

## Paige, Jennifer

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**From:** martin117a@gmail.com  
**Sent:** Wednesday, August 07, 2019 4:51 PM  
**To:** Reyes, David; Paige, Jennifer  
**Subject:** Zoning Question  
**Attachments:** Integral Surveyor Map.pdf

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Dear Mr. Reyes and Ms. Paige:

The city cannabis ordinance states "No retailer shall be established or located within 600 feet, measured from the nearest property lines of each of the affected parcels, of any existing residential zone".

Note that the measurement is to be made to "property lines" of "affected parcels" not a zoning boundary line.

I am inspecting the surveyor map filed with the cannabis application for Integrated Associates which the City of Pasadena has deemed both complete and code compliant.

I first requested this document on July 11 and it was finally provided to me last night (August 6).

I note that the map in the lower right section (see attached) appears to measure not to "the nearest property lines" of each affected parcel but instead to the north west corner of a boundary line for RM-48, which does not coincide with a property line corner.

The northwest corner of the portion of RM-48 that begins just south of Green Street appears to bisect a condominium project and a single parcel of land. Some of the individual units themselves are outside of RM-48 and some are inside. This parcel appears to be split-zoned.

However, my understanding is that a condominium property contains not just the unit itself but the unit together with the undivided share in the Common Elements which is appurtenant to said Unit. Thus, every condo property in this project presumably includes an undivided share of common elements some of which are contained in RM-48. Thus every condo property at this location is partially within RM-48.

In any event, all of the condo properties appear to be constructed on the same large parcel, half of which is in RM-48 and the nearest property lines of this affected parcel are within 600 feet of the Integrated Associates parcel.

The code states that a measurement will not be made to the boundary of a residential zone but to the "nearest property lines of each affected parcels, of any existing residential zones."

The ordinance was obviously designed and intended to protect affected residential property parcels any portion of which is contained within an existing residential zones otherwise there would be no need to measure to a property line. The ordinance could have simply specified a measurement to the nearest boundary line instead, but didn't.

Since both the nearest property line of the affected parcel which is partially contained in RM-48 and the individual properties which are partially contained in RM-48 are both within 600 feet of 908 E Colorado, why did the City certify this application as code compliant?

Finally, the cannabis map promulgated by your department specifically showed that the parcel at 908 E Colorado was not qualified. Since by accepting this application you now apparently believe it is qualified I have the following questions:

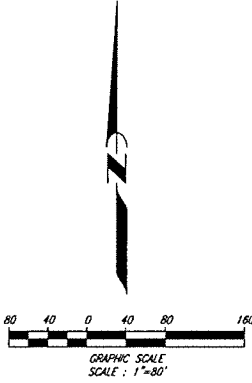
- 1) When did you or any member of your staff learn that the cannabis map contained this presumed error?
- 2) How did you come to learn that the map contained this presumed error?
- 3) Why have you not acted to correct the cannabis map you are promulgating on the city website since you now presumably believe it is defective?

# LAND USE RADIUS MAP

SHEET 1 OF 1 SHEET

FOR  
 908-928 COLORADO BLVD  
 APN 5735-006-036

IN THE CITY OF PASADENA  
 STATE OF CALIFORNIA

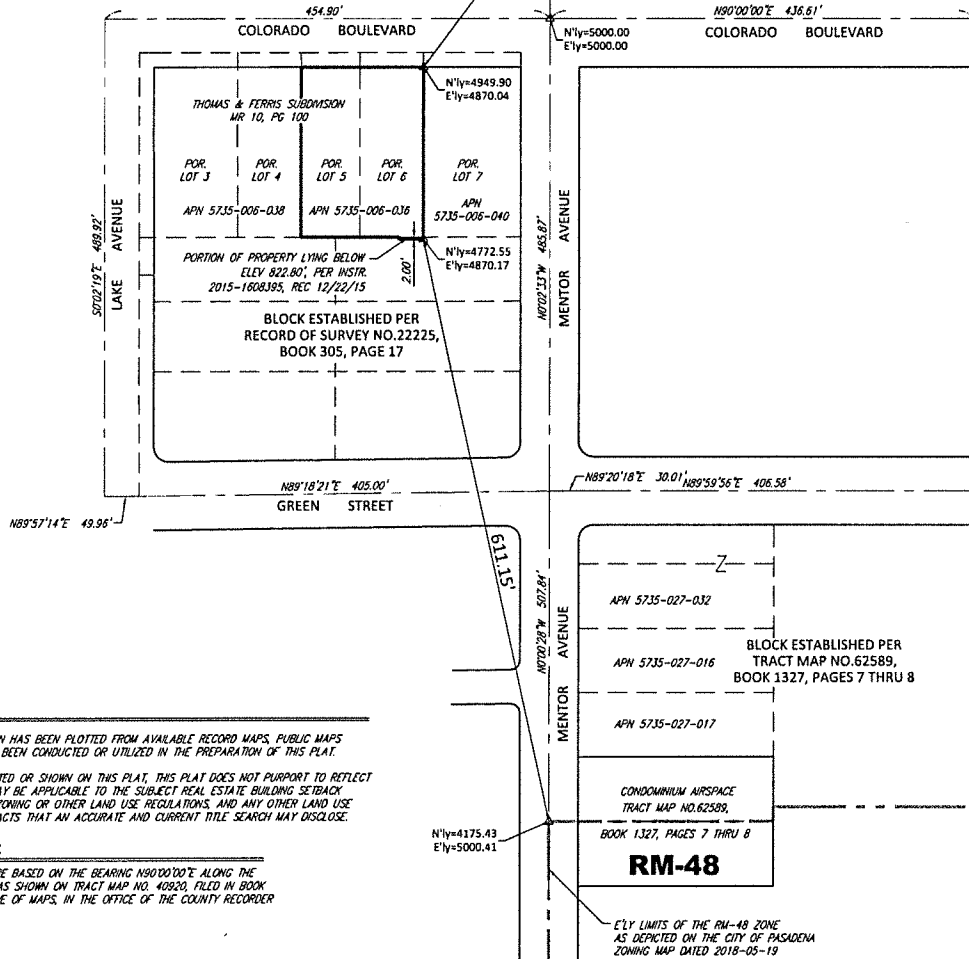


### SURVEYOR'S STATEMENT

THIS PLAT CORRECTLY REPRESENTS A ZONING BOUNDARY EXHIBIT COMPILED FROM THE BEST AVAILABLE RECORD MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY, PREPARED BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUEST OF ESSENCE DENA LLC, IN JUNE 2018.

*Larry L. Mar*  
 LARRY L. MAR, PLS 7652

JUN 19, 2018  
 DATE



### SURVEY NOTES:

1. THE BOUNDARY SHOWN HEREON HAS BEEN PLOTTED FROM AVAILABLE RECORD MAPS, PUBLIC MAPS & RECORDS. NO FIELD WORK HAS BEEN CONDUCTED OR UTILIZED IN THE PREPARATION OF THIS PLAT.
2. EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS PLAT DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; ZONING OR OTHER LAND USE REGULATIONS, AND ANY OTHER LAND USE REGULATIONS; AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

### BASIS OF BEARING:

THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARING N90°00'00"E ALONG THE CENTERLINE OF COLORADO BLVD AS SHOWN ON TRACT MAP NO. 40920, FILED IN BOOK 985, PAGES 68 AND 69, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY