

## Conditional Use Permit Applicant Letter – NATIVE GARDEN – 167 Cabrillo St

**167 Cabrillo St****APPLICANT:** Cabrillo Community Project LLC**Operator (dba):** NATIVE GARDEN**Request:** The request is for a Conditional Use Permit to allow a Cannabis Retail Storefront (Type 10) and a Cannabis Business Permit.

## EXECUTIVE SUMMARY

NATIVE GARDEN has selected a neighborhood site to provide a neighborhood friendly cannabis retail offering, designed to appeal to the Eastside Neighborhood.

The Retail Facility will be on the small size @ 1,050 sf and efficiently be utilized to provide the proper scaled down operation servicing a neighborhood. We expect frequent repeat of customers, lower transaction counts and higher average volume per transaction on most customer visits. We expect and will incentivize customers and employees to walk or bike.

**Solid support.** Our project has over 40 properties with support letters.

The Property Owner owns many Costa Mesa properties and is in process of a substantial improvement in half of their portfolio.

**Summary of Modifications to support proximity to Residential:**

- Reduced Hours: 9 am to 8pm
- Changed Ingress / Egress of vehicle orientation away from Residential
  - Now enter off Cabrillo, exit to Fullerton
- Modified Front Entrance, away from Residential, towards Fullerton
- Added Landscape Screening Buffer on Cabrillo to screen Front Entrance
- Expanded Bike Racks & Added 1<sup>st</sup> Know E Bike Charging Station at Cannabis Retail
- Observed neighborhood parking patterns on different days, different hours
- Secured Offsite Parking on adjacent 170 Wells Place
- Held Community Outreach Event
  - No opposition
- Knocked on all doors within 500', some twice
- Enhance Security Guard Role:
  - Lead introduction of Neighborhood Watch Program. Meetings and Communications
  - Expand sphere of patrol from 50 feet to a greater patrol area to support Neighborhood Watch
- Surveyed all the Eastside Bars and Liquor Stores in Proximity to Residential, open till 2 am

**Neighborhood Store Operational Characteristics :**

- The goal is to reduce potential impacts and become a part of the Neighborhood
  - Reduced Hours
  - Expanded Security perimeter patrol and Neighborhood Watch
- Limited Product Offering, higher price points, lower transaction counts
- Carry products oriented towards health & fitness
- Partner with local offsite health & wellness partners
  - Think Pilates or Yoga class, with a cannabis expert talking about pain or sleep solutions
  - Cooking classes, neighborhood walks and bike rides
  - Planned retreats for customers
- Focus on deeper customer education & Consultation (Pain & Sleep solutions)
- Focus on Seniors
- Non-Cannabis offerings around Health & Wellness
  - Examples:
- Utilize Customer Exit Bags and signage to communicate with Customers
  - Good Neighbor Policy in General, address any topics that come up
- Regular Mailers to neighbors offering the “Neighbor Discount”

**Enhanced Security Guard Role & Responsibilities:**

- Standard Condition of Approval, requires monitoring and influencing outcomes within 50 feet
- Propose expanding sphere of patrol of Public Areas adjacent to Store to establish and support Neighborhood Watch

**Significant Improvement to the Property:**

- The Project is investing in revitalizing this mid century, deferred maintenance property

**Community Benefits:**

- Native Garden is committed to giving back and becoming part of the community
- We will support TRIUNFO Jui-Jitsu & MMA with sponsorship and scholarships
- We believe in a bikeable & walkable community so we are seeking to partner with groups like Costa Mesa Alliance 4 Better Streets (CMABS)

**Bike Racks and E Bike Charging Station:**

- Native Garden is committed to being part of a walkable bikeable City
- Accommodate more Bikes with expanded Bike Racks
- Introducing the first new E Bike Charging Station at a Cannabis Store
- Great for Beachgoers, our Target Market

**Eastside Monthly Events:**

- Organized and Sponsored Walk & Bike Events

**Methods to Communicate with Customers to achieve desired outcomes:**

- Customer Exit Bags. Place general and targeted messages, EX: Please respect Neighbors by controlling noise when you exit
- Interior & Exterior Signage

**Off Site Parking:**

- Secured additional employee parking (3 spaces) at adjacent property

**Security Plan:** Implement our approved 126 page thorough Security Plan

**Odor Control:** Introduce Charcoal Filters to achieve the standard of no detectable odor outside the premises.

Dear Costa Mesa City,

My name is Jerry Palanjian and have operated my businesses here in Costa Mesa since 1971. I currently own 115 Cabrillo, 167 Cabrillo, 263 costa mesa street, 1724 newport blvd, 1734 newport blvd, 1970 newport blvd, 1974 newport blvd, 1982 newport blvd, 1984 newport blvd, 1996 newport blvd, 2960 randolph ave, 2968 randolph ave, and 1965 church street. I approve a retail cannabis dispensary located at 167 cabrillo.

Thanks

Jerry Palanjian

949 633 8888

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Dear Costa Mesa City,

My name is Jeff Koga and I reside in East Side Costa Mesa with my wife and young family. I have lived and operated my businesses here for 50 plus years. I currently own 334 16<sup>th</sup> place, 336 16<sup>th</sup> place, 221 A and B 20<sup>th</sup> street, 1698 Whittier Street, 995 W 17<sup>th</sup> street, 989 W 19<sup>th</sup> street , 1892 Whittier Street, and 211 Walnut Street. I approve the retail cannabis storefront at 167 Cabrillo.

Thank you

Jeff Koga

714 309 0303

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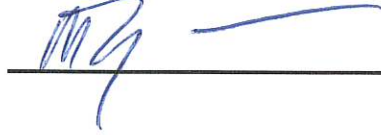
Dear Costa Mesa City,

My name is Mike Penjoyan and I currently operate a small business in Costa Mesa which was founded in 1969. Our family currently owns 2000 newport blvd, 2016 newport blvd, 2020 newport blvd, 2037 newport blvd, 144 east bay street and 148 east bay street. I reside in Costa Mesa and have raised my daughters locally with my wife of 20 plus years. I am supportive of a retail cannabis dispensary doing business at 167 Cabrillo Street.

Sincerely,

Mike Penjoyan

714 356 2177




Dear Costa Mesa City,

My name is Jeff Tanner and I own 125 and 127 Cabrillo Street. I approve a retail dispensary located at 167 Cabrillo.

Thank you,

Jeff Tanner

A handwritten signature in black ink, appearing to read "Jeff Tanner", written over a horizontal line.

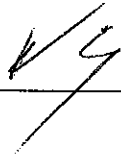
Dear Costa Mesa City,

My name is Kevin Sand and I own multiple bars and property on Newport blvd between Rochester and Broadway Street. I currently reside on 20<sup>th</sup> street between Santa ana ave and Orange. I am in favor of a retail dispensary located at 167 Cabrillo.

Thank you,

Kevin Sand

949-378-1194

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October 4 2022

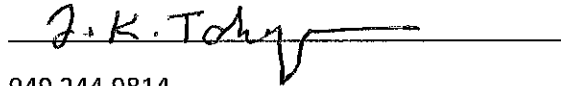
Dear Costa Mesa City,

My name is John Thaglasian and reside at 115 CABRILLO Street in Costa Mesa. I have lived at this current address for 20 plus years. I have been notified of a possible cannabis dispensary planning to operate at 167 Cabrillo, a few units away from me, and I wanted to communicate that I am in favor of this business being added to our street.

Thank you.

Sincerely,

John Thaglasian

  
949 244 9814



October 5, 2022

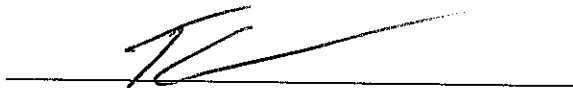
Dear Costa Mesa City,

My name is Travis Castro and I live at 180 Cabrillo street, unit 11b, in Costa Mesa. I have lived in this area most of my life and support the ever changing business climate we are encountering in our area with the recent approval of cannabis sales. I walk my dogs daily on Cabrillo Street daily, frequent all nearby restaurants, and shop locally every chance I get. I am supportive of the recent request of 167 Cabrillo to operate a limited hours dispensary. I do feel it will be a good addition to our community for multiple reasons.

Sincerely,

Travis Castro

949 697 9420

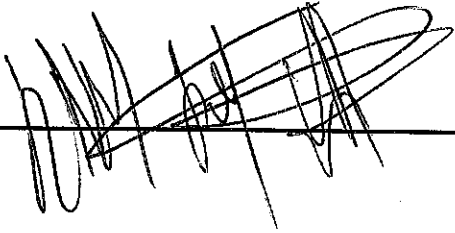
A handwritten signature in black ink, appearing to be 'TC', is written over a horizontal line.

Dear Costa Mesa City,

My name is Jeff Wright and I currently own 126 Rochester, 128 Rochester, 123 E 18<sup>th</sup> street, 123.5 E 18<sup>th</sup> street, 125 E 18<sup>th</sup> Street and 127 E 18<sup>th</sup> Street. I also live in my residence of 30 years in Santa Ana Heights. I have been notified of the possible retail cannabis storefront located at 167 Cabrillo. I am in favor of this business use.

Thank you

Jeff Wright

A handwritten signature in black ink, consisting of several overlapping loops and vertical strokes, positioned above a horizontal line.

714 620 4140

To: City of Costa Mesa Planning Department  
Re: Cannabis Dispensary at 167 Cabrillo Street  
Date: October 7, 2022  
From: Conrad Tona and Stacy Tona at 160 Wells Place

This letter is in support of approval to submit to the Planning Commission the Application for a Conditional Use Permit for a Cannabis Dispensary at 167 Cabrillo Street. The applicant is Cabrillo Community Project, LLC (CCP)

My wife and I want to support the Community Project, LLC company in receiving their conditional use permit for a Cannabis Dispensary next door to my property. The business that is currently located at 167 Cabrillo has for many years violated many city codes and currently is doing so. I believe that this new business will be a welcome addition to our neighborhood as it comes under such tight controls by both the city and the state and will address all the existing code violations.

The current business sells Spa's. The owner of the business is a renter. He planted Palm trees right next to my garage, on my property. These trees began to rub against my garage and tear off the fascia board. I have complained many times and finally a few days ago he cut the trees down but he replaced them with Spa covers which are now leaning up against my garage. I cannot see if he stump ground these trees out of the ground as the Spas he placed there are completely covering that section of the ground.

A fence was built by the renter's parents and it is on my property. This same fence blocks my sight when backing out of my garage.

An 18 Wheeler Rig periodically pulls up in front of my garage, blocking it, and uses the area as an unloading zone for the Spas. The business owner drives a Forklift on Fullerton Street to unload the Spa's and stacks them on the parking lot. The Spa's are stacked way above the height of my garage which is a hazard and a liability. The City is aware of these problems.

The owner uses orange cones to block off a whole section of Fullerton Street to save parking for him. He sometimes leaves his trailer on the street unattached to a vehicle to help block the area. There is no on-site parking as the Spa's take up all the space of the old parking lot.

There are Spa chemicals left onsite and next to my garage. These are highly flammable and should be kept inside a fire proof metal container and stored out of sight of any children.

The business owner was living on the property for about 15 years but he has moved out and someone else appears to be living on the property now. There is someone in the house after dark and after the owner has closed his business and gone home.

The above are just a few reasons why I have taken careful consideration in writing this letter. I know the City is aware of all of the above violations but nothing has been done at this point

We want the Planning Department and Commission to know that we approve of the Cabrillo Community Project, LLC to have a Cannabis Dispensary located at 167 Cabrillo Street. We believe they will clean up the property and rid the neighborhood of all the liabilities and hazards that exist on this property today. We also think that we will have a safer neighborhood due to the security the Cannabis companies are required to have 24 hours, 7 days a week.

Please approve their application and let this move forward to the Planning Commission. Also, please forward our letter to the Planning Commission. Thank you.

Conrad and Stacy Tona

C. Tona

Stacy L. Tona

To: City of Costa Mesa Planning Department

Re: Cannabis Dispensary at 167 Cabrillo Street

Date: October 6, 2022

From: Lorraine Lambeth, CPA at 170 Wells Place

**APPROVAL REQUEST:**

This letter is in support of approval to submit to the Planning Commission the Application for a Conditional Use Permit for a Cannabis Dispensary at 167 Cabrillo Street. The applicant is Cabrillo Community Project, LLC (CCP)

**INTRODUCTION:**

I recently spoke with the CCP attorney and two of the CCP members at length, wherein I asked many, many questions. Each CCP member was very congenial and didn't hesitate to give me clear, concise, and honest answers. I'm a Tax Accountant and my whole career has consisted of asking questions, dealing with people, and following government rules and regulations. Needless to say, I asked a full gamut of questions and also researched CCP online to satisfy myself that this was a viable business that could fit into our very unique neighborhood. The three people representing CCP were professional, always polite, and indicated a deep concern for the neighborhood. They have already spent much time in an effort to develop a good working relationship with the neighbors.

**BUFFER ZONE:**

34 years ago, when I first bought my property at 170 Wells Place, I was told by a City employee that this small area, where my office building is located, is meant to be a "noise buffer zone" from the busy traffic and noise on 17<sup>th</sup> Street and the quiet residential area on Cabrillo Street. This "noise buffer zone" idea made complete sense to me (and still does) so I kept this in mind when talking with the Cannabis retailers and also while researching the rules and regulations for Cannabis dispensaries online.

**WHAT IT TAKES TO BE A CANNABIS COMPANY IN CALIFORNIA:**

The members of CCP are a team of businessmen who are well versed in the expertise required to successfully run a Cannabis dispensary. They have several facilities in Oregon and California, all of which are successful. The Cannabis industry is probably the most scrutinized business in the state of California. Both city and state governments oversee and regulate these businesses. Most all other businesses are required to merely acquire a license and each year pay a fee to renew it, nothing more. The Cannabis businesses are held to a much higher standard. They must follow stringent rules and regulations and are required to prove they have adhered to the strict rules of the City in a time-frame of six months or up to every two years. They must also renew their state license every year and follow similar stringent rules.

The surrounding businesses and residents will not have to worry about CCP following the rules as they must pay large sums of money to just start an application for licensing and conditional use permits along with paying heavy taxes and other fees when in business. The cost of rehabbing the property and bringing it up to code will be horrendous. They have so much invested; it would never be in their best interest to not follow even the smallest rule or regulation. The City can basically end their business

operations overnight but that is not true for any other type of business. A Cannabis company such as CCP has so much at stake monetarily that they will make a much better neighbor than most any other type of business. They walk a tightrope all the time, whereas most all other businesses are left alone.

#### **BEING A GOOD NEIGHBOR:**

Because the CCP members are well established in the Cannabis business, they have created good relationships in every neighborhood they have entered throughout Oregon and California. They know exactly what it takes to make a safe and desirable neighborhood to work for everyone. They are so in tune to this that they have already spent money to reach out to the neighborhood by sponsoring a "get-to-know-us" neighborhood party. I personally was surprised to see the flyer and thought this is a great idea because I have had my business in this neighborhood for 34 years and I still don't know everyone so I will look forward to meeting other neighbors. No one else has ever done this for our neighborhood! The CCP members want everyone in the neighborhood to feel free to ask questions or express concerns so they can address them. They want to be completely transparent as they want to be a good neighbor. All of the above is what I discerned from my lengthy conversations with the CCP members.

#### **CLEAN UP THE NEIGHBORHOOD EYE-SORE AND CREATE PARKING:**

CCP's plan to beautify the property is a gift from the gods!! This will be such an added asset to the community. The current condition of the property, to say the least, is unsightly and hazardous. If you don't believe me, please just do a drive-by. The neighbors look forward to this unbelievable benefit.

The CCP parking plans are much needed as the current business owner, employees, and its customer's park on the street as they have no on-site parking. The CCP will have onsite parking ample for its customers and employees. They will remove the unsightly gray tarps that run from Fullerton Street to Cabrillo Avenue. These tarps hang from metal poles and stretch from one end of the property to the other and wrap around the back side of the building. Also the large unsightly structure attached to the building will be removed which will open up additional parking along with room to add drought resistant plants to dress up the area. The entrance will be moved to the Fullerton Street side, away from the residential property on Cabrillo.

My property at 170 Wells Place is contiguous to one corner of the 167 Cabrillo property. It will be such a pleasure to have the site cleaned up and not have to look at the old gray tarps anymore. Also, the Spas are stacked several feet higher than the neighbor's garage which is a hazard and a City liability that will disappear. The forklift, always parked on the sidewalk by Fullerton Street, is what insurance company's call an "attractive nuisance." This liability will also be removed. I am very excited to have a highly regulated business that is willing to make our neighborhood much more attractive and much safer than it is currently.

#### **SECURITY ALL DAY, EVERY DAY:**

All Cannabis company's must have 24/7 security which will definitely be welcomed by all of us in the area. That is another big plus that our neighborhood will benefit from: the requirement of high level security regulations.

**BACK TO THE NOISE BUFFER:**

The noise "buffer zone", that I mentioned in the beginning of my letter, would be adhered to by CCP. In fact, with CCP as a neighbor, they will be much quieter than the current neighbor who has Spa motors running in the backyard, noise from the Forklift running back and forth lifting Spas to either stack onsite or load onto a truck, plus the noise of a large 18 wheeler that delivers Spas and uses Fullerton Street as a delivery off-loading zone; thereby blocking the road. In addition, there is daily noise from the sales people transacting business in the backyard, rather than inside the building as required by the code. None of this would occur with the Cannabis Dispensary. CCP's customers are only allowed on the premises long enough to acquire a product. In fact, the customers are patrolled into and out of the property in a quick and orderly fashion with NO NOISE! The Cannabis business will reinstitute the "noise buffer zone" that the four contiguous properties are meant to be, according to the City.

**INCREASED REVENUE:**

Lastly, please take into consideration the fact that this Cannabis business is a huge source of revenue for the City of Costa Mesa which will ultimately benefit all Costa Mesa neighborhoods. Our neighborhood is depending on the support of the Planning Department to not only help our neighborhood acquire a responsible neighbor but also the added monetary benefit to all of the neighborhoods in Costa Mesa.

**MORE OR LESS DISPENSARIES IN AREA vs COMPETITIVE PRICING:**

I realize there will be many Cannabis Dispensaries in Costa Mesa, and even near this location, but every Economist will tell you that "Competition is Good." So, because this business is well established, run by highly professional individuals well versed in the industry, I believe this business will not only survive and prosper but also have competitive pricing. We must strive to not create a monopoly for any particular Cannabis Dispensary as we need to ensure fair pricing to the public or lose customers to an adjoining city. CCP will be a win-win situation monetarily for not only the City but also for the public as well; their competitive pricing fits perfectly with the idea that "Competition is good."

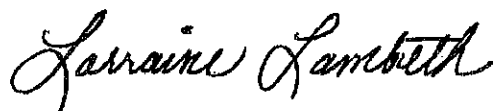
**SUMMARY:**

The above mentioned items are just a few reasons why I am respectfully requesting that the Planning Department approve the Cabrillo Community Project LLC as a candidate to go forward to the Planning Commission for a Conditional Use Permit. I am also respectfully requesting that you include this letter in your documentation to the Planning Commission.

I know the Planning Department has been working overtime to address all the concerns regarding Cannabis. So I want you to know that I very much appreciate your time and consideration in this matter. Please know that the neighborhood is depending on your support for our community along with your ability to create an added monetary benefit to all the neighborhoods in Costa Mesa. Thank You.

**ATTACHED:** The attachment is very interesting as the "myths" around marijuana are all coming to the forefront and being debunked. According to the statistics, this Cannabis Dispensary will save lives, if it diverts people from alcohol and/or cigarettes which are both killers and health hazards.

Lorraine Lambeth, CPA at 170 Wells Place

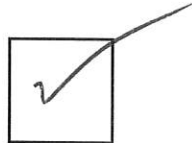




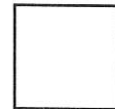
## Native Garden @ 167 Cabrillo

I support Cannabis retail at this location. This store will be a community-focused business with a holistic cannabis approach. (Think complimentary to yoga, organized walks and retreats, and educational opportunities to integrate cannabis into a healthy lifestyle, etc.) This regulated operation will have reduced hours, 24-hour security, and a substantial renovation to modernize the property and bring the site up to today's codes. We support local businesses and are eager to connect with the community.

Resident:



Business:



NAME: Tim Lynch

Address: 135 Rochester St.

Signature:

Email: Timlynch@gmail.com

(Will not be made public, only to add to our email list for Grand Opening)





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Resident:

☐

Business:

☒

NAME:

JIM FIRZPATRICK

Address:

170 E 17TH ST SUITE 202

Signature:

10 YEARS OFFICE ACROSS THE STREET

Email:

JimFitzCo@gmail.com

(Will not be made public, only to add to our email list for Grand Opening)





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**Resident:**



**Business:**



**NAME:** Evan Shaw

**Address:** 180 Cabrillo St Apt B22

**Signature:** 

**Email:** shawkid2@yahoo.com

(Will not be made public, only to add to our email list for Grand Opening)





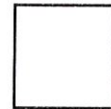
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**Resident:**



**Business:**



**NAME:**

Wendy Simao

**Address:**

140 Cabrillo St. SPC 3

**Signature:**

Wendy Simao

**Email:**

wendyisarockstar@gmail.com

(Will not be made public, only to add to our email list for Grand Opening)

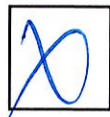




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Resident:



Business:



NAME:

Andre Neuman

Address:

140 Cabrillo St #5

Signature:

Email:

(Will not be made public, only to add to our email list for Grand Opening)

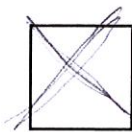




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**Resident:**



**Business:**



**NAME:**

DREW FISHER

**Address:**

131 E 18th St

**Signature:**

**Email:**

Greenpointfundings@gmail.com

(Will not be made public, only to add to our email list for Grand Opening)





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**Resident:**

☐

**Business:**

☒

**NAME:**

Joy Olund

**Address:**

#200 E 170 E. 17th St.

**Signature:**

**Email:**

JOB@ingramcompany.net Jim@IngramCompany.net

(Will not be made public, only to add to our email list for Grand Opening)