



THE CITY OF SAN DIEGO

## Report to the Hearing Officer

DATE ISSUED: October 10, 2018 REPORT NO. HO-18-097

HEARING DATE: October 17, 2018

SUBJECT: Federal Blvd. Marijuana Outlet, Process Three Decision

PROJECT NUMBER: 598124

OWNER/APPLICANT: John Ek, Owner/2018FMO, LLC, Applicant

### SUMMARY

Issue: Should the Hearing Officer approve the construction of a two-story commercial building for a proposed Marijuana Outlet on Federal Boulevard at Assessor's Parcel Number 543-020-0400 within the Encanto Neighborhoods Community Plan area?

Staff Recommendation: Approve Conditional Use Permit No. 2114346.

Community Planning Group Recommendation: On September 17, 2018, the Encanto Neighborhoods Community Planning Group voted 7-4-1 to recommend approval (Attachment 9).

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 (c) (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 August 30, 2018, and the opportunity to appeal that determination ended September 14, 2018.

### BACKGROUND

In 1996, the people of the State of California passed Proposition 215, the Compassionate Use Act, which allows the use of marijuana for medical purposes when recommended by a physician and exempts the patient and the primary caregiver from criminal prosecution. In 2004, Senate Bill 420, the Medical Marijuana Program Act (MMP) became law. The MMP requires the California Department of Public Health (DPH) to establish and maintain a program for the voluntary registration of qualified medical marijuana patients and their primary caregivers through a statewide identification card system, sets possession guidelines for cardholders, and recognizes a



THE CITY OF SAN DIEGO

Magagna @  
3279 National Ave

## Report to the Hearing Officer

DATE ISSUED: February 12, 2019 REPORT NO. HO-19-016

HEARING DATE: February 20, 2019

SUBJECT: MPF 3279 NATIONAL AVENUE, Process Three Decision

PROJECT NUMBER: 585635

OWNER/APPLICANT: Aaron Magagna

### SUMMARY

Issue: Should the Hearing Officer approve a Marijuana Production Facility within an existing 3,390 square-foot building located at 3279 National Avenue, within the Southeastern San Diego Community Plan area?

#### Staff Recommendations:

1. Approve Conditional Use Permit No. 2068128; and
2. Approve Neighborhood Development Permit No. 2246456.

Community Planning Group Recommendation: On November 19, 2018, the Southeastern San Diego Planning Group voted 5-1-0 to recommend approval of the project with "two recommendations of adding conditions for a 24-hour, 7-day-per-week security guard and extra exterior lighting above what the City requires to prevent the building from being a target of thieves" (Attachment 8).

Environmental Review: This project was determined to be **categorically exempt** from the California Environmental Quality Act (CEQA) pursuant to CEQA section 15301, Existing Facilities (Attachment 7). The environmental exemption determination for this project was made on October 11, 2018, and the opportunity to appeal that determination ended October 25, 2018. Two appeals of the environmental determination were previously filed. The appeals were withdrawn on January 7, 2019 and January 8, 2019. The scope of the subject hearing only includes the project, and not the environmental determination.

### BACKGROUND

The 0.16-acre project site is located at 3279 National Avenue in the IL-3-1 Zone, the Transit Priority Area Overlay Zone, Special Flood Hazard Area (100-year Floodplain), and the San Diego Promise

# Remaining Cycle Issues

11/15/16 11:05 am

THE CITY OF SAN DIEGO  
Development Services Department  
1222 First Avenue, San Diego, CA 92101-4154

L64A-003A-2

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Geraci on Behalf of Cotton  
@ 6176 Federal

Cleared?	Issue Num	Issue Text
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<input type="checkbox"/>	4	For questions concerning this Cycle Issues Report, please contact me at:
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Nathan White  
ngwhite@sandiego.gov

Full-Submittal or Re-Submittal is required within 90 DAYS of this Cycle Issues Report.

If the Submittal is not received within 90 DAYS, the project will be considered abandoned and closed.

If you are unable to proceed with the Full-Submittal or Re-Submittal within 90 days, please contact me directly.

No further notice will be given.

(New Issue)

<input type="checkbox"/>	5	Provide a Climate Action Plan (CAP) Consistency Checklist. The following is the link to the Checklist form
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[https://www.sandiego.gov/sites/default/files/city\\_of\\_san\\_diego\\_cap\\_checklist\\_071316.pdf](https://www.sandiego.gov/sites/default/files/city_of_san_diego_cap_checklist_071316.pdf)

The purpose of the CAP Checklist is to, in conjunction with the CAP, provide a streamlined review process for proposed new development projects that are subject to discretionary review & trigger environmental review pursuant to the California Environmental Quality Act. For more information refer to the Planning Department's website at: [www.sandiego.gov/planning/genplan/cap](http://www.sandiego.gov/planning/genplan/cap)

(New Issue)

<input type="checkbox"/>	6	Information Only: Scope:
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ENCANTO NEIGHBORHOODS SOUTHEASTERN - (Process 3) Conditional Use Permit for the Medical Marijuana Consumer Cooperative located in the proposed new 1,955 square foot commercial development. The 0.14 acre site is located at 3452 Hancock St. in the CO-2-1 base zone of the Encanto Neighborhoods: Southeastern community plan within council district 4.

(New Issue)

## 3.0 - Historic Resources Info

Cleared?	Issue Num	Issue Text
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<input type="checkbox"/>	7	3.1 - Potential Historical Resource:
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If the project site contains a structure that is 45 or more years old AND is not a designated Historic Site / Structure or in a Historic District, see Information Bulletin 580 (Potential Historical Resource Review) for submittal requirements.

(New Issue)

<input type="checkbox"/>	8	3.2 - Designated Historical Site or District:
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If the project site / structure is designated Historical OR located within a Historical District, see Information Bulletin 581 (Designated Historical Resource Review) for submittal requirements.

(New Issue)

## 4.0 - Public Notice Package

Cleared?	Issue Num	Issue Text
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<input type="checkbox"/>	9	4.1 - CD-R:
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Provide a CD-R or USB flash drive with owner/occupant information. Labeled "Public Noticing" with Project Number.

(New Issue)

<input type="checkbox"/>	10	4.4 - Supplemental Discretionary Project Application (DS-3035):
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Complete, sign, and date.

(New Issue)

## 9.0 - General Reg. Plans

Cleared?	Issue Num	Issue Text
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For questions regarding the 'Completeness Check - Dev' review, please call Nathan White at (619) 446-5481. Project Nbr: 520606 / Cycle: 2

p2k v 02.03.38

DSD Reports 446-5000