



City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101

General Application

FORM
DS-3032

SEPTEMBER 2017

1. Approval Type: *Separate electrical, plumbing and/or mechanical permits are required for projects other than single-family residences or duplexes* ☐ Electrical/Plumbing/Mechanical ☐ Sign ☐ Building ☐ Grading ☐ Public Right-of-Way; ☐ Subdivision ☐ Demolition/Removal ☐ Development Approval ☐ Vesting Tentative Map ☐ Tentative Map ☐ Map Waiver
☒ Other: Conditional Use Permit (CUP)

2. Project Address/Location: *Include Building or Suite No.*
3940 Home Avenue San Diego, CA 92105 Suite A

Project Title:
Home Avenue Contemporary Rtl

Project No.: For City Use Only
599099

Legal Description: *(Lot, Block, Subdivision Name & Map Number)*
Lot 5 of Home Avenue Industrial Center, in the city of San Diego, Map No. 5473

Assessor's Parcel Number:
540-581-06

Existing Use: ☐ House/Duplex/Townhouse ☐ Condominium/Apartment ☒ Commercial/Non-Residential ☐ Vacant Land
Proposed Use: ☐ House/Duplex/Townhouse ☐ Condominium/Apartment ☒ Commercial/Non-Residential ☐ Vacant Land

Project Description:

Obtain a Conditional Use Permit to operate a Marijuana Outlet. Make Interior improvements on Suite A of 3940 Home ave. No exterior modifications.

3. Property Owner Name: Robert Khan

Telephone: 858-692-0926

Address:
8820 Canyon Springs Drive

City:
Las Vegas

State:
NV

Zip Code:
89117

E-mail Address:
RBKhan5@gmail.com

4. Permit Holder - This is the property owner, person, or entity that is granted authority by the property owner to be responsible for scheduling inspections, receiving notices of failed inspections, permit expirations or revocation hearings, and who has the right to cancel the approval (in addition to the property owner). SDMC Section 113.0103.

Name: Aaron Magagna

Telephone: 6194050298

Address:
3639 Midway Drive Suite B#132

City:
San Diego

State:
CA

Zip Code:
92110

E-mail Address:
aaronmagagna@gmail.com

5. Licensed Design Professional (if required): (check one) ☐ Architect ☐ Engineer
Name: Gerald Garapich

License No.: C28945

Telephone: 702-454-5842

Address:
925 B Street, Suite 300

City:
San Diego

State:
CA

Zip Code:
92101

E-mail Address:
JerryG@pacdesignconcepts.com

6. Historical Resource Information (not required for roof mounted Electric-Photovoltaic Permits and deferred fire approvals)

a. Does the project contain a designated historic resource or is it located within a designated historic district? ☒ No ☐ Yes

b. List the year constructed for all buildings on the project site: 1974. If the project site contains any structure 45 years old or older, supplemental submittal requirements may be required. See information Bulletin 580, Potential Historical Resource Review, for additional information.

7. Active Code Enforcement Case - Is there an active code enforcement violation case on this site? ☒ No ☐ Yes

If yes: Is this application related to the code violation? ☐ No ☐ Yes Will this application resolve the code violation? ☐ No ☐ Yes

8. Applicant Name: Check one ☐ Property Owner ☒ Authorized Agent of Property Owner ☒ Other Person per M.C. Section 112.0102

Aaron Magagna

Telephone: 619-405-0298

Address:
3639 Midway Drive Suite B #132

City:
San Diego

State:
Ca

Zip Code:
92110

E-mail Address:
aaronmagagna@gmail.com

Applicant's Signature: I certify that I have read this application and state the above information is correct, and that I am the property owner, authorized agent of the property owner, or other person having a legal right, interest, or entitlement to the use of the property that is the subject of this application (Municipal Code Section 112.0102). I understand that the applicant is responsible for knowing and complying with the governing policies and regulations applicable to the proposed development or permit. The City is not liable for any damages or loss resulting from the actual or alleged failure to inform the applicant of any applicable laws or regulations, including before or during final inspections. City approval of a permit application, including all related plans and documents, is not a grant of approval to violate any applicable policy or regulation, nor does it constitute a waiver by the City to pursue any remedy, which may be available to enforce and correct violations of the applicable policies and regulations. I authorize representatives of the city to enter the above-identified property for inspection purposes. I have the authority and grant City staff and advisory bodies the right to make copies of any plans or reports submitted for review and permit processing for the duration of this project.

Signature: _____

Date: 3/21/18

Part I (Must be completed for all permits/approvals)

Project Address/Location: Include Building or Suite No.
3940 Home Avenue San Diego, CA 92105 Suite A

Project No. For City Use Only

9. Contractor Name:

Telephone:

Address:

City:

State:

Zip Code:

E-mail Address:

State License No.:

License Class:

City Business Tax No.: (required per SDMC Section 31.0301)

***Licensed Contractor's Declaration:** I hereby affirm under penalty of perjury that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

Print Name: _____

Date: _____

Contractor Signature or authorized agent: _____

10. *Worker's Compensation Declaration: I hereby affirm under penalty of perjury one of the following declarations:

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

I hereby affirm under penalty of perjury one of the following declarations:

- ☐ a. I have and will maintain a certificate of consent to self-insure for workers' compensation, issued by the Director of Industrial Relations as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.
- ☐ b. I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Insurance Carrier: _____ Policy No.: _____ Expiration Date: _____

Name of Agent: _____ Phone No.: _____

- ☐ c. I certify that, in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that, if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

Print Name: _____

Date: _____

Contractor, owner, or authorized agent signature: _____

11. *Owner-Builder Declaration: I hereby affirm under penalty of perjury that I am exempt from the Contractors' State License Law for the reason(s) indicated below by the checkmark(s) I have placed next to the applicable item(s). (Section 7031.5, Business and Professions Code: Any city or county that requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for the permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractor's State License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he or she is exempt from licensure and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500).):

- ☐ a. I, as owner of the property, or my employees with wages as their sole compensation, will do () all of or () portions of the work, and the structure is not intended or offered for sale (Section 7044, Business and Professions Code: The Contractors' State License Law does not apply to an owner of property who, through employees' or personal effort, builds or improves the property, provided that the improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the Owner-Builder will have the burden of proving that it was not built or improved for the purpose of sale).
- ☐ b. I, as owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, Business and Professions Code: The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and contracts for such projects with contractor(s) licensed pursuant to the Contractor's License Law).
- ☐ c. I am exempt from licensure under the Contractors' State License Law for the following reason: _____

By my signature below I acknowledge that, except for my personal residence in which I must have resided for at least one year prior to completion of the improvements covered by this permit, I cannot legally sell a structure that I have built as an owner-builder if it has not been constructed in its entirety by licensed contractors. I understand that a copy of the applicable law, Section 7044 of the Business and Professions Code, is available upon request when this application is submitted or at the following web site:
<http://leginfo.ca.gov/faces/codes.xhtml>.

Print Name: _____

Date: _____

Owner Signature or authorized agent: _____

A separate Owner-Builder Verification form (DS-3042) must also be signed by the owner)

12. Construction Lending Agency: I hereby affirm that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civ. C.).

Lender's Name: _____

Lender's Address: : _____

***Required per California State Law, Health & Safety Code Section 19825-29**