

@SweetFlower SweetFlower.com

We're Local

We're based in LA

HQ in downtown Culver City

We're locally and independently owned

We're Best in Class

We have one of the broadest networks in Greater LA

We were awarded a retail licer Culver City

Our LA dispensaries are used as in-class models by City of LA to t compliance

Meet Sweet Flower—







S	We Celebrate Diversity
retail	88% of our corporate team is female and/or minority
nse in	100% of our store management is female and/or minority
as best- train in	85% of our sales associates are female and/or minority



City Council agreed to apply same "strict compliance" standard to all applicants

City Council agreed the same "very strict standard" applied to Sweet Flower applies to everyone

In addressing Sweet Flower's October 7th appeal, the Council provided strong and clear guidance as to the standard that it would apply to all applicants -

Council Member Gordo -

\succ All of the other applicants should be on notice that we are going to apply that very same, strict standard.

- > If we are going to proceed with that strict standard... with future appeals we are going to have to apply that strict standard, and
- > Not just look to see if the box was checked, but if the document that was submitted itself complied with the check next to that box.
- > And if it didn't, it's the same as not having done it

City Council agreed the same "very strict standard" applied to Sweet Flower to all applicants (cont'd)

Council Member McAustin –

 \succ "If you haven't made the actual submission of one of the required documents, that's just a fundamental flaw."

Council Member Masuda –

> "The application says must be "Prepared by a Licensed" Surveyor" ... if it's not, it's going to get kicked back."



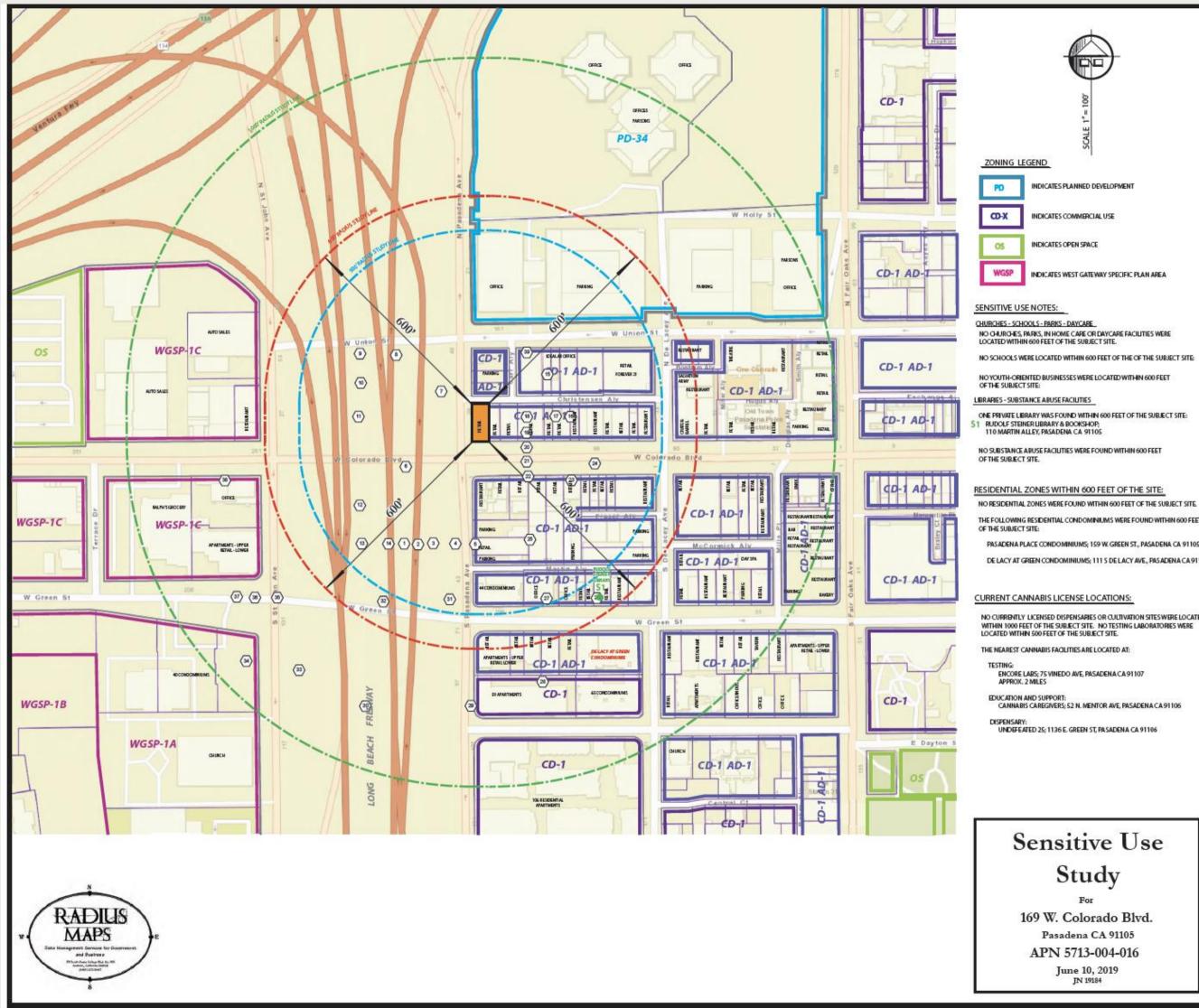
Harvest's CUP application fails the City's own compliance standard

1. Harvest's Map was not "Prepared by a Licensed Surveyor"

LOCATION MAP (Two copies)

- a) Identification of the applicable distance requirements as outlined in Section 17.50.066 D (5) "Location Requirements" of the Pasadena Municipal Code prepared by a licensed surveyor.
- b) Identification of all land uses and zoning classifications for all properties within the applicable distance requirements as outlined in Section 17.50.066 D (5) "Location" Requirements" of the Pasadena Municipal Code.

- Just like Sweet Flower's FIRST rejected map, Harvest's radius maps was not "Prepared By" a licensed surveyor – but was STILL accepted by the City
 - A licensed surveyor only "concurred with" a radius map prepared by a mapping company (not by a licensed surveyor)



THE FOLLOWING RESIDENTIAL CONDOMINIUMS WERE FOUND WITHIN 600 FEE

PASADENA PLACE CONDOMINIUMS: 159 W. GREEN ST., PASADENA CA 9110.

DE LACY AT GREEN CONDOMINIUMS; 111 5 DE LACY AVE., PASADENA CA 91

NO CURRENTLY LICENSED DISPENSARIES OR CULTIVATION SITES WERE LOCATED WITHIN 1000 FEET OF THE SUBJECT SITE. NO TESTING LABORATORIES WERE LOCATED WITHIN 500 FEET OF THE SUBJECT SITE.

Harvest's Map was prepared by Radius Maps

Radius Maps is not a Licensed Surveyor

There is no stamp or mark from a **Licensed Surveyor** on Harvest's map

Harvest's Radius Map was prepared by a mapping company, NOT a Licensed Surveyor; and was merely "certified"

RADUS	MAP	9
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Data Management Services for Government and Business

June 10, 2019

169 W. Colorado Blvd. Pasadena, CA 91105

Jesse Francoeur Harvest of Pasadena, LLC 1155 W. Rio Salado Pkwy., Ste. 201 Tempe, AZ 85281

Dear Mr. Francoeur:

Thank you for choosing **RADIUS MAPS** for your Sensitive Use Study documents. Our study determined the following:

- The zoning of your proposed cannabis site is: CD-1 AD-1
- No cannabis retailer or cultivation site was found within 1000 feet of the exterior boundary of the subject site.
- No cannabis testing laboratory was found within 500 feet of the exterior boundary of the subject site.
- No residential zones were found within 600 feet of the exterior boundary of the subject site.
- No childcare center or in-home family day care home was found within 600 feet of the exterior boundary of the subject site.
- No youth-oriented facility was identified within 600 feet of the exterior boundary of the subject site.
- No church or faith congregation was found within 600 feet of the exterior boundary of the subject site.

Radius Maps Company....211 S. State College Blvd., Anaheim CA 92806 PH (888) 272-3487 FAX (800) 815-9619 Cell (714) 323-6031 Harvest's Map was prepared by a Mapping Company, not by a licensed surveyor

> Licensed Surveyor letter is clear that the Licensed Surveyor merely reviewed and did not prepare the map

With respect to ALL sensitive land use determinations, the Licensed Surveyor deferred to the mapping company

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June 12, 2019

Attn: City of Pasadena, Licensing

City of Pasadena 100 North Garfield Avenue Pasadena, CA 91101 Suite 2050 660 South Figueroa Los Angeles, California 90017

Re: Distance Certification Letter for proposed cannabis site located at 169 W. Colorado Blvd., Pasadena, CA 91105. APN 5713-004-016

The surveyor listed below has performed measurements of the subject site in relation to sensitive uses in accordance with land use information provided in the enclosed Sensitive Use Study prepared by Radius Maps, JN 19184, dated June 11, 2019. With respect to business licenses and sensitive land use determination, we defer to said study.

Utilizing scaled, high-resolution ortho-imagery, we have measured the radius rings (500', 600' & 1,000') from all corners of the subject parcel. We have reviewed the location of structures and the land use areas identified and concur with the results of the Sensitive Use Study.

We hereby certify that the distances as represented in the Sensitive Use Study are accurate both in radius and identification. We further certify that the distances to the nearest cannabis facilities, from addresses stated within the Sensitive Use Study, are accurate.

Michael J. Knapton, PLS No. 8012 Registered California Professional Land Surveyor



Attachments: Sensitive Use Study

2. Harvest's Applications was Incomplete in other Material Respects

Harvest's CUP application had no Master Application when filed

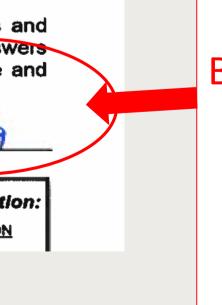
MASTER APPLICATION (eight copies)

- Cover Sheet with Applicant Signature. a)
- Environmental Assessment. b)
- Tree Inventory. C)
- Taxpayer Protection Act Disclosure Form. d)
- Did not include the required Master Application Form when filed (and not until July 16, 2019 – per City rules, it must be dated July 16 and not June 12)

GERTIFICATION:

I hereby certify that I am the applicant or designated agent named herein and that I am familiar with the rules and regulations with respect to preparing and filing this petition for discretionary action, and that the statements and answers contained herein and the information attached are in all respects true and accurate to the best of my knowledge and belief.

SIGNATURE OF APPLICANT OR AGE		·	Date: 7-16.19
For Office Use Only PLN #	REVIEW AUTHORITY:		Design & Historic Preservat TYPE OF HISTORIC PRESERVATION REVIEW:



Harvest's CUP is dated June 12. BUT does **NOT** contain the Master Application

Harvest's Master Application Form **is dated July 16** (after Sweet Flower) NOT June 12

3. Harvest's application was incomplete on submission, and is material deficient today

- Harvest's CUP still has no Property Owner Consent
 - **OWNERSHIP VERIFICATION** (one copy)
 - a) Copy of Grant Deed, Deed Trust or Title Report showing ownership.
 - b) Written Consent from property owner to authorize representative (if applicable).
 - c) Copy of a signed Lease Agreement for the subject property.
- Harvest's own CUP Application clearly shows that the Property Owner is Peschke **Realty Associates, LLC**
- But yet its purported "Property Owner" consent is from Prime Pasadena Realty, only a tenant of the Property.
- The CUP application correctly requires PROPERTY OWNER consent, not merely that of a **TENANT**

GRANT DEED

The Undersigned Grantor Declares: 1. This is a transfer from Grantor to a Limited Liability Company in which the Grantor retains her same proportionate interests, and there is no change of ownership pursuant to R&T Section 62. 2. CONVEYANCES FROM INDIVIDUAL(S) TO LEGAL ENTITY(IES) WHERE THE GRANTORS AND GRANTEES ARE COMPRISED OF THE SAME PARTIES, AND PARTIES CONTINUE TO HOLD THE SAME PROPORTIONATE INTEREST. "The grantors and the grantees in this conveyance are comprised of the same parties who continue to hold the same proportionate interest in the property, R & T 11923(d)."

PHOEBE D. PESCHKE, sole Successor Trustee of the PESCHKE TRUST AGREEMENT DATED MAY 18, 1987 (and as Trustee of the Survivor's Trust of the Peschke 1987 Trust Agreement, UDT/DTD May 18, 1987, and as Trustee of the Exemption Trust of the Peschke 1987 Trust Agreement, UDT/DTD May 18, 1987), hereby Grants the following described real property to PESCHKE REALTY ASSOCIATES, LLC, a California Limited Liability Company organized Under the Laws of the State of California, to wit:

Lots 1 and 2, Dr. Carr Tract No. 1, as per Map recorded in Book 11 Page 37 of Miscellaneous Maps in the Office of the County Recorder of Los Angeles County, California. EXCEPT the East 6.56 feet thereof, and also EXCEPT the West 5 feet thereof taken for widening Pasadena Avenue.

COMMONLY KNOWN AS: 169 West Colorado Boulevard, Pasadena, CA 91105.

ASSESSOR'S PARCEL NUMBER: 5713-004-016

Date: July 28, 2000

Charle Q. Kuchke

Phoebe D. Peschke, Sole Successor Trustee of the Peschke Trust Agreement Dated May 18, 1987 (and as Trustee of the Survivor's Trust of the Peschke 1987 Trust Agreement UDT/DTD 5/18/1987 and as Trustee of the Exemption Trust of the Peschke 1987 Trust Agreement UDT/DTD 5/18/1987)

Subject property grant deed, per Harvest's own CUP application

"Peschke Realty Associates, LLC" is the property owner

AUTHORIZATION OF AGENT TO ACT ON PROPERTY OWNER'S BEHALF

Note: The following Authorization Form is required to be completed by the property owner only when designating an agent of the property owner to apply for a construction permit for the Owner-Builder.

Excluding the Notice to Property Owner, the execution of which I understand is my personal responsibility, I hereby authorize the following person(s) to act as my agent(s) to apply for, sign, and file the documents necessary to obtain an Owner-Builder Permit for my project.

Scope of Construction Project	t (or Description of Work):			S
				2
Project Location or Address:	169 Colorado Blvo	d, Pasadena CA	91105	h h
Name of Authorized Agent:	Nathan Ka	adisha		
I declare under penalty of perjury that I am the property owner for the address listed above and I personally filled out the above information and certify its accuracy. <i>Note: A copy of the owner's driver's license, form notarization, or other verification acceptable to the agency is required to be presented when the permit is issued to verify the property owner's signature.</i>				Harvest
Property Owner's Name: P	rime Pasadena Holding	gs LLC		(The Lo
Property Owner's Signature:	N. V		Date: 6/12/19	The

Property Owner's consent in Harvest CUP application

Peshcke Realty Associates, LLC is nowhere – instead a Lessee signs, under penalty of perjury, and purports to make himself his own agent

t's Property Owner Consent is NOT signed by Land Owner (Peschke Realty), merely by a Lessee

essee claims to be the property owner and to give himself authority to act as his own agent)

re is NO evidence the ACTUAL Property Owner consented to the CUP 13

4. Harvest's application was incomplete on submission, and is material deficient today

- Harvest's CUP application still has no Lease
 - **OWNERSHIP VERIFICATION** (one copy)
 - a) Copy of Grant Deed, Deed Trust or Title Report showing ownership.
 - b) Written Consent from property owner to authorize representative (if applicable).
 - c) Copy of a signed Lease Agreement for the subject property.
- The CUP application clearly requires a signed Lease Agreement
- Harvest provided ONLY a Sub-Lease
- There is no Master Lease, and hence no chain of tenancy between Property Owner and Harvest

RETAIL (SINGLE-TENANT NET) SUBLEASE

BETWEEN

PRIME PASADENA HOLDINGS, LLC, a California limited liability company,

AS LANDLORD

AND

HARVEST OF PASADENA, LLC, a California limited liability company,

AS TENANT

FOR

169 W. COLORADO BOULEVARD, PASADENA, CA 91105

Harvest provided only a Sublease between itself and Prime Pasadena, LLC

As noted, Prime Pasadena, LLC is not the owner of the property

There is no required master lease, indicating any tenancy rights to Harvest

Harvest's CUP fails to meet the "very strict compliance standard" set by the Council

- \succ "All of the other applicants should be on notice that we are going to apply that very same, strict standard.
- > If we are going to proceed with that strict standard... with future appeals we are going to have to apply that strict standard, and
- > Not just look to see if the box was checked, but if the document that was submitted itself complied with the check next to that box.

If it didn't, it's the same as not having done it"

Harvest's CUP

> Has no map "prepared by a licensed surveyor"

>Had no Master Application Form (until a month after being deemed "complete")

Has no Property Owner Consent

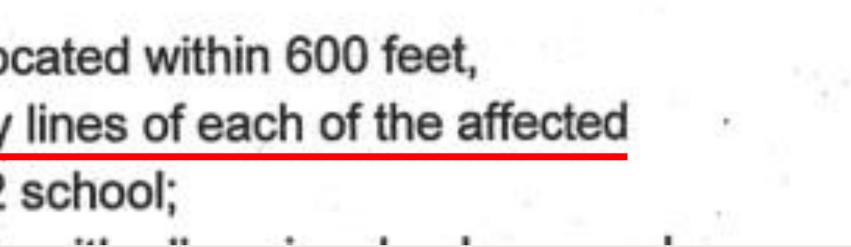
> Has no Lease Agreement



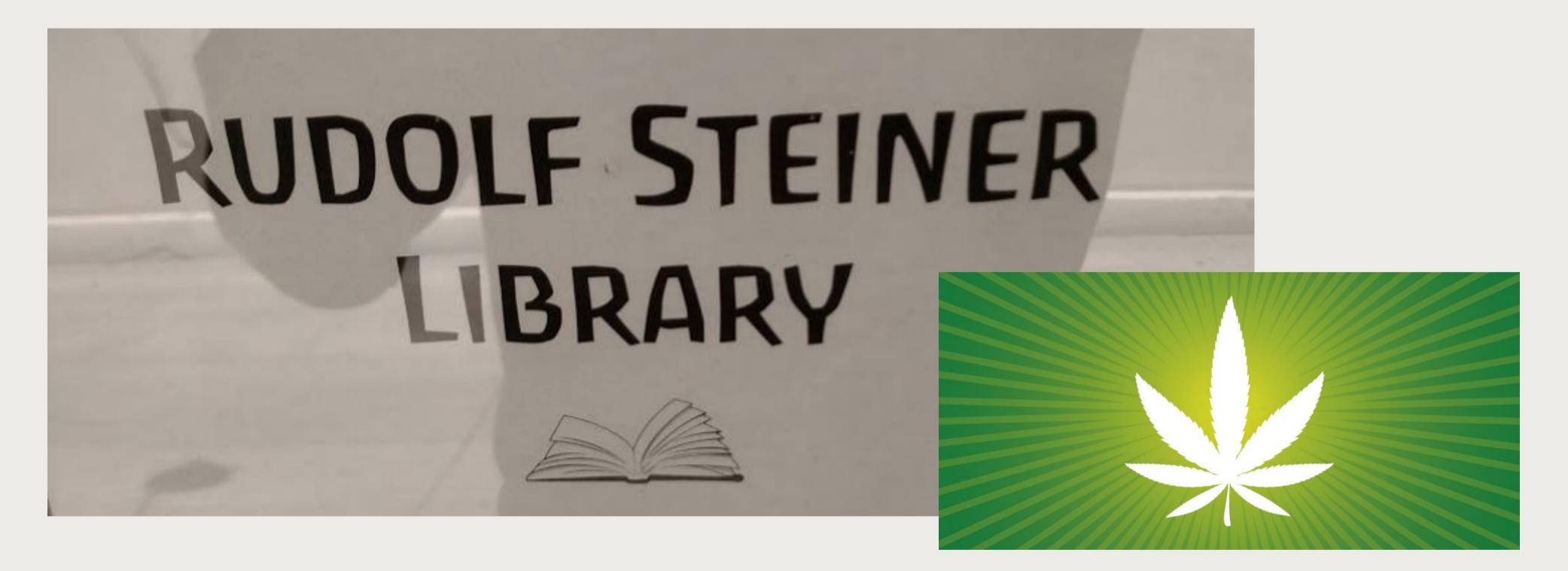


The Sensitive Receptor set-backs are clear – 600' to ANY LIBRARY

- abuse center,
- e. No retailer shall be established or located within 600 feet, measured from the nearest property lines of each of the affected parcels, of any park, library, or K-12 school;
- The language is clear "Any Library"
- All other applicants, including Sweet Flower, read this clear language and understood it as such – ANY LIBRARY meant ANY LIBRARY
 - Changing this interpretation now, to "Any [Public] Library," to aid only a single application at a single location, is unfair, unequal and does not meet the strict compliance test



Rudolf Steiner Library is a licensed and permitted Library

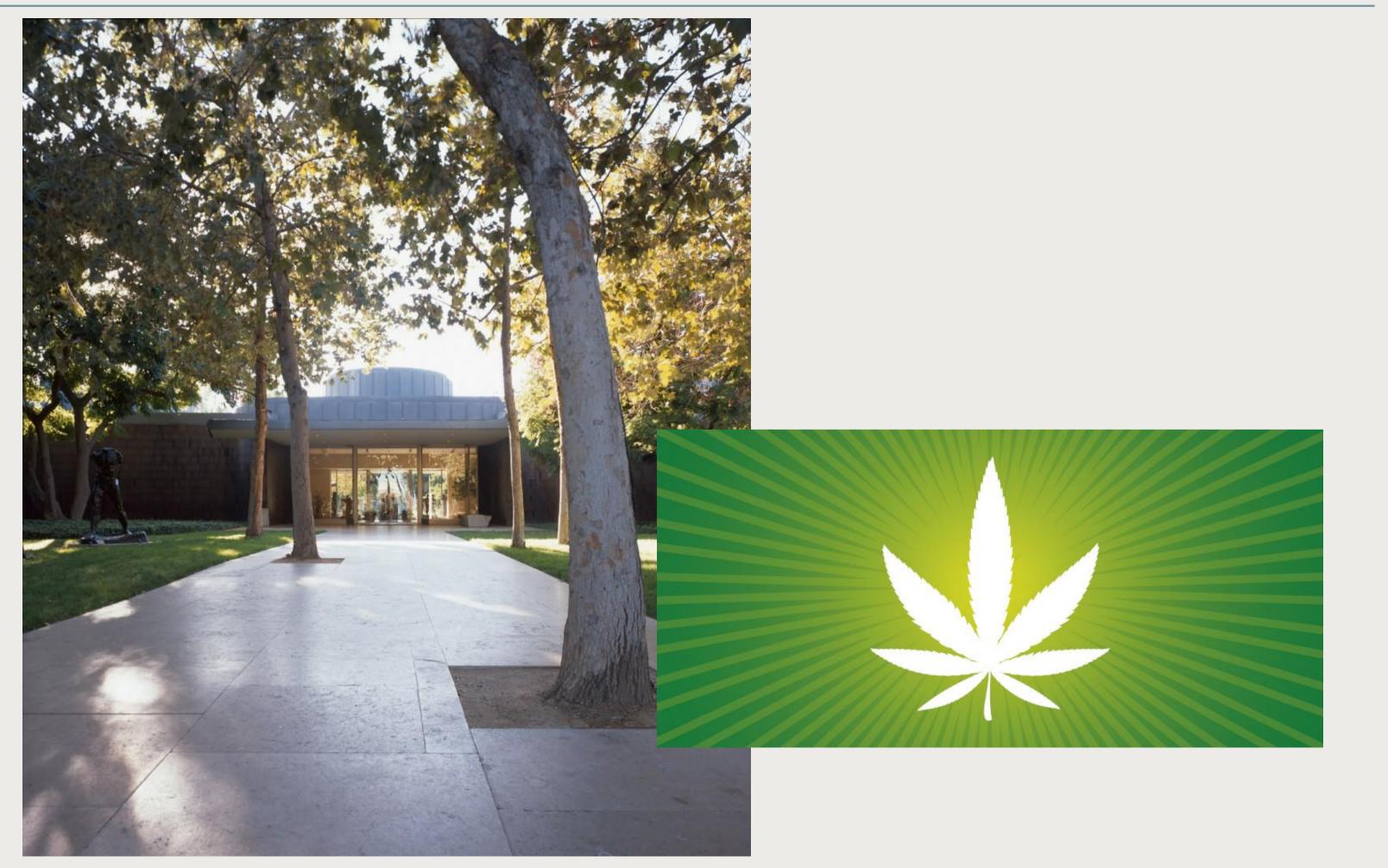


Not a library because it is not a PUBLIC Library???

Also not a Library ...



And Not a Museum



Equal application of rules applied to Sweet Flower requires that Harvest CUP be denied