



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: August 8, 2018 REPORT NO. [HO-18-064](#)

HEARING DATE: August 15, 2018

SUBJECT: MPF 8859 Balboa Ave Process Three Decision

PROJECT NUMBER: [585435](#)

OWNER/APPLICANT: San Diego United Holdings, LLC, Owner/Applicant

SUMMARY

Issue: Should the Hearing Officer approve a marijuana production facility located at 8859 Balboa Avenue, Suites A-E in the IL-3-1 zone of the Kearny Mesa Community Plan?

Staff Recommendation:

1. Approve Conditional Use Permit No. 2068552.

Community Planning Group Recommendation: The Kearny Mesa Community Planning Group voted on June 20, 2018. A member from the planning group made a motion to approve the project and a second was received. The final vote was 4:7:1 to deny the project.

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303(c). 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 Kearny Mesa Community Plan designates the site for industrial development (Attachment 1). The project site is designated for Industrial and Business Parks uses by the Kearny Mesa Community Plan. The Industrial and Business Parks designation is intended to accommodate manufacturing, storage, warehousing, distribution, and similar uses. The Industrial and Business Park designation would permit light manufacturing uses, thereby providing additional land suitable for manufacturing activities. The 2.51-acre site is located at 8859 Balboa Avenue, Suites A-E, in the IL-3-1 zone (Attachment 2). The building is currently being used for light industrial uses. The purpose and intent

of the IL-3-1 zone is to permit light industrial, office, and commercial uses. The site presently developed with an industrial building constructed in 1969 (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 a Conditional Use Permit for a Marijuana Production Facility to operate within existing suites A-E, comprising of an operational area of 4,998 square feet. The facility would be contained within an existing 39,675 square foot industrial building located at 8859 Balboa Avenue, in the Kearny Mesa Community Plan area. The project proposes tenant improvements to the existing building to facilitate operations including the manufacturing, storing, and distributing of cannabis products to State of California licensed outlets. No cultivation is proposed and retail sales are prohibited. The 2.51-acre site is designated Industrial and Business Park per the Kearny Mesa Community Plan and is subject to the IL-3-1 zone requirements.

The Marijuana Production Facility operations would include the following areas:

Secured Entry - This entry would be used by employees to enter and exit the building. It would also serve as a visitor entrance/exit. The external door to the Entry Lobby is open to visitors. A bell dings alerting staff that a visitor has arrived. The exterior door from the Secured Entries to the secure areas have an electronic key pad entry. All employees would have a unique digital electronic key code for entry through this door.

Manager's Room - This office would be locked and only managers would be allowed in the manager's office. It has a key lock. This room is also where any cash would be securely stored, if needed.

Secured Product Storage Room - Product that has been manufactured, tested, packaged, labeled, and quality assurance checked would be stored in this room. It would be separately locked with access by manager's only. Product stored here is waiting distribution.

Break Room - The employee break room would be used for breaks, lunches, etc. It is not separately locked.

Packaging & Distribution Room - After manufacturing, products would be moved to this room for

packaging, labeling, and preparation for distribution. This would also be the room used for the quality control procedure.

Raw Material Storage – When raw cannabis is received, inspected, and accepted from cultivators the raw material is moved and stored in this room until processing is ready for it. There would be shelves in this room that allow for separate storage of batches.

Extraction Room – Cannabinoids would be extracted in this room through a variety of processes. Batches are kept separate during the extraction process.

Post Processing Room – This room would be where the raw extract is further processed through a variety of methods into a more refined oil or extract. This room is also where batches would be stored awaiting the laboratory testing process. The lab testing licensee performs the sampling of batches in this room. The manufactured product would remain in this room until lab test results are returned. If a batch passes testing, the product would be moved to the Finished Product Storage Room or directly enter the distribution process.

The project proposes interior improvements to organize the interior spaces in the manner required to facilitate the manufacturing process. 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 would include the removal and replacement of the westernmost driveway, adjacent to the site on Balboa Avenue, per current City Standards.

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-3-1 zone and no deviations are required to approve the project. Staff has provided draft findings (Attachment 5) to support the proposed project 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. 2068552, with modifications.
2. Deny Conditional Use Permit No. 2068552, 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

KEARNY MESA COMMUNITY PLAN LAND USE

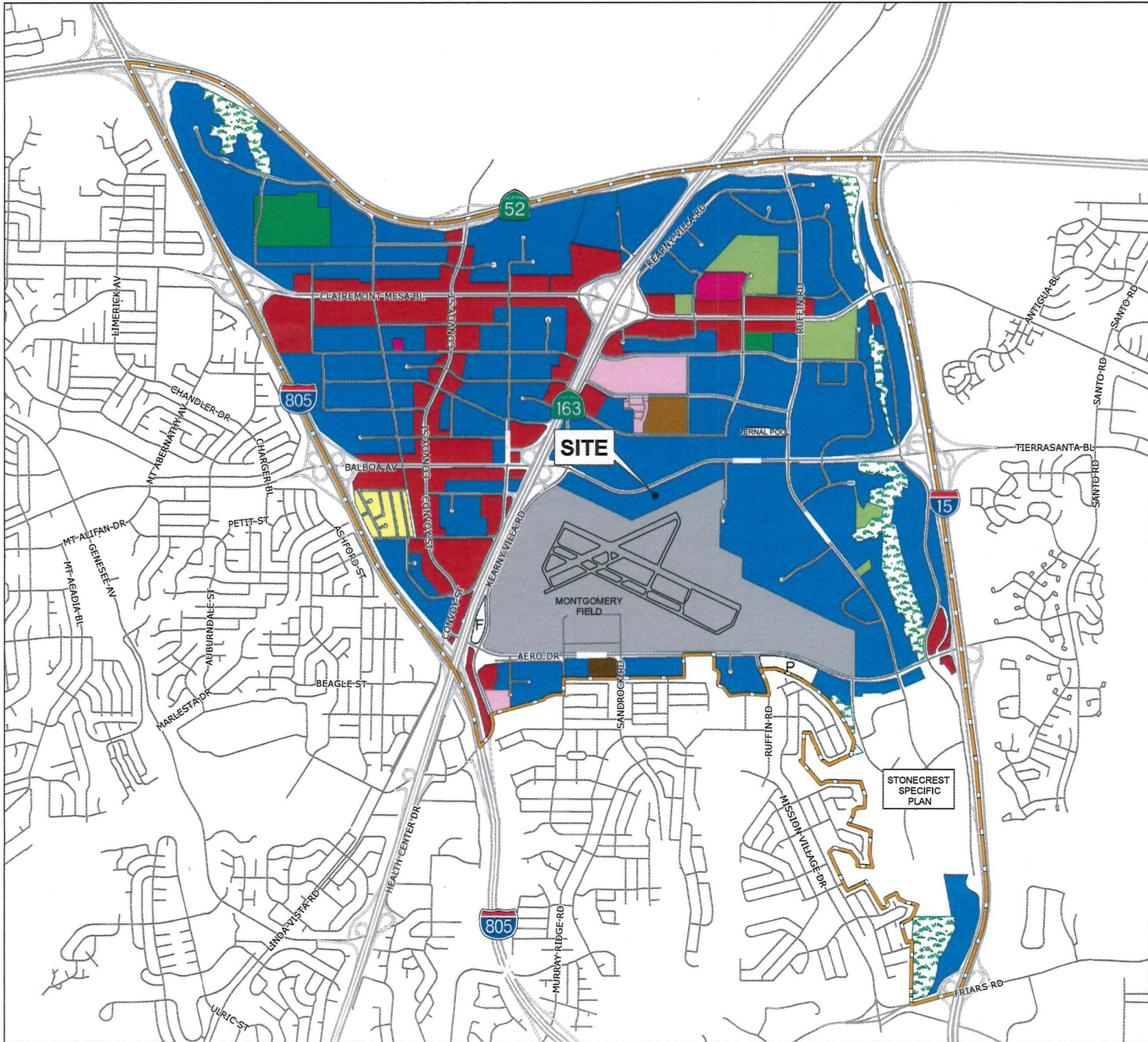
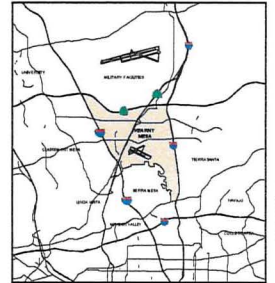
LEGEND

- Industrial and Business Parks
- General Commercial
- Low Density Residential
(5-9 DU/AC)
- Low Medium Residential
- Mixed Use Commercial
- Residential
- General Aviation Airport
- F/P Fire/Police Stations
- County Facilities
- Community Parks
- Open space
- Utility



0 850 1,700 3,400
Feet

VICINITY MAP



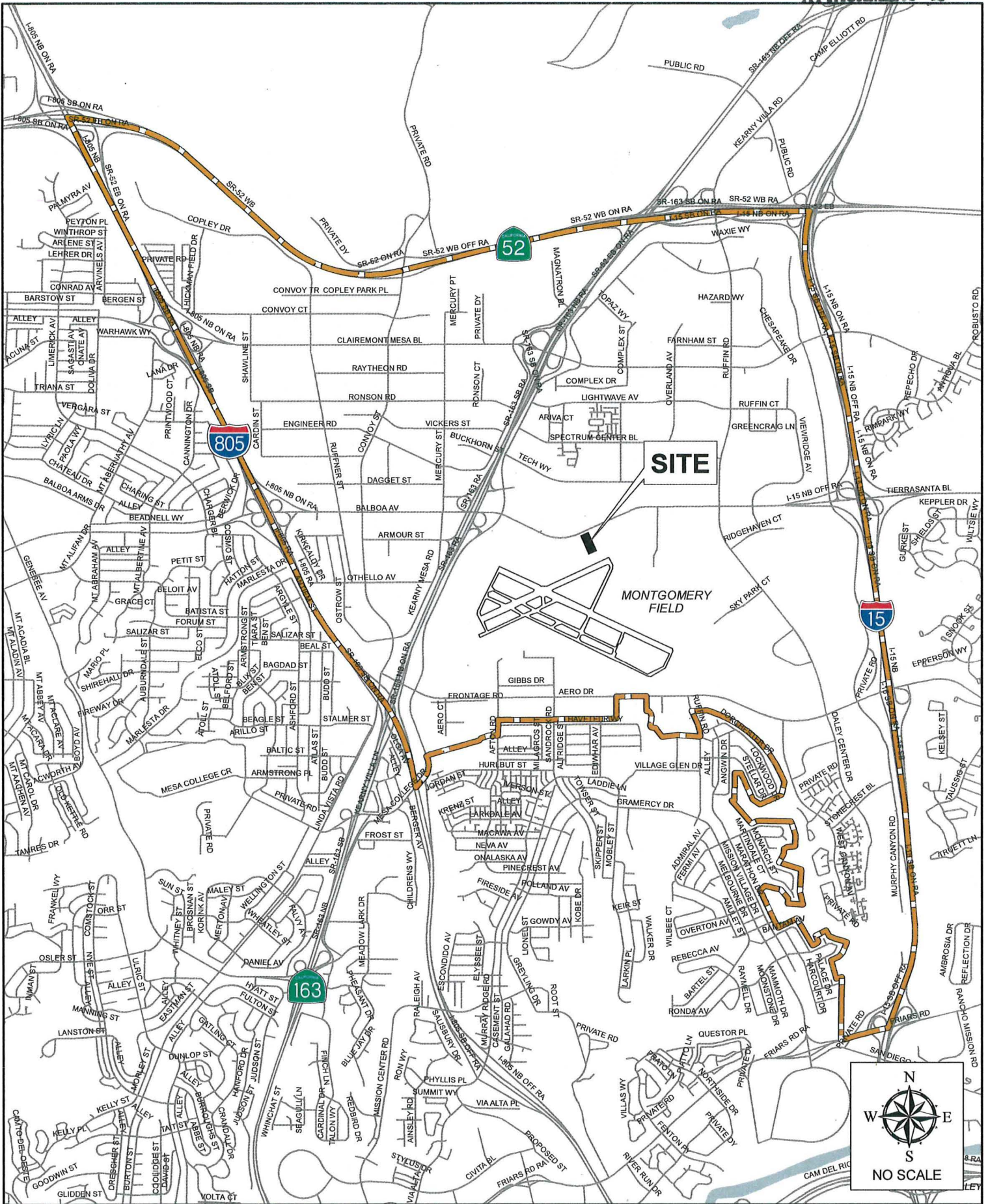
STONECREST
SPECIFIC
PLAN

DRAFT

This map is for illustrative purposes only. Refer to the Adopted Community Plan document for official land use boundaries. No substantive changes have been intentionally made. Map is intended to reflect land use designations depicted in the community plan document and should not be used for site planning purposes.



Map Date: 10/15/2011 10:00 AM. Project: Kearny Mesa Community Plan. Map: Kearny Mesa Land Use. 10/15/2011 10:00 AM.



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Vicinity Map

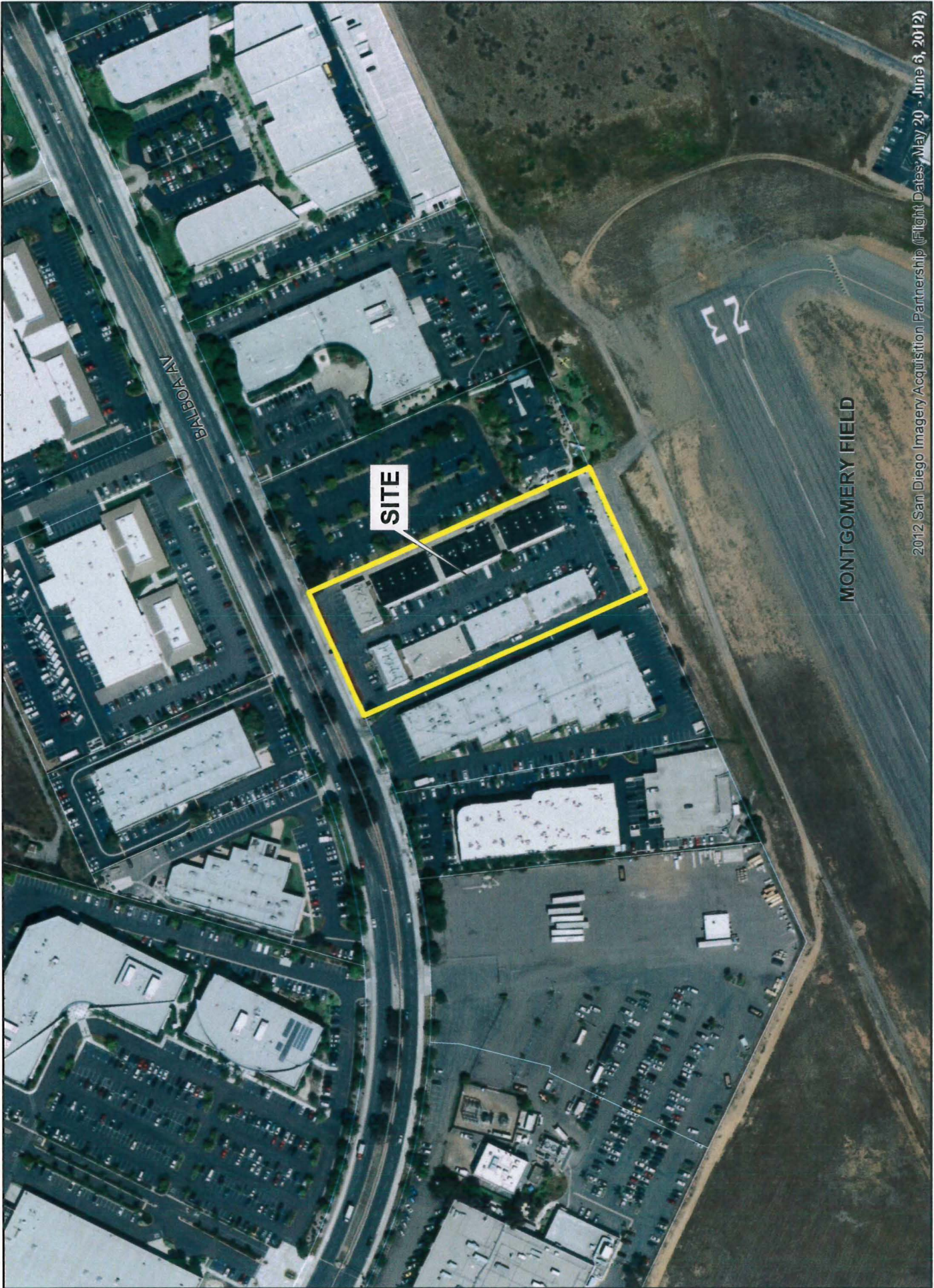
CITY OF SAN DIEGO • DEVELOPMENT SERVICE DEPARTMENT



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SITE

BALBOA AV

MONTGOMERY FIELD

23

2012 San Diego Imagery Acquisition Partnership (Flight Dates: May 20 - June 6, 2012)

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8859 Balboa Ave., San Diego CA. 92123

Conditional Use Permit

Marijuana Production Facility (MPF)



3956 30th Street, San Diego, CA 92104
 techne-us.com sustainablerearchitect.org
 O 619-940-5814 M 313-595-5814

CONSULTANTS

OWNER
 8859 Balboa Ave.
 San Diego, CA 92123

OWNER
 San Diego United Holding Group, LLC
 7977 Broadway
 Lemon Grove, CA. 91945

PROJECT INFORMATION		8859 Balboa MPF	
PROJECT ADDRESS:	8859 Balboa Ave., Suites A-E San Diego, CA 92123		
ASSESSORS PARCEL NUMBER:	369-150-13-09, 369-150-13-10, 369-150-13-11, 369-150-13-12, 369-150-13-13		
LEGAL DESCRIPTION:	Parcel 1: An undivided 5/46th interest in and to the Southwesterly 219.55 feet of the Northeasterly 413.55 feet of Lot 9, in the City of San Diego Industrial Park Unit No. 2, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 4113, filed in the Office of the County Recorder of San Diego County, March 12, 1959. Excepting therefrom all Office Units and Industrial Units shown upon that certain condominium plan recorded July 31, 1981 as File No. 81-242888 of Official Records. Also excepting therefrom the exclusive right to use and possession of all those exclusive use areas designated as parking spaces and airplane parking spaces as shown upon the condominium plan above referred to. Parcel 2: Unit Nos. 8859A, 8859B, 8859C, 8859D, 8859E as shown on the condominium plan referred to in Parcel 1 above. Parcel 3: The exclusive right to use and possession of those portions of said land described in Parcel 1 above, designated as parking space Nos. A60, A59, B58, B57, C56, C55, D54, D53, E52, E51, Airplane Parking Space No. 1.		
YEAR BUILT:	1969		
BUILDING CODE:	CALIFORNIA BUILDING CODE (CBC), 2016 EDITION CALIFORNIA ELECTRICAL CODE (CEC), 2016 EDITION CALIFORNIA MECHANICAL CODE (CMC), 2016 EDITION CALIFORNIA PLUMBING CODE (CPC), 2016 EDITION SAN DIEGO MUNICIPAL CODE		
EXISTING OCCUPANCY CLASSIFICATION:	B Business		
PROPOSED OCCUPANCY CLASSIFICATION:	F-1		
EXISTING USE:	Light Industrial		
PROPOSED USE:	Marijuana Production Facility (MPF)		
CONSTRUCTION TYPE:	TYPE VB - Non-Sprinklered		
NUMBER OF STORIES:	1		
BUILDING HEIGHT:	15'-0"		
LOT AREA:	109,507.30	sf	2.51 acres BUSINESS CONDO
GEOLOGIC HAZARD CATEGORY:	GEO HAZARD CATEGORY 51		
GROSS FLOOR AREA (Suites A - E):	4,998.4	sf	
GROSS FLOOR AREA (Remaining Buildings on Site):	34,676.9	sf	
TOTAL GROSS FLOOR AREA (All Buildings on Site):	39,675.3	sf	
ZONING INFORMATION		8859 Balboa MPF	
BASE ZONE:	IL-3-1		
Overlay Zones:	Prime Industrial Lands, FAA Part 77 Noticing Area, Airport Influence Area - MCAS Miramar Review Area 2, Montgomery Field Review Area 1, Airport Land Use Compatibility Overlay Zone - MCAS Miramar Montgomery Field, Airport Safety Zone - Montgomery Field Zone 5, 2 & 6, and Transit Priority Area.		
NUMBER OF BUILDINGS:	1		
SETBACKS:	FRONT: 15'-0" (min) 20'-0" (std) STREET: 15'-0" (min) 20'-0" (std) SIDE: 10'-0" REAR: 0'-0" (min) 15'-0" (std)		
MAX. STRUCTURE HEIGHT:	Varies - Dependent on Safety Zone		
MAXIMUM FLOOR AREA RATIO:	0.36 Entire Business Condominium		
ACTUAL FLOOR AREA RATIO:	10 Required 10 proposed		
REQUIRED/PROPOSED PARKING SPACES (Bldg 8859):	99.0 IL-3-1 zone: 2.5 parking spaces per 1,000sf. (existing non-conforming)		
EXISTING PARKING SPACES (All Buildings and Suites):			

#	SHEET NAME
G001	Cover Sheet
G002	DS-560 Storm Water Requirements Checklist
G003	CUP Conditions
	Topographic Survey
A101	Site Plan - Existing
A101a	Site Plan - Existing
A102	First Floor Plan - Existing
A103	Roof Plan - Existing
A104	First Floor Plan - Proposed
A105	First Floor Security Plan - Proposed

PARKING CALCULATION

Uses	Area (sf)	Ratio (1 Space Per Employee)	Parking Stalls
Project Suites (A-E)			
Project Suites A-E (MPF)	4,998.4	10 Employees Proposed	10.0
Total Parking Required			10.0
Total Building Gross Floor Area	4,998.4		
PARKING CALCULATIONS (Remaining Building Areas)			
Existing Uses (8855, 8861, 8863, 8865, 8869, 8871 & 8873 Balboa Ave)	Area (sf)	Ratio (per 1,000sf of GFA)	Parking Stalls
Office Areas (Previously Conforming, No Change)	7,059.3	2.50	17.6
Light Industrial Uses (Previously Conforming, No Change)	12,990.3	2.50	32.4
Vehicle Repair (Previously Conforming, No Change)	6,994.3	2.50	17.5
Parking Garage (Building Permit No. 1936724, No Change)	999.3	1.00	2.0
Food Service (Previously Conforming, No Change)	1,212.0	2.50	3.0
Retail Service (Previously Conforming, No Change)	1,605.3	2.50	4.0
MMCC (Building Permit No. 1822177, No Change)	999.0	5.00	5.0
Instructional Area (Previously Conforming, No Change)	1,818.0	2.50	4.5
Art Gallery (Previously Conforming, No Change)	999.3	2.50	2.5
Total Parking Required (Remaining Building Area, Previously Conforming)	34,676.9		89
Total Parking Required (Project Suite + Remaining Building Area)	39,675.3		99
* Exemption per SDMC Sec. 142.0530 - Table 142-05G (6) Parking Ratios per SDMC Sec. 142.0530 - Table 142-05E Table 142-05G			
Proposed Motorcycle Spaces (On site)	Parking Stalls	Ratio	Parking Stalls
2% of Req. Automobile Parking (Min. Req. = 2)	10	0.02	0.2
Total Motorcycle Spaces Required *			2
Proposed Carpool / Zero Emission Vehicle Parking (On Site)	Parking Spaces	Ratio	Parking Spaces
CAP Checklist, Strategy 3, No. 6	10	10 to 25	2.0
Total Carpool / Zero Emission Vehicle Spaces Required *			2
Proposed Bicycle Spaces (Short Term)	Parking Stalls	Ratio	Bicycle Spaces
5% of Req. Automobile Parking (Min. Req. = 2)	10	0.05	0.5
Total Short term Bicycle Spaces Required			3
Proposed Bicycle Spaces (Long Term)	Parking Spaces	Ratio	Parking Stalls
5% of Req. Automobile Parking (Min. Req. = 1)	10	0.05	0.5
Total Long term Bicycle Spaces Required			1
EXISTING PARKING	Number / Area (sf)	Ratio	Parking Stalls
Parking Spaces (Previously Conforming)	39,675.3	2.5	99
Accessible Spaces (Previously Conforming)	99.0	76-100 per Table 11B-208.2	4
Bicycle Parking (On Site)	0.0	0.0	0
Motorcycle Parking (On site)	0.0	0.0	0
TOTAL			99
PROPOSED PARKING	Number / Area (sf)	Ratio	Parking Stalls
Parking Spaces (On Site)	4,998.4	1 Space per Employee	10
Accessible Spaces (Previously Conforming)	99	(Existing, No Change)	4
Electric Vehicle Parking (On Site)	10	10 to 25	1
Carpool/Zero Emissions (On Site)	10	10 to 25	2
Bicycle Parking (On Site - Short-Term & Long-Term)	10	Min. Req.	4
Motorcycle Parking (On site)	10	2 Min. Req.	2
TOTAL			16
PARKING SUMMARY - Proposed Project			
	Standard Parking	Accessible Spaces	Totals
	10	4 (On Site, Previously Conforming)	10

SCOPE OF WORK	PROJECT TEAM	VICINITY MAP
Project consist of a conversion of an existing 4,998sf one story commercial building into a Marijuana Production Facility.	PROPERTY OWNER: San Diego United Holding Group, LLC 7977 Broadway, Lemon Grove, CA. 91945 APPLICANT: San Diego United Holding Group, LLC 7977 Broadway, Lemon Grove, CA. 91945 DESIGN FIRM: TECHNE Project Contact: Abhay Schweitzer - Assoc. AIA 3956 30th Street, San Diego, CA 92104 Phone #: 619-940-5814, email: abhay@techne-us.com SURVEYOR: Masson & Associates Contact: Bruce Tait, PE, QSD/QSP Office: 760.741.3570 ext. 120 200 E. Washington Ave., Suite 200, Escondido, CA 92025	
*Request for Conditional Use Permit to operate a Marijuana Production Facility.		
APPLICABLE CODES		
<ul style="list-style-type: none"> City of San Diego Municipal Code 2016 California Building Code 2016 California Green Code 2016 California Plumbing Code 2016 California Electrical Code 2016 California Mechanical Code 		
CONDITIONS FOR MARIJUANA PRODUCTION FACILITY - CUP		
1. The Marijuana Production Facility shall operate only between the hours of 7:00 a.m. and 9:00 p.m., seven days a week.		

MARK	DATE	DESCRIPTION
01	11.16.17	CUP - Completeness Review
02	12.05.17	CUP - 1st Submittal
03	02.12.18	CUP - 2nd Submittal
04	04.12.18	CUP - 3rd Submittal
05	05.14.18	CUP - 4th Submittal

PROJECT NO: 1729
 CAD DWG FILE: 0001-0001 COVER SHEET.DWG
 DRAWN BY: Abhay Schweitzer, B.P., C.G.
 CHK'D BY: Abhay Schweitzer
 COPYRIGHT: Masson & Associates LLC (dba TECHNE) expressly reserves all common law copyright and other property rights in this document. This document shall not be reproduced, copied, changed or disclosed in any form or manner whatsoever without first obtaining the express written consent of TECHNE.
COVER SHEET
 SHEET TITLE
G001
 SHEET 1 OF 10

ATTACHMENT 4

ATTACHMENT 4

Project Address: 8859 Balboa Ave., Suites A-E, San Diego CA. 92123 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/water/regulations/ndp5-storm

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

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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

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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

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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 to" includes flow that is conveyed overland a distance of 200 feet or less from the project to the ESA, or conveyed in a pipe or open channel any distance as an isolated flow from the project to the ESA (i.e. not commingled with flows from adjacent lands). Yes No

8. New development or redevelopment projects of a retail gasoline outlet (RGO) that create 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.

Abhay Schweitzer Designer / Agent
Name of Owner or Agent (Please Print) Title
04/04/2018
Signature Date

Clear Page 4
Clear Form

CONSULTANTS

OWNER

8859 Balboa Ave.
San Diego, CA 92123

San Diego United Holding Group, LLC
7977 Broadway
Lemon Grove, CA. 91945

MARK	DATE	DESCRIPTION
01	11.16.17	CUP - Completeness Review
02	12.05.17	CUP - 1st Submittal
03	02.12.18	CUP - 2nd Submittal
04	04.12.18	CUP - 3rd Submittal
05	05.14.18	CUP - 4th Submittal

PROJECT NO: 1729
CAD DWG FILE: 0001-0003 COVER SHEET.DWG
DRAWN BY: Abhay Schweitzer, B.P., C.G.
CHK'D BY: Abhay Schweitzer

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SHEET TITLE
DS-560 - STORM WATER REQUIREMENTS CHECKLIST

ATTACHMENT 4



3956 30th Street, San Diego, CA 92104
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o 619-940-5814 m 313-595-5814

CONSULTANTS

8859 Balboa Ave.
San Diego, CA 92123

OWNER

San Diego United Holding Group, LLC
7977 Broadway
Lemon Grove, CA. 91945

CONDITIONS FOR MPF CUP:

PLANNING/DESIGN REQUIREMENTS:

1. Lighting shall be provided to illuminate the interior, facade, and the immediate surrounding area of the marijuana production facility, including any accessory uses, parking lots, and adjoining sidewalks. Lighting shall be hooded or oriented to deflect light away from adjacent properties.
2. Security shall be provided at the marijuana production facility which shall include operable cameras, alarms, and a security guard. The security guard shall be licensed by the State of California and be present on the premises during business hours. The security guard shall only be engaged in activities related to providing security for the facility, except on an incidental basis.
3. The name and emergency contact phone number of an operator or manager shall be posted in a location visible from outside the marijuana facility 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.
4. A permit shall be obtained as required pursuant to Chapter 4, Article 2, Division 15.
5. A Conditional Use Permit for a marijuana production facility shall expire no later than five years from the date of issuance.
6. The marijuana production facility, adjacent public sidewalks, and areas under the control of the marijuana outlet, shall be maintained free of litter and graffiti at all times.
7. The marijuana production facility shall provide daily removal of trash, litter, and debris. Graffiti shall be removed from the premises within 24 hours.
8. The Owner/Permittee shall install a combination of full-height bullet resistant glass, plastic or laminate shield and bullet resistant armor panels or solid grouted masonry block walls, designed by a licensed professional, at the reception area.
9. The Owner/Permittee shall install full-height bullet resistant armor panels or solid grouted masonry block walls, designed by a licensed professional, in common areas with other tenants, reception area and vault room.
10. The security guards should only be engaged in activities related to providing security for the facility, except on an incidental basis. The cameras shall have and use a recording device that maintains the records for a minimum of 30 days.
11. All operations shall be conducted indoors within a secure structure. All equipment and storage shall be also located within a secure structure.
12. 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.

01	11.16.17	CUP - Completeness Review
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04	04.12.18	CUP - 3rd Submittal
05	05.14.18	CUP - 4th Submittal

MARK	DATE	DESCRIPTION
6/10/2018	10:28:17 AM	

PROJECT NO: 1729
CAD DWG FILE: 0001-0003 COVER SHEET.DWG

DRAWN BY: Abhay Schweitzer, B.P., C.G.
CHK'D BY: Abhay Schweitzer

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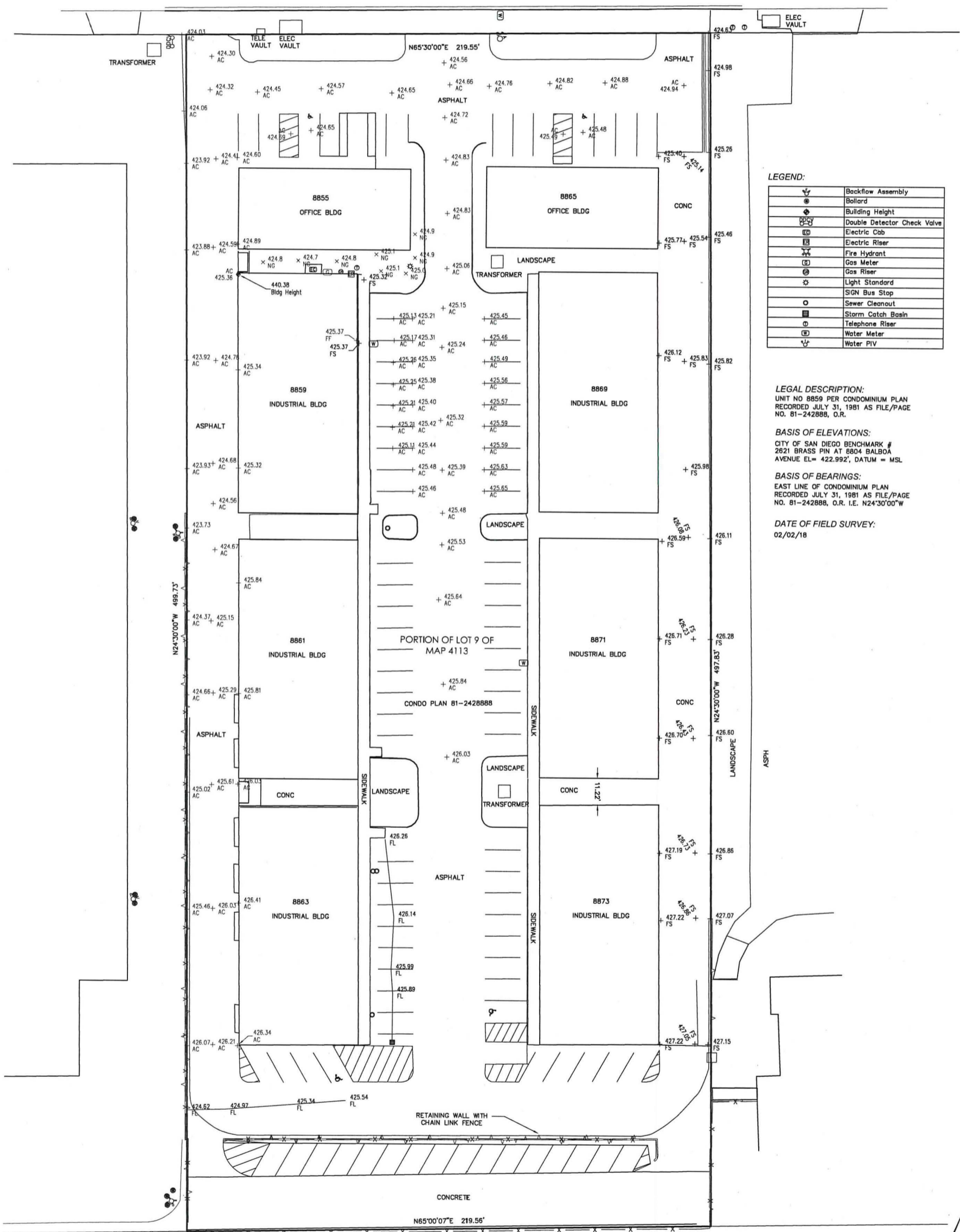
SHEET TITLE

CUP CONDITIONS

G003

TOPOGRAPHIC SURVEY OF 8859 BALBOA AVE, SAN DIEGO, CA

BALBOA AVENUE



LEGEND:

	Backflow Assembly
	Bollard
	Building Height
	Double Detector Check Valve
	Electric Cab
	Electric Riser
	Fire Hydrant
	Gas Meter
	Gas Riser
	Light Standard
	SGN Bus Stop
	Sewer Cleanout
	Storm Catch Basin
	Telephone Riser
	Water Meter
	Water PIV

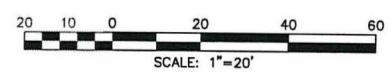
LEGAL DESCRIPTION:
 UNIT NO 8859 PER CONDOMINIUM PLAN
 RECORDED JULY 31, 1981 AS FILE/PAGE
 NO. 81-242888, O.R.

BASIS OF ELEVATIONS:
 CITY OF SAN DIEGO BENCHMARK #
 2621 BRASS PIN AT 8804 BALBOA
 AVENUE EL= 422.992', DATUM = MSL

BASIS OF BEARINGS:
 EAST LINE OF CONDOMINIUM PLAN
 RECORDED JULY 31, 1981 AS FILE/PAGE
 NO. 81-242888, O.R. I.E. N24°30'00\"/>

DATE OF FIELD SURVEY:
 02/02/18

LG LAND SURVEYING, INC.
 "Quality Service You Can Count On"
 30355 CALLEJO FELIZ TER
 VALLEY CENTER, CA 92082
 p: 619-335-1172
 f: 619-618-1972
 www.lglsinc.com



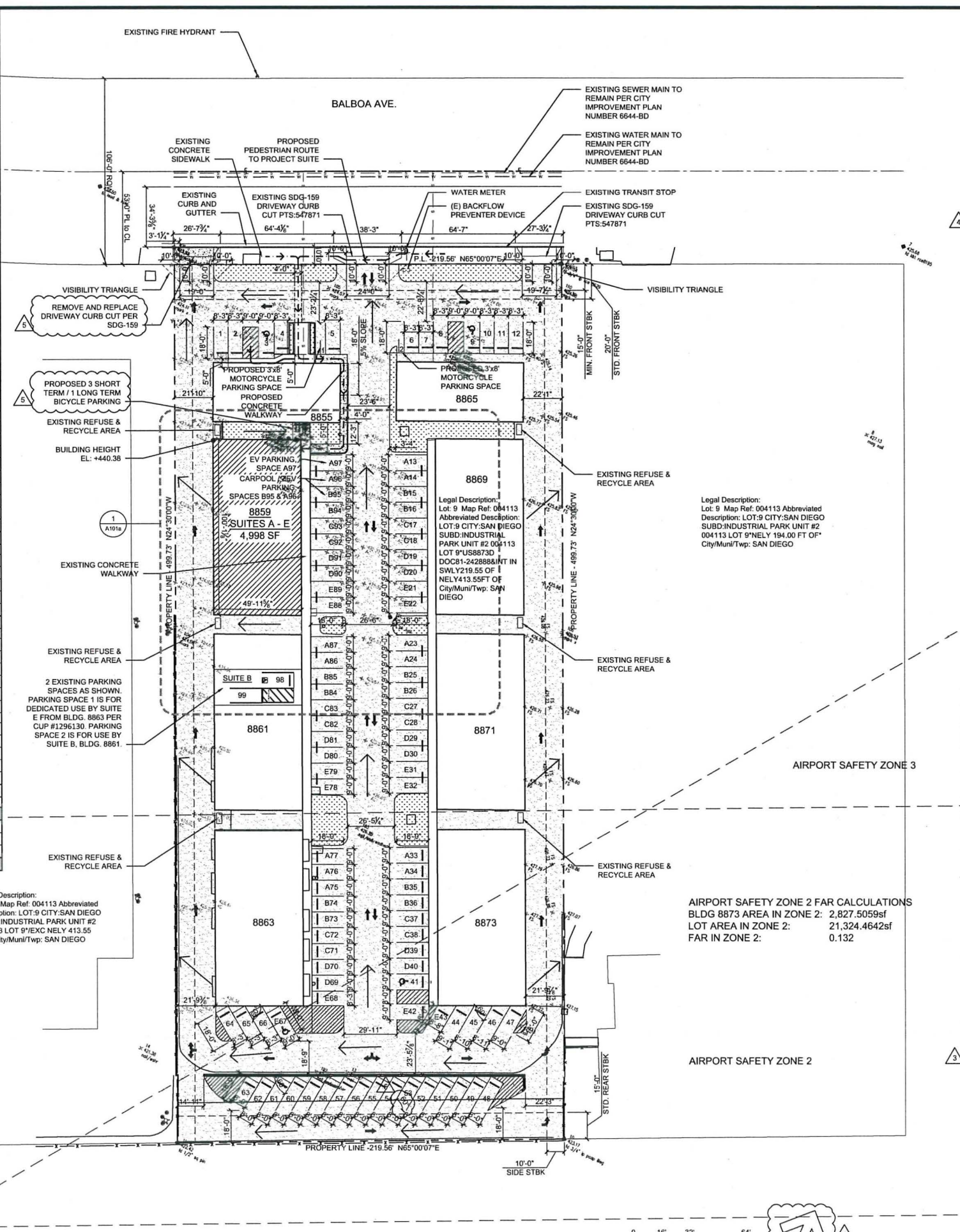


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O 619-940-5814 M 313-595-5814

CONSULTANTS

8859 Balboa Ave.
San Diego, CA 92123
OWNER
San Diego United Holding Group, LLC
7977 Broadway
Lemon Grove, CA. 91945

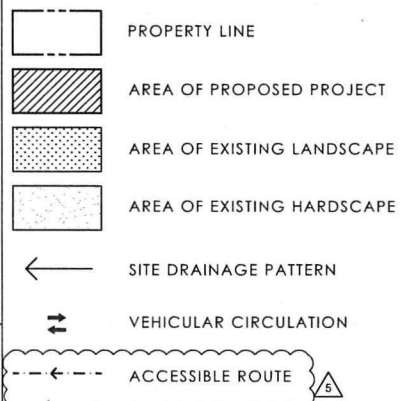
Building Address	Suite	Area(s)	Assigned parking spaces	Existing Use
8855	A	606		1 Office
	B	606		1 Office
	C	606		1 Office
	D	606		1 Retail
	E	606		1 Office
	F	606		1 Instructional
	G	606		1 Instructional
	H	606		1 Instructional
Total Bldg. Area		4,848.5		
8859	A	999.3		2 Industrial
	B	999.3		2 Auto Repair
	C	999.3		2 Auto Repair
	D	999.3		2 Industrial
	E	999.3		2 Office
Total Bldg. Area		4,996.5		
8861	A	999.3		2 Industrial
	B	999.3		1 Parking Garage
	C	999.3		2 Industrial
	D	999.3		2 Industrial
	E	999.3		2 Industrial
Total Bldg. Area		4,996.5		
8863	A	999.02		2 Industrial
	B	999.02		2 Auto Repair
	C	999.02		2 Industrial
	D	999.02		2 Auto Repair
	E	999.02		5 MMCC
Total Bldg. Area		4,995.1		
8865	A	606		1 Office
	B	606		1 Office
	C	606		1 Food Service
	D	606		1 Food Service
	E	606		1 Office
	F	606		1 Professional Service
	G	606		1 Office
	H	606		1 Office
Total Bldg. Area		4,848.5		
8869	A	999.3		2 Industrial
	B	999.3		2 Boat Repair
	C	999.3		2 Industrial
	D	999.3		2 Industrial
	E	999.3		2 Office
Total Bldg. Area		4,996.5		
8871	A	999.3		2 Retail
	B	999.3		2 Art Gallery
	C	999.3		2 Industrial
	D	999.3		2 Industrial
	E	999.3		2 Industrial
Total Bldg. Area		4,996.5		
8873	A	999.25		2 Industrial
	B	999.25		2 Auto Repair
	C	999.25		2 Auto Repair
	D	999.25		2 Auto Repair
	E	999.25		2 Auto Repair
Total Bldg. Area		4,996.3		
Grand Total Bldg. Areas		39,674.3		
Total Assigned Parking			78	
Total Accessible Parking			5	
Total Non-Assigned Parking			16	
Grand Total Parking			99	



SITE PLAN NOTES

- A. Before commencing any site foundation or slab cutting or excavation, the contractor shall verify and mark locations of all site utilities, dimensions and conditions. These include but are not limited to property lines, setback location to all new or existing walls, easements (if any), existing site utilities, including water, sewer, gas and electrical lines and any other new or existing site items which could affect in any way the construction of the building. Flag or otherwise mark all locations of site property lines, easements (if any), underground utilities, and indicate utility type.
- B. The Contractor or subcontractor shall notify TECHNE if any conflicts or discrepancy occurs between the information on this plan and actual field conditions. Do not proceed with work in conflict with these drawing until written or verbal instructions are issued by TECHNE.
- C. Protect and mark all existing building structure including walls, beams, columns, area separation walls, and other items that are part of the existing structure and not part of the scope of the tenant improvement, and mark perimeter of construction zone.
- D. Coordinate with other tenants the temporary shutoff of any site utilities.
- E. Refer to Topographic Survey for additional information.
- F. BUILDING ADDRESS: Building address numbers must be visible and legible from the street or road fronting the property, per FHPS Policy P-00-6 (LFC 901.4.4)
- G. TRANSIT STOP: Nearest transit stop is adjacent to project's site.
- H. No obstruction including solid walls in the visibility area shall exceed 2 feet in height. Plant material, other than trees, within the public right-of-way that is located within visibility areas shall not exceed 24 inches in height, measured from the top of the adjacent curb. All obstructions in the visibility triangles shall be removed.
- I. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.
- J. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.
- K. This project proposed no soil disturbance and no development improvements outside the existing building footprint for the Discretionary Review and therefore does not require any permanent storm water Best Management Practices (BMPs).

SITE PLAN LEGEND



ADDITIONAL SITE PLAN NOTES

- 1. 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.
- 2. Once the Conditional Use Permit (CUP) is recorded, the applicant shall provide documentation to the Development Services Project Manager that the west driveways have been reconstructed to current City Standards, adjacent to the site on Balboa Avenue, to the satisfaction of the City Engineer. If this work is not completed within 60 days of the public hearing approval of the CUP the Permittee shall be deemed to be out of compliance with the Conditional Use Permit, and the Permit is subject to rescission by the Development Services Director.
- 4. The existing water and sewer services will remain.
- 5. Sewer laterals are not provided on City Improvement Plan drawing 6644-BD. Therefore, sewer laterals are at an approximate location.

FAA SELF-CERTIFICATION STATEMENT

I Michael R. Morton, California Licensed Architect C-19371, do hereby certify that the structure(s) or modification to existing structure(s) shown on these plans do not require Federal Aviation Administration notification because per Section 77.15 (a) of Title 14 of the Code of Federal Regulations CFR Part 77, notification is not required.



DATE	DESCRIPTION
01/11/17	CUP - Completeness Review
02/05/17	CUP - 1st Submittal
02/12/18	CUP - 2nd Submittal
04/12/18	CUP - 3rd Submittal
05/14/18	CUP - 4th Submittal

PROJECT NO: 1729
 CAD DWG FILE: A101 SITE PLAN - EXISTING.DWG
 DRAWN BY: Abhay Schweitzer, B.P., C.G.
 CHK'D BY: Abhay Schweitzer

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SHEET TITLE
SITE PLAN - EXISTING

CONSULTANTS

8859 Balboa Ave.
San Diego, CA 92123

OWNER

San Diego United Holding Group, LLC
7977 Broadway
Lemon Grove, CA. 91945

01	11.16.17	CUP - Completeness Review
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03	02.12.18	CUP - 2nd Submittal
04	04.12.18	CUP - 3rd Submittal
05	05.14.18	CUP - 4th Submittal

MARK DATE DESCRIPTION

PROJECT NO: 1729

CAD DWG FILE: A101a-SITE PLAN - EXISTING.DWG

DRAWN BY: Abhay Schweitzer, B.P., C.G.

CHK'D BY: Abhay Schweitzer

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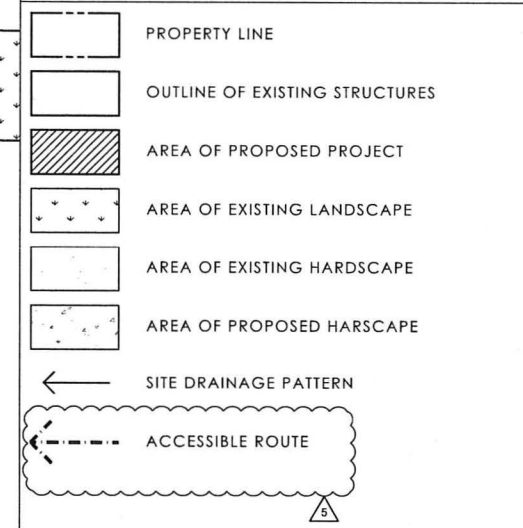
SHEET TITLE

SITE PLAN - EXISTING

A101a

SHEET 5 OF 10

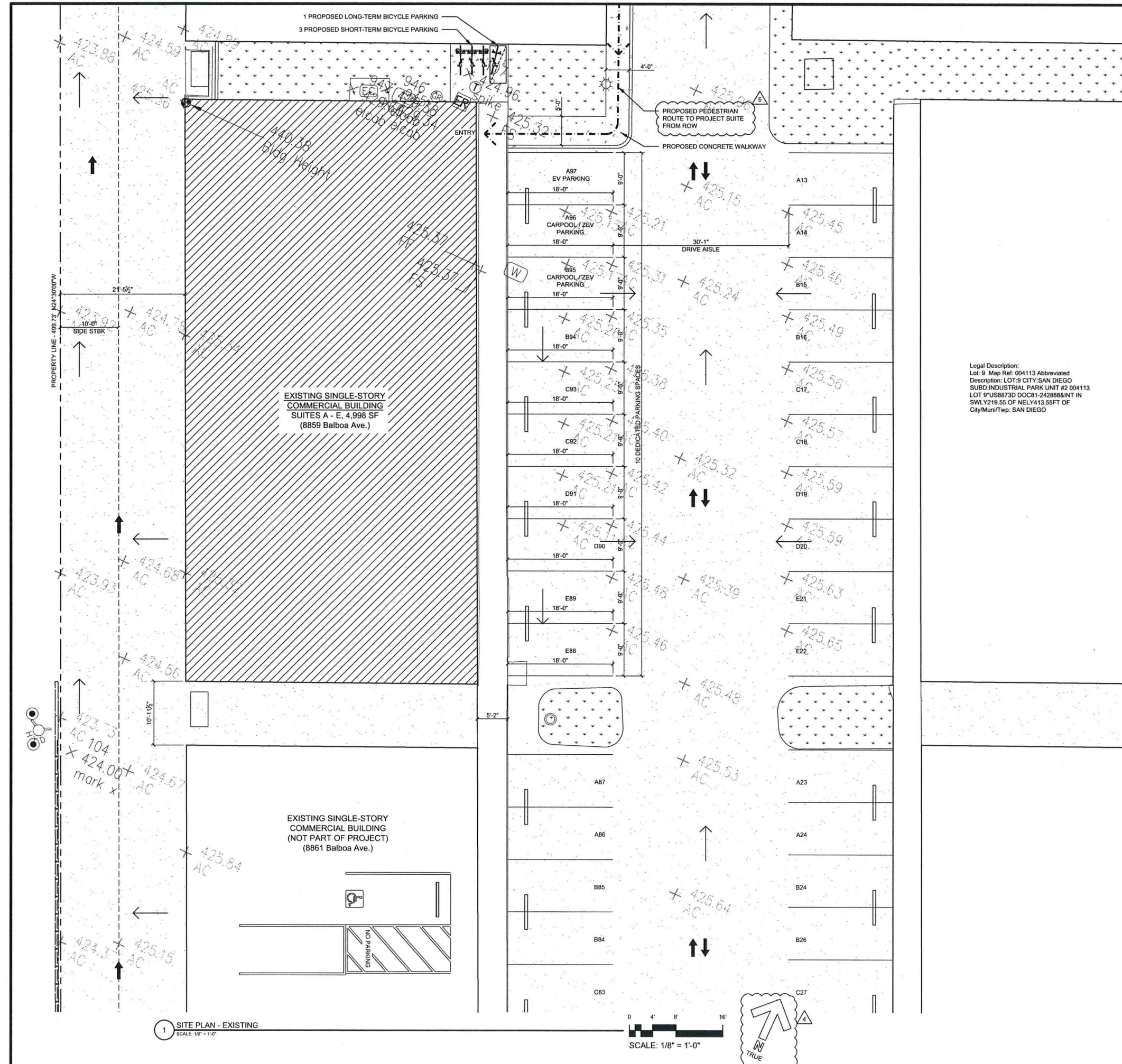
SITE PLAN LEGEND



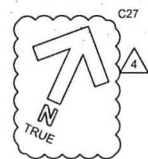
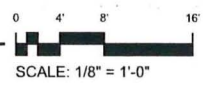
SITE PLAN NOTES

- A. The site plan is for informational and general site reference only. Refer to other construction documents for complete scope of work.
- B. Before commencing any site foundation or slab cutting or excavation, the contractor shall verify and mark locations of all site utilities, dimensions and conditions. These include but are not limited to property lines, setback location to all new or existing walls, easements (if any), existing site utilities, including water, sewer, gas and electrical lines and any other new or existing site items which could affect in any way the construction of the building. Flag or otherwise mark all locations of site property lines, easements (if any), underground utilities, and indicate utility type.
- C. The Contractor or subcontractor shall notify TECHNE if any conflicts or discrepancy occurs between the information on this plan and actual field conditions. Do not proceed with work in conflict with these drawing until written or verbal instructions are issued by the Architect's office.
- D. Protect and mark all existing building structure including walls, beams, columns, area separation walls, and other items that are part of the existing structure and not part of the scope of the tenant improvement, and mark perimeter of construction zone.
- E. Coordinate with other tenants the temporary shutoff of any site utilities.
- F. Refer to Topographic Survey for additional information.

Legal Description:
Lot: 9 Map Ref: 004113 Abbreviated
Description: LOT 9 CITY: SAN DIEGO
SUBD: INDUSTRIAL PARK UNIT #2 004113
LOT 9 US8873D DDC81-24288&INT IN
SWLY219.55 OF NELY413.55FT OF
City/Muni/Twp: SAN DIEGO



1 SITE PLAN - EXISTING
SCALE: 1/8" = 1'-0"

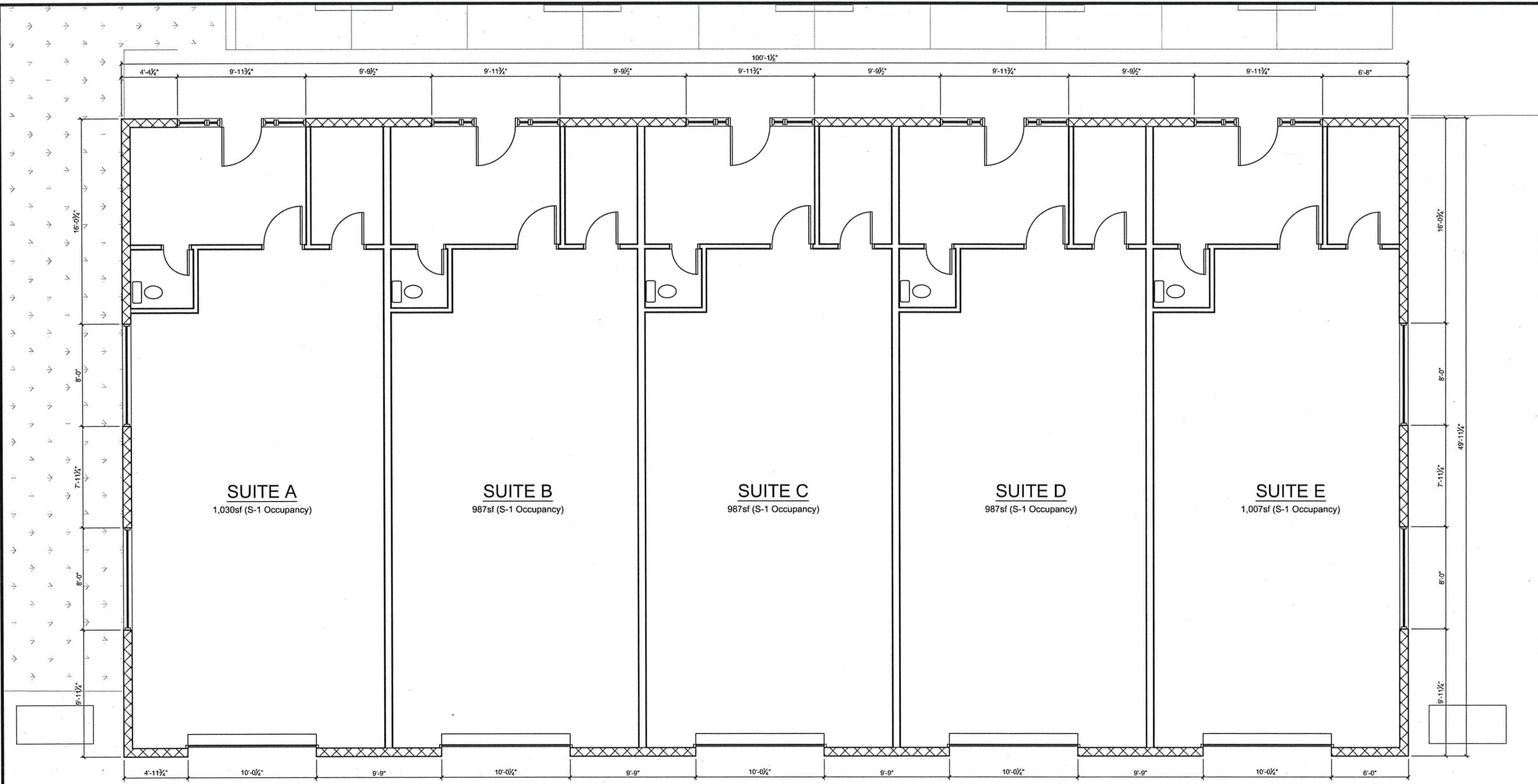


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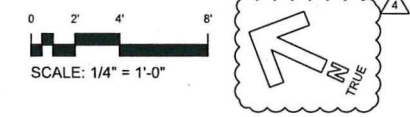
OWNER

8859 Balboa Ave.
San Diego, CA 92123

OWNER
San Diego United Holding Group, LLC
7977 Broadway
Lemon Grove, CA. 91945



1 FIRST FLOOR PLAN - EXISTING
SCALE: 1/4" = 1'-0"



DEMOLITION GENERAL NOTES

- TECHNE shall be notified immediately when any discrepancy with Architectural or Structural drawings are found at the project site. All drawings may have to be modified upon removal of existing construction. Do not proceed with work in question until TECHNE issues directions.
- Contractor shall verify layout of existing structure, property boundaries, location of site utilities - underground and overhead, and field conditions as shown on the plans prior to demolition.
- Before start of demolition contractor shall verify with the owner any item to be saved (S), covered, or stored, verify storage locations with owner before demolition commences. Contractor to pay for and replace any item not intended for demolition but damaged during construction.
- Contractor to pay for and replace any item not intended for demolition but damaged during construction.
- Any outdoor structures or landscaping marked to be saved, shall be protected, fenced and/or covered to avoid damage.
- All demolition material shall be transported off site and properly disposed at city-approved locations by the contractor.
- Contractor to verify Dumpster location with owner before demolition commences.
- Contractor shall also refer to floor plans and other construction plans for new work to be incorporated into the project and to proceed with demolition accordingly.
- Carefully remove structure as shown on plan. Remove all materials carefully to avoid damage to adjacent surfaces.
- Contractor shall notify TECHNE and owner if any removed wood showing evidence of active water leaks, termites or dry rot.
- Prepare existing window and door framing openings (to remain) to receive new window units. Coordinate work with proposed floor plans, elevations and door & window schedules.
- When demolition is complete, the structure and site shall be broom clean and ready to receive new work.
- Remove all existing landscape and tree roots within 3 feet of the outline of new structure. If the removal of tree roots produces potentially unstable trees, the contractor shall immediately contact a tree specialist to make a recommendation.
- Demolition of openings in roof and exterior walls shall be covered each night with plastic tarps and secured to prevent water and dust from entering the building.
- Existing floors shall be covered during construction. Openings shall be taped and sealed to walls at edges of construction zone to minimize dust. Temporary wall shall be built and sealed as if needed or shown on plans.
- Should any portion of the structure being removed produce unstable of unsafe conditions the contractor shall provide shoring and bracing.
- Existing FAU & Water Heater shall be turned off to and/or salvaged units removed and stored for re-use. Existing natural gas service shall be turned off and lines temporarily capped at residence.
- Electrical service shall be turned off at residence and provisions for temporary power made during construction.
- Contractor shall verify in the field the condition of all foundations, stem walls, sill attachments, pier-footing conditions and attachment to framing. Deficiencies, cracks or other structural issues in foundations or footings or lack thereof shall be brought to the attention of TECHNE and structural engineer.
- Existing framing and floor surfaces may be out of plumb and not level. They shall be inspected and made plumb and leveled by the contractor. Wood framing adjacent to soil may be encountered and modifications and/or protection measures shall be taken.
- Contractor shall notify TECHNE and owner if any removed wood showing evidence of active water leaks, termites or dry rot.
- Elevation changes between door openings and adjacent grade shall be verified in the field and if discrepancies exist between field conditions and plans exist, notify TECHNE to make modifications and/or other corrective measures.

FLOOR PLAN LEGEND

- EXISTING NON-STRUCTURAL INTERIOR WALL
- EXISTING CMU WALL
- WALL OPENING: 80" high u.n.o. Finished with 3/4" gypsum board with square corners.
- 3/2" U.N.O.
- DOOR AND SYMBOL. See door schedule for complete information
- WINDOW AND SYMBOL. See window schedule for complete information

FLOOR PLAN NOTES

- The General Contractor or Sub-Contractor shall verify all conditions or dimensions on these plans in the field with actual site conditions.
 - Written dimensions shall take precedence over scaled dimensions and shall be verified on the job site. On-site verification of all dimensions and conditions shall be the sole responsibility of the General Contractor and Sub-Contractors.
 - The Contractor or sub-contractor shall notify TECHNE if any conflicts or discrepancy occurs between this information on this plan and actual field conditions.
 - Any discrepancies with this drawing affecting project layout shall be brought to the attention of TECHNE. Do not proceed with work until written or verbal instructions are issued by TECHNE.
- DIMENSIONS**
- EXTERIOR WALL DIMENSIONS TO FACE OF FINISH (U.N.O.)
 - INTERIOR WALL DIMENSIONS TO CENTER LINE OF STUD (U.N.O.)
 - CLEARANCE DIMENSIONS ARE TO FACE OF FINISH MATERIALS, NOTED WITH CLR.

MARK	DATE	DESCRIPTION
01	11.16.17	CUP - Completeness Review
02	12.05.17	CUP - 1st Submittal
03	02.12.18	CUP - 2nd Submittal
04	04.12.18	CUP - 3rd Submittal
05	05.14.18	CUP - 4th Submittal

PROJECT NO.: 1729
CAD DWG FILE: A102-FIRST FLOOR PLAN - EXISTING.DWG
DRAWN BY: Abhay Schweitzer, B.P., C.G.
CHK'D BY: Abhay Schweitzer

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SHEET TITLE
FIRST FLOOR PLAN - EXISTING

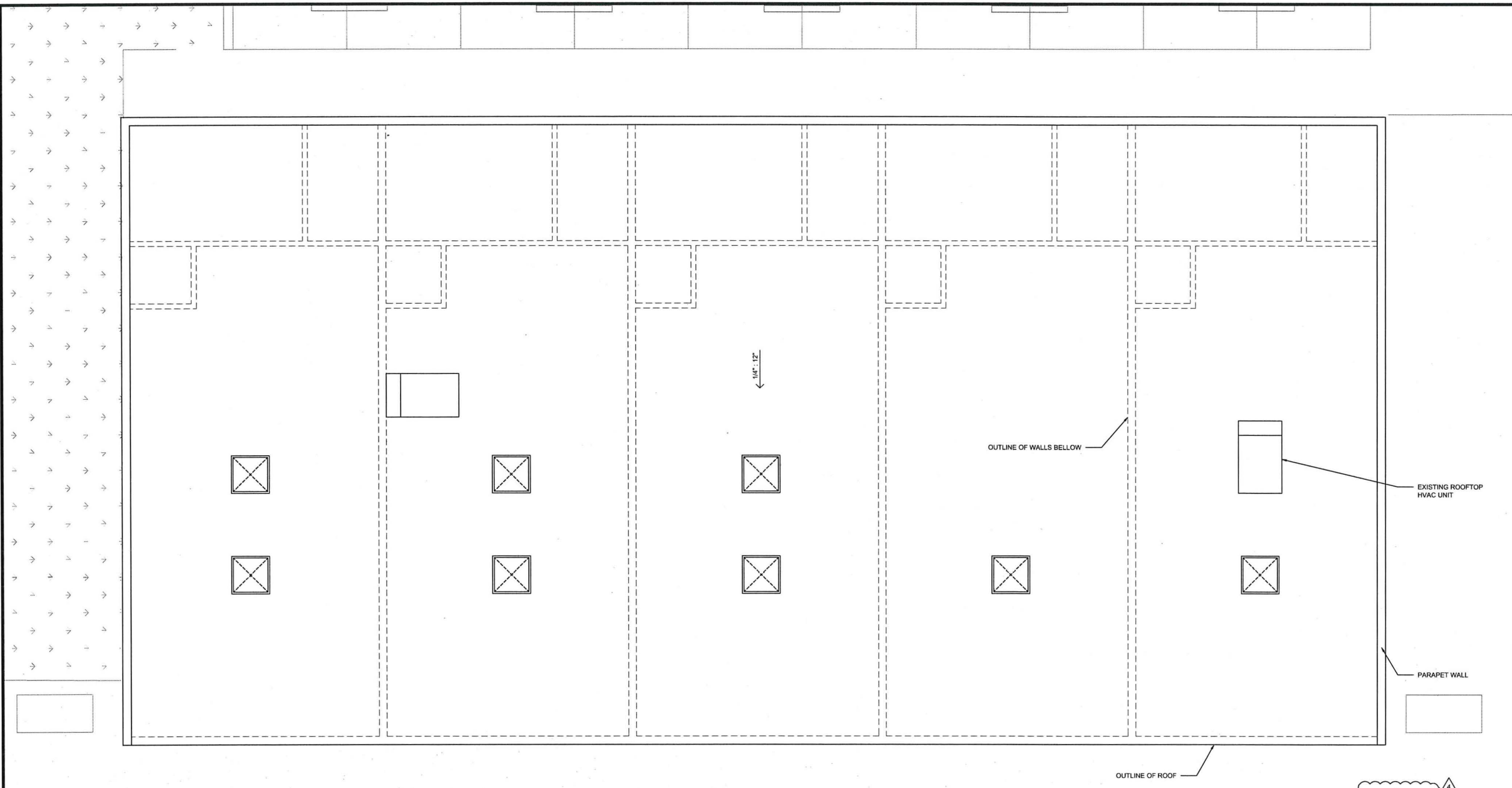
A102

SHEET 8 OF 10

CONSULTANTS

8859 Balboa Ave.
San Diego, CA 92123

OWNER
 San Diego United Holding Group, LLC
 7977 Broadway
 Lemon Grove, CA. 91945



1 ROOF PLAN - EXISTING
SCALE: 1/4" = 1'-0"

ROOF PLAN LEGEND

- SLOPE → ROOF SLOPE INDICATOR
- OUTLINE OF WALLS BELOW
- EXISTING SKYLIGHT 36x36"
- EXISTING ROOF MOUNTED HVAC

MARK	DATE	DESCRIPTION
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03	02.12.18	CUP - 2nd Submittal
04	04.12.18	CUP - 3rd Submittal
05	05.14.18	CUP - 4th Submittal

PROJECT NO: 1729
 CAD DWG FILE: A103 ROOF PLAN - EXISTING.DWG
 DRAWN BY: Abhay Schweitzer, B.P., C.G.
 CHK'D BY: Abhay Schweitzer

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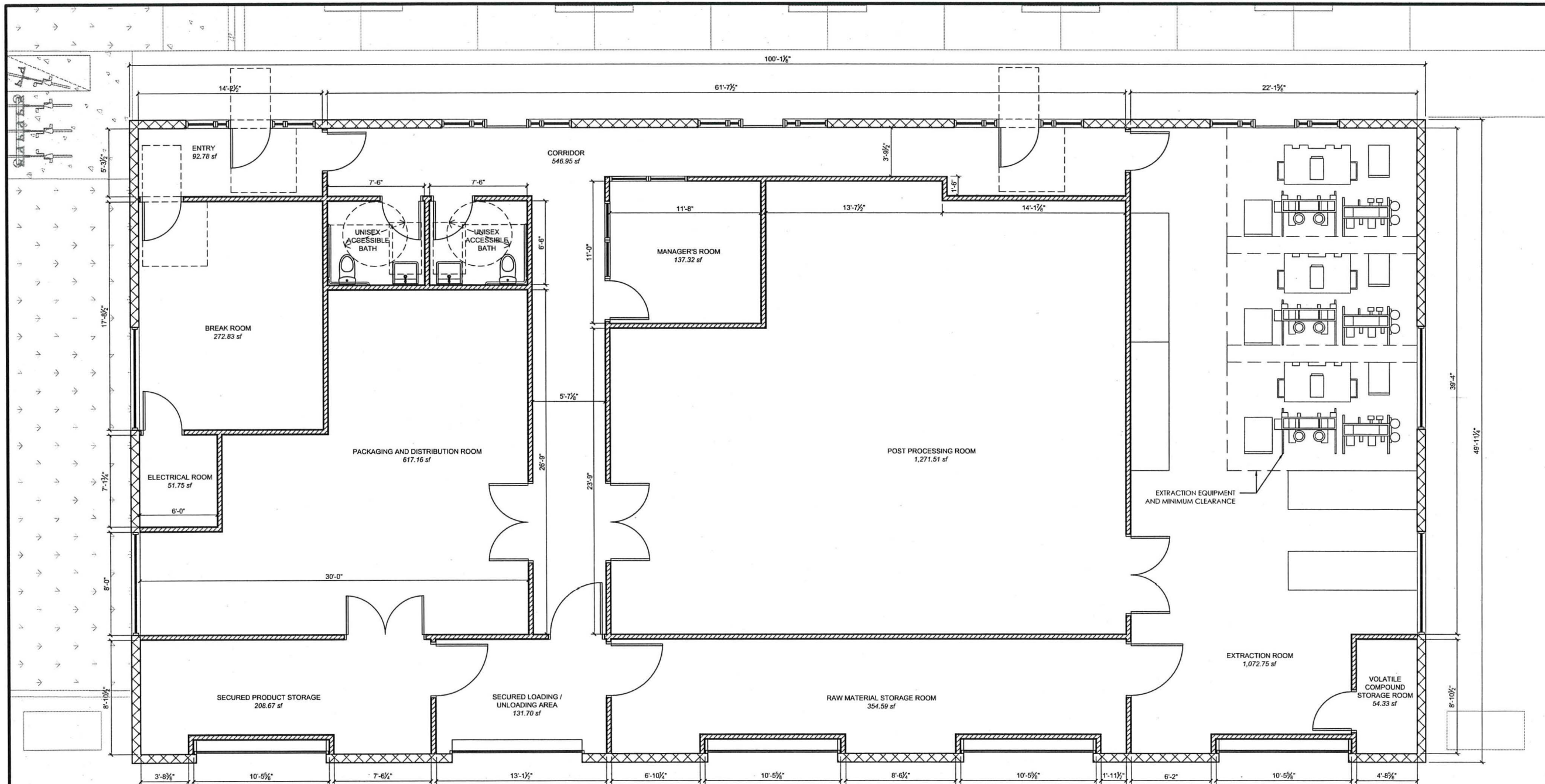
SHEET TITLE
ROOF PLAN - EXISTING

CONSULTANTS

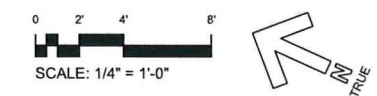
8859 Balboa Ave.
 San Diego, CA 92123

OWNER

San Diego United Holding Group, LLC
 7977 Broadway
 Lemon Grove, CA. 91945



1 FIRST FLOOR PLAN - PROPOSED
 SCALE: 1/4" = 1'-0"



DETAILED DESCRIPTION OF SPACES
1. Entry - This door is one of two doors that employees use to enter and exit the building. The outside door has a commercial grade electronic key pad entry system. Each employee has a unique entry code. The interior door is kept closed, but not locked.
2. Break Room - The employee break room is used for breaks, lunches, etc. It is not separately locked.
3. Unisex Accessible Bath - Available to all employees. These two rooms have appropriate facilities including hand washing sinks.
4. Manager's Office - This office is locked and only managers are allowed in the manager's office. It has a key lock.
5. Secured Product Storage Room - Product that has been manufactured, tested, packaged, labeled, and quality assurance checked is stored in this room. It is separately locked with access by manager's only. Product stored here is waiting distribution.
6. Packaging, Processing, and Distribution - After manufacture, products are moved to this room for packaging, labeling, and preparation for distribution. This is also the room that is used for the quality control procedure.
7. Electrical Room - This is a locked electrical utility room.
8. Post Processing Room - This room is where batches are stored awaiting the laboratory testing process. The lab testing licensee performs the sampling of batches in this room. Manufactured product remains in this room until lab test results are returned. If a batch passes testing, it's moved to the Finished Product Storage Room or directly enters the distribution process.
9. Raw Material Storage - When raw cannabis is received, inspected, and accepted from cultivators it is moved and stored in this room until processing is ready for it. There are shelves in this room that allow for separate storage of batches.
10. Volatile Compound Storage - This room is where volatile compounds used for various extraction methods are stored. Other extraction compounds may be stored here.
11. Secure Loading/Unloading Area - Raw cannabis is received in this space. Shipping manifests are reviewed, product is inspected, and shipments are accepted or rejected. After accepting a shipment, the external door is closed and the locking mechanism engages. At this point, raw cannabis is moved to the Raw Material Storage area until the manufacturing facility is ready to use it. Other raw materials are received in this space in the same manner. Complete packaged products are also loaded into distribution trucks from this location.
12. Extraction Room - Cannabinoids are extracted in this room. Batches are kept separate during the extraction process.

FLOOR PLAN NOTES
A. The General Contractor or Sub-Contractor shall verify all conditions or dimensions on these plans in the field with actual site conditions.
B. Written dimensions shall take precedence over scaled dimensions and shall be verified on the job site. On-site verification of all dimensions and conditions shall be the sole responsibility of the General Contractor and Sub-Contractors.
C. The Contractor or sub-contractor shall notify TECHNE if any conflicts or discrepancy occurs between this information on this plan and actual field conditions.
D. Any discrepancies with this drawing affecting project layout shall be brought to the attention of TECHNE. Do not proceed with work until written or verbal instructions are issued by TECHNE.
DIMENSIONS
• EXTERIOR WALL DIMENSIONS TO FACE OF FINISH (U.N.O.)
• INTERIOR WALL DIMENSIONS TO CENTER LINE OF STUD (U.N.O.)
• CLEARANCE DIMENSIONS ARE TO FACE OF FINISH MATERIALS, NOTED WITH CLR.
ODOR SUPPRESSION MEASURES
a. 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 or air with others and to prevent it from escaping the building. The carbon scrubber (filtering system) shall be Air Box 4+ Stealth Edition 3,500 CFM 12" Flange or similar as specified by a qualified licensed design professional.

FLOOR PLAN LEGEND	
	EXISTING 8" REINFORCED CMU WALL TO REMAIN
	EXISTING NON-STRUCTURAL INTERIOR WALL TO REMAIN
	PROPOSED NON-STRUCTURAL INTERIOR WALL: 3/8" Light Gauge Steel Stud @ 24" O.C. with 1 layer of 5/8" gypsum board each side.
	DOOR AND SYMBOL. See door schedule for complete information
	WINDOW AND SYMBOL. See window schedule for complete information

MARK	DATE	DESCRIPTION
01	11.16.17	CUP - Completeness Review
02	12.05.17	CUP - 1st Submittal
03	02.12.18	CUP - 2nd Submittal
04	04.12.18	CUP - 3rd Submittal
05	05.14.18	CUP - 4th Submittal

PROJECT NO: 1729
 CAD DWG FILE: A104 - FIRST FLOOR PLAN - PROPOSED.DWG
 DRAWN BY: Abhay Schweitzer, B.P., C.G.
 CHK'D BY: Abhay Schweitzer

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SHEET TITLE
FIRST FLOOR PLAN - PROPOSED

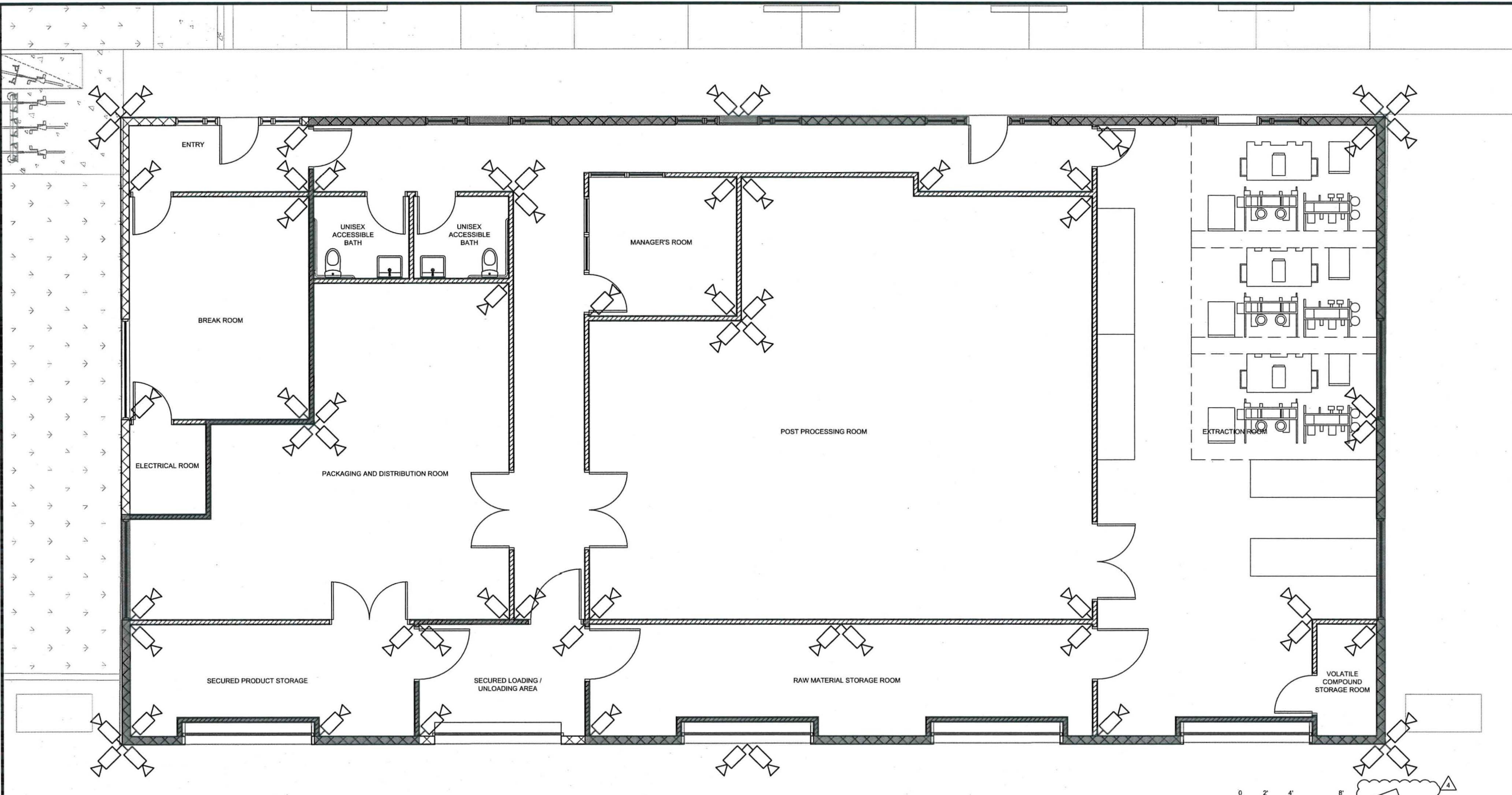
A104

SHEET 8 OF 10

CONSULTANTS

8859 Balboa Ave.
San Diego, CA 92123

OWNER
 San Diego United Holding Group, LLC
 7977 Broadway
 Lemon Grove, CA. 91945



1 FIRST FLOOR SECURITY PLAN - PROPOSED
SCALE: 1/4" = 1'-0"



SECURITY PLAN LEGEND

- SECURITY CAMERA
- 48 - INTERIOR SECURITY CAMERAS
- 16 - EXTERIOR SECURITY CAMERAS
- FULL HEIGHT BULLET RESISTANT GLASS, PLASTIC OR LAMINATE SHIELD OR BULLET RESISTANT ARMOR PANELS
(Doors located in bullet resistant walls shall also be bullet resistant)

SECURITY PLAN NOTES

1. REFER TO CONDITION USE PERMIT CONDITIONS FOR ADDITIONAL INFORMATION.

FLOOR PLAN LEGEND

- EXISTING CMU BLOCK WALL
- EXISTING WALL
- PROPOSED NON-STRUCTURAL INTERIOR WALL: 3/4" Light Gauge Steel Stud @ 24" O.C. with 1 layer of 5/8" gypsum board each side.
- WALL OPENING: 80" high u.n.o. Finished with 1/2" gypsum board with square corners.
- DOOR AND SYMBOL. See door schedule for complete information
- WINDOW AND SYMBOL. See window schedule for complete information

MARK	DATE	DESCRIPTION
01	11.16.17	CUP - Completeness Review
02	12.05.17	CUP - 1st Submittal
03	02.12.18	CUP - 2nd Submittal
04	04.12.18	CUP - 3rd Submittal
05	05.14.18	CUP - 4th Submittal

PROJECT NO: 1729
 CAD DWG FILE: A105 SECURITY PLAN - PROPOSED.DWG
 DRAWN BY: Abhay Schweitzer, B.P., C.G.
 CHK'D BY: Abhay Schweitzer

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SHEET TITLE
FIRST FLOOR SECURITY PLAN - PROPOSED

A105
 SHEET 10 OF 10

Hearing Officer Resolution No. [REDACTED]
 Conditional Use Permit No. 2068552
MPF 8859 BALBOA AVE PROJECT NO. 585435

WHEREAS, SAN DIEGO UNITED HOLDINGS, LLC, a California limited liability company, Owner/Permittee, filed an application with the City of San Diego for a permit to operate a Marijuana Production Facility within existing suites A-E comprising an operational area of 4,998 square feet within an existing 39,675 square foot industrial building (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 2070246), on portions of a 2.51-acre site;

WHEREAS, the project site is located at 8859 Balboa Avenue in the IL-3-1 zone of the Kearny Mesa Community Plan;

WHEREAS, the project site is legally described as Parcel 1: an undivided 5/64th interest in and to the southwesterly 219.55 feet of the northeasterly 413.55 feet of Lot 9, in the City of San Diego Industrial Park Unity No. 2, according to Map thereof No. 4113, filed March 12, 1959;

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 15303(c) 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. 2070246 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 within existing suites A-E comprising an operational area of 4,998 square feet within an existing 39,675 square foot industrial building. The 2.51-acre site is located at 8859 Balboa Avenue in the IL-3-1 zone of the Kearny Mesa Community Plan. The site is designated Industrial and Business Parks uses by the Kearny Mesa Community Plan. The Industrial and Business Parks designation is intended to

accommodate manufacturing, storage, warehousing, distribution, and similar uses. The Industrial and Business Park designation would permit light manufacturing uses, thereby providing additional land suitable for manufacturing activities. The proposed Marijuana Production Facility, classified as light industrial services, 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 within existing suites A-E comprising of an operational area of 4,998 square feet within an existing 39,675 square foot industrial building. The 2.51-acre site is located at 8859 Balboa Avenue in the IL-3-1 zone of the Kearny Mesa Community Plan. The building is currently being used for light industrial uses. The project proposes tenant improvements to the existing building to facilitate operations including the manufacturing, storing, and distributing of cannabis products to State of California licensed outlets. No cultivation or retail sales are proposed. The proposed improvements will 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 will include the removal and replacement of the westernmost driveway, adjacent to the site on Balboa Avenue, per current City Standards.

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 development conditions as described in the Conditional Use Permit No. 2068552 as it relates to the operational requirements imposed by the City of San Diego. The Conditional Use Permit No. 2068552 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. 2068552. The referenced regulations and conditions have been determined as necessary to avoid adverse impact upon the health, safety and general welfare of persons 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 within existing suites A-E comprising of an operational area of 4,998 square feet within an existing 39,675 square foot industrial building. The 2.51-acre site is located at 8859 Balboa Avenue in the IL-3-1 zone of the Kearny Mesa Community Plan. The site was developed in 1969. The project proposes tenant improvements to the existing building to facilitate operations including the manufacturing, storing, and distributing of cannabis products to State of California licensed outlets. No cultivation or retail sales are proposed.

Marijuana Production Facilities are allowed in the IL-3-1 Zone of the Kearny 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 within existing suites A-E comprising of an operational area of 4,998 square feet within an existing 39,675 square foot industrial building. The 2.51-acre site is located at 8859 Balboa Avenue in the IL-3-1 zone of the Kearny Mesa Community Plan. The Light Industrial IL-3-1 zone is intended to provide for a wide range of light industrial, office, and commercial uses. 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. No deviations are requested or required to approve the project as proposed. 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. 2068552 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. 2068552, 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#: 24007571

DRAFT

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. 2068552
MPF 8859 BALBOA AVE PROJECT NO. 585435
 Hearing Officer

This Conditional Use Permit No. 2068552 is granted by the Hearing Officer of the City of San Diego to SAN DIEGO UNITED HOLDINGS, LLC, a California limited liability company, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0305. The 2.51-acre site is located at 8859 Balboa Avenue, Suites A-E in the IL-3-1 zone of the Kearny Mesa Community Plan. The project site is legally described as Parcel 1: an undivided 5/64th interest in and to the southwesterly 219.55 feet of the northeasterly 413.55 feet of Lot 9, in the City of San Diego Industrial Park Unity No. 2, according to Map thereof No. 4113, filed March 12, 1959.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to operate a Marijuana Production Facility within existing suites A-E comprising of an operational area of 4,998 square feet within an existing 39,675 square foot industrial building located at 8859 Balboa Avenue in the Kearny Mesa Community Plan area 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 within existing suites A-E, comprising an operational area of 4,998 square feet within an existing 39,675 square foot industrial 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 manufacturing, storing, and distributing of cannabis products to State of California licensed outlets. Cultivation and retail sales are prohibited;
- b. The Marijuana Production Facility operations will include the following areas:

Secured Entry – This entry will be used by employees to enter and exit the building. It will also serve as a visitor entrance/exit. The external door to the Entry Lobby is open to visitors. A bell dings alerting staff that a visitor has arrived. The exterior door from the

Secured Entries to the secure areas have an electronic key pad entry. All employees will have a unique digital electronic key code for entry through this door.

Manager's Room – This office will be locked and only managers will be allowed in the manager's office. It has a key lock. This room is also where any cash will be securely stored, if needed.

Secured Product Storage Room - Product that has been manufactured, tested, packaged, labeled, and quality assurance checked will be stored in this room. It will be separately locked with access by manager's only. Product stored here is waiting distribution.

Break Room – The employee break room will be used for breaks, lunches, etc. It is not separately locked.

Packaging & Distribution Room – After manufacturing, products will be moved to this room for packaging, labeling, and preparation for distribution. This will also be the room used for the quality control procedure.

Raw Material Storage – When raw cannabis is received, inspected, and accepted from cultivators the raw material is moved and stored in this room until processing is ready for it. There will be shelves in this room that allow for separate storage of batches.

Extraction Room – Cannabinoids will be extracted in this room through a variety of processes. Batches are kept separate during the extraction process.

Post Processing Room – This room will be where the raw extract is further processed through a variety of methods into a more refined oil or extract. This room is also where batches will be stored awaiting the laboratory testing process. The lab testing licensee performs the sampling of batches in this room. The manufactured product will remain in this room until lab test results are returned. If a batch passes testing, the product will be moved to the Finished Product Storage Room or directly enter the distribution process;

- 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 improvements within the building 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.

ENGINEERING REQUIREMENTS:

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

14. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the removal and replacement of the westernmost driveway, adjacent to the site on Balboa Avenue, per current City Standards.

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.

25. A maximum of ten employees shall be allowed on-site at any given time to correspond to the ten parking spaces provided for the project.

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. [Approved Resolution Number].

Permit Type/PTS Approval No.: 2068552

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.

SAN DIEGO UNITED HOLDINGS, LLC,
a California limited liability company
Owner/Permittee

By _____
Ninus Malan
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 8859 Balboa Ave

Project No. / SCH No.: 585435 / N/A

Project Location-Specific: 8859 Balboa Avenue, Suites A-E, San Diego CA, 92123

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 suites A-E, comprising of an operational area of 4,998 square feet. This would be contained within an existing 39,675 square foot industrial building located at 8859 Balboa Avenue, in the Kearny Mesa Community Plan area. The project proposes tenant improvements to the existing building and project operations would include manufacturing, storing, and distributing of cannabis products to State of California licensed outlets. No cultivation or retail sales are proposed. The 2.51-acre site is designated Industrial and Business Park per the Kearny Mesa Community Plan and is subject to the IL-3-1 zone requirements. The project is also subject to Prime Industrial Lands, FAA Part 77 Noticing Area - MCAS Miramar 590' to 600', and Montgomery Field 427' to 437' (Elevation at approx. 425' ASML), Airport Influence Area - MCAS Miramar Review Area 2, Montgomery Field Review Area 1, Airport Land Use Compatibility Overlay Zone - MCAS Miramar and Montgomery Field Airport Safety Zone - Montgomery Field Zone 5, 2, & 6, Geologic Hazard 51, Transit Priority Area, and Council District 6.

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: Ninus Malan
 5065 Logan Ave Suite 101
 San Diego CA, 92113
 (619) 750-2024

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 State Guidelines Section 15303 (c), New Construction or Conversion of Small Structures

Reasons why project is exempt: The City of San Diego conducted an environmental review which determined that the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15303 (c), which allows for the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure; and applies to up to four such commercial buildings not exceeding 10,000 square feet in floor area. The proposed project, as included in the Project Description of this notice, has a floor area of under 10,000 square feet. No environmental impacts were identified for the proposed project. Additionally, none of the exceptions described in CEQA Guidelines Section 15300.2 apply.

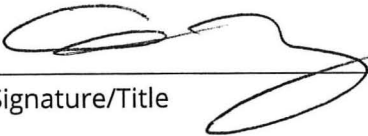
Lead Agency Contact Person: Rachael Lindquist

Telephone: (619) 446-5129

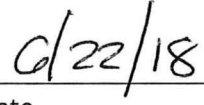
If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? () Yes () No

It is hereby certified that the City of San Diego has determined the above activity to be exempt from CEQA


Signature/Title

CHRIS TRACY,
ACP


Date

Check One:

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

Date Received for Filing with County Clerk or OPR:

Minutes of the Monthly Meeting of the
Kearny Mesa Planning Group
June 20, 2018
Serra Mesa/Kearny Mesa Public Library
9005 Aero Drive, San Diego, CA 92123

Planning Group Members in Attendance:

Tim Nguyen Paul Yung Tana Lorah Todd Matcher Ray Richmond Jeff Sallen
 John Turpit Meridith Marquis Buzz Gibbs Ed Quinn Karen Ruggels Robyn Badilla
 Derek Applbaum John Mulvihill Dana Hooper Mike Huntoon

Community Members in Attendance:


Sara Adams, Phil Adams, Courtney Burger, Benjamin Peterson, Jolie Velasquez, Michael LaMarco, Brittany Ruggelswallace, Jessica Duncan, Alex Hosch, Tina Olivarez, Alex Zamora, Bryan Nunke, Mark Kirkhart, Anthony Mansour, Michael Sosamon, Jim Bartel & David Belanich

The Meeting was brought to order at 11:40 PM by Jeff Sallen, chair of the Kearny Mesa Planning Group. Copies of the **Minutes of the May meeting** were distributed and discussed. After the members reviewed the minutes, Jeff asked for any changes or corrections. They were **approved 9-0-2**.

Public Comment: Kathy Lippitt commented on the city of San Diego's definition of "Premises" and how this word related to Marijuana Production Facilities and the regulations that are required by the City of San Diego with regard to other businesses and housing developments.

Jeff Sallen read a letter to the audience that was sent to him via email from Mr. A. James Moxham (CEO of Cameron Brothers Company, LLC.). The letter was addressed to Jeffrey Sallen and the Kearny Mesa Planning Group. The letter opposed the CUP applicant seeking approval for project #585435 (8859 Balboa Avenue, San Diego, CA 92111). The reasoning behind the opposition was based on perceived future criminal activity at the site and surrounding areas based on the use of the subject's business workings.

Action Item:

1. Jessica Duncan with Trammell Crow Residential presented to the group and asked for approval to recommend further investigation into supporting a Community Plan Amendment for the JH Kearny Mesa Mixed-Use project located along Clairemont Mesa Blvd and Convoy Court. The plan amendment site is currently designated General Commercial for parcels on Clairemont Mesa Blvd. and Industrial and Business Park for parcels along Convoy Court. The proposed Community Plan Amendment would change the land use designation to Urban Employment Village. The Planning Group voted in favor of the project for further study (11-0-0).
2. Jose Raul Gomez presented and asked for approval of a Neighborhood Use Permit (NUP) for a proposed auto repair facility in an existing 850 square foot building. The site is located at 3690 Murphy Canyon Road in the CC-1-3 zone. This was the groups second time presenting this project to the Planning Group. The Planning Group voted in favor of the NUP (10-0-1).
-  3. Jim Bartell with Bartell & Associates presented on project #585435 to approve a CUP for a Marijuana Production Facility located at 8859 Balboa Avenue, Suites A-E. A member from the planning group made a motion to approve the project and a second was received. The final vote came to (4-7-1) against the project.
4. Phil and Sara Adams from Mindset Organics, Inc. presented on project number 585423 seeking approval of a CUP for a Marijuana Production Facility located at 8333 Clairemont Mesa Blvd.

The business intends to operate in approximately 7,009 square feet within a multi-tenant office building. The Planning Group voted to deny the applicant approval of the CUP. The vote came to (8-3-0). Reasons for denying approval were based on opposition of the project from current tenants in the building that were present in the audience during the meeting and spoke up against the use. The Planning Group also felt that the sites location was in direct opposition to meet potential future changes in land zoning. Such zone changes are anticipated in the Kearny Mesa Community Plan Update along Clairemont Mesa Blvd. to allow for additional residential and mixed-use development.

Jeff concluded the meeting at 1:15pm.

FORM

DS-318

October 2017



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

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval(s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit Variance
 Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment • Other _____

Project Title: 8859 Balboa MPF **Project No. For City Use Only:** 585435

Project Address: 8859 Balboa Ave., Suites A-E, San Diego, CA

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

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

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

Property Owner

Name of Individual: San Diego United Holdings Group LLC Owner Tenant/Lessee Successor Agency
 Street Address: 7977 Broadway
 City: Lemon Grove State: CA Zip: 91945
 Phone No.: (619) 750-2024 Fax No.: _____ Email: ninusmalan@yahoo.com
 Signature: *[Signature]* Date: 11/15/17
 Additional pages Attached: Yes No

Applicant

Name of Individual: San Diego United Holdings Group LLC Owner Tenant/Lessee Successor Agency
 Street Address: 7977 Broadway
 City: Lemon Grove State: CA Zip: 91945
 Phone No.: (619) 750-2024 Fax No.: _____ Email: ninusmalan@yahoo.com
 Signature: *[Signature]* Date: 11/15/17
 Additional pages Attached: Yes No

Other Financially Interested Persons

Name of Individual: _____ Owner Tenant/Lessee Successor Agency
 Street Address: _____
 City: _____ State: _____ Zip: _____
 Phone No.: _____ Fax No.: _____ Email: _____
 Signature: _____ Date: _____
 Additional pages Attached: Yes No

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 8859 Balboa Avenue	
PROJECT DESCRIPTION:	Marijuana Production Facility	
COMMUNITY PLAN AREA:	Kearny Mesa	
DISCRETIONARY ACTIONS:	Process 3 – Conditional Use Permit	
COMMUNITY PLAN LAND USE DESIGNATION:	Industrial and Business Parks	
<u>ZONING INFORMATION:</u>		
<p style="text-align: center;">ZONE: IL-3-1</p> <p style="text-align: center;">HEIGHT LIMIT: N/A</p> <p style="text-align: center;">LOT SIZE: 15,000 sf (Min.)</p> <p style="text-align: center;">FLOOR AREA RATIO: 2.0</p> <p style="text-align: center;">FRONT SETBACK: 15 ft (Min.), 20 ft (Standard)</p> <p style="text-align: center;">SIDE SETBACK: 10 ft</p> <p style="text-align: center;">REAR SETBACK: 0 ft (Min.), 15 ft (Standard)</p> <p style="text-align: center;">PARKING: 10 spaces</p>		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Industrial & Business Parks, IL-2-1	Industrial
SOUTH:	General Aviation Airport, Unzoned	Airport
EAST:	Industrial & Business Parks, IL-3-1	Restaurant
WEST:	Industrial & Business Parks, IL-2-1	Industrial
DEVIATIONS OR VARIANCES REQUESTED:	None	
COMMUNITY PLANNING GROUP RECOMMENDATION:	Not available at this time.	