

Brunswick City Planning Commission

October 1, 2020 - Caucus

6:30 p.m. – Video teleconference

Joe Shirilla, Chairman
Jeff Arona, Vice Chairman
John Rocha, Recording Secretary
Abbas Hasan, Member
Brad Saeger, Member
Brian Ousley, Council Representative
Matt Jones, Consulting City Engineer
Pamela Plavecski, Planning & Zoning Coordinator
Santo Incorvaia, Assistant Law Director
Grant Aungst, Community & Economic Dev. Director
Sherry Lightner, Purple Haze Smoke Shop, 36714 Neff
Road, Grafton

Chairman Joe Shirilla called the meeting to order at 6:36 p.m.

The first and only item on the agenda was a public hearing for Purple Haze Smoke Shop conditional zoning certificate, 1313 Pearl Road. Ms. Sherry Lightner was present.

Mr. Aungst inquired if there is a lease agreement in place between the property owner and Purple Haze. Mr. Arona asked if a statement has been received from the other tenants in the plaza; Ms. Plavecski responded no.

Mr. Shirilla adjourned the caucus meeting at 6:40 p.m.

Respectfully,

Pamela Plavecski

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Item 1

Chairman Joe Shirilla called the meeting to order at 6:41 p.m.

Ms. Plavecski called the roll: 5 present 0 absent.

Item 2

There were no announcements or correspondence.

Item 3

MR. ARONA MOTIONED TO APPROVE THE MINUTES OF SEPTEMBER 17, 2020.

Mr. Saeger seconded the motion. The vote was 4 Ayes 0 Nays 1 Abstain (Mr. Hasan).

Item 4(a)

Regarding the public hearing for the Purple Haze Smoke Shop conditional zoning certificate, 1313 Pearl Road, Ms. Sherry Lightner was present.

As a requirement of Section 1274.07(a) and (b) of the conditional zoning certificate, Mr. Shirilla questioned if the smoke shop would be compatible with the surrounding businesses in the community; Ms. Lightner responded they would be compatible with all types of businesses. She stated there are two restaurants near there, and the Ohio Pie clientele in the plaza is similar to theirs.

Mr. Shirilla asked what other businesses are in the plaza; Mr. Aungst replied Donut Land, B & B Trophy, Ohio Pie, and two vacant tenant spaces. Mr. Arona inquired if the other tenants in the plaza were notified of Purple Haze moving in; Ms. Plavecski explained the Zoning Code requires the owner of the property to be notified; not the individual tenants. Mr. Aungst commented he spoke with the other tenants in the plaza; they were not in favor of the smoke shop, but they didn't wish to state that in writing.

Mr. Arona inquired what percentage of smoking supplies is carried in the store; Ms. Lightner answered approximately 50% is smoking supplies and 50% is clothing and home décor items. Mr. Arona stated the smoking supplies should not be visible from the store display windows, similar to what the Commission requested for the Kings of Vapor. Ms. Lightner noted they keep the smoking items in the back of the store. She also commented that customers must be at least 21 years old and show proper identification. Mr. Shirilla asked if that should be a requirement on the conditional zoning certificate; Mr. Saeger responded no. Mr. Aungst explained that is the law; therefore, it isn't necessary to be stated on the conditional zoning certificate.

Mr. Saeger questioned if there are six parking spaces in front of Purple Haze, including one van-accessible handicap space. Mr. Aungst commented it's the responsibility of the landlord to stripe the parking lot, including the handicap spaces. Mr. Incorvaia suggested Ms. Lightner could include it in the lease that the parking lot should be striped and have the appropriate handicap parking. Ms. Plavecski commented that Section 1276.10(k) requires the parking lot to be striped and include handicap parking.

Mr. Ousley asked if there are other Purple Haze locations; Ms. Lightner answered there is one in Elyria and Sandusky. Mr. Ousley questioned if there have been any issues; Ms. Lightner replied their products are for tobacco use only.

Mr. Shirilla inquired if any CBD products are sold at Purple Haze; Ms. Lightner responded they have a small amount. Mr. Aungst asked if Ms. Lightner is a part-owner of Purple Haze; she answered no, she is the general manager.

Mr. Shirilla declared the public hearing open; no one appeared, so he declared it closed.

Mr. Shirilla stated he would like two conditions added to the conditional zoning certificate:

1. No tobacco products shall be visible from the front display window of the Purple Haze tenant space.
2. Prior to a certificate of occupancy being issued, the parking lot shall be striped, pursuant to Section 1276.10(k) of the Zoning Code, including handicap parking. In accordance with Table 1276-1(d)(3), a minimum of 6 spaces shall be provided in front of the Purple Haze tenant space and one handicap van-accessible parking space near the entrance, as required by Sections 1106.5 and 1106.6 of the 2017 Ohio Building Code.

MR. SAEGER MOTIONED TO APPROVE THE PURPLE HAZE CONDITIONAL ZONING CERTIFICATE, 1313 PEARL ROAD, SUBJECT TO THE FOLLOWING:

1. NO TOBACCO PRODUCTS SHALL BE VISIBLE FROM THE FRONT DISPLAY WINDOW OF THE PURPLE HAZE TENANT SPACE.
2. PRIOR TO A CERTIFICATE OF OCCUPANCY BEING ISSUED, THE PARKING LOT SHALL BE STRIPED, PURSUANT TO SECTION 1276.10(k) OF THE ZONING CODE, INCLUDING HANDICAP PARKING. IN ACCORDANCE WITH TABLE 1276-1(d)(3), A MINIMUM OF 6 SPACES SHALL BE PROVIDED IN FRONT OF THE PURPLE HAZE TENANT SPACE AND ONE HANDICAP VAN-ACCESSIBLE PARKING SPACE NEAR THE ENTRANCE, AS REQUIRED BY SECTIONS 1106.5 AND 1106.6 OF THE 2017 OHIO BUILDING CODE.
3. THE APPLICANT SHALL ADHERE TO ALL REQUIREMENTS OF THE CONDITIONAL ZONING CERTIFICATE.

Mr. Hasan seconded the motion.

Mr. Rocha stated the owner of the plaza is in the process of getting the parking lot striped.

The vote was 5 Ayes 0 Nays.

Item 5

There was no old business.

Item 6

New business was presented to discuss suggestions for ways to shorten the length of Planning Commission meetings, due to the three prior meetings lasting four and five hours long. Mr. Aungst had prepared a list of twelve options which the Commission reviewed; further follow-up will take place at a future meeting.

Item 7

No one appeared at the public comment period.

Item 8

Mr. Ousley gave the Council Representative's Report. He stated the first reading for the Oak Ridge Preserve SPD-7 was held on Monday, September 28, 2020. He explained

he voted against the proposal, as he feels more city service personnel are needed to take care of the new development, such as snow plowing, maintaining the streets, etc. Mr. Arona commented that Mr. Aungst does a good job of promoting sustainable growth.

MR. ROCHA MOTIONED TO ADJOURN THE MEETING.

Mr. Hasan seconded the motion. The vote was 5 Ayes 0 Nays.

The meeting was adjourned at 8:27 p.m.

Respectfully,

Pamela Plavecski

PLANNING COMMISSION STAFF REPORT

October 1, 2020

Purple Haze Smoke Shop

(Public hearing – conditional zoning certificate)

Location: 1313 Pearl Road (Donut Land Plaza)
C-G District

Proposed Use & Background:

A conditional zoning certificate application has been submitted by the applicant to operate a smoke shop retail business. This will include selling of pipes, vaporizers, posters, clothing, candles, incense, and home décor items. Hours of operation will be from 10:00 a.m. to 10:00 p.m. Monday through Saturday, and 12:00 p.m. (noon) to 8:00 p.m. on Sunday. The shop will be closed on major holidays. Three to five employees are anticipated at this establishment.

Smoke shops are a conditionally permitted use in the C-G General Commercial District, pursuant to Section 1260.04(v) of the Zoning Code.

Staff Review Comments:

3. Ensure there is adequate parking for the tenant space in the plaza; Table 1276-1(d)(3) requires a minimum of 4 spaces per 1,000 sq. ft. of net floor area, with a minimum of 6 spaces. Also, verify there is one handicap van-accessible parking space near the entrance, as required by Sections 1106.5 and 1106.6 of the 2017 Ohio Building Code.

Staff Recommendations:

Staff withholds recommendation.