minimize Impervious Area	Yes	No
SD-4 Minimize Soil Compaction	Yes	No
SD-5 Erosion and Sediment Dispersal	Yes	No
SD-6 Buffer/Off Collection	Yes	No
SD-7 Landscaping with Native or Druggable Toxament Species	Yes	No
SD-8 Harvesting and Using Precipitation	Yes	No
Discussion / justification for all "No" answers shown above:		
Click on tap here to enter text		

[illegible]

¹⁰ For means the project control and site design category shall be pursuant to the following:

- "Yes" means the project will implement the BMP as described in Chapter 4 and/or Appendix E of the BMP Design Manual. Discussion / justification is not required.
- "No" means the BMP is applicable to the project but it is not feasible to implement. Discussion / justification must be provided.
- "N/A" means the BMP is not applicable to the project site because the project does not include the feature that is addressed by the BMP (e.g., the project has no outdoor materials storage areas). Discussion / justification may be provided.

DATE: 04.18.17
JOB NO: 001
DRAWN: STAFF
CHECKED: CB



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3028 University Ave #127
San Diego California 92103
(619) 591-2104

SDMM (LIVING GREEN)
MMCC - CUP 3
1233 CAMINO DEL RIO SOUTH SUITE 1299
SAN DIEGO, CA 92108

CONTRACTOR SHALL BUILD ONLY FROM SET
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PLANNING SUBMITTAL
ISSUE DATE: 04.18.17



REVISIONS:

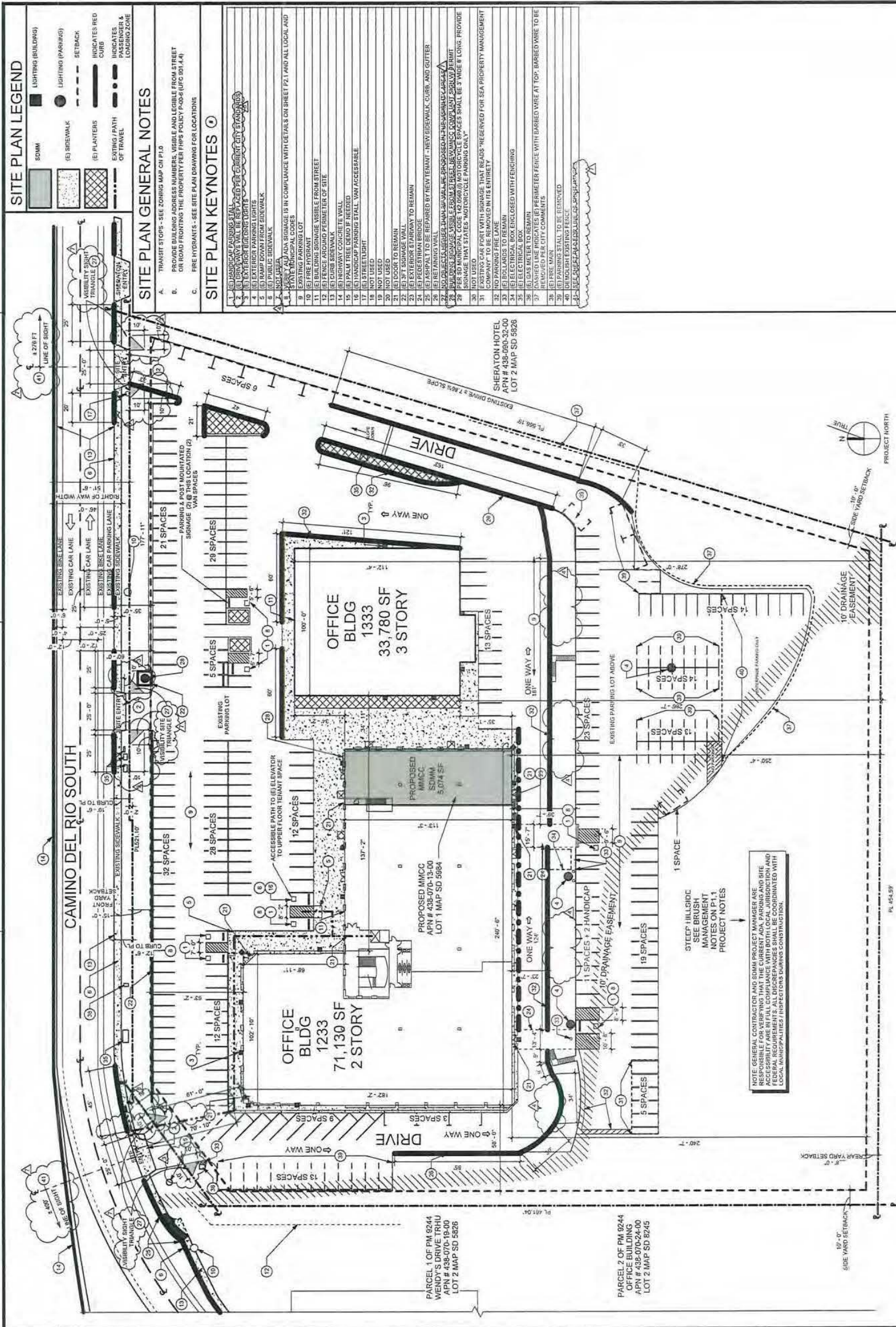
03.03.17	1	CITY COMMENTS
03.27.17	3	CITY COMMENTS
04.05.17	4	CITY COMMENTS
04.17.17	7	CITY COMMENTS
04.18.17	8	CITY COMMENTS

SHEET TITLE:

EXISTING & DEMO SITE PLAN

SHEET NO:

P2.0



A EXISTING & DEMO SITE PLAN

RESIDENTIAL
APN # 438-080-07-00
LOT B MAP SD 1867

RESIDENTIAL
APN # 438-080-05-00
LOT 6 MAP SD 1857

RESIDENTIAL
APN # 438-080-10-00
LOT A MAP SD 1857

NOTE: GENERAL CONTRACTOR AND SDMM PROJECT MANAGER ARE RESPONSIBLE FOR VERIFYING THAT THE CURRENT ADA, PARKING AND SITE ACCESSIBILITY ARE IN FULL COMPLIANCE WITH BOTH LOCAL JURISDICTION AND FEDERAL REQUIREMENTS. ALL DISCREPANCIES SHALL BE COORDINATED WITH LOCAL MUNICIPALITIES INSPECTORS DURING CONSTRUCTION.

DATE: 04.18.17
JOB NO: 001
DRAWN: STAFF
CHECKED: CB



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SAN DIEGO, CA 92108

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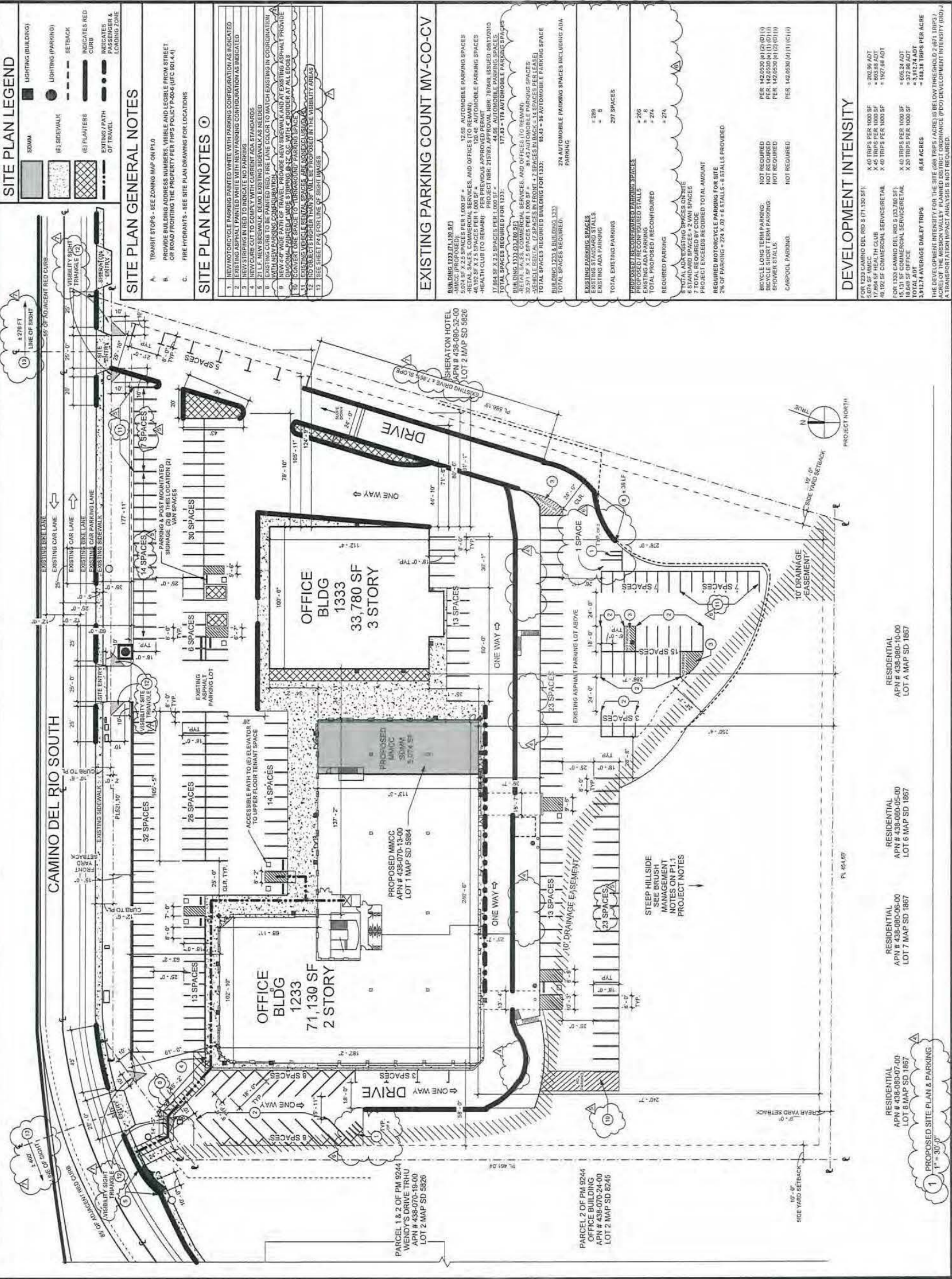
REVISIONS:

04.05.17	4	CITY COMMENTS
04.06.17	5	CITY COMMENTS
04.12.17	6	CITY COMMENTS
04.17.17	7	CITY COMMENTS

SHEET TITLE:

PROPOSED SITE PLAN &
PARKING

SHEET NO:
P2.1



DATE: 04.18.17
JOB NO: 001
DRAWN: STAFF
CHECKED: CB



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Tel: (619) 591-8164

**SDMM (LIVING GREEN)
MMCC - CUP 3**
1233 CAMINO DEL RIO SOUTH SUITE 1299
SAN DIEGO, CA 92108

CONTRACTOR SHALL BUILD ONLY FROM SETS.
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PLANNING SUBMITTAL
ISSUE DATE: 04.18.17



REVISIONS:

SHEET TITLE:

DESCRIPTIVE PLAN

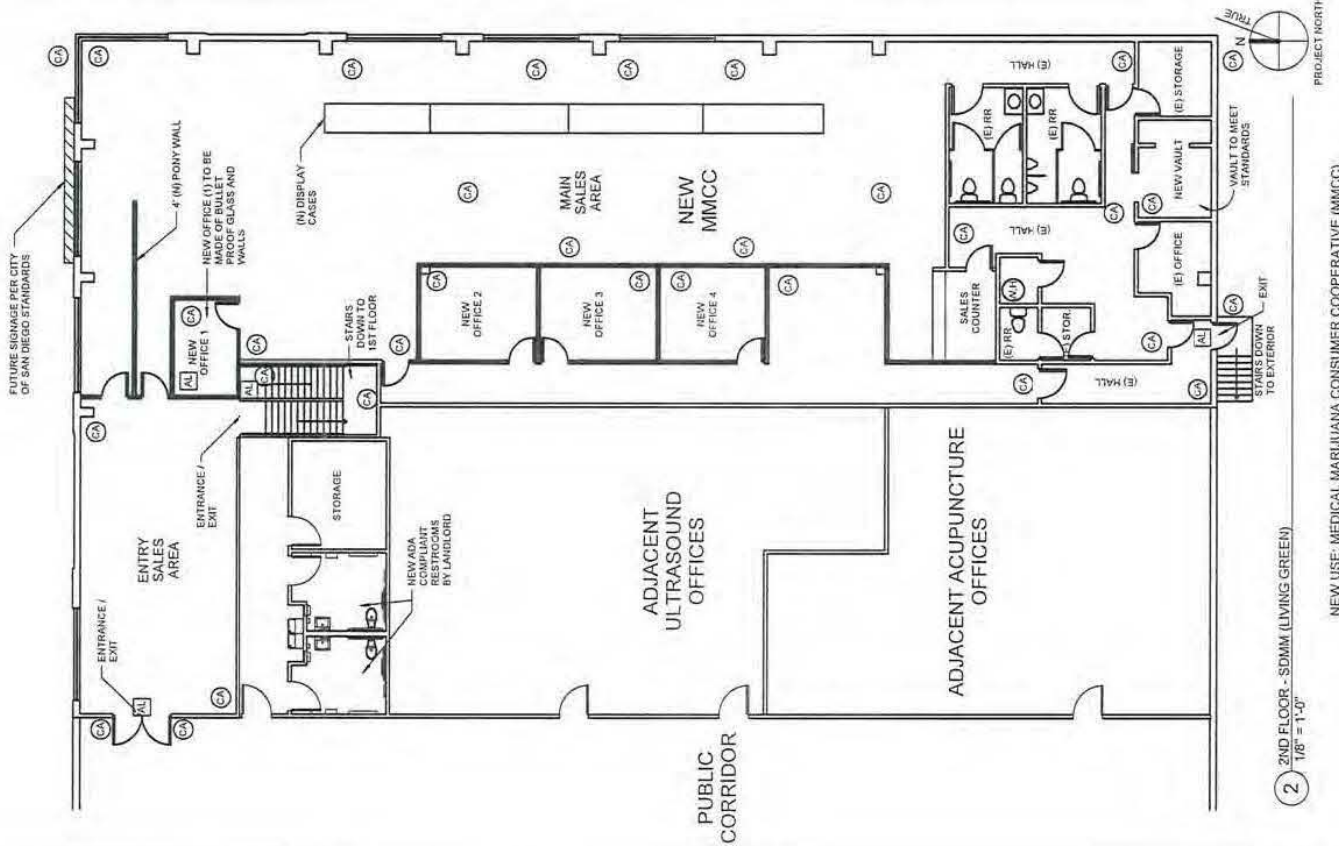
SHEET NO: **P3.0**

WALL LEGEND

- INDICATES EXISTING PARTITIONS AND EXTERIOR WALLS
- INDICATES EXISTING WINDOWS
- INDICATES NEW INTERIOR WALLS
- INDICATES LOCATION OF CAMERAS
- INDICATES LOCATION OF ALARMS

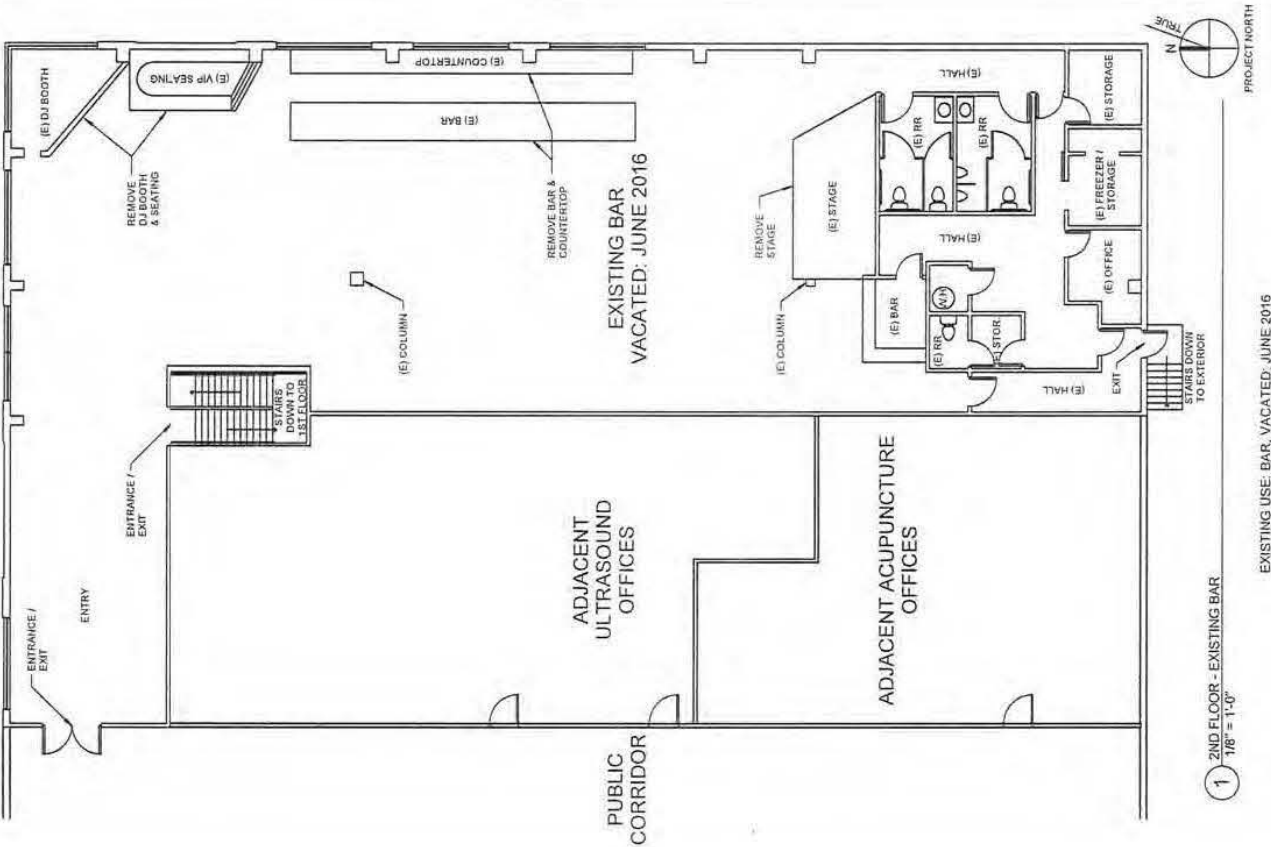
GENERAL NOTES

- A. FOR ALL EXISTING DIMENSIONS NOT SHOWN, SEE EXISTING ARCHITECTURAL DRAWINGS.
 - B. OWNER / CONTRACTOR TO FIELD VERIFY ALL NECESSARY EXISTING DIMENSIONS.
 - C. CONTRACTOR TO VERIFY ALL EXACT DIMENSIONS OF DEMOLITION AREA PRIOR TO REMOVAL.
 - D. CONTRACTOR TO CAREFULLY DEMOLISH EXISTING STUDS, JOISTS, WINDOW SILLS, ETC. FOR POSSIBLE REUSE OF MATERIAL.
 - E. CONTRACTOR TO HAUL ALL DAMAGED OR UNUSABLE MATERIAL TO THE CITY / COUNTY APPROVED LOCATION.
 - F. CONTRACTOR TO RENOUT OR CAP OFF ALL NECESSARY VENTILATION, SEWER AND WATER PIPES.
- MANDATORY (GBES 150.0K):
BATHROOMS: ALL LIGHTING FIXTURES AND SWITCHES INSTALLED SHALL DEMONSTRATE THE FOLLOWING AT LEAST HIGH EFFICIENCY FUTURE SHALL BE INSTALLED IN EACH BATHROOM. ALL DEMONSTRATE ALL LIGHTING IS HIGH EFFICIENCY AND CONTROLLED BY A VACANCY SENSOR. GARAGES, LAUNDRY ROOMS, AND UTILITY ROOMS: LIGHTING FIXTURES AND SWITCHES INSTALLED SHALL DEMONSTRATE ALL LIGHTING IS HIGH EFFICIENCY AND CONTROLLED BY A VACANCY SENSOR.



2 2ND FLOOR - SDMM (LIVING GREEN)
1/8" = 1'-0"

NEW USE: MEDICAL MARIJUANA CONSUMER COOPERATIVE (MMCC)



1 2ND FLOOR - EXISTING BAR
1/8" = 1'-0"

EXISTING USE: BAR, VACATED: JUNE 2016

DATE: 04.18.17
JOB NO: 001
DRAWN: STAFF
CHECKED: CB



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San Diego, CA 92103
Tel: (619) 391-8184

SDMM (LIVING GREEN)
MMCC - CUP 3
1233 CAMINO DEL RIO SOUTH SUITE 1299
SAN DIEGO, CA 92108

CONTRACTOR SHALL BUILD ONLY FROM SETS
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PLANNING SUBMITTAL
ISSUE DATE: 04.18.17



REVISIONS:

NO.	DATE	DESCRIPTION
04.17.17	7	CITY COMMENTS

SHEET TITLE:

LINE OF SIGHT IMAGES

SHEET NO:
P4.0

CENTER DRIVEWAY-FACING EAST



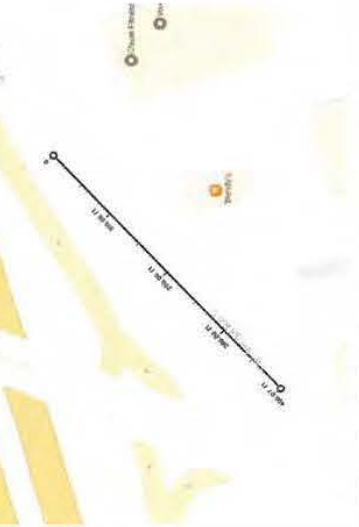
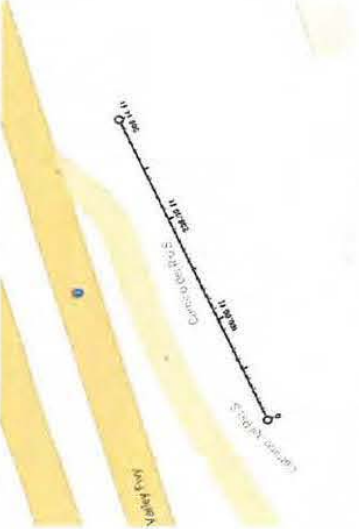
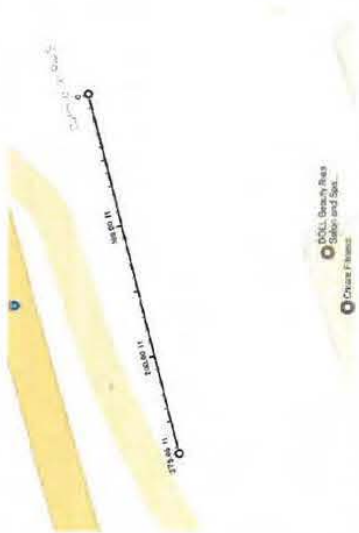
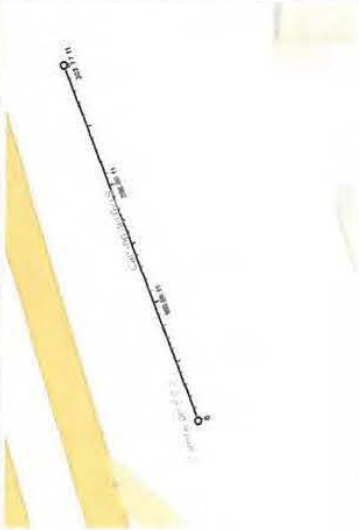
CENTER DRIVEWAY-FACING WEST



WEST DRIVEWAY-FACING EAST



WEST DRIVEWAY-FACING WEST



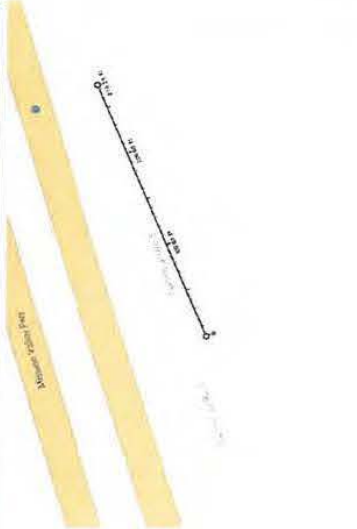
CENTER DRIVEWAY:

WEST DRIVEWAY:

EAST DRIVEWAY-FACING EAST

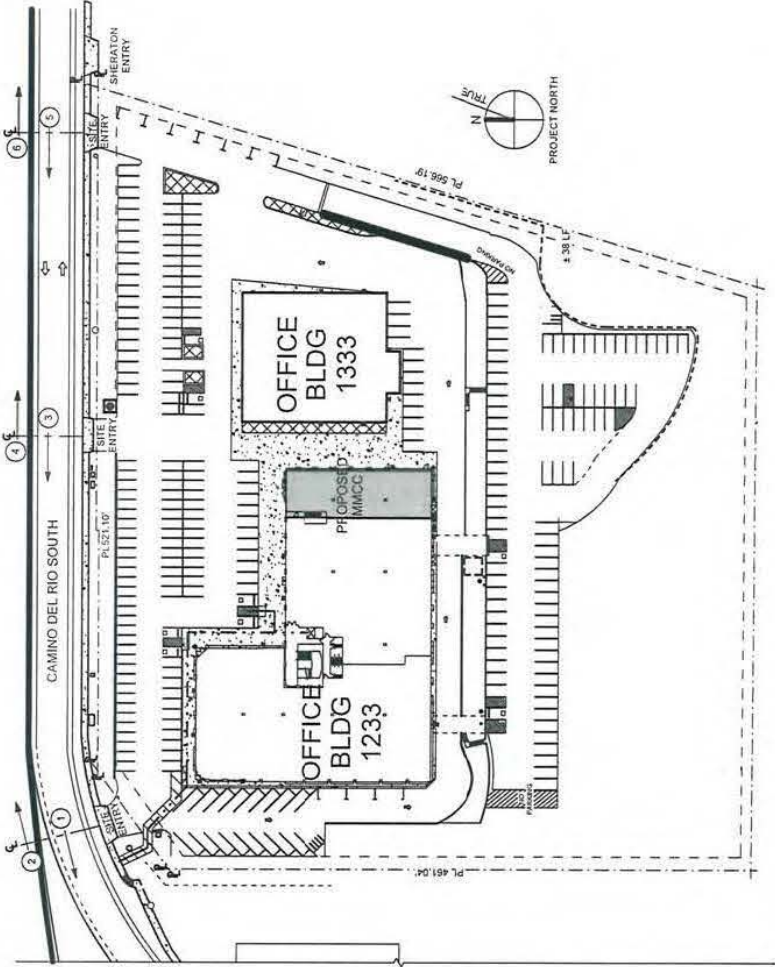


EAST DRIVEWAY-FACING WEST



EAST DRIVEWAY:

KEY PLAN



N.T.S.

 THE CITY OF SAN DIEGO	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
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See Information Bulletin 505, "Development Permits Appeal Procedure," for information on the appeal procedure.

1. Type of Appeal:

- | | |
|--|---|
| <input type="checkbox"/> Process Two Decision - Appeal to Planning Commission
<input checked="" type="checkbox"/> Process Three Decision - Appeal to Planning Commission
<input type="checkbox"/> Process Four Decision - Appeal to City Council | <input type="checkbox"/> Environmental Determination - Appeal to City Council
<input type="checkbox"/> 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: Susan Wilcox

E-mail Address:

Address: 6401 Linda Vista Road #A City: San Diego State: CA Zip Code: 92111 Telephone: 858-414-7102

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

Sean St. Peter 1233 Camino Del Rio South

4. Project Information

Permit/Environmental Determination & Permit/Document No.:

#523179

Date of Decision/Determination:

6.28.17

City Project Manager:

Firouzeh Tirandazi

Decision (describe the permit/approval decision):

Hearing Officer Approved

RECEIVED

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)

JUN 30 2017

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.)

Disagree with Finding 2: "Development will not be detrimental to public health, safety, welfare." Proposed site was previously illegal pot shop, well documented* to be severe problem to adjoining businesses b/c of smell, loitering & car burglaries. It is the same landlord. Past behavior is a clear indicator of future problems. These activities are indeed detrimental to public health, safety and welfare, and have been shown to be of no concern to the Landlord.

* Documentation of previous activity is available by googling past pot shop address and reading testimonies of Bridal Shop and 2 other adjoining businesses to the proposed pot shop

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

Signature: Susan Wilcox

Date: 30 June 2017

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



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

THE CITY OF SAN DIEGO

Development Permit/ Environmental Determination Appeal Application

FORM
DS-3031
AUGUST 2015

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

1. Type of Appeal:

- ☒ Appeal of the Project
☐ Appeal of the Environmental Determination

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

Name:
Michael Morton

E-mail Address:
m-morton@pacbell.net

Address:
1976 Galveston Street

City:
San Diego

State: Zip Code:
CA 92110

Telephone:
(619) 857-8144

3. Project Name:

SDMM CUP (living Green) - 1233 Camino Del Rio South

4. Project Information

Permit/Environmental Determination & Permit/Document No.:

PTS 523179 CUP 1846240 & SDP 1952275

Date of Decision/Determination:

07/07/17

City Project Manager:

Firouzeh Tihandazi

Decision: (Describe the permit/approval decision)
Approval of the Project

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

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

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

Project as proposed is not in area 3 not area two as in the roeport the Hearing Officer.
The project does not have addiquiate parking spaces and list in the report of 13 parking spaces , the project should have 25 parking spaces.

RECEIVED

JUL 7 0 2017

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: _____

Michael R. Morton

Date: _____

7/7/2017

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

Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services.
Upon request, this information is available in alternative formats for persons with disabilities.

DS-3031 (08-15)

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

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

INTERNAL ORDER NUMBER: 24007021

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 1810030
SITE DEVELOPMENT PERMIT NO. 1952275
SDMM CUP - PROJECT NO. 523179
PLANNING COMMISSION

This Conditional Use Permit No. 1810030 and Site Development Permit No. 1952275 is granted by the Planning Commission of the City of San Diego to Mission Valley South, LTD, Owner, and Sean St. Peter, Permittee pursuant to San Diego Municipal Code [SDMC] sections 126.0305 and 126.0504. The 6.65-acre site is located at 1233 Camino Del Rio South, in the MVPD-MV-CO-CV Zone, and the Airport Land Use Compatibility (Montgomery Field), Airport Influence Area (Montgomery Field Review Area 2 and SDIA-Lindbergh Field Review Area 2), and the Federal Aviation Authority (FAA) Part 77 (Montgomery Field and SDIA-Lindbergh Field) Overlay Zones within the Mission Valley Community Plan Area. The project site is legally described as: Lot 1 of Mission Valley South, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 5984, Filed in the Office of the county Recorder of San Diego County, October 31, 1967.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to operate a Marijuana Outlet within an existing building described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated August 31, 2017, on file in the Development Services Department.

The project shall include:

- a. Operation of a Marijuana Outlet in a 5,074-square-foot tenant space located on the second floor of an existing 71,130-square-foot, two-story commercial office building;
- b. Existing landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking;
- 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 August 31, 2020.
2. This Conditional Use Permit [CUP] and corresponding use of this Marijuana Outlet shall expire on August 31, 2022. The Owner/Permittee may request that the expiration date be extended in accordance with SDMC Section 141.0504 (n).
3. In addition to other provisions of the law, the Marijuana Outlet must comply with Chapter 4, Article 2, Division 15 and Chapter 14, Article 1, Division 5 of the San Diego Municipal Code.
4. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
 - c. A Marijuana Outlet 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 subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
6. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
7. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
8. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 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 5,074-square-foot tenant space shall be limited to the Marijuana Outlet and any use permitted by right in the MVPD-MV-CO Zone.

14. The sale of recreational marijuana shall be prohibited without a valid license from the State authorizing such activity.
15. Consultations by a medical professional shall not be a permitted accessory use at the Marijuana Outlet.
16. Lighting shall be provided to illuminate the interior of the Marijuana Outlet, façade, 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.
17. Security shall include operable cameras and a metal detector to the satisfaction of Development Services Department. This facility shall also include alarms and two armed security guards to the extent the possession of a firearm is not in conflict with 18 U.S.C. § 922(g) and 27 C.F.R. § 478.11. Nothing herein shall be interpreted to require or allow a violation of federal firearms laws. The security guards shall be licensed by the State of California. The security guards must be on the premises during business hours. One security guard must be on the premises 24 hours a day, seven days a week. The security guards should only be engaged in activities related to providing security for the facility, except on an incidental basis. The cameras shall have and use a recording device that maintains the records for a minimum of 30 days.
18. The Owner/Permittee shall install a combination of full-height bullet resistant glass, plastic or laminate shield and bullet resistant armor panels or solid grouted masonry block walls, designed by a licensed professional, at the reception area.
19. The Owner/Permittee shall install full-height bullet resistant armor panels or solid grouted masonry block walls, designed by a licensed professional, in common areas with other tenants, and vault room.
20. 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. Ground signs shall not be pole signs. A primary sign shall be posted on the outside of the Marijuana Outlet and shall only contain the name of the business, which shall contain only alphabetic characters, and shall be limited to two colors.
21. The Owner/Permittee shall post and maintain a sign showing the name and emergency contact phone number of an operator or manager in a location visible from outside the Marijuana Outlet in character size at least two inches in height.
22. The Marijuana Outlet shall operate only between the hours of 7:00 a.m. and 9:00 p.m., seven days a week.
23. The use of vending machines which allow access to marijuana and marijuana products except by a responsible person, as defined in the San Diego Municipal Code Section 42.1502, is prohibited. For purposes of this Section, a vending machine is any device which allows access to marijuana and marijuana products without a human intermediary.

24. The Owner/Permittee shall maintain the Marijuana Outlet, adjacent public sidewalks, and areas under the control of the Owner/Permittee, free of litter and graffiti at all times.

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

TRANSPORTATION REQUIREMENTS:

26. All automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the appropriate City decision maker in accordance with the SDMC.

27. The Owner/Permittee must construct and maintain an accessible path from the building entrance to the public street.

28. Prior to any work starting in the City street right-of-way, the applicant shall apply for a "Public Right-of-Way Permit for Traffic Control."

ENGINEERING REQUIREMENTS:

29. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, the reconstruction of the existing driveways with current City Standard 25-foot wide driveways, adjacent to the site on Camino Del Rio South, satisfactory to the City Engineer.

30. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, the reconstruction of the existing AC curb, gutter and sidewalk with current City Standard curb, gutter and sidewalk, adjacent to the site on Camino Del Rio South, satisfactory to the City Engineer.

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

32. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Planning Commission of the City of San Diego on August 31, 2017 and Resolution No. _____.

DRAFT

ATTACHMENT 4

Permit Type/PTS Approval No.: CUP No. 1846240 and SDP No. 1952275
Date of Approval: August 31, 2017

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Firouzeh Tirandazi
Development Project Manager

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

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of
this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

MISSION VALLEY SOUTH, LTD
Owner

By _____
Edward Goldberg
Chief Executive Officer

SEAN ST. PETER
Permittee

By _____
Sean St. Peter

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

PLANNING COMMISSION RESOLUTION NO. _____
CONDITIONAL USE PERMIT NO. 1846240
SITE DEVELOPMENT PERMIT NO. 1952275
SDMM CUP - PROJECT NO. 523179

WHEREAS, MISSION VALLEY SOUTH, LTD, Owner, and SEAN ST. PETER, Permittee, filed an application with the City of San Diego for a permit to operate a Marijuana Outlet in a 5,074-square-foot tenant space located on the second floor of an existing 71,130-square-foot, two-story commercial office building (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos.1846240 and 1952275), on portions of a 6.65-acre site;

WHEREAS, the project site is located at 1233 Camino Del Rio South, in the Mission Valley Planned District (MVPD) MV-CO-CV Zone, and the Airport Land Use Compatibility (Montgomery Field), Airport Influence Area (Montgomery Field Review Area 2 and SDIA-Lindbergh Field Review Area 2), and the Federal Aviation Authority (FAA) Part 77 (Montgomery Field and SDIA-Lindbergh Field) Overlay Zones within the Mission Valley Community Plan Area;

WHEREAS, the project site is legally described as Lot 1 of Mission Valley South, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 5984, filed in the Office of the County Recorder of San Diego County, October 31, 1967;

WHEREAS, on April 21, 2017, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guideline Section 15303 (New Construction or Conversion of Small Structures), and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, on June 28, 2017, the Hearing Officer of the City of San Diego approved Conditional Use Permit No. 1846240 and Site Development Permit No. 1952275 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, appeals of the Hearing Officer's decision were filed by Susan Wilcox on June 30, 2017, and Michael Morton on July 7, 2017;

WHEREAS, on August 31, 2017, the Planning Commission of the City of San Diego considered Conditional Use Permit No. 1846240 and Site Development Permit No. 1952275 pursuant to the Land Development Code of the City of San Diego;

NOW THEREFORE,

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

That the Planning Commission denies the appeals and affirms the Hearing Officer's decision and adopts the following written Findings, dated August 31, 2017.

FINDINGS:

Conditional Use Permit Approval – SDMC Section 126.0305

(a) The proposed development will not adversely affect the applicable land use plan.

The project is an application for a Conditional Use Permit (CUP) and Site Development Permit (SDP) to allow the operation of a Marijuana Outlet (Outlet) in a 5,074-square-foot tenant space on the second floor of an existing 71,130-square-foot, two-story commercial office building. The 6.65-acre project site is located at 1233 Camino Del Rio South within the Mission Valley Community Plan (MVCP) area.

The project site is designated for Commercial Office/Recreation use in the MVCP. This land use designation is intended to support multi-tenant office buildings, single purpose office-administrative facilities, professional-medical buildings, and financial institutions, as well as lodging, entertainment and recreational facilities. The MVCP further encourages a range of retail uses and multi-use development in which commercial uses are combined or integrated with other uses. The proposed Outlet, classified as a retail sales use category, is consistent with the community plan objective of encouraging a range of retail uses integrated with other uses, and is a compatible use with the surrounding commercial establishments at this location with a CUP and SDP. Therefore, the proposed Outlet will not adversely affect the applicable land use plan.

(b) The proposed development will not be detrimental to the public health, safety, and welfare.

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

Approval of this application would allow the sale of marijuana to be conditioned in order to prevent potential adverse impacts on the community. The proposed Outlet is subject to specific operational requirements as set forth in SDMC Section 141.0504 (b) – (m), which have also been incorporated as conditions in the Permit including prohibition of consultation by medical professionals on-site; prohibition of the use of specified vending machines except by a responsible person (as defined by the SDMC); provision of interior and exterior lighting, operable cameras, alarms, and a security guard; restriction of hours of operation to between 7:00 am and 9:00 pm; maintenance of area and adjacent public sidewalks free of litter and graffiti, and removal of graffiti within 24 hours; and restriction of signage to business name, two colors, and alphabetic characters.

The Permit includes additional security conditions including the provision of operable surveillance cameras and a metal detector, use of cameras with a recording device that maintains records for a minimum of 30 days, two armed security guards to the extent the possession of a firearm is not in conflict with 18 U.S.C. § 922(g) and 27 C.F.R § 478.11 with

one security guard present on the premises 24 hours a day, seven days a week, installation of bullet resistant glass, plastic, or laminate shield and bullet resistant armor panels or solid grouted masonry block walls, designed by a licensed professional, in common areas with other tenants, reception area, and vault room. The Outlet must also comply with Chapter 4, Article 2, and Division 15 which provides guidelines for lawful operation. The Permit is valid for five years, however, may be revoked if the use violates the terms, conditions, lawful requirements, or provision of the permit.

Furthermore, any project construction related activities authorized through this permit will be subject to all adopted building, electrical, mechanical, fire and plumbing codes, which will be enforced through plan review and building inspections completed by the City's building inspectors.

The City of San Diego conducted an environmental review of this project in accordance with the CEQA Guidelines, and concluded there would be no environmental impacts associated with the proposed project. Based on the above analysis, the proposed development would not be detrimental to the public's health, safety, and welfare.

(c) The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The project proposes the operation of an Outlet within an existing 5,074-square-foot tenant space on the second floor of an existing 71,130-square-foot, two-story commercial office building. The proposed Outlet, classified as retail sales, is allowed in the MVPD MV-CO-CV Zone with a CUP pursuant to SDMC Sections 141.0504 and 1514.0305(b). The proposed project is considered a change in use from a bar (Club Fuego) to a Marijuana Outlet and subject to the MVPD Ordinance, including Development Intensity District (DID) requirements. The project requires a SDP pursuant to SDMC 1514.0201(d) due to the estimated traffic resulting in a value in excess of the allowed Threshold 1 and less than Threshold 2 for the designated DID.

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

Pursuant to SDMC Section 141.0504(a), Outlets are subject to separation requirements including a 1,000-foot separation from resource and population-based parks, other Outlets, churches, child care centers, playgrounds, libraries owned and operated by the City of San Diego, minor oriented facilities, residential care facilities, and schools including private or public institutions of learning providing instruction in kindergarten grades 1 to 12. There is also a minimum distance requirement of 100 feet from a residential zone. The proposed Outlet is in compliance with the required separation requirements.

The project is proposed within an existing structure constructed in 1971 in accordance with all applicable development regulations. The project site is in compliance with the required

274 off-street parking spaces, 13 spaces for the proposed 5,074-square-foot Outlet and 261 spaces for the remaining 99,836 square feet of combined commercial services and office uses within both buildings on the project site.

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

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

The proposed project is a request for a CUP and SDP to operate an Outlet in an existing 5,074-square-foot tenant space on the second floor of an existing 71,130-square-foot, two-story commercial office building. The existing two-story office building was constructed in 1971, and includes a fitness club, and several professional office, commercial service, and retail suites. The project site is surrounded by a multi-story commercial office building and the Sheraton San Diego to the east, a multi-story commercial office building and fast food restaurant to the west, open space/hillside to the south, and Camino Del Rio South and Interstate 8 to the north.

The project site and surrounding parcels to the east, west, and north are designated for Commercial Office/Recreation use in the MVCP. This land use designation is intended to support multi-tenant office buildings, single purpose office-administrative facilities, professional-medical buildings, and financial institutions, as well as lodging, entertainment and recreational facilities. The MVCP further encourages a range of retail uses and multi-use development in which commercial uses are combined or integrated with other uses. The proposed Outlet, classified as a retail sales use category, is consistent with the community plan objective of encouraging a range of retail uses integrated with other uses, and is a compatible use with the surrounding commercial establishments.

The project site abuts the OR-1-1 (Open Space-Residential) Zone to the south, and designated for Open Space use in the Uptown Community Plan. The OR-1-1 Zone is an open space base zone intended to preserve privately owned property that is designated as open space in a land use plan. The existing hillside has a slope gradient greater than 50% and an elevation difference of approximately 220 feet, with City-owned designated park sites and residential development located on top of the hillside.

The proposed Outlet is allowed in the MVPD MV-CO-CV Zone with a CUP and SDP and is subject to separation requirements set forth in SDMC Section 141.0504(a) including a 1,000-foot separation from resource and population-based parks, other Outlets, churches, child care centers, playgrounds, libraries owned and operated by the City of San Diego, minor oriented facilities, residential care facilities, and schools including private or public institutions of learning providing instruction in kindergarten grades 1 to 12. There is also a minimum distance requirement of 100 feet from a residential zone. The project site is not located within 100 feet of a residential zone, or within 1,000 feet of the aforementioned uses, and therefore, is in compliance with the minimum separation requirements.

Outlets are also subject to specific operational requirements set forth in SDMC Section 141.0504 (b) – (m), which have also been incorporated as conditions in the Permit including prohibition of consultation by medical professionals on-site; prohibition of the use of specified vending machines except by a responsible person (as defined by the SDMC); provision of interior and exterior lighting, operable cameras, alarms, and a security guard; restriction of hours of operation to between 7:00 am and 9:00 pm; maintenance of area and adjacent public sidewalks free of litter and graffiti, and removal of graffiti within 24 hours; and restriction of signage to business name, two colors, and alphabetic characters. The Outlet must also comply with Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

The SDMC limits Outlets to commercial and industrial zones and the quantity of Outlets to only four per each City Council District (36 city-wide) in order to minimize the impact on the City and residential neighborhoods. The proposed Outlet is a compatible use with the surrounding commercial establishments. Based on the commercial nature of the use, compliance with the separation requirements, and conditions of approval, the proposed development is appropriate at the proposed location.

Site Development Permit Approval – Part 1 SDMC Section 126.0504

(a) The proposed development will not adversely affect the applicable land use plan.

The 6.65-acre project site is located at 1233 Camino Del Rio South within the MVCP area, and designated for Commercial Office/Recreation use in the MVCP. This land use designation is intended to support multi-tenant office buildings, single purpose office-administrative facilities, professional-medical buildings, and financial institutions, as well as lodging, entertainment and recreational facilities. The MVCP further encourages a range of retail uses and multi-use development in which commercial uses are combined or integrated with other uses. The proposed Outlet, classified as a retail sales use category, is consistent with the community plan objective of encouraging a range of retail uses integrated with other uses, and is a compatible use with the surrounding commercial establishments at this location with a CUP and SDP. Therefore, the proposed Outlet will not adversely affect the applicable land use plan.

(b) The proposed development will not be detrimental to the public health, safety, and welfare.

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

Approval of this Permit would allow the sale of marijuana to be conditioned in order to prevent potential adverse impacts on the community. The proposed Outlet is subject to specific operational requirements as set forth in SDMC Section 141.0504 (b) – (m), which have also been incorporated as conditions in the Permit including prohibition of consultation

by medical professionals on-site; prohibition of the use of specified vending machines except by a responsible person (as defined by the SDMC); provision of interior and exterior lighting, operable cameras, alarms, and a security guard; restriction of hours of operation between 7:00 am and 9:00 pm; maintenance of area and adjacent public sidewalks free of litter and graffiti, and removal of graffiti within 24 hours; and restriction of signage to business name, two colors, and alphabetic characters.

The Permit includes additional security conditions including the provision of operable surveillance cameras and a metal detector, use of cameras with a recording device that maintains records for a minimum of 30 days, two armed security guards to the extent the possession of a firearm is not in conflict with 18 U.S.C. § 922(g) and 27 C.F.R § 478.11., 4) with one security guard present on the premises 24 hours a day, seven days a week, installation of bullet resistant glass, plastic, or laminate shield and bullet resistant armor panels or solid grouted masonry block walls, designed by a licensed professional, in common areas with other tenants, reception area, and vault room. The Outlet must also comply with Chapter 4, Article 2, and Division 15 which provides guidelines for lawful operation. The Permit is valid for five years, however, may be revoked if the use violates the terms, conditions, lawful requirements, or provision of the permit.

Furthermore, any project construction related activities authorized through this Permit will be subject to all adopted building, electrical, mechanical, fire and plumbing codes, which will be enforced through plan review and building inspections completed by the City's building inspectors.

The City of San Diego conducted an environmental review of this project in accordance with the CEQA Guidelines, and concluded there would be no environmental impacts associated with the proposed project. Based on the above analysis, the proposed development would not be detrimental to the public's health, safety, and welfare.

(c) The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The project proposes the operation of an Outlet within an existing 5,074-square-foot tenant space on the second floor of an existing 71,130-square-foot, two-story commercial office building. The proposed Outlet, classified as retail sales, is allowed in the MVPD MV-CO-CV Zone with a CUP pursuant to SDMC Sections 141.0504 and 1514.0305(b). The proposed project is considered a change in use from a bar (Club Fuego) to a Marijuana Outlet and subject to the MVPD Ordinance, including Development Intensity District (DID) requirements. The project requires a SDP pursuant to SDMC 1514.0201(d) due to the estimated traffic resulting in a value in excess of the allowed Threshold 1 and less than Threshold 2 for the designated DID.

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

Pursuant to SDMC Section 141.0504(a), Outlets are subject to separation requirements including a 1,000-foot separation from resource and population-based parks, other Outlets, churches, child care centers, playgrounds, libraries owned and operated by the City of San Diego, minor oriented facilities, residential care facilities, and schools including private or public institutions of learning providing instruction in kindergarten grades 1 to 12. There is also a minimum distance requirement of 100 feet from a residential zone. The proposed Outlet is in compliance with the required separation requirements.

The project is proposed within an existing structure constructed in 1971 in accordance with all applicable development regulations. The project site is in compliance with the required 274 off-street parking spaces, 13 spaces for the proposed 5,074-square-foot Outlet and 261 spaces for the remaining 99,836 square feet of combined commercial services and office uses within both buildings on the project site.

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

Site Development Permit Approval – Part 2, SDMC Section 1514.0201

(a) The proposed development is consistent with the Mission Valley Community Plan and the Progress Guide and General Plan.

The project site is located at 1233 Camino Del Rio South within the MVCP area, and designated for Commercial Office/Recreation use in the MVCP. This land use designation is intended to support multi-tenant office buildings, single purpose office-administrative facilities, professional-medical buildings, and financial institutions, as well as lodging, entertainment and recreational facilities. The MVCP further encourages a range of retail uses and multi-use development in which commercial uses are combined or integrated with other uses. The proposed Outlet, classified as a retail sales use category, is consistent with the community plan objective of encouraging a range of retail uses integrated with other uses.

The MVPD Ordinance limits development intensity to levels allowed under the adopted Mission Valley Community Plan, and includes three traffic areas (Area 1, Area 2, and Area 3) and thirteen DIDs, A through M, with two thresholds within each DID. A SDP is required due to estimated traffic resulting in a value in excess of the allowed Threshold 1 for the designated DID. The proposed project is located in Area 3 – DID J. The expected trip generation for the proposed 5,074-square-foot Marijuana Outlet is approximately 203 average daily trips (ADT), at 40 trips per 1,000 square feet. The combined trip value calculated for the existing uses and proposed use is 588 trips per acre (AC); above Threshold 1 (200 trips/AC) and below Threshold 2 (671 trips/AC).

The proposed Outlet is a compatible use with the surrounding commercial establishments at this location, consistent with the community plan land use designation and within the development intensity intended for the site, therefore, the proposed development is consistent with Mission Valley Community Plan and Progress Guide and General Plan.

(b) The proposed development provides the required public facilities and is compatible with adjacent open space areas.

The existing two-story commercial office building was constructed in 1971, and includes a fitness club, and several professional office, commercial service, and retail suites. The area south of the project site consists of steep slope and is designated as open space within the Uptown Community Plan. The Outlet is proposed within an existing building and no exterior building improvements are proposed, and would not affect the abutting open space area. The project will provide an ADA accessible path of travel from the Camino Del Rio South public right-of-way to the building entrance. Public improvements include replacement of the damaged portions of the sidewalk and existing driveways along Camino Del Rio South with City standard sidewalk and driveways. The existing building was constructed in compliance with all development regulations in effect at the time and therefore, the proposed development continues to provide the required public facilities and is compatible with adjacent open space areas.

(c) The proposed development meets the purpose, intent and criteria of the Mission Valley Planned District Ordinance including the applicable "Guidelines for Discretionary Review" adopted as part of the planned District.

Marijuana Outlets are allowed in the MVPD MV-CO-CV Zone with a CUP and SDP. A SDP is required due to the estimated traffic resulting in a value in excess of the allowed Threshold 1 for the designated DID. The project will result in a development intensity intended for the site.

Guidelines for Discretionary Review has have been fulfilled as the project has successfully submitted a deemed complete application for review through the City of San Diego and brought forward to a decision maker for decision in accordance to SDMC Section 1514.0201, Permit Application, Review, and Issuance. Therefore, the proposed development meets the purpose, intent and criteria of MVPD Ordinance including the application "Guidelines for Discretionary Review" adopted as a part of this planned district.

(d) The proposed development will comply with all other relevant regulations in the San Diego Municipal Code.

The proposed Outlet, classified as retail sales, is allowed in the MVPD MV-CO-CV Zone with a CUP pursuant to SDMC Sections 141.0504 and 1514.0305(b). The proposed project is considered a change in use from a bar (Club Fuego) to a Marijuana Outlet and subject to the MVPD Ordinance, including DID requirements. The project requires a SDP pursuant to SDMC 1514.0201(d) due to the estimated traffic resulting in a value in excess of the allowed Threshold 1 and less than Threshold 2 for the designated DID.

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

Pursuant to SDMC Section 141.0504(a), Outlets are subject to separation requirements including a 1,000-foot separation from resource and population-based parks, other Outlets, churches, child care centers, playgrounds, libraries owned and operated by the City of San Diego, minor oriented facilities, residential care facilities, and schools including private or public institutions of learning providing instruction in kindergarten grades 1 to 12. There is also a minimum distance requirement of 100 feet from a residential zone. The proposed Outlet is in compliance with the required separation requirements.

The project is proposed within an existing structure constructed in 1971 in accordance with all applicable development regulations. The project site is in compliance with the required 274 off-street parking spaces, 13 spaces for the proposed 5,074-square-foot Outlet and 261 spaces for the remaining 99,836 square feet of combined commercial services and office uses within both buildings on the project site.

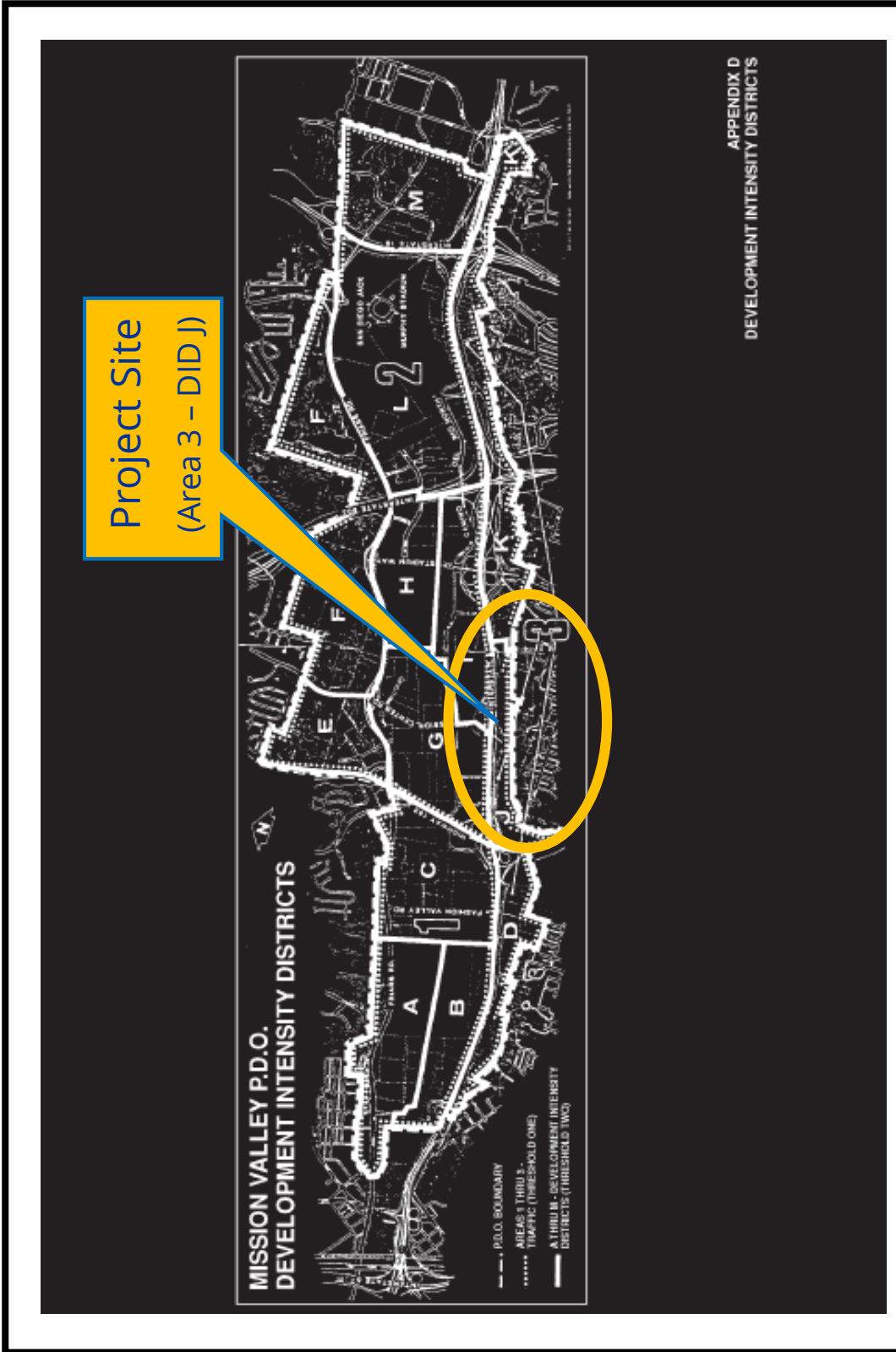
The Permit for the project includes various conditions and corresponding exhibits of approval relevant to achieving compliance with the SDMC relative to parking, signage, lighting, security measures, hours of operation, and site maintenance. Marijuana Outlets must also comply with chapter 4, Article 2, Division 15, which provides guidelines for lawful operation. Therefore, the proposed development will comply with all other relevant regulations in the San Diego Municipal Code.

BE IT FURTHER RESOLVED that, the Planning Commission denies the appeals, upholds the Hearing Officer's decision, and based on the findings hereinbefore adopted by the Planning Commission, Conditional Use Permit No. 1846240 and Site Development Permit No. 1952275 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 1846240 and 1952275, a copy of which is attached hereto and made a part hereof.

Firouzeh Tirandazi
Development Project Manager
Development Services

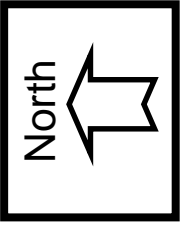
Adopted on: August 31, 2017

IO#: 24007021



Mission Valley - Development Intensity Districts

SDMM CUP / 1233 Camino Del Rio South
PROJECT NO. 523179

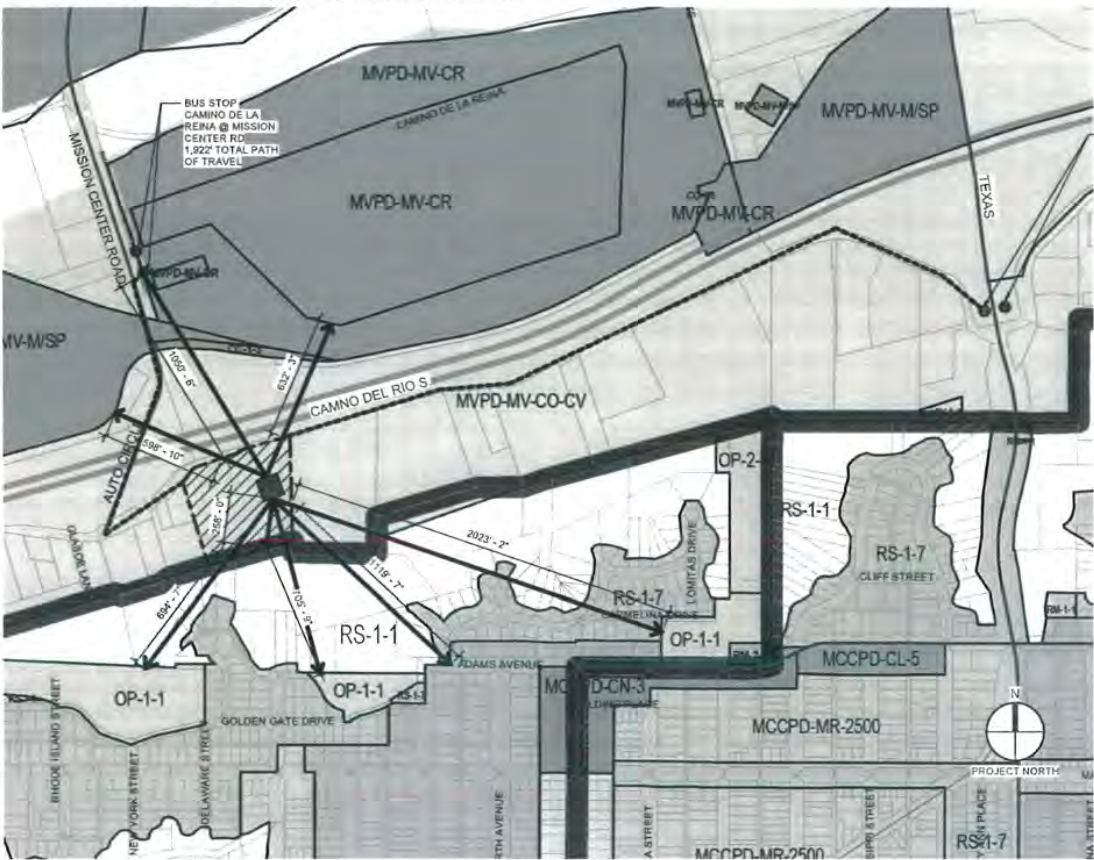


SDMM (LIVING GREEN)

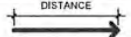
1233 CAMINO DEL RIO SOUTH

SAN DIEGO, CALIFORNIA 92108

NOTE: FOR LEGAL DESCRIPTION OF ADJACENT LOTS SEE SITE PLAN ON P2.0



1 ZONING MAP
1" = 400'-0"



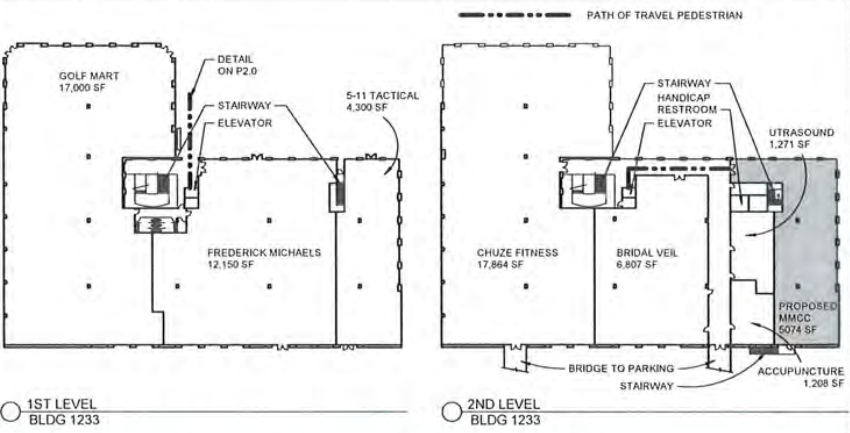
INDICATES DISTANCE TO ADJACENT ZONING AREAS FROM PROPERTY LINE

PATH OF TRAVEL TO BUS STOPS

TENANT LIST FOR BUILDING 1233 & 1333

BUILDING 1233		
NAME	SQ.FT.	USE
GOLF MART	17,000	RETAIL
CHUZE FITNESS	17,864	FITNESS FACILITY
BRIDAL VEIL	6,807	RETAIL
RL SCHAEFER	1,271	ULTRASOUND
ANTONY LIM	1,208	ACCOMMODATION
5.11 TACTICAL	4,300	RETAIL
FREDERICK MICHAELS	12,150	SALON
TOTAL S.F. OF TENANTS	60,600	

BUILDING 1333		
NAME	SQ.FT.	USE
HEIL WEALTH MANAGEMENT	1,294	ACCOUNTING FIRM
SEA PROPERTY MANAGEMENT	2,334	MANAGEMENT COMPANY
FREEWAY INSURANCE	2,091	INSURANCE SALES
CATALYST PHYSICAL THERAPY	3,140	PHYSICAL THERAPY
JAMES A. REAVIS	1,350	PSYCHIATRIC MEDICINE
JOSEPH BARTOLOME	1,700	ADULT TRADE CENTER
FREEWAY INSURANCE	3,017	INSURANCE CALL CENTER
MDS PROPERTY	700	PROPERTY MANAGEMENT
ENTERPRISE	1,209	CAR RENTALS
SMILE CARE	9,432	DENTAL OFFICES
SEA PROPERTY MANAGEMENT	1,182	PROPERTY MANAGEMENT
RYAN GOODMAN	2,161	COMPUTER DESIGNER
SWANSON LAW	1,294	LAW FIRM
TOTAL S.F. OF TENANTS	30,894	



EXISTING OCCUPANCY: (A2) ASSEMBLY - CLUB FUEGO BAR

OCCUPANT LOAD CALCULATION FOR PERVIOUS TENANT			
OCCUPANCY	OCCUPANCY LOAD FACTOR	AREA	LOAD
MAIN BAR (UNCONCENTRATED)	15	4,036	270
OFFICES/BACK OF HOUSE	100	304	4
FREEZER	300	138	1
TOTAL		4,478	275
REQUIRED EXITS			2

BAR WAS VACATED IN JUNE 2016

NEW OCCUPANCY: (B) BUSINESS - SDMM

OCCUPANT LOAD CALCULATIONS FOR SDMM (LIVING GREEN)			
OCCUPANCY	OCCUPANCY LOAD FACTOR	AREA	LOAD
ENTRY SALES AREA	60	526	9
MAIN SALES AREA	60	2493	42
OFFICES & HALLWAYS	100	1273	13
STORAGE & VAULT	300	184	1
TOTAL		4476	65
REQUIRED EXITS			2

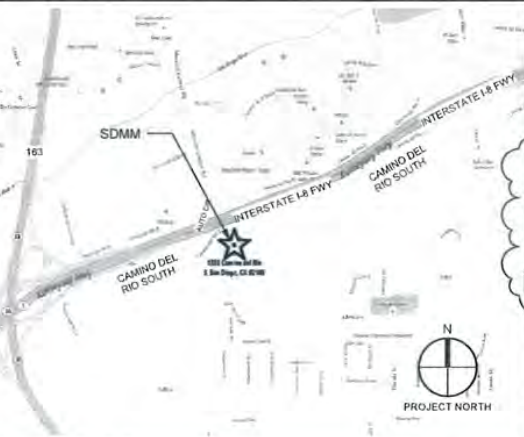
EGRESS WIDTH PER SECTION 1005: ALL COMPLY
BACK DOOR: 33 X 2 = 6.5' - (N) DOOR = 36'
FRONT ENTRY: 33 X 2 = 6.5' - (N) DOORS = 72'

PLUMBING FIXTURE CALCULATIONS

BASED ON 2016 CPC CHAPTER 4		
TOTAL SQUARE FOOTAGE	5,074 SQ. FT.	
TOTAL OCCUPANT LOAD	SQ. FT. / 200 = 53 / 2 = 27 EACH	
FEMALE OCCUPANTS:	27	
MALE OCCUPANTS:	27	

FIXTURES	REQUIRED	PROVIDED
FEMALE FIXTURES	2-16-30	2
WATER CLOSETS:	1-1-50	2
LAVATORIES:		
MALE FIXTURES	1-1-50	1
WATER CLOSETS:	1-1-100	2
URINALS:	1-1-75	1
LAVATORIES:		
UNISEX TOILET	REQUIRED:	PROVIDED:
WATER CLOSETS:	0	0
URINALS:	0	0
LAVATORIES:	0	0
DRINKING FOUNTAIN	REQUIRED:	PROVIDED:
	1-150	1
MOP SINK	REQUIRED:	PROVIDED:
	1	1

SITE LOCATION



INDEX OF DRAWINGS

SHEET	DESCRIPTION	DELTA									
		1	2	3	4	5	6	7	8	9	10
ARCHITECTURAL											
P1.0	PROJECT INFORMATION	*	*	*	*	*	*	*	*	*	
P1.1	PROJECT NOTES	*									
P1.2	STORM WATER NOTES	*	*					*			
P2.0	EXISTING & DEMO SITE PLAN	*		*	*	*	*	*			
P2.1	PROPOSED SITE PLAN & PARKING										
P2.2	SITE DETAILS	*			*	*	*	*	*		
P3.0	DESCRIPTIVE PLAN										
P4.0	LINE OF SIGHT IMAGES							*			

PROJECT DIRECTORY

OWNER:	MISSION VALLEY SOUTH LTD 1333 CAMINO DEL RIO SOUTH SAN DIEGO, CA 92108 CONTACT: ANNE O'SULLIVAN PHONE: 619.297.3900 EMAIL: anne@seaproperlymanagement.com	ARCHITECT:	rAd ARCHITECTS INC 1286 UNIVERSITY AVENUE #137 SAN DIEGO, CA 92103 TEL: 619.991.8194 CONTACT: CARYN BAILEY EMAIL: cbailey@rad-architects.com
TENANT:	SDMM LIVING GREEN 4231 BALBOA AVE #162 SAN DIEGO, CA 92117 CONTACT: SEAN ST. PETER PHONE: 619.618.8139 EMAIL: sean_stpeter@yahoo.com	CITY OF:	SAN DIEGO
		DEVELOPMENT SERVICES DEPARTMENT	1222 FIRST AVENUE MS 301 SAN DIEGO, CA 92101-4101 TEL: 619.446.5000

PROJECT SUMMARY

PROJECT SUMMARY: THE PROPOSED PROJECT IS A MMCC, CUP3, SITE DEVELOPMENT PERMIT (SDP). THE ZONES IS MVPD-MV-CV. PROCESS 3 CONDITIONAL USE PERMIT BUILDING WAS BUILT IN 1971

SCOPE OF WORK: TENANT IMPROVEMENTS INCLUDE: INSTALLATION OF NEW FRAME OF CONSTRUCTION TO INCLUDE WALLS FOR NEW OFFICES. SECURED BULLET PROOF GLASS RECEPTION ROOM, AND CONVERTING EXISTING FREEZER INTO SECURED VAULT. UPDATING OF 3 EXISTING DRIVEWAYS IF NOT UP TO CITY STANDARDS. DRIVE WAY WIDTHS SHALL BE IN ACCORDANCE WITH SECTION 142.05.60(L). ENSURE ALL ACCESSIBLE PARKING REQUIREMENTS ARE SATISFIED NOT LIMITED TO: MINIMUM PARKING RATES, MOTORCYCLE PARKING, BICYCLE PARKING SHORT AND LONG TERM, CARPOOL/ZERO EMISSION PARKING, CREATE ACCESSIBLE PEDESTRIAN PATH OF TRAVEL FROM PUBLIC SIDEWALK TO PROJECTS ENTRANCE, & PROVIDE EXTERIOR WAY FINDING SIGNAGE.

APPLICABLE CODES: ALL WORK SHALL CONFORM TO APPLICABLE GOVERNING CODES, INCLUDING THE LATEST EDITIONS OF THE FOLLOWING:

BUILDING: 2016 CALIFORNIA BUILDING CODE
MECHANICAL: 2016 CALIFORNIA MECHANICAL
PLUMBING: 2016 CALIFORNIA PLUMBING CODE
ELECTRICAL: 2016 CALIFORNIA ELECTRICAL CODE
FIRE: 2016 CALIFORNIA FIRE CODE, CITY MUNICIPAL CODES & APPLICABLE FIRE / LIFE SAFETY CODES.
ENERGY: 2016 CALIFORNIA ENERGY CODE
GREEN: 2016 CALIFORNIA GREEN BUILDING STANDARDS CODE
ACCESSIBILITY: AMERICANS WITH DISABILITIES ACT (FEDERAL, STATE & LOCAL REQUIREMENTS NOTED IN CHAPTER 11 OF THE 2016 CALIFORNIA BUILDING CODE)

PARCEL ID#: 438-070-13-00
LOT NO: 1
MAP NO: 5884
PROPERTY DESCRIPTION: PARCEL ZONE MISSION VALLEY PLANNED DIST, ACREAGE = 6.65 X 43.572 = 289.754 SF
GEOLOGIC HAZARD CATEGORY: 31 AND 53
ZONING: MVPD-MV-CV
USE: MEDICAL MARIJUANA CONSUMER COOPERATIVE
LAND USE: OFFICE / COMMERCIAL RECREATION
OVERLAY ZONES: THE PROJECT IS WITHIN THE AIRPORT LAND USE COMPATIBILITY OVERLAY ZONE (ALUCOZ), THE AIRPORT INFLUENCE AREA (MONTGOMERY FIELD-REVIEW AREA 2, AND FAA PART 77 NOTICING AREA (MONTGOMERY FIELD AND SDIA-LINDBERG FIELD)
DISTRICT: THE PROPOSED TENANT SPACE FALLS INTO COUNCIL DISTRICT 7.
DISCRETIONARY PERMITS: FENCE VARIANCE-CASE NO. 9582 IS A DISCRETIONARY PROJECT THAT ALLOWED FOR A 17 FT RETAINING WALL, WHERE THE MAXIMUM HEIGHT OF WALL PERMITTED WAS 10 FT.
ZONE VARIANCE-CASE NO 9923 IS A DISCRETIONARY PERMIT FOR TWO SIGNS
VARIANCE-CASE NO. 9923 IS A DISCRETIONARY PERMIT FOR TWO SIGNS
OVERALL BUILDING OCCUPANCIES MIXED USE: (B) BUSINESS (A3) ASSEMBLY - GYM
BUILDING DATA: OLD TENANT OCCUPANCY: (A2) ASSEMBLY - CLUB FUEGO (BAR)
NEW TENANT OCCUPANCY: (B) BUSINESS - SDMM (LIVING GREEN)
TYPE OF CONSTRUCTION: TYPE VB
FULLY SPRINKLERED: YES
GROSS TENANT AREA: 5,074 SQUARE FEET
TOTAL BUILDING AREA: 71,130 SQUARE FEET
ACTUAL BUILDING HEIGHT: 25'-0" TO TOP OF DECK, TWO STORIES
ALLOWABLE HEIGHT: 36' TWO STORIES
TENANT SEPARATION: VARIES, NON-RATED BETWEEN SDMM & ADJACENT OFFICES
COLUMNS: NON-RATED
INTERIOR BEARING WALLS: NON-RATED
INTERIOR NON-BEARING WALLS: NON-RATED
BEAMS, GIRDERS, TRUSSES: NON-RATED
FLOOR CONSTRUCTION: NON-RATED
ROOF / CEILING CONSTRUCTION: NON-RATED
CONSTRUCTION RATINGS: VARIES, NON-RATED BETWEEN SDMM & ADJACENT OFFICES

FAA SELF CERTIFICATION

I, CARYN BAILEY, DO HEREBY CERTIFY THAT THE STRUCTURE(S) OR MODIFICATION TO EXISTING STRUCTURE(S) SHOWN ON THESE PLANS DO NOT REQUIRE FEDERAL AVIATION ADMINISTRATION NOTIFICATION BECAUSE PER SECTION 77.15(A) OF TITLE 14 OF THE CODE OF FEDERAL REGULATIONS CFR PART 77, NOTIFICATION IS NOT REQUIRED.

CITY OF SD PROJECT NUMBER: 523179

DATE: 04.18.17
JOB NO: 001
DRAWN: STAFF
CHECKED: CB



Members of the American Institute of Architects

rAd Architects

1286 University Ave #137
San Diego, California 92103
Tel: 619.991.8194
Fax: 619.991.8194

SDMM (LIVING GREEN)
MMCC - CUP 3
1233 CAMINO DEL RIO SOUTH SUITE 1299
SAN DIEGO, CA 92108

CONTRACTOR SHALL BUILD ONLY FROM SETS
STAMPED "CONSTRUCTION SET" HEREIN

PLANNING SUBMITTAL

ISSUE DATE: 04.18.17



REVISIONS:

DATE	REVISION	BY	REVISION
03.03.17	1	CITY COMMENTS	
03.13.17	2	CITY COMMENTS	
03.27.17	3	CITY COMMENTS	
04.05.17	4	CITY COMMENTS	
04.06.17	5	CITY COMMENTS	
04.12.17	6	CITY COMMENTS	
04.17.17	7	CITY COMMENTS	
04.18.17	8	CITY COMMENTS	

SHEET TITLE:

PROJECT INFORMATION

SHEET NO:

P1.0

DATE: 04.18.17
JOB NO: 001
DRAWN: STAFF
CHECKED: CB



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(619) 291-8194

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PLANNING SUBMITTAL
ISSUE DATE: 04.18.17



REVISIONS:

03.03.17 1 CITY COMMENTS

SHEET TITLE:

PROJECT NOTES

SHEET NO:

P1.1

BRUSH MANAGEMENT

The City of San Diego
Brush Management Regulations

BULLETIN #1:
BRUSH MANAGEMENT GUIDE

The City of San Diego has over 500 linear miles of wildland-urban interface where the back yards of homes meet dense stands of native and introduced vegetation in canyons and other open space areas. Years of drought have increased the flammability of vegetation and increased the risk of wildfire to occur. Brush management is needed to reduce fire hazard around structures, and to help firefighters protect life and property when fires do occur.

In addition to protecting the public from fire hazards, the City also has a responsibility to protect sensitive biological resources in canyons and open space areas. Brush management activities must be done in a manner that both reduces fire hazards and minimizes impacts to undisturbed native and introduced vegetation. It is the responsibility of each homeowner to conduct brush management on their property consistent with San Diego Municipal Code (SDMC) Section 142.0411 and with required protection for environmentally sensitive lands (SDMC Chapter 14, Article 3, Division 1).

This Bulletin generally describes brush management requirements and techniques. Check with the Fire-Rescue Department or Development Services Department (DSD) before you begin your work to better understand how the requirements apply to a specific piece of property. (See back of Bulletin for contact information.)

BRUSH MANAGEMENT REQUIREMENTS (SDMC Section 142.0411)

Any property containing a habitable structure and either or extended vegetation is required to provide 100 feet of brush management in two distinct zones: Zone 1 and Zone 2. Special requirements may apply (i.e. pre-1989 development). Check with Fire-Rescue or DSD before you begin brush management work.

- **Zone 1** must be maintained on a regular basis by thinning and pruning trees and plants, controlling weeds, and maintaining irrigation systems.
- No habitable structures are permitted. New construction (i.e. fences, walls, patios, play structures, garages, and decks) must be non-combustible and/or have a minimum 1-hour fire resistance rating. Previously existing structures (legally constructed prior to ordinance) may remain unless they constitute a distinct change to life or property.
- Plants should be primarily low-growing (less than 4 feet in height), low-fuel, and fire-resistant.
- All portions of trees, other than the trunk, which extend within ten feet of a structure or the center of any driveway must be cut back.
- Trees adjacent to or overhanging any building must be free of dead wood.
- Roof and rain gutters must be free of leaves, needles, or other dead vegetative growth.

Brush Management Zone 2 is the remaining 45 feet that extends beyond Zone 1, typically comprised of undisturbed vegetation on a slope subject to sensitive biological resource protection.

- **Zone 2** must be maintained on a regular basis by controlling weeds and removing invasive species (See back of Bulletin for additional information.)
- Selective thinning and pruning of native and non-native plants is required to reduce the fuel-load. Do not grade or grub native plants, soils or habitats. Non-native plants must be ground before native plants. See detailed instructions provided in this Bulletin. Violators will be responsible for restoration and mitigation costs as applicable.
- Brush management activity is not allowed March 1 through August 15 in coastal sage scrub, maritime coastal scrub, or coastal sage-shrub habitats, unless an exception is specifically granted.
- No structures or permanent irrigation are allowed in Zone 2.
- A permit is required to re-vegetate or reconfigure Brush Management Zone 2. Failure to obtain the required permit could result in costly corrective action.

How to Selectively Thin and Prune Plants and Trees in Zone 2 and Avoid Clearing Sensitive Vegetation in Violation of the Code.

Step 1: Remove... as much dead wood as you can and invasive species within the Brush Management Zone area.

Step 2: Thin... the entire Zone 2 area. Start by cutting down 50% of the plants over 2 feet in height to a height of 6 inches. Don't go any lower than 6 inches as the roots remain to control soil erosion. The goal is to create a "meadow" or more natural look, as shown below, so do your cutting in a "staggered" pattern. Leave uncut plant groupings up to 400 square feet... that's a 20x20 foot area, or an area that can be enclosed by an 80-foot rope... separated by groupings of plants cut down to 6 inches. Thinning should be prioritized as follows: 1) invasive non-native species 2) non-native species 3) flammable native species, 4) native species and 5) regionally sensitive species.



Before Brush Management

After Thinning and Pruning

Step 3: Prune... all plants or plant groupings that are left after the thinning process to achieve the horizontal and vertical clearances shown in the illustration below. (For trees in Encinitas Woodlands area, see FPD Policy D-08-1.)



Tree and Shrub Spacing

Remaining plants, 4 feet or more in height, should then be cut and shaped into "under-bush." This means pruning one-half of the lower branches to create umbrella-shaped canopies. This allows you to see and deal with what is growing underneath. Upper branches may then be shortened to reduce fuel load as long as the canopy is left intact. This keeps the plant healthy and the shade from the plant canopy reduces weed and plant growth underneath. Vegetation that is less than 4 feet in height, like coastal sage scrub, should be cut back to within 12 inches of the main stems.



Chaparral Plant Before Pruning

Chaparral Plant After Pruning

Step 4: Digging... of the canopy and dead wood by either leading it to a landfill, or by chipping/shredding it on-site and spreading it out in the Zone 2 area to a depth of not more than 6 inches.

Step 5: This and pruned canopy... because plants will grow back.

BMP NOTES

Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

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

Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

"MINOR" WATER POLLUTION CONTROL PLAN (MWPCP)

City of San Diego
Development Services Department
1222 First Ave., MS-302
San Diego, CA 92101
(619) 445-5000

"Minor" Water Pollution
Control Plan (MWPCP)

FORM
DS-570
October 2012

MWPCP REQUIREMENTS

The City requires a Water Pollution Control Plan (WPCP), a Minor Water Pollution Control Plan (MWPCP) or a Storm Water Pollution Prevention Plan (SWPPP), for all construction projects that have potential for storm water pollution. Some construction project types, such as interior plumbing, electrical and mechanical work, may be considered exempt. The appropriate plan is determined by the following guidelines:

1. Any project subject to the Construction General Permit (CGP) (typically projects with 1 acre or more of ground disturbance) requires a SWPPP and may not utilize a WPCP or MWPCP. If coverage under the CGP (Permit which requires a SWPPP) is not required for the project, see below.
2. The following approval types (see Form DS-503) require a WPCP: Grading, Public Right-of-Way, and Demolition/Removal. Exceptions may be made allowing use of this MWPCP for minor work.
3. The following approval types (see Form DS-503) require a WPCP whenever a substantial for Drainage and Grading review is required. Exceptions may be made allowing use of this MWPCP for minor work.
4. This MWPCP may be utilized for projects that result in less than 5,000sf of ground disturbance and have less than a 5ft elevation differential over the entire project area.

NOTE: It is the responsibility of the project owner to ensure that all construction activities comply with local and state regulations, including San Diego Municipal Code Book 4A.01. The guidance and template provided herein is for the applicant's convenience and do not allocate responsibility on part of the project owner to determine the appropriate level of BMP planning and implementation to prevent pollutant discharges.

STEP 1. IDENTIFY RELEVANT PROJECT INFORMATION

Applicant Name: SEAN ST. PETER
Contact Name: Same
Project Number: 523179
Mailing Address: 4231 BALBOA AVE. #152
City: San Diego
State: CA
Zip Code: 92117
Telephone No.: (619) 618-1329
E-mail Address: sean_slpeter@yahoo.com
Project Information:
Address: 1233 Camino Del Rio South Ste. 1299
City: San Diego
State: CA
Zip Code: 92108
APN: 438-070-13-00
Permit Application Number: 523179

Brief Project Description:
Tenant improvements include: installation of new frame of construction to include walls for new offices, secured toilet proof glass reception room, and converting existing freezer into secured vault. Updating of 3 existing driveways if not up to city standards. Drive Way widths shall be in accordance with Section 142.05.60(f). Ensure all accessible parking requirements are satisfied not limited to: minimum parking rates, motorcycle parking, bicycle parking short and long term, carpooling emission parking, create accessible pedestrian path of travel from public sidewalk to projects entrance, & provide exterior way finding signage.

Improvements (overall square footage): 5,074 TENANT IMPROVEMENT
Estimate Project Start Date: TBD
Estimate Project Finish Date: TBD
Total Lot Size is R1: 84 Linear Feet of New Sidewalk
Estimated Amount of Disturbed Differential Area: 0'-0"

Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services.
Upon request, this information is available in alternative formats for persons with disabilities.
DS-570 (10-12)

Clear Page 1

Page 2 of 2 City of San Diego • Development Services Department • "Minor" Water Pollution Control Plan (MWPCP)

STEP 2. IDENTIFY CONSTRUCTION STORM WATER BMPs

Unprotected construction sites have the potential to discharge sediment and other pollutants into local waterways. All construction projects are required to reduce pollution in the maximum extent practicable by implementing best management practices (BMPs). Sections 3 of the Storm Water Standards Manual outline the requirements for Construction Stormwater BMPs. There are five categories:

1. Erosion control practices
2. Velocity reduction
3. Sediment control practices
4. Off-site sediment tracking control
5. General site and materials management

BMPs from each of the five categories must be used together as a system to prevent potential discharges.

If you answer "Yes" to any of the questions below, your project is subject to Table 1 on the following page (Minimum Required Standard Construction Stormwater BMPs). As noted in the table, please select at least the minimum number of required BMPs, or as many as are feasible for your project. If no BMP is selected, an explanation must be given in the box provided. The following questions are intended to aid in determining construction BMP requirements for your project, please check box either "Yes" or "No".

1. Will there be soil disturbing activities that will result in exposed soil areas? (This includes minor grading and trenching.)
Reference Table 1 Items A and E ☒ Yes ☐ No
2. Will there be asphalt paving, including patching?
Reference Table 1 Items C and E ☐ Yes ☒ No
3. Will there be curbs for mortar mixing, curing, or concrete saw cutting?
Reference Table 1 Items C and E ☐ Yes ☒ No
4. Will there be solid wastes from concrete demolition and removal, wall construction, or form work?
Reference Table 1 Items C and E ☒ Yes ☐ No
5. Will there be stockpiling (soil, compost, asphalt, concrete, solid waste) for over 24 hours?
Reference Table 1 Items C and E ☐ Yes ☒ No
6. Will there be dewatering operations?
Reference Table 1 Items B and C ☐ Yes ☒ No
7. Will there be temporary on-site storage of construction materials, including mortar mix, raw landscaping and soil stabilization materials, treated lumber, rebar, and plated metal fencing materials?
Reference Table 1 Items B and E ☐ Yes ☒ No
8. Will trash or solid waste product be generated from this project?
Reference Table 1 Item E ☒ Yes ☐ No
9. Will construction equipment be stored on site (e.g. fuels, oils, trucks, etc.)?
Reference Table 1 Item E ☐ Yes ☒ No
10. Will Portable Sanitary Services ("Porta-potty") be used on the site?
Reference Table 1 Item E ☐ Yes ☒ No

Clear Page 2

City of San Diego • Development Services Department • "Minor" Water Pollution Control Plan (MWPCP) Page 3 of 3

TABLE 1
MINIMUM REQUIRED STANDARD CONSTRUCTION STORMWATER BMPs
(Source: CALTRANS Storm Water Quality Handbook)

Minimum Required Best Management Practice	CALTRANS Stormwater Handbook	Check at least one BMP from each section below	If your project requires an BMP from any of the sections below, please explain within space provided
A. Select Erosion Control Method			
Vegetative Stabilization Planting (Summer)	SS-2, SS-4	<input type="checkbox"/>	
Hydraulic Stabilization Hydroseeding (Summer)	SS-4	<input type="checkbox"/>	
Biodegradable Fiber Matrix or Stabilized Fiber Mats (Winter)	SS-2	<input type="checkbox"/>	
Physical Stabilization Erosion Control Blanket (Winter)	SS-7	<input type="checkbox"/>	
Leaf Particle Protection Detail	SC-2	<input type="checkbox"/>	
Mulch, Straw, Woodchips, Ball Application	SS-6, SS-8	<input checked="" type="checkbox"/>	
B. If Runoff or Dewatering Operation is concentrated, velocity must be controlled using an energy dissipater			
Energy Dissipater Outlet Protection	SS-10	<input checked="" type="checkbox"/>	
C. Select Sediment Control method for all disturbed areas (Choose at least one)			
Roll Fence	SC-1	<input checked="" type="checkbox"/>	
Pier Rolls (Straw Wattles)	SC-5	<input type="checkbox"/>	
Gravel Bags	SC-4, SC-8	<input checked="" type="checkbox"/>	
Dewatering Filtration	SS-3	<input type="checkbox"/>	
Storm Drain Inlet Protection	SC-19	<input type="checkbox"/>	
D. Select method for preventing off-site tracking of sediment (choose at least one)			
Stabilized Construction Entrance	TC-1	<input checked="" type="checkbox"/>	
Rotating Roll Tine Wash	TC-3	<input type="checkbox"/>	
Street Sweeping & Vacuuming	SC-7	<input type="checkbox"/>	
E. Select the General Site Management BMPs for each waste that will be on site			
Material Delivery & Storage	WM-1	<input checked="" type="checkbox"/>	
Spill Prevention & Control	WM-4	<input checked="" type="checkbox"/>	
Over-site Waste Management	WM-5	<input type="checkbox"/>	
Soil Waste Management	WM-5	<input checked="" type="checkbox"/>	
Sediment Waste Management	WM-9	<input checked="" type="checkbox"/>	
Hazardous Waste Management	WM-6	<input type="checkbox"/>	

The applicant must print and sign the following certification before a permit will be issued. I have read and understand that the City of San Diego has adopted minimum requirements for managing urban runoff, including storm water, from construction and land development activities. I certify that the BMPs selected on this form will be implemented to minimize the potentially negative impacts of this project's construction and land development activities on water quality. I further agree to install, maintain, and monitor the selected BMPs to ensure their effectiveness. I also understand that non-compliance with the City's Storm Water Standards may result in enforcement by the City, including fines, cease and desist orders, or other actions.

Signature: _____ Date: _____

Clear Page 3

DATE: 04.18.17
JOB NO: 001
DRAWN: STAFF
CHECKED: CB



Members of the American Institute of Architects
rAd Architects
1226 University Ave #127
San Diego, California 92103
(619) 991-8194

SDMM (LIVING GREEN)
MMCC - CUP 3
1233 CAMINO DEL RIO SOUTH SUITE 1299
SAN DIEGO, CA 92108

CONTRACTOR SHALL BUILD ONLY FROM SETS
STAMPED "CONSTRUCTION SET" HEREIN

PLANNING SUBMITTAL
ISSUE DATE: 04.18.17



REVISIONS:

03.03.17 1 CITY COMMENTS
03.13.17 2 CITY COMMENTS
04.18.17 8 CITY COMMENTS

SHEET TITLE:

STORM WATER NOTES

SHEET NO:

P1.2

STORM WATER REQUIREMENTS APPLICABILITY CHECKLIST

Page 4 of 4 City of San Diego • Development Services Department • Storm Water Requirements Applicability Checklist

7. New development or redevelopment discharging directly to an Environmentally Sensitive Area. The project creates and/or replaces 1,000 square feet of impervious surface collectively over project site, and discharges directly to an Environmentally Sensitive Area (ESA). Discharging directly to includes flow that is conveyed overland a distance of 200 feet or less from the project to the ESA, or conveyed in a pipe or open channel any distance as an isolated flow from the project to the ESA, i.e., not commingled with flows from adjacent lands. ☐ Yes ☒ No

8. New development or redevelopment projects of a retail gasoline outlet (RGO) that creates and/or replaces 5,000 square feet of impervious surface. The development project meets the following criteria: (a) 5,000 square feet or more or (b) has a projected Average Daily Traffic (ADT) of 100 or more vehicles per day. ☐ Yes ☒ No

9. New development or redevelopment projects of an automotive repair shop that creates and/or replaces 5,000 square feet or more of impervious surface. Development projects integrated in any one of Standard Industrial Classification (SIC) codes 5012, 5014, 5041, 7022, 7024, or 7026. ☐ Yes ☒ No

10. Other Pollutant Generating Project. The project is not covered by the categories above, results in the disturbance of one or more acres of land and is expected to generate pollutants and construction, such as fertilizers and pesticides. This does not include projects involving less than 5,000 sq. ft. of impervious surface and where added landscaping does not require regular use of pesticides and fertilizers, such as slope stabilization using native plants. Cultivation of the square footage of impervious surface used not include linear pathways that are for infrequent vehicle use, such as emergency maintenance routes or bicycle pedestrian use, if they are built with permeable surfaces or if they share flow to surrounding pervious surfaces. ☐ Yes ☒ No

PART F: Select the appropriate category based on the outcomes of PART C through PART E.

1. The project is NOT SUBJECT TO STORM WATER REQUIREMENTS. ☐

2. The project is a STANDARD DEVELOPMENT PROJECT. Site design and source control BMP requirements apply. See the Storm Water Standards Manual for guidance. ☒

3. The project is PDP EXEMPT. Site design and source control BMP requirements apply. See the Storm Water Standards Manual for guidance. ☐

4. The project is a PRIORITY DEVELOPMENT PROJECT. Site design, source control, and structural pollution control BMP requirements apply. See the Storm Water Standards Manual for guidance on determining if project requires a hydromitigation plan management. ☐

Name of Owner or Agent (Please Print): _____ Title: _____
Signature: _____ Date: _____

City of San Diego • Development Services Department • Storm Water Requirements Applicability Checklist Page 3 of 4

PART D: PDP Exempt Requirements.
PDP Exempt projects are required to implement site design and source control BMPs.
If "yes" was checked for any questions in Part D, continue to Part F and check the box labeled "PDP Exempt."
If "no" was checked for all questions in Part D, continue to Part E.

1. Does the project ONLY include new or retrofit sidewalks, bicycle lanes, or trails that:
• Are designed and constructed to direct storm water runoff to adjacent vegetated areas, or other non-erodible permeable areas? Or;
• Are designed and constructed to be hydraulically disconnected from paved streets and roads? Or;
• Are designed and constructed with permeable pavement or surfaces in accordance with the Green Streets guidance in the City's Storm Water Standards Manual? ☐ Yes, PDP exempt requirements apply ☒ No, next question

2. Does the project ONLY include retrofitting or reconfiguring existing paved alleys, streets or roads designed and constructed in accordance with the Green Streets guidance in the City's Storm Water Standards Manual? ☐ Yes, PDP exempt requirements apply ☒ No, project not exempt, PDP requirements apply

PART E: Determine if Project is a Priority Development Project (PDP).
Projects that match one of the definitions below are subject to additional requirements including preparation of a Storm Water Quality Management Plan (SWQMP).
If "yes" is checked for any number in PART E, continue to PART F.
If "no" is checked for every number in PART E, continue to PART F and check the box labeled "Standard Development Project".

1. New Development that creates 10,000 square feet or more of impervious surface collectively over the project site. This includes commercial, industrial, residential, mixed-use, and public development projects on public or private land. ☐ Yes ☒ No

2. Redevelopment project that creates and/or replaces 5,000 square feet or more of impervious surface on an existing site of 10,000 square feet or more of impervious surface. This includes commercial, industrial, residential, mixed-use, and public development projects on public or private land. ☐ Yes ☒ No

3. New development or redevelopment of a restaurant. Facilities that sell prepared foods and drinks for consumption, including stationary food counters and refreshment stands selling prepared foods and drinks for immediate consumption (SIC 5812), and where the land development creates and/or replaces 5,000 square feet or more of impervious surface. ☐ Yes ☒ No

4. New development or redevelopment on a hillside. The project creates and/or replaces 5,000 square feet or more of impervious surface collectively over the project site and where the development will grade on any natural slope that is twenty-five percent or greater. ☐ Yes ☒ No

5. New development or redevelopment of a parking lot that creates and/or replaces 5,000 square feet or more of impervious surface collectively over the project site. ☐ Yes ☒ No

6. New development or redevelopment of streets, roads, highways, freeways, and driveways. The project creates and/or replaces 5,000 square feet or more of impervious surface collectively over the project site. ☐ Yes ☒ No

Page 2 of 4 City of San Diego • Development Services Department • Storm Water Requirements Applicability Checklist

PART B: Determine Construction Site Priority
This prioritization must be completed within this form, noted on the plans, and included in the SWPPP or WPCP. The City reserves the right to adjust the priority of projects below and other construction. Construction projects are assigned an inspection frequency based on if the project has a "high threat to water quality." The City has assigned the local definition of "high threat to water quality" to the risk determination approach of the Storm Construction General Permit (CGP). The CGP determines risk level based on project, specific sediment risk and receiving water risk. Additional inspection is required for projects within the Area of Special Biological Significance (ASBS) watershed. NOTE: The construction priority does NOT change construction BMP requirements that apply to projects; rather, it determines the frequency of inspections that will be conducted by city staff.

Complete PART B and continue to Section 2

1. ☐ ASBS
a. Projects located in the ASBS watershed.

2. ☐ High Priority
a. Projects 1 acre or more determined to be Risk Level 2 or Risk Level 3 per the Construction General Permit and not located in the ASBS watershed.
b. Projects 1 acre or more determined to be LUP Type 2 or LUP Type 3 per the Construction General Permit and not located in the ASBS watershed.

3. ☐ Medium Priority
a. Projects 1 acre or more not subject to an ASBS or high priority designation.
b. Projects determined to be Risk Level 1 or LUP Type 1 per the Construction General Permit and not located in the ASBS watershed.

4. ☒ Low Priority
a. Projects requiring a Water Pollution Control Plan but not subject to ASBS, high, or medium priority designation.

SECTION 2: Permanent Storm Water BMP Requirements.
Additional information for determining the requirements is found in the Storm Water Standards Manual.
PART C: Determine if Not Subject to Permanent Storm Water Requirements.
Projects that are considered maintenance, or otherwise not subject to "new development projects" or "redevelopment projects" according to the Storm Water Standards Manual are not subject to Permanent Storm Water BMPs.
If "yes" is checked for any number in Part C, proceed to Part F and check "Not Subject to Permanent Storm Water BMP Requirements".
If "no" is checked for all of the numbers in Part C continue to Part D.

1. Does the project only include interior remodels and/or is the project entirely within an existing enclosed structure and does not have the potential to contact storm water? ☐ Yes ☒ No

2. Does the project only include the construction of overhead or underground utilities without creating new impervious surface? ☐ Yes ☒ No

3. Does the project fall under routine maintenance? Examples include, but are not limited to: roof or exterior structure surface replacement, resurfacing or resurfacing surface parking lots or existing roadways without expanding the impervious footprint, and routine replacement of damaged pavement (grinding, overlay, and patching repair). ☐ Yes ☒ No

City of San Diego
Development Services
1233 Camino del Rio South, Suite 1299
San Diego, CA 92108
(619) 448-5000

Storm Water Requirements Applicability Checklist FORM DS-560
Revision 2016

Project Address: 1233 Camino del Rio South, Suite 1299 Project Number (for City Use Only): 323179

SECTION 1: Construction Storm Water BMP Requirements.
All construction sites are required to implement construction BMPs in accordance with the performance standards in the Storm Water Standards Manual. Some sites are additionally required to obtain coverage under the State Construction General Permit (CGP), which is administered by the State Water Resources Control Board.

For all project complete PART A: If project is required to submit a SWPPP or WPCP, continue to PART B.

PART A: Determine Construction Phase Storm Water Requirements.

1. Is the project subject to California's statewide General NPDES permit for Storm Water Discharges Associated with Construction Activities, also known as the State Construction General Permit (CGP)? (Typically projects with land disturbance greater than or equal to 1 acre.)
☐ Yes, SWPPP required, skip questions 2-4 ☒ No, next question

2. Does the project propose construction or demolition activity, including but not limited to, clearing, grading, grubbing, excavation, or any other activity that results in ground disturbance and contact with storm water runoff?
☐ Yes, WPCP required, skip 3-4 ☒ No, next question

3. Does the project require maintenance to maintain original line and grade, hydraulic capacity, or original purpose of the facility? (Projects such as pipeline/utility replacement.)
☐ Yes, WPCP required, skip 4 ☒ No, next question

4. Does the project include the following Permit types listed below?
• Electrical Permit, Fire Alarm Permit, Fire Sprinkler Permit, Plumbing Permit, Sign Permit, Mechanical Permit, Sign Permit.
• Individual Right of Way Permits that exclusively include only ONE of the following activities: water service, sewer lateral, or utility service.
• Right of Way Permits with a project footprint less than 150 linear feet that exclusively include only ONE of the following activities: curb cutting, sidewalk and driveway apron replacement, post boring, curb and gutter replacement, and retaining wall construction.
☐ Yes, no document required

Check one of the boxes to the right, and continue to PART B:
☐ If you checked "Yes" for question 1, a SWPPP is REQUIRED. Continue to PART B.
☒ If you checked "No" for question 1, and checked "Yes" for question 2 or 3, a WPCP is REQUIRED. If the project proposes less than 5,000 square feet of ground disturbance AND has less than a 5-foot elevation change over the entire project area, a Storm WPCP may be required instead. Continue to PART B.
☐ If you checked "No" for all questions 1-3, and checked "Yes" for question 4, PART 1 does not apply and no document is required. Continue to Section 2.

1. More information on the City's construction BMP requirements as well as CGP requirements can be found at: www.sdsd.org/StormWaterBMP
Permit or required paper: Visit our web site at www.sdsd.org/StormWaterBMP to obtain or alternative formats for persons with disabilities.
Upon request, this information is available in alternative formats for persons with disabilities.
(26-000-200-00)

FORM I-4 & I-5

Site Design BMP Checklist for Standard Projects Form I-5
All development projects must implement site design BMPs SD-1 through SD-8. Refer to Chapter 4 and Appendix E of the BMP Design Manual for information to implement BMPs shown in this checklist.

Note: All selected BMPs must be shown on the construction plans.

Site Design Requirement	Applied 1/2
SD-1 Maintain Natural Drainage Pathways and Hydrologic Features	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SD-2 Conserve Natural Areas, Soils, and Vegetation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SD-3 Minimize Impervious Area	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SD-4 Minimize Soil Compaction	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SD-5 Impervious Area Dispersion	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SD-6 Runoff Collection	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SD-7 Landscaping with Native or Drought Tolerant Species	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SD-8 Harvesting and Using Precipitation	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

Discussion / justification for all "No" answers shown above:
Click or tap here to enter text.

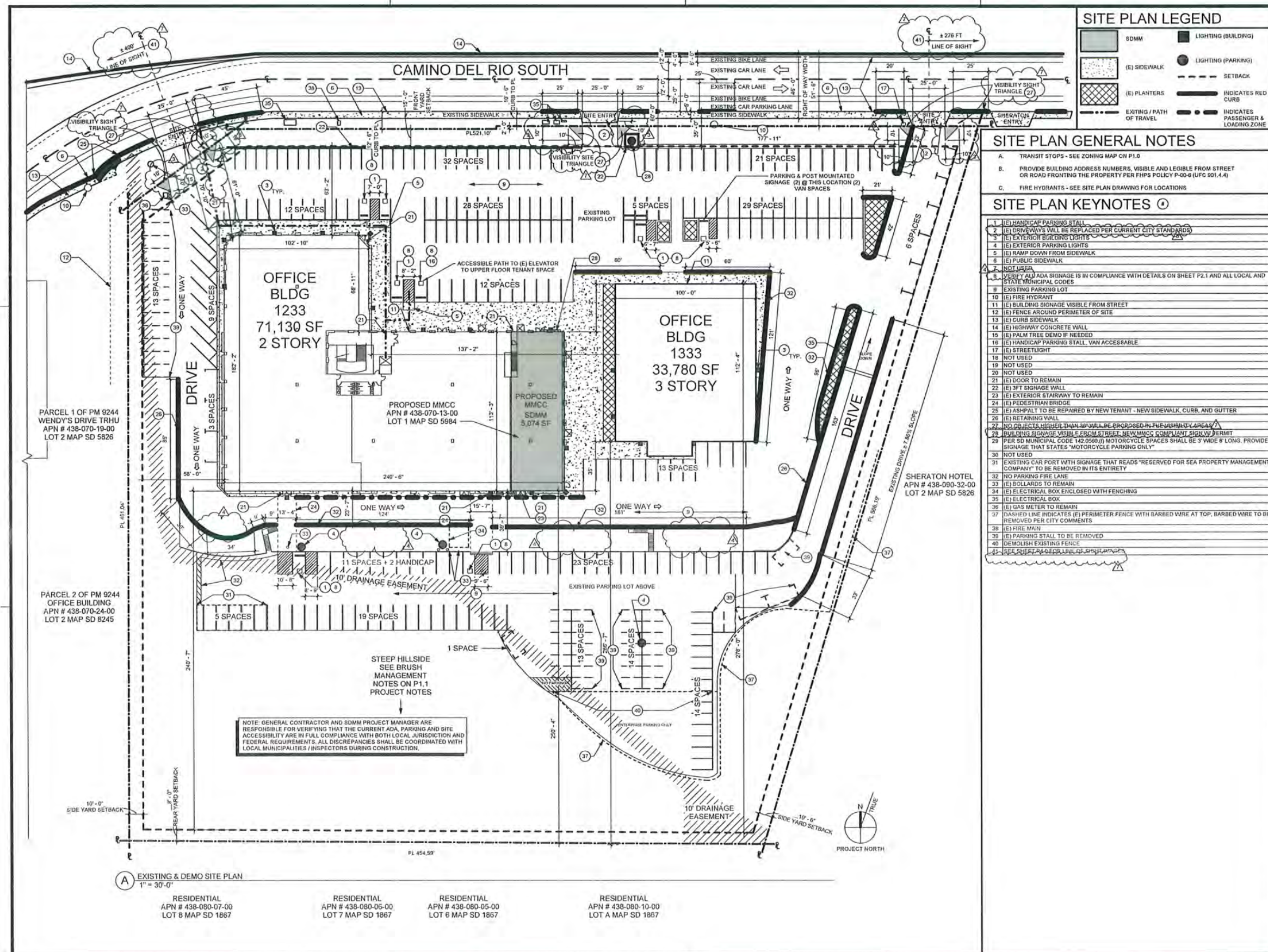
- 1/2 Answer for each source control and site design category shall be pursuant to the following:
- "Yes" means the project will implement the BMP as described in Chapter 4 and/or Appendix E of the BMP Design Manual. Discussion / justification is not required.
 - "No" means the BMP is applicable to the project but it is not feasible to implement. Discussion / justification must be provided.
 - "N/A" means the BMP is not applicable at the project site because the project does not include the feature that is addressed by the BMP (e.g., the project has no outdoor materials storage areas). Discussion / justification may be provided.

Source Control BMP Checklist for Standard Projects Form I-4
All development projects must implement source control BMPs SC-1 through SC-6 and. Refer to Chapter 4 and Appendix E of the BMP Design Manual for information to implement BMPs shown in this checklist.

Note: All selected BMPs must be shown on the construction plans.

Source Control Requirement	Applied 1/2
SC-1 Prevention of Illicit Discharges into the MS4	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SC-2 Storm Drain Stenciling or Signage	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SC-3 Protect Outdoor Materials Storage Areas from Rainfall, Run-On, Runoff, and Wind Dispersal	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
SC-4 Protect Materials Stored in Outdoor Work Areas from Rainfall, Run-On, Runoff, and Wind Dispersal	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
SC-5 Protect Trash Storage Areas from Rainfall, Run-On, Runoff, and Wind Dispersal	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SC-6 BMPs based on Potential Sources of Runoff Pollutants	
On-site storm drain inlets	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Interior floor drains and elevator shaft ramp pumps	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Interior parking garages	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Need for fence to keep structural pests out	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Landscaping/Underfoot Path Use	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Pools, spas, ponds, decorative fountains, and other water features	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Food service	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Refrigeration	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Industrial processes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Outdoor storage of equipment or materials	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Vehicle/Equipment Repair and Maintenance	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Fuel Dispensing Areas	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Loading Docks	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Fire Sprinkler Test Water	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Mechanical Drain or Wash Water	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Plants, old walls, and parking lots	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SC-6A: Large Trash Generating Facilities	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
SC-6B: Animal Facilities	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
SC-6C: Plant Nurseries and Garden Centers	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
SC-6D: Automotive-related Uses	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

Discussion / justification for all "No" answers shown above:
Click or tap here to enter text.



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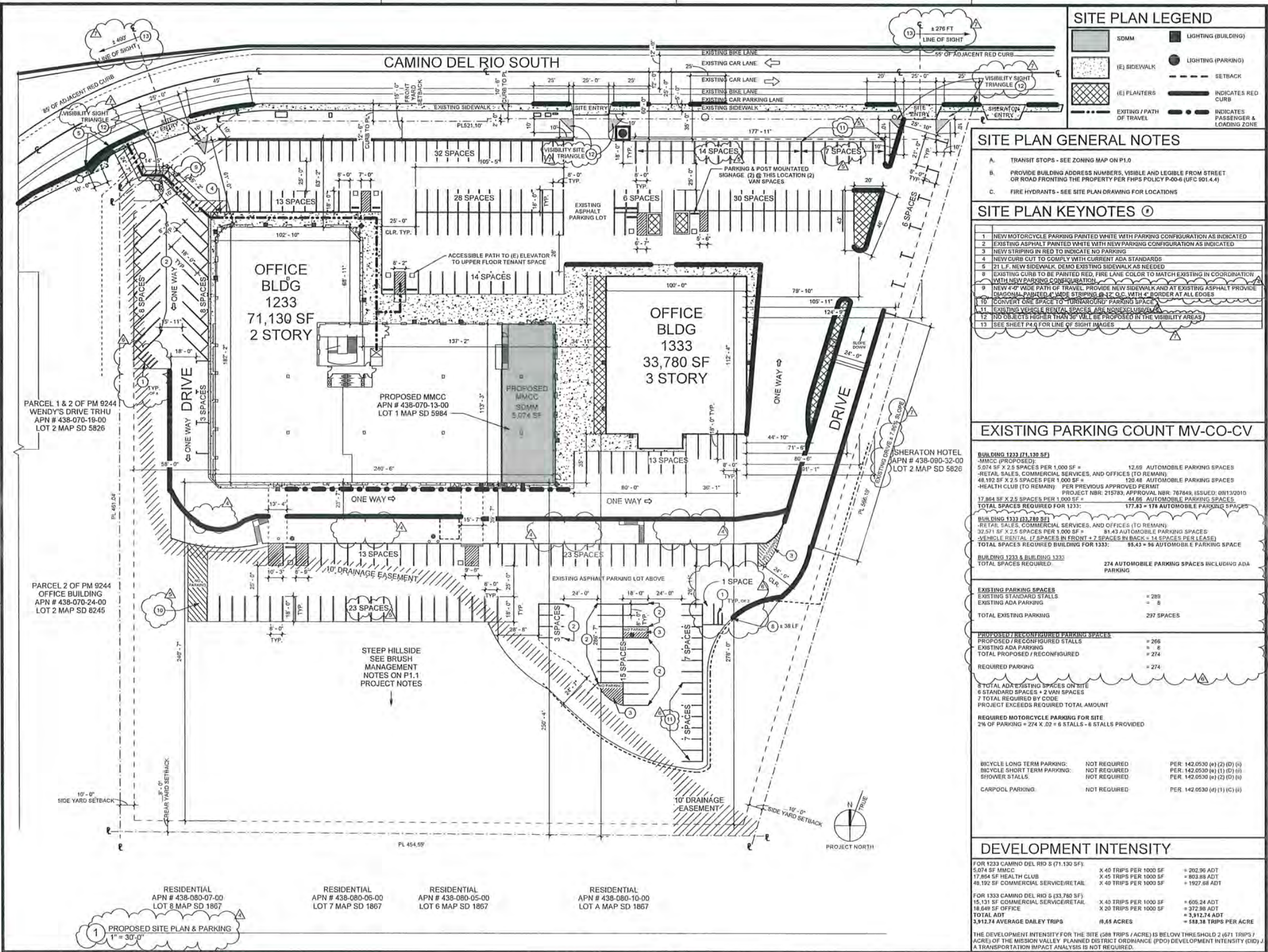
04.05.17	4	CITY COMMENTS
04.06.17	5	CITY COMMENTS
04.12.17	6	CITY COMMENTS
04.17.17	7	CITY COMMENTS

SHEET TITLE:

PROPOSED SITE PLAN & PARKING

SHEET NO:

P2.1



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03.03.17 1 CITY COMMENTS
04.18.17 8 CITY COMMENTS

SHEET TITLE:

SITE DETAILS

SHEET NO:

P2.2

FINDINGS FOR CONDITIONAL USE PERMIT APPROVAL

(CONTINUED)

26. THE OWNER/PERMITEE SHALL INSTALL BULLET RESISTANT GLASS, PLASTIC, OR LAMINATE SHIELD AT THE RECEPTION AREA TO PROTECT THE EMPLOYEES.
27. THE OWNER/PERMITEE SHALL INSTALL BULLET RESISTANT ARMOR PANELS OR SOLID GROUTED MASONRY BLOCK WALLS, DESIGNED BY A LICENSED PROFESSIONAL, IN THE RECEPTION AREA AND VAULT ROOM.
28. THE OWNER/PERMITEE OR OPERATOR SHALL MAINTAIN THE MMCC, ADJACENT PUBLIC SIDEWALKS, AND AREAS UNDER THE CONTROL OF THE OWNER OR OPERATOR, FREE OF LITTER AND GRAFFITI AT ALL TIMES. THE OWNER OR OPERATOR SHALL PROVIDE FOR DAILY REMOVAL OF TRASH, LITTER, AND DEBRIS. GRAFFITI SHALL BE REMOVED WITHIN 24 HOURS.
29. THE OWNER/PERMITEE OR OPERATOR SHALL POST ANTI-LOITERING SIGNS NEAR ALL ENTRANCES OF THE MMCC.
30. THE NAME AND EMERGENCY CONTACT PHONE NUMBER OF AN OPERATOR OR MANAGER SHALL BE POSTED IN A LOCATION VISIBLE FROM OUTSIDE IN CHARACTER SIZE AT LEAST 2 INCHES IN HEIGHT PER SDMC 141.0814.
31. ALL SIGNS ASSOCIATED WITH THIS DEVELOPMENT SHALL BE CONSISTENT WITH SIGN CRITERIA ESTABLISHED BY CITY-WIDE SIGN REGULATIONS AND SHALL FURTHER BE RESTRICTED BY THE 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.
32. HOURS OF OPERATION: MONDAY-SUNDAY 7AM-9PM PER SDMC 141.0814.
33. BUSINESS NAME SIGN SHALL BE POSTED ON THE OUTSIDE OF THE BUILDING AND SHOULD ONLY CONTAIN THE NAME OF THE BUSINESS, LIMITED TO TWO COLORS PER SDMC 141.0814.
34. IN ACCORDANCE WITH SDMC §1514.0406, SIGN PLANS SHALL BE REQUIRED ELEMENT OF THE MISSION VALLEY DEVELOPMENT PERMIT APPLICATION SUBMITTALS. SIGNAGE SHALL BE IN CONFORMANCE WITH LAND DEVELOPMENT CODE CHAPTER 12, ARTICLE 9, DIVISION 8 (SIGN PERMIT PROCEDURES AND CHAPTER 14, ARTICLE 2, DIVISION 12).
35. MEDICAL MARIJUANA SHALL NOT BE CONSUMED ANYWHERE WITHIN THE SITE.
36. PRIOR TO ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL ENTER INTO A MAINTENANCE AGREEMENT FOR THE ONGOING PERMANENT BMP MAINTENANCE, SATISFACTORY TO THE CITY ENGINEER.

(C) THE PROPOSED DEVELOPMENT WILL COMPLY WITH THE REGULATIONS OF THE LAND DEVELOPMENT CODE INCLUDING ANY ALLOWABLE DEVIATIONS PURSUANT TO THE LAND DEVELOPMENT CODE

THERE ARE NO PROPOSED EXTERIOR IMPROVEMENTS. INTERIOR IMPROVEMENTS INCLUDE A RECEPTION AREA, DISPENSARY AND OFFICES. 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 INCLUDE THE REPLACEMENT OF THE EXISTING DRIVEWAYS (ON CAMINO DEL RIO SOUTH WITH A CITY STANDARD DRIVEWAY, INSTALLING NEW PEDESTRIAN WALKWAY AND REPLACING THE CITY SIDEWALK AND CURB. THE PROPOSED MMCC IS CONSISTENT WITH THE LAND USE DESIGNATION OF COMMERCIAL OFFICE. 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.

(D) THE PROPOSED USE IS APPROPRIATE AT THE PROPOSED LOCATION.

THE CITY OF SAN DIEGO ADOPTED ORDINANCE NO. 0-20356, TO IMPLEMENT ZONING REGULATIONS FOR MEDICAL MARIJUANA CONSUMER COOPERATIVES (MMCC). MMCCS ARE ALLOWED WITH A CONDITIONAL USE PERMIT, PROCESS 3, HEARING OFFICER DECISION. THE SAN DIEGO MUNICIPAL CODE LIMITS MMCCS TO COMMERCIAL AND INDUSTRIAL ZONES AND THE NUMBER OF MMCCS TO ONLY FOUR PER COUNCIL DISTRICT, 30 CITY-WIDE. IN ORDER TO MINIMIZE THE IMPACT ON THE CITY AND RESIDENTIAL NEIGHBORHOODS, THE PROPOSED MMCC, CLASSIFIED AS COMMERCIAL SERVICES, IS A COMPATIBLE USE FOR THIS LOCATION WITH A CONDITIONAL USE PERMIT AND SITE DEVELOPMENT PERMIT. THEREFORE, THE PROPOSED MMCC IS AN APPROPRIATE USE AT THE PROPOSED LOCATION AND THE LAND USE DESIGNATION IS CONSISTENT WITH THE COMMUNITY PLAN.

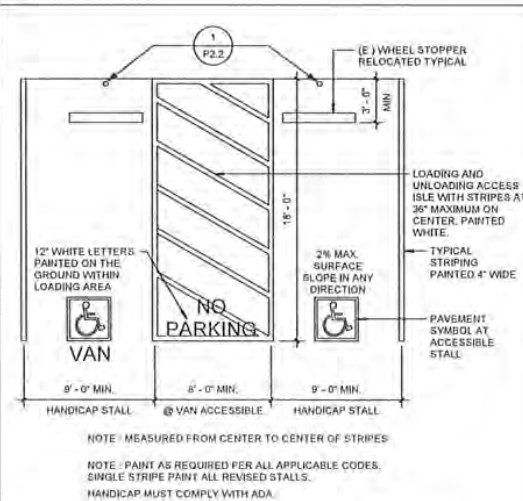
(A) THE PROPOSED DEVELOPMENT WILL NOT ADVERSELY AFFECT THE APPLICABLE LAND USE PLAN; CH. ART. DIV. 12 & 3.5 SAN DIEGO MUNICIPAL CODE CHAPTER 12: LAND DEVELOPMENT REVIEWS (8-2016)

THE PROPOSED MMCC, CLASSIFIED AS COMMERCIAL SERVICES, IS ALLOWABLE IN THE MVPD-MV-CO-CV ZONE WITH A CUP AND IS CONSISTENT WITH THE COMMUNITY PLAN LAND USE DESIGNATION OF COMMERCIAL OFFICE. THE PROJECT SITE FALLS INTO DISTRICT 7, WHICH ALLOWS 4 LICENSED MMCCS. THE PROJECT IS NOT WITHIN 1,000 FEET OF OTHER MMCCS. THE OVERLAY ZONES ARE COMMERCIAL OFFICE AND COMMERCIAL RECREATION. THE COMMERCIAL OFFICE DESIGNATION ENCOURAGES A RANGE OF RETAIL USES AND MULTI-USE DEVELOPMENT IN WHICH COMMERCIAL USES ARE COMBINED OR INTEGRATED WITH OTHER USES. THE PROPOSED MMCC WILL PROVIDE THE LOCAL RESIDENTS WITH "NEIGHBORHOOD" FACILITIES AS ENCOURAGED BY THE COMMUNITY PLAN. THE PROPOSED MMCC CLASSIFIED AS COMMERCIAL SERVICES, IS A COMPATIBLE USE FOR THIS LOCATION AND IS CONSISTENT WITH THE COMMUNITY PLAN. THE RESIDENTIAL ZONE RS-1-1 IS ADJACENT TO THE PROJECT SITE AND SEPARATED BY A STEEP HILLSIDE NATURAL BARRIER CREATING NO ACCESS AND NO PATH OF TRAVEL TO THE NEAREST RESIDENTIAL OR OPEN SPACE PARK (SDMC 113.0225). THE PROJECT IS WITHIN THE AIRPORT LAND USE COMPATIBILITY OVERLAY ZONE (ALUCOZ). THE AIRPORT INFLUENCE AREA MONTGOMERY FIELD REVIEW AREA 2, AND FAA PART 77 NOTICING AREA MONTGOMERY FIELD REVIEW AREA 2, AND SDIA-LINDBERG FIELD. THE SITE IS PREVIOUSLY CONFORMING AND WOULD NOT INCREASE THE DENSITY, STRUCTURE HEIGHT, OR FLOOR AREA. THE PROPOSED USE IS APPROPRIATE AT THE PROPOSED LOCATION. THE PROPOSED DEVELOPMENT WILL COMPLY WITH THE REGULATIONS OF THE LAND DEVELOPMENT CODE INCLUDING ANY ALLOWABLE DEVIATIONS PURSUANT TO THE LAND DEVELOPMENT CODE.

(B) THE PROPOSED DEVELOPMENT WILL NOT BE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, AND WELFARE

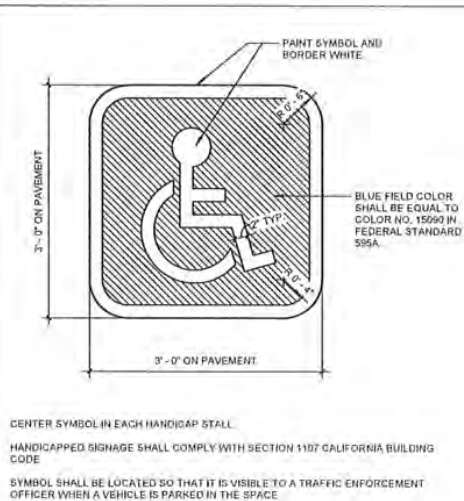
ON MARCH 25, 2014, THE CITY OF SAN DIEGO ADOPTED ORDINANCE NO. 0-20356, TO IMPLEMENT ZONING REGULATIONS FOR MEDICAL MARIJUANA CONSUMER COOPERATIVES (MMCC). MMCCS ARE ALLOWED WITH A CONDITIONAL USE PERMIT, PROCESS 3, HEARING OFFICER DECISION. A LIMIT OF FOUR MMCCS PER COUNCIL DISTRICT (30 CITY-WIDE) WAS ADOPTED IN ORDER TO MINIMIZE THE IMPACT ON THE CITY AND RESIDENTIAL NEIGHBORHOODS. THE PROPOSED MMCC WILL COMPLY WITH ALL APPLICABLE REGULATIONS AND CODES ENSURING THE SAFETY, HEALTH AND WELFARE OF THE PUBLIC. THE BOARD OF DIRECTORS HAVE EXTENSIVE EXPERIENCE IN THE CANNABIS INDUSTRY AND HAVE OWNED AND OPERATED ONE OF THE FIRST WASHINGTON STATE LICENSED 30,000 SF TIER 3 PRODUCER/PROCESSOR CANNABIS FACILITY. THE REFERENCED REGULATIONS AND CONDITIONS BELOW 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.

1. THE PROPOSED USE IS A MMCC. THE PROJECT SITE IS WITHIN THE MV-CO-CV ZONE AND THE USE IS ALLOWED WITH APPROVED CONDITIONAL USE PERMIT PROCESS THREE.
2. THE PROPOSED MMCC SITE IS IN COUNCIL DISTRICT 3 AND 7. THE MAJORITY OF THE SITE IS IN COUNCIL 7. EACH DISTRICT IS ALLOWED 4 LICENSED MMCCS. THE PROPOSED TENANT SPACE FALLS IN COUNCIL DISTRICT 7.
3. THE PROJECT IS LOCATED WITHIN THE HILLSIDE SUBDISTRICT. (APPENDIX E OF THE MISSION VALLEY PLANNED DISTRICT).
4. MMCCS ARE NOT ALLOWED WITHIN 100 FEET OF A RESIDENTIAL ZONE. THE RESIDENTIAL ZONE RS-1-1 IS ADJACENT TO THE PROJECT SITE WITH A STEEP HILLSIDE NATURAL BARRIER CREATING NO PATH OF TRAVEL. TOPOGRAPHIC MAPS PROVIDING SLOPE ANALYSIS AND PATH OF TRAVEL ARE PROVIDED. PER SDMC 113.0225.
5. MMCCS ARE NOT ALLOWED WITHIN 1000 FEET OF A PARK. UNIVERSITY HEIGHTS OPEN SPACE PARK IS LOCATED SOUTH WEST OF THE PROJECT SITE WITH A STEEP HILLSIDE NATURAL BARRIER CREATING NO PATH OF TRAVEL. TOPOGRAPHIC MAPS PROVIDING SLOPE ANALYSIS AND PATH OF TRAVEL ARE PROVIDED. PER SDMC 113.0225.
6. AFTER FURTHER INVESTIGATION, THERE IS NO MAN-MADE TRAIL OR ACCESS ALONG ANY PART OF THE NATURAL BARRIER STEEP HILLSIDE. ONLY FINDINGS CONSISTED OF WATER TO CATCH BASIN LOCATED AT THE REAR OF THE PROPERTY BLOCKED OFF BY LOCKED BARS WIRE FENCING. SEE SUPPORTING PICTURES. THE SHARP POINTED BARB WIRE WILL BE REMOVED PER CODE.
7. THE PROPOSED MMCC IS PROHIBITED WITHIN 1,000 FEET OF OTHER MMCCS. THERE ARE NO MMCCS WITHIN 1,000 FEET OF THE PROPOSED SITE.
8. THE MOST RECENT USE WAS A NIGHTCLUB/BAR AND HAS BEEN CLOSED FOR OVER 8-8 MONTHS AND IS CURRENTLY VACANT.
9. THE PROPOSED SITE DESIGNATED ZONE IS MVPD-MV-CO-CV. THE OVERLAY ZONES ARE COMMERCIAL OFFICE AND COMMERCIAL RECREATION.
10. THE PROJECT IS WITHIN THE AIRPORT LAND USE COMPATIBILITY OVERLAY ZONE (ALUCOZ). THE AIRPORT INFLUENCE AREA (MONTGOMERY FIELD REVIEW AREA 2, AND FAA PART 77 NOTICING AREA MONTGOMERY FIELD AND SDIA-LINDBERG FIELD). THE PROPOSED PROJECT WAS DEVELOPED PRIOR TO THE DEVELOPMENT OF AN AIRPORT LAND USE COMPATIBILITY PLAN AND WOULD BE EXEMPT FROM THE REQUIREMENTS OF SDMC CHAPTER 13, ARTICLE 2, DIVISION 15, AS LISTED IN SDMC 132.1535(A). THE SITE IS PREVIOUSLY CONFORMING AND WOULD NOT INCREASE THE DENSITY, STRUCTURE HEIGHT, OR FLOOR AREA.
11. THE USE OF VENDING MACHINES WHICH ALLOWS ACCESS TO MEDICAL MARIJUANA EXCEPT BY A RESPONSIBLE PERSON, AS DEFINED IN SAN DIEGO MUNICIPAL CODE SECTION 42.1502, IS PROHIBITED. FOR THE PURPOSE OF THIS SECTION, A VENDING MACHINE IS ANY DEVICE WHICH ALLOWS ACCESS TO MEDICAL MARIJUANA WITHOUT HUMAN INTERMEDIARY PER SDMC 141.0914.
12. CONSULTATIONS BY MEDICAL PROFESSIONALS SHALL NOT BE PERMITTED ACCESSORY USE AT THE PROPOSED MMCC LOCATION.
13. 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 THE ADJACENT PROPERTIES PER SDMC 141.0814.
14. THE PROPOSED MMCC WILL OPERATE AS A NOT-FOR PROFIT.
15. NO PUBLIC IMPROVEMENTS FOUND AT RECORDS OFFICE.
16. MMCCS MUST OBTAIN A PUBLIC SAFETY PERMIT FROM THE DEVELOPMENT SERVICES DEPARTMENT PURSUANT TO CHAPTER 4, ARTICLE 2, DIVISION 15 OF THE SAN DIEGO MUNICIPAL CODE. NO PERSONS UNDER THE AGE OF 18 SHALL BE PERMITTED INSIDE THE MMCC NOT EMPLOYED BY THE PROPOSED MMCC.
17. THE CITY SHALL CONDUCT A BACKGROUND CHECK ON ALL RESPONSIBLE PERSONS AND THE MMCC SHALL PROVIDE A LIST TO CITY OF RESPONSIBLE PERSONS UPON REQUEST. RESPONSIBLE PERSONS SHALL ENSURE ALL TRANSACTIONS ARE FULLY DOCUMENTED INCLUDING SOURCE OF MARIJUANA. UPON CITY REQUEST MMCC SHALL PROVIDE THE CITY ANY DOCUMENTS FOR THE PREVIOUS CALENDAR YEAR THAT ARE REQUIRED BY THE PUBLIC ACCOUNTANT. THE MMCC PERMIT IS VALID FOR ONE YEAR. APPLICATIONS SHOULD BE FILED WITH THE CITY MANAGER.
18. PROPOSED MMCC DIRECTORS AND EMPLOYEES SHALL BE REASONABLY COMPENSATED AND SHALL NOT RECEIVE ANY BONUSES. THE PROPOSED MMCC SHALL OPERATE AS A NON-PROFIT.
19. ALL PERSON TRANSPORTING MEDICAL MARIJUANA IN CONNECTION WITH THE PROPOSED MMCC SHALL DO SO IN ACCORDANCE WITH STATE LAW.
20. PACKAGING AND LABELING SHALL COMPLY WITH ALL APPLICABLE PACKAGING AND LABELING REQUIREMENTS. MARIJUANA SHALL BE SEALED IN AIRTIGHT MANNER AND CONTAIN THE INFORMATION: PATIENT'S NAME, DISPENSING DATE, MMCC ADDRESS AND NAME, NAME OF PRODUCT, PRODUCT INGREDIENTS, PRODUCT MUST BE USED AS RECOMMENDED. PRODUCT MUST BE KEPT OUT OF REACH OF CHILDREN. PRODUCT USERS MUST NOT OPERATE HEAVY MACHINERY WHILE UNDER THE INFLUENCE OF MARIJUANA. SALE OR TRANSFER OF PRODUCT TO NON-PATIENTS IS PROHIBITED. PRODUCT IS INTENDED FOR MEDICAL USE ONLY. CAL HEALTH & SAFETY CODE 113625; AND ANY ADDITIONAL USE INSTRUCTIONS AND WARNINGS THAT MAY BE APPLICABLE.
21. PACKAGING AND LABELING SHALL COMPLY WITH ALL APPLICABLE PACKAGING AND LABELING REQUIREMENTS: EDIBLES AND CONCENTRATES MUST BE LABELED. PATIENT'S NAME, DISPENSING DATE, MMCC ADDRESS AND NAME, A WARNING LABEL THAT CONTAINS CANNABIS PATIENT ADVISORY INFORMATION REQUIRED IN SECTION 42.1508(F) AND THE SOURCE OF THE FOOD PRODUCTION.
22. MMCC ARE ENCOURAGED TO LABEL PRODUCTS FOR POTENCY AND THE CITY OF SAN DIEGO MAY AT ANY TIME HAVE MEDICAL MARIJUANA TESTED FOR PESTICIDES, MOLEDS, MILDREW AND OR BACTERIA, AND MAKE SUCH TESTING RESULTS AVAILABLE TO CONSUMERS.
23. A INTERIOR SIGN SHALL BE POSTED ON A WALL IN THE PROPOSED MMCC WHICH STATES THE FOLLOWING: CANNABIS PATIENT ADVISORY-THIS IS A WARNING REGARDING EDIBLE CANNABIS/MARIJUANA PRODUCTS-EDIBLE MARIJUANA PRODUCTS CONTAIN CANNABIS EXTRACTS (THC-TETRA HYDRO CANNABINOL). MARIJUANA IS NOT REGULATED AS A FOOD INGREDIENT AND THEREFORE THE COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH DOES NOT HAVE ANY REGULATORY AUTHORITY OVER THIS INGREDIENT IN EDIBLES.
24. SECURITY SHALL BE PROVIDED INCLUDING OPERABLE CAMERAS, ALARM, AND A SECURITY GUARD. THE CAMERAS SHALL HAVE AND USE A RECORDING DEVICE THAT MAINTAINS THE RECORDS FOR A MINIMUM OF 30 DAYS. THE SECURITY GUARD SHOULD ONLY BE ENGAGED IN ACTIVITIES RELATED TO PROVIDING SECURITY FOR THE FACILITY, EXCEPT ON AN INCIDENTAL BASIS PER SDMC 141.0814. SECURITY SHALL INCLUDE OPERABLE CAMERAS AND A METAL DETECTOR TO THE SATISFACTION OF DEVELOPMENTAL SERVICES DEPARTMENT. THIS FACILITY SHALL ALSO INCLUDE ALARMS AND TWO-ARMED SECURITY GUARDS TO THE EXTENT THE POSSESSION OF A FIREARM IS NOT IN CONFLICT WITH 18 U.S.C. 922(g) AND 27 C.F.R. 478.11. NOTHING HEREIN SHALL INTERPRET TO REQUIRE OR ALLOW CARRYING OF FEDERAL FIREARM LAWS. THE SECURITY GUARDS SHALL BE LICENSED BY THE STATE OF CALIFORNIA. ONE SECURITY GUARD MUST BE ON PREMISES 24 HOURS A DAY, SEVEN DAYS A WEEK. THE OTHER MUST BE PRESENT DURING BUSINESS HOURS.
25. THE SECURITY GUARDS SHOULD ONLY BE ENGAGED IN ACTIVITIES RELATED TO PROVIDING SECURITY FOR THE FACILITY, EXCEPT ON AN INCIDENTAL BASIS. THE CAMERAS SHALL HAVE AND USE A RECORDING DEVICE THAT MAINTAINS THE RECORDS FOR A MINIMUM OF 30 DAYS.



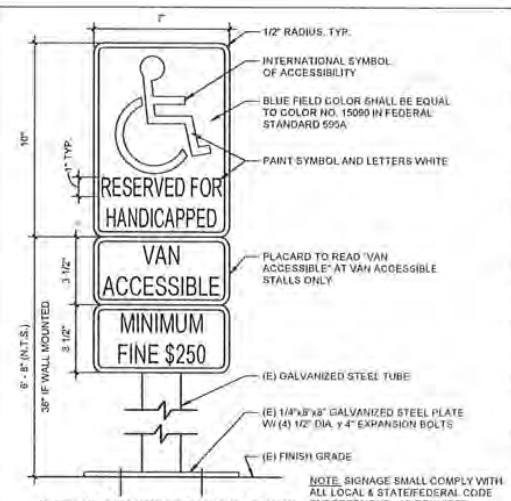
3 TYPICAL PARKING STRIPING PLAN

3/16" = 1'-0"



2 ACCESSIBILITY SIGN

1" = 1'-0"



1 ACCESSIBLE PARKING SIGN

3" = 1'-0"

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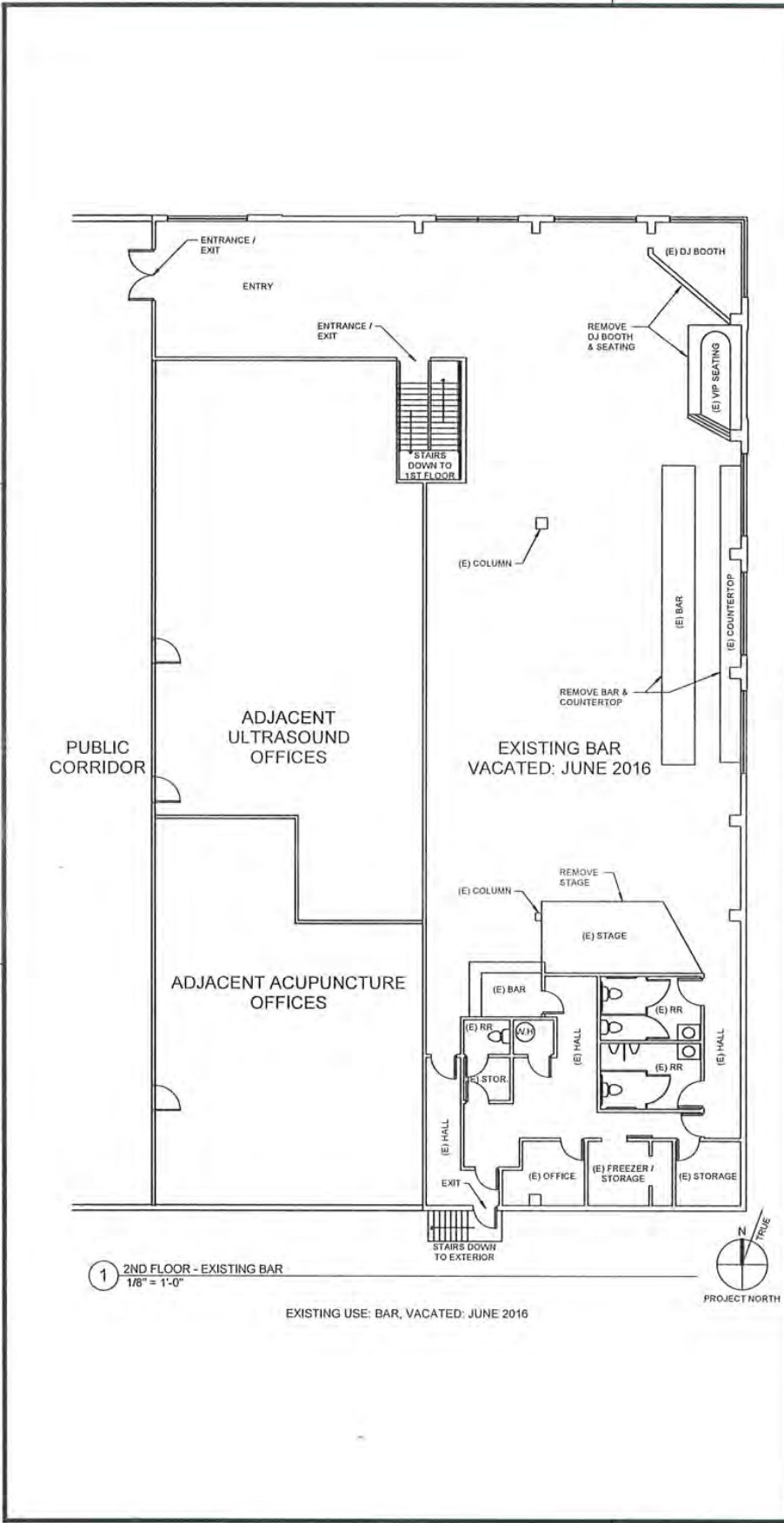
P3.0

WALL LEGEND

- INDICATES EXISTING PARTITIONS AND EXTERIOR WALLS
- INDICATES EXISTING WINDOWS
- INDICATES NEW INTERIOR WALLS
- INDICATES LOCATION OF CAMERAS
- INDICATES LOCATION OF ALARMS

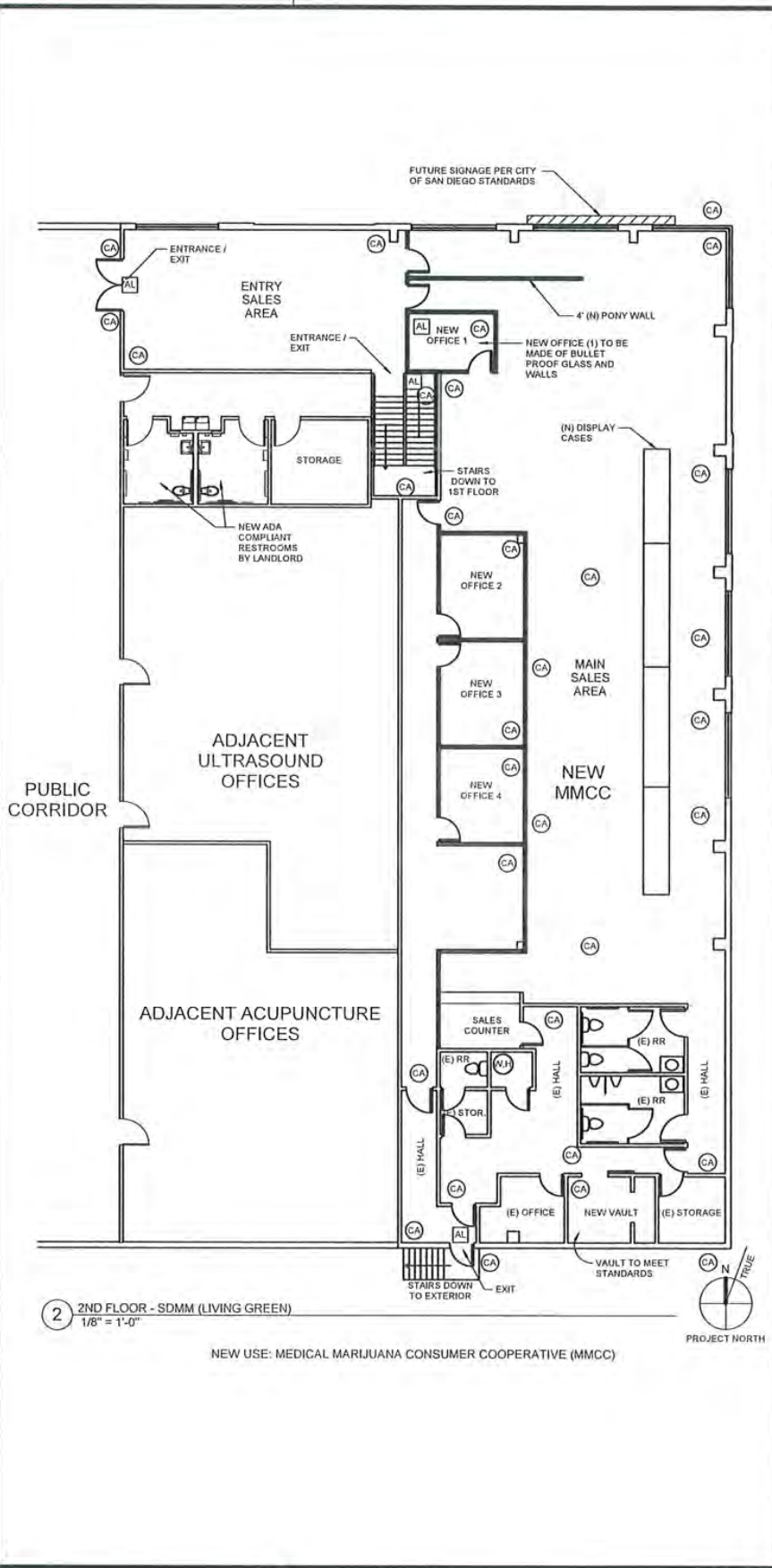
GENERAL NOTES

- A. FOR ALL EXISTING DIMENSIONS NOT SHOWN, SEE EXISTING ARCHITECTURAL DRAWINGS.
 - B. OWNER / CONTRACTOR TO FIELD VERIFY ALL NECESSARY EXISTING DIMENSIONS.
 - C. CONTRACTOR TO VERIFY ALL EXACT DIMENSIONS OF DEMOLITION AREA PRIOR TO REMOVAL.
 - D. CONTRACTOR TO CAREFULLY DEMOLISH EXISTING STUDS, HDRS, WINDOW SILLS, ETC. FOR POSSIBLE REUSE OF MATERIAL.
 - E. CONTRACTOR TO HAUL ALL DAMAGED OR UNUSABLE MATERIAL TO THE CITY / COUNTY APPROVED LOCATIONS.
 - F. CONTRACTOR TO REROUT OR CAP OFF ALL NECESSARY VENTILATION, SEWER AND WATER PIPES.
- MANDATORY (CBES 150.0(K)).
BATHROOMS: ALL LIGHTING FIXTURES AND SWITCHES INSTALLED SHALL DEMONSTRATE THE FOLLOWING: AT LEAST ONE HIGH EFFICIENCY FIXTURE SHALL BE INSTALLED IN EACH BATHROOM. ALL OTHER BATHROOM LIGHTING SHALL BE HIGH EFFICIENCY OR CONTROLLED BY A VACANCY SENSOR. GARAGES, LAUNDRY ROOMS, AND UTILITY ROOMS: LIGHTING FIXTURES AND SWITCHES INSTALLED SHALL DEMONSTRATE ALL LIGHTING IS HIGH EFFICIENCY AND CONTROLLED BY A VACANCY SENSOR.



1 2ND FLOOR - EXISTING BAR
1/8" = 1'-0"

EXISTING USE: BAR, VACATED: JUNE 2016



2 2ND FLOOR - SDMM (LIVING GREEN)
1/8" = 1'-0"

NEW USE: MEDICAL MARIJUANA CONSUMER COOPERATIVE (MMCC)

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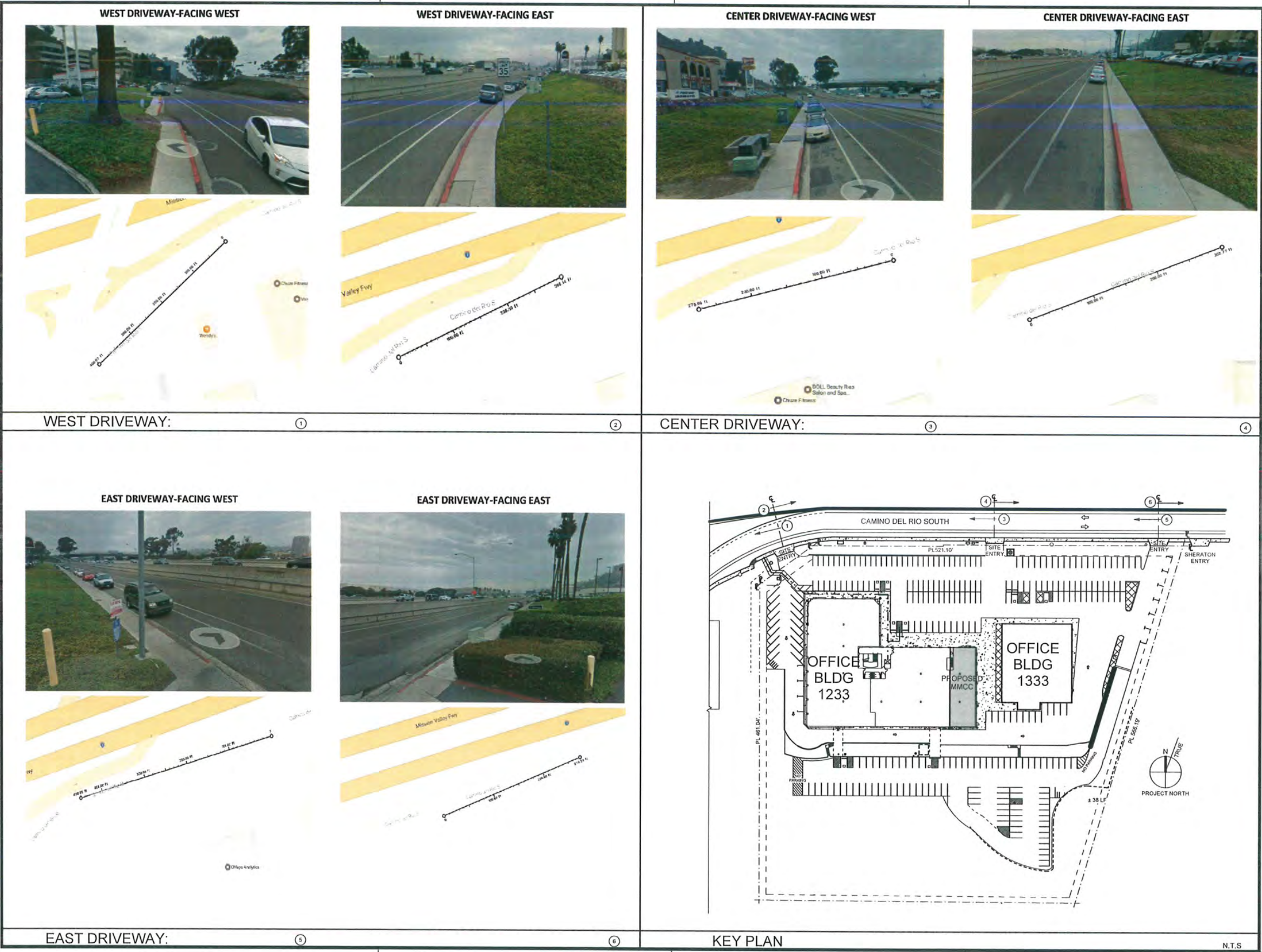
04.17.17	7	CITY COMMENTS

SHEET TITLE:

LINE OF SIGHT IMAGES

SHEET NO:

P4.0



WEST DRIVEWAY:

①

WEST DRIVEWAY-FACING EAST

③

CENTER DRIVEWAY-FACING WEST

CENTER DRIVEWAY:

③

CENTER DRIVEWAY-FACING EAST

④

EAST DRIVEWAY-FACING WEST

EAST DRIVEWAY:

⑤

EAST DRIVEWAY-FACING EAST

⑥

KEY PLAN

N.T.S.