



Staff Report: CASE # 3-24-A

NATURE OF REQUESTS

The Applicant is requesting that the Union Township Board of Zoning Appeals grant a Conditional Use, pursuant to Article 6, Section 662, item 3 (a-k) of the Zoning Resolution, to allow an existing (State-licensed) Medical Marijuana Dispensary to also become a Recreational Marijuana Dispensary—known as a “Dual-Use” Dispensary under the new State law.

*Additionally, the Applicant is requesting the Board to consider **Variance requests:** 1) to allow a Recreational (Dual-Use) Marijuana Dispensary to be located within one hundred feet (100’) of a property containing any residential use or located in any residential zone; and 2) to allow a Recreational (Dual-Use) Marijuana Dispensary to be located within a Planned Development (PD) District. *Please refer to the Applicant’s statements, plans, and other application enclosures.*

LOCATION

The subject property, owned by 4412 Mount Carmel Tobasco Road LLC, is located approximately 175 feet to the northeast of the Mount Carmel Tobasco Road and Harrison Lane intersection, on Parcel # 413213E044.

ZONING

The subject property is zoned Planned Development (PD), with the property to the south also zoned PD. The property to the immediate north is zoned Industrial (M-1). The property to the west is zoned Single Family Detached Structure Residential (R-1) zoning. Single Family Detached Structure Residential (R-1) zoning abuts the subject property at the eastern-most point of the property.

BACKGROUND

The subject property was originally rezoned to a B-7 Zoning District in 1982, in accordance with a concept development plan. The originally-approved plan for the site acknowledged that some, but not all, of the intended uses included: retail and wholesale sales; a prescription pharmacy; office facilities including financial institutions, professional offices real estate, and other uses; animal hospital or veterinary clinic; or any other retail or wholesale business service or use which is determined to be of the same general character of the aforementioned uses.

The property was subsequently rezoned to Planned Development (PD) in Case #8-95-Z, when the Township amended the Zoning Map to correspond to Case # 1-93-T. *The latter Case item modified the language of Section 180 of the Union Township Zoning Resolution so that areas mapped as B-7 were changed to be mapped Planned Development (PD).*

The old (approx. 5,400 sq. ft.) commercial and multi-use structure on the property was destroyed by a fire (well over 10 years ago). The house that was on the property was demolished between 2019-2020. The property appeared to be vacant from 2020-2022. In October of 2022, the Township approved an Overlay (Case # 7-82-Z) for a Medical Marijuana Dispensary, which was ultimately permitted in January of 2023 and named ‘The Forest’.

STAFF COMMENTS:

After reviewing the proposed application in totality, please note:

- 1) The existing Medical Marijuana Dispensary, The Forest, is considered in compliance at this time. *A change to also become a Recreational Marijuana Dispensary—known as a “Dual-Use” Dispensary under the new State law—will result increased customers and traffic, intensifying the existing use.*
- 2) The Union Township Trustees, adopted Resolution 2024-16 on May 7th, 2024, approving text amendments to the Zoning Resolution with respect to the acknowledgement and local regulation of marijuana-related uses. *The new text became effective on June 7th, 2024, after there was no petition for referendum received.*
- 3) With respect to Article 6, Section 662, item 3 (a-k), the Township’s new code (as noted above in item 2):
 - a. The proposed use will be located a minimum of 500 feet from all of the uses set forth in this subsection.
 - b. *The proposed use is located approximately 88 feet from the closest residential use, as measured from the closest point of the main structure to the closest residential property (which is not adjoining)—not the minimum of 100 feet as set forth in this subsection. ***A Variance is required for this item.***
 - c. *Staff recommends that some additional landscaping enhancements be required, primarily between the existing parking area and Mount Carmel Tobasco Road, in accordance with Section 520 and Section 810 (4).*

- d. The Applicant has acknowledged that The Forest will not operate past 9pm, on any night of the week, and will not open before 10am.
- e. *Staff finds that the onsite lighting is adequate on this site, and does not exceed the thresholds identified in this subsection or otherwise in the Zoning Resolution (as the recent Overlay plan approval had an acceptable photometric plan, fixture details, etc.).*
- f. *Staff recommends that the Applicant be required to participate in a Joint Economic Development District (JEDD), as a condition of approval—prior to the issuance of a Zoning Permit for the conditional use. The Applicant will be required to agree to this condition.*
- g. *Staff recommends that the Applicant be required to make a one-time payment (of \$50,000) to the Township representing an Impact Fee, to compensate the Township for public safety, infrastructure improvements, and future development costs related to the use, as a condition of approval—prior to the issuance of a Zoning Permit for the conditional use. The Applicant will be required to agree to this condition.*
- h. The Applicant will be required to agree to this condition.
- i. The Applicant will be required to agree to this condition.
- j. The Applicant meets the requirement for this condition. This site is one (1) of the only two (2) Marijuana Dispensary sites that would be permitted in the Township, under this provision.
- k. *As noted earlier in this report, the subject property is zoned Planned Development (PD). ***Therefore, a Variance is required for this item.***

- 4) In accordance with Section 442, in considering an application for a conditional use the Board of Zoning Appeals shall give due regard to the nature and condition of all adjacent uses and structures; and in authorizing a conditional use the Board may impose such requirements and conditions with respect to location, construction, maintenance and operation in addition to those expressly stipulated in this Resolution for the particular conditional use as the Board may deem necessary for the protection of adjacent properties and the public interest.

In addition to the above and to the specific requirements for conditionally permitted uses as specified elsewhere in this Resolution, the Board shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

- a. Is in fact a conditional use as established under the provisions of this Resolution and appears on the Schedule of District Regulations adopted for the Zoning District involved. *The requested Conditional Use is not acknowledged as a permissible conditional use in a Planned Development (PD) district, per Article 6, Section 662, item 3. The existing Medical Marijuana Dispensary is considered a pre-existing, non-conforming use and the use and property were considered compliant until the new Zoning Resolution text went into effect on June 7th, 2024.*
- b. Will be in accordance with the general objectives, or with any specific objective, of the Township's Comprehensive Plan and/or the Zoning Resolution;
- c. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area. *With regard to this item, the Applicant has stated: "...Through thoughtful design, respectful operation, diligent maintenance, and proactive community engagement (the) proposed conditional use will be harmonious and appropriate with the existing or intended character of the general vicinity and the Township's long-standing plans for this parcel."*
- d. Will not be hazardous or disturbing to existing or future neighboring uses. *The Applicant has indicated that The Forest operates responsibly and in coordination with local regulations—with 'no loitering policy' around its facility. Additionally, The Forest reps acknowledge that they "...engage in dialogue with neighboring businesses and residents to address any concerns and maintain harmonious coexistence within the community."*
- e. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;

- f. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community. *The Forest forecasts (its dual-use) its annual sales to be approximately \$7.5M annually, providing approximately \$320,625 of additional tax income to the Township. The Applicant's intent is to "...be the best neighbors as possible in the (Township) to help and do good for the community..." However, the Applicant also notes: "...In the event that a Court of competent jurisdiction rules that fees and taxes similar to those in this Proposal are unenforceable, Union Township will negotiate in good faith for the refund all such taxes paid by The Forest."*
 - g. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors. *The Applicant acknowledges that their operations are conducted within an existing structure, and that they "...employ best practices to mitigate any potential disturbances such as noise, odors, or increased traffic..." The Forest has planned for additional traffic and, according to its reps, has "...taken all necessary steps to ensure minimal impacts are taken care of accordingly."*
 - h. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares. *The Applicant acknowledges that by adding the Recreational Marijuana Dispensary use, vehicular traffic will be between 2-3 times more than the existing traffic volumes serving the Medical Marijuana Dispensary use. However, the Applicant indicates that comprehensive traffic studies have been conducted that ensure compliance, effective management of traffic, and minimal disruption to the surrounding area.*
 - i. Will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance. *Based on the Applicant's current submittal, there are no plans to make changes to the exterior of the existing structure (itself), or the access drives or parking area.*
- 5) Pursuant to Section 430 of the Township Zoning Resolution, to grant the necessary Variances, the Board would need to find that the literal enforcement or strict application of the provisions of the Zoning Resolution would result in an unnecessary hardship.

6) In accordance with Section 431, the Board would also need to find affirmatively on:

- a. The granting of the Variances shall be in accord with the general purpose and intent of the regulations imposed by this Resolution on the district in which it is located, and shall not be injurious to the area or otherwise detrimental to the public welfare. *As noted earlier in this report, the existing Medical Marijuana Dispensary is considered a pre-existing, non-conforming use and the use and property were considered compliant until the new Zoning Resolution text went into effect on June 7th, 2024. The property has been considered compliant with all zoning regulations since the Forest was established.*
- b. The granting of the Variances will not permit the establishment of any use which is not otherwise permitted in the district. *The proposed use is similar in nature to the existing use on the site. The primary difference, from a zoning perspective, is the intensity of the proposed use, along with some increased concerns regarding public safety and security.*
- c. There must exist special circumstances or conditions, fully described in the findings, applicable to the land or buildings for which the Variances are sought, which are peculiar to such land or buildings and do not apply generally to land or buildings in the area, and which are such that the strict application of the provisions of this Resolution would deprive the applicant of the reasonable use of such land or building. Mere loss in value shall not justify a variance; there must be deprivation of beneficial use of land. *Essentially, the need for the Variances arises from the recent text amendments to the Township Zoning Resolution—which were created to address a use that did not previously exist in the code, community, State, etc.*
- d. There must be proof of hardship created by the strict application of this Resolution. It is not sufficient proof of hardship to show that greater profit would result if the variance were granted. Furthermore, the hardship complained of cannot be self-created; nor can it be established on this basis by one who purchases with or without knowledge of the restrictions; it must result from the application of this Resolution; it must be suffered directly by the property in question; and evidence of variances granted under similar circumstances need not be considered. *The conditions necessitating the Variances have not been self-created, by the Owner or Applicant. If the Variances are not granted, the facility would either be forced to relocate, or the existing building—which is less than 2 years old—would need to be reconfigured on the site.*
- e. The granting of the variance is necessary for the reasonable use of the land or building, and the variance as granted is the minimum variance that will accomplish this purpose.

- f. The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values of the adjacent area. *With respect to this particular item, staff recommends that an updated traffic analysis be conducted for this site, to determine if improvements are necessary for the proposed use(s).*
- g. The granting of the variance requested will not confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district. *As noted earlier in this report, the proposed use is similar in nature to the existing use on the site—which was originally zoned as a business district in 1982 (and converted to PD in 1993).*

ACTION REQUIRED

In accordance with Article 4, Sections 441-445 and Article 6, Section 662, item 3 of the Zoning Resolution, the Board of Zoning Appeals' role in the **Conditional Use** process is to either enter a motion to approve, modify, or deny the Applicant's request for a **Conditional Use**, to allow an existing (State-licensed) Medical Marijuana Dispensary to also become a Recreational Marijuana Dispensary—known as a “Dual-Use” Dispensary.

In accordance with Article 4, Sections 430-431 and Article 6, Section 662, item 3 of the Zoning Resolution, the Board of Zoning Appeals' role in the **Variance** process is to either enter a motion to approve, modify, or deny the Applicant's requests involving: 1) a Recreational Marijuana Dispensary to be located within one hundred feet (100') from the boundaries of a property containing any residential use or located in any residential zone; and 2) a Recreational Marijuana Dispensary to be located on property zoned as Planned Development (PD).

***Please note that this decision must be based on the evidence, testimony, and Findings of Fact related to the request.*

RECOMMENDED ADDITIONAL CONDITIONS

Should the Board of Zoning Appeals grant favorable consideration to the Applicant's request for conditional use approval, the following additional conditions are recommended for incorporation into any such approval by the Board:

- 1) The Applicant shall be required to provide an updated traffic analysis to include the use(s) associated with the site. *The Planning and Zoning Director will work with the County Engineer's Office to determine if any road improvements are warranted, as a result of the increased traffic to Mount Carmel Tobasco Road.*
- 2) The Applicant shall be required to provide some additional landscaping on the site, primarily between the existing parking area and Mount Carmel Tobasco Road, in accordance with Section 520 and Section 810 (4). *Such landscaping plan shall be subject to administrative review and approval by the Planning and Zoning Director.*

- 3) The Applicant shall execute and deliver petitions and paperwork, and shall fully cooperate in the establishment of a Joint Economic Development District (JEDD), as a condition of approval. While the JEDD establishment may occur after the issuance of any conditional use approval, all required paperwork shall be executed by the Applicant prior to the issuance of a Zoning Permit for the conditional use, or at such time as requested by the Township (within 10 business days of receiving the required documentation). In addition, the Applicant shall fully cooperate in the establishment of the JEDD as required by the Township.
- 4) The Applicant shall be required to make a one-time payment of \$50,000 to the Township representing an Impact Fee, to compensate the Township for public safety, infrastructure improvements, and future development costs related to the use, as a condition of approval—prior to the issuance of a Zoning Permit for the conditional use.
- 5) The Applicant shall enter into a Community Benefits Agreement with the Township, ensuring that local tax revenues in the amount of 3.6% of gross sales be distributed to the Township as contemplated by voters during the passage of Ohio Statewide Issue 2, for as long as the dispensary remains in operation, regardless of any change or amendment to State Laws governing the distribution of excise taxes levied by the State of Ohio upon the sale of either medical or adult-use recreational marijuana. In the event that the Township receives local excise tax revenue distributions from the State of Ohio while the dispensary remains in operation, the Township will agree to rebate any excess or duplicate payments made by the Applicant, with the amount received from the State of Ohio credited toward the projected, aggregate 3.6% local excise tax distribution. The Community Benefits Agreement shall remain in effect for as long as the dispensary operates at this location, and shall specifically bind the parties and any subsequent heirs, assignees, or operators.



Appendix

1. Application
2. Tax Map
3. EagleView
4. Plat of Easement
5. Plat of Survey
6. Site Plans / Permit Set
7. 500' Survey
8. Major Amendment PD
9. Trustee Presentation
10. Zoning Permit



1. Application

CONDITIONAL USE APPLICATION

RE: Property located at: 4412 Mount Carmel Tobasco Rd

Property Identification Number from Auditor's Tax Bill: 413213E044.

I. APPLICANT INFORMATION

- A. Name:** The Forest Cincinnati
Mailing Address: 4412 Mt Carmel Tobasco Rd, Cincinnati OH, 45244
Phone: (513) 676-0775
- B. Property Owner(s):** Standard Wellness Company
Mailing Address: 105 Commerce Dr, Gibsonburg OH, 43431
Phone: (419) 366-0379
- C. Contact Person:** Joe Andulics
Mailing Address: 425 Literary Rd, Cleveland OH, 44113
Phone: (440) 506-4410

II. CONDITIONAL USE

- A. Please identify the Section of the Union Township Zoning Resolution which authorizes the requested conditional use:** Section 662
- B. Please state the zoning district(s) of the property:** "PD" Planned Development

- C. Please describe the existing use of the property and the conditional use requested:**

The existing use of the property is as a medical marijuana dispensary, which is operational within the PD (Planned Development) zoning district. We are seeking a conditional use permit to continue operating our dispensary within this zoning district, as mandated by the Township's recent Amendment to the Zoning Resolution requiring all marijuana dispensaries to be zoned as B1. The conditional use permit allows us to maintain our current operation within the PD zoning district despite the new zoning requirements. We understand that our existing medical marijuana dispensary is considered a pre-existing non-conforming use. However, the State of Ohio is in the process of authorizing existing medical marijuana dispensaries to convert to dual-use dispensaries (i.e., the State will permit our dispensary to sell products to both medical and non-medical adult customers), and the Township has informed us that it believes a conditional use permit is necessary to operate as a dual-use dispensary.

CONDITIONAL USE APPLICATION

C. Please describe the existing use of the property and the conditional use requested:

The existing use of the property is as a medical marijuana dispensary, which is operational within the PD (Planned Development) zoning district operating under the townships rules when built and has been complaint until zoning resolution has been put in. We are seeking a conditional use permit to continue operating our dispensary within this zoning district as a dual use dispensary allowing adult use in addition to pre existing medical, as mandated by the Township's recent Amendment to the Zoning Resolution

The conditional use permit allows us to maintain our current operation and allow operations to sell as a dual use adult use dispensary along with medical use within the PD zoning district. We understand that our existing medical marijuana dispensary is considered a pre-existing non-conforming use. However, the State of Ohio is in the process of authorizing existing medical marijuana dispensaries to convert to dual-use dispensaries (i.e., the State will permit our dispensary to sell products to both medical and non-medical adult customers), and the Township has informed us that it believes a conditional use permit is necessary to operate as a dual-use dispensary.

PROPOSAL REGARDING CONDITIONAL USES

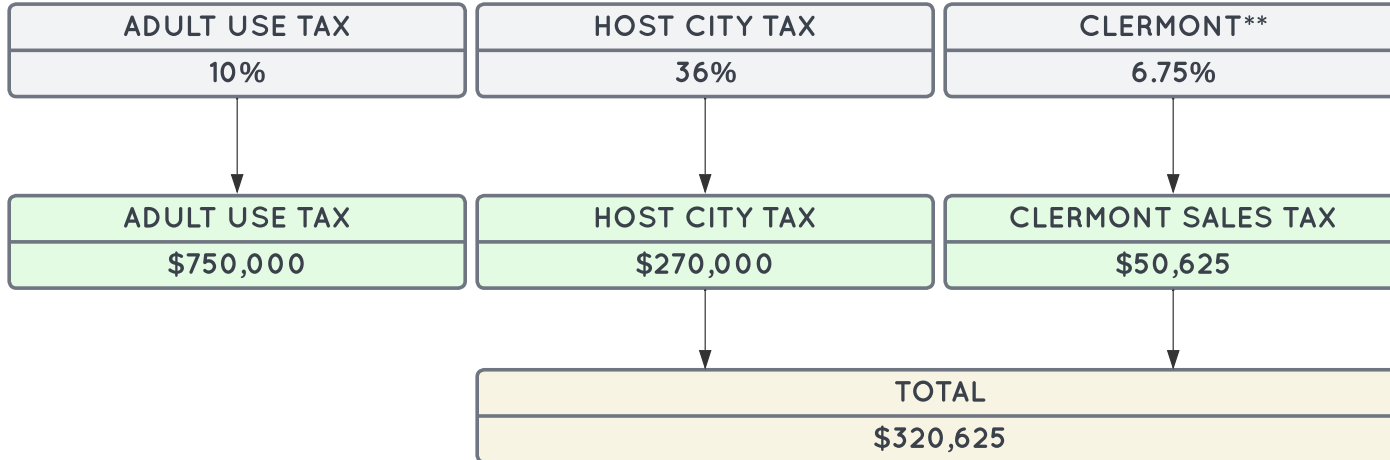
(ZONING RESOLUTION SECTIONS 662)

Subject to Union Township's consideration of The Forest's applications for (1) a variance, and (2) a conditional use permit, The Forest will hereby proposes that, upon the granting of a variance and issuance of a conditional use permit:

- a. The Forest will participate in a Joint Economic Development District (JEDD) on mutually agreeable terms. Any fees or taxes agreed upon under the JEDD framework will be offset by tax revenues paid to Union Township by the State of Ohio pursuant to excises taxes imposed on the sales of marijuana;
- b. The Forest will pay the one-time \$50,000 impact fee; and
- c. In the event a court of competent jurisdiction rules that fees and taxes similar to those in this Proposal are unenforceable, Union Township will negotiate in good faith for the refund all such taxes paid by The Forest.
- d. If state of Ohio changes path, our intent is to divert the same amount of incoming revenues into the town. Our intent is that that the township still continues to receive the same amount. Our forecast of \$7,500,000 in annual sales at the dispensary will amount to \$320,625 dollars over to the city. Our intent is to be the best neighbors as possible in the city to help and do good for the community through this CBA pledge.

Cincinnati - 4412 Mt Carmel Tobasco Rd

EXPECTED DISPENSARY REVENUE: \$7,500,000



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EXHIBIT A

442.2. (441.7). Please describe how the proposed conditional use is consistent with the general objectives, or with any specific objective, of the Township's land development plan and the Zoning Resolution.

Our proposed conditional use for operating a dual use dispensary supports and advances the general and specific objectives of the Township's land development plan and Zoning Resolution, fostering economic development, public health and safety, compatible land use, sustainable practices, and regulatory compliance.

442.3. Please describe how the proposed conditional use will be designed, constructed, operated, and maintained so to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.

Our location is currently live and operational. Through thoughtful design, respectful operation, diligent maintenance, and proactive community engagement, our proposed conditional use will be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and the Township's long-standing plans for this parcel. This ensures that the essential character of the area remains unchanged and is enriched by our presence and will comply with all relevant standards that apply.

442.4 (441.7) Please discuss the compatibility of the proposed conditional use with the adjacent property uses and describe how the proposed conditional use will not be hazardous or disturbing to existing or future neighboring uses.

The proposed conditional use of continuing our medical marijuana dispensary and converting to a dual-use dispensary allowing adult use in addition to pre existing medical when permitted by the State of Ohio within the PD zoning district is compatible with adjacent property uses and will not be hazardous or disturbing to existing or future neighboring uses. The dispensary is designed and operates in a manner that maintains the aesthetic and functional integrity of the neighborhood. We have taken measures to ensure that our operation is conducted responsibly and in accordance with local regulations, minimizing any potential negative impacts on neighboring properties. Additionally, we engage in dialogue with neighboring businesses and residents to address any concerns and maintain harmonious coexistence within the community. Our operation is conducted within an existing structure, and we employ best practices to mitigate any potential disturbances such as noise, odors, or increased traffic flow. Our operations are also strictly regulated by the State of Ohio, and we comply with all such regulations.

442.5. Please describe how the proposed conditional use will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.

The proposed conditional use for our existing marijuana dispensary within the PD zoning district will be adequately served by essential public facilities and services, ensuring a smooth and sustainable operation. By ensuring adequate provision and maintenance of highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and maintaining non-impact on schools, the proposed conditional use will be well-supported by essential public facilities and services. This ensures the dispensary can operate smoothly and sustainably within the community. We have planned for additional incoming traffic and have taken all necessary steps to prepare to ensure minimal impacts are taken care of accordingly.

442.6. Please describe how the proposed conditional use will not create additional requirements at public cost for public facilities and services and how it will not be detrimental to the economic welfare of the community.

By ensuring that the dispensary is self-sufficient in its use of services, contributing positively to local economic activity, and maintaining strict regulatory compliance, the proposed conditional use will not create additional requirements at public cost for public facilities and services and will contribute and enhance positively to the economic welfare of the community. Our hours of operating will be Monday through Saturday 10am-7pm and Sunday 10am-6pm.

442.7 (441.7). Please describe how the proposed conditional use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.

The proposed conditional use for our existing marijuana dispensary ensures that operations will not be detrimental to persons, property, or the general welfare. Effective traffic management plans, soundproofing, and restricted operational hours minimize noise and congestion. Prohibited on-site consumption and advanced ventilation systems eliminate fumes. Exterior lighting design prevents glare, while state-of-the-art odor control systems maintain air quality. A full traffic management plan is in place along with a strict no loitering policy enforced at all times. Adherence to health and safety regulations and proactive community engagement further ensure that the dispensary operates harmoniously within the neighborhood, without causing any excessive production of traffic, noise, fumes, glare, or odors.

442.8. Please describe how the proposed conditional use will have vehicular approaches to the property which are designed so not to create an interference with traffic on surrounding public thoroughfares.

The proposed conditional use for our existing marijuana dispensary ensures that vehicular approaches are designed to prevent interference with traffic on surrounding public thoroughfares. The strategic location of entrances and exits, and clear signage facilitate smooth traffic flow. Ample on-site parking and designated drop-off zones prevent congestion on public streets. Comprehensive traffic impact studies ensure that all measures comply with regulations and effectively manage traffic, ensuring minimal disruption to the surrounding area. We anticipate an initial rush of traffic for adult use sales that we have forecasted to taper down. Anticipation of 3x the traffic at peak times and 2x the traffic for the first 6 months is forecasted and planned for with extra labor and close monitoring of incoming traffic to help prevent any kind of disruptions of traffic into the area.

442.9. Please describe how the proposed conditional use will not result in the destruction, loss, or damage of a natural, scenic, or historic features of major importance.

The proposed conditional use of operating our existing marijuana dispensary with allowing adult use in addition to pre existing medical use within the PD zoning district will not result in the destruction, loss, or damage of natural, scenic, or historic features of major importance. Our operation is primarily contained within an existing structure and does not involve any alterations to the surrounding natural environment, scenic vistas, or historic landmarks. We adhere to all relevant regulations and guidelines to ensure minimal impact on the surrounding area. In addition, we enforce a strict no loitering policy onsite that prohibits any kind of loitering or hanging around inside or outside of our building. This is closely monitored by security and our advanced security systems installed on the premises.

VARIANCE APPLICATION

RE: Property located at: 4412 Mount Carmel Tobasco Rd

Property Identification Number from Auditor's Tax Bill: 413213E044.

I. APPLICANT INFORMATION

- A. Name:** The Forest Cincinnati
Mailing Address: 4412 Mt Carmel Tobasco Rd, Cincinnati OH, 45244
Phone: (513) 676-0775
- B. Property Owner(s):** Standard Wellness Company
Mailing Address: 105 Commerce Dr, Gibsonburg OH, 43431
Phone: (419) 366-0379
- C. Contact Person:** Joe Andulics
Mailing Address: 425 Literary Rd, Cleveland OH, 44113
Phone: (440) 506-4410

II. VARIANCE INFORMATION

- A. I hereby request the Board of Zoning Appeals to grant a variance(s) from Section(s) 430 of the Union Township Zoning Resolution**

- B. Please describe generally each variance requested.**

Our company, an operational medical marijuana dispensary, is seeking a variance from the newly enacted Township Amendment to the Zoning Resolution mandating a minimum distance of 100 feet between dispensaries and residential areas. We understand that our existing medical marijuana dispensary is considered a pre-existing non-conforming use. However, the State of Ohio is in the process of authorizing existing medical marijuana dispensaries to convert to dual-use dispensaries (i.e., the State will permit our dispensary to sell products to both medical and non-medical adult customers), and the Township has informed us that it believes a variance is necessary to operate as a dual-use dispensary. Compliance with the setback requirement would necessitate relocation, incurring substantial costs and disruption to our established operations. Additionally, alternative suitable locations meeting the new criteria are scarce, if not entirely unavailable, within the township limits.

- C. Please state the zoning district(s) of the property**
“PD” Planned Development

VARIANCE APPLICATION

B. Please describe generally each variance requested.

Our company, an operational medical marijuana dispensary, which is operational within the PD (Planned Development) zoning district operating under the townships rules when built and has been complaint until zoning resolution has been put in. We are seeking a variance from the newly enacted Township Amendment to the Zoning Resolution mandating a minimum distance of 100 feet between dispensaries and residential areas and also a variance to also continue operational (with a dual use license) within the PD (Planned Development) zoning district since new requirement states all marijuana dispensaries to be zoned as B1. This variance allows us to maintain our current operation within the PD zoning district despite the new zoning requirements. Of note, our understanding is that the Township has viewed our parcel as being underdeveloped for at least 20 years prior to our operations at the parcel (please see Attachment 8, Major Amendment PD).

EXHIBIT A

431.5.a. Please describe how the granting of the variance is consistent with the general purpose and intent of the regulations imposed by this Resolution on the district in which it is located, and is not injurious to the area or otherwise detrimental to the public welfare.

The granting of the variance for 100' setback and also operating in the PD district aligns with the regulations' purpose by ensuring the continued operation of one (of two) medical marijuana dispensaries in the Township. It is also consistent with the regulations' purpose by ensuring continued access to essential medical services provided by our operational medical marijuana dispensary. Our establishment has operated without detriment to the area or public welfare, maintaining security and positive community relations. Displacing us would disrupt patient care and cause undue hardship. Therefore, granting a variance will benefit the community while upholding the intent of the regulations.

431.5.b. Please describe how the granting of the variance will not permit the establishment of any use which is not otherwise permitted in the district.

Granting the variance will not permit the establishment of any use that is not otherwise permitted in the district. Our medical marijuana dispensary (and future dual-use dispensary) is already an approved and permitted use within the zoning regulations of the district. And the Township zoning resolution expressly provides for two dispensaries in the Township. The variance solely pertains to the setback requirement and zoning district, ensuring that our existing use remains in compliance with all other zoning regulations. Therefore, the granting of the variance does not introduce any new or prohibited uses into the district, maintaining consistency with the established zoning guidelines. We have been operating under the townships rules when built and has been complaint until zoning resolution has been put in.

431.5.c. Please describe the special circumstances or conditions, applicable to the land or buildings for which the variance is sought, which are peculiar to such land or buildings and do not apply generally to land or buildings in the area, and which are such that the strict application of the provisions of this Resolution would deprive the applicant of the reasonable use of such land or building. Mere loss in value shall not justify a variance; there must be deprivation of beneficial use of land.

The special circumstances applicable to our property include its strategic location chosen for accessibility and security. Relocation due to the setback requirement would disrupt essential medical services provided by our operational medical marijuana dispensary, depriving patients of vital treatment; likewise, when dual-use sales are permitted by the State of Ohio, we anticipate than many medical users of our facility will allow their Medical Marijuana cards to lapse so that they will need to purchase the same products from the same facility. Our request for variance is not merely based on property value loss but on

the deprivation of beneficial use and reasonable use of our land and building. Granting the variance would enable us to continue serving the community effectively while adhering to the zoning regulations as we have been doing,

431.5.d. Please describe the proof of hardship created by the strict application of this Resolution. It is not sufficient proof of hardship to show that greater profit would result if the variance were granted. Furthermore, the hardship complained of cannot be self-created; nor can it be established on this basis by one who purchases with or without knowledge of the restrictions; it must result from the application of this Resolution; it must be suffered directly by the property in question; and evidence of variances granted under similar circumstances need not be considered.

Proof of hardship due to the strict application of the Resolution is grounded in the genuine deprivation of beneficial use of the property, not merely potential profit. The hardship is not self-created, arising directly from the Resolution's application and impacting the property in question. Compliance would entail significant financial burdens and operational disruptions. Therefore, our request for a variance is based on the clear and compelling evidence of genuine hardship directly suffered by our property.

431.5.e. Please describe why the granting of the variance is necessary for the reasonable use of the land or building, and why the variance requested is the minimum variance that will accomplish this purpose.

The variance is necessary for the reasonable use of our property as it enables us to continue providing vital services while complying with zoning regulations and setbacks. The requested variance represents the minimum deviation required, ensuring patients' continued access to essential care without imposing undue burdens on our operations and allowing us to stay compliant inside the township.

431.5.f. Please describe how the proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values of the adjacent area.

The proposed variance will not negatively impact adjacent properties or the surrounding area. Our dispensary operates safely and responsibly, with measures in place to mitigate any potential concerns such as traffic congestion or property devaluation. Granting the variance will maintain the status quo of responsible operation without compromising public safety or property values. We anticipate an initial rush of traffic for adult use sales that we have forecasted to taper down. Anticipation of 3x the traffic at peak times and 2x the traffic for the first 6 months is forecasted and planned for with extra labor and close monitoring of incoming traffic to help prevent any kind of disruptions of traffic into the area. In addition, we enforce a strict no loitering policy onsite that prohibits any kind of loitering

or hanging around inside or outside of our building. This is closely monitored by security and our advanced security systems installed on the premises.

431.5.g. Please describe why the granting of the variance requested will not confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district.

The granting of the requested variance does not confer any special privilege denied to other properties in the same district. Our application is based on unique circumstances specific to our property and seeks a reasonable accommodation to ensure its reasonable use. The variance aligns with the objectives of the district regulations and does not seek preferential treatment.



2. Tax Map





3. EagleView

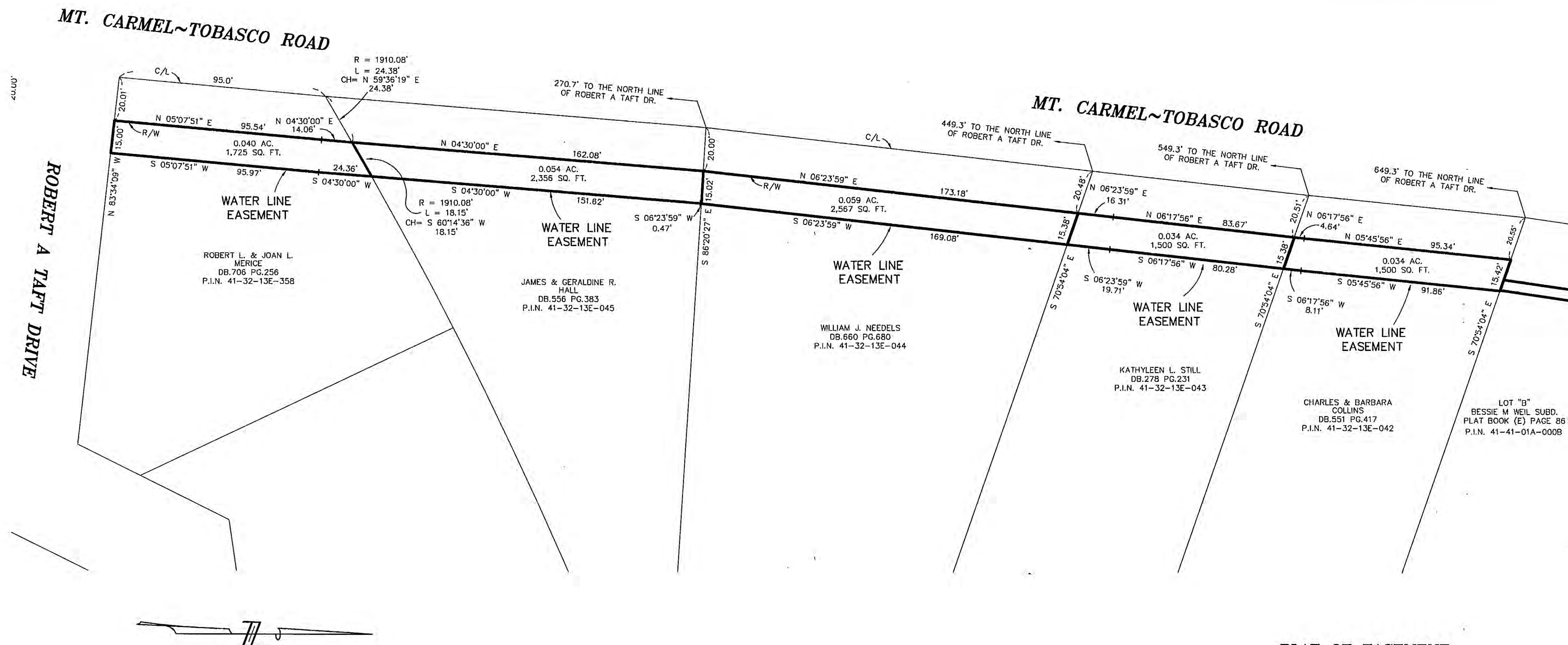




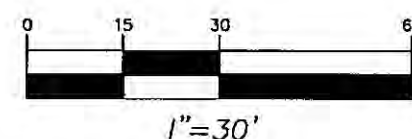
4. Plat of Easement

P.I.N. 41-32-13E-358
P.I.N. 41-32-13E-045
P.I.N. 41-32-13E-044
P.I.N. 41-32-13E-043
P.I.N. 41-32-13E-042

TL78-0131E
DEC 14 2003



BEARINGS BASED ON
THE OHIO COORDINATE SYSTEM
SOUTH ZONE, NAD 83



SURVEYOR'S CERTIFICATION

I hereby certify that this plat represents a true and complete survey made under my supervision.

John C. Hewett
JOHN C. HEWETT
Surveyor Number 7550

PLAT OF EASEMENT
IN
MOSLEY'S MILITARY SURVEY No. 1115
UNION TOWNSHIP
CLERMONT COUNTY, OHIO

| PLAT OF EASEMENT | | | | |
|---|-----------------|------------------|-----------------|--------|
| H & M SURVEYING | | | | |
| SERVICES INCORPORATED | | | | |
| 119 WEST MAIN STREET AMELIA, OHIO 45102 | | | | |
| (513) 753-7959 | | | | |
| SCALE 1"=30' | DATE 1/15/03 | JOB NO. 02178 | DRWN. J.C.H. | 1 1 |



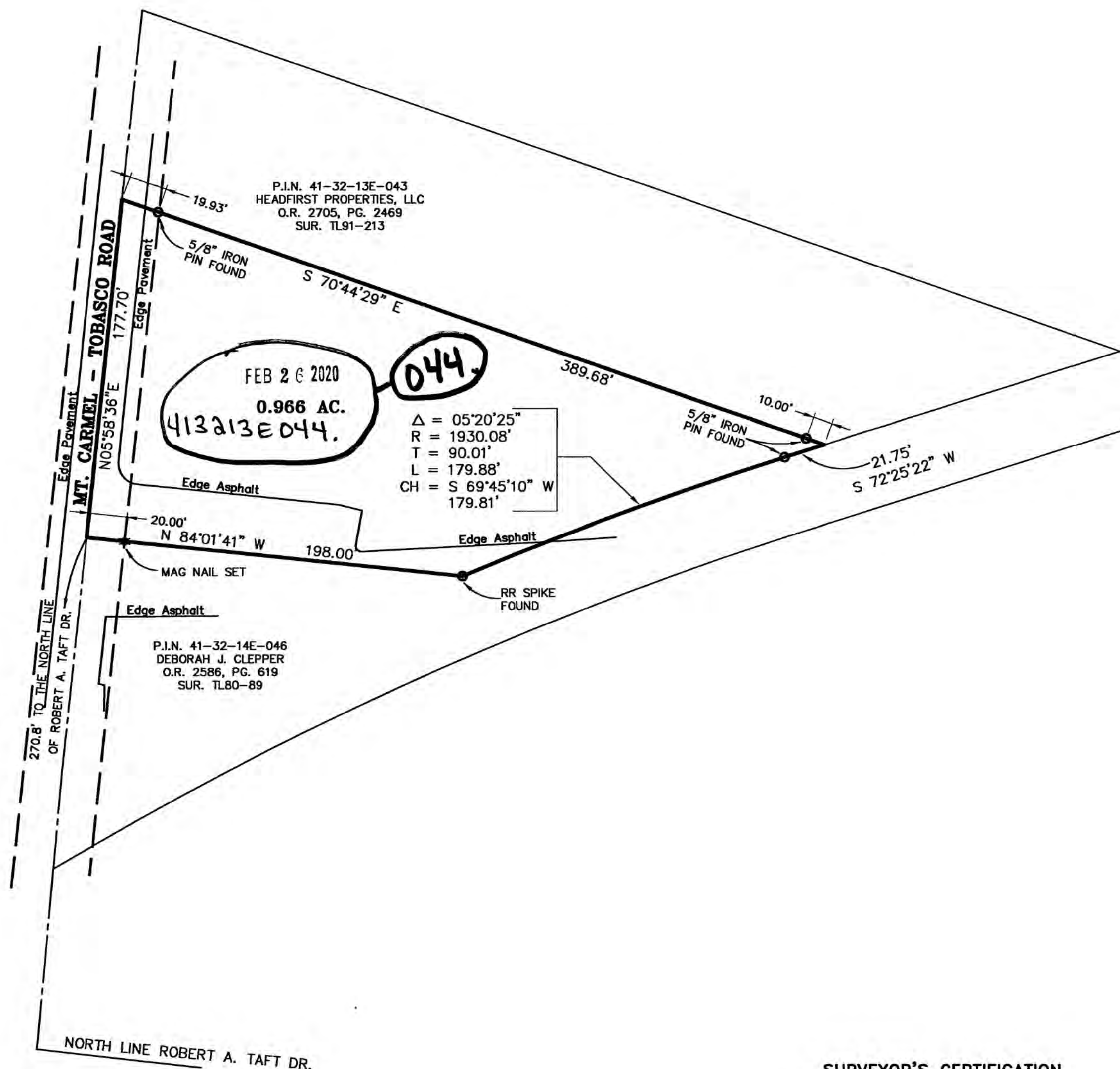
5. Plat of Survey

BEARINGS BASED ON
THE OHIO COORDINATE SYSTEM
SOUTH ZONE, NAD 83

P.I.N. NO.
41-32-13E-044

7294-0596

REFERENCE DOCUMENTS
AS SHOWN ON PLAT



| | | CLOSURE | |
|--------------------------|--------|--------------------------------|--------------|
| BEARING | DIST. | NORTH | EAST |
| N 05-58-36 E | 177.70 | 404422.9992 | 1457587.7024 |
| S 70-44-29 E | 389.68 | 404599.7333 | 1457606.2051 |
| S 72-25-22 W | 21.75 | 404471.2042 | 1457974.0784 |
| Curve Length | 179.88 | 404464.6358 | 1457953.3439 |
| S 69-45-10 W | 179.81 | 404402.4018 | 1457784.6272 |
| N 84-01-41 W | 198.00 | 404423.0010 | 1457587.7117 |
| Perimeter: 967.02 | | Area: 42,080 sq. ft. 0.966 AC. | |
| Error Closure: 0.0095 | | Course: N 79-16-03 E | |
| Error North: 0.00176 | | East: 0.00931 | |
| Precision: 1: 101,790.53 | | | |

PLAT OF SURVEY
IN
MOSLEY MILITARY SURVEY NO. 1115
UNION TOWNSHIP
CLERMONT COUNTY, OHIO

SURVEYOR'S CERTIFICATION

I hereby certify that this plat represents a true and
complete survey made under my supervision and
all monuments have been set as shown.

John C. Hewett
JOHN C. HEWETT
Ohio Registration Number 7550



REVISIONS

PLAT OF SURVEY

H & M SURVEYING
SERVICES INCORPORATED
P.O. BOX 181 AMELIA, OHIO 45102
(513) 753-7959

| | | | | |
|-----------------|-----------------|------------------|-----------------|---|
| SCALE 1"=50' | DATE 9/12/18 | JOB NO. 17084 | DRWN. J.C.H. | 1 |
|-----------------|-----------------|------------------|-----------------|---|

This Conveyance has been examined
and the Grantor has complied with
Section 319.202 of the Revised Code.

Purchase Price: \$0.00

Transfer #2532 Transfer Fee: \$0.50

Conveyance Fee: \$0.00

Filed with the office of

Linda L. Fraley

05/15/2023

BY: smurray

Exhibit A - Property Description

Situated in Mosley Military Survey No. 1115, Union Township, Clermont County, Ohio and being more particularly described as follows:

Commencing at a point at the intersection of the centerline of Mt Carmel Tobasco Road with the north line of Robert A. Taft Drive, extended westerly; Thence north, for a distance of 270.8 feet, as measured along the centerline of Mt Carmel Tobasco Road, to a point and being the true place of beginning of the following described real estate;

THENCE, from said true place of beginning with the centerline of Mt Carmel Tobasco Road, N 05°58'36" E for a distance of 177.70 feet;

THENCE, leaving said road with the south line of lands of said Headfirst Properties, S 70°44'29" E, (passing a 5/8" iron pin found at 19.93 feet and 379.68 feet) for a total distance of 389.68 feet to a point in the northerly line of Deborah J. Clepper;

THENCE, with the lines of said Clepper the following three (3) courses and distances,

- (1) S 72°25'22" W for a distance of 21.75 feet to a 5/8" iron pin found;
- (2) along a curve to the left having a radius of 1930.08 feet and an arc length of 179.88 feet, being subtended by a chord bearing of S 69°45'10" W for a distance of 179.81 feet to a spike found;
- (3) N 84°01'41" W, (passing a Mag nail set at 178.00 feet) for a total distance of 198.00 feet to the place of beginning.

Said property contains 0.966 acres being subject to legal highways and easements of record.

The above described real estate is the same premises described as recorded in O.R Book 2715 page 2413 of the Clermont County, Ohio, Deed Records and identified as parcel 41-32-13E-044 on the Tax Maps of said County.

Being the result of a field survey and plat dated 09/12/2018 made under the supervision of John C. Hewett registration No 7550 in the State of Ohio.

Parcel ID Number: 41-32-13E-044.

More Commonly Known As: 4412 Mt. Carmel Tobasco Road, Cincinnati, Ohio 45245

05/15/2023

Legal Description

APPROVED

Clermont County, OH Engineer

Jeremy P. Evans, P.E., P.S.

BY: JGRANT

413213E044. 0.966 AC TL94-0596



6. Site Plans / Permit Set

New Building For:

The Forest

4412 Mt. Carmel Tobasco Road
Cincinnati, Ohio 45244

DESIGN TEAM

ARCHITECT:



E2M ENGINEERS:



CIVIL:

Carl Hartman
engineer@carthartman@gmail.com
O: 513.608.7918

OWNER

4412 MT CARMEL LLC
901 OHIO PIKE
CINCINNATI, OHIO 45245

SHEET INDEX

| | |
|------|--------------------------|
| G1.1 | PROJECT INFORMATION |
| G1.2 | LIFE SAFETY PLAN |
| G1.3 | ACCESSIBILITY GUIDELINES |
| G2.1 | GENERAL SPECIFICATIONS |

CIVIL

| | |
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| ASI.2 | PROPOSED SITE LIGHTING PLAN |
| ASI.3 | PROPOSED SITE LIGHTING FIXTURES |
| A1.0 | FOUNDATION PLAN |
| A1.1 | ROOF FRAMING PLAN |
| A1.2 | FLOOR PLAN |
| A1.3 | DIMENSIONED FLOOR PLAN |
| A1.4 | REFLECTED CEILING PLAN |
| A1.5 | FINISH FLOOR PLAN |
| A1.6 | WALL FINISH PLAN |
| A1.7 | ROOF PLAN |
| A2.1 | EXTERIOR ELEVATIONS |
| A3.1 | BUILDING SECTION |
| A3.2 | WALL SECTIONS |
| A3.3 | WALL SECTIONS |
| A4.1 | INTERIOR ELEVATIONS |
| A4.2 | CASEWORK DETAILS |
| A5.1 | SECTIONS |
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| | |
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| M-101 | MECHANICAL PLAN |
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| E-101 | LIGHTING PLAN |
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| P-101 | DOMESTIC WATER & DWV PLAN |
| P-501 | PLUMBING SCHEDULES & NOTES |
| P-601 | PLUMBING DETAILS |

CODE REVIEW

| | |
|------------------|--|
| DESCRIPTION: | NEW BUILDING TO HOUSE MEDICAL MARIJUANA DISPENSARY |
| JURISDICTION: | UNION TOWNSHIP, CLERMONT COUNTY, OHIO |
| GOVERNING CODES: | 2017 OHIO BUILDING CODE [OBC] 2017 OHIO MECHANICAL CODE [OMC] 2017 OHIO PLUMBING CODE [OPC] 2012 INTERNATIONAL ENERGY CONSERVATION CODE [IECC] 2017 NFPA TO NATIONAL ELECTRIC CODE [NEC] |

| | |
|--------------------------------|--|
| AUTHORITY HAVING JURISDICTION: | CLERMONT COUNTY |
| ZONING: | UNION TOWNSHIP |
| PARCEL ID: | 413213E044 |
| DESIGNATION: | FD [PROPOSED USE APPROVED PREVIOUSLY] |
| PARKING: | 22 SPACES PROVIDED [2 H.C. SPACES] |

| | |
|--------------|--|
| 2017 OBC: | |
| CHAPTER 3: | USE AND OCCUPANCY CLASSIFICATION |
| USE GROUP: | MERCANTILE [M] |
| CHAPTER 5: | GENERAL BUILDING HEIGHT AND AREA |
| TABLE 504.5: | ALLOWABLE HEIGHT: M, NON-SPRINKLERED, TYPE V B = 40' ACTUAL = 18' |
| TABLE 505.4: | ALLOWABLE STORIES: M, NON-SPRINKLERED, TYPE V B = 1 STORY ACTUAL = 1 STORY |
| TABLE 506.2: | ALLOWABLE AREA: M, NS, TYPE V B = 9,000 SF PER STORY BUILDING AREA = 3,480 SF. OUTDOOR SECURE DELIVERY AREA = 532 S.F. |

| | |
|------------|------------------------|
| CHAPTER 6: | TYPES OF CONSTRUCTION |
| 602.2: | CONSTRUCTION TYPE: V B |

| | |
|----------------------------|--------|
| TABLE 601: | |
| PRIMARY STRUCTURAL FRAME = | 0 HOUR |
| EXTERIOR BEARING WALLS = | 0 HOUR |
| INTERIOR BEARING WALLS = | 0 HOUR |
| NON-BEARING WALLS = | 0 HOUR |
| FLOOR CONSTRUCTION = | 0 HOUR |
| ROOF CONSTRUCTION = | 0 HOUR |

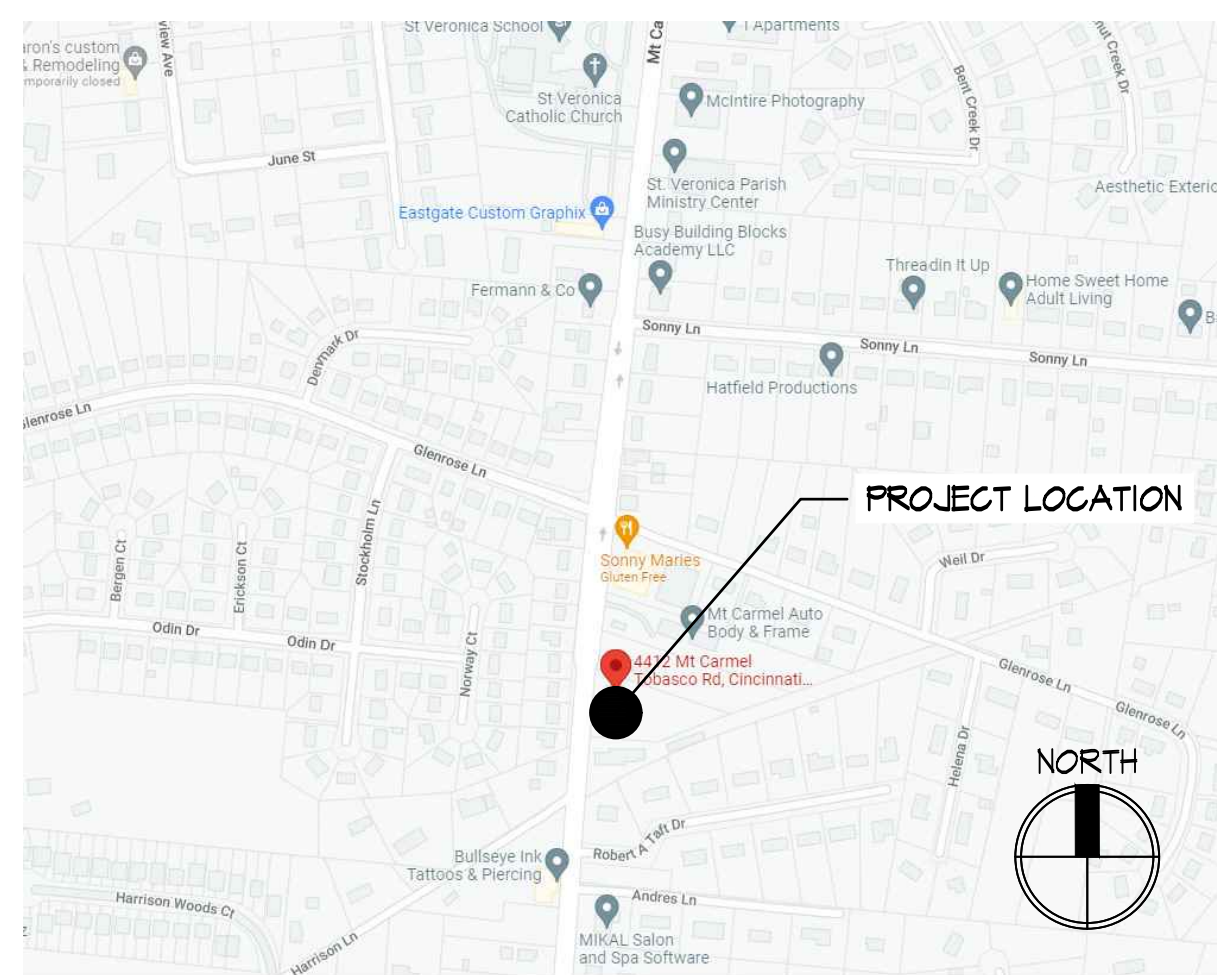
| | |
|--------------|--|
| CHAPTER 7: | FIRE-RESISTANCE RATED CONSTRUCTION |
| TABLE 705.8: | MAXIMUM AREA OF EXTERIOR WALL OPENINGS [UNPROTECTED] 20'-25' [26' ACTUAL] NORTH ELEVATION = 45% OPENINGS PERMITTED X > 30' [31' ACTUAL] SOUTH ELEVATION = UNLIMITED OPENINGS PERMITTED |

| | |
|--------------|---|
| CHAPTER 8: | INTERIOR FINISHES |
| TABLE 803.1: | INTERIOR WALL AND CEILING FINISH REQUIREMENTS USE M, NON-SPRINKLERED EXIT ENCLOSURES AND PASSAGEWAYS: CLASS A CORRIDORS: CLASS B ROOMS AND ENCLOSED SPACES: CLASS C |

THE PLANS AND SPECIFICATIONS ARE INTENDED TO DEPICT THE GENERAL SCOPE, LAYOUT AND QUALITY OF WORKMANSHIP REQUIRED. THE DOCUMENTS ARE NOT AN 'INSTRUCTION MANUAL' TO EXECUTE THE WORK NOR ARE THEY INTENDED TO SHOW OR DESCRIBE IN DETAIL EVERY ITEM NECESSARY FOR THE PROPER INSTALLATION OF THE WORK. THE MEANS AND METHODS REQUIRED TO EXECUTE THE WORK DESCRIBED IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL INCLUDE THE ANCILLARY WORK REQUIRED, WHETHER EXPLICITLY STATED OR NOT, FOR THE PROPER COMPLETION OF THE WORK AS INTENDED. THE CONTRACTOR IS REQUIRED TO MEET OR EXCEED BUILDING CODE REQUIREMENTS, APPLICABLE INDUSTRY STANDARDS, ASTM STANDARDS, AND/OR MANUFACTURER INSTALLATION REQUIREMENTS AS THEY RELATE TO THE WORK.

THE PLANS AND SPECIFICATIONS REPRESENT A SINGLE COMPLETE DESIGN PACKAGE INDICATING THE INTENDED SCOPE OF THE PROJECT IN ITS ENTIRETY. AS SUCH, THE PROJECT IS STRUCTURED TO BE AWARDED TO A SINGLE PRIME CONTRACTOR. THE DOCUMENTS DO NOT DELINEATE BID PACKAGES OR ASSIGN RESPONSIBILITIES TO ANY SUBSEQUENT SUBCONTRACTORS. DETAILED CONSTRUCTION SEQUENCING, NOR PROVIDE COORDINATION BETWEEN ANY 'TRADES'. SUCH ACTIVITIES ARE THE RESPONSIBILITY OF THE HOLDER OF THE CONSTRUCTION CONTRACT. IN THE EVENT OF A DISCREPANCY WITHIN THE DRAWINGS OR BETWEEN THE DRAWINGS AND THE SPECIFICATIONS, THE MORE STRINGENT REQUIREMENT REPRESENTED IN THE DOCUMENTS SHALL PREVAIL.

VICINITY MAP



| | |
|------------|---|
| CHAPTER 9: | FIRE PROTECTION SYSTEMS |
| 903.2.1: | USE GROUP M: AUTOMATIC FIRE SPRINKLER SYSTEM NOT REQUIRED [NONE PROVIDED] |
| 906: | PORTABLE FIRE EXTINGUISHERS PROVIDED IN ACCORDANCE WITH FIRE CODE & UNION TOWNSHIP F.D. |
| 907.2.7: | FIRE ALARM NOT REQUIRED. [NONE PROVIDED] |

| | |
|-----------------|---|
| CHAPTER 10: | MEANS OF EGRESS |
| TABLE 1004.1.2: | MERCANTILE: 1 / 100 S.F. = 3,480 S.F. / 60 = 58 OCCUPANTS TABLE 1005.3: EGRESS WIDTH OCCUPANCY 34 X 20 = 116" ACTUAL = 2 DOORS AT 36" WIDE TO EXTERIOR REFER TO LIFE SAFETY PLAN |
| TABLE 1006.3.1: | MINIMUM NUMBER OF EXITS 0-500 OCCUPANTS = 2 [2 EXITS PROVIDED] |
| 1007.1: | ACCESSIBLE MEANS OF EGRESS: ACCESSIBLE MEANS OF EGRESS AT ALL BUILDING EGRESS LOCATIONS. |
| TABLE 1017.2: | MERCANTILE USE WITHOUT SPRINKLER SYSTEM = 200' TRAVEL DISTANCE ACTUAL TRAVEL DISTANCE = 92' +/- |
| TABLE 1020.2: | CORRIDORS SERVING MORE THAN 30 PERSONS = 1 HOUR W/O SPRINKLER SYSTEM CORRIDOR WIDTH: MIN. 44" ACTUAL: 60" |

| | |
|-------------|--|
| CHAPTER 11: | ACCESSIBILITY |
| 1104.1: | ACCESSIBLE ROUTE - PROVIDED |
| 1105.4: | ACCESSIBLE ENTRANCE - PROVIDED |
| 1104.5: | ACCESSIBLE TOILET ROOMS - PROVIDED |
| 1111.1: | ACCESSIBLE SIGNAGE - PROVIDED FOR TOILET ROOMS, AND OTHER AREAS REQUIRED BY ANSI/ADAAG |

| | |
|---------------|--|
| CHAPTER 21: | PLUMBING SYSTEMS |
| TABLE 2402.1: | USE M M OCCUPANTS = 58 BOTH MEN / WOMEN |

| | REQUIRED | PROVIDED |
|--------------|-------------------|----------------|
| WATERCLOSETS | 1 / 500 = 1 REQ'D | 1 TLT PROVIDED |
| LAVATORIES | 1 / 750 = 1 REQ'D | 1 PROVIDED |

| | | |
|--------------------|---|------------------|
| DRINKING FOUNTAINS | 1 | 1 - WATER COOLER |
| SERVICE SINK: | 1 | 1 |

| | |
|-------------|--|
| 2402.2: | SEPERATE FACILITIES |
| EXCEPTIONS: | SEPARATE FACILITIES SHALL NOT BE REQUIRED IN MERCANTILE OCCUPANCIES IN WHICH THE MAXIMUM OCCUPANT LOAD IS 100 OR FEWER |

WALL / SYMBOL LEGEND

| | |
|--|---------------------------------------|
| | NEW METAL/WOOD STUD FRAME WALL |
| | NEW CONCRETE FOUNDATION WALL |
| | NEW CMU FOUNDATION WALL |
| | WALL TYPE KEY |
| | EXHAUST FAN - VENT DIRECT TO EXTERIOR |
| | NEW CONSTRUCTION KEY NOTE |
| | REFLECTED CEILING KEY NOTE |
| | WINDOW TYPE KEY |
| | DOOR TYPE KEY |
| | SECTION TAG |
| | ELEVATION TAG |

RDA CONTRACT ADMINISTRATION

- RDA IS NOT PROVIDING CONTRACT ADMINISTRATION SERVICES FOR THIS PROJECT. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND OWNER TO COORDINATE THE PROPOSED WORK, SCHEDULES, INSTALLATIONS, PERMITS, INSPECTIONS, ETC.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONTACT THE ARCHITECT FOR CLARIFICATION SHOULD THERE BE QUESTIONS REGARDING THE INTERPRETATION OR INTENT OF THE DOCUMENTS, FIELD DISCOVERY, ETC. THAT WOULD IMPACT OR AFFECT THE WORK AS PROPOSED.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO FIELD CONFIRM ALL EXISTING CONDITIONS, PROPOSED INSTALLATIONS AND HOW THEY INTERFACE TO ENSURE THE SYSTEMS CAN BE INSTALLED PER THE INTENT OF THE DOCUMENTS AND TO MEET APPLICABLE BUILDING AND ZONING CODES, LOCAL REQUIREMENTS, OWNER REQUIREMENTS, ETC.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO MEET ALL APPLICABLE BUILDING AND ZONING CODES REQUIREMENTS WHETHER SPECIFICALLY NOTED HEREIN OR NOT. BUILDING CODES REPRESENT THE MINIMUM ACCEPTABLE STANDARD.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO INSTALL ALL PRODUCTS, MATERIALS, INSTALLATIONS, AND THE LIKE IN ACCORDANCE WITH APPLICABLE INDUSTRY STANDARDS, APPLICABLE MANUFACTURER'S DETAILS AND INSTRUCTIONS, IN ACCORDANCE WITH BEST PRACTICES, AND BUILDING CODE PROVISIONS.

RENDERING



ABBREVIATIONS

| | |
|--------|--|
| ADAAG | AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES |
| AFF | ABOVE FINISH FLOOR |
| ALUM | ALUMINUM |
| ATC | ACOUSTIC TILE CEILING |
| BLKG | BLOCKING |
| BET | BETWEEN |
| BRG | BEARING |
| BTM | BOTTOM |
| CIP | CAST IN PLACE |
| CL | CENTERLINE |
| CLS | CEILING |
| CT | CERAMIC TILE |
| CLR | CLEAR |
| COL | COLUMN |
| CPT | CARPET |
| CONC | CONCRETE |
| CMU | CONCRETE MASONRY UNIT |
| CONT | CONTINUOUS |
| CJ | CONTROL JOINT |
| DF | DRINKING FOUNTAIN |
| DIA | DIAMETER |
| DS | DOWNSPOUT |
| DTL | DETAIL |
| DN | DISHWASHER |
| ELEV | ELEVATION |
| EQ | EQUAL |
| EX | EXISTING |
| FD | FLOOR DRAIN |
| FDN | FOUNDATION |
| FE | FIRE EXTINGUISHER |
| FF | FINISH FLOOR |
| FIN | FINISHED |
| FRT | FIRE RETARDANT TREATED |
| FSE | FOOD SERVICE EQUIPMENT |
| FTG | FOOTING |
| FV | FIELD VERIFY |
| GA | GAUGE |
| GYP BD | GYPSUM BOARD |
| GC | GENERAL CONTRACTOR |
| HM | HOLLOW METAL |
| HT | HEIGHT |
| HOR | HORIZONTAL |
| MAX | MAXIMUM |
| MECH | MECHANICAL |
| MO | MASONRY OPENING |
| MTD | MOUNTED |
| MTL | METAL |
| NIC | NOT IN CONTRACT |
| NTS | NOT TO SCALE |
| OC | ON CENTER |
| OPG | OPENING |
| PEMB | PRE-ENGINEERED METAL BUILDING |
| PTD | PAINTED |
| QT | QUARRY TILE |
| RAD | RADIUS |
| RD | ROOF DRAIN |
| REF | REFRIGERATOR |
| REQ'D | REQUIRED |
| RO | ROUGH OPENING |
| SIM | SIMILAR |
| SM | SHEET METAL |
| SPEC | SPECIFICATION |
| SS | STAINLESS STEEL |
| SQ | SQUARE |
| STL | STEEL |
| T.O. | TOP OF |
| TYP | TYPICAL |
| UFAS | UNIFORM FEDERAL ACCESSIBILITY STD. |
| WRB | WEATHER RESISTIVE BARRIER |
| WWF | WELDED WIRE FABRIC |



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New Building For:

The Forest

4412 Mt. Carmel Tobasco Road
Cincinnati, Ohio 45244

Print Record

| | |
|----------|-----------------|
| 02/15/22 | Zoning |
| 03/02/22 | Zoning Revision |
| 06/06/22 | Shell Prelim. |
| 06/28/22 | Review |
| 08/22/22 | Review |
| 08/29/22 | Zoning |
| 10/05/22 | Review |
| 10/11/22 | Permit |

Project Number

2022-022

Date

October 11, 2022

Sheet Title

PROJECT INFORMATION

Sheet Number

G1.1

RDA

GROUP

ARCHITECTS

7945 Washington Woods Drive
Dayton, Ohio 45459
O: 937.610.3440
F: 937.610.3441

STATE OF OHIO

JONATHAN ROBERT SCHAAF
14503

REGISTERED ARCHITECT

Jonathan Robert Schaaf #14503
Expiration Date 12/31/2023

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©RDA 2022

New Building For:

The Forest

4412 Mt. Carmel Tobacco Road
Cincinnati, Ohio 45244

MAX TRAVEL DISTANCE = 60'
COMMON PATH OF TRAVEL = 12'

MAX TRAVEL DISTANCE = 92'
COMMON PATH OF TRAVEL = 11'

MAX TRAVEL DISTANCE = 84'

MAX TRAVEL DISTANCE = 80'
COMMON PATH OF TRAVEL = 14'

MAX TRAVEL DISTANCE = 80'

WIDTH = 34'
CAPACITY = 174
ACTUAL = 29

SALES 104

SECURITY 103

SECURITY VESTIBULE 102

WAITING 101

TOILET 105

PATIENT CONSULTATION 106

UTILITY 107

BREAK 108

IT 109

OFFICE 110

CORRIDOR 111

STORAGE 112

VAULT 113

RECEIVING 114

DELIVERY PORT 115

EXIT #2

WIDTH = 34"
CAPACITY = 174
ACTUAL = 29

A

LIFE SAFETY PLAN

SCALE: 3/16" = 1'-0"

- FIRE EXTINGUISHER
- EMERGENCY LIGHT
- EMERGENCY LIGHT / EXIT COMBO
- EXIT SIGN
- OCCUPANCY LOAD

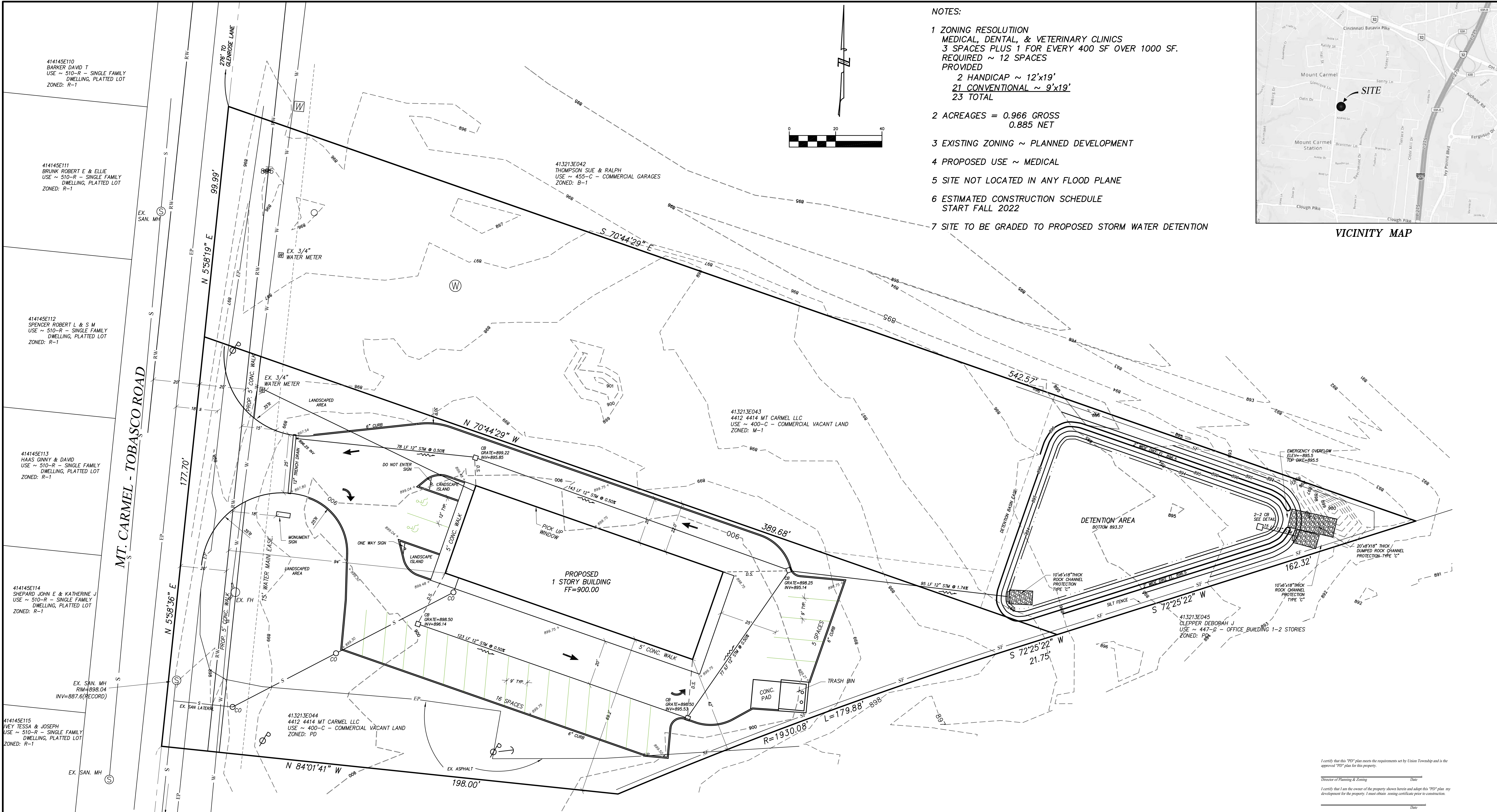
| Print Record | |
|------------------|-----------------|
| 02/15/22 | Zoning |
| 03/02/22 | Zoning Revision |
| 06/06/22 | Shell Prelim. |
| 06/28/22 | Review |
| 08/22/22 | Review |
| 08/29/22 | Zoning |
| 10/05/22 | Review |
| 10/11/22 | Permit |
| Project Number | |
| 2022-022 | |
| Date | |
| October 11, 2022 | |
| Sheet Title | |
| LIFE-SAFETY PLAN | |
| Sheet Number | |

G1.2



VICINITY MAP

- NOTES:
- 1 ZONING RESOLUTION
MEDICAL, DENTAL, & VETERINARY CLINICS
3 SPACES PLUS 1 FOR EVERY 400 SF OVER 1000 SF.
REQUIRED ~ 12 SPACES
PROVIDED
2 HANDICAP ~ 12'x19'
21 CONVENTIONAL ~ 9'x19'
23 TOTAL
 - 2 ACREAGES = 0.966 GROSS
0.885 NET
 - 3 EXISTING ZONING ~ PLANNED DEVELOPMENT
 - 4 PROPOSED USE ~ MEDICAL
 - 5 SITE NOT LOCATED IN ANY FLOOD PLANE
 - 6 ESTIMATED CONSTRUCTION SCHEDULE
START FALL 2022
 - 7 SITE TO BE GRADED TO PROPOSED STORM WATER DETENTION



I certify that this "TDP" plan meets the requirements set by Union Township and is the approved TDP plan for this property.

Director of Planning & Zoning _____ Date _____

I certify that I am the owner of the property shown herein and adopt this "TDP" plan my development for the property. I must obtain zoning certificate prior to construction.

print name

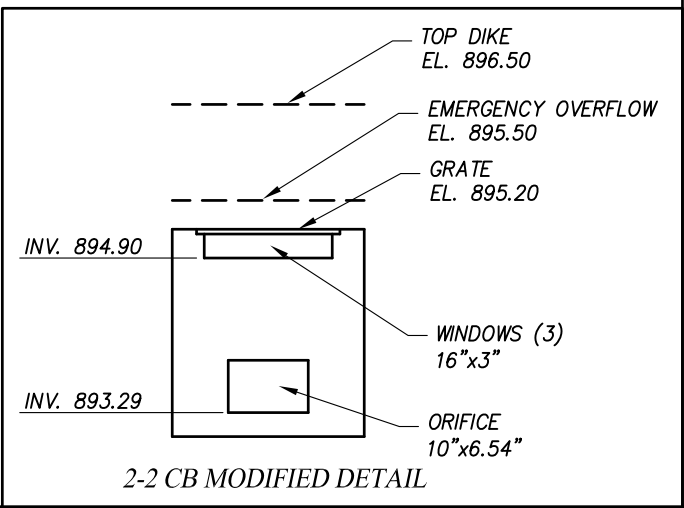
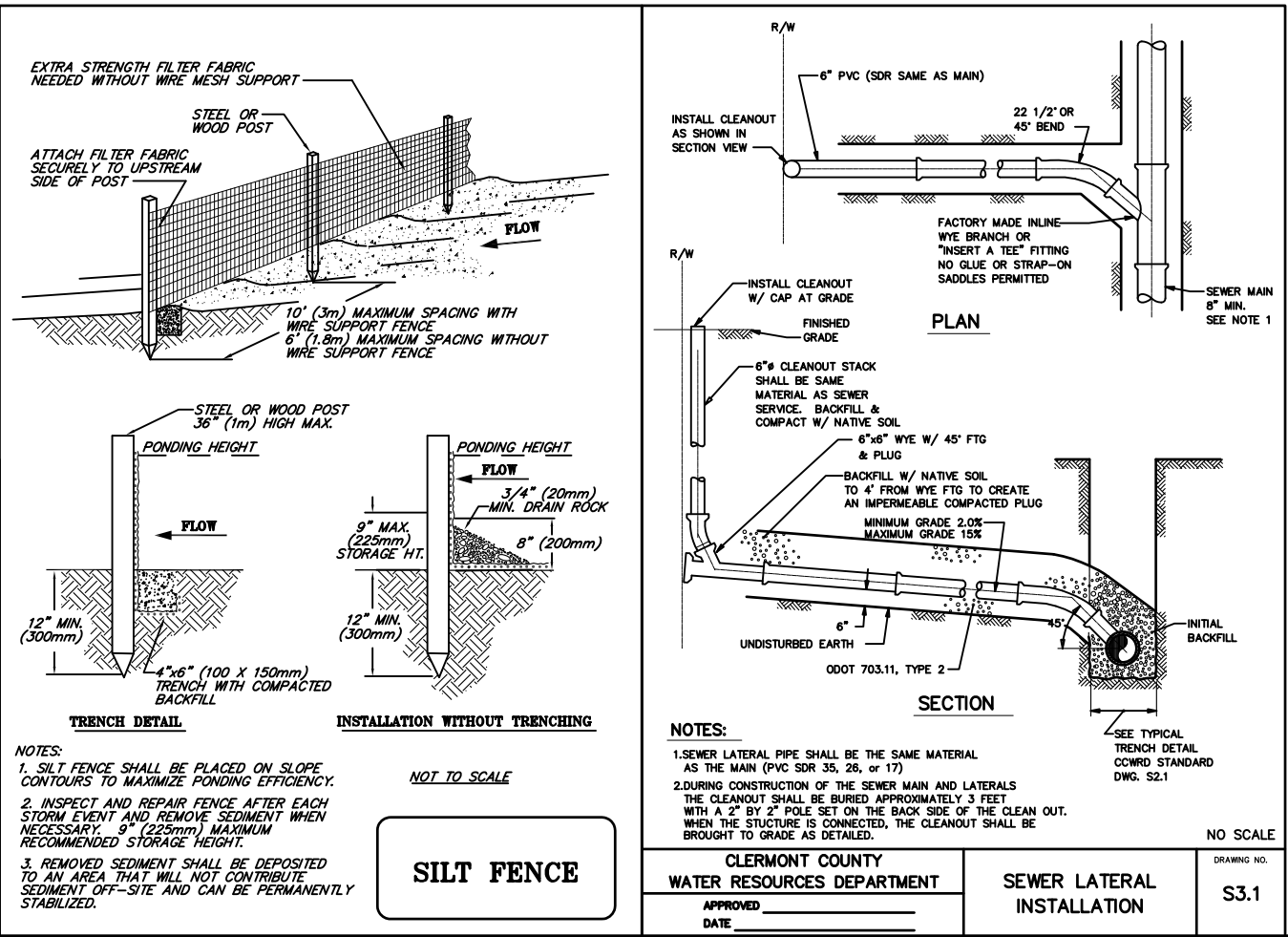
DEVELOPMENT OF
4412 MT. CARMEL TOBASCO ROAD
STANDARD WELLNESS PROPERTY
UNION TOWNSHIP
CLERMONT COUNTY, OHIO

OWNER/DEVELOPER:

4412-4414 MT. CARMEL, LLC
901 OHIO PIKE
CINCINNATI, OHIO 45245



| REVISIONS | | | | | C. G. HARTMAN & ASSOC. | |
|-----------|----------|--------|--------|---------|------------------------|--|
| | | | | | PROJECT ENGINEER | |
| | | | | | 3478 HOLLY RIDGE | |
| | | | | | CINCINNATI, OHIO 45245 | |
| DATE | SCALE | OWN | FILE # | SHEET # | | |
| 7/24/22 | 1" = 20' | K.a.W. | | | | |

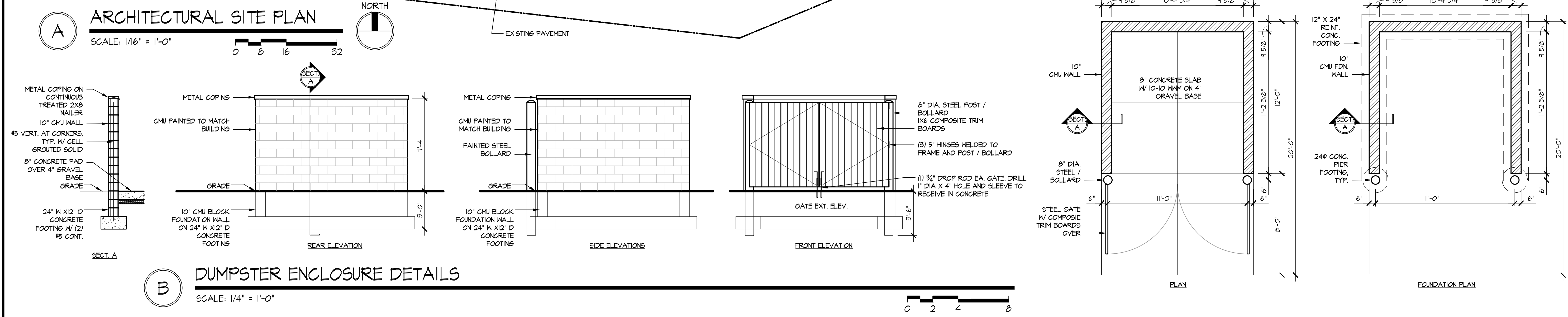
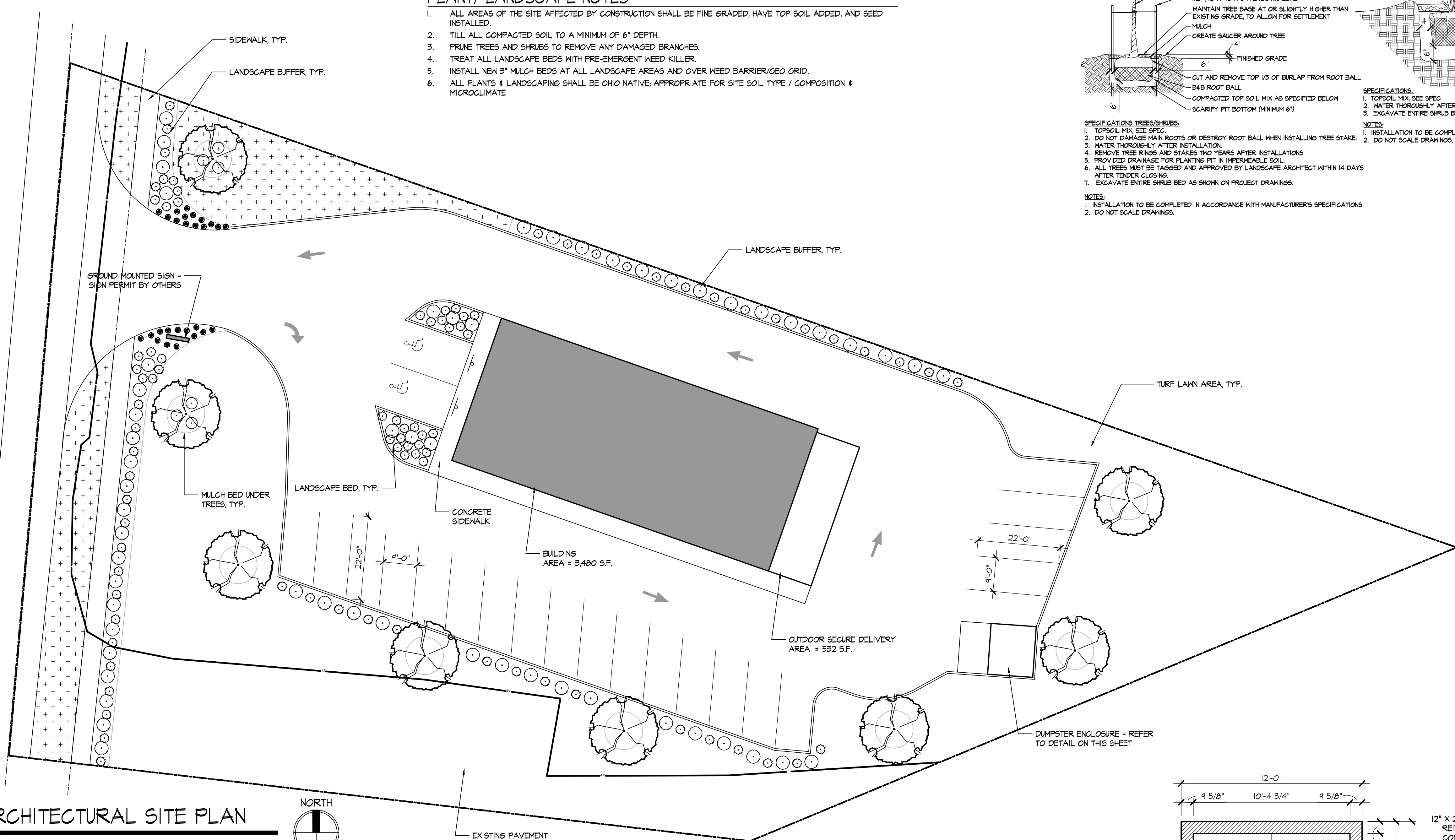
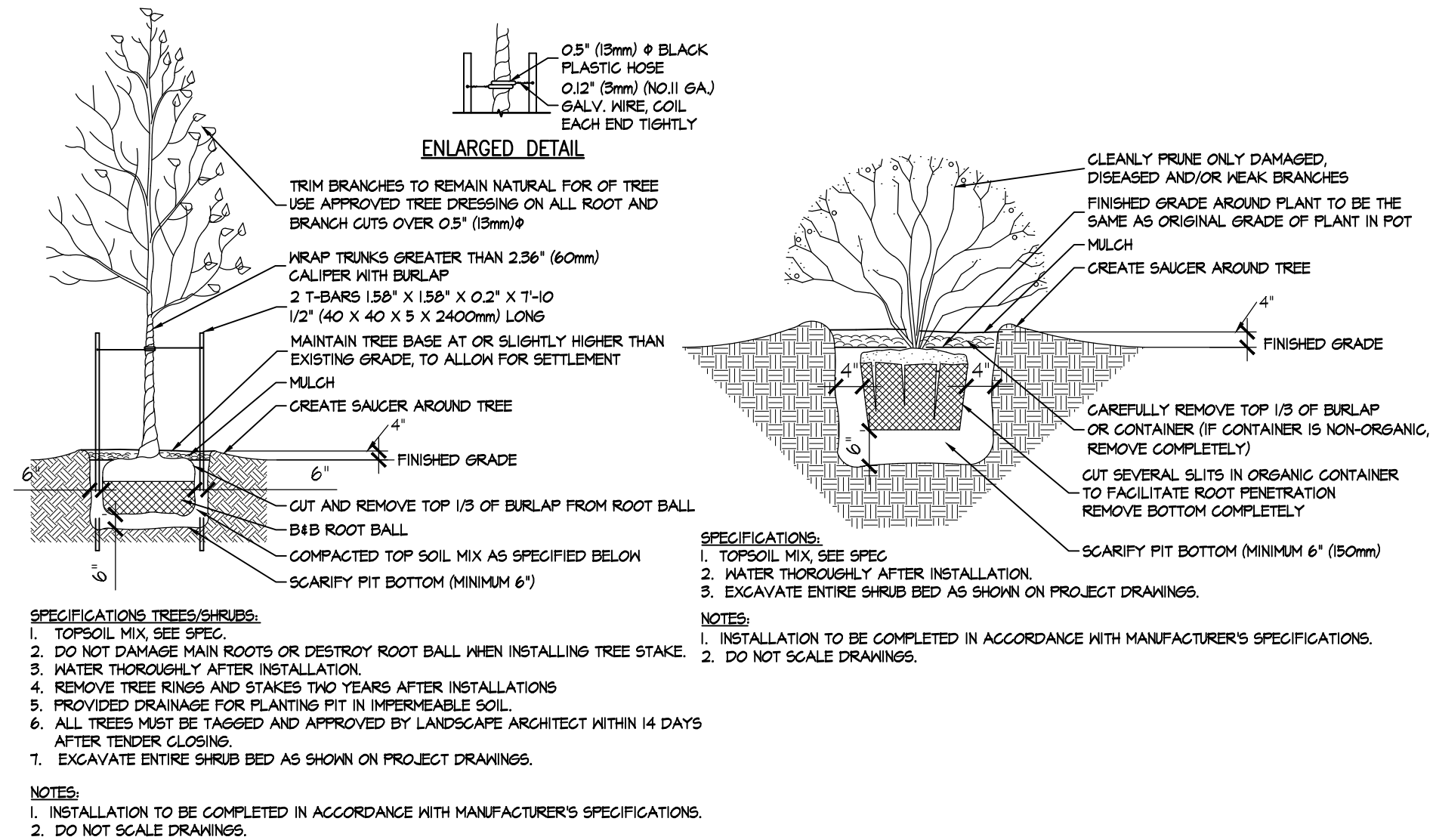


PLANT SCHEDULE

| KEY | SCIENTIFIC NAME | COMMON NAME | SIZE | SPACING | REMARKS |
|-----|------------------------------|--------------------------|--------|------------|------------------------|
| A | HEMEROCALLIS 'HYPERION' | HYPERION DAYLILY | 2 GAL. | 1'-2" O.C. | OHIO NATIVE |
| B | PANICUM VIRGATUM DALLAS BLUE | DALLAS BLUE SWITCH GRASS | 3 GAL. | 2'-3" O.C. | OHIO NATIVE |
| C | BUXUS X 'GREEN MOUND' | GREEN MOUND BOXWOOD | 3 GAL. | 3'-4" O.C. | OHIO NATIVE, EVERGREEN |
| D | ACER RUBRUM - 2.5' GALIPER | RED MAPLE | | PER PLAN | OHIO NATIVE |

PLANT/ LANDSCAPE NOTES

- ALL AREAS OF THE SITE AFFECTED BY CONSTRUCTION SHALL BE FINE GRADED, HAVE TOP SOIL ADDED, AND SEED INSTALLED.
- TILL ALL COMPACTED SOIL TO A MINIMUM OF 6" DEPTH.
- PRUNE TREES AND SHRUBS TO REMOVE ANY DAMAGED BRANCHES.
- TREAT ALL LANDSCAPE BEDS WITH PRE-EMERGENT WEED KILLER.
- INSTALL NEW 3" MULCH BEDS AT ALL LANDSCAPE AREAS AND OVER WEED BARRIER/GEO GRID.
- ALL PLANTS & LANDSCAPING SHALL BE OHIO NATIVE, APPROPRIATE FOR SITE SOIL TYPE / COMPOSITION & MICROCLIMATE



DUMPSTER ENCLOSURE DETAILS

SCALE: 1/4" = 1'-0"

RDA GROUP ARCHITECTS

7945 Washington Woods Drive
Dayton, Ohio 45459

O: 937.610.3440
F: 937.610.3441

STATE OF OHIO
JONATHAN ROBERT SCHAAF
14503
REGISTERED ARCHITECT

Jonathan Robert SchAAF #14503
Expiration Date 12/31/2023

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New Building For:

The Forest

4412 Mt. Carmel Tobasco Road
Cincinnati, Ohio 45244

Print Record

| | |
|----------|-----------------|
| 02/15/22 | Zoning |
| 03/02/22 | Zoning Revision |
| 06/06/22 | Shell Prelim. |
| 06/28/22 | Review |
| 08/22/22 | Review |
| 08/29/22 | Zoning |
| 10/05/22 | Review |
| 10/11/22 | Permit |

Project Number

2022-022

Date

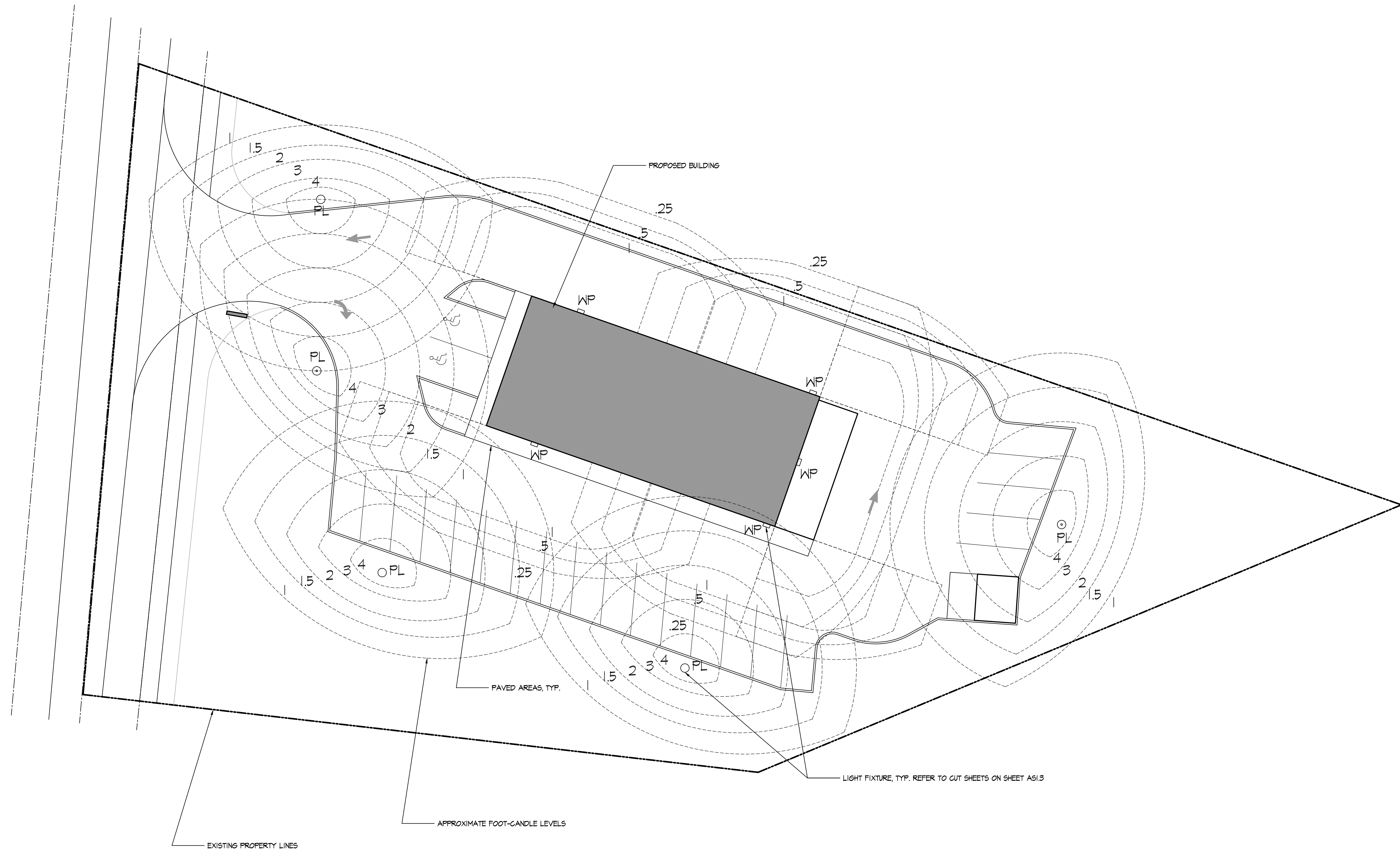
October 11, 2022

Sheet Title

ARCHITECTURAL SITE PLAN DETAILS

Sheet Number

ASI.1



A

PROPOSED SITE LIGHTING PLAN

SCALE: 1/16" = 1'-0"



RDA GROUP ARCHITECTS
 7945 Washington Woods Drive
 Dayton, Ohio 45459
 O: 937.610.3440
 F: 937.610.3441

STATE OF OHIO
 JONATHAN ROBERT SCHAAF
 14503
 REGISTERED ARCHITECT

Jonathan Robert SchAAF #14503
 Expiration Date 12/31/2023

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New Building For:

The Forest

4412 Mt. Carmel Tobasco Road
 Cincinnati, Ohio 45244

Print Record

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| 08/22/22 | Review |
| 08/29/22 | Zoning |
| 10/05/22 | Review |
| 10/11/22 | Permit |

Project Number

2022-022

Date

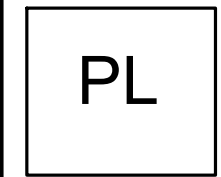
October 11, 2022

Sheet Title

PROPOSED SITE LIGHTING PLAN

Sheet Number

AS1.2



WP



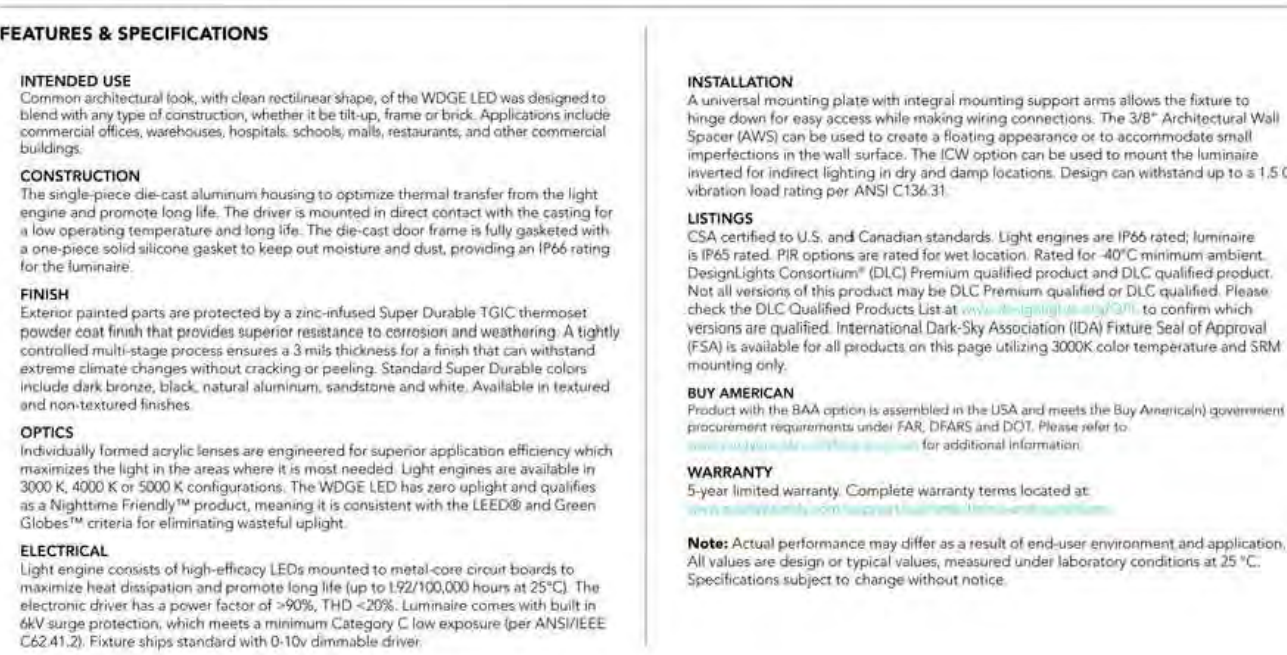
 COMMERCIAL OUTDOOR One Lithonia Way • Conyers, Georgia 30012 • Phone: 1-800-705-SERV (7378) • www.lithonia.com
© 2019 2022 Acuity Brands Lighting, Inc. All rights reserved. WCG6A 113
Rev. 01/18/2



| Electrical Load | | Lumen (lm) | | | | | | Lumen Multiplier for 80CRI | |
|---------------------|--------------|------------|-------|-------|-------|-------|-------|----------------------------|-------------|
| Performance Package | Option Ratio | L40W | 20W | 16W | 77W | 34W | 40W | CT | Multipliers |
| P1 | 77W | 0.635 | 0.336 | 0.179 | 0.280 | 0.223 | 0.161 | 30K | 0.891 |
| P2 | 100W | 0.889 | 0.514 | 0.449 | 0.395 | 0.369 | 0.228 | 40K | 0.906 |
| P3 | 123W | 1.014 | 0.585 | 0.510 | 0.447 | 0.356 | 0.258 | 50K | 0.906 |
| P4 | 156W | 1.159 | 0.668 | 0.582 | 0.509 | 0.403 | 0.294 | 40K | 1.006 |
| P5 | 156W | 1.296 | 0.743 | 0.647 | 0.564 | 0.451 | 0.326 | | |
| P6 | 185W | 1.512 | 0.864 | 0.751 | 0.655 | 0.526 | 0.378 | | |

 **LITHONIA**
LIGHTING

COMMERCIAL OUTDOOR

One Lithonia Way • Conyers, Georgia 30012 • Phone: 1-800-705-SERV
© 2019-2022 Acuity Brands Lighting, Inc. All rights reserved.



| LED Chip Ordering Code | | | | | | | |
|---|--------------------------------|----------------------|---|--------------------|--|--------------------------------|--|
| Profile | Number of LEDs | Drive Current | LED Color - Generation | Dist. | Voltage | Controls | Electrical |
|  | 32L 32 LEDs | 450 450mA | HW-G2 Neutral White 4000K, T80CR Generation 2 | 2 Type 2 | 120 347 120V 347V | DD Dimming Driver | Green Protection 5pin Standard 10KVA SP2 |
| CP/MPTL-IR 17° Commercial or Semi- Spherical Retrofit Kit | 48L 48 LEDs 900mA | 550L 550mA | HW-G2 Warm White 3000K, T80CR Generation 2 | 4 Type 4 | 260V 480V 260V 480V | | |
|  | 48L 48 LEDs 900mA | 550L 550mA | HW-G2 Warm White 3000K, T80CR Generation 2 | 5 Type 5 | 27V 27V 34V 450V 50V/60Hz | | |
| CP/MPTL-IR 27° Commercial or Semi- Spherical Retrofit Kit | 96L 96 LEDs 950mA | 550L 550mA | CW-G2 Cool White 2700K, T80CR Generation 2 | | | | |

- See mounting chart and illustrations on page two for descriptions and details.
- Types 2,3, and 4 optics are field rotatable. Type 5 optics feature limited lens.
- Must specify input voltage.
- Works with 3-pin or 5-pin NEMA photoconductive dimming device.
- Not offered with MP2L or MP2LL.
- Not available in Type 5.

Form 10_CP_MP_LED 03/17 page 1 of 4

New Building For:
The Forest
4412 Mt. Carmel Tobasco Road
Cincinnati, Ohio 45244

| | |
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| 08/29/22 | Zoning |
| 10/05/22 | Review |
| 10/11/22 | Permit |
| Project Number | |
| 2022-022 | |
| Date | |
| October 11, 2022 | |
| Sheet Title | |
| PROPOSED SITE LIGHTING FIXTURES | |
| Sheet Number | |
| AS 1.3 | |

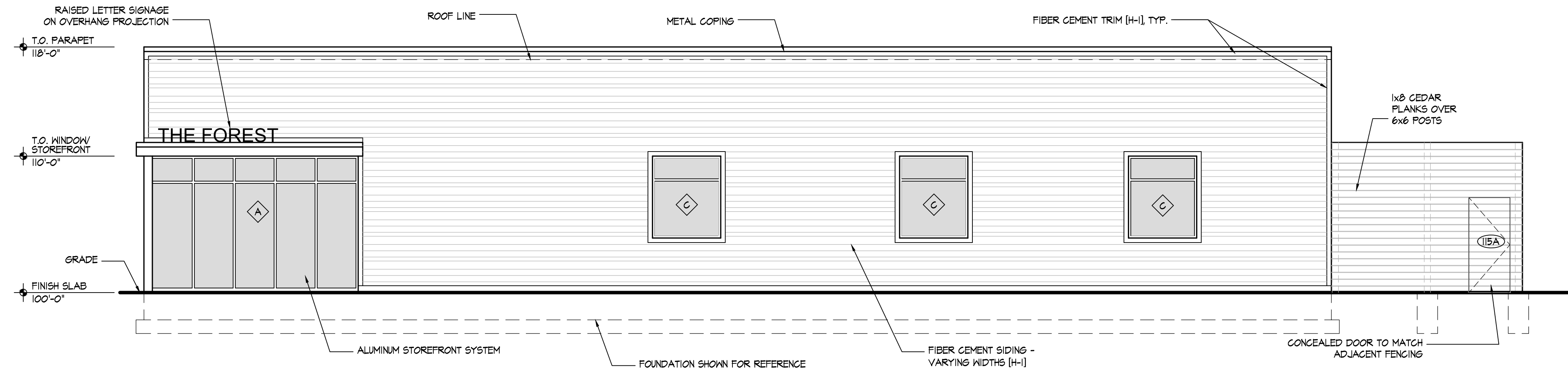
New Building For:

The Forest

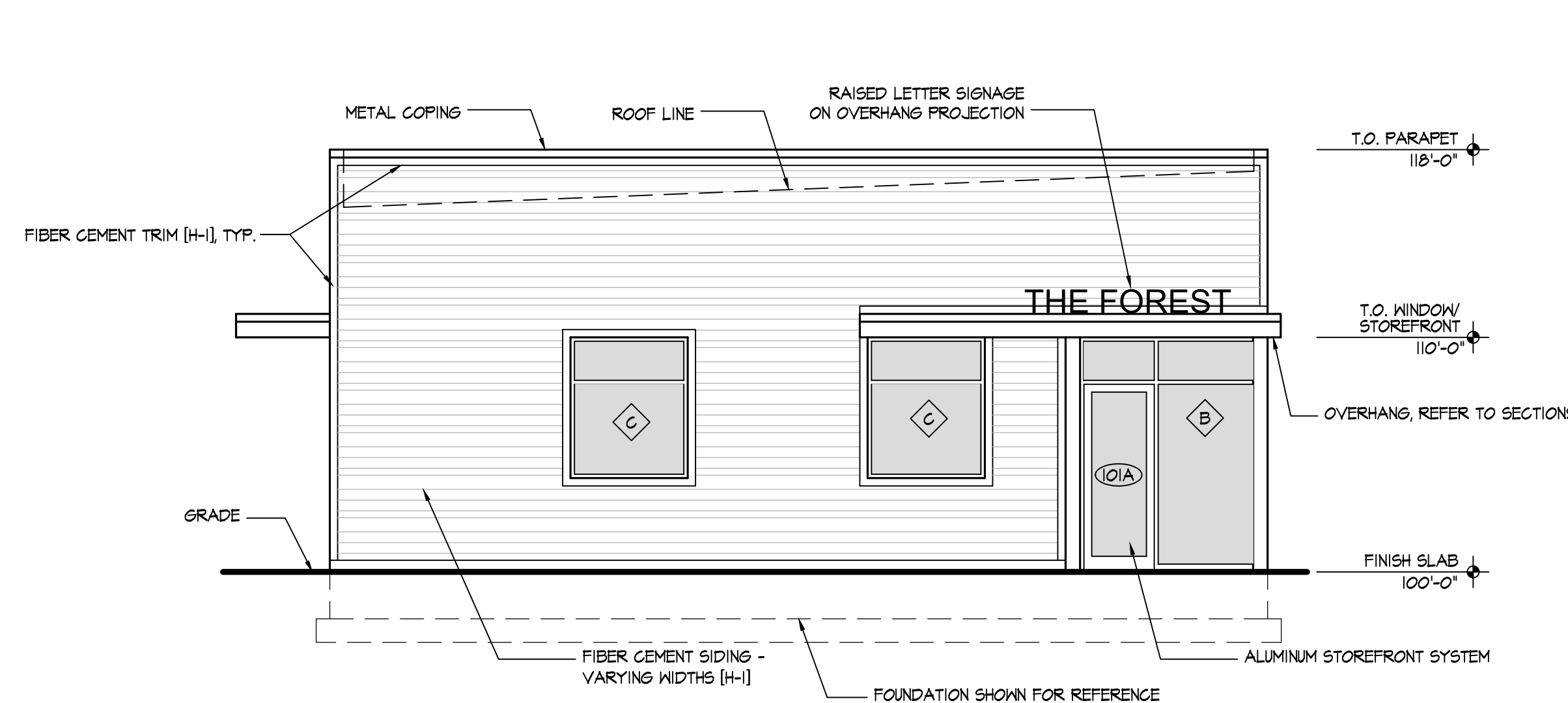
4412 Mt. Carmel Tobacco Road
Cincinnati, Ohio 45244

| |
|--------------------------|
| Print Record |
| 02/15/22 Zoning |
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| 08/22/22 Review |
| 08/29/22 Review |
| 10/05/22 Review |
| 10/11/22 Permit |
| Project Number |
| 2022-022 |
| Date |
| October 11, 2022 |
| Sheet Title |
| EXTERIOR ELEVATIONS |
| Sheet Number |

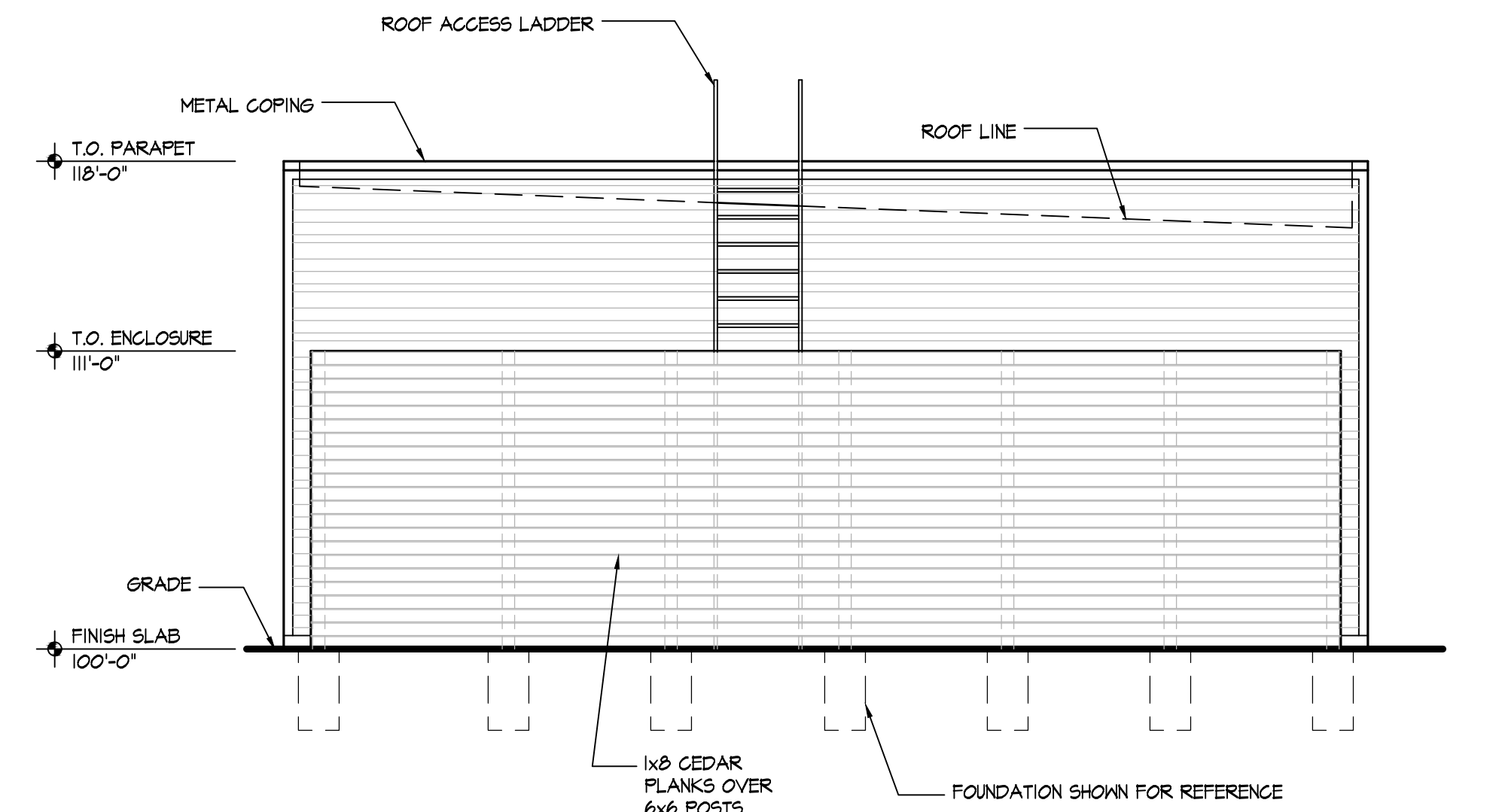
A2.1



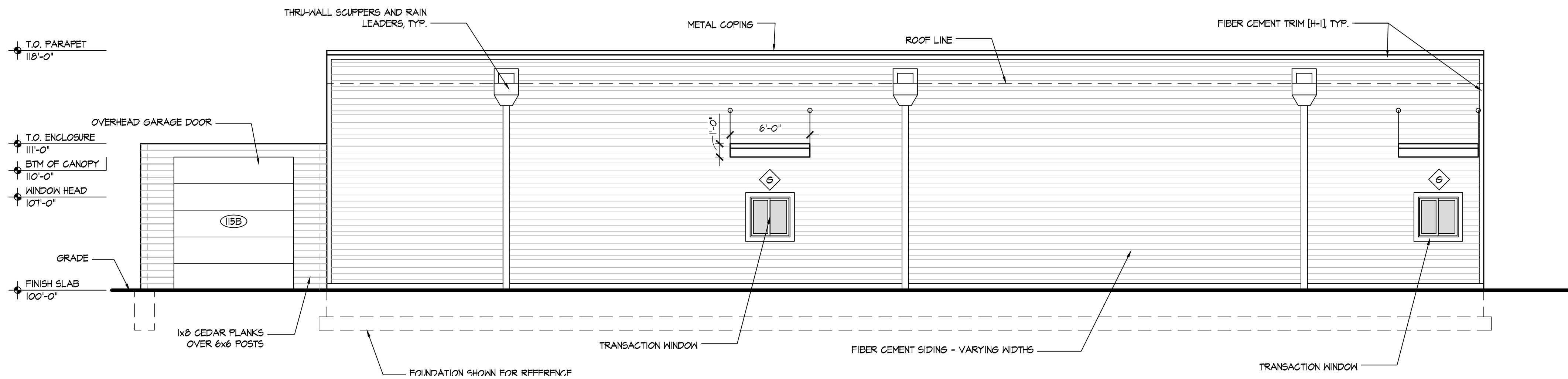
A SOUTH ELEVATION
SCALE: 3/16" = 1'-0"



B WEST ELEVATION
SCALE: 3/16" = 1'-0"



C EAST ELEVATION
SCALE: 3/16" = 1'-0"



D NORTH ELEVATION
SCALE: 3/16" = 1'-0"