

RE: CCP2023-007 Amendment Appeal

Trinh Retterer <Trinh@jrgattorneys.com>

Tue 5/21/2024 3:17 PM

To: Christopher Callihan <chrisc@ci.salinas.ca.us>

Cc: Peter Brazil <peter@jrgattorneys.com>

CAUTION: This message originated outside of the City of Salinas email system. Do not click on links or open attachments unless you are sure the content is safe.

Hi Chris:

Thanks for the update. Our client is willing to extend the deadline for the appeal of CUP2022-048 to June 18.

Does the CCP2023-007 appeal request appear to be in order? Please let me know if there is anything outstanding. Thanks.

Trinh Retterer

Direct/Mobile/Fax: (831) 269-7117

From: Christopher Callihan <chrisc@ci.salinas.ca.us>**Sent:** Monday, May 20, 2024 3:49 PM**To:** Trinh Retterer <Trinh@jrgattorneys.com>**Cc:** Peter Brazil <peter@jrgattorneys.com>**Subject:** Re: CCP2023-007 Amendment Appeal

Trinh:

We will need to have the Commercial Cannabis Permit appeal before the Planning Commission on June 5. If the Planning Commission denies the appeal, it could not go before the City Council until June 18. Please confirm that CannaCruz would agree to extend the CUP deadline to June 18, if needed. We have done a quorum check and believe we will have a quorum for June 5.

Thank you,

Chris.

Christopher A. Callihan, Esq.

City Attorney

City of Salinas

200 Lincoln Avenue

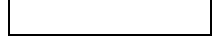
Salinas, CA 93901-2639

Telephone: (831) 758-7256 (main)

Telephone: (831) 758-7418 (direct)

Facsimile: (831) 758-7257

Email: chrisc@ci.salinas.ca.us



PRIVILEGED & CONFIDENTIAL -- ATTORNEY CLIENT PRIVILEGE -- ATTORNEY WORK PRODUCT

The information contained in this electronic transmission is legally privileged and confidential, and it is intended solely for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, please take notice that any form of dissemination, distribution or photocopying of this electronic transmission is strictly prohibited. If you have received this transmission in error, please immediately contact Christopher A. Callihan at (831) 758-7256 or chrisc@ci.salinas.ca.us and immediately delete the electronic transmission. Thank you.

From: Christopher Callihan <chrisc@ci.salinas.ca.us>
Sent: Thursday, May 16, 2024 4:30 PM
To: Trinh Retterer <Trinh@jrgattorneys.com>
Cc: Peter Brazil <peter@jrgattorneys.com>
Subject: Re: CCP2023-007 Amendment Appeal

Trinh:

I need to coordinate the scheduling with Planning staff. I forwarded them your email and will follow up with you.

Thanks

Chris.

Christopher A. Callihan, Esq.

City Attorney
City of Salinas
200 Lincoln Avenue
Salinas, CA 93901-2639

Telephone: (831) 758-7256 (main)

Telephone: (831) 758-7418 (direct)

Facsimile: (831) 758-7257

Email: chrisc@ci.salinas.ca.us

PRIVILEGED & CONFIDENTIAL -- ATTORNEY CLIENT PRIVILEGE -- ATTORNEY WORK PRODUCT

The information contained in this electronic transmission is legally privileged and confidential, and it is intended solely for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, please take notice that any form of dissemination, distribution or photocopying of this electronic transmission is strictly prohibited. If you have received this transmission in error, please immediately contact Christopher A. Callihan at (831) 758-7256 or chrisc@ci.salinas.ca.us and immediately delete the electronic transmission. Thank you.

From: Trinh Retterer <Trinh@jrgattorneys.com>
Sent: Thursday, May 16, 2024 3:54 PM
To: Christopher Callihan <chrisc@ci.salinas.ca.us>
Cc: Peter Brazil <peter@jrgattorneys.com>
Subject: RE: CCP2023-007 Amendment Appeal

CAUTION: This message originated outside of the City of Salinas email system. Do not click on links or open attachments unless you are sure the content is safe.

Hi Chris:

Thank you very much.

Our client would be willing to extend the CUP2022-048 appeal deadline to June 18 if it enables the CCP2023-007 amendment appeal and CUP2022-048 appeal to be considered at the same time. We do have a few questions and concerns, given that we are heading into the season of graduations and vacations –

- May we work toward a June 11 City Council hearing for the CUP (including public notice) and make a decision on the extension depending on what happens with the PC on June 5?
- Is it possible to have a special meeting of the PC in order to have the matters considered earlier?
- Is it possible to do a quorum check for both the PC and the City Council?

Trinh Retterer
Direct/Mobile/Fax: (831) 269-7117

From: Christopher Callihan <chrisc@ci.salinas.ca.us>
Sent: Thursday, May 16, 2024 10:52 AM
To: Trinh Retterer <Trinh@jrgattorneys.com>
Cc: Peter Brazil <peter@jrgattorneys.com>
Subject: Re: CCP2023-007 Amendment Appeal

Trinh:

Thank you. The appeal will be tentatively scheduled for the June 5 Planning Commission meeting. We will let you know if that changes.

Chris.

Christopher A. Callihan, Esq.

City Attorney
City of Salinas
200 Lincoln Avenue
Salinas, CA 93901-2639

Telephone: (831) 758-7256 (main)

Telephone: (831) 758-7418 (direct)

Facsimile: (831) 758-7257

Email: chrisc@ci.salinas.ca.us

PRIVILEGED & CONFIDENTIAL -- ATTORNEY CLIENT PRIVILEGE -- ATTORNEY WORK PRODUCT

The information contained in this electronic transmission is legally privileged and confidential, and it is intended solely for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, please take notice that any form of dissemination, distribution or photocopying of this electronic transmission is strictly prohibited. If you have received this transmission in error, please immediately contact Christopher A. Callihan at (831) 758-7256 or chrisc@ci.salinas.ca.us and immediately delete the electronic transmission. Thank you.

From: Trinh Retterer <Trinh@jrgattorneys.com>
Sent: Thursday, May 16, 2024 10:36 AM
To: Christopher Callihan <chrisc@ci.salinas.ca.us>
Cc: Peter Brazil <peter@jrgattorneys.com>
Subject: RE: CCP2023-007 Amendment Appeal

CAUTION: This message originated outside of the City of Salinas email system. Do not click on links or open attachments unless you are sure the content is safe.

Hello, Chris:

Pursuant to municipal code section 5-07.10 – Commercial cannabis permits – appeals, CannaCruz would like to appeal the Selection Committee's decision.

Pursuant to section 5-07.27 – location of commercial cannabis businesses – proximity to sensitive uses, subsection (c), CannaCruz is seeking an exception with findings that the intent of Article VI – Cannabis would otherwise be met.

Please let me know if you have any questions. Thank you.

Trinh Retterer
Direct/Mobile/Fax: (831) 269-7117

From: Christopher Callihan <chrisc@ci.salinass.ca.us>
Sent: Wednesday, May 15, 2024 9:59 AM
To: Trinh Retterer <Trinh@jrgattorneys.com>
Cc: Peter Brazil <peter@jrgattorneys.com>
Subject: Re: CCP2023-007 Amendment Appeal

Good morning Trinh and Peter:

Please see the attached letter regarding the City Selection Committee's review and determination related to CannaCruz's request for a Major Amendment to Commercial Cannabis Permit CCP 2023-007.

As you know, CannaCruz's appeal of the Planning Commission's denial of the Conditional Use Permit for 1228 South Main Street is scheduled for the City Council's consideration on June 11. The next Planning Commission meeting is June 5. Any matters heard by the Planning Commission on June 5 and subject to appeal could not be heard by the City Council until June 18.

Please feel free to let me know if you have any questions.

Thanks

Chris

Christopher A. Callihan, Esq.

City Attorney
City of Salinas
200 Lincoln Avenue
Salinas, CA 93901-2639

Telephone: (831) 758-7256 (main)

Telephone: (831) 758-7418 (direct)

Facsimile: (831) 758-7257

Email: chrisc@ci.salinass.ca.us

PRIVILEGED & CONFIDENTIAL -- ATTORNEY CLIENT PRIVILEGE -- ATTORNEY WORK PRODUCT

The information contained in this electronic transmission is legally privileged and confidential, and it is intended solely for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, please take notice that any form of dissemination, distribution or photocopying of this electronic transmission is strictly prohibited. If you have received this transmission in error, please immediately contact Christopher A. Callihan at (831) 758-7256 or chrisc@ci.salinas.ca.us and immediately delete the electronic transmission. Thank you.

From: Christopher Callihan <chrisc@ci.salinas.ca.us>
Sent: Monday, May 13, 2024 10:12 AM
To: Trinh Retterer <Trinh@jrgattorneys.com>
Cc: Peter Brazil <peter@jrgattorneys.com>
Subject: Re: CCP2023-007 Amendment Appeal

Trinh:

I am meeting with the Selection Committee tomorrow morning and until they give me their decision I cannot say whether CannaCruz will need to appeal their decision. If you wanted to have an appeal application prepared in the eventuality the Selection Committee denies the application, then I would suggest using the same form as the CUP application because I am not aware of a separate for an appeal of the Selection Committee's decisions. That form is familiar to all of us.

Thanks

Chris

Christopher A. Callihan, Esq.

City Attorney
City of Salinas
200 Lincoln Avenue
Salinas, CA 93901-2639

Telephone: (831) 758-7256 (main)

Telephone: (831) 758-7418 (direct)

Facsimile: (831) 758-7257

Email: chrisc@ci.salinas.ca.us

PRIVILEGED & CONFIDENTIAL -- ATTORNEY CLIENT PRIVILEGE -- ATTORNEY WORK PRODUCT

The information contained in this electronic transmission is legally privileged and confidential, and it is intended solely for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, please take notice that any form of dissemination, distribution or photocopying of this electronic transmission is strictly prohibited. If you have received this transmission in error, please immediately contact Christopher A. Callihan at (831) 758-7256 or chrisc@ci.salinas.ca.us and immediately delete the electronic transmission. Thank you.

From: Trinh Retterer <Trinh@jrgattorneys.com>
Sent: Friday, May 10, 2024 4:17 PM
To: Christopher Callihan <chrisc@ci.salinas.ca.us>
Cc: Peter Brazil <peter@jrgattorneys.com>
Subject: CCP2023-007 Amendment Appeal

CAUTION: This message originated outside of the City of Salinas email system. Do not click on links or open attachments unless you are sure the content is safe.

Hello, Chris:

Thanks again for your time this week. We really appreciate your efforts.

In anticipation of the Selection Committee denial regarding the CCP amendment, should we go ahead and prepare an application form for the appeal? We'd like to submit it as soon as we receive word (or earlier, if possible). Do we use the same form as we did for the CUP appeal?

On another note, with our client's approval, Jason will be reaching out to you regarding his read on how the quasi-judicial standards for a discretionary permit apply to the CCP amendment and appeal.

Have a great weekend!

Trinh Retterer
Land Use Specialist



Johnson, Rovella, Retterer, Rosenthal & Gilles, LLP
318 Cayuga Street
Salinas, CA 93901
Direct/Mobile/Fax: (831) 269-7117
Office: (831) 754-2444 Ext. 317
JRGattorneys.com



PRIVILEGED & CONFIDENTIAL -- ATTORNEY CLIENT PRIVILEGE -- ATTORNEY WORK PRODUCT

The information contained in this electronic transmission is legally privileged and confidential, and it is intended for the sole use of the individual or entity to whom it is addressed. If you are not the intended recipient, please take notice that any form of dissemination, distribution or photocopying of this electronic transmission is strictly prohibited. If you have received this electronic transmission in error, please immediately contact Trinh Retterer, (831) 269-7117, trinh@JRGattorneys.com and immediately delete the electronic transmission.