

**RECORDING REQUESTED BY:**

City of San Diego  
Development Services  
Permit Intake, Mail Station 501

**WHEN RECORDED RETURN TO:**

Project Management  
Permit Clerk, Mail Station 501

DOC# 2021-0274778



Apr 08, 2021 04:00 PM

OFFICIAL RECORDS  
Ernest J. Dronenburg, Jr.,  
SAN DIEGO COUNTY RECORDER  
FEES: \$20.00 (SB2 Atkins: \$0.00)

PAGES: 3

**SPACE ABOVE THIS LINE FOR RECORDER'S USE**

**CANCELLATION OF CONDITIONAL USE PERMIT NO. 2038237  
MO 11189 Sorrento Valley Road, Unit 103 (PTS #559038)**

WHEREAS, on March 29, 2021, John Kraemer (BEACHWALK PROPERTIES, INC. - PROPERTY OWNER) and Erin Phillips (STWC SORRENTO VALLEY, LLC - APPLICANT), filed a request with the City of San Diego pursuant to San Diego Municipal Code (SDMC) 126.0110 to cancel MO 11189 Sorrento Valley Road Unit 103 Conditional Use Permit No. 2038237 (County Recorder 2020-0093971) from a portion of Lot 3 of Torrey Knolls Park, Map No. 7991; and

WHEREAS, the project site is located at 11189 Sorrento Valley Road, Unit 103, in the IL-3-1 Zone within the Torrey Pines Community Plan, and Council District 1; and

WHEREAS, the project site is legally described as:

UNIT 103 AS SHOWN AND DEFINED ON THAT CERTAIN CONDOMINIUM PLAN VENTURE COMMERCE CENTER SORRENTO, RECORDED AUGUST 21, 2008 AS INSTRUMENT NO. 2008-0449961 OF OFFICIAL RECORDS, TOGETHER WITH AN APPURTENANT UNDIVIDED 3.95%, PERCENTAGE INTEREST IN AND TO THE COMMON AREA, BEING A PORTION OF LOT 3 OF "TORREY KNOLLS PARK", IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 7991, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON JULY 31, 1974; AND SAID COMMON AREA IS FURTHER DEFINED AND DESCRIBED IN THAT CERTAIN DECLARATION OF COVENANTS AND RESTRICTIONS ESTABLISHING PLAN FOR CONDOMINIUM OWNERSHIP FOR VENTURE COMMERCE CENTER - SORRENTO, RECORDED AUGUST 21, 2008 AS INSTRUMENT NO. 2008-0449962 OF OFFICIAL RECORDS; and

WHEREAS, Conditional Use Permit No. 2038237 was approved by the Hearing Officer of the City of San Diego on November 20, 2019 per Resolution No. HO-7293; and

WHEREAS, Conditional Use Permit No. 2038237 was issued to "BEACHWALK PROPERTIES, INC., A CALIFORNIA CORPORATION, OWNER, AND STWC SORRENTO VALLEY, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, PERMITTEE," to operate a Marijuana Outlet within a 1,767 square-foot-tenant space within an existing five-unit commercial condominium complex described and identified by size,

dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated November 20, 2019, on file in the Development Services Department; and

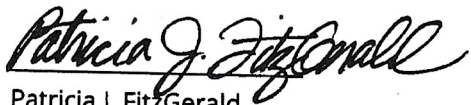
WHEREAS, on April 5, 2021, City of San Diego Development Services Department determined that Conditional Use Permit No. 2038237 has not been utilized; and

WHEREAS, San Diego Municipal Code (SDMC) 126.0110 provides that a permit holder may request cancellation of a development permit at any time before utilization of the permit;

NOW, THEREFORE,

BE IT RESOLVED, by the undersigned that Conditional Use Permit No. 2038237 (MO 11189 Sorrento Valley Road Unit 103) is hereby cancelled and is no longer in effect on the project site herein described.

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT



Patricia J. FitzGerald  
Deputy Director, Cannabis Business Division  
Development Services Department

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

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

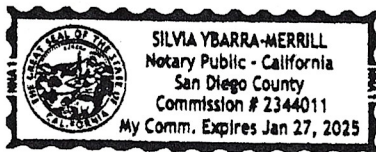
State of California )  
County of San Diego )

On April 8, 2021 before me, Silvia Ybarra-Merrill, Notary Public  
Date Here Insert Name and Title of the Officer  
personally appeared Patricia J. FitzGerald  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Signature]  
Signature of Notary Public

Place Notary Seal Above

## OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

### Description of Attached Document

Title or Type of Document: Cancellation of Conditional Use Permit No. 2038237  
Document Date: \_\_\_\_\_ Number of Pages: 2  
Signer(s) Other Than Named Above: \_\_\_\_\_

### Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Individual ☐ Attorney in Fact  
☐ Trustee ☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

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☐ Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_