



TOLEDO-LUCAS COUNTY PLAN COMMISSIONS

ONE GOVERNMENT CENTER, SUITE 1620, TOLEDO, OHIO 43604 PHONE 419-245-1200 FAX 419-936-3730

THOMAS C. GIBBONS, DIRECTOR



DATE: December 12, 2017
REF: SUP-10002-17

TO: President Steven Steel and Members of Council, City of Toledo
FROM: Toledo City Plan Commission, Thomas C. Gibbons, Secretary
SUBJECT: Request for a Special Use Permit for a Medical Marijuana Dispensary at 3203 & 3209 West Sylvania Avenue.

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, December 7, 2017 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request	-	Special Use Permit for a Medical Marijuana Dispensary
Location	-	3203 & 3209 West Sylvania Avenue
Applicant	-	Glass City Alternatives, LLC 5800 Monroe Street, Bldg D, Ste 6 Sylvania, OH 43560

Site Description

Zoning	-	CR / Regional Commercial
Area	-	± 0.28 acres
Frontage	-	± 120' along Sylvania Avenue ± 100' along Crary Drive
Existing Use	-	vacant commercial building
Proposed Use	-	medical marijuana dispensary
Parking Required	-	11 spaces
Parking Provided	-	13 spaces

Area Description

North	-	Sylvania Ave, Forté Music School, parking lot / CR
South	-	Andy & Ron's Body Shop / CR
East	-	Crary Drive, vacant commercial building / CR
West	-	Ace Auto House, Six Pack Bar & Grill / CR

GENERAL INFORMATION (cont'd)

Parcel History

No records on file.

Applicable Regulations

- Toledo Municipal Code, Part Eleven: Planning and Zoning Code
- Toledo 20/20 Comprehensive Plan

STAFF ANALYSIS

The applicant is requesting a Special Use Permit for a medical marijuana dispensary at 3203 & 3209 West Sylvania Avenue. The ±0.28 acre site is comprised of two (2) parcels and occupied by an existing two-story vacant commercial building. The site is zoned CR Regional Commercial and permits a medical marijuana dispensary upon obtaining a Special Use Permit. Surrounding land uses include a parking lot for a music school across Sylvania Avenue to the north, a vacant commercial building to the east across Crary Drive, an auto body repair shop to the south, and a used auto sales lot to the west.

The applicant, Glass City Alternatives, LLC, is intending to purchase the property and operate business out of the existing building on site. The applicant intends to be fully licensed and certified by the State of Ohio to sell and distribute medical marijuana.

Use Regulations

A medical marijuana dispensary is required to meet the use regulations of TMC§1104.2300. This section of the Code states that "A Medical Marijuana Facility shall not be located within 500 feet of any school (K-12), church, public park, public playground, public library, pre-school, or child day care center, or other use established specifically for the activities of minors." Additionally, per TMC§1104.2302, a dispensary shall not be located within 1,000 feet of another dispensary. The proposed location is not in violation of these requirements and conforms to the regulations of TMC§1104.2300.

In addition to regulating the location of medical marijuana facilities, TMC§1104.2302 limits the hours of operation for a dispensary from 8 a.m. to 8 p.m., or other hours consistent with a license/permit issued by the State of Ohio. The applicant has indicated the dispensary will operate within the required hours.

STAFF ANALYSIS (cont'd)

Neighborhood Meeting

Due to the potential impact on the surrounding neighborhood, the applicant requested to host a neighborhood meeting for the proposed Special Use Permit prior to the Plan Commission hearing. Meeting notifications were sent to a mailing address list generated by Plan Commission staff with the property owners within five-hundred feet (500') of the subject site. The neighborhood meeting was held on November 6, 2017 at Signal Nightclub, near the southeast corner of Sylvania Avenue and Secor Road, approximately five-hundred feet (500') from the subject site. The meeting was attended by roughly thirty (30) people including local news media. Concerns raised by attendees of the meeting include; proximity to residential districts/neighborhoods, type of operations and security measures, impact on children in the neighborhood, increase in crime/nuisance, inadequate parking for the facility, and the potential impact on property/housing values.

Parking and Circulation

The site plan depicts two (2) access points, one from Sylvania Avenue and one from Crary Drive. As listed in TMC§1107.0304, the minimum number of parking spaces required for a dispensary is calculated using the *Off-Street Parking Schedule "B" Additional Commercial Standards*. Per Schedule "B", dispensaries are required to provide one (1) parking space for every 300 square feet of building area. The existing building on site has an area of 3,240 square feet. Therefore, the proposed dispensary requires eleven (11) parking spaces. The site plan submitted depicts a total of thirteen (13) parking spaces and meets the minimum number of off-street parking spaces required for the site. However, in the event the proposed plan adversely affects the surrounding neighborhood or the traffic congestion and circulation of the surrounding area, an off-site parking agreement assuring the retention of off-site parking spaces shall be submitted and subject to full compliance with TMC§1107.0300.

The Division of Transportation has reviewed the submitted site plan and does not object to the approval by the Plan Commission, however, they have identified multiple issues with the site plan. First, a standard parking space is 9' x 18'. All spaces in the parking lot must meet this dimensional requirement. Second, a four-foot (4') wide concrete sidewalk shall be provided along the perimeter of the lot on Crary Drive and must meet City of Toledo Construction Standards. Lastly, the stone areas depicted on the site plan shall not be permitted. Stone areas shall be surfaced with concrete, bituminous asphalt, or other dust free material other than gravel or loose fill. If approved, a revised site plan shall be submitted addressing the Division of Transportation's comments which are listed as conditions of approval.

STAFF ANALYSIS (cont'd)

Parking and Circulation (cont'd)

The applicant is required to provide at least one (1) accessible parking space for persons with physical disabilities. The site plan submitted depicts an accessible parking space close to the entrance and in compliance with this regulation. Additionally, the minimum number of bicycle parking spaces for the proposed dispensary is one (1) slot per ten (10) parking spaces. The site plan submitted depicts one (1) bicycle parking space. Per TMC§1107.0901(B), when the provision of bicycle parking is required, the minimum number of slots provided shall be two (2) spaces and is listed as a condition of approval.

Landscaping

The site was established before the 2004 zoning code update and therefore not required to fully comply with the landscape requirements. Per TMC§1114.0502, the site is required to be brought closer into compliance with the 2004 zoning code. A ten-foot (10') greenbelt is required for the site along the Sylvania Avenue and Crary Drive frontages. The greenbelt shall include at least one (1) tree every thirty-feet (30') of lot frontage. With $\pm 220'$ of frontage, a total of eight (8) trees are required in the frontage greenbelt. Additionally, since the parking lot is visible from the right-of-way, the frontage greenbelt shall include a solid hedge or shrub row in order to screen the parking lot and ensure that headlights do not project onto the public street.

The site plan submitted depicts a ten-foot (10') wide greenbelt with two (2) existing canopy trees. If approved, a completed landscaping plan shall be submitted depicting the full frontage greenbelt with eight (8) trees and a solid shrub row and is listed as a condition of approval.

Per TMC§1106.0102, CR zoning districts are required to provide a twenty foot (20') front setback. Since the subject site is a double frontage lot, the front setback requirements apply to both streets. Pursuant to TMC§1105.0302, fences within the required front setback may not exceed forty-two inches (42') or $3\frac{1}{2}'$ in height. The site plan includes an existing six-foot (6') wooden privacy fence along the rear of the property which does not comply with the current requirements. In the event the fencing is removed from the required twenty-foot (20') front setback, all new fencing shall conform to the accessory use standards of TMC§1105.0302 and is listed as a condition of approval.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this area for Neighborhood Commercial land uses. CN land uses typically include predominantly small and medium scale commercial uses that serve neighborhoods. Small and medium scale office and mixed uses are permitted uses in the CN zoning designation. The proposed use is compatible with the neighborhood commercial zoning district and therefore conforms to the Toledo 20/20 Comprehensive Plan.

STAFF ANALYSIS (cont'd)

Staff recommends approval of the proposed use since it meets the stated purpose of the Zoning Code and complies with all applicable provisions of the Zoning Code. Additionally, staff recommends approval of the Special Use Permit because the proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics. Finally, the proposed use conforms to the Medical Marijuana Facility use regulations of TMC§1104.2300.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of SUP-10002-17, a request for a Special Use Permit for a medical marijuana dispensary at 3203 & 3209 West Sylvania Avenue, to the Toledo City Council for the following four (4) reasons:

1. The proposed use conforms to the Medical Marijuana Facility use regulations of TMC§1104.2300.
2. The proposed use meets the stated purpose of the Zoning Code (TMC§1111.0706(A) *Review & Decision-Making Criteria*).
3. The proposed use complies with all applicable provisions of the Toledo Municipal Zoning Code (TMC§1111.0706(B) *Review & Decision-Making Criteria*); and
4. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (TMC§1111.0706(C) *Review & Decision-Making Criteria*).

The Toledo City Plan Commission further recommends approval of SUP-10002-17, a request for a Special Use Permit for a medical marijuana dispensary at 3203 & 3209 West Sylvania Avenue, to the Toledo City Council subject to the following **thirty-three (33)** conditions:

The following conditions are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

Engineering Services

1. All **existing substandard** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way abutting the site shall be replaced/upgraded to conform to current City of Toledo Construction Standards, Specifications, Toledo Municipal Code, and Americans with Disabilities Act Guidelines.
2. All **proposed** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way shall be constructed in accordance with the City of Toledo Construction Standards, Specifications, Toledo Municipal Code, and Americans with Disabilities Act guidelines.

PLAN COMMISSION RECOMMENDATION (cont'd)

Engineering Services (cont'd)

3. All commercial drive approaches, (along with the sidewalk through the drive) shall be constructed with 8" thick concrete per City of Toledo Construction Standards and Specifications. No curb shall be permitted in the right-of-way along either side of a drive approach. **No horizontal curb cutting will be permitted to create a curb drop/opening.** Existing drive approaches, including the curb drop, that will no longer be utilized shall be removed and restored with curb to match the adjacent curb.

4. Required permits for all approved work in the public right-of-way shall be obtained, before work begins, from One Stop Shop, (419) 245-1220.

Contact Joe Warnka at (419) 245-1341 for inspection of above mentioned items.

5. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.

6. All commercial properties are required to have approved backflow protection devices installed on the domestic water service and fire protection lines. Installation of the devices must be verified by the Division of Water Distribution and all devices must be registered with BSIOnlinetracking.com at 800-414-4990. In the case of renovation, expansion or modification projects, all existing backflow devices must be verified and registered. Where devices are missing, they shall be added. Contact the Division of Water Distribution (419-245-1395) to verify the backflow prevention requirements for this site.

7. The design professional and/or property owner shall submit written documentation to the Division of Water Distribution that no changes are being made to the existing water service, meter setting or backflow protection device and that these devices are properly installed, tested and in good working order. The City, at its discretion, has the authority to mandate the entire service, including meter and backflow prevention device, be brought into compliance with current City of Toledo standards.

PLAN COMMISSION RECOMMENDATION (cont'd)

Engineering Services (cont'd)

8. It is unclear if the revisions to the site in this Plan Commission submittal will require earth-disturbing activity of 2,500 or more square feet, nor are any changes shown to the existing storm sewer system. If revisions are made to the site plan that will result in earth-disturbing activity of 2,500 or more square feet or cause changes to the existing storm sewer, a full site-plan review and approval will be required for storm drainage by the Division of Engineering Services. Plans will be subject to the rules and regulations of the City of Toledo, Stormwater Utility, including stormwater detention and post-construction stormwater BMPs as specified in the City of Toledo Infrastructure Design and Construction Requirements and the Ohio EPA NPDES General Stormwater Permit for Construction Activities.

Sewer & Drainage Services

9. All private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
10. All private sanitary lines (after they have been cleaned) that are not being removed or properly abandoned be televised from the building (or private cleanout) to where they connect with the public sewer system if this has not been done in the past (2) two years. An electronic copy (DVD/memory stick) shall be provided to Sewer & Drainage Services demonstrating the lines cleaning and integrity.

Fire Prevention

11. Site shall comply with local Fire Prevention Bureau regulations.

Environmental Services

12. Applicant shall maintain compliance with the City of Toledo's Stormwater regulations as specified in the Toledo Municipal Code.
13. Applicant shall maintain compliance with Ohio EPA's General Stormwater NPDES permit programs.
14. Any green infrastructure measures that can be included to minimize runoff and increase infiltration are highly advisable.

PLAN COMMISSION RECOMMENDATION (cont'd)

Environmental Services (cont'd)

15. Applicant shall maintain compliance with the City of Toledo's stormwater regulations as specified in the Toledo Municipal Code. Special attention must be paid to all potential sources of pollutant in the stormwater runoff, including but not limited to long-term operation and maintenance of both structural and non-structural Best Management Practices.
16. Applicant shall maintain compliance with the City of Toledo and State of Ohio's Air Quality Regulations applicable in the Toledo Municipal Code and the Ohio Administrative Code including, but not limited to Asbestos and Anti-Noise Laws.

Division of Transportation

17. According to the Toledo Municipal Code, standard parking spaces are 9' x 18'. All spaces in the parking lot must meet this requirement.
18. A 4' wide concrete sidewalk shall be provided along the perimeter of the business on Crary Drive; the sidewalk must meet City of Toledo Construction Standards.
19. The stone areas shall not be permitted. Stone areas shall be surfaced with concrete, bituminous asphalt, or other dust free material other than gravel or loose fill.

Plan Commission

20. Applicant shall obtain the proper licensing and/or certification for the distribution and sale of medical marijuana by the State of Ohio provided the State does not grant a license and/or certification to another dispensary within 1,000 feet of the subject property. See TMC§1104.2302(A).
21. **In the event the proposed plan adversely affects the surrounding neighborhood or the traffic congestion and circulation of the surrounding area, an off-site parking agreement assuring the retention of parking spaces shall be submitted through written agreement among the property owners.** If said off-site parking agreement is altered in any way, a re-review of the Special Use Permit shall occur. Site will be subject to full compliance with TMC§1107.0300.
22. All lots of the development site shall be combined into a single taxable parcel identification number.

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

23. The Special Use Permit may be reviewed for compliance with the conditions of approval, negative secondary effects, and adherence to all requirements of the Toledo Municipal Code. If outstanding issues are found and not addressed the Special Use Permit may be considered for revocation.
24. Bicycle parking slots shall be provided pursuant to Off-Street Parking Schedule "A" (TMC§1107.0300). Off-Street Parking Schedule "A" requires one (1) bicycle parking slot per ten (10) parking spaces; **not acceptable. A minimum of two (2) bicycle parking spaces shall be provided on-site.**
25. Off-street parking and loading spaces, parking lots, maneuvering areas, aisles and driveways must be surfaced with concrete, bituminous asphalt, or other dust-free material other than gravel or loose fill, and be graded to drain all surface water towards the interior of the parking lot or to a stormwater treatment facility subject to the regulations approval of the Department of Public Utilities.
26. Whenever a parking lot extends to a property line, sidewalk, planting strip, or building, a wheel stop device consisting of a concrete stop, a permanent concrete curb, an expanded sidewalk or other suitable restraint as approved by the Planning Director must be installed to prevent any part of a parked motor vehicle from extending beyond the property line, overhanging a pedestrian walkway or sidewalk, or damaging any structure or landscaping (TMC§1107.1907(A)).
27. If the existing building is rebuilt or modified in the future, the building design shall meet the requirements of TMC§1109.0500 Building Façade Materials and Color. Exterior building materials shall not include concrete blocks, concrete panels or wood sheet goods as a predominant material. EIFS may not constitute more than 15% of the exterior for facades visible from the public right-of-way. The façade colors shall be low-reflectance, subtle, neutral or earth tone colors.
28. No new free-standing signs greater than forty-two inches (42") from grade are permitted – any proposed signage must meet the requirements of low-profile signs per Toledo Municipal Code Title Nine – Sign Code.

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

29. A detailed site, lighting, fencing and four (4) landscaping plans separate from the building plans shall be submitted to the Plan Director for review and approval. Such plan shall include:
- a. A ten-foot (10') wide greenbelt is required along Sylvania Avenue and Crary Drive with one (1) tree for every thirty-foot (30') of frontage. Calculations conclude that a total of eight (8) trees are required in the frontage greenbelt. A continuous hedge or shrub row, a minimum height of eighteen-inches (18") and maximum of forty-two inches (42"), shall be installed along Crary Drive in order to screen the parking lot and headlights from public view. **Not acceptable as depicted on site plan. Shall be depicted on revised landscaping plan.**
 - b. Topsoil must be back filled to provide positive drainage of the landscape area;
 - c. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. **Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage.**
 - d. The height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained, trees, shrubs, and landscape materials shall meet the standards included in TMC§1108.0400 Landscape Materials Standards. **Shall be noted on revised landscaping plan.**
 - e. All landscape material must be properly maintained. No approved plant material shall be removed for any reason without being replaced with like kind, or without submitting a revised landscape plan to the Planning Director for review or approval.
 - f. The land owner, or successors in interest, or agent, if any, or lessee must be jointly responsible for the regular maintenance of all landscape materials as well as any plant material removed.
 - g. The location, height and materials for any fencing to be installed and maintained; **all new fencing shall conform to the accessory use standards of TMC§1105.0302;** and
 - h. The location, type and direction of any proposed lighting. The lighting is subject to the approval of the Director of the City of Toledo Plan Commission (lights are to be directed away from adjacent residential properties).

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

30. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. Landscaping shall be installed & maintained indefinitely.
31. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707 have not been met.
32. Minor adjustments to the site plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
33. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

Respectfully Submitted,



Thomas C. Gibbons
Secretary

Three (3) sketches follow
CC: Lisa Cottrell, Administrator
Ryne Sundvold, Planner

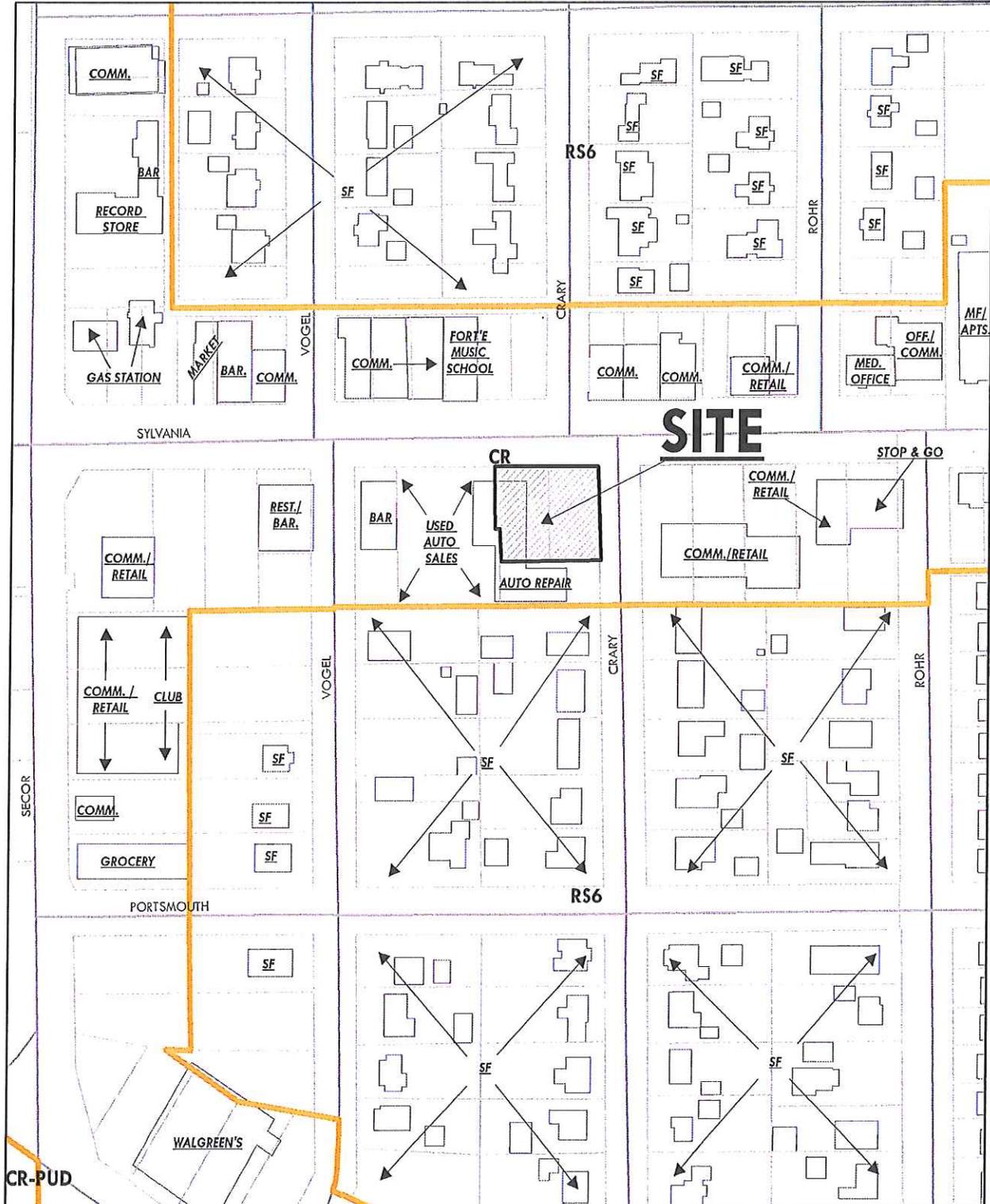
GENERAL LOCATION

SUP-10002-17
ID 46



ZONING & LAND USE

SUP-10002-17
ID 46





SUP-10002-17
ID 46

SITE PLAN

3209 & 3203 West Sylvania Avenue Part of Lots 41, 42 and 43 Keystone Addition City of Toledo, Lucas County, Ohio



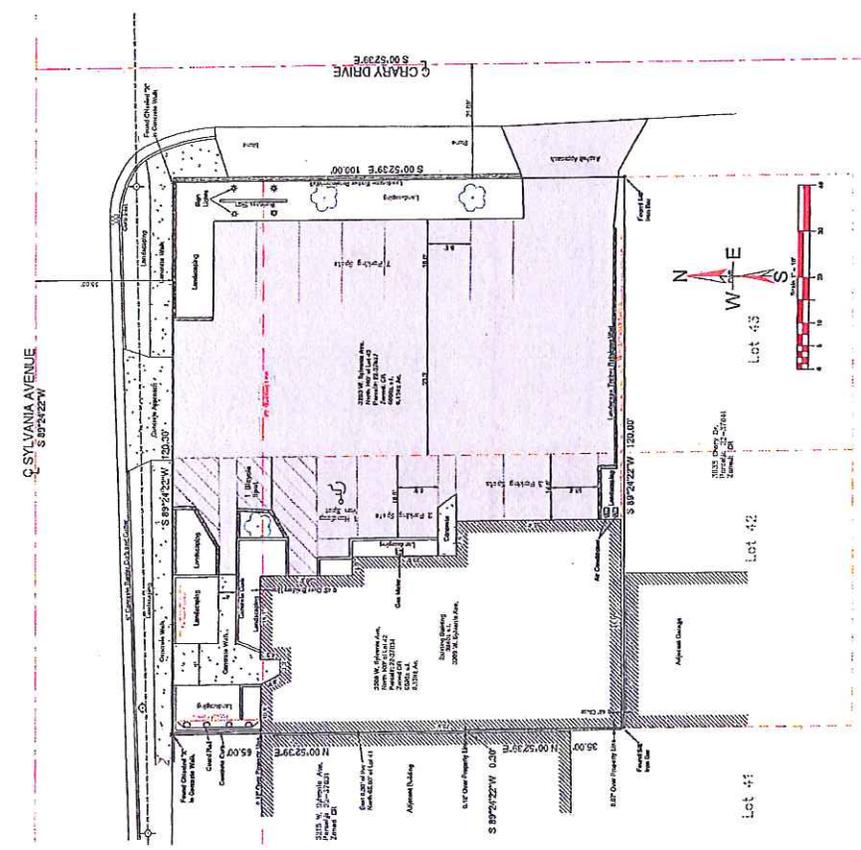
Owner
Belvue Properties #2, LLC
Building C, Suite 6
Sylvania, Ohio 43500
(419) 526-2295

200 West Sylvania Avenue
Sylvania, Ohio 43500
(419) 526-2295

Total Garage - 4,078 sq. ft.

PERMITTED INFORMATION
This site plan is prepared in accordance with the City of Toledo, Ohio, Ordinance 1000.01, which requires that all site plans be prepared by a Professional Engineer or Professional Land Surveyor. The Professional Engineer or Professional Land Surveyor is responsible for the accuracy of the information provided on this site plan. The City of Toledo, Ohio, Ordinance 1000.01, requires that all site plans be prepared by a Professional Engineer or Professional Land Surveyor. The Professional Engineer or Professional Land Surveyor is responsible for the accuracy of the information provided on this site plan.

NOTES
1. All dimensions are in feet and inches.
2. All dimensions are to the centerline of the lot.
3. All dimensions are to the centerline of the street.
4. All dimensions are to the centerline of the driveway.
5. All dimensions are to the centerline of the sidewalk.

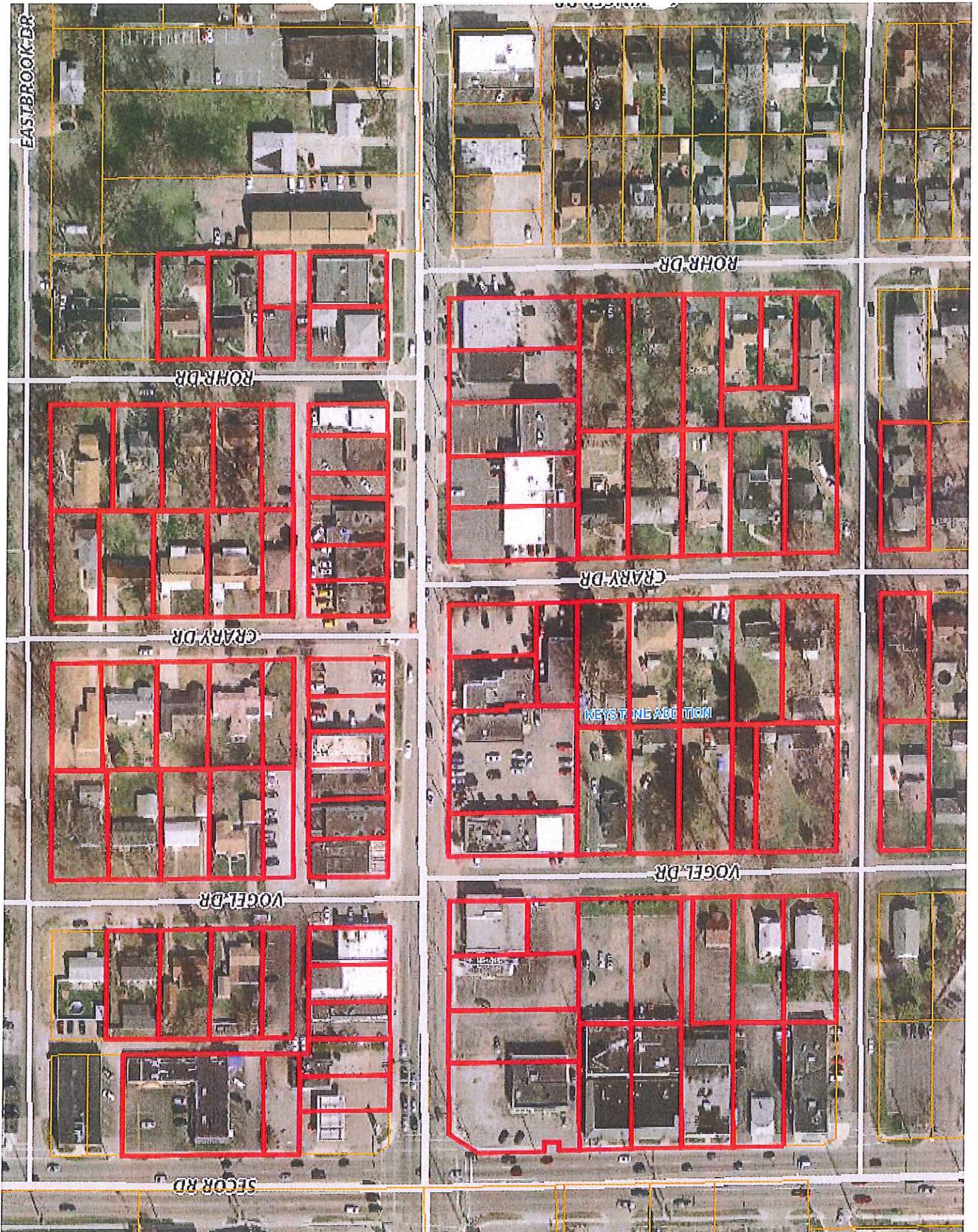


Professional Engineer
A. J. BAYLOR, P.E.
Professional Engineer No. 4451
10-3-17

F.W.B., INC.
SURVEYORS
5325 SECOR ROAD
TOLEDO, OHIO 43623
(419) 473-1491 Fax: (419) 473-0106

3209 & 3203 West Sylvania Avenue
Part of Lots 41, 42 and 43 Keystone Addition
City of Toledo, Lucas County, Ohio

1 of 1
Sheet 1 of 1



**CITY OF TOLEDO
SIGN POSTING REQUIREMENTS**

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code (TMC 1111.0304) are responsible for the posting and maintaining of one or more signs on the property which the application describes. Vacations of public rights-of-way (if the way has been in use) also require signs.

The applicant is responsible for posting the required sign(s) and ensuring that the signs remain posted throughout the 15-day period prior to public hearing. **Failure to maintain the signs during this entire period may be cause for deferral or denial of the application.** Upon notification, the sign(s) is to be picked up at the Toledo City Plan Commission office between the hours of 8:00 a.m. and 4:45 p.m.

1. LOCATION

- A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Plan Commission staff may indicate a specific location.
- B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be two to seven feet from the ground.
- C. No barrier shall prevent a person from coming within five feet of the sign in order to read it.

2. NUMBER

- A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
- B. If the land does not abut a public street, then in addition to a sign placed on the property a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING

- A. Sign(s) shall be mounted on a post, stake or building at the site.

4. PERIOD OF POSTING

- A. Signs must be posted from (dates) 11-23-2017 to 1-19-2018.

5. REMOVAL

- A. The sign shall not be removed before the final hearing on the request.
- B. The sign shall be removed between seven (7) and ten (10) days after the final hearing.

I hereby acknowledge that I have read the above Sign Posting Requirements and discussed them with the Plan Commission staff. I understand all the requirements and agree to comply with each of them. I acknowledge receiving a copy of these Sign Posting Requirements.

[Signature] (Applicant or Agent) 11/22/17 (Date) MARK I. JAMES (Print Name and/or Organization)

419 343 3131 (Telephone No.)

I issued 2 signs for this application 11-22-17 (Date) [Signature] (Staff Member)

GLASS CITY ALTERNATIVES, LLC

October 25, 2017

Re: Notice for a neighboring property meeting for Special Use Permit request for 3209 W. Sylvania Avenue, Toledo, Ohio

Dear Neighboring Property Owner:

I am writing on behalf of a company I am working with currently under contract to acquire the commercial property at 3209 W. Sylvania, the former veterinary clinic. The property has been vacant for a period of time and we have now applied for a Special Use Permit under the current City of Toledo zoning code, TMC 1104 and 1116, to operate a state licensed medical marijuana dispensary at this location.

Prior to the scheduled Plan Commission hearing on December 7, 2017 on this matter, we are going to hold a meeting to answer any questions neighboring property owners may have and to provide information as to the operation of the proposed business, including topics such as the security measures that would be in place.

The meeting will be held on **Monday, November 6, 2017 at 7:00pm at Signals Niteclub 3922 Secor Rd., Toledo, Ohio, the SE corner of Secor and Sylvania Avenue.** (Please note Signals Niteclub is a convenient location for this gathering but has no affiliation with the proposed medical marijuana dispensary or the 3209 W. Sylvania property).

If you have any questions prior to the meeting date, feel free to contact us at the following email or phone number, mjacobs58@gmail.com or 419-343-3131. If you are unable to attend the meeting but would like some information, please do not hesitate to contact me.

Sincerely,



Mark Jacobs
Glass City Alternatives, LLC

MJ/mjw

From Sharon Domschot
To Sundvold, Ryne
Cc Julia.bryant@toledo.oh.gov; Eric.grosswiler@toledo.oh.gov; Catherine.hoolihan@toledo.oh.gov; Ken.fallows@toledo.oh.gov; John.escobar@toledo.oh.gov; Waniewski, Tom
Subject Medical Marijuana Dispensary

Date 12/3/2017, 11:16:17 PM

Dear Mr. Sundvold, Mrs. Hoolihan, Mr. Fallows, Mr. Escobar, Mrs. Bryant, Mr. Grosswiler and Mr. Waniewski,

I would like to express my concerns regarding the location of the proposed medical marijuana dispensary in my neighborhood. The location is at 3209 Sylvania Ave. While I know this is a business zoned property fronting Sylvania Ave, directly behind the businesses along this corridor is a residential neighborhood. My home is in this neighborhood and it is our single biggest investment of our lifetime. While it may not be as expensive as other neighborhoods, it is the world to us and the people whom reside here. We raise families here, children play outside and go to school, walk, make friends and enjoy our lives. Our property values have gone down, and over the last 37 years that we have lived here, crime has increased. I am afraid of the impact this business will have on our neighborhood and property values, especially if crime increases. I have read articles of criminal activity due to this type of business, including the shooting and killing of employees that work there:

<http://www.latimes.com/.../la-na-pot-shops-20160711-snap>

<https://phys.org/.../2017-04-legal-marijuana-property>

<http://www.tandfonline.com/.../07418825.2016.1270346>

<http://economics.princeton.edu/.../2016/09/2016sample7.pdf>

While they will have "security", a neighborhood still remains vulnerable. Residents can't afford to hire a security person. This is a cash only establishment and the criminal element can't help but be attracted to that, let alone the product. I have no issue with the business and recognize the benefits it will provide, but it does not belong in a residential neighborhood. It should be located in one of the many all-commercial areas that abound in this city, or downtown (like it is in Ann Arbor.) Maybe even locate in the Sylvania neighborhoods of the investors.

Traffic will increase and I am sure there will be busier times associated with "rush hour" times and people getting off work. This brings yet another concern regarding parking. The lot is not large enough to accommodate parking at a "busy" time. Let's not forget employees' cars will be taking up spaces too.

So I ask you to consider all of us residing next to this proposed business and the probable repercussions we will face in our homes.

Thank you,

Sharon Domschot

Most pot dispensaries are forced to be cash-only. Now they're prime targets for violent robberies

By Rick Anderson – JULY 11, 2016

Members of the Los Angeles County Sheriff's Department collect evidence at a marijuana dispensary in Walnut Park in June. The shop's owner shot and wounded two men trying to rob the store, authorities said. (Mark Boster / Los Angeles Times)

Rick Anderson

The recent killing of a marijuana store security guard in Colorado and the wounding of another guard in San Bernardino are the latest examples of the crime lure posed by cash-only pot dispensaries, industry observers say.

But while those armed robbery attempts and a pot store shootout in Walnut Park in Los Angeles County were unfolding last month, Democratic-sponsored legislation that could have led to more dispensaries offering plastic and electronic payments in lieu of cash was blocked by House Republicans.

“Moments such as this,” said security expert Michael Jerome of Blue Line Protection Group, referring to the recent killing of 24-year-old Colorado pot store guard Travis Mason, “remind us that the cash-based nature of the legal cannabis industry here in Colorado makes these dispensaries and cultivation facilities prime targets.”

A former Marine with a wife and three children, Mason was shot in the head on June 19 by two armed robbers at the Green Heart pot dispensary in Aurora, a Denver suburb. It was his second week on the job.

The would-be robbers, who fled without any money, are still being sought. Rewards totaling \$12,000 have been offered for their capture.

“This incredibly sad situation underscores the public safety risk faced by our industry due to the fact that we don’t have access to banking,” Michael Elliott, executive director of the Marijuana Industry Group, told the Aurora Sentinel.

That risk was underscored on June 8 when a Walnut Park medical marijuana dispensary owner survived a shootout with two would-be robbers. On his security camera, the owner spotted the two men arriving with masks and armored vests, according to a Los Angeles County sheriff’s spokesman. One was carrying an assault rifle. The owner drew his own gun and wounded the two as they entered. The owner escaped unharmed.

Santa Ana police recently announced a \$100,000 reward for information leading to the arrest of a suspect in the shooting of another marijuana dispensary owner, Derek Worden, 48, who survived two bullet wounds outside his store in November.

Police said anonymous donors provided the reward money after the investigation stalled. Worden's dispensary had been open for just four months. The shooter ran off without any money, officials said.

Crime statistics concerning legal dispensaries are hard to come by as the industry expands, and, understandably, operators are reluctant to talk about how much cash they can have on hand. But in a late-night Seattle dispensary break-in last year, for example, thieves got away with \$100,000 in cash, police said.

Recreational use of marijuana is dominated by Western states – it's legal in Colorado, Washington, Oregon, Alaska and Washington, D.C. Altogether, 25 states and the District of Columbia allow some form of recreational or medical marijuana use.

California, Nevada and six other states could make marijuana legal in a majority of U.S. states in November when they vote on legalization measures. Marijuana Business Daily reports that potential ballot measures loom in another six states, and predicts that legal pot could become an \$8-billion industry in the U.S. by 2018.

But marijuana use remains illegal under federal law, causing most banks to steer clear of the industry. As a result, most dispensaries must deal in cash.

The Senate recently approved legislation to protect banks against repercussions if they do business with marijuana dispensaries, but a Republican-controlled committee blocked a similar amendment in the House.

One of the co-sponsors, Rep. Dennis Heck (D-Wash.), mentioned slain Colorado pot store guard Travis Mason after the GOP action. Heck told the National Journal that "every single member who opposed allowing this amendment ought to have that young man's name tattooed on their body to remind them."

More banks are opening their vaults to pot entrepreneurs, the Associated Press reports. In March, 300 financial institutions were working with marijuana companies, based on federal data. That compares to 51 in March 2014.

But cash-only remains a business hazard. Four days after Mason's killing in Colorado, a 35-year-old San Bernardino medical marijuana dispensary guard was shot in the head. He survived but remains in critical condition. Three armed robbers got away with a haul of cash.

That was similar to a robbery last year at a San Bernardino dispensary, except in that case, the guard, Anthony Victor Pineda, 25, died from his wounds, police said. The robbers fled with the cash.

Legal marijuana stores lead to increases in property crime: study

April 27, 2017 by Jeff Grabmeier in Other Sciences / Social Sciences



Credit: The Ohio State University

Legal marijuana shops are linked to higher levels of property crime in nearby areas, according to a nearly three-year study in Denver.

Researchers found that crime isn't higher in the area immediately surrounding marijuana outlets. But adjacent areas saw about 84 more property crimes per year than neighborhoods without a nearby marijuana store.

In Denver, no significant increase in violent crime was seen as a result of marijuana sales.

The results show that legal marijuana sales come with a cost, said Bridget Freisthler, lead author of the study and professor of social work at The Ohio State University.

"If you're looking strictly from a public health standpoint, there is reason to be somewhat concerned about having a marijuana outlet near your home," Freisthler said.

Putting this risk in context, marijuana outlets led to similar levels of property crime as bars, liquor stores and restaurants that serve alcohol, data from the study suggests. And businesses that sold alcohol led to much more violent crime than marijuana outlets.

The study was published online today in the *Journal of Primary Prevention*.

The researchers examined crime statistics for 481 Census block groups in Denver over 34 months (January 2013 to October 2015). When the study began, marijuana could only be sold for medical purposes. But beginning in January 2014, marijuana outlets were able to sell to the general public, giving the researchers the opportunity to see if recreational sales were tied to increases in crime.

They examined three types of crime, based on data from the Denver Police Department: Violent crime, [property crime](#) and marijuana outlet specific crime.

The change in the law allowing recreational sales did not result in an increase in crime, results showed.

"It is the number and density of outlets that is important, not whether they are medical or recreational," Freisthler said.

But there is a caveat to that finding. After the law was first changed to allow recreational sales, only those dispensaries that already were selling for medical purposes were allowed to apply for a license to sell recreational marijuana in Colorado.

As a result, the number of outlets didn't change much.

This is the second study Freisthler and colleagues have published on crime and marijuana outlets. The earlier study, published last year, was done in Long Beach, Calif. In both studies, property crimes didn't increase right next to the outlet, but in the adjacent neighborhood.

That's probably because the dispensaries often have security guards and cameras keeping an eye out on the immediate area, Freisthler said.

"The areas we examined in our study were relatively small (about a third of a square mile), so a guard could conceivably be keeping criminals away from the neighborhood directly surrounding the outlets," she said.

One way to understand the effect of marijuana stores on crime is to compare them to places that sell alcohol.

Data from the study showed that marijuana outlets contributed to 1,579 property crimes in Denver over 34 months, compared to the combined alcohol outlet contribution of 1,521.

"The levels of property crimes were similar, although marijuana outlets were responsible for slightly more," Freisthler said.

Alcohol outlets, however, were responsible for about four times more violent crimes during the 34 months of the study than those that sold marijuana (372 vs. 93).

But Freisthler cautioned that a direct comparison is difficult because the effects related to marijuana outlets take into account crimes in local and adjacent areas while the data for alcohol outlets only look at adjacent areas.

Still, she said it is concerning that there is this level of crime associated with marijuana sales, despite the fact that the density of marijuana outlets is much lower compared to that of [alcohol outlets](#). "Over time, as marijuana grows in popularity, densities of marijuana outlets may increase, resulting in higher crime," Freisthler said.

While this study did not find a significant increase in violent crime related to marijuana shops, the study in Long Beach did. That suggests it is too early to say that legal marijuana sales don't result in significantly more [violent crime](#), she said.

This new study did find, not surprisingly, that legal sales were linked to an increase in burglaries and other crimes at marijuana outlets themselves.

From the data in the study, the researchers can't tell who is committing the crimes and who the victims are in the nearby neighborhoods. Customers of the marijuana outlets could be the victims or the perpetrators, according to Freisthler.

"That's important to know, because residents may want to mobilize if they are the victims of increased crime. But if it is not the residents being victimized, they may not care as much," she said.

Freisthler said the findings of this, as well as her previous study, suggest there are reasons for citizens to be cautious about legal [marijuana](#) sales.

"There are definitely negative public health consequences, including increased [crime](#)," she said. "There may be economic benefits in terms of more tax revenue and money spent in neighborhoods. Citizens have to decide how they want to measure the benefits and costs."

More information: Bridget Freisthler et al. From Medical to Recreational Marijuana Sales: Marijuana Outlets and Crime in an Era of Changing Marijuana Legislation, *The Journal of Primary Prevention* (2017). [DOI: 10.1007/s10935-017-0472-9](#)

Provided by The Ohio State University

"Legal marijuana stores lead to increases in property crime: study" April 27, 2017 <https://phys.org/news/2017-04-legal-marijuana-property-crime.html>

MEDICAL MARIJUANA LAWS AND CRIME:

An Empirical Analysis of
Market Design and Racial Implications

Submitted to Princeton University
Department of Economics
In Partial Fulfillment of the Requirements for the A.B. Degree

April 13, 2016

Abstract

Beginning with California in 1996, 23 states and Washington, D.C. passed medical marijuana laws (MMLs) that enable eligible patients to obtain and consume marijuana. MMLs generally allow patients to cultivate marijuana in their homes (home cultivation laws), purchase marijuana from state-licensed dispensaries (dispensary laws), or do either. The sale and distribution of marijuana is still illegal at the federal level, and opponents of MMLs argue that these laws will increase criminal behavior and perpetuate racial disparities in drug-related arrests. I implement a differences-in-differences approach to quantify the effects of each type of MML on arrest rates for property and violent crime. I find that MMLs are associated with an 8.2% increase in combined property and violent crime arrests. Dispensary laws account for a 16.0% increase in arrests, which is driven by estimated 22.7% and 19.4% increases in burglary and robbery arrest rates. Home cultivation laws are not found to have a significant relationship with arrest rates. The white population drives the overall results; for either type of MML, I find no significant effect on arrest rates for the black population. My results indicate that the association between MMLs and crime is dependent on market design, and that neither type of MML leads to disproportionate arrests among the black population.