



LETTER OF REQUEST FOR REZONE

Thursday, February 10, 2022

Subject Property:

7720 Kenamar Ct., San Diego, CA 92121

APN: 343-321-24-00

Legal Description: Lots 15 and 16 of Santa Fe Business Center, according to Map thereof No 11277, filled in the Office of the County Recorder of San Diego County July 8, 1985 as File No. 85-243127 of official records.

I. Introduction

Please accept this letter as part of the request to Rezone the subject property listed above. Specifically, we are requesting that the subject parcel's zone be amended from the current IL-2-1 to IL-3-1. Currently, the parcel is zoned IL-2-1 and contains an existing 61,539sf industrial building. Below you shall find an analysis of how the subject property will comply with all IL-3-1 zone requirements and the applicable community plan.

II. Intent of proposed Rezone

The Miramar area, a sub-area of the greater Mira Mesa community, has developed itself into a destination for Eating & Drinking Establishments, fueled greatly by the boom in breweries and the resulting accompanying restaurants. In both IL-2-1 and IL-3-1, Eating & Drinking Establishments are permitted with restrictions. Zone IL-2-1 however has an additional unique restriction (not present in IL-3-1) whereas per SDMC 131.0623(b)(1): *The dining and serving are of individual establishments are limited to 3,000 square feet of gross floor area, except where provided in accordance with Section 131.0623(i).* The exception allows for an increase in area, but only where the primary use is manufacturing of malt beverages or distilled spirits. The subject property however has an approved CUP for a Cannabis Production Facility, therefore it would not qualify for the exception and would have to limit the dining and serving area as mentioned above.

The limited size of the potential eating & drinking establishment precludes this property from being developed to it's full potential and therefore we are requested that it be rezoned to IL-3-1.

Spot zoning from IL-2-1 to IL-3-1 is predominant in the surrounding area.

III. Consistency with the Mira Mesa Community Plan

Non-Residential Intensity - Floor Area Ratio



The proposed rezone would not affect consistency with this criteria. IL-3-1 and IL-2-1 have the same FAR.

Smart Growth and Transit Priority Areas

The proposed rezone would not affect consistency with this criteria. Both IL-2-1 and IL-3-1 zoned areas are considered Prime Industrial Area per the Mira Mesa Community Plan.

Airport Influence Areas

The subject property is not located in any of the Accident Potential Zones. The property however is located within the 65-70 CNEL zone. The Noise Element of the General plan, Table NE-3 does not distinguish between the size of eating & drinking establishments and restricts uses according the Exterior Noise Exposure. The proposed rezone would not affect consistency with these regulations.

IV. Consistency with the San Diego Municipal Code, IL-3-1 Zone

Purpose:

IL-3-1 differs from IL-2-1 in purpose because it allows for “commercial uses” as compared to “limited commercial” of the IL-2-1 zone. Both zones allow for a mix of light-industrial and office uses.

Development Regulations:

IL-2-1 and IL-3-1 have exactly the same Development Regulations per SDMC Table 131-06C. The subject property complies with the Development Regulations of both zones.

V. Conclusion

The proposed rezone (spot rezoning) would maintain the subject property’s consistency with the General Plan, Community Plan and Municipal code. Furthermore, similar spot rezones are prevalent in the immediate adjacent areas and appropriate in this case.

Sincerely,

Abhay Schweitzer Assoc. AIA - Principal