

DOC# 2021-0319530



Apr 26, 2021 02:57 PM

OFFICIAL RECORDS

Ernest J. Dronenburg, Jr.,

SAN DIEGO COUNTY RECORDER

FEES: \$50.00 (SB2 Atkins: \$0.00)

PAGES: 13

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: 24008466

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 2372402
HARBOR COLLECTIVE CANNABIS OUTLET - PROJECT NO. 652745
AMENDMENT TO CONDITIONAL USE PERMIT NO. 1337996
HEARING OFFICER

This Conditional Use Permit No. 2372402 (Amendment to Conditional Use Permit No. 1337996) is granted by the Hearing Officer of the City of San Diego to Basil Shamoun, Owner and NS Harbor, Inc, a California Corporation, Permittee, pursuant to San Diego Municipal Code [SDMC] Section 126.0305. The 0.04-acre site is located at 2405 Harbor Drive in the Barrio Logan Planned District (BLPD-Subdistrict D) and the IH-2-1 Zone, Airport Influence Area (San Diego International Airport), Transit Priority Area, Parking Impact Overlay Zone, Coastal Overlay Zone (Non-Appealable Review Area 2), and First Public Roadway within the Barrio Logan Community Plan area. The project site is legally described as: Lots 47 & 48, Map 379, October 30, 1886 and Resolution No. 141796, September 20, 1957, Book 6756, Page 532.

Subject to the terms and conditions set forth in this Permit, permission to amend previously approved Conditional Use Permit No. 1337996 regarding continued sales of cannabis/cannabis products at an existing 1,083-square-foot facility, described and Identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated March 24, 2021, on file in the Development Services Department.

The project shall include:

- a. Operation of a Cannabis Outlet (CO) in an existing 1,966-square-foot facility located at 2405 Harbor Drive;
- b. Existing Landscaping (planting, irrigation and landscape related improvements);
- c. Existing Off-street parking;
- 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 Conditional Use Permit [CUP] and corresponding Cannabis Outlet use of this site shall expire on June 25, 2026.
2. 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.
3. 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.
4. 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.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. 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.).
7. 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.
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" 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.

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.

CLIMATE ACTION PLAN REQUIREMENTS:

11. Owner/Permittee shall comply with the Climate Action Plan (CAP) Consistency Checklist stamped as Exhibit "A." Prior to issuance of any construction permit, all CAP strategies shall be noted within the first three (3) sheets of the construction plans under the heading "Climate Action Plan Requirements" and shall be enforced and implemented to the satisfaction of the Development Services Department.

PLANNING/DESIGN REQUIREMENTS:

12. Lighting shall be provided to illuminate the interior, facade, and the immediate surrounding area of the cannabis outlet, including any accessory uses, parking lots, and adjoining sidewalks. Lighting shall be hooded or oriented to deflect light away from adjacent properties.

13. Security shall be provided at the cannabis outlet 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.

14. Signage: Primary signs shall be posted on the outside of the cannabis outlet and shall only contain the name of the business, which shall contain only alphabetic characters, and shall be limited to two colors. Secondary signs advertising cannabis, window signs and any display visible from the public right-of-way, are not permitted. No marketing or advertising for cannabis or cannabis products shall be displayed visible from the public right-of-way. All cannabis licensees, and any person acting on behalf of a licensee, must comply with the State of California statutes and regulations governing commercial cannabis advertising and/or promoting.
15. The name and emergency contact phone number of the designated responsible managing operator shall be posted in a location visible from outside the cannabis outlet in character size at least two inches in height.
16. The cannabis outlet shall operate only between the hours of 7:00 a.m. and 9:00 p.m., seven days a week.
17. The use of vending machines which allow access to cannabis and cannabis products except by a responsible person, as defined in San Diego Municipal Code Section 42.1502, is prohibited. For purposes of this Section, a vending machine is any device which allows access to cannabis and cannabis products without a human intermediary.
18. An annual operating permit shall be obtained as required pursuant to Chapter 4, Article 2, Division 15.
19. Deliveries shall be permitted as an accessory use only from cannabis outlets with a valid Conditional Use Permit unless otherwise allowed pursuant to state law.
20. The cannabis outlet, adjacent public sidewalks, and areas under the control of the cannabis outlet, shall be maintained free of litter and graffiti at all times.
21. The cannabis outlet shall provide daily removal of trash, litter, and debris. Graffiti shall be removed from the premises within 24 hours.
22. Consultations by medical professionals shall not be a permitted accessory use at a cannabis outlet.

TRANSPORTATION REQUIREMENTS:

23. There is not a minimum parking requirement for this site per SDMC 142.0504(a) and Table 142-05H. The lot size is less than 10,000 square feet and there is no alley access. The project will maintain the four existing on-street parking spaces along the site's frontage.
24. The Cannabis Outlet must permanently maintain off-site, off-street employee parking.

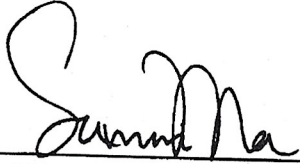
INFORMATION ONLY:

- 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.
- Cannabis businesses that operate or provide services within the City of San Diego are liable for a monthly gross receipts tax. As referenced in San Diego Municipal Code Section 34.0103 (b), taxable activities include but are not limited to, transporting, manufacturing, cultivating, packaging, or retail sales of cannabis and any ancillary products in the City. For additional information, contact the Office of the City Treasurer at (619) 615-1580.

APPROVED by the Hearing Officer of the City of San Diego on March 24, 2021 and HO-7378.

Permit Type/PTS Approval No.: 2372402
Date of Approval: March 24, 2021

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT



Sammi Ma
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.**

BASIL SHAMOUN
Owner

By 
Basil Shamoun

NS HARBOR, INC
Permittee

By 
Noel Shamoun

**NOTE: Notary acknowledgments
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 22, 2021 before me, Silvia Ybarra-Merrill, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Sammi Ma
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: Harbor Collective Cannabis Outlet, Project. No. 652745

Document Date: _____ Number of Pages: _____

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: _____

Signer's Name: _____

- ☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

ORIGINAL

CALIFORNIA ALL- PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

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 9, 2021 before me, Jessica Garcia, Notary Public
(Here insert name and title of the officer)

personally appeared Basil Shamoun and Noel Shamoun,
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.


Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Conditional Use Permit

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____ Document Date _____

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
☐ Corporate Officer

(Title)

- ☐ Partner(s)
☐ Attorney-in-Fact
☐ Trustee(s)
☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.

ORIGINAL

HEARING OFFICER
RESOLUTION NO. 7378
CONDITIONAL USE PERMIT NO. 2372402
HARBOR COLLECTIVE CANNABIS OUTLET - PROJECT NO. 652745
AMENDMENT TO CONDITIONAL USE PERMIT NO. 1337996

WHEREAS, Basil Shamoun, Owner and NS Harbor, Inc, a California Corporation, Permittee, filed an application with the City of San Diego to amend previously approved Conditional Use Permit No. 1337996 regarding continued sales of cannabis/cannabis products at an existing 1,083-square-foot facility located at 2405 East Harbor Drive (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 2372402), on portions of a 0.04-acre site; and

WHEREAS, the project site is located at 2405 Harbor Drive in the Barrio Logan Planned District (BLPD-Subdistrict D) and the IH-2-1 Zone, Airport Influence Area (San Diego International Airport), Transit Priority Area, Parking Impact Overlay Zone, Coastal Overlay Zone (Non-Appealable Review Area 2), and First Public Roadway within the Barrio Logan Community Plan area; and

WHEREAS, the project site is legally described as Lots 47 & 48, Map 379, October 30, 1886 and Resolution No. 141796, September 20, 1957, Book 6756, Page 532; and

WHEREAS, on October 20, 2020, 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; and

WHEREAS, on June 2, 2020, the San Diego City Council approved interim urgency Ordinance O-21198 which granted a 365-day extension of the expiration date of Development Permits,

including Cannabis Conditional Use Permits issued under SDMC Section 141.0504 or Section 141.1004 that had not expired prior to March 12, 2020 and had been utilized as of the effective date of the Ordinance (June 2, 2020) and previously issued Conditional Use Permit No. 1296130 met both these criteria and so the permit expiration was legislatively extended to June 25, 2021; and

WHEREAS, on March 24, 2021, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 2372402 pursuant to the Land Development Code of the City of San Diego; NOW THEREFORE,

BE IT RESOLVED by the Hearing Officer of City of San Diego, that it adopts the following findings with respect to Conditional Use Permit No. 2372402:

A. CONDITIONAL USE PERMIT FINDINGS [SDMC Section 126.0305]

1. The proposed development will not adversely affect the applicable land use plan.

The proposed project is a request to amend previously approved Conditional Use Permit (CUP) No. 1337996 to allowed continued sales of cannabis/cannabis products at an existing 1,083-square-foot tenant space within an existing 1,966-square-foot, one-story building at 2405 East Harbor Drive. The 0.04-acre site is in the Barrio Logan Planned District (BLPD-Subdistrict D) and the IH-2-1 Zone, Airport Influence Area (San Diego International Airport), Transit Priority Area, Parking Impact Overlay Zone, Coastal Overlay Zone (Non-Appealable Review Area 2), and First Public Roadway within the Barrio Logan Community Plan area.

The project site is designated for Exclusively Industrial land use within the Barrio Logan/Harbor 101 Community Plan. Barrio Logan is a mixed-use waterfront community that has mostly industrial uses. The community plan encourages residential and industrial coexistence by strengthening its housing, commercial and industrial assets. Industrial Heavy zones are intended for land-intensive industrial activities emphasizing base-sector manufacturing. IH-2-1 allows manufacturing uses with some office. The 0.04-acre project site is zoned both BLPD-Subdistrict D and the IH-2-1, however, the existing Medical Marijuana Consumer Cooperative (MMCC)/proposed Cannabis Outlet (CO) is located within the BLPD-Subdistrict D. The existing tenant suite was improved to meet applicable building code standards for the retail sales of cannabis per conditions of CUP No. 1337996. The surrounding parcels are within the BLPD-Subdistrict D or IH-2-1 zones, and the existing uses are consistent with the land use designation.

On June 25, 2015, CUP No. 1337996 was granted by the City of San Diego Planning Commission to the Owner and Permittee to operate a MMCC within the 1,083-square-

foot tenant space. On November 8, 2016, the Control, Regulate and Tax Adult Use of Marijuana Act became law and allowed for recreational cannabis sales in California. On February 22, 2017, the City of San Diego City Council adopted Council Ordinance O-20793, which replaced the MMCC use with a new retail sales use category, Marijuana Outlet (MO). On July 30, 2020, the San Diego Municipal Code (SDMC) was amended by Council Ordinance O-21221. The revisions include replacing the word "marijuana" with "cannabis", to reflect consistency with the State of California cannabis regulation.

The existing CO use, classified as commercial services, is consistent with the Industrial designation of the community plan and is allowed to continue at this location with a CUP. Therefore, the proposed project will not adversely affect the applicable land use plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare.

The proposed project is a request to amend previously approved CUP No. 1337996 to allow continued sales of cannabis/cannabis products at an existing 1,083-square-foot facility located at 2405 East Harbor Drive. The existing tenant space is currently being used for the sale of medicinal and recreational cannabis and cannabis products. The associated building permits, inspections and approvals to establish the retail sales use have been obtained to the satisfaction of the Building Official. All conditions per CUP No. 1337996, including public improvements for the installation of City standard curb, gutter and sidewalk, along the project frontage on East Harbor Drive, were satisfied.

The CUP includes security conditions to improve the safety of the building and the surrounding neighborhood. The proposed CO is subject to specific operational requirements and restrictions as set forth in SDMC Section 141.0504, and must comply with SDMC Chapter 4, Article 2, Division 15, which provides guidelines for required background checks and lawful operation. A review of the San Diego Police Department Call for Service report reveals no significant police activities at the subject location within the past three years. As part of the amendment review, a compliance inspection was conducted to evaluate the current cannabis business operation and latest permitted configuration of the existing facility and no issues were identified.

The proposed project will be required to comply with development conditions as described in CUP No. 2372402. The CUP 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 discretionary permit controlling the development and continued use of this site contains specific regulatory conditions of approval to assure the project's compliance with applicable local, regional, state and federal codes and rules. These regulations, which are implemented and enforced through the permit, are specifically intended to reduce, mitigate and/or prevent all adverse impacts to the public and community at large. Therefore, the proposed project will not be detrimental to the public health, safety and welfare.

3. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The CUP for this project includes various conditions and corresponding exhibits of approval relevant to achieving compliance with the SDMC regulations for a CO, which include parking, signage, lighting, security measures, hours of operation, and site maintenance. No variance or deviations are requested as part of this application, nor are any required to approve the CUP. Therefore, the proposed development will comply with the regulations of the Land Development Code.

4. The proposed use is appropriate at the proposed location.

The proposed project is a request to amend previously approved CUP No. 1337996 to allow continued sales of cannabis/cannabis products at an existing 1,083-square-foot facility located at 2405 East Harbor Drive. The 0.04-acre site is in the Barrio Logan Planned District (BLPD-Subdistrict D) and the IH-2-1 Zone, Airport Influence Area (San Diego International Airport), Transit Priority Area, Parking Impact Overlay Zone, Coastal Overlay Zone (Non-Appealable Review Area 2), and First Public Roadway within the Barrio Logan Community Plan area.

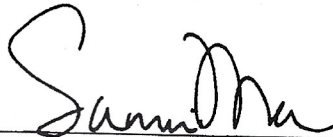
The project site is designated for Exclusively Industrial land use within the Barrio Logan/Harbor 101 Community Plan. Barrio Logan is a mixed-use waterfront community that has mostly industrial uses. The community plan encourages residential and industrial coexistence by strengthening its housing, commercial and industrial assets. Industrial Heavy zones are intended for land-intensive industrial activities emphasizing base-sector manufacturing. IH-2-1 allows manufacturing uses with some office. The 0.04-acre project site is zoned both BLPD-Subdistrict D and the IH-2-1, however, the existing Medical Marijuana Consumer Cooperative (MMCC)/proposed Cannabis Outlet (CO) is located within the BLPD-Subdistrict D. The existing tenant suite was improved to meet applicable building code standards for the retail sales of cannabis per conditions of CUP No. 1337996. The surrounding parcels are within the BLPD-Subdistrict D or IH-2-1 zones, and the existing uses are consistent with the land use designation.

The existing MMCC has been allowed to operate as a CO since February 22, 2017, when the City of San Diego City Council adopted Ordinance O-20793, which replaced the former MMCC use with the current cannabis retail sales use category. COs, classified as commercial services, are allowed in BLPD-Subdistrict D zone with a CUP and are consistent with the land use designation of Industrial use in the Barrio Logan/Harbor 101 Community Plan. The CO use is consistent with the community plan and all land development regulations relevant for the site and is a compatible continued use allowed at this location for another five-year term with approval of a CUP. No deviations are required or requested to approve the CUP. The associated building permits, inspections and approvals to establish the retail sales use have been obtained to the satisfaction of the Building Official and City Engineer. All conditions per CUP No. 1337996, including public improvements for the installation of City standard curb, gutter and sidewalk,

along the project frontage on East Harbor Drive, have been satisfied. The business is current with respect to any tax obligations per the Office of the City Treasurer. Therefore, the proposed continued CO use is appropriate 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. 2372402 is hereby GRANTED by the Hearing Officer to the referenced Owner and Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 2372402, a copy of which is attached hereto and made a part hereof.



Sammi Ma
Development Project Manager
Development Services

Adopted on: March 24, 2021

IO#: 24008466