

# **COSTA MESA ACTIVE TRANSPORTATION COMMITTEE**

**ANNUAL REPORT**



April 15, 2025



# COMMITTEE INFORMATION

Formed by the City Council in  
2015

**2024** committee revised to nine  
members

## 2024 Composition – 9 Active Members

<b>Andrew Barnes</b> <b>Michael (Moses) Nolf</b> <b>Alex Campoli</b> <b>Jose Gomez</b>	<b>Farhad Khosravi</b> <b>Flo Martin</b> <b>Robert Morse</b> <b>Michaela Teissere</b> <b>Trace Yulie</b>
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<b>Former:</b> (served 1 <sup>st</sup> Qtr 2024)	<b>Bridget Gleason</b> <b>Ralph Taboada</b> <b>Jennifer Vavra</b> <b>Jimmy Vivar</b>
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**City Council Liaison**

**Arlis Reynolds**

**Newport-Mesa Unified  
School District Liaison**

**Shelley Humphrey**

# ACTIVE TRANSPORTATION VISION

## City Council Goals/Objectives 2021 thru 2024

- Advance environmental sustainability and climate resiliency.
- Strengthen the public's safety and improve the quality of life
  - Approve a Pedestrian Master Plan for inclusion in the City's General Plan Circulation Element.
  - Approve a plan to mitigate collisions and injuries on roadways.

## Goals of the Active Transportation Plan (ATP)

- Promote a user-friendly and welcoming Active Transportation System in Costa Mesa.
- Create a safer place to walk and ride a bicycle.
- Integrate Active Transportation Elements into the Circulation System and Land Use Planning.
- Promote an Active Transportation culture.
- Promote the positive air quality, health, and economic benefits of Active Transportation.
- Monitor, evaluate, and pursue funding for implementation of the Active Transportation Plan.

# COMMITTEE MEETINGS

- **Met eight times in 2024**
- **Forum for public comments**
- **Help implement Council's vision**
- **Bring community voices/issues to staff**
- **Review/recommend Active Transportation (AT) projects/programs**
- **Advocate AT projects throughout community**



# COMMUNITY ACTIVITIES

- **Earth Day**
- **TEAM SoCalCross Cyclocross Race**
- **Bike and E-Bike Safety Training**
- **Bike Light Distribution**



# COMMUNITY ACTIVITIES

- **Walk to School Day and Bike to School Day:** Both events continue to grow year after year!
  - **13 Schools** participated in Walk to School Day
  - **11 schools** participated in Bike to School Day
  - **~3,900** students participated along with Committee Members, CMPD, Staff, NMUSD and local advocates



**WALK BIKE & ROLL**  
TO SCHOOL

# Making Our Street Safer

## Bicycle and Pedestrian Fatality/Injury Maps

### Pedestrian and Bicyclist Crash Results 2022-2024

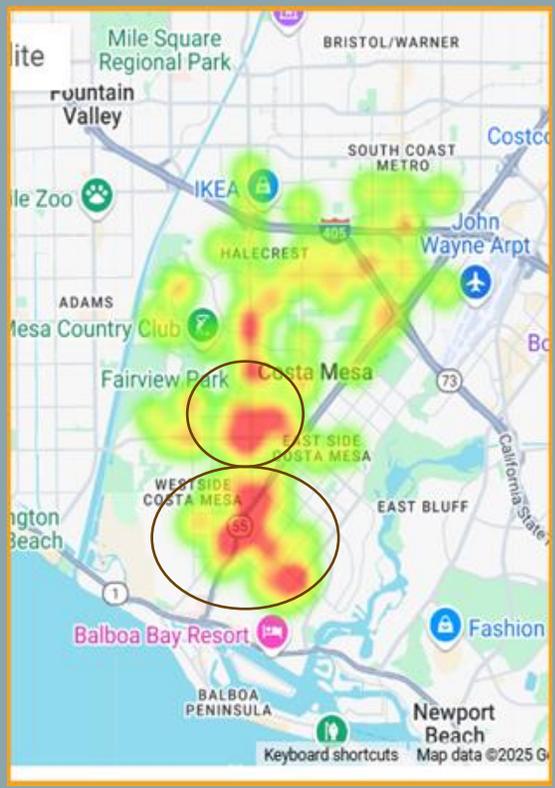
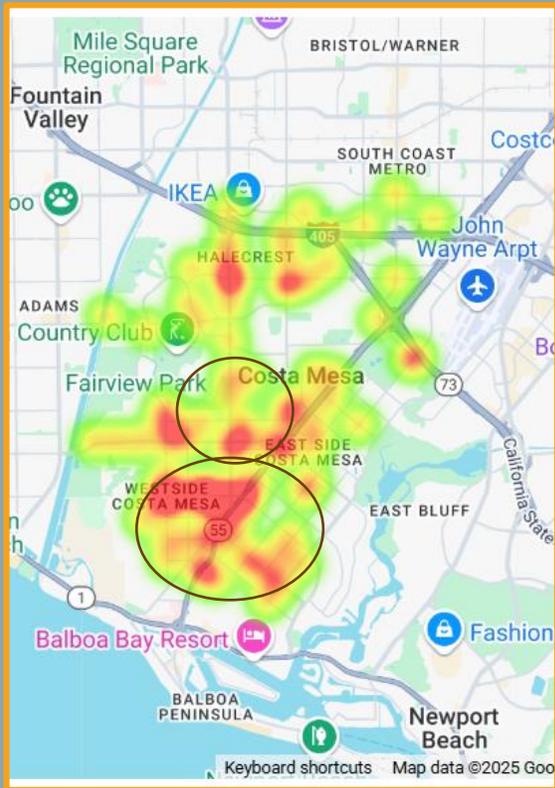
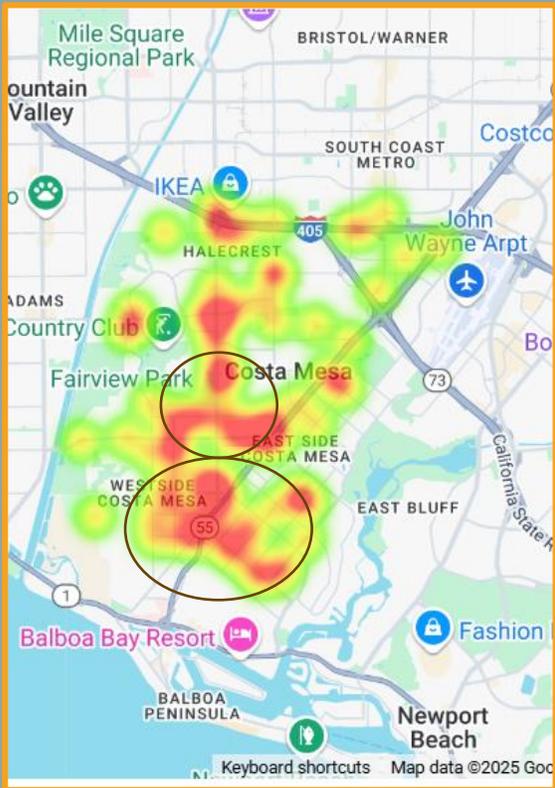
Total Crashes: 345  
Total Victims: 9 Killed & 365 Injured

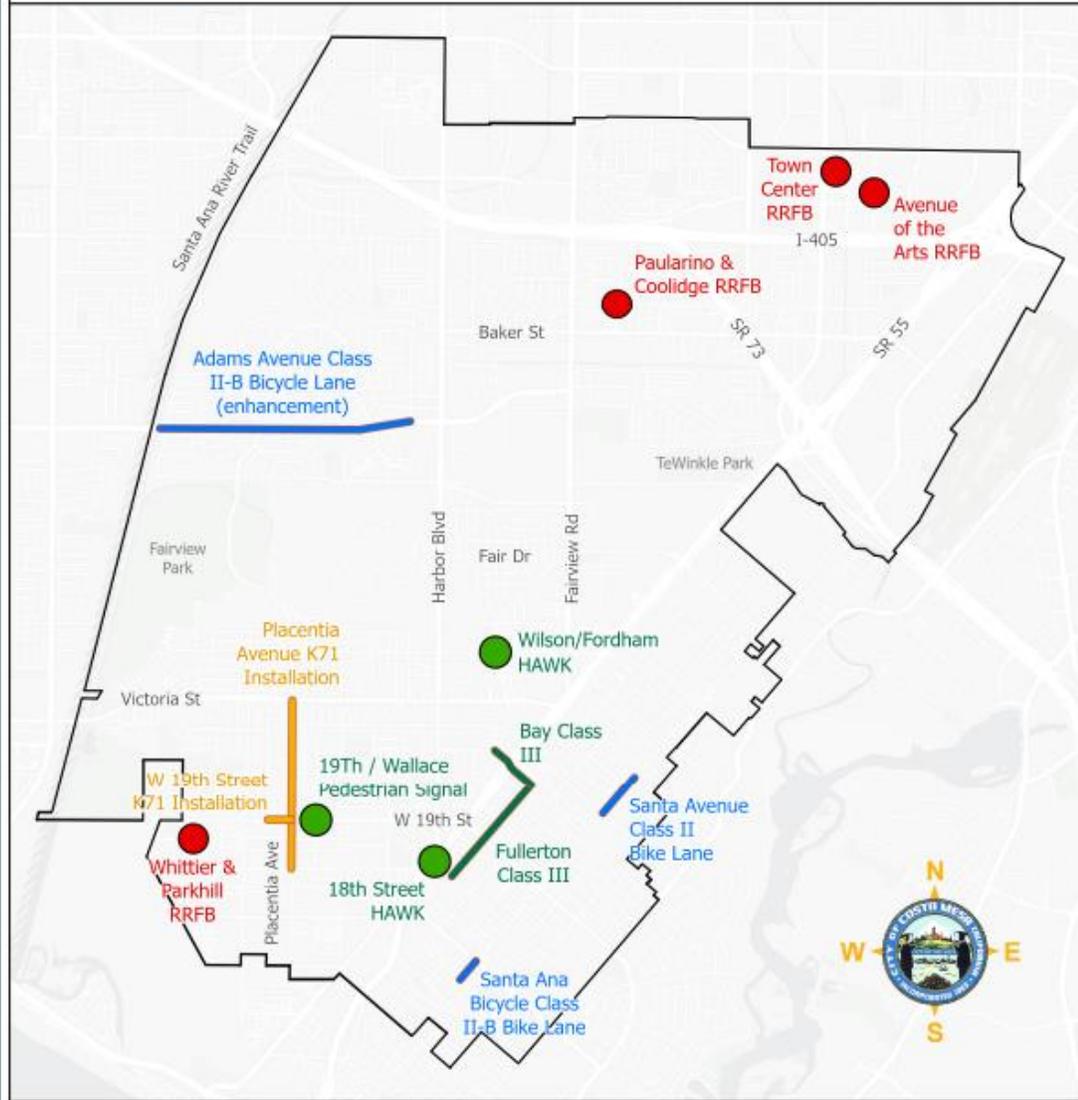
2022

2023

2024\*

\*Through 9/30/24





# ACCOMPLISHMENTS



Map Created on 2/27/2025 By Costa Mesa Information Technology & Transportation Services | Data Source: Esri, OCTA, City of Costa Mesa | Scale 1: 44,000  
 Disclaimer: This map is for informational purposes only and reflects the 2024 Active Transportation Improvement Project as of the latest update. The City of Costa Mesa makes no warranties, expressed or implied, regarding the accuracy, completeness, or reliability of the data. Project details, routes, and schedules are subject to change without notice. For official information, please contact the City of Costa Mesa.

# CITY ACCOMPLISHMENTS

- **Updated Municipal Code**
- **Placentia Avenue/West 19th Street Active Transportation Improvements**
- **New HAWK and Pedestrian Signals**
- **Speed Limit Reductions on 76 Roadway Segments**
- **Signal Modernization In Progress**
- **Bicycle Wayfinding Signage**
- **Adams/Pinecreek Intersection**
- **Bike Racks**



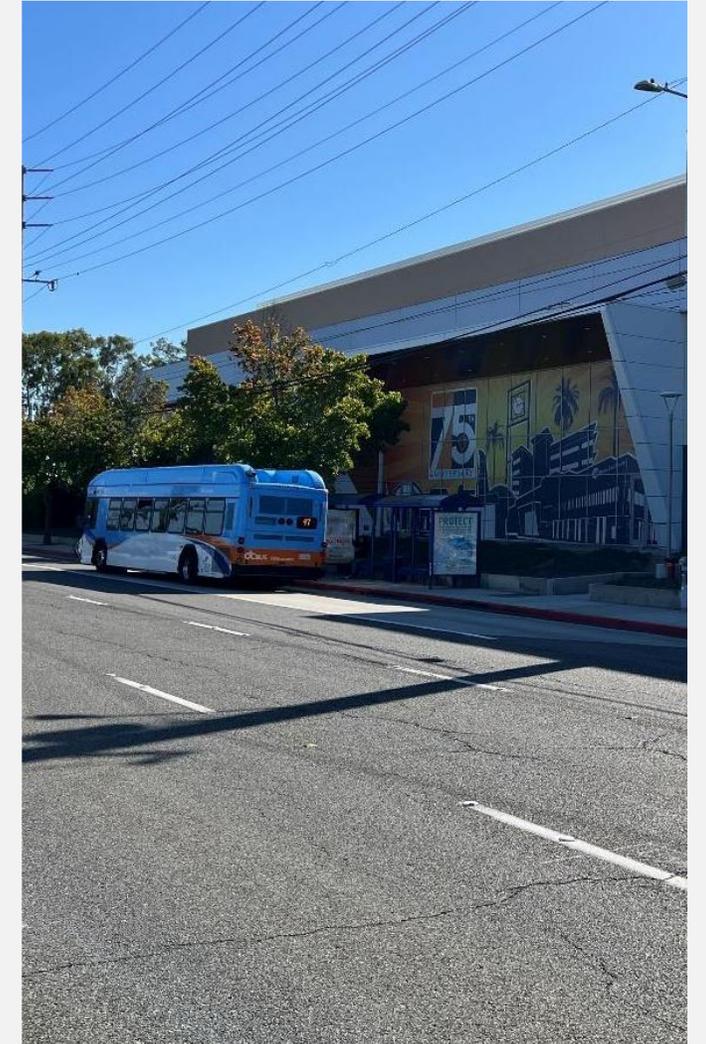
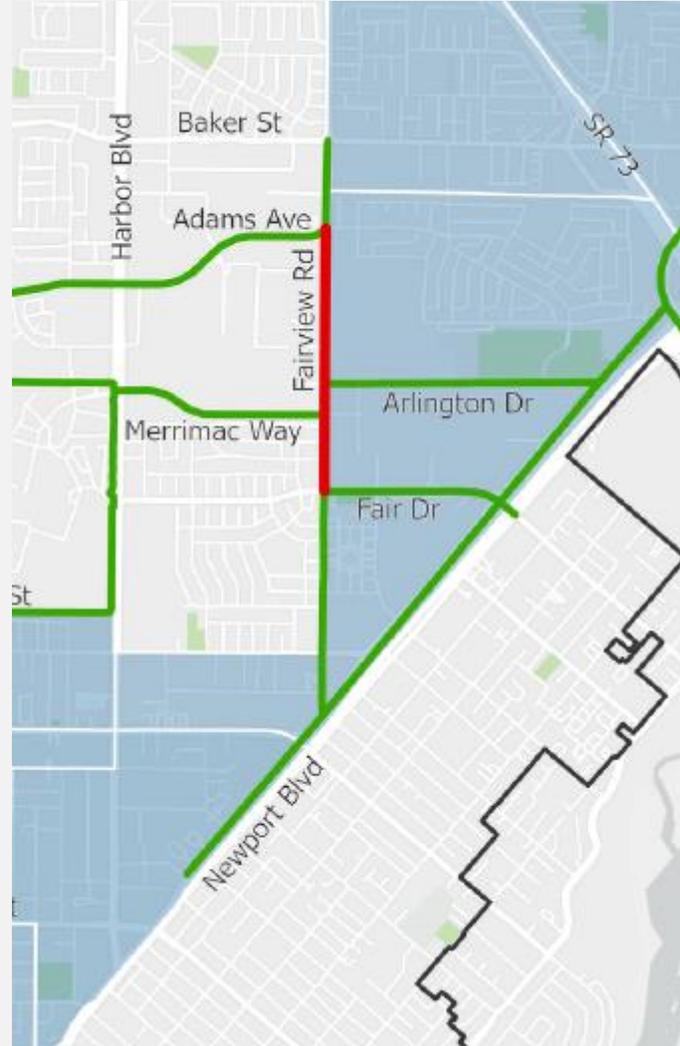
# CITY ACCOMPLISHMENTS

- **AT Project Recommendations/Review**
- **Pedestrian Master Plan Recommendations for Adoption**
- **Bus Shelter Contract Comment**
- **Easement and Right-of-Way Vacations**

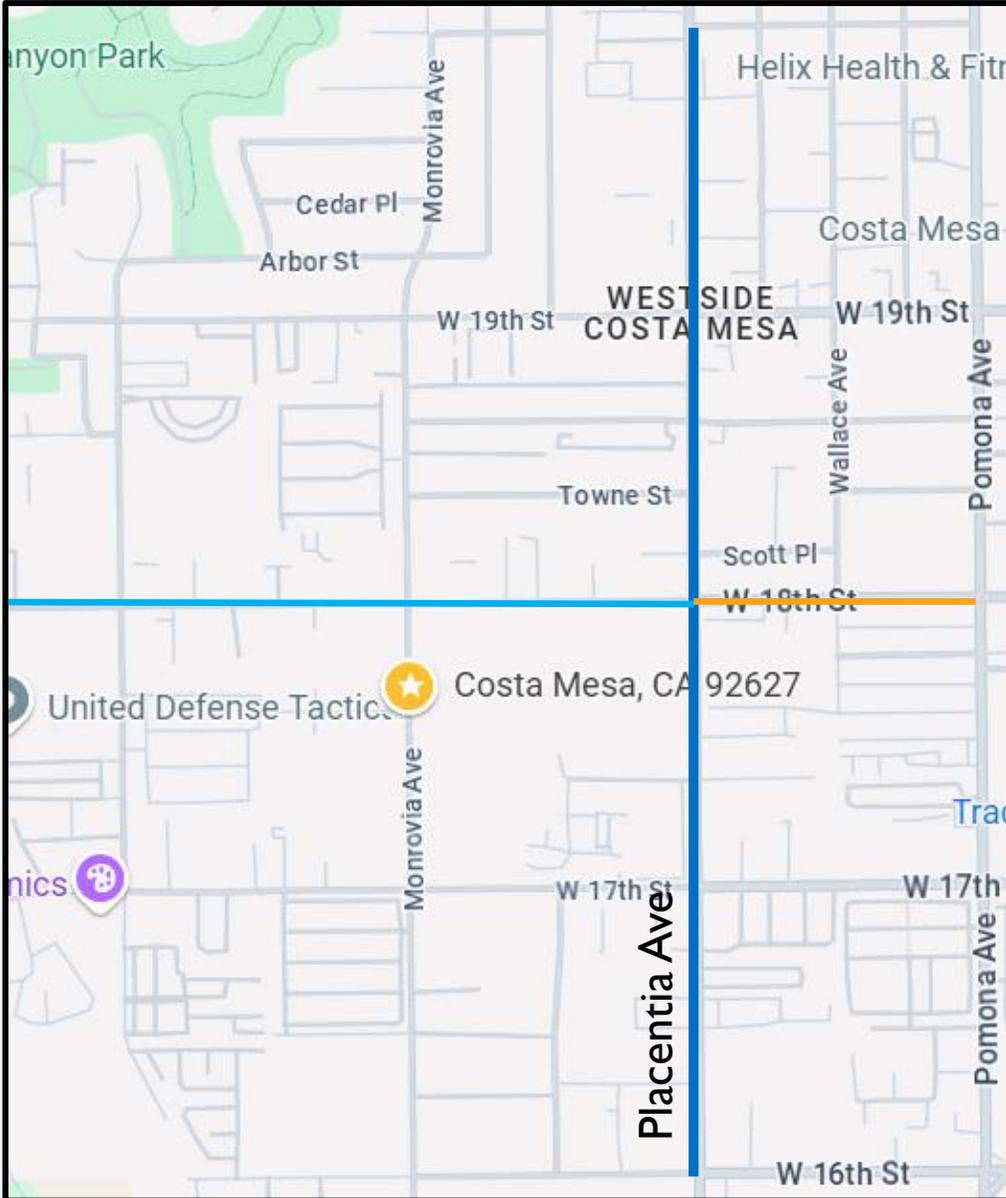


# CITY ACCOMPLISHMENTS

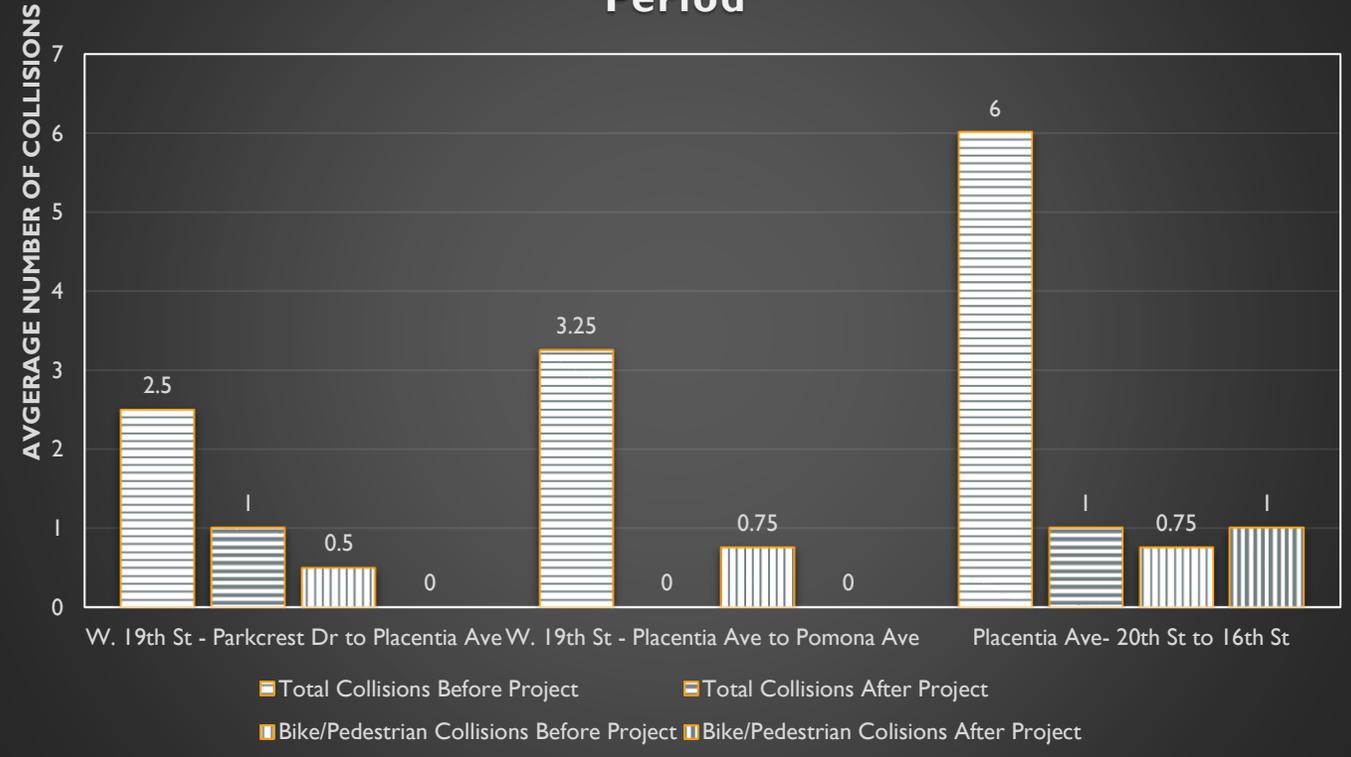
- **\$7.9 Million OCTA Complete Streets Program Grant Award**
  - **Adams Avenue Multipurpose Trails** – Santa Ana River to Royal Palm Drive
  - **Adams Avenue Bicycle Facility** – Harbor Boulevard to Fairview Road
  - **Fairview Road Active Transportation Improvements** Adams Ave to Fair Drive



# RESULTS



## Average Number of Collisions per Six-Month Period



AT infrastructure has reduced the number of vehicle crashes for ALL  
 Car crashes have been reduced as well as injuries to pedestrians and bicyclists.

## COMMITTEE RECOMMENDATIONS

### CIP

AT Project Recommendations: Submit our list of recommended projects, for next year's budget, to City Council.

Align grant applications process with CIP priorities.

Collect safety data before and after CIP implementation

### Safety

Safe Routes to School: Work with Staff, Consultant, NMUSD and community.

Prioritize and implement projects/programs that contribute to the reduction of collisions to the ZERO fatality/severe injury level.

### Education

Earth Day April 2025: Host a booth and engage with community members to promote Active Transportation and the committee.

Increase community outreach and involvement for adult education events.

### Other

Increase road equity for children and young families desiring active use.

Support additional CMPD resources for enforcement.

Implement no turn on red light rule at recommended intersections.

Council work through legislative channels to help CalTrans improve safety along 55/ Newport Blvd corridor

# CHALLENGES

## INCREASED USE OF MULTI-MODAL TRANSPORTATION

Places a higher demand for more Active Transportation infrastructure (including permanent separation), police, staff and public awareness of new municipal code.

## PACE OF PROGRESS

Mode shift to biking and walking is good but need to make more progress to meet ATP goals of 10% bicycle and 20% walking.

Budget constraints.

## PROJECT MANAGEMENT

Existing staff split their time with other job responsibilities.

Backlog of Capital Improvements would benefit from additional PM resources.

Multiple Active Transportation projects entering construction phase.

## VEHICLES & ROAD HAZARDS

Excessive speed, DUI and distracted driving.



## Appeal of Planning Application PCUP-24-0011

Green Mart at 1912 Harbor Boulevard

City Council Meeting

April 15, 2025

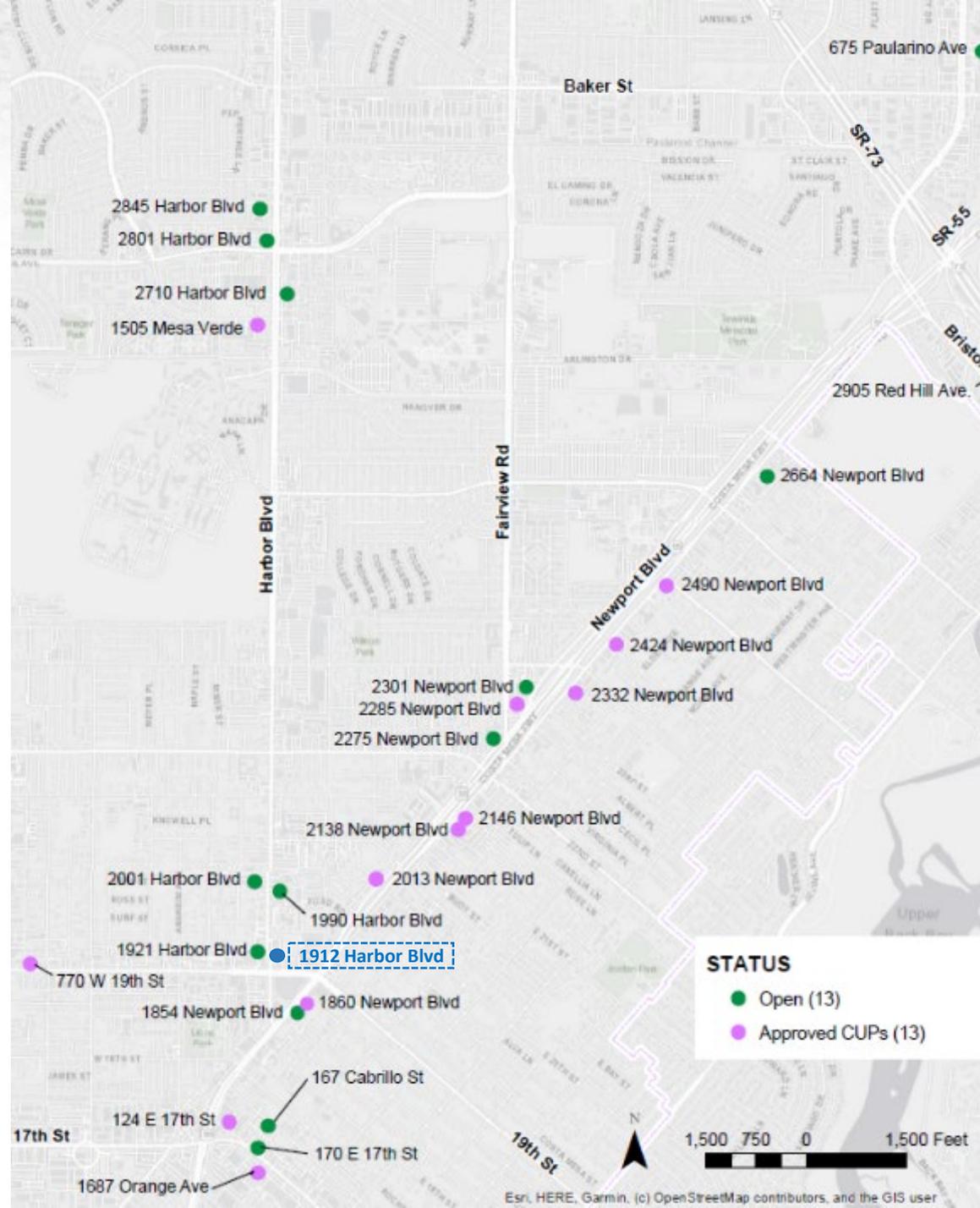


# Planning Application PCUP-24-0011

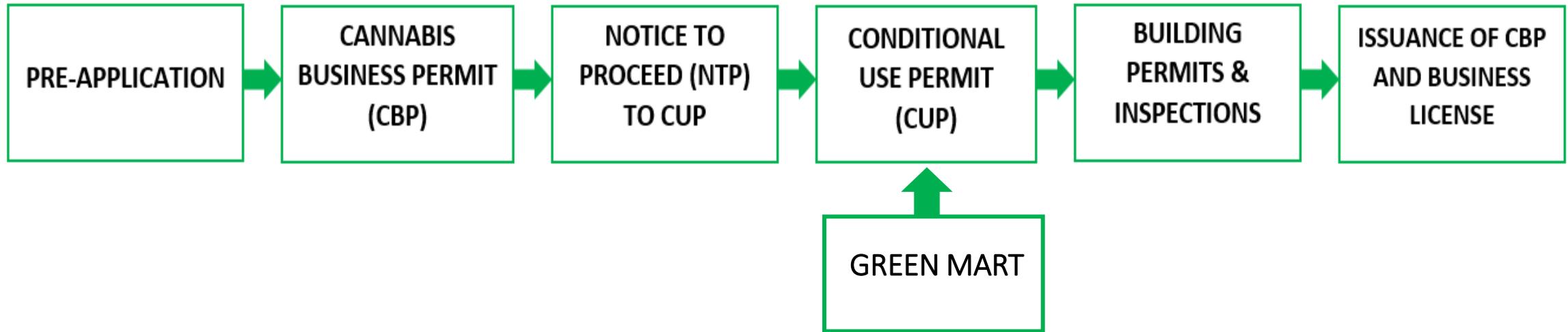
- Conditional Use Permit (CUP) for a retail cannabis storefront with delivery
- Proposed business is “Green Mart”
- Measure Q: voters approved ballot measure in 2020 to allow retail cannabis uses in the City



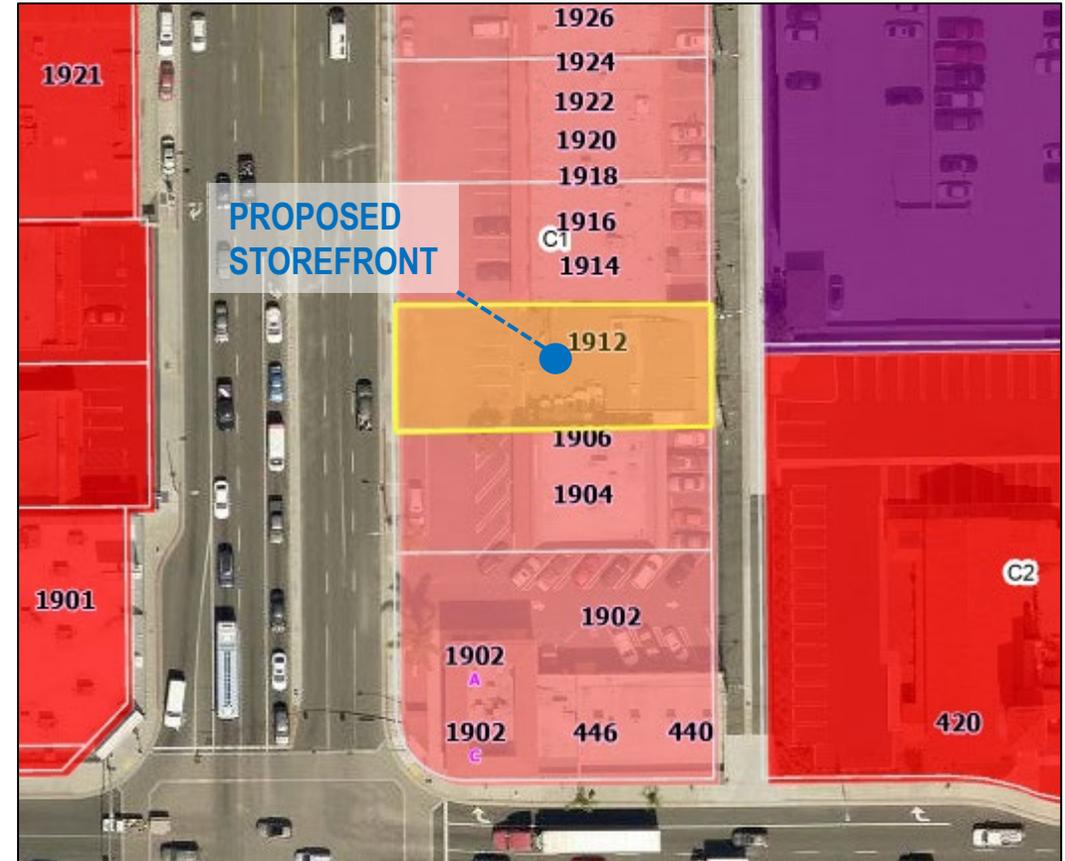
# Retail Cannabis Storefront CUPs



# Retail Cannabis Application Process



# Project Location and Zoning District



- C1- Local Business
- C2-General Business
- PDC-Planned Development Commercial

# Shopping Center Adjacent Uses

- Dentistry
- Food and Beverage
- Market/Deli
- Massage
- Cell Phone Retail
- Dog Grooming
- Flooring Retail



# Existing Conditions



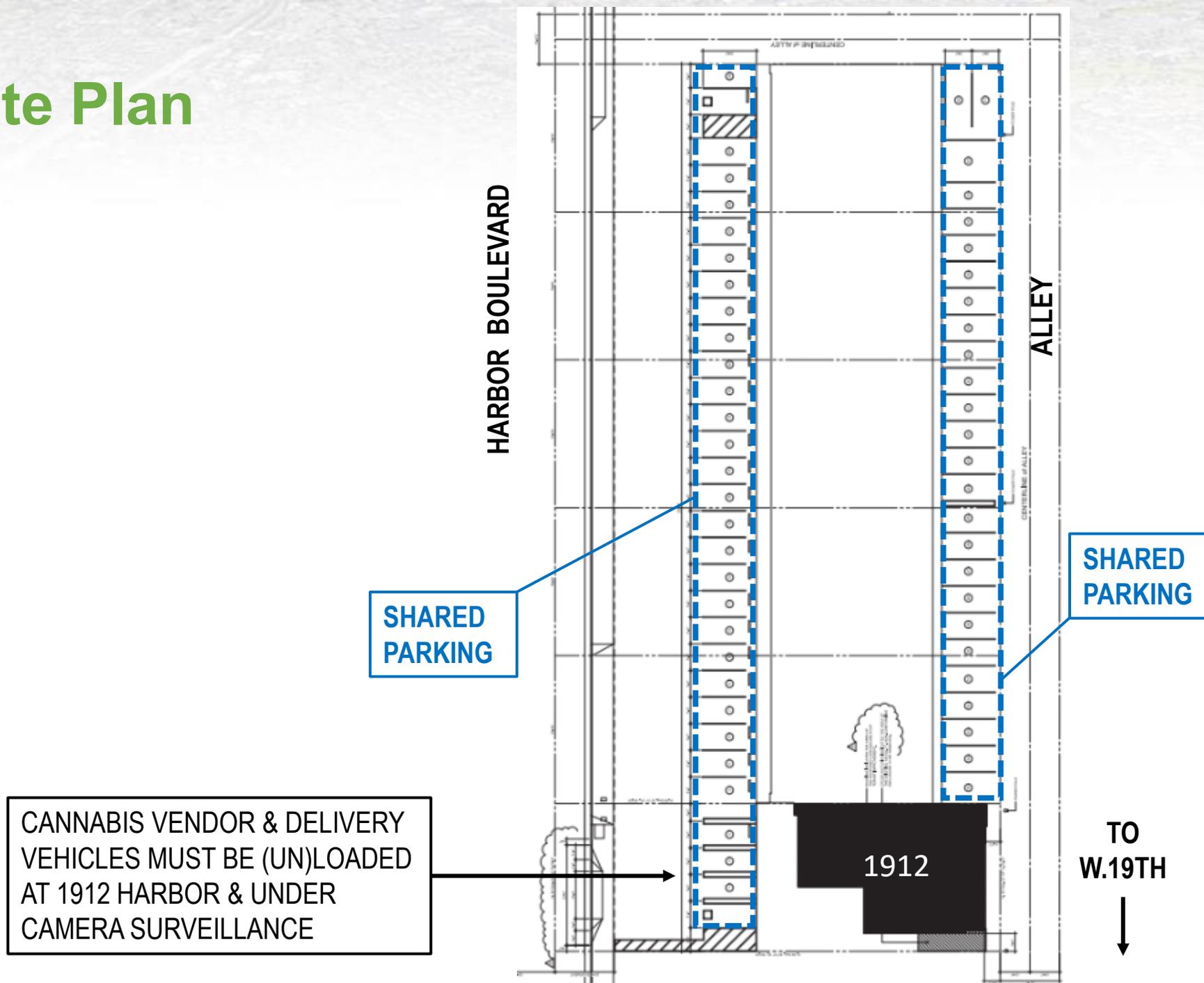
# Existing Conditions



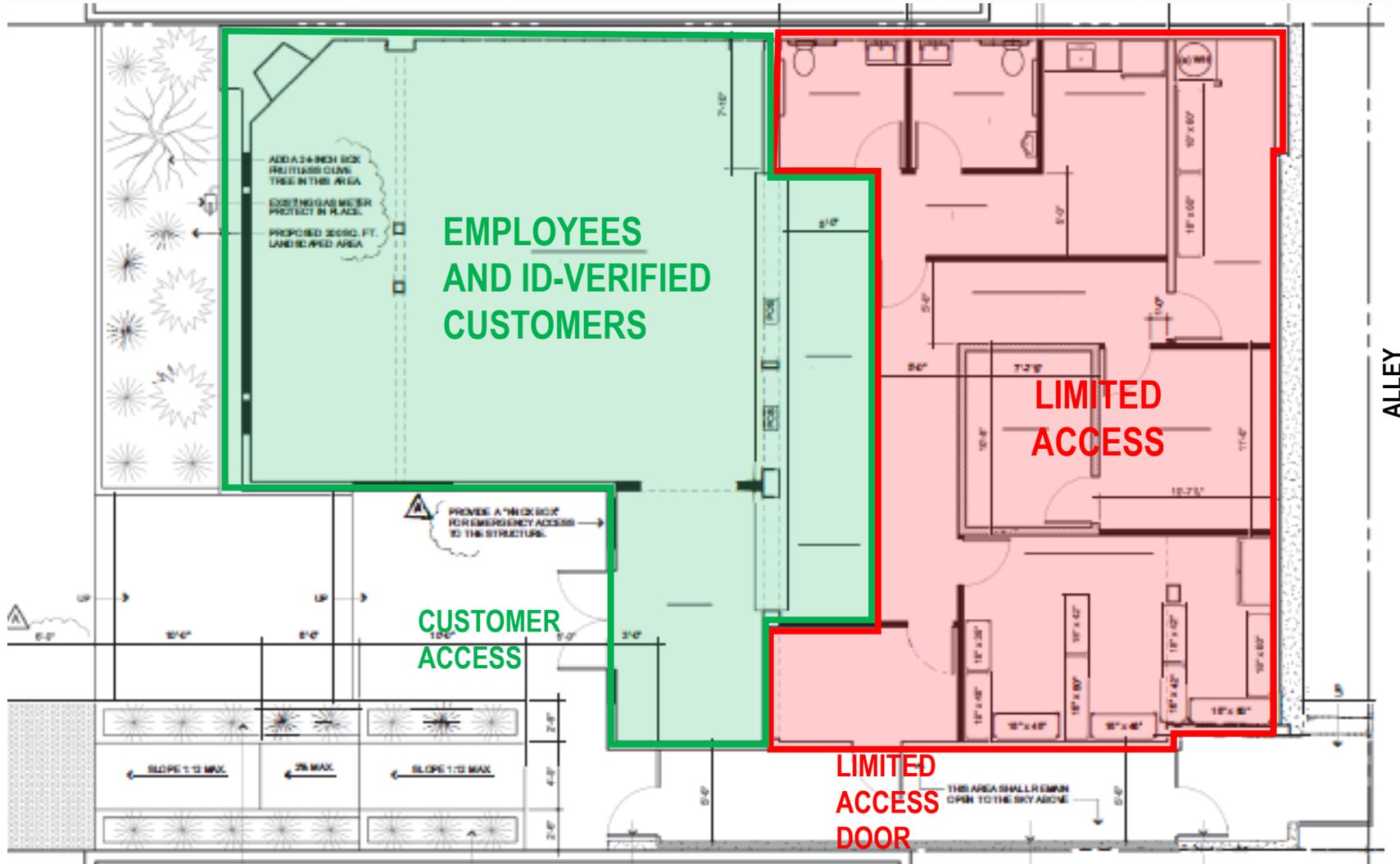
# Proposed Exterior



# Site Plan



# Floor Plan



# Cannabis Standard Conditions of Approval (COA)

- More than 45 standard conditions of approval related to cannabis storefronts.
  - Onsite security guard during hours of operation
  - Odor control devices & their maintenance required
  - Consumption & loitering prohibited
  - Age restrictions for customers & employees
  - Changes in ownership/operation subject to City review and approval
  - Permit renewal process
  - State license & compliance with applicable State regulations

## Site Specific COAs

- Building Permit COA No. 5: site and building improvements such as removing unpermitted enclosure, adding landscaped planters, fencing, and a bike rack (PC added the bike rack shall be designed to not be blocked by cars)
- CBP COA No. 7: parking lot signs related to being quiet and considerate of neighbors
- Operational COA No. 25: business staff shall periodically monitor the parking lot to ensure customers are using consideration
- Operational COA No. 26: the alley cannot be utilized for parking, loading, or unloading



# CBP/CUP Enforcement COAs

- General COA 1: The Planning Commission may modify or revoke any planning application based on findings related to public nuisance and/or noncompliance with conditions of approval [Title 13, Section 13-29(o)].
- General COA 6: Use authorized by this CUP must be conducted in accordance with all applicable State and local laws...any violation thereof shall be a violation of the conditions of this permit and may be cause for revocation of this permit.
- General COA 13: CBP may be revoked pursuant to Section 9-120 of the CMMC for failing to comply with the terms of the permit, the applicable provisions of the CMMC, State law and/or any condition of any other permit issued... Revocation of the CBP shall trigger the City's proceedings to revoke the CUP and amendments.

# Required CUP Findings

- The Planning Commission made the following three required CUP findings:

- **Finding No. 1:** *“The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area”.*

**Analysis:** The proposed retail cannabis store is located in a commercial retail zoning district within a retail shopping center with a diversity of other retail uses. No detrimental impacts to adjacent uses are anticipated as there are numerous operational conditions required, such as: security, lighting, odor, and hours of operation.

# Required CUP Findings

- **Finding No. 2:** *“Granting the conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood”.*

**Analysis:** A security and safety plan was approved for the proposed cannabis operations. A licensed security guard will be present during operation hours. Examples of security devices include window and door alarms, motion-detectors, limited access areas, and a monitored video surveillance system covering all exterior entrances, exits, and all interior limited access spaces. Therefore, the CUP will not be injurious to the neighborhood, property, or materially detrimental to public health and safety.

# Required CUP Findings

- **Finding No. 3:** *“Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the General Plan designation and any applicable specific plan for the property”.*

**Analysis:** The property is located in the “Commercial Residential” General Plan Land Use District. The intent of this land use designation is to allow a mix of commercial and residential uses and accommodate a full range of commercial activities desired in Costa Mesa. Retail cannabis uses are allowed in the applicable zoning district (C-1, Local Business District) and the Costa Mesa voters approved Measure Q to allow retail cannabis in 2020. No change in existing retail floor area is proposed.

# Planning Commission Decision

- Planning Commission approved the application at the February 24, 2025 meeting on a 3-2 vote.
  - Commissioners asked questions about bicycle racks, delivery/vendor parking, inability to require parking minimums per AB 2097, security guards, background checks, existing site conditions, complaint tracking, and staff access between the point of sale systems and sales floor.
  - Planning Commission added a condition of approval to ensure the bike rack area would not be blocked/occupied by vehicles.
  - Majority of Commissioners found the use compliant with the required CUP findings.

# Appeal

- Adjacent property owner filed an appeal on March 3, 2025, and noted the following general reasons for the appeal:
  - Plans provided insufficient detail;
  - Architectural incompatibility with adjacent buildings;
  - Potential parking impacts to the adjacent property;
  - Parking lot circulation conflicts;
  - Operational issues related to vehicle loading/unloading, odor control, safety, and loitering;
  - Burden of business enforcement on adjacent properties; and
  - Character of applicant and absentee landlord.

# “De Novo” Hearing

- City Council hearing is a “de novo” review
- The City Council may exercise its independent judgment and discretion in making a decision
- The appeal hearing is not limited to the grounds stated for the review or the evidence that was previously presented to the Planning Commission
- The City Council’s decision on the matter is the final decision



## Recommendation

Staff recommends that the City Council adopt a resolution to:

- Find the project categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15301 (Class 1; Existing Facilities); and
- Uphold the Planning Commission's decision and approve Planning Application PCUP-24-0011 subject to conditions of approval and code requirements



**APPEAL OF CUP APPROVAL  
PCUP-24-0011**

## REQUEST TO DENY CUP

- Location Does Not Conform to Zoning Standards
- Site Unsuitability
- Applicant's History

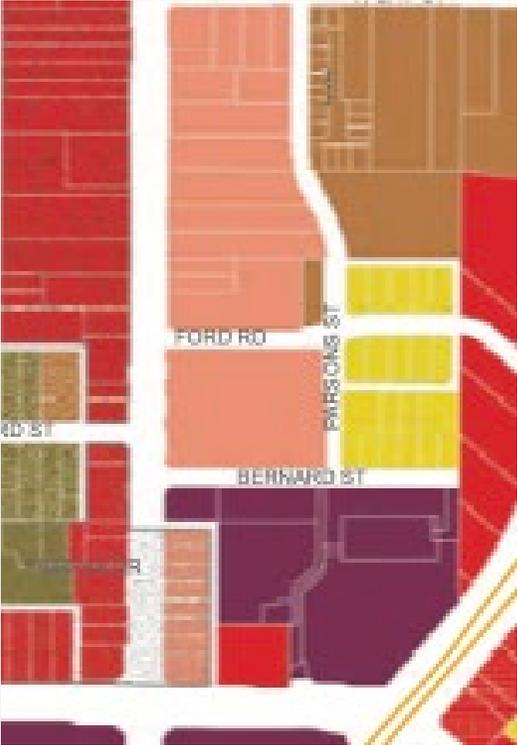
**HARBOR PLACE**  
1902-A, 1902-B, 1904, 1906  
HARBOR BLVD.  
440-446 WEST 19TH STREET



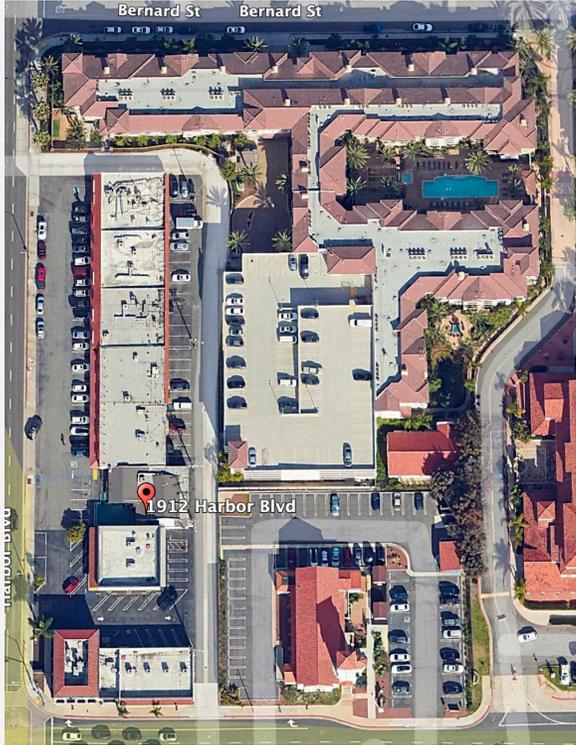
PROPOSED GREEN MART  
1912 HARBOR BLVD.



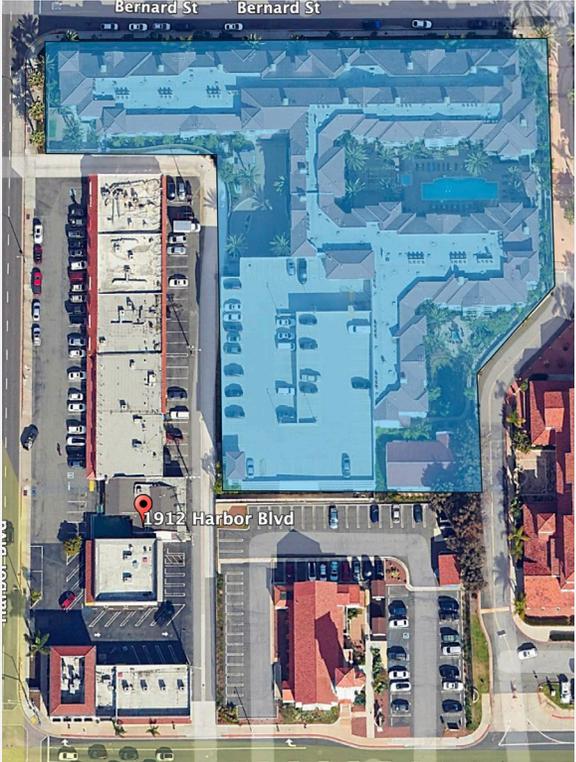
# INCOMPATIBLE WITH SURROUNDING USES CMMC SECTION 13-200.93



Proposed Project and Harbor Place Zoned CI – Local Business



Blue Sol Apartments Within Planned Development Commercial (PDC)



**CMMC §13-200.93(E)  
CANNABIS RETAIL STOREFRONT LOCATION**

- (1) No cannabis retail storefront use shall be located within...250 feet from a property zoned for residential use;

Measure the distance between two points on the ground

Map Length:	30.07	Feet	↕
Ground Length:	30.07		
Heading:	90.02	degrees	

Mouse Navigation Save Clear



Measure the distance between two points on the ground

Map Length:	182.96	Feet	↕
Ground Length:	182.96		
Heading:	72.00	degrees	

Mouse Navigation Save Clear



## CMMC § 13-200.93(E)(1) (A) & (B)

(a) For the purpose of identifying separations from cannabis storefronts and properties zoned for residential use, properties zoned for residential use are within the following zoning districts: R1 Single-Family Residential District, R2-MD Multiple-Family Residential District, Medium Density, R2-HD Multiple-Family Residential District, High Density, R3 Multiple-Family Residential District, TC Town Center District, PDR-LD Planned Density Residential—Low Density, PDR-MD Planned Development Residential—Medium Density, PDR-HD Planned Development Residential—High Density, and PDR-NCM Planned Development Residential—North Costa Mesa.

(b) Where a non-residential property was developed for residential or mixed residential use in accordance with an overlay, urban plan, or specific plan, and the residential development and use remains, the property would be considered residential when establishing a separation from cannabis storefronts.

- In 2004, the City approved a Master Plan to include the development of the "Plaza Residences."
- CMMC Section 13-20 requires a master plan to activate provisions of overlays and urban plans.
- In 2012, the City approved an amendment to this portion of the PDC, Master Plan PA-02-11A, which allowed the Blue Sol Apartments to be developed.
- Although in the PDC Zone, the project at 421 Bernard, immediately behind the proposed cannabis use, is a residential use pursuant to CMMC § 13-200.93(e)(1)(b).
- **No cannabis storefront may locate with 250 feet of a residential use.**

## CMMC §13-200.93(E)

No cannabis retail storefront use shall be located within 1,000 feet from a...youth center, that is in operation at the time of submission of a completed cannabis business permit application

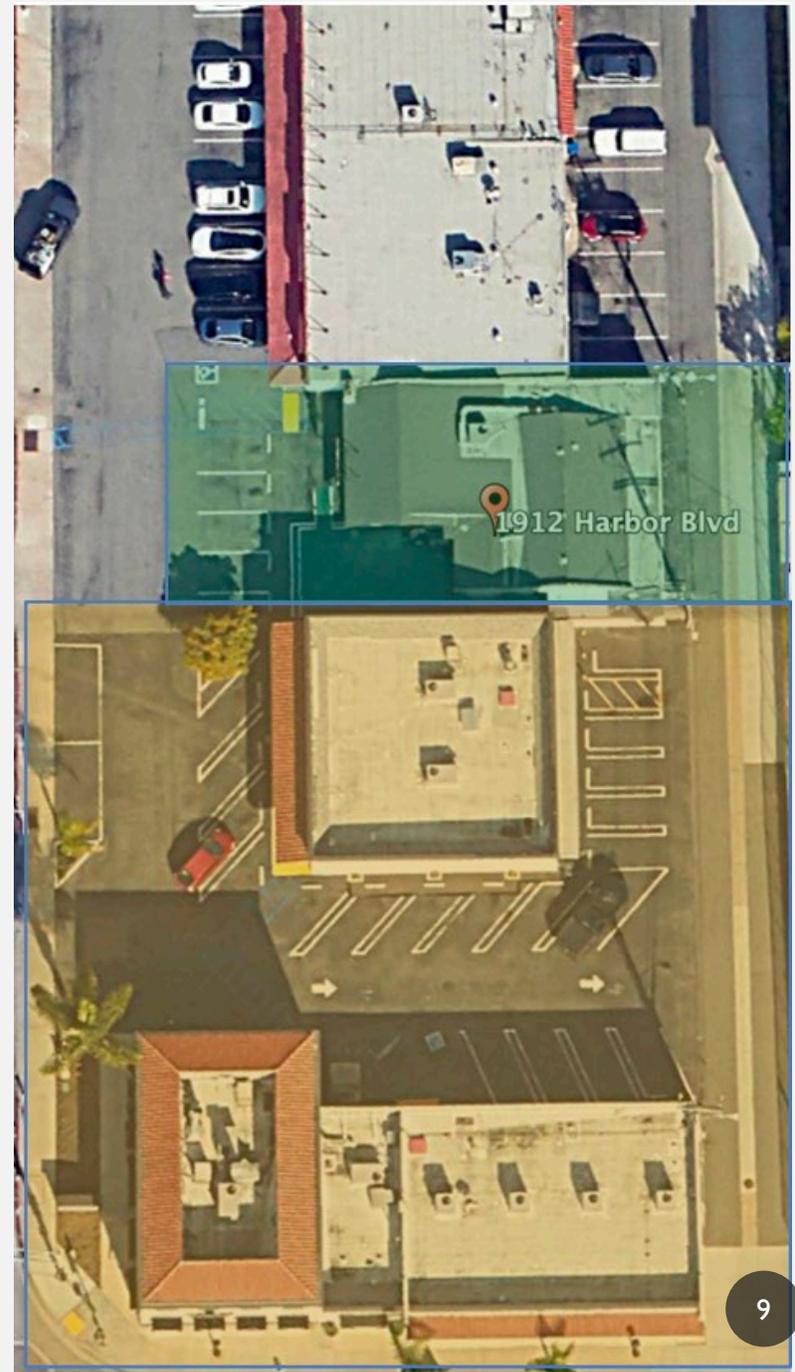
The First Methodist Church of Costa Mesa, situated immediately contiguous to the proposed cannabis storefront, “celebrate children and include them in our church community, providing a safe and fun environment for them to learn and grow.”



CMMC §9-485 “Youth center means any public or private facility that is primarily used to host recreation or social activities for minors, specifically private youth membership organizations or clubs, social services teenage club facilities, video arcades where 10 or more games or game machines or devices are operated or similar amusement park facilities, but does not include dance studios, tutoring, martial arts studios or similar type of uses.”

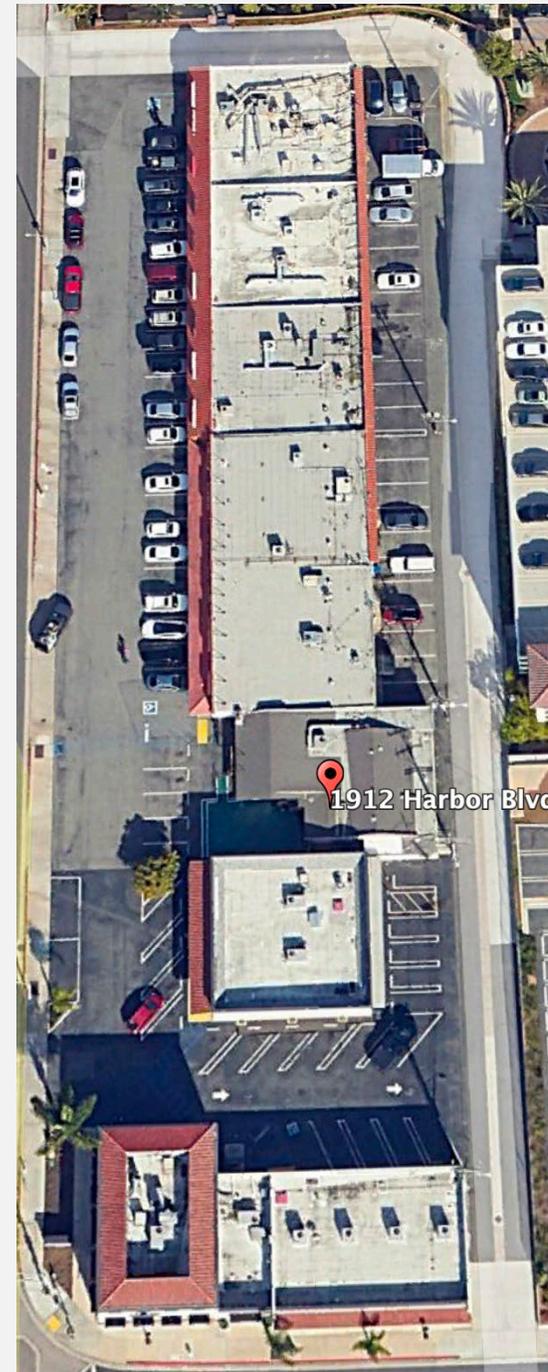
## UNIQUE PHYSICAL CONDITIONS OF PROPERTY

- Shared common wall
- Shared ingress and egress
- Alleyway
- Separate parcels
- Separate centers/projects
- Separate, independent landlords
- Prior “convenience store” use denied by City



## FINDING: INCOMPATIBLE USE

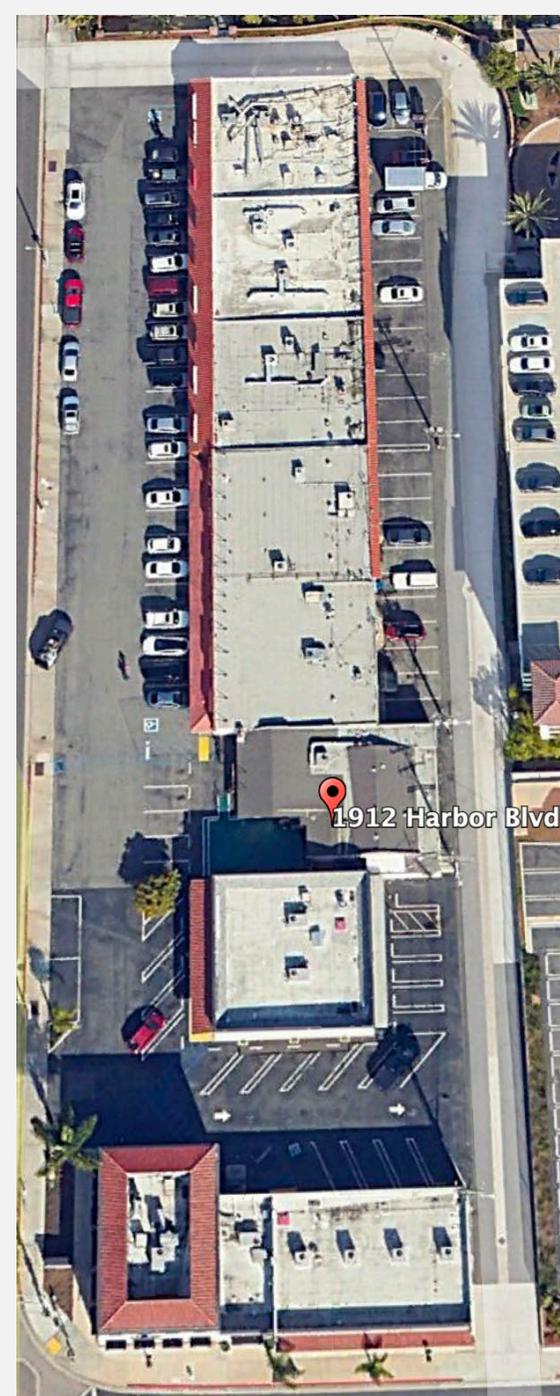
(I) The proposed development or use is not substantially compatible with developments in the same general area and would be materially detrimental to other properties within the area



## FINDING: MATERIALLY DETRIMENTAL

(2) Granting the minor conditional use permit will be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood

(3) No identified safety measures – inability to secure or access front and back of property



## APPLICANT'S HISTORY

Demonstrated pattern of abuse of local regulations and disregard for community

- CUP for restaurant/bar revoked – upheld by California Court of Appeal
- Admitted to bribing former Mayor of Upland to restore CUP
- Former Costa Mesa restaurant/bar closed, high volume of calls for service while operating
- Unpermitted Covid nightclub in residential
- Unpermitted adult film studio in residential
- Admitted lying under penalty of perjury to avoid Code Enforcement
- Admitted lying to landlord to operate nightclub
- Continuing unpermitted activity in Costa Mesa

So took the lease. It is a Keep Mind. It's a personal residence, but it's in a commercial district, so there's no, like, 07:32

there was no real neighbors to it. There's no houses. You're, you're across from Lido House Hotel. I'm like, this is, parking is good. Yeah. 07:40

I mean, parking is phenomenal. So we, I talked Josh about it. He is like, well, it's like, let's do it. 07:46

I'm like, all right, let's do it. See what happens. Got this property or this loft, this huge loft. And, um, we started doing parties out of it, uh, 07:51

under the name of Clubhouse. So, uh, you know, then we started taking like, everyone's, like, everyone wanted to be there. 07:58

So we were like, well, let's start selling some memberships, you know, and start selling like five, 500 to a thousand bucks a month. 08:04

And they have access to this, this location. Um, which was really cool. I mean, we, we like pimped 08:11

loud. I'm like, man, is this Mango next Steve? He's like, the music's too loud.

I'm like, well s\*\*t, now what are we gonna do? Then we got this company in that does like rocket science 09:24

and like how did, how do eliminate sound? Completely, um, through concrete walls. Like, so this company came up and literally we, 09:28

they rebuilt the wall from his side of the building. Everything was dope. Everything was cool. We had a good, good run on that. For what, a couple months? 09:37

A couple months was good. Couple Months. And then, uh, and then, um, I get a letter in the mail 09:44

that, uh, we got in trouble. We got in trouble from the city. Like no noise complaints, nothing. We get a letter in the mail that, um, 09:51

they think I'm running an adult nightclub. Shout out to OnlyFans. Yeah, shout out to OnlyFans. We love you guys, but didn't work out too well. 09:58

Josh's like, no way is that gonna happen. I'm like, all right. So I get this letter in the mail, said, 10:50

uh, we know we are cease and desist. Cease and desist said, we know you're running a strip club slash spole and we need to, you're gonna be cited, right? 10:55

And I'm like, and I'm like, I was laughing at first. I thought it was a joke. Um, and so like, they call me into this hearing 11:03

like you're running an adult nightclub. That's what they said. It's an adult nightclub. So I go into this hearing 11:15

and there was like all of the neighbors that I didn't even know existed. Like, and all the half the block was there. Like you showed 11:20

Up, uh, two hours Later. Oh, yeah. Yeah. So to that way. So I didn't, I wasn't planning on showing up, like, 11:27

because I'm just like, it's a \$200 citation, administrative citation. It wasn't a criminal citation. Also, I would obviously take it seriously. 11:31

So it's an administrative citation, which if you don't know what that is, pretty much less than a parking ticket. 11:37

So they just say, don't do it again. Sorry, stop you on the wrist and while you walk out. And it was 200 bucks. It wasn't under my name anyway. 11:42

It was under a company that had a lease in. But, so I walk into this, I I wasn't gonna go. 11:49

Gatsbyoc  
Gatsby Podcast: Episode 1: Origin  
<https://vimeo.com/941425083/184c126184>

## REVOKED CUP

- Revoked by Upland Planning Commission due to high volume of calls for service
- Upheld by Upland City Council
- Upheld by Trial Court
- Upheld by Court of Appeal

- Court of Appeal Decision Found:
  - Specifically, the CUP itself provided that it may be revoked “if the permittee has violated any rule, regulation or condition of approval or if the operation permitted under the conditional use permit is operated in a manner contrary to the peace, safety and general welfare of the public or which results in undesirable activities creating an increased demand for public services[.]”
  - Judgment Affirmed.
  - *Schaller v. City of Upland*: 2011 WL 1832950

## ADMINISTRATIVE VIOLATIONS UPHELD

Violations of operating  
unpermitted nightclub and  
adult fil studio in residential  
property upheld

**therefore will UPHOLD it.** It is very clear that this property is not being used as a residence of Appellant but rather to operate a gentlemen's social club.

Appellant acknowledged that on one occasion he allowed a 'friend' to do a photo shoot inside his Unit A. The photo shoot was of a naked young woman in various poses. While that one photo shoot might not qualify as evidence of an 'adult business', City investigators also discovered 'Onlyfans' accounts where access to sites where there are erotic images of models for a fee. It was not determined how many of the 'images' of these models are photographed there in Unit A, Appellant's property, but certainly the 'sale' of these images for viewing is promoted within the Clubhouse and therefore any reasonable person would conclude that is merely another 'service' or feature of membership in Appellant's Clubhouse. Examples of many of these images were viewed by this Hearing

1. Administrative Citation No. **I21-3019A**, issued to Appellant Keith Scheinberg by Supervising Code Enforcement Officer John Murray, City of Newport Beach on October 6, 2021, is hereby **UPHELD**.
2. Administrative Citation No. **I21-3020A**, issued to Appellant Keith Scheinberg by Supervising Code Enforcement Officer John Murray, City of Newport Beach on October 6, 2021, is hereby **UPHELD**.

REQUEST CITY COUNCIL  
**DENY**  
PCUP-24-0011

City Council cannot make the findings required to approve this proposed use:

- **Site violates** the location criteria required by CMMC 13-200.93(e) and (e)(1)(b) in that the site is within 1,000 feet of youth center and 250 feet from a property zoned for residential uses.
- **Site unsuitable** for the development of a storefront retail cannabis facility because:
  - Narrow, attached to surrounding off-site properties (potential for nuisances, including exposure to toxic and flammable materials)
  - Site has limited vehicular circulation
  - As conditioned, security access to the rear is hampered

# GREEN — MART —

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Appeal of PCUP 24-0011

1912 Harbor Blvd, Costa Mesa 92627

April 15th, 2025  
Costa Mesa, CA



# Experienced Management & Ownership Team

## Keith Scheinberg

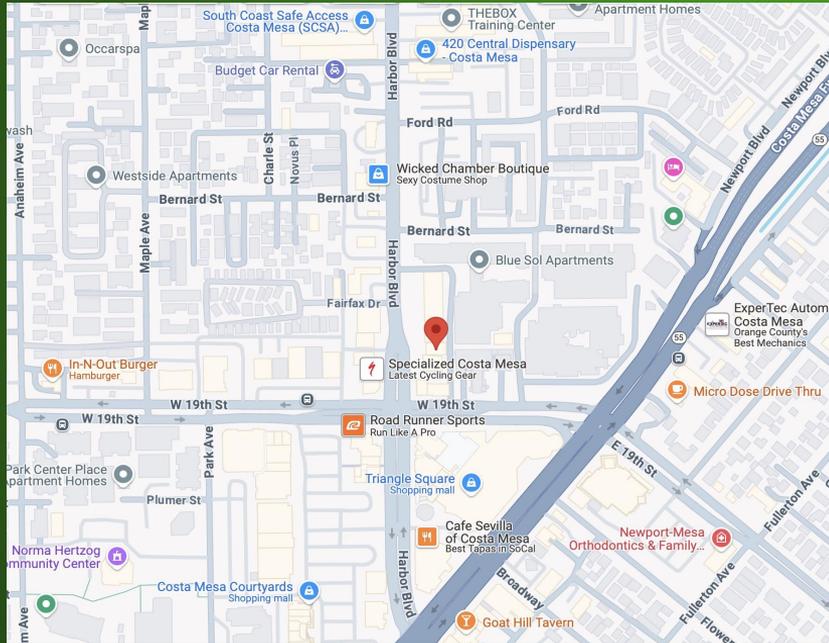
- **Entrepreneur & Innovator** – Specializes in recovery equipment, founding Cryo Innovations in 2015 to develop the safest and most advanced cryotherapy units on the market
- **Owner Cryo Recovery Lounge**- Specializing in rehabilitation and proving recovery for veterans and first responders.
- **Scientific & Legal Expertise** – Holds a B.S. in Biology (Genetics) from SDSU, law degree from Chapman University, blending science, law, and innovation.
- **R&D Pioneer** – Led research for Johnson & Johnson, securing grants for synthetic blood prototypes and U.S. military contracts for fire-retardant technology.
- **Military & Leadership Experience** – New Mexico Military Institute ROTC prep, and currently State Active Duty in the CSG with the 40th Infantry Support Division based out of Los Alamitos, CA .

## Mikael Marczak

- **Entrepreneur & Industry Leader** – Over 15 years of experience across multiple industries, founding iconic cannabis brands such as Evergreen Management, Sauce Essential, Paragon LLC, and MKM Management.
- **Founder of Dime Industries** – Since 2016, built a luxury cannabis vape brand with over 30 industry awards, expanding operations from California to 9 U.S. states and Canada.
- **Diverse Business Acumen** – Proven success in cannabis manufacturing, real estate, and student loan consolidation, showcasing adaptability and expertise.
- **Cannabis Licensing Expert** – Trusted leader in securing cannabis licenses and forging high-profile brand collaborations, driving growth and success.



# Proposed Location - Positioning



Address: 1912 Harbor Blvd, Costa Mesa, CA 92627

Cross Streets: Harbor Blvd and W 19th St

Description: 2400 sq/ft stand alone building

Neighboring Cannabis Business:

420 Central

High Seas

Surrounding Businesses: Carpet and flooring, dog grooming, coffee shop, hair salon, cupcakes, massage - No conflicting uses to proposed use



# Proposed Location & Improvements



BEFORE





# Proposed Location & Improvements



**AFTER**





# Interior Look and Feel



# Interior Look and Feel





# Community Involvement

## Homeowner and Resident

- Property owner and resident for 25+ years
- Ranked top 103 most influential people 2 years in a row for giving back to the community through charitable events.
- Numerous committee appointments throughout Costa Mesa residency.

## Costa Mesa Support

- Giving back to CM/NB first responders through my other businesses with free recovery services:  
**CRYO RECOVERY LOUNGE**
- Donations to CMFD toy drive every year

# Community Outreach



- Notification packets, including project details and contact information were mailed to all residents and businesses within a 500-foot radius
- Neighboring tenants were met with by Keith Scheinberg

Community Outreach Letter

February 5, 2025

Dear Neighboring Businesses,

I am writing to you to introduce myself and our new proposed business at 1912 Harbor Blvd, Costa Mesa CA 92627. As a Costa Mesa homeowner and resident for over 25 years, I have bought and sold more than six homes within our great community. I am very excited to be opening a new business in my community and to give back to the neighborhood while updating a building that has been an eyesore for the community for so long.

**Our Commitment:**

- Provide the city of Costa Mesa a fully licensed and compliant facility for our local residents to purchase unique cannabis products in a clean and safe environment
- Provide an updated building that the neighborhood will be proud to drive by
- Provide a safe and secure environment in and around our facility which will benefit the neighboring businesses and prevent homelessness

**Our Vision:**

*To offer Costa Mesa residents a safe, secure, and exclusive destination for purchasing unique cannabis products not found elsewhere.*

**Ownership:**

Being a long-time Costa Mesa Resident and Homeowner I am very excited to open another business right in my own community. A brief background of myself:

- **Entrepreneur and Innovator** - Specializing in recovery equipment. Founded Cryo Innovations in 2015 with a mission to develop the safest and most advanced cryotherapy units available.
- **Owner Cryo Recovery Lounge**- Specializing in rehabilitation services and providing recovery for veterans and first responders as well as the general public.
- **Scientific and Legal Expertise** – Earned a B.S. in Biology (Focus in Genetics) from San Diego State University, Law Degree from Chapman University. Bridging the fields of science, law, and innovation.
- **Research and Development Pioneer** – Led research team at Johnson & Johnson. Secured grants for synthetic blood prototypes and acquired U.S. military contracts for fire-retardant technology.
- **Military and Leadership Experience** – New Mexico Military Institute ROTC prep. I am currently serving on State Active Duty with the California State Guard (CSG) as part of the 40th Infantry Support Division, based in Los Alamitos, CA.

Please feel free to reach out with any and all questions.

Keith Scheinberg [kmsesg@hotmail.com](mailto:kmsesg@hotmail.com)



# Commitment to the Community and Neighbors

- Green Mart will ONLY be hiring Costa Mesa residents and will providing them ebikes to get to and from work to take advantage of CM's very friendly street bike program.
- In February Keith Scheinberg personally visited over 15 nearby businesses to discuss the project and collect feedback
- Parking was discussed with fellow neighbors and it was explained that our security will be directing people to park only in front of our unit as much as possible.
- All vendor deliveries will take place in one of two spots (labeled as such) directly in front of our unit which will be under multiple angles of surveillance cameras. Outbound deliveries will take place a few times a day and will notify the store that they are coming in to pick up the delivery items 30 min before they arrive. Security will reserve one of the two delivery spots (under cameras) for outbound delivery vehicle during this period of time.
- Based on the actual car traffic of local similar businesses not many spots are utilized by customers at one time so parking will not be an issue.
- Bike rack will be provided as to encourage local residents to bike to the store.



# Competitive Advantage

1. **Experienced Leadership** : Our experience ownership has a decade of cannabis industry experience, ensuring informed decision-making and effective operations as well as business acumen.
2. **Prime Location:** Our building has been vacant for almost 10 years allowing us to bring it to building code standards and prevent homeless encampments.
  - With security present during operating hours our reciprocal parking arrangement with the adjacent center will not impact any neighboring properties parking arrangements.
  - 2,400 sq ft of space for a clean environment and welcoming shop.
  - High visibility location with significant car traffic, increasing exposure and attracting customers.



# Contributions to Costa Mesa



- Access to safe and sustainable cannabis: Providing high quality products and expert guidance for responsible consumption.
- Support of the local community and non-profits: Partnering with local organizations to promote wellness, education, and social responsibility.
- Beautification and modernization of the existing building: Enhancing the aesthetic appeal and safety of the surrounding area.
- Support of local businesses: Collaborating with nearby businesses as to cross market and support our neighbors
- Tax Revenue: Contributing to the city's financial growth and development.
- Job creation and training: Offering employment opportunities and professional development for local Costa Mesa residents.
- Community events and education: Hosting workshops, seminars, and events to promote cannabis awareness and responsible use.

# Thank you!

...

GREEN  
— MART —

April 15th, 2025  
Costa Mesa, CA

# CUP REVOCATION ISSUE 2017



Los Angeles Times

<https://www.latimes.com> › local › la-xpm-2011-mar-13... ⋮

## Inland Empire's Upland finds itself mired in municipal scandal

Mar 13, 2011 — Federal prosecutors allege that the mayor used go-betweens to squeeze payoffs from two businesses that the city was trying to shut down — a ...



San Bernardino Sun

<https://www.sbsun.com> › general-news › ex-upland-ma... ⋮

## Ex-Upland Mayor Pomierski sentenced to two years in ...

Aug 6, 2012 — Former Upland Mayor John Pomierski was sentenced Monday to two years in federal prison after pleading guilty to a federal bribery charge.



Los Angeles Times

<https://www.latimes.com> › local › la-xpm-2011-mar-04... ⋮

## Former Upland mayor indicted in extortion, bribery

Mar 4, 2011 — A federal grand jury has indicted former Upland Mayor John Pomierski on extortion and bribery charges in an alleged scheme to extort money and campaign ...

## FBI probe involves several Upland businesses



By SANDRA EMERSON | semerson@scng.com

UPDATED: August 29, 2017 at 10:05 AM PDT

UPLAND — The FBI and IRS investigation that closed City Hall for an entire day Thursday is a far-reaching one that involves not only the mayor but a number of businesses and business owners in the region.

## Former Upland Mayor Sentenced to Two Years in Federal Prison for Accepting Bribe from Businessman Seeking Permit from City

U.S. Attorney's Office

August 06, 2012

Central District of California

(213) 894-2434

RIVERSIDE, CA—The former mayor of the city of Upland was sentenced today to 24 months in federal prison for his conviction on a federal bribery charge stemming from a \$5,000 payment he accepted in exchange for helping a business obtain a conditional use permit from the city.

John Victor Pomierski, 58, who resigned as mayor last year after he was named in a grand jury indictment, was sentenced today by United States District Judge Virginia A. Phillips.

Pomierski is among four people who have been convicted in relation to a corruption investigation in the city of Upland, and he is the first to be sentenced.

"While he's serving his sentence in federal prison, Mr. Pomierski will have time to reflect on the principle that public service is a sacred trust that should not be abused for personal enrichment," said United States Attorney André Birotte, Jr. "The United States Attorney's Office is committed to working with our law enforcement partners to ensure that the public receives honest services from the persons they elect to public office—and that those officials who break the law are prosecuted and punished."

Timothy Delaney, Acting Assistant Director in Charge of the FBI's Los Angeles Field Office, stated, "The defendant placed his own interests before those of the residents of Upland and betrayed their trust. The former mayor will now face the consequences of entering into a criminal conspiracy by serving time in prison."

# APPROVAL OF DRAFT RELOCATION PLAN AND RELOCATION ASSISTANCE FOR TENANTS OF 778 SHALIMAR DRIVE

City Council Meeting  
Tuesday, April 15, 2025



# Background

- City is in escrow to purchase the Property at 778 Shalimar Drive.
- Property contains four units, three of which are occupied by four households.
- Acquisition will be for future community-serving public uses.



**778 Shalimar**

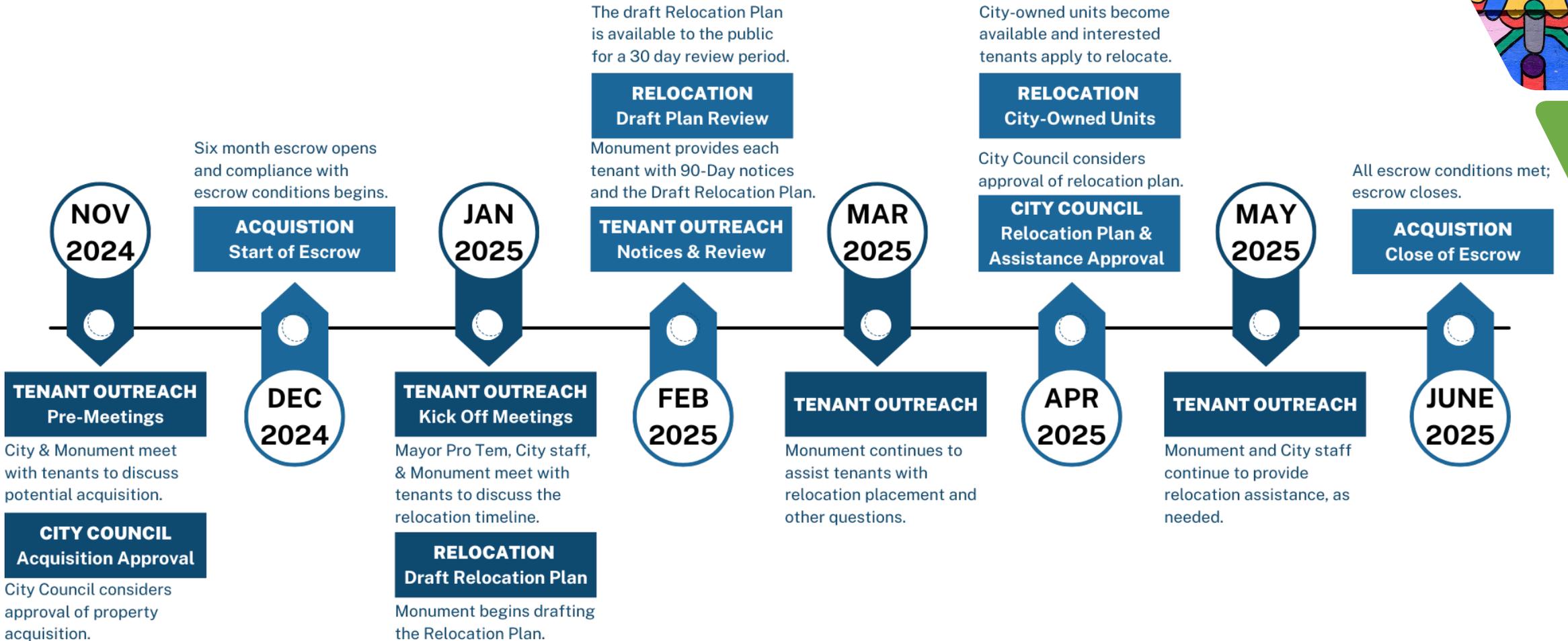
# Tenant Relocation

- To acquire the property, the City must **relocate** existing tenants
  - This includes payment of relocation and moving expenses, pursuant to various local, State, Federal requirements, and Escrow terms of the Purchase Agreement.
- The City hired Monument, Inc. to draft a tenant Relocation Plan, including:
  - Tenant outreach,
  - Relocation analysis, and
  - A proposed relocation program.

# Relocation Plan

- A Relocation Plan is a required document when the purchase of real property by a public entity may displace residents. The purpose of a Relocation Plan is to:
  - Explain the relocation needs of the households that will be displaced;
  - Show how those needs will be met;
  - Provide an analysis of housing resources; and
  - Describe relocation payments, the plan for disbursement, and the source of the funds.
- Pursuant to 25 CCR § 6038, public entities wishing to acquire real property must prepare a Relocation Plan and submit it for approval to City Council.

# Relocation Plan Process: Timeline



# Relocation Plan Findings

## Assessment of Relocation Needs

- The draft Relocation Plan identified the following needs for the four households:
  - Based on occupancy standards for housing density, two households would require a 2-bedroom unit, and one household would require a 4-bedroom unit.
  - Bilingual services were required.
  - Special accommodations were required for one household.
  - The preferred relocation area was in Costa Mesa and the Orange County area.

## Available Residential Replacement Sites

- The draft Relocation Plan found adequate replacement resources existed in the area for Property tenants.
- Monument identified the total relocation costs based on a survey of the surrounding areas.

# Relocation Plan Findings (continued)

## Proposed Relocation Assistance

- For relocation **advisory** assistance, Monument will provide bilingual administrative services to the Property tenants, including:
  - Access to the database of available residential units for lease and sale;
  - Inspection of prospective units;
  - Assistance with lease applications;
  - Assistance with the arrangements of purchase of real property or the filing of requests for benefits or services; and
  - Assistance in the preparation and submission of relocation assistance claims.
- For relocation **financial** assistance, tenants may be eligible for certain classes of benefits, including:
  - Moving expenses;
  - Rental assistance, if renting; and
  - Down payment assistance, if purchasing.

# Relocation Assistance

- Monument calculated the relocation financial assistance based on household size, tenant interviews, and analysis of available sites.
- This is a sample calculation:

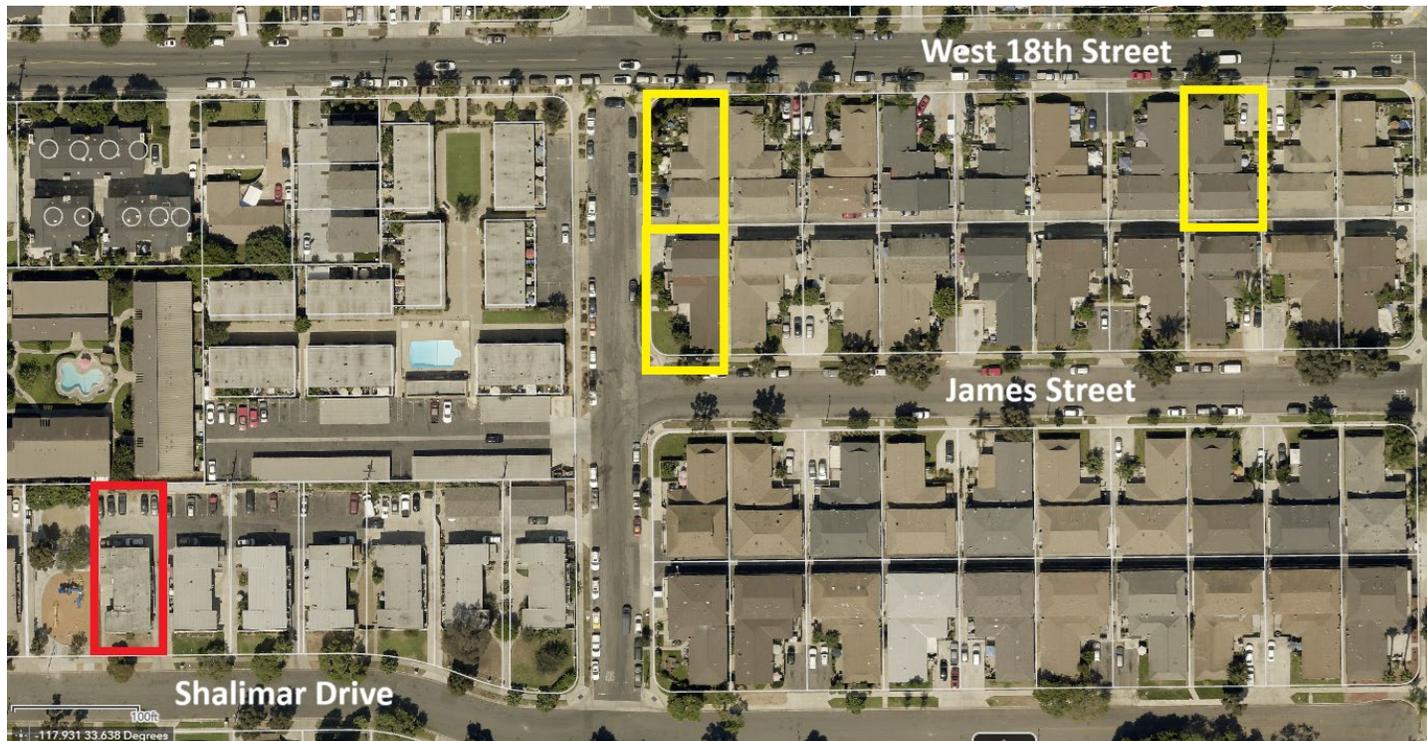
Fair Market Value (FMV) Rent		Tenant's Current Rent		Difference ( $\Delta$ ) FMV – Current Rent		$\Delta$ for 42 Months* of Rent
\$3,000	–	\$2,000	=	\$1,000	x 42 =	\$42,000

\*Per 25 CCR § 6104, the amount of replacement housing payments shall be for rent for 42 months.

- Monument calculated the total amount for all households as \$168,764.
  - With a 20% contingency, the total calculated relocation costs will be \$203,716.80.
  - Most units had one household. However, Unit 3 contained two households, increasing the amount for the FMV calculation.

# Relocation Option: City-Owned Units

- Property tenants have the opportunity to relocate to City-owned affordable housing units in the immediate vicinity.
- The City owns various properties (yellow outline), in close proximity to the subject Property (red outline).



# Relocation Option: City-Owned Units (continued)

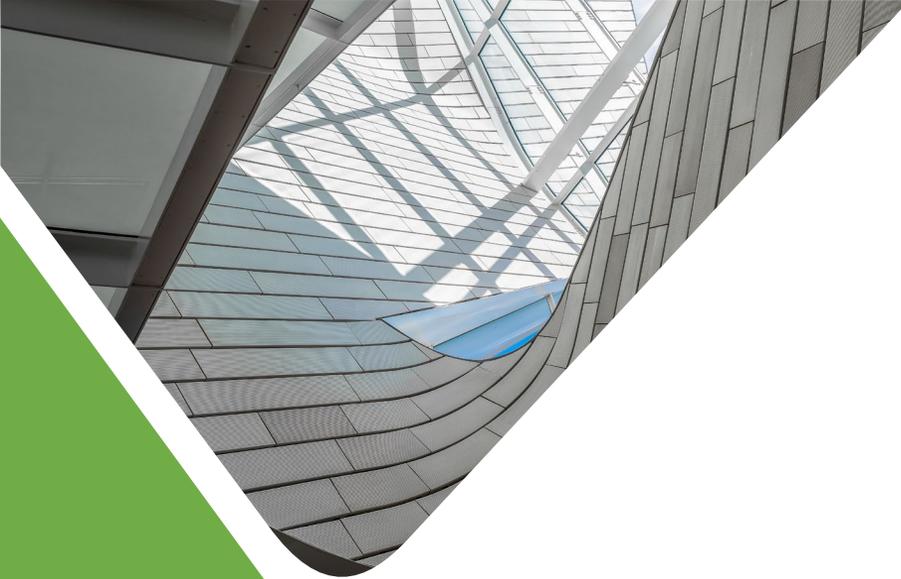
- Interested tenants have applied through the City's property manager, ProActive Realty, with assistance from Monument and City staff.
- As of 4/15, one household has been accepted to the City-owned units and two households have applications in process.





# Recommendations

1. Adopt a resolution approving the draft Relocation Plan for the Shalimar Park Expansion Project's acquisition of real property located at Assessor's Parcel Number 424-051-23 (778 Shalimar Drive).
2. Authorize a budget adjustment appropriating a total of \$203,716.80 from the Housing Trust Fund for relocation assistance, and authorize the City Manager, City Attorney, and Finance Director to implement the approved Relocation Program.



# Questions?

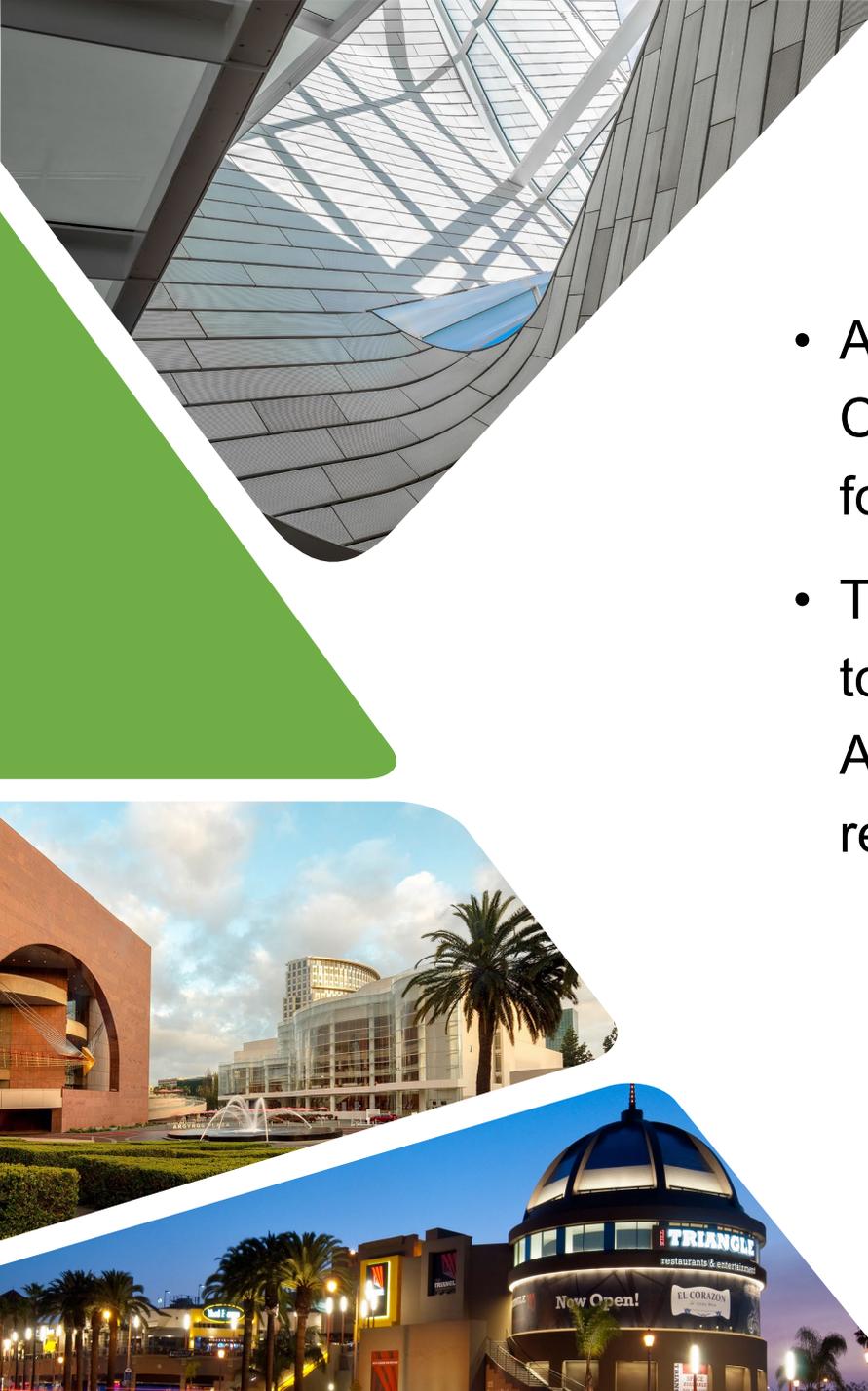


**APPOINTMENT TO THE ANIMAL SERVICES  
COMMITTEE AND CONFIRMING THE ORANGE  
COUNTY MODEL ENGINEERS (OCME) LIAISON TO  
THE FAIRVIEW PARK STEERING COMMITTEE**

**City Council Meeting**

**April 15, 2025**





## BACKGROUND

- At the April 1, 2025 City Council meeting, Mayor Pro Tem Chavez requested an additional one week recruitment period for the Animal Services Committee only.
- The Committee recruitment period opened from April 2, 2025 to April 8, 2025. Recruitment press releases were sent on April 2, 7, and April 8, 2025. A total of 14 applications were received.

# ANIMAL SERVICES COMMITTEE

- Make one (1) member appointment with a term expiration of April 2027
    - Appointment by Mayor Pro Tem Chavez
1. Brian Buckner – District 1
  2. Randi Miller – District 1
  3. Anke Secrest – District 1
  4. Becca Walls – District 1
  5. Christina Poulos – District 1
  6. Calvin Alvarez – District 2
  7. Olivia M. Eimers – District 2
  8. Carlos Salampessy – District 2
  9. Syed Zia Hussain – District 2
  10. Amber Watnik – District 2
  11. Dana S. Lavin – District 3
  12. Mackenzie "Kenzie" Huth – District 4
  13. Rhonda J. Christlieb – District 5
  14. Debra Lee – District 5





## RECOMMENDATION

1. Mayor Pro Tem Chavez make one (1) member appointment to the Animal Services Committee with a term expiration of April 2027.
2. The City Council confirm Hank Castignetti as the Orange County Model Engineers (OCME) liaison to the Fairview Park Steering Committee.