



ZONING & PLANNING COMMITTEE REGULAR MEETING MINUTES

Location: 120 Royal Crest Drive, Seville, OH 44273

Date: 1/22/2024

The meeting began at 7:09 p.m.

Present: Matt Sturgeon (Chair) Mayor Carter (Member), Rick Stallard (Member), Rick Vierheller (Alternate), Kristopher Immel (Village Solicitor Representative), Dave Gilson (Member), Barry Frey (Zoning Inspector), Lisa Nemastil (Deputy Fiscal Officer) and Jennifer Gray (Recorder),

Absent: Kevin Nehrenz (Member)

Rick Vierheller made a motion to approve the minutes from 12/27/23 as written. The motion was seconded and passed.

Amendments of the Agenda: Mayor Carter asked if she could amend the agenda for new business to add Abandon Properties. Rick Vierheller made the motion to amend the agenda to add Abandon properties discussion to new business was made. The motion was seconded and passed.

Privilege of the floor: None

Zoning Inspector's Report: Mr. Frey permits approved 9 permits between 11/27/23 and 12/27/23. From 12/27/24 until today we have had 2 permits. One violation letter was sent out last month. We have a Conditional Zoning application for Green Bud and a Variance application for Sunset Pines. We are waiting for them to start demolition at 296 Greenwich. They are just waiting for the weather to clear up.

Economic Development Report: Mr. Stallard reported that Economic Development met last week at the Galaxy. Mayor Carter gave her report to the committee regarding Seville year review. Representatives were also there from Medina and Wadsworth.

New Business:

- **Shell Station:** Mr. Frey stated it is located within the Village per Ted and zoned industrial. They were annexed in approximately a year ago. They will be applying for Conditional Zoning probably next month because they want to pursue selling marijuana products out of that location.
- **Conditional Zoning request:** Katie Hart representing Green Bud is requesting conditional zoning at 5000 Park Avenue W in highway commercial district for Marijuana Entity Code section XVII and retail. Mayor Carter passed out pictures that Green Bud provided of other facilities they have like what they want to put into the property. Mr. Vierheller asked if they are approved by the state and Ms. Hart stated they were. Mayor Carter asked if there is a radius of how close two of the same kind of these facilities can be. Ms. Hart respond that typically it is within 1 to 2 miles but she does not know for sure. It will be by township or village ordinance. State of Ohio has regulation about how close they can be to daycares and churches. Mayor Carter asked about people lingering in the parking lots at any of their other facilities. Ms. Carter responded due to strict rules and regulations the security is makes this type of operation very safe and not loiter friendly. We have 24 hour surveillance and you cannot just walk into the facility. You have to be buzzed in. Security guards on staff during all operating hours. They are not armed.

Mayor Carter has received some phone calls. One was from John Fetchko wanted Mayor Carter to speak on his behalf. He does not want this to be passed because of the residential Bates Crossing community. He feels that would be too close. They Mayor stated she let him know that she is in favor of this but she would let the committee know his concerns. Other neighbors have told Mayor Carter that they have had family members that had illnesses or surgery that they had to drive to get the medication and they also said to state that it was put on the ballot in Ohio

and it was passed. Mayor Carter's daughter also told her that now that it is passed, people can have their own plants in their garden or in their house.

Ms. Hart stated that due to the regulations they are not to have a lot of paraphernalia and by looking at the building you wouldn't even know that it is a dispensary. There is no odor and people are not people hanging around the parking lot. They are there for a reason, to pick up their prescription and leave. Typical hours 9-10 AM to 6-7 pm, seven days a week. Mrs. Hart assured the committee members that the building will be safe and follow all state guidelines for security. This will be Green Bud's first dispensary in Ohio but Ms. Hart has represented and help get approximately 20 different dispensaries up and optional. Ohio has been very stringent on what can and cannot be done compared to other states she has worked with. From a tax perspective Mrs. Hart stated they would be looking at around 550,000 revenues annually with the passing of the Adult use bill as well.

Mr. Sturgeon stated that the state legislation is presently working on the rules and regulation for recreational use. If they are coming before the committee today requesting conditional use for medical marijuana how is the committee to assess whether or not they can give a permit if the rules are not established yet. Ms. Hart stated they are still operating under the rules of setting up as Medical marijuana but asking for retail use if there was something the committee needed them to do at the time recreational use is approved, they would.

Mrs. Nemastil asked if there would be any additional monies relevant to our police department and training them or to having this type of facility in our neighborhood. Ms. Hart stated they were completely open to training with our police department.

Dave Gilson asked if we grant the conditional zoning could we review it in a year or five years. Mr. Immel stated that once you grant the conditional zoning you cannot change it. Mr. Gilson is concerned with the unknowns and if the property is not kept up, we have no way of changing it.

Ms. Hart stated that the committee treat them as they would any other business in Seville. She stated if the conditional permit is approved, they should be submitting the building permits soon. Also, on top of the tax benefit to Seville, they would be hiring local people to run the business and looking at approximately \$600,000 in salaries on top of the approximate \$600,000 build out cost.

Mr. Frey stated if this approved, we are going to need full drawing of your projects to be turned over to Police, Fire, and our engineer before approval.

Rick Vierheller made a motion to approve the conditional zoning permit and it was seconded.

Roll Call: Matt Sturgeon: aye, Mayor Cater: aye, Rick Vierheller: aye, Rick Stallard: aye, Dave Gilson: no
Motion passed.

- **Abandoned Properties:** Mayor Carter passed around some information about abandon properties that were owned by some churches. She is concerned about the old school property down town. It has been a year since she reached out to them and they have not responded. They have not kept up with the building and we are now cutting their grass and sending it to be paid on their taxes. They are paying their taxes. It is concerning when others say we are not doing anything about it as a governing body, but we are unable to get them to respond. Mr. Sturgeon stated we have the property maintenance code we have adopted but the gap is that we don't have a building inspector to enforce it. You need a building inspector so we would either need to hire one or contract with other municipalities or county for this purpose. We are also working on the Community Development Block Grant as a condition of that we have to create an addendum of potential follow up of Community Development Block Grant projects. Mr. Sturgeon recommend we research to see if there is anything we can plan for that property with the Community Development Block Grant. From first glance a lot of the things you have to do are drastic. The committee decided to send this to the Government Committee.

Pending/Completed Legislation:

ORDINANCE NO. 2024-05

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, APPROVING A LOT SPLIT AND REPLAT FOR ROGER AND CATHY KILGORE AND DECLARING AN EMERGENCY. Passed at Council 01/08/24

Mr. Sturgeon made a motion for the Zoning and Planning Committee to approve. The motion was seconded and approved.

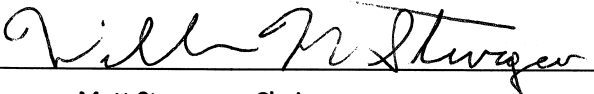
Old business:

- Replat of Lot V/L 1681 Creating V/L 1680- Discussed under Legislation
- Sunset Pines Review: Mrs. Barton requested the committee pass her site plan contingent that the trees will be planted according to code. She will submit a new picture with the trees. The motion was made by Mr. Vierheller to approve the site plan contingent that the trees will be planted according to code. It was seconded and carried.
- Zoning Code Book Updated: Mr. Sturgeon gave a brief update on January 6th. The contractor discussed the work she had done so far. Areas they are addressing: Multiple use areas and making this clear, grass and weed definition, restaurants being allowed to have "take out", conditional zoning expiration, and RV's in front yards and changing the language on this. The next meeting will be February 3, 2024.
- Sviderski update. The case is closed. They still have not cleaned up so they will have to be cited again.

Privilege of the floor:

Mr. Sturgeon has a concern about the Dollar General's own landscaping obstructing their sign. Mr. Frey stated there is not anything in the code that we can site them for. There is not a code stating that the landscaping that is required has to be maintained. It may be something that can be addressed while updating the Zoning Code Book.

Mr. Stallard made a motion to adjourn, the motion was seconded and carried. The meeting adjourned at 8:02 p.m.

x 

Matt Sturgeon, Chair