



CITY OF OAKLAND  
Office of the City Administrator

SPECIAL ACTIVITY PERMITS

• 1 Frank H. Ogawa Plaza, 1st Floor

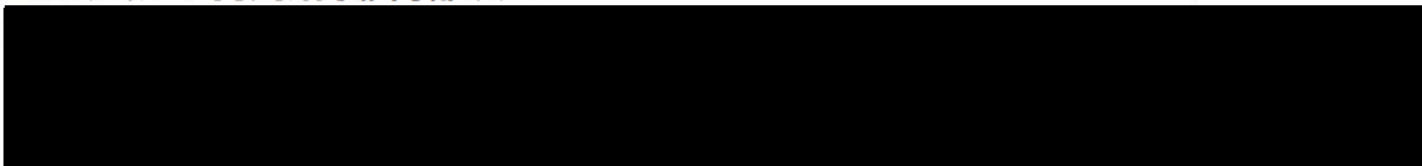
• Oakland, CA 94612

**PRELIMINARY CHECKLIST FOR CANNABIS OPERATORS PURSUANT TO THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

APPLICANT NAME: Primitive 535 LLC

DBA: Primitive 535

APPLICANT CONTACT INFORMATION:



**PROPERTY OWNER AND APPLICANT INFORMATION**

(Only complete if different from Applicant)

Original signatures or clear & legible copies are required.

Property Owner: Edgewater Park Plaza, LLC MKSI Investments LLC  
1618 Franklin LLC

Property Owner Mailing Address: 300 Frank Ogawa Plaza Suite #340

City/State: Oakland, CA Zip: 94612



I authorize the applicant indicated above to submit the application on my behalf.

Signature of Property Owner: Mark Mellick

**I. SITE INFORMATION**

Project Address: 7700 Edgewater DR building C #520

Project APN: 42-4435-1-11

Project Overview and Description:

We are building a energy efficient  
Led grow in an existing space with  
as little changes to the space as  
Possible. It is appx 8000 sq ft

What is the approximate square footage for each cannabis activity at your proposed site?

Delivery \_\_\_\_\_

Distribution \_\_\_\_\_

Indoor Cultivation 8000 sq ft

Outdoor Cultivation \_\_\_\_\_

Volatile Manufacturing \_\_\_\_\_

Non-Volatile Manufacturing \_\_\_\_\_

Transporter \_\_\_\_\_

Lab Testing \_\_\_\_\_

What is the approximate square footage of the lot on which the cannabis activity will take place?

250,000

Is the project new construction or rehabilitation of an existing facility?

☐ New Construction

☒ Rehabilitation of an existing facility

If rehabilitation, is the number of units or square footage being changed? ☐ Yes ☒ No (Explain if yes)

appx. 3000 sq ft of 8000 sq ft unit

What was the prior use of the property/premises?

office space that has been converted  
into a cannaplex

If your application is approved, will there be multiple cannabis operators located at the property?

☒ Yes ☐ No

If yes, how many and what is the approximate total square-footage for all cannabis operators?

100,000 Plus

Have you incorporated any measures into your project to mitigate or reduce potential environmental impacts? ☒ Yes ☐ No ☐ Unknown

If so, list them here. (Examples include enrollment in clean energy programs, tree preservation plans, creek restoration plans, and open space easements.)

yes, we will taking Full advantage of all  
Programs and Rebates as we are building  
out with state of art LEDs, Also  
Signed up with "Renewable 100 Program"

Will the Project utilize a carbon dioxide generator as part of your cannabis facility? ☒ Yes ☐ No



If yes, will the carbon dioxide generator emit carbon dioxide into the air and at what levels? Please explain and provide consultant report if necessary.

we will be doing a Smart and Safe Plan. Each grow room will be outfitted with CO<sub>2</sub> generators and sensors it will also have warning lights installed in each room a yellow light will go on if levels reach 3000 PPM letting workers know to evacuate. A Red light will go on if levels reach 5000 PPM shutting Down system and perging through exhaust

## II. HISTORIC RESOURCES

Is the project site located within a historic district, or contain a historic building? ☐ Yes ☐ No  
(Historic information can be obtained from the Planning & Zoning Division at (510) 238-6879)

a) What is the OCHS (Oakland Cultural Heritage Survey) rating of the building?

N/A

b) If so, is the building proposed for demolition or alteration?

N/A

c) Is there a California Office of Historic Preservation DPR Form 523 with rating of 1 to 5?

N/A

Note: Any modification to a historic building will require additional CEQA analysis and may not be eligible for a CEQA exemption.

## III. HAZARDOUS MATERIALS

Is the subject property located on a State List of sites containing hazardous materials compiled pursuant to Section 65962.5 of the Government Code? ☐ Yes ☒ No

(Cortese list, among others; more information can be obtained from California EPA at [https://www.dtsc.ca.gov/SiteCleanup/Cortese\\_List.cfm](https://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm))

a) If so, has the site been remediated? \_\_\_\_\_

- b) Is there a "Closure Letter" from the appropriate regulatory Agency? N/A
- c) If not remediated, is there an approved Remedial Action Plan (RAP)? N/A
- d) If not, has a RAP been submitted? N/A

#### IV. OTHER

Is the applicant aware of any other environmental conditions/impacts likely to require further CEQA or National Environmental Policy Act (NEPA) review, such as:

- i. Sensitive environments, e.g., creeks-wetlands, seismically active areas ☐ Yes ☒ No
- ii. Peculiar or unique characteristics of the site, the project, or adjacent uses ☐ Yes ☒ No

Please explain:

I understand that review and approval of this preliminary CEQA checklist does not constitute approval for any administrative review, conditional use permit, variance, or exception from any other City regulations which are not specifically the subject of this application. I understand further that I remain responsible for satisfying requirements of any private restrictions or covenants appurtenant to the property. I understand that the Applicant and/or Owner phone number listed above will be included on any public notice, if any, for the project.

I certify that I am the applicant and that the information submitted with this preliminary CEQA checklist is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies may result in the revocation of any permits as determined by the City. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature above.

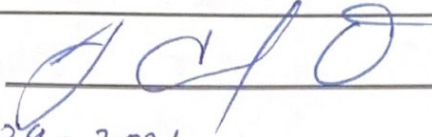
I certify that statements, if any, made to me about the time it takes to review and process this application are general. I am aware that the City has attempted to request everything necessary for an accurate and complete CEQA review of my proposal; however, that after this preliminary CEQA checklist and/or application has been submitted and reviewed by the City Administrator's Office, it may be necessary for the City to request additional information and/or materials. I understand that any failure to submit the additional information and/or materials in



a timely manner may render the application inactive and that periods of inactivity do not count towards statutory time limits applicable to the processing of this application.

I HEREBY CERTIFY, UNDER PENALTY OF PERJURY, THAT ALL THE INFORMATION PROVIDED ON THIS APPLICATION IS TRUE AND CORRECT.

Signature of Applicant:



Date:

July - 29 - 2021

FOR  
OFFICE  
USE  
ONLY

CEQA Review done by: \_\_\_\_\_ Date: \_\_\_\_\_

Findings: ☐ Exempt ☐ Needs Additional Information

Notice of Exemption completed by: \_\_\_\_\_ Date: \_\_\_\_\_

# CITY OF OAKLAND



DALZIEL BUILDING • 250 FRANK H. OGAWA PLAZA • SUITE 3315 • OAKLAND, CALIFORNIA 94612

Planning and Building Department  
Bureau of Planning

(510) 238-3941  
FAX (510) 238-6538  
TDD (510) 238-3254

## NOTICE OF EXEMPTION

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TO: Alameda County Clerk  
1106 Madison Street  
Oakland, CA 94612

**Project Title:** Cannabis Cultivation @ 7700 Edgewater Dr. Bld. C #520  
**Project Applicant:** Primitive 535 LLC.  
**Project Location:** 7700 Edgewater Dr. (APN: 42-4435-1-11)  
**Project Description:** Applicant has proposed a cannabis operation of which 8,000-sq.ft. of a 250,000-sq. ft facility that will cultivate cannabis.

### **Exempt Status:**

#### Statutory Exemptions

☐ Ministerial {Sec.15268}

#### Other

☒ Projects consistent with a community plan, general plan or zoning {Sec. 15183(f)}  
☐ \_\_\_\_\_ (Sec. \_\_\_\_\_)

#### Categorical Exemptions

☒ Existing Facilities {Sec.15301}  
☐ Small Structures {Sec.15303}

### **Reason why project is exempt:**

The Applicant is proposing to operate as a cannabis cultivation in an existing commercial facility. Further, the use of cannabis cultivation is permitted at the discretion of the City Administrator under Chapter 5.80 of the Oakland Municipal Code, and a delivery operation of this size does not generate a significant number of vehicle trips. Thus, the proposed use will not have a significant effect on the environment. **Lead Agency:** City of Oakland, Planning and Building Department, 250 Frank H. Ogawa Plaza, Suite 2114, Oakland, CA 94612 **Division/Contact Person:** Bureau of Planning / Zoning / Aubrey Rose AICP, Planner III **Phone:** 510-238-2071

\_\_\_\_\_  
Signature (Ed Manasse, Environmental Review Officer)

\_\_\_\_\_  
Date:

Pursuant to Section 711.4(d)(1) of the Fish and Game Code, statutory and categorical exemptions are also exempt from Department of Fish and Game filing fees.

**\*ENVIRONMENTAL DECLARATION  
(CALIFORNIA FISH AND GAME CODE SECTION 711.4)**

: FOR COUNTY CLERK USE  
ONLY

LEAD AGENCY NAME AND ADDRESS:

CITY OF OAKLAND  
Bureau of Planning  
250 Frank H. Ogawa Plaza, Suite 2114  
Oakland, CA 94612

APPLICANT: Primitive 535 LLC  
7700 Edgewater Dr. Bldg. C #520  
Oakland, CA 94621

: FILE NOS. n / a

**CLASSIFICATION OF ENVIRONMENTAL DOCUMENT:  
(PLEASE MARK ONLY ONE CLASSIFICATION)**

**1. NOTICE OF EXEMPTION / STATEMENT OF EXEMPTION**

☒ A – STATUTORILY OR CATEGORICALLY EXEMPT

\$50.00 – COUNTY CLERK HANDLING FEE

**1. NOTICE OF DETERMINATION (NOD)**

☐ A – NEGATIVE DECLARATION (OR MITIGATED NEG. DEC.)

\$2,480.25 - STATE FILING FEE

\$50.00 (Fifty Dollars) – COUNTY CLERK FILING FEE

☐ B – ENVIRONMENTAL IMPACT REPORT

\$3,445.25 – STATE FILING FEE

\$50.00 (Fifty Dollars) – CLERK’S FEE

3. ☐ **OTHER:** \_\_\_\_\_

**\*\*A COPY OF THIS FORM MUST BE COMPLETED AND SUBMITTED WITH EACH COPY OF AN ENVIRONMENTAL DECLARATION BEING FILED WITH THE ALAMEDA COUNTY CLERK.\*\***

**BY MAIL FILINGS:**

**PLEASE INCLUDE FIVE (5) COPIES OF ALL NECESSARY DOCUMENTS AND TWO (2) SELF-ADDRESSED ENVELOPES.**

**IN PERSON FILINGS:**

**PLEASE INCLUDE FIVE (5) COPIES OF ALL NECESSARY DOCUMENTS AND ONE (1) SELF-ADDRESSED ENVELOPE.**

**ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING.**

FEES ARE EFFECTIVE JANUARY 1, 2021  
MAKE CHECKS PAYABLE TO: ALAMEDA COUNTY CLERK