

**AGENDA
PLANNING COMMISSION
NOVEMBER 2, 2017
LAKEWOOD CITY HALL**

**PRE-REVIEW MEETING
6:30 P.M.
COUNCIL CONFERENCE ROOM**

Review docket items

**REGULAR MEETING
7:00 P.M.
AUDITORIUM**

1. Roll Call
2. Approve the Minutes of the October 5, 2017 meeting
3. Opening Remarks

**NEW BUSINESS
COMMUNICATION**

4. **Docket No. 11-24-17
Outdoor Dining During Light Up Lakewood 2017 as Presented by Planning and Development**

The City of Lakewood requests an exception to the Outdoor Dining Regulations in order to permit establishments with outdoor dining facilities within the event footprint to be open during Light Up Lakewood on December 2, 2017:

Chapter 1161.03 (t) (14) An Outdoor/Seasonal Dining Facility shall operate only between the hours of 11:00 a.m. and 10:00 p.m. Sunday through Thursday, 11:00 a.m. Friday to 1:00 a.m. Saturday and 11:00 a.m. Saturday to 1:00 a.m. Sunday, only between the months of April through and inclusive of October. The limitations set forth herein, and any additional limitations placed on hours of operation as may be determined by the Planning Commission, are designed to assure adequate peace, quiet and serenity in the evening and morning hours during which residents of the City are entitled to enjoy a period of rest and relaxation without intrusion from the possibilities of excessive noise and activity in adjacent areas. (Page 4)

LOT CONSOLIDATION

5. **Docket No. 11-25-17
1636 Mars Avenue**

Darren Mancuso, Relief Properties, Inc., property owner and applicant requests the review and approval for a lot split (PPN 314-03-054); the intent is to split the parcel into two in order to remove an existing garage and build a new single family home on one parcel and build a garage on the other parcel that has an existing home. The property is located in an R2 – Single and Two-Family Residential district. (Page 5)

6. **Docket No. 11-26-17**

**1470 Warren Road and 1470 Victoria Avenue
Lakewood Board of Education**

Steven J. Metcalf, P.S., Neff & Associates, applicant requests the review and approval for a lot split of PPN 314-04-019 (Board of Education) and consolidation with PPN 314-02-003 (Grant Elementary School). The property is located in a C4 - Commercial, Public School district. (Page 9)

**OLD BUSINESS
CONDITIONAL USE**

7. **Docket No. 10-21-17
13367-69 Madison Avenue
Great Lakes Medicinal, Inc.**

Stephen Ernst, Great Lakes Medicinal, Inc., applicant requests the review and approval of a Conditional Use in order to operate the Great Lakes Medicinal medical marijuana business; pursuant to Section 1129.02 - principal and conditional permitted uses. The property is located in a C2 - Commercial, Retail district. This item was deferred from the October 5, 2017 meeting. (Page 21)

**NEW BUSINESS
CONDITIONAL USE**

8. **Docket No. 11-27-17
18605 Detroit Avenue
GTI Ohio LLC**

Robert George, GTI Ohio LLC, applicant requests the review and approval of a Conditional Use in order to operate a Medical Marijuana Dispensary; pursuant to Section 1129.02 - principal and conditional permitted uses. The property is located in a C2 - Commercial, Retail district. (Page 36)

9. **Docket No. 11-28-17
11906-11912 Madison Avenue
Infleursion, LLC**

Dvora Nelson Jeter, Infleursion, LLC, applicant requests the review and approval of a Conditional Use in order to operate a Medical Marijuana Dispensary; pursuant to Section 1129.02 - principal and conditional permitted uses; subject to the applicant successfully obtaining a provisional license to operate a dispensary from the Ohio Board of Pharmacy. The property is located in a C2 - Commercial, Retail district. (Page 55)

**OLD BUSINESS
COMMUNICATION**

10. **Docket No. 10-22-17
Proposed Changes to Chapter 1161, Conditional Use Permit to Allow the Operation of Body Art Establishments**

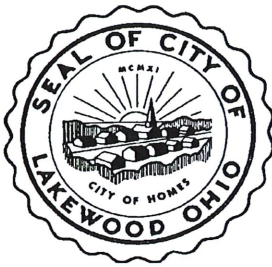
The Department of Planning and Development staff will deliver a communication regarding the proposed changes to Chapter 1161, Conditional Uses, to conditionally permit body art establishments in the City. This item was deferred from the October 5, 2017 meeting. (Page 98)

**NEW BUSINESS
COMMUNICATION**

11. **Docket No. 11-29-17
Parking Plan Review Fee Chapter 1143 and 1173**

The Department of Planning and Development staff will deliver a communication for review and recommendation to City Council regarding the proposed changes to Chapters 1143 and 1173, to add a parking plan review fee. This item was referred to the Planning Commission by City Council at its October 16, 2017 meeting. (Page 99)

ADJOURN



PLANNING COMMISSION

12650 Detroit Avenue • 44107 • (216) 529-6630 • FAX (216) 529-5907
www.onelakewood.com

November 2, 2017

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

**Communication: Outdoor Dining During Light Up Lakewood 2017 as Presented by
Planning and Development Staff**

Dear Members of the Planning Commission:

The City of Lakewood requests an exception to the Outdoor Dining Regulations in order to permit establishments with outdoor dining facilities within the event footprint to be open during Light Up Lakewood on December 2, 2017:

Chapter 1161.03 (t) (14) An Outdoor/Seasonal Dining Facility shall operate only between the hours of 11:00 a.m. and 10:00 p.m. Sunday through Thursday, 11:00 a.m. Friday to 1:00 a.m. Saturday and 11:00 a.m. Saturday to 1:00 a.m. Sunday, only between the months of April through and inclusive of October. The limitations set forth herein, and any additional limitations placed on hours of operation as may be determined by the Planning Commission, are designed to assure adequate peace, quiet and serenity in the evening and morning hours during which residents of the City are entitled to enjoy a period of rest and relaxation without intrusion from the possibilities of excessive noise and activity in adjacent areas.

Sincerely,

Katelyn Z. Milius

Katelyn Milius, Planner
Secretary

Account: 101-0000-321. 30-03 (Sim. Use, Con. Use, Use Var)
Account: 101-000-349. 60-00 (Minor-Sub, Lot Split/Con, PD)

REFERENCE No. PL17-002156
DOCKET No. 11-25-17
FEE PAID \$200.00 je ce

APPLICATION
LAKWOOD PLANNING COMMISSION

Property Address 1636 Mars Ave Business/Tenant Name Relief Propeties, Inc.
Property Owner Name Relief Properties, Inc. Owner Phone 216-225-9474
Owner E-mail darren@reliefpropertiesinc.com Zoning _____ Parcel Number 314-03-054
Project Summary Split existing parcel in to two separate lots. Owner intends to remove existing garage on parcel A, build a SF home with garage on parcel A, and build a garage on parcel B.

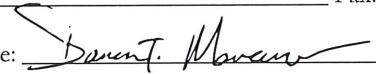
Late Applications Will Not Be Accepted. (See calendar on page 2 for deadlines)

ACTION REQUESTED (Check all that apply)

- Minor Sub-Division – (Commercial \$200, Residential \$200, Planned Development \$500)
- Lot Consolidation/Lot Split – (Commercial \$200, Residential \$200, Planned Development \$500)
- Planned Development – (\$500)
- Similar Use – (Commercial \$50, Residential \$25)
- Conditional Use – (Commercial \$150, Residential \$75) (See Chapter 1173 of the Zoning Code for add'l submission requirements)
- Variance – (Commercial \$50, Residential \$25)

Submission Requirements:

1. A detailed written description of the request signed by the applicant/owner.
2. Letter of authorization from property owner, if different from the applicant.
3. A scaled site plan detailing elements of the proposal and showing adjacent properties and uses. (1 copy, 8.5 x 11)
4. Photos of the existing conditions.
5. Authorization for Property Access signed by the owner. (Pg. 2 of this application form)
6. Fee(s).

Applicant Name (Print Clearly): Darren Mancuso Company Relief Properties, Inc.
Applicant Address: 20728 Carlton Ct Strongsville OH 44149
Phone: 216-225-9474 Fax: _____ E-mail: darren@reliefpropertiesinc.com
Signature:  Date: 10/18/2017

OFFICE USE ONLY: Application Reviewed and Accepted by: _____ Date: _____

File History: _____

Bldg. Dept. Remarks: _____

ORD. _____ SECTION _____

October 18, 2017

To Whom It May Concern:,

The owner of 1636 Mars Ave, Relief Properties, Inc., wishes to split the lot in to two separate parcels. The existing three-car garage on parcel A will be demolished. A new single-family home with a detached 2-car garage will be built on parcel A. A new 2-3 car garage will be built on parcel B.

Please let me know if you have any questions.

Sincerely,



Darren Mancuso

Relief Properties, Inc.

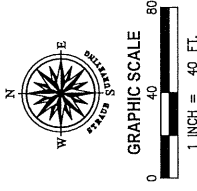
Cell: 216.225.9474 | Fax: 877.310.0917

eMail: darren@reliefpropertiesinc.com | www.reliefpropertiesinc.com

RELIEF  PROPERTIES

20728 Carlton Ct. Strongsville OH 44149 • p: 216.225.9474 • f: 877.310.0917

7



Owner's Acceptance:
 I, the undersigned owner of the land shown herein, do hereby accept this plat and Lot Split of the same.
 Relief Properties, Inc.

 Notary
 County of Cuyahoga
 State of Ohio, 1 SS

Before me, a Notary Public in and for said County and State, personally appeared the above Relief Properties, Inc., who acknowledged that they did sign the foregoing instrument and that it was their own free act and deed.
 In witness whereof I have hereunto set my hand and official seal at _____ Ohio this ____ day of _____, 2017.

Notary Public

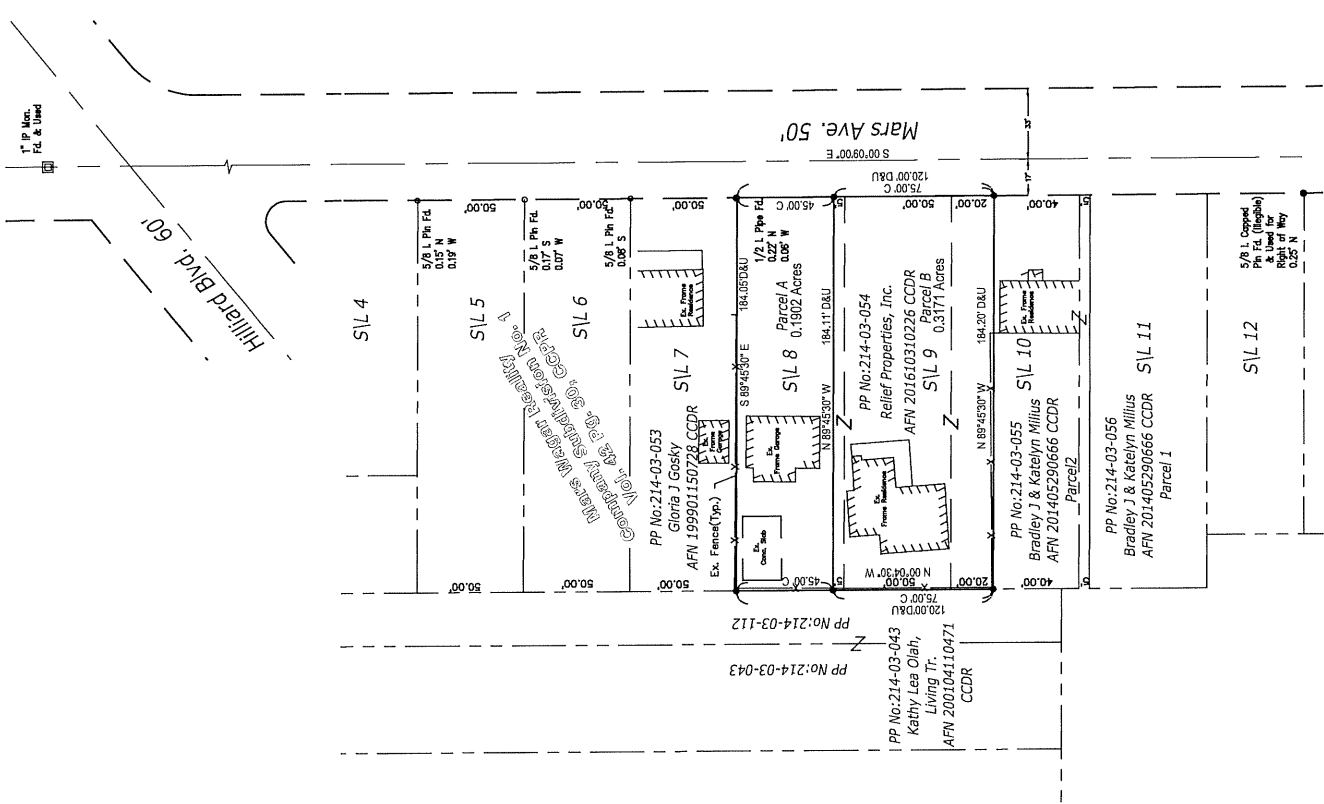
Approvals:
 This plat is hereby approved by the City of Lakewood Planning Commission this ____ day of _____, 2017.

 Chairman

 Secretary

This plat is hereby approved by the City of Lakewood Engineer this ____ day of _____, 2017.

 City Engineer



Surveyor's Notes:
 The basis of bearings for this survey is the centerline of Mars Avenue. The basis of bearings found and shown herein, said centerline being N 0° 10' 00" W, based upon The Mars Wagar Realty Company's Subdivision, Vol. 42, Pg. 30, and is on an assumed meridian used to denote angles of bearings. The bearings and distances were measured and are listed herein. This map prepared from a survey performed by me or under my direction in October, 2017.

By: Gerald L. Yelzer, Ohio Professional Surveyor No. S-7728

Basis of Bearings:
 The centerline of Mars Avenue as shown and Described Above.

- References:**
1. Cuyahoga County GIS,
 2. Plat Vol. 42, Page 30,
 3. Plat Vol. 22, Page 4,
 4. Subject and adjoining Deeds.

- Survey Legend**
- Fd. Found
 - U Used
 - D Deed
 - C Calculated
 - CDR Cuyahoga County Deed Records
 - CCPR Cuyahoga County Plat Records
 - Monument Box
 - ⊗ Copied Iron Pin Found
 - ⊙ Iron Pin (IP) Found as Described
 - ⊖ Iron Pipe (IP) Found as Described
 - ⊙ Iron Pin (CIP) Set
 - ⊙ Proposed Land Hook
 - ⊙ Existing Land Hook
- CIP SET ARE 5/8" x 30" REBAR W/YELLOW CAP STAMPED PS#7055

Decision	Date
2	10/07/17
1	10/07/17
1	10/07/17
1	10/07/17

Date of Survey: October 6, 2017
 By: A.Y.
 Project No. 17-097
 DWS-17-097 1838 Mars Ave Lot Split-Map

STRAUB SURVEYING, LLC
 PROFESSIONAL SURVEYING AND SURVEYING SERVICES
 LAKWOOD, OHIO 44130
 INFO@STRAUBSURVEYING.COM
 PHONE: 441-311-1171

Lot Split of Sublot No. 8 and Consolidation of Sublot No. 9, the southerly 5 feet of Sublot No. 8, and the northerly 20 feet of Sublot No. 10 of Mars Wagar Realty Company Subdivision for Relief Properties, Inc.
 Part of Original Rockport Township Section No. 22 as recorded in Volume 42, Page 30 of Cuyahoga County Records
 City of Lakewood, County of Cuyahoga, State of Ohio

Lot Split / Consolidation Plat	Shet. 1 of 1
Prepared For	Relief Properties, Inc.

Account: 101-0000-321. 30-03 (Sim. Use, Con. Use, Use Var)

Account: 101-000-349. 60-00 (Minor-Sub, Lot Split/Con, PD)

REFERENCE No. PL17-002157

DOCKET No. 11-26-17

FEE PAID \$200.00 js check

**APPLICATION
LAKEWOOD PLANNING COMMISSION**

Property Address 1470 Warren Rd. & 1470 Victoria Av Business/Tenant Name Lakewood Board of Education

Property Owner Name Kent R. Zeman, CFO/ Treasurer Owner Phone 216-529-4096

Owner E-mail kent.zeman@lakewoodcityschools.org Zoning _____ Parcel Number 314-04-019 & 314-02-003

Project Summary Lot Split of 0.1480 Ac. parcel (25' x 257.70') from PPN-314-04-019 Board of Education land & Combined with PPN 314-02-003 Grant Elementary School land.

Late Applications Will Not Be Accepted. (See calendar on page 2 for deadlines)

ACTION REQUESTED (Check all that apply)

Minor Sub-Division – (Commercial \$200, Residential \$200, Planned Development \$500)

Lot Consolidation/Lot Split – (Commercial \$200, Residential \$200, Planned Development \$500)

Planned Development – (\$500)

Similar Use – (Commercial \$50, Residential \$25)

Conditional Use – (Commercial \$150, Residential \$75) (See Chapter 1173 of the Zoning Code for add'l submission requirements)

Variance – (Commercial \$50, Residential \$25)


Submission Requirements:

1. A detailed written description of the request signed by the applicant/owner.
2. Letter of authorization from property owner, if different from the applicant.
3. A scaled site plan detailing elements of the proposal and showing adjacent properties and uses. (1 copy, 8.5 x 11)
4. Photos of the existing conditions.
5. Authorization for Property Access signed by the owner. (Pg. 2 of this application form)
6. Fee(s).

Applicant Name (Print Clearly): Steven J. Metcalf, P.S. Company Neff & Associates

Applicant Address: 6405 York Road, Parma Heights, OH. 44130

Phone: 440-884-3100 ext. 143 Fax: 440-884-3104 E-mail: smetcalf@neff-assoc.com

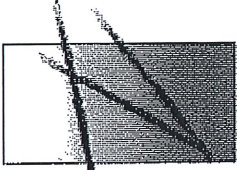
Signature:  Date: 10/17/2017

OFFICE USE ONLY: Application Reviewed and Accepted by: _____ Date: _____

File History: _____

Bldg. Dept. Remarks: _____

ORD. _____ SECTION _____



NEFF
& ASSOCIATES

Civil Engineers + Landscape Architects + Planners + Surveyors

10/17/2017

I, Kent Zeman, CFO/Treasurer of the Lakewood City School District and being owner representative, hereby Authorize Neff & Associates to submit for consideration the "Map of Survey, Lot Split, & Consolidation Plat of the Lakewood Board of Education/ Grant Elementary School", exhibits, and application to the City of Lakewood Planning Commission.

Kent Zeman

Kent Zeman, CFO/Treasurer
Lakewood City School District

10/17/17
Date:

Heather B. Burdette

Witness:

Heather B. Burdette

Printed Name



Civil Engineers + Landscape Architects + Planners + Surveyors

10/17/2017

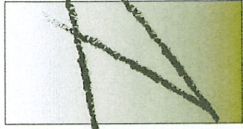
Detailed Description of Proposed Request:

It is the intent of the Lakewood Board of Education & Grant Elementary School to enter an agreement & convey via this Survey and deed, a parcel of Land being 0.1480 Acres of land (25'x 257.70') known as "Split Parcel" from the Lakewood Board of Education land, Cuyahoga County Permanent Parcel No. 314-04-019 & Address No. 1470 Warren Rd, of which the remainder of the lands to be known as "Parcel A" as shown on the "Lot Split, & Consolidation Plat of the Lakewood Board of Education/ Grant Elementary School map."

And within the same document also,

Combine this said "Split Parcel" with the Grant Elementary School lands Cuyahoga County Permanent Parcel No. 314-04-003 & Address No. 1470 Victoria Ave. creating a New Parcel "B" of the said "Lot Split, & Consolidation Plat of the Lakewood Board of Education/ Grant Elementary School"

Note: The east line of the "Split Parcel" was also known as the prior eastern right of way line of Victoria Avenue, of which the western half was Vacated in document Vol. 270, Page 83 of the Cuyahoga County Map Record. The parcels of land is subject to a 25' utilities & sidewalk easement as recorded in Vol 94-11708, Pg. 35 of the Cuyahoga County Deed records as well. All of which is depicted upon said "Lot Split, & Consolidation Plat of the Lakewood Board of Education/ Grant Elementary School" presented herein.



NEFF & ASSOCIATES

Civil Engineers + Landscape Architects + Planners + Surveyors
Traffic Engineers + Environmental Engineers

Legal Description

Split Parcel

October 5, 2017

File No. 14090-LD003

Page 1 of 1

Situated in the City of Lakewood, County of Cuyahoga, State of Ohio and known as being part of Original Rockport Township Section No. 22 and is further bounded and described as follows:

Beginning at the intersection of the center line of Detroit Avenue (66 feet wide) and the centerline of Warren Road (72 feet wide) (as widened by Dedication Plat Volume 115 of Maps, page 17 of Cuyahoga County Records);

Thence South $04^{\circ}01'44''$ West, along the centerline of said Warren Road, a distance of 528.81 feet;

Thence North $89^{\circ}50'16''$ West, a distance of 314.78 feet to a $5/8''$ iron pin found on the Easterly right of way of Victoria Avenue (50 feet wide) as vacated by recorded plat in Volume 270 of Maps, Page 83 of Cuyahoga County Records and the principal place of beginning;

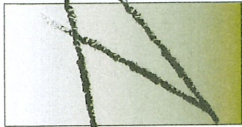
Course 1 Thence South $00^{\circ}21'55''$ West, along the Easterly right of way for said vacated Victoria Avenue, a distance of 257.70 feet to a $5/8''$ iron pin set at the Northwestern corner of a parcel of land conveyed to John J. Jr. and Rebecca J. Blau by deed recorded in A.F.N. 201703220519 of Cuyahoga County Deed Records;

Course 2 Thence South $89^{\circ}15'33''$ West, along the Southerly line of said vacated Victoria Avenue, a distance of 25.00 feet to a $5/8''$ iron pin set on the centerline of said Victoria Avenue (50 Feet Wide);

Course 3 Thence North $00^{\circ}21'55''$ East, along the centerline of said vacated Victoria Avenue, a distance of 258.08 feet to a $5/8''$ iron pin set on the Southerly line of a parcel of land conveyed to The City of Lakewood by deed recorded in Volume 11865, Page 16 of Cuyahoga County Deed Records ;

Course 4 Thence South $89^{\circ}52'53''$ East, along the Southerly line of said City of Lakewood parcel, a distance of 25.00 feet to the principal place of beginning and containing 0.1480 Acres (6,447 Square Feet) of land as surveyed by Thomas J. Neff, Jr. Registered Surveyor No. 7065-Ohio of Neff & Associates, Dated July 7, 2017.

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



NEFF
& ASSOCIATES

Civil Engineers + Landscape Architects + Planners + Surveyors
Traffic Engineers + Environmental Engineers

Legal Description

Parcel "A"

October 5, 2017

File No. 14090-LD002

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. 22 and is further bounded and described as follows:

Beginning at the intersection of the center line of Detroit Avenue (66 feet wide) and the centerline of Warren Road (72 feet wide) (as widened by Dedication Plat Volume 115 of Maps, page 17 of Cuyahoga County Records);

Thence South $04^{\circ}01'44''$ West, along the centerline of said Warren Road, a distance of 528.81 feet;

Thence North $89^{\circ}50'16''$ West, a distance of 30.07 feet to a $5/8''$ iron pin set on the Westerly right of way of said Warren Road and the principal place of beginning;

Course 1 Thence South $04^{\circ}01'44''$ West, along the Westerly right of way of said Warren Road, distance of 253.04 feet to a $5/8''$ iron pin set at the Northwesterly corner of Kirtland House Condominium as shown by recorded plat in Condominium Plat Volume 9, Pages 48-61 of Cuyahoga County Records;

Course 2 Thence South $89^{\circ}02'42''$ West, along the Northerly line of said Kirtland House Condominium and continuing along the Southerly line of a parcel of land conveyed to John J. Jr. and Rebecca J. Blau by deed recorded in A.F.N. 201703220519 of Cuyahoga County Deed Records, a distance of 268.62 feet to a $5/8''$ iron pin set on the Westerly right of way for Victoria Avenue (50 feet wide) as vacated by recorded plat in Volume 270 of Maps, Page 83 of Cuyahoga County Records;

Course 3 Thence North $00^{\circ}21'55''$ East, along the Easterly right of way for said vacated Victoria Avenue, a distance of 257.70 feet to a $5/8''$ iron pin set on the Southerly line of a parcel of land conveyed to The City of Lakewood by deed recorded in Volume 11865, Page 16 of Cuyahoga County Deed Records;

15

Legal Description

Parcel "A"

October 5, 2017

File No. 14090-LD002

Page 1 of 2

Course 4 Thence South 89°50'16" East, continuing along the Southerly line of said City of Lakewood parcel, a distance of 284.71 feet to the principal place of beginning and containing 1.6194 Acres (70,541 Square Feet) of land as surveyed by Thomas J. Neff, Jr. Registered Surveyor No. 7065-Ohio of Neff & Associates, Dated July 7, 2017.

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



NEFF
& ASSOCIATES

Civil Engineers + Landscape Architects + Planners + Surveyors
Traffic Engineers + Environmental Engineers

Legal Description

Parcel B

October 6, 2017

File No. 14090-LD004

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. 22 and is further bounded and described as follows:

Beginning at the intersection of the center line of Detroit Avenue (66 feet wide) and the centerline of Warren Road (72 feet wide) (as widened by Dedication Plat Volume 115 of Maps, page 17 of Cuyahoga County Records);

Thence South $04^{\circ}01'44''$ West, along the centerline of said Warren Road, a distance of 528.81 feet;

Thence North $89^{\circ}50'16''$ West, a distance of 314.78 feet to a $5/8''$ iron pin set on the Easterly right of way for Victoria Avenue (50 feet wide) as vacated by recorded plat in Volume 270 of Maps, Page 83 of Cuyahoga County Records and the principal place of beginning;

- Course 1 Thence South $00^{\circ}21'55''$ West, along the Easterly right of way of said vacated Victoria Avenue, a distance of 257.70 feet to a $5/8''$ iron pin set at the end of said vacated Victoria Avenue;
- Course 2 Thence South $89^{\circ}15'33''$ West, a distance of 25.00 feet to a $5/8''$ iron pin set on the centerline of said Victoria Avenue (50 feet Wide)
- Course 3 Thence North $89^{\circ}50'56''$ West, a distance of 25.00 feet to a $5/8''$ iron pin set on the Westerly right of way for said Victoria Avenue;
- Course 4 Thence South $00^{\circ}21'55''$ West, along the Westerly right of way for said Victoria Avenue, a distance of 110.91 feet to a $5/8''$ iron pin set at the Northeasterly corner of Sublot 18 in the Robbins Avenue Allotment as shown by recorded plat in Volume 42 of Maps, Page 17 of Cuyahoga County Records;
- Course 5 Thence North $89^{\circ}38'05''$ West, along the Northerly line of said Sublot 18 in the said Robbins Avenue Allotment, a distance of 120.00 feet to a $5/8''$ iron pin set at the Northwesterly corner of said Sublot 18;
- Course 6 Thence South $00^{\circ}21'55''$ West, along the Westerly line of said Robbins Avenue Allotment, a distance of 479.69 feet to a $5/8''$ iron pin set at the Southwesterly corner of Sublot 28 in the said Robbins Avenue Allotment on the Northerly right of way of Hilliard Road (60 Feet Wide);

Legal Description

Parcel B

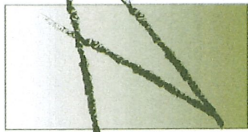
October 6, 2017

File No. 14090-LD004

Page 2 of 2

- Course 7 Thence South 51°18'57" West, along the Northerly right of way for said Hilliard Road, a distance of 18.07 feet to the Southeasterly corner of a parcel of land conveyed to Charles Jr. and Suzann Lehmann by deed recorded in A.F.N. 200404070885 of Cuyahoga County Deed Records;
- Course 8 Thence North 00°21'35" East, along the Easterly line of said Lehmann parcel, a distance of 133.43 feet to a 5/8" iron pin set at the Northeasterly corner of said Lehmann parcel;
- Course 9 Thence North 89°28'59" West, along the Northerly line of said Lehmann parcel, a distance of 97.41 feet to a point on the Easterly line of John E. Ensign's Lakewood Subdivision and witnessed by a 3/4" iron pipe found North 83°49'41" East, a distance of 0.11 feet;
- Course 10 Thence North 00°21'35" East, along the Easterly line of John E. Ensign's Lakewood Subdivision, a distance of 371.87 feet to a 5/8" iron pin set at the Northeasterly corner of Sublot 19 in said John E. Ensign's Lakewood Subdivision;
- Course 11 Thence North 89°38'25" West, along the Northerly line of said Sublot 19 in said John E. Ensign's Lakewood Subdivision, a distance of 130.00 feet to a 5/8" iron pin found at the Northwesterly corner of said Sublot 19 on the Easterly right of way for Elmwood Avenue (50 Feet Wide)
- Course 12 Thence North 00°20'28" East, along the Easterly right of way of said Elmwood Avenue, a distance of 279.97 feet to a 5/8" iron pin found at the Southwesterly corner of Sublot 11 in said John E. Ensign's Lakewood Subdivision;
- Course 13 Thence South 89°38'25" East, along the Southerly line of said Sublot 11 in said John E. Ensign's Lakewood Subdivision, a distance of 129.94 feet to a 5/8" iron pin found at the Southeasterly corner of said Sublot 11;
- Course 14 Thence North 00°21'35" East, along the Easterly line of John E. Ensign's Lakewood Subdivision, a distance of 73.50 feet to a 5/8" iron pin set;
- Course 15 Thence South 89°52'53" East, a distance of 281.68 feet to the principal place of beginning and containing 4.0466 Acres (176,270 Square Feet) of land as surveyed by Thomas J. Neff, Jr. Registered Surveyor No. 7065-Ohio of Neff & Associates, Dated July 7, 2017.

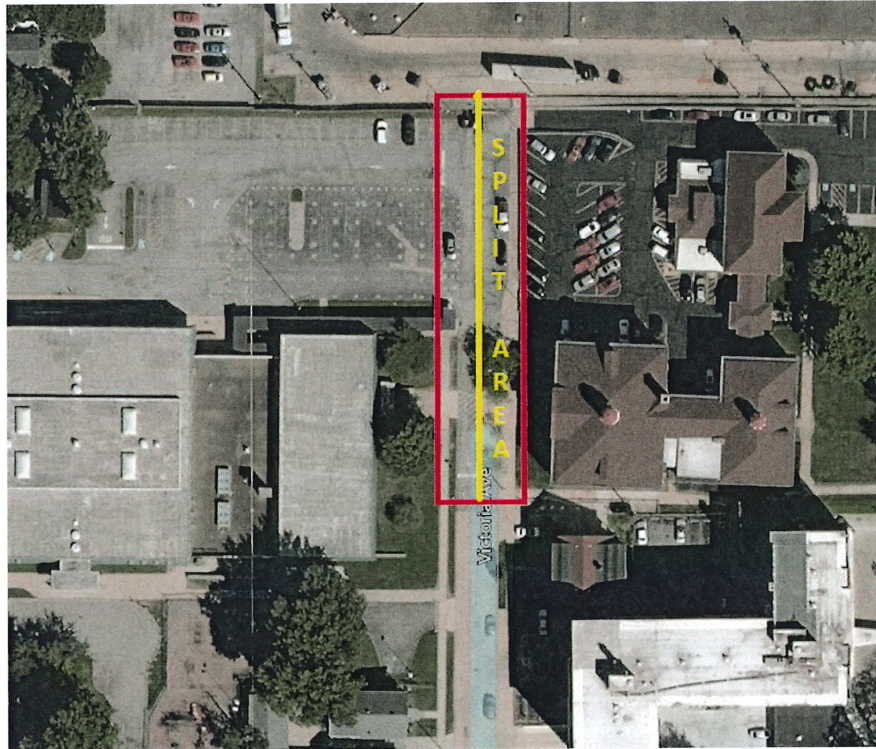
Be the same more or less, but subject to all legal highways and easements of record.



NEFF
& ASSOCIATES

Civil Engineers + Landscape Architects + Planners + Surveyors

**“Lot Split, & Consolidation Plat of the
Lakewood Board of Education/ Grant Elementary School”**



Overhead Aerial View (Red = Vacated Victoria Ave., Yellow = Split Parcel Area)



On Victoria Avenue - looking North - Split Area on the East side only.



Victoria Ave. looking North (West half)



Victoria Ave. looking North (East half)



Victoria Ave. looking North (West half)



Victoria Ave. looking North (East half)



Victoria Ave. looking North (West half)



Victoria Ave. looking North (East half)

Account: 101-0000-321. 30-03 (Sim. Use, Con. Use, Use Var)
Account: 101-000-349. 60-00 (Minor-Sub, Lot Split/Con, PD)

REFERENCE No. PL17-002137
DOCKET No. 10-21-17
FEE PAID \$150.00 *js check*

APPLICATION
LAKESWOOD PLANNING COMMISSION

Property Address 13367 and 13369 Madison Ave. Business/Tenant Name Great Lakes Medicinal, Inc.
Property Owner Name Welcome Site, LLC Owner Phone 440.670.7788
Owner E-mail sta464@msn.com Zoning C-2 Parcel Number 315-18-007
Project Summary Seeking a conditional use permit to operate a medical marijuana dispensary
Subject to approval by city council.

Late Applications Will Not Be Accepted. (See calendar on page 2 for deadlines)

ACTION REQUESTED (Check all that apply)

- Minor Sub-Division** – (Commercial \$200, Residential \$200, Planned Development \$500)
 Lot Consolidation/Lot Split – (Commercial \$200, Residential \$200, Planned Development \$500)
 Planned Development – (\$500)
 Similar Use – (Commercial \$50, Residential \$25)
 Conditional Use – (Commercial \$150, Residential \$75) (See Chapter 1173 of the Zoning Code for add'l submission requirements)
 Variance – (Commercial \$50, Residential \$25)

Submission Requirements:

1. A detailed written description of the request signed by the applicant/owner.
2. Letter of authorization from property owner, if different from the applicant.
3. A scaled site plan detailing elements of the proposal and showing adjacent properties and uses. (1 copy, 8.5 x 11)
4. Photos of the existing conditions.
5. Authorization for Property Access signed by the owner. (Pg. 2 of this application form)
6. Fee(s).

Applicant Name (Print Clearly): Stephen Ernst Company Great Lakes Medicinal, Inc.
Applicant Address: 31213 Manchester Lane, Bay Village, Ohio 44140
Phone: (440) 346-3055 Fax: n/a E-mail: events@steveernst.com
Signature: *Stephen M. Ernst* Date: Sept. 20, 2017

OFFICE USE ONLY: Application Reviewed and Accepted by: _____ Date: _____

File History: _____

Bldg. Dept. Remarks: _____

ORD. TBD SECTION _____

21

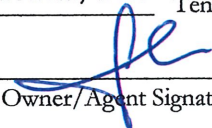
AUTHORIZATION FOR PROPERTY ACCESS

(In signing this application,) I authorize members of the City’s Building Department and Planning and Development Department access to my property for the limited purposes of photographing and verifying location and dimension of the area affected by my Planning Commission applications and requests. A landlord of a single tenant structure must provide the written consent of the tenant. The City employee will, in case of one, two or three tenant structure, attempt to notify those residing on the property immediately prior to coming onto the property. In the case of a multi-tenant structure, the City employee will notify the building manager.

Any dog(s) on property? _____ Yes No

Please Print or Type:

Owner/Agent Name: >Welcome Site, LLC
 Property Address: 13367 and 13369 Madison Ave., Lakewood
 Owner/Agent Phone: 440.670.7788
 Tenant Name Great Lakes Medicinal, Inc. Tenant Phone (440) 346-3055



 Owner/Agent Signature

**2017 Calendar
 Planning Commission**

Month	Application Deadline		Pre-Review Meeting		Review Meeting	
January	Wednesday	12-21-16	Thursday	01-05-17	Thursday	01-05-17
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April	Wednesday	03-22-17	Thursday	04-06-17	Thursday	04-06-17
May	Wednesday	04-19-17	Thursday	05-04-17	Thursday	05-04-17
June	Wednesday	05-17-17	Thursday	06-01-17	Thursday	06-01-17
July	Wednesday	06-21-17	Thursday	07-06-17	Thursday	07-06-17
August	Wednesday	07-19-17	Thursday	08-03-17	Thursday	08-03-17
September	Wednesday	08-23-17	Thursday	09-07-17	Thursday	09-07-17
October	Wednesday	09-20-17	Thursday	10-05-17	Thursday	10-05-17
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January	Wednesday	12-20-17	Thursday	01-04-18	Thursday	01-04-18

Pre-Review Meetings for the Commission commence at **6:30 P.M.** in the **Council Conference Room.**

Review Meetings commence at **7:00 P.M.** in the **Auditorium** at Lakewood City Hall, 12650 Detroit Avenue unless otherwise indicated. Applicants or a representative (designated in writing to the Secretary of the Board) **MUST** attend the review meeting for an application to receive review.

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I, Steve Stawski on behalf of Welcome Site, LLC, authorize Great Lakes Medicinal, Inc., to seek a conditional use permit to operate a medical marijuana dispensary at 13367 and 13369 Madison Avenue, Lakewood, Ohio 44107. Welcome Site has a lease option with Great Lakes Medicinal, Inc. at this address.

Signed,

Welcome Site, LLC

By: Steve Stawski

Its: 

Date: 09-20-2017

GREAT LAKES MEDICINAL, INC.

31213 MANCHESTER LANE

BAY VILLAGE, OHIO

44140

440-346-3055

Re: Application narrative for Conditional Use

Great Lakes Medicinal, Inc. is seeking a conditional use permit to operate a medical marijuana dispensary (subject to approval by city council) to be located at the proposed sight of 13367 and 13369 Madison Avenue.

This narrative is to address items found within drafts of Codified Ordinances of the City of Lakewood as regulated by Chapters 1165 and 779. This narrative shall aim to ensure a safe and secure medical marijuana retail operation in compliance with Ohio House Bill 523.

Narrative to address Chapter 779 & 1165 and Medical Marijuana Dispensary Operations:

- 779.04 – Great Lakes Medicinal, Inc. shall only operate a state licensed medical marijuana dispensary and no other type of medical marijuana business.
- Great Lakes Medicinal, Inc. will be submitting an application under the Codified Ordinances of the City of Lakewood for a local medical marijuana dispensary license, and will make all necessary disclosures regarding pertinent conviction histories, corporate officers and directors and corporate agents. Great Lakes Medicinal will also certify that the appropriate individuals have not been convicted of a disqualifying offense, per the Codified Ordinances of the City of Lakewood and rules developed by the Ohio Board of Pharmacy.
- 779.06 (c) – Stephen M. Ernst, Jeffrey Hrehrochik will be signing as the responsible parties. As operations mature, daily operations shall be shifted to dispensary managers that will be vetted by via the Ohio (Medical Marijuana Control Program) MMCP worker registration compliance requirements.

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GREAT LAKES MEDICINAL, INC.
31213 MANCHESTER LANE
BAY VILLAGE, OHIO
44140
440-346-3055

- 779.06 (9) – Great Lakes Medicinal, Inc. is to meet with the city’s police Chief and define the desired role of Lakewood’s police department as it pertains to supplying “off duty” consultants, armed protection officers and/or reception staff; as well as insurance requirements with these associated services.
 - o Lighting for the building’s exterior shall create substantial illumination and deflect away from adjacent properties (see attached (draft) façade rendering)
 - o Operable interior and exterior cameras will be supplied and have day & night hi resolution (see attached (draft) security overlay diagram) – Camera review/access to Lakewood police and a minimum of 30 day storage shall be protocol
 - o Location shall maintain a monitored alarm system for both police and fire – to be monitored 24/7. The site shall offer multiple strategic panic alarms, window/door and movement sensors
 - o Armed security shall be present during open hours (subject to police Chief approval)
 - o No public entry shall be allowed – upon entry an individual shall check in with security to prove eligibility as a patient in the MMCP, a registered employee or authorized/scheduled visitor. Once approved, secondary access shall be allowed via remote / keyless entry protocols

GREAT LAKES MEDICINAL, INC.

31213 MANCHESTER LANE

BAY VILLAGE, OHIO

44140

440-346-3055

- Great Lakes Medicinal, Inc. is now preparing a lease with Brian Benchek and Jared Plotts of the BottleHouse Brewery and Mead Hall located across the street at 13368 Madison Ave, Lakewood. This lease **shall secure up to 4 off-street reserved parking spots for daily employees.**

- GLM would like to respectfully request consideration for “permitted” parking in the three (currently metered) parking spots located along the west side of the facility on Chesterland.

- GLM is further exploring the potential purchase of the empty lot located at 13351 Madison Avenue toward to possibility of creating a cooperative (subject to approval) lighted parking area to serve several local businesses

- 779.07 – GLM shall operate within compliances of all local and state Building, Zoning and Maintenance codes and application requirements

- 779.09 – GLM shall allow for any and all necessary inspections – announced or unannounced

- 779.15 – GLM facility is not located within 500 feet of any parcel containing a school, church, public library, public playground/park
 - Operating hours shall not exceed 7a-9p

GREAT LAKES MEDICINAL, INC.

31213 MANCHESTER LANE

BAY VILLAGE, OHIO

44140

440-346-3055

- Interior lighting shall be not less than five foot candles at floor height, it shall further be of energy efficient track lighting nature (subject to approval)
- Exterior signage shall all be in complete compliance – see attached rendering (pending approval). No signage will contain images of marijuana leaves or the combustion of plant material. All advertising will be compliant with rules promulgated by the Ohio Board of Pharmacy.
- 779.16 – Shall initiate and enforce a no loitering policy, with signage and exterior camera monitoring.
- 1165.03 GLM is not located within 1000 feet of another dispensary, and there will not be more than one dispensary in the building in which GLM is located.
- 1165.04 – GLM is located within a 2,080 square foot retail location and shall comply with local parking regulations set for that size retail business. (subject to approval)
 - Building entrance shall be located on the Madison Street side and the corner of the building.
- 1165.05 - Great Lakes Medicinal, Inc is now preparing a lease with Brian Benchek and Jared Plotts of the BottleHouse Brewery and Mead Hall located across the street at 13368 Madison Ave, Lakewood. This lease **shall secure up to 4 off-street reserved parking spots for daily employees**. GLM will construct a fence that complies with Ord. 1165.05(c).

27

GREAT LAKES MEDICINAL, INC.

31213 MANCHESTER LANE

BAY VILLAGE, OHIO

44140

440-346-3055

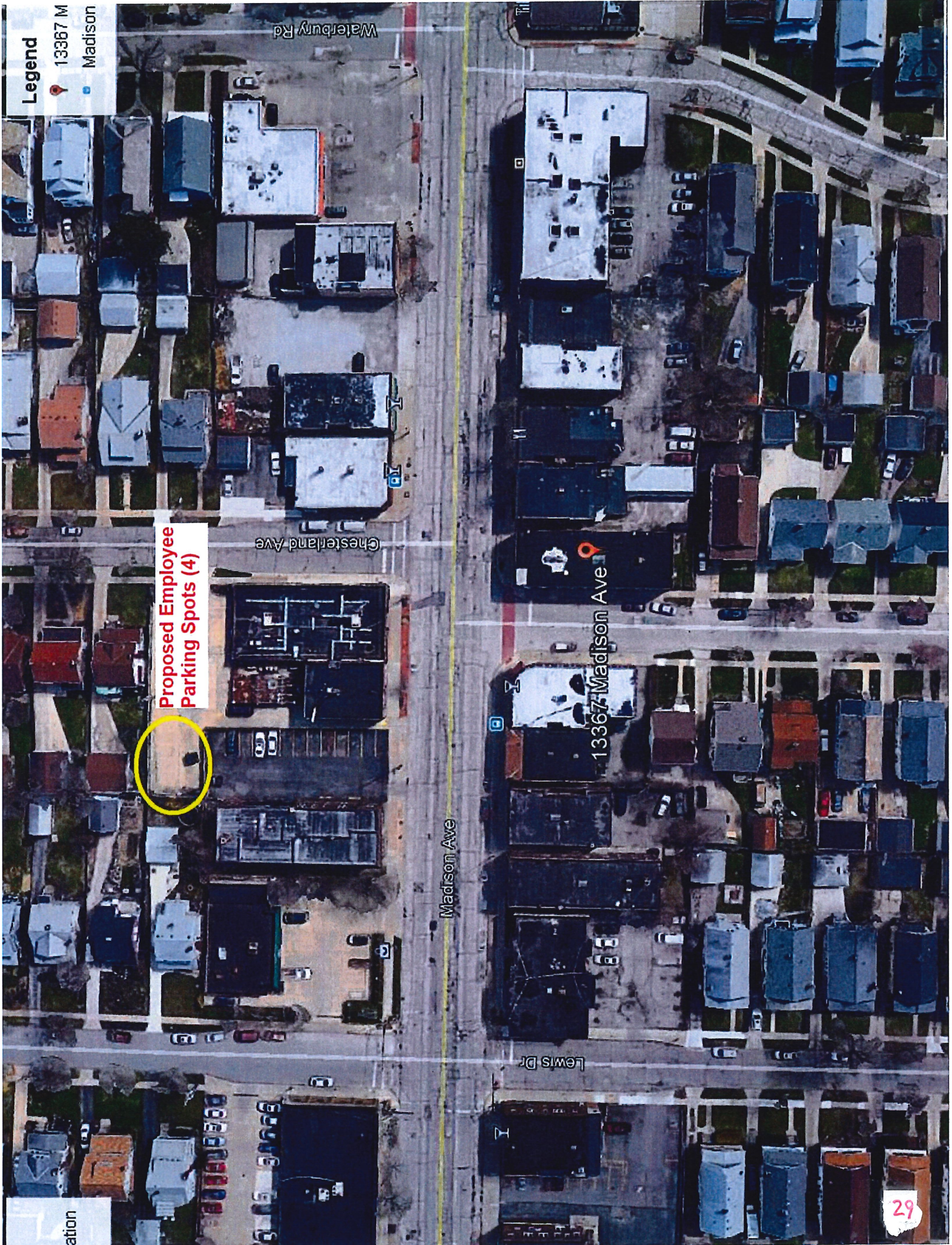
- 1165.06 – See attached (Draft) diagram for desired signage rendering

GLM will also attempt to remediate the graffiti on the west side (along Chesterland) of the building as well (see attached photo)

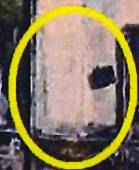
Great Lakes Medicinal, Inc. would like to extend our most sincere thanks to the Planning Commission toward consideration of approval of this project.

Legend

- 13367 M
- Madison



**Proposed Employee
Parking Spots (4)**



ation





Facts:

Ohio's Medical Marijuana Program became law in House Bill 523 on Sept 8, 2016 - Ohio has an obligation to have the program fully operational by Sept 8, 2018.

Ohio's Medical Marijuana program will be one of the most heavily regulated in the world. Every patient, worker and investor must be pre approved by the State Board of Pharmacy. Patients can only get a recommendation by a physician certified by the State Medical Board and prove an ongoing doctor/patient relationship.

Medical Marijuana medicines are created to address 21 different medical conditions – Cancer, Alzheimer's disease, amyotrophic lateral sclerosis, Alzheimer's disease, cancer, chronic traumatic encephalopathy, Crohn's disease, epilepsy or another seizure disorder, fibromyalgia, glaucoma, hepatitis C, inflammatory bowel disease, multiple sclerosis, pain that is either chronic and severe or intractable, Parkinson's disease, positive status for HIV, post-traumatic stress disorder, sickle cell anemia, spinal cord disease or injury, Tourette's syndrome, traumatic brain injury, and ulcerative colitis.

Medical Marijuana facilities must maintain detailed security protocols, cameras internally and externally viewable 24 hours 365 days a year in real time by State authorities. They must maintain on site security as well as only employ workers who are approved by the program

Great Lakes Medicinal, Inc.

Info@greatlakesmedicinal.com

440-467-0110



MEDICINAL
INC

Great Lakes Medicinal, Inc. is owned by a physician and 5 life-long northern Ohio professionals that are committed to Lakewood, Ohio and have recently made property commitments in a 1800 sq ft facility. The business represents the equivalent of approximately 12 new skilled jobs to the City of Lakewood within the next 2-3 years.

Medicinal

Marijuana Dispensary

Great Lakes Medicinal, Inc. is owned and operated by a physician and 5 life-long northern Ohio businessmen who understand that medical marijuana offers pain relief and other significant medical solutions to millions of Ohio residents seeking alternative medical treatments. Many out of state investors are applying for licenses from the State of Ohio, but we are a locally owned and operated business. We are committed to a significant investment to upgrade/beautify the property to meet community standards.



CURRENT BUILDING
(Prior to Improvements)

PROPOSED BUILDING
(Pending Approval)

Benefits of a Dispensary at 13367 Madison Ave.

Very Accessible to Patients, Many of Whom Will be Elderly or Infirm

Located on a Safe, Clean, & Well-Policed Street

Easy Access to Public Transportation & Highways
(located within 1 mile of Interstate 90 and Bunts Rd)

Building Remodel and Investment will Enhance the Neighborhood

Contact us to learn more and share your feelings on the issue

1173.02 CONDITIONAL USE PERMITS.

(a) Submission Requirements.

(1) An application for a Conditional Use Permit shall be on a form approved by the Director and shall contain the following information:

A. The name, address, and telephone number of the applicant.

B. The address and zoning district of the subject property.

C. A narrative description of the existing use.

D. A narrative description of the proposed conditional use, including a discussion of the compatibility of the proposed use with the existing uses of adjacent properties and the impact of the proposed use on adjacent properties considering such elements as parking, traffic, noise, lighting, fumes, and the outdoor storage of goods.

E. Where applicable, a site plan of the proposed conditional use showing the locations of all buildings, parking and loading areas, streets and access ways, service areas, utilities, signs, yards, landscaping, and other information the Commission may require.

F. Whether or not the property is listed on the federal, state, or local register of historic places.

G. Any documents reasonably deemed necessary by the Director.

H. The fee as established pursuant to Section **1173.06**.

(2) Upon receipt of an application for a Conditional Use Permit, the Director shall, within three (3) working days, make a preliminary review of the application to determine compliance with the requirements of paragraph (a)(1) herein. If the Director determines that the application is not complete, the Director shall immediately notify the applicant; otherwise, the Director shall forward the application to the Commission for review at its next regularly scheduled meeting.

(b) In addition to the specific criteria for a conditionally permitted use specified in Chapters **1135**, **1159** or **1161**, the Commission shall consider and weigh the following factors when reviewing an application for a Conditional Use Permit:

(1) Whether the proposed use is consistent with the comprehensive plan;

(2) Whether the proposed use will be designed, constructed, operated, and maintained so as to be harmonious with existing and/or intended adjacent uses;

(3) Whether the proposed use will be served adequately by existing public utilities and services, and the impact of the proposed use on such utilities and services;

(4) Whether the proposed use will have a substantially detrimental impact on the public health, safety, and welfare;

(5) Whether the proposed use will interfere substantially with vehicular and pedestrian traffic on surrounding public rights-of-way;

(6) Whether the proposed use will result in the destruction, loss, or damage to a property listed on the federal, state, or local register of historic places; and

(7) Any other factors the Commission reasonably deems applicable.

(Ord. 91-95. Passed 10-7-1996.)

(c) Notice Procedures. Where a Conditional Use Permit is requested, notice of the public hearing held pursuant to Section **1171.03(i)** shall be made in a newspaper of general circulation no less than seven (7) days before the hearing; said notice shall state the time and place of the hearing in accordance with Chapter **107** (Publication of Legal Notices) of the Ordinances.

(Ord. 124-05. Passed 2-6-2006.)

(1) In addition, notice, indicating the time, place, and subject of the hearing, shall be sent by regular mail to the owners of:

A. All properties abutting the subject property;
(Ord. 91-95. Passed 10-7-1996.)

B. All properties abutting such properties described in subsection (c)(1)A. hereof, excepting properties located across the right-of-way from or behind said abutting properties.
(Ord. 24-98. Passed 5-18-1998.)

C. Any other property the Director deems affected by the proposed variance.

(2) Where a lot described in subsection (c)(1) hereof contains a condominium of more than ten (10) units, notice shall be sent to the president of the condominium association and the management company responsible for the building; the management company shall receive sufficient copies of the notice to post two (2) on every floor of the building at locations determined by the company.

(d) A Conditional Use Permit shall be deemed to authorize only one (1) particular conditional use and said permit shall automatically expire if such conditionally permitted use has not been instituted or utilized within one (1) year of the date on which the permit was issued or if for any reason such use shall be discontinued for more than one (1) year.

(Ord. 91-95. Passed 10-7-96; Ord. 61-04. Passed 7-6-2004.)

Account: 101-0000-321. 30-03 (Sim. Use, Con. Use, Use Var)
Account: 101-000-349. 60-00 (Minor-Sub, Lot Split/Con, PD)

REFERENCE No. PL17-002158
DOCKET No. 11-27-17
FEE PAID \$150.00 jg check

APPLICATION
LAKEWOOD PLANNING COMMISSION

Property Address Parcel #: 311-18-088 Business/Tenant Name GTI Ohio LLC
Property Owner Name Lakewood West End LLC Owner Phone 216-952-6166
Owner E-mail thegeorgegroup@aol.com Zoning Retail Parcel Number 311-18-088
Project Summary Medical Marijuana Dispensary. See attachments.

Late Applications Will Not Be Accepted. (See calendar on page 2 for deadlines)

ACTION REQUESTED (Check all that apply)

- Minor Sub-Division – (Commercial \$200, Residential \$200, Planned Development \$500)
- Lot Consolidation/Lot Split – (Commercial \$200, Residential \$200, Planned Development \$500)
- Planned Development – (\$500)
- Similar Use – (Commercial \$50, Residential \$25)
- Conditional Use – (Commercial \$150, Residential \$75) (See Chapter 1173 of the Zoning Code for add'l submission requirements)
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2. Letter of authorization from property owner, if different from the applicant.
3. A scaled site plan detailing elements of the proposal and showing adjacent properties and uses. (1 copy, 8.5 x 11)
4. Photos of the existing conditions.
5. Authorization for Property Access signed by the owner. (Pg. 2 of this application form)
6. Fee(s).

Applicant Name (Print Clearly): Robert George Company GTI Ohio LLC
Applicant Address: 18605 Detroit Road Lakewood, OH 44107
Phone: 216-650-6741 Fax: 216-221-5071 E-mail: bgeorge@corpmg.net
Signature: Robert J. George Date: 10/18/17

OFFICE USE ONLY: Application Reviewed and Accepted by: KZM Date: 10-18-17 11:46AM

File History: _____
Bldg. Dept. Remarks: _____

ORD. _____ SECTION _____

36

AUTHORIZATION FOR PROPERTY ACCESS

(In signing this application,) I authorize members of the City’s Building Department and Planning and Development Department access to my property for the limited purposes of photographing and verifying location and dimension of the area affected by my Planning Commission applications and requests. A landlord of a single tenant structure must provide the written consent of the tenant. The City employee will, in case of one, two or three tenant structure, attempt to notify those residing on the property immediately prior to coming onto the property. In the case of a multi-tenant structure, the City employee will notify the building manager.

Any dog(s) on property? _____ Yes No

Please Print or Type:

Owner/Agent Name: Tony Geoge d/b/a Lakewood West End LLD

Property Address: Approx. 18607-18609 Detroit Road, Lakewood, OH 44107; Parcel #311-18-088

Owner/Agent Phone: 216 - 952 - 6166

Tenant Name GTI Ohio LLC Tenant Phone 216 - 650 - 6741



 Owner/Agent Signature

**2017 Calendar
 Planning Commission**

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37

Department of Planning and Development
City of Lakewood
12650 Detroit Avenue
Lakewood, OH 44107

Dear Lakewood Planning Commission:

Please accept this submission packet on behalf of the Applicant, GTI Ohio, LLC ("GTI"), as formal application for a Conditional Use Permit from the Lakewood Planning Commission for the property identified as Parcel # 311-18-088.

Currently involved in a thorough application process with the Ohio Department of Pharmacy ("DPH"), through which GTI will be submitting a license application and Management and Operations Profile, GTI now seeks approval from the City of Lakewood for a Conditional Use Permit at Parcel # 311-18-088 for the purposes of a Medical Marijuana Dispensary.

Notably, in addition to the requirements set forth by the City of Lakewood Planning Commission, as well as the local building code, GTI must comply with significant and detailed requirements set forth in the DPH regulations including constant oversight and monitoring of security, storage, recordkeeping, emergency procedures, labeling and packaging of marijuana products, waste disposal, architectural design, signage, marketing, hiring and personnel, delivery, transportation of medical marijuana, and the dispensing of marijuana for medical use.

Consequently, not only will GTI be responsible for self-monitoring, self-reporting, and self-regulation, but both the DPH and the City will have extensive and intensive oversight over and access to the site, GTI, and its safety, practices, procedures, and operations. To that end, GTI is committed to a mutually beneficial, symbiotic community partnership and relationship with the City, along with complete transparency of its operations with those essential City departments.

Sincerely,



Robert George
GTI Ohio LLC
18605 Detroit Road
Lakewood, OH 44107

The following documents (as redacted copies, or originals, as appropriate) are included:

- 1) **Attachment 1** - A detailed written description of the request signed by the applicant/owner
- 2) **Attachment 2** - Letter of authorization from property owner
- 3) **Attachment 3** - A scaled site plan detailing elements of the proposal and showing adjacent properties and uses
- 4) **Attachment 4** - Photos of the existing conditions
- 5) **Attachment 5** - Detailed Security Plan
- 6) **Attachment 6** - Parking Plan
- 7) Authorization for Property Access signed by the owners (Pg. 2 of the application form)

Attachment 1

GTI Ohio, LLC
Medical Marijuana Dispensary
PERMIT REQUEST AND NARRATIVE
Parcel #311-18-088
Lakewood, Ohio 44107

INTRODUCTION

GTI Ohio, LLC ("GTI"), a limited liability company organized and existing under Ohio law, is seeking a Conditional Use Permit from the Lakewood Planning Commission for the siting and operation of a Medical Marijuana Dispensary ("MMD") at Parcel #311-18-00 ("Site").

THE SITE AND STRUCTURES

Most recently, Site has been used as a parking lot for Harry Buffalo at 18605 Detroit Road, Lakewood, Ohio 44107. Currently owned by Lakewood West End, LLC (see Attachment 2). GTI and Lakewood West End, LLC have a binding Letter of Agreement to Lease the Site. A notarized statement from Lakewood West End, LLC authorizing occupancy of the parcel by GTI Ohio, LLC for a MMD is included in this submission (see Attachment 2).

A 3,800 square foot parcel zoned Local Retail on Detroit Road on the west end of Lakewood, the Site is appropriately located and is in between 18605 Detroit Road and 18615 Detroit Road. The Site meets all five-hundred foot (500') offset requirements provided by Ohio Administrative Code 3796:6-2-02 and the City of Lakewood. The Local Retail zoning designation allows MMD uses with a Conditional Use Permit from the Lakewood Planning Commission. The Site is not listed on the Federal, State, or Local Register of historic places.

GTI recognizes the sensitive nature of its proposed use and intends for its location to balance patient accessibility with security and privacy. Recognizing the nature of dispensing medicinal marijuana, the Site provides ideal operational oversight and control to ensure the health, safety, and general well-being of the public-as well as patients seeking medical marijuana.

The 3,800 square foot parcel will be utilized for ground up construction in accordance with the plans contained within this submission (see Attachment 3). The gross floor area is approximately 2,331 square feet.

Site layout has been thoughtfully designed to maximize discretion, security, and control. Appropriately placed downcast luminaries, security cameras, parking, delivery, entry and exit

spaces each fulfill a purposeful goal. Site circulation is such which allows for constant monitoring and visibility, as well as appropriate emergency vehicle access and maneuverability.

The proposed site will include twenty-seven (27) parking spaces, inclusive of two (2) ADA accessible spaces. The Site and its landscaping will be consistently monitored and maintained as needed.

Site lighting and surveillance (as more fully detailed in the Security Plan- see Attachment 5) adequately illuminate the parking and entrance/exit areas of the Site, while allowing the video-capture of identifying information (persons, license plates, vehicles) to dissuade impropriety, increase patient comfort, and provide a means of timely, reliable identification to the Lakewood Police Department if necessary. Exterior camera locations will be established in the field based upon many factors, including natural light levels and landscaping.

The building furthers Site, product, and patient control as displayed on the included Floor Plans and Elevations. This design allows for the delivery, storage, and dispensing of medical marijuana, products containing marijuana, related supplies, and educational materials- all to take place within a fully enclosed, extremely secure building, with such activities invisible from the exterior of the business.

No outside storage of medical marijuana, its related supplies, or educational materials will occur; any waste containing the aforementioned will be stored in a dedicated, secured area within the Site, and will be transported to GTI's cultivation facility for proper, secure disposal in accordance with all regulations.

On-site marijuana and marijuana products will be stored in a secure vault room in minimally necessary quantities, in such a manner that its odor could not be detected by a person with an unimpaired and otherwise normal sense of smell at the exterior of the Site. Signage shall be minimal and will not include off-premises identification. On-premises, signage or other marketing on the exterior of the building, or visible from the public way, will not promote or encourage the use or abuse of marijuana or other drugs for non-medical purposes, or by minors, and will not actively market marijuana or other drugs for medicinal purposes.

THE COMPANY

An organization of accomplished business professionals, entrepreneurs, and philanthropists, many of whom have ties to Ohio, GTI's founders have a proven, successful track record of developing and adhering to sustainable business practices. What's more, they have relevant experience in designing, developing, and operating medical marijuana facilities in highly regulated environments similar to the proposed MMD, and are dedicated to serving patients in need of quality medicine and ensuring that its efforts positively impact the Lakewood community.

GTI has a track record of investing in the communities where it operates, from hiring area residents and contractors to locally sourcing supplies. Specifically:

- At all of its Illinois facilities, GTI used local contractors for facility construction and hires qualified area residents to carry out daily operations.
- GTI generates a variety of jobs in each community in which it operates, such as growers, trimmers, packagers, security officers, and transportation agents, which creates an economic ripple effect throughout the area.
- GTI emphasizes employing veterans as well as developmentally and physically disabled individuals.
- GTI uses locally-sourced supplies for its business needs; GTI has a proven track record of sourcing supplies within 150 miles of its operating businesses to best utilize the resources in its backyard by partnering with local and regional suppliers.

Additional information about GTI's core team members can be found in the Company Overview provided and at www.gtigrows.com.

THE USE

GTI will sell medical marijuana and other marijuana products pursuant to State of Ohio Regulations, and if approved for a Conditional Use Permit in Lakewood, in strict accordance with local regulations and codes. GTI recognizes the sensitive nature of its proposed use and intends for its location to balance patient accessibility with security and privacy, and is dedicated to ensuring that its efforts positively impact Lakewood while providing high quality medicinal products to patients in need. As such, GTI conceptualizes the design and construction of a safe, compliant, efficient, and transparent registered medical marijuana dispensary. The primary components of the Management Plan are as follows:

1. Retail Operations: GTI's proposed MMD in Lakewood will provide qualified patients and caregivers with a safe, secure, and inviting environment to purchase medical marijuana and at the same time receive medical marijuana information and education. In no event will GTI sell or distribute medical marijuana during non-business hours. GTI will ensure that all dispensary agents working at the MMD complete an approved training program prior to serving patients. The MMD will also have up-to-date educational materials for all of its registered patients and caregivers. These materials will be available in languages accessible to all patients and caregivers, including for the visually-and hearing-impaired. GTI will educate its registered patients and caregivers regarding the proper procedures for returning expired, unused, damaged, contaminated, and recalled marijuana.

Additionally, GTI will accept, at no charge, unused, excess or contaminated marijuana from patients and caregivers, whether the material was purchased from GTI or not, and will segregate and store such product until disposal occurs at GTI's cultivation facility, while maintaining appropriate record of such. The MMD will be staffed by security personnel during hours of operation; surveillance cameras will monitor the Site twenty

four (24) hour per day, seven (7) days per week. GTI will only dispense marijuana to qualified registered patients and caregivers who provide proper forms of identification - a valid DPH-issued ID card along with one of the following: driver's license, government issued ID card, military ID card, or passport. Patients or caregivers who fail to provide proper forms of identification will be denied access.

2. Security Plan (see Attachment 5): The goal of GTI's security program is to prevent diversion, theft, and loss of marijuana and to provide for the safety of all patients, caregivers, and agents. GTI will work closely with the Lakewood Police Department to address any security concerns it may have on an ongoing basis. The scope of operations for the security team includes all domains of a holistic, high-performance operational security system dedicated to advancing best practices. These include:
 - a. Site Security - security program management and structure (i.e., leadership, staffing, and training); core security operations (i.e., screening and search, monitoring of facility and operations, incident response, investigations); physical security (i.e., security controls and procedures, system maintenance and testing, physical barriers and perimeter security, vehicles and equipment, lighting, locks and key control, signage, prohibited items, storage rooms, sally port and delivery, trash collection and storage, utilities, uninterrupted power supply, and backup power supply); security policies, procedures and processes (i.e., workplace violence mitigation, threat assessment, agent suspension, and termination); and emergency management (i.e., planning principles and approach, first responder protocols, National Incident Management System (NIMS), and Incident Command System (ICS)).
 - b. Security Surveillance System - includes methodology and solution platform (i.e., security design methodology and security system solution platform) and platform components (i.e., security surveillance and closed-circuit television system, access control system, alarm system, intrusion detection system, exterior detection devices, fire and life safety system and information).
 - c. Product Security - includes program monitoring, inspection, and review of best practices and technologies to ensure any opportunity for product diversion or theft is eliminated.
 - d. Shipping/Transportation Security - includes shipping manifest, shipping containers and locks, GPS-equipped delivery vehicles, highly trained agents, and standard arrival and departure procedures for deliveries from the cultivation facility to the proposed Site in Lakewood.

GTI will ensure that only qualified patients, caregivers, agents and authorized persons, vendors, contractors or visitors will have access to our facilities. Individuals not engaged in authorized activity will not be permitted on the premises. All agents will undergo criminal history background checks prior to commencing employment and on an annual basis as required by law.

Marijuana will be stored in Limited Access Areas in a secure locked safe or vault room to prevent diversion, theft and loss. Agents will be required to visibly display an identification badge at all times. All contractors, vendors, and visitors will be logged in/out, be required to display an ID badge, and will be escorted by an authorized GTI agent.

The outside perimeter of the MMD will be sufficiently lit to allow for surveillance and certain foliage will be removed if and as necessary so as not to allow persons to conceal themselves from sight. Perimeter alarms will be placed on all entry points and perimeter windows; the retail space will have duress, panic, and holdup alarms that are connected to local law enforcement systems. Video cameras will be used in the entire facility, including all areas that contain marijuana, including waste, product inventory, and the vault area, as well as all entrances/exits and in the parking lot. Surveillance cameras will be angled to clearly capture all persons entering or exiting the MMD and will remain operational during a power outage. In addition, there will be a redundancy alarm system that will ensure an active alarm in the event the primary alarm is compromised. A failure notification system will notify a designated GTI agent and local law enforcement in the event of a surveillance system failure within five (5) minutes. Finally, there will be frequent sweeps of cash drawers and cash will be placed in a safe located in the vault room; additionally, there will be frequent and random cash pickups by the bank to limit the amount of cash on site.

Waste: GTI will implement a waste disposal program for the safe and proper disposal of expired, unused, damaged, contaminated, and recalled marijuana as well as any other waste containing marijuana or marijuana product. Waste consisting of marijuana or marijuana products will be transported to the cultivation facility and properly disposed of. Prior to being transported to the cultivation facility, waste containing medical marijuana or marijuana products will be segregated from product in inventory and stored under video surveillance.

Delivery: GTI will deliver marijuana from its cultivation facility to Lakewood on a regular basis, depending on the needs of the dispensary. Deliveries will occur at random times using random routes.

Reporting: GTI will comply with all regulations for the recording, storage, and provision of required information, such as shipping manifests, visitor logs, and returned product. Additionally, prior to issuance of a Certificate of Occupancy, GTI will provide to the Lakewood Police Department, Fire Department, Building Commissioner, Board of Health, and Zoning Board of Appeals the names, phone numbers, mailing and email addresses of all management staff and key-holders, including at least two (2) operators of the Site who will be designated contact persons to whom notice should be made if there are operating problems associated with the Site or its use. Such information shall be updated as needed.

The designated contact person will notify the Lakewood Police Department, Fire Department, Building Commissioner, Board of Health and the Zoning Board of Appeals in writing at least thirty (30) days prior to any change in ownership or management of the Site, and within twelve

(12) hours following a violation, a potential violation, or any attempts to violate applicable law, or any criminal, potential criminal, or attempted criminal activities at the Site.

A designated contact person will respond by phone or email within twenty-four (24) hours of the time of contact and inquiry regarding operations at the Site by a town official.

BENEFITS TO LAKEWOOD

GTI expects to directly and indirectly provide substantial beneficial fiscal impact to the City of Lakewood. As an organization committed to philanthropy, GTI looks forward to expanding their philanthropic mission by forming relationships with local charitable organizations to help further their respective goals.

Highlighted below are some of the direct benefits of GTI's presence in Lakewood, which include, but are not limited to:

- Equal opportunity employment providing well-compensated, full-time jobs, with benefits, for Lakewood residents, with an emphasis on hiring veterans and those with physical and developmental disabilities;
- Hire Lakewood Police Department officers for security details at the Site, if necessary;
- Hire local contractors during build-out of, and ongoing maintenance at, the Site as needed;
- Increase in economic activity to local business with patients coming to Site;
- Economic boost from the increased spending of the employed;
- Additional revenue from property taxes;
- Elimination of unregulated Hardship Cultivations which contribute to diversion of marijuana for non-medical purposes and can lead to increased crime;
- Partnership with an experienced and reputable company in the medical marijuana industry; and
- Assist Lakewood with providing the benefits of medical marijuana to the local patient population.

Thank you for your consideration and we deeply appreciate your time.

Sincerely,



Robert George
GTI Ohio LLC
18605 Detroit Road

Lakewood, OH 44107

Attachment 2

LETTER OF AUTHORIZATION TO OCCUPY PROPERTY

CERTIFICATION

c/o Department of Planning & Development
City of Lakewood
12650 Detroit Avenue
Lakewood, OH 44107

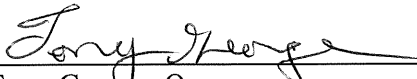
To the Department of Planning & Development:

I, Tony George, d/b/a Lakewood West End LLC, am the current sole owner of the approximately 3,800 square feet at Parcel # 311-18-088, in the city of Lakewood, Cuyahoga County, Ohio. Attached to this Certification as Exhibit 1 is a property summary report from Cuyahoga County reflecting that I am the owner of record.

I have entered into a contract with applicant GTI Ohio, LLC ("GTI") whereby GTI will lease approximately 3,800 square feet of that land (referred to herein as the "Property") for the purpose of operating a medical marijuana dispensary facility if it is awarded a medical marijuana retail dispensary license.


By this Certification, I certify my consent to GTI's lease, for a minimum of the term of the initial provisional license, of the Property for the purpose of operating a medical marijuana retail dispensary facility. I also certify that there are no mortgages or liens on the Property and thus no consent for the use is needed from any mortgagees or lienholders.

Signed this 18 day of October, 2017.



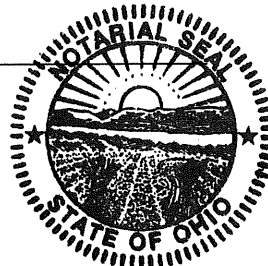
Tony George, Owner

Subscribed and sworn before me this 18 day of October, 2017.



Notary Public

My Commission Expires: September 7, 2019



Charles Shuck
Notary Public
State of Ohio
My Commission expires
September 7, 2019

Exhibit A

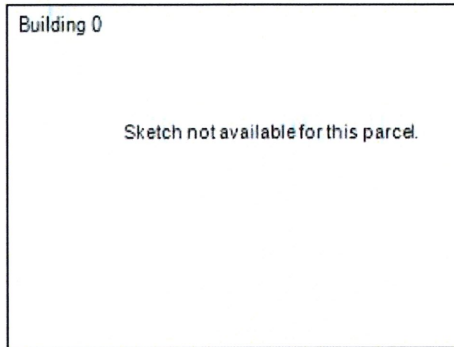


Cuyahoga County, Ohio - Property Summary Report Parcel: 311-18-088



Owner LAKEWOOD WEST END LLC
Address DETROIT AVE
 LAKEWOOD, OH. 44107
Land Use (4300) C - CAFETERIA
Legal Description 23 SCENICPK 0029 WP
Neighborhood Code 76387

SKETCH



MAP VIEW



BUILDING INFORMATION

LAND

Code	Frontage	Depth	Acreage	Sq Ft
PRM	36	100	0.09	3,800

VALUATION

2017 Values	Taxable Market Value	Exempt Market Value	Abated Market Value	Assessed Taxable Value

PERMITS

Tax Year	Reason	Tax Change	Exempt Change	Percent Complete	Reinspect	Notes

IMPROVEMENTS

Type	Description	Size	Height Depth
200	PAVING	3,600 SQUARE FEET	

SALES

Date	Buyer	Seller	Price
11/17/2006	LAKEWOOD WEST END LLC	George, Thomas T.	\$0
1/12/1998	George, Thomas T.	Steve Baratko Inc	\$0
8/13/1982	Steve Baratko Inc	Baratko Steve & Josephine M	\$0
1/1/1975	Baratko Steve & Josephine M		\$0

Taxes

	2017 Taxes	Charges	Payments	Balance Due
Tax Balance Summary		\$0.00	\$0.00	\$0.00

Information included on this report is believed to be accurate, but is not guaranteed. Cuyahoga County is not liable for errors or omissions.

FISCHER & ASSOCIATES



ARCHITECTS INC.

554 West Ninth Street
Lorain, Ohio 44052
Tel: (440) 315-2300

E mail: andreas@fisherarch.com

Fischer & Associates © 2017

DATE: 12-19-17

PROJECT ADDRESS:

Client Name/Project Name/Address

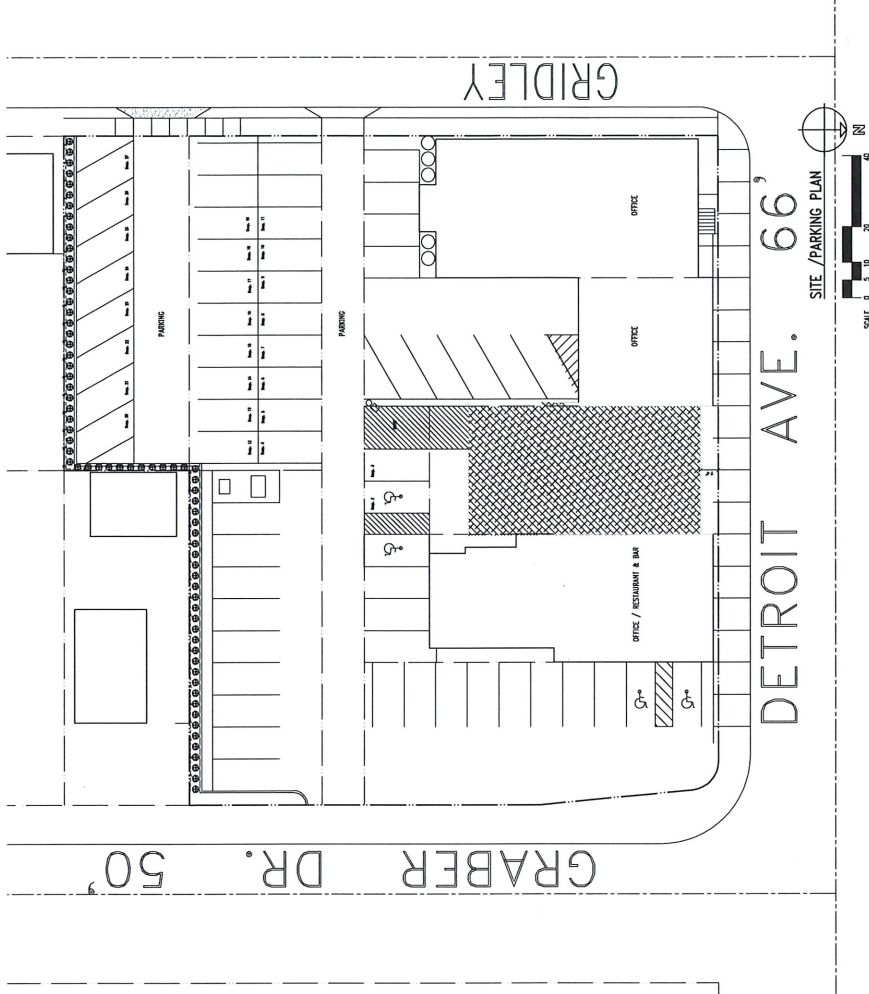
NEW BUILDING
(DISPENSARY TENANT)
Lakewood, Ohio

Drawing Name
PROPOSED PLANS & ELEVATION

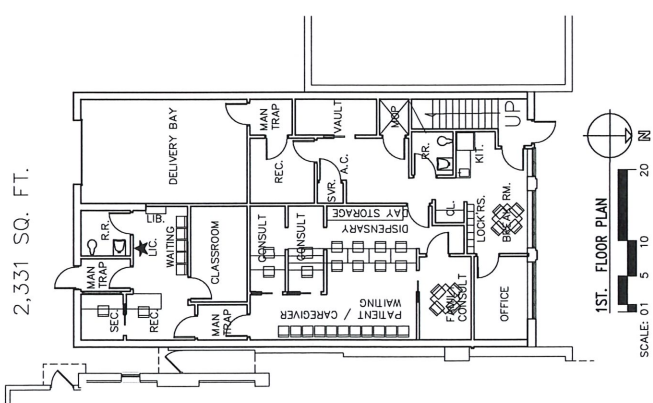
Fischer Project Number
17.001K
SHEET #

A-100

PRELIMINARY
NOT FOR CONSTRUCTION



NORTH ELEVATION
1/8" = 1'-0"



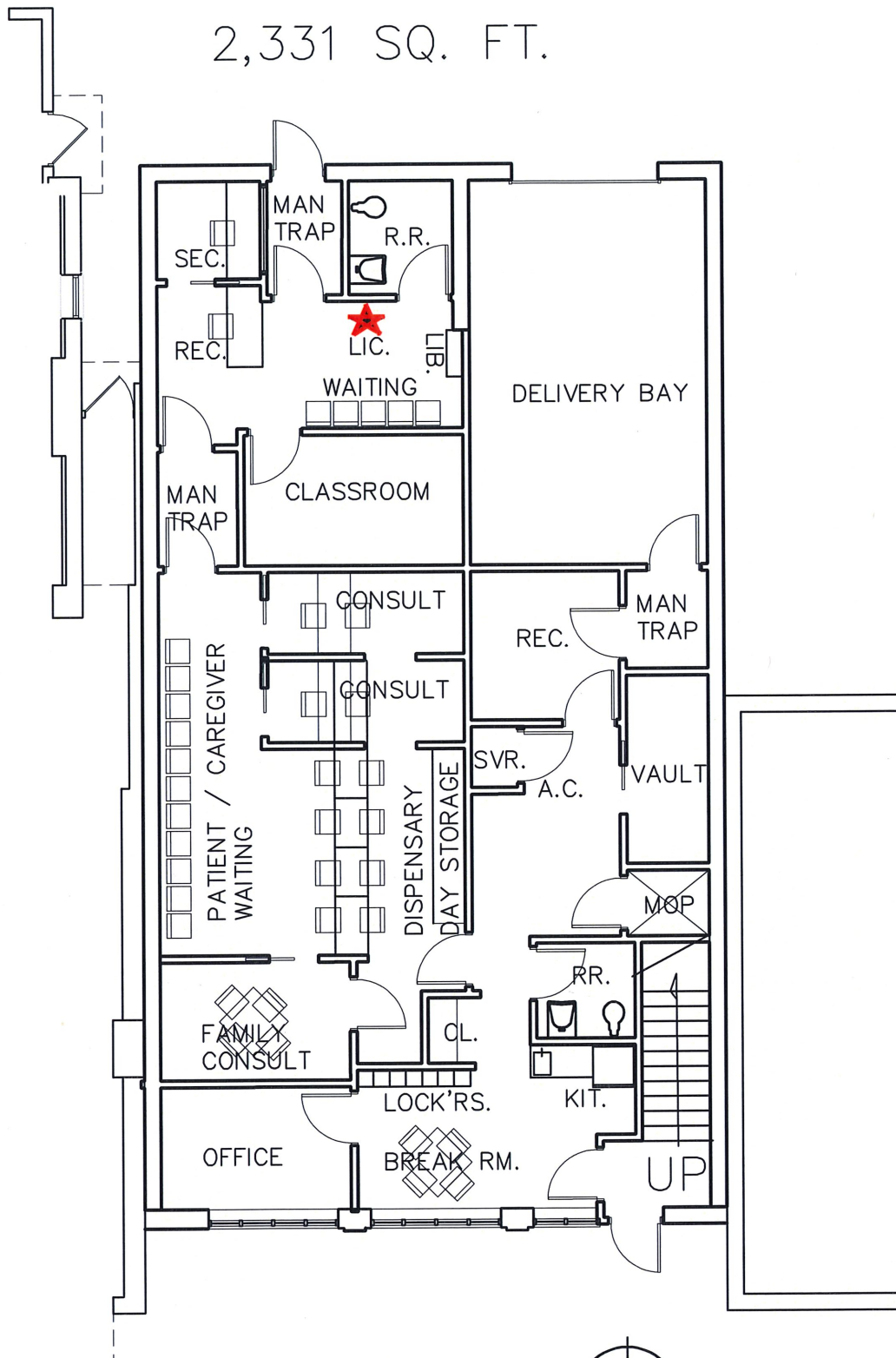
1ST. FLOOR PLAN
SCALE: 0' 5' 10' 20' IN

3 Attached

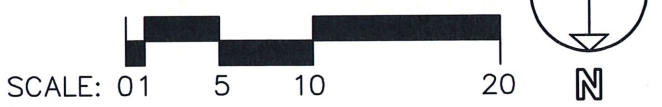
64

Attachment 3

2,331 SQ. FT.

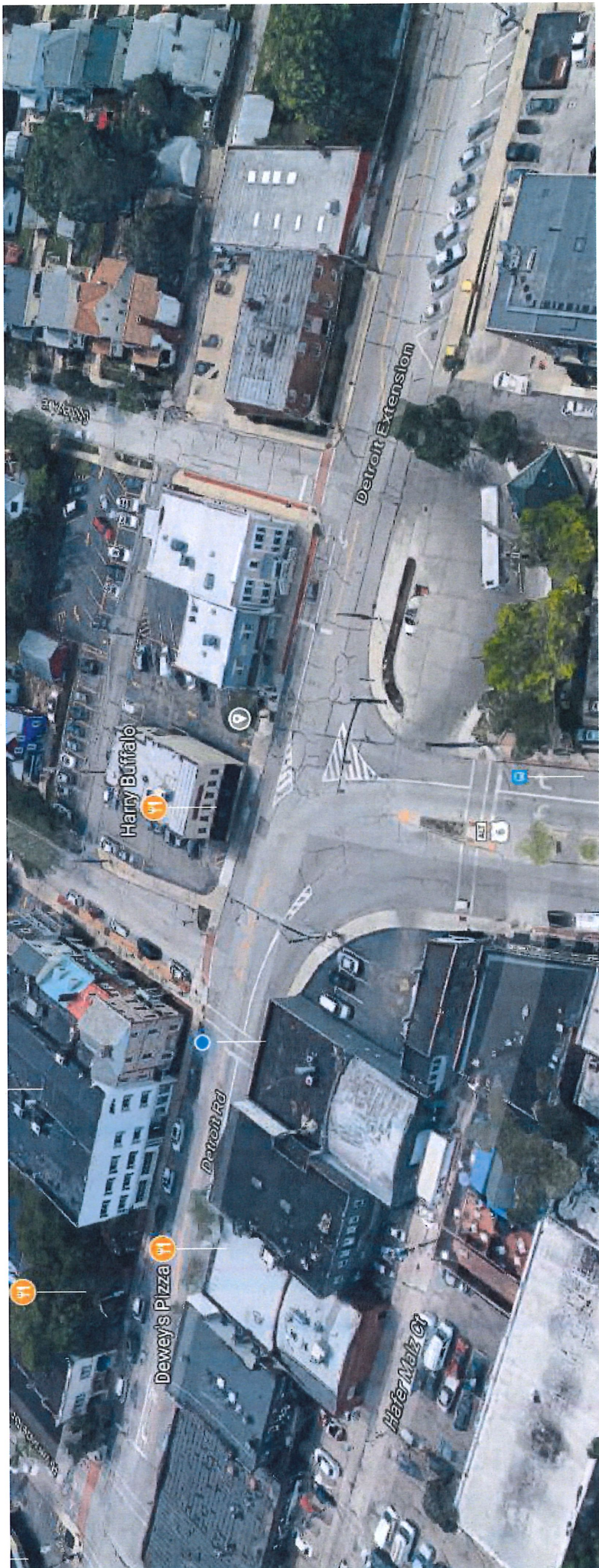


1ST. FLOOR PLAN

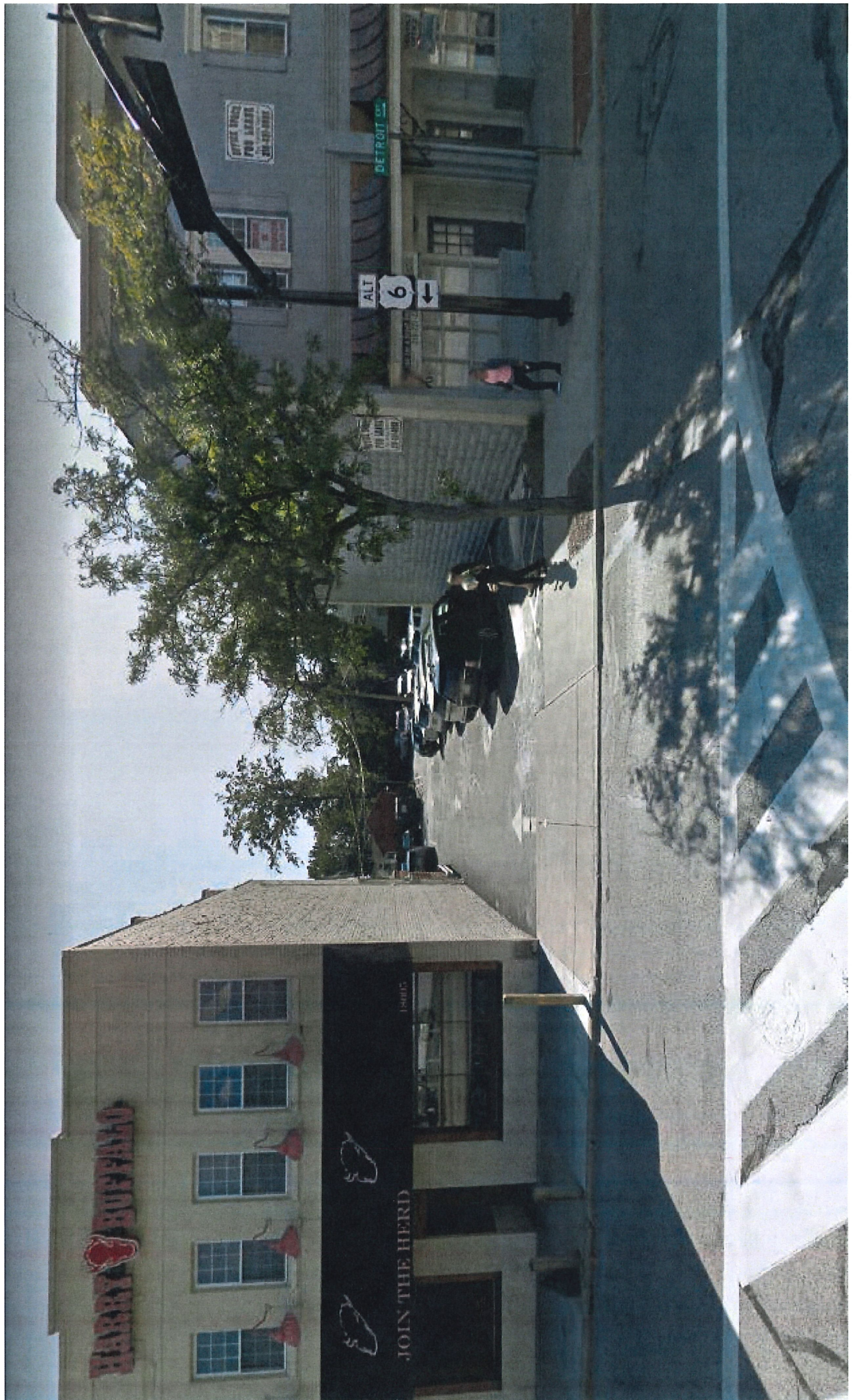


Attachment 4

Current Photos of Existing Property







Attachment 6

Parking Plan

*See Attachment 3 (Site Plan) for Parking Plan sketch.

The following are the requirements for development of the adjacent parking area to 18605 Detroit Road:

Lot Requirements:

Side yard setback required: 0' Front yard setback required: 5' Rear yard setback required: 5'
Min. lot size required 5,000 Sq. Ft.

Current Lot size- 3,800 Sq. Ft. (Under)

Existing Frontage- 35.9 Ft. (Under)

Parking Calculations:

Parking Spaces Owned: 74 spaces

Parking Lost by Developing Addition: 6 spaces

Parking Required for all three buildings: 15 spaces

Parking for the dispensary as outlined on the plan 27 spaces including 2 ADA spaces.

Result:

More parking than City of Lakewood Planning and Zoning Code prescribes- *parking exceeds City of Lakewood standards.*

Account: 101-0000-321. 30-03 (Sim. Use, Con. Use, Use Var)
Account: 101-000-349. 60-00 (Minor-Sub, Lot Split/Con, PD)

REFERENCE No. PL17-002159
DOCKET No. 11-28-17
FEE PAID \$150.00 js check

APPLICATION
LAKWOOD PLANNING COMMISSION

Property Address 11906-11912 Madison Avenue Business/Tenant Name Infleursion, LLC
Property Owner Name Nelson Berry Property Holdings, LLC Owner Phone (440) 617-6061
Owner E-mail DvoraNelson@outlook.com Zoning C-2 Parcel Number 315-15-026 & 315-15-027
Project Summary The applicant is seeking a conditional use permit to operate a medical marijuana dispensary, subject to the applicant successfully obtaining a provisional license to operate a dispensary from the Ohio Board of Pharmacy.

Late Applications Will Not Be Accepted. (See calendar on page 2 for deadlines)

ACTION REQUESTED (Check all that apply)

- Minor Sub-Division – (Commercial \$200, Residential \$200, Planned Development \$500)
- Lot Consolidation/Lot Split – (Commercial \$200, Residential \$200, Planned Development \$500)
- Planned Development – (\$500)
- Similar Use – (Commercial \$50, Residential \$25)
- Conditional Use – (Commercial \$150, Residential \$75) (See Chapter 1173 of the Zoning Code for add'l submission requirements)
- Variance – (Commercial \$50, Residential \$25)

Submission Requirements:

1. A detailed written description of the request signed by the applicant/owner.
2. Letter of authorization from property owner, if different from the applicant.
3. A scaled site plan detailing elements of the proposal and showing adjacent properties and uses. (1 copy, 8.5 x 11)
4. Photos of the existing conditions.
5. Authorization for Property Access signed by the owner. (Pg. 2 of this application form)
6. Fee(s).

Applicant Name (Print Clearly): Dvora Nelson Jeter Company Infleursion, LLC
Applicant Address: 11906-11912 Madison Avenue, Lakewood, Ohio 44107
Phone: (440) 617-6061 Fax: (440) 617-6065 E-mail: DvoraNelson@outlook.com
Signature: [Signature] Date: 10-17-2017

OFFICE USE ONLY: Application Reviewed and Accepted by: KZM Date: 10-18-2017

File History: _____
Bldg. Dept. Remarks: _____

ORD. _____ SECTION _____

AUTHORIZATION FOR PROPERTY ACCESS

(In signing this application,) I authorize members of the City's Building Department and Planning and Development Department access to my property for the limited purposes of photographing and verifying location and dimension of the area affected by my Planning Commission applications and requests. A landlord of a single tenant structure must provide the written consent of the tenant. The City employee will, in case of one, two or three tenant structure, attempt to notify those residing on the property immediately prior to coming onto the property. In the case of a multi-tenant structure, the City employee will notify the building manager.

Any dog(s) on property? _____ Yes No

Please Print or Type:

Owner/Agent Name: Nelson Berry Property Holdings, LLC
 Property Address: 11906-11912 Madison Avenue, Lakewood, Ohio 44107
 Owner/Agent Phone: (440) 617-6061
 Tenant Name Infleursion, LLC Tenant Phone (440) 617-6061



 Owner/Agent Signature

**2017 Calendar
 Planning Commission**

Month	Application Deadline		Pre-Review Meeting		Review Meeting	
	Day	Date	Day	Date	Day	Date
January	Wednesday	12-21-16	Thursday	01-05-17	Thursday	01-05-17
February	Wednesday	01-18-17	Thursday	02-02-17	Thursday	02-02-17
March	Wednesday	02-15-17	Thursday	03-02-17	Thursday	03-02-17
April	Wednesday	03-22-17	Thursday	04-06-17	Thursday	04-06-17
May	Wednesday	04-19-17	Thursday	05-04-17	Thursday	05-04-17
June	Wednesday	05-17-17	Thursday	06-01-17	Thursday	06-01-17
July	Wednesday	06-21-17	Thursday	07-06-17	Thursday	07-06-17
August	Wednesday	07-19-17	Thursday	08-03-17	Thursday	08-03-17
September	Wednesday	08-23-17	Thursday	09-07-17	Thursday	09-07-17
October	Wednesday	09-20-17	Thursday	10-05-17	Thursday	10-05-17
November	Wednesday	10-18-17	Thursday	11-02-17	Thursday	11-02-17
December	Wednesday	11-22-17	Thursday	12-07-17	Thursday	12-07-17
January	Wednesday	12-20-17	Thursday	01-04-18	Thursday	01-04-18

Pre-Review Meetings for the Commission commence at **6:30 P.M.** in the **Council Conference Room**.

Review Meetings commence at **7:00 P.M.** in the **Auditorium** at Lakewood City Hall, 12650 Detroit Avenue unless otherwise indicated. Applicants or a representative (designated in writing to the Secretary of the Board) **MUST** attend the review meeting for an application to receive review.

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Written Description of the Request for Conditional Use Approval

Written Description of Request for Conditional Use – Infleursion, LLC

Infleursion, LLC (the “Applicant”) is an Ohio limited liability company which was recently formed by Dr. Dvora Nelson, Dr. Marcietta Wilson-Coleman and Lenny Berry in order to own and operate a medical marijuana dispensary in the State of Ohio. The Applicant is seeking conditional use approval to operate its medical marijuana dispensary at 11906-11912 Madison Avenue in Lakewood Ohio (the “Property”). Nelson Berry Property Holdings, LLC, (the “Landlord”), a real estate investment company formed by Dr. Nelson and Mr. Berry to invest in real estate, purchased the Property and will invest in the necessary renovations and improvements to the Property at its own cost. The Landlord will lease the building to the Applicant, pursuant to the Letter of Intent to Lease attached hereto as Exhibit A. The Applicant will submit an application to the Ohio Board of Pharmacy for a provisional license to operate a medical marijuana dispensary in November 2017. If the Applicant successfully obtains a provisional license, the Landlord will immediately undertake the proposed renovations and improvements on a six-month timeline imposed by the State in order to ensure the dispensary is operational by September 2018.

The Applicant chose the City of Lakewood for its dispensary location because it is on the west side of Cleveland, near the owners’ residences, and because Lakewood has a reputation for being a safe community. The building located on the Property has been neglected for a number of years and, as a result, has become an eyesore and amassed several building code violations. The Landlord has met with City inspectors and accepted responsibility for all of those violations, which the City identified after an inspection completed in September 2017. The Landlord is committed to improving the building and remedying the violations which will enable the Tenant to operate a safe facility that complies with Lakewood Codified Ordinance 779.15, creates jobs, generates revenue for the City and provides qualifying patients from Lakewood and neighboring communities with the medication that they need.

The Ohio Board of Pharmacy will accept applications for provisional dispensary licenses between November 3rd and November 17th. The Board expects to award provisional licenses in March of 2018, which will provide successful applicants with six months to complete renovations and improvements, hire staff and complete all other required steps to have the dispensary up and running by the September 8, 2018 deadline mandated by state statute. The Applicant chose the Property with that deadline in mind and has already undertaken a significant amount of research and work in order to ensure that the Property is transformed into a compliant, safe and excellent facility.

Lakewood MM Dispensary Application Requirements

Overview of Regulatory Compliance

The Applicant will operate its medical marijuana dispensary in full compliance with all State laws, rules and regulations, pursuant to Lakewood Codified Ordinance 779.15(a)(1). The Applicant and its legal advisers have been fully engaged in the State’s development and implementation of its regulatory program for several months, and are very knowledgeable about the dispensary specific rules and regulations. In addition to its legal advisers, the Applicant has hired security consultants, a dispensary consultant, an architect and an interior designer in order to bring additional expertise and valuable experience to the team. Dr. Nelson’s experience running her own medical practice will ensure that the Applicant hires, educates and trains quality employees who are committed to providing a safe

environment to qualifying patients and complying with all State and local rules and regulations. Employees will go through the State mandated background check process as well as rigorous training and educational programs developed by the Applicant. No clinical nurse specialists, certified nurse practitioners, physicians or physician assistants will work at the dispensary, pursuant to 779.15(a)(3).

The Applicant intends to seek a provisional license to operate a dispensary at 11906-11912 Madison Avenue, Lakewood, Ohio 44107, which is not located within five hundred feet of a school, church, public library, public playground, or public park in the City of Lakewood, as required by Lakewood Codified Ordinance 1165.03(b). (See Exhibit B - Survey Map and Confirmation Letter). The existing building is approximately 14,231 square feet, and the Landlord intends to complete interior renovations to improve the layout and create restricted access areas, as indicated on the site plan attached to the conditional use application. The Landlord has accepted responsibility for and will remedy all corrections requested by the Lakewood Division of Housing and Building after an inspection undertaken on September 21, 2017.

The Landlord will replace the existing signage with one sign above the patient entrance to the building in two contrasting colors, pursuant to Lakewood Codified Ordinance 779.15(a)(4). The dispensary will operate between the hours of 7:00am and 9:00pm pursuant to O.R.C. 3796:6-3-03 and Lakewood Codified Ordinance 779.15(a)(5). Employees will sell medical marijuana products to qualifying patients with a verified physician recommendation at a counter within the dispensary and the use of vending machines and other automated sale technology will not be permitted pursuant to Lakewood Codified Ordinance 779.15(a)(6). The Applicant will work with the security consultant to select and install appropriate light fixtures on the interior of the dispensary to ensure that the areas where patients and caregivers are permitted will be illuminated at the level required by Lakewood Codified Ordinance 779.15(a)(7). The Applicant will not display the image of a marijuana leaf or combustion of plant material either inside or outside of the dispensary, as required by Lakewood Codified Ordinance 779.15(a)(8).

The Applicant will maintain communication with the City of Lakewood in order to promptly notify the appropriate authorities of any material change in the information set forth in the City of Lakewood Medical Marijuana Dispensary License Application, any enforcement action by the State of Ohio or any instance of loss, theft or diversion of medical marijuana or currency worth or amounting to more than \$100.00, pursuant to Lakewood Codified Ordinance 779.15(a)(9-11).

Loitering and Exterior Lighting and Monitoring Requirements

The Applicant will enforce a no loitering policy on the premises pursuant to Lakewood Codified Ordinance 779.16. The Landlord will install a sign near the patient entrance which will clearly state that loitering is prohibited. Security personnel stationed inside the patient entrance will physically monitor the exterior entrance area to ensure that no loitering occurs. In addition, at no time will anyone be permitted to stand at the exterior of the employee entrance. Employees will be prohibited from the Property outside of their shift hours. The employee handbook will incorporate this policy, as well as repercussions for any violations. The video camera equipment installed near both the patient and employee entrances will monitor persons on the outside of those entrances to the dispensary. The perimeter lighting and entrance lighting will illuminate the area to ensure that security personnel and video cameras can visualize persons and prevent loitering or any other unauthorized activity. The Applicant has is working with its security

consultants implement creative solutions such as night vision cameras on the rear perimeter in order to further reduce any potential impact on the adjacent residential property. The video camera equipment installed on the exterior and interior of the building will operate continuously at all times, and will be enabled with the capability to coordinate with the State's video monitoring system.

Location of Medical Marijuana Dispensaries

The Property is located within a C2 Commercial Retail zone, which complies with Lakewood Codified Ordinance 1165.03(a). (See Exhibit C - Zoning Confirmation Letter). The Property is not located within 500 feet of a school, church, public library, public playground, or public park in the City of Lakewood, as required by O.R.C. 3796.30 and Lakewood Codified Ordinance Chapter 1165.03(b). (See Exhibit B - Survey Map and Confirmation Letter). At the time of this application, the Applicant is aware of one other medical marijuana dispensary applicant in the City of Lakewood, located at 13367-13369 Madison Avenue. (See City of Lakewood Planning Commission Docket Agenda, October 5, 2017). The Property located at 11906 Madison Avenue is approximately 3,100 feet east of the building located at 13367-13369 Madison Avenue, which is greater than the 1,000 feet required by Lakewood Codified Ordinance 1165.03(c). (See Exhibit B - Survey Map and Confirmation Letter). Only one medical marijuana dispensary will operate in the building located on the Property, pursuant to Lakewood Codified Ordinance 1165.03(d).

Design Guidelines for Medical Marijuana Dispensaries

The Property has an existing, partially enclosed parking lot located on the south side of the building. The location of the parking lot prevents vehicular headlights from shining into the adjacent residentially zoned property. Vehicles will pull into the parking lot by way of one point of ingress off of Madison Avenue. Any light from vehicles will shine directly onto the building as the vehicle pulls into the parking lot. The parking spaces are configured to point east and west, away from adjacent residentially zoned property. Vehicles that park in the parking spaces on the west side of the parking lot will face a solid plank fence alongside an adjacent commercial property. Vehicles that park in the parking spaces on the east side of the parking lot will face an vacant parcel which is owned by the City. There is currently a chain link fence along the parcel line adjacent to the vacant parcel. The Landlord is willing to install a solid fence, similar to the one on the west side of the parking lot and subject to approval by the Architectural Board of Review, in order to completely block any light from vehicles parked on the east side of the parking lot. The Landlord will improve the landscaping on the Property and will ensure that the landscaping is continuously maintained.

Vehicles will only be able to enter and exit the Property's parking lot off of Madison Avenue, which will ensure that there is no vehicular traffic that could cause a nuisance to adjacent residential areas. The single point of ingress and egress onto the Property is located on Madison Avenue, away from any nearby residentially zoned property. The location of the single point of ingress and egress, and the location of the building create a buffer which minimizes the risk of any vehicular noise causing a nuisance to adjacent residential areas.

The building will have two entrances, one for employees and one for patients and caregivers, both of which are located on the south side of the building which does not abut residentially zoned property. The location of the entrances, and the no loitering policy which will be enforced by on-site security

personnel and video monitoring, minimize the potential for patrons to congregate and create noise which may become a nuisance to adjacent residential areas.

The Applicant will work with its security consultant to ensure that all exterior and interior lighting meets the approval of the Architectural Board of Review pursuant to Chapter 1325 of the Building Code. The lighting system design will comply with the security requirements of both the Lakewood Police Chief and Ohio Board of Pharmacy while minimizing any effect that glare or illumination might have on neighboring areas.

There is one residential property adjacent to the south side of the Property. The Landlord will install a seven foot high solid fence along that southern parcel line, subject to approval by the Architectural Board of Review pursuant to Chapter 1325 of the Building Code. Along with ensuring that the technical aspects of the lighting system and security cameras do not disturb the residential neighbor, the Landlord and Applicant will develop a relationship with the neighbor to ensure that the lighting and other security features do not negatively impact them.

There is a neighboring commercial building on the west side of the Property which is open for limited hours during the day. The Landlord has developed a relationship with the property manager of that building and will work with him to ensure that the lighting and security features installed at the Property do not have a significant negative impact on that building and its occupants.

The Applicant believes that the enhanced security measures implemented at the Property will have a positive effect on the neighboring properties by creating a significant deterrent for trespassers.

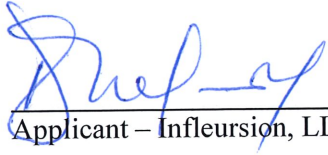
Off Street Parking

The Property's existing, partially enclosed parking lot located on the south side of the building has thirteen parking spaces. (See Exhibit D - Certificate of Use and Occupancy). The Landlord will repave and repair the existing parking lot in order to ensure its compliance with Chapter 132.08 of the Building Code.

Sign Regulations

The Landlord will replace the current signage on the front of the building with a simple sign above the patient entrance. The sign will comply with Lakewood Ordinance 1329.09(c) and identify the name of the Applicant – Inflexion – in 12 inch type in two contrasting colors. The building will have no other signage, except for the no loitering signage, as permitted by Lakewood Codified Ordinance 779.16, and signage displaying the dispensary hours of operation, as permitted by Lakewood Codified Ordinance 1165.06. The Landlord will keep and maintain all signage in good repair, pursuant to Section 1329.13 of the Building Code. No merchandise, signage or pictures will be displayed in any window area of the premises, or in any interior area which could potentially be within view from the sidewalk or street adjacent to the building. The building is set back approximately ninety feet from Madison Avenue, and fifty feet from the eastern sidewalk, which will provide a substantial barrier between the building and passersby on foot or in vehicles. No signage inside or outside the building will depict or describe a marijuana leaf or combustion of plant material. The front windows and glass enclosed door area will not be covered or made opaque in any way pursuant to 1165.06(b).

[Signature page to Written Description of Request for Conditional Use]



Applicant – Infleursion, LLC

10-17-2017
Dated



Owner – Nelson Berry Property Holdings, LLC

10/17/2017
Dated

Exhibit A

LETTER OF INTENT TO LEASE

The following Letter of Intent between Infleursion, LLC (the "Tenant") and Nelson Berry Property Holdings, LLC (the "Landlord") is intended to set forth the general understandings of the parties and to provide evidence of the intent to negotiate a Lease Agreement. The parties acknowledge and agree that this Letter of Intent is legally binding and conditioned upon the Tenant's successfully obtaining a provisional license to operate a medical marijuana dispensary from the Ohio State Board of Pharmacy. The terms set forth herein do not encompass all of the terms that may be included in the agreements to be executed by the parties. If the Tenant does not obtain a provisional license to operate a medical marijuana dispensary from the Ohio State Board of Pharmacy, this Letter of Intent shall be null and void and of no further force and effect.

LOCATION: 11906-19912 Madison Avenue
Lakewood, OH 44107

SQUARE FOOTAGE: 5,500 SF

LEASE TERM: Sixty (60) Months

OCCUPANCY DATE: March 1, 2018, subject to Tenant's receipt of a provisional license to operate a dispensary from the Ohio State Board of Pharmacy.

LEASE COMMENCEMENT: September 1, 2018, subject to Tenant's receipt of a certificate of operation from the Ohio State Board of Pharmacy.

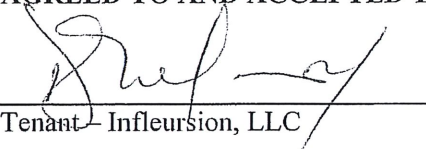
BASE RENTAL: To be determined, provided that the rent will be consistent with fair market value rental rates of similar retail properties located in or near Lakewood, Ohio.

LANDLORD IMPROVEMENTS: Landlord will complete all renovations and improvements at its own cost.

REAL ESTATE TAXES, INSURANCE, SNOWPLOWING AND LANDSCAPING: Landlord's Responsibility

UTILITIES: Tenant's Responsibility

AGREED TO AND ACCEPTED THIS 18TH DAY OF OCTOBER, 2017.



Tenant - Infleursion, LLC

10-17-2017
Dated



Landlord - Nelson Berry Property Holdings, LLC

10/17/2017
Dated

500' RADIUS MAP
 OF
11906-12 MADISON AVE.
 P.P.N. 315-15-026
 P.P.N. 315-15-027
LAKEWOOD, OHIO

Situated in the City of Lakewood, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 57 and 58 in the J.T. Newman's Subdivision of part of the Original Rockprt Township Section No. 21, as shown by the plat recorded in Volume 18, Page 16 of Cuyahoga County Map Records.

SURVEYOR NOTES

The intent of this map is to show an approximate 500 foot radius from the existing property lines of 11906-11912 Madison Avenue.

The subject property, 11906-11912 Madison Avenue, is approximately 3,100 square feet and is being located at 13367-13369 Madison Avenue.

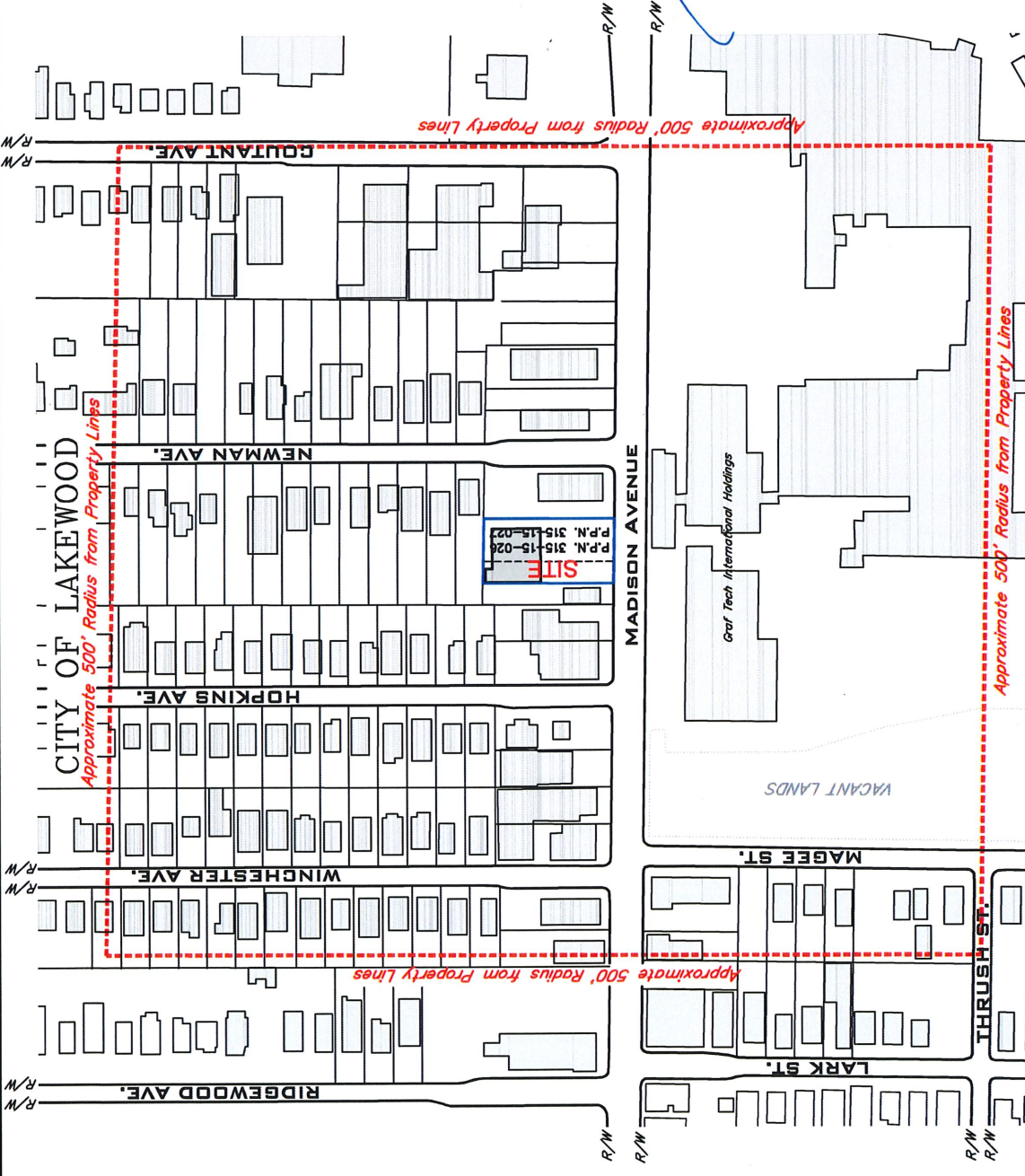
Property lines shown hereon are only approximate and are based on Cuyahoga County tax map information.

LEGEND

-  SITE
-  500' Radius Line

11906-12 Madison Avenue
 Approximately
 89.52' by 156.76'

500' Radius Line



SURVEYOR CERTIFICATION

This plot was prepared from limited field observations, field inquiries, analysis of recorded plats and Cuyahoga County Tax Map information. Distances are given in feet and decimal parts thereof. All of which I certify to be correct to the best of my knowledge.

Site - October 11, 2017
 Map - October 12, 2017

Peter J. Gaurloff
 P.S. No. 8846

Date

GRAPHIC SCALE



LAND SURVEYING - ENGINEERING - DESIGN
 3800 LAKEBIDE AVENUE - SUITE 100
 CLEVELAND - OHIO - 44114
 PHONE: (216) 751-9640
 WWW.RIVERSTONEBUREAU.COM



LAND SURVEYING • ENGINEERING • DESIGN

Medical Marijuana Control Program (MMCP) 500 Foot Radius Property Information

Subject Property:

11906-11912 Madison Avenue,
City of Lakewood, County of Cuyahoga, Ohio

Permanent Parcel No. 315-15-026 & 315-15-027

Prohibited Facilities within 500 feet:

There are no prohibited facilities, as defined in O.R.C. 3796.30, within 500 feet of the subject property

The subject property, 11906 Madison Avenue, is approximately 3,100 feet east of the building located at 13367-13369 Madison Avenue.

This information was prepared from limited field observations, onsite inquiries, analysis of recorded plats and Cuyahoga County Tax Map information. Distances are given in feet and decimal parts thereof. All of which I certify to be correct to the best of my knowledge.

Peter J. Gauriloff P.S. No. 8646 – The Riverstone Company



Exhibit C



DEPARTMENT OF PLANNING & DEVELOPMENT

12650 Detroit Avenue • 44107 • (216) 529-6630 • FAX (216) 529-5936
www.onelakewood.com

September 12, 2017

RE: Zoning Verification for 11906 Madison, Lakewood, Ohio

Ms. Geib,

Per your request, this letter serves to verify that the property located at 11906 Madison Avenue is located in the C2 Commercial Retail zone. There are currently no outstanding building or zoning code violations at the subject property.

Please contact our office at 216-529-5933 if you have any questions.

Sincerely,

Alex Harnocz
City Planner



CITY OF LAKEWOOD
DIVISION OF BUILDING INSPECTION
Certificate of Use and Occupancy

Location: **11912 MADISON AVE**
Business Name: **NELSON PROPERTY HOLDINGS**
Issued To: **LENNY BERRY**
Address: **600 SUPERIOR AVE EAST STE 1600**
City, State, Zip: **CLEVELAND, OH 44144**
Phone: **(216)830-6832**

No. of Dwelling Units:	0	Zoning District:	C3
No. of Retail Units:	0	Change of Use:	No
Other Units:	0	New or Existing:	Existing
Parking Required:	Yes	Type of Construction:	IIIB
Number of Parking Spaces:	13	Owner Occupied:	No
Number of Garage Spaces:	0	Use Group:	B
Number of Open Spaces:	13		

Auto Sprinkler System Required: No
Auto Sprinkler System Installed: No
Demand at base of riser: N/A
Hazard Classification for which sprinkler system was designed: N/A
Ohio Building Code edition on which plan approval was issued: N/A

Date Issued:
Reference Number: CN17-017526

Inspector Contact Information:
Christopher Parmelee
Building Inspector
(216) 529-6295
Christopher.Parmelee@lakewoodoh.net

Conditions and Due Date: 11/30/2017
CN17-017526
**ARCHITECTURAL DRAWINGS MUST BE
SUBMITTED WITHIN THIRTY DAYS OF THIS CO**

THIS CERTIFICATE IS NONTRANSFERABLE

Michael Molinski, R.A.
Building Official

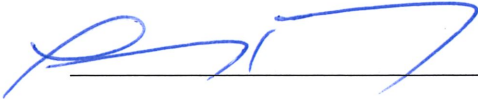
Issued pursuant to Lakewood Zoning Code Sec. 1173.01, et. Seq. and Section 111 of the Ohio Building Code in compliance with Chapters 3781 and 3791 of the Ohio Revised Code.

This certificate shall be posted in a conspicuous place upon the premises.

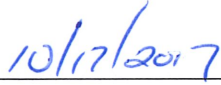
67

Letter of Authorization from Property Owner

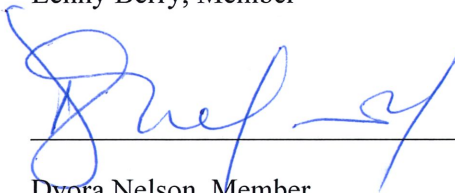
On behalf of Nelson Berry Property Holdings, LLC, the undersigned, representing all members, authorize Infleursion, LLC to obtain a conditional use permit to operate a medical marijuana dispensary at 11906-11912 Madison Avenue, Lakewood, Ohio 44107. Nelson Berry Property Holdings, LLC and Infleursion, LLC have executed a letter of intent to lease the property, attached hereto, which is conditioned upon Infleursion, LLC successfully obtaining a provisional license to operate a medical marijuana dispensary from the Ohio State Board of Pharmacy.



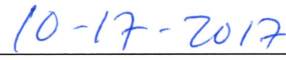
Lenny Berry, Member



Dated



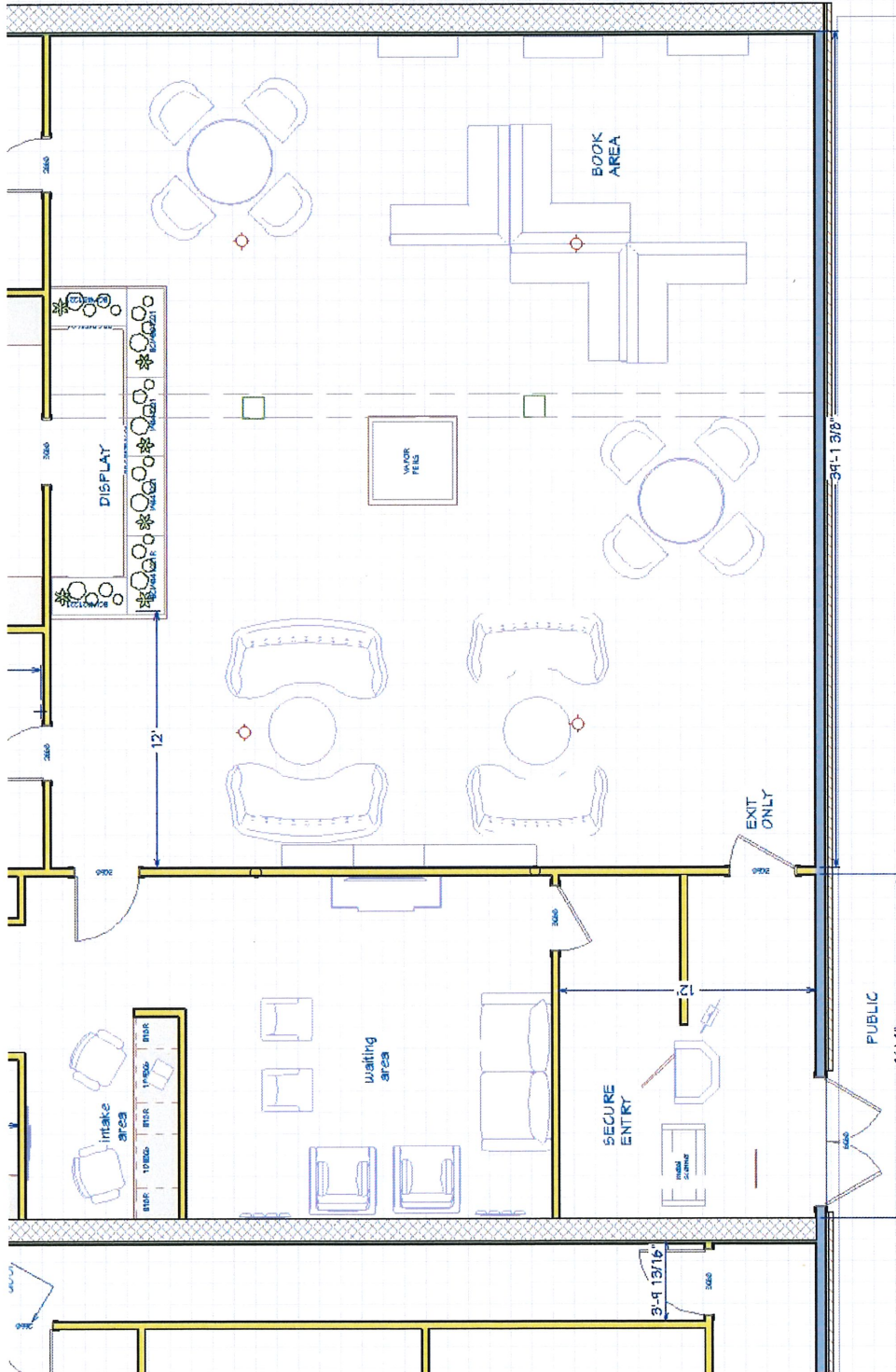
Dvora Nelson, Member

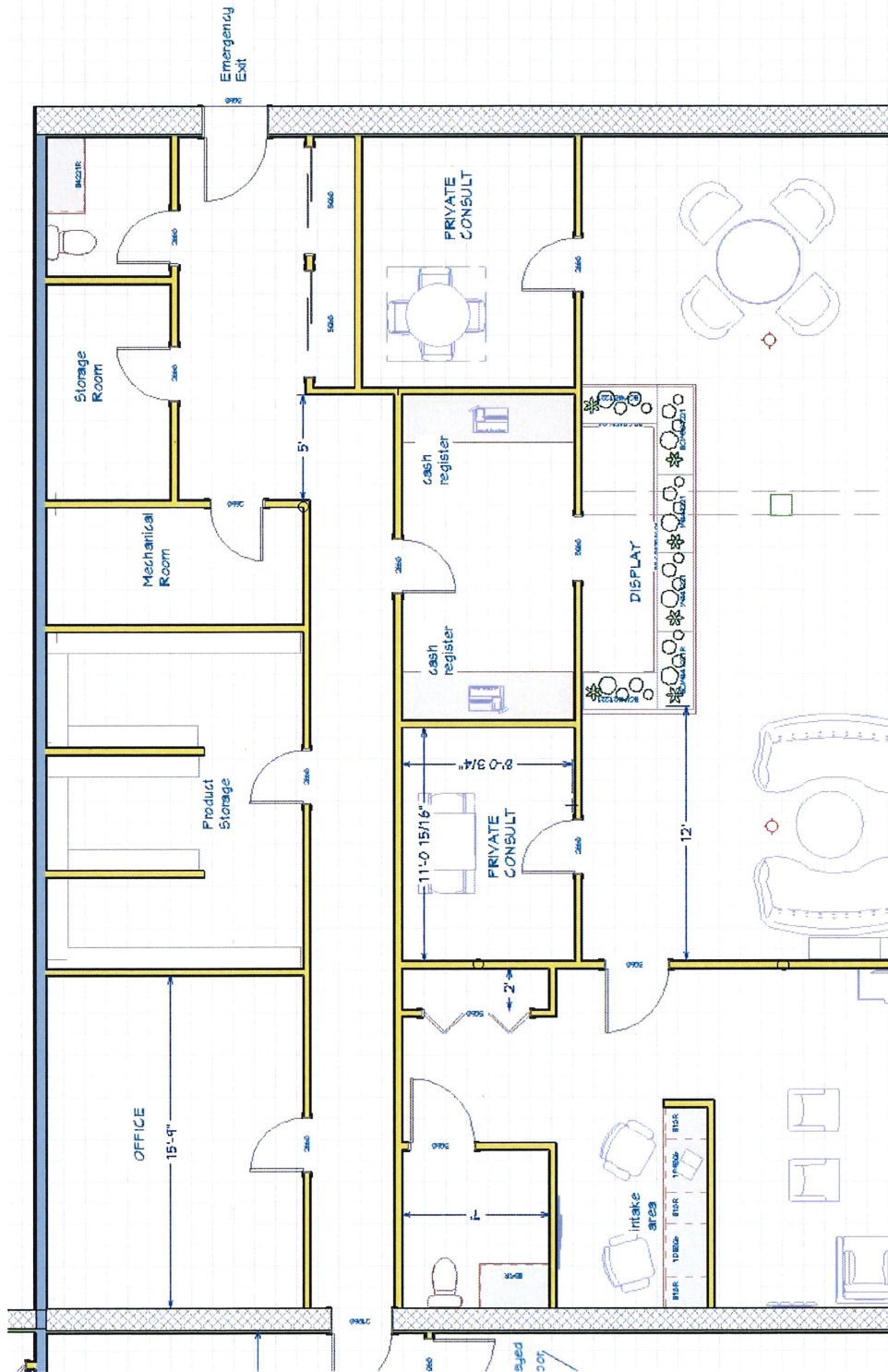


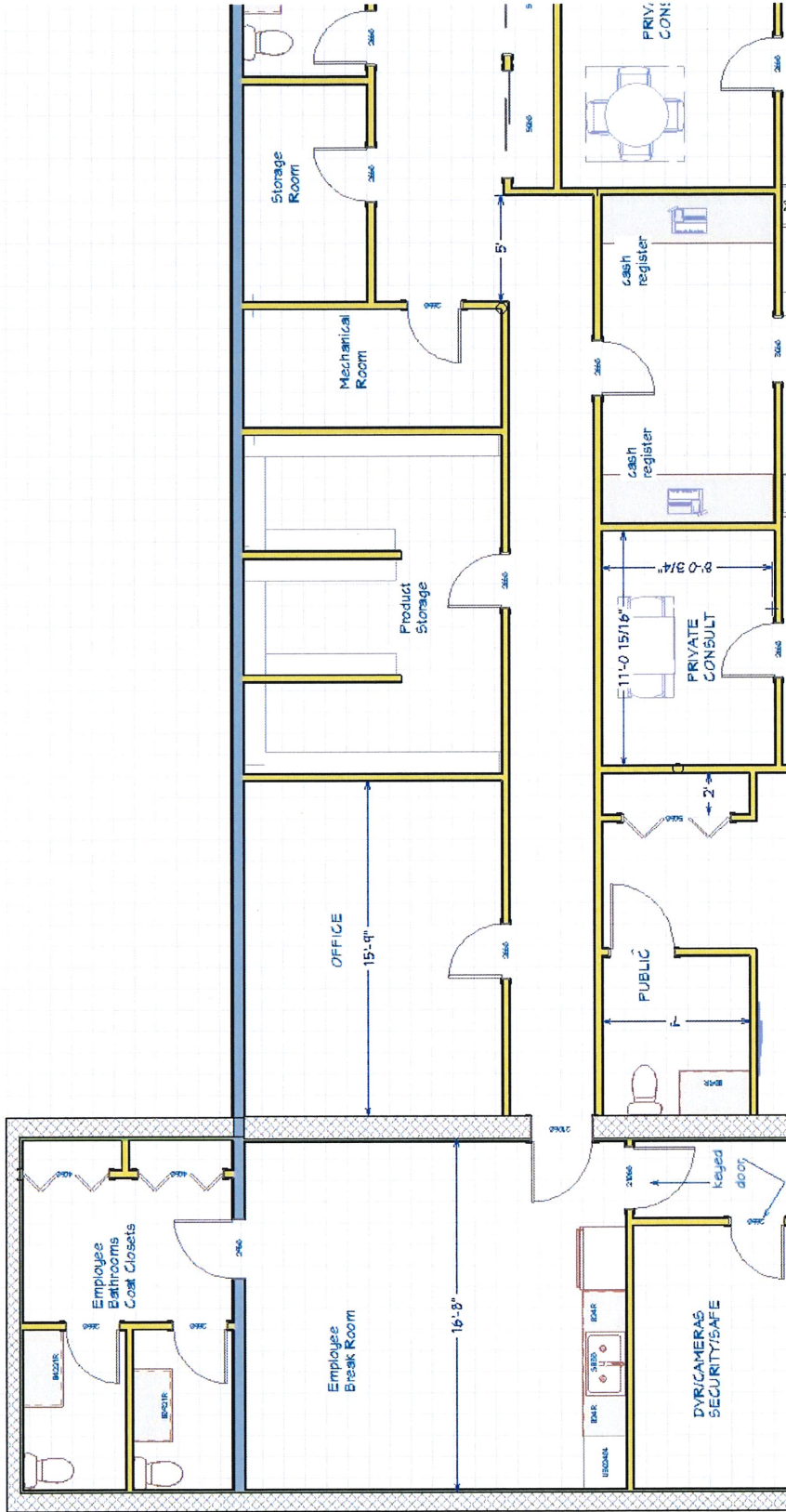
Dated

**Scaled Site Plan Detailing Elements of the Proposal
and
Showing Adjacent Properties and Uses**

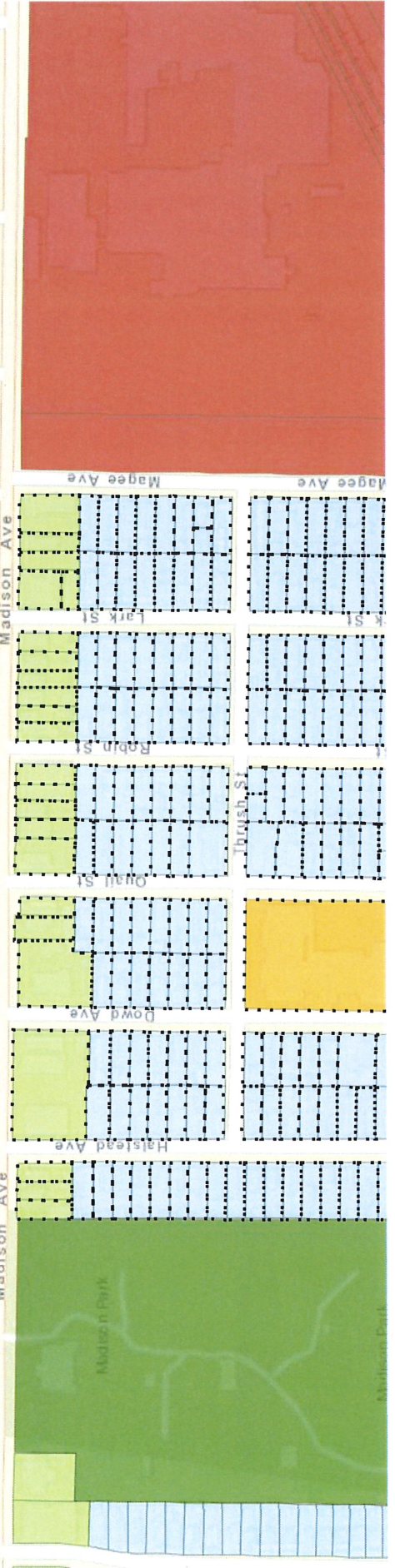
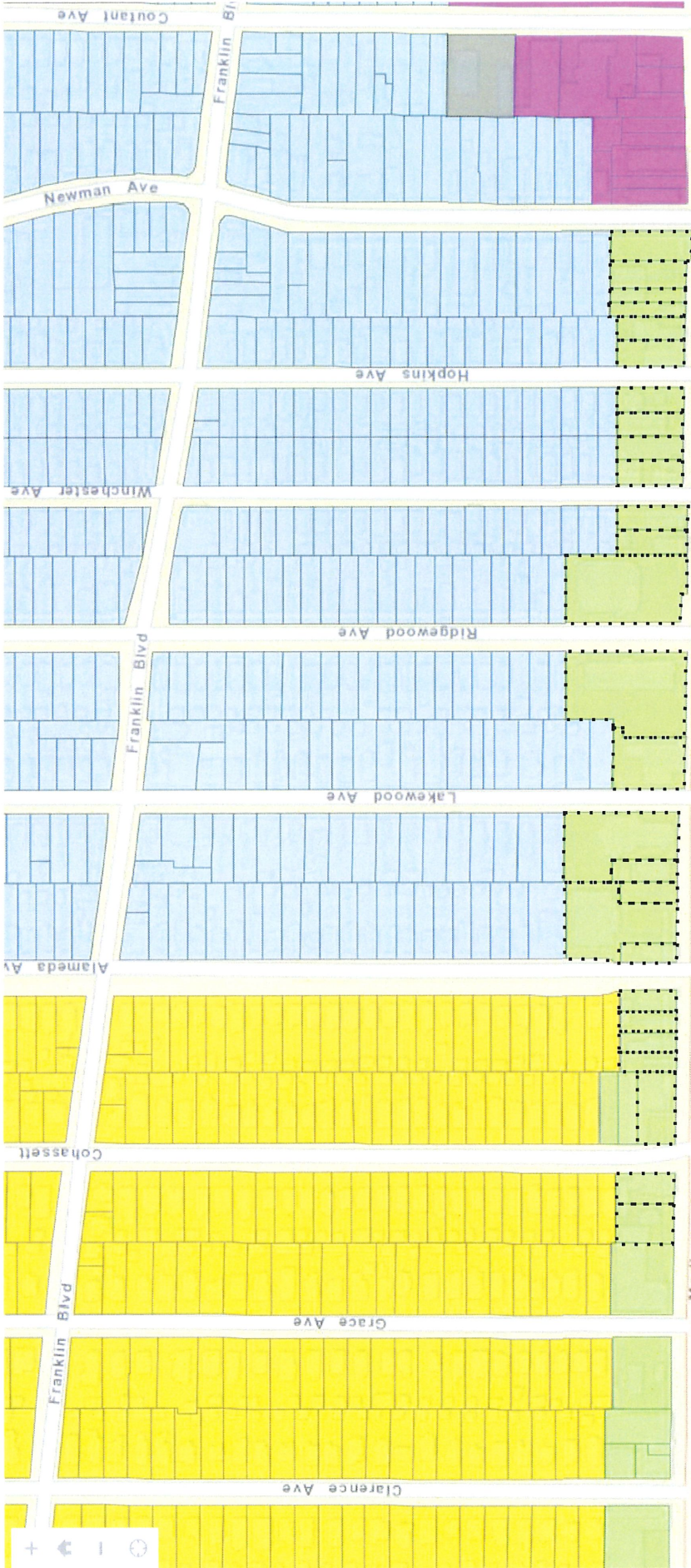








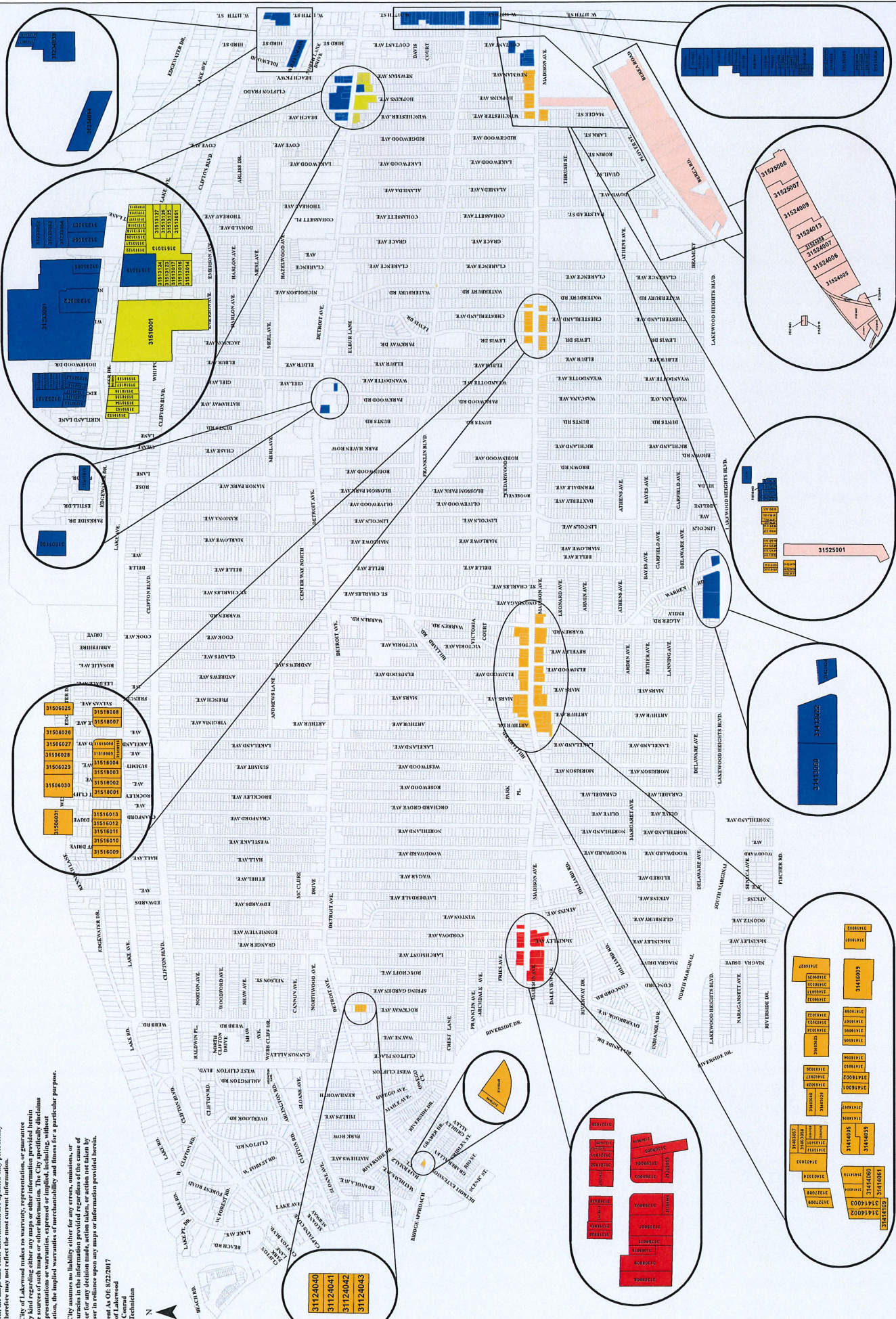
Lakewood Zoning Map



MEDICAL MARIJUANA BUSINESS ELIGIBLE LOCATIONS

500' Restrictive Structure Buffer

■ C1
 ■ C2
 ■ C3
 ■ I
 ■ PD

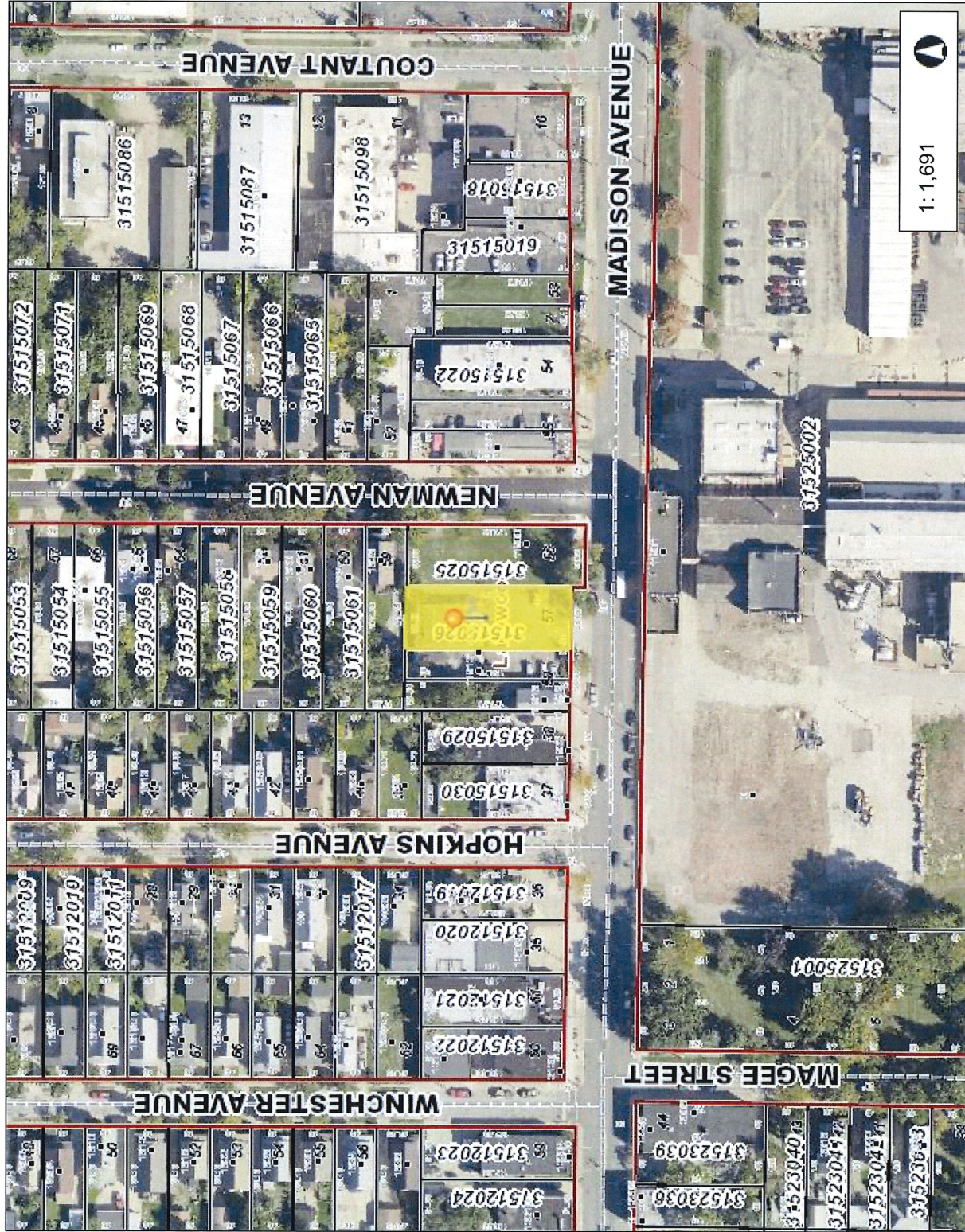


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City of Lakewood
 GIS Technician



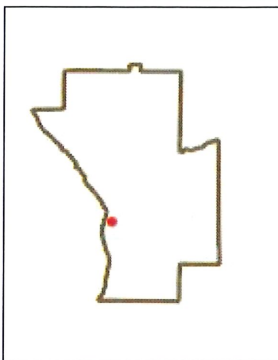
11906-11912 Madison Avenue Lakewood



Date Created: 10/13/2017

Legend

- Address Points
- Cuyahoga County Facility
- Point Parcels
- Right Of Way
- Platted Centerlines
- Parcels
- Municipalities



CUYAHOGA COUNTY
GEOGRAPHICAL
INFORMATION
GIS
SYSTEMS

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

11906 Madison Ave



Imagery ©2017 Google, Map data ©2017 Google United States 20 ft

11906 Madison Ave

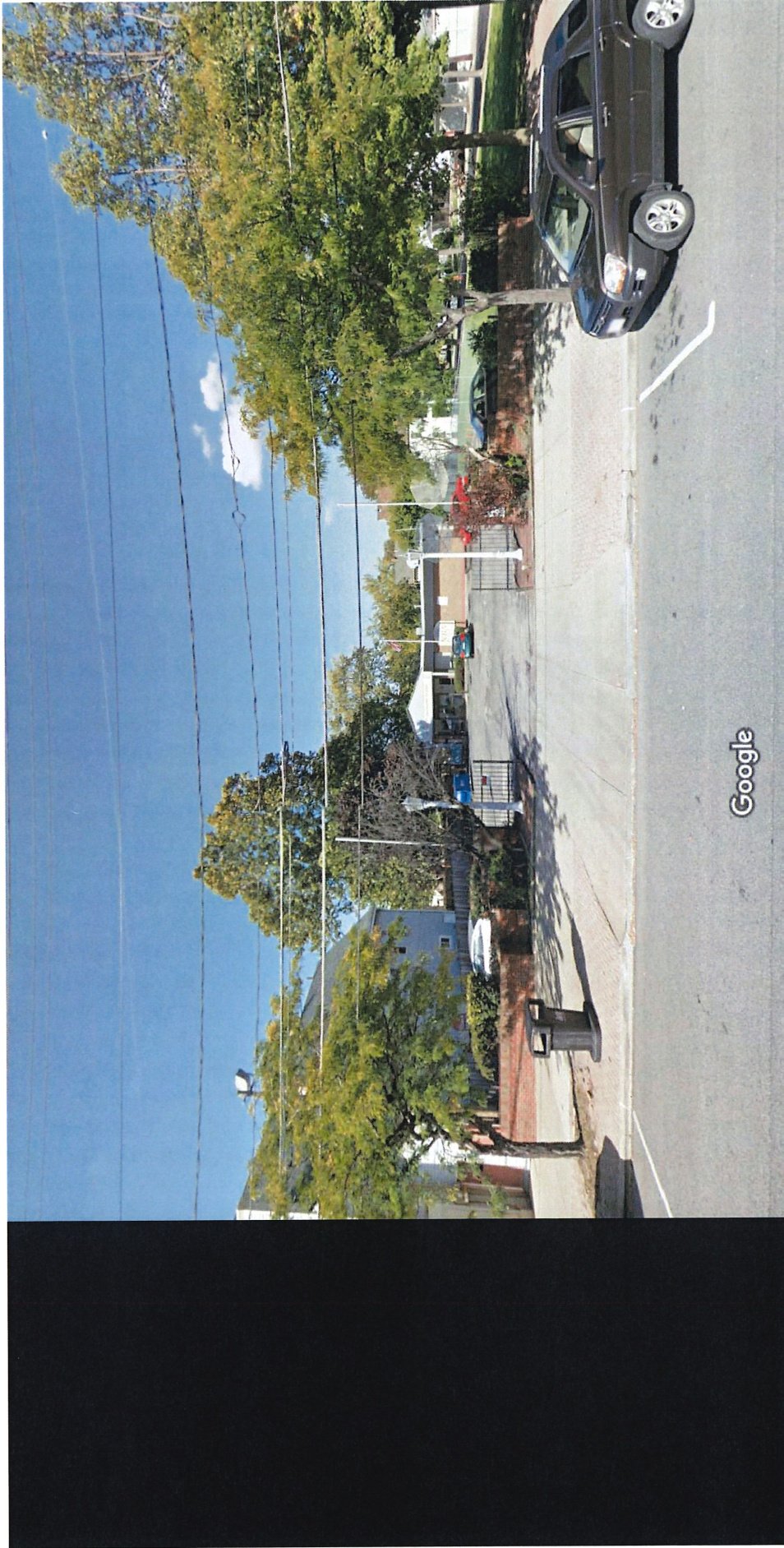


Image capture: Oct 2016 © 2017 Google United States

Lakewood, Ohio



Google, Inc.

Street View - Oct 2016

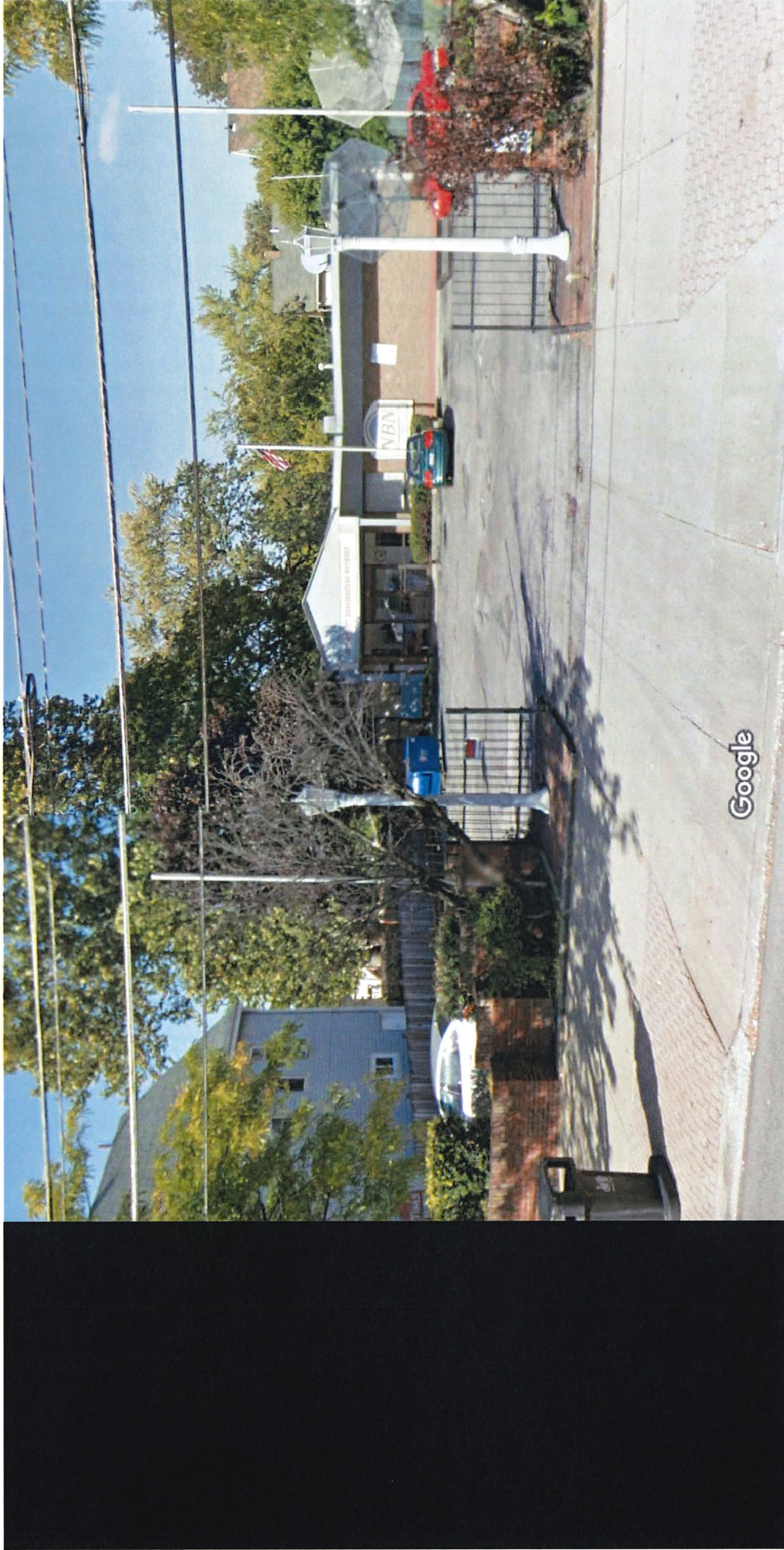
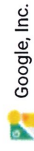


Image capture: Oct 2016 © 2017 Google United States

Lakewood, Ohio



Google, Inc.

Street View - Oct 2016

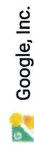
- Coutant Ave
- Newman Ave
- Hopkins Ave
- Winchester Ave
- Lidgewood Ave

11906 Madison Ave



Image capture: Oct 2016 © 2017 Google United States

Lakewood, Ohio



Google, Inc.

Street View - Oct 2016

Photos of Existing Conditions



























PLANNING COMMISSION

12650 Detroit Avenue • 44107 • (216) 529-6630 • FAX (216) 529-5907
www.onelakewood.com

October 5, 2017

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

Communication: Proposed Changes to Chapter 1161, Conditional Use Permit to Allow the Operation of Body Art Businesses

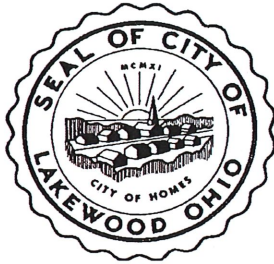
Dear Members of the Planning Commission:

The Department of Planning and Development staff will deliver a communication regarding the proposed changes to Chapter 1161, Conditional Uses, to conditionally permit body art establishments in the City.

Sincerely,

Katelyn Z. Milius

Katelyn Milius, Planner
Commission Secretary



PLANNING COMMISSION

12650 Detroit Avenue • 44107 • (216) 529-6630 • FAX (216) 529-5907
www.onelakewood.com

November 2, 2017

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

Communication: Parking Plan Review Fee Chapter 1143 and 1173

Dear Members of the Planning Commission:

The Department of Planning and Development staff will deliver a communication for review and recommendation to City Council regarding the proposed changes to Chapter 1143 and 1173, to add a park plan review fee. This item was referred to the Planning Commission by City Council at its October 16, 2017 meeting.

Sincerely,

Katelyn Z. Milius

Katelyn Milius, Planner
Secretary

ORDINANCE NO.

BY:

AN ORDINANCE to take effect at the earliest period allowed by law, amending various sections and enacting new chapters of the Zoning Code of the Codified Ordinances of the City of Lakewood in order to further clarify and regulate parking plan review in the City.

WHEREAS, the Zoning Code of the Codified Ordinances of the City of Lakewood stands to be updated to further clarify and regulate parking plan review in the City; and

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power of local self-government; and

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power to enact laws that are for the health, safety, welfare, comfort and peace of the citizens of the municipality; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Section 1143.09, Parking Plan Review; Planning Commission, currently reading as follows:

1143.09 PARKING PLAN REVIEW: PLANNING COMMISSION.

The Commission shall review applications for parking plans that do not meet the set schedule in 1143.05. In addition to Section 1143.09 and Section 1143.10, the Commission may consider the following when reviewing an application:

- (a) Impact on central character of residential neighborhoods taking on overflow parking;
- (b) Available surface parking lots in the neighborhood that could be used for shared parking;
- (c) Similarly scaled projects throughout the City to compare parking footprint;
- (d) When a restaurant use is proposed, the total number of tables to parking spaces:
 - (e) Total number of employees;
 - (f) Alternative forms of transportation available in the neighborhood;
 - (g) Implementation of bicycle facilities, including but not limited to, bicycle racks, covered bicycle parking, and shower facilities for employees;
 - (h) Peak demand for parking spaces from all uses compared to the total supply of spaces;
 - (i) Traffic impact analysis and/or a traffic demand study;
 - (j) For uses defined as Institutional or Public Assembly in Schedule 1143.05, the following guidelines:
 - (1) One space for each 80 square feet of all auditoria and public assembly rooms: and

- (2) One space for each employee.

is hereby repealed, and new Section 1143.09, Parking Plan Review; Planning Commission, is hereby enacted to read as follows:

1143.09 PARKING PLAN REVIEW: PLANNING COMMISSION.

(a) The Commission shall review applications for parking plans that do not meet the set schedule in 1143.05. In addition to Section 1143.09 and Section 1143.10, the Commission may consider the following when reviewing an application:

- (a1) Impact on central character of residential neighborhoods taking on overflow parking;
- (b2) Available surface parking lots in the neighborhood that could be used for shared parking;
- (c3) Similarly scaled projects throughout the City to compare parking footprint;
- (d4) When a restaurant use is proposed, the total number of tables to parking spaces:
- (e5) Total number of employees;
- (f6) Alternative forms of transportation available in the neighborhood;
- (g7) Implementation of bicycle facilities, including but not limited to, bicycle racks, covered bicycle parking, and shower facilities for employees;
- (h8) Peak demand for parking spaces from all uses compared to the total supply of spaces:
- (i9) Traffic impact analysis and/or a traffic demand study;
- (j10) For uses defined as Institutional or Public Assembly in Schedule 1143.05, the following guidelines:
 - (1A.) One space for each 80 square feet of all auditoria and public assembly rooms: and
 - (2B.) One space for each employee.

(b) The fees for parking plan applications shall be pursuant to Section 1173.06.

Section 2. Section 1173.06, Fees, currently reading as follows:

1173.06 FEES.

(a) Fee for an application for:

(1) Variance	
A. Residential:	\$25.00
B. Commercial:	\$50.00
(2) Similar Use	
A. Residential:	\$25.00
B. Commercial:	\$50.00
(3) Conditional Use	
A. Residential:	\$75.00
B. Commercial:	\$150.00

C. Mixed Use Overlay District:	\$250.00
(4) HPD and HP Designation	
A. Residential	\$25.00
B. Commercial:	\$50.00
(b) Minor Subdivision:	\$200.00
(c) Lot Consolidation:	\$200.00
(d) Lot Split:	\$200.00
(e) Major Subdivision:	\$400.00
(f) Planned Development:	\$500.00

(g) Fee for an application for an amendment to the Zoning Ordinance by a property owner shall be \$500.00. It shall be submitted to the Secretary of the Planning Commission who shall convey the \$500.00 to the Finance Department for a receipt.

(h) Certificate of Occupancy	
(1) Residential:	\$50.00
(2) Commercial:	\$75.00
(i) Other	
(1) Boutique:	\$25.00
(2) Fences:	\$25.00
(3) Satellite dish antenna:	\$10.00 per antenna

(4) Wireless telecommunication tower, facilities and antennas:

A. New wireless telecommunication tower and related facility - \$1,500.00 deposit upon which expenses incurred by the City will be drawn and the balance, if any, returned to the applicant upon final inspection prior to authorization of commencement of the use.

B. New wireless telecommunication antenna and related facilities (without tower) - \$500.00

C. Annual inspection fee - \$100.00

D. Reimbursement of expenses - The applicant for a wireless telecommunication tower and/or antenna facility shall be responsible for all expenses incurred by the City for any technical and/or engineering services deemed necessary by the Director, the Commissioner, the Commission, the Board or the Architectural Review Board to perform the reviews required by Chapter 1159 which are not covered by the fees set forth in subsection (4) of this Section 1173.06.

is hereby repealed, and new Section 1173.06, Fees, is hereby enacted to read as follows:

1173.06 FEES.

(a) Fee for an application for:

(1) Variance	
A. Residential:	\$25.00

B. Commercial:	\$50.00
(2) Similar Use	
A. Residential:	\$25.00
B. Commercial:	\$50.00
(3) Conditional Use	
A. Residential:	\$75.00
B. Commercial:	\$150.00
C. Mixed Use Overlay District:	\$250.00
(4) HPD and HP Designation	
A. Residential	\$25.00
B. Commercial:	\$50.00
(b) Minor Subdivision:	\$200.00
(c) Lot Consolidation:	\$200.00
(d) Lot Split:	\$200.00
(e) Major Subdivision:	\$400.00
(f) Planned Development:	\$500.00
(g) <u>Parking Plan Review:</u>	<u>\$150.00</u>

(gh) Fee for an application for an amendment to the Zoning Ordinance by a property owner shall be \$500.00. It shall be submitted to the Secretary of the Planning Commission who shall convey the \$500.00 to the Finance Department for a receipt.

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C. Annual inspection fee - \$100.00

D. Reimbursement of expenses - The applicant for a wireless telecommunication tower and/or antenna facility shall be responsible for all expenses incurred by the City for any technical and/or engineering services deemed necessary by the Director, the Commissioner, the Commission, the Board or the Ar-

chitectural Review Board to perform the reviews required by Chapter 1159 which are not covered by the fees set forth in subsection (j)(4) of this Section 1173.06.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council and that all such deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Adopted: _____

PRESIDENT

CLERK

Approved: _____

MAYOR