



**UNION TOWNSHIP BOARD OF TRUSTEES
OCTOBER 11TH, 2022 MEETING**

MAJOR AMENDMENT, PD

**C.G. HARTMAN, ENGINEER, Applicant
4412 Mount Carmel- Tobasco Road/ Parcel ID #413213E044**



Staff Report:

NATURE OF REQUEST

*The Applicant is requesting the approval of a Major Amendment to a Planned Development District from the Union Township Board of Trustees for a 0.966AC property (PID 413213E044) in order to establish a medical marijuana dispensary (approximately 4,480 sq. ft.) on the subject property. *Please refer to the Applicant's statements, plans, and other application enclosures.*

LOCATION

The subject property, owned by 4412 4414 Mt. Carmel, LLC, is located on the east side of Mt. Carmel Tobasco Road, approximately 150 feet north of the intersection of Harrison Lane.

ZONING

The subject property is zoned PD Planned Development District, with PD Planned Development to the south and southwest. To the north, the adjacent property is primarily zoned Industrial (M-1) until Mt. Carmel Tobasco meets Glen Rose Lane—with the exception of one property zoned Business (B-1). To the west (R-1) and to the most easterly point of the property (R-2), the adjoining property is zoned Residential.

RELATIONSHIP TO THE HORIZON 2030: UNION TOWNSHIP COMPREHENSIVE LAND USE PLAN

The Horizon 2030: Union Township Comprehensive Land Use Plan indicates that the proposal is located within the Mt. Carmel-Tobasco Mixed Use Corridor. Currently, the northern portion of the corridor contains a variety of commercial, quasi-institutional uses, and varying intensity residential uses. Limited development and redevelopment have occurred in some areas of the Corridor, since the adoption of the Plan.

Mt. Carmel-Tobasco Road is a Minor Arterial 2-lane roadway, with a traffic volume of approximately 10,200 average daily trips (ADT). Significant residential populations are located in or near this area, and the lack of sidewalks results in a safety issue for those seeking alternative modes of transportation.

Among other things, the Plan calls for sidewalks in this area, the use of cross access easements and consolidated, shared driveway configurations whenever practical, and site development to be conducted in a manner that focuses on maximizing land use efficiency with infill development. For commercial development or conversion(s), the use of traditional building materials, adequate vegetative buffering, and landscaping strategies along shared property lines and landscaping enhancements along the corridor frontage is required.

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. Since 2020, the property appears to have been vacant.

STAFF REVIEW & ANALYSIS

The proposed project would provide infill development on a property that has been largely under-utilized in the past 20 years or so. Although the proposed use was not exactly referenced at the time the property was rezoned to B-7 in 1982 (as the use did not exist at that time), it is very similar to the uses that were intended for the site at the time the development plan was approved—and it appears to be in line with the type of uses articulated in the Zoning Resolution's current, underlying business areas. The proposed architectural materials and features, landscaping, and the provision of a much-needed sidewalk along the frontage all appear to meet the Horizon 2030: Union Township Comprehensive Land Use Plan's requirements. All proposed setbacks will be met and there are no concerns at this time with the proposed lighting or preliminary signage info.

ACTION REQUIRED

In accordance with Sections 680-687 of the Zoning Resolution, the Board of Trustees' role in this process is to either enter a motion to approve, approve with some modification, or deny the Applicant's request to approve a Major Amendment to an approved PD Planned Development District to build a medical marijuana dispensary, as submitted by the application deadline of August 9, 2022.

RECOMMENDED MODIFICATIONS

If the Board should choose to grant favorable consideration to this PD Major Amendment application, staff recommends that these additional items be modified and / or otherwise be adequately addressed prior to final Township action:

- 1) The Applicant must address any concerns of the County Engineer, Clermont County Water & Sewer District, Clermont County Building Department, the Union Township Fire Department, and / or other regulatory agencies having jurisdiction over the proposed development prior to any final Township action.
- 2) The Applicant needs to provide anticipated average daily traffic volumes to help make final access and parking determinations. Any unnecessary parking should be removed. *This is an item that can be addressed administratively by staff.*
- 3) A shared or cross access easement would need to be created to continue to allow the (catering) business use to the south access to a portion of the subject property. This easement would need to be in place prior to any final approvals by staff.
- 4) A shared easement to the proposed detention basin would need to be created to allow the use on the subject property as well as the (eventual) use to the north access to maintain this common improvement.
- 5) Signage for the site shall be limited to monument style signage, capped at a height of 10' from finished grade.

Union Township administration,

By way of introduction- The Forest is a medical marijuana dispensary that helps medical marijuana patients make the right product choices based on their individual needs. Our commitment to patients begins with assembling a team of individuals who are compassionate, empathetic, and committed to empowering patients.

Our mission is to improve quality of life through safe and easy access to cannabis. We strive to consistently provide quality products to consumers and empower patients to use alternative medicine to find relief and live happier lives.

At The Forest, patient care, safety, and security are our top priorities. We currently have facilities in the below cities/ towns across North America.

Cultivation & Processing Facilities:

1. Gibsonburg, OH
2. Vandalia, MO
3. Corinne, UT (planned opening in February 2023)

Dispensaries:

1. Sandusky, OH
2. Springfield, OH
3. Kansas City, MO (planned opening in September 2022)

Our Ohio facilities are managed, secured, and monitored according to the rules detailed in Ohio's Medical Marijuana Control Program which includes 24/7 interior & exterior camera coverage, badge-controlled access, and strict management of any visitors. Although none of our facilities, in Ohio or otherwise, have ever experienced any attempted burglary events, we maintain emergency monitoring services including intrusion & fire. We also have highly trained security agents who manage any product transportation in or out of the facility. We contract armored vehicle services through our local bank to transport currency to and from the facility.

We take great pride in the exterior and interior aesthetic of our dispensaries and intend to ensure both the building and the property also brings pride to the community in which it is located, as demonstrated in the attached photographs of our Sandusky, OH, dispensary. We also engage with local authorities to find opportunities to become active participants in the communities by supporting local business and events.

We look forward to our partnership with the Union Township leadership and community. Please feel free to reach out to me directly with any additional questions.

Thank you,



Katie Hart
Vice President, Business Development
Standard Wellness Holdings, LLC & The Forest, LLC



CLERMONT
COUNTY OHIO

BOARD OF COUNTY COMMISSIONERS

DAVID L. PAINTER • CLAIRE B. CORCORAN • BONNIE BATCHLER

Permit Central/Building Inspection Department

August 22, 2022

In Re: Proposed Pharmacy Utility Access
4412 Mt Carmel Tabasco Rd

I have reviewed the proposed development. My comments are as follows:

1. Public sanitary sewer and water are available to the proposed development.
2. Public sanitary sewer and water capacity are available for the proposed development.

If you have any questions please call (513) 732-7737.

Sincerely,

A handwritten signature in blue ink that reads "Heather Woodall".

Heather Woodall, Engineer

Cc: File



Clermont Soil & Water Conservation District
1000 Locust St., PO Box 549 Owensville, OH 45160
513-732-7075 • www.clermontswcd.org

August 23, 2022

To: Carl G. Hartman P.E., P.S.

Dear Mr. Hartman:

Thank you for the opportunity to review the plans for development of the Mt Carmel Tobasco Road Standard Wellness property. We have one comment regarding the plans. The storm water management basin will either need to be located on a single lot, or if located on both properties, the basin will need to be placed within an easement and an agreement must be established allowing for the long-term operation and management of the basin.

If you have any questions, please contact me at either (513) 732-7075 ext. 3 or at jmcmanus@clermontcountyohio.gov.

Sincerely,

A handwritten signature in black ink that reads "John McManus".

John McManus
Director, Clermont SWCD

engineercarlhartman@gmail.com

From: engineercarlhartman@gmail.com
Sent: Tuesday, August 23, 2022 11:32 AM
To: 'Lober, Michael'; 'Flaute, Craig'
Cc: 'Katie Hart'; ben@jatrealtors.com; tim@jatrealtors.com
Subject: FW: Tobasco dwgs 4412 Mt Carmel Tobasco Rd
Attachments: 4412MtCarmel Tobasco Contours v2004.dwg; Tobasco.dwg

Mike,

We are applying for a major amendment to an existing Planned development District at 4412 Mt Carmel Tobasco Rd. The application has us submitting a written response from you. Attached is our plan. The plan will be completed with grades and grading plan as part of the Permit Central submission for building permit. The following are our thoughts:

- This location had a prior buildings with no defined curb cut.
- Attached plan has:
 - 25' throat
 - 35' radius at existing edge of pavement
 - All surface runoff will be collected prior to the pavement and conducted to a detention basin. o
 - Curb cut is located at a crest in existing Mt Carmel Tobasco Rd --- no parallel culvert is required.
- We would appreciate a quick response as we have deadlines to meet..

Any questions, please contact me

Thanks

Carl 513 608 7918

From: Mirage <kwildt@cinci.rr.com>
Sent: Tuesday, August 23, 2022 10:23 AM
To: Carl Hartman <engineercarlhartman@gmail.com>
Subject: Tobasco dwgs





THE FOREST







PLANTS
ARE 
BUDS

THE FOREST

THE FOREST

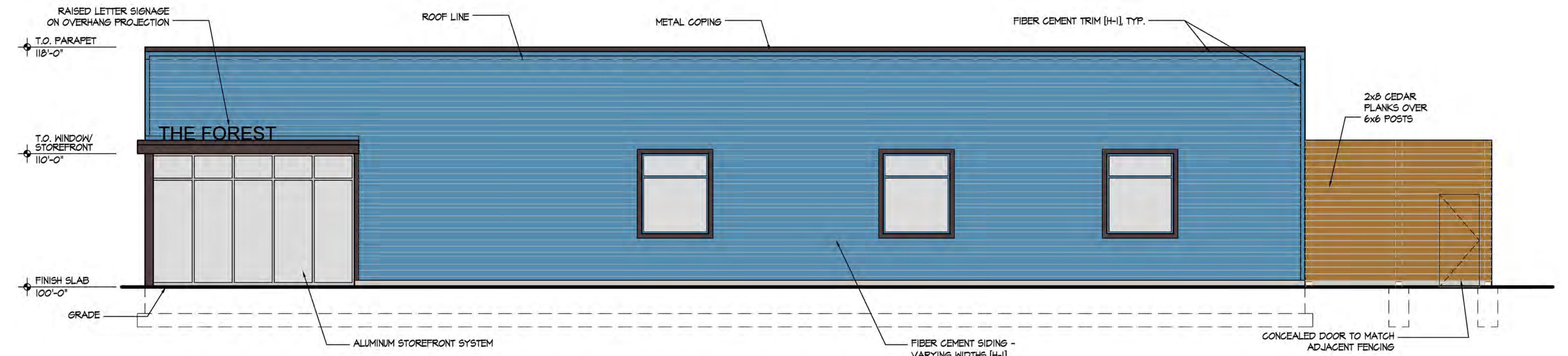
THE FOREST

This drawing is the architect's instrument of service for use solely with respect to this project. RDA Group Architects is the author of this document and shall retain all rights and other reserved rights, unless otherwise agreed upon in writing.

©RDA 2022

New Building For:
The Forest

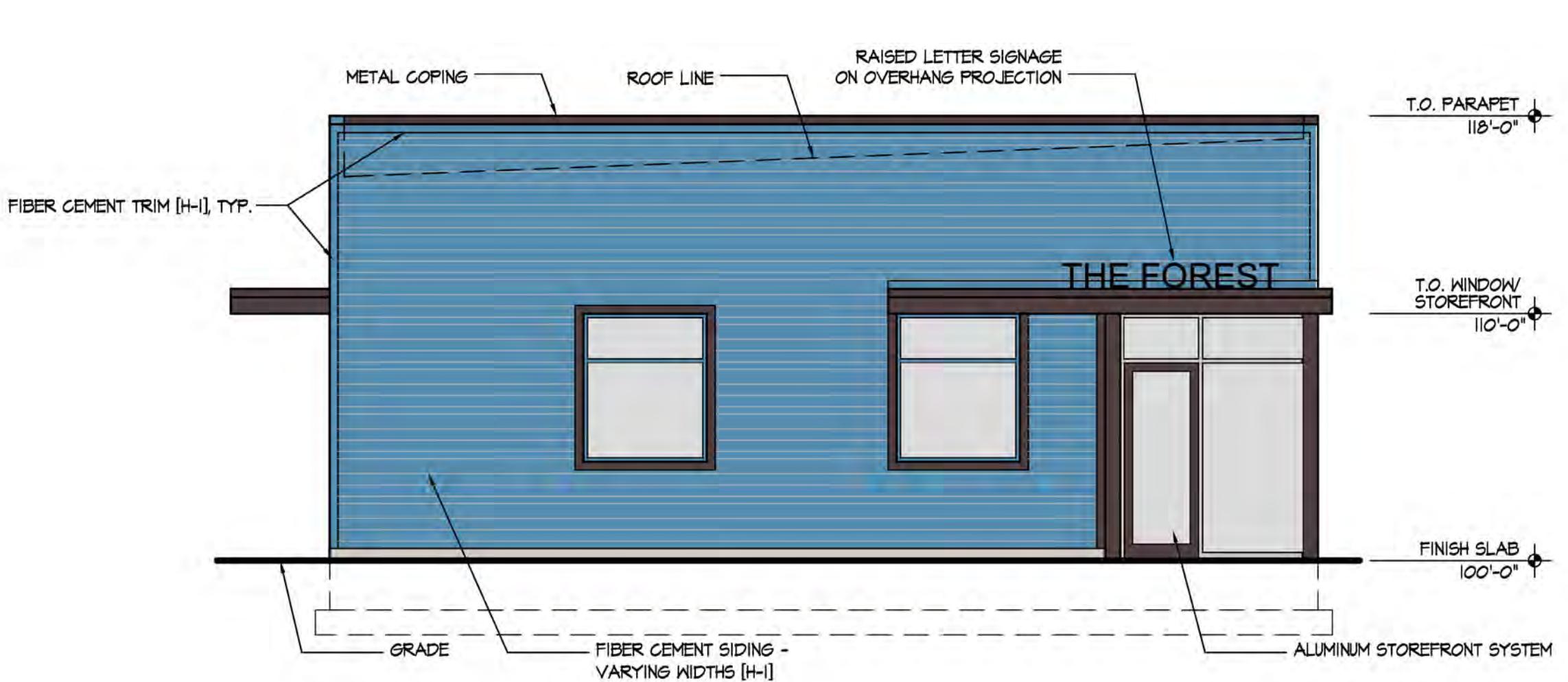
4412 Mt. Carmel Tobasco Road
Cincinnati, Ohio 45244



A SOUTH ELEVATION

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

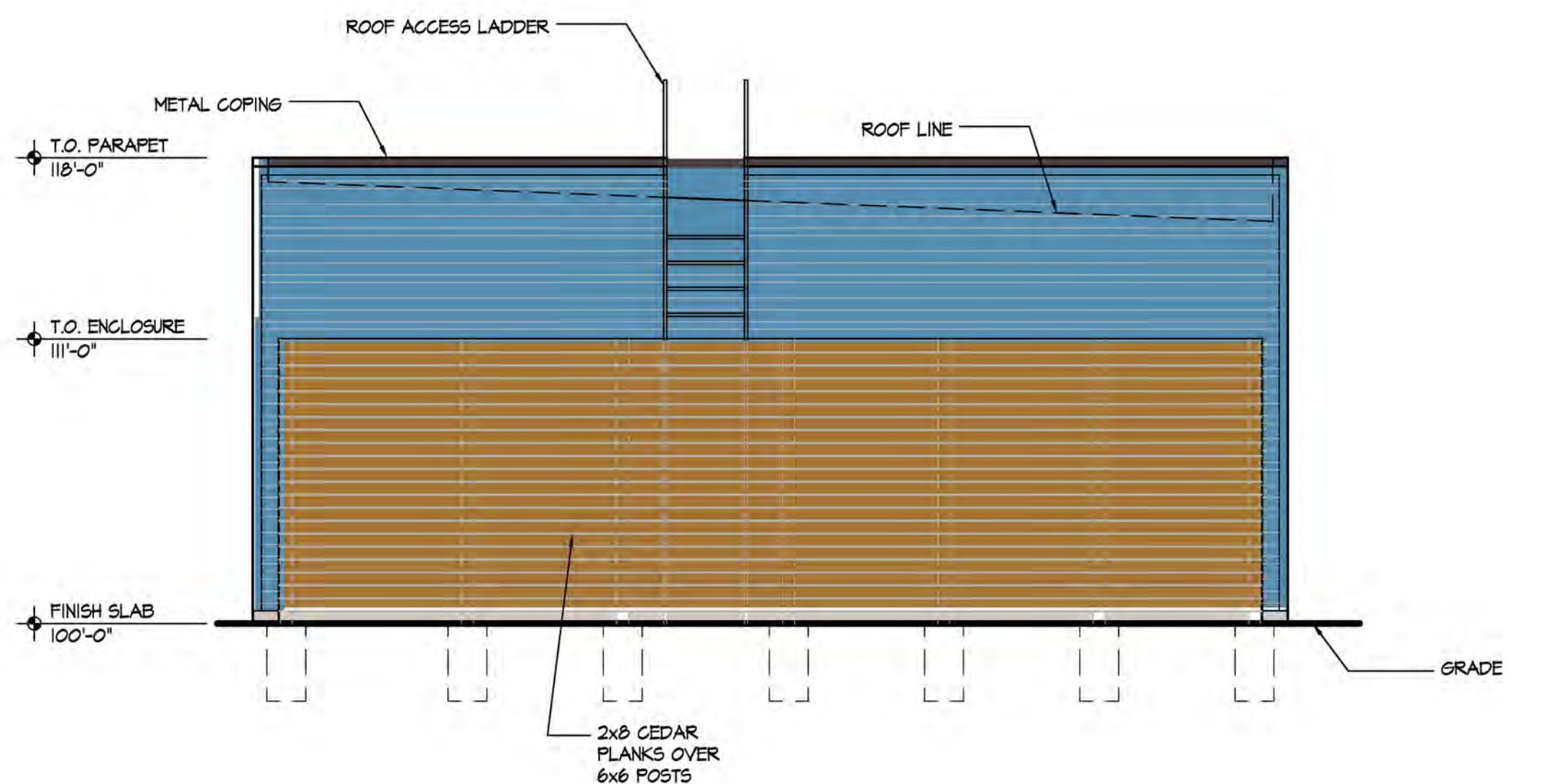
0 2 4 8



B WEST ELEVATION

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

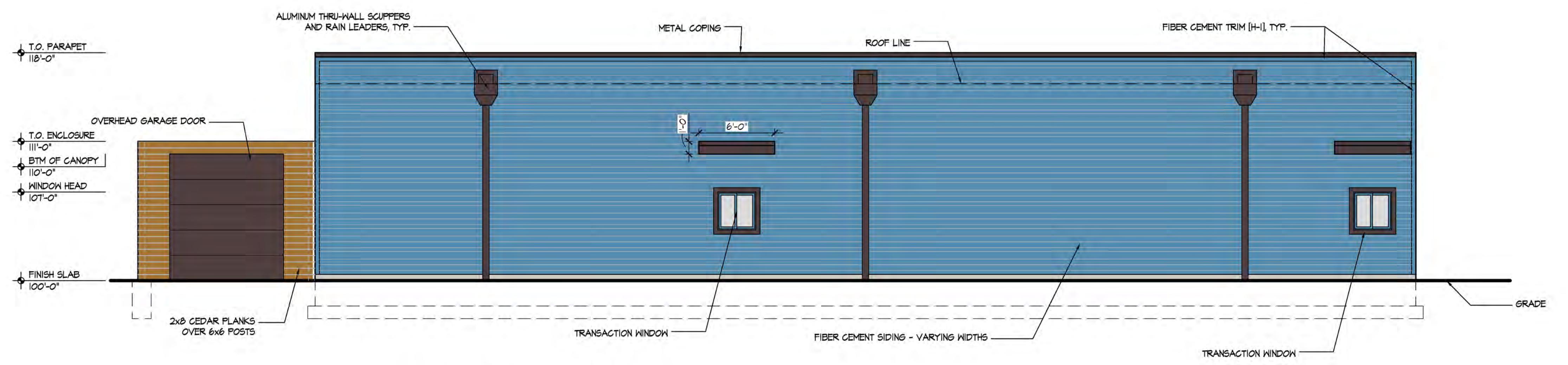
0 2 4 8



C EAST ELEVATION

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

0 2 4 8



D NORTH ELEVATION

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

0 2 4 8

Print Record	
02/15/22	Zoning
03/02/22	Zoning Revision
06/06/22	Shell Prelim.
06/28/22	Review
08/22/22	Review
08/02/22	Zoning
Project Number	
2022-022	
Date	
August 29, 2022	
Sheet Title	
EXTERIOR ELEVATIONS	
Sheet Number	
A2.1	

This drawing is the architect's instrument of service for use solely with respect to this project. RDA Group Architects is the author of this document and shall retain all copyrights and other reserved rights, unless otherwise agreed upon in writing.

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

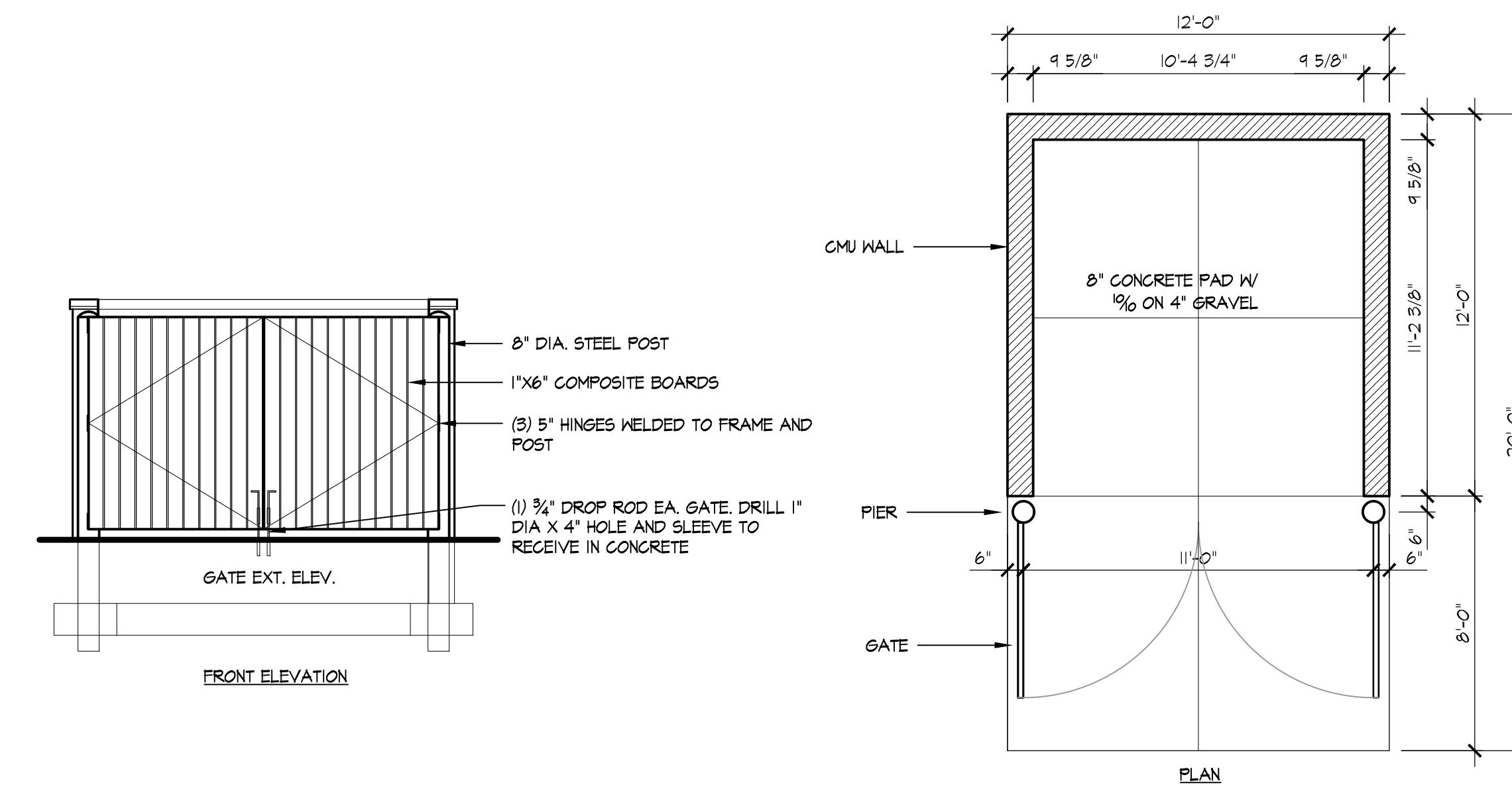
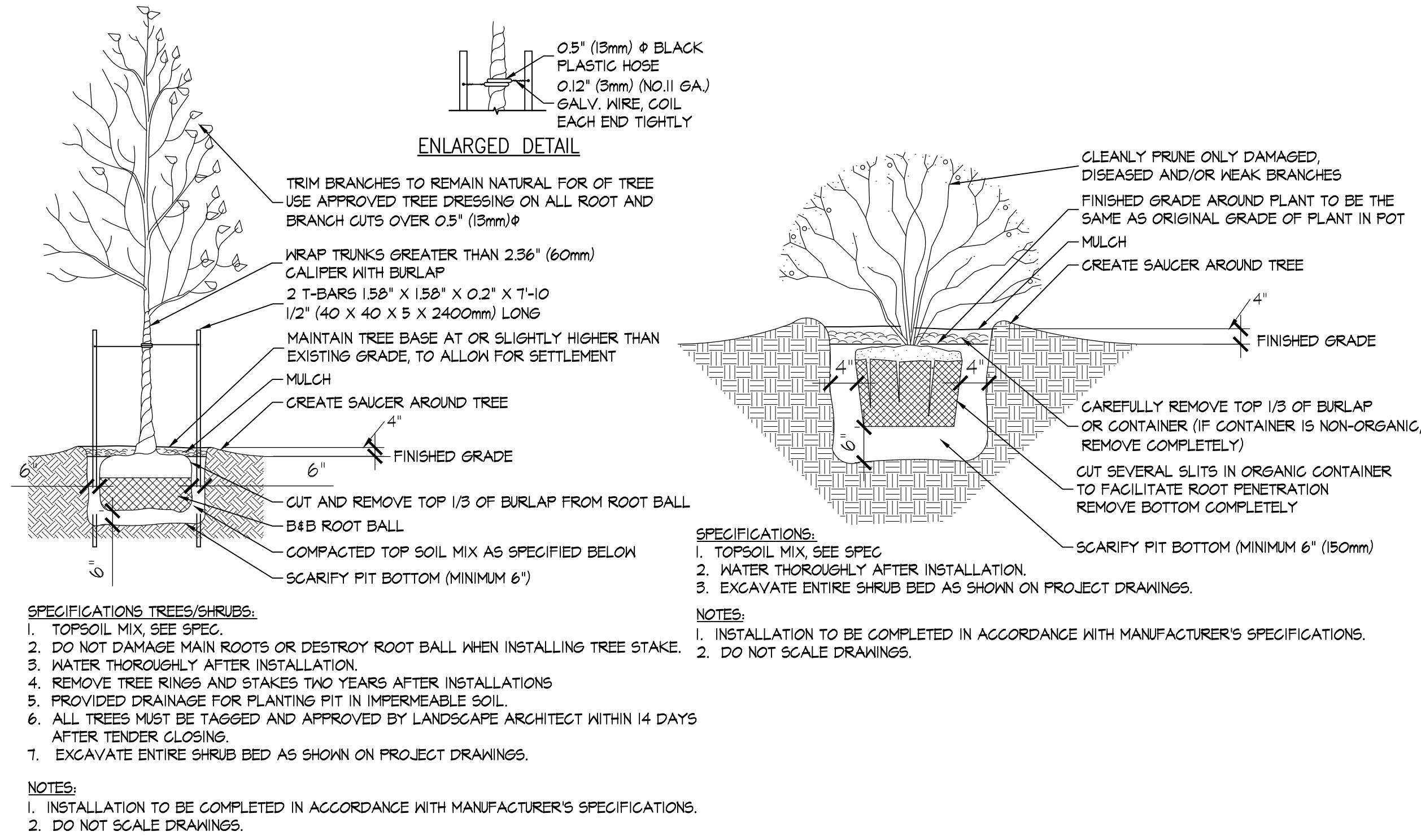
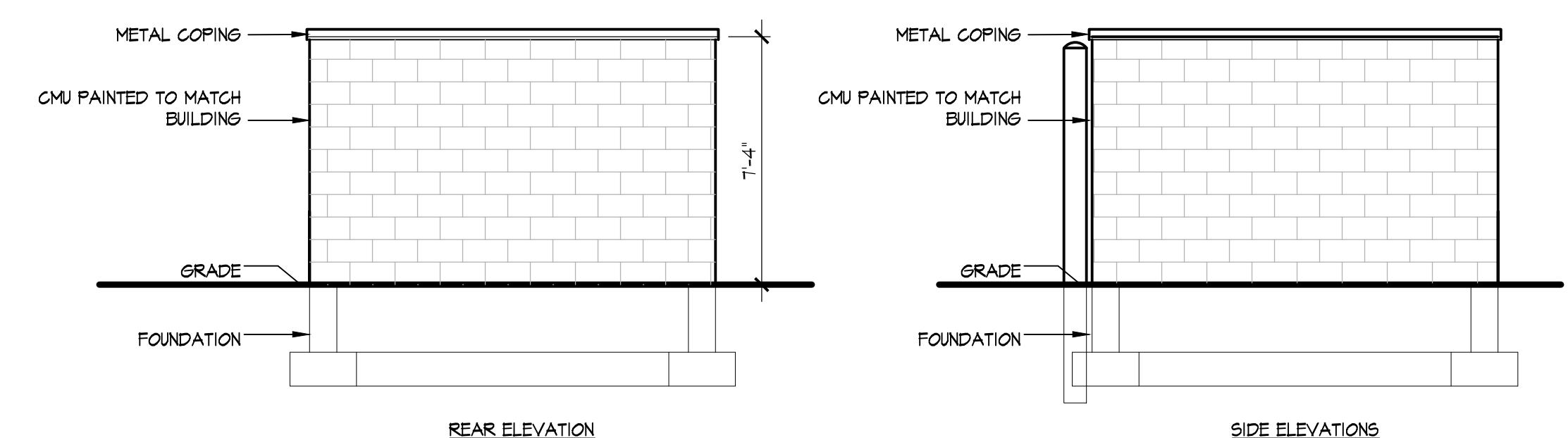
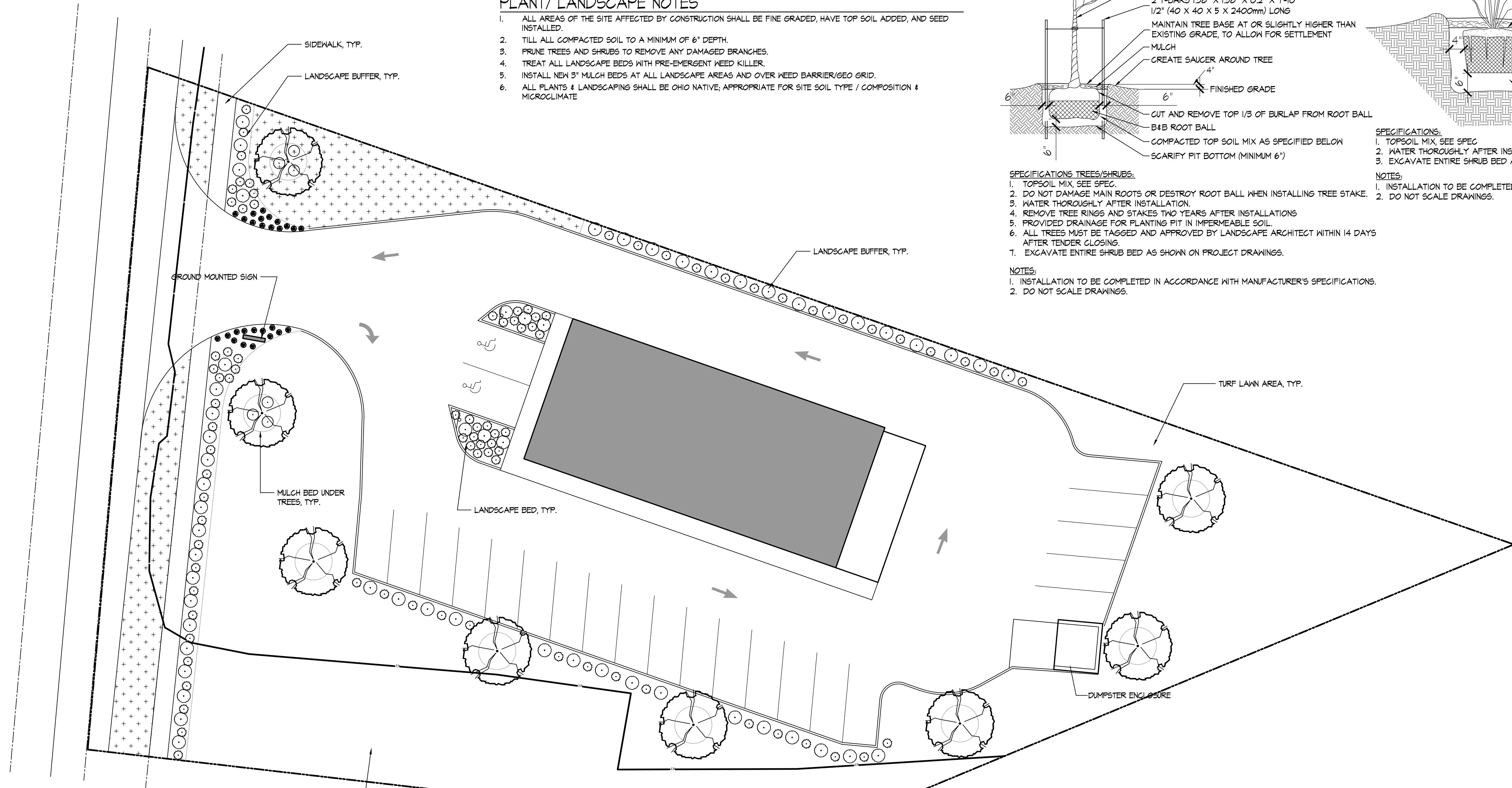
4412 Mt. Carmel Tobasco Road

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" CALIPER	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 COMPAKTED 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



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

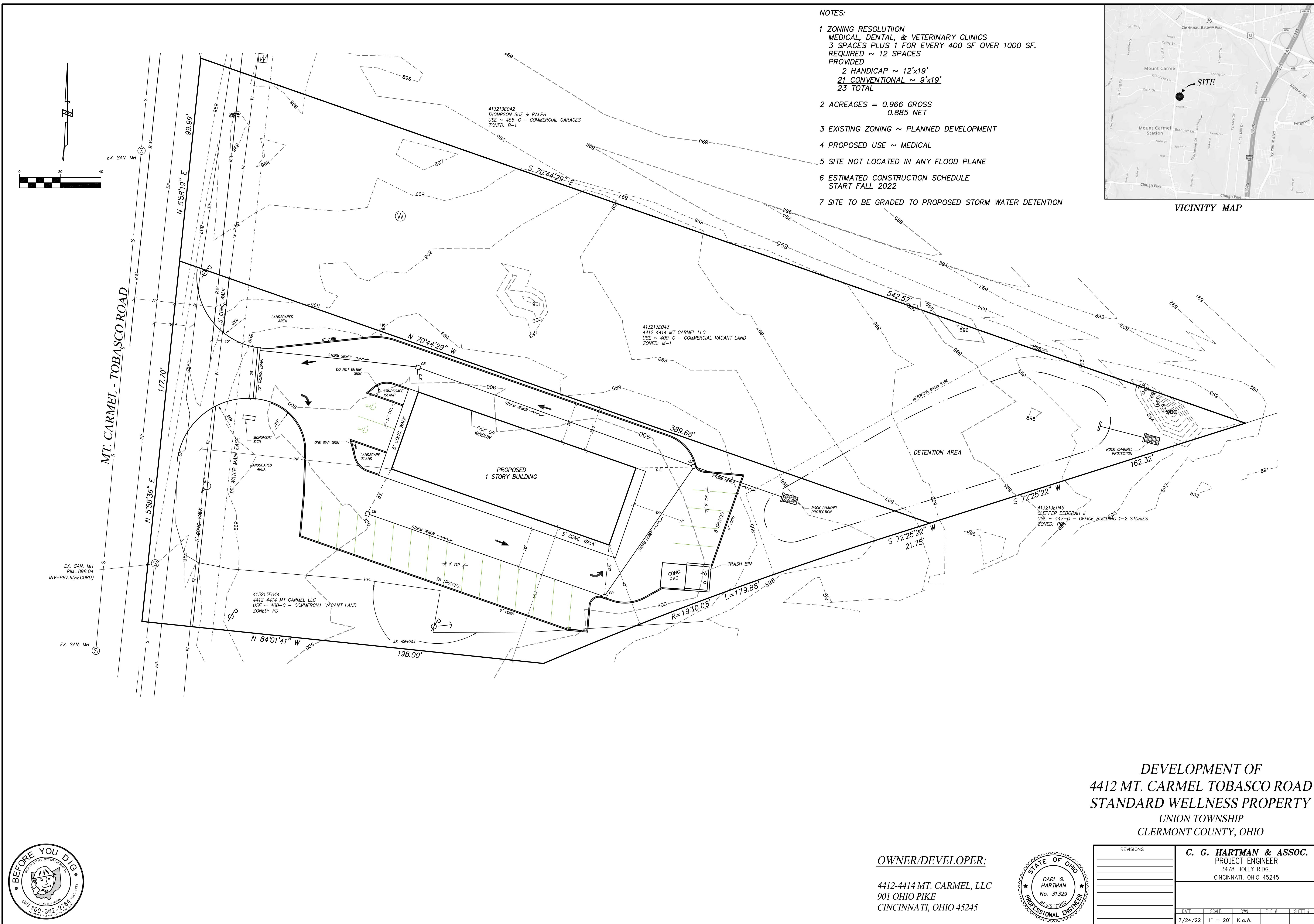
Project Number
2022-022

Date
August 29, 2022

Sheet Title
ARCHITECTURAL SITE PLAN DETAILS

Sheet Number
AS 1.1

AS 1.1



NEW CONSTRUCTION KEY NOTES

1. NEW METAL STUD FRAME WALL W/ GYPSUM BOARD FINISHES. REFER TO WALL TYPES ON SHEET A13.
2. NEW DOOR, FRAME, AND HARDWARE, TYP. REFER TO DOOR SCHEDULE.
3. NEW CASEWORK, REFER TO INTERIOR ELEVATIONS.
4. EQUIPMENT BY OWNER, TYP. (PROVIDE BLOCKING FOR WALL MOUNTED ITEMS, TYP.)
5. FURNISHINGS BY OWNER, TYP.
6. NEW PLUMBING FIXTURES AND ACCESSORIES. REFER TO INTERIOR ELEVATIONS.
7. PASS THRU WINDOWS.
8. NEW TRANSACTION TOP.
9. 2X6 CEDAR PLANKS OVER 6X6 POSTS.
10. DRIVE THRU CANOPY ABOVE.
11. NEW DRIVE THRU WINDOW.
12. NEW WINDOW. REFER TO WINDOW SCHEDULE.
13. WATER COOLER, BY OWNER.
14. TV MOUNTED IN WALL OPENING. REFER TO INTERIOR ELEVATIONS



This drawing is the architect's instrument of service for use solely with respect to this project. RDA Group Architects is the author of this document and shall retain all copyrights and other reserved rights, unless otherwise agreed upon in writing.

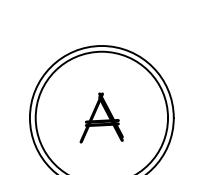
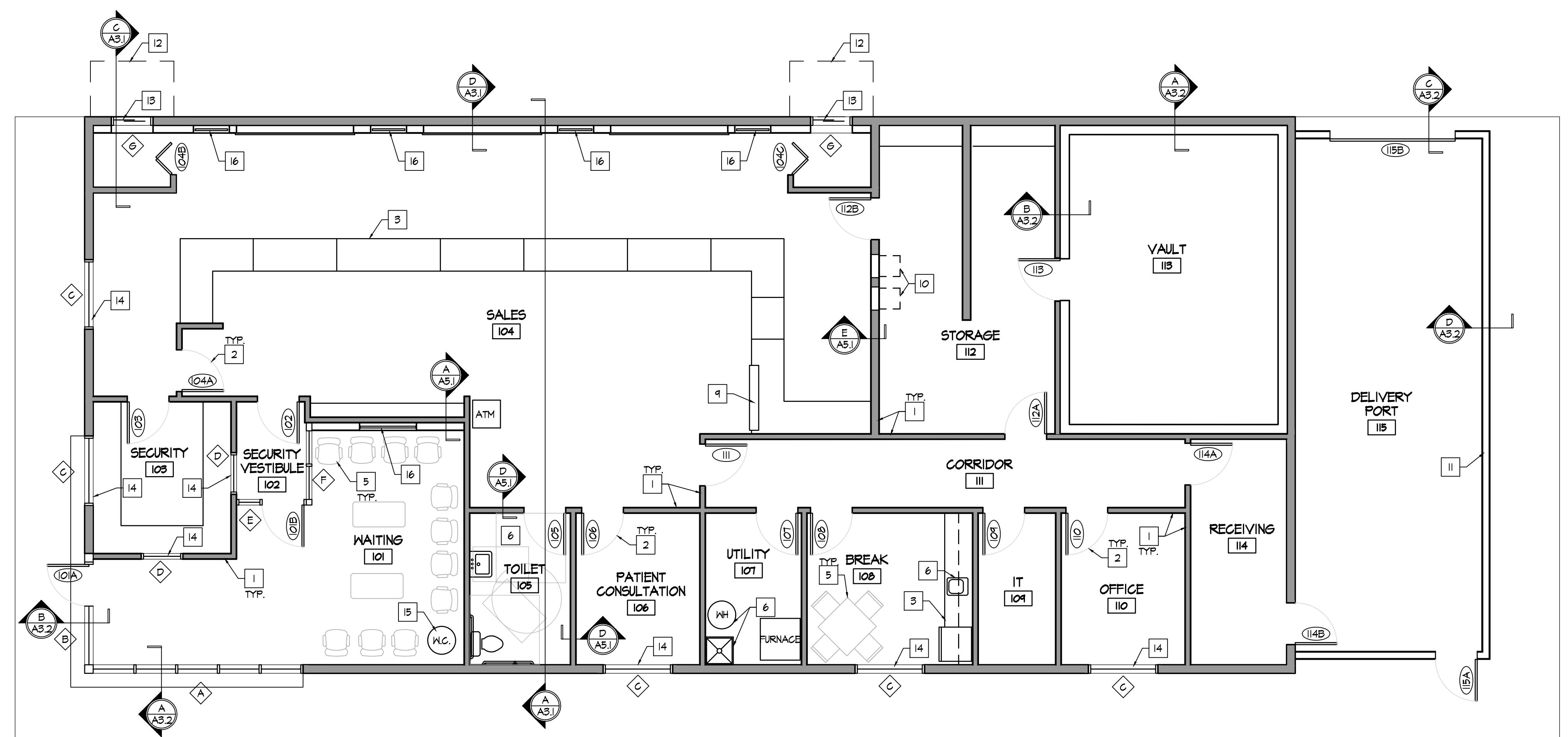
7945 Washington Woods Drive
Dayton, Ohio 45459
O: 937.610.3440
F: 937.610.3441

New Building For:
The Forest

4412 Mt. Carmel Tobasco Road
Cincinnati, Ohio 45244

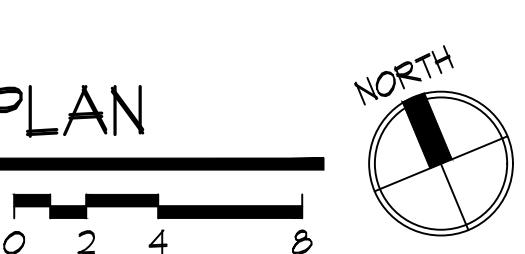
GENERAL NOTES

1. COORDINATE ALL ROUGH IN LOCATIONS WITH EQUIPMENT REQUIREMENTS, ETC.
2. COORDINATE ANY APPLICABLE FINISHES WITH BUILDING STANDARDS.
3. FURNISHINGS AND ACCESSORIES BY OWNER. COORDINATE WITH FURNISHINGS PLAN BY INTERIOR DESIGNER.
4. INSTALL NEW FINISH FLOOR AND BASE AT ALL AREAS AS INDICATED. PROVIDE FLOOR LEVELER AND APPLICABLE ADAAG COMPLIANT TRANSITIONS AS REQUIRED BY EXISTING CONDITIONS.
5. INSTALL NEW SEALANT AT ALL APPLICABLE INTERIOR AND EXTERIOR JOINTS.
6. INSTALL FIRESTOP BLOCKING AT ALL LOCATIONS REQUIRED BY FRAMING, SOFFITS, ETC. TO ELIMINATE ALL OPEN STUD CAVITIES. PROVIDE FIRESTOP BLOCKING AT CEILING LINE AS REQD TYPICAL.
7. PROVIDE FIRE EXTINGUISHERS/CABINETS AS REQUIRED BY LOCAL FIRE DEPARTMENT.
8. COORDINATE WITH APPLICABLE PLUMBING, MECHANICAL, AND ELECTRICAL DRAWINGS. PROVIDE ANY REQUIRED ACCESS PANELS, ETC. TO ACCESS CONCEALED WORK.
9. DIMENSIONS
 - A. DIMENSIONS ARE TO FACE OF EXISTING FINISHES AND TO FACE OF STUD FOR NEW WALL FRAMING.
 - B. INTERIOR METAL STUD PARTITIONS ARE 3-5/8" UNLESS NOTED OTHERWISE.
 - C. DO NOT SCALE DRAWINGS.
 - D. REFER TO DRAWING NOTES AND DETAILS FOR ANY SPECIAL NOTES THAT GOVERN LAYOUT.
10. LAYOUT
 - A. LOCATE JAMBES MINIMUM OF 4" FROM CORNER TO OUTSIDE EDGE OF FRAME WHERE POSSIBLE, EXCEPT WHERE NOTED OTHERWISE.
 - B. MAINTAIN ALL MANEUVERING CLEARANCE FOR ALL DOORS PER "MANEUVERING CLEARANCES AT DOORS DIAGRAM BASED UPON FIGURE 404.2.3.2 ANSI". COORDINATE ALL CONFLICTS WITH THE ARCHITECT.
11. ADJUSTMENTS
 - A. CAULK ALL OPEN JOINTS, INCLUDING GAPS BETWEEN COUNTERTOPS, CABINETS, FRAMES, TRIM, AND WALLS. FILL ALL JOINTS SLIGHTLY CONCAVE.
 - B. LUBRICATE AND ADJUST ALL OPERATING MECHANISMS, INCLUDING DOOR HARDWARE, FOR SMOOTH OPERATION.
 - C. PATCH AND REPAIR ALL CEILINGS, WALLS, MULLIONS, HVAC ENCLOSURES, AND SILLS WHERE REQUIRED.
12. FINISHES: REFER TO FINISH PLANS/SCHEDULES. COORDINATE ALL WITH OWNER AS APPLICABLE.
13. PROVIDE WOOD BLOCKING AS REQUIRED TO SUPPORT WALL MOUNTED ITEMS, CASEWORK, COUNTERTOPS, TOILET ACCESSORIES, DOOR STOPS, AND AS SPECIFICALLY NOTED. CONCEAL ALL BLOCKING IN WALLS. BLOCKING SHALL BE A MINIMUM OF 2X8 (ALL BLOCKING SHALL BE FIRE RETARDANT TREATED). FIELD COORDINATE.
14. COAT HOOKS PROVIDED BY OWNER, INSTALLED BY CONTRACTOR.
15. ALL INTERIOR SIGNAGE PROVIDED BY OWNER, INSTALLED BY CONTRACTOR.



PROPOSED FLOOR PLAN

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



Print Record
02/15/22 Zoning
03/02/22 Zoning Revision
06/06/22 Shell Prelim.
06/28/22 Review
08/08/22 Review
08/22/22 Review

Project Number
2022-022

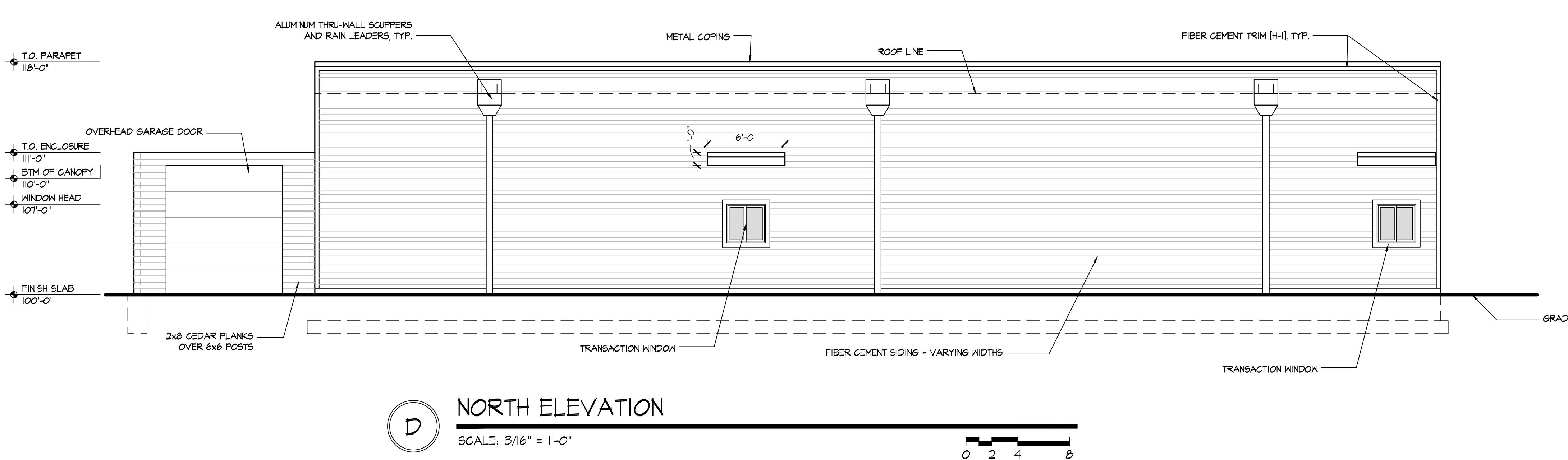
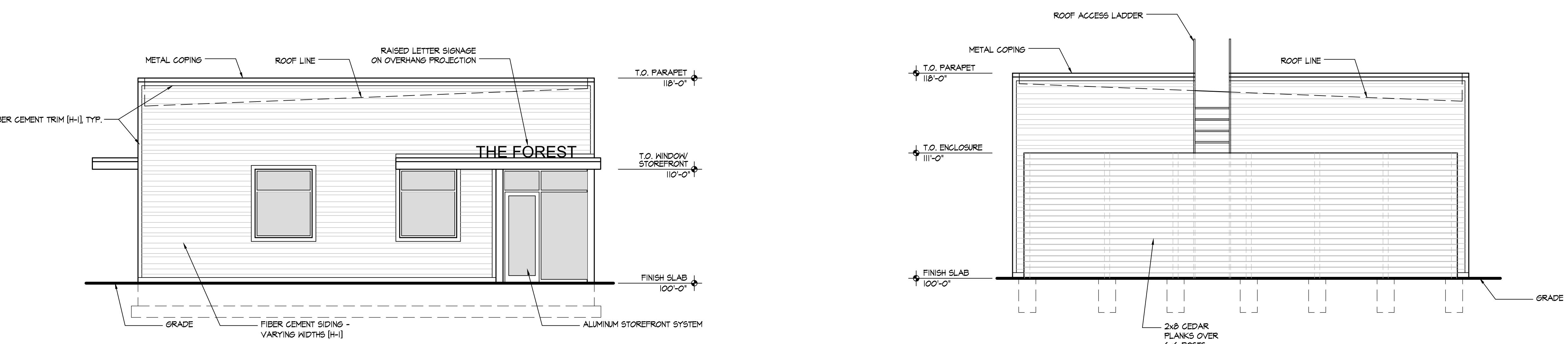
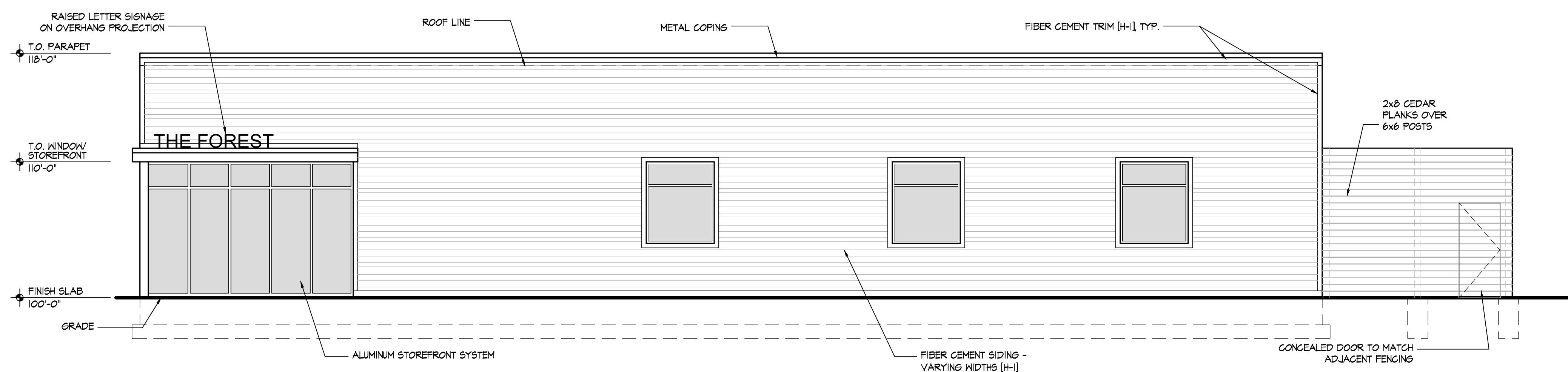
Date
August 22, 2022

Sheet Title
PROPOSED FLOOR PLAN

Sheet Number
A1.2

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
08/08/22 Review
08/22/22 Review

Project Number
2022-022

Date
August 22, 2022

Sheet Title
EXTERIOR ELEVATIONS

Sheet Number
A2.1

This drawing is the architect's instrument of service for use solely by the architect for the project. RDA Group Architects is the author of this drawing and shall retain all copyrights and other reserved rights, unless otherwise agreed upon in writing.

© RDA 2022

New Building For:
The Forest

4412 Mt. Carmel Tobasco Road
Cincinnati, Ohio 45244

