



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: August 8, 2018 REPORT NO. [HO-18-061](#)

HEARING DATE: August 15, 2018

SUBJECT: MPF 9565 HEINRICH HERTZ DRIVE Process Three Decision

PROJECT NUMBER: [585529](#)

OWNER/APPLICANT: Pacific Rim Business Centre, LLC, Owner/ Hall and Gans Holdings, LLC,
Applicant

SUMMARY

Issue: Should the Hearing Officer approve a marijuana production facility located at 9565 Heinrich Hertz Drive, Suites 4 through 7, in the IL-2-1 zone of the Otay Mesa Community Plan?

Staff Recommendation:

1. Approve Conditional Use Permit No. 2071883.

Community Planning Group Recommendation: At the June Otay Mesa Planning Group meeting there were 11 Board members present. The vote to approve was 10 yes and one abstention.

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on June 7, 2018, and the opportunity to appeal that determination ended June 21, 2018.

BACKGROUND

The Otay Mesa Community Plan designates the site for industrial development (Attachment 1). The project site is designated Light Industrial by the Otay Mesa Community Plan. Additionally, the project site is designated as Prime Industrial Land by the Economic Prosperity Element of the General Plan. The 7.68-acre site is located at 9565 Heinrich Hertz Drive, Suites 4 through 7, in the IL-2-1 zone (Attachment 2). The building is currently being used for an office, factory and storage facility. The purpose and intent of the IL-2-1 zone is to permit a range of uses, including nonindustrial uses in

some instances. Specifically, the IL-2-1 allows a mix of light industrial and office uses with limited commercial. The site presently developed with an industrial building constructed in 1999 (Attachment 3).

Marijuana Production Facilities are restricted to forty City-wide, within light and heavy industrial zones. Marijuana Production Facilities require compliance with San Diego Municipal Code (SDMC), section 141.1004, which require a 1,000 foot separation, measured between property lines from, resource and population-based City parks, churches, child care centers, playgrounds, City libraries, minor-oriented facilities, residential care facilities, and schools. Marijuana Production Facilities also require a minimum distance requirement of 100 feet from a residential zone. Security requirements include interior and exterior lighting, security cameras, alarms and a security guard. The security guard must be licensed by the State of California and be present on the premises during business hours. Marijuana Production Facilities must also comply with Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

DISCUSSION

Project Description

The project proposes the operation of a Marijuana Production Facility to operate within 33,601-square-feet of an existing 49,332-square-foot building located at 9565 Heinrich Hertz Drive, Suites 4 through 7. The 7.68-acre site is located within the IL-2-1 base zone and Community Plan Implementation Overlay zone in the Otay Mesa Plan area in Council District 8. (Attachment 4). The operation shall include the production of marijuana products consistent with the requirements of the State of California statutes and the California Departments of Food and Agriculture, Consumer Affairs and Public Health regulations; and the wholesale distribution and storage of marijuana products.

The Marijuana Production Facility operations would include the cultivation of marijuana plants, and the drying of the plants before the extraction process. The extraction process would obtain refined cannabis extracts and/or oils. The extracts and/or oils would be used in the production of various edible marijuana products. The edible marijuana products would be packaged, labeled and distributed to licensed Marijuana Outlets in San Diego.

The project proposes interior improvements that include non-load bearing partitions, doors, lighting, security cameras and system, millwork, finishes throughout and associated mechanical, electrical and plumbing improvements. Other minor site improvements are proposed consistent with the City of San Diego requirements. No exterior building alterations would occur. The proposed improvements would require the Owner/Permittee to obtain a change of use/occupancy building permit consistent with all California Codes and Regulations in effect at the time of building permit, satisfactory to the Building Official. Public improvements include the removal and reconstruction of the eastern driveway along Heinrich Hertz Drive to current City Standards, satisfactory to the City Engineer.

Conclusion

City staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. The design of the proposed Project complies with all development regulations of the IL-2-1 zone and no deviations are required to approve the project. Staff has provided draft findings (Attachment 5) to support the proposed development and draft conditions of approval (Attachment 6). Staff is recommending the Hearing Officer approve the Project as presented.

ALTERNATIVES

1. Approve Conditional Use Permit No. 2071883, with modifications.
2. Deny Conditional Use Permit No. 2071883, if the findings required to approve the project cannot be affirmed.

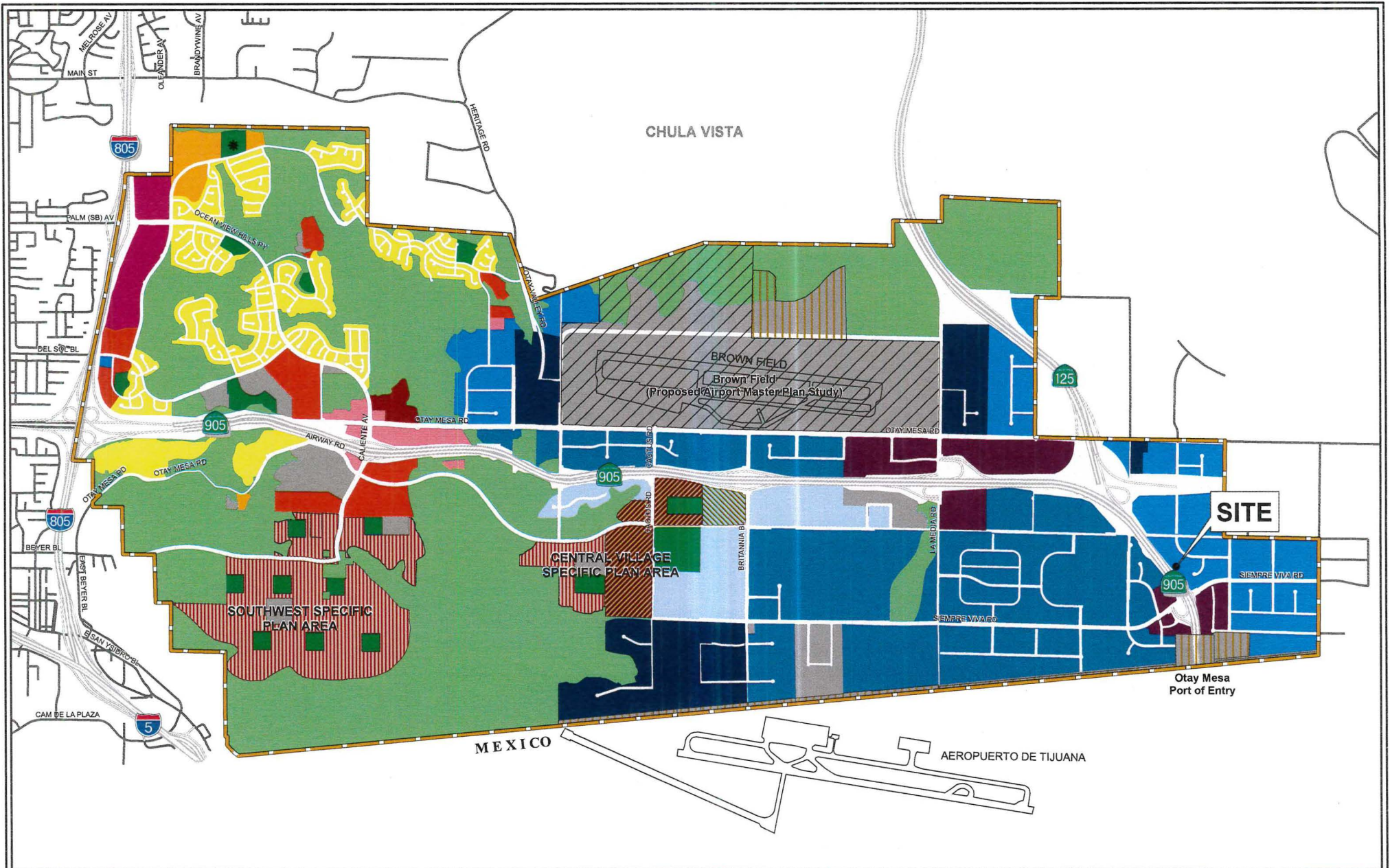
Respectfully submitted,



John S. Fisher
Development Project Manager

Attachments:

1. Community Plan Land Use Map
2. Project Location Map
3. Aerial Photograph
4. Project Plans
5. Draft Resolution with Findings
6. Draft Permit with Conditions
7. Environmental Exemption
8. Community Planning Group Recommendation
9. Ownership Disclosure Statement
10. Project Data Sheet



OTAY MESA COMMUNITY PLAN UPDATE - Figure 2-1



THE CITY OF SAN DIEGO

Legend

Parks, Open Space, and Institutional

- Open Space
- Parks
- Institutional

Village Centers

- Neighborhood Village 15-25 du/ac
- Community Village 30-35 du/ac

Residential

- Residential - Low 5-9 du/ac
- Residential - Low Medium 10-14 du/ac
- Residential - Medium 15-29 du/ac
- Residential Medium High 30-44 du/ac

Commercial - Residential Prohibited

- Community Commercial
- Regional Commercial
- Heavy Commercial
- Neighborhood Commercial
- Potential Residential Site if Park Relocated

Industrial

- Business Park - Office Permitted
- Light Industrial
- Heavy Industrial
- Business Park - Residential Permitted 15 - 44 du/ac
- Business and International Trade

Overlays

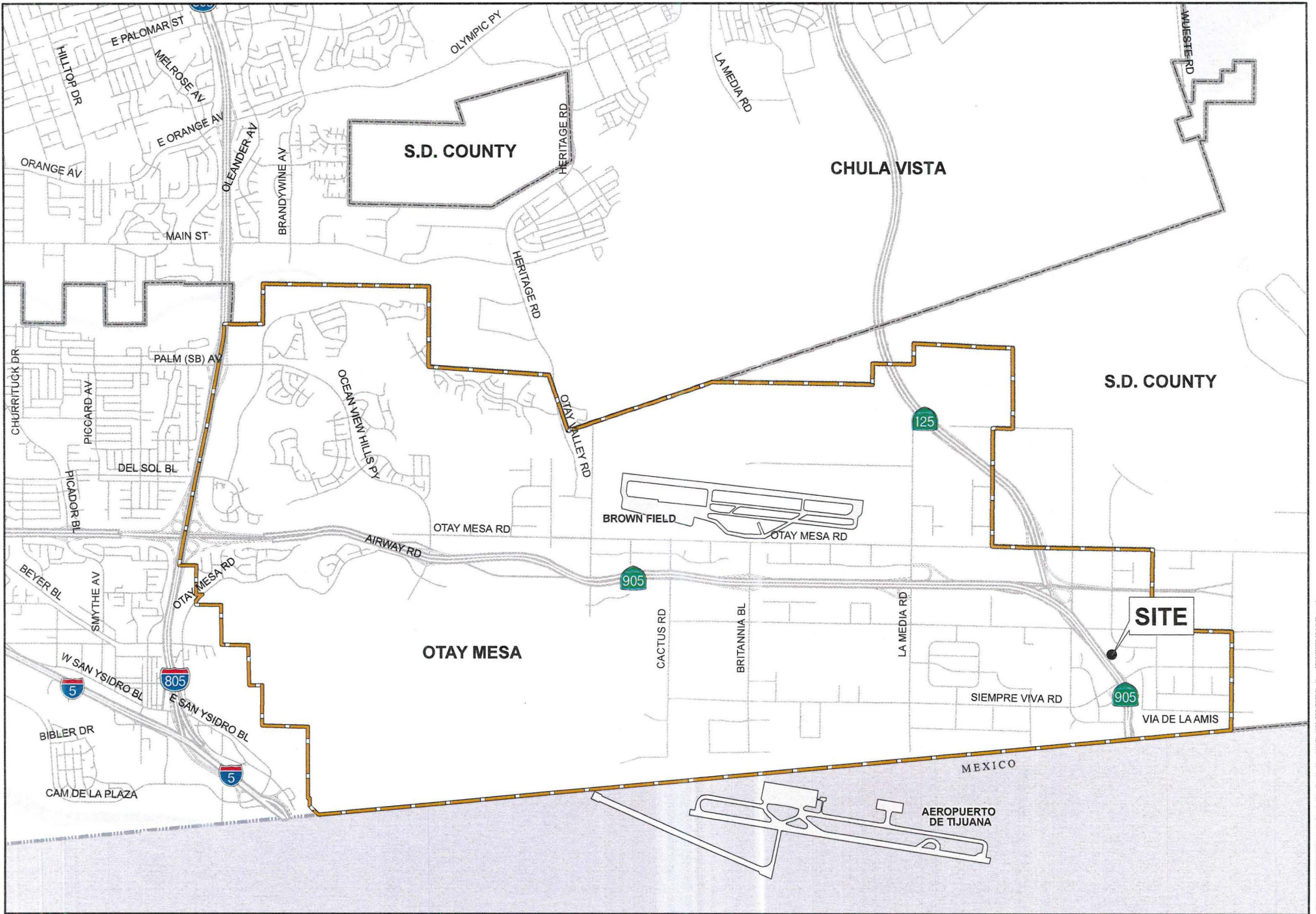
- U.S. Government Facility
- Brown Field Boundary
- Planning Area

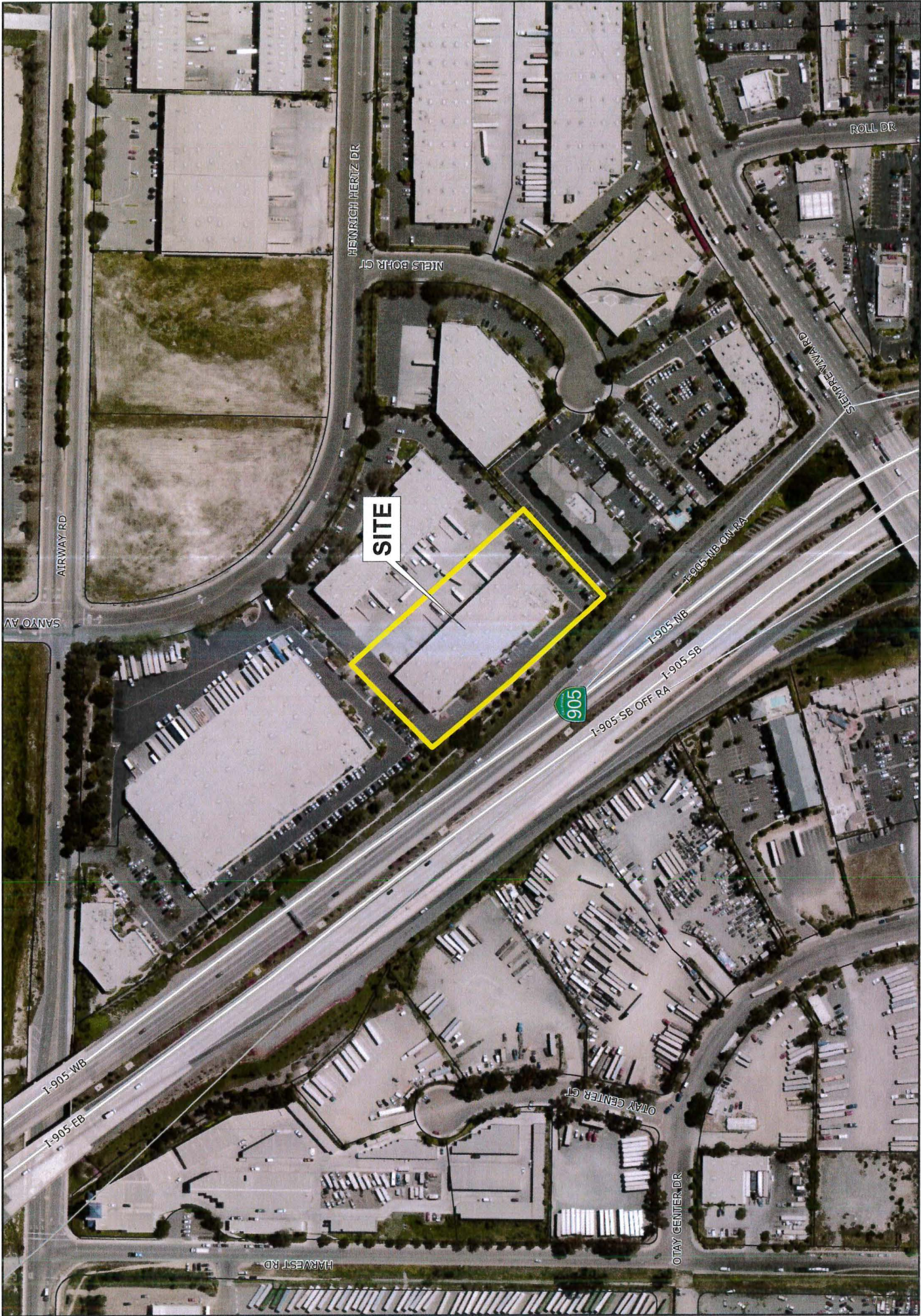
Other

- Right-Of-Way



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 File: L:\GIS\Info\Community Plan Update\Map\Map_2-1_PlanMap_LandUse_PlanArea_2016.aprx Date: 1/20/16





Date: 7/26/2018

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2017 AERIAL

AERIAL MAP

DEVELOPMENT SERVICES DEPARTMENT

North arrow pointing up.

Document Path: L:\GIS\Community Planning\MapServer - 1801\FINAL_PROJECT\MapServer_Aerial2017_AerialMap.mxd

Draft Conditions

- All operations shall be conducted indoors within a secured structure. All equipment and storage shall be also located within a secure structure. (Per City of San Diego Municipal Code Section 141.1004.b)
- Lighting shall be provided to illuminate the immediate surrounding area of the facility, including parking lots and adjoining sidewalks. Lighting shall be hooded or oriented so as to deflect light away from adjacent properties. (Per City of San Diego Municipal Code Section 141.1004.c.)
- Security shall include operable cameras, alarms, and a security guard. The security guard shall be licensed by the State of California and be present on the premises during business hours. The security guard shall only be engaged in activities related to providing security for the facility, except on an incidental basis. (Per City of San Diego Municipal Code Section 141.1004.d.)
- The name and emergency contact phone number of an operator or manager shall be posted outside the marijuana production facility in a location visible to the public from the public right-of-way in character size at least two inches in height. The permittee shall provide this contract information to the San Diego Police Department. The operator or manager shall also be available 24 hours a day to address public nuisance complaints and interact with local, state, and federal law enforcement authorities. Other than the contact information, a marijuana production facility shall limit signage on the exterior of the property visible from the public right-of-way to the address. (Per City of San Diego Municipal Code Section 141.1004.e.)
- A permit shall be obtained as required pursuant to Chapter 4, Article 2, Division 15. A Conditional Use Permit for a marijuana production facility shall expire no later than five (5) years from the date of issuance.
- The sale of marijuana and marijuana products shall only be conducted by a marijuana outlet in accordance with Section 141.0504. A marijuana production facility is prohibited from providing marijuana and marijuana products to any person other than another marijuana production facility, a testing lab, or a marijuana outlet. (Per City of San Diego Municipal Code Section 141.1004.i.)
- The marijuana production facility, adjacent public sidewalks, and areas under the control of the marijuana production facility shall be maintained free of litter and graffiti at all times. (Per City of San Diego Municipal Code Section 141.1004.j.)
- The marijuana production facility shall provide daily removal or trash, litter, and debris. Graffiti shall be removed from the premises within 24 hours. (Per City of San Diego Municipal Code Section 141.1004.k.)

Marijuana Production Facility Notes

- Verification and Documentation. A marijuana outlet and a marijuana production facility shall maintain and provide upon request by the City a current list of all responsible persons. (Per City of San Diego Municipal Code Section 42.1508.a)
- Age Limitations. 1.) No person under the age of twenty-one is allowed at or in any marijuana outlet or marijuana production facility unless the person is a qualified patient or state identification card holder, and if under the age of eighteen, is accompanied by a parent, legal guardian, or a primary caregiver who is over the age of eighteen; 2.) No person under the age of twenty-one may be employed by or act as a responsible person on behalf of a marijuana outlet or a marijuana production facility. (Per City of San Diego Municipal Code Section 42.1508.b)
- Marijuana production facilities shall maintain the following minimum separation between uses as measured between property lines in accordance with Section 113.0225:
 - 1,000 feet from resource and population-based city parks, churches, child care centers, playgrounds, libraries owned and operated by the City of San Diego, minor-oriented facilities, residential care facilities, and schools. For purposes of this note, school means any public or private institution of learning providing instruction in kindergarten or grades 1 to 12, inclusive but does not include any private school in which education is primarily conducted in private homes.
 - 100 feet from a residential zone.

Development Summary

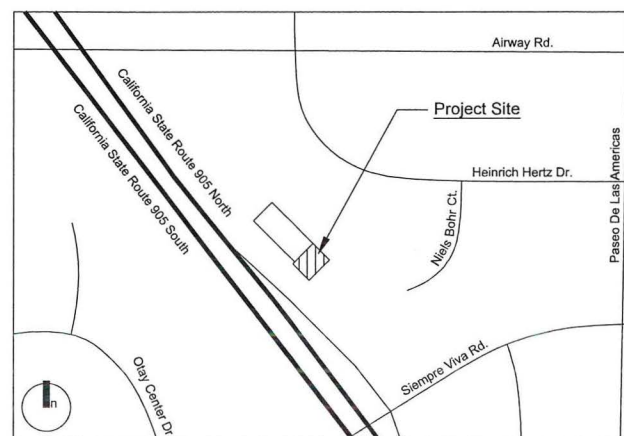
Project Narrative:	This project constitutes a request for a Process 3 Conditional Use Permit for a Marijuana Production Facility (MPF) which consists of the following scope: <ol style="list-style-type: none"> Interior tenant improvement of 33,601 SF of an existing 49,322 SF building for the processing, wholesaling, distributing, storing and producing of marijuana and marijuana products. Interior improvements to include new non-load bearing partitions, doors, lighting, security cameras and system, millwork, finishes throughout and associated mechanical, electrical and plumbing infrastructure. There are no proposed modifications for the building exterior or site. 																	
Project Team:	Tenant:	Hall and Gans Holdings, LLC 6549 Mission Gorge Road, #265 San Diego, CA 92120 Contact: Doug GanS and Tony Hall 619.818.4555																
	Architect:	Kristi Byers, Architect A.P.C. 2220 National Avenue San Diego, CA 92113 Contact: Kristi Byers, AIA LEED AP BD&C kristi@kristibyrsaia.com 619.359.0235																
	Design Consultant:	TECHNE 3956 30th Street San Diego, CA 92104 Contact: Abhay Schweitzer abhay@techne-us.com 619.940.5814																
Legal Description:	<p>Parcel B: All that portion of Lots 4 and 5 of Otay International Center Lot 4, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 12439, filed in the Recorder's Office of said County on August 10, 1989, lying Southwesterly of the following:</p> <p>Beginning at the most Northerly corner of said Lot 4; thence along the Northwesterly line of said Lot, South 45°43'49" West, 228.60 feet to the TRUE POINT OF BEGINNING; thence leaving said Northwesterly line, South 44°16'06" East, 484.38 feet to the Southeasterly line of said Lot 5.</p> <p>Excepting therefrom that portion described in Parcel 32227, 32228 of Final Order of Condemnation recorded July 13, 2007 as Instrument No. 2007-0469982 of Official Records.</p> <p>Parcel B1: Together with a shared driveway easement over all that portion of said Lots 4 and 5 described in Exhibit "A" of "Declaration of Covenants, Conditions and Restrictions and Grant and Reservation of Shared Driveway Access Easement" recorded January 13, 2000, as Document NO. 2000-0021225, Official Records of said County of San Diego, EXCEPTING THEREFROM said easement that portion lying Southwesterly of the above described line.</p>																	
APN:	646-230-22-00																	
Property Owner Information:	Pacific Rim Business Centre, LLC 2320 Paseo De Las Americas, #200 Otay Mesa, CA 92173 Contact: Michael A. Voght 619.591.2424																	
Sheet Index:	<table border="0"> <tr><td>T0.00</td><td>Development Summary, Vicinity Map, & MPF Notes</td></tr> <tr><td>G0.01</td><td>Storm Water Checklist</td></tr> <tr><td>G0.02</td><td>CPIOZ Compliance</td></tr> <tr><td>A1.00</td><td>Site Plan</td></tr> <tr><td>A2.00</td><td>Proposed Floor Plan - Ground Level</td></tr> <tr><td>A2.01</td><td>Proposed Floor Plan - Mezzanine Level</td></tr> <tr><td>A3.00</td><td>Lighting and Security Plan - Ground Level</td></tr> <tr><td>A3.01</td><td>Lighting and Security Plan - Mezzanine Level</td></tr> </table>		T0.00	Development Summary, Vicinity Map, & MPF Notes	G0.01	Storm Water Checklist	G0.02	CPIOZ Compliance	A1.00	Site Plan	A2.00	Proposed Floor Plan - Ground Level	A2.01	Proposed Floor Plan - Mezzanine Level	A3.00	Lighting and Security Plan - Ground Level	A3.01	Lighting and Security Plan - Mezzanine Level
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A2.01	Proposed Floor Plan - Mezzanine Level																	
A3.00	Lighting and Security Plan - Ground Level																	
A3.01	Lighting and Security Plan - Mezzanine Level																	
Type of Construction:	III-B, sprinklered																	
Occupancy Classification:	Existing: B - Office; F-1 Moderate Hazard Factory; and S-1 Proposed: B - Office; F-1 Moderate Hazard Factory; F-2 Low Hazard Factory; and S-1																	
Zoning & Overlays:	Base Zone:	IL-2-1																
	Overlay Zones:	Brown Field - Airport Land Use Compatibility Overlay Community Plan Implementation Overlay Zone (CPIOZ-A) Transit Priority Area (TPA)																
Gross Area:	Gross Site Area:	334,727 SF																
	Gross Floor Area:	33,601 SF TI Project (within 49,322 SF Building)																
Existing & Proposed Use:	Existing Use:	B (Office) F-1 (Moderate Hazard Factory) S-1 (Storage)																
	Proposed Use:	B (Office) F-1 & F-2 (Moderate/Low Hazard Factory) S-1 (Storage)																
Year Constructed:	1999																	
Landscape Area:	10,761 SF - All existing landscape area to remain.																	
Geologic Hazard:	53																	

Project Data

Project Address:	9565 Heinrich Hertz Drive, Suites 4, 5, 6 and 7 San Diego, CA 92154
Building Heights:	
Total Building Height:	30'-0"
Floor to Ceiling Height:	26'-2" Finish Floor to Ceiling
Floor to Mezzanine:	13'-0" Finish Floor to Finish Floor
Mezz. to Ceiling Height:	13'-2" Finish Floor to Ceiling
Floor to Parapet Roof:	30'-0" Finish Floor to Top of Parapet
Parapet to Roof:	3'-4"
Historic District:	No
Designated Historic:	No
FAA Notification (Part 77):	Yes (exempt)
Applicable Building Codes:	City of San Diego Municipal Code 2016 California Building Code 2016 California Green Building Code 2016 California Plumbing Code 2016 California Mechanical Code 2016 California Energy Code 2016 California Fire Code

Vicinity Map

Scale: Not to scale



Kristi Byers, Architect
Sustainability Strategies
Architecture



Project:

9565 Heinrich Hertz, Suites 4, 5, 6 & 7 - MPF
Process 3 Conditional Use Permit Application
9565 Heinrich Hertz Drive, Suites 4, 5, 6 and 7
San Diego, California 92154

Drawing Preparation and Revision Dates

01	11.15.2017	CUP Completeness Review
02	12.12.2017	CUP Full-Submittal
03	04.16.2018	CUP Cycle 2 Review Responses
04	07.27.2018	CUP Cycle 2 Review Responses - Consolidated Set

Drawing Name:

Development
Summary, Vicinity
Map & MPF Notes

Drawing Number:

T0.00
(1 of 8)

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

Storm Water Requirements Applicability Checklist FORM DS-560 OCTOBER 2016

Project Address: 9565 Heinrich Hertz Drive Project Number (for City Use Only):

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 projects 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 resulting in ground disturbance and contact with storm water runoff?
 Yes; WPCP required, skip 3-4 No; next question

3. Does the project propose routine 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 only include the following Permit types listed below?
• Electrical Permit, Fire Alarm Permit, Fire Sprinkler Permit, Plumbing Permit, Sign Permit, Mechanical Permit, Spa 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 ramp, sidewalk and driveway apron replacement, pot holing, curb and gutter replacement, and retaining wall encroachments.
 Yes; no document required

Check one of the boxes below, 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 Minor 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 B 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.sandiego.gov/stormwaterregulations/index.shtml

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-560 (10/16)

Clear Page 1

Page 2 of 4 City of San Diego • Development Services • 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 both before and after construction. Construction projects are assigned an inspection frequency based on if the project has a "high threat to water quality." The City has aligned the local definition of "high threat to water quality" to the risk determination approach of the State 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 Areas 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 continued 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 but 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 categorized as "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 surfaces? 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 reconfiguring surface parking lots or existing roadways without expanding the impervious footprint, and routine replacement of damaged pavement (grinding, overlay, and pothole repair). Yes No

Clear Page 2

City of San Diego • Development Services • 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 pavements 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 redeveloping 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.

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 and check the box labeled "Priority Development Project".

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 surfaces 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 surfaces on an existing site of 10,000 square feet or more of impervious surfaces. 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 lunch 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

Clear Page 3

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

7. New development or redevelopment discharging directly to an Environmentally Sensitive Area. The project creates and/or replaces 2,500 square feet of impervious surface (collectively over project site), and discharges directly to an Environmentally Sensitive Area (ESA). "Discharging directly" 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 shops that creates and/or replaces 5,000 square feet or more of impervious surfaces. Development projects categorized in any one of Standard Industrial Classification (SIC) codes 5013, 5014, 5541, 7532-7534, or 7536-7539. Yes No

10. Other Pollutant Generating Project. The project is not covered in the categories above, results in the disturbance of one or more acres of land and is expected to generate pollutants post construction, such as fertilizers and pesticides. This does not include projects creating less than 5,000 sf of impervious surface and where added landscaping does not require regular use of pesticides and fertilizers, such as slope stabilization using native plants. Calculation of the square footage of impervious surface need not include linear pathways that are for infrequent vehicle use, such as emergency maintenance access or bicycle pedestrian use, if they are built with pervious surfaces of if they sheet 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 PERMANENT 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 pollutant control BMP requirements apply. See the Storm Water Standards Manual for guidance on determining if project requires a hydromodification plan management.

Doug Gans (of Hall and Gans Holdings, LLC) Partner
Name of Owner or Agent (Please Print) Title

04/09/2018
Date

Signature

Drawing Preparation and Revision Dates

01	11.15.2017	CUP Completeness Review
02	12.12.2017	CUP Full-Submittal
03	04.16.2018	CUP Cycle 2 Review Responses
04	07.27.2018	CUP Cycle 2 Review Responses - Consolidated Set

Drawing Name: Storm Water Checklist

Drawing Number: G0.01 (2 of 8)



Section 2.5 Community Plan Implementations Overlay Zones: Regulations 1-4 (Compliance with all four regulations is required but only #2 and #4 apply to this project)

a. For all industrial development, proposals shall conform to

I. Section 4.1:

Policy 4.1-10: Create a visual and distance separation between the public right of way and industrial uses such as auto dismantling, truck transportation terminals, and other uses that create noise, visual, or air quality impacts. Screen building and parking areas by using a combination of setbacks, swales, fencing, and landscape. Encourage buffer areas that use appropriate screening

Response: truck loading and unloading occurs between buildings and is not visible from the public right of way

ii. Section 4.2:

Policy 4.2-1: Implement pedestrian-oriented design principles at the project-level to activate the street and promote walk-ability.

Response: Pedestrian-oriented design had been implemented in the existing development with wide separated sidewalks, landscaping and street trees adjacent to sidewalk and transparency at the building base.

Policy 4.2-2

a. Apply traffic-calming techniques that address vehicular/truck and pedestrian movements where the truck routes are adjacent to village and park uses.

Response: N/A not adjacent to village and park uses

b. Accommodate pedestrians along Britannia Boulevard and La Media Road with sidewalks that are non-contiguous to the curb to provide greater separation between pedestrians and vehicular travel lanes.

Response: N/A not along Britannia Blvd and La Media Road

c. Incorporate U-6 Urban Parkway Configurations from the Street Design Manual for design of sidewalks and parkways along Airway Road.

Response: N/A not along Airway Road

Policy 4.2-4: Avoid cul-de-sacs and "dead-end" streets.

Response: N/A Heinrich Hertz Dr. is not a cul-de-sac or dead-end

Policy 4.2-5: Design the street system to create and/or enhance public views along public rights of way.

Response: N/A Heinrich Hertz Dr. is not a new street system. Existing design ensures public views are preserved.

Policy 4.2-6: Consider landscape as a major element of the streetscape and incorporate a consistent theme along the roadways while including an appropriate mix of plant types to create a diverse ecosystem.

Response: The streetscape of the existing development along Heinrich Hertz Drive is landscaped with trees, shrubs, grasses, and various plantings.

Policy 4.2-8 b: Provide parking areas in the rear of the development to activate the streets and village cores

Response: Note: Existing development is not adjacent to the village core. Existing parking surrounds the existing buildings but is shielded from the street with a heavily landscaped swath including grasses, shrubs and trees.

Policy 4.2-9: 4.2-9 Screen views of parking lots and loading areas from the public right-of-way in commercial and industrial areas, utilizing drought tolerant shrubs and/or berms.

Response: Existing parking is screened from the public right of way with grasses, shrubs and trees.

Policy 4.2-10: Require screening to be at a height that is equal to or greater than the outdoor storage use.

Response: Existing parking is screened from the public right of way with grasses, shrubs and trees which are taller than cars.

Policy 4.2-11: Locate loading areas in the rear or side of project areas to enhance aesthetics and not distract from the streetscape.

Response: Truck loading and unloading occurs between the buildings and is not visible from the public right of way

iii. Section 4.3:

Policy 4.3-1 and 4.3-2 for properties adjacent to canyons and Open Space N/A

Policy 4.3-4 for proposals along Airway Road N/A

Policy 4.3-3, 4.3-5, and 4.3-7 for all proposals

Policy 4.3-3: Develop buildings and street frontages with architectural interest adjacent to public areas and the public right-of-way. Use design techniques such as facade step-backs, articulation, off-setting planes, unique roof forms, and varied building elevations.

Response: Existing building and street frontage has architectural interest adjacent to the public areas and public right of way. Design techniques include facade step-backs, articulation of the facade with recessed windows and doors, varied color and materiality, transparent and opaque planes, and various sizes of fenestration which create visual interest.

Policy 4.3-5: Use visual details such as architectural style, color and material schemes, and facade treatments to convey neighborhood identity.

Response: Existing building built in a contemporary style and uses color and materiality which harmonize with its existing neighboring buildings.

Policy 4.3-7: Create visual and physical linkages within villages, neighborhoods, and project site areas through a unified landscape theme.

Response: The existing building is linked to the project site area using the same street trees, grasses and shrubs all along Heinrich Hertz Drive.

iv. Section 4.5:

Policy 4.5-1 Provide and maintain large lot configurations for industrial and heavy commercial uses to support large-scale manufacturing and trucking facilities.

a. Cluster and orient buildings to create pedestrian connections and spaces.

Response: Existing buildings are oriented so that pedestrians can access them from the public right of way. The buildings have existing concrete sidewalks giving pedestrians connection to all entrances and spaces but not the truck loading areas. The two buildings are connected by an accessible path of travel.

b. Provide a multi-modal approach to internal lot and superblock circulation for pedestrian and bicycle movement.

Response: Existing buildings are oriented so that pedestrians can access them from the public right of way. The buildings have existing concrete sidewalks giving pedestrians connection to all entrances and spaces but not the truck loading areas. The two buildings are connected by an accessible path of travel. Bicycles can circumnavigate the entire site.

c. Extend linkages within the site to coordinate with linkages to adjacent sites.

Response: The adjacent sites are privately owned and fenced. However, the existing buildings are linked to the project site area using the same street trees, grasses and shrubs all along Heinrich Hertz Drive

d. Introduce architectural concepts that reinforce campus and district design.

Response: The existing building is linked to the project site area using the same building height, massing, street trees, grasses and shrubs as other developments along Heinrich Hertz Drive.

e. Orient parking, truck storage and loading areas toward the rear of buildings, and away from access roads.

Response: Truck loading and unloading occurs between the buildings and is not visible from the public right of way

Policy 4.5-2: Use quality design and exterior materials for industrial buildings.

a. Select building materials, trims, and finishes that convey a sense of substance and permanence.

Response: Existing building materials are tilt-up concrete and glazing. Constructed in 1999 with high quality durable materials that convey substance and permanence

b. Use subdued and non-reflective color schemes for industrial buildings.

Response: Existing building is brown, beige and cream which are subdued "natural" colors that harmonize with the surroundings

c. Consider the incorporation of design features such as ceremonial entrance drives, decorative pedestrian plazas and walkways, accent landscaping, building forms, and window patterns.

Response: Existing building incorporates the following design features: planted and landscaped pedestrian walkways, accent landscaping, enhanced paving at building entrances, building facade step-backs, articulation of the facade with recessed windows and doors, varied color and materiality, transparent and opaque planes, and various sizes of fenestration which create visual interest

Policy 4.5-3: Encourage climbing vegetation and green walls as a method to provide articulation and visual interest to building facades.

Response: Existing building materials are tilt-up concrete and glazing which are not conducive to climbing vegetation.

Policy 4.5-4: Apply design considerations to the area between the public right-of-way and the required setback.

a. Incorporate architectural features and treatments to achieve variations in facade elements that reduce the building mass and scale.

Response: The existing buildings incorporate the following architectural features which achieve variation in the facade and reduce mass and scale: building facade step-backs, articulation of the facade with recessed windows and doors, varied color and materiality, transparent and opaque planes, and various sizes of fenestration which create visual interest

b. Orient buildings to create a strong relationship to adjacent structures and/or to provide visual continuity and compatibility within the overall development.

Response: The existing building is linked to the adjacent structures using the same building height, massing, street trees, grasses and shrubs as other developments along Heinrich Hertz Drive.

Policy 4.5-5: Orient buildings to activate the street and achieve a high energy employment center image. Locate central service yards and parking between front buildings and rear industrial buildings.

Response: Existing buildings are oriented toward the street and achieve a high energy employment center image. Central service yards and truck loading occurs between front building and rear building.

Policy 4.5-6: Design fences and walls to provide protection and screening without the use of barbed or picket fencing. Provide vinyl-coated chain link fencing when fencing is proposed.

Response: Existing fences are not barbed or picket. No new fences proposed.

Policy 4.5-7: Incorporate semi-public spaces for employees that connect to larger open space areas onsite or adjacent to the site. Provide internal pedestrian access routes throughout the site that link parking areas, buildings, green space, plazas, and streets.

Response: The existing buildings have existing internal concrete sidewalks giving employees connection to all entrances and landscaped spaces but not the truck loading areas. These walkways connect to the street via an accessible path travel.

Policy 4.5-8: Incorporate energy saving technology in truck parking areas to reduce idling. For example, incorporate electrical docking stations in parking lots. Business Park Design

Response: No truck parking areas are proposed and truck idling is not anticipated as part of daily operations.

Policy 4.5-9: Design Business Parks to be visually appealing and pedestrian-friendly, with buildings oriented towards the street and the majority of parking located along the sides or rear of the site or in screened structures.

Response: The existing site is visually appealing and pedestrian friendly. Buildings are oriented toward the street and, though there is some parking facing the street, it is screened from view with a planted berm, shrubs and street trees. Most of the parking is along the sides and rear of the property.

Policy 4.5-10: Create a visual buffer between Heavy Industrial sites and public streets, public facilities, and open space.

a. Create a berm within the setbacks facing the public right-of-way.

Response: A visual buffer has been implemented in the existing development. Sidewalks are separated from the building by, landscaping, planting and street trees.

b. Place a masonry wall along the berm, with variation breaks for articulation.

Response: N/A

c. Include a landscape buffer between the sidewalk or street and the berm and wall for additional screening.

Response: A landscaped buffer has been implemented in the existing development. Sidewalks are separated from the building by, landscaping, planting and street trees.

d. Require street trees from Appendix B, the Street Tree Plan for Otay Mesa.

Response: Existing Street trees already in place

v. Section 4.7:

Policy 4.7-1: Locate public spaces in prominent locations within Otay Mesa, including the villages' core areas, near vistas, as part of major development projects, and in areas which provide visual connections between uses.

Response: N/A Not a public space in a prominent location

Policy 4.7-2: Activate public spaces with visual interest and community amenities.

a. Allow sidewalk and corner vendors.

Response: N/A Not a public space

b. Incorporate public art, signs, fountains, street furniture, and banners on light standards.

Response: N/A Not a public space

c. Program farmers' markets and special events.

Response: N/A Not a public space

vi. Section 4.8:

Policy 4.8-1: Select street trees identified in Appendix B along all streets and roadways in the Street Tree Plan to create a unified theme for the street, provide effective canopy, and improve community aesthetics.

Response: Existing Street trees already in place

Policy 4.8-2: Provide an appropriate mix of tree types (evergreen and deciduous), in order to provide a diverse ecosystem more able to adapt to changing environmental pressures.

a. Provide a mixed age tree population, adequate species diversity and distribution - a mix of juvenile, young, and mature trees is essential to ensure a constant level of benefits from street trees.

Response: Existing trees are diverse and varied.

b. Provide varied forms, textures, structure, flowering characteristics and other aesthetic benefits to enhance the types of street environments found in Otay Mesa.

Response: Existing Street trees and plantings offer various height, color ad textural qualities and aesthetic benefits.

c. Protect and provide for the necessary care of existing street trees.

Response: Existing street trees will be maintained

Policy 4.8-3: Ensure that common goals and objectives for maintaining or enhancing the street tree coverage are achieved through coordination by staff with public agencies and private enterprises.

Response: Existing street trees will be maintained and applicant is open to coordinating with public agencies and private enterprises to ensure maintenance and/or enhancement of the street tree coverage.

vii. Section 4.9:

Policy 4.9-1: Design new development to have climate sensitive, energy efficient, and environmentally oriented site design.

Response: No new development. Existing development is oriented such that it avoids direct southern exposure which is climate sensitive and energy efficient because it reduces cooling loads

Policy 4.9-2: Incorporate environmentally conscious building practices and materials for all new development and redevelopment proposals.

a. Use durable construction materials, as well as reused and recycled materials.

Response: Existing materials are concrete floors, concrete tilt-up panels, and aluminum storefront and glazing. All are durable materials. Most aluminum window and storefront products contain a high percentage of recycled content.

b. Encourage the use of permeable paving elements in auto and non-auto-oriented areas.

Response: Existing pavements in auto areas is not permeable due to high volume of truck loading and unloading.

c. Minimize impervious surfaces that have large thermal gain and cause hydro-modification.

Response: Though most of the site is paved to allow for truck loading/unloading, the perimeter of the site is lined with planting and trees to reduce the heat island effect

d. Ensure that all best management practices for storm water are implemented for both public and private properties.

Response: Storm water is managed on site via roof drains, overflow drains, catch basins, gutters and drainage swales.

Policy 4.9-3: Minimize building heat gain with appropriate shade treatments and design techniques such as those listed below.

a. Orient new buildings and lots to minimize east and west facing facades.

Response: No new development. Existing development is oriented such that it avoids direct eastern and western exposure which is climate sensitive and energy efficient because it reduces heat gain and associated cooling loads

b. Provide awnings, canopies and deep-set windows on south facing facades and entries.

Response: Building entry on Southern exposure is recessed to minimize heat gain

c. Provide exterior shades and shade screens on east, west and south-facing windows

Proposed Response: No exterior screens on existing building but interior shading devices are used to reduce solar heat gain.

d. Use horizontal overhangs, awnings or shade structures above south facing windows to mitigate summer sun but allow winter sun. Encourage overhang width to equal half the vertical window height to shade windows from early May to mid-August, while allowing sunlight in the winter.

Response: The existing buildings are oriented is such a way that there is no direct southern exposure. The building entries on South-western corners are recessed to minimize heat gain

Policy 4.9-4: Provide on-site landscaping improvements that minimize heat gain and provide attractive landscape environments.

a. Plant deciduous trees on south side of buildings to shade south facades and roofs during the summer while allowing sunlight to penetrate buildings in the winter.

Response: The existing buildings are oriented is such a way that there is no direct southern exposure. There are trees planted along the South west and South eastern exposures.

b. Plant ground-covers that prevent ground reflection and keep the surface cooler, preventing re-radiation.

Response: Entire site perimeter is planted with ground-cover.

Policy 4.9-5: Integrate storm water Low Impact Development principles as discussed in Section 8.4 and Best Management Practices (BMP's) early in the design process of new development, as well as any redevelopment proposals.

a. Encourage the use of green roofs and water collection devices to capture rainwater from the building for re-use. Response: Site contains a swale for bio-retention. The entire site perimeter is planted to increase with permeable surfaces to retain stormwater.

b. Encourage the use of trees with project proposals to slow storm water runoff to help reduce peak flow.

Response: The entire site perimeter is planted with trees.

c. Minimize on-site impermeable surfaces, such as concrete and asphalt.

Response: The site is paved to allow for truck loading and unloading and pedestrian-friendly access to all buildings and site amenities. Where not needed for circulation, the remainder of the site is landscaped to allow for maximum permeable surface.

d. Encourage the use of permeable pavers, porous asphalt, reinforced grass pavement (turf-crete), cobblestone block pavement, etc., to detain and infiltrate run-off on-site.

Response: Existing pavements in auto areas is not permeable due to high volume of truck loading and unloading.

viii. Section 4.10:

Policy 4.10-1:4.10-1: Use public art as functional elements of site and building design, such as streetscape furniture, facade treatments, and murals.

Response: The primary use of the buildings is Manufacturing and Warehouse and therefore not public oriented. However, pedestrian-oriented design had been implemented in the existing development with wide separated sidewalks, landscaping and street trees adjacent to sidewalk and transparency at the building base which offer various height, color ad textural qualities and aesthetic benefits.



Project:

Drawing Preparation and Revision Dates

Date	Description	By
01 11.15.2017	CUP Completeness Review	
02 12.12.2017	CUP Full-Submittal	
03 04.16.2018	CUP Cycle 2 Review Responses	
04 07.27.2018	CUP Cycle 2 Review Responses - Consolidated Set	

Drawing Name:

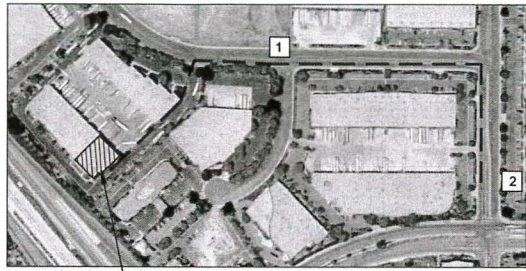
CPIOZ Compliance:
Community Plan
Influence Overlay Zone

Drawing Number:

G0.02
(3 of 8)

Vicinity Map & Transit Stops

Scale: Not to scale

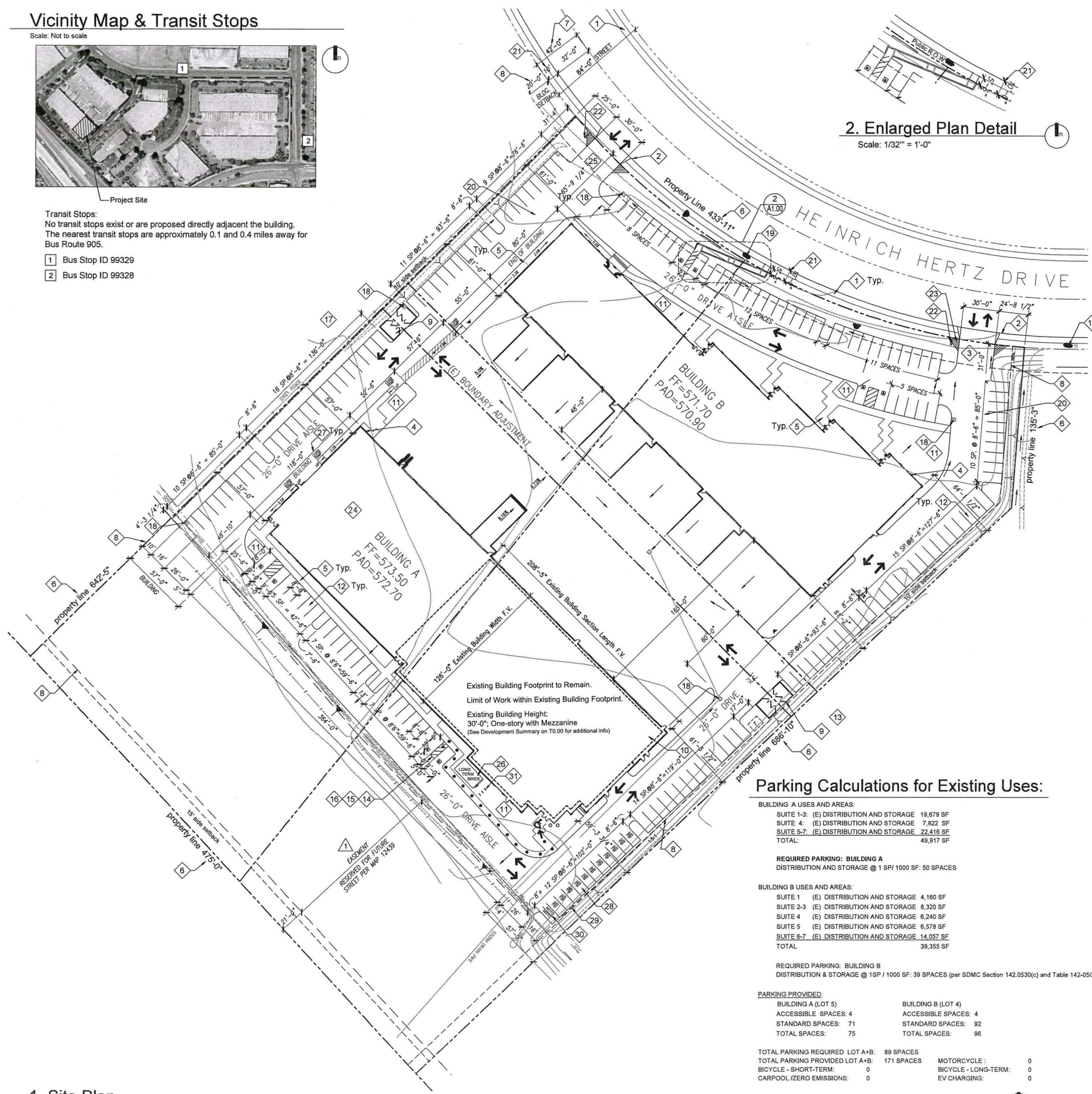


Transit Stops:
No transit stops exist or are proposed directly adjacent to the building. The nearest transit stops are approximately 0.1 and 0.4 miles away from Bus Route 905.

- 1 Bus Stop ID 99329
- 2 Bus Stop ID 99328

1. Site Plan

Scale: 1/40" = 1'-0"



2. Enlarged Plan Detail

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

Parking Calculations for Existing Uses:

BUILDING A USES AND AREAS:	
SUITE 1-3: (E) DISTRIBUTION AND STORAGE	19,679 SF
SUITE 4: (E) DISTRIBUTION AND STORAGE	7,822 SF
SUITE 5-7: (E) DISTRIBUTION AND STORAGE	22,416 SF
TOTAL:	49,917 SF
REQUIRED PARKING: BUILDING A	
DISTRIBUTION AND STORAGE @ 1SP/ 1000 SF: 50 SPACES	
BUILDING B USES AND AREAS:	
SUITE 1 (E) DISTRIBUTION AND STORAGE	4,160 SF
SUITE 2-3 (E) DISTRIBUTION AND STORAGE	8,320 SF
SUITE 4 (E) DISTRIBUTION AND STORAGE	8,320 SF
SUITE 5 (E) DISTRIBUTION AND STORAGE	6,240 SF
SUITE 6-7 (E) DISTRIBUTION AND STORAGE	14,057 SF
TOTAL	39,355 SF
REQUIRED PARKING: BUILDING B	
DISTRIBUTION & STORAGE @ 1SP/ 1000 SF: 39 SPACES (per SDMC Section 142.0530(c) and Table 142-05G.)	
PARKING PROVIDED:	
BUILDING A (LOT 5)	BUILDING B (LOT 4)
ACCESSIBLE SPACES: 4	ACCESSIBLE SPACES: 4
STANDARD SPACES: 71	STANDARD SPACES: 92
TOTAL SPACES: 75	TOTAL SPACES: 96
TOTAL PARKING PROVIDED LOT A+B: 171 SPACES	
BICYCLE - SHORT-TERM:	0
CARPPOOL / ZERO EMISSIONS:	0
MOTORCYCLE:	0
BICYCLE - LONG-TERM:	0
EV CHARGING:	0

Parking Calculations for Proposed Uses:

BUILDING A USES AND AREAS:	
SUITE 1-3: (E) DISTRIBUTION AND STORAGE	19,679 SF
SUITE 4-7: (N) LIGHT MANUFACTURING	33,601 SF
TOTAL:	53,280 SF
REQUIRED PARKING: BUILDING A	
DISTRIBUTION & STORAGE @ 1SP/ 1000 SF: 20 SPACES	
LIGHT MANUFACTURING @ 2.5 SP/ 1000 SF: 84 SPACES	
BUILDING B USES AND AREAS (NO CHANGE):	
SUITE 1 (E) DISTRIBUTION AND STORAGE	4,160 SF
SUITE 2-3 (E) DISTRIBUTION AND STORAGE	8,320 SF
SUITE 4 (E) DISTRIBUTION AND STORAGE	6,240 SF
SUITE 5 (E) DISTRIBUTION AND STORAGE	6,578 SF
SUITE 6-7 (E) DISTRIBUTION AND STORAGE	14,057 SF
TOTAL	39,355 SF
REQUIRED PARKING: BUILDING B	
DISTRIBUTION & STORAGE @ 1SP/ 1000 SF: 39 SPACES	
PARKING PROVIDED:	
BUILDING A (LOT 5)	BUILDING B (LOT 4)
ACCESSIBLE SPACES: 4	ACCESSIBLE SPACES: 4
STANDARD SPACES: 71	STANDARD SPACES: 92
TOTAL SPACES: 75	TOTAL SPACES: 96
TOTAL PARKING PROVIDED LOT A+B: 171 SPACES	
BICYCLE - SHORT-TERM:	0
CARPPOOL / ZERO EMISSIONS:	11 per SDMC 142.0530(d)(1)(B)(vi)
MOTORCYCLE:	2 per SDMC 142.0530(g)
BICYCLE - LONG-TERM:	5 per SDMC 142.0530(e)(2)(A)
EV CHARGING:	N/A per CGBC 5.106.5.3.3
	BICYCLE - SHORT-TERM: 0 required per SDMC 142.0530(e)(1)(D)(iii); 5 provided

Site Plan General Notes:

- A. Proposed limit of work is interior only within footprint of existing building. All existing grades, hardscape, and landscape are to remain.
- B. See sheet T0.00 Development Summary for additional information.
- C. See sheet A2.00 Plans for additional information.
- D. This project proposes no soil disturbance and no development improvements outside the existing building footprint for this Discretionary Review and therefore does not require any permanent storm water Best Management Practices (BMPs).

Existing Easement:

- 1 Existing approximately 138'-0" future street easement to remain.

Site Plan Key Notes:

1. Existing 5'-0" public sidewalk to remain.
2. Existing curb cut to remain.
3. The damaged existing eastern driveway shall be removed and reconstructed to current City Standards satisfactory to the City Engineer.
4. Existing building address sign complying with FHPS Policy P-00-6 (UFC 901.4.4); Number Height: 12 inches, Stroke Width: 1-1/2 inches.
5. Existing private sidewalk to remain.
6. Property line length.
7. Dimension from property line to centerline of street - 42'-0"
8. Setback.
9. Existing 6'-0" tall CMU trash enclosure to remain. Location of screened trash & recycling receptacles.
10. Existing electrical room to remain. See A2.00 for additional information.
11. All existing landscape areas to remain, typical.
12. Existing parking stalls and striping to remain.
13. Adjacent land use - Hotel.
14. Existing accessible parking sign and "Minimum Fine \$250" sign to remain.
15. Existing wheel stop to remain.
16. Existing 9' x 18' accessible parking stall and aisle striping to remain. Note: The minimum parking stall dimensions & aisle widths will comply with SDMC section 142.0560.
17. Adjacent land use Industrial.
18. Existing stormwater drainage inlet to remain.
19. Existing fire hydrant to remain.
20. A private shared driveway access easement exists for the property. See Legal Description on sheet T0.00 Development Summary for additional info. Additionally, a City of San Diego Joint Use Driveway/Mutual Access Agreement has been recorded for this property (Reference #)
21. Curb to Property Line - 10'-0"
22. Existing street lights to remain
23. Visibility triangle, typ. No objects higher than 36" will be proposed in the visibility area (per Land Development Code section 113.0273)
24. Existing Use for the Neighboring Suites: Distribution and Storage
25. Existing driveway to remain
26. Long term bicycle storage
27. Existing curb ramps to remain
28. Designated parking space for carpool vehicles and zero emissions vehicles in accordance with San Diego Municipal Code Section 142.0530(d). Paint, in the paint used for stall striping, the following characters such that the lower edge of the last word aligns with the end of the stall striping and is visible beneath a parked vehicle: "RESERVED FOR CARPOOL & ZERO EMISSIONS VEHICLES".
29. Reserved parking for carpool and zero emissions vehicles post mounted signage. Reflector sign panel shall be 12"W and 18"T and constructed of a minimum 0.062 (1157MM) thick aluminum with porcelain enamel finish with "white" background color equal to no. 15090 federal standard 595A; 1/2" wide "black" border with "black" letters 2" high minimum character size with the text "RESERVED PARKING FOR CARPOOL AND ZERO EMISSIONS VEHICLES". Mechanically attach to metal sign pole at center of landscape median.
30. 3'-0" x 8'-0" Motorcycle Parking Stalls.
31. Short term bicycle parking / racks.

Legend:

--- Property Line	--- Site Elevation Line, Typ.
- - - Setback Line	--- Drainage Pattern
→ Existing Accessible Path of Travel	□ 9' x 18' Accessible Parking
→ Existing Accessible Entrance	← Vehicular Circulation
△ Existing Easement	--- Carpool / Zero Emissions
--- Existing Easement Boundary	□ Bikes Long-term Bicycle Storage
--- Area of Work - Interior Only	

Kristi Byers, Architect
Sustainability Strategies
Architecture



9565 Heinrich Hertz, Suites 4, 5, 6 & 7 - MPF
Process 3 Conditional Use Permit Application
9565 Heinrich Hertz Drive, Suites 4, 5, 6 and 7
San Diego, California 92154

Drawing Preparation and Revision Dates

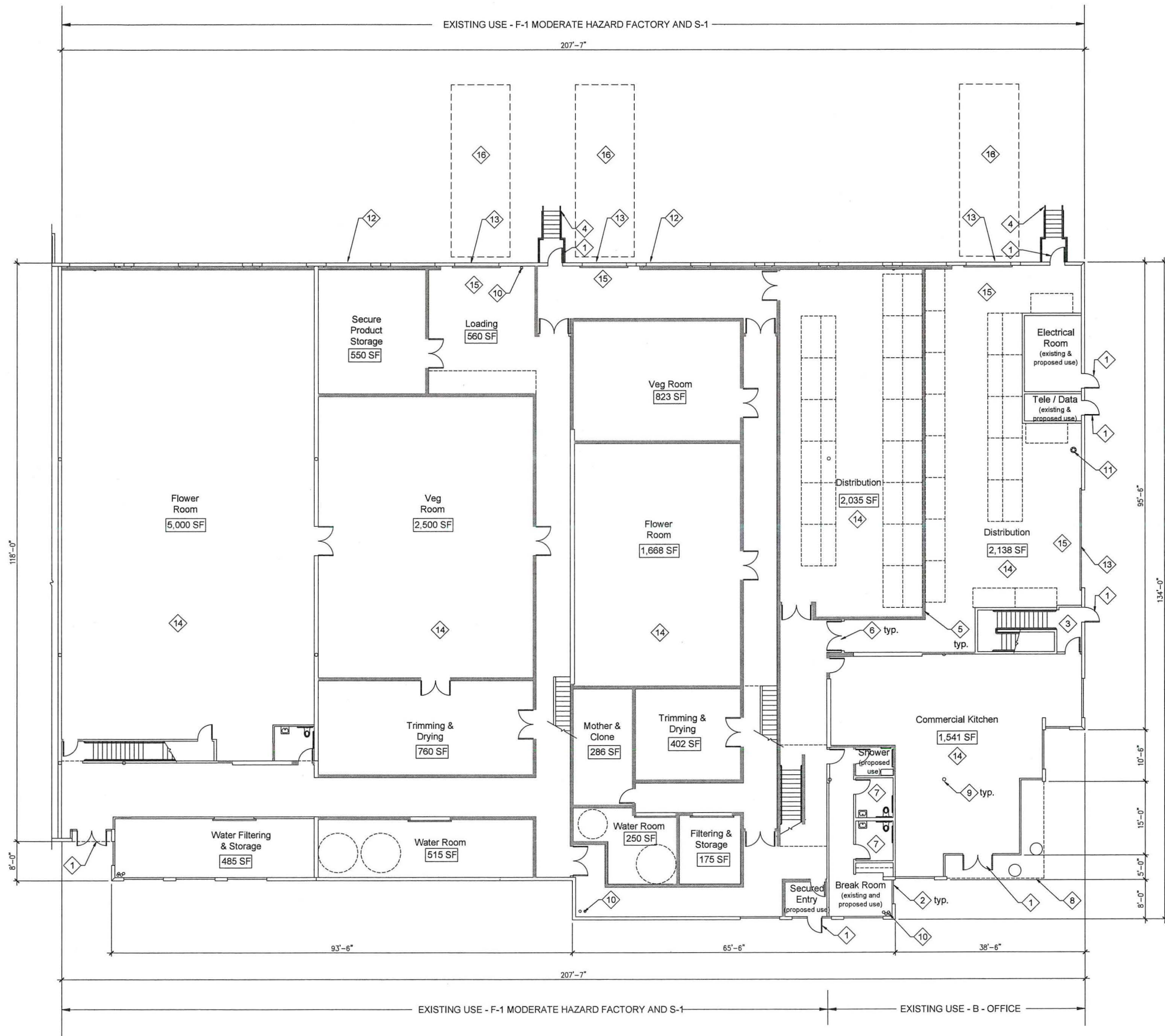
Rev	Date	Description
01	11.15.2017	CUP Fullness Review
02	12.12.2017	CUP Full-Submittal
03	04.16.2018	CUP Cycle 2 Review Responses
04	05.04.2018	CUP Cycle 2 Review Follow-Up - To Engineering
05	05.09.2018	CUP Cycle 2 Review Follow-Up - To Transportation
06	05.22.2018	CUP Cycle 2 Review Follow-Up
07	07.27.2018	CUP Cycle 2 Review Responses - Consolidated Set

Drawing Name:
Site Plan

Drawing Number:
A1.00
(4 of 8)

ATTACHMENT 4

ATTACHMENT 4



Floor Plan Key Notes:

1. Existing exterior door to remain.
2. Existing exterior glazing system to remain.
3. Existing interior stair to remain.
4. Existing exterior stair, landing and railing to remain.
5. New interior partition.
6. New interior door.
7. Existing accessible restroom to remain.
8. Dashed line represents line of building overhang above.
9. Existing column to remain.
10. Existing roof downspout to remain.
11. Existing fire riser to remain.
12. Existing industrial roll up door to remain and to be secured in place. New interior partition to be built just inside the roll up doors for security, typ., UNO.
13. Existing industrial roll up door to remain.
14. Odor Suppression System: The project will implement a strategy of filtering any exhaust air through a carbon scrubber to mitigate odor and will also design the HVAC system with negative and positive pressure rooms, as appropriate, to control the flow of air with others and to prevent it from escaping the project building.
15. Loading and unloading area associated with deliveries to and from the site.
16. Off-street loading space shall have a minimum length of 35 feet, a minimum width of 12 feet, and a minimum vertical clearance of 14 feet including entrances and exits per SDMC Section 142.1010.

Cultivation Description

The project would grow cannabis plants from clones (baby plants) through the flower stage. Plants would be placed in the cultivation rooms under lights that would be on for 12-18 daily lighting hours per day, depending on which phase of cultivation the plants are in. Plants would be watered using an automated, recirculating drip irrigation system, including treatment and re-use of water. Once plants reach the flower stage, plants would be harvested and placed in dry rooms to dry, which would require air conditioning, but no lights.

Manufacturing Description

Operations would include the following:
A commercial kitchen in which edible products will be produced utilizing the refined extract or oil.
The final products are packaged and labeled in accordance with state laws and then are transferred into the Secured Product Storage Room while they await distribution to licensed retail facilities.

Distribution Description

Operations would include the following:
The distribution spaces would house packaged cannabis products awaiting pickup.

Floor Plan Key Legend:

- New Interior Partition
- Existing Wall / Partition to Remain

1. Proposed Floor Plan - Ground Level

Scale: 3/32" = 1'-0"

Kristi Byers, Architect
Sustainability Strategies
Architecture



Project:

9565 Heinrich Hertz, Suites 4, 5, 6 & 7 - MPF
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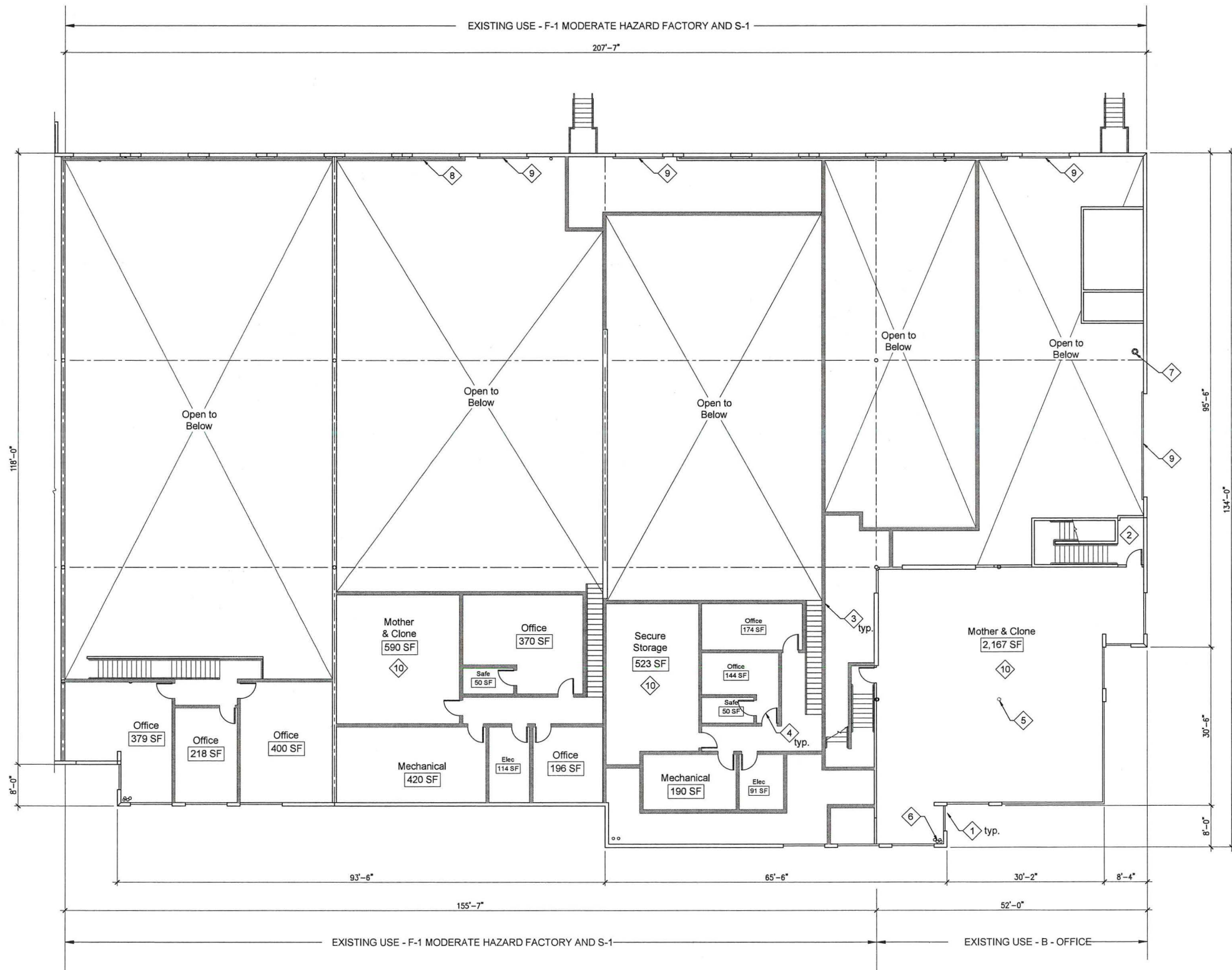
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04	05.09.2018	CUP Cycle 2 Review Follow-up - To Transportation
05	05.22.2018	CUP Cycle 2 Review Follow-up
06	07.27.2018	CUP Cycle 2 Review Responses - Consolidated Set

Drawing Name:

Proposed Floor Plan

Drawing Number:

A2.00
(5 of 8)



Floor Plan Key Notes:

1. Existing exterior glazing system to remain.
2. Existing interior stair to remain.
3. New interior partition.
4. New interior door.
5. Existing column to remain.
6. Existing roof downspout to remain.
7. Existing fire riser to remain.
8. Existing industrial roll up door to remain and be secured in place. New interior partition to be built just inside the roll up doors for security, typ., UNO.
9. Existing industrial roll up door to remain.
10. Odor Suppression System: The project will implement a strategy of filtering any exhaust air through a carbon scrubber to mitigate odor and will also design the HVAC system with negative and positive pressure rooms, as appropriate, to control the flow of air with others and to prevent it from escaping the project building

See A2.00 for Cultivation, Manufacturing & Distribution Descriptions

1. Proposed Floor Plan - Mezzanine

Scale: 3/32" = 1'-0"

Floor Plan Key Legend:

- New Interior Partition
- Existing Wall / Partition to Remain

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Architecture



Project:

9565 Heinrich Hertz, Suites 4, 5, 6 & 7 - MPF
Process 3 Conditional Use Permit Application

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Drawing Preparation and Revision Dates

Revision	Date	Description
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02	12.12.2017	CUP Full-Submittal
03	04.16.2018	CUP Cycle 2 Review Responses
04	07.27.2018	CUP Cycle 2 Review Responses - Consolidated Set

Drawing Name:
Proposed Floor Plan Mezzanine

Drawing Number:
A2.01
(6 of 8)

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Architecture



Project:

9565 Heinrich Hertz, Suites 4, 5, 6 & 7 - MPF
Process 3 Conditional Use Permit Application

9565 Heinrich Hertz Drive, Suites 4, 5, 6 and 7
San Diego, California 92154

Drawing Preparation and Revision Dates

01	11.15.2017	CUP Completeness Review
02	12.12.2017	CUP Full-Submittal
03	04.16.2018	CUP Cycle 2 Review Responses
04	07.27.2018	CUP Cycle 2 Review Responses - Consolidated Set

Drawing Name:
Lighting and Security Plan - Ground Level

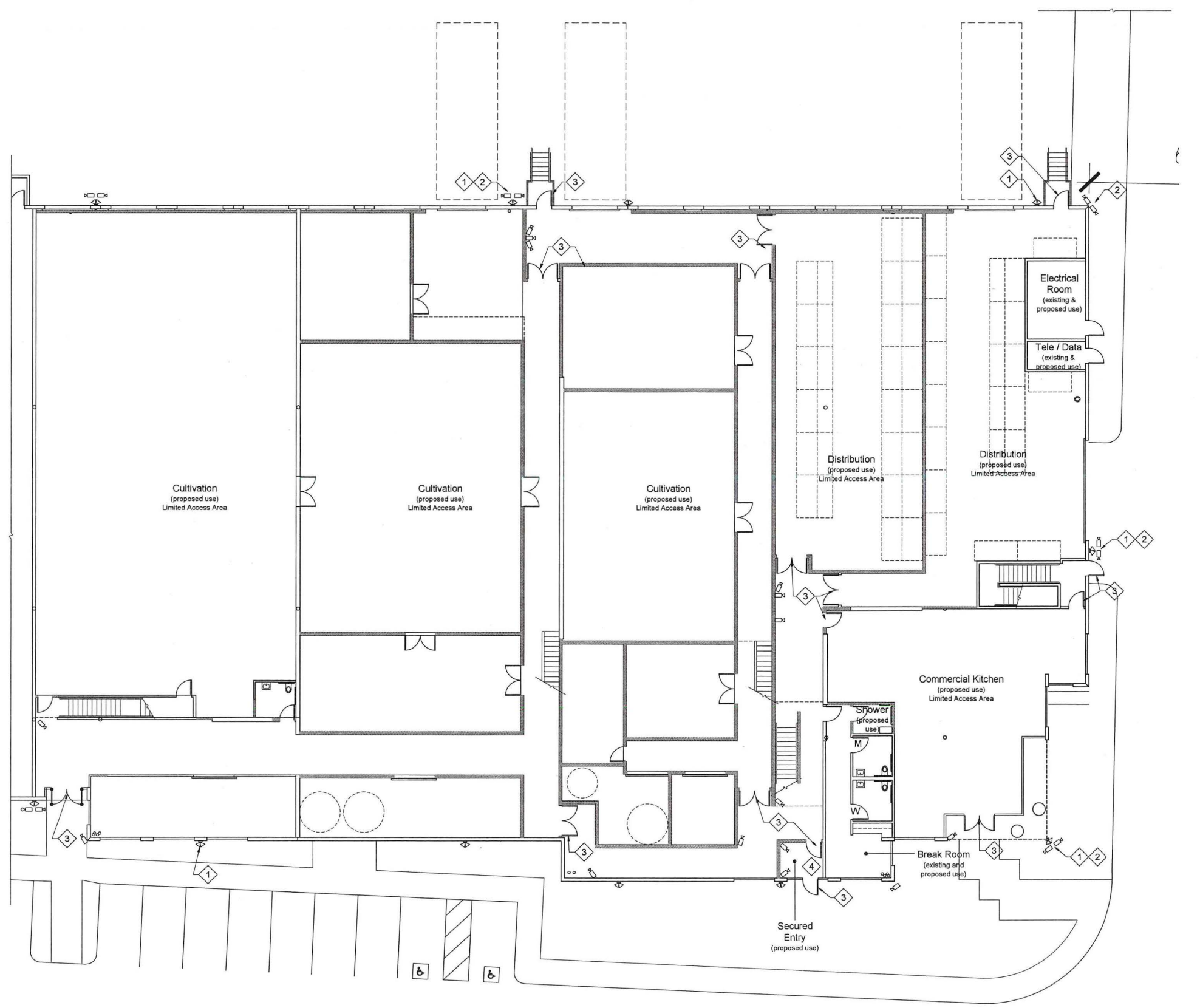
Drawing Number:
A3.00
(7 of 8)

Plan Key Notes:

1. Lighting shall be provided to illuminate the immediate surrounding area of the facility, including parking lots and adjoining sidewalks. Lighting shall be hooded or oriented so as to deflect light away from adjacent properties. (Per City of San Diego Municipal Code Section 141.1004.c.)
2. Operable cameras
3. Commercial-grade, nonresidential door locks at all limited access areas and on all points of entry and exit to the licensed premises
4. Security guard: The security guard shall be licensed by the State of California and be present on the premises during business hours. The security guard shall only be engaged in activities related to providing security for the facility, except on an incidental basis. (Per City of San Diego Municipal Code Section 141.1004.d.)

Floor Plan Key Legend:

- New Interior Partition
- Existing Wall / Partition to Remain
- New Operable Security Camera
- New Security Lighting



2. First Floor Plan

Scale: 3/32" = 1'-0"



Kristi Byers, Architect
Sustainability Strategies
Architecture



Project:

9565 Heinrich Hertz, Suites 4, 5, 6 & 7 - MPF
Process 3 Conditional Use Permit Application
9565 Heinrich Hertz Drive, Suites 4, 5, 6 and 7
San Diego, California 92154

Drawing Preparation and Revision Dates		
01	11.15.2017	CUP Completeness Review
02	12.12.2017	CUP Full-Submittal
03	04.16.2018	CUP Cycle 2 Review Responses
04	07.27.2018	CUP Cycle 2 Review Responses - Consolidated Set

Drawing Name:
Lighting and Security Plan - Mezzanine Level

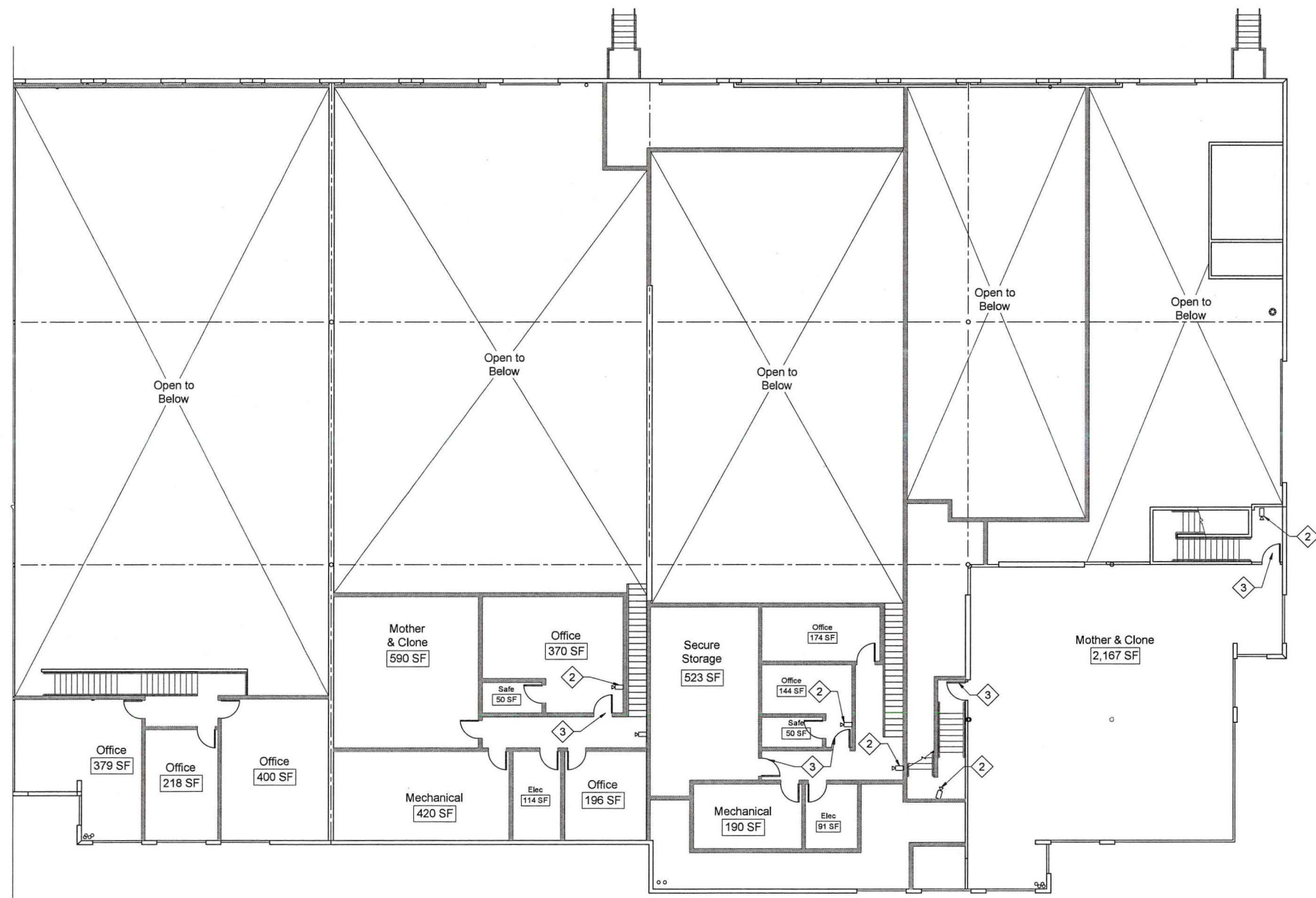
Drawing Number:
A3.01
(8 of 8)

Plan Key Notes:

1. Lighting shall be provided to illuminate the immediate surrounding area of the facility, including parking lots and adjoining sidewalks. Lighting shall be hooded or oriented so as to deflect light away from adjacent properties. (Per City of San Diego Municipal Code Section 141.1004.c.)
2. Operable cameras
3. Commercial-grade, nonresidential door locks at all limited access areas and on all points of entry and exit to the licensed premises
4. Security guard: The security guard shall be licensed by the State of California and be present on the premises during business hours. The security guard shall only be engaged in activities related to providing security for the facility, except on an incidental basis. (Per City of San Diego Municipal Code Section 141.1004.d.)

Floor Plan Key Legend:

- New Interior Partition
- Existing Wall / Partition to Remain
- New Operable Security Camera



1. Mezzanine Floor Plan

Scale: 3/32" = 1'-0"



Hearing Officer Resolution No. [REDACTED]
Conditional Use Permit No. 2071883
MPF 9565 HEINRICH HERTZ DRIVE PROJECT NO. 585529

WHEREAS, PACIFIC RIM BUSINESS CENTRE, LLC, Owner and HALL and GANS HOLDINGS, LLC, Permittee, filed an application with the City of San Diego for a permit to operate a Marijuana Production Facility within 33,601-square-feet of an existing 49,332-square-foot building (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 2071883), on portions of a 7.68-acre site;

WHEREAS, the project site is located at 9565 Heinrich Hertz Drive, Suites 4 through 7, in the IL-2-1 zone of the Otay Mesa Community Plan;

WHEREAS, the project site is legally described as Lots 4, 5, 6, 7 and 8 of Otay International Center Lot 4, according to Map thereof No. 12439, filed August 10, 1989;

WHEREAS, on June 7, 2018 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 15301 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 August 15, 2018, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 2071883 pursuant to the Land Development Code of the City of San Diego;

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

That the Hearing Officer adopts the following written Findings, dated August 15, 2018.

A. CONDITIONAL USE PERMIT [SDMC Section 126.0305]

1. Findings for all Conditional Use Permits:

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

The proposed project requests a Conditional Use Permit to operate a Marijuana Production Facility to operate within 33,601-square-feet of an existing 49,332-square-foot building. The 7.68-acre site is located within the IL-2-1 base zone and Community Plan Implementation Overlay zone in the Otay Mesa Plan area.

The site is designated Light Industrial within the South District of the Otay Mesa Community Plan. The South District is one of five Districts within Otay Mesa. The variety of industrial land use designations in Otay Mesa is intended to protect and enhance the

existing industrial uses while providing an opportunity to increase industrial capacity to encourage new and relocated industries that provide employment opportunities for community residents. Industrial development in Otay Mesa has played a major role in the history of this neighborhood as private developers have purchased this land of this designation for a variety of industrial uses. All the surrounding parcels are located in the IL-2-1 zone and the existing uses are consistent with the Industrial designation of the community plan. The proposed MPF, classified as light industrial, is a compatible use for this location with a Conditional Use Permit and is consistent with the community plan, and therefore 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 Marijuana Production Facility to operate within 33,601-square-foot of an existing 49,332-square-foot building. The building is currently being used as an office, factory and storage facility. The purpose and intent of the IL-2-1 zone is to permit a range of uses, including nonindustrial uses in some instances. Specifically, the IL-2-1 allows a mix of light industrial and office uses with limited commercial. The site presently developed with an industrial building constructed in 1999. The project will construct interior improvements that include non-load bearing partitions, doors, lighting, security cameras and system, millwork, finishes throughout and associated mechanical, electrical and plumbing improvements. Other minor site improvements are proposed consistent with the City of San Diego requirements. No exterior building alterations would occur. The proposed improvements would require the Owner/Permittee to obtain a change of use/occupancy building permit consistent with all California Codes and Regulations in effect at the time of building permit, satisfactory to the Building Official. Public improvements include the removal and reconstruction of the eastern driveway along Heinrich Hertz Drive to current City Standards, satisfactory to the City Engineer.

Marijuana Production Facilities are restricted to forty City-wide, within light and heavy industrial zones. Marijuana Production Facilities require compliance with San Diego Municipal Code (SDMC), section 141.1004, which require a 1,000 foot separation, measured between property lines from, resource and population-based City parks, churches, child care centers, playgrounds, City libraries, minor-oriented facilities, residential care facilities, and schools. Marijuana Production Facilities also require a minimum distance requirement of 100 feet from a residential zone. Security requirements include interior and exterior lighting, security cameras, alarms and a security guard. The security guard must be licensed by the State of California and be present on the premises during business hours. Marijuana Production Facilities must also comply with Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

The proposed project will be required to comply with the operational conditions as described in the Conditional Use Permit No. 2071883. The Conditional Use Permit No. 2071883 will be valid for five years and may be revoked if the Owner/Permittee violates the terms, conditions, lawful requirements, or provisions of the Permit.

The proposed development will not be detrimental to the public's health, safety and welfare in that the discretionary permit controlling the use of this site contains specific regulatory conditions of approval, as referenced in the Conditional Use Permit No. 2071883. The referenced regulations and conditions have been determined as necessary to avoid adverse impact upon the health, safety and general welfare of persons patronizing, residing or working within the surrounding area. Therefore, the proposed Marijuana Production Facility will not be detrimental to the public health, safety and welfare.

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

The proposed Marijuana Production Facility will operate within 33,601-square-foot of an existing 49,332-square-foot building. The site is located in the IL-2-1 Zone in the Otay Mesa Community Plan area. The site was developed in 1999. The project will construct interior improvements that include non-load bearing partitions, doors, lighting, security cameras and system, millwork, finishes throughout and associated mechanical, electrical and plumbing improvements. Other minor site improvements are proposed consistent with the City of San Diego requirements. No exterior building alterations would occur. Other minor site improvements are proposed consistent with the City of San Diego requirements.

Marijuana Production Facilities are allowed in the IL-2-1 Zone of the Otay Mesa Community Plan with a Conditional Use Permit. The proposed use requires compliance with San Diego Municipal Code (SDMC), Section 141.1004 and Chapter 4, Article 2, Division 15. Section 141.1004 requires a 1,000 foot separation, measured between property lines from, resource and population-based City parks, churches, child care centers, playgrounds, City libraries, minor-oriented facilities, residential care facilities, and schools. There is also a minimum distance requirement of 100 feet from a residential zone. Security requirements, expressed as conditions in the Permit, include interior and exterior lighting, security cameras, alarms and a security guard. The security guard must be licensed by the State of California and be present on the premises during business hours.

The proposed Marijuana Production Facility is consistent with all land development regulations relevant for the site and the use and no deviations are requested or required. Therefore, the proposed Marijuana Production Facility will comply with the regulations of the Land Development Code.

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

The proposed Marijuana Production Facility will operate within 33,601-square-foot of an existing 49,332-square-foot building. The site is located in the IL-2-1 Zone and designated by the Otay Mesa Community Plan for Light Industrial uses. The Light Industrial IL-2-1 zone is intended to provide for a wide range of manufacturing, light industrial uses, certain "heavy" commercial uses and maximum employment opportunities. The site,

designated Light Industrial, is within the South District of the Otay Mesa Community Plan. The use of a variety of industrial land use designations in Otay Mesa is intended to protect and enhance the existing industrial uses while providing an opportunity to increase industrial capacity to encourage new and relocated industries that provide employment opportunities for community residents. All of the surrounding parcels are located in the IL-2-1 zone and the existing uses are consistent with the Industrial designation of the community plan. The proposed Marijuana Production Facility, classified as light industrial services, is consistent with the community plan.

The proposed Marijuana Production Facility is consistent with all land development regulations relevant for the site and the use and no deviations are requested or required. The proposed Marijuana Production Facility is a compatible use for this location with a Conditional Use Permit. Therefore, the proposed MPF is an appropriate use at the proposed location.

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

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Conditional Use Permit No. 2071883 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 2071883, a copy of which is attached hereto and made a part hereof.

John S. Fisher
Development Project Manager
Development Services

Adopted on August 15, 2018

IO#: 24007587

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: 24007568

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Conditional Use Permit No. 2071883

MPF 9565 HEINRICH HERTZ DRIVE PROJECT NO. 585529

Hearing Officer

This Conditional Use Permit No. 2071883 is granted by the Hearing Officer of the City of San Diego to PACIFIC RIM BUSINESS CENTRE, LLC, Owner and HALL and GANS HOLDINGS, LLC, Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0305. The 7.68-acre site is located at 9565 Heinrich Hertz Drive, Suites 4 through 7, in the IL-2-1 zone of the Otay Mesa Community Plan. The project site is legally described as Lots 4, 5, 6, 7 and 8 of Otay International Center Lot 4, according to Map thereof No. 12439, filed August 10, 1989.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to operate a Marijuana Production Facility to operate within 33,601-square-feet of an existing 49,332-square-foot building described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated August 15, 2018, on file in the Development Services Department.

The project shall include:

- a. Operation of a Marijuana Production Facility to operate within 33,601-square-feet of an existing 49,332-square-foot building. The operation shall include the production of marijuana products consistent with the requirements of the State of California statutes and the California Departments of Food and Agriculture, Consumer Affairs and Public Health regulations; and the wholesale distribution and storage of marijuana products;
- b. The Marijuana Production Facility operations include cultivating-marijuana plants, drying the plants before the extraction process, to obtain refined cannabis extracts and/or oils and produce various edible marijuana products using the extracts and/or oils to be packaged, labeled and distributed to licensed Marijuana Outlets.
- c. Off-street parking; and
- d. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in

accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. 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 30, 2021.
2. This Conditional Use Permit [CUP] and corresponding use of this site shall expire on August 30, 2023. Upon expiration of this Permit, the facilities and building improvements described herein shall be removed from this site and the property shall be restored to its original condition preceding approval of this Permit.
3. 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.
4. 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.
5. 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.
6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
7. 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.).
8. 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.

9. 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.

10. 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.

11. 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.

BUILDING OFFICIAL REQUIREMENTS:

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

CLIMATE ACTION PLAN REQUIREMENTS:

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

ENGINEERING REQUIREMENTS:

14. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the removal and reconstruction of the eastern driveway along Heinrich Hertz Drive to current City Standards, satisfactory to the City Engineer.

PLANNING/DESIGN REQUIREMENTS:

15. All operations shall be conducted indoors within a secured structure. All equipment and storage shall be also located within a secure structure.

16. Lighting shall be provided to illuminate the immediate surrounding area of the facility, including parking lots and adjoining sidewalks. Lighting shall be hooded or oriented to deflect light away from adjacent properties.

17. Security shall include operable cameras, alarms, and a security guard. The security guard shall be licensed by the State of California and be present on the premises during business hours. The security guard shall only be engaged in activities related to providing security for the facility, except on an incidental basis.

18. The name and emergency contact telephone number of an operator or manager shall be posted outside the marijuana production facility in a location visible to the public from the public right-of-way in character size at least two inches in height. The permittee shall provide this contact information to the San Diego Police Department. The operator or manager shall also be available 24 hours a day to address public nuisance complaints and interact with local, state, and federal law enforcement authorities. Other than the contact information, a marijuana production facility shall limit signage on the exterior of the property visible from the public right-of-way to the address.

19. A permit shall be obtained as required pursuant to Chapter 4, Article 2, Division 15.

20. The retail sale of marijuana and marijuana products shall only be conducted by a marijuana outlet in accordance with Section 141.0504. A marijuana production facility is prohibited from providing marijuana and marijuana products to any person other than another marijuana production facility, a testing lab, or a marijuana outlet.

21. The marijuana production facility, adjacent public sidewalks, and areas under the control of the marijuana production facility shall be maintained free of litter and graffiti at all times.

22. The marijuana production facility shall provide daily removal of trash, litter, and debris. Graffiti shall be removed from the premises within 24 hours.

23. The Owner/Permittee shall provide an odor absorbing ventilation and exhaust system capable of minimizing excessive or offensive odors emanating outside of the permitted facility, to the satisfaction of the Development Services Department.

TRANSPORTATION REQUIREMENTS

24. The automobile, motorcycle and bicycle parking spaces must be constructed and provided 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 authorized by the appropriate City decision maker in accordance with the SDMC.

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 August 15, 2018 by Resolution No. (to be filled in).

Permit Type/PTS Approval No.: 2071883
Date of Approval: August 15, 2018

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

John S. Fisher
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.

Pacific Rim Business Centre, LLC,
a California limited liability company
Owner/Permittee

By _____
Michael A. Vogt
Managing Member

Hall and Gans Holdings, LLC,
a California limited liability company
Owner/Permittee

By _____
Doug Gans
Managing Member

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

NOTICE OF EXEMPTION

(Check one or both)

TO: Recorder/County Clerk
 P.O. Box 1750, MS A-33
 1600 Pacific Hwy, Room 260
 San Diego, CA 92101-2400

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 Name: MPF 9565 Heinrich Hertz Drive

Project No.: 585529

Project Location-Specific: 9565 Heinrich Hertz Drive, San Diego, CA 92154

Project Location-City/County: San Diego/San Diego

Description of nature and purpose of the Project: The project is a request for a Conditional Use Permit (CUP) for a Marijuana Production Facility (MPF) to operate within 33,601 square feet of an existing 49,322-square-foot warehouse building located at 9565 Heinrich Hertz Drive in the Otay Mesa Community Plan area. Project operations would include the cultivation, production, and distribution of cannabis infused products to State of California licensed outlets. The 7.68-acre site is designated Light Industrial and is subject to the IL-2-1 zone and within the Community Plan Implementation Overlay Zone 'A' area. The project is also subject to Airport FAA Part 77 Noticing Area - Brown Field, Airport Influence Area - Brown Field Review Area 2, and Airport Land Use Compatibility Overlay Zone - Brown Field.

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: Doug Gans
 Hall and Gans Holdings, LLC
 6549 Mission Gorge Road, Suite #265
 San Diego, CA 92120
 (619) 818-4555

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))
- Categorical Exemption: CEQA Sections 15301 (Existing Facilities)

Reasons why project is exempt: The City conducted an environmental review which determined that the proposed project, as described above, qualifies to be exempt from CEQA pursuant to CEQA Guidelines Section 15301, which allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing facilities (public or private), involving negligible or no expansion of use beyond that existing at the time of the determination. No environmental impacts were identified for the proposed project. Additionally, none of the exceptions described in CEQA Guidelines Section 15300.2 apply.

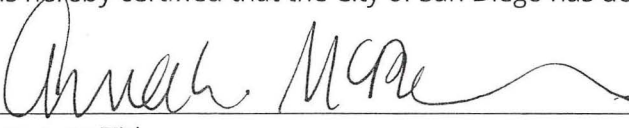
Lead Agency Contact Person: Anna L. McPherson AICP

Telephone: (619) 446-5276

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

 /Senior Planner
Signature/Title

June 22, 2018

Date

Check One:

- (X) Signed By Lead Agency
() Signed by Applicant

Date Received for Filing with County Clerk or OPR:

Fisher, John

To: Hixson, Rob @ San Diego Downtown
Subject: RE: PTS#585529 MPF 9565 Heinrich Hertz

From: Hixson, Rob @ San Diego Downtown [mailto:Rob.Hixson@cbre.com]
Sent: Thursday, July 05, 2018 4:07 PM
To: Fisher, John <JSFisher@sandiego.gov>
Cc: Armstrong, Jen @ San Diego Downtown <Jen.Armstrong@cbre.com>
Subject: RE: PTS#585529 MPF 9565 Heinrich Hertz

John, there were nine people in the audience, there are not Board Members. Thanks

Rob Hixson, SIOR | Senior Vice President | Lic. 00944946
 CBRE | Advisory & Transaction Services | Investor Leasing
 Industrial & Logistics
 350 Tenth Avenue, Suite 800 | San Diego, CA 92101
 T +1 619 696 8350 | F +1 619 232 2462 | C +1 619 954 9520
rob.hixson@cbre.com | www.cbre.com/rob.hixson

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From: Fisher, John [mailto:JSFisher@sandiego.gov]
Sent: Thursday, July 5, 2018 3:56 PM
To: Hixson, Rob @ San Diego Downtown <Rob.Hixson@cbre.com>
Subject: RE: PTS#585529 MPF 9565 Heinrich Hertz

Rob,

Jen's email to you says 20 members present. Yours says 11 present. ?

Thank you,

jF

John S. Fisher, RLA No. 2995
 Development Project Manager
 Development Services Department
 City of San Diego
 1222 First Avenue, MS 301
 San Diego, CA 92101

(619) 446-5231

jsfisher@sandiego.gov

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From: Hixson, Rob @ San Diego Downtown [<mailto:Rob.Hixson@cbre.com>]
Sent: Thursday, July 05, 2018 3:23 PM
To: Fisher, John <JSFisher@saniego.gov>
Cc: Khoa Nguyen <khoa@rathmiller.com>
Subject: FW: PTS#585529 MPF 9565 Heinrich Hertz

John, at the June Otay Mesa Planning Group meeting we had 11 Board members present and the vote to approve was 10 yes and one abstention. Thank you.

Rob Hixson, SIOR | Senior Vice President | Lic. 00944946
**CBRE | Advisory & Transaction Services | Investor Leasing
 Industrial & Logistics**
 350 Tenth Avenue, Suite 800 | San Diego, CA 92101
 T +1 619 696 8350 | F +1 619 232 2462 | C +1 619 954 9520
rob.hixson@cbre.com | www.cbre.com/rob.hixson

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From: Armstrong, Jen @ San Diego Downtown
Sent: Thursday, July 5, 2018 2:43 PM
To: Hixson, Rob @ San Diego Downtown <Rob.Hixson@cbre.com>
Subject: RE: PTS#585529 MPF 9565 Heinrich Hertz

Hi Rob, we had 20 members at the June 2018 meeting 10 voting yes and one abstention.

Thank you,

Jen Armstrong González | Client Services Specialist | Lic. 02029117
CBRE | Advisory & Transaction Services
 350 Tenth Avenue, Suite 800 | San Diego, CA 92101
 T +1 619 696 8352 | F +1 619 232 2462
jen.armstrong@cbre.com | www.cbre.com/sandiego

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

Ownership Disclosure Statement

FORM
DS-318

October 2017

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: 9565 Heinrich Hertz Marijuana Production Facility (MPF) CUP **Project No. For City Use Only:** 585529

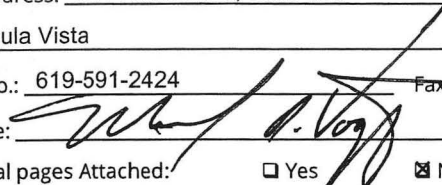
Project Address: 9565 Heinrich Hertz Drive, Suite 5-7, San Diego, CA 92154

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

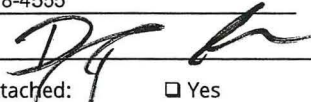
Corporation Limited Liability -or- General - What State? CA Corporate Identification No. 199816610035
 Partnership Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the owner(s), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.


Property Owner

Name of Individual: Pacific Rim Business Centre, LLC / Michael A. Vogt Owner Tenant/Lessee Successor Agency
Street Address: 821 Kuhn Drive, Suite 100
City: Chula Vista State: CA Zip: 91914
Phone No.: 619-591-2424 Fax No.: NA Email: mike@ireddevelopment.com
Signature:  Date: 12/11/2017
Additional pages Attached: Yes No

Applicant

Name of Individual: Doug Gans Owner Tenant/Lessee Successor Agency
Street Address: 6549 Mission Gorge Rd. #265
City: San Diego State: CA Zip: 92120
Phone No.: 619-818-4555 Fax No.: NA Email: dgan9@aol.com
Signature:  Date: 12/11/2017
Additional pages Attached: Yes No

Other Financially Interested Persons

Name of Individual: Tony Hall Owner Tenant/Lessee Successor Agency
Street Address: 6549 Mission Gorge Rd. #265
City: San Diego State: CA Zip: 92120
Phone No.: 619-846-0099 Fax No.: NA Email: tony@globalchemical.com
Signature:  Date: 12/11/2017
Additional pages Attached: Yes No

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

PROJECT DATA SHEET		
PROJECT NAME:	MPF 9565 Heinrich Hertz Dr.	
PROJECT DESCRIPTION:	Marijuana Production Facility	
COMMUNITY PLAN AREA:	Otay Mesa Community Plan	
DISCRETIONARY ACTIONS:	Process 3 – Conditional Use Permit	
COMMUNITY PLAN LAND USE DESIGNATION:	Prime Industrial Lands; Light Industrial	
<u>ZONING INFORMATION:</u>		
ZONE:	IL-2-1	
HEIGHT LIMIT:	N/A	
LOT SIZE:	Min. 15,000 square feet	
FLOOR AREA RATIO:	Max. 2.0	
FRONT SETBACK:	Min. 15 feet; Standard 20 feet	
SIDE SETBACK:	10ft	
REAR SETBACK:	Min. 0 feet; Standard 15 feet	
PARKING:	84 spaces	
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Light Industrial, IL-2-1	Warehouse
SOUTH:	Light Industrial, IL-2-1	Lodging
EAST:	Light Industrial, IL-2-1	Warehouse
WEST:	Light Industrial, IL-2-1	Freeway
DEVIATIONS OR VARIANCES REQUESTED:	None	
COMMUNITY PLANNING GROUP RECOMMENDATION:	Not available at this time.	