

From: [PARTIDA, ANNA](#)
To: [HALLIGAN, MICHELLE](#)
Subject: FW: 1858 Newport Blvd
Date: Friday, December 1, 2023 3:21:40 PM

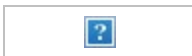
From: Daniel Morgan <daniel.morgan@marterraproperties.com>
Sent: Friday, December 1, 2023 2:37 PM
To: PC Public Comments <PCPublicComments@costamesaca.gov>
Subject: 1858 Newport Blvd

Dear Planning Commission,

I am emailing you as a local business owner, resident, and parent. There is an absolute over-saturation of cannabis, especially on Newport Blvd. We have Nectar, Nice Guy, Culture, Secret Garden on Newport Blvd, and in very close proximity we have 420, SCSA and Catalyst. Our business (154 Broadway) and our neighbors have already been heavily impacted by the current Cannabis stores. I come to the office and find marijuana product trash in our yard on a nearly daily basis. We have a video of someone high out of their mind loitering and urinating on our property for hours in the middle of the night; just yesterday we had a man walking down the street high out of his mind in just his red underwear.

Every day, when I drive up and down the corridors of Costa Mesa, our kids ask about the brightly lit and decorated storefronts of various existing weed shops. We have more than enough as-is. It also seems that our staff is overloaded with Cannabis applications and is distracting from their ability to focus on more pertinent functions of our City, like approving more housing and other related building permits. Please vote no on this conditional use permit - it's literally 1 store away from an existing store.

Daniel Morgan | Managing Principal
Marterra Properties
154 Broadway, Costa Mesa, CA 92627
T: (949) 413-0912
www.marterra.com



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LEX REX INSTITUTE

CONSTITUTIONAL ADVOCATES
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ALEXANDER H. HABERBUSH, ESQ.
DEBORAH L. PAULY, ESQ.

TELEPHONE (562) 435-9062
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AHABERBUSH@LEXREX.ORG

December 5, 2023

VIA EMAIL

adam.ereth@costamesaca.gov
russell.toler@costamesaca.gov

jon.zich@costamesaca.gov
johnny.rojas@costamesaca.gov
angely.vallarta@costamesaca.gov
karen.klepack@costamesaca.gov
jimmy.vivar@costamesaca.gov

Re: Formal Objection to Proposed Conditional Use Permit (Reference No. PA-22-22) for Cannabis Retail Stores at 1858 Newport Blvd., Costa Mesa

Dear Planning Commissioners,

I write to you as legal counsel representing concerned homeowners and business operators in the Eastside community of Costa Mesa, specifically regarding Reference No. PA-22-22. This communication serves as a formal objection to the proposed conditional use permit for the establishment of an additional cannabis retail store at 1858 Newport Blvd., a location situated at the crucial intersection of Newport and Broadway, directly across from the Triangle. My client has authorized me to appeal to City Council if the conditional use permit is approved.

In alignment with California land use and zoning laws, and as stipulated in the Costa Mesa Municipal Code, Chapter V (2023), it is imperative that any new development be substantially compatible with existing developments in the area and not materially detrimental to adjacent properties. The proposed plan, involving the establishment of three consecutive cannabis retail stores, fails to meet these critical criteria. This overconcentration significantly disrupts the diverse and balanced character of the Eastside Neighborhood, undermining the intended image for this key gateway area.

Telephone: (562) 435-9062 | 444 W. Ocean Blvd., Ste. 1403, Long Beach CA, 90802
www.LexRex.org

To approve the permit, the this Commission must affirmatively find the following:

- A. The proposed development is substantially compatible with the developments in the same area and will not be materially detrimental to other properties.
- B. Granting the permit will not be materially detrimental to the public's health, safety, and welfare or injurious to property or improvements in the neighborhood.
- C. The permit will not allow a use, density, or intensity not in accordance with the general plan designation and applicable specific plan for the property.

None of these three criteria can be met.

A. Compatibility with General Area Developments

The proposed development of three consecutive cannabis retail stores at this location creates an overconcentration of similar businesses, fundamentally incompatible with the diverse and balanced character of the Eastside Neighborhood. This clustering of cannabis retailers disrupts the image and essence of a gateway to our community, disregarding the importance of maintaining a varied economic landscape. Moreover, the applicant has not conducted any outreach to neighbors, failing to gauge community understanding or address their concerns. This lack of engagement is a critical oversight in the planning process and speaks to the project's disconnect with community interests.

B. Impact on Health, Safety, and General Welfare

The effects of overconcentration of cannabis retailers are well-documented. Areas with a high density of cannabis businesses tend to experience increased rates of crime, including disturbances and public safety incidents. This places a considerable strain on local law enforcement resources and erodes the community's sense of security. Beyond the potential rise in crime, the overconcentration of these retailers leads to significant quality of life issues. The presence of multiple cannabis shops in close proximity causes increased traffic, noise, and loitering, thereby impacting the overall tranquility and residential nature of the neighborhood. Furthermore, the proliferation of cannabis retailers in such a concentrated area can deter potential homebuyers and investors, leading to a decline in property values. This not only affects individual homeowners but also has broader implications for the economic stability and attractiveness of the neighborhood.

C. Inconsistency with General Plan Designation

The establishment of three consecutive cannabis retail stores at this location is not in

accordance with the general plan designation, intensifying the area in a manner inconsistent with city planning. This overconcentration disrupts the intended balanced use of the area and the alley servicing the location is not equipped to handle the cumulative impacts of an additional store. The development, therefore, stands in direct conflict with the city's general plan and specific plans for the area, which are designed to ensure harmonious land use and community development.

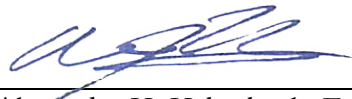
Moreover, the displacement of existing businesses for additional cannabis retail establishments, particularly in an area like the Eastside community, represents a detrimental shift in both the economic and social fabric of the neighborhood. This is contrary to the spirit of community development upheld by local and state regulations.

Conclusion

In light of these concerns, it is clear that the proposed development under Reference No. PA-22-22 fails to meet the necessary criteria for the granting of a conditional use permit as stipulated by the Costa Mesa Municipal Code. We strongly urge the City Council to deny this application to preserve the integrity and welfare of the Eastside community. We trust that the Council will consider these points with the gravity they deserve and act in the best interests of the Costa Mesa community.

Very truly yours,

LEX REX INSTITUTE

By: 

Alexander H. Haberbush, Esq.

Archived: Thursday, December 7, 2023 12:11:34 PM

From: [PARTIDA, ANNA](#)

Sent: Wed, 6 Dec 2023 16:39:06

To: [HALLIGAN, MICHELLE](#)

Subject: FW: Project Support - Evolve Herbal, Newport Blvd. Costa Mesa

Sensitivity: Normal

From: robert@landworksdevelopmentservices.com <robert@landworksdevelopmentservices.com>

Sent: Wednesday, December 6, 2023 3:33 PM

To: PC Public Comments <PCPublicComments@costamesaca.gov>

Subject: Project Support - Evolve Herbal, Newport Blvd. Costa Mesa

To whom it may concern,

I have been a residence of Costa Mesa and had a business in the city for close to 20 years and am in support of the approval of the application for this project.

Thank you,

Robert Lawrence

Landworks Development Services

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Archived: Thursday, December 7, 2023 12:11:35 PM

From: [PARTIDA, ANNA](#)

Sent: Wed, 6 Dec 2023 16:39:18

To: [HALLIGAN, MICHELLE](#)

Subject: FW: Mark Adams Support Letter

Sensitivity: Normal

From: John <guardian66@protonmail.com>

Sent: Wednesday, December 6, 2023 3:59 PM

To: PC Public Comments <PCPublicComments@costamesaca.gov>

Subject: Mark Adams Support Letter

Dear Sir / Ma'am

I am writing to express my wholehearted support for the expansion project proposed by Evolv at 1858 Newport, Costa Mesa. Having been a patient of Mark Adams and his team since 2015, I have witnessed firsthand the positive impact of their services and am enthusiastic about the prospect of extending this support to a broader community.

Mark Adams is not just a business owner; he is a compassionate individual. Evolv is not based upon the recreational use of marijuana. Evolv ; unlike many other dispensaries employees folks who know the medication; and go above and beyond to help you with whatever ailment you're facing.

As a US Army Veteran of over 10 years and cancer survivor; I can say that Evolv and Mark have done more than I could ever repay them all for. They saved me. Mark created a business where you're not a number. This is why I have come to them exclusively for so long. I have personally seen the changes Evolv has made not only for their patients; but for the area they are currently in.

I'm one of many stories that Mark and Evolv have touched in the way they conduct business. Not only all of the therapeutic effects but the safety and the commitment to a safe environment Mark places on Evolv. I do not ever feel as though I am committing a crime in purchasing my medication. As I'm sure the individual reading this has felt.

The proposed expansion aligns with Mark's mission to create a safe and responsible environment that caters to a mature customer base and focuses on overall health and well-being. I believe that this expansion will enable him to reach more individuals in need of alternative and holistic solutions where otherwise they were too afraid or unable to make the trek to a reputable and safe business such as Mark and Evolv.

Mark's dedication to the community and his ability to provide high-quality, scientifically backed products make him a valuable asset. I sincerely hope that the Planning Department considers this recommendation and

supports the approval of Evolv Herbal's expansion project.

If you or any of your constituents have any questions about Mark Adam's proposal and my letter please contact me.

Very Respectfully,

John W Maletta.

Guardian66@protonmail.com

Sent from [Proton Mail](#) for iOS

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Archived: Thursday, December 7, 2023 12:11:37 PM

From: [PARTIDA, ANNA](#)

Sent: Thu, 7 Dec 2023 08:41:29

To: [HALLIGAN, MICHELLE](#)

Subject: FW: 1858 Newport blvd cannabis retail

Sensitivity: Normal

From: Real Estate <careinvestor2002@gmail.com>

Sent: Wednesday, December 6, 2023 6:00 PM

To: PC Public Comments <PCPublicComments@costamesaca.gov>

Subject: 1858 Newport blvd cannabis retail

How is it possible that this can be approved for a retail and delivery cannabis entrance??? Ingress and egress going two way in this residential alley??? Are you trying to have my kids ran over??? Seriously have some morals would you want to raise your family here? You're literally exposing my children to an unsafe environment.

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A concerned Costa Mesa resident,
Chad Talbert

Archived: Thursday, December 7, 2023 12:11:38 PM

From: [PARTIDA, ANNA](#)

Sent: Wed, 6 Dec 2023 16:39:27

To: [HALLIGAN, MICHELLE](#)

Subject: FW: Evolv Herbal, LLC Ref. PA22-22 Mark Adams

Sensitivity: Normal

From: denmarine@aol.com <denmarine@aol.com>

Sent: Wednesday, December 6, 2023 4:06 PM

To: PC Public Comments <PCPublicComments@costamesaca.gov>

Subject: Evolv Herbal, LLC Ref. PA22-22 Mark Adams

Mark Adams and his company has been a vital part of my wife's recovery from stage 3 breast cancer over the last 3 years, my wife Shelly is a disabled veteran and she choose not to use opiates for the pain and other pharmaceutical's loss of appetite while going through Chemo, radiation twice along with a hormone therapy over the last 3 years, My wife and I are very fortunate to discover Mark and his products that he tailored for her Cancer and recovery, he is an asset to any community seeking other avenues other than big Pharm.

Dennis Bastian

(562) 688-5942

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HALLIGAN, MICHELLE

From: PARTIDA, ANNA
Sent: Thursday, December 7, 2023 11:29 AM
To: HALLIGAN, MICHELLE
Subject: FW: 1858 Newport Blvd. Costa Mesa

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

From: Monica S. <monicasafarik@gmail.com>
Sent: Thursday, December 7, 2023 11:15 AM
To: PC Public Comments <PCPublicComments@costamesaca.gov>
Subject: 1858 Newport Blvd. Costa Mesa

Dear Planning Department,

Our beautiful city of Costa Mesa already has a Motels saturation, we don't need to weave in the cannabis stores and increase the already high crime and homeless rates. If you drive on Newport Blvd at any time of day you can confirm my statement as the homeless and those under the influence of drugs and alcohol are laying on the sidewalk, littering and defecating on our streets and business lots.

I ask you to please spread out the locations of such stores where easy access is too detrimental to our streets. We already have too many stores selling the same type of products in our city.

Thankfully and respectfully,

Monica Safarik

Life is good 🍀

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HALLIGAN, MICHELLE

From: PARTIDA, ANNA
Sent: Thursday, December 7, 2023 12:07 PM
To: HALLIGAN, MICHELLE
Subject: FW: Pot Shops

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

From: patti kinsella <pakinsella@hotmail.com>
Sent: Thursday, December 7, 2023 11:43 AM
To: PC Public Comments <PCPublicComments@costamesaca.gov>
Subject: Pot Shops

Why are so many Pot Shops being approved in Costa Mesa? It must be for the tax revenue.
How sad that we will have more Pot Shops than Book Stores close by our homes and schools.

Regards,

Patricia

Sent from my iPhone

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