



LA MESA CITY COUNCIL AGENDA

A Regular Meeting via Teleconference

Date: February 8, 2022, 6:00 p.m.
Location: City Council Chambers, 8130 Allison Avenue
La Mesa, California

Elected Officials: Mayor Mark Arapostathis
Vice Mayor Jack Shu
Councilmember Bill Baber
Councilmember Laura Lothian
Councilmember Colin Parent
City Treasurer Eldon Vogt

Staff: City Manager Greg Humora
City Attorney Glenn Sabine
City Clerk Megan Wiegelman

This meeting is being conducted utilizing teleconferencing and electronic means consistent with Government Code Section 54953, as amended by Assembly Bill 361, in relation to the COVID-19 State of Emergency and recommended social distancing measures. The City Council meeting may be viewed live on Cox Cable Channel 24 (within La Mesa City limits), AT&T U-Verse Channel 99 (in the San Diego Region), the City's website (www.cityoflamesa.us), Facebook Live (www.facebook.com/lamesaca) or using the following Zoom Webinar options:

The public may view the meeting live using the following remote options:

Teleconference Meeting Webinar

<https://us06web.zoom.us/j/85187102903>

Telephone (Audio only)

(669) 900-6833 or (253) 215-8782 Webinar ID: 851 8710 2903

Copy and paste the webinar link into your internet browser if the webinar link does not work directly

from the agenda.

PUBLIC COMMENTS

- **Live Public Comments:** To provide oral public comments during the meeting, join the Zoom meeting by computer, mobile phone, or dial in number. On Zoom video conference by computer or mobile phone, use the “Raise Hand” feature. This will notify the moderator that you wish to speak during a specific item on the agenda or during non-agenda Public Comment. Members of the public will not be shown on video but will be able to speak when called upon. If joining the meeting using the Zoom dial-in number, you may raise your hand by pressing *9. Comments will be limited to three (3) minutes. No further comments will be entertained after the Mayor closes public comment.
- **eComments:** eComments are available once an agenda is published. Locate the meeting in "upcoming meetings" and click the comment bubble icon. Click on the item you wish to comment on. eComments can be submitted when the agenda is published and until **24 hours prior** to the meeting. eComments are limited to 500 words. eComments may be viewed by the City Council and members of the public following the close of the eComment submission period (24 hours prior to the meeting). Email your comment to comments@cityoflamesa.us if you have difficulty submitting an eComment. eComments will not be read aloud as a regular meeting item; however any member of the Council or member of the public may do so during their respective comment time.

Agenda reports for items on this agenda are available for public review at the City Clerk's Office, 8130 Allison Avenue, during normal business hours.

Materials related to an item on this agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office, 8130 Allison Avenue, during normal business hours.

ACCESSIBILITY: The City of La Mesa encourages the participation of disabled individuals in the services, activities and programs provided by the City. Individuals with disabilities, who require reasonable accommodation in order to participate in the City Council meetings, should contact the City's Americans with Disabilities Act (ADA) Coordinator, Rida Freeman, Director of Administrative Services, 48 hours prior to the meeting at 619.667.1175, fax 619.667.1163, or rfreeman@cityoflamesa.us.

Hearing assisted devices are available for the hearing impaired. A City staff member is available to provide these devices upon entry to City Council meetings, commission meetings or public hearings held in the City Council Chambers. A photo i.d. or signature will be required to secure a device for the meeting.

1.	<u>CALL TO ORDER</u>	
1.1.	INVOCATION - COUNCILMEMBER LOTHIAN	
1.2.	PLEDGE OF ALLEGIANCE	
2.	<u>REPORT FROM CLOSED SESSION</u>	
3.	<u>CITY MANAGER COMMENTS</u>	
4.	<u>COMMUNITY BULLETIN REPORTS</u>	
5.	<u>PRESENTATIONS</u>	
5.1.	2022 BOARDS AND COMMISSIONS WORK PLANS	7
	<ul style="list-style-type: none"> ENVIRONMENTAL SUSTAINABILITY COMMISSION COMMUNITY PARKING COMMISSION PLANNING COMMISSION 	
5.2.	BUDGET MONITORING REPORT	17
5.3.	CITY TREASURER'S QUARTERLY REPORT	30
6.	<u>ADDITIONS AND/OR DELETIONS TO THE AGENDA</u>	
7.	<u>PUBLIC COMMENTS – (TOTAL TIME – 15 MINUTES)</u>	
	NOTE: In accordance with state law, an item not scheduled on the agenda may be brought forward by the general public for comment; however, the City Council will not be able to discuss or take any action on the item at this meeting. If appropriate, the item will be referred to Staff or placed on a future agenda.	
8.	<u>CONFLICT DISCLOSURES</u>	
9.	<u>BOARD AND COMMISSION INTERVIEWS</u>	
9.1.	INTERVIEW OF APPLICANTS FOR UNSCHEDULED VACANCIES ON THE HISTORIC PRESERVATION COMMISSION Staff Reference: Ms. Wiegelman	39
9.2.	ANNUAL INTERVIEW OF APPLICANTS FOR OPENINGS ON THE CITY'S COMMUNITY POLICE OVERSIGHT BOARD Staff Reference: Ms. Wiegelman	42
10.	<u>CONSENT CALENDAR</u> (Items 10.1 through 10.4)	

The Consent Calendar includes items considered to be routine. Unless discussion is requested by members of the Council or audience, all Consent Calendar items may be approved by one motion.

Recommended Motion:

Approve Consent Calendar Items 10.1 through 10.4.

- | | | |
|-------|--|----|
| 10.1. | APPROVAL OF MOTION TO WAIVE THE READING OF THE TEXT OF ALL ORDINANCES AND RESOLUTIONS AT THIS MEETING | |
| | Recommended Motion:
Approve. | |
| 10.2. | APPROVAL OF THE MINUTES FOR THE CITY COUNCIL SPECIAL MEETING HELD TUESDAY, JANUARY 11, 2022 | 45 |
| | Recommended Motion:
Approve. | |
| 10.3. | APPROVAL OF THE MINUTES FOR THE CITY COUNCIL REGULAR MEETING AND THE LA MESA PUBLIC FINANCING AUTHORITY SPECIAL MEETING HELD TUESDAY, JANUARY 11, 2022 | 47 |
| | Recommended Motion:
Approve. | |
| 10.4. | REQUESTED PURCHASE AND INSTALLATION OF A PRE-FABRICATED RESTROOM BUILDING FOR THE KUHLEN FIELD RESTROOM PROJECT IN MACARTHUR PARK FROM THE PUBLIC RESTROOM COMPANY | 63 |

RESOLUTION APPROVING A CONTRACT FOR THE PURCHASE AND INSTALLATION OF A PRE-FABRICATED RESTROOM BUILDING FOR THE KUHLEN FIELD RESTROOM PROJECT IN MACARTHUR PARK TO THE PUBLIC RESTROOM COMPANY USING PRICING FROM THE SOURCEWELL COOPERATIVE PURCHASING AGREEMENT FOR \$178,496

Staff Reference: Ms. Richardson

Recommended Motion:
Adopt Resolution.

11. ORDINANCES: SECOND READING

11.1. ORDINANCE UPDATING THE MEMBERSHIP OF THE YOUTH ADVISORY COMMISSION AND ENVIRONMENTAL SUSTAINABILITY COMMISSION

81

CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA AMENDING SECTIONS 2.71.010 AND 2.85.010 OF THE LA MESA MUNICIPAL CODE TO AUTHORIZE NONRESIDENTS TO SERVE ON THE YOUTH ADVISORY COMMISSION AND AS THE YOUTH REPRESENTATIVE ON THE ENVIRONMENTAL SUSTAINABILITY COMMISSION PROVIDED THEY ATTEND SCHOOL IN THE CITY OF LA MESA (SUBJECT TO APPLICABLE RULES)

Staff Reference: Mr. Sabine

Recommended Motion:

Approve the second reading and adoption of the Ordinance.

11.2. SENATE BILL NO. 9 ORDINANCE

84

CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA ADOPTING AMENDMENTS TO LA MESA MUNICIPAL CODE TITLE 22 (SUBDIVISIONS) AND TITLE 24 (ZONING) TO ESTABLISH STANDARDS FOR THE IMPLEMENTATION OF THE TWO-UNIT RESIDENTIAL DEVELOPMENT AND URBAN LOT SPLIT PROVISIONS OF SENATE BILL NO. 9

Staff Reference: Mr. Kusiak

Recommended Motion:

Approve the second reading and adoption of the Ordinance.

12. HEARING

12.1. CONSIDERATION OF AN APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF PROJECT NO. 2017-31 (CUP 17-88) (HILLSIDE) - A REQUEST FOR A PROPOSED COMMERCIAL BUILDING AND CONDITIONAL USE PERMIT FOR A STOREFRONT RETAIL MEDICINAL CANNABIS USE AT 7901 HILLSIDE DRIVE

96

Staff Reference: Mr. Kusiak

Recommended Motion:

(1) Uphold the Planning Commission's approval of Project No. 2017-31 (CUP 17-88) based on the findings and subject to conditions set forth in Planning Commission Resolution PC-2021-17, thus denying the appeal; and (2) Ratify the Design Review Board's approval of the project.

13. COUNCIL INITIATED

- 13.1. CONSIDERATION OF DIRECTING THE ARTS AND CULTURE COMMISSION TO STUDY AND MAKE RECOMMENDATIONS REGARDING PUBLIC ART SUCH AS MURALS ON PUBLIC AND/OR PRIVATE BUILDINGS AND STRUCTURES - MAYOR ARAPOSTATHIS AND COUNCILMEMBER LOTHIAN

202

14. COUNCIL COMMITTEE REPORTS (3 MINUTE LIMIT)

15. AB 1234 REPORTS (GC 53232.3 (d))

16. CITY ATTORNEY REMARKS

17. ADJOURNMENT



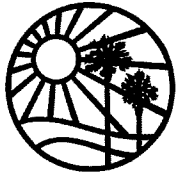
DATE: February 8, 2022
TO: Mayor and Councilmembers
FROM: Carlo Tomaino, Assistant City Manager
VIA: Greg Humora, City Manager
SUBJECT: 2022 Boards and Commissions Work Plans

At the start of each calendar year, the City's Boards and Commissions meet to update their respective Work Plans. The Work Plans provide a roadmap for the major initiatives and projects each commission will work to achieve over the year.

During the two meetings in February, each Chair will present their commission's updated Work Plan to the City Council. Staff has attached the Work Plans that will be presented at the February 8, 2022, meeting.

Attachments:

- A. Environmental Sustainability Commission
- B. Community Parking Commission
- C. Planning Commission



ENVIRONMENTAL SUSTAINABILITY COMMISSION

**Work Plan
FY2022**

Goals should be consistent with the City's goals:

- Safe Community
- Maintain a Financially Sound and Affordable City Government
- Continue to Improve High Quality Municipal Services
- Revitalize Neighborhoods and Corridors
- Enhanced Recreation and Quality of Life Opportunities
- Effective and efficient traffic circulation and transportation
- Ensure Safe and Affordable Homes for All Current and Future Residents
- Foster community health by reducing greenhouse gas emissions and improving environmental quality

Staffing Department: Public Works Department – Environmental Services Division

GOALS	DUE DATE	TRACKING MILESTONES	STATUS
1. Advise and assist City staff in the 2023 Climate Action Plan update.	Ongoing	1.1. Work with City staff and consultant for the Climate Action Plan update, including measure and key action development. 1.2. Assist City staff and consultant to develop, host, and lead community workshops and participate in a workshop specifically for the Environmental Sustainability Commission. 1.3. Work with City staff and consultant to advise in the development of community feedback mechanisms from diverse community groups. 1.4. Host tabling or other outreach events to gain community feedback for the CAP update (i.e. Earth Day Fair, Farmers Market, Park Appreciation Day, Community Garden etc.)	In progress
2. Advise and assist City staff in the implementation of the Climate Action Plan measures and key actions.	Ongoing	2.1. Partner with community bicycle organizations, City Commissions, and City Departments to implement Measures T-1 (Bicycle and Pedestrian Infrastructure Development) and T-2 (Bicycle Safety Program) to host a bicycle repair, safety, and security workshop, and other supporting key actions. 2.2. Assist City staff with the pilot and launch of the La Mesa Green Business Certification Program and development of a Green Business Awards program. 2.3. Advise City staff with Measure T-6 (Municipal Fleet Transition) to prevent and reduce vehicle idling. 2.4. Assist City staff with Measure SW-3 (75% Waste Diversion Goal) to develop and implement source reduction and material reuse strategies. 2.5. Work with City staff to partner with community water conservation organizations to implement Measure W-2 (Water Sensitive Landscape Design & Irrigation) to host an educational workshop to teach residents about greywater systems and water efficient native landscaping.	In progress



ENVIRONMENTAL SUSTAINABILITY COMMISSION

3. Provide educational opportunities for residents and businesses in La Mesa to engage with Climate Action Plan implementation.	Ongoing	<p>3.1. Assist City staff to increase public engagement with the Environmental Sustainability Commission by hosting a monthly "mindful minute" for Commissioners to invite presenters and share environmental sustainability news.</p> <p>3.2. Host quarterly educational forum series to include CAP implementation updates and topic presentations on the five CAP measure categories: Energy, Transportation, Solid Waste, Water, Green Infrastructure.</p> <p>3.3. Advise City staff on the environmental justice recommendation report and connect with diverse community groups.</p> <p>3.4. Assist City staff in developing a social media campaign series to educate residents and businesses on Climate Action Plan implementation in every day actions.</p>	In progress
4. Building electrification: Eliminate from new buildings appliances that directly emit greenhouse gases	Ongoing	<p>4.1. Subject to City Council direction, support City staff to initiate research in developing a building electrification ordinance for new construction. This research includes cost/benefit studies, potential funding opportunities, and guidance from the Building Energy Efficiency Standards (Title 24) and the San Diego Regional Decarbonization Framework. The ESC would provide recommendations (4.2 and 4.3) to City Council at a later date.</p> <p>4.2. Subject to City Council direction, develop a community outreach plan that encourages participation of stakeholders (i.e. residents, developers, contractors, architects, energy analysts, utilities, labor unions, business owners, home owners, and workers) at regular Environmental Sustainability Commission meetings and public workshops to shape the ordinance.</p> <p>4.3. Subject to City Council direction, assist City staff with the process to get the ordinance approved by the California Energy and Building Standards Commissions.</p> <p>4.4. Subject to approval of the proposed ordinance by City Council, continue to monitor results and provide recommendations for updating the ordinance every 3 years (aligned with Title 24 and CEC). Explore the next phase: decarbonization of existing buildings.</p>	In progress

Work Plan 2022

Goals should be consistent with the City's goals:

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Staffing Department: Community Development

GOALS	DUE DATE	TRACKING MILESTONES	STATUS
1. Online parking permit Processing			Completed July 2021
2. Allison Lot Lighting	Near-term	Plans Completed Funding Appropriation Construction bid docs	(Anticipated Q1 2022).
3. Lemon Lot Lighting	Near-term	Plans Completed Funding Appropriation Construction bid docs	(Anticipated Q1 2022).
4. Parking survey	Annual	Field Counts	Counts in May 2022; Present in July 2022.
5. Repair & Maintenance of Parking Lots	Near-term		Every 4 years; slated for Q1 2022
6. Replacement of coin-only meter mechanisms	Near-term	Scope of Work Cost Estimate Appropriation	Preliminary review
7. Review of Parking Meter and Parking Permit Pricing	Near-term		Preliminary review complete; formal review 2023.
8. Research & Evaluation of EV Charging Stations	Near-term	Site(s) Selection	Evaluation of tech and funding opportunities underway
9. Evaluate Parking Structure	Long-term		Feasibility study completed 2011.



COMMUNITY PARKING COMMISSION

La Mesa Municipal Code

2.80.080 - Powers and duties.

The La Mesa community parking commission shall exercise the powers and duties as provided in this title. In addition, the commission may consider other parking issues as directed by the city council of the city of La Mesa and as set forth within the organization, rules, and procedures of the La Mesa Community Parking Commission.

DRAFT

Work Plan 2022

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Staffing Department: Community Development

GOALS	DUE DATE	TRACKING MILESTONES	STATUS
1. Regular Duties as identified in LMMC 2.60.060 and 24.02.010	As needed		Ongoing
2. Review and comment on Annual Zoning Code Clean-up Amendments	As needed		Ongoing
3. Downtown Village Specific Plan Update	2022		Pending
4. Coordination with Historic Preservation Commission on Historic Preservation Ordinance / Policy	N/A		Ongoing

La Mesa Municipal Code (LMMC) Title 2 – Administration and Government
2.60.060 - Powers and duties.

The Planning Commission shall have, and is hereby vested with all the powers and duties provided by said act and amendments thereto, and such other powers and duties as may be conferred upon the Planning Commission by any and all laws of the State of California and the City Council.

2.60.140 - La Mesa relocation appeals board.

The planning commission shall also act as the "La Mesa relocation appeals board" and shall have the power when it acts in that capacity as provided by the by-laws for the relocation appeals board and shall carry out its duties and obligations pursuant to said by-laws. Said by-laws shall be adopted at the first meeting of the planning commission acting as the relocation appeals board and shall not thereafter be amended without the prior approval of the city council.



PLANNING COMMISSION

LMMC Title 24 – Zoning Ordinance

24.02.010 - Administration and enforcement agencies

B. Planning Agency. The city council, planning commission and community development department are hereby designated collectively as the planning agency. The planning agency shall perform all functions required by California state law. The specific duties and functions of the council, commission, and departments relative to this title are given below.

1. Perform all functions required by California law of a planning agency.
2. Furnish information and general assistance to the public in the administration of this title.
3. Maintain the Zone Map.
4. Review site development plans as to their compliance with the requirements of this title.
5. Review applications for adjustments in development regulations.
6. Interpret, administer and enforce this title.
7. Assist the planning commission in performance of its functions.

E. Planning Commission. The authority and functions of the planning commission in the administration of this title shall be to:

1. Review and approve plans, including site development plans when either required of or when appealed or referred to the commission, and to perform such other functions as provided by this title.
2. Resolve the question as to whether or not a proposed use is permitted in one or more zones in keeping with the general description and intent of such zones and the Land Use Element of the General Plan.
3. Consider appeals from any determination made in the administration or enforcement of this title.
4. Review applications for special permits, conditional use permits and variances.
5. Perform other functions as provided by state law.
6. Resolve questions or alleged ambiguity on appeal from the determination of the Community Development Department.

Work Plan 2022

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Staffing Department: Community Development

GOALS	DUE DATE	TRACKING MILESTONES	STATUS
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2. Review and comment on Annual Zoning Code Clean-up Amendments	As needed		Ongoing
3. Downtown Village Specific Plan Update	2022		Pending
4. Coordination with Historic Preservation Commission on Historic Preservation Ordinance / Policy	N/A		Ongoing

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PLANNING COMMISSION

LMMC Title 24 – Zoning Ordinance

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3. Consider appeals from any determination made in the administration or enforcement of this title.
4. Review applications for special permits, conditional use permits, and variances.
5. Perform other functions as provided by state law.
6. Resolve questions or alleged ambiguity on appeal from the determination of the Community Development Department.



2021-2022 Budget Monitoring Report

Quarter Ending December 31, 2021

The Finance Department produces the quarterly Budget Monitoring Report using month-end financial information from the City's financial system, input from staff in City departments, and relevant information from local, regional, and national sources (e.g., newspapers, economists, League of California Cities, etc.).

If you are new to this report, we suggest that you start by first reviewing the Reader's Guide located at the end of the document for information on the organization and layout of the report.

Please contact Tammi Royales at (619) 667-1122 if you have any questions, comments, or suggestions.

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EXECUTIVE SUMMARY

This Budget Monitoring Report details and analyzes economic indicators and forecasts based on certain assumptions and published projections through the quarter ending December 31, 2021. As a result of the COVID-19 public health emergency declared in early March 2020, the national economy took an immediate decline in most areas. As of the end of the quarter, most economic factors were on the rise but some outlooks still remain uncertain of the long term effects.

NATIONAL ECONOMIC INDICATORS AND FORECASTS

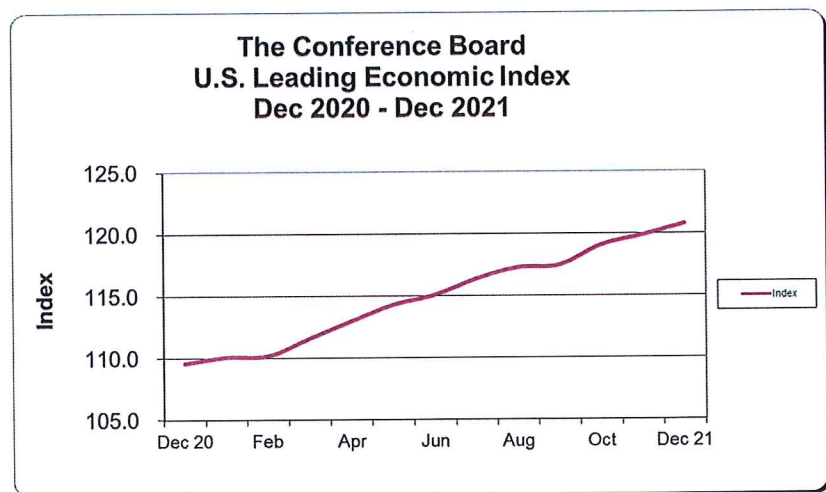
U.S. Leading Economic Index

The Conference Board Leading Economic Index® (LEI) for the U.S. increased by 0.8 percent in December to 120.8, following a 0.7 percent increase in November and a 0.7 percent increase in October.

“The U.S. LEI ended 2021 on a rising trajectory, suggesting the economy will continue to expand well into the spring,” said Ataman Ozyildirim, Senior Director of Economic Research at The Conference Board. “For the first quarter, headwinds from the Omicron variant, labor shortages, and inflationary pressures—as well as the Federal Reserve’s expected interest rate hikes—may moderate economic growth. The Conference Board forecasts GDP growth for Q1 2022 to slow to a relatively healthy 2.2 percent (annualized). Still, for all of 2022, we forecast the US economy will expand by a robust 3.5 percent—well above the prepandemic trend growth.”

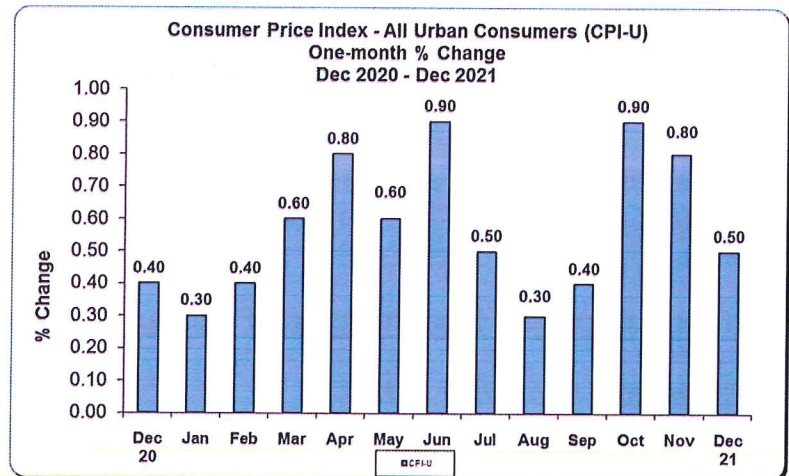
The Conference Board U.S. Leading Economic Index (2016 = 100)

	Index	% Change
Dec 20	109.6	0.40%
Jan	110.1	0.50%
Feb	110.2	0.10%
Mar	111.6	1.30%
Apr	113.0	1.30%
May	114.3	1.20%
Jun	115.1	0.70%
Jul	116.4	1.10%
Aug	117.3	0.80%
Sep	117.5	0.20%
Oct	119.1	0.70%
Nov	119.9	0.70%
Dec 21	120.8	0.80%



Consumer Price Index

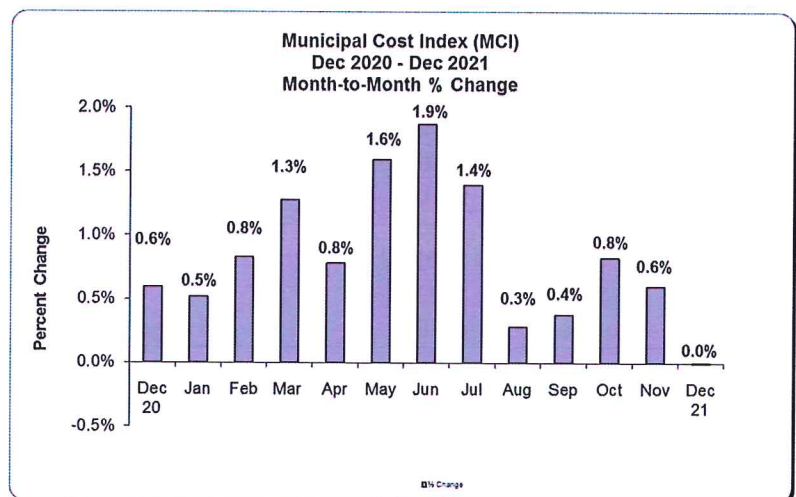
The Consumer Price Index for All Urban Consumers (CPI-U) increased 0.5 percent in December on a seasonally adjusted basis after rising 0.8 percent in November, the U.S. Bureau of Labor Statistics reported in January. Over the last 12 months, the all items index increased 7.0 percent before seasonal adjustment. Increases in the indexes for shelter and for used cars and trucks were the largest contributors to the seasonally adjusted all items increase. The food index also contributed, although it increased less than in recent months, rising 0.5 percent in December. The energy index declined in December, ending a long series of increases; it fell 0.4 percent as the indexes for gasoline and natural gas both decreased.



The index for all items less food and energy rose 0.6 percent in December following a 0.5 percent increase in November. This was the sixth time in the last 9 months it has increased at least 0.5 percent. Along with the indexes for shelter and for used cars and trucks, the indexes for household furnishings and operations, apparel, new vehicles, and medical care all increased in December. As in November, the indexes for motor vehicle insurance and recreation were among the few to decline over the month.

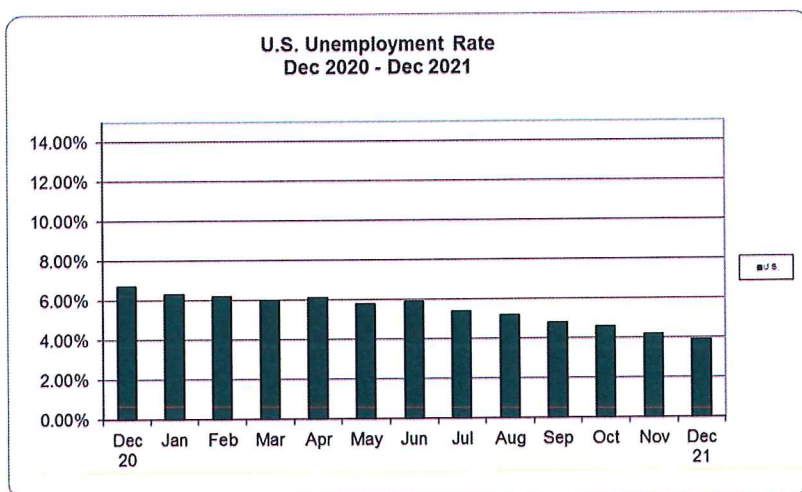
Municipal Cost Index

The Municipal Cost Index (MCI) remained unchanged in December after increasing 0.6 percent in November and 0.8 percent in October. Overall, the MCI has increased 10.8 percent over the past twelve months. The MCI reflects the impact of the costs of labor, materials and contract services on the actual inflation experienced by the City. These costs are all factored into the composite MCI. Major indicators of these items used for the MCI include the Consumer Price Index, the Producer Price Index and the construction cost indexes published by the U.S. Department of Commerce.



U.S. Unemployment Rate

Total nonfarm payroll employment rose by 199,000 in December, and the unemployment rate declined to 3.9 percent, the U.S. Bureau of Labor Statistics reported in January. Employment continued to trend up in leisure and hospitality, in professional and business services, in manufacturing, in construction, and in transportation and warehousing. The unemployment rate declined by 0.3 percentage point to 3.9 percent in December, and the number of unemployed persons decreased by 483,000 to 6.3 million. Over the year, these measures are down by 2.8 percentage points and 4.5 million, respectively. In February 2020, prior to the coronavirus (COVID-19) pandemic, the unemployment rate was 3.5 percent, and unemployed persons numbered 5.7 million. The number of long-term unemployed (those jobless for 27 weeks or more) declined by 185,000 to 2.0 million in December. This measure is down from 4.0 million a year earlier but is 887,000 higher than in February 2020. The long-term unemployed accounted for 31.7 percent of the total unemployed in December



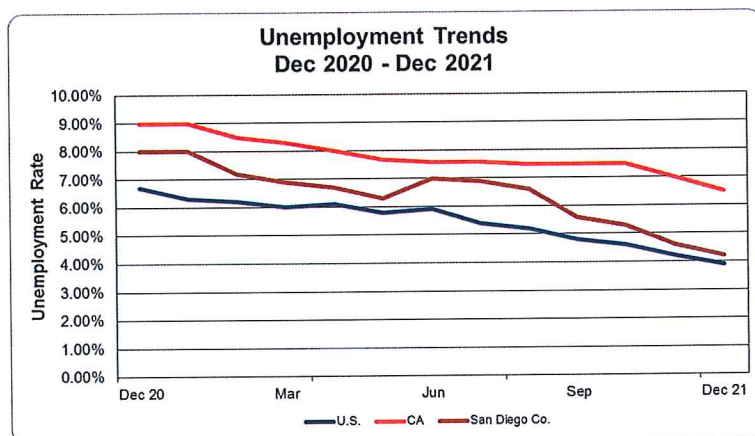
Federal Funds Rate (Discount Rate)

A recent statement issued by the Federal Open Market Committee (FOMC) indicates that the sectors most adversely affected by the pandemic have improved in recent months but continue to be affected by COVID-19. Job gains have been solid in recent months, and the unemployment rate has declined substantially. Supply and demand imbalances related to the pandemic and the reopening of the economy have continued to contribute to elevated levels of inflation. Overall financial conditions remain accommodative, in part reflecting policy measures to support the economy and the flow of credit to U.S. households and businesses. The Committee decided to keep the target range for the federal funds rate at 0 to 1/4 percent.

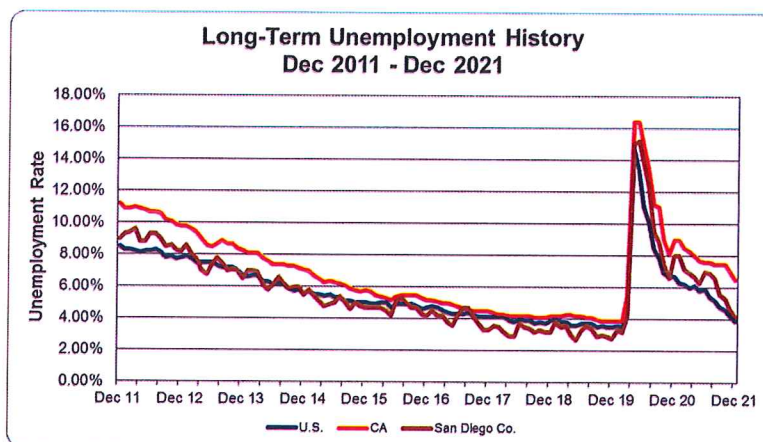
STATE AND LOCAL ECONOMIC INDICATORS AND FORECASTS

State and Local Unemployment

The state unemployment rate declined from 7.5 percent in October to 7.0 percent in November before declining another half percent to 6.5 percent in December. The County of San Diego and the City of La Mesa unemployment rates decreased from 5.6 percent and 5.8 percent respectively in September to 5.3 percent in October and 4.6 percent in November before each declining further to 4.2 percent and 4.0 percent in December.



California's labor market continued to expand at a steady pace in December, with total nonfarm employment in the state growing by 50,700 positions over the month, according to an analysis released jointly with the UCR School of Business Center for Economic Forecasting and Development. California growth accounted for just over one-quarter of the nation's overall job gains for the month.



"Many states have fully recovered the jobs they lost during the pandemic," said Taner Osman, Research Manager at Beacon Economics and the Center for Forecasting. "Since California is still playing catch-up, we expect to see stronger job growth in the state in 2022, compared to the nation overall."

California's unemployment rate fell to 6.5 percent in December, a 0.5 percentage-point decline from the previous month. However, the state's unemployment rate remains elevated relative to the 3.9 percent rate in the United States overall. California's labor supply has contracted significantly since the start of the pandemic. Despite an expansion of 30,200 workers in December, since February 2020, the state's labor force has shrunk by 358,100 workers, a 1.8 percent decline.

Local Economic Outlook

According to Beacon Economics Fall 2021 Economic Forecast, the recovery of San Diego's labor market has lagged in the Inland Empire but outperformed the Los Angeles metro. Apartment demand is still depressed in the region with lower rents and higher vacancy rates compared to pre-pandemic levels.

Although the San Diego metro has gained jobs in all but one of the last seven months, the region has recovered only 57 percent of the total jobs lost in March and April 2020, the onset of the pandemic. With more than 40 percent of pre-pandemic jobs yet to be regained, the trajectory of recovery among different industries has varied significantly. While industries such as Leisure and Hospitality and Other Services have seen strong growth in recent months, they still have a long way to go to recover all the jobs lost following April 2020's historic decline.

The pandemic's impact on the San Diego apartment market has been significant. Apartment demand took a hit last year as buyers and sellers grappled with work from home (WFH) policies and the fact that many workers no longer needed to live near their place of employment. After rising 18% in 2021, the apartment rental market has stabilized and fell 0.2 percent in December. As the labor market picks up, and as work from home trends move to a hybrid structure, Beacon Economics expects San Diego rents to increase across the remainder of this year.

Local Sales Tax Allocations

La Mesa's receipts from July through September were 12.8% above the third sales period in 2020. Excluding reporting aberrations, actual sales were up 13.2%.

This strong percentage gain signifies the continued rebound from the pandemic impacts of a year ago. Sensational returns from multiple retailers including family apparel, specialty and electronics/appliance stores

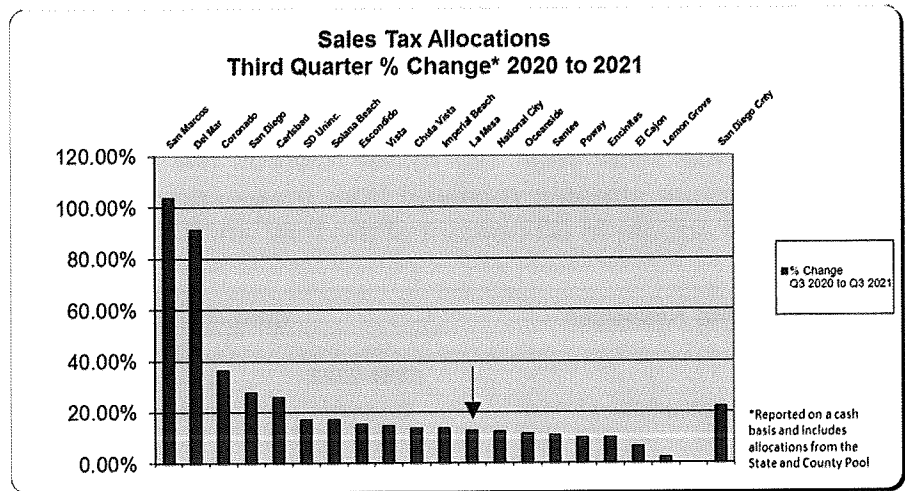
were largely responsible for the general consumer growth. With minimal mask requirements and continued pent up demand to eat out, casual and quick-service restaurants receipts were only surpassed by amounts reported last quarter in the City's history. An increased number of summer travelers and commuters brought about a lack of supply having upward pressure on gas prices resulted in stellar gains from service stations, while receipts from building-construction suppliers rose with a solid housing market and increased cost of lumber having a positive impact.

The City's transaction tax experienced similar positive results with increased vehicles purchased-registered, solid online sales activity by residents and local restaurants contributing the most.

STATE BUDGET

Governor Gavin Newsom released his proposed 2022-23 state budget in a news conference in Sacramento on January 10, 2022, drawing on a second year of stronger-than-expected revenues to call for a series of emergency investments to respond to the public health effects of COVID-19 and a combination of one-time and ongoing investments to provide greater support for the health and economic well-being of Californians. The proposed \$213 billion General Fund spending plan includes total reserves of \$35 billion. Negotiations with lawmakers on the budget proposal for 2022-23 will take place over the next several months with a June 15 passing deadline.

Staff will continue to closely monitor the State's budget situation and review any actions by the legislature that might significantly impact the budget.



GENERAL FUND SUMMARY

General Fund Resources

General Fund revenues have come in about as expected through the second quarter of fiscal year 2021-2022. The General Fund's major revenue sources, property tax and sales tax (both base sales & use tax and Proposition L transaction tax) are not received at regular intervals throughout the fiscal year, but rather towards the middle and end of the fiscal year. For this reason, revenue streams received from these sources through the second quarter of the fiscal year will not equate to 50 percent of the total annual revenues that are eventually received.

General Fund Resources Through 50% of Fiscal Year	Current Fiscal Year			Prior Year Comparison	
	2021-2022 Budget ¹	YTD Collected (unaudited)	% of Budget Collected	YTD Collected (unaudited)	% of Budget Collected
Revenues:					
Taxes					
Property Tax	\$ 15,691,510	\$ 3,555,335	22.7%	\$ 3,586,123	23.1%
Former Tax Increment (RDA)	343,600	-	0.0%	-	0.0%
Sales	14,145,000	5,430,634	38.4%	4,643,265	38.4%
Proposition L	9,974,000	3,890,028	39.0%	3,236,084	38.3%
Cannabis Business Tax	2,000,000	629,612	31.5%	552,065	110.4%
Other	3,206,700	963,863	30.1%	745,274	23.0%
Subtotal taxes	45,360,810	14,469,472	31.9%	12,762,810	31.7%
Licenses & permits	1,580,500	972,584	61.5%	699,668	51.5%
Fines, forfeitures & penalties	376,100	148,620	39.5%	114,990	26.9%
Use of money and property	1,365,920	625,176	45.8%	419,023	28.6%
Revenue from other agencies	1,258,120	750,382	59.6%	414,431	39.9%
Service charges	1,869,100	1,017,750	54.5%	512,075	22.3%
Other revenue	145,490	90,938	62.5%	90,241	61.3%
Total revenues	51,956,040	18,074,923	34.8%	15,013,238	32.0%
Other financing sources:					
Interfund transfers in	2,902,200	1,222,160	42.1%	1,179,575	42.8%
Interfund transfers out	(1,910,530)	(529,900)	27.7%	(341,800)	26.5%
Total other financing sources	991,670	692,260		837,775	
Plus: Fund Balance at July 1	31,208,810	31,208,810	100.0%	32,051,168	100.0%
Total resources	\$ 84,156,520	\$ 49,975,993	59.4%	\$ 47,902,181	59.5%

¹ Budget reflects any amendments approved by the City Council through the end of the quarter

- ✓ Overall, total general fund revenues are meeting budgetary expectations when compared to the same period last fiscal year.
- ✓ Property tax revenues received through the first quarter are slightly lower than the same time last year. Because the majority of property tax revenues are received in December and April, second quarter revenues are historically below 50 percent.

- ✓ Sales tax revenues received through the second quarter are about the same when compared to the same time last year.
- ✓ Proposition L sales tax revenues are slightly higher when compared the same time last fiscal year and are within budgetary expectations. Proposition L sales tax collections have a somewhat different base than the base sales tax collections. These collections include point-of-sale transactions that occur within the City limits of La Mesa. Proposition L sales tax collections also include transactions that take place outside the City if the items are being delivered into the City (e.g., furniture or large appliances) and autos and other large vehicles purchased that are being registered in La Mesa.
- ✓ Cannabis Business Tax has been separated out as its own line item in this second quarter report. The budget for Cannabis Business Tax revenue was increased from \$500,000 in FY 20-21 to \$2,000,000 in FY 21-22. Cannabis Business Tax revenues are meeting budgetary expectations in the second quarter and are anticipated to exceed the budgeted revenue by the end of the fiscal year. Sales tax collected from cannabis related businesses in the third quarter of FY 20-21 was over \$159,000.
- ✓ Other General Fund revenues, including licenses and permits, fines, forfeitures and penalties, which includes parking enforcement, use of money and property, which includes recreation facility rentals, revenue from other agencies and service charges are each up when compared to last year as a direct result of reduced COVID-19 restrictions.
- ✓ Unrestricted Proposition L proceeds are being utilized to fill the structural budget deficits caused by lower revenues and to pay for ongoing vital City services that otherwise would have been reduced. As the economy recovers and ongoing revenues begin to stabilize, Proposition L proceeds are being used to preserve General Fund reserve levels.

General Fund Appropriations

General Fund Expenditures			
Through 50% of Fiscal Year	2021-2022 Budget¹	YTD Encumbered/ Expended²	% of Budget
General Fund Department Expenditures			
Police	\$ 22,555,300	\$ 10,802,830	47.9%
Fire	13,530,520	6,861,957	50.7%
Public Works	10,345,500	5,219,512	50.5%
Administrative Services	7,974,070	3,605,805	45.2%
Community Development	2,675,110	1,208,941	45.2%
Community Services	1,991,180	983,758	49.4%
Total General Fund Expenditures	<u>\$ 59,071,680</u>	<u>\$ 28,682,803</u>	48.6%
¹ Budget reflects any amendments approved by the City Council through the end of the quarter			
² Includes expenditures encumbered through end of quarter reported			

- ✓ All departments are at or slightly below expectations through 50 percent of the fiscal year.

General Fund Reserves

The Budget Monitoring Report for June 30, 2021 included an estimate of available reserves for fiscal year 2020-2021 of \$31,208,810. As the impacts of COVID-19 on General Fund reserves were not as severe as originally anticipated, the General Fund outlook improved. The audited actual ending General Fund reserves reported in the June 30, 2021, financial statements is \$36,598,856. The increase over the projected amount is mostly due to much better than anticipated Sales Tax, Proposition L Sales Tax and Cannabis Tax revenues and some savings in expenditures for professional services and special departmental supplies. The approved Final Budget for FY 21-22 includes estimated available reserves at June 30, 2022 of \$26,930,800. This reserve balance will be further refined based on updated expenditure estimates as part of the General Fund financial forecast in March 2022.

	Actuals			Final Budget FY 21-22
	FY 18-19	FY 19-20	FY 20-21	
Available Reserves at June 30	31,499,284	32,051,168	36,598,856	26,930,800
Reserves as % of Operating Expenditures	60.4%	61.5%	69.6%	45.6%
Source of Reserves:				
Property Sale (Police Station)	3,050,000	3,050,000	3,050,000	3,050,000
Property Sale (Other land)	4,000,000	4,000,000	4,000,000	4,000,000
Proposition L Revenues	8,940,142	8,741,926	8,673,000	8,673,000
Reserves from Operations	15,509,142	16,259,242	20,875,856	11,207,800
Total Ending General Fund Reserves	31,499,284	32,051,168	36,598,856	26,930,800

The City Council's reserve policies formally establish two General Fund reserve targets: a Rainy Day Reserve target of 15 percent and an additional Cash Flow Reserve target of 25 percent. Because of the additional Proposition L Sales Tax revenues, a projected small but steady recovery of base sales and property taxes, and continued cost containment measures by departments, the General Fund reserves are projected to meet both the 15 percent Rainy Day Reserve target and the additional Cash Flow Reserve target of 25 percent in fiscal year 2021-2022.

CONCLUSIONS

After an unprecedented year, the nation's economy is in a stage of recovery. Economists are anticipating that this momentum will continue in the coming months and year. Although La Mesa currently maintains a healthy reserve, we will continue to monitor any continuing impacts of COVID-19 on revenues and expenditures. Property tax revenues as well as other General Fund revenues remain stable. Overall General Fund expenditures continue to be within budgetary expectations. Finally, projected General Fund reserves remain consistent with the Council's reserve policies.

READER'S GUIDE

Managing a municipality the size of La Mesa is, in many ways, like managing a for profit corporation. Instead of focusing upon bottom-line profits, La Mesa managers must skillfully steward public dollars and ensure the effectiveness and efficiency of the City's operations. They must live within legislatively approved budgets that are reviewed by residents, business leaders, and others interested in the City.

Like private corporations, public entities report their financial condition on a regular basis. Corporations make reports to stockholders while public entities report to their "stakeholders" -- the individuals and organizations that have a "stake" in the entity's operations.

In addition to an annual financial report and biennial budget document, the City of La Mesa publishes a quarterly Budget Monitoring Report to provide stakeholders with current information about the City's financial condition and performance in the essential areas of the City's operations.

This report is designed to give the reader a sense of how well La Mesa is doing fiscally and what its current successes or challenges might be. It includes a high level overview of the City's financial condition followed by more detailed information on resources and expenditures for those readers who are interested in going beyond the bottom line.

This Reader's Guide has been developed to assist you in reviewing the City of La Mesa's quarterly Budget Monitoring Report. It highlights the type of information contained in each section and presents a glossary of commonly used budget terms.

Please contact Tammi Royales at (619) 667-1122 if you have any questions, comments, or suggestions.

QUARTERLY BUDGET MONITORING REPORT ORGANIZATION

Executive Summary – A broad level overview of the City of La Mesa's current financial condition. It begins with comments on the economy, followed by a summary financial table and graph along with any comments highlighting resources and expenditures.

Resources – A more detailed discussion of revenue collections and other resources supporting the City's expenditures. Included in the discussion is a financial table showing the current year's budget, year-to-date collections, and calculated percent of budget collected. The discussion also includes comments on the significant factors and conditions affecting these items.

Appropriations – A more detailed discussion of expenditures and reserves. Included in the discussion is a financial table showing the current year's budget by department, year-to-date expenditures, and calculated percent of budget expended. The discussion also includes comments on the significant factors and conditions affecting these items.

Reserves - Commentary on estimated ending fund balance and its relationship to reserve targets. Included is a table displaying historical ending fund balance related to reserve targets.

FUNDS NOT REPORTED ON

This report focuses on the General Fund which provides the majority of government services. Other funds have been excluded from this report.

GLOSSARY

The following are definitions of some of the more common terms one may encounter in reviewing this document.

Accrual Basis – The basis of accounting under which revenues are recorded when they are earned and expenditures are recorded when they result in liabilities for benefits received.

Accrued Revenue – Revenue earned during the current accounting period but which is not collected until a subsequent accounting period.

Appropriation – Amount authorized for expenditure by the City Council.

Beginning Fund Balance – An account used to record resources available for expenditure in one fiscal year because of revenues collected in excess of the budget and/or expenditures less than the budget in the prior fiscal year.

Budget - A financial operating plan for a given period which displays the expenditures to provide services or to accomplish a purpose during that period together with the estimated sources of revenue (income) to pay for those expenditures. Once the fund totals shown in the budget are appropriated by the City Council, they become maximum spending limits.

Ending Fund Balance - An account used to record resources available at year end as a result of revenues collected in excess of the budget and/or expenditures less than the budget during the fiscal year. The City's operating reserves are budgeted in the General Fund ending fund balance.

Expenditure – The payment for City obligations, goods, and services.

Fiscal Year – A twelve-month period designated as the operating year for accounting and budgeting purposes. The City of La Mesa's fiscal year is July 1 through June 30.

Fund - Governmental accounting systems are organized and operated on a fund basis. A fund is an independent financial and accounting entity with a self-balancing set of accounts in which financial transactions relating to revenues, expenditures, assets, and liabilities are recorded. Funds are established to account for the use of restricted revenue sources and, normally, to carry on specific activities or pursue specific objectives.

General Fund – The financial and accounting entity that comprises typical operations of a municipality such as police, fire, public works, and other departments.

Grants – A contribution by a government or other organization to support a particular function. Grants may be classified as either operational or capital, depending upon the grantor.

M&O (Maintenance and Operating) Costs – Expenditure category that represents amounts paid for supplies and other services and charges.

Proposition L – The La Mesa Vital City Services Measure which was passed by voters on November 4, 2008 authorizing a ¾ cent local transactions and use tax (commonly referred to as a sales tax). This general purpose tax became effective on April 1, 2009.

Reserve – An account used either to set aside budgeted revenues that are not required for expenditure in the current budget or to earmark revenues for a specific future purpose.

Resources - Total dollars available for appropriation, including estimated revenues, interfund transfers, and beginning fund balances.

Revenue - Sources of income received during the fiscal year, operating transfers from other funds, and other financing sources such as the proceeds derived from the sale of fixed assets.

Revenues from Other Agencies – Funds received from federal, state, and other local government sources in the form of grants, shared revenues, and payments in lieu of taxes.

Taxes – Compulsory charges levied by a government for financing services performed for the common benefit of the people. This term does not include specific charges made against particular persons or property for current or permanent benefit, such as special assessments.

Trust Funds – Funds used to account for assets held by a government in a trustee capacity for individuals, private organizations, other governments, and/or other funds. Examples are pension trust funds, nonexpendable trust funds, and expendable trust funds.



REPORT to the MAYOR and MEMBERS of the CITY COUNCIL
From the CITY MANAGER

DATE: February 8, 2022

SUBJECT: Treasurer's Report for the Quarter Ended
December 31, 2021

ISSUING DEPARTMENT: Finance Department – City Treasurer

SUMMARY

PORTFOLIO VALUE:

The City's portfolio ended the quarter with a Market Value of \$59,441,753. This represents a premium of \$60,960 over the purchase price, or Par value. As we have a "Buy and Hold" policy, there is no economic gain or loss upon call or maturity. The security earns interest at the stated rate through the date of redemption.

EARNINGS:

Earnings for the six months ended December 31, 2021, were \$315,131. This represents a decrease of \$57,832 from the prior year-to-date earnings. The portfolio yield dropped to 1.07% from 1.37% in the prior year. The portfolio yield and related earnings should begin to improve modestly as investment rates begin to reflect the Federal Reserve's recent interest rate strategies.

LIQUIDITY:

Liquidity is excellent with \$25,262,793 in LAIF for immediate availability. The invested portfolio is laddered having an average maturity of 3.3 years and \$4,471,000 maturing within twelve months for additional liquidity, if necessary.

INTEREST RATE ENVIRONMENT:

The Federal Reserve has announced the wind down of their bond purchase program and is expected to conclude this program in March 2022 thus taking away some of the stimulus they have been providing during the pandemic recovery. They also announced they will be increasing the Fed Funds interest rate, expecting to begin this process in March 2022. Expectations are presently for three to four .25% increases in 2022. Inflation has exceeded the Fed's 2% goal and has now become a headwind to the economy, prompting these monetary moves.

City's Strategic Goal

To maintain a financially sound and affordable city government

SAFETY

Federal Agencies

- Carries the implied guarantee of the U.S. Government

Corporate Securities

- The City's Investment Policy requires ratings of Double A (AA) or better

Certificates of Deposit

- Guaranteed by the FDIC to \$250,000

Local Agency Investment Fund (LAIF)

- Managed by the Treasurer of the State of California; consists primarily of U.S. Treasuries, Government Agencies, and other short-term investments.

LIQUIDITY

LAIF balance of \$25,262,793 represents the City's immediate cash and is 42.6% of the portfolio. Additionally, the portfolio is structured to ladder maturities to provide an additional element of liquidity. As investments mature, they can be reinvested at current rates or redeemed to provide additional operating cash. The invested portfolio of Federal Agencies, Corporate Securities, and Certificates of Deposit has an average maturity of 3.3 years with \$4,471,000 maturing within one year for added liquidity.

EARNINGS

Following are highlights of financial activities:

	6 Months Ended 12/31/20	9 Months Ended 3/31/21	12 Months Ended 6/30/21	3 Months Ended 9/30/21	6 Months Ended 12/31/21
Average YTD Portfolio Bal	\$ 54,628,444	\$ 54,460,621	\$ 58,988,097	\$ 58,997,937	\$ 58,629,022
Quarterly Earnings	\$ 149,522	\$ 138,661	\$ 136,133	\$ 182,846	\$ 132,285
YTD Earnings	\$ 372,963	\$ 511,624	\$ 647,757	\$ 182,846	\$ 315,131
YTD Yield	1.37 %	1.21 %	1.10 %	1.24 %	1.07 %

PORTFOLIO PROFILE

To achieve the City's Strategic Goal, the City's primary investment objectives in order of priority are **Safety, Liquidity and Earnings**. Key to each of these objectives is a well-diversified portfolio that minimizes credit and interest rate risk and provides necessary liquidity. The City's portfolio is designed to meet these objectives as summarized in the following table which is presented at par values:

<u>Maturity (Years)</u>	<u>Federal Agencies</u>	<u>Corporate Securities</u>	<u>Certificates of Deposit</u>	<u>LAIF</u>	<u>Total 12/31/2021</u>	<u>% of Portfolio</u>
0 – 1	\$ 1,000,000	\$ -0-	\$ 3,471,000	\$ 25,262,793	\$ 29,733,793	50.1 %
1 – 2	500,000	-	3,466,000	-	3,966,000	6.7 %
2 – 3	-	-	2,975,000	-	2,975,000	5.0 %
3 - 4	2,000,000	-	2,464,000	-	4,464,000	7.5 %
4 – 5	16,000,000	1,000,000	1,242,000	-	18,242,000	30.7 %
Totals	\$ 19,500,000	\$ 1,000,000	\$ 13,618,000	\$ 25,262,793	\$ 59,380,793	100.0 %
Portfolio %	32.8 %	1.7 %	22.9 %	42.6 %	100.0 %	
Earnings Rate	1.09 %	.86 %	2.14 %	.21 %	.95 %	
Weighted Average Maturity	4.2 yrs.	4.1 yrs.	2.1 yrs.	n/a	3.3 yrs.	

PORTFOLIO ACTIVITY

During the quarter, there were five 5-year Agencies purchased with an average interest rate of 1.23%. No Agencies were called or matured during the quarter.

Two Certificates of Deposit were purchased at an average rate of 1.10% with five Certificates of Deposit maturing at an average rate of 1.77%.

	<u>Maturity</u>	<u>Rate</u>	<u>Par Value</u>
<u>Federal Agencies Purchased:</u>			
FHLB (callable)	5 year	1.10 %	\$ 1,000,000
FHLB (callable)	5 year	1.00	1,000,000
FHLB (callable)	5 year	1.38	1,000,000
FHLB (callable)	5 year	1.25	1,000,000
FHLB (callable)	5 year	1.40	1,000,000

Federal Agencies Called or Matured:

None

Certificate of Deposit Purchased:

Capital One	5 year	1.10 %	\$ 248,000
Capital One Bank U.S.A.	5 year	1.10	248,000

Certificates of Deposit Matured:

Nationwide Bank	5 year	1.50 %	\$ 249,000
Countryside Federal Credit Union	5 year	1.50	249,000
Everbank	5 year	1.75	247,000
American Express Centurion Bank	5 year	2.05	247,000
Medallion Bank	5 year	2.05	249,000

PORTFOLIO COMPLIANCE

The portfolio complies with California code sections concerning safety and liquidity in the investment of public funds. Investment strategies are based on liquidity requirements and interest rate projections and have been collaboratively determined by the City Treasurer, City Manager, and Director of Finance. The City Treasurer executes trades in accordance with these strategies.

Required Contents of Investment Reports

California Government Code Section 53646(b) suggests that the quarterly investment report of a local agency contain certain items. These items include the type of investment, the issuer's name, the date of maturity of the security, the par amount of the instrument, the market value, and the dollar amount invested in each security. The source of the market value also should be included in the report. The report also must reference all funds that are under the management of external investment providers, such as investment advisors and investment managers. A local government's quarterly report, if submitted, must state the portfolio's compliance with the agency's investment policy or manner in which the portfolio is not in compliance. Finally, the investment report must include a statement regarding the local agency's ability to meet its cash flow needs for the next six months.

Accordingly, I advise you of the following facts in compliance with Government Code Section 53646(b):

1. The source of the valuations included herein is U.S. Bank, Saint Paul, MN 55107.
2. No funds are under the management of external providers or managers. Investment decisions are made by a consensus of the City Treasurer, City Manager, and Director of Finance.
3. The City's portfolio remains in strict compliance with the Investment Policy of the City of La Mesa for FY 2021-2022.
4. The City of La Mesa's investment portfolio more than adequately assures the City's ability to meet its cash flow needs during the ensuing six months.

Reviewed by



Greg Humora
City Manager

Respectfully submitted by



Eldon "Bud" Vogt
City Treasurer

Attachments:

- A - Treasurer's Report on Investment Earnings for the Quarter ended December 31, 2021
- B - Schedule of Investments – Summary
- C - Schedule of Investments – Detail



Date: 02/08/2022
To: Mayor and Members of the City Council
From: Eldon Vogt, City Treasurer

Subj: TREASURER'S REPORT ON INVESTMENT EARNINGS
PERIOD ENDING: December 31, 2021

In accordance with Section 53646 (b) of the California Government Code, the following report of earnings yielded on investments is respectfully submitted. This report further specifies that investments have been made pursuant to subdivision (i) of Section 53601, Section 53601.1, and subdivision (i) of Section 53635.

INVESTMENT EARNINGS
PERIOD July 2021-December 2021

<u>MONTHS TO DATE</u>	<u>PRINCIPAL INVESTED</u>
JULY 2021	\$59,928,605
AUGUST 2021	\$60,927,235
SEPTEMBER 2021	\$56,137,970
OCTOBER 2021	\$57,975,950
NOVEMBER 2021	\$56,902,478
DECEMBER 2021	\$59,901,892

<u>TYPES OF EARNINGS</u>	<u>EARNINGS</u>
Investment Earnings Received	\$206,724
Accrued Interest:	
Federal Agencies	48,104
Corporations	46,607
LAIF	13,696
<u>YEAR TO DATE INVESTMENT EARNINGS</u>	<u>\$315,131</u>

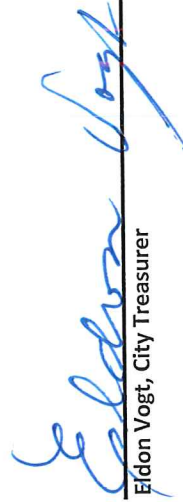
<u>PER ANNUM YIELD ON INVESTMENTS</u>	
Total of Monthly Principals Divided by	\$351,774,130
Total Months Invested	6
AVERAGE MONTHLY PRINCIPAL INVESTED	\$58,629,022

INVESTMENT EARNINGS TO DATE	\$315,131
PORTION OF YEAR COMPLETED	50%
PER ANNUM RATE ON INVESTMENT EARNINGS TO DATE	1.07%

City of La Mesa
Schedule of Investments-Summary
For the Month Ending DEC 2021

Issuer	Type of Investment	Maturity Date	Par Value	Book Value	Market Value
State of California	LAIF 98-37-421	Demand	25,262,793	25,262,793	25,262,793
Cash & Cash Equivalents	Money Market		-	-	-
Federal Agencies	Medium Term Notes	07/2022 - 11/2026	19,500,000	19,520,455	19,309,355
Corporate Obligations	Certificates of Deposits/ Corporate Investments	02/2022 - 11/2026	14,618,000	15,118,644	14,869,605
		Totals	59,380,793	59,901,892	59,441,753

I certify that the investment of funds is in conformance with California Government Code section 53600. Those investments valued at below market cost will be held until maturity or until they can be sold without a loss. I also certify that the investment of funds provides the cash flow liquidity to meet the next six month's estimated expenditure requirements.


Eldon Vogt, City Treasurer

City of La Mesa
Schedule of Investments

DEC 2021

CUSIP	Issuer	Type of Investment	Interest Rate	Beginning Date	Due Date	Par Value	Book Value	Market Value
3134GBWQ1	FHLMC	Medium Term - Fixed Rate	2.000%	7/27/2017	7/27/2022	1,000,000	1,020,110	1,009,930
3132X06C0	FEDERAL AGRIC MTG CO	Medium Term - Fixed Rate	3.050%	11/13/2018	9/19/2023	500,000	530,245	520,355
3136G4G98	FEDERAL NATL MTG AS	Medium Term - Fixed Rate	0.560%	8/12/2020	8/12/2025	1,000,000	993,060	979,140
3136G4C43	FEDERAL NATL MTG AS	Medium Term - Fixed Rate	0.650%	8/14/2020	8/14/2025	1,000,000	995,020	982,330
3130ALD76	FEDERAL HOME LOAN BA	Medium Term - Fixed Rate	0.700%	2/25/2021	2/25/2026	1,000,000	988,700	982,750
3130ALG84	FEDERAL HOME LOAN BA	Medium Term - Fixed Rate	0.800%	3/17/2021	3/17/2026	1,000,000	998,370	983,340
3130ALMM3	FEDERAL HOME LOAN BA	Medium Term - Fixed Rate	1.000%	3/30/2021	3/30/2026	1,000,000	999,610	988,990
3130AMDY5	FEDERAL HOME LOAN BA	Medium Term - Fixed Rate	1.000%	5/20/2021	5/20/2026	1,000,000	997,730	989,640
3133EMH21	FEDERAL FARM CR BKS	Medium Term - Fixed Rate	0.900%	6/15/2021	6/15/2026	1,000,000	998,270	983,210
3130AMPT3	FEDERAL HOME LOAN BA	Medium Term - Fixed Rate	1.030%	6/30/2021	6/23/2026	1,000,000	997,480	989,640
3130AMWX6	FEDERAL HOME LOAN BA	Medium Term - Fixed Rate	1.020%	6/23/2021	6/30/2026	1,000,000	1,001,860	989,230
3130ANHW3	FEDERAL HOME LOAN BA	Medium Term - Fixed Rate	0.930%	8/25/2021	8/25/2026	1,000,000	1,000,000	985,310
3130ANS87	FEDERAL HOME LOAN BA	Medium Term - Fixed Rate	1.000%	9/17/2021	9/17/2026	1,000,000	1,000,000	987,630
3130ANYR5	FEDERAL HOME LOAN BA	Medium Term - Fixed Rate	0.950%	9/30/2021	9/30/2026	1,000,000	1,000,000	985,000
3130APGM2	FEDERAL HOME LOAN BA	Medium Term - Fixed Rate	1.020%	10/13/2021	10/13/2026	1,000,000	1,000,000	987,110
3130APB87	FEDERAL HOME LOAN BA	Medium Term - Fixed Rate	1.000%	10/14/2021	10/14/2026	1,000,000	1,000,000	990,950
3130AP6U4	FEDERAL HOME LOAN BA	Medium Term - Fixed Rate	1.000%	10/28/2021	10/28/2026	1,000,000	1,000,000	986,000
3130APDQ5	FEDERAL HOME LOAN BA	Medium Term - Fixed Rate	1.250%	10/28/2021	10/28/2026	1,000,000	1,000,000	993,700
3130APL78	FEDERAL HOME LOAN BA	Medium Term - Fixed Rate	1.375%	10/28/2021	10/28/2026	1,000,000	1,000,000	997,070
3130APQA6	FEDERAL HOME LOAN BA	Medium Term - Fixed Rate	1.400%	11/24/2021	11/24/2026	1,000,000	1,000,000	998,030
Total Federal Agencies						19,500,000	19,520,455	19,309,355
71270QQP4	Peoples Utd Bridgeport CT	Certificate of Deposit--Fixed Rate	2.050%	2/1/2017	2/1/2022	247,000	249,905	247,395
49228XAB6	KERN SCHS FED CR UN	Certificate of Deposit--Fixed Rate	2.800%	3/13/2019	3/14/2022	249,000	253,823	250,305
080515BV0	Belmont Savings Bank	Certificate Of Deposit--Fixed Rate	2.150%	3/20/2017	3/21/2022	247,000	250,779	248,042
538036CM4	Live Oak Banking Company	Certificate Of Deposit--Fixed Rate	2.250%	4/7/2017	4/7/2022	249,000	253,196	250,342
45581EAC5	Industrial & Commercial Bank of Ch	Certificate Of Deposit--Fixed Rate	2.150%	4/12/2017	4/12/2022	249,000	253,074	250,340
38148PLD7	Goldman Sachs Bank USA	Certificate Of Deposit--Fixed Rate	2.200%	7/5/2017	7/5/2022	247,000	252,266	249,468
2546725E4	Discover Bank	Certificate of Deposit--Fixed Rate	2.200%	7/6/2017	7/6/2022	247,000	252,278	249,480
59980RAC4	Mill City Credit Union	Certificate of Deposit--Fixed Rate	2.400%	1/11/2018	7/11/2022	249,000	254,904	251,829
319141GU5	First Bk Highland Pk ILL	Certificate of Deposit--Fixed Rate	2.150%	7/13/2017	7/13/2022	247,000	252,246	249,502
87164XRJ2	Synchrony Bank	Certificate of Deposit--Fixed Rate	2.350%	8/18/2017	8/18/2022	247,000	253,276	253,251
62384RAC0	Mountain America CR UN	Certificate of Deposit--Fixed Rate	2.300%	11/8/2017	11/8/2022	249,000	256,281	253,201
474067AF2	Jefferson Financial Fed Cr Un	Certificate of Deposit--Fixed Rate	2.450%	11/10/2017	11/10/2022	246,000	253,766	250,490
499724AA0	Knoxville Employees CU	Certificate of Deposit--Fixed Rate	2.300%	12/7/2017	12/7/2022	249,000	256,674	253,557
61747MFG3	First Internet Bk of In	Certificate of Deposit--Fixed Rate	2.400%	12/28/2017	12/28/2022	249,000	257,329	254,057
32056GCV0	Morgan Stanley Bank NA	Certificate of Deposit--Fixed Rate	2.650%	1/11/2018	1/11/2023	246,000	255,346	251,776
01748DBA3	Allegiance BK Tex Houston	Certificate of Deposit--Fixed Rate	2.600%	2/7/2018	2/7/2023	249,000	258,669	255,063
22766ACS2	Crossfirst Bank	Certificate of Deposit--Fixed Rate	2.700%	2/23/2018	2/23/2023	249,000	259,324	255,556
17312JQ26	Citibank N.A.	Certificate of Deposit--Fixed Rate	2.900%	4/11/2018	4/11/2023	246,000	257,852	253,727
91435LAB3	Univ of Iowa	Certificate of Deposit--Fixed Rate	3.000%	4/28/2018	4/28/2023	248,000	260,658	256,368
20033AZK5	Comenity Cap Bank Salt Lake CI	Certificate of Deposit--Fixed Rate	3.300%	6/29/2018	6/29/2023	249,000	264,259	259,393
06426KAN8	Bank of New England Salem	Certificate of Deposit--Fixed Rate	3.250%	7/31/2018	7/31/2023	249,000	264,635	259,707
75472RAD3	RAYMOND JAMES BK NAT	Certificate of Deposit--Fixed Rate	1.950%	8/23/2019	8/23/2023	247,000	256,065	252,691

City of La Mesa
Schedule of Investments

DEC 2021

CUSIP	Issuer	Type of Investment	Interest Rate	Beginning Date	Due Date	Par Value	Book Value	Market Value
501798MG4	LCA Bank Corp Park City	Certificate of Deposit--Fixed Rate	3.100%	9/7/2018	9/7/2023	246,000	261,363	256,465
59833LAF9	Midwest Independent Bank	Certificate of Deposit--Fixed Rate	3.150%	9/18/2018	9/18/2023	249,000	264,996	259,988
64017AAH7	Neighbors Fed Credit Union	Certificate of Deposit--Fixed Rate	3.300%	9/19/2018	9/19/2023	245,000	261,604	256,422
949763VK9	WELLS FARGO BANK NAT	Certificate of Deposit--Fixed Rate	3.550%	11/20/2018	11/28/2023	249,000	268,683	262,839
635573AL2	NATIONAL COOP BK N	Certificate of Deposit--Fixed Rate	3.400%	12/26/2018	12/21/2023	245,000	263,992	258,259
59013KAR7	MERRICK BK SOUTH JOR	Certificate of Deposit--Fixed Rate	2.400%	6/10/2019	12/28/2023	249,000	262,199	257,645
61760AVJ5	MORGAN STANLEY PVT	Certificate of Deposit--Fixed Rate	3.100%	2/7/2019	2/7/2024	246,000	264,015	258,445
58117WAD9	MCHESTRY SVGS BK ILL	Certificate of Deposit--Fixed Rate	2.800%	3/14/2019	3/14/2024	246,000	262,669	257,301
7954502D6	SALLIE MAE BK SLT LA	Certificate of Deposit--Fixed Rate	2.750%	4/8/2019	4/10/2024	246,000	262,750	257,267
81407SBG1	SECURITY BK NEW AUBU	Certificate of Deposit--Fixed Rate	2.500%	6/28/2019	6/10/2024	249,000	265,008	259,485
726547BK7	PLAINS ST BK TEXC/D	Certificate of Deposit--Fixed Rate	2.300%	6/21/2019	6/21/2024	249,000	263,681	258,347
46256YB84	IOWA ST BK ORANGE C/D	Certificate of Deposit--Fixed Rate	2.100%	7/19/2019	7/10/2024	247,000	260,274	255,139
20143PDY3	COMMERCIAL BK C/D	Certificate of Deposit--Fixed Rate	2.000%	7/10/2019	7/15/2024	249,000	261,682	256,614
43719LAB1	HOME LN INVT BK F S	Certificate of Deposit--Fixed Rate	2.000%	7/15/2019	7/19/2024	249,000	261,716	256,629
29278TKJ8	ENERBANK USA UT	Certificate of Deposit--Fixed Rate	2.150%	8/7/2019	8/7/2024	247,000	260,904	255,578
15114RRH2	CELTIC BK SALT LAKE	Certificate of Deposit--Fixed Rate	1.850%	8/30/2019	8/30/2024	249,000	260,882	255,798
938828BM1	WASHINGTON FED SEATT	Certificate of Deposit--Fixed Rate	2.000%	8/30/2019	8/30/2024	249,000	262,060	256,781
293675QJ8	ENTERPRISE BK & C/D	Certificate of Deposit--Fixed Rate	1.800%	11/8/2019	11/8/2024	249,000	260,915	255,574
32117WAN2	FIRST NATL BK	Certificate of Deposit--Fixed Rate	1.600%	2/28/2020	2/28/2025	225,000	234,718	229,640
29260MAV7	ENCORE BK LITTLE C/D	Certificate of Deposit--Fixed Rate	1.150%	3/25/2020	3/25/2025	249,000	255,721	250,554
73319FAK5	POPPY BK SANTA C/D	Certificate of Deposit--Fixed Rate	1.100%	3/27/2020	3/27/2025	249,000	255,260	250,150
79772FAF3	SAN FRANCISCO CR C/D	Certificate of Deposit--Fixed Rate	1.100%	3/27/2020	3/27/2025	249,000	255,260	250,150
020080BX4	ALMA BK ASTORIA NEW	Certificate of Deposit--Fixed Rate	1.400%	3/30/2020	3/28/2025	249,000	258,029	252,528
51210SSD0	LAKESIDE BK CHICAGO	Certificate of Deposit--Fixed Rate	1.400%	3/30/2020	3/31/2025	249,000	258,044	252,523
694231AC5	PACIFIC ENT C/D	Certificate of Deposit--Fixed Rate	1.150%	3/31/2020	3/31/2025	249,000	255,725	250,531
856285TF8	STATE BK INDIA YC/D	Certificate of Deposit--Fixed Rate	1.600%	4/29/2020	4/29/2025	248,000	258,967	253,054
33847E3F2	FLAGSTAR BK FSB TROY	Certificate of Deposit--Fixed Rate	1.050%	5/5/2020	4/30/2025	248,000	253,783	248,590
06063HMS9	BANK BARODA NEW YORK	Certificate of Deposit--Fixed Rate	0.700%	7/22/2020	7/22/2025	249,000	251,131	246,129
46632FRU1	JPMORGAN CHASE BK N	Corporate Investments	0.700%	1/22/2021	1/22/2026	500,000	488,640	482,565
037833EB2	APPLE INC SR GLBL	Corporate Investments	0.700%	3/24/2021	2/8/2026	500,000	494,165	489,790
89235MKY6	TOYOTA FINL SVGS BK	Certificate of Deposit--Fixed Rate	0.900%	4/22/2021	4/22/2026	248,000	249,205	244,987
903481Q29	UBS BK USA SALT LAKE	Certificate of Deposit--Fixed Rate	0.900%	7/14/2021	7/14/2026	249,000	249,000	245,367
70962LAE2	PENTAGON C D	Certificate of Deposit--Fixed Rate	0.850%	9/1/2021	9/1/2026	249,000	249,000	244,433
14042RQB0	CAPITAL ONE NATL C D	Certificate of Deposit--Fixed Rate	1.100%	11/17/2021	11/17/2026	248,000	248,000	245,748
14042TDW4	CAPITAL ONE BANK C D	Certificate of Deposit--Fixed Rate	1.100%	11/17/2021	11/17/2026	248,000	248,000	245,748
Total Bank CD's								
						14,618,000	15,118,644	14,869,605
Custodian								
Demand								
98-37-421	LAIF State of California		0.212%					
Drefus	Cash & Cash Equivalents	Money Market						
						25,262,793	25,262,793	25,262,793
Totals								
						59,380,793	59,901,892	59,441,753



DATE: February 8, 2022

TO: Mayor and Members of the City Council

FROM: Megan Wiegelman, CMC, City Clerk *MW*

VIA: Greg Humora, City Manager *GH*

SUBJECT: Interview of Applicants for Unscheduled Vacancies on the Historic Preservation Commission

Attached are applications from citizens who wish to be considered for appointment to fill the unscheduled vacancies on the Historic Preservation Commission. The applicants have been invited to attend the meeting and make a brief three-minute presentation describing their qualifications and interest in serving on the Commission.

The applicants will be called forward for their interview by the City Clerk. After each presentation you may ask questions of the applicants, if you wish.

The appointments will be made at the City Council meeting on February 22nd.

Attachments

Historic Preservation Commission: 2 position – four-year term

One appointee will fill the position vacated by Tyler Rogers whose term expires June 30, 2023 and one appointee will fill the position vacated by Crystal Arnote whose term expires June 30, 2024.

Members shall be residents of the City of La Mesa

First Appointed

Number of Terms

Jose (Tony) Garcia
Laura Landegent

APPLICATIONS ARE AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE



DATE: February 8, 2022

TO: Mayor and Members of the City Council

FROM: Megan Wiegelman, CMC, City Clerk *MW*

VIA: Greg Humora, City Manager *GH*

SUBJECT: Annual Interview of Applicants for Openings on the City's Community Police Oversight Board

The Community Police Oversight Board ("CPOB") has six Board Member seats open for appointment or reappointment. The openings are for the following seats:

- Police Beat 1 representative;
- Police Beat 2 representative;
- Police Beat 3 representative;
- Police Beat 4 representative;
- La Mesa Faith Based Community representative; and
- Advocate for people experiencing homelessness, substance abuse, mental health or other social issues.

The applications from the citizens who wish to be considered for appointment or reappointment to the CPOB are on file in the office of the City Clerk. Attached is a matrix outlining the categories each applicant is eligible to fill. The applicants have been invited to attend the meeting and make a brief presentation describing their qualifications and interest in serving on the CPOB.

The applicants will be called forward by the City Clerk and after each presentation you may ask questions of the applicants, if you wish.

The appointments will be made at the Council meeting on Tuesday, February 22nd.

Attachments

APPLICATIONS ARE AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE

Police Beat 1	Police Beat 2	Police Beat 3	Police Beat 4	La Mesa Faith Based Community	Advocate
Michaela Blackman	Leroy Johnson	Caitlin Tiffany	Andy Trimlett	Michaela Blackman	Michaela Blackman
Patricia Dillard		Patrick Shields	Daniel Walkup		
		Julie Sutton-Hayes			
		Veda Tavakkoly			



La Mesa City Council

Minutes of a Special Meeting

Date: January 11, 2022, 5:30 p.m.
Location: Council Chambers and City Manager's Conference Room
City Hall, 8130 Allison Avenue
La Mesa, California

Present: Mayor Arapostathis
Vice Mayor Shu
Councilmember Baber
Councilmember Lothian
Councilmember Parent

Staff: City Manager Humora
Assistant City Manager Tomaino
City Attorney Sabine
City Clerk Wiegelman
Police Chief Sweeney

This meeting was conducted utilizing teleconferencing and electronic means consistent with Government Code Section 54953, as amended by Assembly Bill 361, in relation to the COVID-19 State of Emergency and recommended social distancing measures.

1. **CALL TO ORDER**

Mayor Arapostathis called the meeting to order at 5:31 p.m.

2. **PUBLIC COMMENTS**

There were no comments.

Mayor Arapostathis adjourned the meeting to Closed Session at 5:32 p.m.

Vice Mayor Shu joined the meeting at 5:32 p.m.

3. **CLOSED SESSION**

3.1 CONFERENCE WITH LEGAL COUNSEL REGARDING PENDING WORKERS COMPENSATION CLAIM SETTLEMENT PURSUANT TO GOVERNMENT CODE SECTION 54956.9

The meeting reconvened at 5:39 p.m. with all members present.

4. REPORT FROM CLOSED SESSION - CITY ATTORNEY

City Attorney Sabine announced there were no reportable actions.

5. ADJOURNMENT

Mayor Arapostathis adjourned the meeting at 5:39 p.m.

City Clerk



La Mesa City Council and La Mesa Public Financing Authority

Meeting Minutes

Date: January 11, 2022, 6:00 p.m.
Location: City Council Chambers, 8130 Allison Avenue
La Mesa, California

Present: Mayor Arapostathis
Vice Mayor Shu
Councilmember Baber
Councilmember Lothian
Councilmember Parent
City Treasurer Vogt

Staff: City Manager Humora
Assistant City Manager Tomaino
City Attorney Sabine
City Clerk Wiegelman

This meeting was conducted utilizing teleconferencing and electronic means consistent with Government Code Section 54953, as amended by Assembly Bill 361, in relation to the COVID-19 State of Emergency and recommended social distancing measures.

1. **CALL TO ORDER**

The City Council minutes are prepared and ordered to correspond to the City Council Agenda. Agenda Items can be taken out of order during the meeting.

The Agenda Items were considered in the order presented, except for Item 12.4 which was considered prior to the Consent Calendar.

Mayor Arapostathis called the meeting to order at 6:00 p.m.

1.1 INVOCATION - VICE MAYOR SHU

1.2 PLEDGE OF ALLEGIANCE

2. **REPORT FROM CLOSED SESSION**

City Attorney Sabine announced there were no reportable actions.

3. CITY MANAGER COMMENTS

City Manager Humora announced the next phase of the Collier Park renovations started.

4. COMMUNITY BULLETIN REPORTS

The Mayor, Council and staff made announcements and reported on various events taking place in the City. No action was taken.

5. PRESENTATION

5.1 MAYOR'S STATE OF THE CITY REPORT

Mayor Arapostathis presented the State of the City report highlighting the many accomplishments in 2021 and the challenges the City successfully overcame.

6. ADDITIONS AND/OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

7. PUBLIC COMMENTS – (TOTAL TIME – 15 MINUTES)

City Clerk Wiegelman read aloud the first 300 words of the emailed public comments submitted by 4:00 p.m. the day of the Council meeting.

Kathy Wackrow submitted a comment regarding their concerns with the actions of the Mayor and Council.

John Betts submitted a comment regarding the San Diego Association of Governments' ("SANDAG") mileage tax.

Aaron Amerling submitted a comment regarding the conditions of approval for the Jefferson La Mesa development.

Suzy Perkins submitted a comment regarding the draft MacArthur Park Master Plan.

Paul Gorman submitted a comment regarding the lighting under the Interstate 8 bridge on Jackson Drive.

8. CONFLICT DISCLOSURES

Councilmember Baber announced he would recuse himself for Item 10.6 because he had a potential conflict of interest under Government Code Section 87100 due to the proximity of his home to Collier Park.

9. BOARD AND COMMISSION INTERVIEWS

9.1 INTERVIEW OF APPLICANTS FOR THE CITY'S ARTS AND CULTURE COMMISSION

City Clerk Wiegelman briefly explained the interview process. City Clerk Wiegelman stated that Melissa Walter was not able to attend the City Council meeting due to a prior commitment but had provided a written statement expressing their interest in being considered for appointment to the Arts and Culture Commission.

The following applicants spoke regarding their qualifications and interest in being appointed:

Jenny Bourbiel

Dr. Karen Childress-Evans

Anthony Corteza

Rodney Elliot

Laura Landegent

Alison Lindsay

Mickey Mounarath

Following the interviews, no action was taken.

10. CONSENT CALENDAR - CITY COUNCIL

(Items 10.1 through 10.6)

Moved by Mayor Arapostathis

Seconded by Councilmember Parent

Approve Consent Calendar Items 10.1 through 10.5.

Yes (5): Mayor Arapostathis, Vice Mayor Shu, Councilmember Baber, Councilmember Lothian, and Councilmember Parent

Approved (5 to 0)

10.1 APPROVAL OF MOTION TO WAIVE THE READING OF THE TEXT OF ALL ORDINANCES AND RESOLUTIONS AT THIS MEETING

Approve.

10.2 APPROVAL OF THE MINUTES FOR THE CITY COUNCIL REGULAR MEETING HELD TUESDAY, NOVEMBER 23, 2021

Approve.

10.3 ACCEPTANCE OF THE CITY OF LA MESA HOUSING ASSET FUND FINANCIAL STATEMENTS AND ADDENDUM TO THE ANNUAL PROGRESS REPORT FOR THE YEAR ENDED JUNE 30, 2021

Approve.

10.4 RATIFICATION OF THE DESIGN REVIEW BOARD'S APPROVAL OF PROJECT 2021-18 (CHASE BANK) - A SITE DEVELOPMENT PLAN FOR A RETAIL BANK BUILDING AT 4791 SPRING STREET, APN 494-402-20-00 IN THE CD-D (DOWNTOWN COMMERCIAL / URBAN DESIGN OVERLAY) ZONE

Approve.

10.5 RESOLUTION APPROVING A TASK ORDER TO INFRASTRUCTURE ENGINEERING CORP. TO PROVIDE CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR FY22 STREET RESURFACING PROJECT, BID NO. 22-05

Resolution No. 2022-002

Adopt Resolution.

10.6 RESOLUTION AWARDED CONTRACT CHANGE ORDER NO. 3 TO NV5, INC. FOR ADDITIONAL ENGINEERING DESIGN SERVICES FOR COLLIER PARK RENOVATION PROJECT, PHASE 2

Resolution No. 2022-003

Moved by Mayor Arapostathis

Seconded by Councilmember Parent

Adopt Resolution.

Yes (4): Mayor Arapostathis, Vice Mayor Shu, Councilmember Lothian, and Councilmember Parent

Abstain (1): Councilmember Baber

Approved (4 to 0)

11. CONSENT CALENDAR - CITY COUNCIL AND LA MESA PUBLIC FINANCING AUTHORITY

(Item 11.1)

Moved by Mayor Arapostathis

Seconded by Councilmember Baber

Approve Consent Calendar Item 11.1.

Yes (5): Mayor Arapostathis, Vice Mayor Shu, Councilmember Baber,
Councilmember Lothian, and Councilmember Parent

Approved (5 to 0)

**11.1 ACCEPTANCE OF BASIC FINANCIAL STATEMENTS AND
INDEPENDENT AUDITOR'S REPORT FOR THE CITY OF LA MESA
FOR THE YEAR ENDING JUNE 30, 2021**

Approve.

12. STAFF REPORTS

**12.1 CONSIDERATION OF APPOINTING AND/OR REAPPOINTING
COUNCILMEMBERS TO OUTSIDE BOARDS, COMMISSIONS AND
COMMITTEES, AND TO THE COUNCIL AD HOC AND STANDING
SUBCOMMITTEES**

Mayor Arapostathis explained the appointment process for the outside boards, commissions, and committees, and the Council ad hoc and standing subcommittees.

City Clerk Wiegelman read aloud the first 300 words of the emailed public comments submitted by 4:00 p.m. the day of the Council meeting.

The following members of the public submitted a comment in opposition to Vice Mayor Shu being reappointed as the City's primary representative on the SANDAG Board of Directors:

Robin Hart

Francie Bragg

Jim Frankie

Sarah Elftman

Barbara Stevens

Sandie Moses

Cathleen Tiner

Peter Hoss

The following members of the public submitted a comment in support of Vice Mayor Shu being reappointed as the City's primary representative on the SANDAG Board of Directors:

Morgan Smith

Bonnie Baranoff

Theresa A.

The following members of the public spoke in support of Vice Mayor Shu being reappointed as the City's primary representative on the SANDAG Board of Directors:

Dave Myers

Madison Coleman

Dianne Osterling spoke on the appointments and reappointments that they support and oppose and the reasons why.

Council questions and comments ensued.

Moved by Councilmember Baber

Seconded by Mayor Arapostathis

Appoint Councilmember Baber as the primary representative, Vice Mayor Shu as the first alternate representative, and Councilmember Lothian as the second alternate representative on the San Diego Association of Governments Board of Directors.

Yes (3): Mayor Arapostathis, Councilmember Baber, and Councilmember Lothian

No (2): Vice Mayor Shu, and Councilmember Parent

Approved (3 to 2)

Moved by Councilmember Baber

Seconded by Mayor Arapostathis

Appoint Vice Mayor Shu as the primary representative and Mayor Arapostathis as the alternate representative on the San Diego Metropolitan Transit System Board of Directors.

Yes (4): Mayor Arapostathis, Vice Mayor Shu, Councilmember Baber, and Councilmember Parent

No (1): Councilmember Lothian

Approved (4 to 1)

Moved by Mayor Arapostathis

Seconded by Councilmember Baber

Appoint: (1) Councilmember Lothian as the primary representative on the East County Economic Development Council; (2) Vice Mayor Shu as the primary representative and Mayor Arapostathis as the alternate representative on the Harry Griffen Park JPA (3) Councilmember Parent as the primary representative and Vice Mayor Shu as the alternate representative on the Heartland Communications Facility Authority; (4) Councilmember Parent as the primary representative and Councilmember Baber as the alternate representative on the Heartland Fire Training Facility Authority; (5) Mayor Arapostathis and Councilmember Baber as the primary representatives and Councilmember Lothian as the alternate representative on the La Mesa-Spring Valley School District/City of La Mesa Joint Steering Committee; (6) Councilmember Lothian as the primary representative on the League of California Cities San Diego County Division; (7) Councilmember Baber as the primary representative and Vice Mayor Shu as the alternate representative on the Metro Wastewater Joint Powers Authority; (8) Councilmember Parent as the primary representative on the Mission Trails Regional Task Force; (9) Michele Greenburg McClung as the primary representative and Carol Lockwood as the alternate representative on the Mission Trails Regional Park Citizens' Advisory Committee; and (10) Councilmember Baber as the primary representative and City Manager Humora as the alternate representative on the San Diego Community Power Board of Directors.

Yes (5): Mayor Arapostathis, Vice Mayor Shu, Councilmember Baber, Councilmember Lothian, and Councilmember Parent

Approved (5 to 0)

Moved by Mayor Arapostathis

Seconded by Councilmember Parent

Reclassify the Animal Welfare Ad Hoc Subcommittee to a Standing Subcommittee and appoint: (1) Vice Mayor Shu and Councilmember Baber to the Animal Welfare Standing Subcommittee; (2) Mayor Arapostathis and Councilmember Baber to the Ad Hoc Subcommittee on Citizen Emergency Preparedness; (3) Mayor Arapostathis and Councilmember Parent to the Civic Center Master Plan Ad Hoc Subcommittee; (4) Councilmember Baber and Councilmember Parent to the Review of the Design Review Board Ad Hoc Subcommittee; (5) Vice Mayor Shu and Councilmember Parent to the Housing Affordability Ad Hoc Subcommittee; (6) Councilmember Baber and Councilmember Parent to the Extension of Proposition L Ad Hoc Subcommittee; (7) Mayor Arapostathis and Councilmember Parent to the Review of City Streets for Greater Pedestrian Access Ad Hoc Subcommittee; (8) Councilmember Lothian and Councilmember Parent to the Business Rebound Ad Hoc Subcommittee; (9) Councilmember Baber and Councilmember Parent to the Alvarado Specific Plan Ad Hoc Subcommittee; and (10) Vice Mayor Shu and Councilmember Baber to the Climate Action Plan Updates Ad Hoc Subcommittee.

Yes (5): Mayor Arapostathis, Vice Mayor Shu, Councilmember Baber, Councilmember Lothian, and Councilmember Parent

Approved (5 to 0)

Moved by Mayor Arapostathis

Seconded by Councilmember Baber

Appoint: (1) Mayor Arapostathis and Councilmember Baber to the Audit Standing Subcommittee; (2) Mayor Arapostathis and Vice Mayor Shu to the Future of MacArthur Park Standing Subcommittee; and (3) Mayor Arapostathis and Councilmember Parent to the Downtown Events Standing Subcommittee.

Yes (5): Mayor Arapostathis, Vice Mayor Shu, Councilmember Baber, Councilmember Lothian, and Councilmember Parent

Approved (5 to 0)

12.2 ADOPTION OF PROCEDURES OF THE CITY OF LA MESA COMMUNITY POLICE OVERSIGHT BOARD FOR COMPLAINT INTAKE, AUDIT HANDLING, AND REPORTING

Assistant City Manager Tomaino reviewed the updates made to the procedures following the meeting with the La Mesa Police Officers' Association.

Council questions and comments ensued.

Councilmember Lothian stated she would be voting no on the motion because she felt it was unwise to have a group of non-police citizens oversee the police, make recommendations, and process complaints when crime was rising and individuals were not joining the police force. Councilmember Lothian stated police officers need autonomy to do a high stakes job of keeping the community safe and do not need further bureaucracy.

Council questions and comments continued.

Moved by Vice Mayor Shu

Seconded by Councilmember Parent

Adopt the procedures of the City of La Mesa Community Police Oversight Board for complaint intake, audit handling, and reporting.

Yes (4): Mayor Arapostathis, Vice Mayor Shu, Councilmember Baber, and Councilmember Parent

No (1): Councilmember Lothian

Approved (4 to 1)

12.3 CONSIDERATION OF THE PROPOSED PUBLIC COMMENT POLICY FOR CITY COUNCIL AND BOARD AND COMMISSION MEETINGS AND DISCUSSION REGARDING HEALTH AND SAFETY PROTOCOLS RELATED TO IN-PERSON CITY COUNCIL MEETINGS

City Clerk Wiegelman summarized the proposed Public Comment Policy and provided an update on the state and county requirements for holding in-person meetings. City Clerk Wiegelman reviewed the protocols implemented by neighboring cities in San Diego County for in-person meetings.

Council questions and comments ensued.

City Clerk Wiegelman read aloud the first 300 words of the emailed public comments submitted by 4:00 p.m. the day of the Council meeting.

Karlene Akers submitted a comment regarding public comment speaker cards and eComments and in support of returning to in-person meetings.

Carson Paul Walker submitted a comment in support of returning to in-person meetings.

Dianne Osterling spoke regarding the process for providing live audio comments.

Mister Avocado spoke in support of returning to in-person meetings.

Council questions and comments continued.

Moved by Councilmember Parent

Seconded by Mayor Arapostathis

Approve the proposed Public Comment Policy for City Council and Board and Commission meetings.

Yes (5): Mayor Arapostathis, Vice Mayor Shu, Councilmember Baber, Councilmember Lothian, and Councilmember Parent

Approved (5 to 0)

Moved by Mayor Arapostathis

Seconded by Councilmember Baber

Continue to hold virtual meetings for the next 30 days and revisit the discussion of returning to in-person meetings at the February 22, 2022, City Council meeting.

Yes (5): Mayor Arapostathis, Vice Mayor Shu, Councilmember Baber, Councilmember Lothian, and Councilmember Parent

Approved (5 to 0)

12.4 CONSIDERATION OF AN AGREEMENT FOR HUMANE LAW ENFORCEMENT SERVICES

Councilmember Baber and Vice Mayor Shu provided an update on the efforts of the Animal Welfare Ad Hoc Subcommittee, City staff, and San Diego Humane Society to create an agreement that would best serve the community's needs for animal control services.

Police Services Manager McMillen provided a PowerPoint presentation regarding the agreement with San Diego Humane Society for Humane

Law Enforcement Services, highlighting La Mesa's current animal control services, the fiscal impact of the agreement, the regional animal control and sheltering services, the available options for animal control services, the La Mesa Municipal Code amendments needed to enter into a contract with the San Diego Humane Society for animal control services, and the San Diego Humane Society's fees.

Julianna Tetlow, San Diego Humane Society Director of Government Relations, said the San Diego Humane Society was looking forward to expanding its services to La Mesa and thanked City staff for their efforts in the agreement process.

Council questions and comments ensued.

Moved by Councilmember Baber
Seconded by Vice Mayor Shu

(1) Approve execution of the Agreement for Humane Law Enforcement Services to the San Diego Humane Society in substantial form subject to final review by the City Attorney; (2) Adopt the Resolution awarding the contract for animal control services to the San Diego Humane Society; (3) Approve amendments to the City fee schedule adopting San Diego Humane Society fees to implement the Agreement; and (4) Appropriate a total of \$180,000 from General Fund reserves to the Animal Control Division 2106 to fund the implementation of the Agreement in the amount of \$20,000 for the remainder of FY 21-22, and \$160,000 for FY 22-23.

Yes (5): Mayor Arapostathis, Vice Mayor Shu, Councilmember Baber, Councilmember Lothian, and Councilmember Parent

Approved (5 to 0)

a. APPROVAL OF AN AGREEMENT FOR HUMANE LAW ENFORCEMENT SERVICES TO THE SAN DIEGO HUMANE SOCIETY, ADOPTION OF SAN DIEGO HUMANE SOCIETY FEES, AND APPROPRIATION OF \$180,000 FROM GENERAL FUND RESERVES

Approve.

b. RESOLUTION AWARDING THE CONTRACT FOR ANIMAL CONTROL SERVICES TO THE SAN DIEGO HUMANE SOCIETY

Resolution No. 2022-001

Adopt Resolution.

c. URGENCY ORDINANCE:

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA AMENDING SECTION 8.10.050; REPEALING CHAPTER 8.11 IN ITS ENTIRETY; AND ADOPTING BY REFERENCE TITLE 6, DIVISION 2, CHAPTER 6, SECTIONS 62.669.1, 62.669.5, 62.674 AND 62.675, OF THE SAN DIEGO COUNTY CODE OF REGULATIONS, REGARDING THE PROVISION OF HUMANE ANIMAL SERVICES

City Attorney Sabine read the title of the Urgency Ordinance.

Ordinance No. 2022-2892

Moved by Councilmember Baber

Seconded by Vice Mayor Shu

Introduce, read, and adopt the Urgency Ordinance.

Yes (5): Mayor Arapostathis, Vice Mayor Shu, Councilmember Baber, Councilmember Lothian, and Councilmember Parent

Approved (5 to 0)

13. COUNCIL INITIATED

13.1 REQUEST TO AUTHORIZE NONRESIDENTS TO SERVE ON THE YOUTH ADVISORY COMMISSION (LA MESA MUNICIPAL CODE CHAPTER 2.71), PROVIDED THEY ATTEND SCHOOL IN THE CITY OF LA MESA (VIA FUTURE ORDINANCE) - MAYOR ARAPOSTATHIS

Mayor Arapostathis explained the purpose for the request to amend the La Mesa Municipal Code ("LMMC") to allow nonresidents to serve on the Youth Advisory Commission provided they attend school in the City of La Mesa. Mayor Arapostathis stated he would like to expand the request to include the youth representative on the Environmental Sustainability Commission.

City Clerk Wiegelman read aloud the first 300 words of the emailed public comments submitted by 4:00 p.m. the day of the Council meeting.

Teri Andre submitted a comment in support of the request to amend the LMMC to authorize nonresidents to serve on the Youth Advisory Commission and as the youth representative on the Environmental

Sustainability Commission provided they attend school in the City of La Mesa.

Dianne Osterling spoke in support of the request to amend the LMMC to authorize nonresidents to serve on the Youth Advisory Commission and as the youth representative on the Environmental Sustainability Commission provided they attend school in the City of La Mesa.

Council questions and comments ensued.

Moved by Mayor Arapostathis

Seconded by Councilmember Parent

Direct staff to bring back an Ordinance for introduction and first reading at the January 25, 2022, Council meeting amending the La Mesa Municipal Code to authorize nonresidents to serve on the Youth Advisory Commission and as the youth representative on the Environmental Sustainability Commission provided they attend school in the City of La Mesa.

Yes (5): Mayor Arapostathis, Vice Mayor Shu, Councilmember Baber, Councilmember Lothian, and Councilmember Parent

Approved (5 to 0)

13.2 CONSIDERATION OF RESOLUTION IN SUPPORT OF ACTION FOR SPENT FUEL SOLUTIONS NOW - COUNCILMEMBER BABER AND COUNCILMEMBER PARENT

Patrick Batten, Action For Spent Fuel Solutions Now Coalition ("Coalition"), provided an overview of the purpose and efforts of the Coalition.

Councilmember Baber and Councilmember Parent explained the reasons for supporting the Coalition.

Dianne Osterling inquired about the land use plans for the old San Onofre Nuclear Generating Station site.

Council questions and comments ensued.

Resolution No. 2022-004

Moved by Councilmember Baber

Seconded by Councilmember Parent

Adopt Resolution in support of Action For Spent Fuel Solutions Now.

Yes (5): Mayor Arapostathis, Vice Mayor Shu, Councilmember Baber, Councilmember Lothian, and Councilmember Parent

Approved (5 to 0)

13.3 RESIDENTIAL FIREARM ACCOUNTABILITY - VICE MAYOR SHU

CONSIDERATION OF DIRECTING STAFF TO DRAFT A RESIDENTIAL FIREARM ACCOUNTABILITY ORDINANCE FOR COUNCIL ADOPTION OR CONDUCT A PUBLIC INFORMATION PROGRAM ABOUT SAFE STORAGE OF FIREARMS BASED ON STATE LAWS AND GUN SAFETY ORGANIZATIONS

Vice Mayor Shu explained the purpose for a residential firearm accountability ordinance and a public information program on the safe storage of firearms.

City Clerk Wiegelman read aloud the first 300 words of the emailed public comments submitted by 4:00 p.m. the day of the Council meeting.

The following members of the public submitted a comment in support of a residential firearm accountability ordinance and/or a public information program about safe storage of firearms based on state laws and gun safety organizations:

Teri Andre

Anne Heller

Max Coston on behalf of March for Our Lives San Diego

Richard Gibson

Sarah Yeaman

Karen Paredes-Tupper

Debbie McDaniel-Lindsey

Carol Landale on behalf of the San Diego Chapter of Brady United and San Diegans for Gun Violence Prevention

Ron Marcus

Penny Moreau

Eunice Ventura

Karen Gibson

Therese Hymer on behalf of San Diegans for Gun Violence Prevention

Gwen Jajou

Dennis Ostmeyer

Aida Silva

Andrea Freeman

Kristine Alessio submitted a public comment in opposition to a residential firearm accountability ordinance.

The following members of the public spoke in support of a residential firearm accountability ordinance and/or a public information program about safe storage of firearms based on state laws and gun safety organizations:

Kasey Zahner

Dianne Osterling

Lorelei Deuel

Max Coston

Mister Avocado spoke in opposition to a residential firearm accountability ordinance.

Council questions and comments ensued.

Councilmember Baber and Councilmember Lothian stated they would be voting against directing staff to draft a residential firearm accountability ordinance.

Moved by Vice Mayor Shu

Seconded by Councilmember Parent

Direct staff to return to Council in two months with a draft residential firearm accountability ordinance for Council consideration and thereafter, implement a public information program to inform residents of the federal, state, and local laws for the safe storage of firearms.

Yes (3): Mayor Arapostathis, Vice Mayor Shu, and Councilmember Parent

No (2): Councilmember Baber, and Councilmember Lothian

Approved (3 to 2)

14. COUNCIL COMMITTEE REPORTS (3 MINUTE LIMIT)

The Mayor and Council reported on various outside boards, commissions and committee meetings they attended. No action was taken.

15. AB 1234 REPORTS (GC 53232.3 (d))

There were no reports.

16. CITY ATTORNEY REMARKS

There were no remarks.

17. ADJOURNMENT

Mayor Arapostathis adjourned the meetings of the City Council and the La Mesa Public Financing Authority at 9:02 p.m.

City Clerk



REPORT to the MAYOR and MEMBERS of the CITY COUNCIL
From the CITY MANAGER

DATE: February 8, 2022

SUBJECT: Requested Purchase and Installation of a Pre-fabricated Restroom Building for the Kuhlken Field Restroom Project in MacArthur Park from the Public Restroom Company.

ISSUING DEPARTMENT: Community Services

SUMMARY:

Issues:

Should the City Council adopt a resolution approving the purchase and installation of a pre-fabricated restroom building for the Kuhlken Field Restroom Project in MacArthur Park from the Public Restroom Company?

Recommendation:

Staff recommends the City Council adopt a resolution approving the purchase and installation of a pre-fabricated restroom building for the Kuhlken Field Restroom Project in MacArthur Park from the Public Restroom Company?

Fiscal Impact:

The total cost to purchase the Kuhlken Field Restroom is \$178,476. The City has received \$230,000 for the CIP project from the State Department of Parks and Recreation Local Assistance Specified Grant program.

City's Strategic Goals:

- Continue to improve quality municipal services
- Enhance recreation and quality of life opportunities
- Revitalize neighborhoods and corridors

BACKGROUND:

A CIP project to install a new restroom building at Kuhlken Field at MacArthur Park has long been requested by field users, La Mesa Senior Softball and La Mesa National Little League, who for years have had portable toilets as the only restroom facilities nearby. The State of California Department of Parks and Recreation Local Assistance Specified Grant program recently provided funding for this project. The site of the restroom is outside of the project area of the MacArthur Park Master Plan and therefore would not be impacted by the larger park renovation project in the future, allowing improvements to be made at this time. The project for the grant must be completed no later than December 31, 2023.


DISCUSSION:

Public Restroom Company, a supplier of prefabricated restrooms and park buildings, was awarded a Cooperative Purchasing Agreement with Sourcewell which offers competitively solicited purchasing contracts for products and equipment to member agencies. La Mesa municipal code section 2.40.190 authorizes the City's Purchasing Officer to join with other public jurisdictions in cooperative purchasing plans, programs, or pricing agreements. Public Restroom Company would deliver and install the restroom onto a cement pad with utility access prepared by a general contractor. The budget for the entire project is \$230,000. Fabrication of the restroom is expected to take approximately six months from the date of order.

CONCLUSION:

Staff recommends the City Council adopt a resolution approving the purchase and installation of a pre-fabricated restroom building for the Kuhlken Field Restroom Project in MacArthur Park from the Public Restroom Company using pricing from the Sourcewell cooperative purchasing agreement for \$178,496.

Reviewed by:


Greg Humora
City Manager

Respectfully submitted by:


Sue Richardson
Director of Community Services

Attachment: A. Resolution
 B. Public Restroom Company Proposal
 C. Site Plan

RESOLUTION NO. 2022-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MESA APPROVING A CONTRACT FOR THE PURCHASE AND INSTALLATION OF A PRE-FABRICATED RESTROOM BUILDING FOR THE KUHLEN FIELD RESTROOM PROJECT IN MACARTHUR PARK TO THE PUBLIC RESTROOM COMPANY USING PRICING FROM THE SOURCEWELL COOPERATIVE PURCHASING AGREEMENT FOR \$178,496

WHEREAS, the City of La Mesa has strategic goals to continue to improve quality municipal services, enhance recreation and quality of life opportunities and revitalize neighborhoods and corridors;

WHEREAS, the City of La Mesa desires to install a restroom facility at Kuhlken Field at MacArthur Park;

WHEREAS, the City has been actively improving City Parks and the purchase of the pre-fabricated restroom facility serves the goal of improving park facilities;

WHEREAS, funds are available from the State of California Department of Parks and Recreation Local Assistance Specified Grant program in the amount of \$230,000;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the City Council of the City of La Mesa, California, that the Public Restroom Company is enrolled in a cooperative purchasing agreement through Sourcewell.

BE IT FURTHER RESOLVED that the City hereby approves a contract for the purchase and installation of a pre-fabricated restroom from Public Restroom Company in the amount of \$178,496.

PASSED AND ADOPTED at a Regular meeting of the City Council of the City of La Mesa, California, held the 8th day of February 2022, by the following vote, to wit:

AYES:

NOES:

ABSENT:

CERTIFICATE OF CITY CLERK

I, MEGAN WIEGELMAN, City Clerk of the City of La Mesa, California, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2022-, duly passed and adopted by the City Council of said City on the date and by the vote therein recited.

MEGAN WIEGELMAN, CMC, City Clerk

(SEAL OF CITY)



Price Proposal: MacArthur Park
Location: La Mesa, CA
Date: 1.31.22
Reference: 11192-1/13/2022-0
Sourcewell: Contract #081721-PRM Expires 10.15.2025

Our Offer to Sell:

1. Prefabricated Building delivered to site \$ 155,978

Public Restroom Company herein bids to furnish (building only per plans and specifications, delivered to site with all costs except installation including applicable taxes excluding retention. (Retention is not allowed as this is materials or a product fully assembled before shipment to the site and therefore not subject to retention.)

2. Turnkey Installation of the Building above \$ 22,518

Public Restroom Company also includes in this two-part quotation our turnkey installation package for this building. Our national factory authorized installation team will:

- a. Arrive onsite to confirm and verify the Owner/General Contractor provided scope of work in preparation for installation including access to the site.
- b. Verify the building pad size, building corners, finished slab elevation, utility depth and location, meter size and distance from building, and compaction compliance.
- c. Excavate the utility trenches for placement of our prefabricated underground piping tree for plumbing and electrical, set the kit in place, provide the water test for inspection before backfilling, and then place the site adjacent coarse sand you provide to us alongside the building pad and screed it level for final building placement. We will need onsite water availability for wetting the sand bed before building placement to consolidate the pad.
- d. Set the building on the site pad.
- e. Connect the utility piping stub ups to the building piping stub down building points of connection for water, sewer, and electrical conduit to the building internal electrical panel.

**** Please note: If there is a Community Workforce Agreement or other regulation requiring local labor for installation, Public Restroom Company will not offer this full installation package. The building will be delivered to the site and offset with a crane only. The Owner or General Contractor will be responsible for installation, and a separate price will be issued for the crane and site supervision. Please see "Optional Building Installation Steps – By Others" on page 8. ****

3. Owner/General Contractor Final Tie In of Utilities and other site work:

- a. Owner/general contractor will excavate the utility trenches for placement of underground piping tree for plumbing and electrical, set the kit in place, provide the water test for inspection before backfilling, and then place coarse sand pad and screed it level for final building placement. Set the building on the site pad.
- b. Connect the utility piping stub ups to the building piping stub down building points of connection for water, sewer, and electrical conduit to the building internal electrical panel.
- c. The exterior utility connections for water, sewer and electrical 6' or less from the footprint of the building are by owner/general contractor.

4. Total Cost of building and delivery \$ 178,496

MacArthur Park – La Mesa, CA | 1.31.2022 | Reference # 11192-1/13/2022-0
 2587 Business Parkway | Minden, NV 89423 | www.PublicRestroomCompany.com | p: 888-888-2060 | f: 888-888-1448

OWNER/GENERAL CONTRACTOR SCOPE OF WORK WITH/WITHOUT FOOTINGS:**Scope of Work Background:**

Owner/General Contractor shall survey the site, establish survey for the building pad and prefabricated building slab elevation and front corners, excavate for building footings (if required), locate footing sleeves for electrical, waste, and water, pour the footings (if required), furnish sand base adjacent to subgrade pad, and provide location for utility POC's nominally 6' outside the foundation.

Preparation of Building Pad:

Owner/General Contractor is responsible for providing the building subgrade pad or when required footings to frost depth per Public Restroom Company design specifications. PRC will provide detailed drawings for the subgrade building pad, utilities POC's, and if required the footings, attached to this scope of work.

Subgrade Pad/Foundation Requirements:

1. Owner/General Contractor shall survey the building site and provide a finished slab elevation for the prefabricated building. The building pad size we require is larger than the final actual building footprint. Provide building front corner stakes with 10' offsets.
2. Excavate the existing site to the depth of the required footings to local code if required.
3. Furnish coarse concrete sand adjacent to subgrade pad so owner/general contractor can cut the utility trenches, install underground utilities, and screed sand.

Owner/General Contractor verification of site access to allow Building Delivery:

1. You certify to PRC that suitable delivery access to the proposed building site is available. Suitable access is defined as 14' minimum width, 16' minimum height, and sufficient turning radius for a crane and 70' tractor-trailer.
2. Our cost is based upon the crane we provide being able to get within 35' from the building center and for the delivery truck to be no more than 35' from the crane center picking point.
3. If the path to the building site traverses curbs, underground utilities, landscaping, sidewalks, or other obstacles that could be damaged, it is the Owner/General Contractor's responsibility for repair and all costs, if damage occurs.
4. If trench plating is required, it shall be the cost responsibility of the Owner/General Contractor.
5. If unseen obstacles are present when site installation begins, it is the Owner/General Contractor responsibility to properly mark them and verbally notify PRC before installation.
6. If weather becomes an issue for safety or site installation delays due to weather, Owner/General Contractor or PRC with General Contractor's confirmation may call-off set. If building set is stopped, relocation of the building modules to an onsite or offsite location may incur additional costs to Owner/General Contractor.

Delivery Notice and Site Availability:

PRC will provide sufficient notice of delivery of the prefabricated building. The Owner/General Contractor shall make the site available during the delivery period. During the delivery period, on an

improved site, Owner should stop site watering several days before delivery to minimize the impact on the soils for the heavy equipment needed for installation.

Caution: *If site is not ready for our field crew to perform their delivery and if no notice of delay in readiness from Owner/General Contractor is received, PRC will provide a change order for re-mobilization on a daily basis until the site is ready for us. Ready means that the site pad is completed, the corner required survey stakes are in place, the slab elevation stakes are in place, the location of the front of the building is confirmed on site, and access to the site is available from an improved roadway. Owner/General Contractor shall sign the change order before we will continue delivery.*

Utility Connections:

1. The Owner/General Contractor is responsible for flushing all water service lines before final connection.
2. The Owner/General Contractor is responsible for the final connections of water, sewer, and electrical at the exterior of building POC's.
3. Owner/general contractor provides a POC for water, a POC DWV waste line with a clean out your service connection, and an electrical schedule 80 PVC sleeve at an exterior POC.
4. Owner/general contractor provides and connects the interior building utility connections and the Owner/General Contractor, or their subcontractor makes the exterior connections to POC's for services.

Special Conditions, Permits, and Inspection Fees:

Follow any published specifications governing local building procedures for applicable building permit fees, health department fees, all inspection fees, site concrete testing fees, and compaction tests, if required by Owner. PRC is responsible for all required State inspections and final State insignia certification of the building, if applicable.

Jurisdiction for Off-site Work:

Jurisdiction, for permitting and inspection of this building shall be either the State agency who manages prefabricated building compliance in the state or the local CBO (when the State does not provide certification.) If the responsibility for building inspection is the local CBO, we will provide a certified plan set, calculations, and a third-party engineer inspection report for any and all closed work the local official cannot see.

PUBLIC RESTROOM COMPANY SCOPE OF WORK:

Our In Plant/Off-Site Construction Scheduling System:

PRC has several off-site manufacturing centers in the United States, strategically located, with the proper equipment and trained staff to fabricate our custom buildings to our high-quality fit and finish standards. PRC manages quality control in our off-site production facility to comply with the approved drawings and provides an inspection certification and photos as required. When proprietary materials, which we have designed and fabricated, are part of the project, PRC supplies the manufacturing centers

with these proprietary PRC components. We then schedule the in-plant construction process to coordinate with your delivery date through our Operations Division field staff. We guaranty on time at cost delivery weather permitting.

Special Payment and Progress Billing Terms:

Invoicing begins on the 30th of the month following an order and/or the acceptance of the proposal/contract. The first progress billing invoice will be issued for the commencement of design and engineering of architectural plans. This will be 10% of the contracted amount. Once construction begins invoicing will commence monthly based on plant percentage of completion, supported by photographs.

In the event of project stoppage, additional fees may be assessed for re-mobilization, storage, crane costs, etc. ***Our discounted project costs are based upon timely payments. Delays in payment could change delivery schedules and project costs.***

Delivery and Installation Supervision:**Site Inspection:**

PRC staff, upon site arrival, will verify the required dimensions of the building pad and the corner locations/elevation. We will also verify the delivery path from an accessible road or street and install the underground utilities to the point of connection nominally 6' from the exterior of the building.

Testing of Water, Sewer, and Electrical in Plant and Final Site Utility Connection:

Before the building leaves the manufacturing center, PRC certifies a pressure water piping test, DWV, and the electrical connections for compliance with code. While the building is fully tested for leaks at the plant before shipment, road vibration may loosen some plumbing slip fittings and require tightening once the building services (water) is completed. Owner/General Contractor is responsible for minor fitting tightening to handle small slip fitting leaks caused by transportation.

Time of Completion:

PRC estimates a 180 calendar day schedule to complete our scope of work from receipt of written notice to proceed together with signed approved architectural submittals from all authorities required to approve them.

Exclusions/Exceptions:

1. Access issues for delivery of the building by a clear unobstructed path of travel from an improved roadway to the final installation pad or foundation may cause site delays and extra cost at each site. This exclusion covers sites whose access is limited by trees, inaccessible roadways, overhead power lines at location where crane will lift building, grade changes disallowing our delivery trailers with only 4" of clearance to grade, berms, or uneven site grades, or when the path of travel is over improvements such as sidewalks, all of which are not within the scope of work by PRC. On some sites without on-site storage availability for buildings that cannot be set, relocation to a proximal crane yard and later relocated to the site for installation, will incur additional fees at rates that vary

depending on local rates. PRC will provide written costs for this additional work by change order.

2. If weather on site causes site delivery issues, the delivery may have to be diverted to an off-site location and the additional costs will be a change order to the bid. Our staff works with the Owner/General Contractor in advance to make sure sound decisions for delivery are made to avoid this issue. But sometimes Owner/General Contractor take risks for weather, but this risk is clearly at the Owner/General Contractor risk, not PRC.
3. Sidewalks outside the building footprint.
4. Trench plates or matting needed for protection of site soils, sidewalks, hardscaping, or site utilities shall be the responsibility of the Owner/General Contractor. Any site soils damage or other site improvements if damaged during installation shall be the responsibility of the Owner/General Contractor.
5. Not responsible for removing any soil, sand, or other debris as a result of trenching or installation.
6. Survey, location of building corners, finish floor elevation, excavation, and construction of subgrade building pad and footings (if required) per PRC plans.
7. Soil conditions not suitable for bearing a minimum of 1500 PSF with compaction to 90% maximum dry density shall require Owner/General Contractor correction before building placement. If no soils testing report is available before bid, Owner/General Contractor must verify site supporting soils at a minimum of 1500 PSF because that is the least we can place our structures on or Owner/General Contractor or engineer of record must design a foundation system to meet the imposed loads of site placement.
8. Improper water pressure, an undersized meter, or improper water volume flow to the building may necessitate a change order for installation of a building internal diaphragm tank to provide the minimum flow rate and static pressure of up to 60 PSI and a minimum of 40 PSI to properly flush the fixtures. Building water service chlorination, post installation, shall be by Owner/General Contractor.
9. Our bid included crane costs are based on a maximum 35' radius from the center pin of the crane (10' back from the rear of the crane) to the building center point of the furthest building module roof. If additional distance requires a larger crane, additional costs will be assessed by change order to the Owner/General Contractor.
10. Bonds, building permits, a site survey, special inspection fees, minor trash removal (nominally one pickup truck of shipping materials), final utility connections to the on-site water, sewer and electrical are by the Owner/General Contractor. Since the building is fully inspected and tested in plant, minor plumbing leaks (if water is not available when building site work installation is completed) is by the Owner/ General Contractor.
11. Site Traffic Control, if applicable, shall be by Owner/ General Contractor, not PRC.
12. Any equipment installation, site work or special inspections other than described within this proposal, shall be by Owner/General Contractor.
13. Backflow certification if applicable by Owner/ General Contractor.

Insurance and Prevailing Wage Certification:

PRC shall comply with the required insurance requirements, wage reports, and safety requirements for the project, including OSHA regulations.

Special Insurance to protect the Building before acceptance:

As PRC requires payment for each month of off-site construction, and since the building is not on owner property where their insurance will cover the building, we maintain a special policy that insures the property even when paid for off-site until the building is finally accepted by the owner. This special policy protects the Owner's custom ordered materials to be used in the fabrication of the building during this period. PRC provides this Stock Throughput Policy to cover the building materials from supplier to manufacturer, while it is being built off-site, while in transit to the job site, during and after it is installed on-site until final acceptance. This special policy has a \$1,000,000 coverage limit. This exceeds the cost of any single building we have offered for sale herein.

Errors and Omissions Insurance:

Our firm employs licensed architects, engineers, and drafting staff to provide design of our buildings. Since these buildings are required to meet accessibility standards and building codes on site, and since we are the designer, we carry Errors and Omissions Insurance (E & O) to protect our clients from any errors. The policy covers a limit of up to \$2,000,000 per occurrence and is more clearly explained in the insurance certificates we provide after receipt of a purchase order.

WARRANTY

All work performed by PUBLIC RESTROOM COMPANY (called "Company") shall be warranted to the Owner to be of good quality, free of faults and defects in material, workmanship, and title for 5 years from last date of installation if building is installed by Company or 1 year if building is installed by Owner or Owner's agent without on-site supervision by Company. Company warranty on building shell including exterior walls, concrete 8" slab/foundation, and roof system is warranted for 20 years structurally. The Company will repair or replace at their sole option any defects in work upon proper notice to the below stated address below.

Our Company extended warranties shall be Company only and shall have no effect on any required Performance, Payment, or Warranty Bonds where Surety shall assume no liability to the Company, the Owner, or any third parties should the Company fail for any reason to deliver acceptable maintenance warranties beyond the one year period. The warranty extension is solely between the owner and PRC and not the general contractor, bonding company, or architect/engineer of record.

This warranty applies only if all work performed by Company has been fully paid for, including change orders if applicable. Company has no responsibility for any neglect, abuse, or improper handling of building product.

The warranties expressed herein are exclusive, and are in lieu of all other warranties expressed or implied, including those of merchantability and fitness.

There are no warranties which extend beyond those described on the face of this Warranty. The foregoing shall constitute the full liability of the Company and be the sole remedy to the Owner.

Term of Offer to Sell and Owner/General Contractor Acceptance:

This offer is valid for acceptance within 30 days, or when a part of a public bid for the applicable duration imposed within the Owner's bid documents. Acceptance is by approving our post bid preliminary notice to begin drawings subject to final Owner/General Contractor approval of our submittals and receipt of a contract or a purchase order/contract.

Special Notice of Possible Project Cost Increases as a Result of Late Payments:

In the event of delayed or late payment, PRC shall have the right to remedies including late charges, overall project total cost increases, and other damages as allowed by applicable law. The contract price quoted herein is a discounted price based upon our receipt of progress payments as invoiced on the agreed billing schedule of PRC. In the event of non-payment, PRC will provide a 5 day written notice to cure and if payment is still not received, the discounted price for the payment due may increase, to an undetermined amount, to cover work stoppage, remobilization, cancellation of materials and subsequent restocking charges, resale of the contracted building to another party, storage fees, additional crane fees, travel and per diem costs for field crews, and any other cost applicable to the project, as allowed by law. Interest if applicable to non-payment will be assessed at the maximum amount allowed by law or 18% whichever is greater.

Termination

Upon Termination for any reason, Owner/General Contractor shall be liable for the cost of all work performed up to the date of termination. Additionally, Owner/General Contractor shall pay for off-site demolition and disposal of the partially or fully fabricated building as well as any non-returnable materials which were custom-ordered to complete fabrication in PRC's factory location. Any returned materials are subject to return and restocking fees at the Owner/General Contractor expense.

Venue for Contract Jurisdiction:

Public Restroom Company requires all contracts accepted by our firm to hold that the venue for legal jurisdiction for this contract offer and acceptance shall be Douglas County, Nevada. In the event of your default, PRC shall be entitled to the full amount due including reasonable attorney fees, costs, storage, expenses of physical recovery, and statutory interest, as allowed by law.

Optional Building Installation Steps – By Others:

If a Community Workforce Agreement or other labor regulation requires the use of local labor for site work, our trained installation staff will not be able to complete the installation work on site. In these cases, Public Restroom Company shall provide one staff member for supervision of installation work being performed by others for warranty to be valid. Below is a general guide for the installation and may not constitute a full installation process depending on the unique features of the site, building, and utilities needed.

- 1. Underground Utility Prep: *Reminder - 8" slab arrives with the building***
 - a. Owner/ General Contractor to stringline outside of building slab and mark the utility drop locations per the plumbing drop plan provided with submittal drawings.
 - b. Owner/ General Contractor to trench utility lines to meet the drop locations.
 - c. Owner/ General Contractor to assemble the underground sewer piping, electrical conduit, and install underground water line.
 - d. Trench and install building utilities.
 - e. Slope the sewer to code (minimum 2%).
 - f. Shade pipes with sand while waiting for the underground inspection.
 - g. Pass local building underground inspection.
 - h. Backfill with course mason sand around all the plumbing risers.
 - i. Pad should be laser level 8" below the finish floor elevation. Place course mason sand and screed sand flush using 2x4's.
- 2. Building Off-Load and Set:**
 - a. Remove plastic shrink wrap.
 - b. Remove steel tie-down plates from building slab and install provided pick plates.
 - c. Remove the electrical conduit from the main panel, clear all block out grates.
 - d. Hook up the rigging and install protection from rigging at the fascia.
 - e. Pick the building slowly, lift the building up 1 inch off the trailer to make sure building is secure. Check the level of the building and adjust with shackles.
 - f. Set the building on the sub-grade at marked location.
 - g. Repeat for any additional building modules.
- 3. Final Install Steps:**
 - a. Make sure the building is level and aligned properly (block joints, cap beam, concrete slab, plumbing, fascia, ridge, etc.)
 - b. Dry in the roof including caulking joints at the fascia.
 - c. Connect all interior plumbing, including clean outs before the exterior sewer POC.
 - d. Connect the 2" electrical conduit to the main panel in the chase, install 10' ground and connect it to the Ufer ground that is located under the panel.
 - e. Touch up paint, as needed.
 - f. Sweep out all the rooms, wipe all fixtures and doors, etc.
 - g. Install backer rod where the building modules join.
 - h. Install self-leveling caulking on the floor slab joints where the building modules meet.

No modifications to this offer shall be authorized unless confirmed in writing by the President of Public Restroom Company.

Offered by: Public Restroom Company by



Charles E. Kaufman IV, President

This provides conditional acceptance of this preliminary purchase order for this building subject to acceptance of the submittals, furnished by Public Restroom Company. Once you accept the preliminary submittals, this shall become a final purchase agreement or at your discretion the final purchase order or a contract may be substituted with this attached.

Accepted by:

Authorized Signature

Date Signed

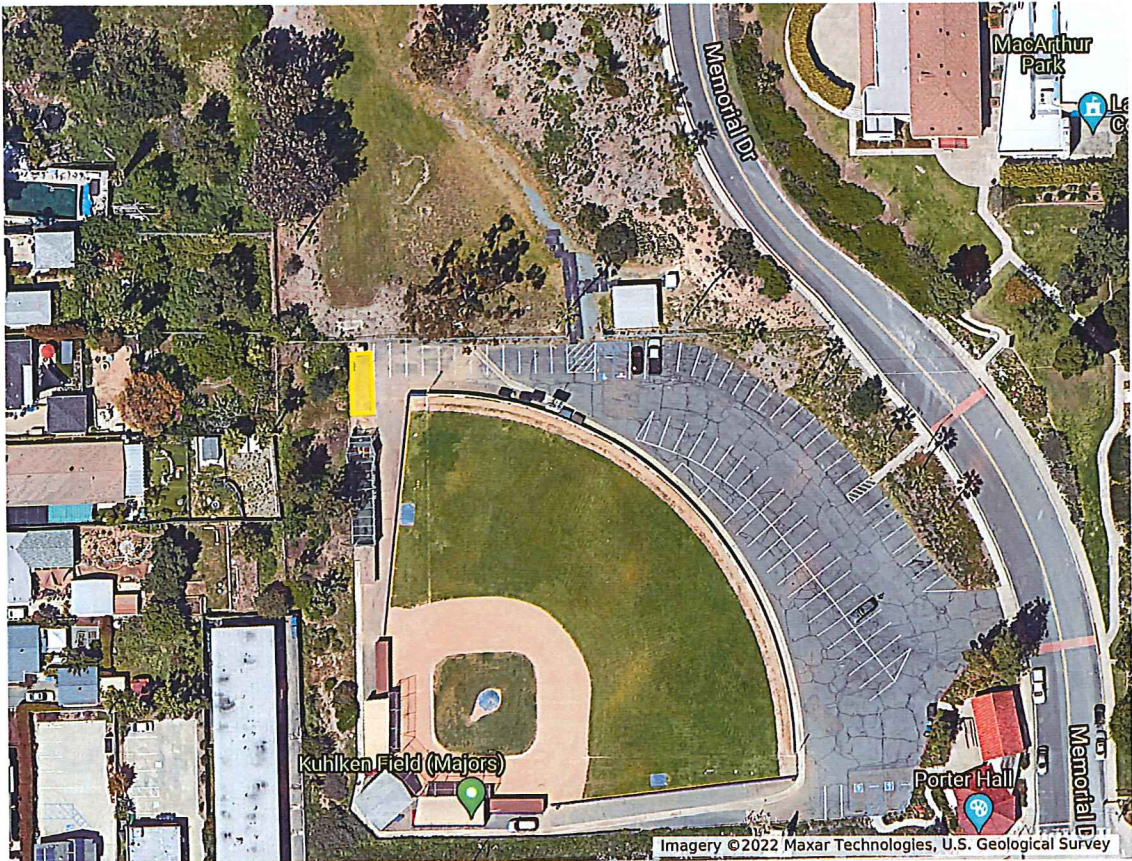
Printed Name

Legal Entity Name and Address

Kuhlken Restroom

Restroom Location

 Restroom



Fiscal Impact: Yes

Purpose of Expense (enter below):

Amount Not to Exceed: \$ 178,496.00

Date of Council Meeting: 02/08/22

Staff Member Presenting: Sue Richardson

Department: Community Services

Staff Report Provided: ☒

Financial Support Provided: ☒Department Approval:

Susan Richardson

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DATE: February 8, 2022

TO: Mayor and Members of the City Council

FROM: Megan Wiegelman, City Clerk *MW*

VIA: Greg Humora, City Manager *GH*
Glenn Sabine, City Attorney *GS*

SUBJECT: Second Reading and Adoption of an Ordinance of the City Council of the City of La Mesa Amending Sections 2.71.010 and 2.85.010 of the La Mesa Municipal Code to Authorize Nonresidents to Serve on the Youth Advisory Commission and as the Youth Representative on the Environmental Sustainability Commission Provided They Attend School in the City of La Mesa (Subject to Applicable Rules)

At the Council meeting of January 25, 2022, the Council unanimously approved the introduction and first reading of the Ordinance amending Sections 2.71.010 and 2.85.010 of the La Mesa Municipal Code to authorize nonresidents to serve on the Youth Advisory Commission and as the youth representative on the Environmental Sustainability Commission provided they attend school in the City of La Mesa (subject to applicable rules).

Staff recommends the Council approve the second reading and adoption of the Ordinance amending Sections 2.71.010 and 2.85.010 of the La Mesa Municipal Code.

Attachment: A. Draft Ordinance

ORDINANCE NO. 2022-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA AMENDING SECTIONS 2.71.010 AND 2.85.010 OF THE LA MESA MUNICIPAL CODE TO AUTHORIZE NONRESIDENTS TO SERVE ON THE YOUTH ADVISORY COMMISSION AND AS THE YOUTH REPRESENTATIVE ON THE ENVIRONMENTAL SUSTAINABILITY COMMISSION PROVIDED THEY ATTEND SCHOOL IN THE CITY OF LA MESA (SUBJECT TO APPLICABLE RULES)

THE CITY COUNCIL OF THE CITY OF LA MESA DOES ORDAIN AS FOLLOWS:

SECTION 1: Section 2.71.010 of the La Mesa Municipal Code is hereby amended to read as follows:

"There is hereby created the Youth Advisory Commission of the City of La Mesa. The Commission shall consist of nine members and six alternates. The age of each member at the time of appointment or reappointment shall be not less than thirteen years nor more than twenty years, three hundred sixty-four days. All members shall be residents of the City or attend school in the City. Each member is entitled to vote on matters before the commission. Alternates shall attend the Commission meetings and may only vote in the event of the absence of a Commission Member. For purposes of this Section, the phrase 'attending school' shall mean either public or private school, general or special education program (K-12th grade), or college or university. It does not mean an independent special interest program (such as karate or ballet instruction).

SECTION 2: Section 2.85.010 of the La Mesa Municipal Code is hereby amended to read as follows:

"There is hereby created the environmental sustainability commission (commission) of the City of La Mesa. The commission shall consist of thirteen members. Six members shall be residents of the City of La Mesa with voting privileges, one member shall be a resident of the City of La Mesa or attend school in the City of La Mesa, and six members shall be advisory members from the business community without voting privileges. The seven members that are residents of the City of La Mesa shall be comprised as follows: two members from the general populous; three members with professional experience related to environmental sustainability; one member representing the senior adult population (at the time of appointment shall be not less than fifty-five years of age); and one member representing the youth population (at the time of appointment or reappointment shall not be less than thirteen years nor more than twenty-one years of age and live or attend school in the City of La Mesa). Each of the seven members shall be entitled to one vote on matters before the commission. The six members from the business community shall be representatives from the city's water utility, franchise waste and recycling hauler, electricity and gas utility, San Diego Community Power, high school, and elementary/middle school district. These six members shall not be required to be residents of the city, but shall act as advisory members on the commission and shall not be entitled to vote. For purposes of this Section, the phrase 'attending school' shall mean either public or private school, general or special education program (K-12th grade), or college or university. It does not mean an independent special interest program (such as karate or ballet instruction).

SECTION 3: This Ordinance shall be effective 30 days after its adoption and the City Clerk shall certify to the adoption of this Ordinance and cause the same to be published at least once in the Daily Transcript within 15 days of its adoption.

INTRODUCED AND FIRST READ at a Regular meeting of the City Council of the City of La Mesa, California, held the 25th day of January 2022, and thereafter PASSED AND ADOPTED at a Regular meeting of said City Council held the 8th day of February 2022, by the following vote, to wit:

AYES:

NOES:

ABSENT:

APPROVED:

MARK ARAPOSTATHIS, Mayor

ATTEST:

MEGAN WIEGELMAN, CMC, City Clerk

CERTIFICATE OF CITY CLERK

I, MEGAN WIEGELMAN, City Clerk of the City of La Mesa, California, do hereby certify the foregoing to be a true and correct copy of Ordinance No. 2022 duly passed and adopted by the City Council of said City on the date and by the vote therein recited and that the same has been duly published according to law.

MEGAN WIEGELMAN, CMC, City Clerk

(SEAL OF CITY)



DATE: February 8, 2022

TO: Mayor and Members of the City Council

FROM: Megan Wiegelman, City Clerk *MW*

VIA: Greg Humora, City Manager *GH*
Glenn Sabine, City Attorney *GS*

SUBJECT: Second Reading and Adoption of an Ordinance of the City Council of the City of La Mesa Adopting Amendments to La Mesa Municipal Code Title 22 (Subdivisions) and Title 24 (Zoning) to Establish Standards for the Implementation of the Two-Unit Residential Development and Urban Lot Split Provisions of Senate Bill No. 9

At the Council meeting of January 25, 2022, the Council unanimously approved the introduction and first reading of the Ordinance adopting amendments to La Mesa Municipal Code Title 22 (Subdivisions) and Title 24 (Zoning) to establish standards for the implementation of the two-unit residential development and urban lot split provisions of Senate Bill No. 9.

Staff recommends the Council approve the second reading and adoption of the Ordinance adopting amendments to Title 22 (Subdivisions) and Title 24 (Zoning) of the La Mesa Municipal Code.

Attachment: A. Draft Ordinance

ORDINANCE NO. 2022-XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA ADOPTING AMENDMENTS TO LA MESA MUNICIPAL CODE TITLE 22 (SUBDIVISIONS) AND TITLE 24 (ZONING) TO ESTABLISH STANDARDS FOR THE IMPLEMENTATION OF THE TWO-UNIT RESIDENTIAL DEVELOPMENT AND URBAN LOT SPLIT PROVISIONS OF SENATE BILL NO. 9

WHEREAS, Senate Bill No. 9, signed by the Governor of California on September 16, 2021, and effective January 1 2022, requires the City to approve the development of two residential units on a lot in a single-family zone that meets specified requirements and to approve the subdivision of lots in single-family zones into two lots of approximately the same area through ministerial processes;

WHEREAS, Senate Bill No. 9 provides that a local jurisdiction may establish standards for implementation of its provisions, but only established objective subdivision, zoning, and design standards may be applied; no discretion or subjective judgment may be exercised;

WHEREAS, the amendments proposed to Title 22 (Subdivisions) and Title 24 (Zoning) in the draft ordinance include and address all of the provisions of Senate Bill 9, and include or reference all of the objective subdivision, zoning, and design standards applicable to single-family residential development and to parcel map subdivision;

WHEREAS, Senate Bill No. 9 provides that the adoption of standards to implement its provisions is not considered a project as defined in the California Environmental Quality Act (CEQA) and therefore not subject to environmental review;

WHEREAS, the City Council did receive and consider a staff report on this matter (Project 2021-46);

WHEREAS, the City Council did hold a duly noticed public hearing on January 25, 2022, and accepted public testimony in considering the proposed amendments; and

WHEREAS, this Ordinance is enacted pursuant to the powers vested in the City pursuant to Article XI, Sections 5 and 7, of the California Constitution.

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the Council of the City of La Mesa, California as follows:

SECTION 1: The City Council finds and determines the following:

A. That the foregoing recitals are true and correct and an integral part of the City Council's decision, and hereby adopts such recitals as findings.

B. Senate Bill No. 9 provides that the adoption of an ordinance to implement its provisions is not a project under the California Environmental Quality Act.

SECTION 2: La Mesa Municipal Code (LMMC) Section 22.01.030 – Definitions is hereby amended as follows:

...

"N. 'Urban lot split' means a residential subdivision of an existing single, legal lot in a single-family residential zone into two parcels of approximately equal lot area as authorized by California Government Code Section 66411.7."

NO. 'Vesting Tentative Map' is a map for a residential subdivision that shall have printed conspicuously on its face the words "Vesting Tentative Map" at the time it is filed in accordance with the proceedings established in Chapter 22.07 of the Subdivision Code of the City of La Mesa. "Vesting tentative parcel map" means a vesting tentative map prepared in conjunction with a parcel map."

SECTION 3: The LMMC is hereby amended by adding a new chapter, Chapter 22.045 – Urban Lot Split, as follows:

"Chapter 22.045 URBAN LOT SPLIT

22.045.010 – Urban lot splits generally

- A. Purpose and Intent. The purpose of this Chapter is to provide regulations for urban lot split parcel maps in single-family residential zones in accordance with Government Code Section 66411.7, or any successor statute. The intent of this Chapter is to increase opportunities to provide more housing in single-family residential zones consistent with state housing laws, and to provide objective standards for the orderly development of urban lot splits.
- B. An application for an urban lot split parcel map shall be considered ministerially, without discretionary review or a hearing, if it meets all of the standards in this Chapter.
- C. No person shall create an urban lot split subdivision except by the filing of an urban lot split parcel map approved pursuant to this Title and the Subdivision Map Act.
- D. Parcels created by an urban lot split shall have a minimum area of 1,200 square feet, and one of the parcels shall not be less than 40% of the area of the original parcel before subdivision.
- E. An urban lot split shall be prohibited in each of the following circumstances:
 - 1. The parcel contains a designated historic landmark or is on the State Historic Resources Inventory, or is within a designated historic district.
 - 2. The urban lot split would require demolition or alteration of any of the following:
 - a. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

- b. Housing that has been occupied by a tenant in the last three years.
- 3. The parcel was created by prior urban lot split as provided by this Chapter.
- 4. The owner of the parcel or any person acting in concert with the owner of the parcel has previously subdivided an adjacent parcel utilizing the urban lot split process.
- F. Parcels created by an urban lot split shall be limited to only residential uses.
- G. Notwithstanding any other provision, regulation, or standard, the development of at least two units of a minimum of 800 square feet shall not be precluded on each lot of a parcel otherwise eligible for an urban lot split.
- H. Prior to recordation of the urban lot split parcel map, an applicant, except a community land trust or qualified nonprofit corporation, for an urban lot split shall sign an affidavit that the applicant intends to occupy one of the housing units as their principal residence for a minimum of three years from the date of approval of the urban lot split.
- I. Prior to recordation of the urban lot split parcel map, the property owner shall cause to be recorded Covenants, Conditions, and Restrictions (CC&Rs) against the property, of a form and content satisfactory to the Director of Community Development. The CC&Rs shall require that the use and development of the property be in accordance with this chapter, and to notify future owners of the restrictions on rental terms and the restrictions on the number of dwelling units permitted.

22.045.020 Application and approval of urban lot split

- A. The subdivider applying for an urban lot split shall file the following material with the director of community development.
 - 1. A fee determined by city council resolution.
 - 2. Urban lot split parcel map copies in the quantity to be specified by the director of community development.
 - 3. A grading plan showing any grading proposed for the creation of building sites or for construction or installation of improvements. The grading plan together with the original topographical contours may both be shown on the urban lot split parcel map.
 - 4. A county health department certification for each lot for which a sanitary sewer is not available, that the lot is approved for installation of an on-site sewage disposal system.
 - 5. An urban lot split parcel map shall be acceptable only with the written consent of all parties having any record title interest in the real property to be subdivided.

B. The Director of Community Development is authorized as the approval agency for urban lot splits and is directed to:

1. Prescribe, subject to the approval of the city council, such additional rules and regulations as are advisable with respect to processing procedures or requirements for urban lot split subdivisions.
2. Prescribe such additional rules and regulations as are advisable with respect to the form and contents of urban lot split parcel maps or data supplemental thereto.
3. Obtain the recommendations of the city engineer, building official, and fire marshal with respect to the design and the kind, nature and extent of the required improvements. Such recommendations shall be in writing and a copy shall be furnished to the subdivider at least three days before any action on the map by the director of community development.
4. Prescribe the kind, nature and extent of the improvements to be constructed or installed in or to serve the subdivision for which an urban lot split parcel map is filed, and to establish agreements with the subdivider regarding the time when such improvements shall be required.
5. Approve, conditionally approve or disapprove urban lot split parcel maps filed pursuant to this Chapter.
6. Extend the time at which an urban lot split parcel map expires. Such an extension shall not exceed twelve months at any one time nor shall the aggregate of all extensions equal more than twenty-four months.
7. Certify each urban lot split parcel map in accordance with this title.

C. An urban lot-split may be denied if the Building Official makes a written finding, based on a preponderance of the evidence, that the proposed housing development would have a specific, adverse impact as defined and determined in California Government Code Section 65589.5(d)(2), upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate the specific, adverse impact.

D. The correction of nonconforming zoning conditions shall not be required as a condition of approval of an urban lot split parcel map.

E. An urban lot split parcel map shall be disapproved for failure to meet or perform any of the requirements or conditions imposed by this Chapter or the Subdivision Map Act, and city of La Mesa ordinances enacted pursuant thereto.

F. After the approval by the city of an urban lot split parcel map, the applicant or its agent shall transmit the map the County Recorder.

22.045.030 Requirements for urban lot splits

A. An urban lot split parcel map must be prepared in full compliance with the objective standards of the Subdivision Map Act and this Title.

- B. Easements sufficient to permit installation and maintenance of publicly maintained storm drainage facilities, sewerage, street lighting, and other public utilities shall be provided and shall be shown on the map.
- C. Except as provided in Section 22.045.030D, each lot shall have frontage on a dedicated street or a street offered for dedication; provided that access to the land to be subdivided may be effected by a private road easement, if no access to the property to be subdivided exists on the effective date of this title, and subdivision of the area to provide improved street access would not be practical without extensive redevelopment because of the built-up character of the area.
1. The minimum width of an easement access, if permitted, shall be:
 - a. Sixteen feet for an easement serving a one-family dwelling, or
 - b. Twenty-two feet for an easement serving two or more family dwelling units.
 2. Emergency vehicular access shall be provided to all lots in accordance with the California Fire Code. Turnaround areas may be required.
- D. For urban lot splits that are not required to provide parking spaces and do not provide parking spaces, vehicular access shall not be required. In such circumstances for lots that do not have direct access to a public street, a pedestrian easement of a minimum of five feet in width and not more than 200 feet in length shall be provided from the public street to the lot.
- E. The side lines of lots with street frontage shall be approximately at right angles to the street line on straight streets or radial to curved streets.
- F. Improvements required for the subdivision shall be shown on or indicated as a condition of approval on the urban lot split parcel map. The minimum required improvements shall be:
1. Storm drainage and flood control facilities within the subdivision sufficient to carry storm runoff both tributary to and originating within the subdivision.
 2. A public sewerage system serving each lot of the subdivision.
 3. A water supply system providing an adequate supply of potable water to each lot and fire hydrant within the subdivision. The water system shall be of the size and design prescribed by the Helix Water District, subject to the approval of the city engineer.
 4. Fire hydrants and connections which shall be of the types and at locations specified by the fire marshal.
 5. Survey monuments.
 6. Public utilities including gas, electric and telephone distribution facilities necessary to separately serve each lot of the subdivision.

7. Plans, profiles and specifications of required improvements shall be furnished to, and approved by, the city engineer prior to the approval of the parcel map by the director of planning. Construction of improvements shall not be required until such time as a permit or other grant of approval for development of the parcel is issued.
8. Security for improvements shall be provided in accordance with Section 24.04.020D.
- G. An urban lot split map shall be based upon a field survey made in accordance with the Land Surveyor's Act, or it may be compiled from recorded or filed data when sufficient survey information exists on filed maps to retrace the exterior boundary lines of the subdivision, and at least one boundary line can be established by locating two existing monuments of record located on that line.
- H. The subdivider shall cause survey monuments to be set by a licensed land surveyor or registered civil engineer prior to the approval of the parcel map by the Director of Community Development. The required monuments to be set shall include monuments at each corner and the beginning and end points of each curve on the subdivision boundary and each lot boundary; provided that only one monument shall be set at subdivision and lot corners which are coincident, and that any existing record and identified monument which meets all other requirements of this section need not be replaced. Monuments may be offset and as a minimum shall consist of:
 1. An iron pipe three-fourths inch in diameter at least eighteen (18) inches in length. The top of the pipe shall be filled with a metal, plastic, or cement plug to a depth of at least three inches and centered with a tack and disc, or
 2. An iron rod one-half inch in diameter at least one foot in length, or
 3. A metal plug with tack and disc set flush with the surface in Portland Cement Concrete sidewalk, curb or pavement.
- I. Urban lot split parcel maps shall comply with and provide all of the information required by Section 22.04.030B."

SECTION 4: LMMC Section 24.01.100 – Definitions is hereby amended as follows:

"Two-unit residential development' means residential development of not more than two residential units on one legal lot in a single-family residential zone as authorized by California Government Code Section 65852.21. A residential development contains two residential units if the development proposes no more than two units or if it proposes to add one new unit to one existing unit."

SECTION 5: The LMMC is hereby amended by adding Section 24.04.050A(11) as follows:

"(11) Units in two-unit residential development, or on lots created by urban lot split

One or no parking spaces. See Section 24.05.032!"

SECTION 6: La Mesa Municipal Code (LMMC) Section 24.05.020A – Permitted Principal Uses and Structures is hereby amended as follows:

“A. Permitted Principal Uses and Structures.

1. In Zones R1E, R1R, R1S and R1:

- a. Agriculture other than the raising of animals or fowl.
- b. One, one-family dwelling unit per lot.
- c. Mobilehomes and homes manufactured offsite, installed on a permanent foundation in accordance with Section 65852.3 of the California Government Code.
- d. Residential care facility, licensed by the state of California, serving six or fewer persons.
- e. Two-unit residential development in accordance with Section 24.05.032.

2. In zone R1A:

- a. One, one-family dwelling unit per lot; except that, on a lot of at least nine thousand square feet in area, one additional detached one-family dwelling is permitted; or
- b. Residential care facility, licensed by the state of California, serving six or fewer persons.
- c. Two-unit residential development in accordance with Section 24.05.032.”

SECTION 7: The LMMC is hereby amended by adding Note 8 to Section 24.05.030B as follows:

“Notes: Irrespective of these requirements the following shall apply:

8) The minimum lot size for an urban lot split is 1,200 square feet as per Section 22.045.010D.”

SECTION 8: The LMMC is hereby amended by adding Section 24.05.032 – Two-Unit Residential Development and Urban Lot Split Development as follows:

“24.05.032 Two-unit residential development and urban lot split development

A. Purpose and Intent

- 1. The purpose of this section is to provide regulations for two-unit residential development in single-family residential zones in accordance with Government Code Section 65852.21 and, as applicable, Government Code Section 66411.7, or any successor statutes. The intent of this section is to increase opportunities to provide more housing in single-family residential

zones consistent with state housing laws, and to provide objective standards for the orderly development of two-unit residential development.

2. The reductions and exceptions to the development standards normally applicable to residential development allowed in this section are for the express purpose of promoting the development and maintenance of more than one dwelling unit on the lot. If for any reason the development is not maintained on the lot in conformance with this section, the lot shall be brought into compliance with all of the requirements for the residential development, or with the legal nonconforming condition of the lot prior to the development of the two-unit residential development, including, but not limited to, the requirements for open yard, setbacks, and covered parking.
- B. An application for a two-unit residential development shall be considered ministerially, without discretionary review or a hearing, if it meets all of the standards in this section.
- C. A two-unit residential development shall not include a request for an exception to any objective standards by applying for a variance, modification, exception, waiver, or other discretionary approval for height, density, setbacks, or similar design or development standard.
- D. Prior to issuance of any permit for a two-unit residential development and/or prior to the recordation of an urban lot split parcel map, the property owner shall cause to be recorded Covenants, Conditions, and Restrictions (CC&Rs) against the property, of a form and content satisfactory to the Director of Community Development. The CC&Rs shall require that the use and development of the property be in accordance with this section, and to notify future owners of the restrictions on rental terms and the restrictions on the number of dwelling units permitted.
- E. Two-unit residential development shall be prohibited in each of the following circumstances:
 1. On lots with a designated historic landmark or that are on the State Historic Resources Inventory, or within a designated historic district.
 2. The two-unit residential development would require demolition or alteration of any of the following:
 - a. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.
 - b. Housing that has been occupied by a tenant in the last three years.
- F. Notwithstanding any other provision, regulation, or standard, the development of at least two units of a minimum of 800 square feet shall not be precluded on a lot otherwise eligible for two-unit residential development.
- G. Except as provided in this section, all objective development standards of this Title shall apply to two-unit residential development.

H. Setbacks

1. Two-unit residential developments and lot created by urban lot split shall comply with the front setback of the underlying zoning designation.
 2. Two-unit residential developments and lots created by urban lot split shall provide side and rear setbacks of not less than four feet.
 3. Notwithstanding Section 24.05.032H1 or any other setback regulation, the setback from a common, interior property line created by an urban lot split shall be not less than four feet.
 4. Two-unit residential development and development on lots created by urban lot split that does not comply with the rear yard setback established by the underlying zoning designation or overlay zone shall be limited to a height of one story and 16 feet within 10 feet of the rear property line. This provision shall not apply to rear yards adjacent to a common, interior property line created by an urban lot split.
 5. In zoning designations where the required side yard setback is 10 feet or more, two-unit residential development and development on lots created by urban lot split that does not comply with the side yard setback established by the underlying zoning designation or overlay zone shall be limited to a height of one story and 16 feet within 10 feet of the side property lines. This provision shall not apply to side yards adjacent to a common, interior property line created by an urban lot split.
 6. Adjacent or connected structures may be allowed for two-unit residential development and urban lot splits provided that the structures meet building code safety standards and are sufficient to allow separate conveyance.
 7. Notwithstanding any other provision, regulation, or standard, for two-unit residential developments and lots created by urban lot split, no setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure. Additions to an existing structure or a structure constructed in the same location as an existing structure shall be allowed provided that the addition complies with all standards of this section and this Title, including setbacks and height limitations.
- I. Parking: Each unit in a two-unit residential development or on a lot created by urban lot split shall be provided with one parking space, except no parking is required when:
1. The lot is within one-half mile walking distance of a major transit stop or a high-quality transit corridor.
 2. There is a car share vehicle within one block of the lot.
- J. Rental terms for any residential unit created under the provision of this section or for any unit on a lot created by urban lot split shall be for periods of 31 consecutive days or longer. Rental tenancy cannot terminate, and new tenancy

cannot commence, prior to the expiration of at least one 31-consecutive-day occupancy period by the same tenant.

K. Dwelling units permitted

1. No more than a total of four dwelling units, inclusive of accessory dwelling units, shall be permitted on any one lot utilizing two-unit development standards.
2. A total of two accessory dwelling units may be allowed on a property utilizing the two-unit development standards. One of the accessory dwelling units may be a junior accessory dwelling unit.
3. Notwithstanding Sections 24.05.032K1 and K2, no more than a total of two units shall be permitted on any one lot that was created utilizing the urban lot split provisions of Chapter 22.045. Accessory dwelling units or junior accessory dwelling units shall not be permitted on lots created utilizing the urban lot split provisions of Chapter 22.045 and that additionally utilize the two-unit residential development standards of this section.

L. All applicable Building and Fire Codes shall apply to two-unit residential developments, including but not limited to construction standards related to building separation, fire sprinkler requirements, accessibility standards, and Fire Department access and water availability requirements.

M. A two-unit residential development may be denied if the Building Official makes a written finding, based on a preponderance of the evidence, that the proposed housing development would have a specific, adverse impact as defined and determined in California Government Code Section 65589.5(d)(2), upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate the specific, adverse impact.

SECTION 9: This ordinance shall be effective 30 days after its adoption and the City Clerk shall certify to the adoption of this Ordinance. The City Clerk is hereby authorized to use summary publication procedures pursuant to Government Code Section 36933 utilizing a newspaper of general circulation published in the City of La Mesa.

INTRODUCED AND FIRST READ at a Regular meeting of the City Council of the City of La Mesa, California, held on the 25th day of January 2022, and thereafter PASSED AND ADOPTED at a Regular meeting of said City Council held the 8th day of February 2022, by the following vote, to wit:

AYES:

NOES:

ABSENT:

APPROVED:

Mark Arapostathis, Mayor

ATTEST:

MEGAN WIEGELMAN, CMC, City Clerk

CERTIFICATE OF CITY CLERK

I, MEGAN WIEGELMAN, City Clerk of the City of La Mesa, California, do hereby certify the foregoing to be a true and correct copy of Ordinance No. 2022-_____, duly passed and adopted by the City Council of said City on the date and by the vote therein recited and that the same has been duly published according to law.

MEGAN WIEGELMAN, CMC, City Clerk

(SEAL OF CITY)



STAFF REPORT

REPORT to the MAYOR and MEMBERS of the CITY COUNCIL From the CITY MANAGER

DATE: February 8, 2022

SUBJECT: Consideration of an appeal of the Planning Commission's approval of Project No. 2017-31 (CUP 17-88) (Hillside), a request for a proposed commercial building and a conditional use permit for a proposed storefront retail medicinal cannabis use at 7901 Hillside Drive, APN 470-200-27-00 in the C-D-MU (General Commercial / Urban Design Overlay / Mixed Use Overlay) zone

ISSUING DEPARTMENT: Community Development

SUMMARY

Issues:

1. Should the City Council uphold the Planning Commission's approval of a proposed commercial building and a conditional use permit for a proposed storefront retail medicinal cannabis use at 7901 Hillside Drive, APN 470-200-27-00 in the C-D-MU (General Commercial / Urban Design Overlay / Mixed Use Overlay) zone, thus denying the appeal?
2. Should the City Council ratify the Design Review Board's approval of the project?

Recommendation:

1. Uphold the Planning Commission's approval of Project No. 2017-31 (CUP 17-88) based on the findings and subject to conditions set forth in Planning Commission Resolution PC-2021-17 (**Attachment A**), thus denying the appeal (**Attachment C**).
2. Ratify the Design Review Board's approval of the project.

Fiscal Impact:

There would be no impact to the General Fund related to this project. City of La Mesa policy is to recover 100% of the cost of staff time through application processing fees.

City's Strategic Goals:

- Revitalize neighborhoods and corridors

Environmental Review:

This project is categorically exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15301, 15303, and 15332.

BACKGROUND:

Site and Surrounding Area:

The subject property is located at 7901 Hillside Drive, which is a through-lot that also fronts El Cajon Boulevard. The 5,617 square-foot property slopes downward from Hillside Drive to El Cajon Boulevard with elevations ranging from 560 feet (Hillside Drive) to 538 feet (El Cajon Boulevard) above mean sea level. The property is developed with a single-family residence and a "U" shaped retaining wall that is about 18' tall and tapers down to about two (2) feet tall along the west property line. This wall divides the middle of the property into upper and lower halves. The General Plan designates the property as Mixed Use Urban, and the property is zoned C-D-MU (General Commercial/ Urban Design Overlay/ Mixed Use Overlay).

Surrounding uses include a duplex to the south, a single-family residence to the east, the La Mesa Crossroads shopping center to the north (across El Cajon Boulevard), and an apartment building on the neighboring property to the west. There is an existing dispensary (Cookies CUP 17-95) nearby that will be discussed later in the report. Photos of the project site are provided as **Attachment D**.



Project Description:

The applicant is requesting approval of a CUP to operate a medical marijuana facility in a new, 2,122 square-foot, commercial building. The dispensary would occupy approximately 85% (1,811 square-feet) of the proposed building and would only be accessible via an elevator from Hillside Drive. A yet to be determined retail tenant (311 square-feet) would occupy a second suite that would front on and have direct access to the El Cajon Boulevard pedestrian realm. The existing residential structure would be demolished, and most of the existing retaining walls would be incorporated into the proposed commercial building.

A parking lot, with vehicular and pedestrian access from Hillside Drive, would provide eight required parking spaces that would be covered by a standing seam metal roof carport. A portion of this parking lot would be supported by and located on the proposed commercial building. Customer access from the parking lot to the commercial building would be via the aforementioned elevator. Parking lot lighting would be located on building walls, beneath the carport, and on architectural bollards to help shield lighting from neighboring properties. The parking lot would be surrounded by a four-foot wall, and the driveway would have rolling wrought iron gate. Project plans are provided as **Attachment G**.

The building would be contemporary styled and tailored to maximize use of the relatively small, two-level lot. The El Cajon Boulevard frontage would feature a ground level storefront (non-cannabis) that would occupy about 66 percent of the property street frontage. This suite would provide mostly floor-to-ceiling, matte black, aluminum framed, glass panels. A flat, aluminum canopy would overhang the entrance and project above the public right-of-way. The suite roof would be a medium bronze, standing seam metal roof that fades into the wall upper portion of the building. This stepped building height would help provide a human scale for pedestrians and avoid a boxy-like building appearance. There would be an approximately 39-foot tall tower element that is the elevator shaft that provides access from parking lot.

The Façade would primarily be white stucco siding (Merlex P-100 White), with an accent grey (P-1661 Light Grey) trim color, and an articulated concrete masonry block base. A Color and Materials Board is provided as **Attachment H**.

The project proposes 791 square-feet of landscaped area, including two street trees (Fern Pines) along El Cajon Boulevard and one Chinese Flame tree near Hillside drive. The landscaping would also provide a variety of shrubs and ground cover along street frontages as shown on the landscaping plan.

Separation Criteria:

LMMC 24.23.030 allows the operation of a medical marijuana dispensary in limited areas of the City and provides minimum separation requirements between a dispensary and specified uses to minimize potential adverse impacts on the community, and requires a 1,000-foot separation measured by path of travel between the specified uses and any proposed medical marijuana dispensaries. Staff verified that the subject location is within an eligible zone and is not within a 600-foot-radius from any school.

There is an existing medical marijuana dispensary located at 7935 El Cajon Boulevard, approximately 200 feet east of the subject property. However, the proposed floor plan for the project would not allow access to the proposed cannabis retail use from El Cajon Boulevard, but rather would have entry via elevator from the parking area on Hillside Drive above. Because of this, the path of travel between the proposed use and the existing dispensary proceeds through the parking area to Hillside Drive, then west to Guava Avenue, then north to El Cajon Boulevard, and east to the existing dispensary. The path of travel then proceeds across the parking lot and down the elevator to the entry. As shown on the floor plan, the proposed commercial use on El Cajon Boulevard would have access to the elevator through a secured door to provide required accessibility to the accessible parking space in the parking area above. Access to the cannabis use would not be allowed through this secured access. Based on this path of travel, there is no dispensary or any of the other uses specified by in LMMC 24.23.030(a)(1) within a 1,000-foot path of travel from the site as shown in **Attachment E**.

The proposed path of travel passes by the proposed lower floor retail space that includes the secured door to the elevator, through which there is also access to the proposed retail cannabis use. The Planning Commission and City Council on appeal have considered and approved past applications with secured access doors that did not serve as the entry point to the dispensary located less than 1,000 feet from specified sensitive uses. The conditions of approval prohibit any access to the dispensary, both directly through the emergency exit or indirectly through the front commercial suite, to El Cajon Boulevard. Doors controlling this access are required to be alarmed and a security guard must be stationed in the area to control and monitor the access at all times the business is open.

Operational and Security Requirements:

LMMC 24.23.030 also provides operational requirements for medical marijuana dispensaries, which have been incorporated as recommended conditions of the CUP (see **Attachment A**). These include provisions for security measures to be implemented, including, but not limited to:

- Operable cameras;
- A fire and burglar alarm system monitored by an alarm company licensed by the State of California;
- Evidence that a California State Licensed Security Guard has been contracted for the Business at all times that the facility is open;
- A 24-hour, fixed-camera video surveillance and digital storage system in the cloud or other off-site method of recording available for 90 days after recording;
- Prohibition of consultation by medical professionals on site;
- Restriction of hours of operation between 7:00 am and 9:00 pm;
- Activities associated with the business conducted indoors;
- Yards and other open spaces around buildings kept free of waste, litter, junk, or storage of any material; and
- Site lighting provided and maintained.

Landscape Standards:

City Landscaping Standards typically require that 10% of the parking area be landscaped, including interior landscape planters with canopy trees, and five-feet of perimeter landscaping, which would not be provided by this project. The reason is that the code specifies that interior landscaping shall not be required in covered parking areas or on the open top deck of a parking structure. In this case, all the parking spaces are covered and approximately half the parking lot is located on a parking structure; therefore, staff determined that the parking lot landscaping noted above was not required.

Zoning Ordinance Regulations:

The base C Zone is intended to provide areas in which many types of retail businesses, offices, and services can be conducted. Staff has reviewed the project and determined that it complies with zoning ordinance requirements this zone. This includes requirements specific to dispensaries found in LMMC 24.23.030 and development standards for the proposed commercial building regarding parking, landscaping, and building height. The zone building height limit is 46 feet; whereas, the elevator shaft is proposed at approximately 39-feet tall. The zone does not require a building setback. Business signage would be processed separately.

General Plan Consistency:

As specified, the General Plan designates the property as Mixed Use Urban. This designation is found along the City's main corridors in areas identified for potential compact development. The General Plan goal along El Cajon Boulevard is for less auto dependency with a more walkable commercial corridor through pedestrian oriented development. The proposed dispensary is consistent with the intent of the General Plan, as it would introduce uncommon retail goods with anticipated economic benefit for the area, revitalize the property, and improve the 12-foot pedestrian realm with new street trees. Further Goals and Policies of the GP are implemented through the City's Zoning Ordinance.

Required Findings for Conditional Use Permit (CUP) Approval:

Staff has reviewed the application for the CUP for a medical marijuana dispensary and has determined that the project is consistent with the recommended land use and development standards in effect for this site in accordance with the La Mesa Municipal Code and in compliance with Measure U. The project is not requesting, nor does it require, any deviation or variance from the applicable regulations and policy documents. The proposed specific regulatory conditions of approval assure the project's compliance with applicable local, regional, and State codes and rules, and ensure that the project will not be detrimental to the public health, safety and welfare.

Based on the findings for approval of a conditional use permit (LMMC Section 24.02.060) and the analysis in this report, staff has made the following findings in support of the recommendation of approval.

[LMMC 24.02.060(a)]: Incompatibility with other uses in the same vicinity will not result

The project is compatible with other uses in the same vicinity. In accordance with Measure U, retail medical marijuana dispensary use is permitted in the C-D-MU zone with a Conditional Use Permit (CUP). The project has been designed to reduce potential impacts on neighboring uses through implementation of development standards and required operating conditions. Further, the subject property is located in the C Zone which is intended for and permits general commercial, retail sales, and office uses. The retail dispensary business is consistent with the vision established for the commercial area by the applicable land use plan. The proposed project meets the separation requirements of Measure U.

[LMMC 24.02.060(b)]: Issuance of such a conditional use permit would not lead to the creation of a nuisance and would not endanger the public health, safety, or order by:

(1) Unreasonably increasing pedestrian and/or vehicular traffic in the area in which the premises are located;

The issuance of a CUP would not unreasonably increase pedestrian and/or vehicular traffic in the area. The proposed dispensary is contained almost wholly within an existing commercial building. The proposed project is a retail use that is not expected to generate higher levels of vehicular or pedestrian traffic. A traffic letter prepared by Mizuta Traffic Consulting concluded that the project will not significantly impact traffic operations and did not recommend any mitigation measures.

(2) Increasing the incidence of disruptive conduct in the area in which the premises are located;

The issuance of a CUP would not unreasonably increase the incidence of disruptive conduct in the area because the proposed project is compliant with Measure U. Proposed project conditions include provisions for security measures to be implemented, including, but not limited to, operable cameras; fire and burglar alarm systems monitored by an alarm company licensed by the State of California; evidence that a California State Licensed Security Guard contracted by the business is present at all times the facility is open; and a 24-hour, fixed-camera video surveillance system. The surveillance system is required to cover every interior area and room, and adjacent perimeter areas, within a minimum of 50 feet. Twenty-four hour surveillance system access is required by the La Mesa Police Department or other City authorized department.

In addition, conditions of the permit would require that the applicant for the permit proactively address and cure any legitimate loitering complaints, noise complaints, odor complaints, non-compliance issue with the CUP, or non-compliance with other applicable state or local regulations. Failure to operate the business in conformance to the conditions of approval could result in possible suspension or revocation of the permit. It is not anticipated that within such a controlled and conditioned environment, disruptive conduct would occur.

(3) Unreasonably increasing the level of noise in the area in which the premises are located

The issuance of a CUP would not unreasonably increase the level of noise in the area. No increase in noise level is expected from this retail use compared to other commercial uses allowed in the C zone. The proposed medical marijuana dispensary use is an indoor retail use comparable to a pharmacy with the expectation that noise generated by consumer activity should not be significantly different from a use that is more familiar to the general public. The project complies with Measure U and a condition of the permit would require the applicant to proactively address and cure any legitimate noise complaint. Failure to do so could result in possible suspension or revocation of the permit.

[LMMC 24.02.060(c)]: The use is consistent with the General Plan

The General Plan land use designation of the subject property is "Mixed-Use Urban" for which the C-D-MU zone is consistent. While the proposed retail dispensary is mostly surrounded by residential uses, the mixture of residential and commercial uses would be consistent with the Mixed-Use Urban designation. Further by providing improvements within the public right-of-way, improving the area for pedestrian circulation, and creating jobs the project would help achieve goals and the objectives of the General Plan. The project would promote economic growth and employment consistent with Land Use Policy as described throughout the General Plan.

Public Comments

The Planning Department received 16 public comments (**Attachment F**) opposing the project prior to the Planning Commission hearing. The comments primarily expressed concerns regarding reduced quality of life in the surrounding residential neighborhood due to potential for increased crime and traffic in the neighborhood, suitability of the streets to handle commercial traffic, reduced availability of on-street vehicle parking, marijuana odor and usage, and the close proximity of an existing dispensary to the one proposed by this application.

Design Review Board Action:

The Urban Design Overlay (D) Zone requires that new construction and major exterior alterations be reviewed by the City's Design Review Board (DRB) and City Council for consistency with the City's Urban Design Program. The project was presented to the DRB on August 9th, 2021. Staff recommended that the DRB approve the project since it substantially conforms to the Urban Design Program, and the site design makes good use of the topographically challenging site. The proposed architectural design would provide a variety of surface planes, forms, textures, and colors. The project would also improve the streetscape by providing two (2) street trees and lighting from an otherwise vacant lot.

The DRB found that the project is consistent with the intent of the Urban Design Program

policies and the Mixed Use Overlay Design Guidelines. The DRB recommended two Conditions be added to the project, including: 1) Breaking up mass of the elevator tower through use of signage, architectural definition, or materials; 2) The planting of 36-inch box trees instead of 24-inch box trees shown on the landscape plans. These Conditions were approved by Planning Commission Resolution No. PC 2021-17 as Conditions numbered 9 and 10.

Planning Commission:

The Planning Commission reviewed the application for the CUP for a Medical Marijuana Dispensary and determined that the project is consistent with the recommended land use and development standards in effect for this site in accordance with the La Mesa Municipal Code. The Planning Commission specifically considered and discussed the proposed path of travel for compliance with the requirements of Measure U. The Planning Commission found the proposed path of travel to be consistent with Measure, and its approval to be consistent with past actions taken on other applications. The permit has been conditioned to ensure that the proposed dispensary would not be detrimental to the public health, safety and welfare. The findings of the Planning Commission and the conditions of approval can be found in attached Resolution PC-2021-17 (Attachment A).

Public Notice of Planning Commission Hearing:

Notice of the Planning Commission hearing to consider the conditional use permit was mailed to surrounding property owners within 300 feet of the subject property on September 2, 2021, and published in The Daily Transcript on September 3, 2021; in accordance with Municipal Code requirements.

APPEAL:

An appeal (**Attachment C**) of the Planning Commission's approval of the project was filed on October 20, 2021 by Dana J. Stevens, Executive Director of CASA (Community Action Service Advocacy), a nonprofit organization, on their behalf after conversations with community members.

The appeal asserts that the Planning Commission's approval of the subject application was erroneous, because:

- It violates the purpose of Chapter 24.23 of the Zoning Ordinance regarding the zoning of dispensaries in such a manner to limit impacts on the City in general and residential neighborhoods in particular. Concerns were expressed regarding the narrowness, poor condition, and abrupt dead end of Hillside Drive and its unsuitability for commercial traffic.
- The proposed location would violate the minimum 1,000-foot path of travel separation between dispensaries because there are three footpaths that would be well under the 1,000-foot path of travel separation required between the proposed and an existing dispensary.
- It violates the purpose and intent of Municipal Code Chapter 6.11.010 to regulate the cultivation, processing, manufacturing, testing, sale, delivery, distribution and transportation of adult-use cannabis and cannabis products in a responsible manner to protect the health, safety, and welfare of the residents of the City of La Mesa. The location poses a danger to residents, pedestrians, and drivers on Hillside Drive and its feeder streets, and the density of cannabis businesses are contrary to health, safety,

- and welfare of the nearby residents.
- It would set a precedent that residential neighborhoods, adjacent to commercial and industrial zones, could face the prospect that their front doors could open to the front doors of businesses that can be open from 7am until 9pm, seven days a week with bright exterior lighting for a business that is dangerous enough to require a licensed security guard on site while operating.

RESPONSE TO APPEAL:

The proposed project complies with all applicable provisions of Measure U and the Municipal Code, and is consistent with the General Plan as discussed in this report and as reflected in the findings of Planning Commission Resolution No. PC 2021-17 approving the project (**Attachment A**).

The project complies with the "Measure U" 1,000-foot separation requirement between dispensaries for reasons detailed in the Separation Criteria section of the report. The well-traveled paths described in the appeal were considered and determined to not meet the definition of "Path of Travel".

La Mesa Municipal Code Chapter 6.11.010 is not applicable to this project because this application is for a medicinal use regulated by Chapter 24.23, not an adult-use that is regulated by Chapter 6.11. Nevertheless, a traffic study did not find the dispensary would significantly impact traffic operations and did not recommend any mitigation measures.

The approval would not set a land use precedent in the City for residential neighborhoods that abut the back of commercial or industrial zones as asserted in the appeal. Residential front doors facing commercial development is relatively common on streets where the zoning transitions from residential to commercial. Examples of this orientation can be found throughout the City wherever commercial and residential zones are adjacent. Further, the front doors of the residences located directly across Hillside Drive from the subject property do not face Hillside Drive or the proposed dispensary. Municipal Code regulations and project conditions of approval require that lighting be focused on the subject property and shielded from spillover onto adjacent properties.

Environmental Review:

The proposed dispensary and commercial building are categorically exempt from environmental review pursuant to California Environment Quality Act (CEQA) Guidelines: Sections 15301, 15303 and 15332.

- CEQA Guidelines Section 15301 exempts the demolition of small individual structures that includes removal of a single-family residence and accessory structures.
- CEQA Guidelines Section 15303 exempts new construction or conversion of small structures including commercial structures, accessory structures, and water, electrical, gas, and other utility extensions.
- CEQA Guidelines Section 15332 exempts infill development projects that meet all of the conditions necessary to qualify for the exemption as follow:

- (a) The project is consistent with the applicable general plan designation and policies, as well as with applicable zoning designation and regulations.

The General Plan Land Use designation for the project site is Mixed Use Urban. This designation allows for a mixture of residential and commercial uses along established routes (p. LD-32). The zoning classification for the project site is C-D-MU Zone (General Commercial, Urban Design Overlay, Mixed Use Overlay). The City of La Mesa adopted Measure U, codified as Chapter 24.23 of the La Mesa Municipal Code, specifying Zone C as an appropriate zone for the proposed marijuana cultivation facility. The project is consistent with the general plan and zoning designations and regulations.

- (b) The project occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The project is located at 7901 Hillside Drive in the City of La Mesa and within the La Mesa General Commercial Zone on a 5,617 square-foot site. The project site is mostly surrounded by existing, developed properties.

- (c) The project site has no value as habitat for endangered, rare or threatened species.

The project site is located between Hillside Drive and El Cajon Boulevard in the City of La Mesa and within a La Mesa identified transit corridor, El Cajon Boulevard. The site is currently developed with a residence. The project site has no value as habitat for endangered, rare or threatened species.

- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

A traffic assessment letter was prepared for the project which concludes that the proposed project will not have a significant impact on traffic. The proposed use of the site will be fully conducted indoors, reducing potential for noise impacts. The project has conditions of approval requiring odor control and air filtration to minimize any potential impacts on air quality. Water for the project will be discharged appropriately into the City of La Mesa sewer system. The project is not expected to result in any significant effects relating to traffic, noise, air quality, or water quality.

- (e) The site can be adequately served by all required utilities and public services.

The project site is an existing residence. All utilities are available. Provision of water service has been verified by the Helix Water District.

The project will change the building occupancy type on the property from a single-family residence to a commercial building that would include a medical marijuana dispensary, on a site zoned for such land use, involves new construction of private facilities, landscaping, and public improvements along the property frontage. The project is located where all public services and facilities are available, and the surrounding uses are not environmentally sensitive. There is no evidence that the proposed commercial building and medical marijuana dispensary will result in an environmental impact. None of the exceptions listed in Section 15300.2 apply. Therefore the project complies with the exemption standards established in the CEQA Guidelines.


PUBLIC NOTICE

Notification of the February 8, 2022, City Council public hearing to consider the appeal of the Planning Commission's approval of the project was mailed to all property owners within 300 feet of the subject property and interested parties on Friday, January 28, 2022, and published in the San Diego Daily Transcript on Friday, January 28, 2022.

RECOMMENDATION:

1. Uphold the Planning Commission's approval of Project No. 2017-31 (CUP 17-88) based on the findings and subject to conditions set forth in Planning Commission Resolution PC-2021-17 (**Attachment A**), thus denying the appeal (**Attachment C**).
2. Ratify the Design Review Board's approval of the project.

Reviewed by:


Greg Humora
City Manager

Respectfully submitted by:


Kerry Kusiak
Director of Community Development

Attachments:

- A. Planning Commission Resolution PC 2021-17
- B. Design Review Board Certification of Action
- C. Appeal and documentation filed by CASA
- D. Site photos
- E. Path of travel separation exhibit
- F. Public Comments for Planning Commission
- G. Project Plans
- H. Color and Materials Board

RESOLUTION NO. PC 2021-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAMESA APPROVING PROJECT NO. 2017-31 (CUP 17-88) (HILLSIDE) (WILLIE SENN) – A CONDITIONAL USE PERMIT FOR A CANNABIS USE AT 7901 HILLSIDE DRIVE, APN 470-200-27-00 IN THE C-D-MU (GENERAL COMMERCIAL / URBAN DESIGN OVERLAY / MIXED USE OVERLAY) ZONE

WHEREAS, Willie Senn submitted an application for a Conditional Use Permit, Project No. 2017-31 (CUP 17-88), a request to operate a medical marijuana dispensary at 7901 Hillside Drive in the C-D-MU (General Commercial/ Urban Design Overlay/ Mixed Use Overlay) zone;

WHEREAS, medical marijuana dispensaries are permitted in the General Commercial (C) zone subject to review and approval of a Conditional Use Permit pursuant to voter-approved Measure U;

WHEREAS, the Planning Commission of the City of La Mesa did hold a duly noticed public hearing on October 6, 2021, and accepted public testimony in considering Project No. 2017-31 (CUP 17-88); and

WHEREAS, the Planning Commission did receive and consider a staff report on the proposal.

THE PLANNING COMMISSION FINDS AND DETERMINES AS FOLLOWS:

The project is exempt from environmental review under CEQA Guidelines Sections 15301, 15303, and 15332. Section 15301 exempts the demolition of small individual structures that includes removal of a single-family residence and accessory structures. Section 15303 exempts new construction or conversion of small structures including commercial structures, accessory structures, and water, electrical, gas, and other utility extensions. Section 15332 exempts infill development projects that meet the following conditions: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies, as well as with applicable zoning designation and regulations; (b) The proposed development occurs within existing city limits on a project site of no more than five acres substantially surrounded by urban uses; (c) The project site has no value as habitat for endangered, rare or threatened species; (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; (e) The site can be adequately served by all required utilities and public services. The project meets the criteria for the exemptions. None of the exceptions in Section 15300.2 apply.

Conditional Use Permit Findings (La Mesa Municipal Code Section 24.02.060):
Incompatibility with other uses in the same vicinity will not result

The project is compatible with other uses in the same vicinity. In accordance with Measure U, retail medical marijuana dispensary use is permitted in the C-D-MU zone with a Conditional Use Permit (CUP). The project has been designed to reduce potential impacts on neighboring uses through implementation of development standards and required operating conditions. Further, the subject property is located in the C Zone which is intended for and permits general commercial, retail sales, and office uses. The retail dispensary business is consistent with the vision established for the commercial area by the applicable land use plan. The proposed project meets the separation requirements of Measure U.

Issuance of such a conditional use permit would not lead to the creation of a nuisance and would not endanger the public health, safety, or order by:

- (1) Unreasonably increasing pedestrian and/or vehicular traffic in the area in which the premises are located;

The issuance of a CUP would not unreasonably increase pedestrian and/or vehicular traffic in the area. The proposed dispensary is contained almost wholly within an existing commercial building. The proposed project is a retail use that is not expected to generate higher levels of vehicular or pedestrian traffic. A traffic letter prepared by Mizuta Traffic Consulting concluded that the project will not significantly impact traffic operations and did not recommend any mitigation measures.

- (2) Increasing the incidence of disruptive conduct in the area in which the premises are located;

The issuance of a CUP would not unreasonably increase the incidence of disruptive conduct in the area because the proposed project is compliant with Measure U. Proposed project conditions include provisions for security measures to be implemented, including, but not limited to, operable cameras; fire and burglar alarm systems monitored by an alarm company licensed by the State of California; evidence that a California State Licensed Security Guard contracted by the business is present at all times the facility is open; and a 24-hour, fixed-camera video surveillance system. The surveillance system is required to cover every interior area and room, and adjacent perimeter areas, within a minimum of 50 feet. Twenty-four hour surveillance system access is required by the La Mesa Police Department or other City authorized department.

In addition, conditions of the permit would require that the applicant proactively address and cure any legitimate loitering complaints, noise complaints, odor complaints, non-compliance issue with the CUP, or non-compliance with other applicable state or local regulations. Failure to operate the business in conformance to the conditions of approval could result in possible suspension or revocation of the permit. It is not anticipated that within such a controlled and conditioned environment, disruptive conduct would occur.

- (3) Unreasonably increasing the level of noise in the area in which the premises are located

The issuance of a CUP would not unreasonably increase the level of noise in the area. No increase in noise level is expected from this retail use compared to other commercial uses allowed in the C zone. The proposed medical marijuana dispensary use is an indoor retail use comparable to a pharmacy with the expectation that noise generated by consumer activity should not be significantly different from a use that is more familiar to the general public. The project complies with Measure U and a condition of the permit would require the applicant to proactively address and cure any legitimate noise complaint. Failure to do so could result in possible suspension or revocation of the permit.

The use is consistent with the General Plan

The General Plan land use designation of the subject property is "Mixed-Use Urban" for which the C-D-MU zone is consistent. While the proposed retail dispensary is mostly surrounded by residential uses, the mixture of residential and commercial uses would be consistent with the Mixed-Use Urban designation. Further by providing improvements within the public right-of-

way, improving the area for pedestrian circulation, and creating jobs the project would help achieve goals and the objectives of the General Plan. The project would promote economic growth and employment consistent with Land Use Policy as described throughout the General Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF LA MESA AS FOLLOWS:

1. The foregoing findings of fact and determinations are true and correct and hereby made a part hereof.
2. The foregoing findings of fact and determinations are supported by the staff report, minutes, plans, and exhibits, all of which are herein incorporated by reference.
3. The Planning Commission approves Project No. 2017-31 (CUP 17-88) subject to the conditions in Exhibit A.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of La Mesa, California, held the 6th day of October 2021, by the following vote, to wit:

AYES: Chair Newland. Vice Chair Cooper, Commissioners Coston, and Torpey

NOES: Commissioner Alvarado

ABSENT: Commissioners Jones

I, Kerry Kusiak, Secretary, do hereby certify the foregoing to be a true and exact copy of **Resolution PC-2021-17**, duly passed and adopted by the Planning Commission.



Kerry Kusiak, Secretary
La Mesa Planning Commission

Exhibit A
PC Resolution PC-2021-17
Project No. 2017-31 (CUP 17-88)
Conditions of Approval

1. The project is conditionally approved as set forth on the application and project drawings received by the City on July 9, 2021, consisting of 16 sheets including Sheet A1 – Site Plan; Sheet A2 – MMCC Notes; Sheet A3.1 – New Floor Plans; Sheet A3.2 – Upper Level Floor Plans; Sheet A4 – Existing & New Floor Plans; Sheet A5.1 – Exterior Elevations; Sheet A5.2 – Proposed Colors; Sheet A6 – Elevations; Sheet A7 – Renders; Sheet A8 – Site Photos; Sheet E1 – Electrical Symbols Legend and Notes; Sheet E2 – Site Parking Reflected Ceiling Plan; Sheet L-1.0 – Conceptual Planting Plan; Sheet C.0 – Topographic Survey; Sheet C.1 – Hillside La Mesa CUP; Sheet C.2 – Hillside La Mesa CUP, all designated as approved by the Planning Commission on October 6, 2021, and shall not be altered without express authorization by the Community Development Department.
2. The medical marijuana dispensary shall not be physically changed or increased in size (e.g., floor area or buildings utilized) without prior approval and/or amending the Conditional Use Permit.
3. The Conditional Use Permit shall expire no later than five (5) years from the date of issuance.
4. This permit is a covenant running with the subject property and all of the requirements and conditions of this permit and related documents shall be binding upon the owner/permittee and any successor(s) in interest.
5. Approval of the Conditional Use Permit for a medical marijuana dispensary is for retail sales purposes of medical marijuana only, subject to all applicable State laws and regulations.
6. This approval shall not waive compliance with any section of the La Mesa Municipal Code and all other applicable City regulations in effect at the time of Building Permit issuance unless specifically waived herein.
7. Prior to any use or issuance of final occupancy of the project site pursuant to this approval, all conditions of approval contained herein shall be completed or secured to the satisfaction of the Community Development Department.
8. The applicant is responsible for coordinating civil, landscape, and architectural plans and supplemental materials at building permit submittal to ensure that all project plans and materials are internally consistent and consistent with each other. Inconsistent construction documents will not be accepted.
9. Architectural mass of the elevator tower façade shall be broken up through use of signage, architectural definition, and materiality (added by Design Review Board August 9, 2021).
10. The street trees along El Cajon Boulevard shall be 36-inch box trees in compliance with Mixed-Use Overlay requirements (added by Design Review Board August 9, 2021).

The following conditions shall be satisfied prior to the issuance of building and grading permits:

Planning Division Conditions:

11. The owner(s) shall waive any claims of liability against the City and indemnify, hold harmless and defend the City and City's employees regarding any component of the City's approval, and shall execute an indemnity agreement in substantially the form as provided by the Community Development Department prior to building permit issuance, initiating use in reliance of this permit, recordation of the final map and/or recordation of the final parcel map, as applicable, and the Community Development Director is hereby authorized to execute the same. This agreement shall be executed by the applicant, notarized, and then signed by the Community Development Director before obtaining any other permit.
12. Construction plans shall be in substantial conformity to approved plans and may not be physically changed or increased in size without prior approval and/or amending the existing Conditional Use Permit.
13. The project shall comply with the development standards of the underlying zone including but not limited to parking standards and requirements, trash and recycling enclosure standards, and landscape standards.
14. Site landscaping shall be consistent with City landscape standards and the State of California Model Water Efficient Landscape Ordinance (MWELO).
15. The applicant shall provide a photometric analysis showing the illumination of the exterior of the site, façade, and surrounding area including accessory uses, parking lots, and adjoining sidewalks.
16. Any new rooftop mechanical equipment shall be screened from view from the street and adjacent properties.
17. All driveways and parking areas shall be graded, hard surfaced, and maintained in accordance with standards established by City Council resolution.

Building Division Conditions:

18. The applicant shall obtain demolition permits from the Community Development Department prior to the demolition of existing structures.
19. The project must comply with the City's Construction and Demolition Ordinance regulating recycling of construction materials.
20. All points of ingress, egress and parking shall comply with ADA regulations. Additional requirements may apply based on the existing conditions and proposed improvements. The project must comply with all applicable disabled accessibility regulations as contained in Chapters 11B, Title 24 California Building Code.

21. The Owner/Permittee shall secure all necessary building permits in compliance with the California Building Code; applicable electrical, mechanical, and plumbing codes; and State and Federal accessibility laws.
22. Plans must be complete and stamped by a licensed professional before the Building Division will accept them into the plan review and permitting process.
23. All permits (grading, building, encroachment, fire, or other) for this development project shall be submitted and issued concurrently.
24. This project shall comply with all California Energy Efficiency Standards as it applies to lighting, mechanical, plumbing, and envelope construction.
25. This project's mechanical system shall be design to meet requirements for fresh, outside air to the interior and nuisance odor control exhausted to the exterior. This requires certifications for an air balanced system(s). The placement of mechanical equipment on the exterior needs to be located, supported, and screened In accordance with applicable provisions of the La Mesa Municipal Code.

Engineering Conditions:

26. The applicant's engineer shall ensure that the design and construction of all improvements shall be in accordance with standard plans and specifications of the City of La Mesa, and subject to the approval of the City Engineer.
27. The applicant shall submit all plans and supporting documents concurrently for plan check and approval as required for all sewer, water, storm drain, street, and sidewalk improvements. Plans shall be prepared by a Registered Civil Engineer and approved by the City Engineer.
28. A precise grading, drainage and erosion control plan shall be prepared by a Registered Civil Engineer in accordance with the City of La Mesa Grading Ordinance Title 14.05 showing all buildings, access roads, parking, driveways, landscaping, and drainage. The grading and erosion control plans shall be submitted for plan check and approval of the City Engineer and Planning Division prior to approval of the Grading and Building Permits
29. Where off-site improvements within the public right of way beyond the parcel boundary may be required to be installed as determined by the City Engineer to provide proper transition to the street and sidewalk, and to address drainage or traffic and pedestrian safety.
30. Where off-site work or improvements are proposed to be constructed (including, but not limited to, slopes, public utility, and drainage facilities); the applicant shall obtain all necessary easements, letters of permission or other interest in real property, at their own expense and shall dedicate the same to the City as may be necessary.
31. Sight distance requirements at all street, common drive, and/or driveway intersections shall conform to the intersectional sight distance criteria provided in the California

Department of Transportation (CalTrans) Highway Design Manual and section 24.05.030.N of the City of La Mesa Municipal Code and shall be shown in the plans.

32. Street tree locations shall be referenced on the improvement plans for conflict check, located with pedestrian friendly tree grates in the sidewalk and contiguous with the curb, equal to 1 tree for every 35 feet of property frontage along El Cajon Blvd. (Refer to SDRSD L4, LMSD LS1 through LS3 and WQ4).
33. The method of disposing of surface water from the site shall be submitted and approved to assure that the site will drain to the street or to a natural watercourse. New drainage facilities, and private maintenance agreements or covenants may be required.
34. Site operations shall comply with City of La Mesa Municipal Code Chapter 7.18 Storm Water Management and Discharge Control Program. A completed City of La Mesa storm water management permit application shall accompany the plan submittal.
35. Post Construction BMPs
 - a) Tree box/modular wetlands are only allowed if bio-retention style IMPs are proved to be infeasible. Vault/Separator style units are not allowed.
 - b) Each drainage management area that discharges into the public system outlet or street shall have storm water quality controls, and shall be maintained by the property owner and located on the private property
 - c) A post-construction Water Quality Management Plan and recorded maintenance agreement pursuant to section 7.18 of the La Mesa Municipal Code shall be required. Perpetual maintenance requirements should be considered when selecting appropriate BMPs.
 - d) Trash enclosures shall be covered to prevent rainwater intrusion or otherwise designed to prevent offsite migration of contaminants.
36. The applicant shall submit a "Traffic Letter" prepared by a qualified Traffic Engineer or a Registered Civil Engineer.
37. The applicant shall show the following information on the site plan and/or add a note to the plans:
 - a) The sanitary sewer main, sewer service lateral and property line clean out shall be identified. A clean out shall be installed if one does not exist.
 - b) The rim elevation of the nearest upstream sewer manhole on the sewer main and the lowest finish floor or lowest waste water fixture unit shall be identified. If the lowest finish floor elevation or lowest waste water fixture unit is less than or equal to the top of the manhole elevation PLUS two feet, then a backwater valve shall be installed.
38. The applicant shall pay the current Sanitary Sewer Connection Fee as determined by the City's current fee structure.

39. The applicant shall obtain an Encroachment Permit and Traffic Control Permit prior to beginning any proposed work within the City right of way. Traffic control plans for streets which will be opened to public travel during construction shall be in accordance with construction signing, marking and other protection as required by the State Department of Transportation (CalTrans) Traffic Manual.
40. Surety (security) for improvements and/or grading shall be posted with the City of La Mesa prior to improvement and/or grading permit approval to guarantee the construction of all the required street improvements, drainage, grading, erosion control, landscaping, irrigation, sewer and monumentation. The security shall include all onsite and offsite grading and improvements. The amount of security shall be determined by the City Engineer based upon an estimate furnished to the City taken from approved plans submitted by the engineer of work. The engineer's cost estimate should include an estimate of utility relocation, if applicable, if applicable.

Fire Department Conditions:

41. Project shall comply with the (2019) California Fire Code, California Building Code and all local ordinances.
42. Provide a deferred submittal an automatic fire sprinkler system. The system shall comply with NFPA #13 Standards for Automatic Fire Sprinkler Systems. Three sets of plans, hydraulic calculations, and material specification's sheets for all equipment used in the system shall be submitted by a State of California Licensed C-16 Contractor for review, approval, and permits issued prior to commencing work.(Ord. 2016-2849 § 1) Include the rubbish enclosure.
43. Provide a deferred submittal for the fire alarm system including delayed egress. The system shall comply with CFC/CBC/NFPA 72 requirements. Three sets of plans and material specification's sheets for all equipment used in the system shall be submitted by a State of California Licensed C-10 Contractor for review, approval, and permits issued prior to commencing work.
44. Deferred Submittals required for Elevator operations shall be in accordance with CFC Chapter 6 section 607. .
45. Prior to combustibles being brought to the site, the developer shall provide written certification from Helix Water District, dated within the last thirty days, that All public fire hydrants required of the project have been installed, tested, and approved by Helix Water District, and are permanently connected to the public water main system, and are capable of supplying the required fire flow as required by Heartland Fire & Rescue.

Police Department Conditions:

46. The applicant shall submit building plans that include a description and detailed schematic of the overall facility security. The applicant shall identify with illustration and notes the proposed security measures to be implemented, including, but not limited to:

- a. Show and note on the floor plan that a surveillance camera shall be placed at face level to capture and record every individual coming and going from the business for identification purposes.
 - b. 24-hour fixed camera video surveillance shall be available for 90 days after recording. The recording shall be of a sufficient quality to provide identification of any individual being recorded; that the surveillance covers every interior area and room and adjacent perimeter area within a minimum of 50 feet; and that the City of La Mesa Police Department or other City authorized department shall have 24 hour remote access to the surveillance system.
47. The project shall implement CPTED (Crime Prevention Through Environmental Design) principles to the satisfaction of the Police Department.
 48. Site lighting, including the parking lot, shall be provided such that the property is well lit at night to prevent loitering and eliminate hiding places.
 49. Building lighting shall be provided to illuminate building numbers, building accesses, and front and back areas.

The following conditions shall be satisfied prior to the issuance of a Certificate of Occupancy:

Planning Division Conditions

50. Prior to occupancy, the applicant shall obtain a State license to operate the proposed medical marijuana facility.
51. Prior to issuance of a certificate or occupancy, the applicant shall provide proof of a bond to cover the costs of destruction of medical cannabis or medical cannabis products if necessitated by a violation of licensing requirements pursuant to applicable law.
52. The medical marijuana dispensary permit holder shall acquire a Board of Equalization (BOE) seller's permit or application for BOE seller's permit for the commercial medical marijuana activity in which they engage pursuant to the Business and Professions Code. The applicant shall provide a copy of the Board of Equalization Seller's Permit to the City consistent with the Business and Professionals Code.

Building Division Conditions:

53. The applicant shall obtain approvals from all departments for all issued permits including, but not limited to, building, fire, planning, grading, SD County ACPD, SD County HazMat, encroachment, or other permits for the proposed improvements prior to the issuance of a certificate of occupancy.

Engineering Conditions:

54. The applicant shall remove and replace existing curb and sidewalk if it is found to be cracked, broken or displaced. The city Inspector will identify the limits of removal and replacement. Pedestrian ramps will be brought up to current ADA requirements.

55. The applicant shall install street trees with pedestrian friendly tree grates in the sidewalk and contiguous with the curb, along El Cajon Boulevard, equal to 1 tree for every 35 feet of property frontage. (Refer to SDRSD L4 and LMSD LS1 through LS3.)
56. All street and drainage improvements shall be completed and accepted by the engineering inspector prior to occupancy.

Fire Department Conditions:

57. Prior to occupancy, hand portable fire extinguishers are required to be installed as directed by Heartland Fire & Rescue Fire Prevention staff. The size, location, and markings shall be illustrated on the floor plan of the construction documents. Prior to installation the client is directed to request a fire inspection to confirm the locations of the fire extinguishers due to field changes with business systems that could conflict with the construction documents.
58. Permanent commercial/industrial three-dimensional street numbers, minimum 12 inches in height with a ½ inch stroke, shall be provided on the address side of the building at the highest point and furthest projection of the structure. The address shall be visible from the street and shall not be obstructed in any manner.
59. Address numbers and suite numbers are required to be installed or painted on the rear of access doors to multiple suite facilities. Numbers or letters shall be a minimum of four (4) inches in height and placed on a contrasting background.
60. Provide plans on AutoCAD (any release) for pre-fire planning use by fire department. Information shall include locations of all exits, stairwells and roof access. Also, gas, electrical, water, fire sprinkler and standpipe valves and shutoffs, and elevator and electrical equipment rooms, fire alarm panels, remote annunciators and RTU/HVAC detectors.
61. Knox emergency access key box is required at each building, with specific mounting locations approved by Heartland Fire & Rescue. Recessed mount key boxes are required. Premise keys for all buildings and areas shall be marked and placed in the box prior to final inspection to ensure emergency access. The building owner/occupants shall provide replacement keys whenever locks are change
62. Any gate or barrier across a fire access roadway, whether manual or automatic, must meet the Heartland Fire & Rescue requirements and have specific plans and permits approved prior to installation. Gates serving commercial structures must be automatic and meet UL 325 and ASTM F 2200 standards. Knox brand key-operated electric key switch keyed to Heartland Fire & rescue specification are required. The Knox switch shall override all gate functions and open the gate. Other access control systems such as Opticom, siren, etc. shall be permitted with the approval of Heartland Fire & Rescue.

Police Department Conditions:

63. The CCTV system must be installed and will provide 24/7, 365 days per year live video coverage and recoding. This recording can be viewed anytime 24/7, 365 remotely by the Police Department. These cameras will be designed to work in both the day time and

night time hours. An internet protocol (IP) address will be provided with the CCTV surveillance system.

64. Police Department representative must inspect and approve camera placement in each interior room and exterior of the building.
65. Police Department representative must check exterior lighting and landscape of the site.

The following conditions must be satisfied prior to the acceptance of improvements and filing of the Notice of Completion:

Building Division Conditions:

66. A delay egress door system is required to comply with California Building Code 1010.1.9.8. This requires the building to have an automatic sprinkler system and a Fire smoke and heat detection system per CBC 903.31.1 and 907.

Engineering Conditions:

67. The applicant shall install street trees according to the approved landscaping plan.
68. Landscaping for trees, shrubs, walls, fences, cut/fill slopes or other structures at or near driveway and street intersections shall conform to the intersectional sight distance criteria as provided by the California Department of Transportation (CalTrans) Highway Design Manual. Any obstructions which exceed a height of thirty-six (36) inches shall not be permitted within a distance of five (5) feet from the property line at the street.
69. Certification of the as-built elevations of the structures shall be furnished to the City Engineer prior to release of bonds.
70. The applicant shall complete grading in one operation. All BMPs and improvements shown on grading and site development plans shall be installed.

The following conditions shall apply to operation of the use:

71. The project shall comply with the development standards of the underlying zone, including but not limited to parking standards and requirements, trash and recycling enclosure standards, and landscape standards.
72. Revocation of a permittee's State license shall result in immediate revocation of the City of La Mesa's Conditional Use Permit.
73. The applicant shall conform to the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), and as it may be amended, to track, test, seal and label, at a minimum, all products.
74. The operation of the business shall comply with State Licensing outlined in California Business and Professions Code Division 10, as amended, and any other applicable laws or regulations.
75. Business operations shall not commence unless and until all required approvals, inspections and licenses have been obtained.

76. A copy of the medical marijuana dispensary Conditional Use Permit and State license shall be displayed inside the facility in a place visible to the public.
77. The medical marijuana dispensary shall not transfer ownership or control of the business to another person or entity unless and until the transferee first obtains an approval from the City of La Mesa, and the appropriate City of La Mesa fees are paid.
78. The business shall be subject to future local taxes. If a local tax is implemented, a payment schedule shall be established.
79. The dispensary shall operate only between the hours of 7:00 a.m. and 9:00 p.m., seven days a week.
80. All activities associated with the business shall be conducted indoors.
81. Delivery of marijuana is prohibited with exceptions pursuant to Subsection 10.39.030 of the La Mesa Municipal Code and shall not apply to (i) primary caregivers delivering medical marijuana to qualified patients, (ii) qualified patients transporting marijuana for personal use only, (iii) duly licensed delivery services delivering medical marijuana to qualified patients, or (iv) duly licensed delivery services related to duly licensed medical marijuana facilities pursuant to Measure "U" (Ordinance No.2017-2857).
82. No one under 18 years of age is allowed in the dispensary unless accompanied by a primary caregiver or a licensed attending physician or documented legal guardian.
83. Electricity in the medical marijuana dispensary shall be grid connected and compliant with current code. The use of generators other than for emergency security back-up is prohibited.
84. Any volatile substances as well as any hazardous materials stored or used on premises shall be disclosed in advance to the City and stored or fastened in a secure manner or as required by City code. Volatile solvents shall be prohibited.
85. Security shall be provided at the dispensary which shall include operable cameras, alarms, and a security guard.
86. At all times the medical marijuana facility is open, the facility shall provide at least one security guard who is licensed by the State of California, possesses a valid Department of Consumer Affairs "security guard card," and has a valid City of La Mesa Business License. The applicant shall provide copies of security contracts and security guard cards.
87. The site shall be alarmed with a centrally monitored fire and burglar alarm system that is monitored by an alarm company licensed by the State of California (Business & Professions Code 7590 et.seq.). The applicant shall provide copies of alarm contracts and alarm company licenses.
88. Twenty-four hour, fixed-camera video surveillance shall be required and digital storage in the cloud or other off-site method of recordings shall be available for 90 days after recording. Further, that recording shall be of a sufficient quality to provide identification

of any individual being recorded. The surveillance shall cover every interior area and room and adjacent perimeter areas within a minimum of 50 feet. The City of La Mesa Police Department or other City authorized department shall have 24-hour remote access to the surveillance system.

89. Consultations by medical professionals shall not be permitted on the premises.
90. The use of Vending Machine which allows access to medical marijuana except by a responsible person is prohibited. A vending machine is any device which allows access to medical marijuana without a human intermediary.
91. No consumption of any cannabis product shall be allowed on the premises.
92. The consumption of food is prohibited on the premises.
93. The sale or consumption of any alcohol or tobacco products is prohibited on premises.
94. Performance entertainment as defined by LMMC Section 24.01.100 is prohibited.
95. Attractive nuisances dangerous to children, including but not limited to abandoned and broken equipment, iceboxes, refrigerators, and unprotected and/or hazardous pools, ponds and excavations are prohibited.
96. All cannabis products that can be ingested by eating or drinking shall have a warning label or sign advising them of the potential hazard associated with over-consumption.
97. The applicant shall keep accurate records of commercial cannabis activity and shall maintain all records related to commercial cannabis activity for a minimum of seven years.
98. Disposal of any unused or unwanted medical marijuana shall be in conformance with applicable State laws and shall not be disposed of, as or with, routine garbage.
99. The medical marijuana dispensary shall maintain a current register of the names of all employees currently employed by the dispensary and shall disclose such registration for any City officer or authorized official for purposes of determining compliance with local and State medical marijuana employment requirements.
100. All employees shall undergo a background check and any person who has been convicted of a felony shall not be employed by or operate, manage, control or own the dispensary facility or premise.
101. All employees of the medical marijuana dispensary shall have clearly visible photo identification badges that are to be worn at all times when they are on the premises of the facility.
102. All staff of the medical marijuana dispensary shall receive appropriate training for their intended duties as required by State and local law.
103. At least two (2) employees shall be on the premises during business hours.

104. Signs shall be posted on the outside of the dispensary and shall only contain the name of the business, limited to two colors.
105. Logos visible to the public are prohibited.
106. The name and emergency contact phone number of an operator or manager shall be posted in a location visible from outside of the dispensary in character size at least two inches in height.
107. The dispensary shall post and maintain professional quality sign consistent with LMMC Title 15 and Chapter 24.23 facing the parking lot(s) that reads "No loitering, no littering violators subject to arrest" in English and Spanish.
108. Site lighting shall be provided to illuminate the interior of the dispensary, facade, and the immediate surrounding area, including any accessory uses, parking lots, and adjoining sidewalks such that the property is well lit at night to prevent loitering and eliminate hiding places. Lighting shall be of consistent levels to reduce contrast between shadows and illuminated areas and shall be hooded or oriented so as to deflect light away from adjacent properties.
109. Exterior site and building lighting shall remain illuminated at all times between sunset and sunrise with sufficient intensity to illuminate every portion of the premises including but not limited to parking, any accessory uses, and adjoining sidewalks.
110. The applicant shall maintain the premises and property in good condition and repair. All yards and other open spaces around buildings shall be kept free of waste, litter, junk, or storage of any material. Packing boxes, lumber, litter, dirt and other debris accumulated in vestibules, doorways or the adjoining sidewalks or outside commercial buildings and visible from public or private streets shall be prohibited. Maintenance of the property and the responsibility for such maintenance shall be that of the owner of record and/or the occupant, separately or jointly, and either or both may be cited for any violation on the building site.
111. All approved landscaped areas shall be properly maintained by regular watering, mowing, pruning, fertilizing, clearing of weeds and debris, the removal and replacement of dead or diseased plants and trees, and the repair and replacement of irrigation systems and integrated architectural features (e.g., fountains).
112. Landscape design and maintenance shall implement applicable CPTED principles which shall demonstrate the following to the satisfaction of the Police Department:
 - a. Trees shall be at least 8 feet above the ground and bushes shall be trimmed to less than 3 feet to allow for natural surveillance of the property.
 - b. Landscape shall not obstruct the view of any windows, doorway, security cameras and light.
113. All fences, structures, building materials, and architectural features shall be kept in good condition, both structurally and aesthetically. Awnings and other features constructed of materials subject to weathering and deterioration shall be replaced when they are worn, tattered, excessively faded, or otherwise in poor condition. All building and exterior

- finishes and architectural features shall be maintained to avoid the appearance of deterioration or disrepair from excessive weathering, paint chipping or peeling, excessive cracks, broken windows or doors, or other conditions that represent lack of proper property maintenance.
114. The approved Conditional Use Permit shall be subject to medical marijuana maintenance reports, CUP inspection reports, and annual Police background checks for all employees. Payment for the Maintenance Report shall be submitted to the City no later than 60 days in advance of the required annual Maintenance Report due date. The annual Maintenance Report due date is the anniversary date of the effective date of the Conditional Use Permit.
 115. Pursuant to the La Mesa Municipal Code (LMMC) Section 24.02.060, this Conditional Use Permit may be revoked or suspended by the Planning Commission if it determines that the permit was obtained through fraudulent representatives or the use was subsequently changed in operation contrary to representations or conditions applied pursuant to Measure U, LMMC Section 24.23. The permit may also be revoked due to legitimate loitering complaints, noise complaints, and smell complaints, or non-compliance with the Conditional Use Permit, or non-compliance with other applicable state or local regulations. The Conditional Use Permit may be revoked or suspended due to failure to enact a correction ordered by the City, as well as non-compliance with the regulations of Measure U or failure to comply with any State law, regulation or code. The licensee shall have a reasonable opportunity and time to cure the complaint or possible non-compliance before being subject to revocation or suspension. If the use should create a nuisance to surrounding properties, staff shall schedule a public hearing before the Planning Commission to evaluate the operations of the business. If the Planning Commission finds that the operation is creating a nuisance, the Commission may then impose additional restrictions on the business.
 116. The City or its designee shall have access to the medical marijuana facility for inspection of the facility, the employees, and records (HIPPA compliance rules apply) during any normal business hours or at any other reasonable time. The applicant shall provide and deliver records to the City upon request.
 117. City staff shall be allowed access to the premises in accordance with State law.
 118. The medical marijuana dispensary licensee shall have a reasonable period of time, which shall not exceed 14 calendar days, to cure a legitimate complaint unless the complaint would result in an immediate danger to the public and shall be cured immediately as determined by local law enforcement or other appropriate authority.
 119. Fire Protection systems shall be in operational order at all times.
 120. Any access to the dispensary, both directly through the emergency exit or indirectly through the front commercial suite, from El Cajon Boulevard is strictly prohibited. Doors controlling this access shall be alarmed and a security guard shall be stationed in the area to control and monitor the access at all times the business is open. It shall be the responsibility of the applicant to ensure that no such access occurs. Evidence of such access shall be considered grounds for revocation of this use permit and any state licenses garnered and/or granted in reliance on this use permit.

121. Clear and legible signs shall be posted at entrances on El Cajon Boulevard stating that any access to the dispensary through that entrance is strictly prohibited.

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CERTIFICATION OF DESIGN REVIEW BOARD ACTION

FILE: Project No. 2017-31 (Hillside)

MEETING DATE: August 9, 2021

SUBJECT: Consideration of a proposed commercial building with a cannabis use at 7901 Hillside Drive, APN 470-200-27-00 in the C-D-MU (General Commercial / Urban Design Overlay / Mixed Use Overlay) zone

DETERMINATION: After reviewing the proposal, the Board made a motion to recommend approval of Project No. 2017-31 based on plans stamped received by the City on July 1, 2021, and a finding that the project is consistent with the City's Urban Design Program and Mixed Use Overlay Design Guidelines, subject to the following recommendations:

- 1) The applicant shall break up the mass of the elevator shaft's west façade through signage, modification of materials, or architectural definition.
- 2) The applicant shall provide 36-inch box street trees instead of the 24-inch box trees currently shown on landscape plans.

The vote on the motion was as follows:

Aye: Chair Langdon, Board members Taylor and Kusiak
Nay: Board member Lorenz
Absent: Board member Feske

ATTEST:



Kerry Kusiak
Director of Community Development

ATTACHMENT B

CITY OF LA MESA
RECEIVED

2021 OCT 20 PM 3: 56

MEGAN WIEGELMAN, CHC
CITY CLERK

October 20, 2021

Office of the City Clerk
City Hall
8130 Allison Avenue
La Mesa, CA 91942

To the Honorable Mark Arapostathis, Mayor, and Members of the Council:

RE: Appeal of Planning Commission approval of Project No. 2017-31 (CUP 17-88) (Hillside) a proposed commercial building and conditional use permit for a storefront retail ... cannabis use at 7901 Hillside Drive, APN 470-200-27-00 in the C-D-MU (General Commercial / Urban Design Overlay / Mixed Use Overlay) zone

- (1) Applicant: Willie Senn for Urbn Leaf La Mesa Inc.; 7901 Hillside Drive, La Mesa, CA 91942; 619-346-0587
- (2) Determining agency: Planning Commission
- (3) Date of determination: October 6, 2021
- (4) Determination: approval
- (5) Appellant's interest: CASA is a 501(c)3 nonprofit organization dedicated to educating, equipping and empowering residents to advocate for safe and healthy neighborhoods. CASA's interest in this case arises from our communications with residents, schools and businesses neighboring the proposed marijuana retail store who will be adversely affected by it as detailed in the application.
- (6) We believe that the Planning Commission's determination in this case was erroneous on these points:
 - A. It violates of the Purpose of Chapter 24.23 of the Zoning Ordinance of La Mesa as stated in the last (7th) WHEREAS: the City Council now desires to exercise its police powers solely to provide for the zoning of dispensaries in such a manner as to **limit the impact on** the City generally and **residential neighborhoods in particular** [emphasis added]. §24.23.010

The narrowness and poor condition of Hillside Drive and its feeder streets were vividly described in several of the public comments received prior to and during the public hearing. Residents reported that it is currently impossible for two-way traffic to proceed when cars are parked on both sides of the street, which is the prevalent situation on all of those streets due to the large number of multi-family buildings in the neighborhood.

Hillside Drive ends less than 175 feet from the proposed project, not in a navigable cul-de-sac, but in an abrupt, poorly maintained, unprotected dead end which is entirely unsuitable for commercial traffic.

ATTACHMENT C

Providing a mere 8-space parking lot and adding to the traffic and on-street parking on Hillside Drive are not only contrary to the stated purpose of limiting the impact of this proposed dispensary on the residential neighborhood; indeed, they intensify the impact.

- B. It violates the minimum separation by path of travel of 1000 feet from other dispensaries as stipulated in Chapter 24.23.030 – Section 2. Dispensaries. The Vicinity Map provided by the City on page 2 of the Staff Report clearly shows two existing, well-traveled paths between Hillside Drive and El Cajon Boulevard. A third path from the end of the parking lot of the homes next door to 7901 Hillside Drive is not seen in this aerial view, but it is readily visible from the sidewalk on El Cajon Boulevard.

The definition of “Path Of Travel” in the ordinance (§24.23.020 c) is met by both of the two footpaths that are visible in the City’s Vicinity Map: they are continuous, they are unobstructed, they are ways of passage that would allow a pedestrian to approach, enter, and exit the proposed dispensary and connect with an exterior approach to an existing dispensary. In each case, the path of travel between dispensaries, as defined in ordinance, is well under 1000 feet.

For the reasons listed above, we urge you to overturn the La Mesa Planning Commission’s October 6, 2021, approval of Project No. 2017-31 (CUP 17-88) (Hillside) for its incompatibility with the City’s Municipal Code zoning provisions.

- C. We also ask that, as the elected body that sets policy and gives direction on all matters concerning the City, you reject this application as a violation of the purpose and intent of Municipal Code Chapter 6.11.010 **to regulate the cultivation, processing, manufacturing, testing, sale, delivery, distribution, and transportation of adult-use cannabis and cannabis products in a responsible manner to protect the health, safety, and welfare of the residents of the city of La Mesa** [emphasis added]. The clear and present danger this proposed location poses to the residents, pedestrians, and drivers on Hillside Drive and its feeder streets, in addition to the proximity of the proposed dispensary to an existing dispensary and the resulting density of cannabis businesses, are contrary to the health, safety and welfare of the nearby La Mesa residents.

Finally, and perhaps most importantly, locating the entry of this business on a residential street sets an ominous land use precedent for the City. During the Planning Commission’s deliberations on this application, it was made abundantly clear that once the Commission sets a precedent, that precedent **must** be applied to all subsequent applications in the name of “fairness” to the applicants, if not to the affected neighboring property owners.

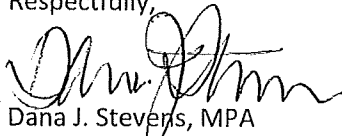
If this application is approved, residential neighborhoods that abut the *back* of commercial or industrial zones face the prospect that their front doors could open to the front door of businesses that can be open from 7 am until 9 pm, seven days a week. They will be across the street from businesses that are required to have exterior lighting bright enough to identify passersby. Their front porches will face businesses that are dangerous enough to be required to have a licensed security guard on site during its entire 14-hour business day.

Is this the La Mesa that City Council intends for its residents?

In the interest of the integrity of La Mesa's zoning and business ordinances, and for the health, safety, and welfare of the residents of the City of La Mesa, please overturn the Planning Commission's decision and reject this application for a marijuana retail store at 7901 Hillside Drive.

Thank you for your consideration.

Respectfully,



Dana J. Stevens, MPA
Executive Director

Appeal Filing Fee enclosed (Check # 1378)

Attachments:

- Issue A La Mesa, CA Code of Ordinances 24.23.010
 Selected opposition letters, Attachment D to the Staff Report for Project No. 2017-31 (CUP 17-88)
 (Hillside)
 Site Plan/Roof Plan, Attachment E to the Staff Report for Project No. 2017-31 (CUP 17-88) (Hillside)
- Issue B La Mesa, CA Code of Ordinances 24.23.030
 La Mesa, CA Code of Ordinances 24.23.020
 Vicinity Map, Staff Report for Project No. 2017-31 (CUP 17-88) (Hillside), Page 2
- Issue C La Mesa, CA Code of Ordinances 6.11.010

Appeal of Project No. 2017-31 (CUP 17-88)
October 20, 2021

Issue A

Evidence

24.23.010 - Purpose; Establishment by Citizen Initiative.

WHEREAS, in 1996 the voters of the State of California, including voters in the City of La Mesa passed Proposition 215, the Compassionate Use Act, that allows the use of marijuana for medical purposes when recommended by a physician and excludes from criminal prosecution the patient and the primary caregiver, as defined; and

WHEREAS, in 2003, the State of California enacted Senate Bill 420, the Medical Marijuana Program Act (MMPA), which established requirements for the issuance of voluntary identification cards; provided a defense to criminal charges related to the cultivation, possession, sale, or storage of medical marijuana; prohibited the distribution of marijuana for profit; exempted from prosecution qualified patients and designated primary caregivers who associate to collectively or cooperatively cultivate marijuana for medical purposes; required the Attorney General to issue guidelines for the security and non-diversion of medical marijuana; and allowed cities to adopt and enforce laws consistent with the MMPA; and

WHEREAS, in 2015, the State of California enacted Senate Bill 643, Assembly Bill 266, and Assembly Bill 243, comprising the Medical Marijuana Regulation and Safety Act and establishing a comprehensive regulatory framework for the production, transportation, and sale of medical marijuana.

WHEREAS, under federal law, the possession, transfer, or sale of marijuana remains a criminal act; and

WHEREAS, all powers not delegated by the United States Constitution to the United States nor prohibited by it to the states are reserved to the states or the people, pursuant to the Tenth Amendment of the United States Constitution; and

WHEREAS, in the State of California, zoning is a local matter exercised by the cities pursuant to the police powers set forth in Article XI, Section 7 of the California Constitution; and

WHEREAS, the City Council now desires to exercise its police powers solely to provide for the zoning of Dispensaries in such a manner as to limit the impact on the City generally and residential neighborhoods in particular; NOW, THEREFORE, BE IT ORDAINED, by a vote of the people of the City of La Mesa as follows: [see sections 24.22.010 through 24.22.060]

(Ord. 2016-2852; November 8, 2016)

From: Planning
To: "Jennfer Bartindale"
Cc: Kerry Kusiak; Michael Fellows
Subject: RE: Marijuana Dispensary
Date: Wednesday, September 15, 2021 5:28:19 PM

Good Afternoon,

Project No. 2017-31 (CUP 17-88), which is listed on tonight's Planning Commission agenda, will be continued to a date certain of October 6th.

Thank you for your interest in the City of La Mesa.

Sincerely,
Cheryl

Cheryl Davis • Administrative Coordinator • Community Development • 619.667.1190 P • 619.667.1380 F

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

From: Jennfer Bartindale [<mailto:bartguf1015@cox.net>]
Sent: Wednesday, September 15, 2021 1:47 PM
To: Planning
Subject: Marijuana Dispensary

I am opposed to the marijuana dispensary being allowed to locate in my residential area. I am appalled that this would even be a consideration!

This is a family neighborhood! Children play in front of homes, people walk their dogs on the side walks. Out street is so narrow that with cars parked on both sides, I have to pull over to let another car go by.

There is extremely limited street parking for the residents of my neighborhood. As is, the nursing home and assisted living facility personnel already take up most of the daily parking spaces. We are already crowded for street parking.

It is in direct conflict to the law that prohibits marijuana dispensaries to be located within 1,000 feet of each other. There is an existing dispensary directly parallel to the proposed one. The law also prohibits any customer based storefront commercial business to operate out of a residential neighborhood. This is a residential area!

I believe it would increase crime in the area with the introduction of drug addicts in the area. They would be in our neighborhood and if they can't afford their pot, they might resort to breaking into cars and our homes.

Please do not destroy our family friendly neighborhood.

Sincerely,
Jennifer Bartindale
4890 Clearview Way
La Mesa CA 91942
619.251.5042

JB Sent from my iPhone

La Mesa Planning Commission 9.13.21

I am writing to you about the proposed storefront marijuana dispensary to be built at 7901 Hillside Drive. I am not against dispensaries I am against where they want to put this one. Hillside Drive and the surrounding neighborhoods and streets are a very quiet residential neighborhood and is not the place to open a commercial business. There is a law prohibiting marijuana dispensaries to be located within 1000 feet of each other. If you allow this dispensary to be built that law will be broken. There is a dispensary on El Cajon Blvd called Cookies that is within 1000 ft if you allow this dispensary to be built. I live on Clearview Way and have lived here for 22 yrs. For the years I have lived here we have had constant parking problems. There is not enough parking spaces for the residents that live here and have to park on the streets daily. The Hillside property has very little if any off street parking for employees or customers which will also impact the residents that have to park on the street daily. If you allow a high impact customer based commercial business it will adversely effect the neighborhood by adding traffic on Hillside Drive, Clearview Way and Colowee St. The streets are so narrow 2 cars have a hard time passing each other at the same time we usually have to let one or the other car go first. The road/streets were not built for heavy car or commercial traffic. The roads/streets are constantly having to have potholes filled and this is happening with just the traffic we have now. Clearview Way would be the main road to this dispensary. Cars would have to come down Colowee St/Hill which already has an excess of

speeding cars coming down the hill and then make a quick turn onto Clearview Way. I am afraid that a speeding car is going to jump the corner and come crashing into my garage or bedroom. Hillside Drive is a non-through dead end street which would cause driving and parking congestion that is not needed in this peaceful neighborhood. This dispensary will be open for 14 hours a day which will cause a high volume of street and pedestrian traffic which will effect the quality of life of the neighbors that live in the area and have a right to have a good peaceful quality of life and to be able to enjoy their neighborhood. The City of La Mesa has so many dispensaries on main streets, business and commercial districts. There are so many vacant and boarded up building in the City of La Mesa that they could use that wouldn't impact the neighbors around them. Why would ~~they~~ you want to approve this proposed dispensary that will only cause an incosity and unrest in a peaceful neighborhood when there are so many other more appropriate areas they could and should choose. Why would they want to move into an area that does not want them. For the 22 years I have lived in the area I have never known this Hillside Dr. address to be a commercial business but has only been used as a residence. I fill the Zoning Department needs to amend zoning for mixed use parcels and not allow this on Hillside Drive, Clearview Way or Culowee St. Please take a drive and look at Culowee St, Clearview Way and Hillside Drive and see for yourselves what I am talking about so you can get a clear picture of the devastation this dispensary opening would cause and ask yourselves if you lived in these neighborhoods would you want

this dispensary to open up here. I drive by Cookies on El Cajon Blvd at different times of the day and night and they are always busy with customers parking their cars in the parking lot and the cars spill out onto the street taking up all the parking spaces for quite a distance. There wasn't a parking problem when there was a copy shop there. We don't need the same kind of problem coming to our neighborhood. Thank you for your attention to this matter. I hope this letter helps you come to the correct answer.

Sincerely

Jamikhya Davenport
4890 Clearview Way
La Mesa, CA 91942

619-741-1385

Please feel free to call me if you have any questions or need more information.

From: [Nickolas Del Pego](#)
To: [Michael Fellows](#)
Subject: Re: 7901 Hillside Dr Proposed Marijuana Dispensary
Date: Wednesday, September 8, 2021 10:05:54 AM

Hi Michael,

Thank you for your response. This is a neighborhood we have been in since 1978, where I used to ride my bicycle on the residential streets of Clearview and the upper eastern side of Hillside Drive as I grew up. While the parcels that straddle El Cajon Blvd and Hillside Drive, east of Clearview Way, have been mixed use, they have never impacted the residential homes with commercial traffic. General access to their commercial operations has been through the El Cajon Blvd. side. I'm aware of the zoning and the implications, work professionally in government land use, and from a practical side this would be the first parcel on that East end of hillside to bring in commercial traffic by routing it through the side of the parcel directly adjacent to the residential neighborhood. I do not believe the intent of these mixed use parcels was to do so and they never have before. If approved, this proposal would change the nature of the residential portion of a neighborhood that has been relatively quiet for the past 70 plus years since our neighbor Mr. Hall first built his home on the top of the dirt street.

Best,

Nick Del Pego

Yvonne's Son and co-owner of her home, literally five doors down from the proposed dispensary's parking lot
858-248-9492

On Wed, Sep 8, 2021 at 9:08 AM Michael Fellows <MFellows@cityoflamesa.us> wrote:
Hi Yvonne,

The existing residence at 7901 Hillside Drive would be removed. A new commercial building would be constructed at the ground level of and front upon El Cajon Boulevard. The parking lot for this building would be accessed from Hillside drive and be partially located on the roof of the building. Customer access to the dispensary would be provided via an elevator from the Hillside Drive parking lot.

While staff understands your concern about impacts on the neighborhood, Measure U (approved by voters) specified requirements for dispensaries. Staff has reviewed the application and found it complies with Measure U and development standards for the zone, including the required number of parking spaces for the building.

Please do not hesitate to contact me if you have further questions, Mike

Michael Fellows, AICP

Contract Planner

City of La Mesa | 8130 Allison Avenue | La Mesa, CA 91942

Phone: 619.667.1103 | Email: mfellows@cityoflamesa.us | www.cityoflamesa.us

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

From: Hotmail [mailto:yvonne_ellen@hotmail.com]
Sent: Tuesday, September 7, 2021 7:11 PM
To: Michael Fellows
Cc: Nick Del Pego
Subject: 7901 Hillside Dr Proposed Marijuana Dispensary

To: Michael Fellows, AICP, Contract Planner

Please clarify if the "proposed storefront marijuana dispensary in a proposed commercial building" is for a new commercial building to be built on the lower ElCajon Blvd side of the Hillside property or if the proposal is to have the current residential house on that property changed to be considered a commercial building.

My property at 4930 Clearview Way is in very close proximity to the Hillside property. How customers would access the proposed dispensary would make a significant difference. Access from the residential side would hugely impact the significantly limited residential parking. Any additional traffic on the very narrow Hillside, Clearview and Culowee streets would cause additional issues.

Your clarification of what is being proposed is greatly appreciated.

Thank you,
Yvonne Ellen

From: Planning
To: Michael Fellows
Subject: FW: Proposed 7901 Hillside Drive Storefront Marijuana Dispensary
Date: Tuesday, September 14, 2021 8:51:08 AM
Attachments: image002.png
image003.png

Hi Mike,

This came from the Planning email.

Thank you

Tejennia Hargrove

Development Services Technician II

City of La Mesa | 8130 Allison Avenue | La Mesa, CA 91942

Phone: 619.667.1348 | Email: THargrove@cityoflamesa.us | www.cityoflamesa.us



From: Yvonne Ellen [mailto:yvonne_ellen@hotmail.com]
Sent: Tuesday, September 14, 2021 12:52 AM
To: Planning
Cc: SaveLaMesaStreets@gmail.com
Subject: Proposed 7901 Hillside Drive Storefront Marijuana Dispensary

The issue is this proposal, if passed, will transform a quiet residential neighborhood into a high impact customer based commercial business area and have a far ranging impact. Those initiating this proposal are attempting to avoid current laws prohibiting marijuana dispensaries to be located within 1,000 feet of each other. If measured in a straight line along El Cajon Boulevard, Cookies marijuana dispensary, located at 7935 El Cajon Boulevard, is only **235 feet** from the El Cajon Boulevard side of the 7901 Hillside Drive property. But if you go to the end of the El Cajon Boulevard block, turn the few feet onto Guava, and immediately turn onto Hillside to the 7901 address, that driving distance is **2,018 feet**. It is a nice trick! But that is why the dispensary entrance must be on Hillside instead of El Cajon Boulevard. That is why there would only be an emergency exit on the El Cajon Boulevard side in the proposed new commercial building. In addition, most marijuana dispensaries, like Cookies, operate from 7 AM to 9 PM seven days a week! If this proposal is allowed to pass, the immediate and long-term result will be 14 hours a day of high-volume street and pedestrian traffic, and street parking issues for the residents of the surrounding neighborhoods that already have extremely limited street parking available. To allow any customer based storefront commercial business to operate out of any existing residential neighborhood destroys the peace and quiet of that neighborhood and the surrounding neighborhoods.

There are numerous residential properties zoned for mixed use throughout La Mesa that abut major thoroughfares. It is unlikely that the intent was ever for those properties to allow the intrusion of high volume, customer based commercial businesses to operate in quiet, established, residential neighborhoods where residents are raising their children and hoping for a little peace and quiet. I

bought my home on Clearview Way in 1978. It is where I have raised my family and enjoyed decades of friendships and the mutual support neighbors give to each other. These neighborhoods should be valued, not destroyed.

Hillside Drive is a short, non-through street. To eliminate the prospect of high volume commercial traffic in our neighborhood, is it feasible for the Zoning Department to amend zoning for the few mixed use parcels on Hillside to limit any commercial access to El Cajon Boulevard and to allow no new commercial access for mixed use properties on Hillside east of the Clearview Way intersection, and anywhere on Clearview Way or Culowee Street?

Respectfully,
Yvonne Ellen
Property Owner of
4930 Clearview Way

Sent from [Mail](#) for Windows

From: Planning
To: "Dwayne I"
Cc: Kerry Kusiak; Michael Fellows
Subject: RE: 7901 Hillside Drive Dispensary = NO!
Date: Wednesday, September 15, 2021 5:27:48 PM

Good Afternoon,

Project No. 2017-31 (CUP 17-88), which is listed on tonight's Planning Commission agenda, will be continued to a date certain of October 6th.

Thank you for your interest in the City of La Mesa.

Sincerely,
Cheryl

Cheryl Davis • Administrative Coordinator • Community Development • 619.667.1190 P • 619.667.1380 F



From: Dwayne I [mailto:ivey021@hotmail.com]
Sent: Wednesday, September 15, 2021 1:40 PM
To: Planning
Cc: Savelamesastreets@gmail.com
Subject: 7901 Hillside Drive Dispensary = NO!

Hello,

We recently became aware of the city of La Mesa considering a marijuana dispensary on Hillside Dr. with the storefront access pointing into the neighborhood at this location.

If you're not aware, the Hitching Post Motel is on that street and currently the residents there fight for street parking on Hillside Drive already as there is LIMITED TO NO PARKING anywhere in our neighborhood and the Hitching Post has few parking spaces which force the occupants to park mostly on Hillside and occasionally spilling onto Clearview Way.

As we bought a home on Clearview Way 8 years ago and we have maintained residence here this entire time, I can personally attest that the occupants that live on Clearview Way have regularly competed for parking the ENTIRE time we have lived here. Simply, there is NO PARKING available for anyone else except those that live in this neighborhood which includes Hillside Drive, Clearview Way and Culowee St.

In fact, it appears those evaluating this proposal are completely unaware even of the limited width of Hillside Drive, Clearview Way AND Culowee St. On both Hillside Drive and Clearview Way, only ONE vehicle can pass thru at a time due to there not being enough space

for two cars to drive past each other in both directions at the same time. Cars are parked daily on each side of the street, as well.

Furthermore, though the city seems to think that it's important to pave and repave Guava, La Mesa Drive and El Cajon Blvd, I know for a fact that Hillside Drive and Clearview Way have NOT been paved by the city in at least 8 years! And now you want to send more traffic our way?! No!

Additionally, every time you close Guava and/or La Mesa Blvd, our neighborhood gets slammed with drivers speeding thru our one vehicle able to pass thru at a time street since there is no other way to get to El Cajon Blvd unless you go all the way to Baltimore, or worse, down west toward Parks Ave! You don't put cones up, you do not staff the corners or the streets in our neighborhood with construction personnel to ensure neighborhood safety. No, the drivers just speed their way thru our ordinarily peaceful neighborhood while putting our pets and children's lives in peril. That's another issue, I know, however, since apparently you are not adept to understand the dynamics of this neighborhood someone has to inform you of these issues.

And, adding a ridiculous business that will surely be super busy, constantly, will only compound these issues and completely ruin this neighborhood. Cookies, the marijuana dispensary that recently was allowed to be placed just below this proposed location on El Cajon Blvd already has added additional parking problems in our neighborhood when that business has a sale or special. El Cajon Blvd curbside parking gets filled and everyone then parks in our neighborhood thus clogging the streets and eliminating parking for our residents.

Furthermore, a business with entry into our neighborhood, as is being proposed, will surely REDUCE THE VALUE of our home. So, if you go thru with allowing this business to occupy said space with said entry into our neighborhood, I will tell you to expect lawsuits for the devaluation of our property due to this action. Our home is currently valued at OVER 800k and constantly increasing in value. Allowing this business, or ANY business to enter our neighborhood with neighborhood facing entry only via our streets of Hillside Drive, Clearview Way and/or Culowee will always be unacceptable!

Thank you.

Dwayne Ivey
Sara Backus
And the Backus Estate

From: Planning
To: Michael Fellows
Subject: FW: No To Marijauna Dispensary on 7901 Hillside Dr.
Date: Thursday, September 16, 2021 2:15:50 PM
Attachments: [image002.png](#)
[image003.png](#)

Hi Mike,

This came from the Planning email.

Thank you

Tejennia Hargrove

Development Services Technician II

City of La Mesa | 8130 Allison Avenue | La Mesa, CA 91942

Phone: 619.667.1348 | Email: THargrove@cityoflamesa.us | www.cityoflamesa.us



From: Matthew Stevens [<mailto:mateo1903@gmail.com>]
Sent: Thursday, September 16, 2021 12:43 PM
To: Planning
Subject: No To Marijauna Dispensary on 7901 Hillside Dr.

Hello,

Please do not approve the location of the proposed dispensary at 7901 Hillside Dr. I live a couple of blocks away from that site and I know how it is already very competitive for residents to find their own parking spots. Plus added commercial traffic will make the surrounding neighborhood even more unsafe for pedestrians and children at play. Please put the quality of life for La Mesa's residents ahead of the potential tax revenues from yet another dispensary.

Thank You for your consideration.

--

Cheers,

Matthew D. Stevens
(619) 961-7091
8038 Culowee St, La Mesa, CA 91942.

From: Planning
To: Michael Fellows
Subject: FW: Project No. 2017-31 (CUP 17-88) (Hillside)
Date: Tuesday, September 14, 2021 9:02:14 AM

Hi Mike,

This came from the Planning email.

Thank you
Tejennia Hargrove
Development Services Technician II
City of La Mesa | 8130 Allison Avenue | La Mesa, CA 91942
Phone: 619.667.1348 | Email: THargrove@cityoflamesa.us | www.cityoflamesa.us

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

From: Bill Stilwell [mailto:billstilwell2@gmail.com]
Sent: Sunday, September 12, 2021 10:29 PM
To: Planning
Subject: Project No. 2017-31 (CUP 17-88) (Hillside)

La Mesa Planning Commission,

Regarding the proposed Dispensary at 7901 Hillside Dr.

My wife and I have owned the property and lived at 4938 Clearview Way since January 1996. In that time the neighborhood has gone from about 50% rental property to about 80% rental. With that has come an increase in traffic and street parking. Clearview Way and Hillside drive are narrow streets. Cars traveling in opposite directions can not pass without one of them pulling over out of the way. This is extremely evident when Guava is closed and traffic detoured through Clearview and Hillside.

Our objection is to the vehicle access and parking lot on Hillside Drive.

Any business proposed for the mixed use lots on Hillside need to have vehicle access from El Cajon Blvd. Clearview Way and Hillside Drive can not handle any commercial traffic safely. These are narrow residential streets. Many times I have encountered kids playing in the street on Hillside when driving to my house. Add that to the narrow streets where cars can not pass in opposite directions at the same time and you can see why parking and vehicle access for a retail business on Hillside Drive is a bad idea.

Thank You,

Bill Stilwell

Sent from my iPad

From: Planning
To: "Calvin Gipson, Gipson.Assoc."
Cc: Kerry Kusiak; Michael Fellows
Subject: RE: Project No 2017-31 (CUP 17-88)
Date: Wednesday, September 15, 2021 5:28:45 PM

Good Afternoon,

Project No. 2017-31 (CUP 17-88), which is listed on tonight's Planning Commission agenda, will be continued to a date certain of October 6th.

Thank you for your interest in the City of La Mesa.

Sincerely,
Cheryl

Cheryl Davis • Administrative Coordinator • Community Development • 619.667.1190 P • 619.667.1380 F



From: Calvin Gipson, Gipson.Assoc. [mailto:bcgipson2000@yahoo.com]
Sent: Wednesday, September 15, 2021 3:07 PM
To: Planning
Cc: SaveLaMesaStreets@gmail.com
Subject: Project No 2017-31 (CUP 17-88)

To the members of the La Mesa Planning Commission,

In all my years as a Professional Architect and Planner, I have never seen any project so horrendous and inappropriately proposed.

If this CUP application (CUP 17-88) proposes to allow a commercial, 14 hours a day operation; to occur at 7901 Hillside Dr. with it's commercial entrance on Hillside Dr. (a residential dead end street, with limited vehicular access and parking) it appears intuitively obvious to me, that this is a terrible Idea. And for the planning commission; who's task it is is to provide for the general welfare and good city planning for it's citizenry, to approve this would be an horrific performance of that duty.

As it is, to access that portion of Hillside Dr. from Clearview Way, due to narrowness of the street, on many of occasions, one has to stop and pull over or back up to allow opposite flowing traffic to pass. So no, this is not a good idea.

And to reiterate, this is a dead end residential street, one in which some the neighborhood children use as an area to play, seeing as the opportunity for outdoor

play in this area is also very limited. This poses a considerable safety challenge. So no, this is not a good idea.

Dear Commissioners, assuming you live in a residential area (and I hate to make assumptions cause you know what that means) would any of you want an operation like this on the block where you reside? Does this make sense? Maybe to have access on El Cajon Blvd., maybe, but not Hillside Dr. Seriously?

Please consider your recommendations carefully and it's impact on this neighborhood and future neighborhoods.

This is a "Conditional Use Application". The applicate is asking for conditions that don't make sense at this location and are certainly not an example good city planning.

I urge you in your infinite wisdom, do not approve this application.

Thank you, for your time and consideration

Calvin E. Gipson,
Residential and Commercial Architect
Resident of 7939 Hillside Dr. La Mesa, CA 91942 Ph (619) 540-2237

From: Planning
To: Michael Fellows
Subject: FW: Proposed dispensary - 7901 Hillside drive -project # 2017-31(CUP 17-88) - neighbor concerns - Ken Vollmer
Date: Tuesday, September 14, 2021 9:59:10 AM
Attachments: [image002.png](#)
[image003.png](#)

Hi Mike,

This came from the Planning email.

Thank you

Tejennia Hargrove

Development Services Technician II

City of La Mesa | 8130 Allison Avenue | La Mesa, CA 91942

Phone: 619.667.1348 | Email: THargrove@cityoflamesa.us | www.cityoflamesa.us



From: Ken Vollmer [<mailto:kvollmer2005@gmail.com>]
Sent: Tuesday, September 14, 2021 9:52 AM
To: Planning
Cc: Ken Vollmer
Subject: Proposed dispensary - 7901 Hillside drive -project # 2017-31(CUP 17-88) - neighbor concerns - Ken Vollmer

Dear Planning Commission:

As a resident of the neighborhood where this business is proposed to be located, I have major concerns with this proposal. My address is 4935 Clearview Way.

Most importantly, I'm very concerned about the increase in traffic that this would bring. There are several small children very nearby that play near the street and, even though their parents are watching closely, they sometimes wander into the street. As a resident in this neighborhood, I know to drive slowly on Hillside Drive and Clearview Way. However, I'm sure you'd agree that a non-resident that is driving down these streets to get to a business may not be so careful. I believe the risk of a terrible accident would be too high and the dispensary should not be allowed to open here.

I'm also concerned about the likely overcrowding of parked cars on the nearby streets. As it is, our streets are very narrow and sometimes 2 cars going in opposite directions cannot even pass each other when cars are parked on both sides of the street. Also, several of the people that work in the assisted living home in our neighborhood currently park on my street. This is not an issue right now but these essential workers will likely have much more difficulty finding available parking if this business were to open.

Please consider my comments as you decide whether or not to approve this proposal.

Thank you,

Ken Vollmer
kvollmer2005@gmail.com

MEDICAL MARIJUANA DISPENSARY:

(PROJECT SCOPE)

Application for a Conditional Use Permit (CUP) for a Medical Marijuana Dispensary.

Scope of work to include:

- 1) Remove existing residential unit and driveway
- 2) New 2122 sq. ft. Medical Marijuana Dispensary and retail space
- 3) New 4' high parking area at upper level
- 4) New driveway, mechanical and trash area
- 5) New landscaping

Hours of Operation: 7:00AM to 9:00PM, seven days a week

No proposed deviations to building code

Proposed deviations for landscape at 7' setback

PARKING ANALYSIS:

REQUIRED PARKING: 2122 SF
2122 / 280 = 8 SPACES
SPACES PROVIDED = 8 SPACES

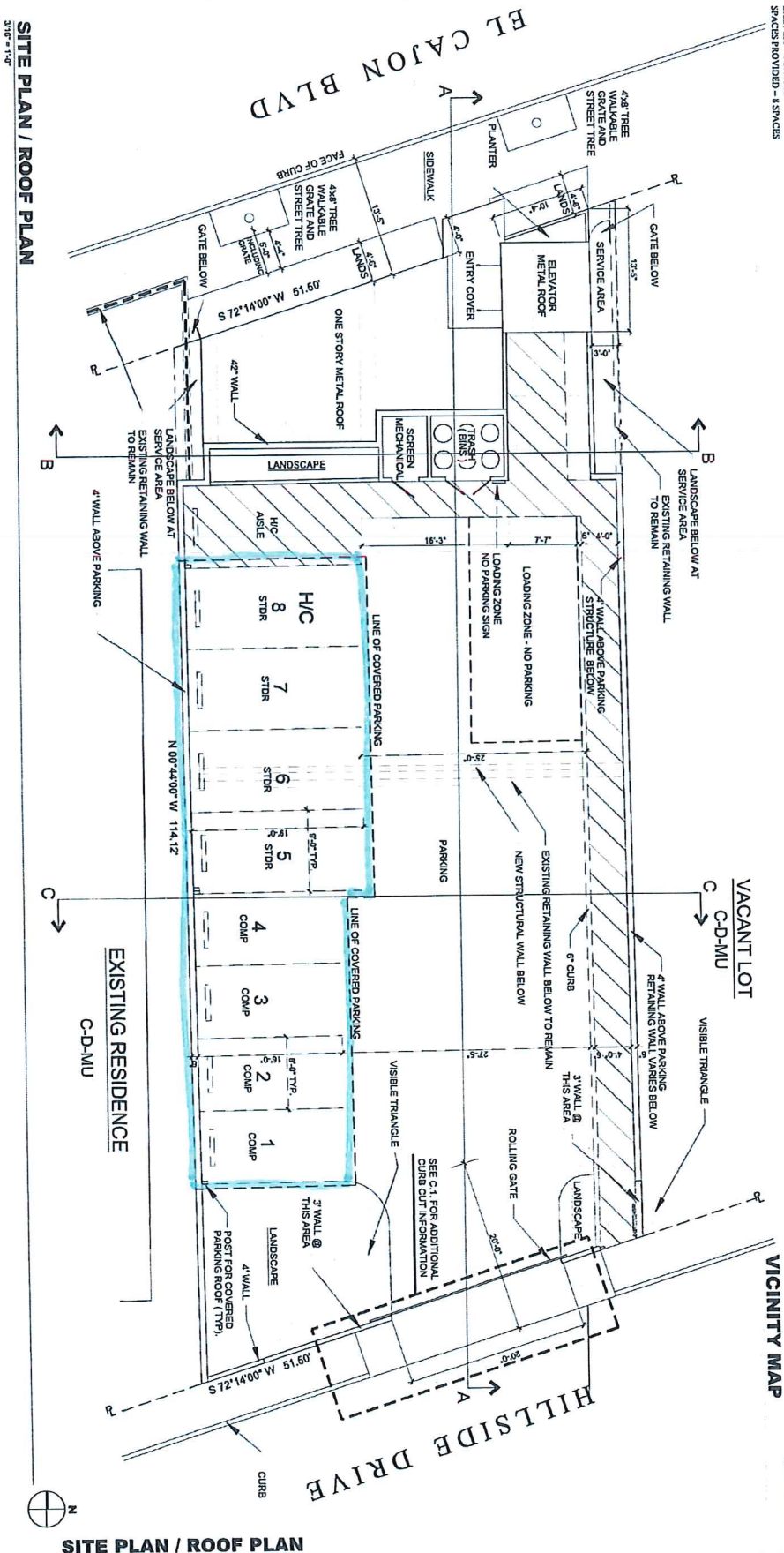
PROJECT DATA:

PROJECT ADDRESS: 7901 HILLSIDE DRIVE, LA MESA, CALIFORNIA
APPLICANT: WILL SHEN (619) 346-0587
LOCAL LOT: LOT 4 OF SUBDIVISION MAP 171, IN THE CITY OF LA MESA, SAN DIEGO COUNTY, CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER, FEBRUARY 24, 1924.
APN: 479-208-27
OWNER: 7901 HILLSIDE LLC
CONSTRUCTION TYPE: VB
OCCUPANCY CLASSIFICATION: M
ZONE: C-D-MU
LOT SITE AREA: 5,617 sq. ft. 0.129 ac.
LOT DIMENSIONS: 49.25' x 114.12'
FLOOR AREA (BUILDING): 2,122 sq. ft.
PROPOSED USE: M (Retail/Commercial) (Service) / B (Office)
Medical Marijuana Dispensary / Retail space
LANDSCAPE AREA: 1,296 sq. ft.

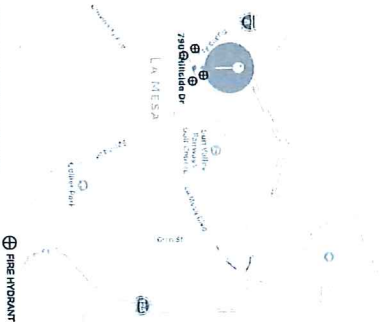
SHEET INDEX

- | SHEET INDEX | DESCRIPTION |
|-------------|---|
| A1 | SITE PLAN / ROOF PLAN |
| A2 | MEDICAL MARIJUANA DISPENSARY NOTES |
| A3.1 | LOWER LEVEL FLOOR PLAN |
| A3.2 | UPPER LEVEL FLOOR PLAN |
| A4 | DEMOLITION PLAN / SECURITY FLOOR PLAN / BUILDING CODE |
| A5.1 | EXTERIOR ELEVATIONS |
| A5.2 | PROPOSED ELEVATIONS COLORS |
| A6 | SECTIONS AND TRASH ENCLOSURE PLANS |
| A7 | EXTERIOR COLOR RENDERS |
| A8 | SITE PHOTOS |
| E1 | ELECTRICAL NOTES |
| E2 | MECHANICAL REFLECTIVE CEILING PLAN |
| L1 | LANDSCAPE NOTES |
| C1 | CIVIL EXISTING TOPO |
| C2 | CONCEPTUAL PERMANENT BMP PLAN |

This CUP is subject to all requirements specified under LAMCC 24.23.



VICINITY MAP



SITE PLAN / ROOF PLAN

ATTACHMENT E

PROJECT: URBAN LEAF
DATE: 10/20/2018
DRAWN: WILL SHEN
CHECKED: WILL SHEN
SCALE: AS SHOWN
SHEET: A1 OF A1

APPROVED
DATE: 10/20/2018
BY: WILL SHEN
FOR: URBAN LEAF

APPROVED
DATE: 10/20/2018
BY: WILL SHEN
FOR: URBAN LEAF

URBAN LEAF LA MESA INC.
7901 HILLSIDE DRIVE MMD
MEDICAL MARIJUANA DISPENSARY
APPLICANT: WILL SHEN 619-346-0587

Scott Bernet Architects
A Professional Corporation
2011 Second Ave., San Diego, CA 92101 619.237.5403 fax 619.237.9499

Appeal of Project No. 2017-31 (CUP 17-88)
October 20, 2021

Issue B

Evidence

24.23.030 - Section 2. Dispensaries

Dispensaries shall be permitted with a Conditional Use Permit in General Commercial (C), Light Industrial and Commercial Services (CM) and Industrial Services and Manufacturing (M) zones subject to the following restrictions and regulations.

- a) *Dispensaries* shall maintain the following minimum separation between uses, as measured by path of travel.
 - (1) 1,000 feet from City designated licensed childcare centers, *playgrounds*, *minor-oriented facilities*, other *Dispensaries*, or schools. For purposes of this section, *school* means any public or private institution of learning providing instruction in kindergarten or grades 1 to 12, inclusive, but does not include any private school in which education is primarily conducted in private homes.
- b) Consultations by medical professionals shall not be a permitted at a *dispensary*.
- c) Lighting shall be provided to illuminate the interior of the *dispensary*, facade, and the immediate surrounding area, including any accessory uses, parking lots, and adjoining sidewalks. Lighting shall be hooded or oriented so as to deflect light away from adjacent properties.
- d) Security shall be provided at the *dispensary* which shall include operable cameras, alarms, and a security guard. The security guard shall be licensed by the State of California and be present on the *premises* during business hours.
- e) *Signs* shall be posted on the outside of the *dispensary* and shall only contain the name of the business, limited to two colors.
- f) The name and emergency contact phone number of an operator or manager shall be posted in a location visible from outside of the *dispensary* in character size at least two inches in height.
- g) The *dispensary* shall operate only between the hours of 7:00 a.m. and 9:00 p.m., seven days a week.
- h) The use of *Vending Machine* which allow access to medical marijuana except by a responsible person, is prohibited. For purposes of this Section, a vending machine is any device which allows access to medical marijuana without a human intermediary.
- i) Applicants for Conditional Use Permit for cannabis manufacturing must provide written proof that the building owner and management condone cannabis manufacturing activity on the *premise*.
- j) A Conditional Use Permit for a *dispensary site* shall expire no later than five (5) years from the date of issuance.
- k) The City has may charge a reasonable set application fee for a Conditional Use Permit for a *dispensary site* and, as well as reasonable set annual fee for maintaining the *dispensary Site*

Conditional Use Permit. Such fees shall be established by the City planning department.

- l) A Conditional Use Permit for a *dispensary site* may be revoked or suspended due to legitimate loitering complaints, noise complaints, upon City confirmation of the smell or loitering nuisance, or non-compliance with the Conditional Use Permit, or non-compliance with other applicable state or local regulation. The licensee shall have a reasonable opportunity and time to cure the complaint or possible non-compliance as defined in this section before being subject to revocation or suspension.
- m) The applicant must meet any additional standard criteria and fulfill any additional standard requirements typically associated with obtaining a Conditional Use Permit in the City. The City shall review all qualifying applications at a reasonable pace and level of review equivalent to other land use projects requiring a conditional use permit.
- n) Rules, regulations and local permitting requirements imposed on a Dispensary by the City shall conform to the State licensing requirements for a Dispensary, as set forth by the California Business and Professions Code, Division 8, Chapter 3.5.

(Ord. 2016-2852; November 8, 2016)

24.23.020 - Section 1. Definitions

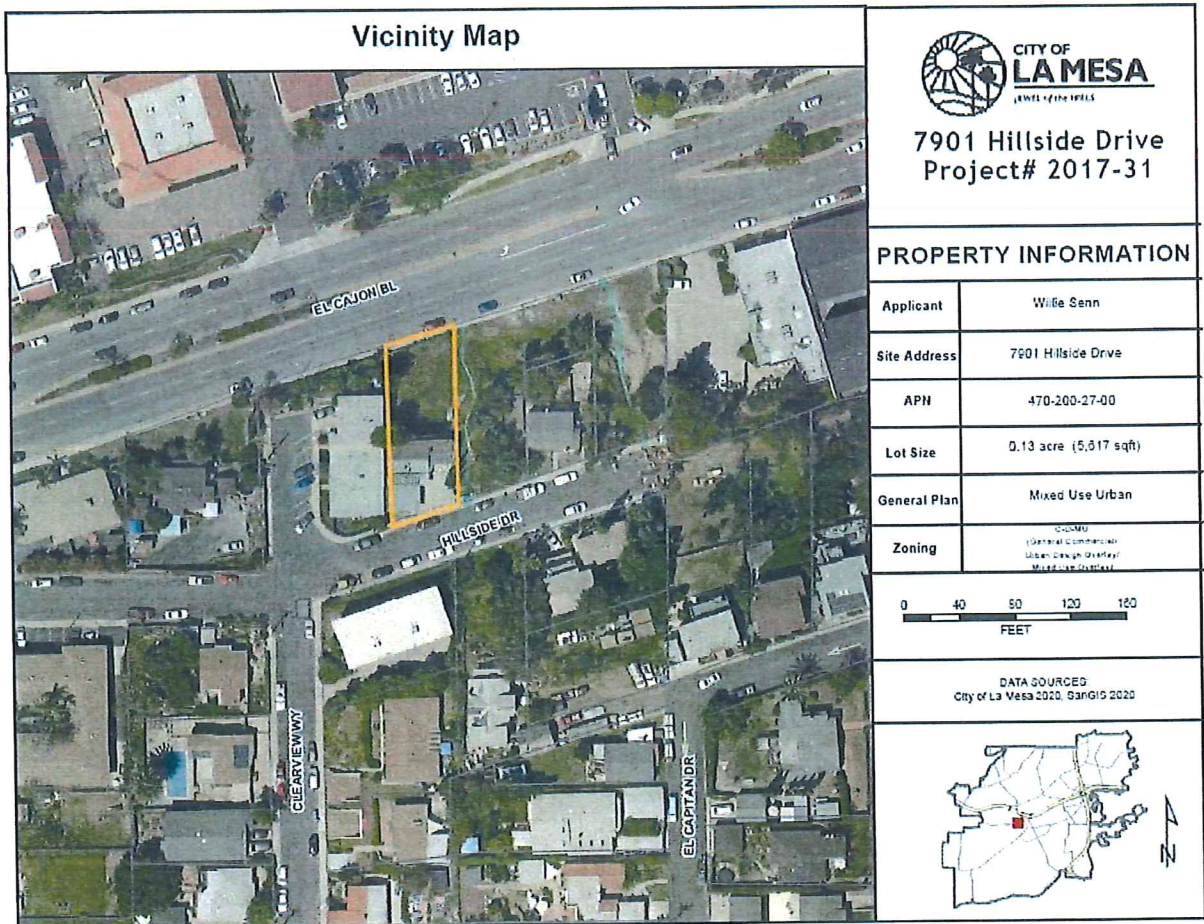
- a) "*Premise*" is defined to mean the legal parcel(s) of land and the improvements on it, including building(s), store(s), shop(s), apartment(s), or other designated structure.
- b) "*Dispensary*" as defined by Section 19300.5 of the California Business and Professions Code.
- * c) "*Path Of Travel*" is defined to mean a continuous, unobstructed way of pedestrian passage by means of which the altered area may be approached, entered, and exited, and which connects the altered area with an exterior approach (including sidewalks, streets, and parking areas), an entrance to the facility, and other parts of the facility.
- d) "*Cultivation*" as defined by Section 19300.5 of the California Business and Professions Code.
- e) "*Cultivation Site*" as defined by Section 19300.5 of the California Business and Professions Code.
- f) "*Cultivator*" is the organization or entity holding the Conditional Use Permit for *cultivation* activity at a location authorized by the City.
- g) "*Manufactured Cannabis*" as defined by Section 19300.5 of the California Business and Professions Code.
- h) "*Cannabis Concentrate*" means *manufactured cannabis* that has undergone a process to concentrate the cannabinoid active ingredient.
- i) "*Edible Cannabis Product*" as defined by Section 19300.5 of the California Business and Professions Code.
- j) "*Manufacturer*" as defined by Section 19300.5 of the California Business and Professions Code.
- k) *Manufacturing Site* as defined by Section 19300.5 of the California Business and Professions Code.
- l) *Distributor* as defined by Section 19300.5 of the California Business and Professions Code.
- m) *Distribution Site* means a location where medical cannabis obtained from a license *cultivator* or medical cannabis products from a licensed *manufacturer* is temporarily stored, prior to delivery to a licensed *dispensary* and as part of performing a *Distributor's* duties under state law.
- n) "*Plant Canopy*" is the amount of cannabis that can be grown which is the aggregate area of vegetative growth of live marijuana plants.
- o) "*Minor-Oriented Facility*" means any after school program, teen center, club for boys and/or girls, children's theater, or children's museum, where the primary use is devoted to people under the age of 18.
- p) *Playground* means any outdoor *premises* or grounds, owned or operated by the City, that contains any play or athletic equipment primarily used, or primarily intended to be used by, any person less than eighteen (18) years old.
- q) "*Vending Machine*" means any electronic or mechanical device or appliance, the operation of which depends upon the insertion of money, whether in coin or paper currency, or other things representative of value, which dispenses or releases a product.

- r) "*Small Specialty Indoor Cultivation*" is defined to mean cultivation in compliance with the regulations for a Cultivation License Type 1A (Specialty Indoor License), defined in California Business and Professions Code section 19332, subdivision (g)(2), and subject to all applicable sections of Senate Bill 643, Assembly Bill 266, and Assembly Bill 243.
- s) "*Nursery Cultivation*" is defined to mean cultivation in compliance with the regulations for a State Cultivation License Type 4 (Nursery License), defined in California Business and Professions Code section 19332, subdivision (g)(10), and subject to all applicable sections of Senate Bill 643, Assembly Bill 266, and Assembly Bill 243.

(Ord. 2016-2852; November 8, 2016)

Surrounding uses include a duplex to the south, a single-family residence to the east, the La Mesa Crossroads shopping center to the north (across El Cajon Boulevard), and an apartment building on the neighboring property to the west. There is an existing dispensary (Cookies CUP 17-95) nearby that will be discussed later in the report.

A vicinity map of the project site is shown below, and photos of the project site are provided as **Attachment B**.



The Design Review Board (DRB) reviewed the proposed commercial building and found that it is consistent with the intent of the Urban Design Program policies and the Mixed Use Overlay Design Guidelines. The Board recommended two Conditions be added to the project, including: 1) Breaking up mass of the elevator tower through use of signage, architectural definition, or materials; 2) The planting of 36-inch box trees instead of 24-inch box trees shown on the landscape plans. The DRB project approval would be scheduled for City Council ratification if this Conditional Use Permit (CUP) application is approved by Planning Commission. Proposed business signage will be processed under a separate permit.

Appeal of Project No. 2017-31 (CUP 17-88)

October 20, 2021

Issue C

Evidence

6.11.010 - Purpose and intent.

It is the purpose and intent of Chapter 6.11 to implement the provisions of the Medicinal and Adult Use Cannabis Regulation and Safety Act (hereinafter "MAUCRSA") to provide access to adult-use cannabis for persons over the age of twenty-one as authorized by the Control, Regulate and Tax Adult Use Marijuana Act ("AUMA" or "Proposition 64" passed by California voters in 2016). Further, it is the intent of Chapter 6.11 to regulate the cultivation, processing, manufacturing, testing, sale, delivery, distribution, and transportation of adult-use cannabis and cannabis products in a responsible manner to protect the health, safety, and welfare of the residents of the city of La Mesa; to impose regulations on the use of land; and to enforce rules and regulations consistent with state law. Chapter 6.11 requires all adult-use commercial cannabis operators to obtain and hold a license to operate within the city of La Mesa. The provisions of Chapter 6.11 are in addition to any other licenses, licenses and approvals which may be required to conduct business in the city of La Mesa.

(Ord. 2019-2873, § 2, October 8, 2019)



Project site; view from Hillside Drive



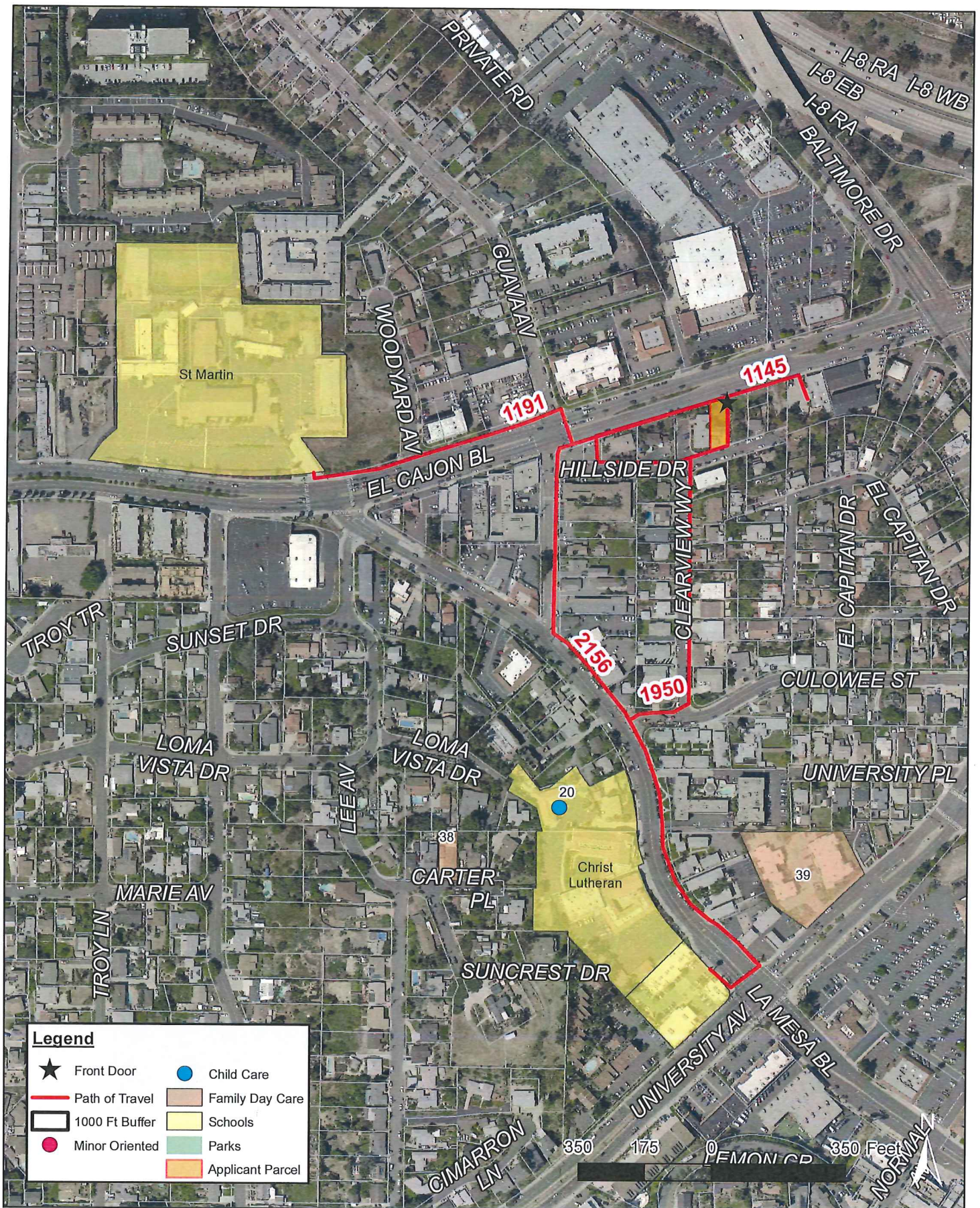
Project site; view from Hillside Drive



Project site; view from El Cajon Boulevard



Project site; view from side (facing west).



From: [Planning](#)
To: ["Sheila Adolph"](#)
Cc: [Kerry Kusiak](#); [Michael Fellows](#)
Subject: RE: Dispensary at 7901 Hillside Dr, La Mesa
Date: Wednesday, September 15, 2021 5:31:16 PM

Good Afternoon,

Project No. 2017-31 (CUP 17-88), which is listed on tonight's Planning Commission agenda, will be continued to a date certain of October 6th.

Thank you for your interest in the City of La Mesa.

Sincerely,
Cheryl

Cheryl Davis ▪ Administrative Coordinator ▪ Community Development ▪ 619.667.1190 P ▪ 619.667.1380 F



From: Sheila Adolph [mailto:adolph_sheila@hotmail.com]
Sent: Monday, September 13, 2021 5:17 PM
To: Planning
Cc: SaveLaMesaStreets@gmail.com
Subject: Dispensary at 7901 Hillside Dr, La Mesa

Hello,

My husband and I are residents on Clearview Way, one of the streets/routes that will surely be impacted if plans to build a dispensary on Hillside Dr move forward.

We object to this proposal. Clearview Way is a mix of home owners and apartments. People do depend on the street parking. There is just the right balance of parking for the residents here right now.

We felt the impact that the street work on La Mesa Blvd last winter and spring and have no interest in reliving that experience. Parking was severely impacted. One day, a large truck that had no business going down this narrow, car-lined street rammed our truck. Although we had witnesses, no one was able to retrieve a license plate, and we were unable to pursue compensation. Our 2001 Toyota truck had survived all these many years without any dents. Now the door and panel behind it are crunched. We have no desire to relive scenarios such as these.

ATTACHMENT F

Thank you for reading our concerns. I hope you will give it your most thoughtful consideration for the residents living here.

Sheila Adolph

From: [Planning](#)
To: ["Esmeralda Almanza"](#)
Cc: [Kerry Kusiak](#); [Michael Fellows](#)
Subject: RE: Against the Marijuana dispensary
Date: Wednesday, September 15, 2021 5:29:25 PM

Good Afternoon,

Project No. 2017-31 (CUP 17-88), which is listed on tonight's Planning Commission agenda, will be continued to a date certain of October 6th.

Thank you for your interest in the City of La Mesa.

Sincerely,
Cheryl

Cheryl Davis ▪ Administrative Coordinator ▪ Community Development ▪ 619.667.1190 P ▪ 619.667.1380 F



From: Esmeralda Almanza [mailto:esme4love.3@gmail.com]
Sent: Wednesday, September 15, 2021 4:02 PM
To: Planning
Subject: Against the Marijuana dispensary

To Whom it May Concern:

We are against the idea of having a Marijuana dispensary in my neighborhood!!!
First, there is already one not too far from 7901 Hillside Dr.
Second, there is already enough car traffic in our area, with the nursing home employees taking up parking.
Third, This is a small quiet place and we would like to keep it that way!!!!

So, NO ON HAVING ANOTHER MARIJUANA DISPENSARY HERE !!!!

THANKS

From: [Planning](#)
To: ["Jennfer Bartindale"](#)
Cc: [Kerry Kusiak](#); [Michael Fellows](#)
Subject: RE: Marijuana Dispensary
Date: Wednesday, September 15, 2021 5:28:19 PM

Good Afternoon,

Project No. 2017-31 (CUP 17-88), which is listed on tonight's Planning Commission agenda, will be continued to a date certain of October 6th.

Thank you for your interest in the City of La Mesa.

Sincerely,
Cheryl

Cheryl Davis ▪ Administrative Coordinator ▪ Community Development ▪ 619.667.1190 P ▪ 619.667.1380 F

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

From: Jennfer Bartindale [<mailto:bartguf1015@cox.net>]
Sent: Wednesday, September 15, 2021 1:47 PM
To: Planning
Subject: Marijuana Dispensary

I am opposed to the marijuana dispensary being allowed to locate in my residential area. I am appalled that this would even be a consideration!

This is a family neighborhood! Children play in front of homes, people walk their dogs on the side walks. Out street is so narrow that with cars parked on both sides, I have to pull over to let another car go by.

There is extremely limited street parking for the residents of my neighborhood. As is, the nursing home and assisted living facility personnel already take up most of the daily parking spaces. We are already crowded for street parking.

It is in direct conflict to the law that prohibits marijuana dispensaries to be located within 1,000 feet of each other. There is an existing dispensary directly parallel to the proposed one. The law also prohibits any customer based storefront commercial business to operate out of a residential neighborhood. This is a residential area!

I believe it would increase crime in the area with the introduction of drug addicts in the area. They would be in our neighborhood and if they can't afford their pot, they might resort to breaking into cars and our homes.

Please do not destroy our family friendly neighborhood.

Sincerely,
Jennifer Bartindale
4890 Clearview Way
La Mesa CA 91942
619.251.5042

JB Sent from my iPhone

From: [Planning](#)
To: ["Sarah B."](#)
Cc: [Kerry Kusiak](#); [Michael Fellows](#)
Subject: RE: opposition to No. 2017-31(CUP17-88)
Date: Wednesday, September 15, 2021 5:30:00 PM

Good Afternoon,

Project No. 2017-31 (CUP 17-88), which is listed on tonight's Planning Commission agenda, will be continued to a date certain of October 6th.

Thank you for your interest in the City of La Mesa.

Sincerely,
Cheryl

Cheryl Davis ▪ Administrative Coordinator ▪ Community Development ▪ 619.667.1190 P ▪ 619.667.1380 F



From: Sarah B. [mailto:sarahabosen@gmail.com]
Sent: Wednesday, September 15, 2021 4:55 PM
To: Planning
Subject: RE: opposition to No. 2017-31(CUP17-88)

To the City of La Mesa,

I am writing to state my opposition to approving project No.: 2017-31 (CUP17-88) and am against the building of a dispensary with access and entry through the residential area on Hillside Dr. La Mesa CA.

I object to the project.

This is a neighborhood, and on Hillside Dr. it is an area where kids like to play and ride their bikes. If the proposed establishment is built, it would drastically change the dynamic of the neighborhood in a negative way.

The increase in traffic may spill out onto Guava Ave and El Cajon Blvd, an intersection already causes traffic for those attempting to turn onto Hillside Dr. Within the neighborhood, the increase in traffic would decrease

There are some major concerns regarding safety and privacy of the residents.

This is an area where the neighborhood kids like to ride bikes and play. With the proposed business, the neighborhood kids will no longer have this safe area to play in.

The proposed plan cannot guarantee that its customers will not use the neighborhood as an area to smoke in- reminder- this is an area where kids live.

Can the proposed business ensure that the odor of the product be detected outside the doors?

Despite all attempts to conceal the odor, they cannot guarantee there will be no odor detection.

Concern over increased criminal activity in the area, even with the inclusion of security. Hillside Dr. is near enough to another dispensary, Cookies. Over the past year, there have been many altercations between security and customers/patrons and/or peoples. These altercations happen enough based on the environment to suppose that it would continue in this new location. What is problematic are the peoples leaving or being kicked out by the security, they may be leaving with anger and/or outrage, they would be kicked out of the dispensary and right onto Hillside Dr. and the neighborhood.

As the hours of operation will be until 9 pm at night, the comings and goings of patrons, especially those trying to get in before closing time will, be a nuisance. Living almost directly across the street from the proposed business will drastically affect quality of life.

I feel my privacy and safety will be diminished as this is going up right across from my house, the same for the other neighbors on the street.

I do not want to be neighbors with a dispensary, and I do not want to cater my life and the lives of my children to it.

La Mesa needs to consider the people who have been living here and raising their children here over that of a business that can easily set up in one of the many empty buildings in the area that are not within a neighborhood.

What kind of message does this send to the people of La Mesa? That its city approves of dispensaries to be placed where children are raised? I expect better of the town that I love.

I am uncomfortable living with the proposed business on the same street. It will decrease quality of life, decrease property values, and I should not have to cater to it.

I will not have a dispensary for a neighbor.

I hope the Zoning Department amends zoning for mixed use parcels on Hillside Dr. East of Clearview St. to allow no commercial access, and limits access to El Cajon Blvd.

Thank you,

Sarah Bosen

La Mesa Planning Commission 9.13.21

I am writing to you about the proposed storefront marijuana dispensary to be built at 2901 Hillside Drive. I am not against dispensaries I am against where they want to put this one. Hillside Drive and the surrounding neighborhoods and streets are a very quiet residential neighborhood and is not the place to open a commercial business. There is a law prohibiting marijuana dispensaries to be located within 1000 feet of each other. If you allow this dispensary to be built that law will be broken. There is a dispensary on El Cajon Blvd called Cookies that is within 1000 ft if you allow this dispensary to be built. I live on Clearview Way and have lived here for 22 yrs. For the years I have lived here we have had constant parking problems. There is not enough parking spaces for the residents that live here and have to park on the streets daily. The Hillside property has very little if any off street parking for employees or customers which will also impact the residents that have to park on the street daily. If you allow a high impact customer based commercial business it will adversely effect the neighborhood by adding traffic on Hillside Drive, Clearview Way and Colowee St. The streets are so narrow 2 cars have a hard time passing each other at the sometime, we usually have to let one or the other car go first. The road/streets were not built for heavy car or commercial traffic. The roads/streets are constantly having to have pot hole filled and this is happening with just the traffic we have now. Clearview Way would be the main road to this dispensary. Cars would have to come down Colowee St/Hill which already has an excess of

speeding cars coming down the hill and then make a quick turn onto Clearview Way. I am afraid that a speeding car is going to jump the corner and come crashing into my garage or bedroom. Hillside Drive is a non-through dead end street which would cause driving and parking congestion that is not needed in this peaceful neighborhood. This dispensary will be open for 14 hours a day which will cause a high volume of street and pedestrian traffic which will effect the quality of life of the neighbors that live in the area and have a right to have a good peaceful quality of life and to be able to enjoy their neighborhood. The City of La Mesa has so many dispensaries on main streets, business and commercial districts. There are so many vacant and boarded up building in the City of La Mesa that they could use that wouldn't impact the neighbors around them. Why would ~~they~~ you want to approve this proposed dispensary that will only cause animosity and unrest in a peaceful neighborhood when there are so many other more appropriate areas they could and should choose. Why would they want to move into an area that does not want them. For the 22 years I have lived in the area I have never known this Hillside Dr. address to be a commercial business but has only been used as a residence. I fill the Zoning Department needs to amend zoning for mixed use parcels and not allow this on Hillside Drive, Clearview Way or Culowee St. Please take a drive and look at Culowee St, Clearview Way and Hillside Drive and see for yourselves what I am talking about so you can get a clear picture of the devastation this dispensary opening would cause and ask yourselves if you lived in these neighborhoods would you want

this dispensary to open up here. I drive by Cookies on El Cajon Blvd at different times of the day and night and they are always busy with customers parking their cars in the parking lot and the cars spill out onto the street taking up all the parking spaces for quite a distance. There wasn't a parking problem when there was a copy shop there. We don't need the same kind of problem coming to our neighborhood. Thank you for your attention to this matter. I hope this letter helps you come to the correct answer.

Sincerely

Jamilyn Davenport
4820 Clearview Way
La Mesa, CA 91942

619-741-1385

Please feel free to call me if you have any questions or need more information.

From: [Nickolas Del Pego](#)
To: [Michael Fellows](#)
Subject: Re: 7901 Hillside Dr Proposed Marijuana Dispensary
Date: Wednesday, September 8, 2021 10:05:54 AM

Hi Michael,

Thank you for your response. This is a neighborhood we have been in since 1978, where I used to ride my bicycle on the residential streets of Clearview and the upper eastern side of Hillside Drive as I grew up. While the parcels that straddle El Cajon Blvd and Hillside Drive, east of Clearview Way, have been mixed use, they have never impacted the residential homes with commercial traffic. General access to their commercial operations has been through the El Cajon Blvd. side. I'm aware of the zoning and the implications, work professionally in government land use, and from a practical side this would be the first parcel on that East end of hillside to bring in commercial traffic by routing it through the side of the parcel directly adjacent to the residential neighborhood. I do not believe the intent of these mixed use parcels was to do so and they never have before. If approved, this proposal would change the nature of the residential portion of a neighborhood that has been relatively quiet for the past 70 plus years since our neighbor Mr. Hall first built his home on the top of the dirt street.

Best,

Nick Del Pego

Yvonne's Son and co-owner of her home, literally five doors down from the proposed dispensary's parking lot
858-248-9492

On Wed, Sep 8, 2021 at 9:08 AM Michael Fellows <MFellows@cityoflamesa.us> wrote:

Hi Yvonne,

The existing residence at 7901 Hillside Drive would be removed. A new commercial building would be constructed at the ground level of and front upon El Cajon Boulevard. The parking lot for this building would be accessed from Hillside drive and be partially located on the roof of the building . Customer access to the dispensary would be provided via an elevator from the Hillside Drive parking lot.

While staff understands your concern about impacts on the neighborhood, Measure U (approved by voters) specified requirements for dispensaries. Staff has reviewed the application and found it complies with Measure U and development standards for the zone, including the required number of parking spaces for the building.

Please do not hesitate to contact me if you have further questions, Mike

Michael Fellows, AICP

Contract Planner

City of La Mesa | 8130 Allison Avenue | La Mesa, CA 91942

Phone: 619.667.1103 | Email: mfellows@cityoflamesa.us | www.cityoflamesa.us

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

From: Hotmail [mailto:yvonne_ellen@hotmail.com]
Sent: Tuesday, September 7, 2021 7:11 PM
To: Michael Fellows
Cc: Nick Del Pego
Subject: 7901 Hillside Dr Proposed Marijuana Dispensary

To: Michael Fellows, AICP, Contract Planner

Please clarify if the “proposed storefront marijuana dispensary in a proposed commercial building” is for a new commercial building to be built on the lower ElCajon Blvd side of the Hillside property or if the proposal is to have the current residential house on that property changed to be considered a commercial building.

My property at 4930 Clearview Way is in very close proximity to the Hillside property. How customers would access the proposed dispensary would make a significant difference. Access from the residential side would hugely impact the significantly limited residential parking. Any additional traffic on the very narrow Hillside, Clearview and Culowee streets would cause additional issues.

Your clarification of what is being proposed is greatly appreciated.

Thank you,
Yvonne Ellen

From: [Planning](#)
To: [Michael Fellows](#)
Subject: FW: Proposed 7901 Hillside Drive Storefront Marijuana Dispensary
Date: Tuesday, September 14, 2021 8:51:08 AM
Attachments: [image002.png](#)
[image003.png](#)

Hi Mike,

This came from the Planning email.

Thank you

Tejennia Hargrove

Development Services Technician II

City of La Mesa | 8130 Allison Avenue | La Mesa, CA 91942

Phone: 619.667.1348 | Email: THargrove@cityoflamesa.us | www.cityoflamesa.us



From: Yvonne Ellen [mailto:yvonne_ellen@hotmail.com]
Sent: Tuesday, September 14, 2021 12:52 AM
To: Planning
Cc: SaveLaMesaStreets@gmail.com
Subject: Proposed 7901 Hillside Drive Storefront Marijuana Dispensary

The issue is this proposal, if passed, will transform a quiet residential neighborhood into a high impact customer based commercial business area and have a far ranging impact. Those initiating this proposal are attempting to avoid current laws prohibiting marijuana dispensaries to be located within 1,000 feet of each other. If measured in a straight line along El Cajon Boulevard, Cookies marijuana dispensary, located at 7935 El Cajon Boulevard, is only **235 feet** from the El Cajon Boulevard side of the 7901 Hillside Drive property. But if you go to the end of the El Cajon Boulevard block, turn the few feet onto Guava, and immediately turn onto Hillside to the 7901 address, that driving distance is **2,018 feet**. It is a nice trick! But that is why the dispensary entrance must be on Hillside instead of El Cajon Boulevard. That is why there would only be an emergency exit on the El Cajon Boulevard side in the proposed new commercial building. In addition, most marijuana dispensaries, like Cookies, operate from 7 AM to 9 PM seven days a week! If this proposal is allowed to pass, the immediate and long-term result will be 14 hours a day of high-volume street and pedestrian traffic, and street parking issues for the residents of the surrounding neighborhoods that already have extremely limited street parking available. To allow any customer based storefront commercial business to operate out of any existing residential neighborhood destroys the peace and quiet of that neighborhood and the surrounding neighborhoods.

There are numerous residential properties zoned for mixed use throughout La Mesa that abut major thoroughfares. It is unlikely that the intent was ever for those properties to allow the intrusion of high volume, customer based commercial businesses to operate in quiet, established, residential neighborhoods where residents are raising their children and hoping for a little peace and quiet. I

bought my home on Clearview Way in 1978. It is where I have raised my family and enjoyed decades of friendships and the mutual support neighbors give to each other. These neighborhoods should be valued, not destroyed.

Hillside Drive is a short, non-through street. To eliminate the prospect of high volume commercial traffic in our neighborhood, is it feasible for the Zoning Department to amend zoning for the few mixed use parcels on Hillside to limit any commercial access to El Cajon Boulevard and to allow no new commercial access for mixed use properties on Hillside east of the Clearview Way intersection, and anywhere on Clearview Way or Culowee Street?

Respectfully,
Yvonne Ellen
Property Owner of
4930 Clearview Way

Sent from [Mail](#) for Windows

From: [Planning](#)
To: ["Rita Gonzalez"](#)
Cc: [Kerry Kusiak](#); [Michael Fellows](#)
Subject: RE: Clearview Way
Date: Wednesday, September 15, 2021 5:27:21 PM

Good Afternoon,

Project No. 2017-31 (CUP 17-88), which is listed on tonight's Planning Commission agenda, will be continued to a date certain of October 6th.

Thank you for your interest in the City of La Mesa.

Sincerely,
Cheryl

Cheryl Davis ▪ Administrative Coordinator ▪ Community Development ▪ 619.667.1190 P ▪ 619.667.1380 F



From: Rita Gonzalez [mailto:5krunnerita@gmail.com]
Sent: Wednesday, September 15, 2021 1:15 PM
To: Planning
Subject: Clearview Way

To whom it may concern:

The proposal of placing a dispensary in or close to a quiet neighborhood is unwise and a lack of concern for all residents of La Mesa.

Vehicles already pass through the street at a high rate of speed. There is a special needs home and kids that live on Clearview as well as my grandchildren of which are 2 and 5.

This also imposes on the police department as it will increase the ratio per officer. It increases the risk of more violence and hostility as the riots that have already taken place in our city.

Please listen to the residents of La Mesa and not about the financial aspects.

Thank you for allowing me to voice my concerns.

From: [Planning](#)
To: ["Dwayne I"](#)
Cc: [Kerry Kusiak](#); [Michael Fellows](#)
Subject: RE: 7901 Hillside Drive Dispensary = NO!
Date: Wednesday, September 15, 2021 5:27:48 PM

Good Afternoon,

Project No. 2017-31 (CUP 17-88), which is listed on tonight's Planning Commission agenda, will be continued to a date certain of October 6th.

Thank you for your interest in the City of La Mesa.

Sincerely,
Cheryl

Cheryl Davis ▪ Administrative Coordinator ▪ Community Development ▪ 619.667.1190 P ▪ 619.667.1380 F



From: Dwayne I [mailto:ivey021@hotmail.com]
Sent: Wednesday, September 15, 2021 1:40 PM
To: Planning
Cc: Savelamesastreet@gmail.com
Subject: 7901 Hillside Drive Dispensary = NO!

Hello,

We recently became aware of the city of La Mesa considering a marijuana dispensary on Hillside Dr. with the storefront access pointing into the neighborhood at this location.

If you're not aware, the Hitching Post Motel is on that street and currently the residents there fight for street parking on Hillside Drive already as there is LIMITED TO NO PARKING anywhere in our neighborhood and the Hitching Post has few parking spaces which force the occupants to park mostly on Hillside and occasionally spilling onto Clearview Way.

As we bought a home on Clearview Way 8 years ago and we have maintained residence here this entire time, I can personally attest that the occupants that live on Clearview Way have regularly competed for parking the ENTIRE time we have lived here. Simply, there is NO PARKING available for anyone else except those that live in this neighborhood which includes Hillside Drive, Clearview Way and Culowee St.

In fact, it appears those evaluating this proposal are completely unaware even of the limited width of Hillside Drive, Clearview Way AND Culowee St. On both Hillside Drive and Clearview Way, only ONE vehicle can pass thru at a time due to there not being enough space

for two cars to drive past each other in both directions at the same time. Cars are parked daily on each side of the street, as well.

Furthermore, though the city seems to think that it's important to pave and repave Guava, La Mesa Drive and El Cajon Blvd, I know for a fact that Hillside Drive and Clearview Way have NOT been paved by the city in at least 8 years! And now you want to send more traffic our way?! No!

Additionally, every time you close Guava and/or La Mesa Blvd, our neighborhood gets slammed with drivers speeding thru our one vehicle able to pass thru at a time street since there is no other way to get to El Cajon Blvd unless you go all the way to Baltimore, or worse, down west toward Parks Ave! You don't put cones up, you do not staff the corners or the streets in our neighborhood with construction personnel to ensure neighborhood safety. No, the drivers just speed their way thru our ordinarily peaceful neighborhood while putting our pets and children's lives in peril. That's another issue, I know, however, since apparently you are not adept to understand the dynamics of this neighborhood someone has to inform you of these issues.

And, adding a ridiculous business that will surely be super busy, constantly, will only compound these issues and completely ruin this neighborhood. Cookies, the marijuana dispensary that recently was allowed to be placed just below this proposed location on El Cajon Blvd already has added additional parking problems in our neighborhood when that business has a sale or special. El Cajon Blvd curbside parking gets filled and everyone then parks in our neighborhood thus clogging the streets and eliminating parking for our residents.

Furthermore, a business with entry into our neighborhood, as is being proposed, will surely REDUCE THE VALUE of our home. So, if you go thru with allowing this business to occupy said space with said entry into our neighborhood, I will tell you to expect lawsuits for the devaluation of our property due to this action. Our home is currently valued at OVER 800k and constantly increasing in value. Allowing this business, or ANY business to enter our neighborhood with neighborhood facing entry only via our streets of Hillside Drive, Clearview Way and/or Culowee will always be unacceptable!

Thank you.

Dwayne Ivey
Sara Backus
And the Backus Estate

From: [Planning](#)
To: [Michael Fellows](#)
Subject: FW: Public Comments - Pot Shop Density; PROJECT NO. 2017-31 (HILLSIDE) - CONSIDERATION OF PROPOSED COMMERCIAL BUILDING WITH A CANNABIS USE
Date: Wednesday, September 15, 2021 5:13:30 PM
Attachments: [image002.png](#)
[image003.png](#)

Hi Mike,

This came from the Planning email.

Thank you

Tejennia Hargrove

Development Services Technician II

City of La Mesa | 8130 Allison Avenue | La Mesa, CA 91942

Phone: 619.667.1348 | Email: THargrove@cityoflamesa.us | www.cityoflamesa.us



From: Dianne Osterling [<mailto:dianne@mosterling.com>]
Sent: Wednesday, September 15, 2021 3:44 PM
To: Dianne Osterling; Planning
Cc: Mark Arapostathis; Bill Baber; Jack Shu; Colin Parent
Subject: RE: Public Comments - Pot Shop Density; PROJECT NO. 2017-31 (HILLSIDE) - CONSIDERATION OF PROPOSED COMMERCIAL BUILDING WITH A CANNABIS USE

I just saw that on 9/1/2021 another dispensary was put forth before the Planning Commission for approval at 7584 University Avenue, La Mesa, CA 91941. So make that 17 dispensaries, not including the one proposed at Hillside. Is walkability to a dispensary really a priority? Just saying. Maybe you could encourage having some right at the trolley stations in the middle of La Mesa.

From: Dianne Osterling <dianne@mosterling.com>
Sent: Wednesday, September 15, 2021 3:27 PM
To: planning@cityoflamesa.us
Cc: marapostathis@cityoflamesa.us; bbaber@cityoflamesa.us; Jack Shu <JShu@cityoflamesa.us>; cparent@cityoflamesa.us
Subject: Public Comments - Pot Shop Density; PROJECT NO. 2017-31 (HILLSIDE) - CONSIDERATION OF PROPOSED COMMERCIAL BUILDING WITH A CANNABIS USE

Dear Planning Commissioners & Councilmembers,

La Mesa's website says email comments by 5 pm on the day of a committee meeting. Unfortunately, I just noticed today's meeting was 8:48 a.m., and no link to the proposal was included with the agenda.

On 8/9/2021 Design Review Board Recommended PROJECT NO. 2017-31 (HILLSIDE) –
CONSIDERATION OF PROPOSED COMMERCIAL BUILDING WITH A CANNABIS USE

How many La Mesa dispensaries are enough? 16 exist. I'm not opposed to legal marijuana, but request Council consider pot shop density community impact. THE 7901 HILLSIDE location IS A 4-MINUTE WALK FROM A POT SHOP & IN A RESIDENTIAL NEIGHBORHOOD- apartments West: 4979 Clearview Way & 4951 Clearview Way. Single Family: East @ 7930 Hillside Drive & Northwest @ 7893 El Cajon Blvd. Walks: 1-minute to The Hitching Post, 6-minutes to St. Martin of Tours. It's surrounded by housing, except the backyard. A Pot Shop facing residents, minutes from a Pot Shop doesn't enhance this neighborhood. After listening to the budget discussion at the council meeting last night, I realize the tax from pot sales are bringing in money to the city. However, I ask you to consider the cost to the community. Allowing dispensaries to infringe on residential neighborhoods, just to bring in sales tax is not necessarily good long term community development.

La Mesa Dispensary Density a MAP: <https://weedmaps.com/dispensaries/in/united-states/california/east-san-diego>

1. Lit La Mesa Dispensary	7729 University Ave, La Mesa, CA 91942	https://litlamesa.treez.io/onlinemenu/?customerType=ADULT
2. Wellgreens	8160 Parkway Dr, La Mesa, CA 91942	https://wellgreens.store/locations
3. Wellgreens	5301 Lake Murray Blvd, La Mesa, CA 91942	https://wellgreens.store/locations
4. The Grove	8155 Center St, La Mesa, CA 91942	https://thegroveca.com/
5. Urbn Leaf La Mesa Dispensary	7339 El Cajon Blvd, La Mesa, CA 91942	https://urbnleaf.com/dispensaries/ca/la-mesa/
6. Cookies	7935 El Cajon Blvd, La Mesa, CA 91942	https://www.cookieessandiego.com/location
7. Emjay - La Mesa	7180 University Ave, La Mesa, CA 91942	https://heyemjay.com/cannabis-delivery-san-diego/?utm_source=google&utm_medium=gmb&utm_campaign=sd
8. The Reserve	8744 La Mesa Blvd, La	https://www.reservesd.com/home

	Mesa, CA 91942	
9. EMBR Dispensary	8300 Center Dr, La Mesa, CA 91942	https://embr.us/
10. Exotic Meds	5 Mount Helix, La Mesa, CA 91941	https://www.yelp.com/biz/exotic-meds-la-mesa
11. Hotbox - San Diego	8260 Parkway Dr La Mesa, CA 91942	https://www.yelp.com/biz/hotbox-san-diego-la-mesa
12. Holistic Daze Delivery	8130 La Mesa Blvd, La Mesa, CA 91942	https://www.yelp.com/biz/holistic-daze-delivery-la-mesa
13. Merry Jane Collective	Mount Helix – La Mesa, 91941	https://www.yelp.com/biz/merry-jane-collective-la-mesa-2
14. CMC	7364 El Cajon Blvd Ste 203, La Mesa, CA 91941	https://www.yelp.com/biz/cmc-la-mesa
15. Dr. Greenthumb's	8760 Campo Rd La Mesa, CA 91941	https://www.sandiegodgt.com/
16. East County Cooperative	7200 Parkway Dr Ste 101,102 La Mesa, CA 91942	https://www.yelp.com/biz/east-county-cooperative-la-mesa
17. La Mesa Medicinal Marijuana	8851 Ctr Dr Fl 7th Ste 701, La Mesa, CA 91942	(Apparently this is a place to get a medical MJ license)

Yelp's "Top 10" La Mesa Pot Dispensaries: https://www.yelp.com/search?cflt=cannabisdispensaries&find_loc=la+mesa%2C+CA

From: [Planning](#)
To: ["cyrrusrust"](#)
Cc: [Kerry Kusiak](#); [Michael Fellows](#)
Subject: RE: Proposed Hillside Drive Marijuana Dispensary
Date: Wednesday, September 15, 2021 5:33:52 PM

Good Afternoon,

Project No. 2017-31 (CUP 17-88), which is listed on tonight's Planning Commission agenda, will be continued to a date certain of October 6th.

Thank you for your interest in the City of La Mesa.

Sincerely,
Cheryl

Cheryl Davis • Administrative Coordinator • Community Development • 619.667.1190 P • 619.667.1380 F



From: cyrrusrust [mailto:cyrrusrust@yahoo.com]
Sent: Tuesday, September 14, 2021 12:20 PM
To: Planning
Subject: Proposed Hillside Drive Marijuana Dispensary

Hello,

I am a resident on Culowee Street in the City of La Mesa. I am writing to voice my objection to the proposed marijuana dispensary at 7901 Hillside Drive.

The nearby Cookies Dispensary at 7935 El Cajon Blvd has created a very noticeable increase in both vehicle and pedestrian traffic for that area. I frequently see pedestrians jaywalking across El Cajon Blvd to get to this dispensary because of the insufficient business parking this dispensary provides or illegally parking in the nearby apartment complex. This occurs even with the already available street parking along El Cajon Blvd. This is a concern that would be exacerbated by another dispensary being placed in the immediate area.

The permit request is not clear if access to the proposed 7901 Hillside Drive storefront marijuana dispensary would be from Hillside Drive or El Cajon Blvd. If it is Hillside Drive this is an absurd request that clearly has no regard for the impact a marijuana dispensary would have being placed in a residential neighborhood, let alone the negative effect these types of businesses have in general when in/near

residential neighborhoods. Armed private security with bullet proof vests are outside the front of every dispensary in La Mesa. Bringing these types of businesses into residential areas should be avoided for this reason alone. If this permit is requesting a storefront on El Cajon Blvd I believe the lack of parking in the area for additional businesses of this type needs to be addressed first.

Thank you for your time,

Cyruss

Sent via the Samsung Galaxy S20 5G, an AT&T 5G smartphone

From: [Planning](#)
To: [Michael Fellows](#)
Subject: FW: No To Marijauna Dispensary on 7901 Hillside Dr.
Date: Thursday, September 16, 2021 2:15:50 PM
Attachments: [image002.png](#)
[image003.png](#)

Hi Mike,

This came from the Planning email.

Thank you

Tejennia Hargrove

Development Services Technician II

City of La Mesa | 8130 Allison Avenue | La Mesa, CA 91942

Phone: 619.667.1348 | Email: THargrove@cityoflamesa.us | www.cityoflamesa.us



From: Matthew Stevens [<mailto:mateo1903@gmail.com>]
Sent: Thursday, September 16, 2021 12:43 PM
To: Planning
Subject: No To Marijauna Dispensary on 7901 Hillside Dr.

Hello,

Please do not approve the location of the proposed dispensary at 7901 Hillside Dr. I live a couple of blocks away from that site and I know how it is already very competitive for residents to find their own parking spots. Plus added commercial traffic will make the surrounding neighborhood even more unsafe for pedestrians and children at play. Please put the quality of life for La Mesa's residents ahead of the potential tax revenues from yet another dispensary.

Thank You for your consideration.

--

Cheers,

Matthew D. Stevens
(619) 961-7091
8038 Culowee St, La Mesa, CA 91942.

From: [Planning](#)
To: [Michael Fellows](#)
Subject: FW: Project No. 2017-31 (CUP 17-88) (Hillside)
Date: Tuesday, September 14, 2021 9:02:14 AM

Hi Mike,

This came from the Planning email.

Thank you
Tejennia Hargrove
Development Services Technician II
City of La Mesa | 8130 Allison Avenue | La Mesa, CA 91942
Phone: 619.667.1348 | Email: THargrove@cityoflamesa.us | www.cityoflamesa.us

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

From: Bill Stilwell [<mailto:billstilwell2@gmail.com>]
Sent: Sunday, September 12, 2021 10:29 PM
To: Planning
Subject: Project No. 2017-31 (CUP 17-88) (Hillside)

La Mesa Planning Commission,

Regarding the proposed Dispensary at 7901 Hillside Dr.

My wife and I have owned the property and lived at 4938 Clearview Way since January 1996. In that time the neighborhood has gone from about 50% rental property to about 80% rental. With that has come an increase in traffic and street parking. Clearview Way and Hillside drive are narrow streets. Cars traveling in opposite directions can not pass without one of them pulling over out of the way. This is extremely evident when Guava is closed and traffic detoured through Clearview and Hillside.

Our objection is to the vehicle access and parking lot on Hillside Drive.

Any business proposed for the mixed use lots on Hillside need to have vehicle access from El Cajon Blvd. Clearview Way and Hillside Drive can not handle any commercial traffic safely. These are narrow residential streets. Many times I have encountered kids playing in the street on Hillside when driving to my house. Add that to the narrow streets where cars can not pass in opposite directions at the same time and you can see why parking and vehicle access for a retail business on Hillside Drive is a bad idea.

Thank You,

Bill Stilwell

Sent from my iPad

From: [Planning](#)
To: [Michael Fellows](#)
Subject: FW: Proposed dispensary - 7901 Hillside drive -project # 2017-31(CUP 17-88) - neighbor concerns - Ken Vollmer
Date: Tuesday, September 14, 2021 9:59:10 AM
Attachments: [image002.png](#)
[image003.png](#)

Hi Mike,

This came from the Planning email.

Thank you

Tejennia Hargrove

Development Services Technician II

City of La Mesa | 8130 Allison Avenue | La Mesa, CA 91942

Phone: 619.667.1348 | Email: THargrove@cityoflamesa.us | www.cityoflamesa.us



From: Ken Vollmer [mailto:kvollmer2005@gmail.com]
Sent: Tuesday, September 14, 2021 9:52 AM
To: Planning
Cc: Ken Vollmer
Subject: Proposed dispensary - 7901 Hillside drive -project # 2017-31(CUP 17-88) - neighbor concerns - Ken Vollmer

Dear Planning Commission:

As a resident of the neighborhood where this business is proposed to be located, I have major concerns with this proposal. My address is 4935 Clearview Way.

Most importantly, I'm very concerned about the increase in traffic that this would bring. There are several small children very nearby that play near the street and, even though their parents are watching closely, they sometimes wander into the street. As a resident in this neighborhood, I know to drive slowly on Hillside Drive and Clearview Way. However, I'm sure you'd agree that a non-resident that is driving down these streets to get to a business may not be so careful. I believe the risk of a terrible accident would be too high and the dispensary should not be allowed to open here.

I'm also concerned about the likely overcrowding of parked cars on the nearby streets. As it is, our streets are very narrow and sometimes 2 cars going in opposite directions cannot even pass each other when cars are parked on both sides of the street. Also, several of the people that work in the assisted living home in our neighborhood currently park on my street. This is not an issue right now but these essential workers will likely have much more difficulty finding available parking if this business were to open.

Please consider my comments as you decide whether or not to approve this proposal.

Thank you,

Ken Vollmer
kvollmer2005@gmail.com

From: [Planning](#)
To: ["Robert Brinkmeier"](#)
Cc: [Kerry Kusiak](#); [Michael Fellows](#)
Subject: RE: Hilldale Marijuana Dispensary
Date: Wednesday, September 15, 2021 5:34:31 PM

Good Afternoon,

Project No. 2017-31 (CUP 17-88), which is listed on tonight's Planning Commission agenda, will be continued to a date certain of October 6th.

Thank you for your interest in the City of La Mesa.

Sincerely,
Cheryl

Cheryl Davis • Administrative Coordinator • Community Development • 619.667.1190 P • 619.667.1380 F



From: Robert Brinkmeier [mailto:rbrinkmeier927@gmail.com]
Sent: Tuesday, September 14, 2021 3:40 PM
To: Planning
Subject: Hilldale Marijuana Dispensary

To the La Mesa Planning Commission,

My wife and I (20+ year home owners on Culowee Street) are STRONGLY OPPOSED to having a Marijuana Dispensary on Hillside Drive for the following reasons;

1. This is a residential neighborhood with limited main street access, narrow streets and extremely limited parking. The addition of a dispensary would make our parking and any guests we have over nearly impossible as well as for my live at home college student son and his girlfriend when she visits.
2. There is already another dispensary on El Cajon Blvd not more than 500 feet or so down the hill. I thought the minimum requirement was the dispensaries were to be located at least 1,000 feet apart.
3. This is a residential neighborhood with several families with small children. The increased traffic will put those young lives at risk due to the expected increase in traffic traveling to the dispensary. People already use Culowee Street as a "shortcut" due to all the construction in the area. I can only imagine the impact a dispensary will have on Culowee Street traffic.

Plainly and simply this neighborhood is not set up for high volume traffic businesses, it was designed for people to live in a nice QUIET neighborhood which is why we bought a house here!

If you have any questions please feel free to contact me.

Mr. & Mrs Robert Brinkmeier

From: [Planning](#)
To: ["Calvin Gipson, Gipson.Assoc."](#)
Cc: [Kerry Kusiak](#); [Michael Fellows](#)
Subject: RE: Project No 2017-31 (CUP 17-88)
Date: Wednesday, September 15, 2021 5:28:45 PM

Good Afternoon,

Project No. 2017-31 (CUP 17-88), which is listed on tonight's Planning Commission agenda, will be continued to a date certain of October 6th.

Thank you for your interest in the City of La Mesa.

Sincerely,
Cheryl

Cheryl Davis • Administrative Coordinator • Community Development • 619.667.1190 P • 619.667.1380 F



From: Calvin Gipson, Gipson.Assoc. [mailto:bcgipson2000@yahoo.com]
Sent: Wednesday, September 15, 2021 3:07 PM
To: Planning
Cc: SaveLaMesaStreets@gmail.com
Subject: Project No 2017-31 (CUP 17-88)

To the members of the La Mesa Planning Commission,

In all my years as a Professional Architect and Planner, I have never seen any project so horrendous and inappropriately proposed.

If this CUP application (CUP 17-88) proposes to allow a commercial, 14 hours a day operation; to occur at 7901 Hillside Dr. with it's commercial entrance on Hillside Dr. (a residential dead end street, with limited vehicular access and parking) it appears intuitively obvious to me, that this is a terrible Idea. And for the planning commission; who's task it is to provide for the general welfare and good city planning for it's citizenry, to approve this would be an horrific performance of that duty.

As it is, to access that portion of Hillside Dr. from Clearview Way, due to narrowness of the street, on many of occasions, one has to stop and pull over or back up to allow opposite flowing traffic to pass. So no, this is not a good idea.

And to reiterate, this is a dead end residential street, one in which some the neighborhood children use as an area to play, seeing as the opportunity for outdoor

play in this area is also very limited. This poses a considerable safety challenge. So no, this is not a good idea.

Dear Commissioners, assuming you live in a residential area (and I hate to make assumptions cause you know what that means) would any of you want an operation like this on the block where you reside? Does this make sense? Maybe to have access on El Cajon Blvd., maybe, but not Hillside Dr. Seriously?

Please consider your recommendations carefully and it's impact on this neighborhood and future neighborhoods.

This is a "Conditional Use Application". The applicate is asking for conditions that don't make sense at this location and are certainly not an example good city planning.

Il urge you in your infinite wisdom, do not approve this application.

Thank you, for your time and consideration

Calvin E. Gipson,
Residential and Commercial Architect
Resident of 7939 Hillside Dr. La Mesa, CA 91942 Ph (619) 540-2237

(PROJECT SCOPE)

- 1) Remove existing residential ramp and driveway
- 2) New 21.22 sf Medical Marijuana Dispensary and retail space
- 3) New 810 parking area at upper level
- 4) New elevator, mechanical and trash areas
- 5) New Landscaping

Items of Operations: 7,000 AM to 9:00 PM, seven days a week

No proposed deviations to building code

Proposed deviations for landscape at 3' setback

PARKING ANALYSIS:

BUILDING AREA: 2122 SF
REQUIRED PARKING: 1 / 250
2122 / 250 = 8 SPACES
SPACES PROVIDED = 8 SPACES

PROJECT ADDRESS: 7901 HILLSIDE DRIVE, LA MESA, CALIFORNIA

APPLICANT: WILL SEEN (619) 346-0587
15634 LOT, LOT 4 OF EXHIBIT 2, PER MAP 1761, IN THE CITY OF LA MESA,
COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF
THE COUNTY RECORDER, FEBRUARY 20, 1924.
JAN. 47p-50p-57
CONSTRUCTION TYPE: C40
OCCUPANCY CLASSIFICATION: M
ZONE: C240U
LOT SITE AREA: 5,617 sq ft. 0.129 Ac.
LOT DIMENSIONS: 49.25 x 114.12
FLOOR AREA (BUILDING): 2,122 sq ft.
PROPOSED USE: M (Retail/Commercial Services) / B (Office)
Medical Marijuana Dispensary / Retail space
LANDSCAPE AREA: 1,296 sq ft.

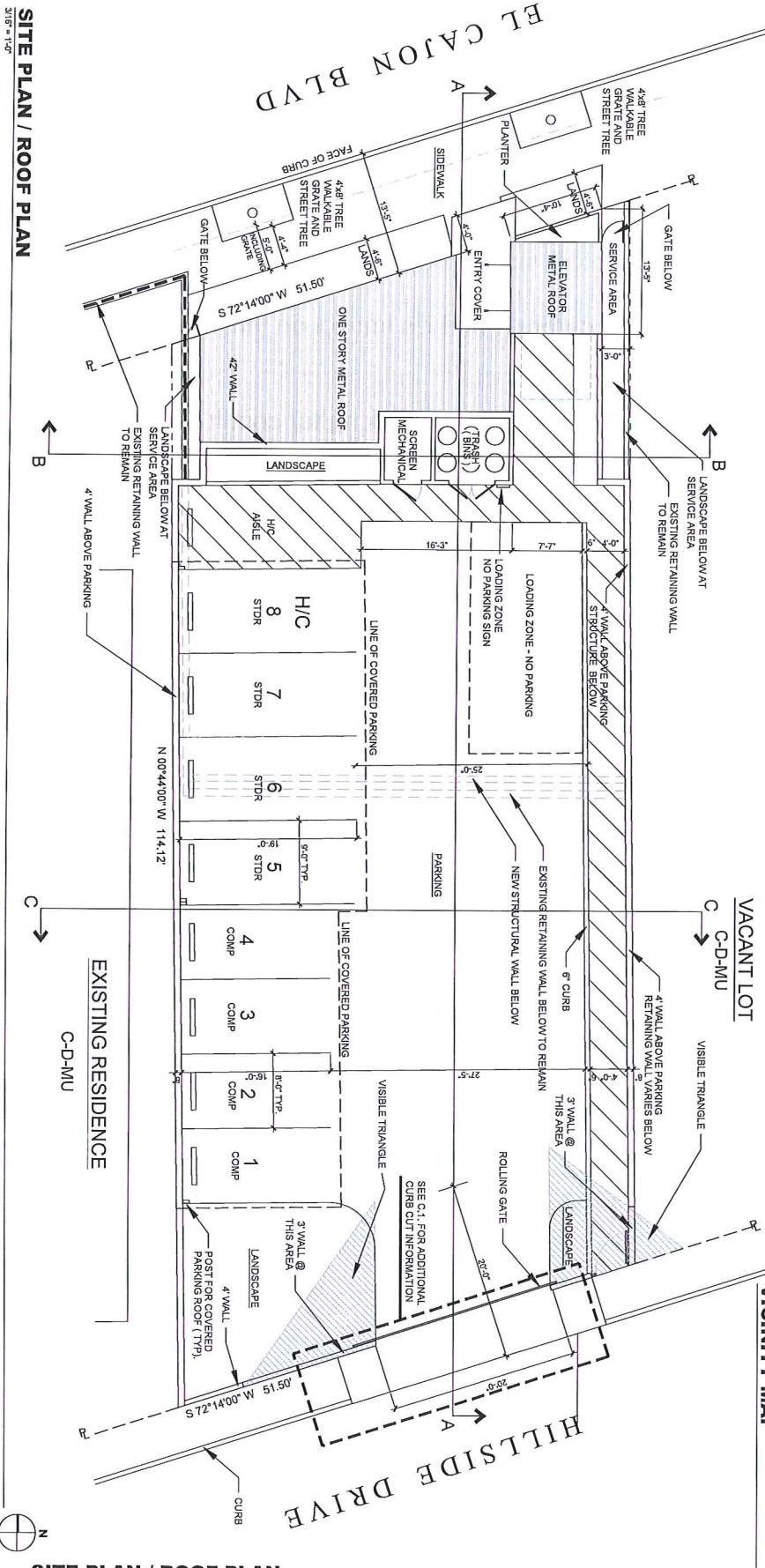
A1 SITE PLAN / ROOF PLAN

- A2 MEDICAL WARD/AREA DISPENSARY NOTES
- A3
- A3.1 UPPER LEVEL FLOOR PLAN
- A3.2 LOWER LEVEL FLOOR PLAN
- A4 DEMOLITION PLAN/SECTION
- A4.1 FLOOR PLAN / BUILDING CODE
- A4.2 EXTERIOR ELEVATIONS
- A5 PROPOSED ELEVATIONS
- A6 SECTIONS AND TRASH ENCLOSURE PLANS
- A7 EXTERIOR COLOR RENDERERS
- A8 SITE PHOTOS
- E1 ELECTRICAL NOTES
- E2 SITE PARKING REFLECTIVE CEILING PLAN
- E3 LANDSCAPE PLAN
- L1 CIVIL EXISTING TOPO
- L2 CIVIL EXISTING
- C1 CONCEPTUAL PERMANENT BMP PLAN
- C2

This CUP is subject to all requirements specified under LMCC 24.23.

[illegible]

SITE PLAN / ROOF PLAN



SITE PLAN / ROOF PLAN

MEDICAL MARIJUANA DISPENSARY (MEASURE U NOTES)

MEDICAL MARIJUANA DISPENSARY (MEASURE J, NO

Page 186 of 202
APPLICANT: WILLIE SENE 619-346-0587

ADA NOTES

THE PROJECT WILL COMPLY WITH ALL APPLICABLE DISABLED ACCESSIBILITY REGULATIONS AS CONTAINED IN CHAPTERS 11B, TITLE 24 CALIFORNIA BUILDING CODE.

- 1 EMERGENCY EXIT ONLY - ALARMED GATE
- 2 ACCESSIBLE ELEVATOR
- 3 3-5' ACCESSIBLE DOOR
- 4 ACCESSIBLE COUNTER AT CHECK IN
- 5 ACCESSIBLE COUNTER AT DISPENSARY
- 6 ACCESSIBLE RESTROOMS

POLICE NOTES

44. Revise the plans to clearly include a description and detailed schematic of the overall facility security. Identify with illustration and notes the proposed security measures to be implemented, including, but not limited to:
- a. Alarm System: Provide a valid alarm Company Operator License.
 - b. The site shall be alarmed with centrally monitored fire and burglary alarm system and monitored by an alarm company licensed by the State of California (B & P Code 7590 et seq.)
 - c. Operable cameras: Illustrate on the plans the locations where cameras will be placed around the building.
 - d. Show and note on the floor plan that a surveillance camera shall be placed at face level to capture recording of every individual coming and going from the business for identification purposes.
 - e. Show and note on the floor plan that a surveillance camera shall be placed at face level to capture recording of every individual coming and going from the business for identification purposes.
 - f. Add a note that states that 24-hour fixed camera video surveillance shall be available for 60 days after recording. The recording shall be of a sufficient quality to provide identification of any individual being recorded. That the surveillance covers every interior area and room and adjacent perimeter area or other City of La Mesa approved equipment shall have 24 hour remote access to the surveillance system.

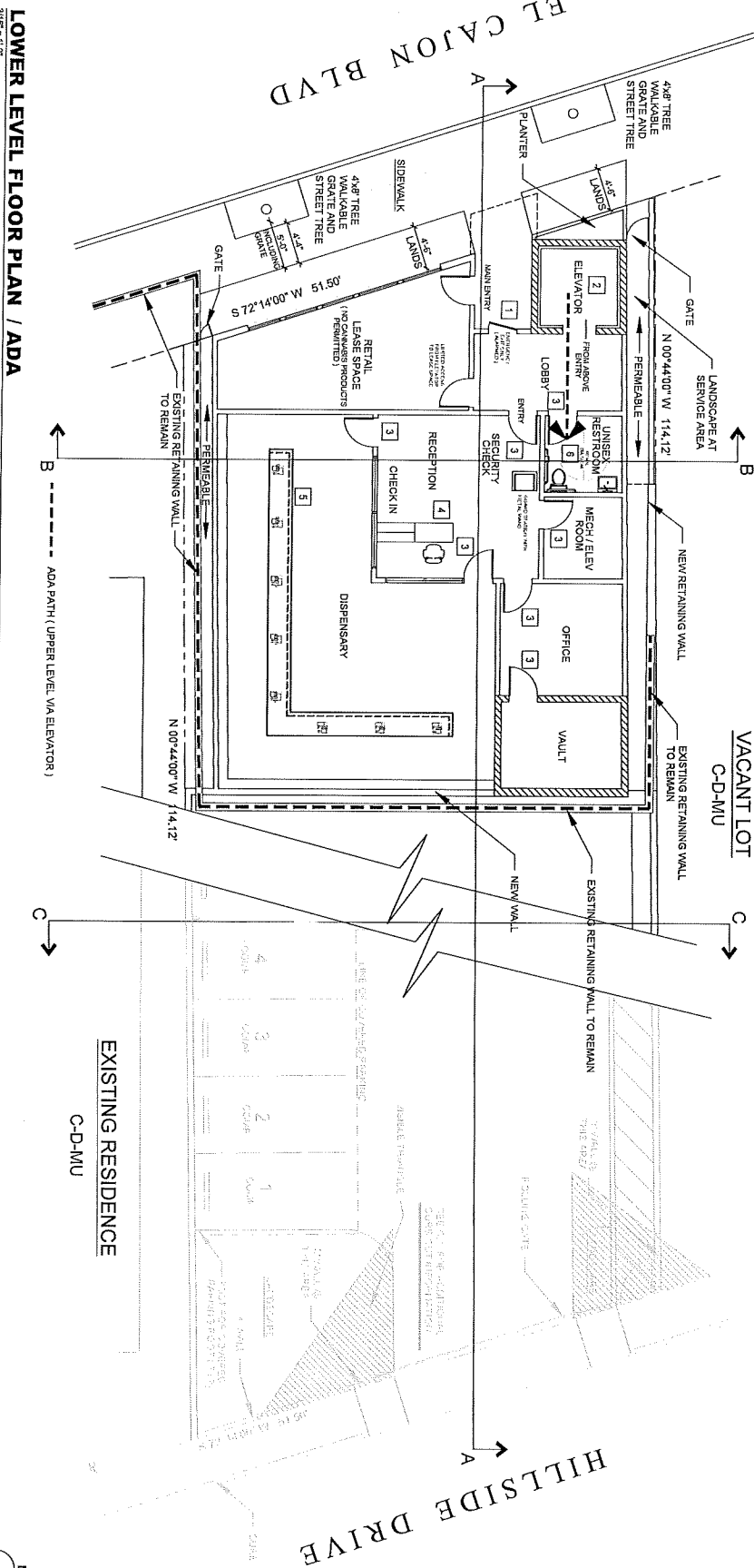
FIRE NOTES

45. Site lighting
- The property shall be well lit at night to prevent loitering and eliminate hiding places. Lighting should be consistent to reduce contrast between shadows and illuminated areas.
46. Building lighting shall
- a. illuminate building numbers
 - b. illuminate building entrances
 - c. illuminate front and back areas
 - d. illuminate parking areas
47. Parking areas shall be well lit with uniformly throughout the property.
48. Landscape design and maintenance shall implement applicable CPTED principles. A note shall be added to the landscape plan that states:
- a. Trees shall be at least 8 feet above the ground and bushes shall be trimmed to less than 3 feet to allow for natural surveillance of the property.
 - b. Landscaping shall not obstruct the view of any windows, doorway, security entrance and light
 - c. Provide evidence of a California State Licensed Security Guard contract for the business.
 - d. Provide an "Intrud. Prohib. (IP)" Address to your surveillance system. A complete review of the system shall occur at Building Permit application stage.

FIRE NOTES

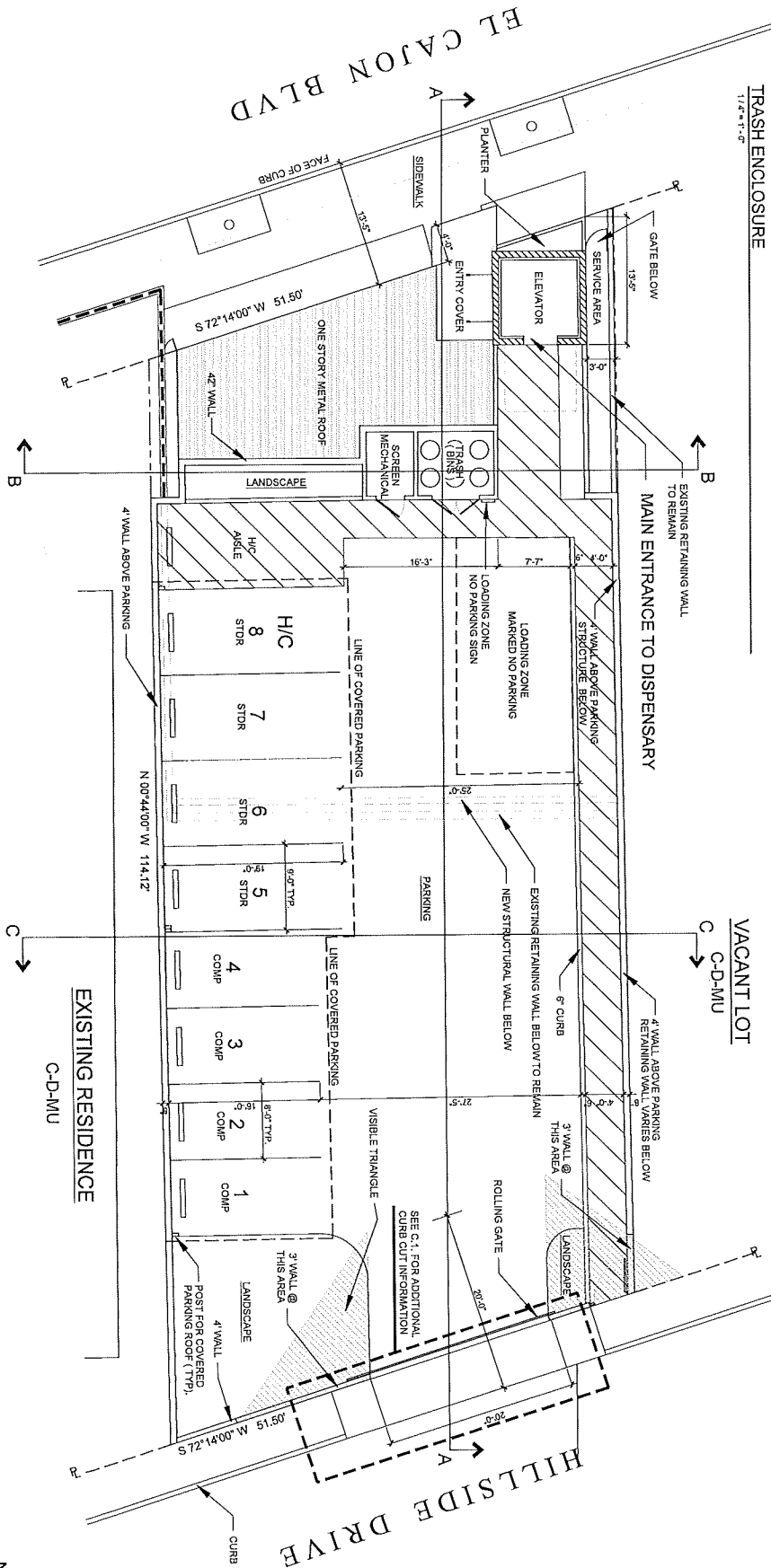
37. Disposition shall comply with the most recent adopted California Fire Codes and Standards.
38. A fire inspection is required prior to a certificate of occupancy or business license being issued. The applicant shall ensure the disposition is set up and ready for operation prior to the fire inspection.
39. The applicant shall provide a letter indicating any hazardous materials to be used or stored on the property. The letter shall include the normal business cleaning materials, however, they must be in a sealed container.
40. The applicant shall provide a letter detailing the security provisions for the

LOWER LEVEL FLOOR PLAN / ADA

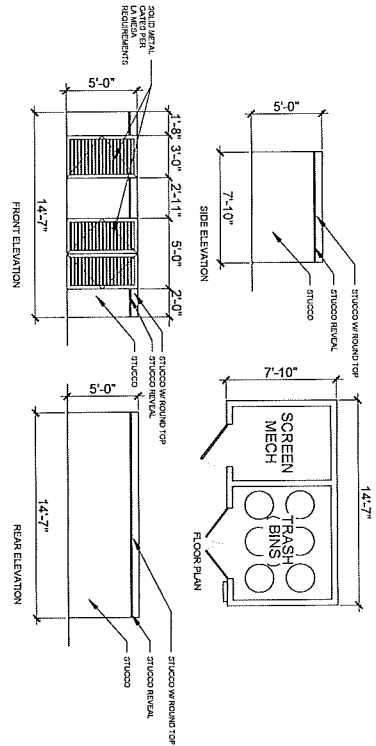


LOWER LEVEL FLOOR PLAN / ADA

<p>PROJECT NAME URBN LEAF LA MESA INC. 7901 HILLSIDE DRIVE MMD MEDICAL MARJUANA DISPENSARY</p>	<p>SCOTT BERNET ARCHITECTS A Professional Corporation 2031 Second Ave., San Diego, CA 92101 619.537-8433 fax 619.537-8469</p>
<p>DATE: 06.05.20 DRAWN: LIAH ROSE CHECKED: JEFFREY NEW FLOOR PLANS</p>	<p>Page 187 of 202</p>



TRASH ENCLOSURE
1/4"=1'-0"



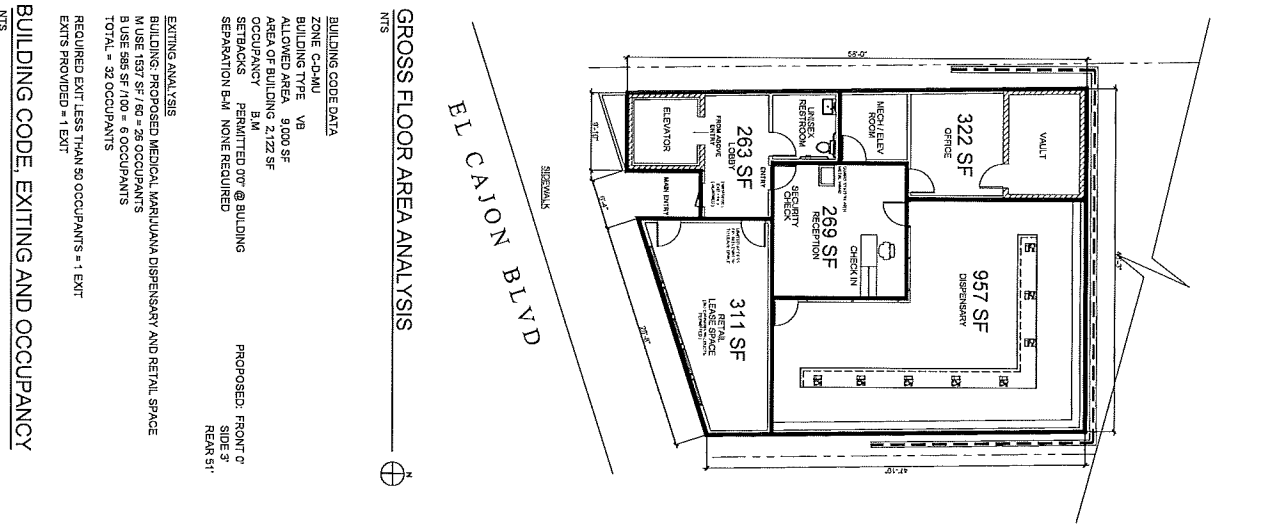
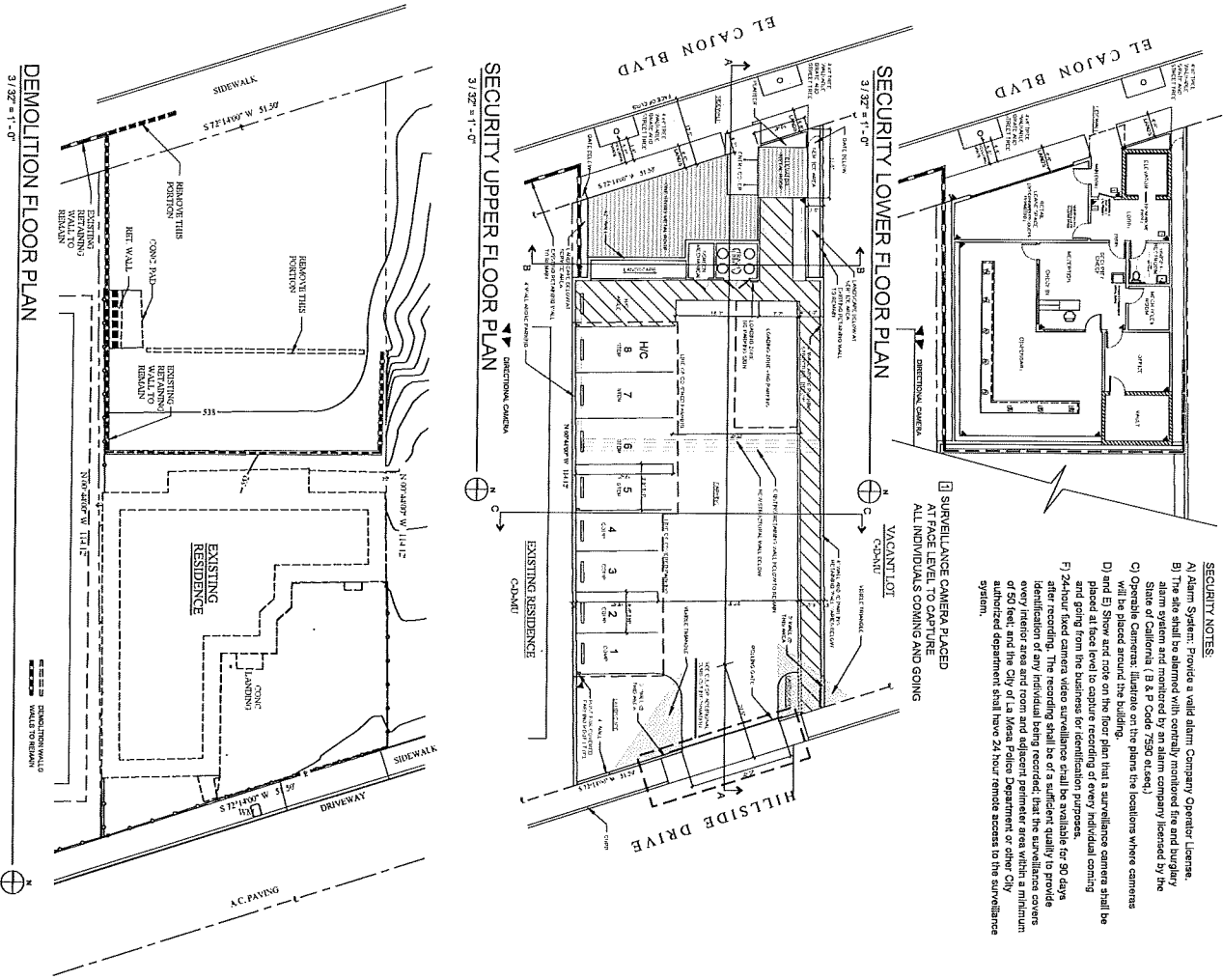
UPPER LEVEL FLOOR PLAN

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO
JUL 1 2018
RECEIVED
CLERK OF SUPERIOR COURT

URBN LEAF LA MESA INC.
7901 HILLSIDE DRIVE MMD
MEDICAL MARIJUANA DISPENSARY

Scott Bernet Architects
A Professional Corporation
2031 Secord Ave., San Diego, CA 92101 619.027.0433 fax 619.027.9499

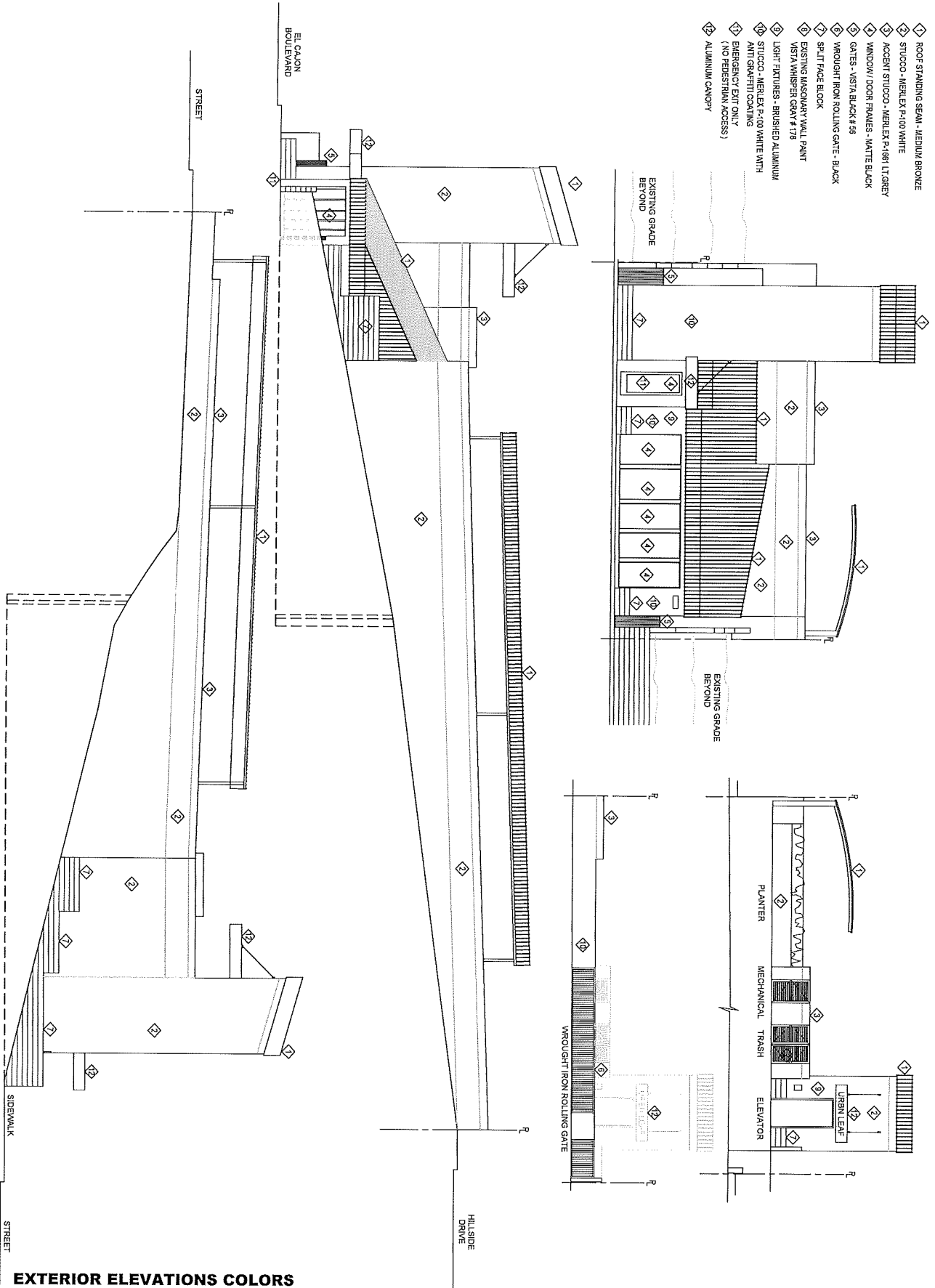
Page 188 of 202



DEMOLITION AND SECURITY FLOOR PLANS



- 1 ROOF STANDING SEAM - MEDIUM BRONZE
- 2 STUCCO - MERLEX P-100 WHITE
- 3 ACCENT STUCCO - MERLEX P-180 LT GREY
- 4 WINDOW / DOOR FRAMES - MATTE BLACK
- 5 GATES - VISTA BLACK # 59
- 6 WROUGHT IRON ROLLING GATE - BLACK
- 7 SPLIT FACE BLOCK
- 8 EXISTING MASONRY WALL PAINT
- 9 VISTA WHISPER GRAY # 178
- 10 LIGHT FIXTURES - BRUSHED ALUMINUM
- 11 STUCCO - MERLEX P-100 WHITE WITH ANTI GRAFFITI COATING
- 12 EMERGENCY EXIT ONLY (NO PEDESTRIAN ACCESS)
- 13 ALUMINUM CANOPY



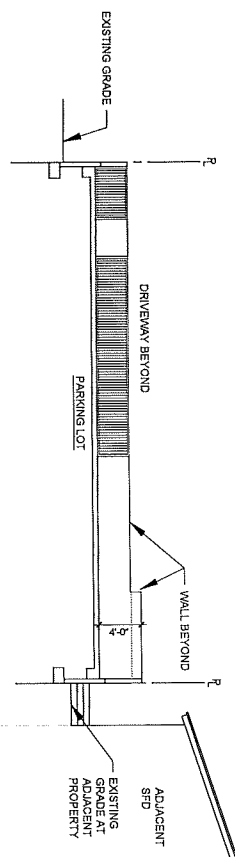
EXTERIOR ELEVATIONS COLORS

Architectural section drawing of Hillside Drive Section "B-B". The drawing shows a building layout with the following components and labels:

- TRASH AND MECHANICAL ENCLOSURE**: Located at the top right of the section.
- PLANTER WALL**: A wall structure below the trash enclosure.
- WALKWAY**: A path leading to the entrance area.
- URBN LEAF**: A small structure or feature near the entrance.
- EXISTING GRADE**: Indicated by a dashed line at the bottom right.
- NEW RETAINING WALL**: A wall structure at the bottom left.
- GRADE AT ADJACENT PROPERTY**: Two locations are marked with arrows at the top and bottom left.
- DISPENSARY**: A large room on the left side of the building.
- RECEPTION**: A room in the center of the building.
- RESTROOM**: A room on the right side of the building.
- PROPELLED**: A label with arrows pointing to the interior walls of the dispensary and restroom areas.

Section line: $3/16" = 1' - 0"$

HILLSIDE DRIVE SECTION "C"
3/16" = 1'-0"



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PERSPECTIVE



ELEVATOR AT PARKING LEVEL



FRONT ELEVATION FROM EL CAJON BLVD



BIRDS EYE



HILLSIDE DRIVE ELEVATION

EXTERIOR COLOR RENDERS

NTS

EXTERIOR COLOR RENDERS

<p>PROJECT: La Mesa DATE: 10-20-19 DRAWN: LUIS ROZC SHEET NUMBER: A7 REVISIONS</p>	<p>URBN LEAF LA MESA INC. 7901 HILLSIDE DRIVE MMD MEDICAL MARIJUANA DISPENSARY</p>	<p>Scott Bernet Architects A Professional Corporation 2031 Second Ave., San Diego, CA 92101 619-237-0433 fax 619-237-8409</p>
---	--	---



SITE



SITE FROM ECB SHOWING EXISTING WALLS



SITE AND ADJACENT HOUSE FROM ECB



DIRECTLY ACROSS ECB



SIDEWALK LOOKING EAST



SIDEWALK LOOKING EAST NEAR BALTIMORE



APARTMENT BUILDING EAST OF SITE ECB



LOOKING WEST AT SITE



HILLSIDE AT GUAYA



HILLSIDE AT SITE LOOKING TOWARD DEAD END

SITE PHOTOS

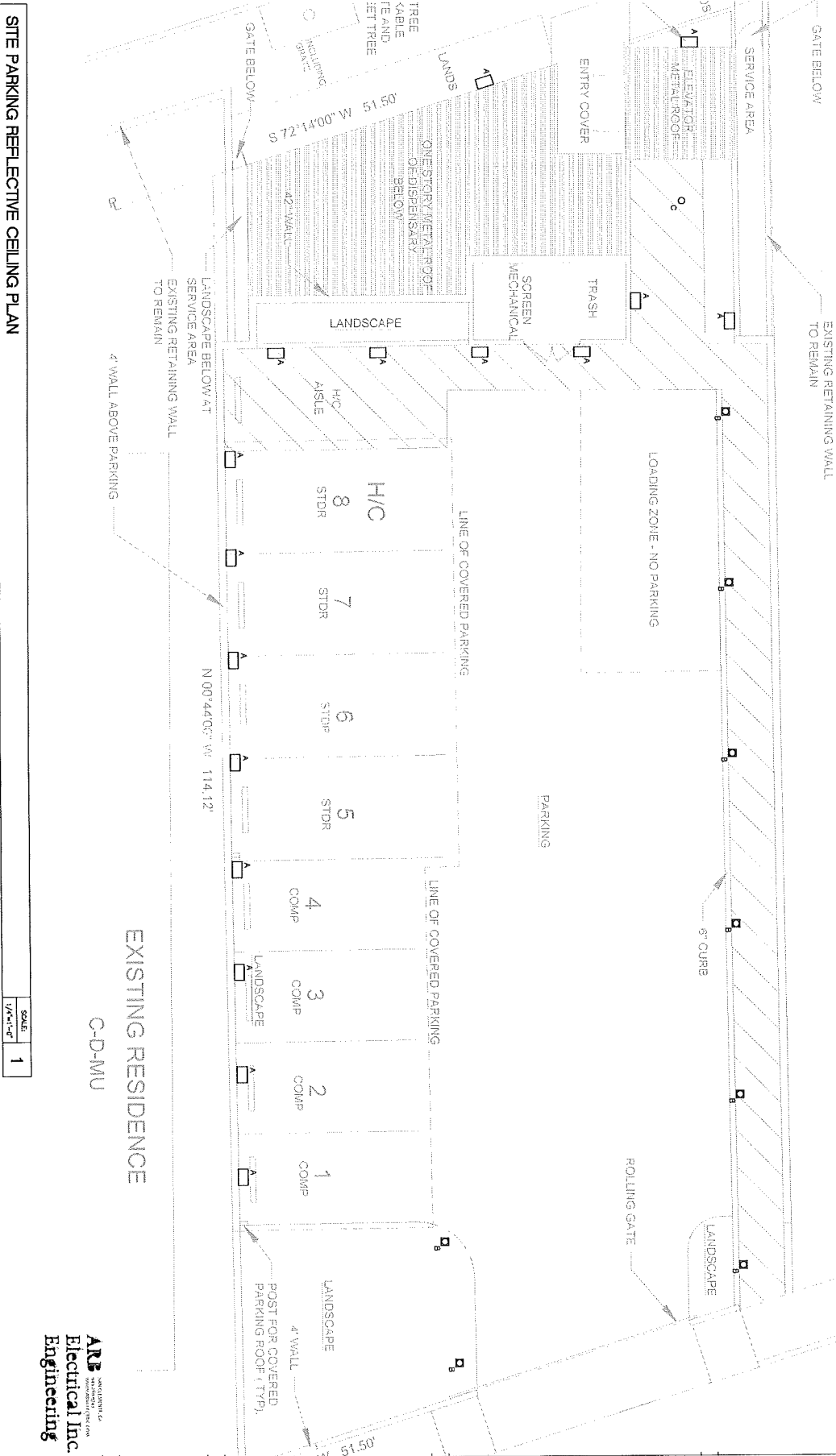
NTS

SITE PHOTOS

<p>PROJECT: LA MESA</p> <p>DATE: 10-10-19</p> <p>DRAWN: LUIS ROSEZ</p> <p>SHEET NUMBER:</p> <p>A8</p> <p>SITE PHOTOS</p>	<p>APPROVED:</p> <p>SEAL OF THE STATE OF CALIFORNIA</p> <p>ARCHITECT</p> <p>SCOTT BERNET ARCHITECTS</p> <p>19-346-0587</p>	<p>URBN LEAF LA MESA INC.</p> <p>7901 HILLSIDE DRIVE MMD</p> <p>MEDICAL MARIJUANA DISPENSARY</p> <p>CLIENT: URBAN LEAF LA MESA INC. 19-346-0587</p>	<p></p> <p>Scott Bernet Architects</p> <p>A Professional Corporation</p> <p>2031 Second Ave., San Diego, CA 92101 619-037-0433 fax 619-037-5489</p>
---	--	---	---

TYPE	SYMBOL	VECT	NOTED	LAWS	FITTING DESCRIPTION	MANUFACTURER	GRADE #
A	□	100'	20	LAWS	ARCHITECTURAL WALL SCENE LTD	UNION	SHED-72'-6"
B	□	100'	100'	LAWS	ARCHITECTURAL WALL SCENE LTD	UNION	SHED-72'-6"
C	○	100'	100'	LAWS	ARCHITECTURAL WALL SCENE LTD	UNION	SHED-72'-6"

- GENERAL NOTES**
1. PRIOR TO SUBMITTING SCAFFOLDING, VERIFY EXISTING CEILING HEIGHTS AND CONDITIONS. SCAFFOLDING SHALL BE PROTECTED FROM ALL EXISTING ROOFING MATERIALS AND STRUCTURES. SCAFFOLDING SHALL BE PROTECTED FROM ALL EXISTING ROOFING MATERIALS AND STRUCTURES. SCAFFOLDING SHALL BE PROTECTED FROM ALL EXISTING ROOFING MATERIALS AND STRUCTURES.
 2. ALL EXISTING ROOFING MATERIALS SHALL BE REMOVED WITH A CRANE. THE CRANE SHALL BE PROTECTED FROM ALL EXISTING ROOFING MATERIALS AND STRUCTURES. THE CRANE SHALL BE PROTECTED FROM ALL EXISTING ROOFING MATERIALS AND STRUCTURES.
 3. CRANE SHALL BE PROTECTED FROM ALL EXISTING ROOFING MATERIALS AND STRUCTURES. THE CRANE SHALL BE PROTECTED FROM ALL EXISTING ROOFING MATERIALS AND STRUCTURES.
 4. CRANE SHALL BE PROTECTED FROM ALL EXISTING ROOFING MATERIALS AND STRUCTURES. THE CRANE SHALL BE PROTECTED FROM ALL EXISTING ROOFING MATERIALS AND STRUCTURES.
 5. CRANE SHALL BE PROTECTED FROM ALL EXISTING ROOFING MATERIALS AND STRUCTURES. THE CRANE SHALL BE PROTECTED FROM ALL EXISTING ROOFING MATERIALS AND STRUCTURES.



SITE PARKING REFLECTIVE CEILING PLAN

SCALE: 1/4"=1'-0"

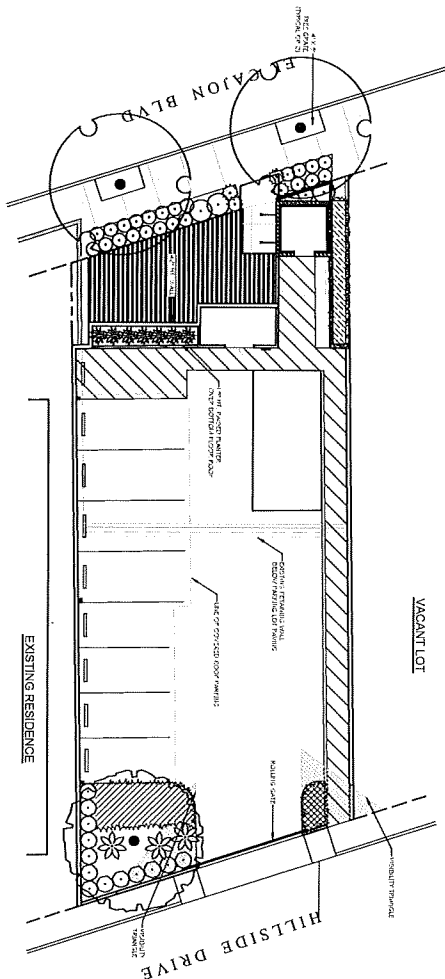
Scott Bernet Architects
A Professional Corporation
2031 Second Ave., San Diego, CA 92101 619/237-8433 fax 619/237-8439

URBN LEAF LA MESA INC.
7901 HILLSIDE DRIVE MMCC
LA MESA, CALIFORNIA
1-800-346-0587

ANB
Electrical Inc.
Engineering

PROJECT LA MESA
DATE: 04/25/17
DRAWN: JMB
SHEET NUMBER: **E2**
SHEET TITLE: SITE PARKING REFLECTIVE CEILING PLAN

Tree's POTENTIAL NAME

[illegible]

Landscape Area:
Total Landscape Area: 791 SF
Quantity of trees required: 1 per 500 SF = 2
Quantity of trees provided: 3

*Landscape Note (Per cycle comment #48):
Landscape design and maintenance shall implement applicable CPTED principles.

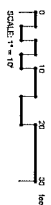
A. Trees shall be at least 8 feet above the ground and bushes shall be trimmed to less than 3 feet to allow for natural surveillance of the property.

B. Landscape shall not obstruct the view of any windows, doorway, security cameras, and light

Water Conservation Note:
This project has been designed to conserve water using low water use plants and will incorporate drip irrigation to maximize water use efficiency. The plant material will require low maintenance. Trees will be irrigated with a separate bubbler system.

All planting areas, excluding slopes over 3:1, will be top dressed with a minimum of 2" depth shredded bark mulch to retain soil moisture.

This plan is consistent with the State of Calif Model Water Efficient Landscape Ordinance



URBN LEAF LA MESA INC.
7901 HILLSIDE DRIVE MMCC
LA MESA, CA

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CONCEPTUAL PLANTING PLAN

Revisions	By
1-5-2018	
8-1-2018	
1-4-2014	
4-4-2014	
12-5-2014	
8-18-2020	

Drawn By: TEAM

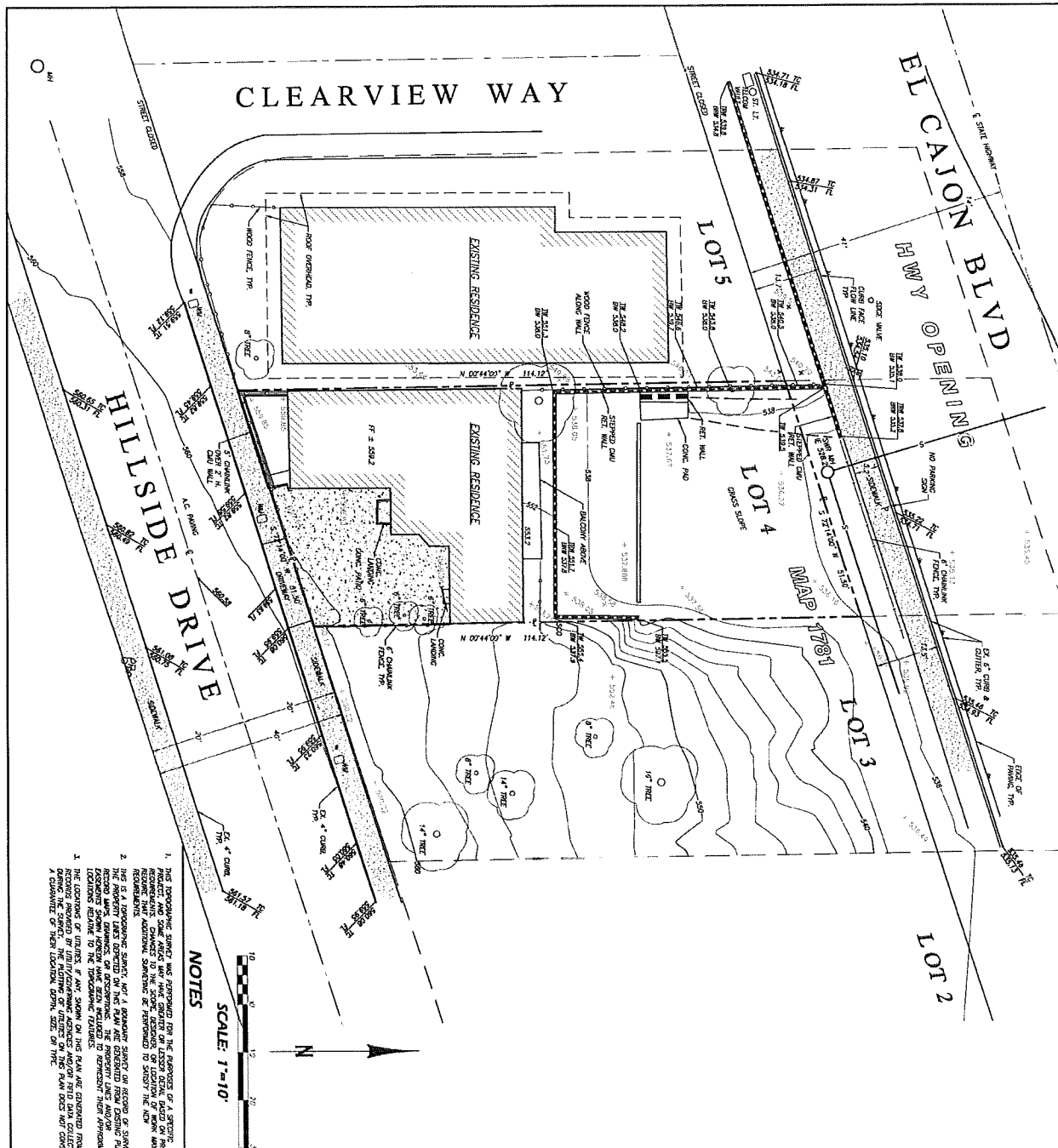
Checked By: _____

Date Issued: 5-2-2017

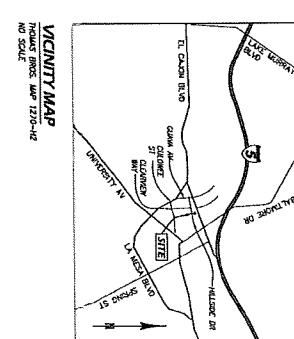
Project No.: 17-020

Scale: _____

L-1.0



- NOTES**
1. THE TOPOGRAPHIC SURVEY WAS PERFORMED FOR THE PURPOSES OF A SITE SPECIFIC ENGINEERING STUDY. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPERTY OR THE EXISTING CONDITIONS. THE SURVEYOR HAS RELIED ON THE INFORMATION PROVIDED BY THE CLIENT AND THE RECORD DRAWINGS FOR THE EXISTING CONDITIONS.
 2. THE PROPERTY LINES SHOWN ON THIS PLAN ARE BASED ON THE RECORD DRAWINGS AND THE SURVEY. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPERTY OR THE EXISTING CONDITIONS. THE SURVEYOR HAS RELIED ON THE INFORMATION PROVIDED BY THE CLIENT AND THE RECORD DRAWINGS FOR THE EXISTING CONDITIONS.
 3. THE LOCATIONS OF UTILITIES ARE SHOWN ON THIS PLAN AS DEDUCTED FROM RECORD DRAWINGS AND FIELD SURVEY. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPERTY OR THE EXISTING CONDITIONS. THE SURVEYOR HAS RELIED ON THE INFORMATION PROVIDED BY THE CLIENT AND THE RECORD DRAWINGS FOR THE EXISTING CONDITIONS.



TOPOGRAPHIC SURVEY

DATE OF SURVEY: 3/14/2017
SURVEYOR: J. Whiteman

C.0

SCALE: 1" = 10'

Topographic Survey

RECORD 1: 09/29/17
RECORD 2: 09/29/17
RECORD 3: 09/29/17
RECORD 4: 09/29/17
RECORD 5: 09/29/17

ABBREVIATIONS

AC	ASPHALT CONCRETE	RD BK	FIELD BOOK
AS	ASBESTOS	IR	IRRADIATION CONTROL WAIVER
BE	BEARING	LA	LOW PRESSURE
BR	BRICK	PA	PAVEMENT
CC	CONCRETE	SH	SHOULDER
CL	CLAY	SM	STORM MANHOLE
EL	ELEVATION	TR	TRAILER
FT	FEET	UT	UTILITY
IN	INCHES	WA	WATER
LT	LEFT	WT	WATER TOWER
RT	RIGHT		

BENCHMARK

1" BRASS BOLT IN WELL MONUMENT, 227 FEET SOUTH OF INTERSECTION OF BALDWIN DRIVE & EL CAÑON BLVD.
ELEV = 531.283; CORNER MONUMENT, CITY OF LA MESA VERTICAL CONTROL

LEGAL DESCRIPTION

LOT 4 OF ELEVATION, 1781 LOTS, IN THE CITY OF LA MESA, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, BEING THE SOUTHWEST CORNER OF THE ELEVATION, 1781 LOTS, AS SHOWN ON THE MAP OF THE CITY OF LA MESA, CALIFORNIA, DATED 1981, AND AS SHOWN ON THE MAP OF THE CITY OF LA MESA, CALIFORNIA, DATED 1981, AND AS SHOWN ON THE MAP OF THE CITY OF LA MESA, CALIFORNIA, DATED 1981.

EASEMENTS

ALL EASEMENTS SHOWN BELOW ARE BASED ON RECORDS AND FIELD SURVEY. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPERTY OR THE EXISTING CONDITIONS. THE SURVEYOR HAS RELIED ON THE INFORMATION PROVIDED BY THE CLIENT AND THE RECORD DRAWINGS FOR THE EXISTING CONDITIONS.

LEGEND

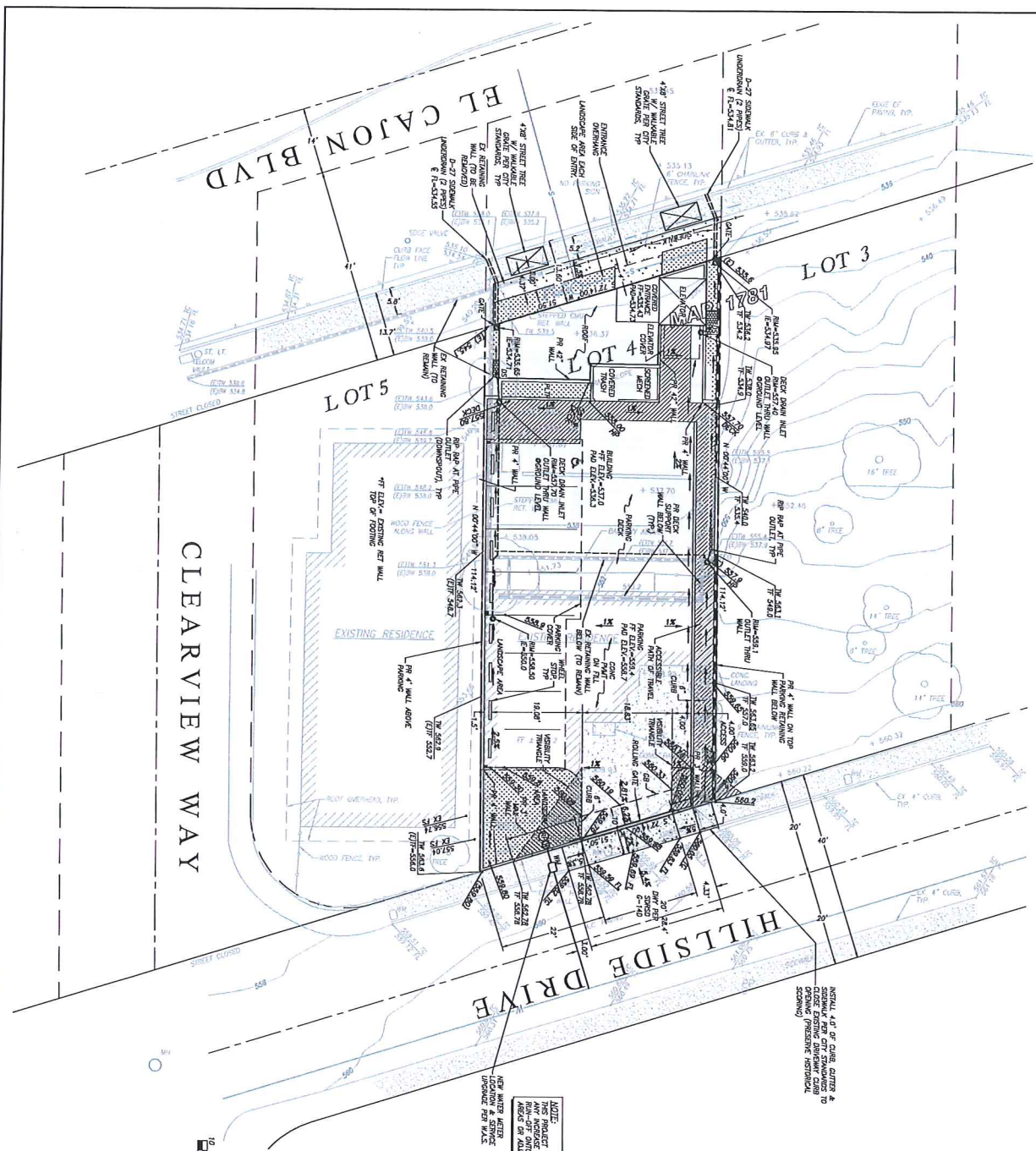
SYMBOL	DESCRIPTION
---	PROPERTY LINE (RECORD)
---	PROPERTY LINE - OFFSITE
---	STREET CENTERLINE
---	CONTOUR
---	DOSE OF FILLING
---	SHORT ELEVATION
---	DESIGN SHORT ELEVATION
---	BUILDING FOOTPRINT
---	WOOD FENCE
---	CHAIN LINK FENCE
---	PRELIMINARY WALL
---	REINFORCED WALL
---	POWER POLE
---	THREE PLANT, PLANT
---	LOT LINE (OFFSITE)

HILLSIDE LA MESA CUP

7901 HILLSIDE DRIVE
La Mesa, CA 91942

COFFEY ENGINEERING, INC.

1555 BROADWAY AVENUE, SUITE 200, SAN DIEGO, CA 92101
TEL: 619-594-1111 FAX: 619-594-1112

[illegible]

DRAWN BY: DW/FR	
CHECKED BY: JC	
ORIGINAL: 8/13/20	
REGION 1	
REGION 2	
REGION 3	
REGION 4	
REGION 5	
CONCEPTUAL GRADING PLAN	
SCALE: 1" = 10'	
C.1	
SHEET 1 OF 2 SHEETS	








CIVIL SHEET INDEX

SHEET DESCRIPTION	SHEET #
CONCEPTUAL GRADING PLAN	C1
CONCEPTUAL PERMANENT GRIP PLAN	C2

SOURCE OF TOPOGRAPHY

FIELD TOPOG BY:	FILE 150.00
CORPUS ENGINEERING, INC.	IMPORT 0.00
PROJECT P2011-023, DATED 3/23/17	EXPORT 0.00
JOHN E. CORPUS, P.E.	MAX. GUT SLOPE COEFFICIENT 2.0
	MAX. GUT SLOPE HEIGHT 3.0 FT
	MAX. GUT SLOPE HEIGHT 3.0 FT

BENCHMARK

DOWNSPOUT/ROOF DRAIN OUTLET	RIP RAP	DRAINAGE SHALE OR DIRECTION OF FLOW	CONCRETE	LANDSCAPE AREA	ACCESSIBLE PAINT OF TRAVEL	VISIBILITY THROUGH
						

CONCRETE
PROPOSED
PROPERTY LINE (ALASTED)
CONTOUR
SPOT ELEVATION
BUILDING FOOTPRINT
FREE STANDING WALL
RETAINING WALL
6" AREA DRAIN
DRAIN CLEANOUT
6" PVC LINE (PWT)

SPOT ELEVATION
BUILDING FOOTPRINT
SEWER MAIN
WATER MAIN
FREE INBOARD
CHAIN LINK FENCE
WOOD FENCE
CHAIN LINK FENCE
FREE STANDING WALL
RETAINING WALL
TREE PLANT PALM

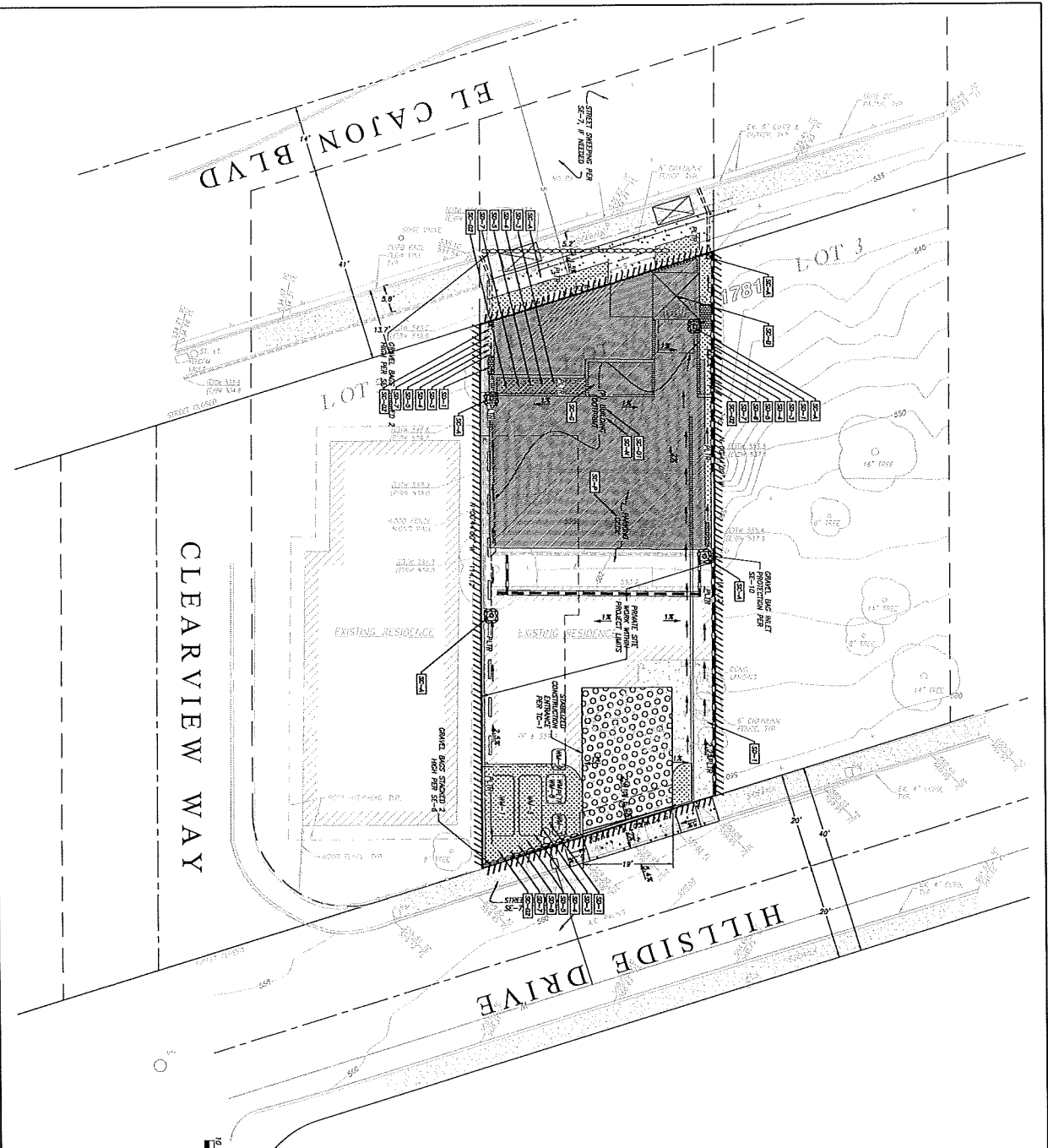
LEGEND

SYMBOL	DESCRIPTION
—	PROPERTY LINE (RECORD)
- - -	PROPERTY LINE (ADJUTANT)
—	STREET CENTERLINE
—	CONTIGUA

HILLSIDE LA MESA CUP
7901 Hillside Drive
La Mesa CA 91942



COFFEY ENGINEERING, INC.



LEGEND

DESCRIPTION	STD. LINES	SYMBOL
PROPERTY LINE	---	=====
LIMIT OF PROJECT DISTURBANCE	---	=====

LID SITE DESIGN BMP'S

DESCRIPTION	STANDARD	DESCRIPTION	STANDARD
MINIMIZE IMPERVIOUS AREAS	[Symbol]	RETENTION FLOOD DRAINAGE/STORAGE	[Symbol]
MINIMIZE SOIL COMPACTION	[Symbol]	STRUCTURAL ROOT CONTROL	[Symbol]
DISPERSE IMPERVIOUS AREAS	[Symbol]	LANDSCAPE/OUTDOOR PESTICIDE	[Symbol]
RUNOFF COLLECTION	[Symbol]	RETENTION AREAS	[Symbol]
LANDSCAPE WITH NATIVE OR DROUGHT TOLERANT SPECIES	[Symbol]	FIRE SPRINKLER TEST WATER	[Symbol]
		PLAZAS, SIDEWALKS AND PARKING LOTS	[Symbol]

TOTAL LOT AREA = 5,817 SF
 EXISTING IMPERVIOUS AREA = 5,817 SF
 IMPERVIOUS AREA WITH DEVELOPMENT = 5,817 SF
 RUNOFF DISCHARGES TO PUBLIC STREET
 REZONING WANTED = SAN DIEGO WATER

- STANDARD DEVELOPMENT PROJECT
- LOW THREAT CONSTRUCTION SITE PRIORITY
- SPOBMP REQUIRED
- CSWMP REQUIRED
- ADVANCED TREATMENT NOT REQUIRED

NOTES:
 1. EXISTING AND PROPOSED DEVELOPMENT (LID) AND SOURCE CONTROL BMP DETAILS AND DIMENSIONS CAN BE FOUND IN THE CITY OF LA MESA SUDAP MAP AMEND. JANUARY 2011.

HILLSIDE LA MESA CUP
 7901 Hillside Drive
 La Mesa, CA 91942



COFFEY ENGINEERING, INC.
 2255 BUSINESS PARK AVENUE, SUITE 210 SAN DIEGO, CA 92131 PH (619) 591-0111 FAX (619) 591-0112

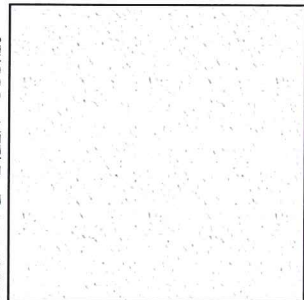
DESIGN BY: DAV/IR
DRAWN BY: JC
CHECKED BY: JC
DATE: 8/11/20
REVISION 1
REVISION 2
REVISION 3
REVISION 4
REVISION 5

C.2

CONCEPTUAL
 PERMANENT BMP
 PLAN
 SCALE: 1"=10'



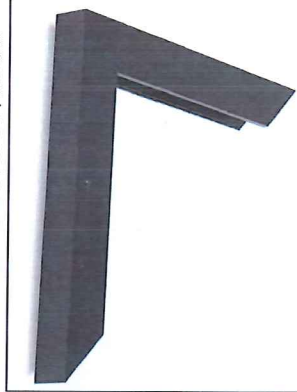
ROOF STANDING SEAM - MEDIUM BRONZE



STUCCO - MERLEX P-100 WHITE



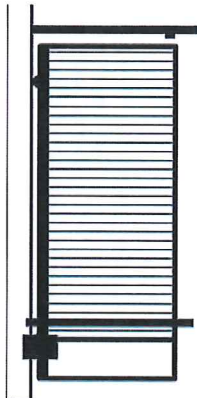
ACCENT STUCCO - MERLEX P-166 LT. GREY



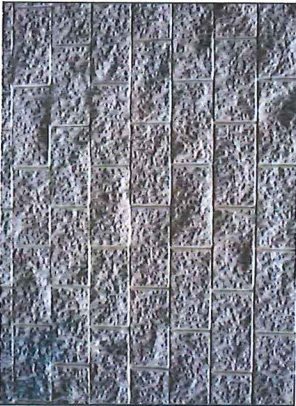
WINDOW / DOOR FRAMES - MATTE BLACK



GATES - VISTA BLACK # 56



WROUGHT IRON ROLLING GATE - BLACK



SPLIT FACE BLOCK



EXISTING MASONRY WALL PAINT
VISTA WHISPER GRAY # 178



LIGHT FIXTURES - BRUSHED ALUMINUM

CUP - 17-88

7901 HILLSIDE MATERIALS BOARD



DATE: February 8, 2022

TO: Members of the City Council

FROM: Mayor Mark Arapostathis and Councilmember Laura Lothian

SUBJECT: Consideration of Directing the Arts and Culture Commission to Study and Make Recommendations Regarding Public Art such as Murals on Public and/or Private Buildings and Structures