

Jeff Bond

From: elaineyokomizo@aol.com
Sent: Friday, October 08, 2010 6:54 PM
To: Jeff Bond
Subject: medical marijuana in Albany

Something " medical " should be perhaps dispensed through a pharmacy or a hospital. What a bad idea for a neighborhood in Albany by entrepreneurs.

Jeff Bond

From: Meghan O'Shea Beynon [meghan_beynon@hotmail.com]
Sent: Monday, October 11, 2010 12:35 PM
To: Jeff Bond; Brooks
Subject: RE: Marijuana dispensary
Attachments: Marijuana Letter to Sup.doc

Hi Jeff,

It was nice to meet you this morning. Thanks for coming over to our neighborhood. I am attaching as a Word doc. a letter I delivered to Superintendent Stephenson this morning to ensure that she was aware of the proposed dispensary location.

Best,
Meghan Beynon
920 Madison

Subject: RE: Marijuana dispensary
Date: Mon, 11 Oct 2010 07:04:34 -0700
From: jbond@albanyca.org
To: brooks@classicconstructioncompany.com
CC: meghan_beynon@hotmail.com

Brooks,

I would be happy to meet with you and your neighbors, although unfortunately my schedule is pretty tight over the next couple of days. One way or the other, I think that it is very important for you and your neighbors to attend the Planning and Zoning Commission meeting Tuesday night. It also is important to understand that it was the applicant that decided to locate in your neighborhood. If it is ok with you, I will forward your email to the applicant, and perhaps they would be interested in learning more about your neighborhood.

Jeff

Jeff Bond
Planning and Building Manager
City of Albany
1000 San Pablo Avenue
Albany, CA 94706
direct: 510-528-5769
fax: 510-524-9359

From: Brooks Weitzman [mailto:brooks@classicconstructioncompany.com]
Sent: Sun 10/10/2010 8:44 PM
To: Jeff Bond
Cc: Meghan O'Shea Beynon
Subject: Marijuana dispensary

Hi Jeff,
Brooks Weitzman here from Classic Construction Company.
I am wondering if you would have some time to meet me at my home at 918 Madison st. Sometime Before the city council meeting on Tuesday evening. There is quite a consensus growing against the proposed location of the marijuana

dispensary on lower Solano. I too am very concerned about this location as my wife and I walk our children by this space every day and our quaint little street with our wonderful little house is less than 100 feet away. I would love to show you around our neighborhood briefly and introduce you to some of the children and locals who will have to deal with this particular commercial proposition in our residential space. I could even recommend some alternatives to this space as recently I have looked at leasing a new office for my company and am aware of many spaces on san Pablo which would be more suited.

We have worked together in the past and I feel as if you might be a sympathetic ear for us and even an ally if possible. Anytime is convenient for me and I can be reached at 510.708.5120 or an email.

Thank you

Sincerely,
Brooks Weitzman
Classic Construction Company

Jeff Bond

From: Brooks Weitzman [brooks@classicconstructioncompany.com]
Sent: Sunday, October 10, 2010 8:44 PM
To: Jeff Bond
Cc: Meghan O'Shea Beynon
Subject: Marijuana dispensary

Hi Jeff,

Brooks Weitzman here from Classic Construction Company.

I am wondering if you would have some time to meet me at my home at 918 Madison st. Sometime Before the city council meeting on Tuesday evening. There is quite a consensus growing against the proposed location of the marijuana dispensary on lower Solano. I too am very concerned about this location as my wife and I walk our children by this space every day and our quaint little street with our wonderful little house is less than 100 feet away. I would love to show you around our neighborhood briefly and introduce you to some of the children and locals who will have to deal with this particular commercial proposition in our residential space. I could even recommend some alternatives to this space as recently I have looked at leasing a new office for my company and am aware of many spaces on san Pablo which would be more suited.

We have worked together in the past and I feel as if you might be a sympathetic ear for us and even an ally if possible.

Anytime is convenient for me and I can be reached at 510.708.5120 or an email.

Thank you

Sincerely,

Brooks Weitzman

Classic Construction Company

Jeff Bond

From: Sandy Ferguson [fergfamm2@gmail.com]
Sent: Sunday, October 10, 2010 9:07 PM
To: Jeff Bond
Subject: Pot dispensary location

The location for the marijuana dispensary on Solano west of San Pablo Ave. is not a good spot. There is way too much foot traffic from kids walking too and from school.

Thanks for your consideration.

Steve and Sandy Ferguson
34 year home owners of Albany

Jeff Bond

From: Francis Chapman [francischapman@yahoo.com]
Sent: Monday, October 11, 2010 11:42 AM
To: Jeff Bond
Cc: City General Email Box
Subject: Opposition to marijuana store on Solano Avenue

Mr. Bond - I am writing in opposition to the proposed permit for a marijuana store on Solano Avenue and I would like my comments to be part of the record. I would also like a written answer to questions #2, #3, #5, and #6 below.

(1) as Albany residents and parents we feel a pot dispensary belongs in the industrial areas along the freeway or on San Pablo Avenue. A marijuana store for is not appropriate use for a residential area that is a primary route for kids getting to/from school and for families walking from West Albany across San Pablo (sidewalks on upper Washington Ave are blocked with parked cars)

(2) according to the city staff report the Oceanview Elementary playground is within 1,000 feet of the storefront, how does that fact alone not prevent this application from going forward?

The site may or may not meet the requirements for proximity to a school and to a residential-zoned area, but this betrays a lack of understanding of how this street is used. Kids do not generally walk to school along San Pablo, but they do walk to/from Oceanview and Cornell elementary schools using this block of Solano.

(3) there is no equivalent of an "open container" law for marijuana in Albany. Given that the use permit will prohibit on-site consumption I believe that once outside of the premises customers will choose to partake of their purchases. How does the city plan to control public use outside of the facility? What ordinances are potentially applicable?

(4) there is already a dispensary on Pierce (East Bay Patients Association), across from Ranch 99 Market, 1.0 miles by car from this proposed new location. I believe public transit provides access to the existing location on Pierce street for someone who cannot walk, bicycle, or drive. Why does Albany need to site another outlet just a mile away?

This reminds me of a similar situation back around 2006 where a resident had to point out to the city that approving a permit for a new bar across from the bowling alley would exceed densities for liquor outlets allowed by the Alcoholic Beverages Commission. It is the job of city staff to know the facts and, where feasible, to implement the preferences of Albany residents and taxpayers. We feel the staff and zoning commission will be abdicating it's responsibility to residents if this permit is approved.

(5) since members of the zoning commission are individually appointed by the city council I would like to know which P&Z commissioner was appointed by which city council member so we can hold our council members accountable for their appointees actions next election day, November 2nd.

(6) what justification is there for asserting that the store will have about 250 clients total? Was there any analysis done, or are we just accepting the applicant's statement? Does the city have any control over pricing or other incentives the owners may provide to boost their sales volumes?

I am extremely distressed to find this application has reached this stage with no apparent effort to reach out broadly to affected residents in West Albany. Albany is a small town in the middle of big cities, we want our city government to work to keep it that way and not prioritize revenue generation above quality of life for residents.

The Chapman family, Albany residents (Washington Avenue)



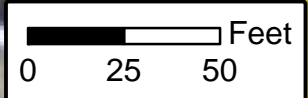
Legend

- Proposed Location
- 100 ft Radius
- Major School Walking-Route
- Residential Property
- Mixed-Use Property
- Commercial Property

MADISON STREET

SOLANO AVENUE

ADAMS STREET



Jeff Bond

From: Mimi Ritz [mimiritz@yahoo.com]
Sent: Tuesday, October 26, 2010 8:05 AM
To: Jeff Bond
Subject: Pot Club

Dear Jeff,

Please do not allow a pot club in our residential neighborhood. This is a heavily family with kids area and it isn't a good match. The club in the Pacific East Mall is close enough to service this area for those who really need it.

Thanks,

Mimi Ritzema
706 Madison
510 524 9321

Jeff Bond

From: Ana Manley-Black [anamblack@gmail.com]
Sent: Tuesday, October 26, 2010 9:29 AM
To: Jeff Bond
Subject: medical marijuana club

Dear Jeff Bond,

Please keep the medical marijuana club where it is in the Pacific East Mall. Moving it to Solano Ave, the main walking route right between two elementary schools, is a disastrous choice of location. My husband works on the same block as a medical marijuana club in San Francisco and the crime rate has risen in the whole area since it's arrival. A pot club can create its own little street economy in its immediate vicinity. With pot already an issue in our middle and high schools, why would we want to make it so much easier for our students to engage in illegal activity? I can hear you thinking that the kids wouldn't have access to it according to the law. But laws are broken, and broken every single day near pot clubs. It is folly to move it into the residential area of Albany. Keep it in the mall, away from the majority of residents.

thank you for your consideration,

Ana Manley-Black
resident of Adams St., Albany, CA

Jeff Bond

From: laura Dill [msldill@att.net]
Sent: Tuesday, October 19, 2010 9:14 AM
To: Jeff Bond
Subject: Fwd: CONCERNED ALBANY RESIDENT!!!!

Begin forwarded message:

From: laura Dill <msldill@att.net>
Date: October 12, 2010 5:00:49 PM PDT
To: jbond@albanyca.org
Subject: **CONCERNED ALBANY RESIDENT!!!!**

Dear Albany Planning and Zoning Commission,

I am very disappointed with the City of Albany's decision to let a medical marijuana dispensary into its borders. I have lived in Albany for 10 yrs and my family owns property in Albany and we are all outraged at your decision to allow for a DRUG dispensary into such a safe and quiet neighborhood. Albany is a family oriented community that is quiet and safe and we want to keep it this way. I am an educator and I am very much opposed to marijuana as a "gateway" drug.... and these dispensaries bring with them a certain clientele that is not wanted in a community like Albany. I walk in my community often.... and value my safety greatly..... this is one reason I chose to live here and not say: Oakland! My family and myself all veto the idea of having this dispensary in Albany's borders. I now anticipate crime and drug usage to increase due to this addition to Albany. If I find that my safety is infringed upon due to this dispensary entering into my neighborhood.... then I anticipate that the city planning commission will financially be liable for any and all property and or bodily damage that occurs from the patrons of this drug establishment. **ONCE AGAIN.... MY FAMILY AND MYSELF ARE HIGHLY AGAINST SUCH A MOVE FOR THE HEALTH AND SAFETY OF ALBANY AND ITS RESIDENTS.** I look forward to your prompt and immediate reply!
Ms. Dill (Albany resident of 10 yrs)

Jeff Bond

From: Lee Pullen [leepullenjr@hotmail.com]
Sent: Monday, October 18, 2010 9:16 PM
To: Jeff Bond
Subject: Fw: No Pot on Solano/Adams

Dear Mr. Bond,

I am appalled that a pot dispensary is being considered for the quiet, residential area of Adams and Solano. This is a peaceful, relatively safe area at the foot of the hill, where crossing guards help school children morning and evening. This is not the place for people to come to purchase marijuana. We know that there will be few dying AIDS or Chemo patients coming to get the only drug that will relieve their suffering; rather, there will be traffic of individuals purchasing for recreational and resale use. We also know that crime will increase in the area both in home break-ins and thefts--to out and out robbery at nearby merchants. We only have to learn from Oakland's experience.

This is not what the voters passed. While there is no access need for a pot store in Albany, if there must be one it needs to be in a heavy business area such as along San Pablo Avenue--not Adams/Solano.

Sincerely,

Lee Pullen
927 Hillside

Jeff Bond

From: Kay Kajiwara [foxkaj@comcast.net]
Sent: Wednesday, October 13, 2010 10:16 AM
To: Jeff Bond
Subject: Marijuana dispensary

Dear Mr. Bond - So sorry I didn't receive the notice of the PZC meeting in time to get a note off to you - and this may be too late. But I do want to let you know that I strongly agree that 1019 Solano is not an appropriate location for the dispensary. And, I must say in all honesty, that I don't really condone the idea of Albany even having a marijuana dispensary. Thank you.
Shirley Kajiwara, 828 Polk Street, Albany

Jeff Bond

From: Stephen Carrillo [scarrillo@earthlink.net]
Sent: Wednesday, October 13, 2010 11:47 AM
To: Jeff Bond
Subject: Marijuana Dispensary

Mr. Bond,

My apologies for not making last night's meeting of the Planning and Zoning Commission. Nevertheless, I wanted to send an e-mail expressing my concerns over a hemp dispensary in my neighborhood. I am a resident of Albany Commons at 907C Adams. Both my wife and I would prefer no such facility in our area. We live close to a school, of course, and our neighborhood has ongoing issues with nightclubs, bars and liquor stores as it is. Make no mistake; I work in health care and fully appreciate the palliative benefits of medical marijuana. Our concerns surround abusers of the system and having a facility which could be the target of robberies. If you have any data to support or disprove any of these concerns, we would like to be able to consider them. Thank you for your attention and time; we hope to hear from you.

Sincerely, Steve Carrillo and

Elena Kravtsova
510.524.9319

Jeff Bond

From: Brooks Weitzman [brooksandbrenda@earthlink.net]
Sent: Tuesday, October 12, 2010 2:15 PM
To: Jeff Bond
Cc: Francis Chapman; Jordan Sampietro; Alene Pearson; Marcy Newman; Meghan Beynon
Subject: Mapping for Dispensary

Hi Jeff,

Can you tell me who did the distance mapping and what product was used to do so and when this was done?

Was google used and a handheld GPS?

Thanks

Brooks Weitzman

Jeff Bond

From: Brooks Weitzman [brooks@classicconstructioncompany.com]
Sent: Tuesday, October 12, 2010 11:30 AM
To: Jeff Bond
Cc: Francis Chapman; Meghan Beynon; Chris Beynon; Marcy Newman; Alene Pearson; John Sladkus
Subject: Dispensary

Dear Jeff,

This is what I just posted on "the Patch"

There will be hopefully many neighbors coming this evening to fight this proposed site.

Can you supply me with any reasons why areas on Cleveland st. or The commercial area by target were not offered to Vitalgen??

This is an absolutely terrible idea.

For a small community like Albany to invite this kind of operation into a neighborhood (yes Solano and Madison st. is a NEIGHBORHOOD) will destroy all the hard work we have put into building our community. My children play not 200ft. from the proposed site of this dispensary, they walk by the front door every day twice to get to and from school. The idea that inviting 250 people (this is an initial monthly estimate, there WILL be more) into our neighborhood to drop in and purchase marijuana is insane. We won't know any of these people, they do not care about our community nor will they respect our neighborhood. Crime WILL increase and the transient nature of these interlopers will create mistrust and will diminish community involvement. If you are for this particular placement of this sham of a "business" I suggest you take a drive by the pot club in Berkeley On San Pablo and spend a few minutes watching the security guards check "patients" and witness the debacle that is the defunct broken down vans and various other vehicles loitering on the street in front on San Pablo even with substantial parking offered. What is the plan? This will destroy our community that I have lived in for 20 years. At what point will the city stop, maybe we should get a casino in the vacant store next to the proposed site or how about another bar or liquor store, Albany needs a few more of those. Stop and think why Albany is special: SCHOOLS AND KIDS!!!!!!!!!!!!

Furthermore:

If anyone thinks that Albany is special for any other reason, let's get this straight:

Albany is special because it has a small town feel, we have great schools, we have great diversity, we have a community and a centralized "downtown". Albany is special because we plant trees and have block parties. Albany is special because we know our neighbors and will help them in times of disaster, We have movie nights and Albany is special because everyone wants to live here, so their kids can play in the streets. (yeah that's right: go to Berkeley where I grew up: they are not playing in the streets, not like in Albany)

So tell me how putting a marijuana dispensary 200ft. from my house, less than 700ft. from the YMCA, under 1000ft. from Ocean View school and in the middle of a thriving, caring community is in any way a good idea??

How about let's put it next to Target, or on Cleveland st. How bout the DPW let's the pot club in their space down there: How about anywhere but in the MIDDLE of a f'ing neighborhood????

We will fight this tooth and nail!!!!

Sincerely,

Brooks Weitzman

Classic Construction Company

www.classicconstructioncompany.com

Cel: 510.708.5120

fx: 510.232.1597

{This email message is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.}

Jeff Bond

From: Tim Weiant [timweiant@gmail.com]
Sent: Tuesday, October 12, 2010 2:55 PM
To: Jeff Bond
Subject: Marijuana dispensary

Dear Mr. Bond,

I am writing you to urge you to vote no on the measure to approve a medical marijuana dispensary at 1019 Solano Ave. I have lived a few blocks from this site for the past 6 years, and am a neighborhood business owner. This is a peaceful neighborhood that is already struggling with high volumes of cut through traffic, drug sales and drunken behavior. I am an ER nurse, and know there is a place for medical marijuana in health care. I'm also not stupid, and know from first hand experience who carries medical marijuana cards in San Francisco. Out of 100 card holders, you probably wouldn't want 85 of them in your neighborhood. I feel that this is the wrong type of business in the wrong place. Please do not approve it.

Thank you for reading this,

Tim Weiant, RN
906 Washington Ave

Jeff Bond

From: Tao Y Wang [Tao.Y.Wang@aonhewitt.com]
Sent: Tuesday, October 12, 2010 1:14 PM
To: Jeff Bond
Subject: proposed marijuana dispensary at 1019 Solano Avenue

Hi Mr. Bond,

I am a resident in Albany and I am strongly oppose to dispensary at 1029 Solano Avenue. It is in the heart of residential and school area and negative impact of this could be serious. Every day, my kids walk along Solano to go to school, I am feeling safe anymore if this get approved. Please stop it. Thanks!

Tao (a mother of two – 10 and 7)

Jeff Bond

From: Greyson Vega [jgreysonvega@gmail.com]
Sent: Tuesday, October 12, 2010 6:16 PM
To: Jeff Bond
Subject: Proposed Mirijuana dispensary in Albany

My name is Greyson Vega and I live on Adams Street in Albany. I have expressed some of my concerns about this proposed project via email to the City representatives and in my comments posted in AlbanyPatch.com.

I am unable to attend tonight's Planning and Zoning Meeting because I am very sick with a cold and do not want to spread my germs around. I reviewed the Traffic Management Plan from 1998 and I do believe the ADT has increased in the past 12 years. I disagree with that this project is exempt from CEQA review. I know that San Pablo is officially a State Highway and may be impacted by more traffic. The Negative Dec for this project was signed off in 2008. Did Caltrans D4 comment on the Neg Dec?

I am curious as to what is the level of LOS at the corner of Solano and San Pablo? The numbers that were used in the 1998 Traffic Mgmt Plan used for this project were collected in 1996.

The dispensary is only a few feet located outside of the area of a school and where children will be. I want a current Traffic Study done for this neighborhood, Area 1 before this project moves forward.

I also looked at the agenda for the Alameda County Transportation Commission meeting from last night and see that it is time for the local cities to submit the Draft Conformity Findings for the Congestion Management Program in our county. The Draft Conformity Findings will not be approved until the ACTC meeting in December of 2010. I encourage the City of Albany to hold off on approving any more land use projects until the findings of the Alameda County Transportation Commission are in and certified.

I look forward to meeting with you at the next Planning and Zoning meeting and will be following this via the Internet. Please make the needed documents to review projects much more user friendly and accessible on the City's official website.

Greyson Vega

Jeff Bond

From: digitalbuddha@gmail.com on behalf of Ted Tagami [ted@tagami.com]
Sent: Tuesday, October 12, 2010 10:53 PM
To: Jeff Bond
Cc: Hiroko Tsujigami
Subject: No Marijuana Dispensary @1019 Solano Ave

Hi Jeff -

As Albany residents for 16 years, and parents of two boys (now attending AMS & AHS), we believe the proposed location for a medical marijuana dispensary @ 1019 Solano Avenue is inappropriate due to the high volume foot traffic of minors and the largely higher density residential neighborhood that surrounds it. The two skinny commercial blocks west of San Pablo are not the proper context for this enterprise. Properly zoned Cleveland Avenue or San Pablo could provide a reasonable alternative if Albany desires to have a dispensary within city limits.

Please contact us should you have any questions or would like to hear more about our concerns.

Best regards,

Hiroko Tsujigami & Ted Tagami

--

Ted Tagami

mobile: +1 510 684 9773

skype: ted_tagami

<http://www.linkedin.com/in/tagami>

Jeff Bond

From: David Sudikoff [dsudikoff@informetric.com]
Sent: Tuesday, October 12, 2010 11:47 AM
To: Jeff Bond
Cc: Sudikoff, Rikki; Sudikoff, Uriel; dbsy; Balashov, Slava
Subject: Marijauna in Our Neighborhood

Mr. Bond:

Our business is located at 1025 Solano. It has just come to our attention that Albany is considering allowing a "medical" marijauna dispensary in our neighborhood.

You have got to be kidding!

This is a quiet, family area quite different than Solano toward the East across San Pablo.

We are completely opposed to putting it in this area although we would be open to a site in a more trafficked business district.

Sincerely,

David Sudikoff

David Sudikoff
Chief Technical Officer
Informetric Systems, Inc.
1025 Solano Avenue
Albany, CA 94706
510-524-8399 x102
www.informetric.com



Jeff Bond

From: Julianne Sterling [a-jsterling@comcast.net]
Sent: Tuesday, October 12, 2010 9:46 AM
To: Jeff Bond
Subject: permit to open a marijuana dispensary

To whom it may concern,

I am concerned about the plan to allow a marijuana dispensary in Albany. I don't think it fits with the character of our city and why I moved my family to Albany. We really are a very family oriented city. We moved our family to Albany from Oakland. This move cost us dearly in terms of housing and our family of 4 now lives in a smaller house. We think the community is worth the sacrifice. I don't want the dispensary to change the character of our city. Please don't allow the permit.

thanks,

Julianne W. Sterling
Albany resident and parent
www.jsterlingart.cm

Jeff Bond

From: elmira [elmirawan@yahoo.com]
Sent: Tuesday, October 12, 2010 7:36 PM
To: Jeff Bond
Subject: Argument against Medical marijuana dispensary at 1019 Solano Avenue

Dear Mr. Bond,

Last night, the proposed site of a medical marijuana dispensary at 1019 Solano Avenue came to our attention. While we are not against the idea of medical marijuana, along with many of our highly concerned neighbors, we are very much AGAINST the location of a dispensary in a residential neighborhood which is densely populated with children and teens walking to and from multiple schools, family oriented community centers (such as the YMCA), churches, restaurants, etc. Not only is there an inherent problem with increased crime due to the nature of marijuana being an illicit drug, issues such as traffic safety and congestion, exposure to second hand smoke, the location of the dispensary in proximity of two alcohol and tobacco retailers, and multiple nearby bars which have very long, well known records of patrons committing drunken disorderliness and other crimes provide **STRONG ARGUMENT AGAINST** locating such a business in this residential neighborhood. If

marijuana is to be used medically, then it should be dispensed at medical facility in or near, for example, a hospital, just like any other controlled drug! Young teens are known to congregate at the benches located at the corners of 900 Madison and near Solano and San Pablo avenues. The dispensary as a natural target for individuals intent on crime also causes grave concern for the safety of these young people who are simply hanging out with friends and minding their own business. There is great potential for negative influences and trouble to take place with the proposed dispensary so nearby.

Furthermore, Madison Street is the first north-south street that permits easy access to the freeway. This by itself already entices many drivers to speed down this quiet residential street, oftentimes coming close to hitting a number of the children playing in the area when the cars careen around the east and west corners of the 900 block of Madison. Moreover, drunk drivers coming out of the local bars also have been known to crash into vehicles parked along Madison street. Thank goodness the damage has been to inanimate objects and not pedestrians. It is horrifying to imagine the accidents drivers under the influence of alcohol AND drugs obtained by illegal individuals could cause. Does the Albany Planning and Zoning Commission need to see one maimed or dead child before all are convinced this is a very bad idea. We truly hope not!

in closing, please, please, please do NOT permit a medical marijuana dispensary to be located in this neighborhood. Surely there are better and more appropriate sites than in a residential neighborhood like ours. Perhaps a location along the Frontage Road?

We thank you very much for taking the time to hear our side of the issue.

Sincerely,

Elmira Wan and Scott Starratt
945 Madison Street

Jeff Bond

From: John Sladkus [john@nuws.com]
Sent: Tuesday, October 12, 2010 10:25 AM
To: Jeff Bond
Subject: I am opposed to Marijuana Dispensary at at 1019 Solano

Dear Mr. Bond,

I'm writing to you in opposition of the plan to allow VitaGen to open a marijuana dispensary at 1019 Solano. I purchased my home on the 800 block of Madison twelve years ago. I lived in the apartments on the corner of Solano and Madison from 1996 to 1998. Prior to that I rented a home on the 900 block of Madison for two years.

I feel that we can find a better spot for pot in Albany that can both honor our residential communities as well as provide a dispensary to those in Albany whose well being would be enhanced by a marijuana dispensary within our city's borders.

I oppose the site for the following reasons:

1. The law states that the dispensary should not be within 1,000 feet of a school or playground. Ocean View School playground is within that range and the school is just outside the border. The preschool/MacGregor school is just on the edge as well. The intent of the law is to protect our children from their proximity to a marijuana dispensary. Clearly, both locations are within the range to make such a location questionable.
2. The law also states that the marijuana dispensaries should not be permitted within 1000 feet of any "youth-oriented establishment." The YMCA is about 800 feet from the proposed site clearly violating the intent and the letter of the law.
3. The proposed location is a highly traveled route for minors. On Monday, October 11th, my neighbor did a quick count. Between the hours of 7:30 and 8:30, 54 kids walked or rode their bike through the 1000 block of Solano and an additional 14 (or more) were in the very immediate vicinity.
4. The area adjacent to the proposed location is clearly residential. Out of the eleven structures within a one hundred feet radius, only two are commercial properties. The staff were in error to redraw the map as "Solano Commercial".
5. The Albany staff have noted that there is a potential for Public Nuisance of people smoking and hanging out near the site.
6. The Albany staff also report that "No matter the quality of the operation, dispensaries are targets for serious crimes."
7. Albany prides itself as being pedestrian and biking safe. I bike and walk with my children almost everyone and rarely use my car. If people have to reroute their walking and biking travel to avoid lower Solano, this will have a negative impact on Albany's "Green" vision.

I have been a resident of this neighborhood in Albany for 16 years. My wife and I have a 10 month old girl and a four and a half year old boy. We would all be within 300 feet of the proposed location. Over the years, I have been active in revitalizing this area of Albany. An Albany staff person has even called the 800 blocks and 900 blocks of Madison the "Poster Child Blocks" of Albany for our organized activities which include annual block parties, tree plantings, movie nights and informal neighborhood watch programs. All of these family activities occur within 500 feet of this location. I am concerned that marijuana distribution so close to home would undo

much of this neighborhood development and revitalization. It's hard to imagine that it would not change the character and sense of place we proudly call home.

I look forward to the day when my son and daughter can venture safely off our block and visit friends across the street or walk or ride their bikes to school on their own. I can't imagine anyone attending this meeting, who had children living so close to such a facility would not share our concerns. Can't we as a community find a better spot for pot?

Sincerely,

John Sladkus
848 Madison

Jeff Bond

From: John Sladkus [john@nuws.com]
Sent: Tuesday, October 12, 2010 11:42 AM
To: Brooks Weitzman
Cc: Jeff Bond; Francis Chapman; Meghan Beynon; Chris Beynon; Marcy Newman; Alene Pearson
Subject: Re: Dispensary

Go Brooks!

On Oct 12, 2010, at 11:30 AM, Brooks Weitzman wrote:

Dear Jeff,

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Furthermore:

If anyone thinks that Albany is special for any other reason, let's get this straight:

Albany is special because it has a small town feel, we have great schools, we have great diversity, we have a community and a centralized "downtown". Albany is special because we plant trees and have block parties. Albany is special because we know our neighbors and will help them in times of disaster, We have movie nights and Albany is special because everyone wants to live here, so their kids can play in the streets. (yeah that's right: go to Berkeley where I grew up: they are not playing in the streets, not like in Albany)

So tell me how putting a marijuana dispensary 200ft. from my house, less than 700ft. from the YMCA, under 1000ft. from Ocean View school and in the middle of a thriving, caring community is in any way a good idea??

How about let's put it next to Target, or on Cleveland st. How bout the DPW let's the pot club in their space down there: How about anywhere but in the MIDDLE of a f'ing neighborhood????

We will fight this tooth and nail!!!!

Sincerely,

Brooks Weitzman

Classic Construction Company

www.classicconstructioncompany.com

Cel: 510.708.5120

fx: 510.232.1597

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Jeff Bond

From: Maria Rodriguez [melancholyfae@gmail.com]
Sent: Tuesday, October 12, 2010 4:26 PM
To: Jeff Bond
Subject: Marijuana Dispensary - Please don't

Dear Mr. Bond,

I'd like to express my concern about the proposed marijuana dispensary at 1019 Solano Avenue. I've lived in Albany for 7 years and we already have enough unsavory traffic in this neighborhood. Between The Ivy Room and Club Mallard located so near by, we have lots of people that park in our neighborhood to frequent the bars. This has caused a lot of fights (one right outside my apartment) and people driving under the influence speeding down streets where children play.

I'm afraid that with the addition of the dispensary that this neighborhood is going to get even more traffic both cars and human alike. I understand that this dispensary would only distribute to people with valid medical marijuana cards, however I do not believe that the guide lines for receiving these cards are high enough. I myself have several friends that have aquired these cards for reason that I do not believe to be valid. There is a place in Richmond a little over a mile a way from here and several in Berkeley and in Oakland. How many does this neighborhood need? <http://www.canorml.org/prop/CBCEBay.html>

Parking on my street is already so difficult being on the corner of Solano and Madison. We're so close to the main drag that we already have trouble parking in front of our homes.

Please do not allow the marijuana dispensary to move into my neighborhood.

Thank you for hearing my concerns. I'm sorry that I am unable to attend the meeting tonight, but I hope this letter is sufficient.

Please feel free to email or call me with any questions.

Sincerely,

Maria Rodriguez
Madison Street, Albany
510-684-1677

Jeff Bond

From: albert reinhardt [albert@happygofun.com]
Sent: Tuesday, October 12, 2010 11:04 AM
To: Jeff Bond
Cc: City General Email Box
Subject: proposed marijuana dispensary at 1019 Solano Avenue

Dear Jeff,

I am very distressed to learn about this issue at such a late date. I do not understand why a marijuana distribution center is even being considered for the location on Solano between Madison and Adams street.

My 3 year old and I go by this every day as he rides his scooter around the block. Children use this walk this section on their way to and from Cornell and OceanView Elementary schools.

I think there are more appropriate commercial and Industrial spaces in Albany along Eastshore Frontage Road and Cleveland/Jacuzzi Avenue.

There has not been adequate public input, the parents we know at Oceanview Elementary have just been learning about this over the last few days. I am not sure how many of my neighbors have heard of this issue.

As a home owner in the neighborhood and parent of a toddler I'm concerned about the proposed location of this dispensary.

Sincerely,
- albert reinhardt

Jeff Bond

From: Madeline Prager [madelinepr@gmail.com]
Sent: Tuesday, October 12, 2010 9:38 AM
To: Jeff Bond
Cc: City General Email Box
Subject: out city

Dear Mr Bonds and City Hall members,

It has come to my attention that a marijuana distribution outlet is planned on Solano Ave. between Madison and Adams. I do not understand how such an outlet can be located on a main artery used by families to get kids to and from Cornell and Oceanview Elementary schools, and used by unescorted kids to get to/from the Middle and High schools

I am concerned about the risks of accidents and violence with armed guards and \$50,000 to \$100,000 of merchandise and/or cash on the premises

I believe the CMX (commercial/industrial) zoned areas of Eastshore Frontage Road and Cleveland/Jacuzzi Avenue would be more appropriate sites for a dispensary.

I urge you to reconsider your plan.

Thank you,
Madeline Prager,
citizen of Albany and Middle school teacher in Berkeley

Jeff Bond

From: Suzanne Popkin [suzanne@boldium.com]
Sent: Tuesday, October 12, 2010 11:33 AM
To: Jeff Bond
Subject: Proposed Marijuana dispensary

Dear Jeff Bond,

I am writing to voice my concern about the proposed marijuana dispensary on Solano Avenue.

I have three children and live 2 blocks from the proposed site. This is a family neighborhood with a lot of kids around. One of my children goes to Cornell, and I can tell you that there is a stream of kids who walk down this route to go to Cornell School every morning and afternoon. I heard that 80 children were counted one morning walking to school!

It would be unconscionable to give a permit to a store that has a good chance of increasing the crime rate in this elementary school neighborhood.

Thank you for your attention,

Suzanne Popkin

Jeff Bond

From: dankinghill0@cs.com
Sent: Tuesday, October 12, 2010 11:07 AM
To: Jeff Bond
Subject: Dispensary

I cannot agree with you more. A residential neighborhood is not a good place for a dispensary. I along with you am not opposed to a m. dispensary in Albany, we could use the tax revenue, but 1019 Solano is the wrong place. I live on Cerrito street two blocks up from this address. I walk my dogs past there daily and this would concern my safety. And the PARKING. The parking in this area is a nightmare already with the few businesses that are already there.

Please note again, I am opposed to a M. dispensary in that location only, not to a M. dispensary in Albany.

Virginia Pock

Jeff Bond

From: kevinpeet [kevinpeet@mac.com]
Sent: Tuesday, October 12, 2010 4:01 PM
To: Jeff Bond
Subject: NO to marijuana dispensary

Hello, Mr. Bond. I live at 835 Madison St., around the corner from the proposed marijuana dispensary location.

I am requesting that the City of Albany NOT approve this request for the Conditional Use Permit. As has been mentioned in the local press, the concerns are:

- a its attraction for undesirable activity and crime;
- b. it's proximity not just to schools, but to pathways by which children go to school;
- c. the increased difficulty of parking it will bring about, in an area where already this can be difficult;
- d. decrease in property values for all of us who live in that neighborhood.

I ride my motorcycle to work every morning along Solano going east, and every morning during that brief few blocks, I see usually six to ten children walking to school. I do NOT think it will be a good thing for them to be exposed to this, as though marijuana use is to be normative. As for property values, in the recent past the value of my home dropped over 30%, as assessed by an independent assessor. I do not wish to see a further decline, which will be inevitable with the presence of this dispensary in my neighborhood.

This is NOT a wise decision, to recommend permitting this facility to move in.

Please do what you can to recommend its location elsewhere rather than here. Thank you.

Respectfully,
Kevin Peet
835 Madison St.
Albany 94706
510/384-2355 (cell)

Jeff Bond

From: Eileen Harrington
Sent: Tuesday, October 12, 2010 1:28 PM
To: marge.atkinson@mac.com
Cc: Jeff Bond
Subject: FW: To Marge Atkinson

Email from: alenepearson@yahoo.com

-----Original Message-----

From: alene pearson [mailto:alenepearson@yahoo.com]
Sent: Tuesday, October 12, 2010 12:43 PM
To: City General Email Box
Subject: To Marge Atkinson

Ms. Atkinson,

Can you please tell me how you feel about the application for the medicinal marijuana dispensary at 1019 Solano Avenue? I also want to know who your appointee to the Planning & Zoning commission is and what their stand is on this

issue. Your answer will affect how I vote in the upcoming election.

Thanks,

Alene Pearson

840 Madison Street

Jeff Bond

From: Gina [gmwpark@yahoo.com]
Sent: Tuesday, October 12, 2010 5:29 PM
To: Jeff Bond
Subject: No dispensary at 1019 Solano!

Dear City of Albany- My family loves being here! As recent transplants from the East Coast, we were thrilled to discover such a wonderful community where families, children and schools are valued and where we can walk, roll or ride wherever we go.

We are distressed to hear about the possibility of a marijuana dispensary at 1019 Solano Ave, a residential district which serves as a walking corridor for children at all three Albany Elementary schools. While not against the idea of a dispensary itself, we believe this particular location is simply not right for the children and families who use this block to get to/from school. Increased traffic in the area, the potential of patients smoking marijuana soon after leaving the dispensary, and the greater risk of serious crime which dispensaries bring are all reasons why our children should not have to pass by as they are trying to get to school.

Thank you for your consideration,

The Parkinson Family- Adrian, Gina, Jasper (a kindergartener at Cornell), Ben and Addie (both preschoolers at Albany Preschool)

Sent from my iPhone

Jeff Bond

From: naomi osterweil [nomiost@hotmail.com]
Sent: Tuesday, October 12, 2010 9:07 AM
To: Jeff Bond
Subject: Objections to the Medical Marijuana Dispensary

Mr. Bond,

As a resident of Albany and as a parent of a child who goes to Cornell elementary school i am deeply concerned about the plans to set up a medical Marijuana dispensary about a block from where i live. My six year old daughter and I would be walking by that site every morning on our way to school and although I am not opposed to medical Marijuana use, I do not think this is the best place to set up such a clinic. There are many many children who pass this site daily on their walk to school and i am afraid of not only the increased traffic stemming from the clinics long hours of operation from 8am to 7pm, the idea of clients who might openly be smoking Marijuana in that area but finally and most seriously, the well documented fact that these clinics are often targets of armed robbery.

Albany is a relatively quiet, and safe small city. There are surely areas that would be more appropriate (in Albany) for the location of a medical Marijuana clinic, than in a residential neighborhood that is literally located between two elementary schools and is situated on the route that many many families take daily to get to these schools.

I urge you to oppose this site as the potential site for this dispensary. I am sure that a more appropriate site can be found.

Thank you.

Sincerely,
Naomi Osterweil

941 Solano Ave
Albany Ca.

Jeff Bond

From: Dean's Office - Social Welfare [swdean@berkeley.edu]
Sent: Tuesday, October 12, 2010 1:46 PM
To: Jeff Bond
Subject: Marijuana Dispensary

Importance: High

Dear Jeff,

I am doing my best to reschedule a prior commitment for this evening so that I can attend this very important P&Z meeting. In case I am not successful, I want to make sure that you know my feelings on the proposal of putting a marijuana dispensary on the 1000 block of Solano Avenue.

This location is smack in the middle of a residential area and should not be allowed. People live next door, behind, above and across the street from this retail location. I see young children walking past this location every day on their way to and from school. I walk past this location on my way to and from the bus that I take to work each day. I live on the 800 block of Adams Street and my grand daughters, ages 4 and 7, go right in front of this storefront when they ride their bike and scooter around the block. These activities will no longer be safe and neighbors will be forced to stay indoors or find alternate routes.

I have lived in Albany for over 30 years. My children grew up here and my grandchildren are currently growing up here. When the City rezoned our neighborhood from CE to R3, I was one of the most outspoken proponents of this change. This part of Albany has been slowly moving from business to residential based on the increased number of privately owned residences in the area. It was good that the City recognized this in the rezoning process. I understand the importance of commercial revenue and feel that our neighborhood has obtained a nice informal balance between the business on Solano and San Pablo Avenues and the neighborhoods on Adams, Madison & Jackson Streets. We seem to have worked out the use of parking and foot traffic. But this type of business will tip the scales and, based on what has occurred in other cities, will downgrade our neighborhoods. We are already surrounded by two bars (Club Mallard and the Ivy Room), a tattoo parlor (900 San Pablo), a fortune teller (900 San Pablo), and a massage parlor (800 San Pablo).

What will the impact be on the existing businesses on either side of this location? Both the hair salon and the acupuncture businesses have been there for a long time and I would hate to see them forced to leave because of the disruption caused by a marijuana dispensary. I cannot believe that reputable businesses will want to open next door to a marijuana dispensary. Our neighborhood will then continue to decline and become even more unsafe.

I am not against a marijuana dispensary if it truly helps people who are ill, but I am concerned that it be in a location that will not impact or degrade a residential neighborhood. Even the Staff report for Item 6b states: "The two areas of greatest concern are: 1. The potential public nuisance activities associated with patients smoking marijuana in public areas immediately after leaving the dispensary; and, 2. Regardless of the quality of operation, dispensaries have been targets for serious crimes." Why would you want to put this in my neighborhood and jeopardize the safety of me, my family and my neighbors?

There must be other areas that are more conducive to this type of business such as: Cleveland Avenue or the east side of Eastshore. Another possibility might be in the new development planned at UC Village, on the San Pablo side. There are no other areas that I can think of where residential neighborhoods would not be greatly impacted. Another option would be to locate this business in the City offices. I understand that this proposal was rejected when the new offices were being built and redesigned. This causes concern for me because, if our police officers, fire fighters and City leaders do not want to deal with the type of disruption that would be caused by a business of this type near them, why do they feel it is good for it to be near resident's homes.

I urge the Planning & Zoning Commission to not follow staff recommendation. Please do not approve the request for a conditional use permit for a marijuana dispensary at 1019 Solano Avenue location.

Thank you.

Kristina Osborn

Kristina Osborn
818 Adams Street
Albany, CA 94706
kmosborn@earthlink.net

Jeff Bond

From: Trevor Oldershaw [t_oldershaw@yahoo.com]
Sent: Tuesday, October 12, 2010 6:30 PM
To: Jeff Bond
Subject: Wellness Clinic and Marijuana dispensary

Dear Mr. Bond

Two years ago my wife and our two children reload to Albany from Seattle. One of the major reasons was the community feeling that Albany has. Mayberry if you will. Now our two boys (6 and 10) walk to Ocean View elementary. The reason they are walking to school is because of this "community feeling".

I recently became aware that a Wellness Clinic and Marijuana dispensary is being proposed for a location on Solano Ave. I feel this will cause major problems and become a major blight on our city of Albany. I'm not opposed to the Wellness Clinic and Marijuana dispensary, just opposed to the location. This is a small community and I feel that this would have a negative impact.

I am fully AGAINST this proposed location.

I strongly urge you and the planning and zoning commission to reconsider allowing a dispensary at this particular Solano location.

Thank you for your time and attention,
Trevor Oldershaw
510-705-2700

Jeff Bond

From: Rachel Newell [racheln@attik.com]
Sent: Tuesday, October 12, 2010 1:12 PM
To: Jeff Bond
Cc: City General Email Box
Subject: Public meeting: proposed marijuana dispensary at 1019 Solano Avenue

I am very concerned to learn about the proposal to locate a marijuana dispensary at 1019 Solano Avenue. I wanted to voice my opinion against such a measure. Unfortunately I will be unable to attend tonight's meeting, however I would like to express how inappropriate this location is.

My daughter lives on Madison Street and will attend Oceanview Elementary in the coming years. We frequently walk along this route and I consider the presence of a dispensary a risk to her safety in this location.

While I support the overall use of medical marijuana, I believe that a location along the Frontage road or elsewhere would be better.

Concerned parent.

-

Rachel Newell
Account Director

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Jeff Bond

From: SUSAN NEWELL [sgrnewell@yahoo.com]
Sent: Tuesday, October 12, 2010 2:01 PM
To: Jeff Bond
Cc: mstephenson@ausdk12.ca
Subject: No Medical Marijuana Dispensary at 1019 Solano Ave.

Planning & Zoning Commission Members:

We are writing to urge you to deny the proposed marijuana dispensary at [1019 Solano Avenue](#). The proposed site is primarily a [residential area](#), home to many families with young children. That block of Solano is a major walking route for children attending both Cornell and Oceanview [Elementary schools](#). It is NOT an appropriate site for a [medical marijuana dispensary](#).

Please do not rush into permitting a marijuana dispensary in this area of Albany. Please continue the search for the right location and do not approve this proposed location. We feel strongly that the safety of our children should be the highest priority in this situation.

Sincerely,
Susan & Rick Newell
944 Evelyn Ave.
Albany

Jeff Bond

From: Maria Cristina Molteni [mcmolteni@yahoo.com]
Sent: Tuesday, October 12, 2010 5:08 PM
To: Jeff Bond
Subject: Marijuana Dispensary Location

Dear Mr. Bond:

My kids go to Cornell Elementary school and we live close to Ocean View school. We pass in front of 1019 Solano Ave. at least twice a day: one in the morning, around 8am, the other one in the afternoon, around 3:15pm, and I was concerned in learning this morning about the proposed site for a marijuana dispensary.

I read the comments posted in the link and I agree with most of them: **this is a kids' route** to go to school: to go to Ocean View, to go to Cornell, to go to MacGregor. My main fear is that the proposed location is not the proper one, and considering the potential nuisance activities associated with a dispensary in a heavily transited zone, it will be detrimental for our kids' safety.

Please also take into account the following arguments:

The Applicants Do Not Meet the Findings Required by Subsection 20.100.030.(D) of AMC.

Pursuant to Subsection 20.100.030 (D) of AMC before granting an approval, adverse impacts should be considered, and the proposed use of the subject property "will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity, or physically injurious to property, improvements or potential development in the vicinity, with respect to aspects including **but not limited** to the following..." (emphasis added).

The proposed site is dangerously close to five facilities with children: Ocean View Elementary School, MacGregor School, Cornell Elementary School, AlbanyYMCA (after care program) and Chinese School (after care program). Moreover, Solano Avenue is a major avenue in the city, and many kids and families, like mine, walk in front of the proposed site every morning and every afternoon. The proposed site and the proposed hours (8am - 7pm) are inconvenient for Albany kids. For that reason, the Commission should not approve that location.

The Applicants Do Not Meet the Findings Required for a Medical Marijuana Dispensary under Subsection 20.20.110 of AMC.

Pursuant to Subsection 20.100.030 (E) of AMC "No medical marijuana dispensary shall be located within a one thousand (1,000) feet distance of any of the following:

... b. Any schools, child care centers, public libraries or public community centers (.)"

Planning and Zoning Staff Report shows that the proposed location of the medical marijuana dispensary is 998 feet, with a margin of error of 30 feet. (See Staff Report, pp. 3-4, "The distance from the entrance of the dispensary to the closest fenced corner of the school grounds is 998 feet.")

The Code is clear: there is no distinction about the entrance of the dispensary, or the entrance of the school, but the distance between a child-user facility and a dispensary.

The distance is clear: 998 feet, i.e. within 1000 feet of the proposed location. Moreover, the regulation of medical marijuana dispensaries in the City of Albany is very restrictive, in order to "promote the health, safety, morals, and general welfare of the residents and business within the city." The Commission should not approve the proposed location because it will entail an unwarranted variance to the applicants.

I understand the needs of other Albany citizens, but that is not the proper site for a medical marijuana dispensary. Thus, I highly discourage the proposed site and I request the Planning and Zoning Commission to deny the proposed site for a medical marijuana dispensary.

Thank you for your consideration,

Cristina Molteni

Jeff Bond

From: lydia mills [lc_mills@yahoo.com]
Sent: Tuesday, October 12, 2010 1:53 PM
To: Jeff Bond
Subject: NO to marijuana dispensary in Albany!

To Jeff Bond,

My stepson has been buying from a medical marijuana dispensary for about a year. He was able to obtain a prescription from a doctor in SF without our knowledge at all. We found out about it when it was far too late. By that time, he was buying not only for himself, but to sell as well.

I have 3 children and two other stepsons. It is so dangerous for this type of business to be so close to homes. It makes buying marijuana accessible, far too accessible to youth.

I am extremely concerned, for my own stepsons, and for the other families and youth in the neighborhood. It is far more than a nuisance, it is a danger to the health and emotional stability of our youth.

Thank you,

Lydia Mills

Jeff Bond

From: McGinley, Matthew J. [MMcGinley@ci.berkeley.ca.us]
Sent: Tuesday, October 12, 2010 2:33 PM
To: Jeff Bond
Subject: Pot Club

A pot club anywhere in Albany is a bad idea. The pot club in Berkeley is a zoo. There have been increases in both traffic accidents and crime. The volume of people going in and out of these clubs is amazing as anyone who wants a card can acquire one. These places are never in residential areas and basically all of Albany is a residential neighborhood. If people can smoke in this place we are unleashing an unending line of stoned drivers to mow down our children on the streets.

Matt McGinley

Jeff Bond

From: arilustig@aim.com
Sent: Tuesday, October 12, 2010 12:22 PM
To: Jeff Bond; City General Email Box
Subject: proposed marijuana dispensary at 1019 Solano Avenue

Dear Albany Council People,

I am very distressed to learn about the consideration of a marijuana dispensary at 1019 Solano Avenue.

I do not understand why a marijuana distribution center is even being considered for the location on Solano between Madison and Adams street. My 3 year old rides his scooter by this location every day. Unattended children walk this section on their way to and from Cornell and OceanView Elementary schools.

I think there are more appropriate commercial and Industrial spaces in Albany along Eastshore Frontage Road and Cleveland/Jacuzzi Avenue. There has not been adequate public input, the parents we know at Oceanview Elementary have just been learning about this over the last few days. I am not sure how many of my neighbors have heard of this issue. As a home owner in the neighborhood and parent of a toddler I'm concerned about the proposed location of this dispensary.

Concerned,

Ariel Lustig

827 Jackson Street

Jeff Bond

From: lerryn little [littlelerryn@hotmail.com]
Sent: Tuesday, October 12, 2010 5:15 PM
To: Jeff Bond
Subject: Proposed Medical Marijuana Facility

Hello,

I am a mother of a 5 year old and an 11 year old, living on Adams Street, between Solano and Buchanan. I am sure you have received several emails today regarding the proposed medical marijuana dispensary. However, I imagine that given more time, more notice, you would have received many more. It is only yesterday that I was informed by a neighbor of the plan. I will attend this evening's meeting. I am sure that I am reiterating what you have heard already - this is not the right location!

I have never in my life known, let alone lived in, an area so condensed with children. Albany has become an unusual town - one that has attracted many families due to the wonderful school system, families who in turn participate in continuing to ensure that the schools as good as they are by volunteering, contributing, and putting children's education and welfare at a high level of importance. Because of this, Albany has a sense of being a small town (within a small city) where many of us parents allow our children to walk to and from school or parks, because we have a sense of safety in the community we have created. It is also a community trying to be more pedestrianized.

Despite this, the children in this particular neighborhood do have to contend with several issues due to being so close to San Pablo Avenue (and perhaps even more to do with being on the 'other' side of it). My 11 year old son crosses San Pablo Avenue and sometimes the place he and his friends purchase candy happens to be the liquor store on the corner. There are a few homeless people around, and one middle aged woman who is bi-polar. These are familiar unwanted attributes to what is otherwise a delightful, wonderful neighborhood. As I walk my 5 year old to kindergarten every morning, we run into several families that we know, and pass more that we don't.

It seems to me that the addition of this type of facility will have an enormous impact on the safety, traffic, and overall feeling of the neighborhood. Some families will stop allowing their children to walk. Many children will be out, exposed to this. I believe that people have the right to pain management. I also understand that there are plenty of people who obtain licences for medical marijuana that use it for recreational use. What about the older kids, the older middle schoolers, for example, who walk by. Perhaps they will be able to purchase some marijuana from a client who wants to make a little money on the side. There are several scenarios, not unlikely ones, that tell me again, this is simply not the right location!

I understand that this may bring in some needed revenue for the city. I also understand that these facilities probably run into opposition wherever they attempt to locate. However, i simply can't think of a worse place to put this than in such a densely packed area, predominantly with families of younger children.

I am extremely concerned about this. I truly hope that tonight's meeting will lead to the correct decision - find another location.

Thank you for your time.

Sincerely,

Lerryn Little

Jeff Bond

From: Pete Lauer [lauerpete@gmail.com]
Sent: Tuesday, October 12, 2010 1:05 PM
To: Jeff Bond
Subject: 1019 Solano Avenue proposed use

Dear Mr. Bond,

I am writing to express my dismay at 1019 Solano Avenue as the proposed location for Albany's medical marijuana dispensary. I fully support having a dispensary in Albany, with the benefits to both residents with medical need, and the additional tax revenue that a dispensary could bring to the city. But I believe that the location and the speed with which the Planning and Zoning Commission plans to vote on the dispensary approval should be reconsidered. In my opinion, the proposed location has three issues that need to be addressed before approving such a project.

First and foremost, as a resident of the block three doors from the proposed location and parent of two elementary school children, I am concerned for the safety of our children and potential exposure to marijuana smoke. We walk that sidewalk three round-trips a day with our 5 and 7 year olds, and we are not alone. We counted the number of children that walked either in both directions on Monday and had about 70 kids going to preschool, elementary school, middle school and high school between the hours of 8 and 9:30. This coincides with the proposed hours of operation of the dispensary. The 11 hour schedule 7 days a week will surely lead to increased traffic which also impacts potential safety of our children at the various crosswalks. Additionally, reading about and talking to people who have used dispensaries in neighboring cities, I believe that there will be increased loitering or "hanging out" outside of the store that appears to go hand-in-hand with people smoking the marijuana they just acquired inside. Has Albany had internal discussions on these points that we residents have not been made aware of?

Second, the proposed location has several issues that seem at odds with the city ordinance on dispensaries. I believe by City of Albany's own assessment of the location, it is just under 1000 feet to Oceanview Elementary School. And while there is a margin of error with the distance as measured by GPS, that means that the school is too close to the proposed location. Additionally, the YMCA hosts a childcare facility and is approximately 800 feet from the proposed location, and the preschool at the ex-MacGregor High location appears to fall within 1000 feet of the proposed location. And while some city documents indicate 1019 Solano as Solano Commercial, the city's records also show it as "light residential". These are all factors that should be deliberated and the discrepancy in the city's own records should be reconciled before any vote by the Planning and Zoning Commission.

Third, the speed with which the proposed vote by the Planning and Zoning Commission is inconsistent with the typical Albany process of thoughtful and open deliberation. As an immediate neighbor, we had the less than two weeks notice of the proposed use before today's planned vote. This does not give us the appropriate time needed to research the experiences that other cities have had with similarly located dispensaries (in majority residential neighborhoods), discuss the other potential locations (it seems that San Pablo Avenue or Cleveland Avenue would be more appropriate), and talk to the people who will be most impacted – we the residents and parents of the neighborhood.

Sincerely,
Pete Lauer
1003 Solano Avenue

Jeff Bond

From: Clay Larson [clayl@comcast.net]
Sent: Tuesday, October 12, 2010 8:26 AM
To: Mike McQuiston
Cc: Jeff Bond
Subject: Medical Marijuana ID Cards

Chief McQuiston;

Albany's medical marijuana dispensaries ordinance provides that marijuana may be dispensed to Alameda County residents who "hold identification cards issued by an entity whose procedures for validation and issuance have been approved by the Albany Chief of Police." Can you clarify the criteria that you will employ to qualify the issuing entities. I believe that the only card that meets the requirements of State law (H&S Code §§ 11362.7-11362.83) is the card issued by the County. The ID card plays a critical role in assuring that patients are properly qualified. The card should also enable the City to assure that Albany's ordinance limitation of cliental to Alameda County residents is observed.

I think that a clear understanding of the procedure that will be followed by your Department in approving the ID cards is critical to the City's understanding of the current marijuana dispensary application being considered by the City.

Clay Larson

Jeff Bond

From: knowlesclan@comcast.net
Sent: Tuesday, October 12, 2010 2:47 PM
To: Jeff Bond
Cc: MStephenson@ausdk12.org
Subject: No Dispensary on Solano Ave, PLEASE!

To The City of Albany Planning and Zoning Commission,

We are writing because we do not want a marijuana dispensary on Solano Avenue.

Our kids (we have 4 children) walk or ride bikes through this block of Solano Avenue daily. Our one son walks this way to get back and forth to school every day. This route includes the Middle School students and the Albany Y who walks kids in this block to go back and forth from OceanView Elementary and to Kids' Club as well. Many other families simply use this area while enjoying walks in the neighborhood or to get to the amenities we all love further up on Solano. We have other concerns including parking and traffic, but I think for many of us we can't get past the fact that this is a main route for minors walking to and from school. Most of us would love for our kids to walk or ride their bikes on their own when they are old enough and we want to feel comfortable that this is a safe route. Having a dispensary on Solano Avenue no longer makes it a safe place or route for any child.

Your own reports state that:

"Staff has consulted with planners in nearby communities regarding the operation of medical marijuana dispensaries. Many dispensaries have operated in a manner that serves the community and are compatible with their setting. There are, however, serious considerations to the location of a dispensary. The two areas of greatest concern are:

-The potential public nuisance activities associated with patients smoking marijuana in the public areas immediately after leaving the dispensary; and

-Regardless of the quality of operation, dispensaries have been targets for serious crimes."

We have not heard an argument that those in pain should not have access to medical marijuana, just that the dispensary should not be located in such a residential neighborhood. There is currently another company wanting to obtain a permit on San Pablo Avenue but that is on hold until a decision is made on the Solano location. We would favor a location on San Pablo where there is not the concentration of kids going by multiple times a day. We just would like you to choose a better location.

Please seriously consider our letter and help our children be safe by not putting a marijuana dispensary on Solano Ave.

Thank you for your time and consideration,

Kendra and Frank Knowles
905 Pierce St., Albany

Jeff Bond

From: Walter KITA [kitaman@sbcglobal.net]
Sent: Tuesday, October 12, 2010 9:55 AM
To: Jeff Bond
Cc: Jeff Bond
Subject: pot club

hello jeff bond. not good at e-mail stuff. but found out @ hour ago. putting pot club almost next store to where i live. 1005b solano ave. real dumb idea !!! you got bars, liquor stores, little kids walking to and from schools. why was there no notice posted on window too. if sell liquor post notices right. some kind slick move. i would like to know who votes yes for this. put one next to their home!!! see if i vote for them again. bad enough call apd move cars blocking my driveway now. made me late to work sometimes. and know people want make quick stop get some real bad parking around here too.but lets be real if albany really needs pot club to be hip put down by target or ranch 99 lots parking there. this is my 1st e-mail tried to send not being a reply. so hope gets there.

kirk kita

kitaman@sbcglobal.net

can't make meeting cause working graveyard shift now got get some sleep. i work rotating shift all i need more noise car horns i been living here some 35 years now what about you. thanks for reading this. please reply.

Jeff Bond

From: Walter KITA [kitaman@sbcglobal.net]
Sent: Tuesday, October 12, 2010 10:26 AM
To: Jeff Bond
Cc: Jeff Bond
Subject: pot club

me again just talked to someone whos not board to vote on this. said i was to be notified if live 300' next to pot club. i was not notified by owner of building or pot club people.

thank you

kirk kita

1005b soalno ave

albany, ca 94706

Jeff Bond

From: Ernest Kim [Comcast] [kimernest@comcast.net]
Sent: Tuesday, October 12, 2010 1:38 PM
To: Jeff Bond
Subject: Public's Opinion on Marijuana Dispensary in Albany

Mr. Jeff Bond:

I am a resident of the City of Albany with 2 young children, and I write to voice my strong opposition to having marijuana dispensary in our city – especially where minor children's foot-traffic is expected.

Marijuana is a substance at the heart of serious substance abuse even among minor children, and such dispensary has no place in a city like Albany, which boasts the reputation for its family and children-friendly atmosphere. The news of the city officers considering to establish such facility in Albany has been a shock to me, and I hope such plan is nullified for the future of our great city.

Please feel free to contact me for any questions or comments; I appreciate your attention.

Truly,

Ernest Kim
720 Stannage Ave., #B, Albany, CA 94706
C 510) 421-8201
kimernest@comcast.net

Jeff Bond

From: Barbara K. [bkmo@sbcglobal.net]
Sent: Tuesday, October 12, 2010 7:29 PM
To: Jeff Bond
Subject: pot club

NOT in residential block w school crossing. Crime will go up. Don't want to walk by it to go to other shopping or restarants.

Find another spot, frwy frontge rd?

B Kaimowitz
821 Cerrito
B wezelman
& 905 Carmel
Albany

Barbara Kaimowitz

Sent from my wireless

Jeff Bond

From: Eileen Harrington
Sent: Tuesday, October 12, 2010 1:25 PM
To: marge.atkinson@mac.com
Cc: Jeff Bond
Subject: FW: To Marge Atkinson

Email from: vbjordan@gmail.com

From: Valdemar Jordan [mailto:vbjordan@gmail.com]
Sent: Tuesday, October 12, 2010 12:49 PM
To: City General Email Box
Subject: To Marge Atkinson

I am a 10 year resident and home owner on the 800 block of Madison St. and I am strongly against having a marijuana dispensary in what is essentially a residential neighborhood. There are a growing number of us in the area that feel this way and we are organizing to protest its establishment. We will be at the planning and zoning meeting this evening to express our disapproval. Here are a few of our reasons:

* That corridor of Solano is a major thoroughfare for students, a number of whom are unaccompanied, walking to and from Albany's schools each morning and afternoon. Yesterday we counted around 75 children between 7:30 and 8:30 AM.

* There is a lot of concern over spillover effects of having a quasi-legal drug facility in the area. Examples of this would be increased crime, loitering, public consumption of marijuana, etc. and the lowered quality of life and the likely reduced value of property that would follow such activity.

* The site is legally questionable with regard to the relevant Albany ordinance: it is less than 1000 feet from the Ocean View playground. It is also less than 800 feet from the Albany YMCA which provides youth-oriented activities as well as child care. The ordinance states that a dispensary must be over 1000 feet away from public schools, parks, playgrounds or youth-oriented facilities.

Many of us strongly believe that if Albany is to establish a dispensary it should be located in the industrially zoned areas near the highway as the current zoning restrictions for a dispensary would likely make it difficult to have it anywhere on Solano or San Pablo.

Where do you stand on this issue? We hope you will give us your support.

Yours Truly,

Valdemar Jordan
840 Madison

Jeff Bond

From: deborah ives [debbives@gmail.com]
Sent: Tuesday, October 12, 2010 12:16 PM
To: Jeff Bond; Cordeliajc@aol.com
Subject: marijuana dispensary

I am against a marijuana dispensary at the proposed location on Solano Ave and Adams Street. This is a residential area that is already over run with transients because of the local bars. The dispensary at this location would make the situation worse. Why not have it on San Pablo Ave near the police station in a commercial zone not on my street!

Deborah Ives
725 Adams Street.

Andrew Hoffman
833 Madison St.
Albany, CA 94706

Dear Mr. Bond-

I'm writing in opposition to the proposal to open a marijuana dispensary at 1019 Solano Ave. My family and I have lived in the community for years, just around the corner from the proposed site. I pass by there four times a day as I walk to and from work on Solano Ave. and my four children frequently walk, bike and scooter passed the proposed site.

I'm in opposition for the following reasons:

- 1) The law states that any dispensary shall not be within 1000 feet of a public school, child daycare center or public community center. While the site may be 1000 feet from the front door of Ocean View school, it is not 1000 from the playground/park area. This seems a clear breach of the guidelines stipulated by the city.
- 2) The YMCA, where children frequently gather, is also within 1000 feet of the establishment.
- 3) The law states that the medical marijuana dispensary shall not be located within 1000 feet of any business that caters to minors or who's patrons are primarily minors. Dave's Dugout (baseball card shop) is well within 1000 feet of the proposed site.
- 4) If the intent of the law is to protect children from contact with such a site, it ought to be taken into consideration that large numbers of children pass by the site daily on their way to and from school and that the dispensary would open open during the hours when they pass by. One resident counted 70 children pass by on a typical school morning.
- 5) The law states that the principle entry to a dispensary shall not be within 25 feet of any residential entrance, including the principle entry of any multi-unit residential building. The entrance to the adjacent apartment building is well within the 25 feet range.
- 6) The law states that there shall be no sale of any product, good or service not associated with the sale of marijuana but the VitalGen plan seems to include other services in addition to the sale of marijuana (Yoga?).
- 7) There are a high number of residencies surround the two commercial properties in that are such that the same reasons a dispensary would be disallowed in a strictly residential area could be applied here.
- 8) As the staff has acknowledged, there will likely be an increase in crime in the area if the dispensary is opened. None of the home-owners in this area, all of whom have been hit by the economic downturn, can afford another such depreciation in home value.
- 9) I have yet to speak with one resident who is for the proposal and the many who are against it seem to be strongly opposed.

While the effort to show compassion to those in need of medical assistance is good, the overall needs of the community ought to be considered as well. The vote of the citizens allows for the presence of a dispensary but does not mandate it. Therefore, we should move forward on establishing one only when it is a win/win proposition. The 1019 Solano Ave. proposal does not meet this requirement. I hope the committee will take into consideration these facts and the number of residents who seem to be opposed to it.

Sincerely,
Andrew Hoffman
833 Madison St.
Albany, CA 94706

Jeff Bond

From: Igor Gasowski [igor@boldium.com]
Sent: Tuesday, October 12, 2010 11:22 AM
To: Jeff Bond
Subject: Proposed site for Marijuana Dispensary at 1019 Solano (between Adams and Madison)

Dear Jeff,

I would like to voice my concern and opposition to granting permission for opening a marijuana dispensary at 1019 Solano Avenue.

I live at 627 Adams Street, I have 3 kids ages 6, 8 and 14 and I have a concern about their safety in the neighborhood given the proposed location of the store.

Also, my youngest daughter goes to Cornell school, which is located just a few blocks away. There are often Cornell school kids right around the proposed location of this store.

Main reason for concern: it has been known for dispensaries to be a target of a serious crime. So please do not allow our neighborhood and our school to be a target!

Thanks!

Sincerely,

Igor Gasowski

627 Adams Street, Albany, CA 94706

Boldium, LLC

Internet Marketing

office: 510. 962.5559

mobile: 510.676.8148

skype: igor.gasowski

Jeff Bond

From: sanfranwriter [sanfranwriter@yahoo.com]
Sent: Tuesday, October 12, 2010 10:21 AM
To: Jeff Bond
Subject: Concern with placement of Marijuana Dispensary on Solano

Dear Jeff,

I am in favor of establishing a medical marijuana dispensary in Albany, however, I am concerned about the place chosen to house the dispensary. This is a major route for school children walking and riding bikes to elementary school (in later grades-- walking and riding alone). As an Albany parent of a current kindergarten student, I don't think that is appropriate.

Please take the time now to find a better location. Perhaps on San Pablo or discretely placed at one of the shopping malls.

Thank you,
Wendy Frey
814 Evelyn Ave.
Albany, CA 94706

Jeff Bond

From: Fre Fang [frefang@sbcglobal.net]
Sent: Tuesday, October 12, 2010 6:38 PM
To: Jeff Bond
Subject: about the marijuana dispensary at 1019 solano

Dear Mr. Bond

I'm writing to you in opposition of the plan to allow marijuana dispensary at 1019 Solano. I purchased my home on the 800 block of madison in 1991. my familly has living in Albany for the past twelve years. the reason why we chose to move here was not just because of my job, but I consider Albany a better enviromment for my children to flourish in. Before moving to Albany, we lived in East Oakland, where the safety of my children was the biggest concern. Bringing this marijuana facility to Albany would attract unfriendly people to our community, which could impact the safety of our children, and affect the way they grow. Having the marijuana facility in our community would change the walking habits of the children and adults that regularly use that path to get to school or work. therefore, I oppose to putting this marijuana facility around Albany, and I believe it would be better for our community without the pot facility.

thanks. sincerely fred

Jeff Bond

From: Ahmed Elbaggari [ahmed@lahk.net]
Sent: Tuesday, October 12, 2010 11:59 AM
To: Jeff Bond
Subject: Marijuana dispensary

I live on Jackson street and my kids walk to school. Every morning I see young walking to schools (Ocean View, Cornel, Middle school, High school, etc..) This location is not acceptable and a permit should not be granted. I am writing this email because I will not be able to attend due to other obligations.

Ahmed Elbaggari
841 Jackson street

Jeff Bond

From: Jennifer Dymont [jdymont@sbcglobal.net]
Sent: Tuesday, October 12, 2010 9:37 PM
To: Jeff Bond
Subject: Marijuana dispensary on Solano

Hi Jeff Bond -

I went to the meeting tonight but couldn't stay late enough to make a public comment.

I just wanted to let you know that I oppose a marijuana dispensary in such a residential location. It is w/in 1000 feet of two youth oriented facilities (YMCA and Ocean View School) and w/in 25 feet from the entrance to multi family housing (1021 Solano Ave). Not to mention all the children - I guess in 100s - that walk and are driven by the address every day.

I thought the point you & the commissioner about the waiting for the results of prop 19 before issuing the license would be prudent.

Thank you for taking my comment.
Jennifer Dymont

Jeff Bond

From: Gail Drulis [gdrulis@baymca.org]
Sent: Tuesday, October 12, 2010 3:40 PM
To: Jeff Bond
Subject: Marijuana distensary

Hi Jeff,

It has come to my attention that the city is considering a request for a conditional use permit to allow the establishment of a medical marijuana dispensary at 1019 Solano Avenue. It is my understanding that the dispensary should not be located 1,000 feet from a youth oriented facility. Has the city considered the location of the Albany YMCA which is located at 921 Kains Avenue and is a youth oriented facility? I see that the distance from Ocean View School was measured but the literature does not mention the YMCA.

Because I can't attend the meeting tonight I thought I would email you this question.

Sincerely,

Gail Drulis
Executive Director
Albany YMCA

We build strong kids, strong families, strong communities. - This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the sender. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of the Berkeley Albany YMCA. Finally, the recipient should check this email and any attachments for the presence of viruses. The company accepts no liability for any damage caused by any virus transmitted by this email.

Jeff Bond

From: vajra dorje [vajrador@gmail.com]
Sent: Tuesday, October 12, 2010 9:31 AM
To: Jeff Bond
Subject: Mr. Jeff Bond NO NO NO NO on Marijuana store at 1019 Solano Ave.

Dear Mr. Jeff Bond

I walk my child and three others to school on the block proposed for a Marijuana store. The school crossing guard is on the same block. Bad Idea! Should we move the Ocean View and Cornell Elementary Schools? Or perhaps not allow a not so bright idea to happen?

To make myself clear; A Marijuana Dispensary on 1019 Solano Ave is a bad, bad, bad, stupid, insensitive, idea. Please I hope you will keep this from happening and I will be greatly appreciative Mr. Jeff Bond.

Perhaps Mr. Jeff Bond they could put it somewhere on San Pablo Ave. Where it wouldn't be so hidden to the general public except many Elementary and Middle school children twice a day.

Mr. Jeff Bond my sons name is Andrew Prindle, the other children are Joshua Samaniego, Jasper Williams and Cole Reagan, Twice a day they will be exposed to the Marijuana Store.

Mr. Jeff Bond please don't let the Money and "Medical" fool you. I know people who have paid Marijuana doctors just to get high legally.

Thank you, Mr. Jeff Bond

Warren Prindle

Jeff Bond

From: laura Dill [msldill@att.net]
Sent: Tuesday, October 12, 2010 5:01 PM
To: Jeff Bond
Subject: CONCERNED ALBANY RESIDENT!!!!

Dear Albany Planning and Zoning Commission,

I am very disappointed with the City of Albany's decision to let a medical marijuana dispensary into its borders. I have lived in Albany for 10 yrs and my family owns property in Albany and we are all outraged at your decision to allow for a DRUG dispensary into such a safe and quiet neighborhood. Albany is a family oriented community that is quiet and safe and we want to keep it this way. I am an educator and I am very much opposed to marijuana as a "gateway" drug... and these dispensaries bring with them a certain clientele that is not wanted in a community like Albany. I walk in my community often... and value my safety greatly..... this is one reason I chose to live here and not say: Oakland! My family and myself all veto the idea of having this dispensary in Albany's borders. I now anticipate crime and drug usage to increase due to this addition to Albany. If I find that my safety is infringed upon due to this dispensary entering into my neighborhood... then I anticipate that the city planning commission will financially be liable for any and all property and or bodily damage that occurs from the patrons of this drug establishment. ONCE AGAIN.... MY FAMILY AND MYSELF ARE HIGHLY AGAINST SUCH A MOVE FOR THE HEALTH AND SAFETY OF ALBANY AND ITS RESIDENTS. I look forward to your prompt and immediate reply!

Ms. Dill (Albany resident of 10 yrs)

Jeff Bond

From: Diane Delany [stripeylizard@comcast.net]
Sent: Tuesday, October 12, 2010 9:46 AM
To: Jeff Bond
Cc: Aleida Andrino-Chavez
Subject: Pot Dispensary on Solano

Good morning Mr. Bond,

I am writing to register my disapprove of a pot dispensary on Solano Ave between Adams and Madison.

I live in the 900 block of Cerrito between Solano and Buchanan. I have 2 kids, one in high school and one in 3rd grade at Cornell. They walk every day back and forth from school up Solano Ave. On Saturdays they walk up Solano to the Community Center for dance classes and the library. Whenever they walk to friends' houses, the route is Solano Ave for all east/west travel. I am an active supporter of the Walk-to-School program that the city is running in conjunction with AUSD. We are trying to get people out of their cars, to decrease the traffic congestion at the schools, and to get kids walking for their health. On any given morning there are dozen of kids walking up Solano by themselves and in groups to the high school, the middle school, and to Cornell and Oceanview. elementary schools. A pot dispensary on Solano Ave. will be a big punch in the stomach to the Walk-to-School program. Many parents will opt out and drive their kids to school rather than allow them to walk by a pot dispensary.

Solano is a whole lot of what makes Albany what it is. It gives us the small town feel and intimacy that communities to the north and south of us do not have. I think of Solano as the humane lifeline of Albany. The part of Solano Ave west of San Pablo is also Solano and the heart of the neighborhoods here. Please do not cut us off from the rest of our town!

There are other locations in Albany more suitable for such an establishment (San Pablo Ave or near Target).

Sincerely,
Diane Delany
938 Cerrito St.
528-1166

Jeff Bond

From: Ebba de la Rosa [ebbadlr@yahoo.com]
Sent: Tuesday, October 12, 2010 12:03 AM
To: Jeff Bond
Subject: Against marijuana dispensary at 1019 Solano Ave.

I am writing to express my strong opposition to the proposed marijuana dispensary at 1019 Solano Ave. This a primarily residential area with many children, from preschool to high school age, not only living in the area but also walking on that street to go to and from school. I walk my two young daughters in front of that storefront to go to preschool. I am not against a medical marijuana facility in our city, but I am very much against putting one in such a location. A commercial industrial zone such as Cleveland Ave or East Shore frontage road with no housing is far better suited for this type of business.

The San Francisco neighborhood I worked in saw an increase in crime shortly after a marijuana dispensary opened in the neighborhood. I have read numerous articles in the SF Chronicle with police accounts of people with medical marijuana cards legally making a purchase and then turning around and selling to kids or whoever for a profit. San Francisco can also teach us a lesson that these dispensaries are often a target of crime because of the amount of money flowing through them, there have been many cases of them being used for money laundering, and neighbors complain of the increase in traffic and parking problems. A business that will require multiple armed guards on it's premises will not enhance the quality of life of Albany residents, especially its children.

We used to live on the 800 block of Madison, 2.5 blocks from the Mallard Bar. Several years ago someone wanted to open a pool hall on San Pablo, one of their arguments was that it was a commercial zone on a busy street and thus would not affect residents on other streets. I can tell you that despite being 2.5 blocks from the bar, we still had intoxicated people urinating or throwing up in our front yard, patrons parking on our street, and our parked car was totaled by a drunk driver. So I without a doubt believe that the type of business and patrons a medical marijuana dispensary would attract will negatively impact the surrounding residential area and beyond.

Please help protect the quality of life of Albany families and do not grant this dispensary a permit. I respectfully request that my comments be entered into the record.

Sincerely,

Ebba de la Rosa
An Albany resident, parent, and voter

Jeff Bond

From: ecoyne@berkeley.edu
Sent: Tuesday, October 12, 2010 9:40 AM
To: Jeff Bond
Subject: NO! on Solano Ave medical marijuana dispensary!

Dear Mr. Bond,

While walking my daughter to kindergarten this morning I was handed a flier regarding the proposal to open a medical marijuana dispensary on Solano Avenue. I was SHOCKED to say the least. Surely city planners are aware that this is a heavy traffic area for young children on their way to school, after school programs, local cafes, and the Albany Public Library. My five year old daughter and I walk past there everyday along with dozens of others of local kids!

We moved to Albany two years ago because we appreciated the community and the family-friendly feel of our neighborhood. We truly value all that Albany has to offer families with young children, from the excellent school system, to the diverse learning opportunities outside of the classroom.

I am horrified by the proposal to destroy the fabric of our neighborhood by opening a medical marijuana dispensary and hope that the commission will act wisely and in accordance with community sentiment.

Thank you for your consideration,

Erin Coyne

Jeff Bond

From: Dianne-Enpa Cho [diannecho@gmail.com]
Sent: Tuesday, October 12, 2010 9:30 AM
To: Jeff Bond
Subject: marijuana dispensary at 1019 solano ave

Dear Mr.Bond,

This place should not be opening at anywhere in Albany. Albany has many children who goes to school by walking. The dispensary place will attract different population that does not sits well with community. San Pablo area has already so many problems. Please study on the previous area that used to have dispensary place.

Please stop.

sincerely,

concerned Albany resident

Jeff Bond

From: Carter, Christopher [Christopher.Carter@ARS.USDA.GOV]
Sent: Tuesday, October 12, 2010 4:00 PM
To: Jeff Bond
Subject: Marijuana Dispensary

Dear Jeff:

My name is Christopher Carter, and my wife Michelle Carter and I are writing to voice our concern and opposition regarding the proposal to establish a medical marijuana dispensary at 1019 Solano Avenue. I live at 835 Cerrito Street and have two children, ages 7 and 3. I do not object to having a mmd in Albany, but feel it should be located in the business district, not in a neighborhood. I am not sure I will be able to attend tonight's meeting, but wanted to make sure our voice is represented. Many other members of the community feel the same way. If you have questions regarding our position, please feel free to call me at 510-717-8676.

Sincerely,

Chris

Christopher A. Carter
Executive Assistant
CD - WRRC, ARS, USDA
Center Director's Office
800 Buchanan Street
Albany, CA 94710

Phone: (510) 559-5600

Email: christopher.carter@ars.usda.gov

Jeff Bond

From: Daniel Cardozo [bocabierta@gmail.com]
Sent: Tuesday, October 12, 2010 10:53 AM
To: Jeff Bond
Subject: Marijuana Dispensary on 1019 Solano Ave.

Good morning,

I got a flyer this morning about a potential marijuana dispensary opening on the 1000 block of Solano ave. The flyer describes the block as a residential street, but I notice that it is also home to a sauna business, a deli, a hair salon, and even a chiropractic office. I think someone is concerned about the dispensary opening, not because of residential/commercial zoning conflict, but because they don't want to walk past such an establishment when walking their child to school. I don't think this is a valid reason to deny the business being opened. We have a liquor store right on Solano and San Pablo, and it hasn't caused any great crime problems. I doubt a marijuana dispensary will.

--

<http://www.danielcardozo.com>

Jeff Bond

From: Bersamin, Melina [bersamin@saclink.csus.edu]
Sent: Tuesday, October 12, 2010 3:19 PM
To: Jeff Bond
Subject: Marijuana dispensary

Dear Mr. Bond-

I was recently made aware of an application to the city to open a marijuana dispensary on Solano. I would like to say that while I am not opposed to marijuana dispensaries in general, I am opposed to them being located in residential neighborhoods. Especially on a street that is used by children and youth as they make their way to school.

As with any business moving into a largely residential area there are issues that arise relating to increased traffic, crime, and parking. With regards to traffic, many Albany children walk or bike to and from school. Increased traffic in this area may lead to an increased pedestrian injuries (introducing more cars into the equation) and long lines of traffic around the Jackson Street stop signs or Solano/San Pablo traffic light. Parking is already an issue given that many residents park their cars on the street rather than in their garage (which for many people is impossible given the relative size of the garage compared to a car). Will lower Solano begin to look like downtown Berkeley as people circle the blocks looking for parking fighting with residents for a space? In terms of crime, I just look to the Albany police blotter and how much crime has increased since the opening of Target. The fact that a security guard is often hired to work at a dispensary suggests that crime is an issue.

I urge you to consider finding another location for this dispensary to keep our neighborhoods free from increased traffic and crime.

Thank you,

Melina Bersamin
913 Taylor Street

Jeff Bond

From: cgordonbaty@att.net
Sent: Tuesday, October 12, 2010 6:13 PM
To: Jeff Bond
Cc: cgordonbaty@att.net
Subject: Concern about Solano location of Wellness clinic/dispensary

Good evening Mr. Bond:

My name is Christy Baty. I am an Albany resident and parent of two girls who attend OceanView Elementary School.

I have recently learned about the proposed Solano ave location of the Wellness clinic/Marijuana dispensary and I would like to express my very strong reservations about that location.

My girls, as well as a large walking group in which several families participate, walk down Solano to get to and from school. This is an organized group that we have participated in for the past several years. In addition to our group, I see families and children walk along that path (Solano between Adams and Madison) every day. This is a main thoroughfare for minors. So much so that there used to be crossing guard at Solano and San Pablo (though, sadly, that position was cut in budget considerations last year), there is also a crossing guard at Solano and Jackson.

I understand there was a traffic study conducted by the Albany Police Department that will also attest to the fact this is a major thoroughfare for school children.

My concern is the location. Having a dispensary located along this route, during school hours, is objectionable. I don't have a problem with a dispensary, just the location. I understand an alternative location is proposed on San Pablo which would be a perfectly reasonable alternative.

I understand the city has conducted a study to understand the potential impact to the neighborhood and recognizes there will be a potential public nuisance associated with patients smoking marijuana in public areas immediately after leaving the dispensary and regardless of the operation, dispensaries have been targets for serious crimes.

I think these are two very compelling reasons NOT to locate this clinic in the DIRECT PATH of minors walking to school. One of the best aspects of Albany is the safe and friendly environment, especially in regards to kids and families. Having a dispensary on a direct path that minors take to access school is not kid-friendly and not family-friendly.

I strongly urge you and the planning and zoning commission to reconsider allowing a dispensary at this particular Solano location.

Thank you for your time and attention,
Christy Baty
527-6496

Jeff Bond

From: Slava Balashov [sbalashov@informetric.com]
Sent: Tuesday, October 12, 2010 11:40 AM
To: Jeff Bond
Subject: re: marijuana dispensary at 1019 Solano -- STRONGLY OPPOSE!!

Dear Mr. Bond,

I'm writing you in regards to upcoming Albany city hall meeting to discuss marijuana dispensary at 1019 Solano.

We work in a small office a block away and we enjoy quite and safe environment that surrounds us. We strongly feel that opening a dispensary in this neighborhood will hurt the community, make street less safer, provide bad reference to children and will also drive businesses away.

We like this area and we'd like to continue to support the city and ultimately to stay here.

Please have our opinions count when you get to make a decision.

Best Regards,
Slava Balashov

--

informetric
S Y S T E M S

Slava Balashov
Quality Manager
sbalashov@informetric.com
work: (510) 524-8399 ext. 101
mobile: (415) 305-8908

Jeff Bond

From: Candice Ginn Tahimic [cgtt_oncogene20@yahoo.com]
Sent: Monday, October 11, 2010 11:32 PM
To: Jeff Bond
Subject: 1021 Solano Ave resident says NO to medical marijuana dispensary on 1019

Dear Mr. Bond,

I live next to the proposed site for the medical marijuana dispensary. I am strongly opposed to the idea of allowing a medical marijuana dispensary to operate in a residential neighborhood. These are the major reasons.

1. Safety

The corner of Solano and Adams has already been a hotspot for troublemakers who frequent the nearby Ivy League Pub.

You can verify this statement by checking the police complaints. A marijuana dispensary close to the Ivy League and two liquor stores can lead to major episodes of dangerous and disruptive behavior.

Moreover, children walk or bike through this block.

Allowing this business to operate attracts dangerous people into the neighborhood and puts our children at risk.

2. Health issues

Marijuana is a psychoactive compound with a very strong odor. The fumes can readily enter through open windows and doors. I live in the second floor and can sometimes smell cigarette smoke from smokers who pass by my apartment complex. The air quality in my apartment will greatly deteriorate due to marijuana smoke. The city may potentially face serious liability if residents suffer from the effects of secondary marijuana smoke inhalation as a consequence of allowing this business to operate in a residential area.

3. Depreciation in residential property values and a decrease in business activity for neighboring commercial establishments.

The Albany Spa, for example may lose customers. Clients of the Spa come in to relax. Venturing into a neighborhood frequented by individuals who publicly smoke marijuana is hardly a relaxing experience for most people.

Moreover, the hair salon that operates next to the proposed site will lose the majority of its customers who are mostly families with young children.

The proposed site is also sandwiched by apartment complexes that will probably find it more difficult to retain or attract tenants due to the presence of the dispensary and the potential criminal activities that may arise from its operation.

4. Damages the morale and pride of residents.

We have always taken pride in our beautiful and peaceful neighborhood. Let us not allow misguided decisions to destroy our city and its reputation.

Protect our children. Respect our neighbors. Support our long-time local businesses. Please DO NOT allow a medical marijuana dispensary to operate in our neighborhood.

Sincerely,
Candice GT Tahimic, Ph.D.
Resident
1021 Solano Avenue Apt. 2
Albany, CA 94706

Jeff Bond

From: alene pearson [alenemp@gmail.com]
Sent: Monday, October 11, 2010 9:22 PM
To: Jeff Bond
Subject: Re: Concerns about proposed marijuana dispensary on Solano
Attachments: SCHOOL_ROUTE.pdf; RESIDENTIAL_NEIGHBORHOOD.pdf

Mr. Bond,

I second Valdemar Jordan's comments below. The proposed storefront sits on one of the most-heavily traveled routes for Albany school-aged children AND is right in the middle of a family-centric, residential neighborhood.

Please see the attached figures, distribute to the Planning and Zoning Committee and have available to those at the meeting tomorrow night. I think they illustrate why 1091 Solano Avenue is a less-than-ideal location.

Yours Truly,
Alene Pearson

On Mon, Oct 11, 2010 at 4:52 PM, Valdemar Jordan <vbjordan@gmail.com> wrote:
I'm writing to express concerns I have with the proposed marijuana dispensary at 1019 Solano.

I am a homeowner and parent and live on the 800 block of Madison St. I have a son in the second grade at Ocean View elementary and another son who will be starting kindergarten there next year. My wife and I have lived in our house for 10 years.

My main concern is the fact that Solano is a major thoroughfare for elementary students walking to and from Ocean View and Cornell schools. The meeting agenda posted on Albany Patch and published by the City of Albany specifically points out two issues which have relevance here: the potential for public consumption of marijuana in and around the proposed location and the fact that dispensaries have been, and have the potential to be, targets for serious crime. (This year in the month of June alone there were 3 armed robberies at L.A. dispensaries, one of which resulted in an employee's death.) Curiously these issues are noted in the agenda and not discussed again as far as I can tell. I know there can be no guarantee on safety regardless of where a dispensary goes, but putting it in the middle of a quiet commercial stretch of Solano which is surrounded by a quiet residential neighborhood seems like a poor choice.

I am also concerned with the potential for traffic, parking and other nuisance issues. As it is, the 800 and 900 blocks of Madison and Adams lack sufficient parking most days of the week, and especially during the work week. I'm aware that the operators are projecting a fairly modest client base adding up to about 250 patients by early next year, but I'm not sure how they can limit their numbers as the business proposal doesn't speak to that issue at all. I'm also aware that the owners are planning to recommend no more than monthly visits by their clients, but there is no guarantee that people will abide by that.

I am not against having a dispensary in Albany per se, but I feel that a better location would be either on San Pablo or in the CMX zone near Target or on Jacuzzi street. To me putting a marijuana dispensary in the midst of a residential neighborhood is akin to putting a liquor store in the same location, though without the tax and stringent regulation codes that they must abide by.

Thank you for your time and consideration.

Yours Truly,

Valdemar Jordan

Jeff Bond

From: Cindy McWhorter [rcwbmail@yahoo.com]
Sent: Monday, October 11, 2010 1:37 PM
To: Jeff Bond; MStephenson@ausdk12.org
Subject: Marijuana dispensary on Solano/Hearing this Tuesday

Dear Albany City Council Superintendent Stephenson,

As an Ocean View Parent who lives on Curtis Street, I am writing to express concern about the location of the proposed Marijuana dispensary/Wellness Clinic on Solano between Adams and Mason. When the City of Albany and the Albany Police Department did traffic surveys to decide where to place crossing guards, they chose the corner of Solano and Jackson. The city's traffic study validates that this proposed location is a main corridor for minors walking to and from school.

My children and many others walk or ride bikes through this block of Solano Avenue to get back and forth to school at Ocean View every day. This is the second year my 5th grader and three other children have walked unattended by parents and I want to feel comfortable that this is a safe route.

I am not opposed to a marijuana dispensary in Albany, just that the dispensary should not be located so near to a school and on a main walking thoroughfare for children.

I would favor a location on San Pablo where there is not the concentration of kids going by multiple times a day. My concern is with the location of the dispensary.

Best regards,
Cindy and Ryan McWhorter
803 Curtis Street
Children: Atticus 5th grade and Beatrice 2nd grade at Ocean View

Jeff Bond

From: Richard Lynch [rflync@sbcglobal.net]
Sent: Monday, October 11, 2010 11:37 PM
To: Jeff Bond
Subject: medical marijuana dispensaries

A marijuana dispensary in the midst of a residential area that is a heavy kid-traffic corridor? No, thank you. I want to support the ability of sick people to get the relief they need, but can't we also give our kids a buffer. My 4-year-old is a non-stop question asker. Most of the time that's great, but I don't feel like I want to have the marijuana conversation with her just because we walked to a friend's house for a playdate. I realize the plan says there will be no on premise smoking, but no plan ever went perfectly, and the security risk noted by the P&Z staff remains. It just doesn't seem right to put this in such a kid-travelled area. If there were no other open commercial sight in Albany, I'd feel differently, but there are plenty of open store fronts.

Richard Lynch
911 Santa Fe Ave

October 11, 2010

Ms. Marla Stephenson
Superintendent
Albany Unified School District
1051 Monroe Street
Albany, CA 94706

Dear Superintendent Stephenson:

I am writing to you as a concerned parent regarding a current issue in Albany.

As you may or may not be aware, a medical marijuana dispensary has applied to open a storefront at 1019 Solano Avenue. This is the block of Solano two blocks west of San Pablo Ave and is in our residential neighborhood.

I have one school-age child who attends Cornell Elementary and two more children who will enroll in Cornell in the coming years. I walk this stretch of Solano every day to take my child to and from school.

The street is a main thoroughfare for our community's school children. Students from our neighborhood funnel to Solano to walk to Cornell, Ocean View, the Middle School, and the High School right past the proposed dispensary location. The YMCA uses this route to walk their Kid's Club members to and from Ocean View before and after school. This represents a countless number of children. It brims with life and a sense of community - and the feeling that it is a safe corridor for our school children to walk.

Indeed, one of the things I love best about Albany is walking my children to and from school. Albany prides itself on its walkability and encourages students to walk with such events as last week's walk-to-school day.

However, I have serious concerns about walking my children past a medical marijuana clinic, which will open at 8 in the morning and close at 7 in the evening. Albany staff has recommended that the Planning Commission approve the use permit for the clinic. However, in their own document they state the following:

"Staff has consulted with planners in nearby communities regarding the

operation of medical marijuana dispensaries. Many dispensaries have operated in a manner that serves the community and are compatible with their setting. There are, however, serious considerations to the location of a dispensary. The two areas of greatest concern are:

-The potential public nuisance activities associated with patients smoking marijuana in the public areas immediately after leaving the dispensary; and

-Regardless of the quality of operation, dispensaries have been targets for serious crimes.

I believe there is a more suitable location in Albany that is not in a residential neighborhood and most importantly is not on a main thoroughfare for children walking to and from school.

I am attaching the staff report so that you can review this information for yourself. As you will see marijuana dispensaries are required to be 1,000 feet from a school. The staff measurements show that Ocean View Elementary is 1,072 feet measured to the front door and 998 feet measured to the fenced corner of the playground.

Given the number of students in your district that this affects I wanted to express my concern to you. I want Albany to remain a safe, community where I feel comfortable walking my children to school and when they are old enough I feel safe allowing them to walk to school without adult supervision. However, if I know that they are walking by a dispensary that draws potential crime and people smoking pot as the staff report points out I think my feeling of safety would be seriously compromised.

I urge you to please look into this issue. This came to my attention only last week and most neighbors I speak with are not yet aware of this potential change to our neighborhood. However, I can say every parent I have spoke with is just as concerned as I am.

There is a planning and zoning commission meeting this Tuesday, October 12th at 7:30 p.m. to decide upon this issue.

Given that this is a timely issue I would appreciate your acknowledgement that you are looking into it further to consider the impact on the district's students.

Regards,

Meghan Beynon
920 Madison
meghan_beynon@hotmail.com

cc: Terry Georgeson
Wendy Holmes

I have also cc:ed the principals of Cornell and Ocean View incase they were not aware of this issue that could impact their students.

Jeff Bond

From: Valdemar Jordan [vbjordan@gmail.com]
Sent: Monday, October 11, 2010 4:53 PM
To: Jeff Bond
Subject: Concerns about proposed marijuana dispensary on Solano

I'm writing to express concerns I have with the proposed marijuana dispensary at 1019 Solano.

I am a homeowner and parent and live on the 800 block of Madison St. I have a son in the second grade at Ocean View elementary and another son who will be starting kindergarten there next year. My wife and I have lived in our house for 10 years.

My main concern is the fact that Solano is a major thoroughfare for elementary students walking to and from Ocean View and Cornell schools. The meeting agenda posted on Albany Patch and published by the City of Albany specifically points out two issues which have relevance here: the potential for public consumption of marijuana in and around the proposed location and the fact that dispensaries have been, and have the potential to be, targets for serious crime. (This year in the month of June alone there were 3 armed robberies at L.A. dispensaries, one of which resulted in an employee's death.) Curiously these issues are noted in the agenda and not discussed again as far as I can tell. I know there can be no guarantee on safety regardless of where a dispensary goes, but putting it in the middle of a quiet commercial stretch of Solano which is surrounded by a quiet residential neighborhood seems like a poor choice.

I am also concerned with the potential for traffic, parking and other nuisance issues. As it is, the 800 and 900 blocks of Madison and Adams lack sufficient parking most days of the week, and especially during the work week. I'm aware that the operators are projecting a fairly modest client base adding up to about 250 patients by early next year, but I'm not sure how they can limit their numbers as the business proposal doesn't speak to that issue at all. I'm also aware that the owners are planning to recommend no more than monthly visits by their clients, but there is no guarantee that people will abide by that.

I am not against having a dispensary in Albany per se, but I feel that a better location would be either on San Pablo or in the CMX zone near Target or on Jacuzzi street. To me putting a marijuana dispensary in the midst of a residential neighborhood is akin to putting a liquor store in the same location, though without the tax and and stringent regulation codes that they must abide by.

Thank you for your time and consideration.

Yours Truly,

Valdemar Jordan

Jeff Bond

From: Adam Hochman [adhocbot@gmail.com]
Sent: Monday, October 11, 2010 3:08 PM
To: Jeff Bond
Subject: Marijuana dispensary on Solano

Dear Jeff,

I am writing as a concerned home owner from the 900 block of Madison regarding the location of the considered marijuana dispensary. First I would like to establish that I am not against the dispensary. I voted for it and I strongly believe in the need for a dispensary. That being said, I strongly question its location.

Beyond other concerns such as parking and traffic, I can't get past the fact that this is a main corridor for minors walking to and from school. Our kids walk or ride bikes through this block of Solano Avenue to get back and forth to school every day. The Albany Y walks kids in this block to go back and forth from OceanView Elementary to Kids' Club as well.

In light of the many locations on San Pablo for lease, I question why this particular locale had been deemed the most acceptable. And given the report released by the city, I am considerably alarmed by its decision and the limited amount of time it has given the community to respond. Had I not been informed by my neighbors, I would have never been aware that this decision had even been made.

"-The potential public nuisance activities associated with patients smoking marijuana in the public areas immediately after leaving the dispensary; and

-Regardless of the quality of operation, dispensaries have been targets for serious crimes."

Unfortunately I am out of town and will be unable to make Tuesday's Planning and Zoning Commission hearing, but I hope you consider this email in light of my absence.

Best Regards,
Adam Hochman

Jeff Bond

From: Matthew Goldey [matthew.goldey@gmail.com]
Sent: Monday, October 11, 2010 10:40 PM
To: Jeff Bond
Subject: Planning and Zoning Commission Meeting 10/12 marijuana dispensary issue

Mr. Bond,

I currently reside at 1021 Solano Ave, immediately adjoining the property under consideration for a marijuana dispensary.

The placement of a marijuana dispensary in this residential area is contrary to the atmosphere that has caused me to choose to live in Albany. Any possible benefit of having this establishment in this location cannot outweigh the cost to the community in air quality, noise nuisances, or increased vagrancy. I will leave this city if this action progresses.

The air quality disturbance alone is sufficient reason to suggest an alternate location for this business, away from relatively secluded apartment buildings. I play the tuba, and, as such, I am very cognizant of the effect of smoke on my lungs as well as my general health. The air quality for pedestrians is already tenuous enough.

Please represent my interests as a citizen of Albany in the upcoming meeting.

Thank you for your time,

Matt Goldey

--

(317)-442-3113

matthew.goldey@gmail.com

matthew.goldey@berkeley.edu

Jeff Bond

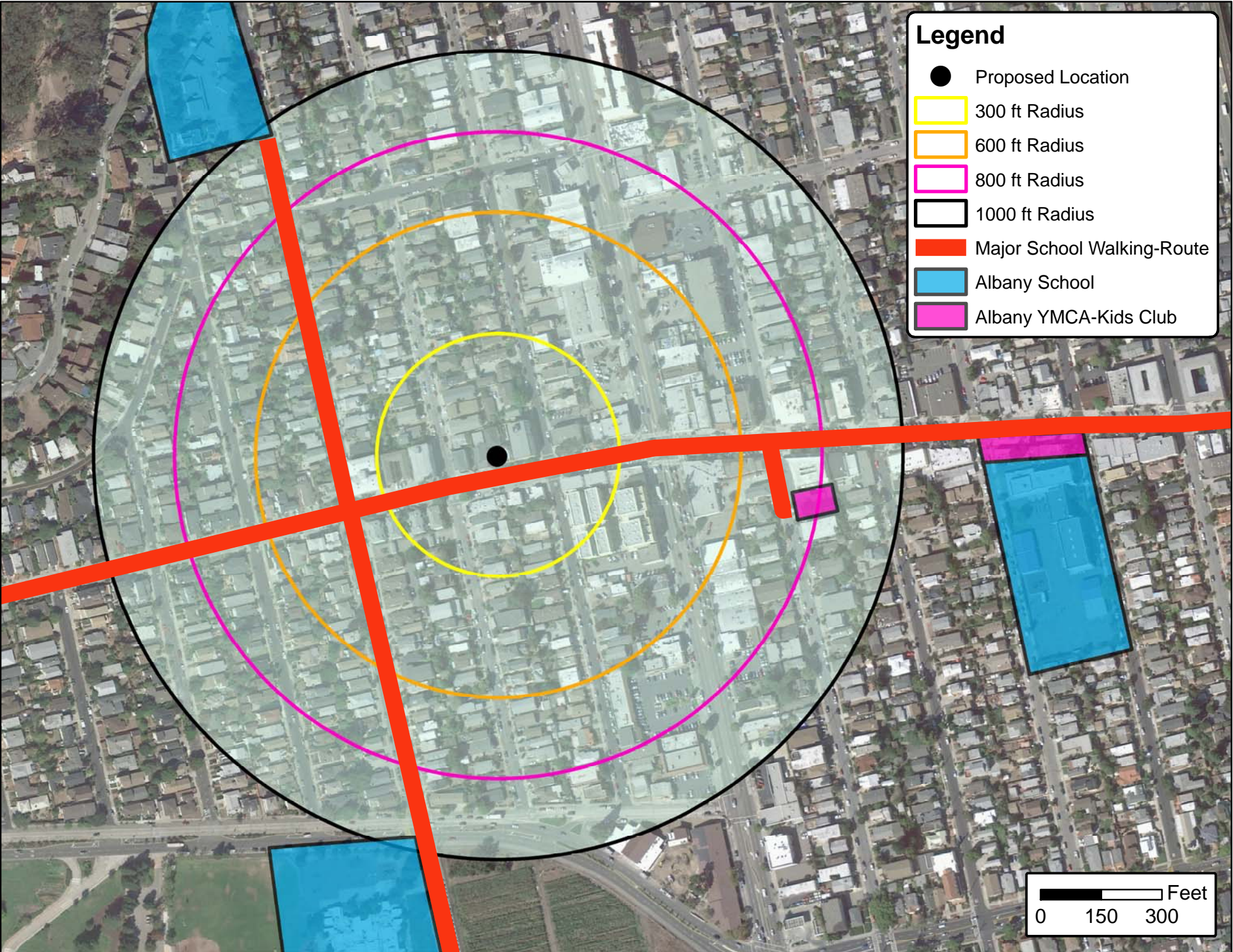
From: Jenny Craik [josiejo3@yahoo.com]
Sent: Monday, October 11, 2010 9:52 PM
To: Jeff Bond
Cc: MStephenson@ausdk12.org
Subject: No marijuana dispensary at 1019 Solano Ave.

Planning & Zoning Commission Members:

I am writing to urge you to deny the proposed marijuana dispensary at 1019 Solano Avenue. The proposed site is primarily a residential area, home to many families with young children. That block of Solano is a major walking route for children attending both Cornell and Oceanview Elementary schools. It is NOT an appropriate site for a medical marijuana dispensary.

Please do not rush into permitting a marijuana dispensary in Albany. Even though the residents narrowly voted to approve a dispensary in our city, you must wait for the right location to open up. In my opinion, the right location would be the frontage road through west Albany, or perhaps in the Alta Bates Medical center on San Pablo. Please continue the search for the right location and do not approve this proposed location.

Sincerely,
Jenny Craik and John Lacy
1003 Clay St.
Albany



Legend

- Proposed Location
- 300 ft Radius
- 600 ft Radius
- 800 ft Radius
- 1000 ft Radius
- Major School Walking-Route
- Albany School
- Albany YMCA-Kids Club

0 150 300 Feet