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2 CITY OF ELYRIA PLANNING COMMISSION  
3 Meeting, held at Elyria City Hall, 131 Court Street,  
4 2nd Floor Council Chambers, Elyria, Ohio, on Tuesday,  
5 April 1, 2025 at 11:00 a.m.  
6 ---  
7 PLANNING COMMISSION MEMBERS PRESENT:  
8 Mayor Brubaker Chairman  
9 Tom Aden Member  
10 Sam Battle Member  
11 Barry Hubbard Member  
12 Chris Pyanowski Member  
13 Derrick Tedrow Member  
14  
15 ALSO PRESENT:  
16 Mark Craig Administrative Legal  
17 Counsel  
18 Darryl Farkas Chief Building Official  
19 Chris Schoenig City Planner  
20 William Gall Assistant Fire Chief  
21 John Schneider Assistant City Engineer  
22 Mary Tomski Secretary  
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1 PROCEEDINGS  
2 MAYOR BRUBAKER: Good afternoon. We are now  
3 live on the YouTube channel. I'm going to call  
4 the meeting of the Elyria Planning Commission for  
5 Tuesday, April 1st, 2025 to order.  
6 Roll call.  
7 Mr. Aden.  
8 MR. ADEN: Present.  
9 MAYOR BRUBAKER: Mr. Battle.  
10 MR. BATTLE: Present.  
11 MAYOR BRUBAKER: Mr. Hubbard.  
12 MR. HUBBARD: Here.  
13 MAYOR BRUBAKER: Mr. Onderko.  
14 Director Pyanowski.  
15 MR. PYANOWSKI: Here.  
16 MAYOR BRUBAKER: Mayor Brubaker; here.  
17 Mr. Tedrow.  
18 MR. TEDROW: Here.  
19 MAYOR BRUBAKER: Okay. I'll entertain a  
20 motion to approve the minutes as distributed for  
21 March 4, 2025.  
22 MR. ADEN: So moved.  
23 MAYOR BRUBAKER: Moved by Mr. Aden.  
24 MR. BATTLE: Second.  
25 MAYOR BRUBAKER: Second by Mr. Battle.

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1 Any further discussion?  
2 All in favor, aye.  
3 MR. ADEN: Aye.  
4 MR. BATTLE: Aye.  
5 MR. HUBBARD: Aye.  
6 MR. PYANOWSKI: Aye.  
7 MR. TEDROW: Aye.  
8 MAYOR BRUBAKER: Aye.  
9 Opposed, nay.  
10 Motion carried.  
11 There is no new business and there is no old  
12 business.  
13 We'll go right to public hearings.  
14 Just for point of reference, Item No. 4 on  
15 today's agenda, which may not be on the revised  
16 agenda, it was Public Hearing 2025-100029,  
17 Jeanette's Sanctuary Foundation at 38780 Chestnut  
18 Ridge Road, has been removed from the agenda per  
19 the proponent's request. So we will not be  
20 discussing that item here today.  
21 With that being said, the next item on the  
22 agenda is Public Hearing 2025-100026: University  
23 Hospitals Elyria Medical Center, 620 East River  
24 Street, Elyria, Ohio 44035, requesting for a  
25 rezone from R-TH (Residential-Two Household) to

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1 B-G (Business General).  
2 Is the proponent here?  
3 Please come to the microphone and state your  
4 name and address for the record, please.  
5 MR. GANTT: Hi, there. Good morning. My name  
6 is Gordan Gantt. I'm counsel for University  
7 Hospitals Elyria Medical Center, which is located  
8 at 630 East River Street. And the adjoining  
9 parcel, 620 East River Street, is the parcel that  
10 I know we're addressing first here.  
11 The request today for both parcels is  
12 hopefully a relatively simple one. We're looking  
13 to rezone to align with the actual current use.  
14 It appears that somewhere along the way in the  
15 history, we're not sure exactly where, the  
16 properties were left zoned Residential-Two  
17 Household, which obviously aligns with the  
18 surrounding neighborhood, but doesn't align with  
19 the actual use of -- presently the two parcels are  
20 nonconforming.  
21 The parcels include both the main hospital  
22 acute care facility, the main campus, as well as  
23 the old McKinley school, which was acquired by the  
24 hospital recently and is currently in the planning  
25 stages of being used for supporting facilities for

<p style="text-align: right;">5</p> <p>1 the hospital.</p> <p>2 MAYOR BRUBAKER: Great. Thank you.</p> <p>3 We're going to go to staff reports.</p> <p>4 Mr. Farkas.</p> <p>5 MR. FARKAS: Thank you, Mr. Chair, through</p> <p>6 you.</p> <p>7 The applicant is requesting the properties</p> <p>8 located at 620 East River Street, Parcel No.</p> <p>9 0625074101001, and 630 East River Street, Parcel</p> <p>10 No. 0625075101017, be rezoned from a</p> <p>11 Residential-Two Household District to a</p> <p>12 Business-General District.</p> <p>13 The applicant is seeking a rezoning of this</p> <p>14 property to align with the current use of the</p> <p>15 site, a hospital use as defined in Section 1125.42</p> <p>16 of the Codified Ordinance.</p> <p>17 I've listed for the Board's use the</p> <p>18 requirements for an R-TH District currently and</p> <p>19 the proposed Business-General District which</p> <p>20 defines the uses that are permitted.</p> <p>21 My recommendations are as follows: The</p> <p>22 proposal for 630 East River aligns with the</p> <p>23 current use of the actual site hospital and will</p> <p>24 correct the current nonconforming status of this</p> <p>25 property.</p>	<p style="text-align: right;">7</p> <p>1 I'm not mistaken, this was also being looked at as</p> <p>2 a part of our entire rezoning package across the</p> <p>3 City; correct? And as a part of that package,</p> <p>4 this likely would have -- would be a part of the</p> <p>5 rezoning as we move forward; is that correct?</p> <p>6 MR. SCHOENIG: Yes, that is correct. The</p> <p>7 proposed zoning for this property is commercial</p> <p>8 and emergency and medical services would be</p> <p>9 permitted outright.</p> <p>10 MAYOR BRUBAKER: Great. Thank you.</p> <p>11 Are there any other questions from the</p> <p>12 Committee before we go to proponents or opponents?</p> <p>13 MR. PYANOWSKI: I have one question.</p> <p>14 MAYOR BRUBAKER: Director Pyanowski.</p> <p>15 MR. PYANOWSKI: Thank you.</p> <p>16 For the proponent: I just want to make</p> <p>17 sure -- because you have two applications here,</p> <p>18 and I know we'll get to the next one after we get</p> <p>19 through the first one, but I want to make sure</p> <p>20 that I've got this right because there's three</p> <p>21 parcels referenced between the two of them -- and</p> <p>22 this might become more relevant with the next</p> <p>23 application -- but this one is only addressing the</p> <p>24 one parcel, this particular application,</p> <p>25 0625074101001, is that correct, this first</p>
<p style="text-align: right;">6</p> <p>1 The proposal of 620 East River is also in</p> <p>2 conformance with the current zoning code as a</p> <p>3 former school educational use building on the site</p> <p>4 is permitted outright in a B-G District per</p> <p>5 Section 1160.02(J).</p> <p>6 In closing, I'm in favor of the request for</p> <p>7 the zoning.</p> <p>8 The current zoning of the site was one of</p> <p>9 those transitions that were made many years ago</p> <p>10 and we're in the same boat now with our zoning</p> <p>11 rewrite of how to fix that and better align.</p> <p>12 This will correct a nonconforming status that</p> <p>13 has been long-standing for many years, so thank</p> <p>14 you.</p> <p>15 MAYOR BRUBAKER: Thank you, Mr. Farkas.</p> <p>16 Mr. Schoenig, anything to add?</p> <p>17 MR. SCHOENIG: Nothing to add on my end.</p> <p>18 Thank you.</p> <p>19 MAYOR BRUBAKER: Mr. Schneider, Engineering.</p> <p>20 MR. SCHNEIDER: Engineering has no comments.</p> <p>21 MAYOR BRUBAKER: Fire Chief Gall.</p> <p>22 MR. GALL: Fire Department has no comment.</p> <p>23 MAYOR BRUBAKER: Any questions from the</p> <p>24 Committee?</p> <p>25 I do have one. Mr. Schoenig or Mr. Farkas, if</p>	<p style="text-align: right;">8</p> <p>1 application we're discussing?</p> <p>2 MR. GANTT: That is correct, yes.</p> <p>3 MR. PYANOWSKI: All right. I just want to</p> <p>4 make sure, for the record, that we keep track of</p> <p>5 which one's part of what because the other two</p> <p>6 must be part of the other application. I just</p> <p>7 want to clarify that.</p> <p>8 MR. GANTT: And if I can clarify one point</p> <p>9 about that. There's three parcels that are</p> <p>10 referenced. One is a eastern surface parking lot</p> <p>11 that we're actually tabling for right now. We're</p> <p>12 going to be coming back for a zoning request.</p> <p>13 That parcel, as it is, is actually seven separate</p> <p>14 parcels even though it is practically one combined</p> <p>15 surface lot.</p> <p>16 So we're evaluating a combination of those</p> <p>17 parcels in the future, and then we'll come back</p> <p>18 and request rezone through one application for</p> <p>19 that after they're combined, if that's --</p> <p>20 MR. PYANOWSKI: Very good. That resolves my</p> <p>21 concern that I saw forthcoming because I didn't</p> <p>22 see that as part of an application, per se,</p> <p>23 although it was mentioned.</p> <p>24 MR. GANTT: Yep.</p> <p>25 MR. PYANOWSKI: So that addresses my concern</p>

<p style="text-align: right;">9</p> <p>1 overall. Thank you.</p> <p>2 MR. GANTT: Yep, my pleasure.</p> <p>3 MAYOR BRUBAKER: Any other questions from the</p> <p>4 Committee?</p> <p>5 Are there any proponents? Are there any</p> <p>6 proponents? Are there any proponents?</p> <p>7 Are there any opponents? Are there any</p> <p>8 opponents? Are there any opponents?</p> <p>9 Okay. Public Hearing 2025-100026: University</p> <p>10 Hospitals Elyria Medical Center, 620 East River</p> <p>11 Street, Elyria, Ohio 44035, requesting for a</p> <p>12 rezone from R-TH (Residential-Two Household) to</p> <p>13 B-G (Business-General).</p> <p>14 Do I have a motion to approve?</p> <p>15 MR. ADEN: So moved.</p> <p>16 MAYOR BRUBAKER: Moved by Mr. Aden.</p> <p>17 Do I have a second?</p> <p>18 MR. TEDROW: Second.</p> <p>19 MAYOR BRUBAKER: Second by Mr. Tedrow.</p> <p>20 Any further discussion?</p> <p>21 All in favor, signify by aye.</p> <p>22 MR. ADEN: Aye.</p> <p>23 MR. BATTLE: Aye.</p> <p>24 MR. HUBBARD: Aye.</p> <p>25 MR. PYANOWSKI: Aye.</p>	<p style="text-align: right;">11</p> <p>1 MR. GALL: No comments.</p> <p>2 MAYOR BRUBAKER: Any questions or comments</p> <p>3 from the Committee?</p> <p>4 Are there any proponents?</p> <p>5 Go ahead. I'm sorry, Mr. Aden.</p> <p>6 MR. ADEN: So I'm not sure, I didn't look at</p> <p>7 the map, but is that parcel there, is that like 15</p> <p>8 or 16 acres where McKinley was on?</p> <p>9 MR. GANTT: I'm not certain of the exact</p> <p>10 acreage, but this parcel is the main hospital</p> <p>11 building.</p> <p>12 MR. ADEN: I thought we just approved that</p> <p>13 one. Oh, I just got it backwards.</p> <p>14 MR. GANTT: Yeah, that was the old McKinley</p> <p>15 school. This is the main hospital.</p> <p>16 MR. ADEN: Okay. Sorry.</p> <p>17 MR. GANTT: Yeah, no worries.</p> <p>18 MR. ADEN: Thank you.</p> <p>19 MAYOR BRUBAKER: Any other questions?</p> <p>20 Any proponents? Are there any proponents?</p> <p>21 Are there any proponents?</p> <p>22 Are there any opponents? Are there any</p> <p>23 opponents? Are there any opponents?</p> <p>24 Seeing none, I'll entertain a motion for</p> <p>25 2025-100027, University Hospitals Elyria Medical</p>
<p style="text-align: right;">10</p> <p>1 MR. TEDROW: Aye.</p> <p>2 MAYOR BRUBAKER: Aye.</p> <p>3 Opposed, nay.</p> <p>4 Motion carried.</p> <p>5 Next item on the agenda is Public Hearing</p> <p>6 2025-100027: University Hospitals Elyria Medical</p> <p>7 Center, 630 East River Street, Elyria, Ohio 44035,</p> <p>8 requesting for a rezone from R-TH (Residential-Two</p> <p>9 Household) to B-G (Business General).</p> <p>10 Proceed.</p> <p>11 MR. GANTT: Again, Gordan Gantt, Counsel for</p> <p>12 University Hospitals, and just would restate, for</p> <p>13 the record, all of the rationale that was provided</p> <p>14 for the last parcel applies here in the same for</p> <p>15 this parcel.</p> <p>16 MAYOR BRUBAKER: Great. Thank you.</p> <p>17 Are there any comments from -- Mr. Farkas,</p> <p>18 anything further?</p> <p>19 MR. FARKAS: No, Mr. Chair. My past memo</p> <p>20 applied to both requests. Thank you.</p> <p>21 MAYOR BRUBAKER: Mr. Schoenig.</p> <p>22 MR. SCHOENIG: No further comments.</p> <p>23 MAYOR BRUBAKER: Engineer Schneider.</p> <p>24 MR. SCHNEIDER: Engineering has no comments.</p> <p>25 MAYOR BRUBAKER: Assistant Chief Gall.</p>	<p style="text-align: right;">12</p> <p>1 Center, 630 East River Street, Elyria, Ohio 44035,</p> <p>2 request for a rezone from R-TH (Residential-Two</p> <p>3 Household) to B-G (Business General).</p> <p>4 Do I have a motion?</p> <p>5 MR. HUBBARD: So moved.</p> <p>6 MAYOR BRUBAKER: Moved by Mr. Hubbard.</p> <p>7 MR. ADEN: Second.</p> <p>8 MAYOR BRUBAKER: Second by Mr. Aden.</p> <p>9 Any further discussion?</p> <p>10 All in favor, signify by aye.</p> <p>11 MR. ADEN: Aye.</p> <p>12 MR. BATTLE: Aye.</p> <p>13 MR. HUBBARD: Aye.</p> <p>14 MR. PYANOWSKI: Aye.</p> <p>15 MR. TEDROW: Aye.</p> <p>16 MAYOR BRUBAKER: Aye.</p> <p>17 Opposed, nay.</p> <p>18 Motion carried.</p> <p>19 So both of these motions have passed Planning</p> <p>20 Commission. And the next step would be for it to</p> <p>21 go to Community Development, and you'll be</p> <p>22 notified by the Planning Commission Secretary when</p> <p>23 that is.</p> <p>24 MR. GANTT: Thank you so much.</p> <p>25 MAYOR BRUBAKER: Thank you.</p>

1 Next item on the agenda is Public Hearing  
2 2025-100028: Ridge Water Development, 101  
3 Brunswick Drive, a request for a variance from  
4 Section 1179.04 of the Elyria Codified Ordinances  
5 for 7.2 units per acre as opposed to the required  
6 5 units per acre.

7 Is the proponent here?

8 Mr. Yost.

9 MR. YOST: Bob Yost, 260 South Logan; Ridge  
10 Water Development.

11 We previously had this -- at least I thought  
12 got approved by Planning Commission last -- two  
13 months -- two meetings ago, but we did not  
14 actually apply for the variance on the density.

15 So Darryl and I communicated in regards to  
16 that, and we agreed to come back and ask for that  
17 as a separate line item.

18 MAYOR BRUBAKER: Great. Thank you.

19 Staff reports.

20 Mr. Farkas.

21 MR. FARKAS: Thank you, Mr. Chair, through  
22 you.

23 The applicant is requesting a variance for  
24 unit lot density for the new subdivision located  
25 on Brunswick Drive and West Ridge Road to

1 construct single family cluster-type homes  
2 consisting of four to six family residences per  
3 cluster. The project has a total of 50  
4 residential units proposed.

5 My findings: The subdivision is located in a  
6 Residential-Medium Density District, the  
7 requirements of which can be found in the Codified  
8 Ordinance, Section 1144.

9 On 10/24/24, a cluster development was  
10 approved via conditional use process, PC Case  
11 No. 2024-100150.

12 The site consists of 6.93 acres of which is  
13 permitted to be covered with five dwelling units  
14 per acre. With the acreage available, the total  
15 of 35 single family units would be permitted. The  
16 applicant is requesting to install 50 units  
17 triggering the need for a variance.

18 Staff recommendations: I recommend the  
19 petition for the variance be approved as it  
20 coincides with past subdivision submittals of a  
21 similar request. Thank you.

22 MAYOR BRUBAKER: Thank you, Mr. Farkas.

23 Mr. Schoenig.

24 MR. SCHOENIG: No further comments.

25 MAYOR BRUBAKER: Engineer Schneider.

1 MR. SCHNEIDER: Engineering has no comments.

2 MAYOR BRUBAKER: Assistant Fire Chief Gall.

3 MR. GALL: Fire Department has no comment.

4 MAYOR BRUBAKER: Any questions from the  
5 Committee?

6 Director Pyanowski.

7 MR. PYANOWSKI: So I have a comment, and I  
8 guess it's directed towards Mr. Farkas more so.

9 When I looked at this, one of the questions I had  
10 is what did we talk about last time and how did  
11 this not -- you know, how we're not covering it,  
12 so I appreciate the explanation from Mr. Yost.

13 But in the report from Mr. Farkas, it talks  
14 about how it coincides with past subdivision  
15 submittals, so he's in favor of it, and I can  
16 appreciate that. I would just ask that any time  
17 we have a request like this, we always evaluate it  
18 on a case-by-case basis and let's not fall too far  
19 down a path of there's a precedent of we've done  
20 it before, so let's just do it again. We should  
21 always be looking at whether it's appropriate for  
22 the space that's there.

23 So I would just ask that we always give that a  
24 fair evaluation, because this is a deviation from  
25 the rules, which I think we all recognize, which

1 is why we're here, but I -- you know, I -- I have  
2 a sensitivity to the density issue of some of  
3 these developments, and so I -- I'd like to make  
4 sure that we always -- or ask that we always  
5 evaluate them and give them a fair review on a  
6 case-by-case basis. That's all.

7 And I'm certain you do, I just -- I just  
8 wanted a point to mention as we see these more and  
9 more.

10 MR. FARKAS: Thank you, Mr. Chair, through you  
11 to Chris.

12 As I review these, I do take in consideration  
13 locations. As the proposed subdivision does about  
14 two streets, it doesn't affect -- or adversely  
15 affect many adjacent parcels and there is some  
16 farm land behind, so that was in consideration.  
17 Thank you.

18 MAYOR BRUBAKER: Thank you, Mr. Farkas.

19 Are there any proponents?

20 Proponent or opponent?

21 AUDIENCE MEMBER: I'm a proponent.

22 MAYOR BRUBAKER: Would you like to speak?

23 AUDIENCE MEMBER: (Shaking head no.)

24 MAYOR BRUBAKER: Okay. Great.

25 Are there any other proponents?

<p style="text-align: right;">17</p> <p>1 Are there any opponents? Are there any</p> <p>2 opponents? Are there any opponents?</p> <p>3 Seeing none, I'll entertain a motion for</p> <p>4 2025-100028, Ridge Water Development, 101</p> <p>5 Brunswick Drive, request for a variance from</p> <p>6 Section 1179.04 of the Elyria Codified Ordinances</p> <p>7 for 7.2 units per acre as opposed to the required</p> <p>8 5 units per acre.</p> <p>9 Do I have a motion?</p> <p>10 MR. PYANOWSKI: So moved.</p> <p>11 MAYOR BRUBAKER: Moved by Mr. Pyanowski.</p> <p>12 Do I have a second?</p> <p>13 MR. TEDROW: Yes.</p> <p>14 MAYOR BRUBAKER: Second by Mr. Tedrow.</p> <p>15 All in favor, signify by aye.</p> <p>16 MR. ADEN: Aye.</p> <p>17 MR. BATTLE: Aye.</p> <p>18 MR. HUBBARD: Aye.</p> <p>19 MR. PYANOWSKI: Aye.</p> <p>20 MR. TEDROW: Aye.</p> <p>21 MAYOR BRUBAKER: Aye.</p> <p>22 Opposed, nay.</p> <p>23 Motioned carried.</p> <p>24 Mr. Yost, you know how it works, you'll be</p> <p>25 back here at Community Development.</p>	<p style="text-align: right;">19</p> <p>1 The proponent is requesting a conditional use</p> <p>2 to accommodate an office that will cater to</p> <p>3 recording sessions, take videos, showcase services</p> <p>4 for clients, and promote on social media.</p> <p>5 Note: The applicant's submittal includes a</p> <p>6 request of the following: Change light fixtures,</p> <p>7 one door, installation of a shelf. The items will</p> <p>8 be addressed under separate submittal via the 2024</p> <p>9 Ohio Building Code plan approval process in</p> <p>10 response to the issuance of a cease and desist</p> <p>11 order issued 3/3/25.</p> <p>12 Zoning: The site is currently zoned</p> <p>13 Heavy-Industrial District, of which I listed the</p> <p>14 requirements. I've listed for the Board the</p> <p>15 principally permitted uses and one under the</p> <p>16 conditionally permitted uses is personal services,</p> <p>17 which this will align with.</p> <p>18 My findings: The proposed business best fits</p> <p>19 a personal service use for the Elyria Codified</p> <p>20 Ordinances definition Section 1125.72 listed</p> <p>21 herein. This is contingent the site is not</p> <p>22 utilized as a research and development,</p> <p>23 restaurant, tavern, lounge, or other similar use</p> <p>24 as defined in the Codified Ordinance as those uses</p> <p>25 are not permitted as a permitted accessory or</p>
<p style="text-align: right;">18</p> <p>1 MR. YOST: Thank you.</p> <p>2 MAYOR BRUBAKER: Next item on the agenda is</p> <p>3 Public Hearing 2025-100030: SGTAYLOR, LLC of 910</p> <p>4 Taylor Street, Unit C, Elyria, Ohio 44035, a</p> <p>5 request for a conditional use for personal</p> <p>6 services.</p> <p>7 Is there a proponent?</p> <p>8 Come forward, please.</p> <p>9 MR. MOEN: Good morning.</p> <p>10 MAYOR BRUBAKER: Please state your name and</p> <p>11 address for the record.</p> <p>12 MR. MOEN: Jeremy Moen. The address of the</p> <p>13 facility, 910 Taylor Street, Unit C, Elyria, Ohio</p> <p>14 44035.</p> <p>15 MAYOR BRUBAKER: Okay. And please share what</p> <p>16 you're looking for today.</p> <p>17 MR. MOEN: So just a conditional variance to</p> <p>18 be allowed to have clients meet me at my facility</p> <p>19 so that I'm able to have recording sessions, just</p> <p>20 video and audio.</p> <p>21 MAYOR BRUBAKER: Okay.</p> <p>22 Staff reports.</p> <p>23 Mr. Farkas.</p> <p>24 MR. FARKAS: Thank you, Mr. Chair, through</p> <p>25 you.</p>	<p style="text-align: right;">20</p> <p>1 conditionally permitted use and, therein, is</p> <p>2 prohibited per Section 1123.05.</p> <p>3 The proposed use is acceptable as a</p> <p>4 conditionally permitted use per Elyria Codified</p> <p>5 Ordinance Section 1164.04(D) and best fits the</p> <p>6 definition listed herein.</p> <p>7 My findings: The current site plan provided</p> <p>8 for the property is missing a detailed parking lot</p> <p>9 drawing to scale dimensionalized of which</p> <p>10 delineates the parking stalls, parking stall</p> <p>11 count, stall orientation with curb, aisles, et</p> <p>12 cetera, and in the request, if approved, must be</p> <p>13 provided as to assure the personal service use</p> <p>14 aspect conforms to the codified parking</p> <p>15 requirements.</p> <p>16 The above information listed herein is for the</p> <p>17 Board's use and consideration as the Board must</p> <p>18 weigh the requirements currently established in</p> <p>19 the preexisting surrounding Heavy-Industrial</p> <p>20 District in regards to the uses permitted.</p> <p>21 As the current site and building has multiple</p> <p>22 purposed mixed storage and manufacturing uses and</p> <p>23 abuts other commercial businesses, if the</p> <p>24 conditional use is approved, the applicant must</p> <p>25 apply for a plan approval via the 2024 Ohio</p>

1 Building Code application submittal process,  
 2 provide drawings and obtain an approval permit and  
 3 have the site inspected to receive a certificate  
 4 of occupancy prior to use as this request will not  
 5 accomplish that goal. Thank you.  
 6 MAYOR BRUBAKER: Thank you, Mr. Farkas.  
 7 Mr. Schoenig.  
 8 MR. SCHOENIG: No further comments.  
 9 MAYOR BRUBAKER: Engineer Schneider.  
 10 MR. SCHNEIDER: Engineering has no comments.  
 11 MAYOR BRUBAKER: Assistant Fire Chief Gall.  
 12 MR. GALL: The Fire Department has no comment  
 13 at this time.  
 14 MAYOR BRUBAKER: Great.  
 15 Jeremy -- Mr. Moen, if you'd come back up to  
 16 the mic and kind of share for the Committee -- I  
 17 mean, we've met a couple of times, and I  
 18 understand what you're trying to do here, but for  
 19 the benefit of the Commission, can you kind of  
 20 share what your business is, what you're looking  
 21 to do, give some detail to that so they have a  
 22 better understanding, please?  
 23 MR. MOEN: Absolutely. So I'm in the  
 24 entertainment business. I'm what's called a  
 25 mobile deejay service. I provide sound

1 reinforcement, speakers, entertainments, and so on  
 2 for large-scale events, weddings. Also we provide  
 3 entertainment at bars; trivia nights, karaoke  
 4 nights, things of that nature. We have about  
 5 eight employees, and we do about 25 to 30 shows  
 6 per week throughout Lorain and Cuyahoga County  
 7 areas.  
 8 The other thing we're looking to do is --  
 9 within this facility is to be able to have our  
 10 clients meet us here -- we meet with a lot of  
 11 people for weddings and things -- to have a place  
 12 to sit down and meet and showcase the services we  
 13 do have, you know, here is our -- kind of like a  
 14 mini showroom; here's the lights that we use,  
 15 here's the speakers that we use, here's what we  
 16 can use for your facility.  
 17 Additionally, we have rooms that are set up  
 18 for recording, so we do a lot of online recording  
 19 for Facebook, Instagram. We are monetized online.  
 20 We make money by producing content. We are  
 21 content producers. So we have rooms that are set  
 22 up for pictures, cameras, things where we can take  
 23 videos and post them online.  
 24 Additionally, we are looking to create a  
 25 recording studio where we can bring in -- since

1 it's Heavy-Industrial, we can make noise, and it  
 2 has great acoustics in the building to be able to  
 3 record instruments and music, mix them, and  
 4 provide recordings for local artists.  
 5 MAYOR BRUBAKER: Great. Thank you.  
 6 Can you describe for the Commission, too,  
 7 where this building is on Taylor Street?  
 8 MR. MOEN: Yes. So we're very close to the  
 9 corner of Abbe and Taylor. If you're familiar  
 10 with the Hands On car wash building, it's the  
 11 backside of that building. It's right across from  
 12 wherever that dump kind of thing is on the corner.  
 13 MAYOR BRUBAKER: Okay.  
 14 MR. MOEN: I'm not sure what that building is,  
 15 but lots of people come and go every day.  
 16 MAYOR BRUBAKER: Thank you, Jeremy.  
 17 Are there any questions from the Commission?  
 18 Director Pyanowski.  
 19 MR. PYANOWSKI: For Mr. Farkas: Your report  
 20 indicates it's -- the site plan is basically  
 21 insufficient, the one that's currently submitted,  
 22 so I have two questions:  
 23 First, is this something that we can move  
 24 forward with without having an updated site plan,  
 25 number 1?

1 And number 2, if the answer is yes to that,  
 2 will an updated site plan be part of the next step  
 3 of the process, which is when he applies for plan  
 4 approval, will that be required there and may be  
 5 satisfactory then?  
 6 MR. FARKAS: Mr. Chair, through you.  
 7 The Board could continue, as once a site plan  
 8 is received, it may trigger separate variances  
 9 depending on the parking count because of the  
 10 change in the use of that district to a personal  
 11 services.  
 12 So from that aspect, if it were submitted and  
 13 clearly delineated, it may trigger something else  
 14 that could be heard at maybe the Board of Zoning  
 15 Appeals.  
 16 Hopefully that answers the question.  
 17 MAYOR BRUBAKER: Thank you.  
 18 Any other questions from the Commission?  
 19 Mr. Farkas, I do have a question. So this is  
 20 really just one step to where he ultimately would  
 21 like to get to; is that correct?  
 22 MR. FARKAS: Yes, sir. This is a first step  
 23 in regards to getting through the zoning process,  
 24 then the building code process takes over.  
 25 MAYOR BRUBAKER: And, Mr. Moen, you fully



1 understand that; correct?

2 MR. MOEN: I'm aware, yes.

3 MR. TEDROW: I had a question, too, Jeremy.

4 MAYOR BRUBAKER: Mr. Tedrow.

5 MR. TEDROW: So if we get through this today

6 and get you approved on what you're trying to

7 accomplish, he had a list of things that are going

8 to be upcoming.

9 MR. MOEN: Correct.

10 MR. TEDROW: Do you feel like you can meet

11 every one of those criteria moving forward?

12 MR. MOEN: Yes, I've already met with the

13 Mayor and Mr. Farkas and Mr. Schoenig and we've

14 discussed a plan. I understand what the next

15 steps are, what I need to do.

16 MR. TEDROW: Okay. All right.

17 MAYOR BRUBAKER: Any other questions from the

18 Committee?

19 Are there any other proponents? Are there any

20 proponents? Are there any proponents?

21 Are there any opponents? Are there any

22 opponents? Are there any opponents?

23 Seeing none, I'll entertain a motion to

24 approve 2025-100030, SGTAYLOR, LLC, 910 Taylor

25 Street, Unit C, Elyria, Ohio 44035, a request for

1 a conditional use for personal services.

2 Do I have a motion?

3 MR. ADEN: So moved.

4 MAYOR BRUBAKER: Moved by Mr. Aden.

5 Do I have a second?

6 MR. TEDROW: Second.

7 MAYOR BRUBAKER: Second by Mr. Tedrow.

8 Any further discussion?

9 All in favor, signify aye.

10 MR. ADEN: Aye.

11 MR. BATTLE: Aye.

12 MR. HUBBARD: Aye.

13 MR. PYANOWSKI: Aye.

14 MR. TEDROW: Aye.

15 MAYOR BRUBAKER: Aye.

16 Opposed, nay.

17 Motion carried.

18 Thank you, Mr. Moen.

19 MR. MOEN: Thank you.

20 MAYOR BRUBAKER: Next item on the agenda is

21 Public Hearing 2025-100031: Rodney Hilton, Xpress

22 Asphalt Solutions, 131 Williams Street, requesting

23 a rezone from R-TH (Residential-Two Household) to

24 L-I (Light Industrial).

25 Is the proponent here?

1 Please state your name and address for the

2 record, please.

3 MR. MILLER: My name is Justin Miller.

4 Address is 409 East Avenue, 2nd Floor. I'm

5 counsel for Rodney Hilton, Xpress Asphalt. The

6 location is 131 Williams Avenue, Elyria, Ohio.

7 MAYOR BRUBAKER: Thank you. Please state your

8 request.

9 MR. MILLER: Well, the request is to rezone

10 six of the total parcels that the owner currently

11 owns from R-TH to L-I. This is the sites that was

12 formally the Bluestar Recycling facility.

13 During some point, the six southern parcels

14 ending in 006 through 011 were rezoned to

15 residential. There are existing structures on the

16 parcels 006 through 010 with a vacant area on

17 parcel 011. There is a residential structure

18 south of that on 012.

19 We were asking to have those six parcels, 006

20 through 011, rezoned to allow for improvements to

21 the property. There is no intention of having any

22 chemicals or noxious items stored. The intent is

23 entirely to have offices, make improvements,

24 update some of the issues, including fire

25 suppression, and to store my client's asphalt

1 equipment and vehicles. But they would be

2 retrieving the actual supplies from a third party,

3 so there would be no storage of any other items or

4 chemicals on the property, which is much different

5 than the previous owner, which was the metal

6 recycling center which ended up being somewhat of

7 a nuisance to everybody else.

8 There are three different categories in the 12

9 parcels owned by Xpress Asphalt. Five of them are

10 L-I, one is H-I, and the six that we are here for

11 are R-TH. So we're asking to rezone those six to

12 allow for some uniformity between the parcels, to

13 have them returned back to a previous state, and

14 to conform with the structures that have been

15 there for quite some time.

16 MAYOR BRUBAKER: Great. Thank you.

17 Staff reports.

18 Mr. Farkas.

19 MR. FARKAS: Thank you, Mr. Chair, through

20 you.

21 The proponent is requesting the site --

22 multiple sites be rezoned, which I have listed

23 herein. Some of the parcels are zoned

24 Residential-Two Household District; others are

25 Heavy-Industrial. The site is intended to house

1 commercial asphalt vehicles and office space for  
2 the company. This applicant indicates no  
3 hazardous or noxious chemicals or substances will  
4 be housed on the property.

5 I've listed the current zoning classification  
6 of the parcels in question for the Board's use.

7 Would also like to comment a typo on the  
8 second one from the bottom. Instead of 069, that  
9 parcel should be 068, just for the Board's use.

10 I have also listed on Page 2 of the report the  
11 requirements of the current Residential-Two  
12 Household District. I've listed the requirements  
13 of the current Heavy-Industrial District. I  
14 furthermore listed the requirements of the  
15 Light-Industrial District what goes down all the  
16 permitted uses and the requirements listed  
17 therein.

18 On Page 3 of my report, I have listed my  
19 future concerns with this review. In a past  
20 meeting with the applicant, the topic of potential  
21 variances being required were discussed. If the  
22 site was rezoned to Light-Industrial, it would  
23 evoke multiple variances being required due to the  
24 close proximity of the sites, the existing  
25 abutting residential districts not affecting this

1 particular request.

2 This will require a separate submittal of an  
3 accurate site plan listing the current setback of  
4 the existing structures from the site property  
5 lines. It was also mentioned that a re-plat  
6 consolidation would be needed as the current  
7 structure to the site cross over many existing  
8 parcels and sublots of record.

9 This would assure that one new parcel address  
10 to the property is assigned and the new zoning  
11 classification, if approved. This process can be  
12 completed after the rezoning process is approved  
13 via City Council.

14 Recommendations: Per the information provided  
15 and past discussions with the applicant, the  
16 proposed use is specific to storage of equipment  
17 and use of the office space. Also, the site will  
18 not have asphalt materials, tars, substances,  
19 materials processing, et cetera, as that was  
20 indicated to best fit a Heavy-Industrial use or  
21 Special-Industrial use via the conditional use  
22 process. This process would also evoke a  
23 stringent setback due to the abutting residential  
24 districts if pursued.

25 With the new information on hand, the proposed

1 rezoning is a moderate transition to the current  
2 location as it would abut some existing  
3 Heavy-Industrial and Light-Industrial Districts  
4 even though the neighborhood is primarily  
5 residential/nonconforming.

6 The above information listed is for the  
7 Board's use and consideration as the Board must  
8 weight the requirements of the currently existing  
9 and the preestablished residential district in  
10 regards to the limited uses permitted as the  
11 zoning change, if approved, would allow any  
12 permitted use in the Light-Industrial District in  
13 the future.

14 In closing, I support the change, but caution  
15 the Board will have no control to limit the  
16 permitted uses indicated in the Light-Industrial,  
17 if approved.

18 As a brief history of this site, as many  
19 recall, the site was proposed many years ago to be  
20 changed to Heavy-Industrial. It was going to be a  
21 high-end auto salvage recycling, which was not  
22 conducive to the area in question. This request  
23 is a lesser of the concerns and would better fit  
24 the area. Thank you.

25 MAYOR BRUBAKER: Thank you, Mr. Farkas.

1 Mr. Schoenig.

2 MR. SCHOENIG: No further comments.

3 MAYOR BRUBAKER: Engineer Schneider.

4 MR. SCHNEIDER: Engineering has no report.

5 MAYOR BRUBAKER: Assistant Fire Chief Gall.

6 MR. GALL: Fire Department has no comment.

7 MAYOR BRUBAKER: Questions from the  
8 Commission?

9 Mr. Aden.

10 MR. ADEN: So what's -- if the zoning was  
11 changed to Light-Industrial, what is permitted in  
12 that?

13 MR. FARKAS: Mr. Chair, through you to  
14 Mr. Aden.

15 On Page 2 of the report, I've listed the  
16 permitted uses of the Light-Industrial, and I'll  
17 read them as follows:

18 Automotive repair and services, building  
19 material related trades, cellular communication  
20 sites, contract construction services, light  
21 manufacturing and storage, lock-and-store  
22 warehouses, all permit signs, printing and  
23 publishing, public utility yards, research and  
24 development laboratories, truck terminals,  
25 warehousing, wholesale business, call centers, and



1 any other use determined by the building inspector  
2 to be of the same general characteristic.

3 MR. ADEN: Thank you.

4 And I have one more question, may I ask?

5 So I thought we were going to talk about the  
6 zoning today so I was busy trying to get  
7 everything copied, so I rushed out and left all my  
8 paperwork for this. So I apologize for that.

9 And so to look at the map, the R-Two District,  
10 is that all north of like Buckeye Street?

11 MR. FARKAS: Mr. Chair, through you.

12 The Buckeye Street is a mix of  
13 Light-Industrial. You have -- if you're on  
14 Williams Street, there's three parcels that are on  
15 the corner of Williams and Buckeye, and then it  
16 immediately turns to R-TH. And across the street  
17 is identical.

18 MAYOR BRUBAKER: Mr. Farkas, Mr. Aden is  
19 looking at the topographical map that you sent.  
20 Can you kind of walk him through where it's  
21 highlighted in yellow?

22 MR. FARKAS: This?

23 MAYOR BRUBAKER: Yes, that one.

24 MR. FARKAS: Mr. Aden, if you look at the map,  
25 at the intersection of Buckeye and Williams, you

1 can see on the right-hand side, the parcels in  
2 question labeled A, B, C, D, E, and F, those are  
3 the parcels in question for rezone that are  
4 currently R-TH.

5 Further south, we have a mix of R-TH,  
6 Business-General. And then to the east off, I  
7 think it's Sumner, is H-I.

8 Across the street to the west on Williams  
9 Street, we have Light-Industrial,  
10 Light-Industrial, Light-Industrial,  
11 Light-Industrial, and then R-TH. Those existing  
12 residential homes are nonconforming. They were  
13 plugged in years ago. They're just grandfathered  
14 in.

15 Trying to fix this zoning, this will be more  
16 in line with the area in question. I hope that  
17 helps.

18 MR. ADEN: One other question, if I may.  
19 Sorry.

20 What's the requirement for setbacks when it's  
21 Light-Industrial that's meeting a nonconforming  
22 residential district?

23 MR. FARKAS: The requirements for setbacks,  
24 any time it abuts a residential district, is 50  
25 feet.

1 MR. ADEN: 50?

2 MR. FARKAS: 50 feet. And that's why the need  
3 for an accurate site plan is needed. As the  
4 previous case, they're going to have to seek  
5 variances guaranteed out of one area. I'm not  
6 sure on the others because the Lorain County map  
7 measuring tool gives you a plus or minus. And I  
8 tried to do that to help them out, but I will need  
9 an accurate site plan triggering variances.

10 MR. ADEN: Thank you.

11 MAYOR BRUBAKER: Thank you, Mr. Aden.

12 Any other questions from the Commission?

13 Director Pyanowski.

14 MR. PYANOWSKI: Thank you.

15 Mr. Farkas, my concern was kind of touched on  
16 with that last question by Mr. Aden, you know,  
17 we're moving, if we approve this, some  
18 Residential-Two Household, you know, zoning here,  
19 and that provides a buffer space between the  
20 residential properties that are being resided in  
21 and just where this property is going to be  
22 operating. So, you know, that setback of 50 feet  
23 is something.

24 In the packet, it indicated or suggested that  
25 the surrounding property owners were notified. I

1 think that's part of this process. I don't see  
2 any of them here today because I'm familiar with  
3 who's in the crowd, but have we heard from  
4 anybody? Have we gotten any feedback or concerns  
5 expressed?

6 MR. FARKAS: Mr. Chair, through you.

7 I have heard nothing, but I'll defer to the  
8 Planning Commission Secretary.

9 MS. TOMSKI: I was out of the office on  
10 vacation last week, but going through my e-mails  
11 and my voicemails, I did not hear from anybody.

12 MR. PYANOWSKI: Okay. Thank you.

13 MAYOR BRUBAKER: Any other questions from the  
14 Commission?

15 Okay. Are there any other proponents? Are  
16 there any proponents? Are there any proponents?  
17 Any opponents? Any opponents? Any opponents?

18 Seeing none, I'll entertain a motion to  
19 approve 2025-100031, Rodney Hilton, Xpress Asphalt  
20 Solutions, 131 Williams Street, request to rezone  
21 from a R-TH (Residential-Two Household) to L-I  
22 (Light Industrial).

23 Do I have a motion?

24 MR. TEDROW: Moved.

25 MAYOR BRUBAKER: Moved by Mr. Tedrow.

1 Do I have a second?

2 MR. PYANOWSKI: Second.

3 MAYOR BRUBAKER: Second by Director Pyanowski.

4 Any further discussion?

5 All in favor, signify by aye.

6 MR. BATTLE: Aye.

7 MR. HUBBARD: Aye.

8 MR. PYANOWSKI: Aye.

9 MR. TEDROW: Aye.

10 MAYOR BRUBAKER: Aye.

11 Opposed, nay.

12 MR. ADEN: Nay.

13 MAYOR BRUBAKER: One nay.

14 Motion carries.

15 Thank you.

16 MR. MILLER: Thank you, gentlemen.

17 MAYOR BRUBAKER: The next item on the agenda

18 is the amendment to relevant ordinances for the

19 adult use of marijuana facilities within the City

20 limits, and I believe that will be by Law

21 Director Deery and Assistant Law Director Breunig.

22 And as they come forward, Mr. Aden had

23 referred to the zoning updates. We'll be doing

24 that at the May meeting.

25 Mr. Breunig.

1 MR. BREUNIG: Thank you, Mayor. Good morning.

2 Assistant Law Director Erik Breunig, 131 Court

3 Street, Elyria, Ohio.

4 I'm here to address something that has been on

5 the books with the General Assembly effective last

6 year, but the City has had a moratorium on, and

7 that is adult use cannabis facilities. We have to

8 address it at some point and that time has come.

9 We have proposed, and you have in your packets

10 some proposed amendments to our zoning ordinances

11 to permit adult use cannabis facilities

12 essentially at the same locations that would be

13 co-located with medical marijuana facilities in

14 the City.

15 We have had medical marijuana as permitted

16 uses -- conditionally permitted uses in

17 Business-General, Light-Industrial, and

18 Heavy-Industrial for several years now, I think

19 going back to 2018 or so. We have designed the

20 adult use cannabis facilities to be co-located

21 with medical marijuana facilities. That would be

22 a prerequisite to facilities gaining licensure,

23 would be to have medical marijuana conditional use

24 approval. So that would be an additional

25 requirement. So it would be in the same types of

1 areas.

2 This is an area of law that is sort of influx

3 right now. I'm sure you've all heard noise at the

4 state level about the General Assembly probably

5 looking to change the parameters of adult use

6 cannabis that was enacted, I think, in 2023 by

7 initiative petition with the state. That will

8 probably come into play at some point, maybe

9 around the same time as we do a comprehensive

10 zoning overhaul.

11 This is, in essence, a stopgap solution. We

12 need to address this because, you know, we had a

13 one year moratorium on permitting adult use

14 cannabis facilities. We're nearing the end of

15 that moratorium period. We do want to have

16 something on the books, though, I would caution

17 you that whatever we put in place -- and what we

18 have in front of you is, again, what our proposal

19 is, but whatever we put in place will probably

20 have to change at some point in the future,

21 possibly the near future depending on what both

22 the General Assembly does and what our

23 comprehensive zoning overhaul, which we do have

24 people here who are more involved in that process

25 than I am, but that will probably come into play

1 as well.

2 With that, I'd entertain any questions from

3 the Commission or the audience.

4 MAYOR BRUBAKER: Thank you, Mr. Breunig.

5 Any questions from the Commission?

6 Director Pyanowski.

7 MR. PYANOWSKI: Thank you.

8 You kind of answered this question, but I want

9 to make sure it's clear -- or I want to get

10 clarity.

11 You said that, you know, medical marijuana

12 licensure or approval would be a precondition to

13 getting it for recreational -- or adult use. I'm

14 sorry. I know that's the phrase. And I read

15 that, and that was my concern with the way it's

16 laid out.

17 So can you -- would somebody be able to do

18 that process simultaneously or would you have to

19 get one and then literally start over again to get

20 for the other if the state has issued you a

21 license for both?

22 MR. BREUNIG: No. If the state issues --

23 that's a good question, and I guess we'll still

24 work out those kinks, and that will probably be a

25 procedural issue that you guys will have to deal

1 with more often than I'll have to deal with, but  
2 my interpretation of that would be you could apply  
3 for both simultaneously.

4 Now, I will say that I neglected to mention in  
5 my initial presentation -- I apologize for this --  
6 that per Council's request when we initially  
7 presented this to them -- and this is all, you  
8 know, based on Council members direction, by the  
9 way. We put this together based on input from  
10 them at a public meeting that occurred last year  
11 in 2024. But this would be limited in the City to  
12 two adult use cannabis permits at any one time.  
13 So we have a cap on those.

14 So I have two answers to your question,  
15 Mr. Pyanowski. One is for future, you know, uses,  
16 assuming we haven't hit that cap, that two-use  
17 cap -- and right now we just have one, I believe,  
18 so we could have one extra one -- future ones  
19 could apply for both at the same time.

20 MAYOR BRUBAKER: I think we currently have two  
21 facilities.

22 MR. BREUNIG: We do. We do. And I was just  
23 corrected and I apologize.

24 MAYOR BRUBAKER: That's fine.

25 MR. PYANOWSKI: My follow-up question was

1 they got a -- you know, a provisional license,  
2 then they went through their local zoning code  
3 applications and everything else and then we were  
4 able to issue a final licensure after they, you  
5 know, had achieved their preliminary status with  
6 the state and then confirmed to local  
7 conformities.

8 This referendum, you know, that was put on  
9 didn't address all of those procedural issues that  
10 the more comprehensive medical marijuana statutory  
11 scheme did address, so there were a lot of holes  
12 in -- and I'm talking about the state statutory  
13 scheme, not the local one. We had a lot more  
14 guidance when we put together the medical  
15 marijuana, you know, scheme from there.

16 So I guess my answer is I don't have an answer  
17 to that question because, again, the state  
18 statutory scheme, as it currently exists, doesn't  
19 provide that.

20 MR. PYANOWSKI: And one last question: Are we  
21 in any way going to restrict the number of  
22 facilities that we're going to allow in Elyria in  
23 this construction that we're doing? So in the  
24 event, say, for instance, the state were to issue  
25 a third license or authorize a third license

1 actually going to be a statement and then a  
2 question. It's my understanding -- and please  
3 correct me if I'm wrong -- that, you know, all of  
4 this is dependent on the facility being issued a  
5 license by the state who determines,  
6 geographically and otherwise, how many licenses  
7 might be in a particular area. I don't know if  
8 they do it literally by city or space or how they  
9 do it.

10 So nothing is going to happen with us until  
11 the state -- and here, I guess, is my question:  
12 Do they have to get the license from the state  
13 first before they come to us to get zoned to open  
14 the shop up or is that -- how does that work  
15 timing-wise, to the extent you know?

16 MR. BREUNIG: Yeah. And -- and I don't know  
17 if you have an opinion on that.

18 I believe that they would probably have to at  
19 least be in process, you know, with that license.

20 With the medical -- I can tell you the way it  
21 worked with the medical is that they had a  
22 conditional approval, I suppose, from the state is  
23 the way I would put it. That's not the right  
24 terminology, the way the statute's written, but  
25 that's -- that's essentially how it worked was

1 within our jurisdiction, would we limit it to two  
2 or is it just going to allow for whatever the  
3 state authorizes?

4 I would like -- if we haven't thought about  
5 that, I just would like to have that clearly in  
6 there somehow.

7 MR. BREUNIG: We do have a cap of two, okay,  
8 but, again, there is the potential of having that  
9 preempted by, you know, general laws in the state.  
10 So if the state does issue more and the statutory  
11 scheme is amended, then our limitation, our cap  
12 might be preempted by the state law.

13 MS. DEERY: And just to add on to that: At  
14 the same time, should our local council, even if  
15 we are not preempted, decide that two is not the  
16 optimum number, whether that's for dispensaries or  
17 -- just so we're clear, this also covers other  
18 facilities as well. We have a processing facility  
19 out on Murray Ridge --

20 Is that correct, Mr. Farkas?

21 -- as well, so this does also cover all levels  
22 of licensures.

23 The average person, you know, thinks of  
24 dispensaries, but the state does license in our  
25 ordinance scheme in the zoning, it does cover all

1 aspects of medical and adult use marijuana  
2 business.  
3 If, let's just say, the City were to decide  
4 and it is not preempted by the state that three is  
5 the number, that is something then that could be  
6 amended. But two was the number that was utilized  
7 for the medical marijuana legislation and we  
8 tracked that legislation very closely when it was  
9 amended to introduce dual use to allow for also  
10 adult use, aka, recreational.

11 MAYOR BRUBAKER: Thank you, Law Director.  
12 Are there any other questions from the  
13 Commission?

14 I do have a question for either Assistant Law  
15 Director Breunig or Mr. Craig, legal counsel.

16 What is the action that we're doing here  
17 today? Are we voting on anything? Is this an  
18 update? Is this a public hearing?

19 MR. BREUNIG: This is a public hearing, and  
20 the action requested would be to recommend to  
21 council the passage of amendments to the zoning  
22 ordinance in accordance with the packet you  
23 received.

24 Normally, we ask for a little more clarity  
25 from you on these motions. We've drafted the

1 legislation already. This has come from our  
2 office.

3 So what we're looking for is approval from the  
4 Planning Commission of the scheme of ordinances  
5 that we've put together in order to permit adult  
6 use cannabis in the zoning classifications that  
7 we've requested -- that's B-G, L-I, and H-I --  
8 prerequisites being a conditional use for medical  
9 marijuana facility, and that there be no more than  
10 two permitted in the City.

11 MAYOR BRUBAKER: Since it is a public hearing,  
12 I will go through staff reports for any updates.

13 Mr. Farkas.

14 MR. FARKAS: Mr. Chair, I have no report.

15 MAYOR BRUBAKER: Mr. Schoenig.

16 MR. SCHOENIG: No further comments.

17 MAYOR BRUBAKER: Engineer Schneider.

18 MR. SCHNEIDER: Engineering has no comments.

19 MAYOR BRUBAKER: Assistant Chief Gall.

20 MR. GALL: Fire Department has no comment.

21 MAYOR BRUBAKER: Are there any proponents?  
22 Are there any proponents? Are there any  
23 proponents?

24 Are there any opponents? Are there any  
25 opponents? Are there any opponents?

1 Seeing none, Ms. Tomski, do we have a public  
2 hearing number or do I just go on to 32 on this?

3 MS. TOMSKI: I don't have a number.

4 MAYOR BRUBAKER: So I'll make it Public  
5 Hearing No. 2025 -- I'll entertain a motion for  
6 Public Hearing 2025-100032, to approve amending  
7 the relevant ordinances for the adult use  
8 marijuana facilities within the City limits as  
9 proposed by the Law Director's office and  
10 recommend it to full City Council.

11 Is that appropriate, Mr. Breunig?

12 MR. BREUNIG: Yes, thank you, Mr. Chairman.

13 MAYOR BRUBAKER: Thank you.

14 Is there a motion to approve?

15 MR. PYANOWSKI: Motion to approve.

16 MAYOR BRUBAKER: Moved by Mr. Pyanowski.

17 MR. ADEN: Second.

18 MAYOR BRUBAKER: Second by Mr. Aden.

19 Any further discussion?

20 All in favor, signify by aye.

21 MR. ADEN: Aye.

22 MR. BATTLE: Aye.

23 MR. HUBBARD: Aye.

24 MR. PYANOWSKI: Aye.

25 MR. TEDROW: Aye.

1 MAYOR BRUBAKER: Aye.

2 Opposed, nay.

3 Motion carried.

4 Thank you, Assistant Law Director and Law  
5 Director.

6 MAYOR BRUBAKER: We have -- Item No. 8, there  
7 are no Planning Commission cases.

8 Item No. 9 is your summary reports of Design  
9 Review applications that have been approved by the  
10 Design Review Staff to the Commission.

11 Are there any questions on any of those?

12 Okay. Any staff or Commission reports?

13 Seeing none, our next meeting is scheduled for  
14 May 6, 2025. And, again, we will have a update  
15 from Mr. Farkas, Mr. Schoenig on the zoning update  
16 map, and we'll discuss that or have an update on  
17 that at that time.

18 So seeing no further business before this  
19 body, I'll entertain a motion to adjourn.

20 MR. ADEN: So moved.

21 MAYOR BRUBAKER: Moved by Mr. Aden.

22 MR. HUBBARD: Second.

23 MAYOR BRUBAKER: Second by Mr. Hubbard.

24 Any further discussion?

25 All in favor, aye.

1 MR. ADEN: Aye.  
 2 MR. BATTLE: Aye.  
 3 MR. HUBBARD: Aye.  
 4 MR. PYANOWSKI: Aye.  
 5 MR. TEDROW: Aye.  
 6 MAYOR BRUBAKER: Aye.  
 7 Opposed, nay.  
 8 Motion carried.  
 9 Meeting adjourned. Thank you.

1 C E R T I F I C A T E

2 The State of Ohio, )  
 3 ) SS:  
 4 County of Erie, )

5 I, Mary A. Hammond, a Court Reporter and Notary  
 6 Public within and for the State of Ohio, do hereby  
 7 certify that I attended the foregoing meeting, wrote  
 the same in stenotype, and that this is a true and  
 correct transcript of my stenotype notes.

8 I do further certify that I am not a relative,  
 9 employee of, or attorney for any of the parties or  
 otherwise interested in the outcome of this action.

10 I am not, nor is the court reporting firm with  
 11 which I am affiliated, under a contract as defined in  
 Civil Rule 28(D).

12 In WITNESS WHEREOF, I have hereunto set my hand  
 13 and affixed my seal of office at Berlin Heights, Ohio,  
 this [!END DATE] day of [!END MONTH], 2025.

14 *Mary A. Hammond*

15 Mary A. Hammond  
 16 Court Reporter, Notary Public  
 17 My Commission Expires 12-25-27  
 18 Recorded in Erie County, Ohio  
 19  
 20  
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 22  
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 25