



THE CITY OF SAN DIEGO

## Report to the Hearing Officer

DATE ISSUED: September 26, 2018 REPORT NO. HO-18-072

HEARING DATE: October 3, 2018

SUBJECT: MPF 2365 Marconi Ct., Suite E, Process Three Decision

PROJECT NUMBER: [585389](#)

OWNER/APPLICANT: Teranomic Software, Corp., Owner/Nasser Azimi, Ohana Growers, Corp., Applicant

### SUMMARY

Issue: Should the Hearing Officer approve a Marijuana Production Facility located at 2365 Marconi Court, Suite E, of the Otay Mesa Community Plan area?

Staff Recommendation: Approve Conditional Use Permit No. 2066316.

Community Planning Group Recommendation: On August 15, 2018, the Otay Mesa Community Planning Group voted 12-0-1 to approve the proposed project (Attachment 7).

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction or Conversion of Small Structures). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on June 22, 2018, and the opportunity to appeal that determination ended July 9, 2018.

### BACKGROUND

The 1.03-acre site of the proposed project is located at 2365 Marconi Court, Suite E, in the IL-2-1 Zone of the Otay Mesa Community Plan (Attachment 1). The project site is designated Light Industrial within the Otay Mesa Community Plan (Attachment 2). The Light Industrial designation allows a variety of industrial uses, permitting a range of light manufacturing, research and development, storage, and distribution. The existing building has four suites, Suites E through H. One of the suites, Suite E, will be occupied by the proposed marijuana production facility project. The purpose and intent of the IL base zone is to permit a range of uses, including nonindustrial uses in some instances. Specifically, the IL-2-1 allows a mix of light industrial and office uses with limited

commercial. The site is presently developed with an industrial building constructed in 1991 (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 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

A Conditional Use Permit is required pursuant to SDMC section 126.0303 for a Marijuana Production Facility. The project proposes a Conditional Use Permit for a Marijuana Production Facility to operate within an existing tenant space, Suite E, encompassing an operational area of 5,504 square-feet. The facility would be contained within an existing 14,667 square-foot building located at 2365 Marconi Court in the Otay Mesa Community Plan area. The project proposes tenant improvements to the existing building to organize the interior spaces to facilitate operations including the cultivation, processing, storage, packaging and distribution of cannabis products. The 1.03-acre site is designated Light Industrial of the Otay Mesa Community Plan and subject to the IL-2-1 Zone requirements.

The Marijuana Production Facility operations include packaging, storage, distribution, and cultivation of cannabis, which includes trimming, drying, curing, and harvesting. The project proposes interior improvements including a lobby, office, restroom, packaging area, storage, distribution, and cultivation area. The proposed Marijuana Production Facility is subject to specific operation requirements as set forth in SDMC 141.1004, including security requirements. 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 would include reconstruction of the sidewalk transition to accommodate a wider path of travel, satisfactory to the City Engineer. The facility is also subject to State of California statutes and regulations.

### Conclusion

City staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. The design of the proposed project complies with all development regulations of the IL-2-1 zone and no deviations are required to approve the project. Staff has provided draft findings (Attachment 4) to support the proposed project and draft conditions of approval (Attachment 5). Staff is recommending the Hearing Officer approve the project as presented.

ALTERNATIVES

1. Approve Conditional Use Permit No. 2066316, with modifications.
2. Deny Conditional Use Permit No. 2066316, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

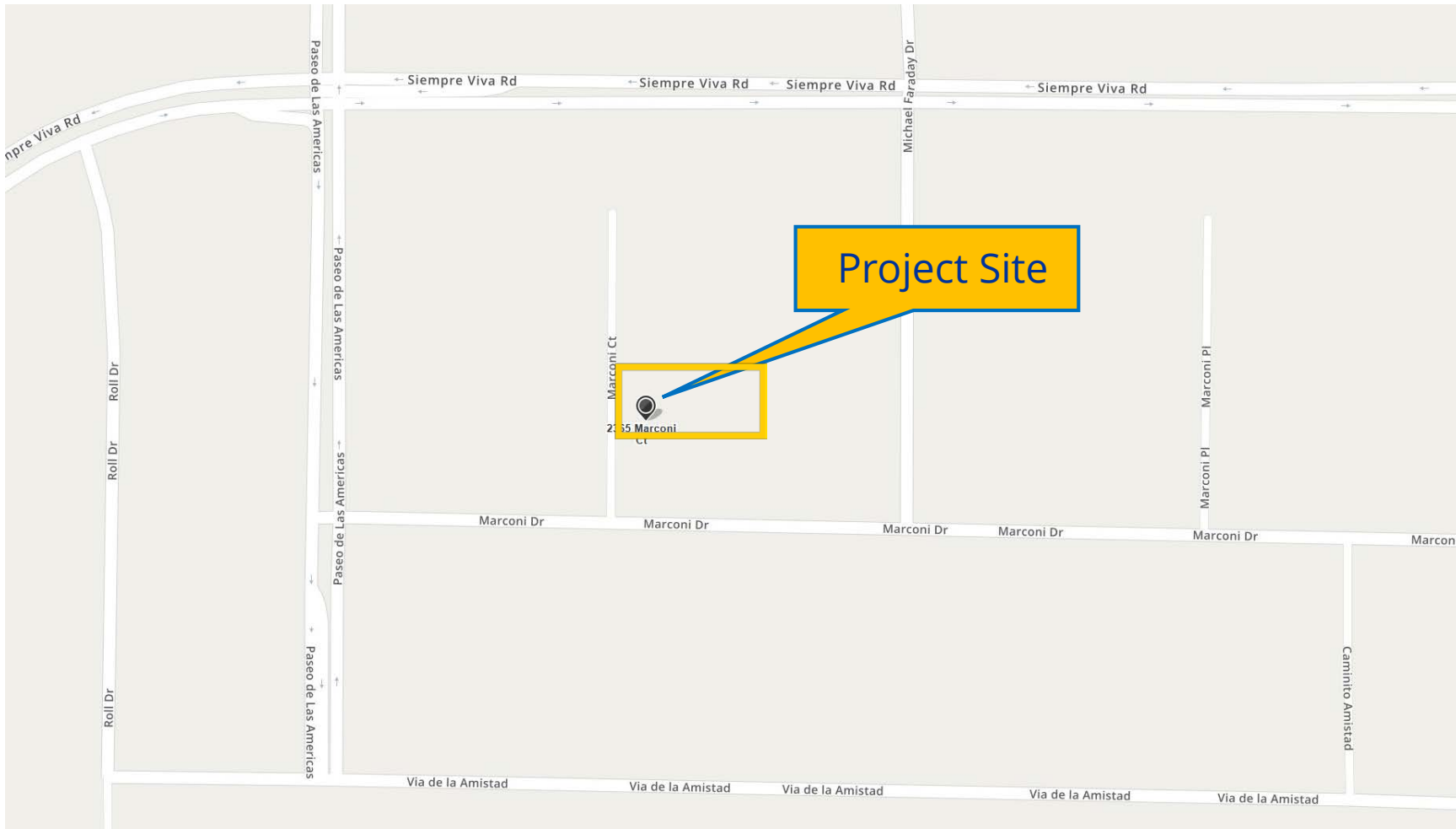


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Cherlyn Cac  
Development Project Manager

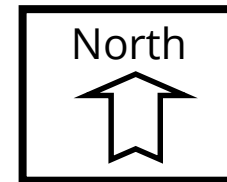
Attachments:

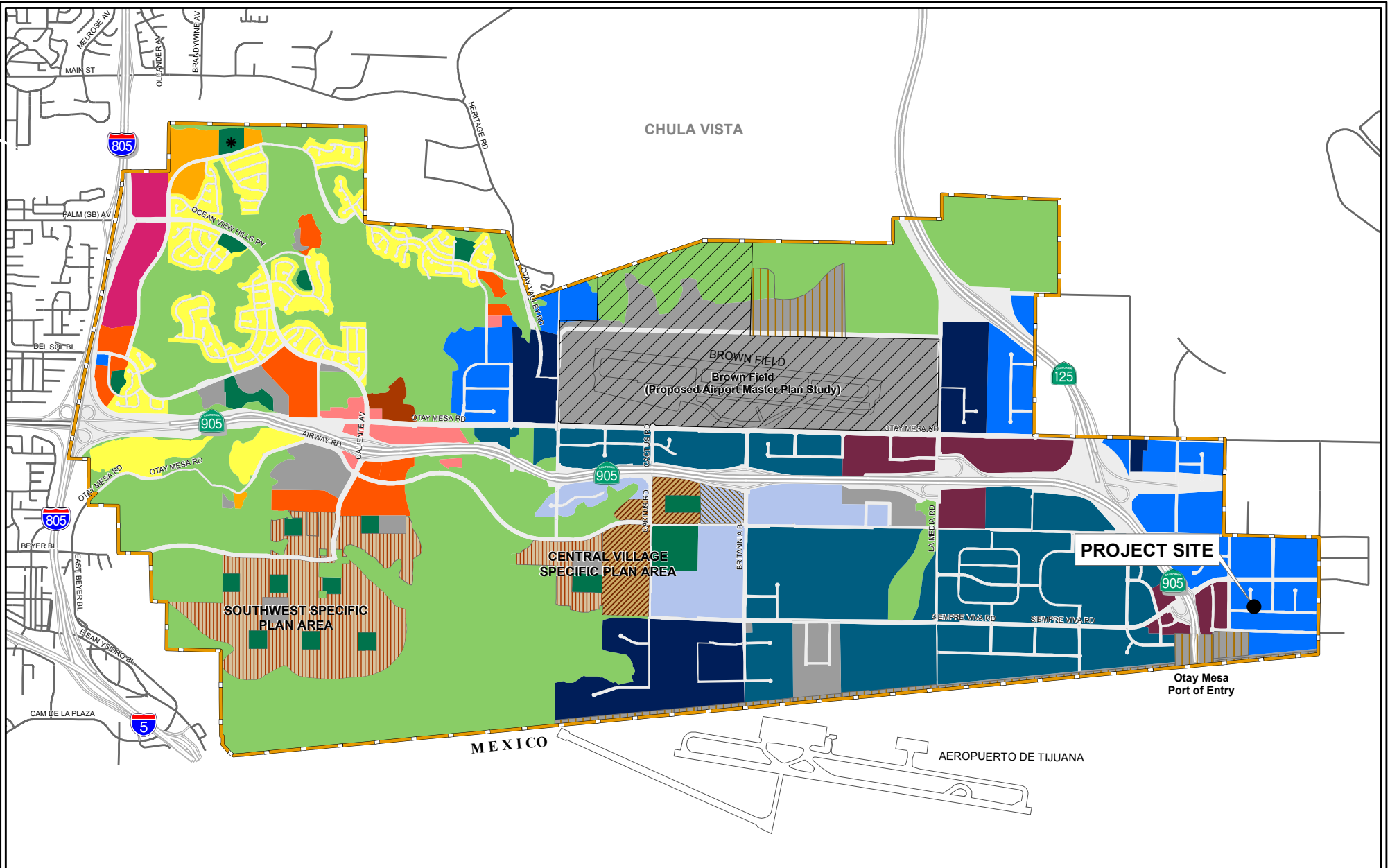
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Draft Resolution with Findings
5. Draft Permit with Conditions
6. Environmental Exemption
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement
9. Project Plans



## Project Location Map

MPF 2365 Marconi Ct., Suite E / 2365 Marconi Ct., Suite E  
PROJECT NO. 585389





**OTAY MESA COMMUNITY PLAN UPDATE - Figure 2-1**

**Legend**

**Parks, Open Space, and Institutional**

- Open Space
- Parks
- Institutional
- Village Centers**
- Neighborhood Village 15-25 du/ac
- Community Village 30-35 du/ac

**Residential**

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

**Commercial - Residential Prohibited**

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

**Industrial**

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

**Overlays**

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

**Other**

- Right-Of-Way



THE CITY OF SAN DIEGO



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 Date: 9/25/2018



HEARING OFFICER RESOLUTION NO. \_\_\_\_\_  
CONDITIONAL USE PERMIT NO. 2066316  
**MPF 2365 MARCONI COURT, SUITE E - PROJECT NO. 585389**

WHEREAS, TERANOMIC SOFTWARE, a California Corporation, Owner, and OHANA GROWERS, a California Corporation, Permittee, filed an application with the City of San Diego for a permit to operate a 5,504 square-foot, Marijuana Production Facility in an existing tenant space (Suite E) within an existing 14,667 square-foot building (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 2066316), on portions of a 1.03-acre site;

WHEREAS, the project site is located at 2365 Marconi Court, Suite E, in the IL-2-1 Zone of the Otay Mesa Community Plan;

WHEREAS, the project site is legally described as Unit No. E, as shown and described on the Condominium Plan (Marconi Court) recorded in the Office of the County Recorder of San Diego County on August 15, 2013 as Document No. 2013-0513728, as amended by the Amended and Corrected Condominium Plan, recorded in the Office of the County Recorder of San Diego County, State of California, on August 28, 2013 as Document No. 2013-0536776 (collectively, "Condominium Plan"), which is located within Parcel 1 and 2 of Parcel Map No. 21065, in the City of San Diego, County of San Diego, State of California ("Map"). All defined terms used herein shall have the same meanings set forth in the Declaration referenced below and in the Condominium Plan, more particularly described in Grant Deed recorded June 3, 2016, as Document No. 2016-0274189, of Official Records of the San Diego County Recorder's Office;

WHEREAS, on June 22, 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 (New Construction or Conversion of Small Structures), and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, on October 3, 2018, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 2066316 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 October 3, 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 (MPF) in an existing tenant space totaling 5,504 square-feet within an existing 14,667 square-foot building. The 1.03-acre site is located at 2365 Marconi Court in the IL-2-1 Zone of the Otay Mesa Community Plan.

The project site is designated as Prime Industrial by the Economic Prosperity Element and Industrial Employment by the Land Use and Community Planning Element of the General Plan. The General Plan identifies a citywide shortage of land suitable for manufacturing activities and a need to protect a reserve of manufacturing land from non-manufacturing uses. The Prime Industrial and Business Park designation would permit light manufacturing uses; thereby, providing additional land suitable for manufacturing activities. The project site is within the Light Industrial Land Use Area of the Otay Mesa Community Plan. The Light Industrial designation permits light manufacturing, distribution and storage uses. The IL-2-1 Zone allows a mix of light industrial and office uses with limited commercial. The proposed MPF, classified as an industrial use, is a compatible use for this location with a Conditional Use Permit and is consistent with the community plan. Therefore, the proposed MPF 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 MPF at 2365 Marconi Court, Suite E, is an existing 5,504 square-foot tenant space within an existing 14,667 square-foot building. The project proposes interior



improvements to the existing tenant space including a lobby, office, restroom, packaging, storage, distribution, and cultivation area. 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 would include reconstruction of the sidewalk transition to accommodate a wider path of travel, satisfactory to the City Engineer.

MPFs are restricted to forty City-wide, within light and heavy industrial zones. MPFs require compliance with San Diego Municipal Code (SDMC) Section 141.1004 (a), 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. MPFs also require a minimum distance requirement of 100 feet from a residential zone. The proposed MPF complies with the separation requirements between uses set forth in SDMC Section 141.1004 (a). The proposed MPF is subject to specific operational requirements as set forth in SDMC Section 141.1004, including security requirements, such as 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. MPFs must also comply with SDMC 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. 2066316. The Conditional Use Permit No. 2066316 will be valid for five years and may be revoked if the Owner or 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 Conditional Use Permit No. 2066316. The referenced regulations and conditions have been determined as necessary to avoid adverse impact upon the health, safety, and welfare. Therefore, the proposed MPF 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 project proposes the operation of a MPF in an existing tenant spaces totaling 5,504 square-feet within an existing 14,667 square-foot building at 2365 Marconi Court, Suite E. The 1.03-acre site is located in the IL-2-1 Zone of the Otay Mesa Community Plan area. The site was developed in 1991. The project proposes interior improvements to the existing tenant space including a lobby, office, restroom, packaging, storage, distribution, and cultivation area.

MPFs are allowed in the IL-2-1 Zone with a Conditional Use Permit. The proposed use requires compliance with SDMC Section 141.1004 and Chapter 4, Article 2, Division 15.

SDMC Section 141.1004 requires a 1,000-foot separation 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. The proposed MPF complies with the separation requirements between uses. The proposed MPF is subject to specific operational requirements for security, as referenced in Conditional Use Permit No. 2066316, in 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. MPFs must also comply with SDMC Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

The proposed MPF is consistent with all land development regulations relevant for the site and the use. No deviations are required or requested to approve the Conditional Use Permit. Therefore, the proposed MPF will comply with the regulations of the Land Development Code.

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

The project proposes the operation of a MPF in an existing tenant space, Suite E, totaling 5,504 square-feet within an existing 14,667 square-foot building at 2365 Marconi Court in the IL-2-1 Zone of the Otay Mesa Community Plan. The project site is designated as Prime Industrial by the Economic Prosperity Element and Industrial Employment by the Land Use and Community Planning Element of the General Plan. The General Plan identifies a citywide shortage of land suitable for manufacturing activities and a need to protect a reserve of manufacturing land from non-manufacturing uses. The Prime Industrial and Business Park designation would permit light manufacturing uses; thereby, providing additional land suitable for manufacturing activities. The project site is within the Light Industrial Land Use Area of the Otay Mesa Community Plan. The Light Industrial designation permits light manufacturing, distribution and storage uses. The IL Zone is to provide for a wide range of uses from manufacturing and distribution, including non-industrial uses in some instances. Specifically, the IL-2-1 Zone a mix of light industrial and office uses with limited commercial.

The proposed MPF is consistent with all land development regulations relevant for the site and the use. No deviations are required or requested to approve the Conditional Use Permit. The proposed MPF is classified as industrial 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. 2066316 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. 2066316, a copy of which is attached hereto and made a part hereof.

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Cherlyn Cac  
Development Project Manager  
Development Services

Adopted on: October 3, 2018

IO#: 24007559

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: 24007559

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 2066316  
**MPF 2365 MARCONI COURT, SUITE E, PROJECT NO. 585389**  
HEARING OFFICER

This Conditional Use Permit No. 2066316 ("Permit") is granted by the Hearing Officer of the City of San Diego to Teranomic Software, a California Corporation, and Ohana Growers, a California Corporation, Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0305. The 1.03-acre site is located at 2365 Marconi Court in the IL-2-1 Zone within the Otay Mesa Community Plan. The project site is legally described as: Unit No. E, as shown and described on the Condominium Plan (Marconi Court) recorded in the Office of the County Recorder of San Diego County on August 15, 2013 as Document No. 2013-0513728, as amended by the Amended and Corrected Condominium Plan, recorded in the Office of the County Recorder of San Diego County, State of California, on August 28, 2013 as Document No. 2013-0536776 (collectively, "Condominium Plan"), which is located within Parcel 1 and 2 of Parcel Map No. 21065, in the City of San Diego, County of San Diego, State of California ("Map"). All defined terms used herein shall have the same meanings set forth in the Declaration referenced below and in the Condominium Plan, more particularly described in Grant Deed recorded June 3, 2016, as Document No. 2016-0274189, of Official Records of the San Diego County Recorder's Office.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to operate a Marijuana Production Facility described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated October 3, 2018, on file in the Development Services Department.

The project shall include:

- a. Operation of a 5,504 square-foot Marijuana Production Facility in existing tenant space of Suite E within an existing 14,667 square-foot building at 2365 Marconi Court. The operation shall include requirements consistent with the State of California Statutes and the California Departments of Food and Agriculture and Consumer Affairs regulations;
- b. The Marijuana Production Facility operations include cultivation, packaging, storage, and distribution of cannabis.

## ATTACHMENT 5

- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking; and
- e. 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 October 18, 2021.
2. This Permit and corresponding use of this site shall expire on October 18, 2023. The Owner/Permittee may request that the expiration date be extended in accordance with SDMC Section 141.1004(h).
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. The Owner/Permittee shall secure all necessary construction permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements

## ATTACHMENT 5

may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

8. 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.

9. 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" conditions(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.

10. 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:**

11. 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.

**PLANNING/DESIGN/LANDSCAPE REQUIREMENTS:**

12. All 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 by the appropriate City decision maker in accordance with the SDMC.
13. Prior to issuance of any construction/building permits, the Owner/Permittee shall submit plans that show landscaping equivalent to the previously conforming condition consistent with OMD #89-0913 Plan File #A011209-89, and City of San Diego Landscape Standards per SDMC 142.0406, to the Development Services Department for approval. Any landscaping that is removed or damaged during construction shall be replaced in kind.
14. Prior issuance of any construction permit, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40-square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.
15. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plan, including in the right-of-way, unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. All required landscape shall be maintained consistent with the Landscape Standards in a disease, weed, and litter free condition at all times. Severe pruning or "topping" of trees is not permitted.
16. If any required landscape, including existing or new plantings, hardscape, landscape features, indicated on the approved construction document plans is damaged or removed during demolition or construction, the Owner/Permittee shall repair and/or replace in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Certificate of Occupancy.
17. All operations, including all equipment and storage, shall be conducted indoors within a secured structure. Greenhouses are prohibited.
18. Lighting shall be provided to illuminate the immediate surrounding area of the facility, including parking lots and adjoining sidewalks. Lighting shall be hooded or oriented so as to deflect light away from adjacent properties.
19. 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.
20. The name and emergency contact phone number of an operator or manager shall be posted outside the marijuana production facility in a location visible to the public from the public right-of-

## ATTACHMENT 5

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.

21. 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.
22. The Marijuana Production Facility must comply with Chapter 4, Article 2, Division 15 of the San Diego Municipal Code, including obtaining a Marijuana Production Facility Permit, and Background Checks and Reporting Convictions.
23. 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.
24. The Marijuana Production Facility, adjacent public sidewalks, and areas under the control of the Owner/Permittee shall be maintained free of litter and graffiti at all times.
25. The Owner/Permittee shall provide daily removal of trash, litter, and debris. Graffiti shall be removed from the premises within 24 hours.
26. 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.

### **ENGINEERING REQUIREMENTS:**

27. Prior to the issuance of any construction permit, the Owner/Permittee shall assure by permit and bond the relocation of the existing retaining wall outside of the public right-of-way and reconstruction of sidewalk transition to accommodate a wider path of travel at the North Driveway, adjacent to the site on Marconi Court, satisfactory to the City Engineer.
28. Prior to the issuance of any construction permit, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the encroaching portion of the retaining wall at the north driveway and planter curbs at the south driveway in the Marconi Court Right-of-Way.
29. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate Construction and Permanent Storm Water Best Management Practices necessary to comply with current City of San Diego Storm Water Standards Manual and with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications, satisfactory to the City Engineer.



## ATTACHMENT 5

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

### INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Hearing Officer of the City of San Diego on October 3, 2018 and Resolution Number HO-XXXX.

**ATTACHMENT 5**

Permit Type/PTS Approval No.: Conditional Use Permit No. 2066316  
Date of Approval: October 3, 2018

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

\_\_\_\_\_  
Cherlyn Cac  
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.

**TERANOMIC SOFTWARE,**  
a California Corporation  
Owner

By \_\_\_\_\_  
Name:  
Title:

**OHANA GROWERS,**  
a California Corporation  
Permittee

By \_\_\_\_\_  
Name:  
Title:

**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 2365 Marconi Court

**Project No.:** 585389

**Project Location-Specific:** 2365 Marconi Court, Suite E, San Diego, CA 92154

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

**Description of nature and purpose of the Project:** The applicant proposes a Conditional Use Permit (CUP) to operate a 5,504-square-foot Marijuana Production Facility (MPF) within an existing 14,667-square-foot building. Project operations would include cultivation, packaging, and distribution of cannabis products to State of California licensed outlets. The 1.03-acre site is located at 2365 Marconi Court in the Otay Mesa Community Plan area. The project is subject to the IL-2-1 zone of the Otay Mesa Community Planning Area. Overlay zones include: Prime Industrial Lands, FAA Part 77 Noticing Area (Brownfield 641' to 651' - site elevation 545'), Airport Influence Area - Brown Field Review Area 2, Airport Land Use Compatibility Overlay Zone - Brown Field, CPIOZ-A, and Transit Priority Area.

**Name of Public Agency Approving Project:** City of San Diego

**Name of Person or Agency Carrying Out Project:** Nasser Azim  
 2365 Marconi Court, Suite E  
 San Diego, CA 92154  
 (619) 271-7928

**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 Section 15303 (New Construction or Conversion of Small Structures)

**Reasons why project is exempt:** The City of San Diego conducted an environmental review that determined the project would not have the potential for causing a significant effect on the environment. The project meets the criteria set forth in CEQA Section 15303 (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. In urbanized areas, the exemption also applies to up to four such commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available, and the surrounding area is not environmentally sensitive. The exceptions listed in CEQA Section 15300.2 would not apply.

**Lead Agency Contact Person:** Anna L. McPherson AICP

**Telephone:** (619) 446-5276

**ATTACHMENT 6**

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

 /Program Manager

July 10, 2018

Signature/Title

Date

Check One:

(X) Signed By Lead Agency

Date Received for Filing with County Clerk or OPR:

( ) Signed by Applicant

**OTAY MESA PLANNING GROUP**  
**MEETING MINUTES, AUGUST 15, 2018**  
**OTAY NESTOR LIBRARY**  
**3003 CORONADO AVENUE, SAN DIEGO, CA 92154**

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Otay Mesa Planning Group Chair, Rob Hixson called the meeting to order at 3:03p.m.

Introductions are made across the room.

<b>Members present:</b>	<b>Members absent:</b>
Rob Hixson- <b>Chair</b>	Antonio Martinez
Alejandra Mier y Teran	Jimmy Ayala
Chris Holder	Kaitlin Arduino- <b>Secretary</b>
Clarissa Falcon	Lisa Golden
Diane Kirma	Richard Martinez
Felipe Nuno	Rodolfo Lopez Jr.
James Street	Tom Ricotta
Mark Freed – <b>Vice Chair</b>	Wayne Dickey
Rodolfo Jr. Lopez	
Ronnie Taylor	
Ted Shaw	
Tom Story	
Tony Blas	

**Approval of minutes:**

July 2018

- **Motion:** Tom Story, Ted Shaw
- **Vote:** Approved
- **Abstained:** None

**Public Input:**

None.

**Chairman's Report:**

A lot of MPF's if you have further interest in the please let me know.

**Items received reviewed:**

1. Otay Heights Court – SDP – Project # 612335 – Development Plans – Oliver Andreu
2. MPF 9850 Via de la Amistad – Project # 611944 – CUP – Joe Esposito
3. Continental Street Vacation – Project # 596841 – Right of Way Vacation Plans – Harry Scott
4. Brown Field Easement Vacation – Project #566827 – Easement Drawing- Scott Harry
5. MPF 2220 Neils Bohr Court – Project # 585368 – Cycle 2 responses and Site Plan
6. MPF 2312 Marconi Place – Project # 585623 – Cycle 3 & 5 responses – Annemarie Tanner
7. MPF 1221 1/3 Innovative – Project 600542 – CUP Plans- Alan Austin
8. Report to the Planning Commission- Candlelight – Project # 40329 – Walter Schwerin
9. MPF 6225 Progressive Avenue, B20 – CUP Plans & Cycle Reponses
10. Metro AirPark – Tentative Map Waiver Easement Vacations – Project #609972 – Carlos Avila
11. Report to Hearing Officer – MPF 9565 Heinrich Hertz Drive – Project # 585529

**OTAY MESA PLANNING GROUP**  
**MEETING MINUTES, AUGUST 15, 2018**  
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- 12. Notice of Application – Continental Street Vacation – Public Right of Way – Project # 596841 – Scott Harry
- 13. Notice of Application – MPF 7542 Trade Street – CUP – Project # 585533 – Lunar Loussia
- 14. Notice of Application – MPF 9565 Heinrich Hertz Drive – Project # 585529 – Hall & Gans Holdings, LLC.
- 15. Notice of Application – MPF 9850 Via de la Amistad – Project # 611944 – Joe Esposito
- 16. Notice of Application – Cal. Terraces PA61 Community Plan Amendment, Rezone – Project # 605191 – Maykia Vang

**Government Liaison Report**

- a. **Caltrans** – Cory Binns, District Director – Road repair and accountability for SB1 funds of 5 years. Discussed how to adopt a highway. We are hoping to get more help us out. We send nearly 5.3M on litter clean-up. Any complaints can be send via email through our website and our 1-800 number. There are a lot of distracted drivers on the highway. A month ago, we had one of our guys get hit from behind by an impaired driver.
- b. **COUNCILMAN ALVAREZ’S OFFICE.** – **Ruth Martin** – Our office has partnered up with Thomas Jefferson School of Law and Legal aid is available every 3<sup>rd</sup> Monday of each month from 3:00 pm – 5:00pm.
- c. **MAYOR’S OFFICE.** – No report given.
- d. **SUPERVISOR COX’S OFFICE.** - No report given.
- e. **SENTOR HUESOS’ OFFICE.** -**Ivana Heard** – 2 ½ weeks left in the legislator we finish on August 31<sup>st</sup>. We have 2 ½ weeks to get a lot of Bills done. 487 Bills to be exact and 890 Senate Bills to get done or be considered within 2 ½ weeks. Last week, we adjured in memory of Mr. Joe Street. Senator is part of the conference committee wild fires committee, he was appointed to the committee and will address infrastructure and awareness. Next hearing is tomorrow at 1:00 pm.
- f. **POLICE DEPARTMENT.** – **Carlos LaCarra** – The July 21<sup>st</sup> open house “Take Back the Night” had low numbers compare to last year. But, turnout was still good. San Ysidro port of entry opened the new pedestrian building. If you see transients, report them. Local police can assist in removing them if they’re blocking right of ways. Report it to the Get It Done App. Code Compliance has been asked to come to a Planning Group Meeting, but in the meanwhile, please refer your requests to me.
- g. **FIRE DEPARTMENT.** - No report given.
- h. **IMMIGRATION & CUSTOMS DEPARTMENT:** No report given.
- i. **CITY ATTORNEY’S OFFICE.** - No report given.

**Monthly Report:**

**CPC- Mark Freed:**

Steven Haus member of the planning commission discussed proper way to present to planning commission. The Traffic Engineering Division big push within the transit public parking areas and how that is affected. Transit Priority Area (“TPA”) areas that are within one-half mile radius of a major transit stop that is existing to planned. They would like to reduce car ownership. There was a study done on how to incentivize people to not buying a car. Little Italy was the test area. 12th Land Development Update have some ongoing some issues relevant to Otay Mesa. They came out with the latest list and updates. Rob can distribute a list to everyone for comments/input. We have a meeting tonight. Our new Planning Director will be there.

**Southwest Village Committee- Felipe Nuno:**

No meeting next month. The meeting was postponed due to the new park opening that same day.

**Border Transportation- Alejandra Mier y Teran:**

Nothing to report.

**OTAY MESA PLANNING GROUP  
MEETING MINUTES, AUGUST 15, 2018  
OTAY NESTOR LIBRARY  
3003 CORONADO AVENUE, SAN DIEGO, CA 92154**

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**La Media Truck Route - David Wick:**

We don't have a meeting scheduled. Still trying to secure right-of-way's.

**La Media West Wetlands- Rob Hixson:**

Nothing to report.

**San Diego Airport Advisory Committee- Clarissa Falcon:**

Nothing to report.

**Code Enforcement - Rob Hixson:**

We're pretty much covered here. Carlos LaCarra addressed this in his monthly report.

**Chamber Update- Alejandra Mier y Teran:**

We had a wonderful golf tournament. The Mayor of Tijuana attended the event and it was nice for our members to interact with him.

**East Otay Mesa Property Owner's Association Update – David Wick:**

Sunroad (3100 units) was successful in getting their project approved. County Planner, David Sibbet has been inundated with inquiries on land use than ever before. The EVOC facility is being graded. The U.S. Army is rebuilding the primary fence from Otay POE East. It doesn't look like any prototypes. Looks like a prison fence.

**Informational Items:**

None to report.

**Action Items:**

**Motion:** Appoint James Street to the Otay Mesa Planning Group.

**Vote:** Rob Hixson, Felipe Nuno seconded

**Vote No:** None

**Resolved:** Yes

**Recommendation/ Comment:** Welcome aboard!

**Abstained:** None

**Motion:** The Shops at AMC Palm Promenade

**Vote:** None

**Vote No:** None

**Resolved:** No

**Recommendation/ Comment:** Postponed. They are not ready to present o the Planning group

**Abstained:**

OTAY MESA PLANNING GROUP  
MEETING MINUTES, AUGUST 15, 2018  
OTAY NESTOR LIBRARY  
3003 CORONADO AVENUE, SAN DIEGO, CA 92154

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**Motion:** Continental Street Vacation

**Vote:** Tom Story, Chris Holder, seconded

**Vote No:** None

**Resolved:** Yes

**Recommendation/ Comment:** Approved

**Abstained:** None

**Motion:** MPF No.585510 6225 Progressive Avenue, Suite B200

**Vote:** Chris Holder, Mark Freed seconded

**Vote No:** None

**Resolved:** No

**Recommendation/ Comment:** Subject to review Environmental Report approval.

**Abstained:** Alejandra Mier y Teran

**Motion:** MPF No. 585579 1555 Laurel Bay Lane

**Vote:** None

**Vote No:** None

**Resolved:** No

**Recommendation/ Comment:** Postponed. They are not ready to present to the Planning Group. They will come back next month.

**Abstained:** None.

**Motion:** MPF No. 585389 2365 Marconi Ct.

**Vote:** Mark Freed, Ronnie Taylor second

**Vote No:** None

**Resolved:** Yes

**Recommendation/ Comment:** Approved.

**Abstained:** Alejandra Mier y Teran

**Closing remarks:**

Thank you for coming.

**Old Business:**

No old business.

***Meeting adjourned at 4:03 p.m. by Otay Mesa Planning Group Chair, Rob Hixson***



	<b>City of San Diego Development Services</b> 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	<b>FORM DS-318</b>  <b>October 2017</b>
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**Approval Type:** Check appropriate box for type of approval(s) requested:  Neighborhood Use Permit  Coastal Development Permit  
 Neighborhood Development Permit  Site Development Permit  Planned Development Permit  Conditional Use Permit  Variance  
 Tentative Map  Vesting Tentative Map  Map Waiver  Land Use Plan Amendment •  Other \_\_\_\_\_

**Project Title:** \_\_\_\_\_ **Project No. For City Use Only:** 585389

**Project Address:** \_\_\_\_\_

**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: \_\_\_\_\_  Owner  Tenant/Lessee  Successor Agency

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Email: \_\_\_\_\_

Signature: Nasser Azimi Date: \_\_\_\_\_

Additional pages Attached:  Yes  No

**Applicant**

Name of Individual: \_\_\_\_\_  Owner  Tenant/Lessee  Successor Agency

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Email: \_\_\_\_\_

Signature: Nasser Azimi Date: \_\_\_\_\_

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



**SCHALL ARCHITECTS**

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SAN DIEGO, CA 92120-2705  
P 858.815.3503 F 619.255.3991  
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SEPTEMBER 24, 2018

**2365 MARCONI COURT**  
**SUITE E**  
**SAN DIEGO, CALIFORNIA 92154-7265**

PROJECT NO:  
2018076

SHEET TITLE

**PROPOSED SITE PLAN**

SHEET NO:

**A0.1**

**PROJECT SCOPE:**  
CONDITIONAL USE PERMIT FOR A MARIJUANA PRODUCTION FACILITY TO OPERATE WITHIN AN EXISTING 14,667 SQUARE FOOT BUILDING WITHIN SUITE E FOR A TOTAL OF 5,504 SQUARE FEET LOCATED AT 2365 MARCONI COURT - SUITE E. THE 1.03 ACRE SITE IS LOCATED IN THE IL 2-1 ZONE OF THE OTAY MESA COMMUNITY PLAN AREA AND COUNCIL DISTRICT 8.  
NEW ADA COMPLIANT SIDEWALK WILL BE ADDED FROM MAIN ENTRY OF SUITE E (NORTH SIDE OF BUILDING) TO THE EXISTING LOCATION OF THE ADA PARKING STALLS. ADA PARKING STALLS TO BE RAISED WITH ASPHALT PER KEYNOTE #3 BELOW. 180 SQUARE FEET OF EXISTING LANDSCAPING TO BE REMOVED FOR NEW ADA SIDEWALK, NEW RETAINING WALL AND CURB TO BE CONSTRUCTED OUTSIDE PUBLIC RIGHT OF WAY (NORTH DRIVEWAY ENTRANCE TO SITE).

- NOTE:**
1. PROVIDE BUILDING ADDRESS NUMBERS, VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER FHPS POLICY P-00-6 (UFC 901.4.4)
  2. THE EXISTING WATER AND SEWER SERVICES WILL REMAIN.
  3. NO OBSTRUCTION INCLUDING WALLS, LANDSCAPING ETC. IN THE VISIBILITY AREA SHALL EXCEED 3 FEET IN HEIGHT. SEE KEYNOTE #22 THIS SHEET.
  4. ALL OPERATIONS SHALL BE CONDUCTED INDOORS WITHIN A SECURED STRUCTURE. ALL EQUIPMENT AND STORAGE SHALL BE ALSO LOCATED WITHIN A SECURED STRUCTURE.
  5. THIS PROJECT WILL BE SUBJECT TO HAVING ALL PUBLIC IMPROVEMENTS ADJACENT TO THE PROJECT SITE STATE ACCESSIBILITY COMPLIANCE AND TO CURRENT CITY STANDARDS.
  6. WATER & SEWER LATERALS/SERVICES TO REMAIN PER DRAWING NUMBER 22556-13-D.

**PROJECT TEAM:**

**BUILDING OWNER:** TERANOMIC SOFTWARE  
8863 GREENBACK LANE #328  
ORANGEVALE, CALIFORNIA 95662-4059

**TENANT:** OHANA GROWERS  
2365 MARCONI COURT - SUITE E  
SAN DIEGO, CALIFORNIA 92154  
EMAIL: nazimi@ohanagrowers.com  
PHONE: (951) 970-7995

**ARCHITECT:** TREVIN SCHALL ARCHITECT INC.  
5173 WARING ROAD - SUITE 91  
SAN DIEGO, CALIFORNIA 92120  
EMAIL: tschall@schallarchitects.com  
PHONE: (858) 692-3835

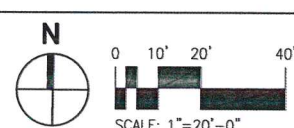
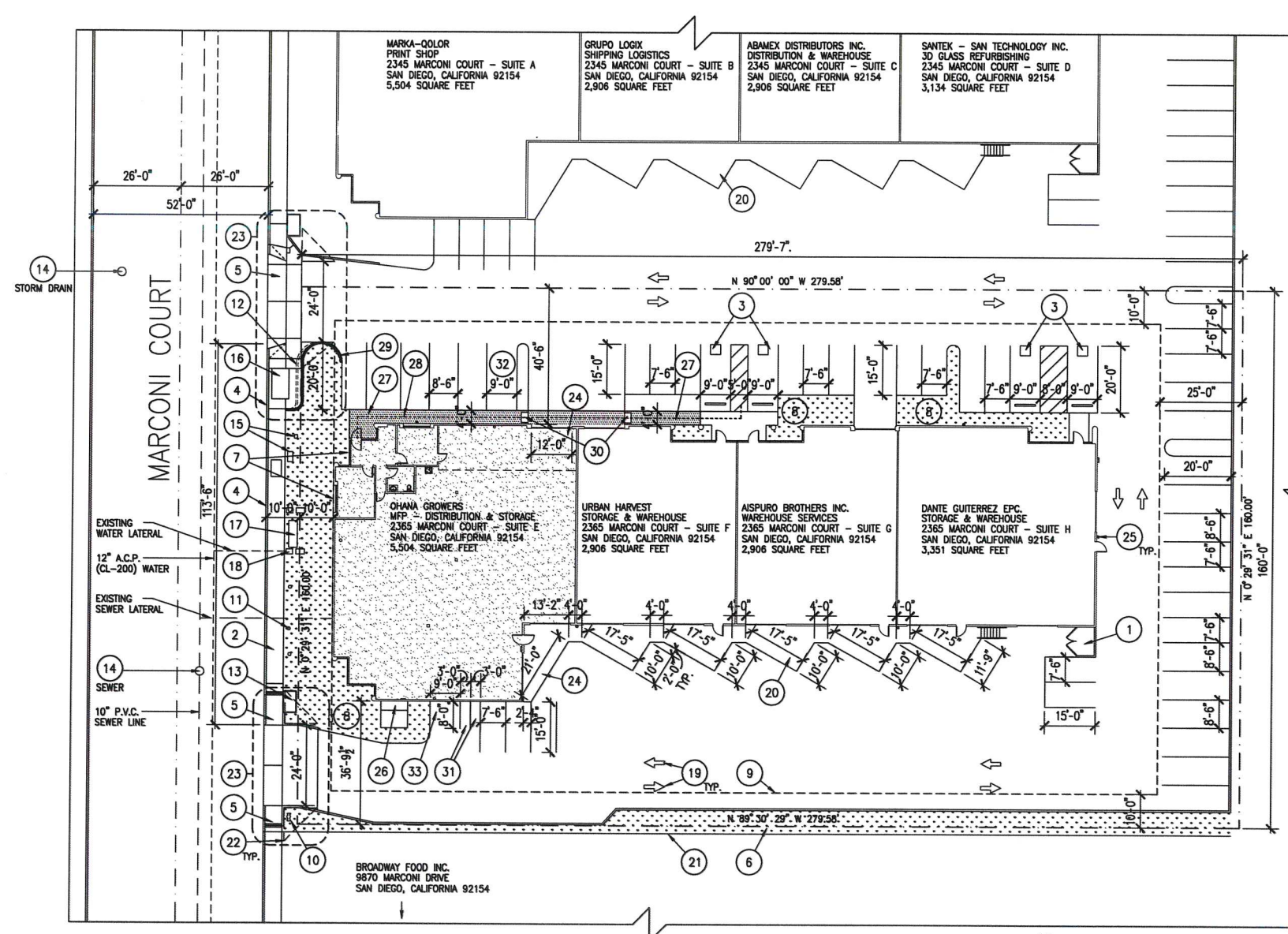
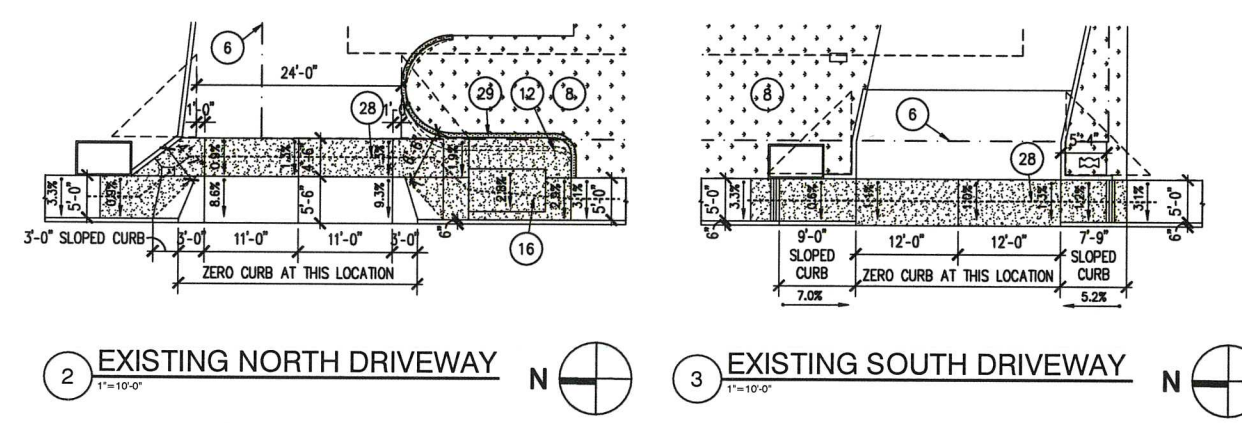
**LEGAL DESCRIPTION:**  
SEE EXHIBIT A ON SHEET A0.2

**BUILDING DATA:**  
APN: 846-160-11-01  
PROPOSED USE: MARIJUANA PRODUCTION FACILITY  
CONSTRUCTION TYPE: V-B  
FIRE SPRINKLERS: YES  
YEAR BUILT: 1991  
BUILDING HEIGHT: 28'-0"  
BUILDING ZONING: IL-2-1 (INDUSTRIAL LIGHT)  
OVERALL BUILDING AREA: 14,667 SQ.FT.  
FLOOR AREA RATIO: 0.3278  
SITE AREA: 1.03 ACRES (44,732 SQ.FT.)  
LANDSCAPE AREA: 3,139 SQ.FT.



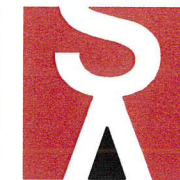
- KEY NOTES - SITE PLAN:**
- 18 EXISTING 2" WATER METER
  - 19 TRAFFIC FLOW
  - 20 4'-0" HIGH LOADING DOCK
  - 21 EXISTING 42" HIGH GUARD RAIL
  - 22 VISIBILITY AREA (SEE NOTE 2)
  - 23 SEE ENLARGED PLAN OF EXISTING DRIVEWAY/ DRIVEWAY CURB RAMP. SEE DETAILS 2/A0.1 & 3/A0.1
  - 24 LOADING AND UNLOADING AREA
  - 25 EXISTING BUILDING MOUNTED WALL PAC LIGHT
  - 26 EXISTING BUILDING SWITCHGEAR
  - 27 NEW 4' WIDE SIDEWALK FROM ADA STALLS TO SUITE E. 2% CROSS SLOPE MAXIMUM
  - 28 DASHED LINE INDICATES EXISTING ADA PATH OF TRAVEL - SEE EXISTING CROSS SLOPE NUMBERS
  - 29 RECONSTRUCT RETAINING WALL AND CURB OUTSIDE OF PUBLIC RIGHT OF WAY (SHOWN HATCHED)
  - 30 NEW TRUNCATED DOMES
  - 31 MOTORCYCLE PARKING - 3'-0" x 8'-0" (2 SPACES)
  - 32 CARPOOL AND ZERO EMISSIONS PARKING STALL PER SDMC 142.0530(D)
  - 33 SHORT TERM AND LONG TERM BICYCLE PARKING PER SDMC 142.0530(E)
  - 1 EXISTING TRASH ENCLOSURE
  - 2 EXISTING 5' WIDE SIDEWALK TO REMAIN
  - 3 EXISTING ADA PARKING STALL TO REMAIN LEVEL WITH ASPHALT AS NEEDED NOT TO EXCEED 2% IN ANY DIRECTION
  - 4 EXISTING CURB TO REMAIN
  - 5 EXISTING CURBCUT TO REMAIN
  - 6 PROPERTY LINE
  - 7 FHPS COMPLIANT ADDRESS SIGNS
  - 8 EXISTING LANDSCAPED AREA
  - 9 BUILDING SETBACK
  - 10 EXISTING FIRE HYDRANT
  - 11 EXISTING LIGHT POLE TO REMAIN, TYP.
  - 12 EXISTING 2" HIGH RETAINING WALL TO BE REMOVED (SHOWN DASHED)
  - 13 EXISTING TRANSFORMER TO REMAIN
  - 14 EXISTING MANHOLE COVER
  - 15 EXISTING PHONE BOX
  - 16 SDG&E SIDEWALK VAULT W/ SLIP RESISTANT COVER
  - 17 EXISTING BACKFLOW PREVENTOR

SITE PARKING (FOR BOTH 2345 & 2365 MARCONI COURT): SEE SHEET A0.2 FOR OVERALL SITE PLAN OF BOTH PARCELS.	6
ADA COMPLIANT STALLS PARKING STALLS	87
TOTAL STALLS	93



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Sep 24, 2018 - 3:50pm Trevin Schall  
C:\Users\Trevin.Schall\Google Drive\Schall Architects\2018 - Schall Architects\2018076 - 2365 Marconi Court\2018076 - 2365 Marconi Court.dwg  
Layout Name: New Site Plan



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SEPTEMBER 24, 2018

**2365 MARCONI COURT**  
**SUITE E**  
**SAN DIEGO, CALIFORNIA 92154-7265**

PROJECT NO:  
2018076

SHEET TITLE  
**OVERALL SITE PLAN**

SHEET NO:

**A0.2**

**LEGAL DESCRIPTION**

**EXHIBIT "A"**

A CONDOMINIUM COMPRISED OF:

PARCEL 1:

Unit No.E, as shown and described on the Condominium Plan (Marconi Court) recorded in the Office of the County Recorder of San Diego County on August 15, 2013 as Document No. 2013-0513728, as amended by the Amended and Corrected Condominium Plan, recorded in the Office of the County Recorder of San Diego County, State of California, on August 28, 2013 as Document No. 2013-0536778 (collectively, "Condominium Plan"), which is located within Parcel 1 and 2 of Map No. 21065, in the City of San Diego, County of San Diego, State of California ("Map"). All defined terms used herein shall have the same meanings set forth in the Declaration referenced below and in the Condominium Plan.

PARCEL 2:

An undivided fee simple interest as a tenant in common in and to the Common Area equal to the reciprocal of the number of Units within the Project, as shown on the Condominium Plan.

PARCEL 3:

An exclusive easement over the portion of the Association Property designated in the Condominium Plan as an Exclusive Use Loading Dock appurtenant to the Unit described above.

PARCEL 4:

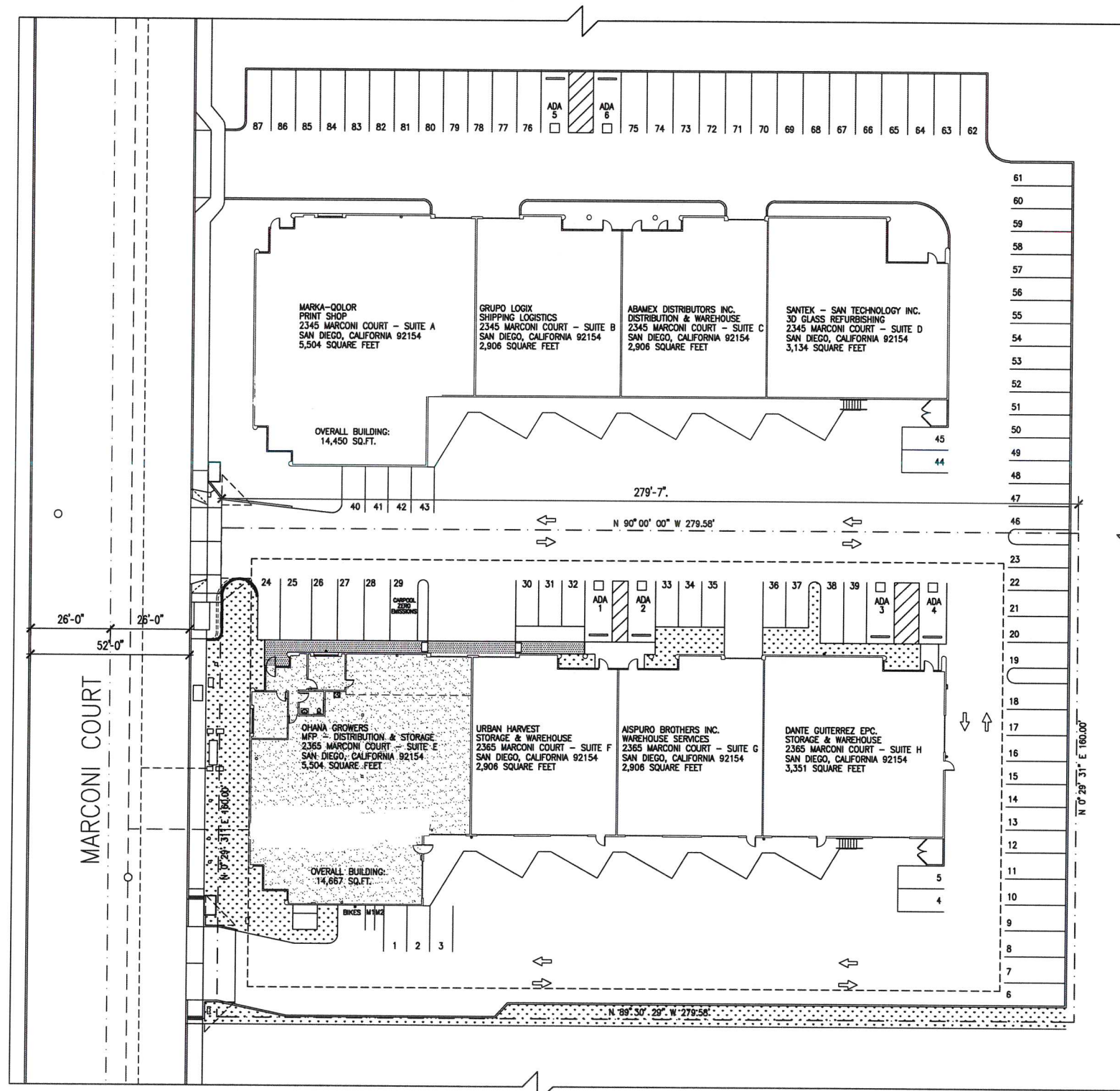
Non-exclusive, appurtenant easements in and to the Association Property shown on the Condominium Plan, for use thereof pursuant to the terms of the Declaration, subject to any Exclusive Use Easements and other reservations and easements set forth in the Declaration. The Association Property referred to herein shall be shown and described on the Condominium Plan, excepting therefrom any portion thereof which may be designated as an Exclusive Use Easement.

Reserving from Parcels 1 through 4 above, all easements described in the Declaration, the Condominium Plan, the Map, and all other easements of record.

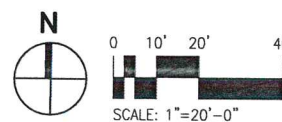
The real property conveyed in this Grant Deed ("Property") is conveyed together with a membership in the TSE Marconi Owners Association, a California nonprofit mutual benefit corporation ("Association") and is accepted subject to that certain Declaration of Covenants, Conditions and Restrictions of TSE Marconi recorded in the Office of the County Recorder of San Diego County, California on August 15, 2013 as Document No. 2013-0513728 and any amendments thereto now of record or which will be of record prior to the recordation of this Grant Deed ("Declaration"), which are incorporated herein by reference with the same effect as though fully set forth herein. As more particularly described in the Declaration, the Property is conveyed subject to such easements in favor of the Association as are necessary to perform the duties and obligations of the Association and certain easements reserved by Grantor. Grantee, in accepting this Grant Deed and the conveyance hereunder, does hereby agree, jointly and severally, for the benefit of the Association and each and every one of the other Members of the Association, that Grantee will promptly, fully and faithfully comply with and conform to the Declaration and the Articles of Incorporation and Bylaws of the Association and the Association Rules and Architectural Guidelines referenced in the Declaration. Grantee does hereby agree, jointly and severally, to promptly pay in full any dues, fees or Assessments levied by the Association on the membership conveyed hereby. The obligations of Grantee herein set forth shall be covenants running with the Property, it being understood that the membership in the Association and the obligations thereof will automatically pass to Grantee's successor in title in the Property or otherwise, and shall be binding upon the Grantee, its heirs, devisees, executors, administrators, successors and assigns.

**PARKING TABLE**

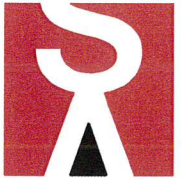
Parking Analysis for 2345 and 2365 Marconi Court - Revised 5/20/18					
Zoning	IL-2-1				
Suite	Name of Establishment	Sq. Ft.	Use	Parking Requirement (of Gross Floor Area)	Parking Spaces Required
A	Mark-A-Qolor	5,504	Print Shop - Commercial Services (L-2-1 Zone)	5 parking spaces per 1,000 square feet	27.52
B	Grupo Logix	2,906	Shipping Logistics - Commercial Services (L-2-1 Zone)	5 parking spaces per 1,000 square feet	14.53
C	Abra Mex Distributors	2,906	Distribution & Warehouse - Distribution & Storage	1 parking space per 1,000 square feet	2.91
D	Santek	3,134	D Glass Refurbishing - Light Industrial	2.5 parking spaces per 1,000 square feet	7.84
E	Ohana Growers	5,504	MFP - Light Industrial - Distribution & Storage	2.5 parking spaces per 1,000 square feet	13.76
F	Urban Harvest	2,906	Storage and Warehouse - Distribution & Storage	1 parking space per 1,000 square feet	2.91
G	Aispuro Brothers	2,906	Warehouse services	1 parking space per 1,000 square feet	2.91
H	Dante Gutierrez Epc.	3,351	Storage and Warehouse	1 parking space per 1,000 square feet	3.35
	<b>Total Square Footage</b>	<b>29,117</b>		<b>1 parking space per 1,000 square feet</b>	<b>75.51</b>
	<b>Total Parking Spaces Required</b>				<b>76</b>
	<b>Existing ADA Compliant Parking Stalls</b>				<b>6</b>
	<b>Existing Regular Parking Stalls</b>				<b>82</b>
	<b>Total Parking Stalls Available</b>				<b>88</b>
	<b>Total Extra Parking Stalls = 88 - 76 = 12</b>				<b>12</b>



**1 OVERALL SITE PLAN**  
1"=20'-0"



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 Sep 24, 2018 - 3:51 pm Trevin Schall  
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 Layout Name: Overall Site Plan



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SEPTEMBER 24, 2018

**2365 MARCONI COURT**  
**SUITE E**  
**SAN DIEGO, CALIFORNIA 92154-7265**

PROJECT NO:  
2018076

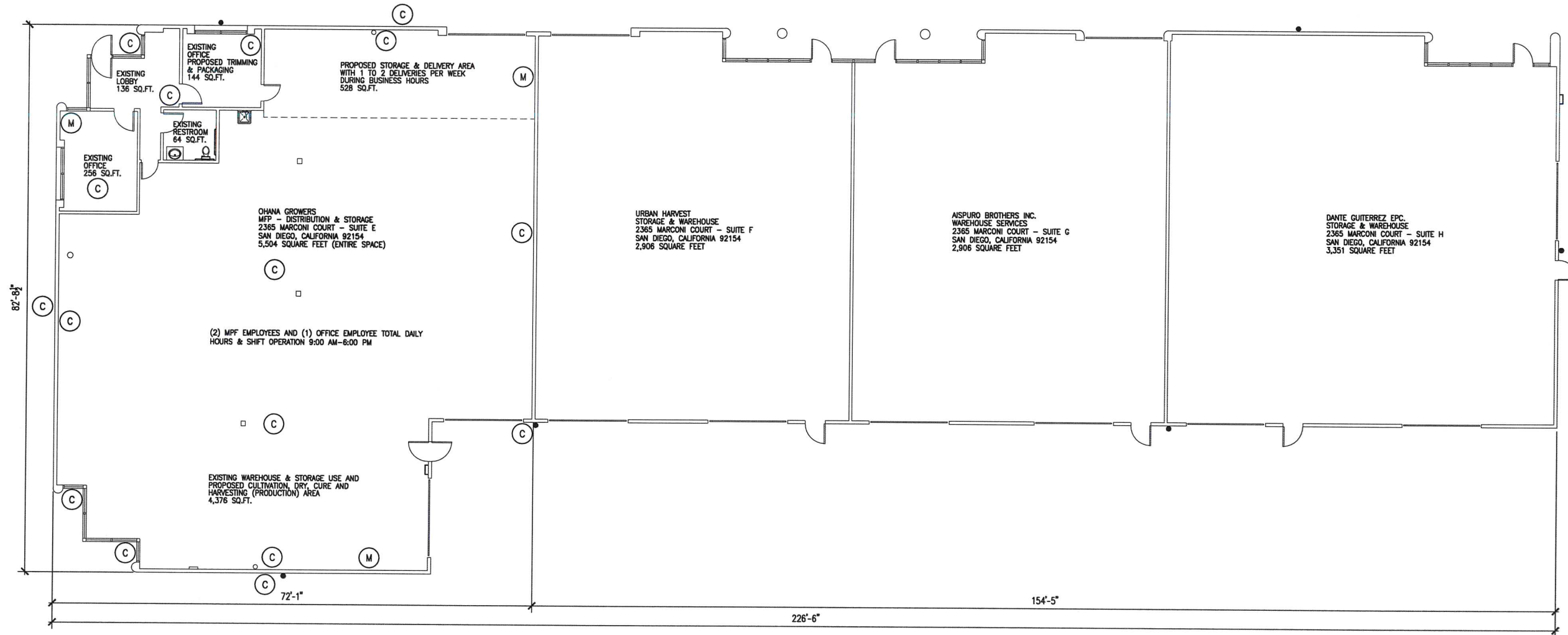
SHEET TITLE  
**EXISTING FLOOR PLAN**

SHEET NO:

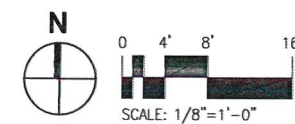
**A2.1**

**KEY NOTES - FLOOR PLAN:**

- (C) SECURITY CAMERA LOCATION
- (M) SECURITY CAMERA MONITORING STATION



**1 EXISTING FLOOR PLAN**  
1/8"=1'-0"



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Layout Name: Floor Plan