

Elisa Hamblin

From: Michael Crawford <michael@crawfordazlaw.com>
Sent: Thursday, October 21, 2021 3:05 PM
To: Elisa Hamblin
Cc: Mike Rankin; Ward6; Russlyn Wells; Steve Kozachik
Subject: [EXTERNAL]Marijuana Dispensary expansion of premises issue - Downtown Dispensary
Attachments: Imago Dei Lease.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Elisa,

I see the Downtown Dispensary has finally (10/12/21) filed a Marijuana Use Application – Zoning Compliance Review (“Application”). In their Application, they fail to identify the Imago Dei Middle School’s North Campus located at 440 N 6th Ave and 222B E 6th St., which is 100ft from their proposed expansion location. Imago Dei Middle School operates and teaches classes 100ft from the Downtown Dispensary. They have been doing so for years and continue to do so. (See attached Lease.) Cameron Taylor, the Head of School for Imago Dei, can confirm this.

As you know the law requires : **“The expansion of an existing medical marijuana dispensary shall be setback a minimum of 500 feet from a K-12 public, private, or charter school, measured in a straight and direct horizontal line from the closest exterior or applicable interior suite wall of the medical marijuana dispensary to the closest property line of a school.”** City of Tucson - UDC 4.9.9 (E)(1)(j).

Based on this, the Downtown Dispensary is prohibited from expand their current location and their Application should be denied as it would violate A.R.S. §36-2804(B)(1)(b)(ii), A.A.C. R9-17-321(A)(2) and the City of Tucson - UDC 4.9.9 (E)(1)(j). Moreover, as long as, Imago Dei is operating a middle school within 100 feet of the Downtown Dispensary they cannot legally expand at their current location.

I would appreciate being updated about the status of this Application.

Again, Karma is alive and well.

Thank you.

Michael J. Crawford
Attorney



34 W Franklin Street
Tucson AZ 85701
O 520.822.8644
C 520.548.5999
F 520.844.0352
www.crawfordazlaw.com

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From: Michael Crawford <michael@crawfordazlaw.com>
Sent: Thursday, August 5, 2021 2:24 PM
To: Elisa Hamblin <Elisa.Hamblin@tucsonaz.gov>
Cc: Mike Rankin <Mike.Rankin@tucsonaz.gov>; Ward6 <Ward6@tucsonaz.gov>; Russlyn Wells <Russlyn.Wells@tucsonaz.gov>
Subject: RE: Marijuana expansion of premises issue - Downtown Dispensary

Elisa,

I see that 221 E 6th Street has pulled construction permits (#T21CM05739 and T21CM05662 - Parcel: 117042710) on July 12th and 14th.

I have not seen where they have applied for a zoning compliance application marijuana dispensary approval to expand their Dual license marijuana dispensary. Have they done this?

As I told you before Imago Dei Middle School operates and teaches classes 100ft from the Downtown Dispensary. They have been doing so for years and continue to do so. (See attached Lease.)

Based on this, any attempt by the Downtown Dispensary to expand their current location should be denied as it would violate A.R.S. §36-2804(B)(1)(b)(ii), A.A.C. R9-17-321(A)(2) and the City of Tucson - UDC 4.9.9 (E)(1)(j). Moreover, as long as, Imago Dei is operating a middle school within 100 feet of the Downtown Dispensary they cannot legally expand at their current location.

Thank you.

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From: Michael Crawford
Sent: Monday, August 2, 2021 1:48 PM
To: Elisa Hamblin <Elisa.Hamblin@tucsonaz.gov>
Cc: Mike Rankin <Mike.Rankin@tucsonaz.gov>; Ward6 <Ward6@tucsonaz.gov>; Russlyn Wells <Russlyn.Wells@tucsonaz.gov>
Subject: RE: Marijuana expansion of premises issue - Downtown Dispensary

Thank you Elisa.

Michael J. Crawford
Attorney



34 W Franklin Street
Tucson AZ 85701
O 520.822.8644
C 520.548.5999
F 520.844.0352
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From: Elisa Hamblin <Elisa.Hamblin@tucsonaz.gov>
Sent: Monday, August 2, 2021 12:38 PM
To: Michael Crawford <michael@crawfordazlaw.com>
Cc: Mike Rankin <Mike.Rankin@tucsonaz.gov>; Ward6 <Ward6@tucsonaz.gov>; Russlyn Wells <Russlyn.Wells@tucsonaz.gov>
Subject: RE: Marijuana expansion of premises issue - Downtown Dispensary

Michael,
Thank you for reaching out. We are working on getting our records updated on these permits, at least from the last few years. I'm not sure about anything prior to 2018 as that was before my tenure with the City. I will direct our staff to determine if we need to make corrections in our records or mapping.

Best,

Elisa Hamblin, AICP
Site Review Section Manager
elisa.hamblin@tucsonaz.gov

From: Michael Crawford <michael@crawfordazlaw.com>
Sent: Wednesday, July 14, 2021 11:48 AM
To: Elisa Hamblin <Elisa.Hamblin@tucsonaz.gov>
Cc: Mike Rankin <Mike.Rankin@tucsonaz.gov>; Ward6 <Ward6@tucsonaz.gov>; Russlyn Wells <Russlyn.Wells@tucsonaz.gov>
Subject: [EXTERNAL]RE: Marijuana expansion of premises issue - Downtown Dispensary

Hi Elisa,

Hey, I was checking out map you sent me (thanks again!) and it looks like an application for a dispensary was submitted for 5851 E Speedway. It says Plan CK. What does that mean? I can't find application online. Is it online somewhere?

Also, the map does not show all MMJ applications. For example, it doesn't show our speedway store at 4220 E speedway from 2017 but does show the Downtown Dispensaries App from 2015? Is there a reason for this?

Thank you.

Michael J. Crawford
Attorney



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Tucson AZ 85701
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C 520.548.5999
F 520.844.0352
www.crawfordazlaw.com

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From: Elisa Hamblin <Elisa.Hamblin@tucsonaz.gov>
Sent: Thursday, June 17, 2021 5:05 PM
To: Michael Crawford <michael@crawfordazlaw.com>
Cc: Mike Rankin <Mike.Rankin@tucsonaz.gov>; Ward6 <Ward6@tucsonaz.gov>; Russlyn Wells

<Russlyn.Wells@tucsonaz.gov>

Subject: RE: Marijuana expansion of premises issue - Downtown Dispensary

Michael,

I have not seen any new applications for the Downtown Dispensary location at 221 E 6th St. Likewise, I have not seen any new application for Desert Bloom location at 8060 E 22nd St.

If they sent in general inquiries, we might have told them what their issues might be. I really only track formal applications.

You may view all Marijuana Use permits on our online mapping system by following these instructions:

1. Visit <https://maps2.tucsonaz.gov/Html5Viewer/?viewer=maptucson>
2. On the left hand menu, select "Layers"
3. In the Layers, select "Permits, Licenses & Code"
4. Select "Special Approvals"
5. Select "Medical Marijuana"
6. Select "Medical Marijuana Permits"

You can then zoom to any property you have questions on and view the status of their permits.

Hope this helps,

Elisa Hamblin, AICP
Site Review Section Manager
elisa.hamblin@tucsonaz.gov

From: Michael Crawford <michael@crawfordazlaw.com>

Sent: Monday, June 14, 2021 4:37 PM

To: Elisa Hamblin <Elisa.Hamblin@tucsonaz.gov>

Cc: Mike Rankin <Mike.Rankin@tucsonaz.gov>; Ward6 <Ward6@tucsonaz.gov>; Russlyn Wells <Russlyn.Wells@tucsonaz.gov>

Subject: [EXTERNAL]RE: Marijuana expansion of premises issue - Downtown Dispensary

Hi Elisa,

Just wondering if they Downtown Dispensary has requested an expansion yet?

I heard Desert Bloom was denied on their expansion request because of a school issue, is that right?

Thank you.

Michael J. Crawford

Attorney



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From: Elisa Hamblin <Elisa.Hamblin@tucsonaz.gov>

Sent: Wednesday, April 7, 2021 4:37 PM

To: Michael Crawford <michael@crawfordazlaw.com>

Cc: Mike Rankin <Mike.Rankin@tucsonaz.gov>; Ward6 <Ward6@tucsonaz.gov>; Russlyn Wells <Russlyn.Wells@tucsonaz.gov>

Subject: RE: Marijuana expansion of premises issue - Downtown Dispensary

Michael,

Thank you for your email. I handle the reviews for all zoning compliance requests on expansions or approvals for facilities. I have not seen anything in for Downtown Dispensary.

Best,

Elisa Hamblin, AICP

Site Review Section Manager

elisa.hamblin@tucsonaz.gov

From: Michael Crawford <michael@crawfordazlaw.com>

Sent: Wednesday, April 7, 2021 3:56 PM

To: Elisa Hamblin <Elisa.Hamblin@tucsonaz.gov>

Cc: Mike Rankin <Mike.Rankin@tucsonaz.gov>; Ward6 <Ward6@tucsonaz.gov>

Subject: [EXTERNAL] Marijuana expansion of premises issue - Downtown Dispensary

Elisa,

I just want to put the city on notice, that it is my understanding the Downtown Dispensary is planning on trying to expand their current location. However, there is a private middle school that teaches classes within 100 feet of their current and proposed expansion location.

Imago Dei Middle School owns and operates Santa Theresa Tile Works, located at 440 N. 6th Street, Tucson AZ 85705. In addition to operating the business, Imago Dei has been teaching classes to middle schoolers at that location for years and is still doing so. Cameron Taylor, the Head of School for Imago Dei, can confirm this.

Based on this, any attempt by the Downtown Dispensary to expand their current location should be denied as it would violate A.R.S. §36-2804(B)(1)(b)(ii), A.A.C. R9-17-321(A)(2) and City of Tucson - UDC 4.9.9 (E)(1)(j). Moreover, as long as Imago Dei is operating a middle school within 100 feet of the Downtown Dispensary they can not legally expand at their current location.

Anyway, wanted to give you a heads up in case the Downtown Dispensary applies for an expansion of its premises and fails to apprise you of the Imago Dei's School being within 500ft of their location.

Karma is alive and well.

Michael J. Crawford

Attorney



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