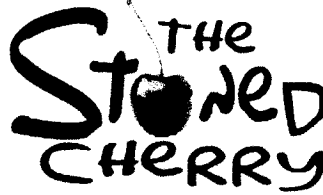


CITY OF ALBANY

MAR 04 2009

COMMUNITY DEVELOPMENT  
DEPARTMENTTHE  
STONED  
CHERRY

3/3/2009

To Whom It May Concern:

My name is Marcy Nolin and I am an owner/operator for The Stoned Cherry Collective, a Medical Cannabis Dispensary that is applying for a license to open a facility in the City of Albany, CA.

My purpose for appearing before you today is twofold: to present my case for the viability of the space located at 533 San Pablo Avenue for a medical cannabis dispensary; and to present my credentials and my extensive experience and background, that make me uniquely qualified to run the dispensary that is 940 feet from Albany Hill Park.

Beginning in 2003 and to date, I helped develop and open The Green Door, a cannabis dispensary located in downtown San Francisco. I was responsible for obtaining its license, handling all the administrative functions and managing the dispensary for the last 6 years. My experience in medical cannabis is not limited to working at dispensaries I have also been involved in advocacy, fundraising, and I have worked with city officials to aid in the development of San Francisco city guidelines relating to medical cannabis.

The concept for The Green Door was to open a facility that provided safe and affordable products and access to patients in a professional, friendly and controlled setting. The Green Door continues to be a highly successful and valuable member of the community in San Francisco. (I have included the good neighbor principals that patients must read and sign before they join our collective, an email from a concerned community member, letters of support from neighboring businesses, city/state officials, and our landlord, and several of our yelp and sfcannabisclubs.com reviews).

The concept for The Stoned Cherry Collective, a Medical Cannabis Dispensary, is identical to the Green Door. To that end my associates and I conducted an exhaustive search for an appropriate location. Since the dispensary is not open to the public (you need a valid California ID, coupled with a valid physicians recommendation to gain entrance) a free standing building is ideal.

We found the perfect location at 533 San Pablo Ave. Not only did it appear to fall right on the line of the pre-determined "mcd zoned" areas, but the landlord, Matthew O'Reilly, was open and willing to rent his building to our business. We immediately went to Jeff Bond at the planning department. Since there was a question as to the exact distance the building was from Albany Hill Park, he used special online software to measure the distance and reported that the building measured 940 feet instead of 1000 feet from the park.

Though The Green Door currently resides less than 1000 feet from a youth oriented facility, there have never been any issues relating to children and either patients or product from our dispensary. This is a direct result of our meticulous security measures. I believe that my success in San Francisco with my security guards coupled with the security cameras will enable me to keep our facility and surrounding areas safe.

**Why the building and location are ideal:**

- It's a freestanding building, so there is no issue with neighbors feeling any kind of security threat or loss of business.
- The landlord is supportive of the business.
- It is not flanked by any schools or parks.
- It is easily accessible by public transportation and there is ample street parking in the area.
- It has a commercial kitchen on-site, which is perfect for either renting it out to my preferred vendor for baking medically enhanced edibles or even baking the edibles in-house. It provides us the opportunity to have hands-on control of the quality of our baked goods.
- The building has enough space to allow one of my associates to move her art studio into a portion of the unused space (the dispensary will only require 1500-2000 sq. ft., so the remaining 1500 sq. ft. can be divided between the commercial kitchen and the art studio (Puchan Arts, Inc.).

**Why 940 feet should not be an issue:**

- The location is 60 feet short of the 1000 foot requirement, which is only 6% short of your requirements.
- This measurement was done by aerial software. If it were done manually, pedestrians would have to walk around buildings and stay on designated walkways, which would add a significant amount of footage to the measurement.
- Given that Albany is only 1 and    sq miles, and the requirements mandate a 1000 feet radius from any youth oriented facility, this precludes all but 4 city blocks in the City of Albany. We are in the right "zone" and the landlord is agreeable to our operation.
- While Albany Hill Park does have a small playground, the majority of the park is geared towards adults appreciating the beautiful bay skyline from benches and trails.
- Ironically, the dispensary I currently operate in San Francisco happens to be less than 1000 feet from Zeum (which houses a skating rink, merry-go-round, and other youth oriented activities). It has existed in harmony with Zeum since January of 2005, without incident.
- At some point, this adjustment to the ordinance was a consideration for the City of Albany. This ordinance amendment is both relevant and important, as we currently meet all the requirements that it sets forth:
  - "The Planning and Zoning Commission may permit a reduction of the required distance between a medical marijuana dispensary and the listed facilities, subject to all of the following findings, provided that in no case shall a distance of less than 500 feet be permitted: a. The applicant has provided documented evidence that no location that meets the 1,000-foot distance standard is reasonably available; and b. In the particular circumstances, a reduced distance will not expose the patrons of the listed facilities to any greater extent than might potentially exist if the 1000-foot

standard were observed; and c. That the proposed location of a dispensary is not situated proximate to a pedestrian or bicycle patterns that is regularly used by significant concentrations of minors. “

**Why my experience makes me uniquely qualified to operate a facility, as I have successfully implemented the following blueprint for an existing MCD:**

- My security staff will all be trained to ensure that NO ONE under the age of 18 is allowed to enter the facility.
- Furthermore, patients must present a valid California ID and a physician’s recommendation (which will be verified at the time they join our collective) in order to gain access to the dispensary. They must show this card EVERY TIME they want access to the dispensary.
- The security staff will be trained to monitor the exterior of the premises, which includes, but is not limited to, escorting patients in and out of the premises, watching security monitors, keeping the peace on our block, sweeping and trash removal .
- We will have a comprehensive security system which allows our staff to view everything that goes on in front of or inside our facility at any time, day or night (via on-site as well as remote access video).
- We will have an alarm system with several panic buttons, a distribution counter secured by bulletproof glass and reinforced steel, and multiple cameras installed and running constantly in and around the facility.
  - The video feed is recorded and is stored for 2 weeks. This allows me to research and address any neighborhood concerns quickly and efficiently.
- In 4 years at its current location, The Green Door has not had one robbery attempt or security breach.
- We will adopt an extremely proactive community relations program. In the event that any issues should arise, all of our neighbors will be provided with a 24 hour contact number for a representative of our facility.

These factors should give the Albany Planning Commission a level of comfort that the spirit of the 1000 foot rule will be upheld as a condition of our operation. We will meet and work with the neighbors, police and fire departments over any concerns they may have on an ongoing basis.

I strongly believe that our dispensary would be an asset to the City of Albany, both in providing much needed services to the patients, while stimulating the economy and increasing the safety and security of our neighborhood. I hope that the information I have provided has resolved any concerns that might preclude The Stoned Cherry from moving forward with the application process.

Thank you for your time and consideration,

Marcy Nolin

CAPITOL OFFICE  
STATE CAPITOL  
ROOM 2059  
SACRAMENTO, CA 95814  
(916) 651-4003

DISTRICT OFFICES

SAN FRANCISCO  
455 GOLDEN GATE AVENUE  
SUITE 14800  
SAN FRANCISCO, CA 94102  
(415) 857-1300

MARIN / SONOMA  
3501 CIVIC CENTER DRIVE  
ROOM 425  
SAN RAFAEL, CA 94903  
(415) 479-6612

SENATOR MIDDENPSEN.CA.GOV

# California State Senate

SENATOR  
**CAROLE MIGDEN**  
THIRD SENATE DISTRICT

MAJORITY WHIP



COMMITTEES

PUBLIC SAFETY  
CHAIR

NATURAL RESOURCES  
AND WATER

JOINT COMMITTEE ON  
LEGISLATIVE BUDGET

SELECT COMMITTEE ON  
CALIFORNIA'S WINE  
INDUSTRY

SELECT COMMITTEE ON  
CALIFORNIA'S HORSE  
RACING

SELECT COMMITTEE ON  
CALIFORNIA INFRASTRUCTURE

January 9, 2007

Members of the San Francisco Planning Commission  
1660 Mission Street  
San Francisco, CA 94103

Dear Commission Members:

Several months ago, I had the opportunity to visit the Green Door Medicinal Cannabis Dispensary, located at 843 Howard Street in San Francisco.

During my visit, I saw a warm and comfortable environment. The staff is courteous and professional. I learned that The Green Door also maintains a proactive community outreach program in which the facility contributes to a number of charitable organizations and has made efforts to provide neighbors with information about the facility.

My visit showed me that The Green Door provides safe and affordable access without any adverse effects on their community, so I urge you to approve its application at its permit hearing this week. If you have any questions, please don't hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Carole Migden".

Carole Migden  
State Senator, 3<sup>rd</sup> District



克里斯·戴利  
CHRIS DALY

Board of Supervisors  
District 6



Chair, Budget and Finance Committee  
Association of Bay Area Governments  
Bay Area Air Quality Management District  
Committee on Information Technology  
Joint Policy Committee  
Regional Planning Committee  
San Francisco County Transportation Authority  
Transbay Joint Powers Authority  
Treasure Island Development Authority  
Urban Caucus Caucus

January 10, 2007

Michael Nolin  
843 Howard Street  
San Francisco, CA. 94103

Dear Michael,

I would like to thank you and The Green Door Medicinal Cannabis Dispensary for all of the great work you do to provide medicine to patients in need here in San Francisco.

I have heard numerous reports of the professional and conscientious manner in which you provide compassion to your many patients and your great efforts to contribute to various charitable organizations, both in the neighborhood and in the city of San Francisco, in an effort to be an asset to the community.

Please keep up the good work.

Thank you,  
  
CHRIS DALY

Howard Street LLC  
847 Howard Street  
San Francisco, CA 94103

April 27, 2006

To Whom It May Concern:

My name is Peter Wu and I am the landlord for the premises located at 843 Howard Street in San Francisco. The Green Door Inc. (dba The Green Door) is currently a tenant in my building.

From the beginning of their tenancy, they notified me as to the nature of their business. After consulting with my attorney and the City of San Francisco, I agreed to rent the space to them. This has proven to be a good business decision.

The Green Door has been a responsible, professional and courteous tenant since December of 2004. They have always paid their rent on time, they have been responsive to any issues that have arisen in the neighborhood, and they have been instrumental in improving the safety and cleanliness of their surrounding businesses.

I will continue to rent my space to them as long as the city allows their business to exist. Please feel free to contact me with any questions. Thank you for your time.

Very Truly Yours,

Peter Wu

January 2, 2007

To Whom It May Concern:

I am the owner of Café Annalita. The Green Door has been my neighbor since November of 2004. They have provided me with a 24 hour contact number to call in case I have any problems relating to their business. The Green Door has been responsive to any issues that have arisen. Their staff is very professional and helpful. They also help keep the neighborhood clean. I support The Green Door in their efforts to obtain a permit.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Anna Lu". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

November 7, 2006

Dear DPH,

The Green Door moved into the South of Market neighborhood at a time when marijuana dispensaries were operating as though it was the Wild, Wild West. Unlike many of their colleagues, the Green Door made a sincere effort to comply with all of the existing laws and planning code requirements. They made themselves available to the community and attempted to address our concerns in a timely manner.

One of my primary concerns as a neighbor of the dispensary has always been safety. The effort the Green Door has put into security is remarkable and has done much to put me at ease.



I appreciate their efforts to be a good neighbor.


Sincerely,




A handwritten signature in black ink, appearing to be 'Laura Weil', written in a cursive style.

Laura Weil  
438 C Tehama Street  
San Francisco, CA 94103  
415-348-1908



- 
- 
- ALWAYS BE CAREFUL AND COURTEOUS WHEN DRIVING, PARTICULARLY WHEN EXITING OR ENTERING NEIGHBORHOODS AND PARKING AREAS.

- 
- NO LOITERING OR NUISANCE BEHAVIOR AROUND CANNABIS OUTLETS.

- 
- DO NOT DIVIDE-UP OR CONSUME YOUR CANNABIS INSIDE YOUR CAR OR ON THE STREETS AROUND YOUR FAVORITE OUTLET, OR IN THE VICINITY OF A SCHOOL.
- 
- 

## **A Selection of Yelp.com reviews for The Green Door:**

Nicholas C:

*12/27/2008*

Great Prices that can't be beat for top notch strains. \$90 for a quarter of high quality medication is amazing during these rough economic times.

Ed C:

*2/25/2009*

Fantastic Club. They have a great selection and for the most part the edibles are on point. You can still roll your stuff in there, however in an effort to comply with city ordinance you can no longer medicate inside, or within 250 feet. Please respect that as I would never want to bring any negative attention to such a great club. They do get some exceptional strains every now and again that just put you on your you know what. overall though every strain is on point. door guy is cool too always a plus.

Rasta R:

*1/8/2009*

I went to this place because i wanted to get some medicine. i went in and the door guy was nice. GOOD! and then i went and waited in line. the line moved quickly. a nice lady helped me. i asked for the best sativa and she gave me sour d. i got an 1/8th of that and an 1/8th of tropical kush. turned out to be 80\$. GOOD! as i left the door guy gave me a free pot magazine. GOOD!

Aaron S:

*3/20/2008*

This place treats me like family.... maybe because I'm there so much. Located just a few feet away from Moscone, the Green Door has been a staple of my life here in San Francisco. Affordable prices and good selection don't often go hand and hand, but here that is just the case. The people behind the counter are friendly and always willing to give a suggestion. Don't be afraid to ask a question or two, you won't find a more knowledgeable crowd. They have a great deal of choices from concentrates, to food, to some of the best product I've been able to get here in the city. If you're looking for a warm and affordable place to get some good smoke look no further than the green door. (Note: Door isn't actually green)

## **A selection of sfcannabisclubs.com reviews for The Green Door:**

I love all the edibles and customer service is great too. Keep up the green work...lol

2/28/09 Oreo H. San Francisco, California

I am new to Cannabis Clubs. The Green Door was professional, from the security at the door to the man behind the window. They had a great selection, the prices were fair and the staff was helpful. I was able to stop by during work hours since there is no smoking allowed in the club. I finally found a club that I will go back to.

1/25/09 Pamela G. San Francisco, CA

I came here when my regular club was closed during their regular posted open hours. So anyhow, I got on the Net and checked out a few reviews for nearby clubs and luckily decided on the Green Door.

Safe, clean, professional establishment. I think a new friendship has been born. Solid everything! SF is a very great place with choices, so although there are a lot of choices and quality places, this really sets the bar.

1/06/09 Douglas H. San Jose, CA

As far as medical marijuana goes, the Green Door is the cream of the crop. Five stars!

10/31/08 Lori C. San Francisco, CA