



Staff Report: CASE # 2-24-A

NATURE OF REQUEST

*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. *Please refer to the Applicant’s statements, plans, and other application enclosures.*

LOCATION

The subject property, owned by GRP 32, LLC, is located approximately 95 feet to the southeast of the Old State Route 74 and Vermona Dr. intersection, on Parcel # 413105B201.

ZONING

The subject property is zoned Business (B-1)—with Business (B-1) zoning also adjacent to the south, southeast, west, and northwest of the property. To the east, the adjoining (commercial) property is zoned Planned Development (PD). To the north, the property abuts 3 parcels zoned Single Family Detached Residential (R-1).

BACKGROUND

The property was initially zoned Restricted Industrial (I-1) on the Township’s original Zoning Map. Between April of 1977 and April of 1978, the Township rezoned the affected property to Business Districts (B-5 and B-1, for commercial uses). The various parcels involved with the aforementioned rezones were subsequently re-platted and then were ultimately consolidated into one Business (B-1) zoning district in 1993. In March of 2022, a Change of Use Permit was submitted by the Applicant to locate within an existing building on the property (requiring no exterior improvements other than signage). Although the proposed use, a Medical Marijuana Dispensary, was not specifically / exactly referenced at the time the property was rezoned (as the use did not exist at that time), it was similar to the general uses that were intended for the site at the time the development plan was approved—and it appeared to be in line with the type and scale of uses articulated in the Zoning Resolution’s underlying business areas at the time that the Change of Use application was received. Therefore, the Change of Use zoning permit was issued by the Township in March of 2022. Since that time, there have not been any zoning violations noted on the subject property.

STAFF COMMENTS:

After reviewing the proposed application in totality, please note:

- 1) The existing Medical Marijuana Dispensary, Beyond Hello, 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 will be located a minimum of 100 feet from any residential use, as set forth in this subsection.
 - c. *Staff recommends that additional landscaping and screening be required, between the existing parking area and Old State Route 74, in accordance with Section 520 and Section 810 (4).*
 - d. The Applicant has acknowledged that Beyond Hello will not operate past 9pm, on any night of the week, and will not open before 9am.

- e. The Applicant has acknowledged that Beyond Hello will conduct an audit of existing lighting to make sure that all of the provisions of this subsection are met. *With respect to this item, staff recommends the submittal of a photometric plan to the Planning & Zoning Dept., as a condition of approval—prior to the issuance of a Zoning Permit for the conditional use.*
 - 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 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 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. This condition is not applicable to the Applicant—although the Applicant will be required to agree to this condition. *In addition, the site is zoned Business (B-1) and shall not be rezoned to PD for the purposes of operating a marijuana dispensary, consistent with the requirements of the Zoning Resolution.*
- 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 acknowledged as a permissible conditional use in a Business (B-1) zoning district, per Article 6, Section 662, item 3.*
- 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. *The existing building has been designed and remodeled to be compatible in appearance to match the character of the general area in which it is located.*
- d. Will not be hazardous or disturbing to existing or future neighboring uses. *The Applicant has indicated that Beyond Hello operates discreetly, and that it will continue to strictly enforce a ‘no loitering policy’ around its facility.*
- 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. *“Beyond Hello forecasts (its dual-use) adult cannabis sales to be approximately \$10M annually, providing approximately \$360k of additional tax income to the Township” The Applicant’s intent is to “...divert the appropriate amount of incoming revenues to the Township.” Beyond Hello’s “...intent is that the Township continues to receive the same amount...In the event that a Court of competent jurisdiction rules that fees and taxes similar to those described here or within Article 6, Section 662 (A-K) are unenforceable, Beyond Hello and Union Township shall negotiate in good faith for the return of such fees and taxes to Beyond Hello.”*
- 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 has estimated that traffic to the site should be between 18-24 vehicles per hour—with no impact to noise, smoke, fumes, glare, etc.*

- 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. *There are two (2) entrances currently serving this site—both of which are adequate.*
- 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.*

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.

***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 additional landscaping and screening between the existing parking area and Old State Route 74, 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.*
- 2) The Applicant shall construct a sidewalk along the frontage of the property as to facilitate pedestrian access across the site and to adjacent parcels, consistent with the recommendations of the Comprehensive Master Plan for the Township. *The location of the sidewalk shall be subject to administrative review and approval.*
- 3) The Applicant shall submit a photometric plan to the Planning & Zoning Dept., as a condition of approval—prior to the issuance of a Zoning Permit for the conditional use.

- 4) 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.
- 5) 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.
- 6) 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.

2
BK: 2350 PG: 1134

201200000701
Filed for Record in
CLERMONT COUNTY, OH
DEBORAH HALL CLEPPER
01-09-2012 At 04:24 PM.
DEED 28.00
OR Book 2350 Page 1134 - 1135

RECEIVER'S DEED

old 74 StripCenter LLC
Peter M. Lahni, receiver of the assets and real estate of JAO Properties, LLC (collectively "Grantor"), by the power conferred by the Court of Common Pleas, Clermont County, Ohio, Case No. 2011 CVE 01598, and every other power for One Dollar (\$1.00), and other good and valuable consideration, grants, with fiduciary covenants to GRP32, LLC, an Ohio limited liability company, whose tax-mailing address is 1539 Adams Ct., Amelia, Ohio 45102 ("Grantee"), the real property described on Exhibit "A" attached hereto and made a part hereof.

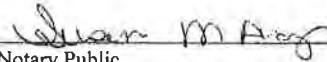
Prior Instrument Reference: Deed Vol. _____, Pg. _____ of the Official Records of Clermont County, Ohio.

Executed this 21st day of December, 2011.


Peter M. Lahni, Receiver

STATE OF OHIO)
) SS:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this 21st day of December, 2011 by Peter M. Lahni, the receiver of the assets and real property of JAO Properties, LLC.


Notary Public
My commission expires: N/A

Prepared in its unexecuted form and without benefit of title exam by:
Susan M. Argo, Esq.
Graydon Head & Ritchey LLP
1900 Fifth Third Center
511 Walnut Street
Cincinnati, Ohio 45202



SUSAN M. ARGO
Attorney at Law
Notary Public, State of Ohio
Commission Has No Expiration
EXP. DATE: 12/31/2012



Exhibit "A"

This conveyance has been examined and the Grantor has complied with Section 319.202 of the Revised Code.	
Purchase Price \$ 46000.00	Fee \$ 1840.00
Transfer # 77	Filed with the office of Linda L. Fraley
Date 1/9/12	By: [Signature]

Situated in Matthew's Military Survey No. 1138, Union Township, Clermont County, Ohio and being more particularly described as follows:

Commencing at a point at the centerline intersection of Vermona Drive and Old State Route No. 74; Thence easterly for a distance of 155.0 feet, as measured along the centerline of Old State Route No. 74 to a point and being the true place of beginning of the following described real estate;

THENCE from said true place of beginning continuing with said centerline North 73° 22' 00" East for a distance of 196.66 feet to a point corner to lands of Ferdinand and Thelma Meinor;

THENCE leaving said road with the lines of said Meinor the following four (4) courses and distances;

- (1) South 02° 48' 00" East (passing a 5/8" iron pin found at 30.90 feet) for a total distance of 187.86 feet to a 5/8" iron pin found;
- (2) South 73° 22' 00" West for a distance of 37.03 feet to a 5/8" iron pin found;
- (3) South 02° 26' 40" East for a distance of 117.36 feet to a 5/8" iron pin found;
- (4) North 73° 22' 00" East for a distance of 128.70 feet to a 5/8" iron pin set corner to lands of Eastside Storage LLC;

THENCE with the westerly line of said Eastside Storage South 02° 50' 40" West for a distance of 157.78 feet to a 5/8" iron pin set;

THENCE with severance lines the following three (3) courses and distances;

- (1) North 65° 34' 21" West for a distance of 123.57 feet to a 5/8" iron pin found;
- (2) North 65° 49' 26" West for a distance of 90.98 feet to a P.K. nail found;
- (3) North 16° 38' 00" West for a distance of 304.32 feet to the place of beginning.

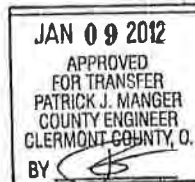
Said property contains 1.373 acres and being subject to legal highways and easements of record.

The above described real estate is part of the same premises described as recorded in O.R. Book 1903, page 1417 of the Clermont County, Ohio, Deed Records and identified as parcel No. 41-31-05B-200 on the Tax Maps of said County.

Being the result of a field survey and plat dated Nov 2, 2005 made under the supervision of John C. Hewett registration: No.7550 in the State of Ohio.

693 Old State Route 74, Cincinnati, OH 45244

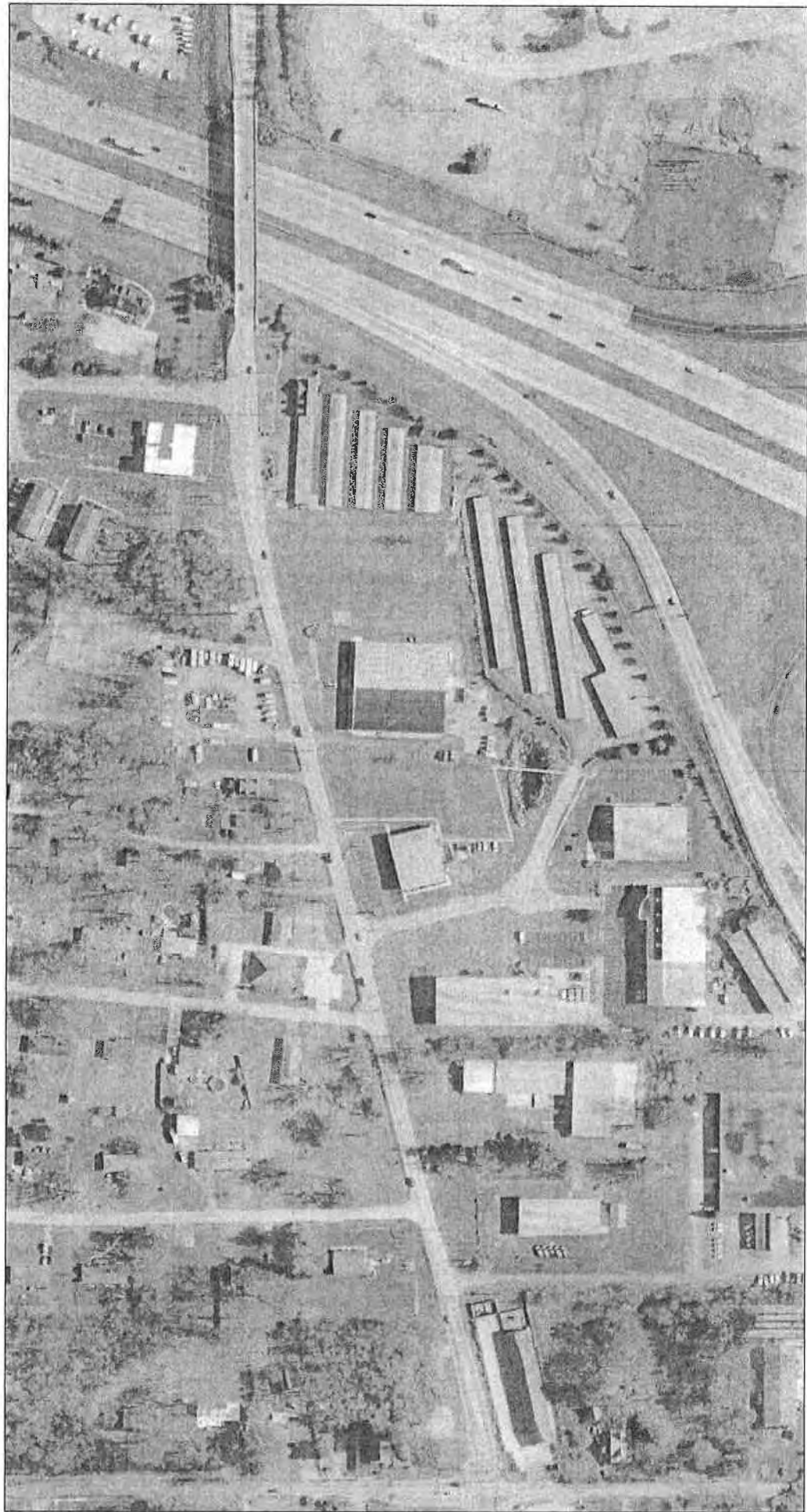
Permanent Parcel No.: 41-31-05B-201.



TL⁸¹-0129

TD 41 BK 31 PG 05B PAR 201.-1.373Ac

413105B201.



June 5, 2024

1.2.493



Clermont County Ohio, Clermont County

ZONING INFORMATION

ZONING CODE: UNION TOWNSHIP ZONING RESOLUTION

PARCEL 41-31-05B-201
LOT SIZE: 1.373 ACRES

ZONING DISTRICT: B1
EXISTING USE: RETAIL / BUSINESS
PROPOSED USE: RETAIL (MEDICAL MARIJUANA DISPENSARY)

BUILDING SETBACKS (ARTICLE 6, SECTION 602, FIGURE 1)

LOT WIDTH: N/A

FRONT: 40' MIN.

SIDE: 10' MIN.

REAR: 10' MIN.

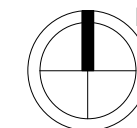
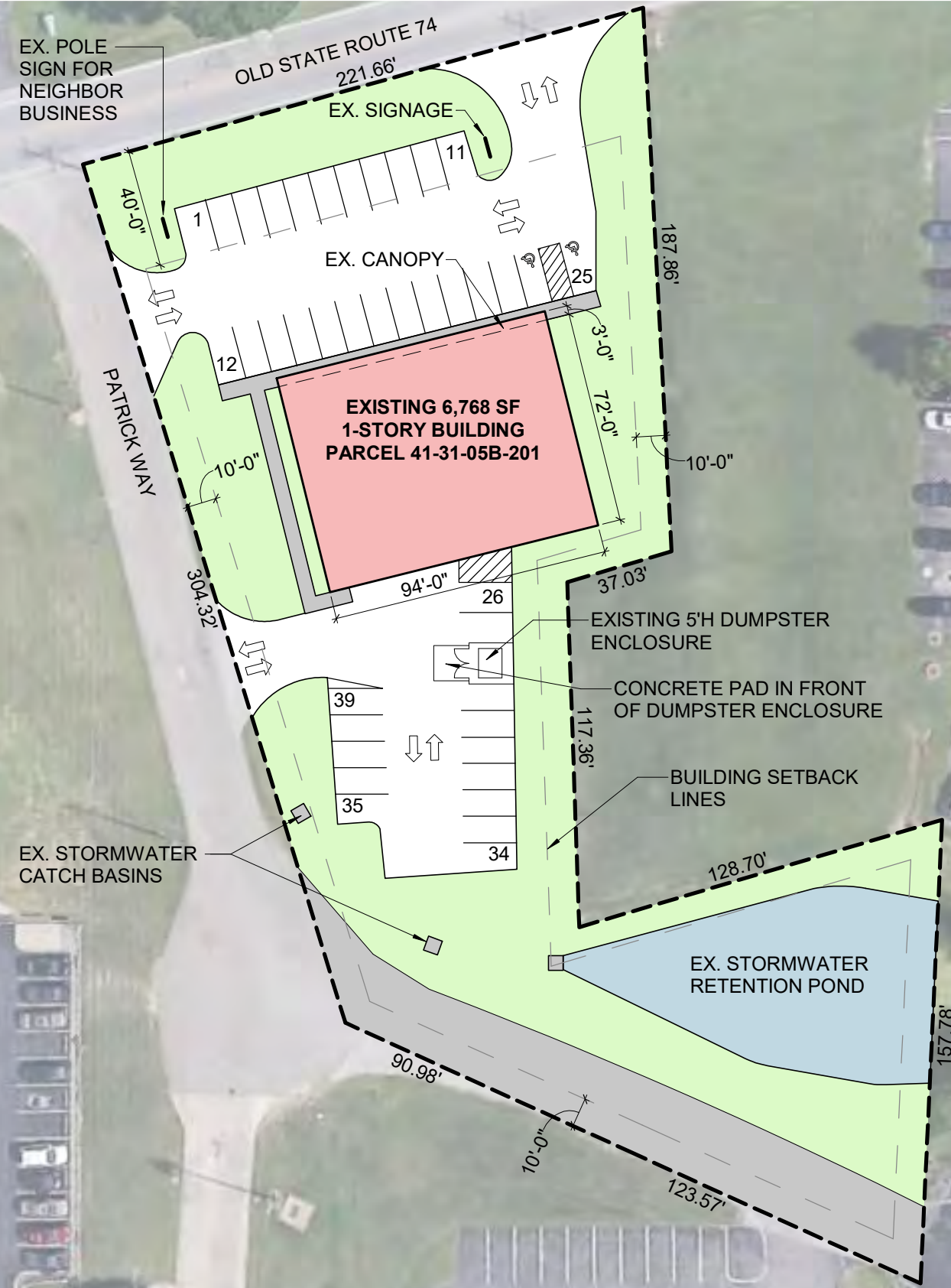
MAX. BUILDING HEIGHT: 75 FEET

EXIST. BUILDING HEIGHT: 18 FEET

REQ. OFF STREET PARKING SPACES (812, 18. RETAIL STORES)

TOTAL PARKING SPACES REQUIRED: 33.84 (1/200SF)

TOTAL UNITS PROPOSED: 39 (EXISTING)



1" = 50'



PROJECT INFORMATION

DISPENSARY - 693 OLD STATE ROUTE 74, CINCINNATI, OH 45245

DATE: FEBRUARY 16, 2022

PROJECT NO. 02822

SHEET NAME

SITE PLAN

SHEET NO.

SK01

State-licensed Marijuana Medical Dispensaries, any Recreational Marijuana Dispensaries, any Marijuana Testing Laboratories, and other similar uses provided they meet the following conditions:

a. These uses shall be located a minimum of five hundred (500') feet from:

i. The boundaries of a property containing the same or a similar use.

ii. The boundaries of a property containing a school, daycare, church, public library, public playground or public park.

iii. The boundaries of a property containing a Drug Rehabilitation Clinic. **See attached survey.**

b. These uses shall be located a minimum of one hundred (100') feet from the boundaries of a property containing any residential use or located in any residential zone. **See attached photograph.**

c. Adequate landscaping and screening as required by Section 520 shall be provided. **The Applicant agrees to this condition.**

d. The hours of operation for these uses shall not extend beyond 9:00 p.m. **The Applicant agrees to this condition. Initially, the Applicant's Hours of Operation will be Mon-Sat 9AM-8PM & Sun 10AM-6PM**

e. All exterior lighting must be downward-directed, fully shielded, darksky compliant, and be less than, or equal to 1.0-foot candle at the edge of any adjacent roadway and / or property lines adjoining a commercial or industrial use. All exterior lighting adjoining residential uses must also be downward-directed, and be less than, or equal to 0.5-foot candle(s). **The applicant will conduct an audit of existing lighting and make any necessary changes to comply with this condition.**

f. The Owner of the use shall agree to participate in a Joint Economic Development District (JEDD) and shall further consent and cooperate in the establishment and participation thereto. **The applicant agrees to this condition subject to state law considerations which are still being worked through and understood in the industry.**

g. The Owner of the use as set forth herein shall be required to make a one-time payment to the Township representing an Impact Fee, to compensate the Township for public safety, infrastructure improvements, and future development costs related to the use. The Impact Fee shall be established at \$50,000.00, which shall be distributed to the Township's General Fund to address capital expenditures. The Impact Fee payment shall be due to the Township prior to the issuance of a Zoning Permit for the use. **The applicant agrees to this condition subject to state law considerations which are still being worked through and understood in the industry.**

h. An existing Medical or Recreational Marijuana Dispensary, Cultivator, Processor, or Testing Facility use operating prior to the enactment of these regulations, or any such subsequent use receiving approval pursuant to this Section, that is discontinued or abandoned for more than three-hundred sixty-five (365) consecutive days shall be determined to be voluntarily discontinued, and shall not be reestablished except in conformance with these regulations. **The applicant agrees to this condition.**

i. All State-licensed Medical and/or Recreational Marijuana Dispensaries, Marijuana Testing Laboratories, Marijuana Cultivators, or Processors, or other similar uses that exist within any zoning district within Union Township at the time of the effective date of these regulations shall not be further expanded, altered, or otherwise modified in any way whatsoever, except in conformance with the requirements of this Section. **The applicant agrees to this condition.**

j. The maximum number of Medical Marijuana and/or Recreational Marijuana Dispensaries, Marijuana Testing Facilities, or other similar uses shall be limited to a cumulative total of two (2) locations within the unincorporated limits of Union Township, Clermont County, Ohio. **The applicant agrees to this condition.**

k. The uses regulated by this Section shall be prohibited within any residential district or within the PD Planned Development District. **The applicant acknowledges this condition and is not located within either a Residential District or the PD Planned Development District.**

442.2 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.

Specific to Article 1 Section 120 of the Union Township Zoning Resolution which states as its purpose that it is "enacted for the general purpose of promoting the public health, safety, comfort and welfare of the Township of Union.." the applicant's proposed conditional use of a Dual Use Medical and Adult use Beyond Hello marijuana dispensary located at 693 Old State Route 74 Cincinnati, OH 45245 promotes these general objectives. Among the dozens of reports and analysis around the health benefits of marijuana, none is more impactful than the United States Department of Health and Human Services report from August of 2023 which recommended that the Drug Enforcement Agency reschedule marijuana to a Schedule 1 controlled substance. In brief, HHS' report found specific scientific support for the therapeutic benefits of marijuana. As such, a Beyond Hello dispensary would be providing a regulated product to the general public that is additive to the public health of the community. Additionally, the fact that Beyond Hello will offer regulated marijuana products to the general public (to those over the age of 21 per State law) promotes safety in the Township of Union. For decades, those who have sought out the benefits of marijuana have most often found them by accessing the illicit market. Each sale of regulated marijuana at a Beyond Hello dispensary is equal to one less illegal and untaxed sale of marijuana. Criminals will be deterred from conducting illegal business and the potential for tense interactions between law enforcement and said criminals will decrease significantly upon the opening of a Beyond Hello Dual Use Medical and Adult Use Marijuana Dispensary. Finally, speaking to the general comfort and welfare of the residents of the Township of Union, access to regulated marijuana products is essential. If not available at Beyond Hello in Union Township, patients and customers would need to make the 30-minute commute to Milford in order to obtain the products they were in search of. This is not only inconvenient to those with busy home and work lives but also diverts tax dollars away from the Township unnecessarily.

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.

The existing Beyond Hello Medical Marijuana Dispensary located at 693 Old State Route 74 Cincinnati, OH 45245 has been designed and constructed to blend into its neighborhood. No changes were made to the exterior of the building other than installation of subtly branded signage. Although it identifies as a cannabis dispensary nothing about the branding or the name Beyond Hello screams "marijuana." The intent is that the only people that notice the dispensary location are those who are seeking it out. Exterior windows have been frosted to prevent any visibility into the dispensary sales floor and the parking lot is well lit for safety but not to a degree to become a nuisance to any members of the neighborhood. Beyond Hello has a dedicated facilities team that maintains the landscaping, snow removal and general upkeep of the property. Beyond Hello has a well-trained staff that operates the dispensary efficiently and in full compliance with State and Local laws. With 39 dedicated parking spaces, the property can more than accommodate the expected volume of customers and related staff.



The interior of Beyond Hello was constructed by experienced licensed contractors utilizing best in class materials and finishes. Patients and customers experience a comfortable waiting area and spacious and efficiently designed sales floor meant to keep traffic flow moving. No marijuana products are stored on the sales floor. All products are stored in a State-Compliant vault. The Staff enjoy a comfortable back of house break area with an additional office for the General Manager.



442.4 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 disturbing to existing or future neighboring uses.

The existing Beyond Hello Medical Marijuana Dispensary located at 693 Old State Route 74 Cincinnati, OH 45245 is situated between Harley Davidson Eastgate located at 699 Old State Route 74 and East Gate Pools and Spas located at 685 Old State Route 74. All three uses are entirely compatible. They are all retail in nature but not with the high-volume traffic of a fast casual restaurant or convenience store. The customers visiting our neighbor's establishments are the same people that might visit the Beyond Hello dispensary. No loitering is allowed at the Beyond Hello dispensary and the consumption of marijuana on the premises is strictly prohibited and enforced. The Beyond Hello dispensary will in no way be hazardous or disturbing to any existing or future neighbors.

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 existing Beyond Hello Medical Marijuana Dispensary located at 693 Old State Route 74 Cincinnati, OH 45245 adequately served by the two-direction nature of Old State Route 74 allowing for easy access to commuters. The dispensary is also located 2 minutes from the intersection of Interstate 275 and State Route 32 allowing access from all 4 directions. Although there have been no incidents to date, in the event of an emergency nothing at the property would prohibit first responders, the police department or fire department from accessing the property quickly in order to respond. The Beyond Hello location has been constructed to code meeting all inspection requirements for fire as well as general building code. The existing property has adequate storm/drainage capabilities and appropriate sewage capabilities with little risk of overflow or flooding. The Beyond Hello Facilities Team has established all utilities at the property with the appropriate local providers. Additionally, the Beyond Hello Facilities Team has entered into a contract with Waste Management to provide for regular and appropriate trash pickup/waste disposal. No marijuana products are disposed of at the Beyond Hello dispensary. If there is a quality or expiration issue with any marijuana product, the Beyond Hello Operations Team has a detailed Standard Operating Procedure which calls for returning the product to its original manufacturer for handling.

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.

The Beyond Hello Dual Use Medical and Adult Use Marijuana Dispensary to be located at 693 Old State Route 74 Cincinnati, OH 45245 will operate exactly as it has for the past two years as a Medical Marijuana Dispensary. Although under the regime of a new regulator, adult use/dual used dispensaries in Ohio will operate under the exact same rules, regulations and compliance requirements as the medical program currently. The only difference between the Medical Marijuana Dispensary and the proposed Dual Use Medical and Adult Use Dispensary will be an increase in the number of customers given that Beyond Hello would now be legally able to serve any customer with a State-Issued Photo ID demonstrating that they are at least 21 years of age. The proposed use will not be detrimental to the economic welfare of the community as the applicant is neither requesting or requiring any additional services from The Township. In fact, the proposed Dual Use Medical and Adult Use dispensary shall supply an additional economic benefit to the Township. Beyond Hello Forecasts adult use sales to be approximately \$10m annually providing approximately \$360k of additional tax income to the Township. If the State of Ohio changes path, Beyond Hello's intent is to divert the appropriate amount of incoming revenues to the Township. Our intent is that the Township still continues to receive the same amount. In the event that a Court of competent jurisdiction rules that fees and taxes similar to those described here or within Article 6 Section 662 (A-K) are unenforceable, Beyond Hello and Union Township shall negotiate in good faith for the return of such fees and taxes to Beyond Hello.

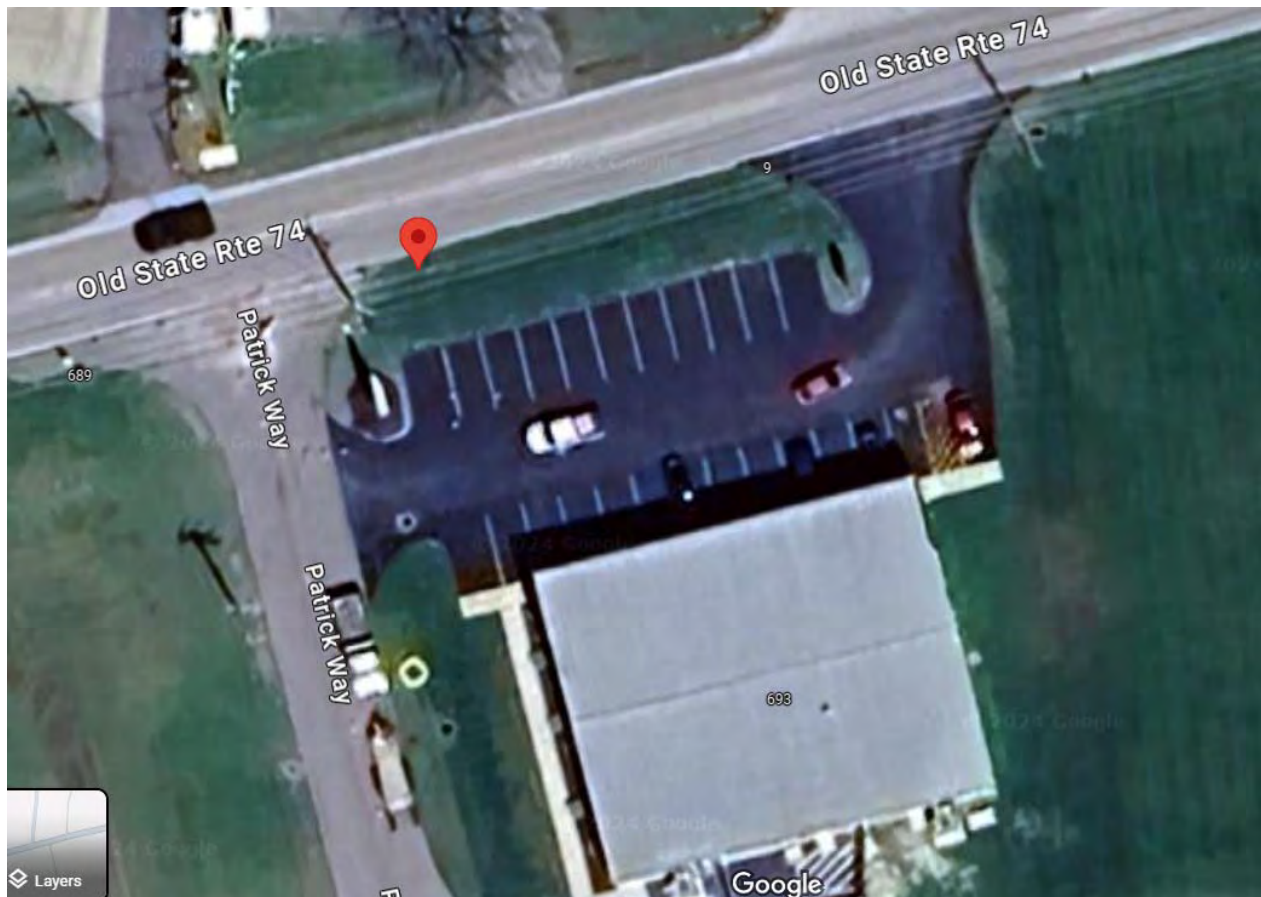
442.7 Please describe how the proposed conditional use will not involve uses, activities, processes materials, equipment, and conditions of operation that will be detrimental to any persons, property,

or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glares or odors.

The Beyond Hello Dual Use Medical and Adult Use Marijuana Dispensary will be a retail business in nature. No equipment is used at our facility except for IT server racks and other hardware to run our inventory management software platforms and our customer point of sale checkout platforms. No fumes emanate from our facility. The dispensary was designed with carbon scrubbers which are a specific modification to the HVAC system to prevent any odors from emanating from the building. As our glass windows are treated and frosted, no glares emanate from the facility. As to noise and or smoke, and as previously stated, loitering in the Beyond Hello parking lot is strictly prohibited and enforced. Consumption of marijuana products on or anywhere near the property is strictly prohibited and enforced. Beyond Hello expects 18-24 customer visits per hour upon commencing sales for Adult Use marijuana. The slow and steady flow of traffic will not be detrimental to anyone.

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

The property for The Beyond Hello Dual Use Medical and Adult Use Marijuana Dispensary has two curb cuts with dual direction entry/exit at each. The first curb cut enters from Old State Route 74. The Second Curb Cut enters from Patrick Way. As Patrick way is not true public thoroughfare, we will encourage customers to exit from that curb cut utilizing "Exit" signage to be installed.



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.

N/A. No natural, scenic or historic features of major importance exist at 693 Old State Route Rd. Cincinnati, OH 45245. Further no construction or remodeling is being contemplated beyond what was already constructed at Beyond Hello.

JUSHI RETAIL & BEYOND HELLO

Jushi is a current licensed Cultivator, Manufacturer and Dispensary Operator in the State of Ohio. By virtue of our good standing with the State of Ohio Cannabis Commission we are excited by the opportunity to transition our current Beyond Hello medical marijuana dispensary located at 693 Old State Route 74 to a Dual Use Dispensary serving both card-carrying medical patients as well as adult use customers over the age of 21. We estimate that a dispensary located here will generate between 18-24 visits per hour on average. With enough parking to serve those interested in entering our sales floor, we expect a steady stream of consistent traffic, free from any bottlenecking or congestion. We also expect adult use sales to perform at approximately \$10mm in annual revenue. The Cannabis Commission will collect specific excise taxes on these sales with 3.6% (~\$360k annual) being returned to Union Township. If the State changes path, our intent is to divert the appropriate amount of revenues to the Township. Our intent is that the Township still continues to receive the appropriate amount.*

We are seeking a conditional use approval per Article 6 Section 662 of Union Township Code. We believe that our current property and operations comply with all requirements of this Section of the Code: Article 6 Section 662 (A-K)

Following below is additional information on our Retail and Security Operations.

* In the event that a Court of competent jurisdiction rules that fees and taxes similar to those described here or within Article 6 Section 662 (A-K) are unenforceable, Beyond Hello and Union Township shall negotiate in good faith for the return of such fees and taxes to Beyond Hello.

JUSHI RETAIL

The cannabis industry comes with rapid change on all levels, so we have developed an agile, data-driven retail model that marries the online and in-store experience without friction. Our mission is to educate and help our customers navigate through the universe of new and traditional cannabis experiences.

We're passionate about creating next-level retail experiences. We operate under 3 Retail Dispensary Brand Names in 7 States – Pennsylvania, Illinois, California, Virginia, Massachusetts, Nevada, Ohio

BEYOND / HELLO is a national brand of cannabis dispensaries founded and built around the promise to go beyond. We focus on delivering the best customer and patient experience both online and in-store. We believe in helping, in serving, in questioning, in being deliberate, intentional and entirely focused on our customers. We operate 30 Beyond Hello Retail locations.

Nature's Remedy is a premiere retailer with a mission to redefine the cannabis industry in Massachusetts. At Nature's Remedy, we have a sincere passion for cannabis and are enthusiastic about offering products and services that truly help others. Our values are important to us as we strive to lead by example by prioritizing integrity as well as transparency in our daily operations. We operate 2 Nature's Remedy retail locations.

NuLeaf is a chain of cannabis dispensaries in Nevada with 2 locations in Las Vegas and 1 in Incline Village. NuLeaf is known for its outstanding customer service and innovative store design.

The Jushi Retail Experience



LEADING OMNICHANNEL EXPERIENCE

Jushi provides patients and customers with a frictionless retail experience.



Retail Design

Our carefully designed and inviting cannabis experience welcomes all levels of consumers.



Digital

Place your order online for express pickup, curbside or delivery and download our app for exclusive savings. Available in select markets.



Products

We offer our customers an expansive variety of house products across all major categories and price points.

Retail Operations



STANDARD OPERATING PROCEDURES – OHIO

Beyond Hello operates in the state of Ohio with 30 unique SOPs that are required by the state's regulatory program to operate a dispensary. These policies cover topics including but not limited to.

- Processing and Dispensing Marijuana Requirements (identification, limits, processes, packaging, labeling).
- Patient education support materials, required handouts, and tools.
- Visitor access.
- Emergency action plans.
- Recordkeeping and retention requirements.
- Marketing and advertising rules.

Our inventory management guidelines ensure the inventory of medical marijuana products is conducted in accordance with Ohio regulations. The dispensary-designated representative will have primary oversight of the dispensary's medical marijuana inventory control system. The inventory control systems, METRC and Dutchie POS, are real-time, web-based, backed up daily, and accessible by the state immediately upon request. These systems document an exact accounting of each transaction and each day's beginning inventory, acquisitions, sales, disposal, and ending inventory. The designated representative or key employee conduct and document an audit of the dispensary's daily inventory according to generally accepted accounting principles at least once a week.

Retail Operations



STANDARD OPERATING PROCEDURES – NATIONAL

We go above and beyond to care for our customers by providing them with the highest quality cannabis products, extraordinary service and support, and expertise. We are committed to improving not only the lives of our customers, but also our employees, the communities we serve, and the cannabis industry.

Nationally we have standardized many policies and procedures for our retail locations to adhere to. These standards allow us to operate our dispensaries in a manner to ensure consistency in our general accounting practices and inventory management procedures.

Guidelines for the following topics are covered in our SOPs and training for them is provided through our Learning Management System - CultivateU.

- Customer experience standards. Including our product satisfaction promise and patient privacy practices.
- Employee conduct practices and policies.
- Opening and closing procedures.
- Management of cash, debit payments, deposits, and discounts.
- Inventory storage and organization standards.
- Accepting and processing inventory deliveries.
- Inventory controls, audits, managing discrepancies, and reporting loss.
- Point of sale and inventory fulfillment procedures.
- Cleaning and sanitation standards.
- Facility maintenance protocols.
- IT critical system updates and device inspections.

Retail Operations



TRAINING STANDARDS

Our approved Ohio training plan ensures all dispensary employees have trained appropriately before interacting with patients, products, or any transaction involving medical marijuana. The designed training program is overseen and presented by a designated representative consists of blended learning, with a combination of in-person, eLearning (CultivateU) facilitated by Certified Trainers or our Learning & Development Department, and on-the-job training.

All the dispensary's employees will receive foundational training that covers the following topics at a minimum.

- OARRS training on the drug database.
- Relevant training on the inventory tracking system, METRC.
- Responsible use training, which will include specific instruction on the use of the toll-free telephone line, learning to recognize signs of medicine abuse or adverse events in the medical use of marijuana by a patient.
- The proper use of security measures and controls that have been adopted by the dispensary for the prevention of diversion, theft, or loss of medical marijuana.
- Confidentiality requirements of a dispensary through HIPAA training.
- Instruction on the different forms, methods of administration, and strains of medical marijuana
- Instruction on qualifying conditions for medical marijuana patients.
- Authorized uses of medical marijuana in the treatment of qualifying conditions
- Instruction regarding regulatory inspection preparedness and law enforcement interaction
- Awareness of the legal requirements for maintaining status as a licensed dispensary employee
- Other topics as specified by the state's regulatory body.