

BRUNSWICK CITY PLANNING COMMISSION

March 20, 2025 - Caucus

6:41 p.m.

Attendance:

Joe Shirilla, Chairman
Brad Saeger, Vice-Chairman
Abbas Hasan, Member
Jeff Arona, Member
John Rocha, Secretary
Joe Delsanter, Council Representative
Jenny Zoldak, City Engineer
Jennie Lods, Planning and Zoning Coordinator
Santo Incorvaia, Assistant Law Director - WebEx
Grant Aungst, Community and Economic Development Director
Chuck Andrews, 35110 Euclid Ave.
Urban Corwacchiore, 35110 Euclid Ave.
Greg Seifert, 3390 Verner Road
Taras Firmamn, 17117 Hunting Meadows Drive
Dusty Keeney, WebEx
Ryan Tebeau, WebEx
Denise Faltys, WebEx
Dave Baylis, WebEx

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

The first item was **Ordinance Nos. 13-2025 and 14-2025 – adult use marijuana cultivators, retail dispensaries and processors**

(Public hearing – text amendments)

Location: Brunswick, Ohio

Madam Secretary addressed the Planning Commission and stated that these text amendments are before Planning this evening because with it being a zoning change, it needs a public hearing. It has already had a 1st reading with Council on February 10th.

The second item was **Nova Electric**

(Public hearing – conditional zoning certificate and detailed site plan)

Location: 2844 Westway Drive, Brunswick, Ohio

I-L District

Madam Secretary addressed the Planning Commission and stated that a notation will need to be added regarding the minimum 5 percent of the front yard regarding landscaping. Also, regarding the photometrics, the footcandle will need to be brought down to code. Mr. Arona said they have to reduce the photometrics.

BRUNSWICK CITY PLANNING COMMISSION

March 20, 2025

7:03 p.m.

Attendance:

Joe Shirilla, Chairman
Brad Saeger, Vice-Chairman
Abbas Hasan, Member
Jeff Arona, Member
John Rocha, Secretary
Joe Delsanter, Council Representative
Jenny Zoldak, City Engineer
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Dusty Keeney, WebEx
Ryan Tebeau, WebEx
Denise Faltys, WebEx
Dave Baylis, WebEx

Item 1

Chairman Shirilla called the meeting to order at 7:03 p.m.

Miss Lods called the roll: 5 Present, 0 Absent

Item 2

Announcements or Correspondence. There were none.

Item 3

Approval of March 6, 2025 minutes.

MR. ROCHA MOTIONED TO APPROVE THE MINUTES FROM MARCH 6, 2025.

Mr. seconded.

4 Ayes, 1 Abstain (Jeff Arona)

Staff Review Comments:

There are no staff review comments.

Staff Recommendations:

Staff recommends approval to City Council of Ordinance Nos. 13-2025 and No. 14-2025.

There were no further discussions from the Commission.

VICE-CHAIRMAN SAEGER MADE A MOTION TO RECOMMEND APPROVAL TO CITY COUNCIL OF ORDINANCE NO. 13-2025 FOR ADULT USE MARIJUANA CULTIVATORS, BRUNSWICK, OHIO. AND NO 14-2025, BRUNSWICK, OHIO.

Mr. Arona seconded.

4 Ayes, 1 Nays

VICE-CHAIRMAN SAEGER MADE A MOTION TO RECOMMEND APPROVAL TO CITY COUNCIL OF ORDINANCE NO. 14-2025 FOR RETAIL DISPENSARIES AND PROCESSORS, BRUNSWICK, OHIO.

Mr. Hasan seconded.

5 Ayes, 0 Nays

Item 4 (b)

Nova Electric

(Public hearing – conditional zoning certificate and detailed site plan)

Location: 2844 Westway Drive, Brunswick, Ohio

I-L District

Regarding the conditional zoning certificate and detailed site plan, Greg Seifert of 3390 Verner Road in Kent, Ohio was present. Regarding all the staff review comments, they have no issues complying with all of these. Chairman Shirilla asked if the 3.8 footcandles were needed? Mr. Seifert said no, they will bring those down to comply.

No further discussions from Commission.

Public Hearing was opened at 7:36 p.m.

Mr. Aungst wanted to welcome Nova Electric and said we are looking forward to them filling up the extra tenant spaces. We would like to thank the architect for listening to administration and complying with all the comments.

CONDITIONAL ZONING CERTIFICATE. THE SITE PLAN IS SUBJECT TO
ENGINEERING APPROVAL.

Mr. Rocha seconded.

5 Ayes, 0 Nays

Item 4 (c)

Chipotle restaurant

(Discussion plan)

Location: 1729 Pearl Road, Laurel Square Shopping Center, Brunswick, Ohio
C-G District

Regarding the discussion plan, Chuck Andrews of 35110 Euclid Ave., was present. Mr. Arona would like the applicant to discuss how this will enhance the Laurel Square Plaza. Mr. Andrews said the reason the site plan was revised was because the engineer who is present via WebEx and the architect who has built several Chipotle's, whom is also present via WebEx, had already addressed all hurdles prior to coming in. They received the staff notes and made the appropriate adjustments on the site plan. As far as the whole shopping center, this is now a separate parcel but as a site in whole, there currently is a McDonald's and lots of new activity in the center like Family Farm and Home coming soon. This center, over the past 30 years is blossoming into a new center and creating a new level of retail tenants.

Mr. Aungst said administration is in full support of this project and the owner is adding more greenspace within the plaza. Chairman Shirilla said the difference between the two plans is primarily the front yard setback. Is there anything else Mr. Andrews can point out? Mr. Andrews said they added language regarding landscaping. They adjusted the angle of the parking spots and now meet code. Small changes have been made while working with administration to follow code. Chairman Shirilla wanted to look at a few things on the exterior. The detailed site plan will have to show more detailed items such as how many outdoor tables there will be and any exterior lighting they may have. Madam Secretary mentioned they are on the agenda for Board of Zoning Appeals for the sign package that needs some variances. Chairman Shirilla mentioned adding a bike rack on the outside of the building. He also mentioned screening all the HVAC on the detailed site plan. Mr. Arona wanted the architect to have a conversation with the Planning Commission in regards to the different Chipotles having some various differences in the design and prototypes. Mr. Andrews said they are not providing different foot-prints, they are only providing the one that was agreed upon. Denise Faltys with Red Architecture was present via WebEx and explained that they have been using one prototype but we may see different ones online because of certain modifications that are needed to comply with different cities. Chairman Shirilla said we as a Commission have been very consistent within the city with the different chains and our question was that when the detailed site plan comes back, we ask that they

Commission can approve a less restrictive improvement with at least 3 votes from the Planning Commission. Chairman Shirilla asked the applicant to take into consideration what was discussed so they can make any necessary alternatives to meet code at the next meeting.

Ms. Zoldak wants to see the east and south parking that is not on the parcel addressed on the detailed site plan.

Staff Review Comments:

1. The building has been moved forward and now complies with the maximum 75' front yard setback permitted by section 1260.05(a)(2)(A).
2. A combination of 90° angle and 60° angle parking spaces are used, including two van-accessible handicap spaces that comply with Table 1106.2 and Section 1106.6 of the 2024 Ohio Building Code. The 90° spaces meet the minimum 9' width by 19' length required by Table 1276-3; however, there are several 60° angle parking spaces along the west and north property lines that do not comply with the minimum 21' length required by the above Table. The aisle width on the west side of the building measures 24', in accordance with the above Table; however, the aisle width on the north side measures 14', which does not meet the minimum 18' required. **THE PARKING SPACE DIMENSIONS NOW COMPLY WITH THE ABOVE TABLE.**
3. A dumpster enclosure is shown adjacent to the east (rear) property line; Section 1260.05(c) requires a minimum 25' setback, as this is considered a structure, as defined in Section 1242.02(81). The dumpster enclosure will be constructed with 8" x 16" concrete masonry units (CMU) to match the building, in accordance with Section 1276.12(a). **THE APPLICANT WILL LOOK AT OPTIONS TO BRING BACK TO THE DETAILED.**
4. A drive-thru lane is indicated on the north side of the restaurant; confirm there is a minimum 130' of stacking room, pursuant to Section 1276.10(j). **THIS HAS BEEN CONFIRMED.**
5. The detailed site plan shall include a landscape plan indicating a minimum 1,240 sq. ft. of interior landscaping will be provided, if Section 1260.07(e)(3) will be applied toward a front yard setback modification; or 620 sq. ft., pursuant to Section 1282.08(b), if either Section 1260.07(e)(1) or (2) will be implemented, whereby a minimum of three trees from Plant List "A" and 24 shrubs from Plant Lists "D" or "E" shall be installed. **THE APPLICANT WILL COMPLY.**
6. Pursuant to Section 1282.06(g), the detailed site plan landscape plan shall indicate a minimum 10' wide parking perimeter screening strip along the Pearl Road right-of-way. **THE APPLICANT HAS COMPLIED.**

FOR THE LOCATION OF THE DUMPSTER. MR. INCORVAIA STATED THAT EVERYTHING SOUNDS FINE BUT REGARDING THE MODIFICATION ON NUMBER 7, HE WOULD LIKE TO ADD THAT IT IS SECTION 1282.01. ENGINEERING HAS REQUESTED TO SEE PARKING OUTSIDE OF THE SITE ON THE DETAILED SITE PLAN.

Vice-Chairman Saeger seconded.

5 Ayes, 0 Nays

Item 5

Old Business – Planning Commission has to make a motion to approve Doug Harsany and Dave Bayliss as the independent consultant for Provision Living/The Villas on Pearl Road SPD-5. Mr. Harsany whom was present via WebEx, said he is happy to take on being the consultant if the Planning Commission approves him. Chairman Shirilla asked if he has looked at any of the notes from previous meeting. Mr. Harsany said he is not in a position to answer any questions at this time.

VICE-CHAIRMAN SAEGER MADE A MOTION TO APPROVE MR. HARSANY AS A THIRD-PARTY CONSULTANT FOR PROVISION LIVING/THE VILLAS ON PEARL ROAD SPD-5.

Mr. Rocha seconded.

5 Ayes, 0 Nays.

Mr. Harsany will report to administration, Planning Commission and Council and anything he produces becomes a public document per Mr. Aungst. Mr. Incorvaia read the Code pertaining to this. This will be at the cost of the applicant.

This is not part of the motion but Mr. Hasan wanted Mr. Harsany to think about one main question that came up during the last meeting and that was how does he think this qualifies as being zoned an SPD?

Item 6

New business – Detailed site plan for Reline and a discussion plan for Westway Small Business Park Campus.

Item 7

Public Comment Period – None

Item 8

Council Representative's Report – No report.

PLANNING COMMISSION STAFF REPORT

March 20, 2025

Ordinance Nos. 13-2025 and 14-2025– adult use marijuana cultivators, retail dispensaries and processors

(Public hearing – text amendments)

Proposed Use & Background:

Ordinance No. 13-2025 and No.14-2025 are proposed to amend Section 1280.01(h) and Section 1266.04(g), respectively, of the City of Brunswick Codified Ordinances.

Ordinance No. 13-2025 has been drafted revising Section 1280.01(h) of the Zoning Code by prohibiting adult use marijuana cultivators and retail dispensaries in the city. Ohio Revised Code Section 3780.25(A) permits the legislative authority of a municipal corporation to adopt an ordinance to prohibit or limit the number of adult use cannabis operators licensed under Ohio Revised Code Chapter 3780 within a municipal corporation.

Section 1280.01(h) of the Codified Ordinances is hereby amended to read as follows:

“(h) Prohibited Uses. No use shall be permitted or authorized to be established which, when conducted in compliance with the provisions of this Zoning Code and any additional conditions or requirements prescribed, is or may become hazardous, noxious or offensive due to the emission of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matters or water-carried waste. Trailers, basement homes, tents and other temporary living quarters shall be prohibited. Additionally, medical and adult use marijuana cultivators and retail dispensaries, as licensed under Ohio Revised Code Chapters 3796 and 3780, respectively, are prohibited in all Zoning Districts and Special Planning Districts of the City.”

Ordinance No. 14-2025 is proposed to allow medical and adult use marijuana processors as a conditionally permitted use in the I-L Light Industrial District.

Section 1266.04(g) is hereby amended to read as follows:

“(g) Medical and adult use marijuana processors, as licensed under Ohio Revised Code Chapter 3796 and Chapter 3780, respectively.”

City Council held their first reading for the above legislation on February 10, 2025.

Staff Recommendations:

Staff recommends approval to City Council of Ordinance Nos. 13-2025 and No.14-2025.

7. Fire hydrants are indicated near the center of the building on the west and east sides of the structure, along with one hydrant in the rear (Sheet C102), as requested by the Fire Department.
8. Concerning wetlands on the property, an up-to-date site walk-through from an environmentalist will be performed as soon as there are suitable weather conditions. The report will be submitted to the city upon completion.

Staff Review Comments:

1. A landscape plan has been submitted; however, a notation should be added that a minimum 5% of the total front yard area shall be screened with trees, shrubs, planting beds, and/or perennial borders and beds in a design selected by the owner, pursuant to Section 1282.06(f).
2. A photometrics plan has been submitted indicating a minimum 0.6 footcandle lighting level for parking and pedestrian areas required by Section 1276.14(a); however, the average illumination level of the driveways is 3.8 footcandles, which exceeds the maximum 2.4 footcandles permitted by Section 1276.14(c).
3. All requirements shall be adhered to on the conditional zoning certificate.
4. Final site plan approval is subject to engineering approval.
5. Necessary permits and inspections shall be obtained from the Division of Building.

Staff Recommendations:

Staff recommends approval of the conditional zoning certificate and detailed site plan, provided the above items are addressed.

Chipotle restaurant
(Discussion plan)

Location: 1729 Pearl Road, Laurel Square Shopping Center
C-G District

Proposed Use & Background:

An application has been submitted to construct a 2,325 sq. ft. restaurant in the Laurel Square Shopping Center on the site of the former proposed Zeppe's restaurant. The 0.7584-acre parcel has been split from the Laurel Square Shopping Center and designated with a new parcel number of 003-18D-13-051. The building is located 82' from the Pearl Road right-of-way, which exceeds the maximum 75' permitted by Section 1260.05(a)(2)(A) of the Zoning Code. Minimum side yard setbacks are inapplicable, as the building is located adjacent to commercial districts on both the west and east sides. The rear setback is 64', in compliance with the minimum 25' required by Section 1260.05(c). The structure will have a maximum

- (1) That the objectives of the Pearl and Center Road Corridor Plan adopted by Ordinance 86-04 will be met, including the vision, goals and preferred characteristics in Chapter 3; and
- (2) That the negative effects of greater building yards, including, without limitation, the impairment of pedestrian activity and streetscapes visually defined by a "sea of asphalt" will be outweighed by required landscaping and other required site amenities as provided below in Section 1260.07(e).

Pursuant to Section 1260.07(e), where the Planning Commission approves a front yard or front yard parking width exceeding the maximum, the Commission shall, as part of its findings, require one or more of the following improvements to lessen the negative effect of larger front yards:

- (1) Pedestrian amenities to create a physical and design linkage with the street, including, without limitation, plazas, benches, bike racks and landscaped or covered walkways.
 - (2) Structural elements such as walls or decorative metal fencing used to satisfy the purpose and intent of the maximum yard requirement. Such walls or fencing shall be a minimum height of 4 feet, constructed of materials similar to or harmonious with the street facades of near-by buildings, and shall have openings no wider than necessary for vehicles or pedestrians to pass through.
 - (3) Landscaping within adjacent parking areas equal to twice the minimum requirements in Section 1282.08(b), which states a minimum of 620 sq. ft. is needed for 31 parking spaces $\times 2 = 1,240$ sq. ft.
2. A combination of 90° angle and 60° angle parking spaces are used, including two van-accessible handicap spaces that comply with Table 1106.2 and Section 1106.6 of the 2024 Ohio Building Code. The 90° spaces meet the minimum 9' width by 19' length required by Table 1276-3; however, there are several 60° angle parking spaces along the west and north property lines that do not comply with the minimum 21' length required by the above Table. The aisle width on the west side of the building measures 24', in accordance with the above Table; however, the aisle width on the north side measures 14', which does not meet the minimum 18' required.
 3. A dumpster enclosure is shown adjacent to the east (rear) property line; Section 1260.05(c) requires a minimum 25' setback, as this is considered a structure, as defined in Section 1242.02(81). The dumpster enclosure will be constructed with 8" x 16" concrete masonry units (CMU) to match the building, in accordance with Section 1276.12(a).
 4. A drive-thru lane is indicated on the north side of the restaurant; confirm there is a minimum 130' of stacking room, pursuant to Section 1276.10(j).
 5. The detailed site plan shall include a landscape plan indicating a minimum 1,240 sq. ft. of interior landscaping will be provided, if Section 1260.07(e)(3) will be applied toward