



## Legislation Details

**File #:** 23-377      **Version:** 1      **Name:**  
**Type:** Consent Item      **Status:** Passed  
**File created:** 4/19/2023      **In control:** City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency  
**On agenda:** 5/1/2023      **Final action:** 5/1/2023

**Title:** SUBJECT: Adoption of Resolutions Denying the Appeals Filed by Edwin Kainth, on Behalf of the Hotel Association, and Rajiv "Raj" Pottabathni, on Behalf of JIVA MCE, LLC, of the Planning Commission's Decision to Approve Commercial Cannabis Business Permit #22-02R to Allow the Operation of a Retail Cannabis Facility at 1111 Motel Drive

### REPORT IN BRIEF

Provides Resolutions for adoption confirming the denial of the appeals filed by Edwin Kainth, on behalf of the Hotel Association and Raj Pottabathni, on behalf of JIVA MCE, LLC, of the Planning Commission's approval of Commercial Cannabis Business Permit (CCBP) #22-02R per City Council action on April 3, and 17, 2023.

### RECOMMENDATION

City Council - Adopt a motion:

A. Adopting Resolution 2023-32, a Resolution of the City Council of the City of Merced, California, denying an appeal by Edwin Kainth, on behalf of the Motel Association concerning the action of the Planning Commission resulting in the approval of Commercial Cannabis Business Permit #22-02R, and making certain findings in connection therewith; and,

B. Adopting Resolution 2023-33, a Resolution of the City Council of the City of Merced, California, denying an appeal by Rajiv "Raj" J. Pottabathni, on behalf of JIVA MCE, LLC, concerning the action of the Planning Commission resulting in the approval of Commercial Cannabis Business Permit #22-02R, and making certain findings in connection therewith.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Location Map.pdf, 2. Site Plan.pdf, 3. Resolution 2023-32 (Edwin Kainth), 4. Resolution 2023-33 (JIVA MCE, LLC.)

Date	Ver.	Action By	Action	Result
5/1/2023	1	City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency	approved	Pass