

# **REGULAR SUBMISSIONS**



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## Not being a good example for the youth and no guarantee of security.

2 messages

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**CELIA BEATRIZ GUTIERREZ.** <gutierrez.c25@gmail.com>  
To: cannabiscommission@lacity.org

Wed, Aug 14, 2024 at 3:12 PM

8/14/2024.

DCR Application no.: **LA-R-24-310129-ANN**

Submitted by: **PETER ALFARO HOLDING COMPANY LLC** at **604 N. HOOVER ST.**

Activities Requested: **Retailer Storefront (Type10) Commercial Cannabis Activity**

Council District: **13**

Community Plan Area: **SILVER LAKE - ECHO PARK - ELYSIAN VALLEY.**

Good afternoon:

I really appreciate that the Cannabis Regulatory Commission (CRC) is taking the time to consider the public comments regarding the application and decide whether to grant the cannabis business license. As you know, several years ago there was another business (similar to this new application) at the same address where countless customers (not residents of this area) took all the available spaces to park their cars for several hours to listen to loud music, screaming and singing at the same time (during the night) while smoking, drinking or being under the influence of their drugs and urinating in public. .

Fearing their behavior, none of the neighbors dared to approach them to ask them to please consider and respect the neighborhood, for fear of the consequences or retaliation in the future. Over time and with countless protests, this business was finally closed.

Today, with sadness, we see that another company is requesting to start again with this same type of business, which apart from not being a good example for the youth, those of us who live in this area have no guarantee of security, not even with the police authorities.

Please help us to prevent this situation from happening again.

Thank you very much.

Celia Beatriz Gutierrez.  
[gutierrez.c25@gmail.com](mailto:gutierrez.c25@gmail.com)

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**Cannabis Commission** <cannabiscommission@lacity.org>  
To: "CELIA BEATRIZ GUTIERREZ." <gutierrez.c25@gmail.com>  
Cc: DCR Cannabis Commission <CannabisCommission@lacity.org>

Wed, Aug 14, 2024 at 3:38 PM

Hello Celia,

Thank you for your email. We will distribute your communication to the Commission.

Page 2 of 2

Best regards,



CITY OF LOS ANGELES DEPARTMENT OF™

**CANNABIS  
REGULATION**

*Department of Cannabis Regulation*

*221 N Figueroa St, Suite 1245*

*Los Angeles, CA 90012*

[Quoted text hidden]



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## Memorandum in Support of Herbal Remedies Caregivers Inc. (LA-R-24-100613-ANN)

1 message

**Molly Pitluck** <mp@molly.law>

Thu, Aug 29, 2024 at 12:55 PM

To: Cannabis Commission <cannabiscommission@lacity.org>

Hi Commission,

Attached please find the memorandum in support of Herbal Remedies Caregivers, Inc.'s annual license (LA-R-24-100613-ANN).

Thank you so much!

Very Best,

Molly Pitluck  
Admitted in CA and NV  
Molly Law PC  
310.403.4306

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**2024-08-29 HRC [Memorandum in Support of Annual License].pdf**

121K

To: City of Los Angeles (“City”) Cannabis Regulation Commission (“Commission”)

From: Herbal Remedies Caregivers, Inc.

Date: August 29, 2024

Re: Herbal Remedies Caregivers Inc. Annual Dispensary License (LA-R-24-100613-ANN)

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## **MEMORANDUM IN SUPPORT OF ANNUAL LICENSE**

Herbal Remedies Caregivers Inc. (“HRC”) submits this Memorandum in support of its annual dispensary license (LA-R-24-100613-ANN) with the Department of Cannabis Regulation (“DCR”). HRC is located at 12423 N. Gladstone Avenue, Sylmar, CA 91342 (“Licensed Premises”) and has its state dispensary license (C10-0000252-LIC) and its temporary approval from the DCR.

### **1) HRC is proud to is proud to serve its community.**

HRC is a majority owned and operated minority female business that has been operating from the Licensed Premises for the past five years, with its state dispensary license issued since June 2019. HRC has worked hard to get all of its licenses in place and maintain licensing compliance, paying tens of thousands of dollars for its licensing and renewal fees and is pleased to report that it received several positive comments from the community, including its neighbor, in support of its annual license at the community meeting with no complaints or opposition.

HRC has committed itself to providing safe, tested cannabis to its customers and patients. HRC has served hundreds of medicinal cannabis patients over the years, helping them access high quality, effective and safe cannabis to ease the symptoms and negative side effects of treatments for all-too-common debilitating diseases, such as arthritis, cancer, epilepsy and chronic nausea.

In addition, HRC has always been (and will continue to be) dedicated to providing a safe, clean, calming environment for its community, neighbors, employees, patients, customers and vendors. It has proper indoor and outdoor lighting and, even though not required, HRC’s third-party security company is at the Licensed Premises 24-7, including holidays and at night when the Licensed Premises are closed. Security does regular perimeter checks and monitors the video surveillance system with cameras on both the inside and outside of the Licensed Premises to show a strong security presence in the neighborhood and deter general crime in the surrounding area.

In maintaining a clean and attractive environment, HRC strictly prohibits loitering, littering and consumption at the Licensed Premises to avoid nuisance and crime. HRC has ensured there is environmentally friendly landscaping at the premises to reduce the amount of water required for maintenance and implemented recycling for the Licensed Premises. HRC conducts regular visual maintenance checks for all faucets, pipes, security, equipment and other systems to confirm all systems are working properly and avoid wasted water, electricity and other resources.

Most important here, HRC meets all the criteria for issuance of its annual license as set forth in Los Angeles Municipal Code section 104.04:

**2) None of the general denial reasons apply to HRC under LAMC 104.04(a).**

HRC's Licensed Premises are substantially the same as the diagram submitted to the DCR, including the size, layout, location of common entry and doorways, means of public entry and exit and limited access areas. HRC has always provided the DCR with timely and truthful responses to requested information, forms and documents and followed the requirements of all applicable law. HRC has never denied the DCR access to the premises, had a license revoked or denied, failed an inspection by any agency or engaged in unlicensed commercial cannabis activities. There have been no complaints filed that HRC is aware of or any other issues that would create a significant public safety concern or has been documented by law enforcement.

**3) None of the business premises denial reasons apply to HRC under LAMC 104.04(b).**

The Licensed Premises fully comply with the land use and zoning requirements in LAMC sections 105.01-105.02 as approved by the DCR. In addition, as approved by DCR, there has not been a conviction related to the Licensed Premises regarding any type of illegal and/or unlicensed commercial cannabis activity for at least the past five years, including no utility disconnections or padlocking of the Licensed Premises. HRC is located in the Sylmar Community Plan Area, which has not reached undue concentration according to the DCR's licensing map. Finally, the owners and/or managers of the Licensed Premises do not hold office in any agency of the state or City related to commercial cannabis businesses.

**4) None of the ownership denial or disqualification of primary personnel reasons apply to HRC under LAMC 104.04(c) and (d).**

No owner or primary personnel is a foreign company or citizen, nor holds office in any agency of the state or City related to commercial cannabis activity. In addition, no owner or primary personnel has been convicted of a disqualifying conviction, including a felony involving sex trafficking, violence, crimes against children, gun crimes, hate crimes, fraud, deceit or embezzlement or a serious or violent felony. Nor has any owner or primary personnel been convicted of a crime involving labor or wage violations, illegal volatile cannabis manufacturing, selling tobacco, cannabis or alcohol to minors or regarding commercial cannabis activity after April 1, 2018. Finally, no owner or primary personnel has received a civil judgment concerning illegal commercial cannabis activity.

## **CONCLUSION**

Based upon the foregoing, HRC meets all the requirements for approval of its annual license under the LAMC and respectfully requests the Commission approve the issuance of its annual City dispensary license.



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## Objection to

1 message

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**Michael Sweeney** <michael.sweeney@eaglerockcouncil.org>

Thu, Aug 29, 2024 at 9:10 AM

To: CannabisCommission@lacity.org

Cc: Wendy Castro <wendy.castro@lacity.org>, Betsaira Aguilera <betsaira.aguilera@lacity.org>, Cyndi Otteson <executive@ernc.la>, Nate Hayward <nate.hayward@lacity.org>

Please distribute the attached letter to the Commissioner - the ERNC strenuously objects to the licensing of this location due to its clear and documented violation of the distance restrictions from Toland Way Elementary school per LAMC 105.02.

This dispensary is located within CD14, however the school is within CD1 and both are within the ERNC.

thank you

MPS

Michael P. Sweeney, AIA  
President  
Subdistrict 2 Representative

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 **Objection to Off The Charts Dispensary - ENV-310116-ANN.pdf**  
798K



P.O. Box 41652  
Los Angeles, CA 90041  
[www.ernc.la](http://www.ernc.la) [info@ernc.la](mailto:info@ernc.la)



**CITY OF  
LOS ANGELES**  
CALIFORNIA

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## **OBJECTION TO ANNUAL LICENSE APPLICATION ENV-310116-ANN ("OFF THE CHARTS"/The Nordhoff Company, LLC) AT 4515 YORK BOULEVARD FOR UNAMBIGUOUS VIOLATION OF THE REQUIRED 700' SEPARATION FROM AN ELEMENTARY SCHOOL (LAMC 105.02)**

August 28, 2024

Los Angeles Cannabis Regulation Commission  
Commissioner Thryeris Mason  
Commissioner Shi Young Lim  
Commissioner Anton Farmby  
Commissioner David Nash  
Commissioner Mario Melendez

Via email: [CannabisCommission@lacity.org](mailto:CannabisCommission@lacity.org)

Dear Commissioners

We declare that on August 19, 2024, a Brown Act noticed public meeting was held by the Eagle Rock Neighborhood Council (ERNC) at which a quorum was present. The following motion passed unanimously:

**It is the job of the Department of Cannabis Regulation and The Cannabis Regulation Commissioners to enforce the City's adopted code. As such, your Commission must deny the application for the cannabis dispensary currently operating at 4515 York Boulevard and order its immediate closure because it is within 700' of Toland Way Elementary. The applicant's building at 4515 York is less than 700' from a "Sensitive use with exclusive use of the parcel on which it is located" so it is unambiguously non-compliant.**

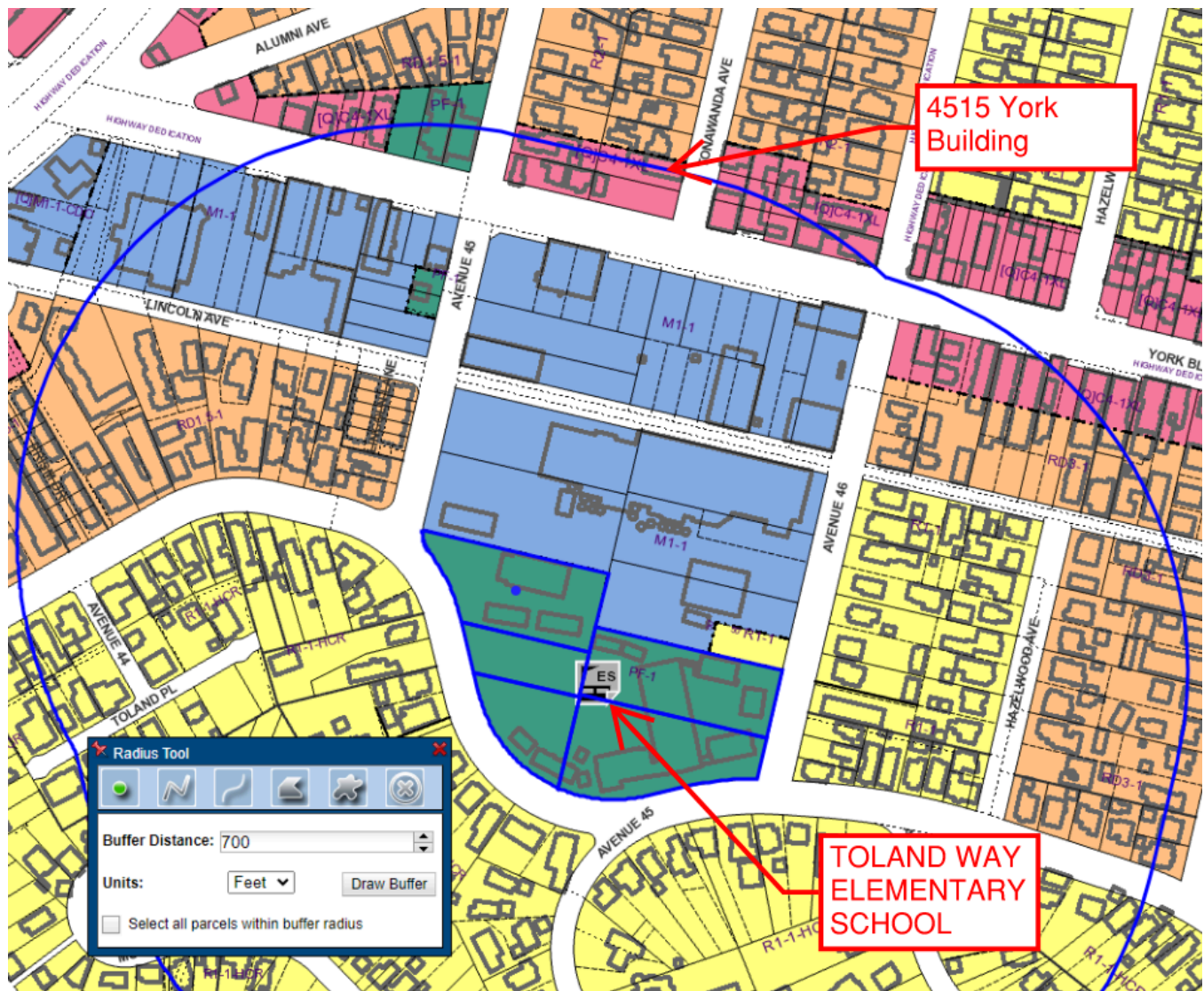
**This issue has been repeatedly brought to the attention of the Department of Cannabis Regulation and instead of enforcing the clear text of the code to keep cannabis businesses away from children and schools, their position is that because the Department has already repeatedly failed at enforcing this provision near other Sensitive Uses they will not enforce it here. This is not acceptable, if mistakes have been made then DCR should be correcting (not propagating) them. It is your responsibility as City Commissioners to require that DCR enforce the distance restrictions as codified to protect our children**

LAMC 105.02.b is crystal clear on how measurements are to be made for locations such as this:

*The distance between any Commercial Cannabis Activity business, and any Sensitive Use with exclusive use of the parcel upon which it is located, shall be the horizontal distance measured in a straight line, without regard to intervening structures, from the closest exterior wall of the Commercial Cannabis Activity business to the **closest parcel boundary of the Sensitive Use.** (LAMC 105.02.b)*



As is demonstrated in the Zimas screenshot below, this building is less than 700' from Toland Way's campus parcel. This conflict has been repeatedly communicated to DCR by multiple parties (including the ERNC - see [our letter from April 14, 2024](#)). In these documented exchanges, Departmental staff repeatedly confirmed that Zimas' mapping is correct:



Instead of enforcing the clear text of the code they have instead asserted that measuring to the “closest parcel boundary” is not in fact required and that instead applicants and staff may elect to choose more distant, archaic internal “lot” lines for the buffer measurement which is what they have done in this case. That interpretation is nowhere in the code and should be forcefully rejected by the Commissioners and by City Council itself. As it stands, this application and this location does not comply with the Los Angeles Municipal Code for all of the following reasons:

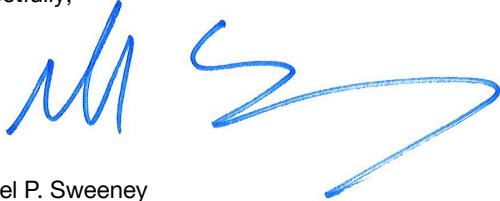
1. The applicant must confirm that their site is outside of the 700' buffer from Sensitive Uses. If they represented during their application process that it was, then it is their responsibility alone to bring their business into compliance and not the neighborhood's to just abide by the illegal operation.
2. Toland Way Elementary is included on the State Department of Education's [website](#) cited in 105.01 . Notably, this website does not include spatial information so both the applicant and DCR staff must use other databases such as [Zimas](#) or the [County Assessor](#) to determine the extents of a school's campus. Regardless of the street-address, a school may be located on multiple parcels which it has “exclusive use” of and that would trigger the 105.02 buffer and determination of the campus extent remains the applicant's responsibility..
3. The entire property of Toland Way Elementary is clearly shown on Zimas, the Assessor's site, and Assessor maps as a school and is thus “Publicly Available to the Department of Cannabis Regulation on the Verification Date”.
4. The school was founded in 1925 and its parcel has also remained unchanged since at least 1965 (the date of the most recent Assessor's Parcel Map - “Attachment A”). Further, the parcel map also clearly identifies the entire

property as a "SCHOOL" and the original lots are shown as having been officially and legally tied together into the single parcel 5474-026-900.

5. The term "parcel" is not separately defined in LAMC section 105, so the term's definition is understood to be in line with other applicable portions of the LAMC (such as Chapter 1 Zoning) and State Law (such as the Subdivision Map Act).
6. If the intent of Council was to allow applicants or departmental staff to electively measure to subsidiary lots or portions of legal parcels, that would be clearly outlined in the measurement. It is not, so that latitude of interpretation is not supported.
7. LAMC 105 only includes limited safe-harbor for applicants or businesses based on information not being available at the time of application. As is noted above, all of this information was available to the applicant and DCR staff so that safe-harbor provision does not apply

Please place this letter in the case file, and acknowledge its receipt via email to: executive@ernc.la. Thank you.

Respectfully,



Michael P. Sweeney  
President, Eagle Rock Neighborhood Council

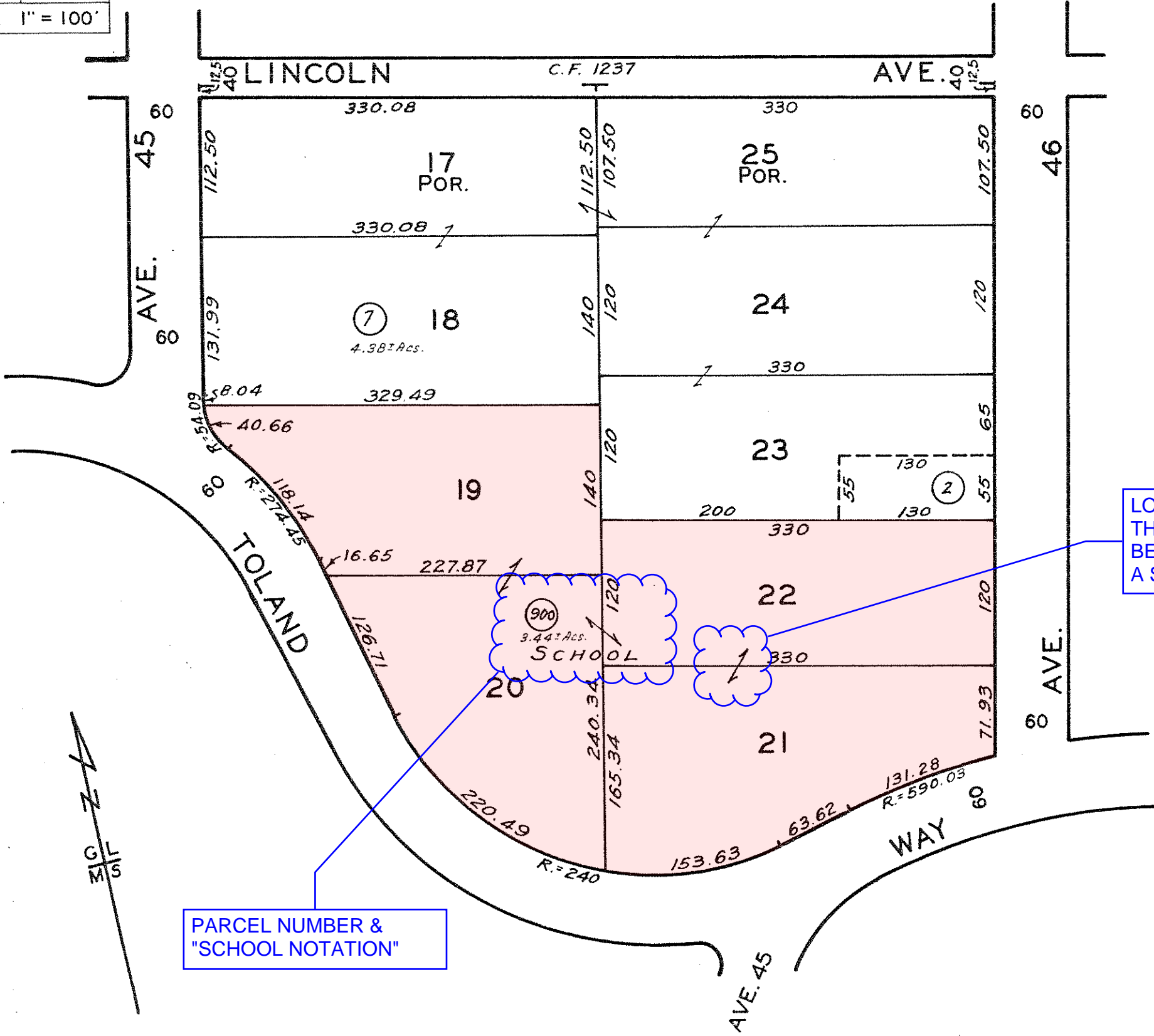
cc: Office of Councilmember Eunisses Hernandez  
Office of Councilmember Kevin de Leon  
Office of Mayor Karen Bass

DATE OF LAST UPDATE

LOT-TIE NOTATION INDICATING THAT THE ORIGINAL LOTS HAVE BEEN LEGALLY COMBINED INTO A SINGLE PARCEL

PARCEL NUMBER & "SCHOOL NOTATION"

ATTACHMENT A  
ERNC letter dated 8/28/24



CODE  
4

TRACT NO. 3583  
M.B. 40-90