

**AMENDED AGENDA  
PLANNING COMMISSION  
CITY OF LAKEWOOD  
MARCH 7, 2024  
PRE-REVIEW MEETING  
5:30 P.M.  
CITY HALL AUDITORIUM**

**REVIEW DOCKET ITEMS**

**REGULAR MEETING  
6:00 P.M.  
AUDITORIUM**

- 1. ROLL CALL**
- 2. APPROVE THE MINUTES OF THE FEBRUARY 1, 2024 MEETING**
- 3. OPENING REMARKS**

**NEW BUSINESS**

**LOT SPLIT/CONSOLIDATION**

- 4. Docket No. 03-06-24  
18228 + 18240 Sloane Ave.  
HELP Foundation, Inc.**

Doug Knoop, HELP Foundation, Inc., applicant requests approval for lot consolidation of P.P.N. 311-16-014 and P.P.N. 311-16-108, pursuant to Section 1155.06 – procedures for lot consolidations and resubdivision. Property is located in the C2, Commercial and Retail district. (Page 4)

- 5. Docket No. 03-07-24  
11818 and 11810 Madison Ave.  
RISE Lakewood**

Jonathan Ziegan, Osborn Engineering, applicant requests approval for lot consolidation of P.P.N. 315-15-017, P.P.N. 315-15-104, and P.P.N 315-15-063 - pursuant to Section 1155.06 – procedures for lot consolidations and resubdivision and then split into parcels "A" and "B" – pursuant to Section 1155.07 – procedures for lot splits. Property is located in the C3, Commercial and Business district. (Page 8)

**CONDITIONAL USE**

- 6. Docket No. 03-08-24  
15001 Madison Ave.  
The Grooming Loft by Sophie**

Suphattra Saichampa, The Grooming Loft by Sophie, applicant requests a conditional use permit for the expansion of an existing business, pursuant to Section 1161.03 – Supplemental regulations for specific uses. Property is located in the C2, Commercial and Retail district. (Page 20)

## **COMMUNICATION**

### **7. Docket No. 03-09-24**

#### **Communication from David Baas, Assistant Director of Planning and Development Renewal of Conditional Use Permit for Outdoor Seasonal Dining**

The following businesses received approval for renewal of a Conditional Use permit for the year of 2024 through the annual administrative review by the Department of Planning and Development:

1. 11801 Clifton Boulevard, Dinerbar on Clifton.
2. 11822 Detroit Ave., The Ohio Inn
3. 11904-08 Detroit Ave., Five O’Clock Lounge.
4. 12401 Detroit Ave., Peppers Italian Restaurant.
5. 14013 Detroit Ave., GetGo.
6. 14018 Detroit Ave., Winking Lizard (two front patios; SE and SW).
7. 14018 Detroit Ave., Lizardville.
8. 14115 Detroit Ave., Raising Cane’s Chicken Fingers.
9. 14600 Detroit Ave., Forage Public House.
10. 14701 Detroit Ave., Sauced Tap Room & Kitchen.
11. 14718 Detroit Ave., Melt Bar & Grilled.
12. 14900 Detroit Ave., Rozi’s Wine House.
13. 15012 Detroit Ave., Dave’s Hot Chicken.
14. 15027 Detroit Ave., Starbucks.
15. 15319 Detroit Ave., Ohio Tea House.
16. 15320 Detroit Ave., Tapster Cleveland.
17. 15326 Detroit Ave., Voodoo Tuna.
18. 15400 Detroit Ave., Humble Wine Bar.
19. 15605-07 1/2 Detroit Ave., Merry Arts Pub + Grille.
20. 15613 Detroit Ave., Nature’s Oasis.
21. 15625 Detroit Ave., Bar Italia.
22. 16512 Detroit Ave., Cozumel Mexican Restaurant.
23. 16719 Detroit Ave., Plank Road Tavern.
24. 16900-06 Detroit Ave., Lakewood Beer Garden + Food Truck Park.
25. 16918 Detroit Ave., El Carnicero aka Top Rope.
26. 16934 Detroit Ave., Midtown Booths.
27. 17103 Detroit Ave., Game On Lakewood.
28. 17112 Detroit Ave., Cleveland Vegan.
29. 17625 Detroit Ave., Salt+.
30. 17917 Detroit Ave., Sacred Hour Spa.
31. 18206 Detroit Ave., Ave. Mercury.
32. 18260 Detroit Ave., Cilantro Taqueria.
33. 18401 Detroit Ave., Molto Bene Italian Restaurant.
34. 18405 Detroit Ave., India Garden Bar & Restaurant.
35. 18515 Detroit Ave., Georgetown Restaurant.
36. 18605 Detroit Ave., Harry Buffalo.

37. 18616-18622 Detroit Ave., Around the Corner.
38. 1384 Hird Ave., West 117 Development Phantasy, LLC/Fieldhouse
39. 12700 Lake Ave., Pier W Restaurant.
40. 11922 Madison Ave., East End Bistro.
41. 11926 Madison Ave., The Flying Rib.
42. 12102 Madison Ave., Hola Taco.
43. 12112 Madison Ave., The Winchester.
44. 12401 Madison Ave., Griffin Cider House.
45. 12420 Madison Ave., K-Town Restaurant & Market.
46. 12906 Madison Ave., Barroco (rear patio and sidewalk dining).
47. 13333 Madison Ave., Hammer and Nails.
48. 13362 Madison Ave., Woodstock.
49. 13368 Madison Ave., The BottleHouse Brewery.
50. 13368 Madison Ave., Rising Star Coffee.
51. 13427-29 Madison Ave., Euro Gyro Restaurant.
52. 13603 Madison Ave., Hako Sushi aka AJI Noodle.
53. 13715 Madison Ave., Angelo's Pizza.
54. 13735 Madison Ave., Dang Good Foods.
55. 13741 Madison Ave., Back Alley Social Club
56. 13749 Madison Ave., McGinty's Pub.
57. 14224 Madison Ave., El Tango Taqueria.
58. 14319 Madison Ave., Harlow's Pizza.
59. 14523 Madison Ave., Sarita Restaurant
60. 14810 Madison Ave., The Red Rose Cafe
61. 15023 Madison Ave., Pachamama.
62. 15314 and 15400 Madison Ave., Mars Bar.
63. 15315 Madison Ave., Buckeye Beer Engine.
64. 15526 Madison Ave., Goodkind Coffee.
65. 15527-33 Madison Ave., Barrio's Lakewood
66. 17014 Madison Ave., Mullen's of Madison.
67. 18120 Sloane Ave., Immigrant Son.
68. 1332 West 117<sup>th</sup> Street, Dianna's Restaurant.
69. 1528 West 117<sup>th</sup> Street, Dunkin' Donuts.

(Page 23)

**8. Docket No. 03-10-24**

**Communication from David Baas, Assistant Director of Planning and Development  
Amend Ordinance: Medical and Adult Use Marijuana Dispensaries in Commercial Districts**

On February 20, 2024, City Council met to amend Schedule 1129.02 Permitted uses in commercial districts and Chapter 1165 Medical Marijuana Dispensaries, of the Codified Ordinances of the City of Lakewood and to permit Medical and Adult Use Marijuana Dispensaries in Commercial Districts. Ordinance No. 42-2023 was referred to the Planning Commission for its review. (Page 26)

**ADJOURN**



PLANNING COMMISSION

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## Application Cover Page

**Docket No.: 03-06-24**

**Permit No.: PC24-000005**

**Applicant Name: Doug Knoop, HELP Foundation**

**Project Address: 18228 + 18240 Sloane Ave.**

**Project Name: HELP Foundation inc.**

**Proposal: The approval for lot consolidation of P.P.N. 311-16-014 and P.P.N. 311-16-108, pursuant to Section 1155.06 – procedures for lot consolidations and resubdivision. Property is located in the C2, Commercial and Retail district.**

**OWNERS ACCEPTANCE**

I, (We) the undersigned owner(s) of the land shown hereon, do hereby accept this Plat of Consolidation of the same.

Help Foundation Inc.  
Doug Knopp - Chief Asset Officer

**NOTARY**

State of \_\_\_\_\_ }  
County of \_\_\_\_\_ }

Before me a Notary Public in and for said County and State, personally appeared the above named Owner(s) who acknowledged that he did sign the foregoing instrument and that it was his own free act and deed.

In witness whereof, I have hereunto set my hand and official seal at this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Notary Public  
My commission expires \_\_\_\_\_

**PLAT OF CONSOLIDATION OF HELP FOUNDATION INC. 18240 SLOANE AVENUE P.P.N. 311-16-014 P.P.N. 311-16-108 CREATING PARCEL "AA" CITY OF LAKEWOOD, OHIO**

Situated in the City of Lakewood, County of Cuyahoga and State of Ohio and known as being all of Sublot No. 1, 2, 3 and part of Sublot No. 4 in the Mathews & Gilbert High Bridge Park Subdivision No. 4, as shown by the plat recorded in Volume 30, Page 10 of Cuyahoga County Map Records and part of the Original Rockport Township Lot No. 23.

**CITY APPROVALS**

This Plat of Lot Consolidation is accepted and approved by the Planning Commission Chairman of the City of Lakewood, Ohio this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

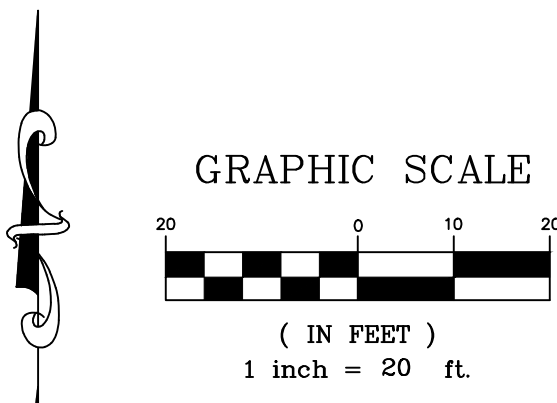
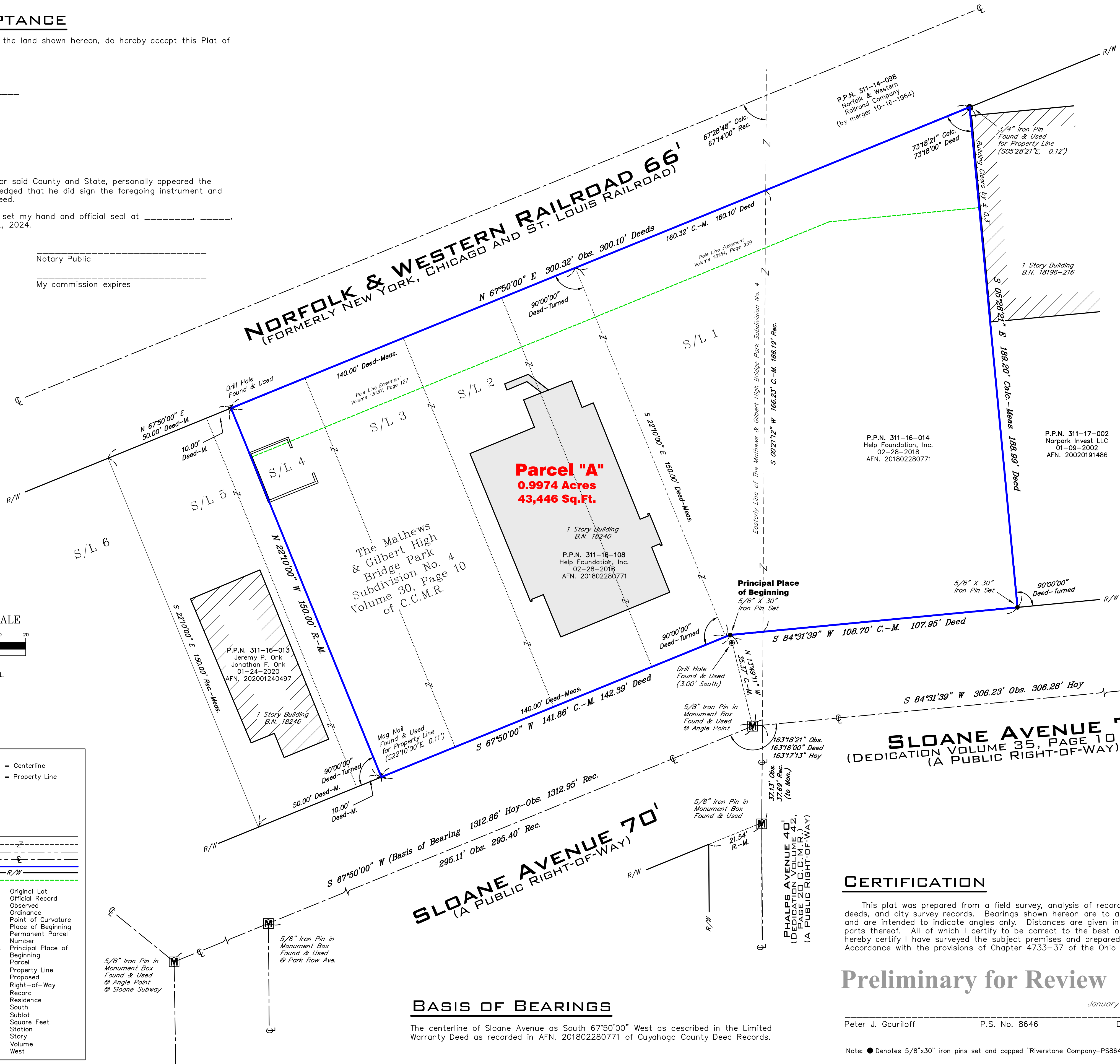
Chairman of City Planning \_\_\_\_\_ Print Name \_\_\_\_\_

This Plat of Lot Consolidation is accepted and approved by the Planning Commission Secretary of the City of Lakewood, Ohio this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Secretary of City Planning \_\_\_\_\_ Print Name \_\_\_\_\_

This Plat of Lot Consolidation is accepted and approved by the Engineer of the City of Lakewood, Ohio this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

City Engineer \_\_\_\_\_ Print Name \_\_\_\_\_



**LEGEND**

	= Monument Box Found		= Centerline
	= Iron Pin Found		= Property Line
	= Iron Pipe Found		
	= 5/8" x 30" Iron Pin Set		
	= Drill Hole Set / Found		
	= Mag Nail Set / Found		

Parcel / Sublot Line	-----
Original Parcel / Sublot Line	-----
Original Lot / Section Line	-----
Centerline	-----
Subject Property Line	-----
Right-of-way Line	-----
Easement Line	-----

A	Arc Length	O.L.	Original Lot
B.N.	Building Number	O.R.	Official Record
Bldg.	Building	Obs.	Observed
C.C.M.R.	Cuyahoga County Map Records	Ord.	Ordinance
Calc./C.	Calculated	P.C.	Point of Curvature
CH	Chord	P.O.B.	Place of Beginning
D.H.	Drill Hole	P.P.N.	Permanent Parcel Number
D.V.	Deed Volume	P.P.O.B.	Principal Place of Beginning
Doc.	Document		
E.	East	Pol.	Parcel
Ex.	Existing	P/L	Property Line
H.N.	House Number	Prop.	Proposed
Inst.	Instrument	R/W	Right-of-Way
Meas./M.	Measured	Rec./R.	Record
N.	North	Res.	Residence
N/A	Not Available	S.	South
O.D.O.T	Ohio Department of Transportation	S/L	Sublot
		Sq.Ft.	Square Feet
		Sta.	Station
		Sty.	Story
		V.Vol.	Volume
		W.	West

**BASIS OF BEARINGS**  
The centerline of Sloane Avenue as South 67°50'00" West as described in the Limited Warranty Deed as recorded in AFN. 201802280771 of Cuyahoga County Deed Records.

**CERTIFICATION**

This plat was prepared from a field survey, analysis of recorded plats, recorded deeds, and city survey records. Bearings shown hereon are to an assumed meridian and are intended to indicate angles only. Distances are given in feet and decimal parts thereof. All of which I certify to be correct to the best of my knowledge. I hereby certify I have surveyed the subject premises and prepared this drawing in accordance with the provisions of Chapter 4733-37 of the Ohio Administrative Code.

**Preliminary for Review**

Peter J. Gauriloff P.S. No. 8646 Date \_\_\_\_\_

Note: ● Denotes 5/8"x30" iron pins set and capped "Riverstone Company-PS8646-PS8740"



LAND SURVEYING - ENGINEERING - DESIGN  
3800 LAKEVIEW AVENUE - SUITE 100  
CLEVELAND - OHIO - 44114  
PHONE: (216) 491-2000 FAX: (216) 491-9640  
WWW.RIVERSTONE.SURVEY.COM

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HELP FOUNDATION LOT CONSOLIDATION - LAKEWOOD

**LEGAL DESCRIPTION  
OF  
PARCEL "A"  
18240 SLOANE AVENUE  
P.P.N. 311-16-014  
P.P.N. 311-16-108  
CITY OF LAKEWOOD**

Situated in the City of Lakewood, County of Cuyahoga and State of Ohio and known as being all of Sublot No. 1, 2, 3 and part of Sublot No. 4 in the Mathews & Gilbert High Bridge Park Subdivision No. 4, as shown by the plat recorded in Volume 30, Page 10 of Cuyahoga County Map Records and part of the Original Rockport Township Lot No. 23 and further bounded and described as follows:

Beginning at a 5/8" iron pin found in a monument box at the centerline intersection of Sloane Avenue (dedicated Volume 35, Page 10 of Cuyahoga County Map Records) (70 feet wide) and Kenilworth Avenue (45 feet wide);

Thence South 84°31'39" West along the centerline of Sloane Avenue, 306.23 feet to a 5/8" iron pin found in a monument box at an angle point in said centerline;

Thence North 13°49'11" West passing through a drill hole found at 32.37 feet, 35.37 feet to a 5/8" iron pin set at an angle point in the northerly right of way of Sloane Avenue and being the **Principal Place of Beginning** of the premises herein described;

Thence South 67°50'00" West along the northerly right of way of Sloane Avenue, 141.86 feet to mag nail found (South 22°10'00" East, 0.11 feet) at the southeasterly corner of land conveyed to Jermy P. Onk and Jonathan F. Onk by the deed recorded in AFN 202001240497 of Cuyahoga County Records;

Thence North 22°10'00" West along the easterly line of land so conveyed to Jermy P. Onk and Jonathan F. Onk, 150.00 feet to a drill hole found on the southerly right of way of the Norfolk & Western Railroad (formerly the New York, Chicago and St. Louis Railroad) (66 feet wide);



Thence North 67°50'00" East along the southerly right of way of the Norfolk & Western Railroad, 300.32 feet to a 3/4" iron pin found (South 05°28'21" East, 0.12 feet) at the northwesterly corner of land conveyed to Norpark Invest LLC by the deed recorded in AFN. 20020191486 of Cuyahoga County Deed Records;

Thence South 05°28'21" East along the easterly line of land so conveyed to Norpark Invest LLC, 189.20 feet to a 5/8" iron pin set on the northerly right of way of Sloane Avenue;

Thence South 84°31'39" West along the northerly right of way of Sloane Avenue, 108.70 feet to the **Principal Place of Beginning**, containing 0.9974 acres as surveyed and described by Peter J. Gauriloff, P.S. No. 8646 of The Riverstone Company in January of 2024 and subject to all legal highways, restrictions, reservations and easements.

Note: All 5/8"x30" iron pins set and capped "Riverstone Company PS6747-PS8646"

**Basis of Bearings:** The centerline of Sloane Avenue as South 67°50'00" West as described in the Limited Warranty Deed as recorded in AFN. 201802280771 of Cuyahoga County Deed Records.

**Deed of Reference:** Land conveyed to Help Foundation, Inc. by the deed dated February 28, 2018 and recorded in AFN 201802280771 of Cuyahoga County Records.

January 9, 2023

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Pete J. Gauriloff

P.S. No. 8646

Date





PLANNING COMMISSION

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## Application Cover Page

**Docket No.: 03-07-24**

**Permit No.: PC24-000008**

**Applicant Name: Jonathan Ziegan, Osborn Engineering**

**Project Address: 11818 + 11810 Madison Ave.**

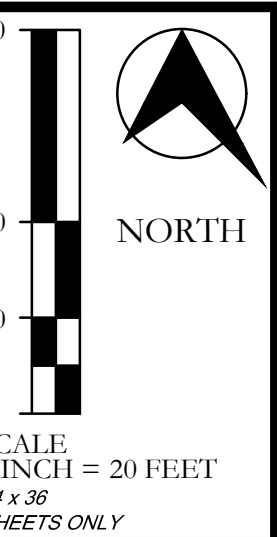
**Project Name: RISE Lakewood**

**Proposal: The approval for lot consolidation of P.P.N. 315-15-017, P.P.N. 315-15-104, and P.P.N 315-15-063 - pursuant to Section 1155.06 – procedures for lot consolidations and resubdivision and then split into parcels "A" and "B" – pursuant to Section 1155.07 – procedures for lot splits. Property is located in the C3, Commercial and Business district.**

3/4" i.pin mon. fd. & used @ P.I.

THE INTENT OF THIS PLAT IS TO CONSOLIDATE PPN'S 315-15-017, 315-15-018, 315-15-019, 315-15-104 & 315-15-063 INTO ONE PARCEL AND THEN SPLIT IT INTO PARCELS "A" & "B" AS SHOWN.

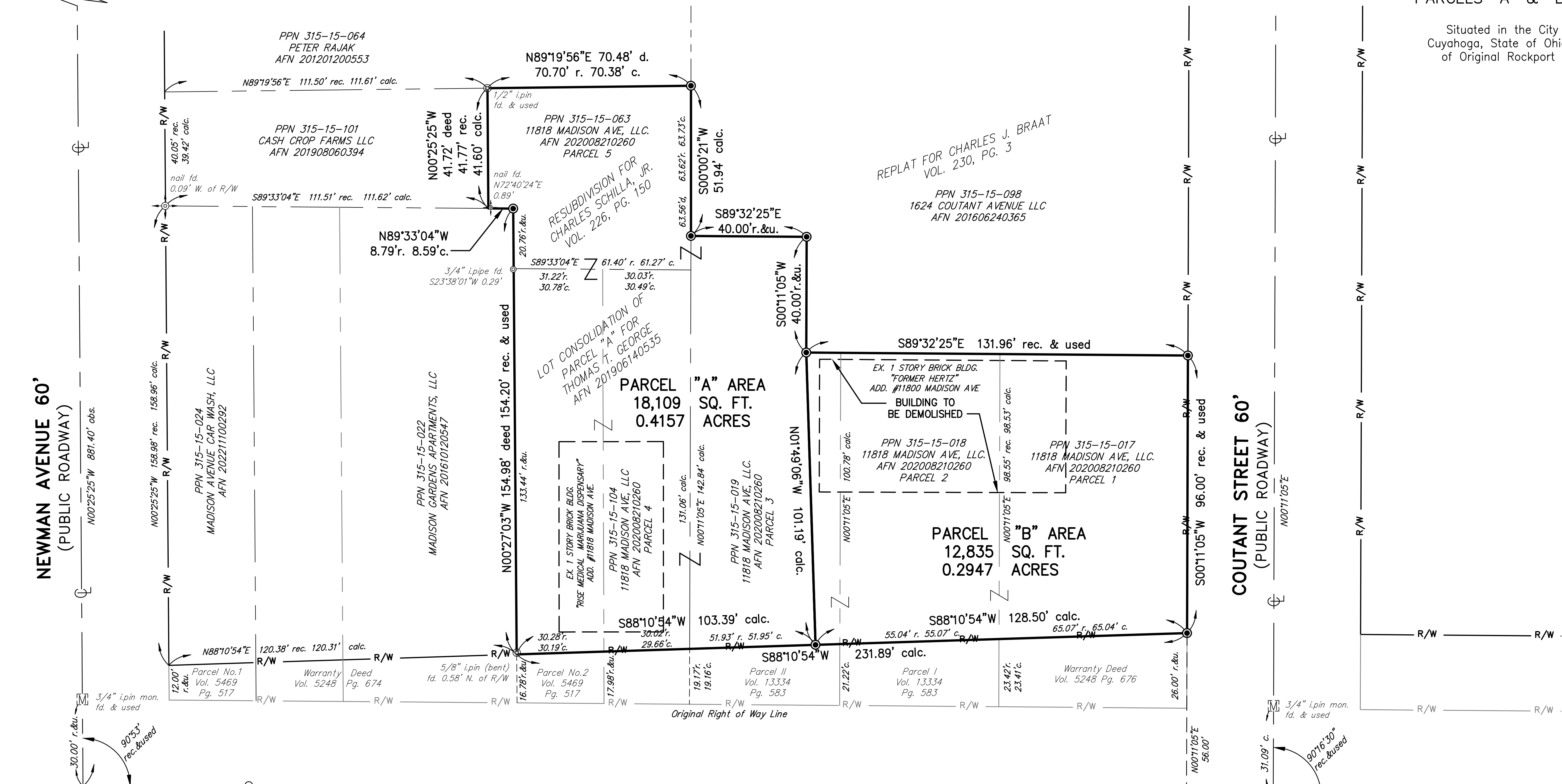
Situated in the City of Lakewood, County of Cuyahoga, State of Ohio and known as being part of Original Rockport Township Section No. 21.



NEWMAN AVENUE 60' (PUBLIC ROADWAY)

COUTANT STREET 60' (PUBLIC ROADWAY)

MADISON AVENUE (WIDTH VARIES) (ORIGINALLY 60') (PUBLIC ROADWAY)



PARCEL "A" AREA 18,109 SQ. FT. 0.4157 ACRES

PARCEL "B" AREA 12,835 SQ. FT. 0.2947 ACRES

REPLAT FOR CHARLES J. BRAAT VOL. 230, PG. 3

LOT CONSOLIDATION OF PARCEL "A" FOR THOMAS T. GEORGE VOL. 226, PG. 150

OWNERS ACCEPTANCE

I, A REPRESENTATIVE OF, 11818 MADISON AVE, LLC., OWNERS OF THE LANDS P.P.N. 315-15-017, 315-15-018, 315-15-019, 315-15-104 & 315-15-063, DO HEREBY ACCEPT THIS PLAT OF LOT SPLIT & CONSOLIDATION OF THE SAME.

BY: ANTHONY GEORGIADIS, AUTHORIZED SIGNATORY PRINTED NAME

NOTARY COUNTY OF STATE OF

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED AUTHORIZED SIGNATORY FOR 11818 MADISON AVE, LLC., OWNERS OF THE LANDS SHOWN HEREON, WHO ACKNOWLEDGED THE SIGNING OF THE FOREGOING INSTRUMENT TO BE THEIR FREE ACT AND DEED PERSONALLY.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL AT, ILLINOIS, THIS DAY OF 20

NOTARY PUBLIC COMMISSION EXPIRATION

APPROVALS:

CITY ENGINEER THIS PLAT IS HEREBY APPROVED, BY THE CITY ENGINEER OF THE CITY OF LAKEWOOD, OHIO THIS DAY OF 20

LAKEWOOD, OHIO CITY ENGINEER PRINT NAME

PLANNING COMMISSION THIS PLAT IS HEREBY APPROVED, BY THE PLANNING COMMISSION OF THE CITY OF LAKEWOOD, OHIO THIS DAY OF 20

PLANNING COMMISSION CHAIRMAN PRINT NAME

PLANNING COMMISSION SECRETARY PRINT NAME

NOTE:

This boundary survey was made without the benefit of a title research report.

SURVEY CERTIFICATION

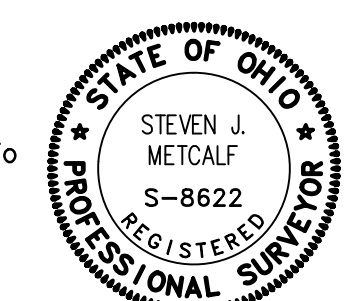
This survey on which it is based was prepared in accordance with and satisfy the minimum standards for boundary surveys in the State of Ohio, as codified in Chapter 4733-37 of the Ohio Administrative Code in effect at the time.

Distances shown hereon are given in feet and decimal parts thereof. The basis of bearings for this survey is an assumed meridian, and is used to denote angles only.

Basis of bearings for this survey is Grid North of NAD83 (2011) Ohio State Plane Coordinate System, North Zone (3401) and is used to denote angles only.

I hereby state to the best of my professional knowledge, information and belief, all to be correct. Field work was performed in October 2023.

Steven J. Metcalf Registered Surveyor No. 8622-Ohio



Pertinent Documents and Sources of Data Used:

Plats: Resubdivision made for Charles Schilla, Jr. Vol. 226, Pg. 150 C.C.M.R.

Replat fo Charles J. Braat Vol. 230, Pg. 03 C.C.M.R.

Lot Consolidation of Parcel "A" for Thomas T. George AFN 201906140535 C.C.M.R.

Deeds: AFN 202008210260 Vol. 5248, Pg. 674 Vol. 5469, Pg. 517

ABBREVIATIONS:

- A.F.N.....AUTOMATIC FILING NUMBER C. or CALC.... CALCULATED C.L..... CENTER LINE C.D.R..... COUNTY DEED RECORD C.M.R..... COUNTY MAP RECORD D..... DEED EX..... EXISTING FD..... FOUND INST..... INSTRUMENT MON..... MONUMENT O. or OBS..... OBSERVED PG..... PAGE R or P/L..... PROPERTY LINE PWMT..... PAVEMENT R. or REC..... RECORD R/W..... RIGHT OF WAY U..... USED VOL..... VOLUME

SYMBOLS

- Iron Pin found as described Monument found as described Drill Hole found P.K. or Magnetic Nail found 5/8"x30" Iron Pin (Neff-8622) SET Drill Hole SET P.K. or Magnetic Nail SET

Table with columns: REV NO, DATE, DESCRIPTION. Includes revision history and DWG metadata.

11818 MADISON AVE., LLC - 11810 & 11818 MADISON AVENUE LOT SPLIT & CONSOLIDATION PLAT CITY OF LAKEWOOD, COUNTY OF CUYAHOGA AND STATE OF OHIO

NEFF & ASSOCIATES Civil Engineers & Surveyors

SHEET NO. 1 OF 1



**NEFF**  
& ASSOCIATES

Civil Engineers + Landscape Architects + Planners + Surveyors

Legal Description

Rise Medical

11810 & 11818 Madison Ave,

**Parcel "A"**

File No. 14894-LD002

February 5, 2024

Page 1 of 3

Situated in the City of Lakewood, County of Cuyahoga, State of Ohio and known as being part of Original Rockport Township Section No. 21 and is further bounded and described as follows:

Beginning at the intersection of the centerline of Madison Avenue (Width Varies) and the centerline of Coutant Street (60 Feet Wide);

Thence North  $89^{\circ}32'25''$  West, along the centerline of said Madison Avenue, a distance of 30.00 feet;

Thence North  $00^{\circ}11'05''$  East, a distance of 56.00 feet to a  $5/8''$  iron pin set at the intersection of the Northerly right of way for said Madison Avenue and the Westerly right of way for said Coutant Street;

Thence South  $88^{\circ}10'54''$  West, along the Northerly right of way for said Madison Avenue, a distance of 128.50 feet to a  $5/8''$  iron pin set and the principal place of beginning of the land herein described;

Course 1 Thence North  $88^{\circ}10'54''$  West, continuing along the Northerly right of way for said Madison Avenue, a distance of 103.39 feet to the Southeasterly corner of a parcel of land conveyed to Madison Gardens Apartments, LLC by deed recorded in AFN 201610120547 of Cuyahoga County Records and witnessed by a  $5/8''$  iron pin (bent) found 0.58 feet North of said right of way;

Course 2 Thence North  $00^{\circ}27'03''$  West, along the Easterly of said Madison Gardens Apartments, LLC parcel, a distance 154.20 feet to a  $5/8''$  iron pin set at the Northeasterly corner of said parcel;

Course 3 Thence North  $89^{\circ}33'04''$  West, along the Northerly line of said Madison Gardens Apartments, LLC parcel, a distance of 8.59 feet to the Southeasterly corner of a parcel of land conveyed to Cash Crop Farms, LLC by deed recorded in AFN 201908060394 of Cuyahoga County Records and witnessed by a MAG nail found North  $72^{\circ}40'24''$  East, a distance of 0.89 feet;

Legal Description  
Rise Medical  
11810 & 11818 Madison Ave,  
**Parcel "A"**  
File No. 14894-LD002  
February 5, 2024  
Page 2 of 3

- Course 4 Thence North 00°25'25" West, along the Easterly line of said Cash Crop Farms, LLC parcel, a distance of 41.60 feet to 1/2" iron pin found at the Northeasterly corner of said Parcel and on the Southerly line of a parcel of land conveyed to Peter Rajak by deed recorded in AFN 201201200553 of Cuyahoga County Records;
- Course 5 Thence North 89°19'56" East, along the Southerly line of said Peter Rajak parcel, a distance of 70.38 feet to a 5/8" iron pin set at the Southeasterly corner of said parcel and on the Westerly line of a parcel of land conveyed to 1624 Coutant Avenue, LLC by deed recorded in AFN 201606240365 of Cuyahoga County Records;
- Course 6 Thence South 00°00'21" West, along the Westerly line of said 1624 Coutant Avenue, LLC parcel, a distance of 51.94 feet to a 5/8" iron pin set at an interior corner of said parcel;
- Course 7 Thence South 89°32'25" East, continuing along the Westerly line of said 1624 Coutant Avenue, LLC parcel, a distance of 40.00 feet to a 5/8" iron pin set at another interior corner of said parcel;
- Course 8 Thence South 00°11'05" West, continuing along the Westerly line of said 1624 Coutant Avenue, LLC parcel, a distance of 40.00 feet to a 5/8" iron pin set at the Southwesterly corner of said parcel;
- Course 9 Thence South 01°49'06" East, a distance of 101.19 feet to the principal place of beginning and containing 0.4157 Acres (18,109 Square Feet) of land according to a surveyed by Steven J. Metcalf, Registered Surveyor No. 8622-Ohio of Neff & Associates, dated October, 2023.

And further known as being Parcel "A" in a Lot Split & Consolidation Plat for 11818 Madison Ave, LLC as shown in recorded plat AFN \_\_\_\_\_ of Cuyahoga County Records.

Basis of bearings for this survey is Grid North of NAD83 (2011) Ohio State Plane Coordinate System, North Zone (3401) and is used to denote angles only.

Legal Description  
Rise Medical  
11810 & 11818 Madison Ave,  
**Parcel "A"**  
File No. 14894-LD002  
February 5, 2024  
Page 3 of 3

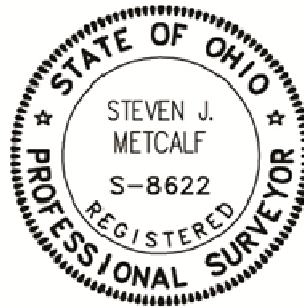
Be the same more or less, but subject to all legal highways and easements of record.

Monuments described as "iron pin set" are 5/8" x 30" rebar capped "Neff & Assoc #8622".



---

Steven J. Metcalf  
Registered Survey No. 8622-Ohio  
Neff & Associates



14894-PARCEL A

Name: PARCEL A

North: 660453.1507' East: 2168971.5108'

Segment #1 : Line

Course: S88°10'54"W Length: 103.39'

North: 660449.8701' East: 2168868.1729'

Segment #2 : Line

Course: N00°27'03"W Length: 154.20'

North: 660604.0653' East: 2168866.9596'

Segment #3 : Line

Course: N89°33'04"W Length: 8.59'

North: 660604.1326' East: 2168858.3698'

Segment #4 : Line

Course: N00°25'25"W Length: 41.60'

North: 660645.7315' East: 2168858.0623'

14894-PARCEL A

Segment #5 : Line

Course: N89°19'56"E Length: 70.38'

North: 660646.5517' East: 2168928.4375'

Segment #6 : Line

Course: S00°00'21"W Length: 51.94'

North: 660594.6117' East: 2168928.4322'

Segment #7 : Line

Course: S89°32'25"E Length: 40.00'

North: 660594.2908' East: 2168968.4309'

Segment #8 : Line

Course: S00°11'05"W Length: 40.00'

North: 660554.2910' East: 2168968.3019'

14894-PARCEL A

Segment #9 : Line

Course: S01°49'06"E      Length: 101.19'

North: 660453.1520'      East: 2168971.5128'

Perimeter: 611.29'      Area: 18109.31 Sq. Ft.

Error Closure:              0.0023      Course: N57°36'01"E

Error North:              0.00124      East: 0.00195

Precision 1: 265778.26



**NEFF**  
& ASSOCIATES

Civil Engineers + Landscape Architects + Planners + Surveyors

Legal Description

Rise Medical

11810 & 11818 Madison Ave,

**Parcel "B"**

File No. 14894-LD003

February 5, 2024

Page 1 of 2

Situated in the City of Lakewood, County of Cuyahoga, State of Ohio and known as being part of Original Rockport Township Section No. 21 and is further bounded and described as follows:

Beginning at the intersection of the centerline of Madison Avenue (Width Varies) and the centerline of Coutant Street (60 Feet Wide);

Thence North  $89^{\circ}32'25''$  West, along the centerline of said Madison Avenue, a distance of 30.00 feet;

Thence North  $00^{\circ}11'05''$  East, a distance of 56.00 feet to a  $5/8''$  iron pin set at the intersection of the Northerly right of way for said Madison Avenue and the Westerly right of way for said Coutant Street and the principal place of beginning of the land herein described;

- Course 1 Thence North  $88^{\circ}10'54''$  West, along the Northerly right of way for said Madison Avenue, a distance of 128.50 feet to a  $5/8''$  iron pin set;
- Course 2 Thence North  $01^{\circ}10'54''$  West, a distance 101.19 feet to a  $5/8''$  iron pin set at the Southeasterly corner of a parcel of land conveyed to 1624 Coutant Avenue, LLC by deed recorded in AFN 201606240365 of Cuyahoga County Records;
- Course 3 Thence South  $89^{\circ}32'25''$  East, along the Southerly line of said 1624 Coutant Avenue, LLC, a distance of 131.96 feet to a  $5/8''$  iron pin set at the Southeasterly corner of said 1624 Coutant Avenue, LLC parcel and on the Westerly right of way for said Coutant Street;
- Course 4 Thence South  $00^{\circ}11'05''$  West, along the Westerly right of way for said Coutant Avenue, a distance of 96.00 feet to the principal place of beginning and containing 0.2947 Acres (12,835 Square Feet) of land according to a surveyed by Steven J. Metcalf, Registered Surveyor No. 8622-Ohio of Neff & Associates, dated October, 2023.

Legal Description  
Rise Medical  
11810 & 11818 Madison Ave,  
**Parcel "B"**  
File No. 14894-LD003  
February 5, 2024  
Page 2 of 2

And further known as being Parcel "B" in a Lot Split & Consolidation Plat for 11818 Madison Ave, LLC as shown in recorded plat AFN \_\_\_\_\_ of Cuyahoga County Records.

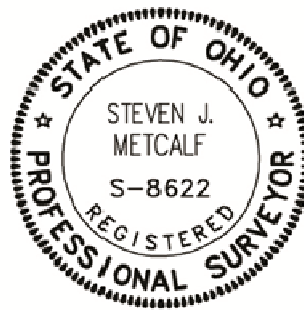
Basis of bearings for this survey is Grid North of NAD83 (2011) Ohio State Plane Coordinate System, North Zone (3401) and is used to denote angles only.

Be the same more or less, but subject to all legal highways and easements of record.

Monuments described as "iron pin set" are 5/8" x 30" rebar capped "Neff & Assoc #8622".



\_\_\_\_\_  
Steven J. Metcalf  
Registered Survey No. 8622-Ohio  
Neff & Associates



14894-PARCEL B

Name: PARCEL B

North: 660553.2293'

East: 2169100.2556'

Segment #1 : Line

Course: S00°11'05"W

Length: 96.00'

North: 660457.2298'

East: 2169099.9461'

Segment #2 : Line

Course: S88°10'54"W

Length: 128.50'

North: 660453.1524'

East: 2168971.5108'

Segment #3 : Line

Course: N01°49'06"W

Length: 101.19'

North: 660554.2914'

East: 2168968.3000'

Segment #4 : Line

Course: S89°32'25"E

Length: 131.96'

North: 660553.2327'

East: 2169100.2557'

14894-PARCEL B

Perimeter: 457.65'      Area: 12835.44 Sq. Ft.

Error Closure:            0.0034      Course: N02°18'16"E

Error North:            0.00337      East: 0.00014

Precision 1: 134602.94



PLANNING COMMISSION

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www.onelakewood.com

## Application Cover Page

**Docket No.: 03-08-24**

**Permit No.: PC24-000006**

**Applicant Name: Suphattra Saichampa**

**Project Address: 15001 Madison Ave.**

**Project Name: The Grooming Loft by Sophie**

**Proposal: The approval for a conditional use permit for the expansion of an existing business, pursuant to Section 1161.03 – Supplemental regulations for specific uses. Property is located in the C2, Commercial and Retail district.**

**COMMERCIAL PROPERTY REVITALIZATION PROGRAM**  
**Property Owner Project Support Statement**

I, RONALD CHERSKINAR, owner of [Property Address] understand that my commercial/retail tenant [Applicant Name] has applied to the City's Commercial Property Revitalization Program and intends to complete the below repairs.

[Insert items checked by applicant on portal]

I am in support of this application and hereby acknowledge that all of the proposed repairs/renovations listed above (and any additional requirements as determined by the Building Commissioner) will require approval by the Architectural Board of Review as one of the components of the program.

RONALD CHERSKINAR  
Property Owner Print Name

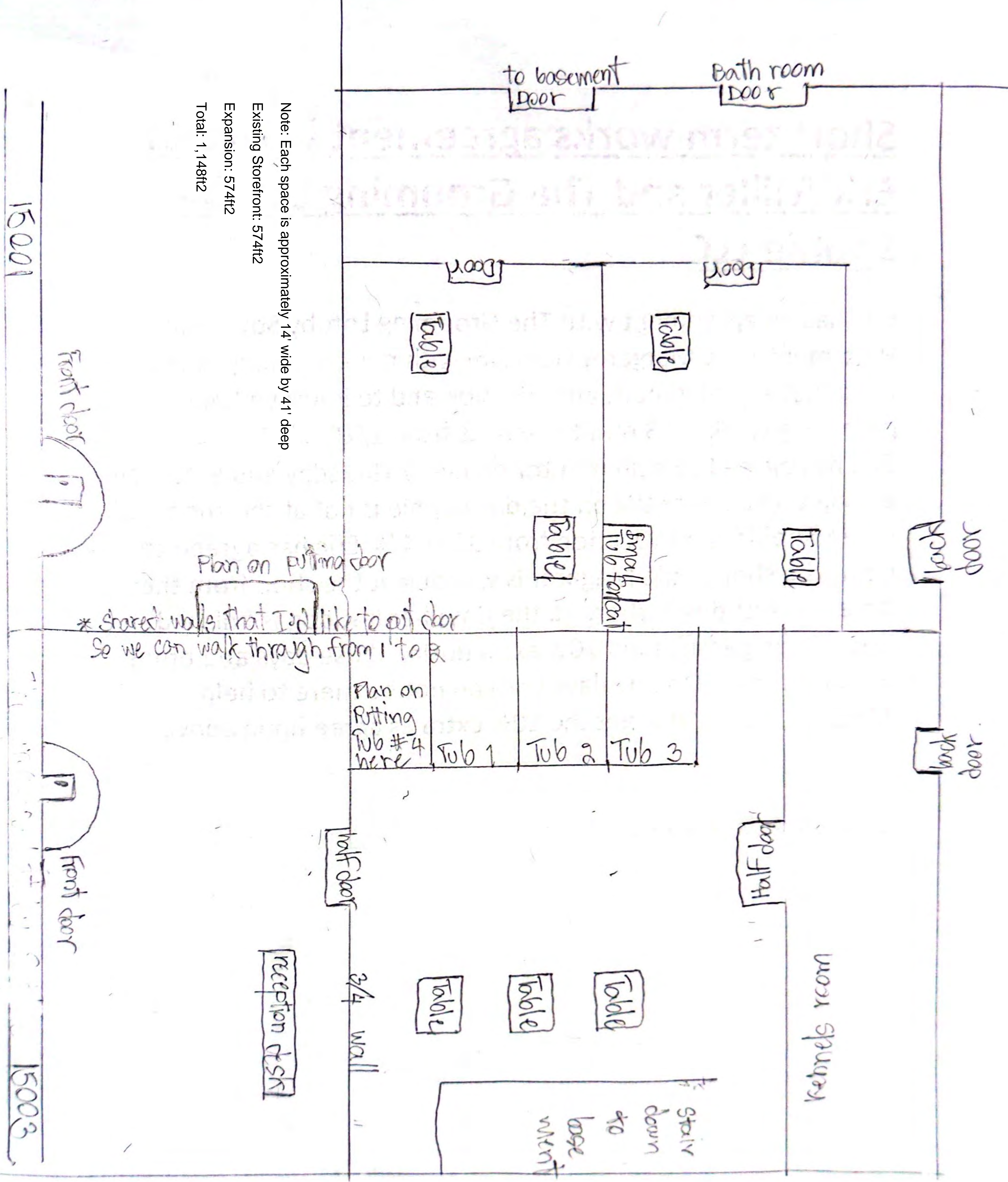
[Signature]  
Property Owner Signature

26-571-3476  
Phone Number

CH10AFPIA7KSIZ@YAHOO.COM  
Email

Date: 3-24-2023

**Note to Applicant: Please submit this completed document through your online account at <https://www.citizenserve.com/Portal/PortalController>**



Note: Each space is approximately 14' wide by 41' deep  
 Existing Storefront: 574ft<sup>2</sup>  
 Expansion: 574ft<sup>2</sup>  
 Total: 1,148ft<sup>2</sup>

15001

15003



**PLANNING COMMISSION**

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## **Communication Cover Page**

**Docket No.: 03-09-24**

**Permit No.: PC24-000007**

**Project: Administrative Renewal of Conditional Use Permit for 2024 Outdoor Seasonal Dining**



PLANNING COMMISSION

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www.lakewoodOH.gov

March 7, 2024

Planning Commission  
Lakewood City Hall  
12650 Detroit Avenue  
Lakewood, Ohio 44107

**Re: Docket No. 03-09-24**  
**Renewal of Conditional Use Permit for Outdoor Seasonal Dining**

Dear Members of the Planning Commission:

Conditional Use Permits for Outdoor/Seasonal Dining can be renewed annually through administrative review by the Department of Planning and Development. In lieu of public meetings, I have approved the renewal for the following businesses that applied and received your approval for the conditional use. The following businesses will have a conditional use permit for outdoor / seasonal dining in 2024:

1. 11801 Clifton Boulevard, Dinerbar on Clifton.
2. 11822 Detroit Ave., The Ohio Inn
3. 11904-08 Detroit Ave., Five O'Clock Lounge.
4. 12401 Detroit Ave., Peppers Italian Restaurant.
5. 14013 Detroit Ave., GetGo.
6. 14018 Detroit Ave., Winking Lizard (two front patios; SE and SW).
7. 14018 Detroit Ave., Lizardville.
8. 14115 Detroit Ave., Raising Cane's Chicken Fingers.
9. 14600 Detroit Ave., Forage Public House.
10. 14701 Detroit Ave., Sauced Tap Room & Kitchen.
11. 14718 Detroit Ave., Melt Bar & Grilled.
12. 14900 Detroit Ave., Rozi's Wine House.
13. 15012 Detroit Ave., Dave's Hot Chicken.
14. 15027 Detroit Ave., Starbucks.
15. 15319 Detroit Ave., Ohio Tea House.
16. 15320 Detroit Ave., Tapster Cleveland.
17. 15326 Detroit Ave., Voodoo Tuna.
18. 15400 Detroit Ave., Humble Wine Bar.
19. 15605-07 1/2 Detroit Ave., Merry Arts Pub + Grille.
20. 15613 Detroit Ave., Nature's Oasis.
21. 15625 Detroit Ave., Bar Italia.
22. 16512 Detroit Ave., Cozumel Mexican Restaurant.
23. 16719 Detroit Ave., Plank Road Tavern.
24. 16900-06 Detroit Ave., Lakewood Beer Garden + Food Truck Park.
25. 16918 Detroit Ave., El Carnicero aka Top Rope.

26. 16934 Detroit Ave., Midtown Booths.
27. 17103 Detroit Ave., Game On Lakewood.
28. 17112 Detroit Ave., Cleveland Vegan.
29. 17625 Detroit Ave., Salt+.
30. 17917 Detroit Ave., Sacred Hour Spa.
31. 18206 Detroit Ave., Ave. Mercury.
32. 18260 Detroit Ave., Cilantro Taqueria.
33. 18401 Detroit Ave., Molto Bene Italian Restaurant.
34. 18405 Detroit Ave., India Garden Bar & Restaurant.
35. 18515 Detroit Ave., Georgetown Restaurant.
36. 18605 Detroit Ave., Harry Buffalo.
37. 18616-18622 Detroit Ave., Around the Corner.
38. 1384 Hird Ave., West 117 Development Phantasy, LLC/Fieldhouse
39. 12700 Lake Ave., Pier W Restaurant.
40. 11922 Madison Ave., East End Bistro.
41. 11926 Madison Ave., The Flying Rib.
42. 12102 Madison Ave., Hola Taco.
43. 12112 Madison Ave., The Winchester.
44. 12401 Madison Ave., Griffin Cider House.
45. 12420 Madison Ave., K-Town Restaurant & Market.
46. 12906 Madison Ave., Barroco (rear patio and sidewalk dining).
47. 13333 Madison Ave., Hammer and Nails.
48. 13362 Madison Ave., Woodstock.
49. 13368 Madison Ave., The BottleHouse Brewery.
50. 13368 Madison Ave., Rising Star Coffee.
51. 13427-29 Madison Ave., Euro Gyro Restaurant.
52. 13603 Madison Ave., Hako Sushi aka AJI Noodle.
53. 13715 Madison Ave., Angelo's Pizza.
54. 13735 Madison Ave., Dang Good Foods.
55. 13741 Madison Ave., Back Alley Social Club
56. 13749 Madison Ave., McGinty's Pub.
57. 14224 Madison Ave., El Tango Taqueria.
58. 14319 Madison Ave., Harlow's Pizza.
59. 14523 Madison Ave., Sarita Restaurant
60. 14810 Madison Ave., The Red Rose Cafe
61. 15023 Madison Ave., Pachamama.
62. 15314 and 15400 Madison Ave., Mars Bar.
63. 15315 Madison Ave., Buckeye Beer Engine.
64. 15526 Madison Ave., Goodkind Coffee.
65. 15527-33 Madison Ave., Barrio's Lakewood
66. 17014 Madison Ave., Mullen's of Madison.
67. 18120 Sloane Ave., Immigrant Son.
68. 1332 West 117<sup>th</sup> Street, Dianna's Restaurant.
69. 1528 West 117<sup>th</sup> Street, Dunkin' Donuts.

Sincerely,

A handwritten signature in black ink, appearing to read 'DB', with a horizontal line extending to the right.

David Baas, Assistant Director  
Planning and Development



**PLANNING COMMISSION**

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## **Communication Cover Page**

**Docket No.: 03-10-24**

**Permit No.: PC24-000009**

**Amend Ordinance: Medical and Adult Use Marijuana Dispensaries in Commercial Districts.**

1st read & referred to PC  
 & HPD 12/18/23  
 2nd reading 1/2/24

ORDINANCE NO. 42-2023

BY: SHACHNER, KEPPLER, MARX, RADER,  
 BAKER

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council to amend Schedule 1129.02 Permitted uses in commercial districts and Chapter 1165 Medical Marijuana Dispensaries, of the Codified Ordinances of the City of Lakewood and to permit Medical and Adult Use Marijuana Dispensaries in Commercial Districts.

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this ordinance is an emergency measure and that it shall take effect immediately and that it is necessary for the immediate preservation of the public property, health, and safety and to provide for the usual daily operation of municipal departments in permitting Medical and Adult Use Marijuana Dispensaries in Commercial Districts should be adopted as soon as possible.

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Schedule 1129.02 Permitted uses in commercial districts of the Lakewood Codified Ordinances, currently reading as follows:

<b>SCHEDULE 1129.02: PERMITTED USES IN COMMERCIAL DISTRICTS (Cont.)</b>				
	<b>C1 OFFICE</b>	<b>C2 RETAIL</b>	<b>C3 GENERAL BUSINESS</b>	<b>C4 PUBLIC SCHOOL</b>
<b>Hard Goods Retail Including:</b>				
Automotive Part and Supplies,	-	P	P	C <sup>7</sup>
Furniture Sales,	-	P	P	C <sup>7</sup>
Hardware and Locksmith Services,	-	P	P	C <sup>7</sup>
Garden Supplies, Nurseries,	-	P	P	C <sup>7</sup>
Lumber and Building Supplies,	-	P	P	C <sup>7</sup>
Appliance Repair and Sales, and	-	P	P	C <sup>7</sup>
Display and Showrooms for any	-	P	P	C <sup>7</sup>
Building Product.	-	P	P	C <sup>7</sup>
<b>Personal Care Services Including:</b>				
Barber and Beauty Shops,	C <sup>2</sup>	P	P	C <sup>2, 7</sup>
Cosmetology and Cosmetic Salons,	C <sup>2</sup>	P	P	C <sup>2, 7</sup>
Diet Counseling Centers,	C <sup>2</sup>	P	P	C <sup>2, 7</sup>
Electrolysis Services,	C <sup>2</sup>	P	P	C <sup>2, 7</sup>

Fingernail and Tanning Salons, and	C <sup>2</sup>	P	P	C <sup>2,7</sup>
Massotherapy Services.	C <sup>2</sup>	P	P	C <sup>2,7</sup>
<b>OTHER RETAIL/SERVICES Including:</b>				
Animal Clinics/Hospitals,	-	C	P	C <sup>7</sup>
Veterinarian Offices, and	-	C	P	C <sup>7</sup>
Grooming Services.	-	C	P	C <sup>7</sup>
Medical Marijuana Dispensaries.	C <sup>9</sup>	C <sup>9</sup>	C <sup>9</sup>	
<b>LAUNDROMAT</b>	-	P	P	C <sup>7</sup>
<b>STORAGE WHOLESALE/UTILITY Including:</b>				
Warehousing,	-	-	C	-
Wholesale Trade Operations,	-	-	C	-
Self-Storage Facility.	-	-	C	-
<b>AUTOMOTIVE SERVICES</b>				
Gasoline Service Station	-	C	P	-
Motor Vehicle Sales and Leasing	-	C	P	-
Motor Vehicle Repair Shop	-	C	C	-
Motor Vehicle Rental or Leasing Agency	C	C	C	-
Motor Vehicle Washing/Detailing Facility	-	C	C	-

is hereby repealed.

Section 2. That new Schedule 1129.02 of the Lakewood Codified Ordinances, is hereby enacted as follows:

<b>SCHEDULE 1129.02: PERMITTED USES IN COMMERCIAL DISTRICTS (Cont.)</b>				
	<b>C1 OFFICE</b>	<b>C2 RETAIL</b>	<b>C3 GENERAL BUSINESS</b>	<b>C4 PUBLIC SCHOOL</b>
<b>Hard Goods Retail Including:</b>				
Automotive Part and Supplies,	-	P	P	C <sup>7</sup>
Furniture Sales,	-	P	P	C <sup>7</sup>
Hardware and Locksmith Services,	-	P	P	C <sup>7</sup>
Garden Supplies, Nurseries,	-	P	P	C <sup>7</sup>
Lumber and Building Supplies,	-	P	P	C <sup>7</sup>
Appliance Repair and Sales, and	-	P	P	C <sup>7</sup>
Display and Showrooms for any	-	P	P	C <sup>7</sup>
Building Product.	-	P	P	C <sup>7</sup>

<b>Personal Care Services</b> <i>Including:</i>				
Barber and Beauty Shops,	C <sup>2</sup>	P	P	C <sup>2,7</sup>
Cosmetology and Cosmetic Salons,	C <sup>2</sup>	P	P	C <sup>2,7</sup>
Diet Counseling Centers,	C <sup>2</sup>	P	P	C <sup>2,7</sup>
Electrolysis Services,	C <sup>2</sup>	P	P	C <sup>2,7</sup>
Fingernail and Tanning Salons, and	C <sup>2</sup>	P	P	C <sup>2,7</sup>
Massotherapy Services.	C <sup>2</sup>	P	P	C <sup>2,7</sup>
<b>OTHER RETAIL/SERVICES</b> <i>Including:</i>				
Animal Clinics/Hospitals,	-	C	P	C <sup>7</sup>
Veterinarian Offices, and	-	C	P	C <sup>7</sup>
Grooming Services.	-	C	P	C <sup>7</sup>
Medical Marijuana Dispensaries.	C <sup>9</sup>	C <sup>9</sup>	C <sup>9</sup>	
<b>LAUNDROMAT</b>	-	P	P	C <sup>7</sup>
<b>STORAGE WHOLESALE/UTILITY</b> <i>Including:</i>				
Warehousing,	-	-	C	-
Wholesale Trade Operations,	-	-	C	-
Self-Storage Facility.	-	-	C	-
<b>AUTOMOTIVE SERVICES</b>				
Gasoline Service Station	-	C	P	-
Motor Vehicle Sales and Leasing	-	C	P	-
Motor Vehicle Repair Shop	-	C	C	-
Motor Vehicle Rental or Leasing Agency	C	C	C	-
Motor Vehicle Washing/Detailing Facility	-	C	C	-

Section 3. Chapter 1165 Medical Marijuana Dispensaries is hereby retitled Marijuana Dispensaries.

Section 4. Section 1165.01 Purpose of the Lakewood Codified Ordinances, currently reading as follows:

**1165.01 PURPOSE.**

It is the purpose of this chapter to regulate medical marijuana dispensaries in order to promote the health, safety, morals, and general welfare of the citizens of the City and to establish reasonable and uniform regulations to prevent the deleterious location and concentration of medical marijuana dispensaries within the City.

is hereby repealed.

Section 5. That new Section 1165.01 of the Lakewood Codified Ordinances is hereby enacted as follows:

It is the purpose of this chapter to regulate ~~medical~~ marijuana dispensaries in order to promote the health, safety, morals, and general welfare of the citizens of the City and to establish reasonable and uniform regulations to prevent the deleterious location and concentration of ~~medical~~ marijuana dispensaries within the City.

Section 6. Section 1165.02 Definitions of the Lakewood Codified Ordinances, currently reading as follows:

#### 1165.02 DEFINITIONS.

For purposes of this chapter,

- (a) "Medical marijuana" shall have the same meaning as in R.C. 3796.01.
- (b) "School," "church," "public library," "public playground," and "public park" shall have the same meanings as is R.C. 3796.30.
- (c) "Dispensary" shall have the same meaning as in Ohio Admin. Code 3796:1-1-01 or subsequent similar regulations.
- (d) "Licensee" means a person in whose name a license to operate a medical marijuana dispensary has been issued under Chapter 77, as well as the individual(s) designated on the license application as principally responsible for the operation of the medical marijuana dispensary.
- (e) "Operate" means to control or hold primary responsibility for the operation of a medical marijuana dispensary, either as a business entity, as an individual, or as part of a group of individuals with shared responsibility. "Operate" or "cause to be operated" shall mean to cause to function or to put or keep in operation. Operator means any persons on the premises of a medical marijuana dispensary who is authorized to exercise overall operational control or hold primary responsibility for the operation of a medical marijuana dispensary or who causes to function or who puts or keeps in operation the business. A person may be found to be operation or causing to be operated a medical marijuana dispensary whether or not that person is an owner, part owner, or licensee of the business.
- (f) "Person" means an individual, proprietorship, partnership, firm, association, joint stock company, corporation or combination of individuals of whatever form or character.
- (g) "Director" shall mean the Director of Planning and Development.

is hereby repealed.

Section 7. That new Section 1165.02 of the Lakewood Codified Ordinances is hereby enacted as follows:

For purposes of this chapter,

- (a) "~~Medical m~~Medical Marijuana" shall have the same meaning as in R.C. ~~3796.01~~ 3719.01.
- (b) "School," "church," "public library," "public playground," and "public park" shall have the same meanings as is R.C. 3796.30.
- (c) "Dispensary" ~~shall have the same meaning as in Ohio Admin. Code 3796:1-1-01 or subsequent similar regulations~~ means an entity licensed pursuant to sections 3796.10 and/or 3780.17 and any rules promulgated thereunder to sell adult use and/or medical marijuana as authorized.
- (d) "Licensee" means a person in whose name a license to operate a medical marijuana dispensary has been issued under Chapter ~~779~~, as well as the individual(s) designated on the license application as principally responsible for the operation of the ~~medical~~ marijuana dispensary.
- (e) "Operate" means to control or hold primary responsibility for the operation of a medical and/or adult use marijuana dispensary, either as a business entity, as an individual, or as part of a group of individuals with shared responsibility. "Operate" or "cause to be operated" shall mean to cause to function or to put or keep in operation. Operator means any persons on the premises of a medical and/or adult use marijuana dispensary who is authorized to exercise overall operational control or hold primary responsibility for the operation of a medical marijuana dispensary or who causes to function or who puts or keeps in operation the business. A person may be found to be operation or causing to be operated a medical marijuana dispensary whether or not that person is an owner, part owner, or licensee of the business.
- (f) "Person" means an individual, proprietorship, partnership, firm, association, joint stock company, corporation or combination of individuals of whatever form or character.
- (g) "Director" shall mean the Director of Planning and Development.

Section 8. Section 1165.03 Location of medical marijuana dispensaries of the Lakewood Codified Ordinances, currently reading as follows:

**1165.03 LOCATION OF MEDICAL MARIJUANA DISPENSARIES.**

- (a) Medical marijuana dispensaries may be located only in a C1 Office, C2 Retail, and C3 General Business Districts as a conditionally permitted use pursuant to Section 1129.02 and Chapter 1161 and in accordance with the restrictions contained in this chapter.
- (b) No medical marijuana dispensaries may be established or operated within 500 feet of a school, church, public library, public playground, or public park in the City.
- (c) No medical marijuana dispensary may be established, operated or enlarged within 1,000 feet of another medical marijuana dispensary.
- (d) Not more than one medical marijuana dispensary shall be established or operated in the same building, structure, or portion thereof.
- (e) For the purpose of subsections (b) and (c) of this section, measurement shall be made from the nearest portion of the building or structure used as the part of the premises where a medical

marijuana dispensary is conducted, to the nearest property line of the premises of a medical marijuana dispensary or a school, church, public library, public playground, or public park.

is hereby repealed.

Section 9. That new Section 1165.03 of the Lakewood Codified Ordinances is hereby enacted as follows:

**1165.03 LOCATION OF ~~MEDICAL~~ MARIJUANA DISPENSARIES.**

(a) ~~Medical m~~Marijuana dispensaries may be located only in a C1 Office, C2 Retail, and C3 General Business Districts as a conditionally permitted use pursuant to Section 1129.02 and Chapter 1161 and in accordance with the restrictions contained in this chapter.

(b) No ~~medical~~ marijuana dispensaries may be established or operated within 500 feet of a school, church, public library, public playground, or public park in the City.

(c) No ~~medical~~ marijuana dispensary may be established, operated or enlarged within 1,000 feet of another ~~medical~~ marijuana dispensary.

(d) Not more than one ~~medical~~ marijuana dispensary shall be established or operated in the same building, structure, or portion thereof. This subsection is not meant to prohibit a marijuana dispensary from selling both medical and adult use marijuana.

(e) For the purpose of subsections (b) and (c) of this section, measurement shall be made from the nearest portion of the building or structure used as the part of the premises where a ~~medical~~ marijuana dispensary is conducted, to the nearest property line of the premises of a ~~medical~~ marijuana dispensary or a school, church, public library, public playground, or public park.

Section 10. Section 1165.04 Design guidelines for medical marijuana dispensaries of the Lakewood Codified Ordinances, currently reading as follows:

**1165.04 DESIGN GUIDELINES FOR MEDICAL MARIJUANA DISPENSARIES.**

(a) Parking for a medical marijuana dispensary shall be configured so as to prevent vehicular headlights from shining into adjacent residentially zoned and/or used property. Parking areas configured such that vehicular headlights are directed toward public rights-of-way across from residentially zoned and/or used property shall provide continuous screening and shall conform to the design requirements set forth in Chapter 1325 of the Building Code and be approved by the Architectural Board of Review. Landscaping and screening shall be continuously maintained and promptly restored, if necessary, pursuant to Chapter 1141.

(b) Ingress and egress drives and primary circulation lanes shall be located away from residential areas where practical to minimize vehicular traffic and noise which may become a nuisance to adjacent residential areas.

(c) All building entrances intended to be utilized by patrons shall be located on the side(s) of the building which does not abut residentially zoned and/or used property, whenever possible, to minimize the potential for patrons to congregate and create noise which may become a nuisance to adjacent residential areas.

(d) All exterior site and building lighting, which shall be provided, must be approved by the Architectural Board of Review pursuant to Chapter 1325 of the Building Code, and such design shall minimize the intrusive effect of glare and illumination upon any abutting areas, especially residential.

(e) Any medical marijuana dispensary adjacent to a residential district and/or use shall contain a minimum six-foot-high solid fence along such abutting property lines and be approved by the Architectural Board of Review pursuant to Chapter 1325.

(f) Rules, regulations and local permitting requirements imposed on a licensee by the City shall be interpreted in all instances to conform to the state licensing requirements for dispensaries, but in the event the City's rules, regulations and permitting requirements impose a greater obligation on a licensee than the state licensing requirements, the local provisions shall be enforced.

(g) Applicants must meet any additional criteria and fulfill any additional requirements associated with obtaining a conditional use permit in the City. The City shall review all qualifying applications at a reasonable pace and level of review equivalent to other land use projects requiring a conditional use permit.

is hereby repealed.

Section 11. That new Section 1165.04 of the Lakewood Codified Ordinances is hereby enacted as follows:

**1165.04 DESIGN GUIDELINES FOR ~~MEDICAL~~ MARIJUANA DISPENSARIES.**

(a) Parking for a ~~medical~~ marijuana dispensary shall be configured so as to prevent vehicular headlights from shining into adjacent residentially zoned and/or used property. Parking areas configured such that vehicular headlights are directed toward public rights-of-way across from residentially zoned and/or used property shall provide continuous screening and shall conform to the design requirements set forth in Chapter 1325 of the Building Code and be approved by the Architectural Board of Review. Landscaping and screening shall be continuously maintained and promptly restored, if necessary, pursuant to Chapter 1141.

(b) Ingress and egress drives and primary circulation lanes shall be located away from residential areas where practical to minimize vehicular traffic and noise which may become a nuisance to adjacent residential areas.

(c) All building entrances intended to be utilized by patrons shall be located on the side(s) of the building which does not abut residentially zoned and/or used property, whenever possible, to minimize the potential for patrons to congregate and create noise which may become a nuisance to adjacent residential areas.

(d) All exterior site and building lighting, which shall be provided, must be approved by the Architectural Board of Review pursuant to Chapter 1325 of the Building Code, and such design shall minimize the intrusive effect of glare and illumination upon any abutting areas, especially residential.

(e) Any ~~medical~~ marijuana dispensary adjacent to a residential district and/or use shall contain a minimum six-foot-high solid fence along such abutting property lines and be approved by the Architectural Board of Review pursuant to Chapter 1325.

(f) Rules, regulations and local permitting requirements imposed on a licensee by the City shall be interpreted in all instances to conform to the state licensing requirements for dispensaries, but in the event the City's rules, regulations and permitting requirements impose a greater obligation on a licensee than the state licensing requirements, the local provisions shall be enforced.

(g) Applicants must meet any additional criteria and fulfill any additional requirements associated with obtaining a conditional use permit in the City. The City shall review all qualifying applications at a reasonable pace and level of review equivalent to other land use projects requiring a conditional use permit.

Section 12. Section 1165.05 Off-street parking of the Lakewood Codified Ordinances, currently reading as follows:

**1165.05 OFF-STREET PARKING.**

Off-Street parking for a medical marijuana dispensary shall be provided, pursuant to Chapter 1143, except that the Commission may require an off-street parking plan.

is hereby repealed.

Section 13. That new Section 1165.05 of the Lakewood Codified Ordinances is hereby enacted as follows:

Off-Street parking for a ~~medical~~ marijuana dispensary shall be provided, pursuant to Chapter 1143, except that the Commission may require an off-street parking plan.

Section 14. Section 1165.06 Sign regulations for medical marijuana dispensaries of the Lakewood Codified Ordinances, currently reading as follows:

**1165.06 SIGN REGULATIONS FOR MEDICAL MARIJUANA DISPENSARIES.**

(a) All signs for a medical marijuana dispensary shall be wall signs or window signs as defined in Section 1329.03(c) of the Building Code and shall be constructed and located in conformance with all applicable provisions of Chapter 1329 of the Building Code.

(b) All signs for a medical marijuana dispensary shall be maintained in accordance with Section 1329.13 of the Building Code and may be ordered to be removed in accordance with the provisions of that Section.

(c) No merchandise or pictures of the products on the premises of a medical marijuana dispensary shall be displayed on signs, in window areas or any area where they can be viewed from the sidewalk or street in front of the building. No sign shall bear any image depicting or describing a marijuana leaf or the combustion of plant material, whether by means of display, decoration, sign, window or any other means.

(d) Window areas of a medical marijuana dispensary shall not be covered or made opaque in any way. A one-square-foot sign shall be placed on the door to state hours of operation. Additional signage to conform to the requirements Section 779.16 may be permitted.

is hereby repealed.

Section 15. That new Section 1165.06 of the Lakewood Codified Ordinances is hereby enacted as follows:

**1165.06 SIGN REGULATIONS FOR ~~MEDICAL~~ MARIJUANA DISPENSARIES.**

(a) All signs for a ~~medical~~ marijuana dispensary shall be wall signs or window signs as defined in Section 1329.03(c) of the Building Code and shall be constructed and located in conformance with all applicable provisions of Chapter 1329 of the Building Code.

(b) All signs for a ~~medical~~ marijuana dispensary shall be maintained in accordance with Section 1329.13 of the Building Code and may be ordered to be removed in accordance with the provisions of that Section.

(c) No merchandise or pictures of the products on the premises of a ~~medical~~ marijuana dispensary shall be displayed on signs, in window areas or any area where they can be viewed from the sidewalk or street in front of the building. No sign shall bear any image depicting or describing a marijuana leaf or the combustion of plant material, whether by means of display, decoration, sign, window or any other means.

(d) Window areas of a ~~medical~~ marijuana dispensary shall not be covered or made opaque in any way. A one-square-foot sign shall be placed on the door to state hours of operation. Additional signage to conform to the requirements Section 779.16 may be permitted.

Section 16. Section 1165.07 Licensing of the Lakewood Codified Ordinances, currently reading as follows:

**1165.07 LICENSING.**

Medical marijuana dispensaries as described in Section 1165.03 herein shall be licensed and operated pursuant to Chapter 779.

is hereby repealed.

Section 17. That new Section 1165.07 of the Lakewood Codified Ordinances is hereby enacted as follows:

~~Medical m~~Marijuana dispensaries as described in Section 1165.03 herein shall be licensed and operated pursuant to Chapter 779.

Section 18. Section 1165.08 Hearing; renewal; revocation of the Lakewood Codified Ordinances, currently reading as follows:

**1165.08 HEARING; RENEWAL; REVOCATION.**

(a) Notwithstanding anything in this chapter or section to the contrary, any conditional use permit application for a medical marijuana dispensary shall be heard by the Planning Commission and, if approved, shall expire 12 months from the date of issuance. Subsequent renewal of the conditional use permit may be made administratively by the Director if no significant modifications to the conditions of the permit have been proposed and no violations have been determined. Violations may include, for example, legitimate loitering complaints, excessive police calls to the immediate vicinity, noise complaints, non-compliance with the terms of the conditional use permit, or non-compliance with other applicable state or local regulation. The licensee shall have a reasonable opportunity and time to cure the complaint or possible non-compliance as defined in this section before being subject to revocation or suspension.

(b) Determination of administrative renewal is at the discretion of the Director. Renewal applications must be submitted in writing at least 30 days prior to expiration of permit.

(c) The conditional use permit for a medical marijuana dispensary is non-transferable.

(d) Notwithstanding anything in this chapter or section to the contrary, any conditional use permit granted for a medical marijuana dispensary may be revoked by the Planning Commission after referral to the Planning Commission by the Director and after a public hearing on whether violations have occurred or the spirit and intent of the conditional use permit has not been met. Notice of such hearing shall be sent to the licensee and to others pursuant to Section 1173.07(b)(2) of this Code as if a zoning change were requested.

is hereby repealed.

Section 19. That new Section 1165.08 of the Lakewood Codified Ordinances is hereby enacted as follows:

(a) Notwithstanding anything in this chapter or section to the contrary, any conditional use permit application for a ~~medical~~ marijuana dispensary shall be heard by the Planning Commission and, if approved, shall expire 12 months from the date of issuance. Subsequent renewal of the conditional use permit may be made administratively by the Director if no significant modifications to the conditions of the permit have been proposed and no violations have been determined. Violations may include, for example, legitimate loitering complaints, excessive police calls to the immediate vicinity, noise complaints, non-compliance with the terms of the conditional use permit, or non-compliance with other applicable state or local regulation. The licensee shall have a reasonable opportunity and time to cure the complaint or possible non-compliance as defined in this section before being subject to revocation or suspension.

(b) Determination of administrative renewal is at the discretion of the Director. Renewal applications must be submitted in writing at least 30 days prior to expiration of permit.

(c) The conditional use permit for a ~~medical~~ marijuana dispensary is non-transferable.

(d) Notwithstanding anything in this chapter or section to the contrary, any conditional use permit granted for a ~~medical~~ marijuana dispensary may be revoked by the Planning Commission after referral to the Planning Commission by the Director and after a public hearing on whether violations have occurred or the spirit and intent of the conditional use permit has not been met.

Notice of such hearing shall be sent to the licensee and to others pursuant to Section 1173.07(b)(2) of this Code as if a zoning change were requested.

Section 20. It is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council, and that all such deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 21. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this resolution, and provided it receives the affirmative vote of at least two thirds of members of Council, this resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Adopted: \_\_\_\_\_

\_\_\_\_\_  
Sarah Kepple, President of Council

\_\_\_\_\_  
Maureen M. Bach, Clerk of Council

Approved: \_\_\_\_\_

\_\_\_\_\_  
Meghan F. George, Mayor