

# Highly Questionable Approved Conditional Use Permits (CUPs) in the City of San Diego

By Amy Sherlock

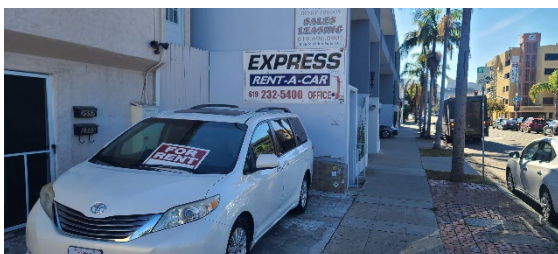
11/22/2023

A review of the 1215 West Nutmeg CUP, on City of San Diego Approved Cannabis Outlets, CUPs, shows that District 2 has two CUPS awarded to Golden State Greens. One on Hancock and one on Nutmeg. Both Aaron Magagna (Nutmeg) and Adam Knopf (Hancock) are clients of Gina Austin, who is infamous for gaming the CUPs so competitors can't get past that the 4 (maximum allowed within a council district) have been taken. While Hancock has been taken by Knopf and passed a series of highly scrutinized development standards to be awarded that CUP. It is clear, **based on the hoops all the other applicants in this City had to pass** to be awarded CUPs that these 2 District 2 CUPs should not have been granted at all.

1215 West Nutmeg is adjacent to the train tracks on a one-way street. There is no ADA access to the site. The CUP was approved 04/19/2023 and uses the same Golden State Greens that is used by Knopf of Hancock. As of 11/22/2023 there is no evidence of any work being done on the project and no recording of the CUP has taken place. I believe this is a place holder to fill up the 4 CUP spots until Knopf's divorce is complete and he can be free of any of the community property issues he has with me.



The other project that must be considered is because it involves an approved CUP located within what appears to be 1,000 feet of the Nutmeg CUP ([violation of SDMC code](#)) and that is 2555 Kettner. This shoebox property on a steep slope was awarded a CUP when there is no way to mitigate the fact that it is a shoebox size property with no parking and no ADA access, but IMO exists simply to tie up the available CUPS having been awarded in District 2. If that's the case, it could not have occurred without the City cooperating with certain bad actors who's only goal is to monopolize the cannabis licenses within the City of San Diego. "Approved but not yet operational" since 01/25/2023 with no work being done would indicate that is a likely scenario when the project could not pass a building permit inspection.



Here are all the approved CUPs within the City of San Diego as of October 16, 2023. We'll be concentrating on District 2. As can be seen, Kettner was approved (how I don't know) on 1/25/2023. There is no work being done and no work notice has been posted. This project is a 3-year place holder and should have never been issued.

Both Nutmeg and Hancock are named Golden State Greens. As can be seen by the previous images, this too is an unsuitable location for a dispensary due to access and parking. The CUP was awarded on 4/19/2023 and no work is being done and no work notice has been posted. This project is a 3-year place holder. But the fact that both Hancock and Nutmeg are named Golden State Greens and that both are Magagna and Knopf are represented by the corrupt cannabis lawyer Gina Austin, leads one to the obvious conclusion that this has more to do with Adam Knopf, licensee at Hancock, having an undisclosed interest in Nutmeg. There is no way that Knopf would agree to his Hancock Street location, Golden State Greens being used at any other location, especially within just a few miles and in the same district as a "competing" Golden State Greens. But it's clear from the location and lack of work that Knopf and Magagna, working together under Gina Austin, are just fine with leaving site as a 3 year place holder, until such time that Adam Knopf's divorce proceedings are behind him.

City of San Diego Approved Cannabis Outlets							
Project Number	Address	Community Plan	Council District	Business Name	CUP Approval Date	CUP Expiration Date	Note
<b>Council District 1</b>							
662571	4645 De Soto Street	Pacific Beach	1	Columbia Care	6/15/2021	5/28/2026	
545299	10150 Sorrento Valley	Torrey Pines	1	SDRC	6/13/2019	6/13/2024	
390943	10671 Roselle Street	Torrey Pines	1	Torrey Holistics	10/29/2015	10/29/2020	
527802	10715 Sorrento Valley	Torrey Pines	1	Med Men (Sure Felt, LLC)	6/18/2018	6/18/2023	
665588	11330 Sorrento Valley Road	Torrey Pines	1	Cookies	6/24/2021	6/24/2026	
<b>Council District 2</b>							
1054172	1215 West Nutmeg Street	Midway-Pacific Highway	2	Golden State Greens	4/19/2023	4/19/2028	
1053097	2555 Kettner Boulevard	Midway-Pacific Highway	2	Approved but not yet operational	1/25/2023	2/8/2028	
656568	3452 Hancock Street	Midway-Pacific Highway	2	Golden State Greens	2/28/2022	2/28/2027	
698999	3500 Estudillo Street	Midway-Pacific Highway	2	Klover Dispensary	9/29/2022	9/29/2027	
<b>Council District 3</b>							
696757	1233 Camino Del Rio S	Mission Valley	3	SDRC (SDMM) / Cannabis 21	11/29/2022	11/29/2027	
622996	2605 Camino Del Rio S	Mission Valley	3	Approved but not yet operational	6/9/2021	6/23/2026	
680806	2835 Camino Del Rio S	Mission Valley	3	March and Ash	2/7/2022	2/7/2027	
1080177	7850 Mission Center Ct	Mission Valley	3	Cookies	8/10/2023	8/25/2028	
<b>Council District 4</b>							
607352	2281 Fairmount Avenue	City Heights	4	March and Ash / City Heights Green:	9/18/2019	10/3/2024	
1059999	4337 Home Avenue	City Heights	4	Approved but not yet operational	5/26/2021	6/9/2026	
655750	909 Cardiff Street	Skyline-Paradise Hills	4	Approved but not yet operational	9/6/2023	9/21/2028	
598124	6220 Federal Blvd	Encanto	4	Originals San Diego	12/6/2018	6/6/2023	
<b>Council District 5</b>							
696683	13510 Sabre Springs Parkway	Sabre Springs	5	March and Ash	7/6/2022	7/20/2027	
625766	16375 Bernardo Center Drive	Rancho Bernardo	5	Urban Leaf	4/6/2023	4/6/2028	
<b>Council District 6</b>							
663449	5125 Convoy St	Kearny Mesa	6	MedMen	1/31/2022	1/31/2027	
661889	7128 Miramar Rd	Mira Mesa	6	Mankind Cannabis Dispensary	12/15/2020	6/18/2026	
632038	7625 Carrol Road	Mira Mesa	6	Show Grow	2/19/2020	3/4/2025	
1052799	8039 Balboa Avenue	Kearny Mesa	6	Approved but not yet operational	2/8/2023	2/23/2028	
<b>Council District 7</b>							
585598	1028 Buenos Ave	Linda Vista	7	Urban Leaf	6/18/2019	6/18/2024	
1070598	4909 Pacific Highway	Linda Vista	7	Cannabis Outlet	3/22/2023	4/8/2028	
661880	8863 Balboa Ste E	Kearny Mesa	7	Balboa Ave Cooperative	12/15/2020	7/9/2026	
1084774	5334 Banks Street	Linda Vista	7	Approved but not yet operational	10/12/2023	10/12/2028	
<b>Council District 8</b>							
368312	658 E. San Ysidro Blvd	San Ysidro	8	Urban Leaf	3/12/2015	3/12/2020	
368304	2335 Roll Drive	Otay Mesa	8	A Green Alternative	1/29/2015	1/29/2020	
652745	2405 Harbor Drive	Barrio Logan	8	Harbor Collective	3/24/2021	6/25/2026	
1061754	4575 Camino De La Plaza	San Ysidro	8	Approved but not yet operational	6/21/2023	6/21/2028	
<b>Council District 9</b>							
1067659	995 Gateway Center Way	Southeastern San Diego	9	Approved but not yet operational	12/8/2022	12/8/2027	
665770	3385 Sunrise Street	Southeastern San Diego	9	Golden Bloom	9/17/2015	9/17/2020	
368346	3455 Camino Del Rio South	Mission Valley	9	Apothekare	8/25/2016	8/25/2021	
545920	3703 Camino Del Rio South	Mission Valley	9	The Healing Center	2/20/2019	3/7/2024	
599099	3940 Home Avenue	City Heights	9	Hi Kei Modern Cannabis	3/20/2019	4/4/2024	

Here we can see that there are two trusts that are shown as owner/applicant where ownership/membership is unknown. Of note, when trying to click on the Project Number link, you are told that you don't have authorization to access that data. This is highly unusual as most every project on the DSD website allows you to pull up project data. [See full report @ HO-23-109](#)



THE CITY OF SAN DIEGO

## Report to the Hearing Officer

DATE ISSUED: April 12, 2023 REPORT NO. HO-23-019  
HEARING DATE: April 19, 2023  
SUBJECT: 1215 West Nutmeg Street Cannabis Outlet, Process Three Decision  
PROJECT NUMBER: [PRJ-1054172](#)  
OWNER/APPLICANT: VM Gentile Trust and AK Marshall Trust, Owners / COSDD21, LLC, Applicant

### SUMMARY

Issue: Should the Hearing Officer approve a Conditional Use Permit application for the operation of a cannabis outlet within a 3,062-square-foot commercial space within an existing 6,208-square-foot commercial building located at 1215 West Nutmeg Street within the Midway Pacific Highway Community Planning area?

DS-190, dated 03/02/2022. Aaron Magagna represents himself as the Agent not the applicant.

	<b>City of San Diego Development Services</b> (619) 446-5000	<b>Affidavit for Cannabis Outlet or Cannabis Production Facility for Conditional Use Permit (CUP)</b>	<b>FORM</b>
			<b>DS-190</b>
			March 2020

The purpose of this affidavit is for the property owner, authorized agent, or business owner of the Cannabis Outlet (Outlet) and Cannabis Production Facility (Facility) to affirm that all uses within 1,000 feet from the subject property line have been identified, including residential zones within 100 feet, as defined in San Diego Municipal Code (SDMC), Sections [113.0103](#), [141.0504](#), and [141.1004](#).



The proposed Outlet and Facility location must be 100 feet from any residential zone and not within 1,000 feet of the property line of the following:

- |  |   |
|--|---|
| 1. Resource and population-based city park | 6. Minor-oriented facility                    |
| 2. Church                                  | 7. Residential Care Facility                  |
| 3. Child care center                       | 8. Schools                                    |
| 4. Playground                              | 9. Other Cannabis Outlets                     |
| 5. City library                            | (applicable to Outlet CUP applications only). |

GENERAL INFORMATION	
Project Name: 1215 W NUTMEG	Project No.: <i>For City Use Only</i>
Project Address: 1215W NUTMEG, SAN DIEGO CA, 92101	
Date Information Verified by Owner or Authorized Agent: 3/03/22	


**DECLARATION:** *The property owner, authorized agent, or business owner of the Outlet and Facility must complete the following section and sign their name where indicated.*

We are aware that the business described above is subject to the Cannabis Outlet or Cannabis Production Facility requirements regulated by SDMC Section [141.0504](#) (Outlet) and Section [141.1004](#) (Facility), and [Chapter 4, Article 2, Division 15](#). We hereby affirm under penalty of perjury that the proposed business location is not within 1,000 feet, measured in accordance with SDMC Section [113.0225](#) of the property line of any resource and population-based city park, church, child care center, playground, library owned and operated by the City of San Diego, minor-oriented facility, residential care facility, and other Cannabis Outlets (applicable to Outlet CUP applications only), or schools; and is 100 feet from any residential zone as identified on the 1000-foot radius map and spreadsheet submitted with the Conditional Use Permit application.

<b>Property Owner or Authorized Agent Name:</b> <i>Check one</i> <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Agent Aaron Magagna	<b>Telephone No.:</b> 619-405-0298
<b>Mailing Address:</b> 3639 Midway Drive Suite B #132	<b>City:</b> San Diego <b>State:</b> CA <b>Zip Code:</b> 92110
<b>Signature:</b> 	<b>Date:</b> 10/18/2022
<b>Business Owner Name:</b> AARON MAGAGNA	<b>Telephone No.:</b> 619-405-0298
<b>Mailing Address:</b> 3639 MIDWAY DR SUITE B #132	<b>City:</b> SAN DIEGO <b>State:</b> CA <b>Zip Code:</b> 92110
<b>Signature:</b> 	<b>Date:</b> 3/03/22

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COSDD21, LLC Articles of Organization list Aaron Magagna as the only manager of the LLC. Therefore, Aaron Magagna is the applicant for the Nutmeg CUP and was approved on 04/19/2023. The same Aaron Magagna that bought the Pac Highway project which Adam supposedly no longer has an interest in.

	<b>STATE OF CALIFORNIA</b> <i>Office of the Secretary of State</i> <b>ARTICLES OF ORGANIZATION</b> <b>CA LIMITED LIABILITY COMPANY</b> California Secretary of State 1500 11th Street Sacramento, California 95814 (916) 653-3516		For Office Use Only <b>-FILED-</b> File No.: 202354710871 Date Filed: 1/26/2023
	Limited Liability Company Name Limited Liability Company Name <span style="float: right;">COSDD21. LLC</span>		
Initial Street Address of Principal Office of LLC Principal Address <span style="float: right;">3639 MIDWAY DR SUITE B132 SAN DIEGO, CA 92110</span>			
Initial Mailing Address of LLC Mailing Address <span style="float: right;">3639 MIDWAY DR SUITE B132 SAN DIEGO, CA 92110</span>			
Attention			
Agent for Service of Process Agent Name <span style="float: right;">MAGAGNA</span> Agent Address <span style="float: right;">3639 MIDWAY DR SUITE B132 SAN DIEGO, CA 92110</span>			
Purpose Statement The purpose of the limited liability company is to engage in any lawful act or activity for which a limited liability company may be organized under the California Revised Uniform Limited Liability Company Act.			
Management Structure The LLC will be managed by <span style="float: right;">One Manager</span>			
Additional information and signatures set forth on attached pages, if any, are incorporated herein by reference and made part of this filing.			
Electronic Signature <input checked="" type="checkbox"/> By signing, I affirm under penalty of perjury that the information herein is true and correct and that I am authorized by California law to sign.			
AARON MAGAGNA Organizer Signature		01/26/2023 Date	

I pray that the information I have provided here and in other documents, where I have proven the lies with documented evidence, will garner the attention and action that this deserves. Besides what's shown here I have labored to collect, catalogue and make available to law enforcement, media and the judicial system as to what amounts to a fraud upon the court. I realize it's a big ask to investigate these claims and actually act on them, but if I, as a single parent, am going through a divorce, can do it. If a small but growing number of people can do it. If we refuse to give up until justice is served, then I must humbly ask that you with authority and purpose, please do the same. Thank you.

*Amy Sherlock*