

LARA WEISIGER

From: Amanda Naprawa <Amanda.Naprawa@phi.org>
Sent: Tuesday, November 27, 2018 3:09 PM
To: Trish Spencer; Malia Vella; Marilyn Ezzy Ashcraft; Frank Matarrese; Jim Oddie; City Clerk
Subject: ALL Alameda Children Deserve the same protections -Agenda Item 6 C, 11.27.18

Dear Mayor Spencer and Members of the Council:

I am a public health lawyer and policy associate with the Getting it Right from the Start project at the Public Health Institute in Oakland. As part of our grant-funded project, we advise local jurisdictions considering cannabis legalization on how to ensure that local ordinances promote youth protection, public health, and social equity.

We were pleased to see that last December the council listened to the PTA Council and the School Board and chose to provide safety zones around schools, youth centers, and child care centers where children and youth congregate. In fact, Alameda's current cannabis ordinance includes many positive provisions, including 1000 foot buffers from schools and youth centers and caps on the number of dispensaries allowed in the city. We know that the more retail outlets there are for substances like tobacco, alcohol, and cannabis, the greater the use in the community (including by youth).

However, we are strongly opposed to many proposed changes to the ordinance that would undermine the protections currently given for youth health and safety.

We oppose the redefinition of "youth center" to specifically exclude facilities where "martial arts/combat sports" or "physical education" were offered. This will weaken the youth protective measures of the law and carve out an unreasonable exception. Such a change in language will all but ensure that a dispensary could be opened in close proximity to a center (such as a popular martial arts center) that serves a large number of youth. This is a very risky decision from a public health standpoint. We know from years of research in tobacco and alcohol that youth are more likely to report use of these substances when there is more exposure and opportunity. Significant research is showing that cannabis use by youth is associated with poor outcomes including school performance and future excessive cannabis use. The adolescent brain does not stop developing until the mid-20s and may be more adversely affected by cannabis than the adult brain. This is why we not only oppose reducing the buffer zones around sensitive use sites below 1000 feet (as proposed) but also would encourage you to extend this buffer to community colleges or universities that fall within your city limits. We know from tobacco research, that youth are more likely to report use of tobacco when there are higher concentrations of outlets. In a study based that looked at the 2005-2006 California Student Tobacco Survey against the number of retail outlets, they found that the prevalence of current smoking was 3.2 percentage points higher at schools in neighborhoods with the highest tobacco outlet density (>5 outlets) than in neighborhoods without any tobacco outlets. The density of retail cigarette advertising in school neighborhoods was similarly associated with high school smoking prevalence. (<https://www.ncbi.nlm.nih.gov/pubmed/18544462>). In another study, based on the 2003-2004 California Student Tobacco Survey, researchers found a "a small but nonetheless significant relationship between the density of retailers within 1 mile of a school and students' reports of smoking initiation."

We also know from alcohol research that limiting the number of retail outlets limits the number of alcohol-related harms as well as alcohol consumption by youth. In a 2015 study published in Psychology of Addictive Behaviors, researchers found that greater alcohol outlet density was associated with increased youth access. (<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4701620/>). We also know that alcohol-related harms increase when outlet density increases -- harms such as excessive use, child abuse, violent crimes and motor vehicle accidents. Similar results are being demonstrated for cannabis as well.

In addition, we strongly recommend that you continue to require Alameda business licenses for all in-town establishments rather than moving to a model where only outside delivery retailers need a license. Removing the business license requirement from your local business establishments will undermine your city's ability to regulate and control those businesses and may lead to grave threats to youth and the greater public health. We would also strongly recommend that you follow the lead of communities like Contra Costa County which has banned flavored combustible products which are known to attract youth, and Mono County and Pasadena which have banned cannabis flavored beverages. Flavored products are known to be products that are both geared toward, and attractive to, youth.

We strongly encourage you to stay with the original intent and definition of youth center, as well as maintaining these buffer zones, so as to protect the youth of Alameda better.

Thank you for the opportunity to register our concerns and we hope that Alameda will choose to be a model for other communities when it comes to protecting youth.

Sincerely,

Amanda Z. Naprawa, JD, MPH
Policy Associate
Getting it Right From The Start
Public Health Institute
555 12th Street
Suite 215
Oakland, CA 94607
C: 614-905-2543

LARA WEISIGER

From: Erik Flom <erik@elfworks.com>
Sent: Tuesday, November 27, 2018 2:44 PM
To: Trish Spencer; Malia Vella; Marilyn Ezzy Ashcraft; Frank Matarrese; Jim Oddie; City Clerk
Subject: I support the proposed changes to the definition of 'Youth Center.'

I also support the opening of a cannabis dispensary at the corner of Webster & Haight.

As resident and homeowner in Alameda for over 25 years - and medical marijuana user for over a decade - I would welcome the chance to spend my money and tax dollars with a local business.

I believe the concern about the 'perils to youth' are overblown and verging on hysteria.

In my experience, dispensaries are far more careful about checking ID than any of the numerous liquor stores that dot Webster street.

I believe the current definition of 'Youth Center' is too vague, and virtually eliminates the chance for a business like this in Alameda.

I have read the wording of the new definition, and I think it closes some loopholes that could be easily abused. Private residences certainly shouldn't count as 'Youth Centers,' and organized classes are surely supervised well enough to 'protect the children.'

Again, I welcome the addition of a cannabis dispensary in Alameda.
I would much rather spend my money and tax dollars within the city limits.

Thank you for your time,
Erik Flom
1421 Page St.
510-769-9391

LARA WEISIGER

From: Robert Cassard <rjwcassard@gmail.com>
Sent: Tuesday, November 27, 2018 2:20 PM
To: Frank Matarrese; City Clerk
Subject: Marijuana dispensaries NOT a threat to local youth. Vote to revise the definition of Youth Centers.

Importance: High

Dear Mayor Spencer, Vice Mayor Vella, City Clerk and Councilmembers Ashcraft, Mattarese and Oddie,

Our family **STRONGLY SUPPORTS** the City Staff report's proposed revisions to the definition of Youth Centers for the purposes of determining appropriate locations for marijuana dispensaries in Alameda. This change to the current municipal code is falsely being portrayed as a profit-grab, instead of as the community assets that most dispensaries become. Dispensaries are legitimate retail businesses that many of our citizens want access to for recreational purposes or need access to for medical reasons.

We believe the best place for dispensaries is in well-established commercial districts, not "darkened corners" of the community.

We believe that the imagined "threat" posed to local children by dispensaries is reactionary, and reflective of the long-term demonization of marijuana, based on false and misleading information. Parents who are alarmed about having dispensaries near martial arts studios, mosques, and other places where kids are universally chaperoned are ill-informed about the strict regulations and high security requirements with which dispensaries must comply.

No child can just walk in to a dispensary to buy or steal pot. No dispensary would ever be willing to risk losing their hard-won licenses by letting underage kids in the door.

Compare that to minimal security and known dangers posed by our city's plethora of grocery stores, corner stores and liquor stores. Most have shelves of alcohol and tobacco products literally within kids' reach or ability to pilfer.

We are parents who raised two children in Alameda. They attended and graduated from our public schools here, so we are well aware of the real temptations and pitfalls as children navigate adolescence to become responsible adults. Marijuana dispensaries, operating under such strict rules and regulations, are way less of a threat to our children than the many stores that sell liquor and tobacco. Please be sensible and vote for the revised definition of Youth Centers.

Sincerely,

Robert Cassard & Bara Waters
824 Haight Ave
Alameda, CA 94501
510-995-8903

LARA WEISIGER

From: Joanna Lau CPA <lau_joanna@hotmail.com>
Sent: Tuesday, November 27, 2018 12:18 PM
To: Trish Spencer; Malia Vella; Marilyn Ezzy Ashcraft; Frank Matarrese; joddie@almedaca.gov; City Clerk
Subject: Keep the current Municipal code definition of Youth Center
Attachments: Letter-to-CA-from-Denver-DA.pdf

Dear Council members,

I am an Alameda resident/parent of a toddler/ a business owner on Webster St. and the manager of International Chi Institute. International Chi Institute has been informed that next door was purchased to operate as a marijuana storefront by the management firm. None of city staffs visited our location in the past. None of City staffs talked to us or asked whether we primarily serve youth. More than 80% of our students in International Chi Institute are minors.

I walked to multiple business owners on Webster St. Most of them do not know anything about it. City staffs and West Alameda Business Association did not communicate to any of them either. WABA cannot represent its members to welcome the marijuana storefront at 1528 Webster Street.

Regarding the proposed definition of "Youth Centers", 18 business owners within three blocks for International Chi Institute signed a petition to request Alameda City Council to keep the current ordinance and set up buffer zones for all primary youth served center, including International Chi Institute. There are two martial arts school, two churches, and farmer market within one block from 1528 Webster Street. It is an area youth frequent go to.

More than 250 people have signed a petition which request Alameda City Council to keep the current ordinance. All of them do not want to change the definition of Youth Center. All children should be protected all the time. I will bring the petition into Nov 27 city council meeting.

There is a huge impact for children if a marijuana storefront is nearby. "Marijuana-related businesses should not be located near areas youth frequent such as school, parks, and playgrounds. Similarly, locating marijuana business in mainstream shopping districts can increase perceptions among youth that marijuana is normal and socially acceptable, which has been shown to have strong associations with underage marijuana use" (Asbridge et al., 2016)

In accordance with California law, Alameda should shield children from marijuana at places where children congregate. Section 11362.768(f) of the California Health and Safety Code grants cities and counties wide latitude to restrict the establishments of marijuana outlets. Alameda should thus exercise that latitude in a manner consistent with California's longstanding public policy of shielding children from the evils of drugs or drug trafficking. Where children congregate in large numbers before, during, and after school sessions, or for different activities, they are readily subject to the illicit activities of those who ply narcotics to the victims of drug abuse and addiction.

Although marijuana outlets are a relatively recent phenomenon, they are akin to other businesses which may legally sell or distribute intoxicating substances that pose a danger to children -- specifically, liquor stores and taverns.

Section 1 of the U.S. Constitution's Fourteenth Amendment, aka the Equal Protection Clause (the EPC), prohibits state and municipal governments from denying to anyone within their jurisdiction equal protection of the law. The EPC applies whenever a state or municipal government agency takes any action that treats distinct classes of similarly situated persons differently. *Ross vs Moffitt*, 417 U.S. 600, 609 (1974).

Recreational pot outlet is one where the user can consume pot and then drive, thus causing serious threat to the nearby business patrons. On May 15th 2018, a driver DUI marijuana killed 3 and seriously injured 2 on Hwy 880 in Fremont (Stevenson). This can happen to anybody on any given day especially since California does not even have the law specifying what constitutes DUI marijuana now. Putting marijuana outlets close to places where children congregate is outrageous and unacceptable!

Regarding the potential increasing crime rate in Alameda, please see the attached letter from Mitchell Morrissey, Denver District Attorney. Please maintain the buffer zone for all Alameda Children all the time.

Thank you for the opportunity to express our concern.

References:

Asbridge, M., Valleriani, J., & Krickson, P.G. (2016). Normalization and denormalization in different legal contexts: Comparing cannabis and tobacco. *Drug: Education, Prevention and Policy*, 23(3), 212-223.

Sincerely,

Joanna Lau



DenverDA

Mitchell R. Morrissey, District Attorney - Second Judicial District

201 W. Colfax Avenue, Dept. 801, Denver, CO 80202

Bus. Phone: 720-913-9000
Fax: 720-913-9035

October 12, 2016

No on 64 Campaign and SAM Action

California voters are being told that they will see the crime rate go down if they vote to legalize marijuana commercially; this has not been the case in the state of Colorado or the city of Denver. Since the legalization of recreational marijuana in Colorado in 2013 traffic related marijuana deaths have increased 48%, marijuana related emergency room visits have increased 49%, and marijuana related calls to the poison center have increased 100%. According to the Colorado Bureau of Investigations in 2015 statewide homicides in Colorado rose 14.7 % over the previous year. Pueblo, Colorado had the highest homicide rate in the state with 11.1 killings per 100,000 residents. Aurora, Colorado's homicide rate more than doubled from 2014. Additionally more places in Colorado were robbed and more thefts occurred, especially cars, as 193,115 motor vehicles were reported stolen, up 27.7 % in 2015 from the previous year. In 2015, sexual assaults rose 10% in Colorado with Denver, Aurora, Lakewood, Westminster and Pueblo all reporting higher numbers as well.

In the city of Denver since the legalization of recreational marijuana the number of crimes in Denver has grown by about 44 %, according to annual figures the city reported to the National Incident Based Reporting System. In 2015 in Denver alone crime rose in every neighborhood in the city. The murder rate hit a decade high, 1059 more cars were broken into, there were 903 more auto thefts, 321 more aggravated assaults and 231 more homes were broken into compared to 2014.

California voters are also being told that legalizing recreational marijuana will free up law enforcement to work on other criminal activities. Again that has not been the case in Denver. Besides the overall increases in crime we have experience, the Denver police department is dealing with a 900% increase in the unlawful cultivation and manufacture of marihuana concentrate, and a 99% increase in the unlawful distribution of marijuana and marijuana concentrate. The quantity of illegal marijuana seized by the Denver police has increased 3,424% on average per case. The volume of marijuana seized per case has increased from an average of 162 pounds to 5724 pounds. In Denver unlawful public consumption of marijuana citations has increased over 300% per year since the legalization of recreational marijuana. The Denver police department is busier enforcing marijuana laws and investigating crimes directly related to marijuana, including murderers, robberies, and home invasions, than any other time in the history of the city.

Sincerely,

A handwritten signature in black ink, appearing to read "Mitchell R. Morrissey", followed by a long horizontal line and a large, stylized flourish.

Mitchell R. Morrissey
Denver District Attorney

LARA WEISIGER

From: Jason Biggs <jasonrobertbiggs@gmail.com>
Sent: Tuesday, November 27, 2018 10:35 AM
To: LARA WEISIGER
Subject: Please Support the Cannabis Dispensary

Dear Lara Weisiger,

My name is Jason Biggs, and I am writing to express my support for the proposed cannabis dispensary on Webster St and Haight Ave. I live just 200 feet from the proposed location, on the 600 block of Haight Ave. I also have two young children, one of whom attended the martial arts school directly across the street from the proposed location.

Although I am not a recreational user, I support the dispensary simply because I have not found a good reason to not support it. There will be strong safeguards in place, strict policies to ensure all IDs get checked, and there needs to be a legal retail store to dry up demand for the illegal and unlicensed market on the island - while providing the city a good tax revenue boost. Currently, kids can freely enter liquor stores without supervision, including the one that's on the same block as my daughter's private school at Child Unique Montessori on Taylor Ave. Yet, that has never posed any problem for us. So, it would be hypocritical of me to not support a dispensary that sells products that are significantly less harmful than alcohol.

Thank you for your time and consideration.

Cordially,
Jason Biggs

LARA WEISIGER

From: Jonathan MacMillan <jonathanjmacmillan@gmail.com>
Sent: Tuesday, November 27, 2018 9:33 AM
To: Trish Spencer; Malia Vella; Marilyn Ezzy Ashcraft; Frank Matarrese; Jim Oddie; City Clerk
Subject: Marijuana Store Input From Neighbor

Dear mayor and members of the council,

I received a letter on my door regarding the definition of youth center, specifically in regards to the plan for a marijuana store. The writers are clearly against the store and I wanted to offer a letter of support.

I live at 728 Lincoln, so this proposed store is right around the corner from the proposed store. I understand the concerns of the martial arts academy and the mosque. However, do they also object to the Walgreens on Webster selling narcotics? What about the dozen or so places to get alcohol on Webster? There is a ton of research that shows these drugs are much more dangerous. The language used in their letter demonstrates they are out of touch with marijuana.

While my wife and I do not use marijuana, we understand that others do. For some it's medicine. For others it's their version of alcohol, which we do consume regularly.

Please feel free to share this letter at the meeting. I wish I could be there but my wife is out of town, so I am alone my 4 year old son, Lucas.

Respectfully,

Jonathan MacMillan

LARA WEISIGER

From: Doug Biggs <DBiggs@apcollaborative.org>
Sent: Tuesday, November 27, 2018 9:17 AM
To: LARA WEISIGER
Subject: Comments on Item 6-C amendments to Cannabis Ordinance

Dear Mayor and Members of the City Council,

I am writing you primarily this morning as a neighbor of the proposed Cannabis business on Webster Street. I live less than a block from the site, visit the area almost daily, along with family members, including 2 grandchildren. I have no hesitation in supporting the amendment to the ordinance excluding certain uses from the definition of a youth center. The martial arts establishment that has set off this debate, does not just serve youth, there is no state or federal licensing requirement of such facilities, like there is of schools and child care centers. Therefore it is appropriate to exempt them. The campaign to oppose exemption is based on outdated leftover perceptions of cannabis from the war on drugs, and do not deserve attention. When my son was in hospice for brain cancer, we turned to cannabis as a relief for him. It was useful and beneficial, but at that time, in 2003 the ability to buy cannabis legally was very limited. What a relief it would have been then to be able to go to a safe, inclusive business! I have meet with the developers of the facility on Webster, reviewed their staffing and facility plan, and am very impressed with the level of detail thy have put into making the facility safe and secure (what better place to put this than in a bank!) and the steps they will be taking to enhance the safety and walkability of the neighborhood they will be in.

Lastly, I also want to let you know we have discussed with the developers opportunities for placing APC residents in jobs. For some of our residents, it was previous criminal arrests for drugs that led them to homelessness. Why not now allow them to benefit from legalized cannabis in a way that helps them to overcome their homeless past.

I strongly encourage you to adopt staff recommendations and allow the development of these businesses in Alameda to move forward.

Doug Biggs

LARA WEISIGER

From: Boldemann, Jared M <Jared.Boldemann@morganstanley.com>
Sent: Tuesday, November 27, 2018 7:14 AM
To: Trish Spencer
Cc: City Clerk
Subject: Opposition to Municipal Code Amedment : CANNABIS BUSINESSES

Dear Mayor Spencer:

It has come to my attention that there is a potential amendment to the Alameda Municipal Code regarding Cannabis Businesses and their proximity to "Youth Centers." I understand that the existing code limits the available areas within the city that retail cannabis dispensaries can set up shop, potentially limiting all important sources of sales tax revenue for depleted city coffers. Our children should come first, not the interests of a few businesses owners who may be impacted by a right sized 1,000 foot "buffer zone" and a city that needs money.

Based on the map provided by city staff on the most recent agenda, there are still available areas within city limits for retail cannabis businesses given the 1,000 foot buffer zones (Alameda Point, South Shore etc). Please do not vote in favor of this short sighted amendment to the Alameda Municipal Code (Section 6-59.3 of Article XVI, Cannabis Businesses, of Chapter VI), which has the potential to harm our children and adversely affect our community, disproportionately so on the West End.

Sincerely,

Jared Boldemann
Resident of 774 Santa Clara Avenue

Jared M. Boldemann, CFP®
CERTIFIED FINANCIAL PLANNER™
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LARA WEISIGER

From: Christy Martell <christy.martell@gmail.com>
Sent: Monday, November 26, 2018 8:09 PM
To: Trish Spencer; City Clerk
Subject: Objections to marijuana storefront located at Webster & Haight St.

Dear mayor Trish and whom it may concern,

I'd like to object to the change in the current definition of a Youth Center per Alameda Municipal code as it relates to the placement of Marijuana establishments, liquor stores, smoke shops, sex shops or any other establishment selling goods that are targeted to adults. As you know the specified corner (Webster & Haight St) is heavily trafficked by youth under 18 that frequent the martial arts after school center, Alameda's beloved farmer's market, the gym, and two places of faith - the Quba mosque and Immanuel Baptist Church.

More importantly, a change to this definition that was instituted less than 1 year ago by the same City Council would enable other establishments that pose harm to Alameda's children from being cited near other areas that house children including, but not limited to, our child's family home day care facility, Aqua Tech, youth sailing programs, etc.

The definition of youth center clearly represents a special interest carve out and I strongly believe that there are many places on the island, including Alameda Point, that would provide a sound location for these types of establishments and earn the City a similar level of sales tax revenue.

If in doubt, please allow the City of Alameda voters to weigh in.

Thank you for your consideration.

Christy Martell (resident and property owner)
774 Santa Clara Ave.

LARA WEISIGER

From: Clair Dunne <clairdunne@yahoo.com>
Sent: Monday, November 26, 2018 9:48 PM
To: Trish Spencer; Malia Vella; Marilyn Ezzy Ashcraft; Jim Oddie; City Clerk; Frank Matarrese
Subject: Marijuana storefront On Webster Street - preserve the 1000 feet zoning buffer

Good Evening:

I am writing to oppose the location of the Marijuana business on Webster Street. I live near Webster street. I am not opposed to there being a Marijuana business but I am oppose the size and location of the business. I did not realize that it was going to be located in old credit union site on Webster Street. Apart for it being a really large space that allows for a large marijuana business, it is located next to the International Chi Institute and the Quba Mosque, both have a lot of children who participate in those activities at those locations.

While we want to welcome businesses to Alameda, I ask that the 1000 feet zoning laws be kept in place to protect children and business who serve the community and who have participated in the Westend community for a long item. There are several spaces on Webster street that could house the same business and provide some distance from these youth orientated activities. There are also many locations throughout Alameda that could house this business.

Please consider maintaining the buffer.

Clair Dunne

LARA WEISIGER

From: Cross Creason <creasoncross@gmail.com>
Sent: Monday, November 26, 2018 9:29 PM
To: Frank Matarrese; Marilyn Ezzy Ashcraft; Trish Spencer; Jim Oddie; Malia Vella; LARA WEISIGER; City Clerk
Subject: #6-C, Nov. 27, 2018 - "Youth Center"

Redefining “Youth Center” Under Alameda’s Cannabis Ordinance

City Council meeting on November 27, 2018

Dear Mayor Spencer, Vice-Mayor Vella, and Councilmembers Ashcraft, Matarrese and Oddie,

This is a slight revision of comments I sent earlier to Councilmembers Ashcraft and Matarrese. A major concern of mine has to do with what is reflected in, or lacking from, Staff Report #2018-6180 itself, and I did not mean to give the impression that City staff is biased or has not worked hard on the discrete “youth center” issue discussed in the Report. I also know that staff cannot devote all of its time to this one issue. However, for the reasons discussed below, I continue to question: whether there is support for the Report’s empirical claim that, in essence, without re-defining “youth center” it would be “nearly impossible” to have retail cannabis in Alameda; the soundness of the argument that determining whether a facility is “primarily used” for youth activity is overly-challenging administratively; and the absence in the Report of consideration of an intermediate measure that balances policy interests, such as reducing the size of the buffer zones for certain youth centers rather than eliminating them altogether. I think those are all fair questions. Thank you for considering them.

* * * * *

I hope this is not taken as being anti-marijuana, because it is not. Rather, it has to do with how seriously we should take what the City says in connection with permitting cannabis retail in Alameda.

Last year, Alameda made the decision to permit cannabis retail but with the promise of protective buffer zones around schools, tutoring centers, youth centers, etc.

Staff Report #2018-6180 implies, however, that with respect to buffer zones around youth centers, the City over-promised to its residents.

“In order to facilitate opportunities for potential dispensary locations and to provide a clear regulatory framework for permitting cannabis dispensaries while protecting certain sensitive uses, staff recommends a number of refinements to the definition of “Youth Center.””

But did the City over-promise?

It is almost certain that Staff Report #2018-6180 exaggerates both (a) its claim that it would be “*nearly impossible*” to locate retail cannabis in Alameda if all youth centers have buffer zones and (b) the supposed difficulty in interpreting the current ordinance. Staff Report #2018-6180 also sugarcoats the *only* solution presented in the report - the elimination of buffer zones from certain existing youth center(s) – as a “*refinement*”, without presenting any alternative or compromise solutions, such as reduced buffer zones for certain youth centers.

Rather than an insoluble problem with the Cannabis Ordinance itself, it appears this issue arose only, “[i]n recent weeks, as part of processing the first use permit application for a retail dispensary”, for a location right next door to the International Chi Institute on Webster Street. By any reasonable measure of what is in plain sight to any passerby, the International Chi Institute falls squarely within the definition of a youth center under Alameda Municipal Code § 6-59.3 [“Youth centers means any.... private facility that is primarily used to host recreational....activities for minors”].

However much frustration there may be with the pace of bringing retail cannabis to Alameda, one hopes that staff’s asserted difficulties in interpreting the Ordinance and its recommendation to re-define “youth center” are not simply different ways of eliminating the buffer zone around one particular existing youth center on Webster Street (the International Chi Institute) to facilitate one particular retail cannabis applicant’s selected location next door and, thereby, more quickly achieve the goal of retail cannabis in our City.

* * * *

The City Council obviously had *reasons* for including and promising protective buffer zones for youth centers when it passed the Ordinance last year (see § 6-59.1(j), Ord. No. 3201 N.S., § 1, 11-21-2017 [referring to “offensive odors, trespassing, theft... increased crime in and about the dispensary, robberies of customers, negative impacts on nearby businesses, nuisance problems”]).

If you believe the reasons for having buffer zones are false or exaggerated, then propose eliminating buffer zones across the board (including for schools, tutoring centers, places designated by the Rec. Dept. and all youth centers) – or, perhaps, replacing them all with a “good neighbor” policy. If, however, you profess belief in the buffer zones, but are nevertheless willing to go along with staff’s recommendation, then Alameda residents deserve an explanation why those reasons for having buffer zones don’t also apply to the children at places like the International Chi Institute on Webster Street, or why they must yield *entirely* to other interests.

Whatever Council does, it should be done forthrightly and without unquestioning reliance on Staff Report #2018-6180. The Report provides too little support for the claims it makes and fails to offer any alternative solutions, such as reducing the buffer zone to 300 feet for this type of youth center.

Basis #1 for Recommendation in Staff Report #2018-6180:

“[Not carving uses like the International Chi Institute out from the definition of youth center] could make locating a retail cannabis business nearly impossible within the currently permitted zones.”

In addition to the phrase “*nearly impossible*”, the Staff Report also characterizes the situation as “*severely restricted*” and “*virtually no opportunity*” and attaches a map (Exhibit 1) supposedly demonstrating this situation based on the prevalence of various physical education locations in Alameda and their hypothetical buffer zones.

Questions: Has staff (or has any potential applicant) investigated whether all of the marked locations in Exhibit 1 are, in fact, youth centers before concluding it would be “*nearly impossible*” to locate cannabis retail in Alameda?

Staff appears to have assumed that all of the locations marked on Exhibit 1 qualify as youth centers. If staff did not make any inquiry as to what portion of the marked locations on the map primarily serve minors – and instead relies on assumption - then the map itself has little value in demonstrating it would be “*nearly impossible*” to locate a retail cannabis business in Alameda.

Questions: Even assuming all (or most) of the marked locations on the map are youth centers with 600 foot buffer zones under the Ordinance, what inquiry did staff (or the applicant) do as to the availability of retail locations, or lack thereof, outside of those buffer zones?

The map shows significant areas available for locating retail cannabis outside of the buffer zones marked on Exhibit 1, even assuming all of those marked zones represent youth centers under the Ordinance. Is the available area outside of all of those buffer zones – or better yet, the buffer zones that actually exist – particularly unsuitable or unaffordable for the commercial/retail cannabis business? Without a basic inquiry, it seems premature to declare that it would be “*nearly impossible*”.

Questions: Why didn’t the Staff Report present an alternative to eliminating the buffer zone - such as a reduced 300-foot buffer zone - or present a map showing what that scenario would look like?

The Staff Report presents the issue as an all-or-nothing choice between allowing youth centers like the International Chi Institute to maintain a 600-foot buffer zone (which would make it “*nearly impossible*” to locate a retail cannabis business, according to the Staff Report) or eliminating that protection entirely. Council should not buy into that binary choice, even if one assumes that it is true that it would be “*nearly impossible*” to have retail cannabis while respecting the promised 1000 or 600 foot buffer zone. Before completely eliminating the protections for these youth centers, one should at least consider whether the reasons for promising the buffer zones in the first place can be satisfied in part with a reduced buffer (perhaps 300 feet) without making it “*nearly impossible*” for retail cannabis to exist in Alameda.

Basis #2 for Recommendation in Staff Report

“Without a specific carveout in the definition of “Youth Centers” for martial arts studios and related facilities, it is difficult and administratively challenging to define and then implement the definition if staff is left to determine whether a business “primarily” serves minors or not.”

I have been inside the International Chi Center location many times over a period of years, and at different times and on different days of the week. Had anyone suggested to me that it did not clearly meet any reasonable interpretation of “youth center” under Alameda’s current cannabis Ordinance or that it was not primarily used for recreational activities for minors, I would have laughed in response. Alameda Municipal Code § 6-59.3 [“Youth centers means any.... private facility that is primarily used to host recreational....activities for minors”].

It is not “administratively challenging” to simply pay a visit and see that children “primarily” (by a long, long shot) are recreating and receiving instruction at the International Chi Institute. In fact, you can *hear it* from the sidewalk as the front doors are typically open there. It does not require a deep dive into non-public records.

Questions: Is applying the word “primarily” *really* too *administratively challenging* for Alameda city staff?

“Primarily” is a common term in the Municipal Code

If the word “primarily” is too difficult for City staff to administer, then consider whether there is a need to re-write other ordinances, such as:

→ Limiting the protections afforded by **No Smoking Buffer Zones** and Designated Smoking Areas (Alameda Muni Code § 24-12.4) “at least twenty (20') feet from unenclosed areas *exclusively* ~~primarily~~ used by children and unenclosed areas with improvements that facilitate physical”.

→ Limiting the protections in the **Grocery Worker Retention ordinance** (MC § 6-56.2) to workers at grocery stores that “sell to the general public *exclusively* ~~primarily~~ groceries, vegetables, fruits, meats, poultry, fish, canned and cartoned goods, milk”.

→ Clarifying the Standards for **Personal Cultivation of Cannabis** (Alameda Municipal Code § 30-10.2) so that “The primary residential dwelling shall maintain kitchen, bathrooms, and primary bedrooms for their intended use and not be used *whatsoever* ~~primarily~~ for personal Cannabis cultivation or processing”

Other examples of the use of the term “primarily” in the Alameda Municipal Code are at bottom.

Questions: Did staff (or any applicant) make an attempt to determine whether the International Chi Institute is “primarily used” to host recreational activities for minors before declaring the task too difficult?

Instead of detailing any actual inquiries by staff or anyone else about the International Chi Institute, Staff Report #2018-6180 poses *hypothetical* arguments that a hypothetical business *might* make to squeak by under the most relaxed possible version of a youth center: “[f]or example, a martial arts studio could argue that it serves and/or caters to a majority of youth (50% or more of enrolled students for example), even though such information about enrollment is not publicly available, and should therefore be considered a sensitive use.”

Surely, City staff could make a principled determination that a facility that actually serves only a bare majority of youth is not “primarily used” for youth activities. But, if we don’t think it wise to entrust the decisionmakers under the Cannabis Ordinance with that type of discretion, perhaps a numerical cut-off (not crafted solely for the purpose of excluding the International Chi Institute), such as the “75% of those served are minors” would work.

Replacing the word “primarily” with the word “*exclusively*”, however, would strip protections from those for whom the Council clearly promised protection in the original Ordinance. If the purpose for buffer zones is to protect children, why should use by a handful of adults result in removing buffer zones from facilities that many, many *more* children?

Examples of “Primarily” in the Alameda Municipal Code

6-4.2 - Advertising Displays Adjacent to Landscaped Freeways. [“landscaped as defined herein, if the advertising display is designed to be viewed primarily by persons traveling on such landscaped section of freeway.”]; **3-90.14** - Transportation Improvements. [“systems, buses, vans and similar vehicles, ferry boats, hovercraft and other vessels primarily for the transportation of passengers, and all related appurtenances such as access”]; **6-39.1** - Definitions. [“department shall mean an area within a general retail merchandise store which is engaged primarily in the retail sale of packaged food, rather than food prepared for immediate consumption”] **3-70.35** - Boundaries of District; Inclusion of Lands Devoted to Agricultural, Timber or Livestock Uses. [“Land devoted primarily to agricultural, timber, or livestock uses and being used for the commercial production of agricultural, timber or livestock products may be included”]; **24-12.4** - No Smoking Buffer Zones and Designated Smoking Areas. [“Must be at least twenty (20’) feet from unenclosed areas primarily used by children and unenclosed areas with improvements that facilitate physical”]; **30-15.3** - Definitions. Work/Live [“residential accommodations occupying one (1) or more rooms or floors in a building primarily designed and used for industrial or commercial occupancy and providing”]; **6-56.2** - Definitions. Grocery Worker Retention [“fifteen thousand (15,000) square feet in size and that sells to the general public primarily groceries, vegetables, fruits, meats, poultry, fish, canned and cartoned goods, milk”]; **10-5.6** - Taxicab and Sight-Seeing Bus Stands. [“Such application must be accompanied by the written consent of the person primarily affected by reason of the fact that such vehicle shall stand in front of the premises”]; **5-16.4** - Notice of Hearing on Application [“newspaper of the City and cause a copy thereof to be

posted on the premises to be primarily affected by the granting of such permit. Such notice shall set forth the fact that”]; **5-16.3** - Procedure on Application [“or within the Police Department, the administrative function of whom are those primarily concerned with the granting or denying of such permit which latter official, hereinafter”]; **3-66.3** - Definitions. [“Facility” shall not include any facility, place or building used or to be used primarily for sectarian instruction or study or as a place for devotional activities or religious”]; **4-10.4** - Exterior Noise Standards [“above shall be reduced by five (5) dB(A) for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises.”]; **30-2** – [“including individuals practicing one of the fine arts or skilled in an applied art or craft primarily for the preparation, display, and sale of individually crafted large scale objects,”] **30-98.2** - Definitions. [“theaters, gymnasiums or other sports facilities, bookstores, buildings dedicated primarily to housing or administrative activities, and for-profit facilities used for for-profit”]; **30-4.7 - A-P**, Administrative—Professional District. [“Underground or above ground public utility facilities for primarily local service such as substations, gas regulators, manned or unmanned communications”]; **3-59.4** - Telecommunication Users Tax. [“rebuttable presumption that prepaid telecommunication services sold within the city are primarily used, in whole or in part, within the City and are therefore subject to taxation”]; **30-6.2** - Definitions. [“Awning shall mean a hood or cover which projects from a wall of a building, which is primarily intended to provide shade and shelter, and which is typically made of canvas or aluminum”]; **13-38.5** – [“shall include houseboat or ark but shall not include any vessel designed or used primarily for recreational purposes.”]; **4-10.5** - Prohibited Acts. [“signal from any stationary bell, chime, siren, whistle, or similar device, intended primarily for nonemergency purposes, from any place, for more than ten (10) seconds in any”]; **30-4.4 - R-4**, Neighborhood Residential District. [“administration offices, if found compatible, may be located to promote low density, primarily residential standards.”]; **30-4.10 - C-M**, Commercial- Manufacturing District. [“Underground or above ground public utility facilities for primarily local service such as substations, gas regulators, manned or unmanned communications”]; **30-4.9A - C-C**, Community Commercial Zone [“within a completely enclosed building and excluding businesses with sales devoted primarily to use vehicles”]; **30-10.2** - Personal Cultivation of Cannabis. [“kitchen, bathrooms, and primary bedrooms for their intended use and not be used primarily for personal Cannabis cultivation or processing.”]; **3-59.2** – Utility Users Tax [“representative of where the customer's use of the telecommunications or video service primarily occurs, which must be the residential street address or the primary business street”]; **20.1** Floodplain Management [“Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational”].

Thank you,

Cross Creason

From: Edward Sing <singtam168@att.net>
Sent: Monday, November 26, 2018 7:41 PM
To: Trish Spencer; Malia Vella; Marilyn Ezzy Ashcraft; Frank Matarrese; Jim Oddie; City Clerk
Subject: Pot Dispensaries near Youth Centers in Alameda

SUBJECT: ALL Alameda Children Deserve the same protections - Agenda Item 6 C, 11.27.18

Dear Mayor Spencer and Members of the Council:

I am a 22-year resident of Alameda and raised my 2 children here. I moved here because it is a family-friendly community with good schools, parks, and many businesses that offer diverse cultural and recreational choices.

I was glad to see last December that the council listened to the PTA Council and the School Board and chose to provide safety zones around schools, youth centers, and child care centers where children and youth congregate.

Now I am very disappointed to see that you are willing to weaken the law and carve out places that provide recreational and cultural activities for youth – for no reason except to allow a dispensary next door to a martial arts school. This is outrageous.

Please stay with the ***original intent and definition*** of youth center and protect all our children.

Work with the entire community – especially those who work most closely with youth -- to identify appropriate locations for pot dispensaries.

Thank you for giving me an opportunity to express my concerns. I hope you will do the right thing for our community.

Edward Sing

LARA WEISIGER

From: simonfill@aol.com
Sent: Monday, November 26, 2018 6:49 PM
To: Trish Spencer; Malia Vella; Marilyn Ezzy Ashcraft; Frank Matarrese; Jim Oddie; City Clerk
Cc: mmujicafill@gmail.com; simonfill@aol.com; lau_joanna@hotmail.com
Subject: Please Stop Marijuana Dispensaries Within 1000 feet of any Martial Arts School

Dear Mayor, Vice-Mayor, City Council Members, and Clerk,

Please do not allow marijuana dispensaries within 1000 feet of any martial arts school in Alameda. Too many young children attend these schools.

We are specifically requesting that you do not allow a marijuana dispensary at the corner of Haight Street and Webster Street, near the International Chi Institute. There are many children at this wonderful martial arts school, including our elementary school son. Some of the children at the International Chi Institute are only five years old.

Please don't be people who place profit and city revenue above the well-being and safety of our children.

Sincerely,
Simon Fill and Marlene Mujica-Fill

LARA WEISIGER

From: 小狐 <7882783@qq.com>
Sent: Monday, November 26, 2018 1:57 PM
To: City Clerk
Subject: When is a Youth Center Not a Youth Center? When the City Wants to Allow a Pot Shop Next Door

Dear City Clerk,

I, Xiaoyan Higgins, a residence of Alameda am sending you this letter on behalf of the other parents to address our request for you to stop the city's move to choose (potential) profit over the well-being of their communities. We are organizing a petition drive against open Marijuana storefront in the neighborhood that is next door to a martial arts school (International Chi Institute) at the Corner of Webster and Haight Streets, now covered under the existing definition of "youth center", city staff is recommending that the definition be changed. Over 905 of the students enrolled in the school are under 18 and a toddler program is starting there as well. On the Haight side of the proposed dispensary is the Quba Mosque which is frequented by children as well. We are not against marijuana businesses from locating in Alameda, but we want the same protections for their children that are being provided to the more "mainstream" youth facilities.

The proposed changes would eliminate buffer zone protections for all martial art schools. the dance schools, the Aqua Tech Swim school, the sailing and the fencing clubs-locations where children and youth congregate and frequent-while maintaining protections for schools, childcare centers, and parks recreation centers.

The 1,000 foot buffer zone provision was adopted less than a year ago after the Alameda school board, PTA council, one of the major pediatric practices in the city, and the public health advocates urged the council to include protections for youth in the new law allowing for marijuana businesses in Alameda.

Please keep the current municipal code definition of Youth Center and we say NO to Proposed Definition-Staff Report. We care for a better environment for our next generation to grow up with.

We ask that this matter be given immediate attention. Your responsiveness to the city's concerns thus far in your term of office make us certain that you will give equal weight to our request.

Thank you for your prompt attention.

Sincerely
Xiaoyan Higgins

LARA WEISIGER

From: Nuala Creedon <ncreedon1@gmail.com>
Sent: Monday, November 26, 2018 2:54 PM
To: Trish Spencer; Malia Vella; Marilyn Ezzy Ashcraft; Frank Matarrese; Jim Oddie; City Clerk
Cc: Matt Anderson
Subject: Changes to Cannabis Buffer Zones/ Definition of Youth Centers

Dear Mayor and Council Members,

We are 20-year home-owners and residents of Alameda, and are raising our children here. We love Alameda because it is a small-town, family-friendly community with good schools, many parks, and is a great place to raise kids (as everyone told us when we were house hunting!).

We fully supported last December's decision by the Council to require a buffer of 1000 feet around schools and youth centers when considering the location of any proposed cannabis business. This was also supported by AUSD and Alameda PTAC, among others. We are extremely concerned that [the](#) City Council is now proposing to a) reduce the buffer to 600 feet, and b) redefine the meaning of youth centers.

As we understand it, the proposed definition of youth center would effectively strip most providers of sports, martial arts, dance and many other cultural or educational activities of any protection from having a cannabis-related business located next door. This seems counter to the family-friendly place we believe Alameda aspires to be. We encourage you to maintain the current definition of youth center, and to maintain the 1000-foot buffer.

Instead, we would like to see the Council and City staff and departments (including APD) work to educate Alameda's public on both their rights and their responsibilities around smoking cannabis and/or tobacco (such as the ability to report cannabis or tobacco smokers in public areas on the one hand; and places where people can or cannot smoke cannabis or tobacco on the other); and encourage enforcement of existing laws.

Thank you,

Nuala Creedon & Matt Anderson.

LARA WEISIGER

From: Michelle Wong <mwchang@yahoo.com>
Sent: Monday, November 26, 2018 1:22 PM
To: Trish Spencer; Malia.Vella@gmail.com; messyashcraft@alamedaca.gov; Frank Matarrese; Jim Oddie; City Clerk
Subject: No Marijuana Store next to International Chi Institute

Dear Mayor Spencer and Members of the Council:

I have been living in Alameda since 1996. I love this city. I have a twelve years old son and eleven years old daughter attend the International Chi Institute to learn Kung Fu since they were seven and six years old. They loved the place. I was shock when I learned that there might be a marijuana store open next door. I do not believe that there should be a store selling marijuana right next door to the Institute. Many children attend Kung Fu and after school there. The institute is a youth center. The International Chi Institute is a good place for kids to go to. So kids won't just stay home watch TV and play games. They can strength their body and social with other kids. Please don't let any marijuana store ruins the kids dream place. Thank you!

Michelle Wong

LARA WEISIGER

From: nicole@nicolekidd.com
Sent: Monday, November 26, 2018 8:48 AM
To: City Clerk
Subject: Youth Center is a youth center is a youth center - Please safeguard the long-term health of Alameda's youth against short-term business gains

Good morning:

I am a 30+-year resident of Alameda and have a teen at Alameda High, plus we are surrounded by neighbors who all sent their kids to Lincoln Middle and AHS.

I followed my husband from SoCal to Alameda in 1992 because he felt great loyalty and love for Alameda's family-friendly community with good schools, parks, and many family-, and youth- focused businesses that also offer diverse cultural and recreational choices.

Moreover, today, we pro-actively support school activities as well as other youth-centered organizations, such as Boys & Girls Club and Girls Inc., as well as soccer related clubs.

Last December, the city council chose to protect children with the buffer zones, limiting the number of dispensaries.

I'm really disappointed to witness what feels like a bait-and-switch, but more importantly, a willingness to weaken the law for short-term monetary gains that only serve a few (adults), but forebode potentially negative health impact esp. on young brains ([neuroscience documented](#)); as these dispensaries are seeking to locate NEAR youth-frequented hubs.

I URGE YOU to stay with the original definition of youth center and protect all our children.

Do not COMPROMISE youth-focused services and businesses that enrich our community solely to accommodate a short-term gain to city coffers.

- There are other ways of creating a new "tax base" – I hope there is a firm calculus of how much money the city can make, but what will it cost us in public health dollars down the road. I am so tired of quick buck thinking in the here and now without consideration of future impact suffered by many.

I fear we have not seen the last of what negative health impact pot availability delivers esp. on young brains. In 12 years, when we see the first longitudinal studies, we will see an uptick in **respiratory** issues (e.g, COPD); and never mind, stunted dreams.

It will cost us, quite literally, down the road. [#publichealth](#) [#lostproductivity](#)

Btw, did you listen to the interview with the father and son duo who wrote memoirs about the son's self-destructive journey with drugs (started w/ daily pot consumption at 12 & quickly graduated to synthetics), called "BEAUTIFUL BOY." I listened up when the boy shared that he started with pot at 12....

Here is interview on NPRFreshAir.

- [Father And Son Behind 'Beautiful Boy' Share Their Story Of ... – NPR <https://www.npr.org/.../father-and-son-behind-beautiful-boy-share-their-story-of-addicti...>](https://www.npr.org/.../father-and-son-behind-beautiful-boy-share-their-story-of-addicti...) Oct 19, 2018 - This is *FRESH AIR*. I'm Dave Davies in for *Terry Gross*. The new film "*Beautiful Boy*" stars Steve Carell as a father struggling with his son's drug ...

THANK YOU for listening and I hope you will make a decision that truly has the health of our youth in mind!
Nicole

◆ Nicole Kidd ◆

Analyst ◆ Trend Scout ◆ Moderator ◆
SocialMedia & Content MARCOM Strategist



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Twitter:

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[@BeyondVerbal](#) (Voice-driven EmotionAI & Vocal Biomarkers)

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Twitter:

[@NKInsights](#) (Health Econ/Renewables/EmotionAI/MRX)

[@BeyondVerbal](#) (Voice-driven EmotionAI & Vocal Biomarkers)

LARA WEISIGER

From: STEVEN JOSEPH <botsina1@sbcglobal.net>
Sent: Sunday, November 25, 2018 5:12 PM
To: TSpenser@alamedaca.gov; Malia Vella; MEzzyAshcroft@alamedaca.gov;
FMataresse@alamedaca.gov; JOddies@alamedaca.gov; City Clerk
Cc: Lau_Joanna@hotmail.com
Subject: Buffer Zones for MJ Dispensaries

Dear Council Members,

I am writing to urge you NOT to change the definition of Youth Center in your recent ordinance which created a buffer zone around places where kids congregate to exclude marijuana dispensaries from these zones.

Your initial decision was a wise one, I feel. Changing it is a really bad idea. I am thinking specifically of the plan to permit an MJ dispensary at the northeast corner of Haight and Webster, right next door to a Tai Chi center and to the Afghani mosque. Both the center and the mosque are places where many kids congregate. I live just down the block, and I see this all the time.

I do not believe you would allow a liquor store there. Also I simply don't believe you would so easily authorize a dispensary next door to a Christian church.

There are surely places in Alameda (maybe out by the old naval base?) where this concern would not arise.

Please vote this ordinance change down!

I am a 17 year resident who both lives and works as a physician / psychiatrist in Alameda.

Respectfully yours,

Steven M Joseph, MD
776 Haight Avenue, Alameda (home)
2416A Central Avenue (office)
510-525-4381

Steven Joseph

LARA WEISIGER

From: james allison <jaldive@me.com>
Sent: Sunday, November 25, 2018 10:01 AM
To: Trish Spencer; Malia Vella; Marilyn Ezzy Ashcraft; Frank Matarrese; Jim Oddie; City Clerk
Subject: No marijuana dispensary at Haight & Webster

We are writing to express our opposition to a proposed marijuana dispensary at the corner of Haight and Webster. Our daughter attends classes at International Chi Institute. No child should be exposed to such close proximity to marijuana dispensaries and their patrons. Surely there must be a more appropriate location for a dispensary in the City.

Webster Street needs to attract the types of family-oriented businesses that dominate Park Street. Consider the social justice implications of jamming a marijuana dispensary down the throat of residents of the lower income side of town while the East Side continues to gentrify.

Please do not change the ordinance that protects youth centers. Preserve the family-oriented businesses on Webster Street and consider the quality of life for West Side residents.

Respectfully,

James & Elizabeth Allison
430 Cola Ballena Boulevard
Alameda

LARA WEISIGER

From: Dren McDonald <dren@nerdtracks.com>
Sent: Sunday, November 25, 2018 12:29 AM
To: Trish Spencer
Cc: Malia Vella; Frank Matarrese; Jim Oddie; Marilyn Ezzy Ashcraft; City Clerk
Subject: Proposed Dispensary at Haight/Webster

Greetings Mayor and City Staff,

Today we received a flyer/letter about the proposed location of a legal marijuana dispensary at Haight and Webster and 'the danger' of it's location in proximity to the Chi Institute and the Mosque.

I'm glad I got the letter, as I won't be able to attend the City Council meeting this Tuesday, but I would like to chime in with our household's opinion, as this location is a mere block from our property, and we have children.

We believe that the surrounding liquor stores and bars pose a much larger problems to our kids than a marijuana dispensary would ever be (drunk drivers, public intoxication during school commute hours etc). From what I've seen of dispensaries in Oakland and SF, they are clean, well lit, safe, and professional looking. They look like a Starbucks location. But they also include private security, which would mostly like prevent children from entering the facility or 'riff-raff' from loitering.

A dispensary is not something that we are worried about, and if anything, maybe it would be a great way to jump start the businesses on the West End. I believe Alameda Natural Grocery is already selling Hemp CBD products, and I doubt that the people who are complaining about this are even aware of that.

These products can already be delivered within Alameda via online sales, so there are plenty of folks driving around town on a daily basis dropping it off to our island citizens. If the City were to chase out a dispensary due to some unwarranted paranoia, I think that this would send the wrong message to other forward thinking businesses. Alameda can be family friendly while also adopting a new attitude about dispensaries.

Thanks for your time, and your continued civic service!

dren mcdonald

LARA WEISIGER

From: Jeannie Regan D'Amato <jeannie.damato@gmail.com>
Sent: Saturday, November 24, 2018 7:32 PM
To: Trish Spencer; Malia Vella; Marilyn Ezzy Ashcraft; Frank Matarrese; Jim Oddie
Cc: City Clerk; Jeannie Regan D'Amato
Subject: Opposed to marijuana dispensary on the corner of Webster Street and Haight Avenue

Dear Mayor Trish Spencer, Vice Major Malia Vella, Councilmembers: Marilyn Ezzy Ashcraft, Frank Matarrese, Jim Oddie and City Clerk of Alameda

We are opposed to a marijuana dispensary in our residential neighborhood for the following reasons.

1. We reside as a family on the 700 block of Haight Avenue a half block from the corner of Webster Street and Haight Avenue. The proposed marijuana dispensary location is on Webster Street and Haight Avenue next door to a youth martial arts school/daycare center and only 2 blocks from Maya Lin Elementary School.
2. I implore all of you not to eliminate the following youth recreational establishments from your definition of a "youth center" (youth recreational and cultural establishments, martial arts schools and dance schools) to prevent marijuana dispensaries from exposing innocent children to marijuana sales and use.
3. There is no understanding of what is yet to come regarding the sale of recreational marijuana to date, but we do know it should not be near children focused establishments.

Thank you in advance for your time and prompt attention to this matter to protect innocent children attending school and prevent possible judicial problems in residential neighborhoods.

Sincerely,

Roberta Regan D'Amato
Antonino D'Amato
Jake D'Amato
Nico D'Amato
Gracie D'Amato

--

Jeannie D'Amato
website: www.homestomoveyou.com
If your email is time sensitive please call.

LARA WEISIGER

From: Kimberlee MacVicar <demodiva@yahoo.com>
Sent: Friday, November 16, 2018 9:39 AM
To: Trish Spencer; Malia Vella; Marilyn Ezzy Ashcraft; Frank Matarrese; Jim Oddie; City Clerk
Subject: Letter in opposition to marijuana store next door to martial arts school on Webster

Dear Mayor, Council and City Clerk,

I am writing in opposition to the proposed location of a marijuana store going in at the corner of Haight and Webster (a former bank), which is right next door to the kung fu studio, summer camp and afterschool location called International Chi Institute. There also is another martial arts studio across the street, and the Pinball Museum is a block over, which means even more children within the 600 feet radius of this proposed store.

My daughter attends International Chi Institute for twice weekly kung fu classes. She also attends day-long summer camps there. Several of her "kung fu friends" are there Monday through Friday for the institute's afterschool program. This program includes homework assistance, kung fu and Mandarin lessons from when school gets out until 6pm.

I share that background because there are easily dozens of children in the studio, at any given time, every day. Should the proposed plan be approved, this store will share a common wall with a place that should be seen as a "youth center." Is it possible to designate martial arts studios as "youth centers" as children are the predominate students and clients?

I'm not in opposition to a marijuana store being in Alameda, however, I write because I do not believe people involved in this proposed location are aware of what is possibly next door and who is there every day. How about one of the empty business fronts in the Marina Village Business Parkway instead?

Should this letter be placed in the public record for anyone to access, I ask that you kindly blackout my email address for privacy purposes. When I sent a letter before about another issue, I was nervous seeing my mailing address out in the public, unaware that was a possibility, which is why I am not writing my street address below my name. Thank you for understanding.

In appreciation,

Kimberlee MacVicar

LARA WEISIGER

From: Michele Gee <michelegee@att.net>
Sent: Monday, November 12, 2018 8:57 AM
To: Trish Spencer; malia_vella@gmail.com; Marilyn Ezzy Ashcraft;
fmatarresse@alamedaca.gov; Jim Oddie; City Clerk
Subject: Proposed marijuana business next to International Chi Institute

Dear Mayor's Office and Councilmembers,

I am a resident of Alameda and my son has attended the International Chi Institute for over five years. **I have been informed of plans to put a Marijuana Dispensary on Webster Street next door to the International Chi Institute and 125 feet away from the Pinball Museum and arcade. This is in strict violation of Alameda Municipal Code 30-10 that states a marijuana business must be at least 1000 ft. from a youth center.**

As defined in the Code 30-10, youth centers are defined as any public or private facility that is primarily used to host recreational or social activities for minors, including but not limited to private youth membership organizations or clubs, social service teenage club facilities, video arcades or similar amusement park facilities.

The international Chi Institute is a recreational facility whose primary audience, over 95%, are minors. Each week hundreds of youth, as young as 4 years old, come to the studio to take Kung Fu lessons, practice for performances and competitions, for afterschool programming, learn Chinese, attend summer camp and for social gatherings such as Halloween or Holiday party. Youth from around Alameda walk, bike and scooter to classes, hang out before and after classes and frequent nearby establishments. In addition, the studio is in the process of expanding programming to toddlers. In other words, the International Chi Institute is a YOUTH CENTER and establishment of a marijuana business would be a violation to the ordinance that regulates cannabis businesses.

I am concerned that the City Council has plans to discuss and possibly change the definition of youth centers on Nov. 27th in order to allow a marijuana dispensary next door. I have heard that the Code was already altered from 1000 feet to 600 feet to allow a Park St. marijuana business near Ruby's Tumbling. The definition of youth center and limitations to locations is NOT the problem. Finding a suitable location seems to be the issue and City Council efforts to create more spaces for the businesses. Alameda is a small island, but there are plenty of spaces like the former military base, away from schools, youth centers and homes in which they can be established.

I am proud to live in Alameda because it is a family friendly and youth friendly city. There is a reason regulations have been established to keep marijuana businesses away from schools, kids and youth centers. It saddens me to think that I would need to remind the city why this is so.

The City needs to recognize the International Chi Institute as the Youth Center that it is and not try to alter or change regulations of govern where cannibals businesses are located. Thank you for the opportunity to express my concern and the concern of other families and live in Alameda.

Sincerely,

Michele Gee