



## City of Costa Mesa

RESERVE FOR FILING STAMP

CITY CLERK

25 JUN 23 PM 4:52

CITY OF COSTA MESA

BY *BO*☐ Appeal of Planning Commission Decision:\$1,220.00 (Tier 1)<sup>1</sup>\$3,825.00 (Tier 2)<sup>2</sup>☐ Appeal of Non-Planning Commission Decision:\$690.00 (Tier 1)<sup>1</sup>X \$3,825.00 (Tier 2)<sup>2</sup>

File with: City Clerk

City of Costa Mesa

77 Fair Drive

Costa Mesa, CA 92626

714-754-5225

**APPLICATION FOR APPEAL OR REVIEW**

Applicant Name\* Culture CM Newport Street Julie Le

Address 2301 NEWPORT BLVD Costa Mesa CA 92627

Phone 6192772827 – Devon Julian 7146579628 – Julie Le

REQUEST FOR: ☒ **APPEAL** ☐ **REVIEW\*\***

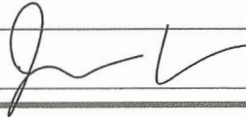
Decision of which appeal or review is requested: (give application number, if applicable, and the date of the decision, if known.)

Notice of abandonment, Cannabis Business Permit MO-21-15, 2301  
Newport Boulevard received June 16<sup>th</sup>, 2025

Decision by: Carie Ta

Reasons for requesting appeal or review:

See attached

Date: 6/23/25Signature: Julie Le

\*If you are serving as the agent for another person, please identify the person you represent and provide proof of authorization.

\*\*Review may be requested only by Planning Commission, Planning Commission Member, City Council, or City Council Member

**For office use only – do not write below this line**

SCHEDULED FOR THE CITY COUNCIL/PLANNING COMMISSION MEETING OF:

If appeal or review is for a person or body other than City Council/Planning Commission, date of hearing of appeal or review

Updated September 2023

<sup>1</sup> Includes owners and/or occupants of a property located within 500 feet of project site (excluding owners and/or occupants of the project site).<sup>2</sup> Includes the project applicant, owners and/or occupants of the project site, and owners and/or occupants of a property located greater than 500 feet from the project site.

June 23, 2025

**Via Hand Delivery**

City of Costa Mesa Building Department  
77 Fair Dr, Costa Mesa, CA 92626  
Attn: Director Carrie Tai

RE: Appeal of Revocation of Cannabis Business Permit MO-21-15, 2301 Newport Boulevard ("Permit")

Dear Director Tai,

On behalf of Culture Cannabis Club (the "Company"), please accept this letter as a formal notice and request for an appeal and reconsideration of the City of Costa Mesa's ("City") decision to revoke the Permit (referenced above) held by the Company ("License") at 2301 Newport Blvd. Costa Mesa, CA 92627 ("Property").

Despite the challenges facing cannabis license holders across the state and specifically in the City, the Company is ready willing and able to resume operations at the Property in the event the City is willing to reverse its prior decision. The Company currently has an agreement with the landlord for the Property to resume its lease. Other than the question of site control, it is our position that the Company has otherwise complied with all conditional of approval set forth in our Notice of Decision dated June 17, 2022.

The Company first opened for business on November 13<sup>th</sup>, 2024 in order to comply with the requirements set forth by the city. Shortly thereafter on December 6<sup>th</sup>, 2024, the Company reduced its hours and then temporarily closed down in order to reorganize the business to help ensure that it had enough capital and staff to properly operate. Less than 90 days later, on February 12<sup>th</sup>, 2025, the Company once again began operating in order to ensure that it was in compliance with the City rules. The rush to comply left the business in a dire position, as it was not yet ready to fully re-open, but did not want to risk the License. Shortly after opening in February the business once again reduced its hours and operations to continue its efforts to stabilize the business' finances. Despite the fact that the City was not satisfied with the temporary reopening, the Company did in fact open for business in February, even if temporarily. The Company then re-opened on March 7<sup>th</sup>, 2025. The business was open Monday through Thursday from 10am to 3pm. The business continued to maintain this pace until April 29<sup>th</sup> 2025 when a dispute arose between the Company and the landlord of the property. Notwithstanding the question of site control, since opening for business the Company has logged sales in each quarter. In addition, it has not been a full 12 months since the Company opened for business, so the failure to maintain 90 days of operations in any 12 month period is not ripe for consideration.

The Company has until November to reach that threshold, and is confident that it will be able to do so.

As to site control, the landlord asserted that the Company was in breach of the lease, however there was and still is, an ongoing dispute as to the validity of those claims. While the eviction notice does indicate that legal proceedings have taken place with respect to the property, the ongoing negotiations with the landlord for site control have been ongoing and are finally complete. The Company did not have the resources to defend the lawsuit, but discussion were ongoing and no other party has had access to the Property during the discussion. As an update, as of the date of this letter, the Company has an agreement with the landlord to confirm site control and allow the Company to continue its business.

We feel that we have enough support in favor of our position that it would be well within the city's ability to support a reversal of the revocation. Our assumption is that the City would rather see local businesses thrive instead of shuttering. Despite the challenging history of the Company in navigating the volatile nature of the cannabis industry in California, what is clear is that it did report sales in each quarter as required, has not yet determined if it will be open for 90 days in the first year of operations. In addition, while there may have been a dispute with the landlord, resulting in its assertion that the lease was in question, to date the Company has site control and is ready, willing, and able to reopen.

Reversing the revocation is the outcome that is in the best interest of the City, its residents, the landlord and the Company. Confirming the revocation on the other hand, would result in a shuttered business, less potential tax revenue, reduced access to cannabis for the City residents, and surely a continued legal dispute between the Company and the landlord over the lease (more wasted time and money that does not serve any of the interested parties).

We are hopeful that the City is able to provide some grace in this matter in light of the financial commitment that was required of all applicants while the City worked through its process of awarding licenses and ability to operate with a conditional use permit. Applicants, including the Company had to manage the economic strain created by having to hold real property for months on end with no ability to operate. Hundreds of thousands of dollars have been spent to open this store. The cannabis process for licensure is more than any business should have to face just trying to open its doors. It would be more than fair and equitable, and within the City's ability given the evidence presented, to reverse its decision given that the Company is still in a position to continue after everything it has had to face in order to get to this point.

In conclusion, we are seeking a reversal of the City's decision to revoke the License. The Company currently has site control, is ready, willing and able to reopen, and has the funding and support necessary to continue ongoing operations. We know we can operate for more than 90 days before our 1 year anniversary and are hopeful to have the chance to do so. Considering its financial investment to date, losing everything now would be nothing short of a travesty for the

Company. Thank you in advance for your reconsideration, and we look forward to working with the City to allow the Company to reopen the business it has worked tirelessly to create.

Sincerely,

Julie Le

A handwritten signature in black ink, appearing to read 'Julie Le', with a stylized, flowing script.