



SAN DIEGO COUNTY CLERK
CEQA FILING COVER SHEET

FILED

Aug 04, 2023 03:40 PM
JORDAN Z. MARKS
SAN DIEGO COUNTY CLERK
File # 2023-000654
State Receipt # 37080420230594
Document # 2023-NOD-101

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Project Title

CANNABIS 21 AMEND CUP/CDP

Check Document being Filed:

- Environmental Impact Report (EIR)
- Mitigated Negative Declaration (MND) or Negative Declaration (ND)
- Notice of Exemption (NOE)
- Other (Please fill in type):

FILED IN THE OFFICE OF THE SAN DIEGO	
COUNTY CLERK ON August 4, 2023	
Posted August 4, 2023	Removed SEP 03 2023
Returned to agency on	SEP 05 2023
DEPUTY	<i>Maria Gomez</i>

M. Gomez

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

**NOTICE OF DETERMINATION (SUBSEQUENT ACTION)
(SUBSEQUENT ACTION)**

(Choose one)

To: Recorder/County Clerk
P.O. Box 1750, MS A33
1600 Pacific Hwy, Room 260
San Diego, CA 92101-2422

From: City of San Diego
Development Services Department
1222 First Avenue, MS 501
San Diego, CA 92101

Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Project Number: 696758

State Clearinghouse Number: 2019011071

Project Title: Cannabis 21 Amend CUP/CDP

Project location: 10150 Sorrento Valley Road, Suite 100 and 110, San Diego, CA 92121

Description of Previous Action/Project: The City of San Diego previously prepared a Negative Declaration (ND) No. 545299 approved on March 20, 2019 under Resolution No. R-312385 for the Sorrento Valley MO project (PTS# 545299) and City Council determined that no significant impacts were identified, and no mitigation was required.

Project Description: The project is a An Amendment to Conditional Use Permit (CUP # 1927100) and Coastal Development Permit (CDP # 2173348) for an addition of 2,005 square feet to an existing Cannabis Outlet previously permitted for 3,475 square feet for a total 5,480 square feet within an existing 50,284 square foot building. The project is located at 10150 Sorrento Valley Road, Suite 100 and 110 within the IL-3-1 zone of the Torrey Pines Community Plan area. The project is located in the Coastal Overlay Zone (Non-Appealable and Appealable area), Prime Industrial Lands, Parking Impact Overlay Zone (Coastal and Campus), FEMA Floodways & Floodplains, FAA Part 77 Noticing Area for MCAS Miramar (570'), and Airport Influence Area for MCAS Miramar Rev Area 1 (LEGAL DESCRIPTION: Lot No. 3, Map No. 435).

Project Applicant: Sean St. Peter, Cannabis 21+, 4231 Balboa Avenue #162 San Diego, CA 92117; (619) 618-8139

This is to advise that the Hearing Officer of the City of San Diego on February 22, 2023 approved the above described project and made the following determinations:

1. The project in its approved form will, will not, have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project and certified pursuant to the provisions of CEQA.
 A (Mitigated) Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
 An Addendum to Environmental Impact Report No. 90010972 was prepared for this project pursuant to the provisions of CEQA.

Record of project approval may be examined at the address above.

3. Mitigation measures were, were not, made a condition of the approval of the project; and a mitigation, monitoring and reporting program was, was not, adopted for the project.
4. (EIR only) Findings were, were not, made pursuant to CEQA Guidelines Section 15091.
5. (EIR only) A Statement of Overriding Considerations was, was not, adopted for this project.

It is hereby certified that the final environmental report, including comments and responses, is available to the general public at the office of the Development Services Department, 1222 First Avenue, San Diego, CA 92101.

Analyst: Sara Osborn

Telephone: (619) 446-5381

Filed by: *Sara Osborn*

Signature

Senior Planner

Title

NOTICE OF DETERMINATION

(Choose one)

TO: X Recorder/County Clerk
P.O. Box 1750, MS A33
1600 Pacific Hwy, Room 260
San Diego, CA 92101-2422

FILED
Ernest J. Dronenburg, Jr., Recorder County Clerk

FROM: City of San Diego
Development Services Department
1222 First Avenue, MS 501
San Diego, CA 92101

JUN 28 2019

Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

BY: Graie Sawo
DEPUTY

PROJECT NUMBER: 545299

STATE CLEARINGHOUSE NUMBER: 2019011071

PROJECT TITLE: Sorrento Valley MO

1190095

PROJECT LOCATION: 10150 Sorrento Valley Road, San Diego California 92121

PROJECT DESCRIPTION: A CONDITIONAL USE PERMIT and COASTAL DEVELOPMENT PERMIT for the operation and tenant improvements of a Marijuana Outlet (MO). The 3,475-square-foot tenant space would be within an existing 50,284 square-foot vacant building, which was previously scientific research offices. Additionally, the project includes various site improvements including reconstruction of three driveways to current City standards, and parking lot restriping that would include motorcycle and accessible parking. The developed 12.04-acre project site is located at 10150 Sorrento Valley Road. The site is designated Industrial and zoned IL-3-1 within the Torrey Pines Community Plan area. Additionally the project site is located within the Coastal Zone Boundary, Airport Land Use Compatibility Overlay Zone (Marine Corps Air Station (MCAS) Miramar), Airport Land Use Compatibility Plan (ALUCP) Noise Contours (MCAS Miramar 60-65 Community Noise Equivalent Level (CNEL)), Airport Influence Area (Review Area 1), Federal Aviation Administration (FAA) Part 77 Noticing Area, Airports Safety Zone (MCAS Miramar Accident Potential Zone 2), Coastal Overlay Zone (Appealable and Non-Appealable), Community Plan Implementation Overlay Zone-A, Very High Fire Hazard Severity Zone, Parking Impact Overlay Zone (Coastal and Campus), Prime Industrial Lands, Special Flood Hazard Area (100 Year Floodway and 100 Year Floodplain), and the Transit Priority Area. (LEGAL DESCRIPTION: Lot No. 3, Map No. 435).

PROJECT APPLICANT: Sean St. Peter, 4231 Balboa Avenue #162, San Diego, California 92117, (619) 618-8139

This is to advise that the City of San Diego Hearing Officer on September 19, 2018 approved the above described project and made the following determinations:

1. The project in its approved form ___ will, X will not, have a significant effect on the environment.
 2. ___ An Environmental Impact Report was prepared for this project and certified pursuant to the provisions of CEQA.
X A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
___ An Addendum to Negative Declaration / Mitigated Negative Declaration / Environmental Impact Report No. was prepared for this project pursuant to the provisions of CEQA.
- Record of project approval may be examined at the address above.
3. Mitigation measures ___ were, X were not, made a condition of the approval of the project; and a mitigation, monitoring and reporting program ___ was, X was not, adopted for the project.
 4. (EIR only) Findings ___ were, ___ were not, made pursuant to CEQA Guidelines Section 15091.
 5. (EIR only) A Statement of Overriding Considerations ___ was, ___ was not, adopted for this project.

It is hereby certified that the final environmental report, including comments and responses, is available to the general public at the office of the Development Services Department, 1222 First Avenue, San Diego, CA 92101.

Analyst: M. Dresser

Telephone: (619) 446-5404

Filed by: 

Signature

Sr. Planner


Title

FILED IN THE OFFICE OF THE COUNTY CLERK

San Diego County on JUN 28 2019

Posted JUN 28 2019 ~~Removed~~ JUL 31 2019

Returned to agency on JUL 31 2019

Deputy 

RESOLUTION NUMBER HO-7486-2

ADOPTED ON FEBRUARY 22, 2023

A RESOLUTION OF THE HEARING OFFICER OF THE CITY
OF SAN DIEGO ADOPTING ADDENDUM NO. 696758 TO NEGATIVE
DECLARATION NO. 545299 FOR
CANNABIS 21+ SORRENTO VALLEY, PROJECT NO. 696758

WHEREAS, on May 1, 2017, HELF SORRENTO, LLC, a California limited liability company, and SEAN ST. PETER, submitted an application to the Development Services Department for a Conditional Use Permit and Coastal Development Permit for the operation of a Marijuana Outlet (hereon referred to as "Cannabis Outlet") for the Sorrento Valley MO (Project No. 545299); and

WHEREAS, the Environmental Analysis Section (EAS) of the Development Services Department determined that the project is in accordance with the State of California Quality Act (CEQA) Guidelines that no significant impacts were identified and no mitigation is required; and

WHEREAS, on September 19, 2018, the Negative Declaration No. 545299 was adopted, and the Project No. 545299 was approved by the Hearing Officer of the City of San Diego; and

WHEREAS, on October 3, 2018, an environmental determination appeal (Appeal) and a project appeal were filed by SVRMC, LLC c/o Heather Riley; and

WHEREAS, on November 15, 2018, environmental determination appeal hearing, City staff requested a continuance to allow for additional time to analyze new information that had recently been presented by the Appellant alleging a traffic impact; and

WHEREAS, the City Council of the City of San Diego (City Council) continued the matter to January 28, 2019; and

WHEREAS, prior to the hearing of January 28, 2019, the Applicant reduced the square footage of the proposed Project No. 545299 from 3,980 square feet to 3,475 square feet and submitted revised plans to the City; and

WHEREAS, the Negative Declaration No. 545299 was revised to reflect the square footage reduction and the analysis of the Project No. 545299 with the reduction determined there would be no significant impacts and no mitigation is required; and

WHEREAS, the Appellant argued at the January 28, 2019 hearing that the revised Negative Declaration required recirculation under CEQA Guidelines Section 15073.5; and

WHEREAS, the City Council continued the hearing to April 16, 2019 to allow for the recirculation of the Negative Declaration; and

WHEREAS, the revised Negative Declaration No. 545299 was recirculated on January 30, 2019 and the public review period ended February 28, 2019; and

WHEREAS, on April 16, 2019, the City Council of the City of San Diego denied the appeal of the environmental determination and adopted Resolution No. 312385 adopting Negative Declaration No. 545299, a copy of which is on file in the Office of the City Clerk in accordance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.); and

WHEREAS, on June 13, 2019, the Planning Commission of the City of San Diego denied the project appeal, upheld the Hearing Officer's decision, and adopted Resolution No. 5018-PC; and

WHEREAS, on October 27, 2021, HELF SORRENTO LLC and SEAN ST. PETER, submitted an application to the Development Services Department for approval of a Conditional Use Permit Amendment and Coastal Development Permit Amendment for the Cannabis 21+ Sorrento Valley – Project No. 696758 (Project), as well as approval of minor technical changes or additions to the Project; and

WHEREAS, State CEQA Guidelines section 15164(a) allows a lead agency to prepare an Addendum to a final Negative Declaration, if such Addendum meets the requirements of CEQA;

NOW, THEREFORE,


BE IT RESOLVED, by the Hearing Officer of the City of San Diego as follows:

1. That the information contained in the final Negative Declaration No. 545299 along with the Addendum No. 696758 has been reviewed and considered by this Hearing Officer prior to making a decision on the Project.
2. That there are no substantial changes proposed to the Project and no substantial changes with respect to the circumstances under which the Project is to be undertaken that would require major revisions in the Negative Declaration for the Project.
3. That no new information of substantial importance has become available showing that the Project would have any significant effects not discussed previously in the Negative Declaration or that any significant effects previously examined will be substantially more severe than shown in the Negative Declaration.
4. That no new information of substantial importance has become available showing that mitigation measures or alternatives previously found not to be feasible are in fact feasible which would substantially reduce any significant effects, but that the Project proponents decline to adopt, or that there are any considerably different mitigation measures or alternatives not previously considered which would substantially reduce any significant effects, but that the Project proponents decline to adopt.
5. That pursuant to State CEQA Guidelines Section 15164, only minor technical changes or additions are necessary to Negative Declaration No. 545299, and therefore, the Hearing Officer adopts Addendum No. 696758 to Negative Declaration No. 545299, a copy of which is on file in the Office of the Development Services Department.

BE IT FURTHER RESOLVED that the Development Services Department is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

APPROVED: February 22, 2023

By:


Francisco Mendoza, Development Project Manager



State of California - Department of Fish and Wildlife
2019 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (Rev. 2/7/19) Previously DFG 753.5a

RECEIPT NUMBER:
 37-2019- 0508
 STATE CLEARINGHOUSE NUMBER (if applicable)
 2019011071

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF SAN DIEGO DEPARTMENT OF SERVICES	LEAD AGENCY EMAIL ---	DATE 06/28/219
COUNTY/STATE AGENCY OF FILING San Diego County	DOCUMENT NUMBER 2019 - 0095	

PROJECT TITLE
 SORRENTO VALLEY MO

PROJECT APPLICANT NAME SEAN ST. PETER	PROJECT APPLICANT EMAIL ---	PHONE NUMBER 619 618-8139
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PROJECT APPLICANT ADDRESS 4231 BALBOA AVENUE #162	CITY SAN DIEGO	STATE CA	ZIP CODE 92117
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PROJECT APPLICANT (Check appropriate box)

Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

190095

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,271.00	\$	
<input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,354.75	\$	\$2,354.75
<input type="checkbox"/> Certified Regulatory Program document (CRP)	\$1,112.00	\$	

Exempt from fee

Notice of Exemption (attach)
 CDFW No Effect Determination (attach)

Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	
<input checked="" type="checkbox"/> County documentary handling fee		\$	\$50.00
<input type="checkbox"/> Other		\$	

PAYMENT METHOD:

Cash
 Credit
 Check
 Other #0008

TOTAL RECEIVED \$ 2,404.75

SIGNATURE X <i>Grace SARA</i>	AGENCY OF FILING PRINTED NAME AND TITLE San Diego County GRACE SARA, Deputy
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San Diego County



Transaction #: 3854142
Receipt #: 2019287868

Ernest J. Dronenburg, Jr.
Assessor/Recorder/County Clerk
1600 Pacific Highway Suite 260
P. O. Box 121750, San Diego, CA 92112-1750
Tel. (619) 237-0502 Fax (619) 557-4155
www.sdarcc.com

Cashier Date: 06/28/2019
Cashier Location: SD

Print Date: 06/28/2019 12:03 pm

CITY OF SAN DIEGO
MS #501

Payment Summary

Total Fees	\$2,404.75
Total Payments	\$2,404.75
Balance:	\$0.00

Payment	
CHECK PAYMENT	\$2,404.75
Total Payments	\$2,404.75
Miscellaneous Item	
FISH & WILDLIFE FEES	
Fees: Fish & Wildlife County Administrative Fee	\$50.00
Fees: Fish & Wildlife Mitigated/Negative Declaration	\$2,354.75
Total Fees Due:	\$2,404.75
Grand Total - All Documents:	\$2,404.75



San Diego County



Transaction #: 7305448
Receipt #: 2023273086

JORDAN Z. MARKS

Assessor/Recorder/County Clerk
1600 Pacific Highway Suite 260
P. O. Box 121750, San Diego, CA 92112-1750
Tel. (619) 237-0502 Fax (619) 557-4155
www.sdarcc.gov

Cashier Date: 08/04/2023
Cashier Location: SD

Print Date: 08/04/2023 3:40 pm

Payment Summary

Total Fees:	\$50.00
Total Payments:	\$50.00
Balance:	\$0.00

Payment	
CHECK PAYMENT #1975	\$50.00
Total Payments	\$50.00
Filing	
CEQA - NOD	FILE #: 2023-000654 Date: 08/04/2023 3:40PM Pages: 10
	State Receipt # 37-08/04/2023-0594
Fees: Fish & Wildlife County Administrative Fee	\$50.00
Total Fees Due:	\$50.00
Grand Total - All Documents:	\$50.00



State of California - Department of Fish and Wildlife
2023 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (Rev. 01/01/23) Previously DFG 753.5a

RECEIPT NUMBER: 37-08/04/2023-0594
STATE CLEARING HOUSE NUMBER (If applicable) 2019011071

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT	LEAD AGENCY EMAIL	DATE 08/04/2023
COUNTY/STATE AGENCY OF FILING SAN DIEGO	DOCUMENT NUMBER 2023-NOD-0101	
PROJECT TITLE CANNABIS 21 AMEND CUP/CDP		

PROJECT APPLICANT NAME SEAN ST. PETER, CANNABIS 21+	PROJECT APPLICANT EMAIL	PHONE NUMBER 619-618-8139
PROJECT APPLICANT ADDRESS 4231 BALBOA AVENUE #162	CITY SAN DIEGO	STATE CA
		ZIP CODE 92117

PROJECT APPLICANT (Check appropriate box)

Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,839.25	\$	0.00
<input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)/(ND)	\$2,764.00	\$	0.00
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,305.25	\$	0.00
<hr/>			
<input type="checkbox"/> Exempt from fee			
<input type="checkbox"/> Notice of Exemption (attach)			
<input type="checkbox"/> CDFW No Effect Determination (attach)			
<input checked="" type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)			
<hr/>			
<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	0.00
<input checked="" type="checkbox"/> County documentary handling fee		\$	50.00
<input type="checkbox"/> Other		\$	0.00

PAYMENT METHOD

Cash
 Credit
 Check
 Other

TOTAL RECEIVED \$ 50.00

SIGNATURE X	AGENCY OF FILING PRINTED NAME AND TITLE San Diego County Clerk, DANIEL BUTLER, Deputy
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Payment Reference #: CHECK# 1975 / RCT: 37-2019-0508 / REM: 6-28-2019