

**From:** [Gutierrez, Edith](#)  
**To:** [Christine Mardikian](#)  
**Subject:** RE: Request for Forms - DS 192  
**Date:** Monday, September 30, 2019 3:05:07 PM  
**Attachments:** [Live Scan Locations Rev. 07-16-18.pdf](#)  
[SDPD Live Scan Form - MO and MPF 1-2019.pdf](#)  
[Ch04Art02Division15.pdf](#)  
[SDPD Background Check & Criminal History Application.pdf](#)  
[Applicant Instructions for MO & MPF Background Process DS-192 - 2 2019.pdf](#)  
[DS 192 8863 Balboa Ave Ste E background.pdf](#)

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Hello Christine,

Please find attached the Background Check process instructions, and required forms (DS-192, Live Scan Form, and SDPD application) that need to be completed by all responsible persons. Once all responsible persons have gone through background check process, the Marijuana Outlet Permit can be issued.

**Edith Gutierrez**

Development Project Manager  
City of San Diego  
Development Services Department  
(619) 446-5117

---

**From:** Christine Mardikian [mailto:[christine@sivallc.com](mailto:christine@sivallc.com)]  
**Sent:** Monday, September 30, 2019 11:33 AM  
**To:** Gutierrez, Edith <[EGutierrez@sanidiego.gov](mailto:EGutierrez@sanidiego.gov)>  
**Subject:** Request for Forms - DS 192

Hello Edith,

Pursuant to our conversation, the MO located at 8863 Balboa is undergoing a change in ownership and in order to remain compliant and disclose this information with the City of San Diego, we are requesting form DS 192 for all new owners and managers.



**Christine Mardikian**

700 N. Brand Blvd., Suite 880  
Glendale, CA 91203  
p: 818.562.3362

[sivallc.com](http://sivallc.com) | [christine@sivallc.com](mailto:christine@sivallc.com)

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**From:** [calsur@aol.com](mailto:calsur@aol.com)  
**To:** [christine@sivallc.com](mailto:christine@sivallc.com); [Gutierrez, Edith](#); [rgriswold@griswoldlawsandiego.com](mailto:rgriswold@griswoldlawsandiego.com); [nsheaffer@griswoldlawca.com](mailto:nsheaffer@griswoldlawca.com)  
**Subject:** Re: Form DS - 192 Request  
**Date:** Tuesday, September 3, 2019 2:27:52 PM

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Thank you Christine!

Mike Essary  
Receiver 619-886-4116 cell

In a message dated 9/3/2019 12:01:28 PM Pacific Standard Time, [christine@sivallc.com](mailto:christine@sivallc.com) writes:

Edith,

Pursuant to our telephone conversation, our firm has been retained by the receiver, Mike Essary, CC'd here, to initiate a change in ownership of the MO permit for the project located at 8863 Balboa Ave., Ste. E. As such, I'd like to request Form DS- 192 to initiate new owner background checks for the existing permit.

Please let me know if you need additional information.

Best,



**Christine Mardikian**

700 N. Brand Blvd., Suite 880

Glendale, CA 91203

p: 818.562.3362

[sivallc.com](http://sivallc.com) | [christine@sivallc.com](mailto:christine@sivallc.com)

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**From:** [Lind, Lisa](#)  
**To:** [Gutierrez, Edith](#)  
**Subject:** RE: DSD- Marijuana data  
**Date:** Friday, February 15, 2019 1:41:35 PM

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Hi Edith,

I received a question about future uses around MPFs and I am hoping you know it. If a residential building is constructed in a mixed use zone that would add/introduce new sensitive uses (like an onsite park or childcare), could an existing MPF prevent those uses because the MPF was there first?

Let's say that a MPF in KM obtains a CUP this year. Then the KMCPU is approved. The proposed rezones will be for mixed use (not residential), so that separation requirements for the residential zones would not apply.

However, if a residential building is constructed with an onsite park or childcare, could the MPF have a case that those uses could not be located close by? I don't see anything in the code, but I didn't want to miss something.

The question came from someone in the Convoy District who is working with us on the KMCPU. They know to contact the DSD project manager for specific questions about the site, but I said you might know how to address the general question/scenario about the KMCPU changes.

Thanks!

---

**From:** Gutierrez, Edith  
**Sent:** Wednesday, March 14, 2018 7:24 AM  
**To:** Lind, Lisa <LLind@sandiego.gov>  
**Cc:** Schoenfisch, Brian <BSchoenfisch@sandiego.gov>; Black, Laura <LBlack@sandiego.gov>  
**Subject:** RE: DSD- Marijuana data

Hi Lisa,

Outlets and MPFs are subject to the existing base zone when an application has been *deemed complete*. The applications are subject to the separation requirements from sensitive receptors and residential zones based until day of approval.

Your summary is correct for extensions of time.

Let me know if you have any other questions.

---

**From:** Lind, Lisa  
**Sent:** Tuesday, March 13, 2018 5:11 PM  
**To:** Black, Laura <[LBlack@sandiego.gov](mailto:LBlack@sandiego.gov)>; Gutierrez, Edith <[EGutierrez@sandiego.gov](mailto:EGutierrez@sandiego.gov)>  
**Cc:** Schoenfisch, Brian <[BSchoenfisch@sandiego.gov](mailto:BSchoenfisch@sandiego.gov)>  
**Subject:** RE: DSD- Marijuana data

Edith – Thanks for your help and expertise today. In summary, Outlets and MPFs are subject to the separation requirements from sensitive receptors and residential zones based on the current zone *when they apply for a permit*.

If there is a rezone as part of the KMCPU, the existing Outlets and pending applications for MPFs will

have previously conforming rights for the entirety of their permit term as well as extensions of time.

SDMC Section 141.1004(h) distinguishes an extension of time for CUPs for Outlets and MPF as follows:

- The separation requirements shall *not* be considered in making the findings when a specified use has located within the required distance *after the approval date of the initial CUP*.
- A change in zoning *after the approval date* of the initial CUP shall *not* be considered in making the findings.

<http://docs.sandiego.gov/municode/MuniCodeChapter14/Ch14Art01Division10.pdf>

Let me know if I am missing anything. Thanks – Lisa

---

**From:** Lind, Lisa

**Sent:** Monday, March 12, 2018 5:47 PM

**To:** Black, Laura <[LBlack@sandiego.gov](mailto:LBlack@sandiego.gov)>

**Cc:** Schoenfisch, Brian <[BSchoenfisch@sandiego.gov](mailto:BSchoenfisch@sandiego.gov)>

**Subject:** RE: DSD- Marijuana data

LB - I can ask AECOM to add to the draft land use map:

1. Proposed MPF CUP sites – see list of 10 below
2. 100' radius around 100' from proposed residential land use, excluding Spectrum that is developed as “mixed-use” under the master plan (we do not yet have zoning)
3. 1,000' radius from public parks, libraries, K-12 schools (note: churches, childcare, and playgrounds area also in this list but I don't know that the data exists)

Before I make this request, let me clear up my understanding of MMCCs and outlets. There are 3 Approved MMCCs in KM. However, none show on the “List of Pending Outlet (Previously MMCC).” Does that mean that these sites need to reapply to be an Outlet? The fact that none are pending might mean they will expire at some point and there are no retail locations in KM?

- 8888 Clairemont Mesa Blvd
- 5125 Convoy St
- 8863 Balboa Ave

List of Submitted MPF CUP Applications (wholesale, no retail, req. separation from residential). The CPA is not included on the list but these 10 addresses are familiar.

- 8333 Clairemont Mesa Blvd.
- 3645 Ruffin Road
- 5205 Kearny Villa Way
- 8859 Balboa Ave.
- 9244 Balboa Ave
- 8039 Balboa Ave.
- 7895 Convoy Ct
- 4425 Convoy St.
- 7667 Vickers St.
- 7595 Vickers St.

Let me know if this is what you are looking for - thanks, LL

---

**From:** Black, Laura

**Sent:** Monday, March 12, 2018 10:59 AM

**To:** Lind, Lisa <[LLind@san Diego.gov](mailto:LLind@san Diego.gov)>

**Cc:** Schoenfisch, Brian <[BSchoenfisch@san Diego.gov](mailto:BSchoenfisch@san Diego.gov)>

**Subject:** DSD- Marijuana data

**Importance:** High

See below for KM. Let's make sure we look at our proposed land uses for the existing/proposed sites.  
Thanks! L

<https://www.san Diego.gov/blog/marijuana-cultivation-testing-sales-and-delivery>

Laura C. Black, AICP

Deputy Director

Planning Department

Phone 619.533.4549

Email [lblack@san Diego.gov](mailto:lblack@san Diego.gov)

From: [Barranon, William](#)  
To: [Gutierrez, Edith](#)  
Subject: RE: 550727 & 519594: 8863 BALBOA AVE #E AND 8861 BALBOA AVE #B  
Date: Thursday, September 7, 2017 3:03:39 PM  
Attachments: [image005.png](#)

According to Jaimie, yes. I'm waiting for Stephen to respond.

Thanks

William Barrañon  
Inspection Services Manager  
City of San Diego  
Development Services

619-980-2816

[wbarranon@sanidiego.gov](mailto:wbarranon@sanidiego.gov)

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From: Gutierrez, Edith

Sent: Thursday, September 07, 2017 2:33 PM

To: Barranon, William <[Wbarranon@sanidiego.gov](mailto:Wbarranon@sanidiego.gov)>; Boeh, Stephen <[SBoeh@sanidiego.gov](mailto:SBoeh@sanidiego.gov)>; Anderson, Jaimie <[JPAnderson@sanidiego.gov](mailto:JPAnderson@sanidiego.gov)>

Cc: Montessoro, Martin <[MMontessoro@sanidiego.gov](mailto:MMontessoro@sanidiego.gov)>

Subject: RE: 550727 & 519594: 8863 BALBOA AVE #E AND 8861 BALBOA AVE #B

Do the final approvals include the driveways and adjacent suite that had to modify the door garage door?

From: Barranon, William

Sent: Thursday, September 07, 2017 2:24 PM

To: Boeh, Stephen <[SBoeh@sanidiego.gov](mailto:SBoeh@sanidiego.gov)>; Anderson, Jaimie <[JPAnderson@sanidiego.gov](mailto:JPAnderson@sanidiego.gov)>

Cc: Montessoro, Martin <[MMontessoro@sanidiego.gov](mailto:MMontessoro@sanidiego.gov)>; Gutierrez, Edith <[EGutierrez@sanidiego.gov](mailto:EGutierrez@sanidiego.gov)>

Subject: 550727 & 519594: 8863 BALBOA AVE #E AND 8861 BALBOA AVE #B

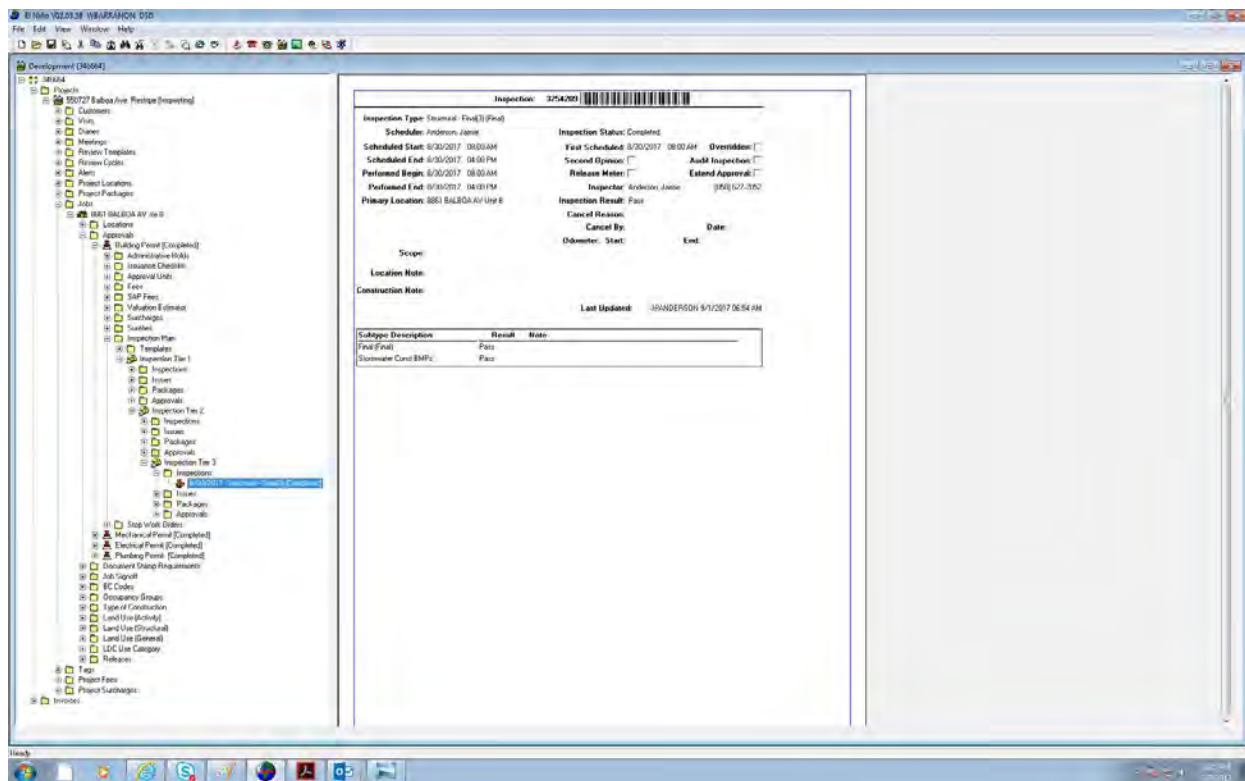
Good Day,

According to PTS both of these projects have received Final Inspection approval. Before I report back to Bob Vacchi and Afsaneh I wanted to confirm there are no outstanding issues (That we're aware off) from concerned neighbors or citizens in the community.

Thanks

The screenshot shows the OpenDSD web application interface. On the left is a sidebar with a project tree. The main content area displays inspection details for project 8863 BALBOA AVE. The details include inspection type, status, scheduled and performed dates, and a table of inspection results.

Subtype Description	Result	Note
Final (Final)	Pass	Inspection passed on-site at meeting
Exempt Case (Exempt)	Pass	



William Barranón  
Inspection Services Manager  
City of San Diego  
Development Services

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[wbarranon@sandiego.gov](mailto:wbarranon@sandiego.gov)

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**From:** Boeh, Stephen

**Sent:** Friday, August 25, 2017 11:24 AM

**To:** Barranon, William <[WBarranon@sandiego.gov](mailto:WBarranon@sandiego.gov)>; Montessoro, Martin <[MMontessoro@sandiego.gov](mailto:MMontessoro@sandiego.gov)>; Bishop, Brian <[BBishop@sandiego.gov](mailto:BBishop@sandiego.gov)>

**Subject:**

8863 Balboa Ave. Please see attached pictures

Stephen B. Boeh  
Structural Inspector  
City of San Diego  
858-627-2046

From: [Bergeson, William](#)  
To: [Boeh, Stephen](#); [Anderson, Jamie](#)  
Cc: [Montecinos, Martin](#); [Gutierrez, Edith](#)  
Subject: 550727 & 519594- 8863 BALBOA AVE #E AND 8861 BALBOA AVE #B  
Date: Thursday, September 7, 2017 2:24:12 PM  
Attachments: [lmao004.png](#)

Good Day,

According to PTS both of these projects have received Final Inspection approval. Before I report back to Bob Vacchi and Afsaneh I wanted to confirm there are no outstanding issues (That we're aware off) from concerned neighbors or citizens in the community.

Thanks

The screenshot shows the 'Inspection' window for project 3147079. The window is titled 'Inspection: 3147079' and contains a sidebar with a tree view of project items. The main area displays inspection details for 'Structural - Final(Final)'.

**Inspection Details:**

- Inspection Type:** Structural - Final(Final)
- Schedule:** INSPECT\_NR, INSPECT\_NR
- Inspection Status:** Completed
- Scheduled Start:** 9/21/2017 08:00 AM
- Scheduled End:** 9/21/2017 04:00 PM
- Performed Begin:** 9/21/2017 08:00 AM
- Performed End:** 9/21/2017 04:00 PM
- Primary Location:** 8863 BALBOA AV
- Inspector:** Anderson, Jamie
- Inspection Result:** Pass
- Cancel Reason:**
- Cancel By:**
- Date:**
- Scope:**
- Location Note:**
- Construction Note:**
- Last Updated:** JRANDERSON 9/12/2017 06:51 AM

**Subtype Description Table:**

Subtype Description	Result	Note
Final(Final)	Pass	Indirect budget passed on issue of missing
Concrete Core BMPs	Pass	

The screenshot shows the 'Inspection' window for project 3254201. The window is titled 'Inspection: 3254201' and contains a sidebar with a tree view of project items. The main area displays inspection details for 'Structural - Final(Final)'.

**Inspection Details:**

- Inspection Type:** Structural - Final(Final)
- Schedule:** Anderson, Jamie
- Inspection Status:** Completed
- Scheduled Start:** 9/20/2017 08:00 AM
- Scheduled End:** 9/20/2017 04:00 PM
- Performed Begin:** 9/20/2017 08:00 AM
- Performed End:** 9/20/2017 04:00 PM
- Primary Location:** 8861 BALBOA AV Unit B
- Inspector:** Anderson, Jamie
- Inspection Result:** Pass
- Cancel Reason:**
- Cancel By:**
- Date:**
- Scope:**
- Location Note:**
- Construction Note:**
- Last Updated:** JRANDERSON 9/12/2017 06:54 AM

**Subtype Description Table:**

Subtype Description	Result	Note
Final(Final)	Pass	
Stormwater Core BMPs	Pass	



William Barrañón  
Inspection Services Manager  
City of San Diego  
Development Services

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**From:** Boeh, Stephen

**Sent:** Friday, August 25, 2017 11:24 AM

**To:** Barranon, William <Wbarranon@sandiego.gov>; Montessoro, Martin <MMontessoro@sandiego.gov>; Bishop, Brian <BBishop@sandiego.gov>

**Subject:**

8863 Balboa Ave. Please see attached pictures

Stephen B. Boeh  
Structural Inspector  
City of San Diego  
858-627-2046

From: Barranon, William  
To: "casactis@austintilegroup.com";  
Cc: "jim@bartellassociates.com"; Gutierrez, Edith; Manansala, Nick; Church, Billy; Anderson, Jaimie; Holt, William; Del Valle, Xavier  
Subject: FW: 8863 Balboa Sitework  
Date: Wednesday, August 16, 2017 5:20:50 PM  
Attachments: image007.png  
368347 - Recordset CUP #1706130 and Reus #PC-471a.pdf  
368347 - Approved Exhibit A.pdf

Good Day,

The inspection result has been entered into PTS (See screen shot below). However, a site visit revealed the driveway widths differ from the approved exhibit (See attached) of the Conditional Use Permit (CUP); one wider and the second narrower. Additionally, the width between the asphalt curbs that exist between the two front buildings is narrower (19'9") than shown on the site plan (24'). Was a plan change submitted to identify these and any other pertinent changes?

If these changes have not been documented, please make arrangements to do so. Senior Planner Billy Church has stated you may have a construction change set up and reviewed over the counter; that if you have any issues please direct staff to him. Please note, both sets of plans (Construction and ROW plans) will require a plan change with approval required from the Building Inspector as well as the Resident Engineer, per Condition #27 of the CUP.

Thanks

The screenshot displays the OpenDSD software interface. On the left is a project tree for '232647'. The tree includes categories like Projects, Customers, Visits, Meetings, Review Templates, Review Cycles, Alerts, Project Locations, Project Packages, Jobs, and Approvals. Under 'Jobs', there is a sub-entry for '8863 BALBOA AV'. Under 'Approvals', there is a sub-entry for 'Right Of Way Perm Const Plan [Completed]'. The right pane shows the 'Inspection: 3241137' record. It includes a barcode, inspection type ('Field Engineering - Final Construction Plan'), scheduler ('Kipnis, Tan'), and various dates and times for scheduled, performed, and ended inspections. It also lists the inspector ('Manansala, Nicolas'), the primary location ('8863 BALBOA AV'), and the inspection result ('Pass'). A table at the bottom shows the subtype description ('All Final Construction Plan (Final)') and the result ('Pass').

William Barrañon  
Inspection Services Manager  
City of San Diego  
Development Services

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wbarranon@sandiego.gov  
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**From:** Austin, Gina [<mailto:gaustin@austinlegallgroup.com>]  
**Sent:** Wednesday, August 16, 2017 9:16 AM  
**To:** Gutierrez, Edith <[EGutierrez@sanidiego.gov](mailto:EGutierrez@sanidiego.gov)>  
**Cc:** Jim Bartell ([jim@BartellAssociates.com](mailto:jim@BartellAssociates.com)) <[jim@BartellAssociates.com](mailto:jim@BartellAssociates.com)>  
**Subject:** FW: 8863 Balboa Sitework

Edith,

Please see the email chain of events regarding the driveway signoff. I am not sure if I need to escalate this or not. Please advise.

Gina

**From:** Chris Grippi [<mailto:chris@elementbuilderssd.com>]  
**Sent:** Wednesday, August 16, 2017 9:11 AM  
**To:** Ninus Malan  
**Cc:** Austin, Gina; Greg Tyner  
**Subject:** 8863 Balboa Sitework

Gina and Ninus

Ask Greg Tyner of American Asphalt and Concrete document the timeline of our interactions with Teri Kipnis trying to get this project cleared.

Communication with Teri

4-17-17 Called to set up Pre construction meeting

4-18-17 met in the morning to go over the project.

4-19-17 first day on project demo and form work.

4-20-17 morning inspection by Teri, poured 2 aprons

4-21-17 patched back asphalt and cleaned up.

4-24-17 called for final inspection 2 times. I spoke to Teri the second time and she asked me to reminder to remind her via text the following morning.

4-25-17 6:40am I sent Teri a reminder text for her to go to the job site to inspect for final.

4-25-17 10:00 am I called them texted teri to find out when or if she went over to the job site for final inspection

4-25-17 10:11 Teri replied "some time today. Hit me up later"

4-25-17 6:43 pm I texted Teri asking if she had made it out to the job site. No response

4-26-17 7:00am I called Teri and asked if she had made it to the job site and she told me yes it's all good. I'll sign off when I get back to the office. She asked me to send her a copy of the permit.

4-26-17 7:21am. I sent it.

4-27-17 I called Teri numerous time to confirm that the project was signed off. No response

4-28-17. I called Teri numerous times to confirm the the project was signed off. No response

5-1-17 I called Teri and spoke to her, she told me the project was signed off. I asked her to send me documentation but never received anything.

8-2-17 Chris brought to my attention that Teri did not sign off on the project. I explained that Teri assured me that the project was signed off.

8-10-17 5:39 pm I received a call then a text from Chris explaining that the project had not been recorded as final.

8-11-17 8:30 am I called Teri and spoke with her. I explained the problem that the balboa project was not recorded at the city as final. Teri recalled the project and told me she would get back to me later that day.

8-11-17 9:50 am I texted Teri the project information.

8-11-17 12:00 I called Teri. No answer no response.

8-11-17 2:00pm I called Teri. No answer no response.

8-11-17 4:00pm I called Teri. No answer no response.

8-14-17 7:15am I called Teri no answer no response.

8-14-17 9:00am I called Teri. No answer no response.

8-14-17 11:39 Chris sends a group text to Teri asking for updates on the project.

8-14-17 11:45 am I called Dany Kakos. The project manager at development service. I explained the situation to his voicemail.

8-14-17 11:56am Teri texted back on the group message explaining that she was having trouble connecting to the system since Friday (8-11-17)

8-15-17 received call back from Dany Kakos. Went to voicemail called back immediately no answer.

8-16-17. 8:45am Today called Dany Kakos. No answer.

--

*Chris Grippi*  
Owner

*Element Builders*  
1704 Hornblend St.  
San Diego, CA 92109

*858-414-4601 Cell*  
*License #965397*

[www.elementbuildersca.com](http://www.elementbuildersca.com)

**From:** [Gutierrez, Edith](#)  
**To:** [Austin, Gina](#)  
**Cc:** [Jim Bartell \(jim@BartellAssociates.com\)](#); [Barranon, William](#)  
**Subject:** RE: 8863 Balboa  
**Date:** Wednesday, August 16, 2017 4:21:00 PM

---

I have forwarded your emails to William Barranon, Assistant Deputy Director in Building Inspection. He will be responding to you.

---

**From:** Austin, Gina [mailto:gaustin@austinlegalgroup.com]  
**Sent:** Wednesday, August 16, 2017 10:54 AM  
**To:** Gutierrez, Edith <EGutierrez@sandiego.gov>  
**Cc:** Jim Bartell (jim@BartellAssociates.com) <jim@BartellAssociates.com>  
**Subject:** FW: 8863 Balboa

fyi

**From:** Chris Grippi [mailto:chris@elementbuilderssd.com]  
**Sent:** Wednesday, August 16, 2017 10:49 AM  
**To:** Austin, Gina; Ninus Malan  
**Subject:** Fwd: 8863 Balboa

Sent to Greg this morning from Teri the inspector. We asked for a formal final completion notice that she said she's sending over. Said it's been closed out since April. I don't understand what's going on.

Begin forwarded message:

**From:** "Kipnis, Teri" <[TKipnis@sandiego.gov](mailto:TKipnis@sandiego.gov)>  
**Date:** August 16, 2017 at 10:33:36 AM PDT  
**To:** Greg Tyner <[greg@americanasphaltandconcrete.com](mailto:greg@americanasphaltandconcrete.com)>  
**Subject:** RE: 8863 Balboa

That is closed out!

-----Original Message-----

From: Greg Tyner [mailto:[greg@americanasphaltandconcrete.com](mailto:greg@americanasphaltandconcrete.com)]  
Sent: Wednesday, August 16, 2017 10:25 AM  
To: Kipnis, Teri <[TKipnis@sandiego.gov](mailto:TKipnis@sandiego.gov)>  
Subject: Re: 8863 Balboa

Sent from my iPhone

On Aug 16, 2017, at 10:20 AM, Kipnis, Teri <[TKipnis@sandiego.gov](mailto:TKipnis@sandiego.gov)> wrote:

That conditional permit was closed. The other number you gave me was for a building permit and the building inspector will have to sign

off on that. I can sign off on the public improvement permit but I need those numbers.

Teri

-----Original Message-----

From: Greg Tyner [<mailto:greg@americanasphaltandconcrete.com>]

Sent: Friday, August 11, 2017 3:41 PM

To: Kipnis, Teri <[TKipnis@san Diego.gov](mailto:TKipnis@san Diego.gov)>

Subject: 8863 Balboa

Teri

What is the status of 8863 Balboa Ave final sign off for the apron work done April 21st. The owner is calling every 10 minutes to find out the status. Call me, email me, or text me at your earliest convenience.

Thanks

Greg Tyner

6196664813

Sent from my iPhone

--

*Chris Grippi*

*Owner*

*Element Builders*

*1704 Hornblend St.*

*San Diego, CA 92109*

*858-414-4601 Cell*

*License #965397*

[www.elementbuildersca.com](http://www.elementbuildersca.com)

**From:** [Barranon, William](#)  
**To:** ["ninusmalan@yahoo.com"](mailto:ninusmalan@yahoo.com)  
**Cc:** [Ahmadi, Afsaneh](#); [Montessoro, Martin](#); [Gutierrez, Edith](#); [Del Valle, Xavier](#)  
**Subject:** 8863 Balboa Ave. Project #519594; Temporary Certificate of Occupancy  
**Date:** Friday, July 28, 2017 4:32:26 PM  
**Attachments:** [image002.png](#)

---

Mr. Malan,

Your Temporary Certificate of Occupancy (TCO) has expired. Additionally, you continue to be in violation for noncompliance of the conditions set forth in your Conditional Use Permit.

An official revocation of the Temporary Certificate of Occupancy will be issued early next week.

Please contact me at your earliest convenience, if you have any questions.

Regards,

William Barrañón  
Inspection Services Manager  
City of San Diego  
Development Services

619-980-2816  
[wbarranon@sandiego.gov](mailto:wbarranon@sandiego.gov)

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**From:** [Barranon, William](#)  
**To:** [REDACTED]  
**Cc:** [Gutierrez, Edith](#); [Montessoro, Martin](#); [Richmond, Michael](#); [Del Valle, Xavier](#); [Anderson, Jaimie](#)  
**Subject:** RE: Code Enforcement Investigation  
**Date:** Wednesday, July 26, 2017 4:47:58 PM  
**Attachments:** [image002.png](#)

---

Good Day [REDACTED]

Mr. Montessoro is out from work. Your email below was forwarded to me for a response. Please allow me until Friday afternoon to look into the details of this project, your concerns and provide you a response.

Feel free to contact me with other questions or to provide additional information.

Thanks for your patience.

Sincerely,

William Barrañón  
Inspection Services Manager  
City of San Diego  
Development Services

619-980-2816  
wbarranon@sandiego.gov

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~ A world-class city for all ~

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**From:** [REDACTED]  
**Sent:** Wednesday, July 26, 2017 10:50 AM  
**To:** Montessoro, Martin <[MMontessoro@sandiego.gov](mailto:MMontessoro@sandiego.gov)>  
**Cc:** Gutierrez, Edith <[EGutierrez@sandiego.gov](mailto:EGutierrez@sandiego.gov)>

**Subject:** Re: Code Enforcement Investigation

Martin,

Please respond to our inquiry of how long can "in a timely manner" be interpreted. The modification to this building is not a complicated one. Any competent contractor can sketch up an "over the counter" permit application on this.

The owner of the MMC/CUP is dragging his feet at a great cost to our association in time lost as the result of customers to the MMC irresponsibly parking in other designated spaces. They do not have the CUP mandated 5 designated parking spaces.

The MMC has no intention of making this modification. So why are they still allowed to operate with both walk in and delivery service in violation of the conditions of CUP documents. Why are you not enforcing these requirements. Clearly, they should never have been granted the right to open initially. Why are they being given such preferential treatment at the cost of our time and profitability. Something is way wrong here.

Seeking a simple answer,

On Thu, Jun 1, 2017 at 9:19 PM, [REDACTED] > wrote:

It is no secret that this MMC represents a major parking problem for our tenants and owners. Federal court action forced us to reduce our assigned parking spaces by 8 normally usable spaces when we were forced to replace them by 4 handicap van spaces and their offload spaces. The Appeals board told us they did not care that our total parking spaces were below the required formula that the MMC was to comply with. What arrogance ! You have no idea how rude these pot customers are. They park in other assigned spaces costing us enforcement issues, lost time from our business and loss of customers.

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Nonetheless, a correction notice was issued to the applicant directing them to go back to our main office to address the remaining tenant improvement (TI) requirements for 8861 Balboa Avenue.



The applicant was also informed that final will not be granted until the remaining TI issues have been addressed, and that temporary occupancy could be revoked should this matter not be resolved in a timely manner. Once the permit is issued and ready for inspection, our inspector will verify that the project (Tenant Improvements) are built per approved plans.

Since this is an active project, we continue to monitor their progress. Thank you again for bringing this matter to our attention, and please contact me should you have any follow up questions.

Thank you,  
Martin Montessoro  
Program Manager  
City of San Diego  
Development Services

858-573-1232

[mmontessoro@sandiego.gov](mailto:mmontessoro@sandiego.gov)



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**From:** [REDACTED]

**Sent:** Wednesday, May 31, 2017 9:24 AM

**To:** Montessoro, Martin <[MMontessoro@sandiego.gov](mailto:MMontessoro@sandiego.gov)>; Gutierrez, Edith <[EGutierrez@sandiego.gov](mailto:EGutierrez@sandiego.gov)>

**Subject:** Re: Code Enforcement Investigation

Mr. Montessoro,

I have attached excerpts from the Conditional Use Permit no 1296130 at 8863 Balboa Ave unit E. Please cross reference the requirement that the parking garage conversion requires the widening of the roll up door which requires a structural permit to modify the existing structure. I have underlined excerpts from pages 5&6 for your perusal. Also I have provided Exhibit "A" of the CUP pages 8&9 of the existing floor plan and site plan as it refers to them. No modifications other than a cosmetic clean up of the 8861 Balboa ave unit B have been completed of this date.

I request that this MMC be forced to stop operation at this site.

Thank You,

On Mon, Apr 24, 2017 at 1:31 PM, Montessoro, Martin <[MMontessoro@san Diego.gov](mailto:MMontessoro@san Diego.gov)> wrote:

The conditional use permit requirements are contained in the approved set of plans and all public records are available for viewing at our Records Department at 1222 First Ave, second floor. I do not know if the CUP requirements are also available in a separate document.

For information on the width of the driveway, I will need to do some research. Can you describe the driveway to me and I will find out if it is due to an Engineering Department Standard or a Zoning regulation? And I will let you know as soon as I can.

Thank you,  
Martin Montessoro  
Program Manager  
City of San Diego  
Development Services

858-573-1232  
[mmontessoro@san Diego.gov](mailto:mmontessoro@san Diego.gov)



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-----Original Message-----

From: [REDACTED]  
Sent: Monday, April 24, 2017 9:19 AM  
To: Montessoro, Martin <[MMontessoro@sandiego.gov](mailto:MMontessoro@sandiego.gov)>  
Subject: Fwd: Code Enforcement Investigation

Mr Montessoro,

Is it possible to acquire a set of CUP requirements and or drawings that specifically describe the need to modify by widening the roll up door of their designated parking garage to be able to meet the

5 designated parking space requirement.

Also specific dimensions that the development department imposed on the CUP for widening of the driveway approaches at the Baqlboa Ave entrances(3of) and not just replacement of existing approach and sidewalks.

I would be available to accompany the inspector at his discretion to point out the violations that this MMC is trying to cover up. Or perhaps we can resolve this with a phone call. I am available anytime.

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED] Forwarded message -----

From: Sperry, Rowdy <[RSperry@sandiego.gov](mailto:RSperry@sandiego.gov)>  
Date: Mon, Apr 24, 2017 at 8:42 AM  
Subject: RE: Code Enforcement Investigation  
To: [REDACTED]  
Cc: "Montessoro, Martin" <[MMontessoro@sandiego.gov](mailto:MMontessoro@sandiego.gov)>

[REDACTED]

Thank you for bringing your concerns to the Code Enforcement Division of DSD. I have thoroughly reviewed the Conditional Use Permit (CUP) with my management. We have examined not only the CUP, but also the approved plans that address the concerns you have and the requirements of the CUP.

The approved building plans address all relevant CUP conditions. The Inspection Services section of the Building Construction and Safety Division of DSD will be addressing conformance with this active permit, including occupancy. The contact in this division is Martin Montessoro, Program Manager.

The need for kind of approval from private associations is not within the City's enforcement authority.

Sincerely,

R. Sperry

Zoning Investigator

City of San Diego

Development Services Department

[sandiego.gov](http://sandiego.gov)

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replying to this message or by telephone. Thank you.

-----Original Message-----

From: [REDACTED]

Sent: Thursday, April 20, 2017 10:26 PM

To: Sperry, Rowdy <[RSperry@san Diego.gov](mailto:RSperry@san Diego.gov)>

Cc: Mary Howell <[mhowell@epsten.com](mailto:mhowell@epsten.com)>

Subject: Re: Code Enforcement Investigation

Mr. Sperry,

The owner of the MMC is blatantly continuing the over the counter sales and delivery service out of the 8863 Balboa Ave suite E location without satisfying requirements of the CUP. We observe the heaviest retail activity between 5 pm and 9 pm when inspectors don't typically come around.

The unit does not have the required 5 dedicated spaces within our assigned space parking complex as dictated by the CUP. Their proposed parking garage which would give them the required 5 spaces cannot be structurally modified without the Association's approval which they cannot obtain. They have not completed safety issue - traffic approach modifications although they have torn up our driveway aprons without regard to fire dept access procedures. See San Diego police dept incident report # 170400032843 of 4-20-17. We have notified them countless times that they cannot proceed without our Association's approval for modification yet they continue.

Another problem is that they have a permit from the city to modify the sidewalks but they refuse to acknowledge that they need an architectural application and approval from the Business Condo Assoc

(HOA) to proceed with further modification of the planters and relocation of the back flow valves and main water supply to the condos (all of which are Association common area). They cannot meet the conditions of the CUP unless they do that illegally.

In conclusion, they are trying to dupe the city into overlooking the specific requirements of the CUP while they continue to sell and distribute marijuana products at this location.

We look to you to give a close inspection of the CUP requirements and prevent them from operating this business per regulation.

Thank You for your consideration,

[REDACTED]  
[REDACTED]  
[REDACTED]

On Fri, Apr 14, 2017 at 9:39 AM, Sperry, Rowdy <[RSperry@san Diego.gov](mailto:RSperry@san Diego.gov)> wrote:

> Good morning [REDACTED]

>

>

>

> Code Enforcement is in receipt of your concerns about the marijuana

> dispensary located at 8863 Balboa Ave. We will be investigating your

> concerns.

>

>

>

> R. Sperry

>

> Zoning Investigator

>

> City of San Diego

>

> Development Services Department

>

>

>

> [san Diego.gov](http://san Diego.gov)

>

>

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> Thank you.

>

>

**From:** [Barranon, William](#)  
**To:** [Gutierrez, Edith](#)  
**Subject:** RE: Code Enforcement Investigation  
**Date:** Wednesday, July 26, 2017 1:54:31 PM

---

Thanks

Happy Connecting. Sent from my Sprint Samsung Galaxy S® 5

----- Original message -----

**From:** "Gutierrez, Edith" <EGutierrez@sandiego.gov>  
**Date:** 07/26/2017 1:26 PM (GMT-08:00)  
**To:** "Barranon, William" <WBarranon@sandiego.gov>  
**Subject:** FW: Code Enforcement Investigation

FYI

**From:** [REDACTED]  
**Sent:** Wednesday, July 26, 2017 10:50 AM  
**To:** Montessoro, Martin <MMontessoro@sandiego.gov>  
**Cc:** Gutierrez, Edith <EGutierrez@sandiego.gov>  
**Subject:** Re: Code Enforcement Investigation

Martin,

Please respond to our inquiry of how long can "in a timely manner" be interpreted. The modification to this building is not a complicated one. Any competent contractor can sketch up an "over the counter" permit application on this.

The owner of the MMC/CUP is dragging his feet at a great cost to our association in time lost as the result of customers to the MMC irresponsibly parking in other designated spaces. They do not have the CUP mandated 5 designated parking spaces.

The MMC has no intention of making this modification. So why are they still allowed to operate with both walk in and delivery service in violation of the conditions of CUP documents. Why are you not enforcing these requirements. Clearly, they should never have been granted the right to open initially. Why are they being given such preferential treatment at the cost of our time and profitability. Something is way wrong here.

Seeking a simple answer,

On Thu, Jun 1, 2017 at 9:19 PM, [REDACTED]:

It is no secret that this MMC represents a major parking problem for our tenants and owners. Federal court action forced us to reduce our assigned parking spaces by 8 normally usable spaces when we were forced to replace them by 4 handicap van spaces and their



offload spaces. The Appeals board told us they did not care that our total parking spaces were below the required formula that the MMC was to comply with. What arrogance ! You have no idea how rude these pot customers are. They park in other assigned spaces costing us enforcement issues, lost time from our business and loss of customers.

Please set a definite time limit on "in a timely manner". You owe us that much after the insult that has been levied upon us starting with development services all the way up the chain of City government. If this was your property and you watched as your property values diminished as these MMCs rake in tons of cash you would be more than a little upset. We "little guys" have been thrown to the wolves.

On Thu, Jun 1, 2017 at 2:46 PM, Montessoro, Martin <[MMontessoro@sandiego.gov](mailto:MMontessoro@sandiego.gov)> wrote:

[REDACTED]

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Nonetheless, a correction notice was issued to the applicant directing them to go back to our main office to address the remaining tenant improvement (TI) requirements for 8861 Balboa Avenue. The applicant was also informed that final will not be granted until the remaining TI issues have been addressed, and that temporary occupancy could be revoked should this matter not be resolved in a timely manner. Once the permit is issued and ready for inspection, our inspector will verify that the project (Tenant Improvements) are built per approved plans.

Since this is an active project, we continue to monitor their progress. Thank you again for bringing this matter to our attention, and please contact me should you have any follow up questions.

Thank you,  
Martin Montessoro  
Program Manager  
City of San Diego  
Development Services

858-573-1232  
[mmontessoro@sandiego.gov](mailto:mmontessoro@sandiego.gov)



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**From:** [Gutierrez, Edith](#)  
**To:** [Barranon, William](#)  
**Subject:** FW: Code Enforcement Investigation  
**Date:** Wednesday, July 26, 2017 1:26:00 PM  
**Attachments:** [image002.png](#)

---

FYI

**From:** [REDACTED]  
**Sent:** Wednesday, July 26, 2017 10:50 AM  
**To:** Montessoro, Martin <MMontessoro@sandiego.gov>  
**Cc:** Gutierrez, Edith <EGutierrez@sandiego.gov>  
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**From:** [REDACTED]  
**Sent:** Wednesday, May 31, 2017 9:24 AM  
**To:** Montessoro, Martin <[MMontessoro@sandiego.gov](mailto:MMontessoro@sandiego.gov)>; Gutierrez, Edith  
<[EGutierrez@sandiego.gov](mailto:EGutierrez@sandiego.gov)>

**Subject:** Re: Code Enforcement Investigation

Mr. Montessoro,

I have attached excerpts from the Conditional Use Permit no 1296130 at 8863 Balboa Ave unit E. Please cross reference the requirement that the parking garage conversion requires the widening of the roll up door which requires a structural permit to modify the existing structure. I have underlined excerpts from pages 5&6 for your perusal. Also I have provided Exhibit "A" of the CUP pages 8&9 of the existing floor plan and site plan as it refers to them. No modifications other than a cosmetic clean up of the 8861 Balboa ave unit B have been completed of this date.

I request that this MMC be forced to stop operation at this site.

Thank You,

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-----Original Message-----

From: [REDACTED]  
Sent: Monday, April 24, 2017 9:19 AM  
To: Montessoro, Martin <[MMontessoro@sandiego.gov](mailto:MMontessoro@sandiego.gov)>  
Subject: Fwd: Code Enforcement Investigation

Mr Montessoro,

Is it possible to acquire a set of CUP requirements and or drawings that specifically describe the need to modify by widening the roll up door of their designated parking garage to be able to meet the

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Also specific dimensions that the development department imposed on the CUP for widening of the driveway approaches at the Baqlboa Ave entrances(3of) and not just replacement of existing approach and sidewalks.

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Forwarded message -----

From: Sperry, Rowdy <[RSperry@sandiego.gov](mailto:RSperry@sandiego.gov)>

Date: Mon, Apr 24, 2017 at 8:42 AM

Subject: RE: Code Enforcement Investigation

To: [REDACTED]

Cc: "Montessoro, Martin" <[MMontessoro@san Diego.gov](mailto:MMontessoro@san Diego.gov)>

[REDACTED]

Thank you for bringing your concerns to the Code Enforcement Division of DSD. I have thoroughly reviewed the Conditional Use Permit (CUP) with my management. We have examined not only the CUP, but also the approved plans that address the concerns you have and the requirements of the CUP.

The approved building plans address all relevant CUP conditions. The Inspection Services section of the Building Construction and Safety Division of DSD will be addressing conformance with this active permit, including occupancy. The contact in this division is Martin Montessoro, Program Manager.

The need for kind of approval from private associations is not within the City's enforcement authority.

Sincerely,

R. Sperry

Zoning Investigator

City of San Diego

Development Services Department

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-----Original Message-----

From: [REDACTED]

Sent: Thursday, April 20, 2017 10:26 PM

To: Sperry, Rowdy <[RSperry@saniego.gov](mailto:RSperry@saniego.gov)>

Cc: Mary Howell <[mhowell@epsten.com](mailto:mhowell@epsten.com)>

Subject: Re: Code Enforcement Investigation

Mr. Sperry,

The owner of the MMC is blatantly continuing the over the counter sales and delivery service out of the 8863 Balboa Ave suite E location without satisfying requirements of the CUP. We observe the heaviest retail activity between 5 pm and 9 pm when inspectors don't typically come around.

The unit does not have the required 5 dedicated spaces within our assigned space parking complex as dictated by the CUP. Their proposed parking garage which would give them the required 5 spaces cannot be structurally modified without the Association's approval which they cannot obtain. They have not completed safety issue - traffic approach modifications although they have torn up our driveway aprons without regard to fire dept access procedures. See San Diego police dept incident report # 170400032843 of 4-20-17. We have notified them countless times that they cannot proceed without our Association's approval for modification yet they continue.

Another problem is that they have a permit from the city to modify the sidewalks but they refuse to acknowledge that they need an architectural application and approval from the Business Condo Assoc

(HOA) to proceed with further modification of the planters and relocation of the back flow valves and main water supply to the condos (all of which are Association common

area). They cannot meet the conditions of the CUP unless they do that illegally.

In conclusion, they are trying to dupe the city into overlooking the specific requirements of the CUP while they continue to sell and distribute marijuana products at this location.

We look to you to give a close inspection of the CUP requirements and prevent them from operating this business per regulation.

Thank You for your consideration,

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED] Fri, Apr 14, 2017 at 9:39 AM, Sperry, Rowdy <[RSperry@sandiego.gov](mailto:RSperry@sandiego.gov)> wrote:

> Good morning [REDACTED]

>

>

>

> Code Enforcement is in receipt of your concerns about the marijuana

> dispensary located at 8863 Balboa Ave. We will be investigating your

> concerns.

>

>

>

> R. Sperry

>

> Zoning Investigator

>

> City of San Diego

>



> Development Services Department

>

>

>

> [sandiego.gov](http://sandiego.gov)

>

>

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> Thank you.

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>

**From:** [Gutierrez, Edith](#)  
**To:** [dougcurlee@cox.net](mailto:dougcurlee@cox.net)  
**Cc:** [Tirandazi, Firouzeh](#)  
**Subject:** RE: pot shops..again..  
**Date:** Tuesday, June 27, 2017 6:53:00 AM  
**Attachments:** [MMCC Information 3-29-2017.docx](#)

---

Hi Doug,

I am no longer managing the marijuana applications. My colleague Firouzeh Tirandazi is now the contact. Attached is the latest informational handout listing the applications in CD 7. For further information please contact Firouzeh, she has been included in this email.

Regards,

Edith

-----Original Message-----

From: dougcurlee@cox.net [<mailto:dougcurlee@cox.net>]  
Sent: Monday, June 26, 2017 9:12 PM  
To: Gutierrez, Edith <[EGutierrez@san-diego.gov](mailto:EGutierrez@san-diego.gov)>  
Subject: pot shops..again..

dear edith;

it's been a while since I bugged you, so thought i'd better check in..

I saw in the u-t last week that there are a number of applications being considered for permits to open dispensaries..and that seven of them are in district 7..

can you bring me up to speed on what, if anything, is going on?

i'd greatly appreciate it..

best always,

doug curlee  
mission "times courier"

(619) 448-7604

**From:** [Gutierrez, Edith](#)  
**To:** [REDACTED]  
**Subject:** RE: Code Enforcement Investigation  
**Date:** Monday, May 1, 2017 6:35:00 AM  
**Attachments:** [image002.png](#)

---

Hello [REDACTED]

Martin Montessoro, the supervisor in Building Inspection, is the best person to assist you with this investigation. He is working closely with Code Enforcement. He stated in his email below that he will getting back to you with more information.

Thank you for keeping me in the loop of this project.

Regards,

Edith

**From:** [REDACTED]  
**Sent:** Sunday, April 30, 2017 10:36 PM  
**To:** Gutierrez, Edith <EGutierrez@sandiego.gov>  
**Subject:** Fwd: Code Enforcement Investigation

I just don't understand how they can continue selling pot when they have not met all the conditions of the CUP. Is not 5 dedicated parking spaces what cycle review insisted upon.

----- Forwarded message -----

**From:** Montessoro, Martin <[MMontessoro@sandiego.gov](mailto:MMontessoro@sandiego.gov)>  
**Date:** Mon, Apr 24, 2017 at 1:31 PM  
**Subject:** RE: Code Enforcement Investigation  
**To:** [REDACTED]

[REDACTED]

The conditional use permit requirements are contained in the approved set of plans and all public records are available for viewing at our Records Department at 1222 First Ave, second floor. I do not know if the CUP requirements are also available in a separate document.

For information on the width of the driveway, I will need to do some research. Can you describe the driveway to me and I will find out if it is due to an Engineering Department Standard or a Zoning regulation? And I will let you know as soon as I can.

Thank you,  
Martin Montessoro  
Program Manager  
City of San Diego  
Development Services

858-573-1232

[mmontessoro@sandiego.gov](mailto:mmontessoro@sandiego.gov)



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-----Original Message-----

From: [REDACTED]

Sent: Monday, April 24, 2017 9:19 AM

To: Montessoro, Martin <[MMontessoro@sandiego.gov](mailto:MMontessoro@sandiego.gov)>

Subject: Fwd: Code Enforcement Investigation

Mr Montessoro,

Is it possible to acquire a set of CUP requirements and or drawings that specifically describe the need to modify by widening the roll up door of their designated parking garage to be able to meet the

5 designated parking space requirement.

Also specific dimensions that the development department imposed on the CUP for widening of the driveway approaches at the Baqlboa Ave entrances(3of) and not just replacement of existing approach and sidewalks.

I would be available to accompany the inspector at his discretion to point out the violations that this MMC is trying to cover up. Or perhaps we can resolve this with a phone call. I am available anytime.

[REDACTED]

[REDACTED]

[REDACTED]

619 507 8994

----- Forwarded message -----

From: Sperry, Rowdy <[RSperry@san Diego.gov](mailto:RSperry@san Diego.gov)>

Date: Mon, Apr 24, 2017 at 8:42 AM

Subject: RE: Code Enforcement Investigation

To: [REDACTED]

Cc: "Montessoro, Martin" <[MMontessoro@san Diego.gov](mailto:MMontessoro@san Diego.gov)>

[REDACTED]

Thank you for bringing your concerns to the Code Enforcement Division of DSD. I have thoroughly reviewed the Conditional Use Permit (CUP)

with my management. We have examined not only the CUP, but also the approved plans that address the concerns you have and the requirements of the CUP.

The approved building plans address all relevant CUP conditions. The Inspection Services section of the Building Construction and Safety Division of DSD will be addressing conformance with this active permit, including occupancy. The contact in this division is Martin Montessoro, Program Manager.

The need for kind of approval from private associations is not within the City's enforcement authority.

Sincerely,

R. Sperry

Zoning Investigator

City of San Diego

Development Services Department

[sandiego.gov](http://sandiego.gov)

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Cc: Mary Howell <[mhowell@epsten.com](mailto:mhowell@epsten.com)>

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Thank You for your consideration,

[REDACTED]

On Fri, Apr 14, 2017 at 9:39 AM, Sperry, Rowdy <[RSperry@sandiego.gov](mailto:RSperry@sandiego.gov)> wrote:

> Good morning [REDACTED]

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> Thank you.

>

>



From: [REDACTED]  
To: [Montessoro, Martin](#); [Gutierrez, Edith](#)  
Subject: Fwd: Code Enforcement Investigation  
Date: Saturday, April 29, 2017 2:19:38 PM  
Attachments: [image002.png](#)

---

Thank you for your response. In your response you listed parking lot re stripe as part of your jurisdiction. The parking lot striping is the jurisdiction of the Montgomery Field Business Condo Association. Any attempt by the MMC to alter, modify, reconfigure etc. would be illegal under the CC&Rs of our association. If they are not compliant with requirements of the CUP then why have they been allowed to continue operating this business, in this complex. Have they told you that they are not in full operation at present. We have full video coverage of them doing business with full contingent of guards and employees. Development services have stipulated that 5 dedicated spaces must be secured by the MMC. They only have two at 8863 E Balboa Ave. and 1 at 8861 B Balboa Ave. Per Development Department evaluation, an additional 2 would be provided once modifications to the unit met parking garage requirements. So how can they be open for business without these conditions being met. Please explain.

On Fri, Apr 28, 2017 at 3:00 PM, Montessoro, Martin <[MMontessoro@san Diego.gov](mailto:MMontessoro@san Diego.gov)> wrote:

[REDACTED]

The scope of the work for project # 519594 is:

*KEARNY MESA. Building, electrical, and mechanical permits for remodel of extg medical marijuana cooperative. Work to include parking lot restripe, break room, manager's office, dispensary, secure receptionist area, and accessible bath; security cameras, lighting, fan, and heat pump. IL-3-1. CUP 1296130. Geo Haz 51. Historic determination under 368347.*

This does not include the work in the adjacent building that will provide additional parking. That work must be included in a separate permit. Building-permit-approvals are not issued to more than one building. We are taking actions to have the work for the additional parking spaces incorporated into a new building-permit-approval.

I understand your point on the width of the driveway but inspectors do not review construction plans. Therefore, this will need to be addressed in the review process and I am working with other city staff to address your questions. I may have more information for you next week.

To review the plans you will need to ask Records Department for access. They are located at 1222 First Av., on the Second floor. There is a formal process that must be followed. Copies are allowed but there is a formal process for this request as well.

Thank you,

Martin Montessoro

Program Manager

City of San Diego

Development Services

858-573-1232

[mmontessoro@sandiego.gov](mailto:mmontessoro@sandiego.gov)



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**From:** [REDACTED]

**Sent:** Friday, April 28, 2017 10:09 AM

**To:** Montessoro, Martin <[MMontessoro@sandiego.gov](mailto:MMontessoro@sandiego.gov)>

**Subject:** Re: Code Enforcement Investigation

Mr. Montessoro,

One of my greatest concerns about our complex is that upon turning into our complex at the center driveway which is two way traffic and which by present code should be 30' wide, our driveway necks down to 20' wide between the two front buildings where it is still 2 way traffic. In the past, MMC applicants have misrepresented this dimension every time it was convenient for them to do so.

On Thu, Apr 27, 2017 at 6:23 PM, [REDACTED] wrote:

Mr. Montessoro,

When you find those plans would it be possible for me to get a copy of them. or at least view them. Our experience with these MMC people is that they tweak details so that they can force inspectors to check every little detail which of course the inspectors often do not have the time to do. They have changed dimensions on archival prints to reflect false compliance at times.

The city was well aware that they had to comply with issues in our CC&Rs before they could begin operating in this complex. The applicant said no problem, they would work it out with the condo association. The association will not allow them to modify the exterior of the buildings to be able to implement the parking garage requirements nor change the existing dedicated parking spaces. No agreement is foreseen.

I truly do not understand how they can be operating legally if they don't satisfy the conditions of the CUP.

Thank You,

[REDACTED].

On Mon, Apr 24, 2017 at 4:37 PM, Montessoro, Martin <[MMontessoro@sandiego.gov](mailto:MMontessoro@sandiego.gov)> wrote:

[REDACTED],

Unfortunately I have not had a chance to review the plans, I'll need to look into this issue and get back to you.

Martin Montessoro,

Program Manager

----- Original message -----

From: [REDACTED]

Date: 4/24/17 3:53 PM (GMT-08:00)

To: "Montessoro, Martin" <[MMontessoro@san Diego.gov](mailto:MMontessoro@san Diego.gov)>

Subject: Re: Code Enforcement Investigation

Mr Montessoro,

I will send you a copy of the plot plan that we received from the records dept. shortly.

How is it they can operate without the widening of the roll up door on the unit that serves as the parking garage. that issue was made very clear in the Development dept cycle review.

On Mon, Apr 24, 2017 at 1:31 PM, Montessoro, Martin  
<[MMontessoro@san Diego.gov](mailto:MMontessoro@san Diego.gov)> wrote:

[REDACTED]

The conditional use permit requirements are contained in the approved set of plans and all public records are available for viewing at our Records Department at 1222 First Ave, second floor. I do not know if the CUP requirements are also available in a separate document.

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Program Manager

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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From: Sperry, Rowdy <[RSperry@sandiego.gov](mailto:RSperry@sandiego.gov)>

Date: Mon, Apr 24, 2017 at 8:42 AM

Subject: RE: Code Enforcement Investigation

To: [REDACTED]

Cc: "Montessoro, Martin" <[MMontessoro@sandiego.gov](mailto:MMontessoro@sandiego.gov)>

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with my management. We have examined not only the CUP, but also the approved plans that address the concerns you have and the requirements of the CUP.

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Sincerely,

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Zoning Investigator

City of San Diego

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Subject: Re: Code Enforcement Investigation

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In conclusion, they are trying to dupe the city into overlooking the specific requirements of the CUP while they continue to sell and distribute marijuana products at this location.

We look to you to give a close inspection of the CUP requirements and prevent them from operating this business per regulation.

Thank You for your consideration,

[REDACTED]

On Fri, Apr 14, 2017 at 9:39 AM, Sperry, Rowdy <[RSperry@sandiego.gov](mailto:RSperry@sandiego.gov)> wrote:

> Good morning [REDACTED]

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- >

**From:** [Jauregui, Rodolfo](#)  
**To:** [Gutierrez, Edith](#)  
**Subject:** RE: Code Enforcement Investigation  
**Date:** Monday, April 24, 2017 2:11:35 PM

---

Any time!

**Rudy Jauregui**

Associate Engineer - Traffic  
City of San Diego  
Development Services Department

T (619) 557-7985

[www.sandiego.gov](http://www.sandiego.gov)

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---

**From:** Gutierrez, Edith  
**Sent:** Monday, April 24, 2017 2:11 PM  
**To:** Jauregui, Rodolfo <[RJJauregui@sandiego.gov](mailto:RJJauregui@sandiego.gov)>  
**Subject:** RE: Code Enforcement Investigation

Mil gracias!!!

---

**From:** Jauregui, Rodolfo  
**Sent:** Monday, April 24, 2017 2:02 PM  
**To:** Gutierrez, Edith <[EGutierrez@sandiego.gov](mailto:EGutierrez@sandiego.gov)>  
**Subject:** RE: Code Enforcement Investigation

Got it...just trying to make it as clear as possible...but the INFO below is how I started.

**Rudy Jauregui**

Associate Engineer - Traffic  
City of San Diego  
Development Services Department

T (619) 557-7985

[www.sandiego.gov](http://www.sandiego.gov)

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---

**From:** Gutierrez, Edith  
**Sent:** Monday, April 24, 2017 1:46 PM  
**To:** [REDACTED]  
**Subject:** Code Enforcement Investigation

[REDACTED]

Please see Rudy's response below regarding the driveways.

Per SDMC 142.0560 (j) (1), Table 142-05M:

**Table 142-05M**  
**Driveway Width (Lots greater than 50 feet in width)**

Use	Minimum Width		Maximum Width (Outside of Parking Impact Overlay Zone)		Maximum Width Parking Impact Area
	One-Way	Two-Way	One-Way	Two-Way	Two Way
<i>Detached Single Dwelling Unit</i>	12 feet		25 feet		12 feet
<i>Dwelling Unit in the RX Zone</i>	12 feet		20 feet		12 feet
<i>Multiple Dwelling Unit</i>	14 feet	20 feet	20 feet	25 feet	20 feet
<b>Nonresidential</b>	14 feet	24 feet	20 feet	30 feet	25 feet

The allowed "driveway widths" are as indicated above and the "design" of the driveway curb cuts are as identified on City Standard drawing SDG-159 shown on Exhibit "A"; widths are of the travel-way width and do not include the flared transitions to the required sidewalk. Transitions should followed the design as identified in SDG-159.

Hope this helps.

**Rudy Jauregui**

Associate Engineer - Traffic  
City of San Diego  
Development Services Department

T (619) 557-7985  
[www.sandiego.gov](http://www.sandiego.gov)

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From: Gutierrez, Edith  
Sent: Monday, April 24, 2017 11:36 AM  
To: Jauregui, Rodolfo <[RJauregui@sandiego.gov](mailto:RJauregui@sandiego.gov)>  
Subject: FW: Code Enforcement Investigation

-----Original Message-----

From: Gutierrez, Edith  
Sent: Monday, April 24, 2017 9:29 AM  
To: [REDACTED]  
Subject: RE: Code Enforcement Investigation

Hello [REDACTED]

Attached are the approved permit and exhibits.

Regards,

Edith

-----Original Message-----

From: [REDACTED]

Sent: Monday, April 24, 2017 9:20 AM  
To: Gutierrez, Edith <[EGutierrez@sandiego.gov](mailto:EGutierrez@sandiego.gov)>  
Subject: Fwd: Code Enforcement Investigation

Can you help me get these specifications that I know were imposed upon the CUP.

----- Forwarded message -----

From: [REDACTED]  
Date: Mon, Apr 24, 2017 at 9:18 AM  
Subject: Fwd: Code Enforcement Investigation  
To: [Mmontessoro@sandiego.gov](mailto:Mmontessoro@sandiego.gov)

Mr Montessoro,

Is it possible to acquire a set of CUP requirements and or drawings that specifically describe the need to modify by widening the roll up door of their designated parking garage to be able to meet the 5 designated parking space requirement.

Also specific dimensions that the development department imposed on the CUP for widening of the driveway approaches at the Baqlboa Ave entrances(3of) and not just replacement of existing approach and sidewalks.

I would be available to accompany the inspector at his discretion to point out the violations that this MMC is trying to cover up. Or perhaps we can resolve this with a phone call. I am available anytime.

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From: Sperry, Rowdy <[RSperry@sandiego.gov](mailto:RSperry@sandiego.gov)>  
Date: Mon, Apr 24, 2017 at 8:42 AM  
Subject: RE: Code Enforcement Investigation  
To: [REDACTED]  
Cc: "Montessoro, Martin" <[MMontessoro@sandiego.gov](mailto:MMontessoro@sandiego.gov)>

Mr. [REDACTED]

Thank you for bringing your concerns to the Code Enforcement Division of DSD. I have thoroughly reviewed the Conditional Use Permit (CUP) with my management. We have examined not only the CUP, but also the approved plans that address the concerns you have and the requirements of the CUP.

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The need for kind of approval from private associations is not within the City's enforcement authority.

Sincerely,

R. Sperry  
Zoning Investigator  
City of San Diego  
Development Services Department

[sandiego.gov](http://sandiego.gov)

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From: [REDACTED]  
Sent: Thursday, April 20, 2017 10:26 PM  
To: Sperry, Rowdy <RSperry@sandiego.gov>  
Cc: Mary Howell <mhowell@epsten.com>  
Subject: Re: Code Enforcement Investigation

Mr. Sperry,

The owner of the MMC is blatantly continuing the over the counter sales and delivery service out of the 8863 Balboa Ave suite E location without satisfying requirements of the CUP. We observe the heaviest retail activity between 5 pm and 9 pm when inspectors don't typically come around.

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**From:** [Gutierrez, Edith](#)  
**To:** [REDACTED]  
**Bcc:** [Jauregui, Rodolfo](#); [Sperry, Rowdy](#)  
**Subject:** Code Enforcement Investigation  
**Date:** Monday, April 24, 2017 1:45:00 PM  
**Attachments:** [368347 - Recorded CUP #1296130 and Reso #PC-4716.pdf](#)  
[368347 - Approved Exhibit A.pdf](#)

---

[REDACTED]

Please see Rudy's response below regarding the driveways.

Per SDMC 142.0560 (j) (1), Table 142-05M:

**Table 142-05M**  
**Driveway Width (Lots greater than 50 feet in width)**

Use	Minimum Width		Maximum Width (Outside of Parking Impact Overlay Zone)		Maximum Width Parking Impact Area
	One-Way	Two-Way	One-Way	Two-Way	Two Way
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The allowed "driveway widths" are as indicated above and the "design" of the driveway curb cuts are as identified on City Standard drawing SDG-159 shown on Exhibit "A"; widths are of the travel-way width and do not include the flared transitions to the required sidewalk. Transitions should followed the design as identified in SDG-159.

Hope this helps.

**Rudy Jauregui**

Associate Engineer - Traffic  
City of San Diego  
Development Services Department

T (619) 557-7985  
[www.sandiego.gov](http://www.sandiego.gov)

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Sincerely,

R. Sperry  
Zoning Investigator  
City of San Diego

Development Services Department

sandiego.gov

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To: Sperry, Rowdy <[RSperry@sandiego.gov](mailto:RSperry@sandiego.gov)>  
Cc: Mary Howell <[mhowell@epsten.com](mailto:mhowell@epsten.com)>  
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**From:** [Gutierrez, Edith](#)  
**To:** [Jauregui, Rodolfo](#)  
**Subject:** FW: Code Enforcement Investigation  
**Date:** Monday, April 24, 2017 1:33:00 PM  
**Attachments:** [368347 - Recorded CUP #1296130 and Reso #PC-4716.pdf](#)  
[368347 - Approved Exhibit A.pdf](#)  
[image004.png](#)  
[image007.png](#)

Boxes move around when you send them.

**From:** Jauregui, Rodolfo  
**Sent:** Monday, April 24, 2017 1:32 PM  
**To:** Gutierrez, Edith <EGutierrez@sandiego.gov>  
**Subject:** FW: Code Enforcement Investigation

Per SDMC 142.0560 (j) (1), Table 142-05M:

**Table 142-05M**  
**Driveway Width (Lots greater than 50 feet in width)**

Use	Minimum Width		Maximum Width (Outside of Parking Impact Overlay Zone)		Maximum Width Parking Impact Area
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Nonresidential	14 feet	24 feet	20 feet	30 feet	25 feet

The allowed "driveway widths" are as indicated above (two-way in **red** and one-way in **blue**) and the "design" of the driveway curb cuts are as identified on City Standard drawing SDG-159 shown on Exhibit "A"; widths are of the travel-way width and do not include the flared transitions to the required sidewalk. Transitions should followed the design as identified in SDG-159.

Hope this helps.

**Rudy Jauregui**  
Associate Engineer - Traffic  
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Sent: Monday, April 24, 2017 11:36 AM  
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Cc: Mary Howell <mhowell@epsten.com>  
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**Subject:** FW: Code Enforcement Investigation  
**Date:** Monday, April 24, 2017 11:33:00 AM  
**Attachments:** [368347 - Recorded CUP #1296130 and Reso #PC-4716.pdf](#)  
[368347 - Approved Exhibit A.pdf](#)

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**From:** [Gutierrez, Edith](#)  
**To:** [REDACTED]  
**Subject:** RE: Code Enforcement Investigation  
**Date:** Monday, April 24, 2017 9:28:00 AM  
**Attachments:** [368347 - Recorded CUP #1296130 and Reso #PC-4716.pdf](#)  
[368347 - Approved Exhibit A.pdf](#)

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Hello [REDACTED]

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-----Original Message-----

**From:** [REDACTED]  
**Sent:** Monday, April 24, 2017 9:20 AM  
**To:** Gutierrez, Edith <EGutierrez@sandiego.gov>  
**Subject:** Fwd: Code Enforcement Investigation

Can you help me get these specifications that I know were imposed upon the CUP.

----- Forwarded message -----

**From:** [REDACTED]  
**Date:** Mon, Apr 24, 2017 at 9:18 AM  
**Subject:** Fwd: Code Enforcement Investigation  
**To:** Mmontessoro@sandiego.gov

Mr Montessoro,

Is it possible to acquire a set of CUP requirements and or drawings that specifically describe the need to modify by widening the roll up door of their designated parking garage to be able to meet the 5 designated parking space requirement.

Also specific dimensions that the development department imposed on the CUP for widening of the driveway approaches at the Baqlboa Ave entrances(3of) and not just replacement of existing approach and sidewalks.

I would be available to accompany the inspector at his discretion to point out the violations that this MMC is trying to cover up. Or perhaps we can resolve this with a phone call. I am available anytime.

[REDACTED]

----- Forwarded message -----

**From:** Sperry, Rowdy <RSperry@sandiego.gov>  
**Date:** Mon, Apr 24, 2017 at 8:42 AM  
**Subject:** RE: Code Enforcement Investigation  
**To:** [REDACTED]  
**Cc:** "Montessoro, Martin" <MMontessoro@sandiego.gov>

[REDACTED]

Thank you for bringing your concerns to the Code Enforcement Division of DSD. I have thoroughly reviewed the Conditional Use Permit (CUP) with my management. We have examined not only the CUP, but also the approved plans that address the concerns you have and the requirements of the CUP.

The approved building plans address all relevant CUP conditions. The Inspection Services section of the Building Construction and Safety Division of DSD will be addressing conformance with this active permit, including occupancy. The contact in this division is Martin Montessoro, Program Manager.

The need for kind of approval from private associations is not within the City's enforcement authority.

Sincerely,

R. Sperry  
Zoning Investigator  
City of San Diego  
Development Services Department

sandiego.gov

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-----Original Message-----

From: [REDACTED]  
Sent: Thursday, April 20, 2017 10:26 PM  
To: Sperry, Rowdy <RSperry@sandiego.gov>  
Cc: Mary Howell <mhowell@epsten.com>  
Subject: Re: Code Enforcement Investigation

Mr. Sperry,

The owner of the MMC is blatantly continuing the over the counter sales and delivery service out of the 8863 Balboa Ave suite E location without satisfying requirements of the CUP. We observe the heaviest retail activity between 5 pm and 9 pm when inspectors don't typically come around.

The unit does not have the required 5 dedicated spaces within our assigned space parking complex as dictated by the CUP. Their proposed parking garage which would give them the required 5 spaces cannot be structurally modified without the Association's approval which they cannot obtain. They have not completed safety issue - traffic approach modifications although they have torn up our driveway aprons without regard to fire dept access procedures. See San Diego police dept incident report # 170400032843 of 4-20-17. We have notified them countless times that they cannot proceed without our Association's approval for modification yet they continue.

Another problem is that they have a permit from the city to modify the sidewalks but they refuse to acknowledge that they need an architectural application and approval from the Business Condo Assoc (HOA) to proceed with further modification of the planters and relocation of the back flow valves and main water supply to the condos (all of which are Association common area). They cannot meet the conditions of the CUP unless they do that illegally.

In conclusion, they are trying to dupe the city into overlooking the specific requirements of the CUP while they continue to sell and distribute marijuana products at this location.

We look to you to give a close inspection of the CUP requirements and prevent them from operating this business per regulation.

Thank You for your consideration,  
[REDACTED]

On Fri, Apr 14, 2017 at 9:39 AM, Sperry, Rowdy <RSperry@sandiego.gov> wrote:

> Good morning [REDACTED]

>

>

>

> Code Enforcement is in receipt of your concerns about the marijuana

> dispensary located at 8863 Balboa Ave. We will be investigating your

> concerns.

>

>

>

> R. Sperry

>

> Zoning Investigator

>

> City of San Diego

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> Development Services Department

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>

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> sandiego.gov

>

>

>

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> Thank you.

>

>

**From:** [Montessoro, Martin](#)  
**To:** ["ninusmalan@yahoo.com"](#)  
**Cc:** ["jim@bartellassociates.com"](#); [Anderson, Jaimie](#); [Sokolowski, Michelle](#); [Gutierrez, Edith](#)  
**Subject:** 8863 Balboa Ave MMCC  
**Date:** Tuesday, April 18, 2017 8:34:37 AM  
**Attachments:** [Temporary Occupancy Request Procedure 2015.pdf](#)  
[image002.png](#)

---

Good morning,

Your permit (#1822177) is now in the issued status. At your earliest convenience please send me a letter requesting a temporary occupancy. See the attached procedure for information on this; if you have any question contact me.

After that we need you to schedule a "Prefinal" inspection with Jaimie Anderson as soon as you can. Jaimie will remove the signoff from the inspection record card and if we have the letter from you he will have our letter approving occupancy for you.

Thank you,  
Martin Montessoro  
Program Manager  
City of San Diego  
Development Services

Desk 858-573-1232  
Cell 619 990-2713  
[mmontessoro@sandiego.gov](mailto:mmontessoro@sandiego.gov)



**Great news!** The public can now check project status, pay invoices and schedule inspections on-line through the City's **OpenDSD**. To get started click on one of the following links:



[Pay Invoices](#) and [Schedule Inspections](#) and [Check Project Status](#)

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**From:** [Gutierrez, Edith](#)  
**To:** [Sennett, Leslie](#)  
**Cc:** [Sperry, Rowdy](#); [Clark, Cameron](#); [Richmond, Michael](#); [Barranon, William](#); [Tirandazi, Firouzeh](#)  
**Subject:** RE: 8863 Balboa Ave MMCC  
**Date:** Tuesday, April 11, 2017 7:39:00 AM

Hi Leslie,

I just spoke to the building inspector, Chris Johnson, and he confirmed that we was not aware of the requirement to restripe and replace the driveways. I will forward the email complaint I received in another email.

Thanks

**From:** Gutierrez, Edith  
**Sent:** Monday, April 10, 2017 11:07 AM  
**To:** Sennett, Leslie <[LSennett@sandiego.gov](mailto:LSennett@sandiego.gov)>  
**Cc:** Sperry, Rowdy <[RSperry@sandiego.gov](mailto:RSperry@sandiego.gov)>; Clark, Cameron <[CDClark@sandiego.gov](mailto:CDClark@sandiego.gov)>; Richmond, Michael <[MRichmond@sandiego.gov](mailto:MRichmond@sandiego.gov)>  
**Subject:** FW: 8863 Balboa Ave MMCC  
**Importance:** High

Hi Leslie,

Please see email below. Not sure if you already received a complaint.

**From:** Gutierrez, Edith  
**Sent:** Monday, April 10, 2017 10:37 AM  
**To:** Johnson, Christopher <[CSJohnson@sandiego.gov](mailto:CSJohnson@sandiego.gov)>  
**Subject:** 8863 Balboa Ave MMCC  
**Importance:** High

Hi Christopher,

The subject project passed final inspection on 3/14/17. During a site visit this weekend, I verified that the parking lot was not restriped and the two eastern driveways were not replace to current city standard, see attached permit condition no. 27. Were you aware of these conditions?

The screenshot displays a software interface with a project tree on the left and an inspection details form on the right.

**Project Tree (Left):**

- 232647
  - Projects
    - 368347 8863 Balboa Ste. E MMCC [Closed]
    - 423102 Appeal for PTS# 368347 [Closed]
    - 467963 8863 Balboa MMCC Permit [Closed]
    - 519594 Balboa MMCC Remodel [Inspecting]
  - Customers
  - Visits
  - Diaries
  - Meetings
  - Review Templates
  - Review Cycles
  - Alerts
  - Project Locations
  - Project Packages
  - Jobs
    - 8863 BALBOA AV
      - Locations
      - Approvals
      - Building Permit [Completed]
        - Administrative Holds
        - Insurance Checklist
        - Approval Units
        - Fees
          - SAP Fees
          - Valuation Estimator
          - Surcharges
          - Sureties
        - Inspection Plan
          - Templates
          - Inspection Tier 1
            - Inspections
            - Issues
            - Packages
            - Approvals
          - Inspection Tier 2
            - Inspections
            - Issues
            - Packages
            - Approvals
          - Inspection Tier 3
            - Inspections
            - Issues
            - Packages
            - Approvals
        - Stop Work Orders
        - Electrical Permit [Completed]
        - Mechanical Permit [Completed]
        - Plumbing Permit [Completed]

**Inspection Details Form (Right):**

Inspection: 3105107

Inspection Type: Structural - Final(3) [Final]  
Scheduler: Anderson, Jaime  
Scheduled Start: 3/14/2017 08:00 AM  
Scheduled End: 3/14/2017 04:00 PM  
Performed Begin: 3/14/2017 08:00 AM  
Performed End: 3/14/2017 05:22 PM  
Primary Location: 8863 BALBOA AV

Inspection Status: Completed  
First Scheduled: 3/14/2017 08:00 AM  
Second Opinion: ☐  
Release Meter: ☐  
Inspector: Johnson, Christopher (858) 627-2055  
Inspection Result: Pass  
Cancel Reason:   
Cancel By:   
Odometer: Start:   
End:   
Date:   
Last Updated: CSJOHNSON 3/14/2017 05:22 PM

Subtype Description	Result	Note
Final (Final)	Pass	-snoc
Stormwater Const BMPs	Pass	

**From:** [Tirandazi, Firouzeh](#)  
**To:** [Gutierrez, Edith](#)  
**Subject:** FW: 8863 Balboa Ave MMCC (PJ#368347)  
**Date:** Tuesday, January 10, 2017 11:40:30 AM  
**Attachments:** [image002.png](#)  
[SDPCC Corp Res.pdf](#)

---

Start from bottom.

---

**From:** bradford@equitycapital.us [mailto:bradford@equitycapital.us]  
**Sent:** Tuesday, January 10, 2017 8:53 AM  
**To:** Tirandazi, Firouzeh <FTirandazi@sandiego.gov>; Gargas, Glenn <GGargas@sandiego.gov>  
**Cc:** Michael Hayford <michael@lhsllc.com>; Renny Bowden <rennybowden@gmail.com>; Daly, Tim <TPDaly@sandiego.gov>; ross@rosscgoodman.com  
**Subject:** RE: 8863 Balboa Ave MMCC (PJ#368347)

Tirandazi,

Thank you for the clarification on the CUP and process in witch we will need to follow. This leads me to my next question, if our intentions are to rescind the use permit would another application be accepted? I ask this because there were two applications that were given continuance after the 4 CUPs were issued in district 6. Currently, negotiation's are taking place for the 1st place continuance and should be dealt with fairly soon. The 2nd place continuance would be void as that building is occupied by new long term tenant. After this would new application's be accepted? In order for us to rescind this permit we would need to know that we would be able to submit on our new property in that district!

Lastly, I would like to be reassured as I have clearly stated in my emails with Edith that San Diego Patients Consumer Cooperative (SDPCC) is not in jeopardy of loosing its CUP and or being replaced by Ms. Austin's client new cooperative. This use permit took two years of our time and over \$250,000.00 to secure, I lost a friend a partner and don't want to see all this go into a legal battle and cause more headache's for all of us. Rest assured that this dilemma is between Ms. Austin and the cooperative at this point but we need to know that the DSD will hold firm with SDPCC and the issued permit holder and its executives!

Please feel free to contact me at any time via email or by the number below if anyone contacts you on behalf of me or partners. The only people that have president other than my self are Michael Hayford and Renny Bowden. Please see attached corporate resolution for your files.

Best,

**Bradford T. Harcourt**  
*President & CEO*

.....



7938 Ivanhoe Avenue, Suite B  
La Jolla, CA 92037

**Direct:** 858-220-0770 | **Fax:** 858-810-0301



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----- Original Message -----

Subject: RE: 8863 Balboa Ave MMCC (PJ#368347)  
From: "Tirandazi, Firouzeh" <[FTirandazi@san Diego.gov](mailto:FTirandazi@san Diego.gov)>  
Date: Mon, January 09, 2017 4:22 pm  
To: "[bradford@equitycapital.us](mailto:bradford@equitycapital.us)" <[bradford@equitycapital.us](mailto:bradford@equitycapital.us)>, "Gargas, Glenn" <[GGargas@san Diego.gov](mailto:GGargas@san Diego.gov)>  
Cc: Michael Hayford <[michael@lhslc.com](mailto:michael@lhslc.com)>, Renny Bowden <[rennybowden@gmail.com](mailto:rennybowden@gmail.com)>, "Daly, Tim" <[TPDaly@san Diego.gov](mailto:TPDaly@san Diego.gov)>

Good Afternoon Mr. Harcourt,

At the meeting, you discussed the options of transferring the permit or possibly rescinding the permit and applying for a new CUP.

The subject Conditional Use Permit for the above referenced MMCC runs with the land and it is not transferrable to another location. As advised at the meeting, owners and permittees may change over time, and any new owner or permittee would be subject to the conditions of the CUP. Furthermore, the City does not handle HOA matters.

A [permit holder](#) / [applicant](#), as defined in the San Diego Municipal Code (SDMC), may request to cancel, or apply to rescind a development permit, in accordance with SDMC Section 126.0110. The *record owner* of the real property that is the subject of the permit; the record owner's authorized agent; or any other person who can demonstrate a legal right, interest, or entitlement to the use of the real property subject to the application, would be a party to any rescission application or cancellation request.

Regards,

**Firouzeh Tirandazi**

Development Project Manager  
City of San Diego  
Development Services Department

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---

**From:** [bradford@equitycapital.us](mailto:bradford@equitycapital.us) [<mailto:bradford@equitycapital.us>]  
**Sent:** Monday, January 09, 2017 2:55 PM  
**To:** Tirandazi, Firouzeh <[FTirandazi@sandiego.gov](mailto:FTirandazi@sandiego.gov)>; Gargas, Glenn <[GGargas@sandiego.gov](mailto:GGargas@sandiego.gov)>  
**Cc:** Michael Hayford <[michael@lhsllc.com](mailto:michael@lhsllc.com)>; Renny Bowden <[rennybowden@gmail.com](mailto:rennybowden@gmail.com)>  
**Subject:** RE: 8863 Balboa Ave MMCC (PJ#368347)

Tirandazi,

It was a pleasure to meet today and review alternative options for our situation with our cooperative. We are optimistic that we will be able to work though these issues with the HOA and not have to relinquish our CUP. But just in case we can not can you please let us know what your supervisors say regarding this drop and swap approach.

Further more, I am happy that we meet with you when did! It seems that Ms. Austin whom is representing the land owner was trying to submit a new cooperative (8863 Balboa Cooperative Corp) in replacement of (San Diego Patients Cooperative) the original CUP applicant. Could this have actually happened if we had not gone in for a meeting with you? I cant believe that we just so happened to have a meeting and caught this? I am shocked as I should have been your first contact knowing that the land had just traded hands. Can you please send me the articles that Ms. Austin provided on behalf of the land owner. We we issued permits to start construction at the end of last week and want to put this to bed and move forward.

Best,

**Bradford T. Harcourt**  
*President & CEO*

\*\*\*\*\*



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----- Original Message -----

Subject: Re: 8863 Balboa Ave MMCC (PJ#368347)  
From: Bradford Harcourt <[bradford@equitycapital.us](mailto:bradford@equitycapital.us)>  
Date: Wed, January 04, 2017 11:27 am  
To: "Tirandazi, Firouzeh" <[FTirandazi@sanidiego.gov](mailto:FTirandazi@sanidiego.gov)>  
Cc: Michael Hayford <[michael@lhslc.com](mailto:michael@lhslc.com)>, Renny Bowden <[rennybowden@gmail.com](mailto:rennybowden@gmail.com)>

Tirandazi,

We are well aware and understand that city does not involve it self in private matters. We would still like to meet Monday 1/9 @ 12. Thank you!

Best,  
Bradford T. Harcourt  
C: (858) 220 0770

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On Jan 4, 2017, at 11:08 AM, Tirandazi, Firouzeh <[FTirandazi@sanidiego.gov](mailto:FTirandazi@sanidiego.gov)> wrote:

Please note that the City does not get involved in HOA issues. If you still wish to meet, 12/9 at noon works for me. Please have the 5<sup>th</sup> floor receptionist (Development Services Center 1222 1<sup>st</sup> Avenue) call me upon your arrival.

**Firouzeh Tirandazi**

Development Project Manager  
City of San Diego  
Development Services Department

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---

**From:** [bradford@equitycapital.us](mailto:bradford@equitycapital.us) [<mailto:bradford@equitycapital.us>]

**Sent:** Wednesday, January 04, 2017 11:02 AM

**To:** Tirandazi, Firouzeh <[FTirandazi@sandiego.gov](mailto:FTirandazi@sandiego.gov)>

**Cc:** Michael Hayford <[michael@lhslc.com](mailto:michael@lhslc.com)>; Renny Bowden

<[rennybowden@gmail.com](mailto:rennybowden@gmail.com)>

**Subject:** RE: 8863 Balboa Ave MMCC (PJ#368347)

Tirandazi,

I'm sorry if there was a miss understanding about the date but we were hoping to meet with you next Monday 1/9/17 @ 12, not 1/19/17.

We would like to discuss some potential steps forward as we have an issue with the HOA in the business park where are MMCC is located. Since your department at the DSD is the governing body that issues MMCC use permits we thought that it would be the best place to start. This will could help shed some light on our situation and may help us resolve our dilemma. Thank you for your time and look forward to getting to meet with you.

Best,  
<image003.gif>

7938 Ivanhoe Avenue, Suite B  
La Jolla, CA 92037

**Direct:** 858-220-0770 | **Fax:** 858-810-0301

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----- Original Message -----

Subject: RE: 8863 Balboa Ave MMCC (PJ#368347)  
From: "Tirandazi, Firouzeh" <[FTirandazi@san Diego.gov](mailto:FTirandazi@san Diego.gov)>  
Date: Wed, January 04, 2017 9:48 am  
To: "[bradford@equitycapital.us](mailto:bradford@equitycapital.us)" <[bradford@equitycapital.us](mailto:bradford@equitycapital.us)>

Hi Brad – yes 1/19 at noon would work. However, before we set this meeting can you clarify the purpose of this meeting. The CUP for the subject MMCC was approved in 2015.

Thanks,  
Firouzeh

---

**From:** [bradford@equitycapital.us](mailto:bradford@equitycapital.us) [<mailto:bradford@equitycapital.us>]  
**Sent:** Tuesday, January 03, 2017 4:53 PM  
**To:** Tirandazi, Firouzeh <[FTirandazi@san Diego.gov](mailto:FTirandazi@san Diego.gov)>  
**Subject:** RE: 8863 Balboa Ave MMCC (PJ#368347)

Does 12 work on 1/9/17. Thanks!

<image003.gif>

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----- Original Message -----

Subject: RE: 8863 Balboa Ave MMCC (PJ#368347)  
From: "Tirandazi, Firouzeh" <[FTirandazi@sandiego.gov](mailto:FTirandazi@sandiego.gov)>  
Date: Tue, January 03, 2017 4:10 pm  
To: "[bradford@equitycapital.us](mailto:bradford@equitycapital.us)"  
<[bradford@equitycapital.us](mailto:bradford@equitycapital.us)>

Sure – Monday Works.

---

**From:** [bradford@equitycapital.us](mailto:bradford@equitycapital.us)  
[<mailto:bradford@equitycapital.us>]

**Sent:** Tuesday, January 03, 2017 3:52 PM

**To:** Tirandazi, Firouzeh <[FTirandazi@sandiego.gov](mailto:FTirandazi@sandiego.gov)>

**Cc:** Renny Bowden <[rennybowden@gmail.com](mailto:rennybowden@gmail.com)>; Michael  
Hayford <[michael@lhsllc.com](mailto:michael@lhsllc.com)>

**Subject:** RE: 8863 Balboa Ave MMCC (PJ#368347)

Tirandazi,

One of our partners has a conflict in his schedule and was wondering if you can meet Monday? If not we can take the meeting with out him present on Friday @ 12PM. Thank you and let me know if this is a possibility.

Best,  
<image003.gif>

7938 Ivanhoe Avenue, Suite B  
La Jolla, CA 92037

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----- Original Message -----

Subject: RE: 8863 Balboa Ave MMCC

(PJ#368347)  
From: "Tirandazi, Firouzeh"  
<[FTirandazi@san Diego.gov](mailto:FTirandazi@san Diego.gov)>  
Date: Tue, January 03, 2017 11:45 am  
To: "[bradford@equitycapital.us](mailto:bradford@equitycapital.us)"  
<[bradford@equitycapital.us](mailto:bradford@equitycapital.us)>, "Gutierrez,  
Edith" <[EGutierrez@san Diego.gov](mailto:EGutierrez@san Diego.gov)>  
Cc: Renny Bowden  
<[rennybowden@gmail.com](mailto:rennybowden@gmail.com)>, Michael Hayford  
<[michael@lhslc.com](mailto:michael@lhslc.com)>

Hi Brad,

I am available this Friday morning – between 9-12.

**Firouzeh Tirandazi**

Development Project Manager  
City of San Diego  
Development Services Department

(619)446-5325  
[san Diego.gov](http://san Diego.gov)

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---

**From:** [bradford@equitycapital.us](mailto:bradford@equitycapital.us)  
[<mailto:bradford@equitycapital.us>]  
**Sent:** Tuesday, January 03, 2017 8:59 AM  
**To:** Gutierrez, Edith <[EGutierrez@san Diego.gov](mailto:EGutierrez@san Diego.gov)>;  
Tirandazi, Firouzeh <[FTirandazi@san Diego.gov](mailto:FTirandazi@san Diego.gov)>  
**Cc:** Renny Bowden <[rennybowden@gmail.com](mailto:rennybowden@gmail.com)>;  
Michael Hayford <[michael@lhslc.com](mailto:michael@lhslc.com)>; Gargas,  
Glenn <[GGargas@san Diego.gov](mailto:GGargas@san Diego.gov)>  
**Subject:** RE: 8863 Balboa Ave MMCC (PJ#368347)

Edith,

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Best,  
<image003.gif>

7938 Ivanhoe Avenue, Suite B  
La Jolla, CA 92037

**Direct:** 858-220-0770 | **Fax:** 858-810-0301

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----- Original Message -----

Subject: RE: 8863 Balboa Ave MMCC  
(PJ#368347)

From: "Gutierrez, Edith"

<[EGutierrez@sanidiego.gov](mailto:EGutierrez@sanidiego.gov)>

Date: Thu, December 29, 2016 7:10  
am



To: "bradford@equitycapital.us"  
<[bradford@equitycapital.us](mailto:bradford@equitycapital.us)>  
Cc: Renny Bowden  
<[rennybowden@gmail.com](mailto:rennybowden@gmail.com)>, Michael  
Hayford  
<[michael@lhsllc.com](mailto:michael@lhsllc.com)>, "Gargas,  
Glenn" <[GGargas@san Diego.gov](mailto:GGargas@san Diego.gov)>,  
"Tirandazi, Firouzeh"  
<[FTirandazi@san Diego.gov](mailto:FTirandazi@san Diego.gov)>

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working in the Planning Department.  
Firouzeh Tirandazi is now managing the  
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permitted MMCCs would automatically be  
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recreational marijuana, however, the change  
would not go into effect until January 2018,  
when the State agencies would become  
operational.

Use the following link to see the Planning  
Commission report and/or archived video  
[https://www.sandiego.gov/planning-  
commission/documents](https://www.sandiego.gov/planning-commission/documents)

Regards,

Edith

---

**From:** [bradford@equitycapital.us](mailto:bradford@equitycapital.us)  
[<mailto:bradford@equitycapital.us>]  
**Sent:** Wednesday, December 28, 2016  
9:21 AM  
**To:** Gutierrez, Edith  
<[EGutierrez@san Diego.gov](mailto:EGutierrez@san Diego.gov)>; Gargas,  
Glenn <[GGargas@san Diego.gov](mailto:GGargas@san Diego.gov)>  
**Cc:** Renny Bowden  
<[rennybowden@gmail.com](mailto:rennybowden@gmail.com)>; Michael  
Hayford <[michael@lhsllc.com](mailto:michael@lhsllc.com)>  
**Subject:** 8863 Balboa Ave MMCC

(PJ#368347)

Edith,

Is there a time this week or next that we can schedule an appointment to meet? We would like go over a few things regarding this MMCC and future issuance of RMCC licencing/permit for this same location. Please let us know as we would like to start the recreational application process as soon as possible. Happy Holidays!

Best,  
<image003.gif>

7938 Ivanhoe Avenue, Suite B  
La Jolla, CA 92037

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**From:** [Gutierrez, Edith](#)  
**To:** [Tirandazi, Firouzeh](#)  
**Subject:** FW: 8863 Balboa Ave MMCC (PJ#368347)  
**Date:** Tuesday, January 10, 2017 11:30:00 AM

---

---

**From:** bradford@equitycapital.us [mailto:bradford@equitycapital.us]  
**Sent:** Tuesday, January 03, 2017 8:59 AM  
**To:** Gutierrez, Edith <EGutierrez@saniego.gov>; Tirandazi, Firouzeh <FTirandazi@saniego.gov>  
**Cc:** Renny Bowden <rennybowden@gmail.com>; Michael Hayford <michael@lhsllc.com>; Gargas, Glenn <GGargas@saniego.gov>  
**Subject:** RE: 8863 Balboa Ave MMCC (PJ#368347)

Edith,

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Tirandazi,

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Best,

**Bradford T. Harcourt**  
*President & CEO*

.....



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Subject: RE: 8863 Balboa Ave MMCC (PJ#368347)  
From: "Gutierrez, Edith" <[EGutierrez@san Diego.gov](mailto:EGutierrez@san Diego.gov)>  
Date: Thu, December 29, 2016 7:10 am  
To: "bradford@equitycapital.us" <[bradford@equitycapital.us](mailto:bradford@equitycapital.us)>  
Cc: Renny Bowden <[rennybowden@gmail.com](mailto:rennybowden@gmail.com)>, Michael Hayford <[michael@lhsllc.com](mailto:michael@lhsllc.com)>, "Gargas, Glenn" <[GGargas@san Diego.gov](mailto:GGargas@san Diego.gov)>, "Tirandazi, Firouzeh" <[FTirandazi@san Diego.gov](mailto:FTirandazi@san Diego.gov)>

Hi Brad,

Happy Holidays!

I transferred out of DSD and am now working in the Planning Department. Firouzeh Tirandazi is now managing the MMCCs, she has been included in this email.

On December 15, 2016, the Planning Department took proposed code changes for Adult Use of Marijuana to the Planning Commission and those changes are now scheduled to be presented to the City Council on January 30, 2017. If the proposed changes get adopted, the permitted MMCCs would automatically be allowed to sell both medicinal and recreational marijuana, however, the change would not go into effect until January 2018, when the State agencies would become operational.

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Regards,

Edith

---

**From:** [bradford@equitycapital.us](mailto:bradford@equitycapital.us) [<mailto:bradford@equitycapital.us>]

**Sent:** Wednesday, December 28, 2016 9:21 AM

**To:** Gutierrez, Edith <[EGutierrez@san Diego.gov](mailto:EGutierrez@san Diego.gov)>; Gargas, Glenn <[GGargas@san Diego.gov](mailto:GGargas@san Diego.gov)>

**Cc:** Renny Bowden <[rennybowden@gmail.com](mailto:rennybowden@gmail.com)>; Michael Hayford <[michael@lhsllc.com](mailto:michael@lhsllc.com)>

**Subject:** 8863 Balboa Ave MMCC (PJ#368347)

Edith,

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Best,

## **Bradford T. Harcourt**

*President & CEO*

.....



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**From:** [Tirandazi, Firouzeh](#)  
**To:** [bradford@equitycapital.us](mailto:bradford@equitycapital.us); [Gutierrez, Edith](#)  
**Cc:** [Renny Bowden](#); [Michael Hayford](#)  
**Subject:** RE: 8863 Balboa Ave MMCC (PJ#368347)  
**Date:** Tuesday, January 3, 2017 11:45:32 AM  
**Attachments:** [image002.png](#)

---

Hi Brad,

I am available this Friday morning – between 9-12.

**Firouzeh Tirandazi**

Development Project Manager  
City of San Diego  
Development Services Department

(619)446-5325  
[sandiego.gov](mailto:sandiego.gov)



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**From:** [bradford@equitycapital.us](mailto:bradford@equitycapital.us) [mailto:[bradford@equitycapital.us](mailto:bradford@equitycapital.us)]

**Sent:** Tuesday, January 03, 2017 8:59 AM

**To:** Gutierrez, Edith <[EGutierrez@sandiego.gov](mailto:EGutierrez@sandiego.gov)>; Tirandazi, Firouzeh <[FTirandazi@sandiego.gov](mailto:FTirandazi@sandiego.gov)>

**Cc:** Renny Bowden <[rennybowden@gmail.com](mailto:rennybowden@gmail.com)>; Michael Hayford <[michael@lhslc.com](mailto:michael@lhslc.com)>; Gargas, Glenn <[GGargas@sandiego.gov](mailto:GGargas@sandiego.gov)>

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President & CEO



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Subject: RE: 8863 Balboa Ave MMCC (PJ#368347)

From: "Gutierrez, Edith" <[EGutierrez@sandiego.gov](mailto:EGutierrez@sandiego.gov)>

Date: Thu, December 29, 2016 7:10 am

To: "[bradford@equitycapital.us](mailto:bradford@equitycapital.us)" <[bradford@equitycapital.us](mailto:bradford@equitycapital.us)>

Cc: Renny Bowden <[rennybowden@gmail.com](mailto:rennybowden@gmail.com)>, Michael Hayford  
<[michael@lhslc.com](mailto:michael@lhslc.com)>, "Gargas, Glenn" <[GGargas@sandiego.gov](mailto:GGargas@sandiego.gov)>,  
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**To:** Gutierrez, Edith <[EGutierrez@saniego.gov](mailto:EGutierrez@saniego.gov)>; Gargas, Glenn <[GGargas@saniego.gov](mailto:GGargas@saniego.gov)>  
**Cc:** Renny Bowden <[rennybowden@gmail.com](mailto:rennybowden@gmail.com)>; Michael Hayford <[michael@lhsllc.com](mailto:michael@lhsllc.com)>  
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**From:** [Gutierrez, Edith](#)  
**To:** ["Ed Quinn"](#)  
**Subject:** RE: 8863 Balboa Ave.  
**Date:** Monday, November 14, 2016 12:02:34 PM

---

Hello Ed,

Yes, the permit runs with the land. I do not have information on the new owner as they have not applied for any ministerial permits yet.

-----Original Message-----

From: Ed Quinn [<mailto:equinn@me.com>]  
Sent: Monday, November 14, 2016 11:52 AM  
To: Gutierrez, Edith  
Subject: 8863 Balboa Ave.

Edith

Apparently the units at 8863 E and 8861 B have been sold again. The new owner is Razuke investments LLC. I assume the Medical MJ permits go with the new owner. Can you tell me anything about them? We only have an address and they have not approached our association.

Thank you

Ed

**From:** [Ed Quinn](#)  
**To:** [Gutierrez, Edith](#)  
**Subject:** 8863 Balboa Ave.  
**Date:** Monday, November 14, 2016 11:52:33 AM

---

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Thank you

Ed

**From:** [Brad Harcourt](#)  
**To:** [Gargas, Glenn](#); [Gutierrez, Edith](#)  
**Cc:** [bikersherlock@hotmail.com](mailto:bikersherlock@hotmail.com)  
**Subject:** Re: Project Withdrawal #435832 (918 Laurel MMCC)  
**Date:** Wednesday, November 25, 2015 9:24:41 AM  
**Attachments:** [image001.png](#)

---

Glenn,

Ok. Thank you for the quick reply. I know we have a payment due on project # 368347 (8863 Balboa Ste E.) Account No. 2400464 and was hoping that we would be able to transfer funds to take care of the balance due. Since this is not possible can you take credit card PMT over the phone as we are all out of town of the holidays. If not we can cut a check next week. Thanks again.

Best,

Bradford T. Harcourt  
Co-Founder & President  
Full Circle Enterprises, Inc.

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---

**From:** Gargas, Glenn <GGargas@sandiego.gov>  
**Sent:** Tuesday, November 24, 2015 5:21 PM  
**To:** Brad Harcourt; Gutierrez, Edith  
**Cc:** [bikersherlock@hotmail.com](mailto:bikersherlock@hotmail.com)  
**Subject:** RE: Project Withdrawal #435832 (918 Laurel MMCC)

Brad,

Our Accounting Section told me that they cannot allow the transfer of funds on these two project's because the Financially Responsible Party is not the same. I told them that you two were Business Partners and they still said no. The two accounts need to be under the same Financially Responsible Party. I am sorry about that. I will process the Account Closure and you will need to wait for the refund check. Thank You!

*Glenn Gargas*

Development Project Manager  
Development Services Department  
(619) 446-5142



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---

**From:** Brad Harcourt [mailto:bharcourt@fullcirclecompany.com]  
**Sent:** Monday, November 23, 2015 3:27 PM  
**To:** Gargas, Glenn; Gutierrez, Edith  
**Cc:** bikersherlock@hotmail.com  
**Subject:** Re: Project Withdrawal #435832 (918 Laurel MMCC)

Glen,

Thank you for the clarification. I wanted to write you to submit our formal withdrawal from project # 438832 (918 Laurel MMCC) Account No. 24006083 and would like to apply the balance funds (\$7,818.15) towards project # 368347 (8863 Balboa Ste E.) Account No. 2400464.

I am a financial partner to Michael Sherlock and United Patients Consumer Cooperative. We wanted try for another project but ultimately deemed it inappropriate to costly. I have cc'd Michael Sherlock on this email for your reference and if you need his approval to transfer funds to from project # 438832 (918 Laurel MMCC) Account No. 24006083 to project # 368347 (8863 Balboa Ste E.) Account No. 24004643

Best,

Bradford T. Harcourt

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**From:** Gargas, Glenn <[GGargas@san Diego.gov](mailto:GGargas@san Diego.gov)>  
**Sent:** Monday, November 23, 2015 2:25 PM  
**To:** Brad Harcourt; Gutierrez, Edith  
**Subject:** RE: Project Withdrawal #435832 (918 Laurel MMCC)

Brad,

You will need to add the account numbers to your request. 918 Laurel MMCC, Project No. 435832 is

Account No. 24006083 and the other Project , 8863 Balboa Suite E MMCC, Project No. 368347 is Account No. 24004643. You are listed as the Financially Responsible Party on 918 Laurel Street, however, Michael Sherlock is listed as the Financially Responsible Party on Project No. 368347. Please explain your relationship to the 8863 Balboa Suite E MMCC? You are not listed as an owner, contact, agent or applicant on that project.

*Glenn Gargas*

Development Project Manager  
Development Services Department  
(619) 446-5142



## OpenDSD | Development Services

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---

**From:** Brad Harcourt [<mailto:bharcourt@fullcirclecompany.com>]  
**Sent:** Monday, November 23, 2015 2:07 PM  
**To:** Gutierrez, Edith; Gargas, Glenn  
**Subject:** Project Withdrawal #435832 (918 Laurel MMCC)

Glen,

Per our conversation I wanted to wright you to submit our formal withdrawal from project # 438832 (918 Laurel MMCC) and would like to apply the balance funds (\$7,818.15) towards project # 368347 (8863 Balboa Ste E.) Please let me know if there is any forms or supporting documents that you might need in order to process this. Thank you of your time.

Best,

Bradford T. Harcourt

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s). If you are not an intended recipient, you may not review, use, copy, disclose or distribute this message or any of the information contained in this message or its attachments to anyone. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of this message and any attachments.

**From:** [Gargas, Glenn](#)  
**To:** ["Brad Harcourt"; Gutierrez, Edith](#)  
**Cc:** [bikersherlock@hotmail.com](mailto:bikersherlock@hotmail.com)  
**Subject:** RE: Project Withdrawal #435832 (918 Laurel MMCC)  
**Date:** Monday, November 23, 2015 3:42:29 PM  
**Attachments:** [image001.png](#)

---

Brad,

Thank You! I will close the 918 Laurel MMCC Project and I forwarded your request on to the our Accounting Section for the transfer of funds to the referenced account. Thanks Again!

*Glenn Gargas*

Development Project Manager  
Development Services Department  
(619) 446-5142



**Now:** [Pay Invoices](#) and [Schedule Inspections](#) Online

---

**From:** Brad Harcourt [mailto:bharcourt@fullcirclecompany.com]  
**Sent:** Monday, November 23, 2015 3:27 PM  
**To:** Gargas, Glenn; Gutierrez, Edith  
**Cc:** bikersherlock@hotmail.com  
**Subject:** Re: Project Withdrawal #435832 (918 Laurel MMCC)

Glen,

Thank you for the clarification. I wanted to wright you to submit our formal withdrawal from project # 438832 (918 Laurel MMCC) Account No. 24006083 and would like to apply the balance funds (\$7,818.15) towards project # 368347 (8863 Balboa Ste E.) Account No. 2400464.

I am a financial partner to Michael Sherlock and United Patients Consumer Cooperative. We wanted try for another project but ultimately deemed it inappropriate to costly. I have cc'd Michael Sherlock on this email for your reference and if you need his approval to transfer funds to from project # 438832 (918 Laurel MMCC) Account No. 24006083 to project # 368347 (8863 Balboa Ste E.) Account No. 24004643

Best,

Bradford T. Harcourt

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the intended recipient(s). If you are not an intended recipient, you may not review, use, copy, disclose or distribute this message or any of the information contained in this message or its attachments to anyone. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of this message and any attachments.

---

**From:** Gargas, Glenn <[GGargas@sanidiego.gov](mailto:GGargas@sanidiego.gov)>  
**Sent:** Monday, November 23, 2015 2:25 PM  
**To:** Brad Harcourt; Gutierrez, Edith  
**Subject:** RE: Project Withdrawal #435832 (918 Laurel MMCC)

Brad,

You will need to add the account numbers to your request. 918 Laurel MMCC, Project No. 435832 is Account No. 24006083 and the other Project , 8863 Balboa Suite E MMCC, Project No. 368347 is Account No. 24004643. You are listed as the Financially Responsible Party on 918 Laurel Street, however, Michael Sherlock is listed as the Financially Responsible Party on Project No. 368347. Please explain your relationship to the 8863 Balboa Suite E MMCC? You are not listed as an owner, contact, agent or applicant on that project.

*Glenn Gargas*

Development Project Manager  
Development Services Department  
(619) 446-5142



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---

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---

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**To:** Gutierrez, Edith; Gargas, Glenn  
**Subject:** Project Withdrawal #435832 (918 Laurel MMCC)

Glen,

Per our conversation I wanted to write you to submit our formal withdrawal from project # 438832 (918 Laurel MMCC) and would like to apply the balance funds (\$7,818.15) towards project # 368347 (8863 Balboa Ste E.) Please let me know if there is any forms or supporting documents that you might need in order to process this. Thank you of your time.

Best,

Bradford T. Harcourt

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**From:** [Gutierrez, Edith](#)  
**To:** [Biker Sherlock](#)  
**Cc:** ["Sallen, Jeffrey"; Henegar, Lesley; Abhay Schweitzer](#)  
**Subject:** 8863 Balboa Ste. E MMCC PTS 368347  
**Date:** Thursday, July 31, 2014 10:55:49 AM  
**Attachments:** [368347 2nd Assessment Letter.pdf](#)  
[8863 Balboa 3rd Submittal Requirements.pdf](#)  
[8863 Balboa 2nd Review Cycle Issues.pdf](#)

---

Hello Michael,  
Here is the 2<sup>nd</sup> assessment letter and attachments.

Edith Gutierrez  
Development Project Manager  
Development Services Department  
1222 First Ave., MS 501  
San Diego, CA 92101-4153  
(619) 446-5147

**From:** [Ed Quinn](#)  
**To:** [Gutierrez, Edith](#)  
**Subject:** Re: meeting today  
**Date:** Wednesday, July 30, 2014 3:38:21 PM

---

Edith

Hope all is well. Saw your quotes today in the UT, your becoming famous. Can Glenn and I come visit and see any updates since our last visit? Also is there anything we can clarify on our presentation with you or the planners?

Thank you

Ed

On Jul 17, 2014, at 11:06 AM, Gutierrez, Edith wrote:

> I received it.

> Thanks

>

> -----Original Message-----

> From: Ed Quinn [<mailto:equinn@me.com>]

> Sent: Thursday, July 17, 2014 10:59 AM

> To: Gutierrez, Edith

> Subject: Re: meeting today

>

> Edith

>

[REDACTED], just emailed you a copy of our presentation

> objecting to the Conditional use permit to authorize operation of a

> marijuana cooperative at 8863 Balboa Ave, suite E. I have hard bound

> copies for you if needed. I would also be available to sit with you

> and or others and go through it if that would be helpful; just let

> me know.

> Always appreciate your input.

> Thank you

> Ed Quinn

> 858 337 7333

> On Jul 11, 2014, at 9:09 AM, Gutierrez, Edith wrote:

>

>> The hearing officers would be Gary Geiler or Ken Teasley.

>>

>> -----Original Message-----

>> From: Ed Quinn [<mailto:equinn@me.com>]

>> Sent: Thursday, July 10, 2014 3:39 PM

>> To: Gutierrez, Edith

>> Subject: Re: meeting today

>>

>> Edith

>> Thank you, Who is that hearing officer?

>> Ed

>> On Jul 10, 2014, at 3:31 PM, Gutierrez, Edith wrote:

>>

>>> CUP is a Hearing Officer decision, appealable to the Planning

>>> Commission.

>>>

>>> -----Original Message-----

>>> From: Ed Quinn [<mailto:equinn@me.com>]

>>> Sent: Thursday, July 10, 2014 3:25 PM  
>>> To: Gutierrez, Edith  
>>> Subject: Re: meeting today  
>>>  
>>> Edith  
>>> Hope all is well. Who makes the final decision at the City regarding  
>>> the Conditional Use Permit for Medical Marijuana ?  
>>> Thanks  
>>> Ed  
>>> On Jun 30, 2014, at 7:06 AM, Gutierrez, Edith wrote:  
>>>  
>>>> Hi Ed,  
>>>> I have forwarded your information to the Planner.  
>>>>  
>>>> Regards,  
>>>>  
>>>> Edith  
>>>>  
>>>> -----Original Message-----  
>>>> From: Ed Quinn [<mailto:equinn@me.com>]  
>>>> Sent: Thursday, June 26, 2014 4:40 PM  
>>>> To: Gutierrez, Edith  
>>>> Subject: Re: meeting today  
>>>>  
>>>> Edith  
>>>> Thank you for meeting with us today. On further research we found 3  
>>>> organizations within the 1000 ft restriction that cater to children  
>>>> and teenagers.  
>>>> Jewish Family Services, 8804 Balboa Ave Navel Branch Health  
>>>> Clinic,  
>>>> 8808 Balboa Ave.  
>>>> Child Welfare Services, 8965 balboa Ave.  
>>>> Regards  
>>>> Ed  
>>>> 858 337 7333  
>>>> On Jun 26, 2014, at 10:53 AM, Gutierrez, Edith wrote:  
>>>>  
>>>>> Thank you  
>>>>>  
>>>>> -----Original Message-----  
>>>>> From: Ed Quinn [<mailto:equinn@me.com>]  
>>>>> Sent: Thursday, June 26, 2014 10:52 AM  
>>>>> To: Gutierrez, Edith  
>>>>> Subject: Re: meeting today  
>>>>>  
>>>>> 8863 Balboa ave  
>>>>>  
>>>>> Sent from my iPhone  
>>>>>  
>>>>>> On Jun 26, 2014, at 10:49 AM, "Gutierrez, Edith"  
>>>>>> <[EGutierrez@sanidiego.gov](mailto:EGutierrez@sanidiego.gov)>  
>>>>>> wrote:  
>>>>>>  
>>>>>> Hi Ed,  
>>>>>> Thanks for the email. What is the address of your complex?  
>>>>>>  
>>>>>> -----Original Message-----

>>>>>> From: Ed Quinn [<mailto:equinn@me.com>]  
>>>>>> Sent: Thursday, June 26, 2014 9:52 AM  
>>>>>> To: Gutierrez, Edith  
>>>>>> Subject: Fwd: meeting today  
>>>>>>  
>>>>>>  
>>>>>>  
>>>>>>  
>>>>>>> Edith  
>>>>>>> Thank you for the call this morning. Glenn Strand and and I  
>>>>>>> will  
>>>>>>> see you at 1pm today. Following is some information that would  
>>>>>>> be helpful to us.  
>>>>>>> From information bulletin # 170 the information included in the  
>>>>>>> outlined box titled "Documents Referenced in this Information  
>>>>>>> Bulletin"  
>>>>>>> How the city determines a business as to a " School"  
>>>>>>> Maps that show our complex and the 1000 feet restrictions Any  
>>>>>>> rules regarding emergency access to our complex Any crime  
>>>>>>> records related to Medical Marijuana Consumer Cooperatives.  
>>>>>>> Look forward to meeting you.  
>>>>>>> Regards  
>>>>>>> Ed  
>>>>>>>  
>>>>>  
>>>>  
>>>  
>>  
>

**From:** [Andy Lambert](#)  
**To:** [Gutierrez, Edith](#)  
**Cc:** [Drew Lambert](#); [Biker Sherlock](#); [Jim Bartell](#); [Abhay Schweitzer](#); [Kristi Byers](#)  
**Subject:** 8863 Balboa #E MMCC, Project No. 368347  
**Date:** Friday, July 25, 2014 5:59:53 PM  
**Attachments:** [8863 Balboa, Owner's Letter to City 072514.pdf](#)  
[ATT00001.htm](#)

---

**From:** [Andy Lambert](#)  
**To:** [Gutierrez, Edith](#); [Bui, Thomas](#)  
**Cc:** [Abhay Schweitzer](#)  
**Subject:** 8863 Balboa #E, project No. 368347  
**Date:** Thursday, July 17, 2014 1:36:17 PM

---

Hi Edith,

Per my phone message, we would like you to set up a meeting to resolve conflicts with the LDR-Engineering Review section. Thomas Bui would like to have his senior engineer and his deputy director there. The conflicts have to do with the request to improve or revise existing improvements on property not owned or controlled by the applicant as a condition of the permit approval, such as offsite driveways from Balboa Avenue to the industrial complex where the applicant's unit is located. Since the applicant has no control over these driveways or any other improvements within the complex, and the association that owns and controls these driveways does not want them modified in any way, it is an impossible condition to satisfy.

Thanks,

Andy

Andrew E. Lambert, P.E.  
Principal & Senior Project Manager

***DJR COMPANIES***

*Investing in the Future*

2014 Hornblend Street, Suite 1, San Diego, CA 92109

Cell: 858-735-0092 Office: 858-412-4373

Website: [djrcorporations.com](http://djrcorporations.com)



**From:** [Gutierrez, Edith](#)  
**To:** ["Ed Quinn"](#)  
**Subject:** RE: meeting today  
**Date:** Thursday, July 17, 2014 11:06:12 AM

---

I received it.  
Thanks

-----Original Message-----

From: Ed Quinn [<mailto:equinn@me.com>]  
Sent: Thursday, July 17, 2014 10:59 AM  
To: Gutierrez, Edith  
Subject: Re: meeting today

Edith

[REDACTED], just emailed you a copy of our presentation objecting to the Conditional use permit to authorize operation of a marijuana cooperative at 8863 Balboa Ave, suite E. I have hard bound copies for you if needed. I would also be available to sit with you and others and go through it if that would be helpful; just let me know.

Always appreciate your input.

Thank you

Ed Quinn

858 337 7333

On Jul 11, 2014, at 9:09 AM, Gutierrez, Edith wrote:

> The hearing officers would be Gary Geiler or Ken Teasley.

>

> -----Original Message-----

> From: Ed Quinn [<mailto:equinn@me.com>]  
> Sent: Thursday, July 10, 2014 3:39 PM  
> To: Gutierrez, Edith  
> Subject: Re: meeting today

>

> Edith

> Thank you, Who is that hearing officer?

> Ed

> On Jul 10, 2014, at 3:31 PM, Gutierrez, Edith wrote:

>

>> CUP is a Hearing Officer decision, appealable to the Planning

>> Commission.

>>

>> -----Original Message-----

>> From: Ed Quinn [<mailto:equinn@me.com>]  
>> Sent: Thursday, July 10, 2014 3:25 PM  
>> To: Gutierrez, Edith  
>> Subject: Re: meeting today

>>

>> Edith

>> Hope all is well. Who makes the final decision at the City regarding  
>> the Conditional Use Permit for Medical Marijuana ?

>> Thanks

>> Ed

>> On Jun 30, 2014, at 7:06 AM, Gutierrez, Edith wrote:

>>

>>> Hi Ed,

>>>> I have forwarded your information to the Planner.

>>>>

>>>> Regards,

>>>>

>>>> Edith

>>>>

>>>> -----Original Message-----

>>>> From: Ed Quinn [<mailto:equinn@me.com>]

>>>> Sent: Thursday, June 26, 2014 4:40 PM

>>>> To: Gutierrez, Edith

>>>> Subject: Re: meeting today

>>>>

>>>> Edith

>>>> Thank you for meeting with us today. On further research we found 3

>>>> organizations within the 1000 ft restriction that cater to children

>>>> and teenagers.

>>>> Jewish Family Services, 8804 Balboa Ave Navel Branch Health Clinic,

>>>> 8808 Balboa Ave.

>>>> Child Welfare Services, 8965 balboa Ave.

>>>> Regards

>>>> Ed

>>>> 858 337 7333

>>>> On Jun 26, 2014, at 10:53 AM, Gutierrez, Edith wrote:

>>>>

>>>>> Thank you

>>>>>

>>>>> -----Original Message-----

>>>>> From: Ed Quinn [<mailto:equinn@me.com>]

>>>>> Sent: Thursday, June 26, 2014 10:52 AM

>>>>> To: Gutierrez, Edith

>>>>> Subject: Re: meeting today

>>>>>

>>>>> 8863 Balboa ave

>>>>>

>>>>> Sent from my iPhone

>>>>>

>>>>>> On Jun 26, 2014, at 10:49 AM, "Gutierrez, Edith"

>>>>>> <[EGutierrez@sandiego.gov](mailto:EGutierrez@sandiego.gov)

>>>>>> wrote:

>>>>>>

>>>>>> Hi Ed,

>>>>>> Thanks for the email. What is the address of your complex?

>>>>>>

>>>>>> -----Original Message-----

>>>>>> From: Ed Quinn [<mailto:equinn@me.com>]

>>>>>> Sent: Thursday, June 26, 2014 9:52 AM

>>>>>> To: Gutierrez, Edith

>>>>>> Subject: Fwd: meeting today

>>>>>>

>>>>>>

>>>>>>>

>>>>>>>

>>>>>>> Edith

>>>>>>> Thank you for the call this morning. Glenn Strand and and I will

>>>>>>> see you at 1pm today. Following is some information that would

>>>>>>> be helpful to us.

>>>>>>> From information bulletin # 170 the information included in the

>>>>>>> outlined box titled "Documents Referenced in this Information  
>>>>>>> Bulletin"  
>>>>>>> How the city determines a business as to a" School"  
>>>>>>> Maps that show our complex and the 1000 feet restrictions Any  
>>>>>>> rules regarding emergency access to our complex Any crime  
>>>>>>> records related to Medical Marijuana Consumer Cooperatives.  
>>>>>>> Look forward to meeting you.  
>>>>>>> Regards  
>>>>>>> Ed  
>>>>>  
>>>>  
>>  
>  
>

**From:** [Ed Quinn](#)  
**To:** [Gutierrez, Edith](#)  
**Subject:** Re: meeting today  
**Date:** Monday, June 30, 2014 8:11:59 AM

---

Good morning Edith

Thank you.

Ed

On Jun 30, 2014, at 7:06 AM, Gutierrez, Edith wrote:

> Hi Ed,  
> I have forwarded your information to the Planner.  
>  
> Regards,  
>  
> Edith  
>  
> -----Original Message-----  
> From: Ed Quinn [<mailto:equinn@me.com>]  
> Sent: Thursday, June 26, 2014 4:40 PM  
> To: Gutierrez, Edith  
> Subject: Re: meeting today  
>  
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> Jewish Family Services, 8804 Balboa Ave  
> Navel Branch Health Clinic, 8808 Balboa Ave.  
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> 858 337 7333  
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>> 8863 Balboa ave  
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>>> <[EGutierrez@sandiego.gov](mailto:EGutierrez@sandiego.gov)>  
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>>>>>> to Medical Marijuana Consumer Cooperatives.  
>>>>>> Look forward to meeting you.  
>>>>>> Regards  
>>>>>> Ed  
>>>>  
>

**From:** [Gutierrez, Edith](#)  
**To:** [Larson, Chris](#)  
**Subject:** 8863 Balboa PTS 368347  
**Date:** Monday, June 30, 2014 7:05:49 AM

---

FYI

-----Original Message-----

From: Ed Quinn [<mailto:equinn@me.com>]  
Sent: Thursday, June 26, 2014 4:40 PM  
To: Gutierrez, Edith  
Subject: Re: meeting today

Edith

Thank you for meeting with us today. On further research we found 3 organizations within the 1000 ft restriction that cater to children and teenagers.

Jewish Family Services, 8804 Balboa Ave

Navel Branch Health Clinic, 8808 Balboa Ave.

Child Welfare Services, 8965 balboa Ave.

Regards

Ed

858 337 7333

On Jun 26, 2014, at 10:53 AM, Gutierrez, Edith wrote:

> Thank you

>

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> From: Ed Quinn [<mailto:equinn@me.com>]

> Sent: Thursday, June 26, 2014 10:52 AM

> To: Gutierrez, Edith

> Subject: Re: meeting today

>

> 8863 Balboa ave

>

> Sent from my iPhone

>

>> On Jun 26, 2014, at 10:49 AM, "Gutierrez, Edith"

>> <[EGutierrez@sandiego.gov](mailto:EGutierrez@sandiego.gov)

>> > wrote:

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>> -----Original Message-----

>> From: Ed Quinn [<mailto:equinn@me.com>]

>> Sent: Thursday, June 26, 2014 9:52 AM

>> To: Gutierrez, Edith

>> Subject: Fwd: meeting today

>>

>>

>>>

>>>>

>>>> Edith

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>>>> regarding emergency access to our complex Any crime records related  
>>>> to Medical Marijuana Consumer Cooperatives.  
>>>> Look forward to meeting you.  
>>>> Regards  
>>>> Ed  
>>

**From:** [Gutierrez, Edith](#)  
**To:** ["bikersherlock@hotmail.com"](mailto:bikersherlock@hotmail.com)  
**Cc:** ["Abhay@techne-us.com"](mailto:Abhay@techne-us.com); [Henegar, Lesley](#); ["jeffrey.sallen@cassidyurley.com"](mailto:jeffrey.sallen@cassidyurley.com)  
**Subject:** 8863 Balboa Ste. E MMCC PTS 368347  
**Date:** Monday, June 16, 2014 11:34:10 AM  
**Attachments:** [368347 1st Assessment Letter.pdf](#)  
[8863 Balboa St Review Cycle Issues.pdf](#)  
[8863 Balboa St Submittal Requirements.pdf](#)  
[Findings for Conditional Use Permit Approval.doc](#)

---

Hello Michael,  
Attached is the assessment letter and enclosure items. Contact me if you have any questions.

Edith Gutierrez  
Development Project Manager  
Development Services Department  
1222 First Ave., MS 501  
San Diego, CA 92101-4153  
(619) 446-5147



**From:** [Gutierrez, Edith](#)  
**To:** ["VON T"](#)  
**Subject:** RE: Project #368347  
**Date:** Tuesday, June 10, 2014 9:10:09 AM

---

Hello Ivonne,

Could you please email me your concerns? I am getting hundreds of call and can't return them all. Your concerns will be printed and added to the file.

Regards,

Edith Gutierrez  
Development Project Manager  
Development Services Department  
1222 First Ave., MS 501  
San Diego, CA 92101-4153  
(619) 446-5147

-----Original Message-----

From: VON T [<mailto:twozbys@hotmail.com>]  
Sent: Thursday, June 05, 2014 10:13 AM  
To: Gutierrez, Edith  
Subject: Project #368347

Hello good morning this is Ivonne Torres, I would like to speak to you about the project in 8863 Balboa Ave it is very important and urgent that you return my call please ask for Maria or Mauricio Torres  
858-292-6030  
858-568-4495

Thank you

**From:** [Andy Lambert](#)  
**To:** [Biker Sherlock](#)  
**Cc:** [Drew Lambert](#); [Abhay Schweitzer](#); [Gutierrez, Edith](#)  
**Subject:** Fwd: CUP project # 368347  
**Date:** Monday, June 2, 2014 10:58:08 AM  
**Attachments:** [VPN - 368347.docx](#)  
[ATT00001.htm](#)  
[LTR PTS#368347.docx](#)  
[ATT00002.htm](#)  
[NA PTS#368347.docx](#)  
[ATT00003.htm](#)  
[PNA PTS#368347.docx](#)  
[ATT00004.htm](#)

---

did you get this in the mail Biker - not sure why it went to you (the applicant) instead of Abhay, the project contact?

Andrew E. Lambert, P.E.  
Principal & Senior Project Manager

## ***DJR COMPANIES***

*Investing in the Future*

2014 Hornblend Street, Suite 1, San Diego, CA 92109  
Cell: 858-735-0092 Office: 858-412-4373  
Website: [djrcompanies.com](http://djrcompanies.com)

Begin forwarded message:

**From:** "Gutierrez, Edith" <[EGutierrez@sandiego.gov](mailto:EGutierrez@sandiego.gov)>  
**Subject:** RE: CUP project # 368347  
**Date:** June 2, 2014 at 10:09:50 AM PDT  
**To:** 'Abhay Schweitzer' <[abhay@techne-us.com](mailto:abhay@techne-us.com)>  
**Cc:** Andy Lambert <[alambert@djrcompanies.com](mailto:alambert@djrcompanies.com)>, "Drew A. Lambert (DJR)" <[dlambert@djrcompanies.com](mailto:dlambert@djrcompanies.com)>

Good morning,  
The noticing package was prepared on May 19, please see attachments. It takes a few days to mail out as it goes through the City's mailing center. Please confirm we have the correct address.

---

**From:** Abhay Schweitzer [<mailto:abhay@techne-us.com>]  
**Sent:** Monday, June 02, 2014 9:24 AM  
**To:** Gutierrez, Edith  
**Cc:** Andy Lambert; Drew A. Lambert (DJR)  
**Subject:** CUP project # 368347

Good morning Edith,

Last week we were contacted by the chairman of the Kearny Mesa Planning Group in order for us to get on the agenda to present the project (Pr. Nbr. # 368347) for their upcoming meeting.

We have yet to receive the Notice of Application for us to post on-site. Could you let me know when we should expect that?

Thank you.

ABHAY SCHWEITZER

**Assoc. AIA- Principal**

3956 30th Street. San Diego, CA 92104

[techne-us.com](http://techne-us.com) [sustainablearchitect.org](http://sustainablearchitect.org)

o 619-940-5814      m 313-595-5814

**From:** [TECHNE](#)  
**To:** [Gutierrez, Edith](#)  
**Subject:** Re: Submittal - MMCC - 8863 Balboa Ave. Ste E  
**Date:** Tuesday, May 13, 2014 8:22:39 AM

---

Please don't route to historical in that case then.

Thank you

Abhay Schweitzer

Sent from my iPhone

On May 13, 2014, at 8:18 AM, "Gutierrez, Edith" <[EGutierrez@sandiego.gov](mailto:EGutierrez@sandiego.gov)> wrote:

There is no need to route to historical then, however I can route it so that they make a historic determination that is good for 5 years in case you want to make exterior changes in the future. Let me know if you want them to be included.

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**From:** TECHNE [<mailto:abhay@techne-us.com>]  
**Sent:** Tuesday, May 13, 2014 8:16 AM  
**To:** Gutierrez, Edith  
**Subject:** Re: Submittal - MMCC - 8863 Balboa Ave. Ste E

In kind. No opening modifications.

Abhay Schweitzer

Sent from my iPhone

On May 13, 2014, at 8:14 AM, "Gutierrez, Edith" <[EGutierrez@sandiego.gov](mailto:EGutierrez@sandiego.gov)> wrote:

Are the windows and doors in kind or will you be modifying the openings?

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**From:** TECHNE [<mailto:abhay@techne-us.com>]  
**Sent:** Tuesday, May 13, 2014 8:07 AM  
**To:** Gutierrez, Edith  
**Cc:** Andy Lambert; Drew A. Lambert (DJR)  
**Subject:** Re: Submittal - MMCC - 8863 Balboa Ave. Ste E

Replacing doors and windows only since they are quite old and unsafe. Nothing else besides that.

Thank you

Abhay Schweitzer

Sent from my iPhone

On May 13, 2014, at 8:02 AM, "Gutierrez, Edith"  
<[EGutierrez@sandiego.gov](mailto:EGutierrez@sandiego.gov)> wrote:

I will. You aren't proposing any exterior modification are you? I'm asking because I see you submitted the historic information .

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**From:** TECHNE [<mailto:abhay@techne-us.com>]  
**Sent:** Tuesday, May 13, 2014 7:59 AM  
**To:** Gutierrez, Edith  
**Cc:** Andy Lambert; Drew A. Lambert (DJR)  
**Subject:** Re: Submittal - MMCC - 8863 Balboa Ave. Ste E

Edith,

Could you please be sure to send the comments by email when they are ready?

Thank you

Abhay Schweitzer

Sent from my iPhone

On May 13, 2014, at 6:45 AM, "Gutierrez, Edith"  
<[EGutierrez@sandiego.gov](mailto:EGutierrez@sandiego.gov)> wrote:

Email me for an appointment after you receive your completeness review comments.  
Thanks

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**From:** Abhay Schweitzer [<mailto:abhay@techne-us.com>]  
**Sent:** Monday, May 12, 2014 3:32 PM  
**To:** Gutierrez, Edith  
**Cc:** Andy Lambert; Drew A. Lambert (DJR)  
**Subject:** Submittal - MMCC - 8863 Balboa Ave. Ste E

Good afternoon Edith,

Thank you for seeing us today for the submittal for 3452 Hancock St.

Can we schedule an appointment to submit for 8863 Balboa Ave., Ste E tomorrow at 12:00?

If that time doesn't work for you, please give us an alternate time. We will have all drawings and other documentation

ready today applying the same  
corrections you have made for Hancock  
in addition to adding the total site  
area.

Thank you  
A B H A Y S C H W E I T Z E R  
**Assoc. AIA- Principal**

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