

To: Neil Dutta[neil@neildutta.com]
Cc: Jim Bartell[jim@bartellassociates.com]; Larry Geraci[Larry@tfcisd.net]
From: Abhay Schweitzer
Sent: Wed 10/19/2016 8:35:14 AM
Importance: Normal
Subject: Re: FW: Federal Blvd. - Zoning
Received: Wed 10/19/2016 8:35:26 AM

Court's Ex. **018**
Case # 37-2017-00010073-CU-BC-CTL
Rec'd _____
Dept. **C-73** Clk. _____

Neil,

This works for me. I believe this should be a question we pose during the Preliminary Review. Certainly Gina should weigh in as well.

Thank you

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On Tue, Oct 18, 2016 at 6:21 PM, Neil Dutta <neil@neildutta.com> wrote:

Jim,

I spoke with Brandon and he brought this up during one of our meetings a few months back. Basically the city's municipal code conflicts with the bulletin they released on July 2014. The city absolutely knows about that is but keeps it vague and conflicting to make these impossible to open. This is where we need your help just like with Gila there was conflicting information. But if planning denies the application on the grounds of the municipal code couldn't we technically sue the city to honor this bulletin? Gina should probably weigh in that is my stance.

The bulletin clearly says CO-2-1 is allowed which conflicts with the municipal code.

residential zone.

D. MMCCs are allowed only in the following

zones. IB-1, IB-2-1, IB-2-2, CC-2-1, CC-2-2, CC-2-3; CR-2-1; CO-2-1; CO-2-2; and within the following Planned Districts; Barrio Lo-

gan (Subdistrict D), Carmel Valley (EC & SP), Centre City (WM, I, T & CC), Mission Valley (CO, CV & CR-without residential), San Ysidro (Commercial Zones 1, 2 & 3 and I-1 Industrial Zones) and Southeastern San Diego (Commercial Zones 1, 2 & 3 and I-1 Industrial Zones).

III. OPTIONS FOR SERVICE

On Tue, Oct 18, 2016 at 3:55 PM, Jim Bartell <jim@bartellassociates.com> wrote:

From: Abhay Schweitzer [mailto:abhay@techne-us.com]
Sent: Tuesday, October 18, 2016 3:47 PM
To: Jim Bartell
Subject: Federal Blvd. - Zoning

Jim,

I checked the zoning for the Federal Blvd project and its CO-2-1.

Results for: 6176 FEDERAL BL

Zone(s) per Official Zoning Map:

Name	Abbreviated Name	
CO-2-1	CO-2-1	More Info

Map Sheets:

I then checked that zone to see if the MMCC would be conditionally allowed and it clearly says no:

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones															
	1st & 2nd >>	CN ⁽¹⁾					CR-		CO-						CV-		CP-
	3rd >>	1-					1-	2-	1-	2-		3-		1-	1-		
	4th >>	1	2	3	4	5	1	1	1	2	1	2	1	2	1	2	1
Body Painting Studio		L					L	L	-	-	-	-	L	-			
Massage Establishment		L					L	L	-	-	-	-	-	-			
Sexual Encounter Establishment		L					L	L	-	-	-	-	L	-			
Assembly and Entertainment Uses, Including Places of Religious Assembly		L ⁽¹⁰⁾					L	L	L	L	L	L	L ⁽¹⁰⁾	-			
Bed & Breakfast Establishments:																	
1-2 Guest Rooms		-					P	P	-	-	-	-	P	-			
3-5 Guest Rooms		-					P	P	-	-	-	-	P	-			
6+ Guest Rooms		-					P	P	-	-	-	-	P	-			
Boarding Kennels/Pet Day Care		L					L	L	N	N	-	-	N ⁽¹⁰⁾	-			
Camping Parks		-					C	C	C	C	-	-	C	-			
Child Care Facilities:																	
Child Care Centers		L					L	-	L	L	L	L	L ⁽¹⁰⁾	-			
Large Family Child Care Homes		L					L	-	L	L	L	L	L ⁽¹⁰⁾	-			
Small Family Child Care Homes		L					L	-	L	L	L	L	L	-			
Eating and Drinking Establishments with a Drive-in or Drive-through Component		-	C	-	-	-	P		P		P	-	P	-	-		
Fairgrounds		-					C	C	-	-	-	-	C	-			
Golf Courses, Driving Ranges, and Pitch & Putt Courses		-					C	C	C	C	-	-	C	-			
Helicopter Landing Facilities		-					C	C	C	C	C	C	C ⁽¹⁰⁾	-			
Massage Establishments, Specialized Practice		L					L	L	-	-	-	-	L ⁽¹⁴⁾	-			
Medical Marijuana Consumer Cooperatives		-					-	C	-	-	-	-	-	-			
Mobile Food Trucks		L ⁽¹⁵⁾					L ⁽¹⁵⁾	L ⁽¹⁵⁾	L ⁽¹⁵⁾	L ⁽¹⁵⁾	L ⁽¹⁵⁾	L ⁽¹⁵⁾	L ⁽¹⁵⁾	L ⁽¹⁵⁾			
Nightclubs & Bars Over 5,000 Square Feet		-					C	C	C	C	C	C	C	-			

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