



City of Willowick
PLANNING COMMISSION

Monday, February 10, 2025 at 7:00 PM
City Council Chambers

ADA NOTICE

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City of Willowick at 440-585-3700 at least three working days before the meeting.

MINUTES

Prior to the start of the Planning Commission meeting Mayor Vanni swore in new board members Ms. Monaco, Mr. Tomas and Mr. Downing as well swearing in Chairman Carden for another term.

Call meeting to order

Chairman Carden called the February 10th, 2025, Planning Commission meeting to order at 7pm.

Pledge of Allegiance to the Flag

Roll Call

PRESENT

Chairman Carden

Mr. Hren

Mr. Foisel

Mr. Fortney

Mr. Tomas

Ms. Monaco

Mr. Downing

ALSO PRESENT

Mayor Vanni

Chief Brennan

Law Director Gwartz

Councilman Phares

Approval of Minutes

Planning Commission Minutes - December 9th, 2024

Motion made to approve the December 9th, 2024, Planning Commission meeting minutes by Mr. Foisel, Seconded by Mr. Hren.

Voting Yea: Chairman Carden, Mr. Hren, Mr. Foisel, Mr. Fortney

Voting Abstaining: Mr. Tomas, Ms. Monaco, Mr. Downing

Development & Plan Review Committee

None.

Rules Committee

None.

City Engineer's Report – Mr. McLaughlin

None.

Law Director's Report – Ms. Gwartz

None.

Architectural Review Board

None.

Community Reinvestment Area – Mr. Carden

None.

Public Hearings

None.

Public Portion

Public portion was opened and closed at 7:03pm with no public present.

Remarks – Old Business

Continuation of the discussion regarding the moratorium on recreational marijuana

The board started off this discussion with reviewing other cities ordinances with regards to recreational marijuana. Chairman Brennan provided some details about Chapter 1145 retail and the uses within that ordinance. The board discussed the locations where the City of Willowick would be able to have a recreational marijuana establishment. They also discussed limiting the amount of recreational marijuana establishments that would be allowed in the city, the same way that the board limited the amount of entertainment device arcades allowed in the city. Councilman Phares provided the board members with maps of locations throughout the city such as daycares, schools, churches and parks including the distances from those locations to determine where in the city a recreational marijuana establishment would be allowed to be located. Those locations would be a small strip on Euclid Avenue, a small portion in the industrial area of Lakeland Boulevard, a small area on East 305th street as well as an area on Lakeshore Boulevard (part of Shoregate plaza, closer to Marcs). The board had some further discussion regarding the maps that Councilman Phares provided with regards to the state guidelines and the distances and boundaries. Chairman Carden circled back to limiting a recreational marijuana establishment to only allowing one or two in the city. There were some questions about the state guidelines pertaining to the proximity from one recreational marijuana establishment to another. Chairman Brennan went over the Streetsboro ordinance covering the limit they have in their city as well as the distance from one to another. Mayor Vanni stated that Painesville Township allows two in their city. Chief Brennan also touched base on an ordinance for other cities regarding the signage allowed on a recreational marijuana establishment, we would need to establish in our signage ordinance something pertaining to what would not be allowed. The board also discussed what the license fee would be to having a recreational marijuana establishment in our city and looked over the license fees for surrounding cities. There was some discussion regarding the license fees being \$10,000 in some cities and up to \$20,000 in other cities, the board discussed a \$15,000 annual license fee for our city. Mayor Vanni added that the Governor is also looking to increase the tax, city would still receive 10%. Law Director Gwartz added that in her experience with Painesville Township, the medical dispensary there was making about a million dollars a month and the township gets a percentage of the revenue, the

income from the sales goes to the state and then the cities that allow it to get a certain percentage. Mayor Vanni stated that he believes that the cities percentage of that is 10%. There was also some discussions to where the increased sale tax from the state may go, there is possibility of going to a sports building fund, police/fire pension fund, drug education and possibly education funds. At this time the city has Commercial Establishment license fee for all businesses in the city which is based on the square footage however nothing set for license fees for recreational marijuana establishments. The board also reviewed revenue and taxes other cities who have operating recreational marijuana establishments receive.

Chairman Carden reviewed the option to limit to one in our city asking Law Director Gwartz if that was allowed and how to go about doing so. There was further discussion to limiting to one recreational marijuana establishment in the city. The board then spoke about medical marijuana facilities and the ability for medical to also sell recreational marijuana. Mr. Downing asked if there are other cities that limit the number of recreational marijuana establishments in their city, Law Director Gwartz advised that most cities if not all, do limit the amount allowed. Mr. Downing stated that being that Willowick is such a small area; he believes two in the city may be too many once you factor in the buffer zones.

Councilman Phares advised that there are 3 establishments within 6 to 10 minutes of Willowick. Mayor Vanni advised the board that he did speak with the police chief regarding these establishments, and he did not have any concerns. Mayor Vanni said that he thinks one would be plenty in Willowick due to limited space. Mr. Hren asked Mayor Vanni how many calls he has received with interest to opening up an establishment in Willowick, Mayor Vanni stated only a few. However, he does want to have the ordinance in place for when the next person calls. He did advise that the state only allows a certain number of these licenses for this type of business. Chairman Carden and the board agrees to limit to one in the city. There was some discussion with regards to turn over in vape shops and safety. Law Director Gwartz stated with regards to safety that the state law requires security and regulates the amount of people in the establishment. She stated that in Painesville Township they have had zero phone calls to the Sheriff's department for issues at their dispensary, these are easily a million dollar a month business. The board then moved to security requirements to put in place in Willowick, where Law Director Gwartz added that these types of businesses have to go through a long process as well as high fees to open up a recreational marijuana establishment, they do not want to do anything to jeopardize the business. Chief Brennan stated that we would put a penalty in place so if something ever did happen, we would have a penalty in place. Ms. Monaco stated that she wondered how many residents are going outside of the city to patronize this type of business. Chairman Carden stated that at this time they would have to all be going outside of the city since we don't currently have one here. Mr. Foisel stated that with the direction things are going this is becoming more common, you have a liquor store in every municipality as it sits right now, you have multiple bars in every municipality, he stated that this type of business coming into the city would be good for the city but he is with the board with regards to only having one here. Mr. Downing stated that currently you can purchase THC items, infused drinks and things of that nature at many stores currently operating in the city, so those types of things are already happening. Mayor Vanni stated that he sits on the Lake County Narcotics board and there have been no issues with the dispensaries however the issues have been with vape shops because they are selling low grade marijuana items. So, with regards to safety of having a recreational marijuana establishment he sees no issues. Again, the board reviewed the ordinances for a few other cities to look at what would be good for the City of Willowick and would not be required due to current establishment ordinances where certain things are already covered. Chief Brennan stated while looking at Lakewood's ordinance it has things covering fencing and parking but since this would only be allowed in retail district, we can review it, but he doesn't think it would need to be covered here because we already have requirements in place. He also mentioned drive throughs and if the board would allow them or not, it was determined after some discussion if the establishment would want a drive through the board would allow it. Law Director

Gwartz stated that once recreational was allowed to be sold, Painesville Township allowed drive throughs, but they do have to get a conditional use permit. She stated that allowing it, she doesn't think a drive through makes anything better or worse because again they are so heavily regulated and such big investments it encourages the business to not have any problems there. Mr. Hren asked with regards to security, are there any clauses that would require somebody have or not have a drive through. Law Director Gwartz stated that they still have the same security requirements, Painesville Township found it beneficial because a lot of the clients are using it for medical purposes, it makes it easier for individuals that are disabled to obtain their items through a drive through. She also stated that a large portion of the sales are completed through the establishment's application, so they put their orders in ahead of time and drive up to get their order. Chairman Carden stated that he agrees as long as it complies with zoning then he doesn't see an issue with a drive through. There was some discussion regarding what current allowed locations that already have a drive through. Law Director Gwartz clarified that if the board did not allow it then the applicant can always apply for a variance. Mr. Fortney stated that he is not on board with a drive through and there was some discussion regarding the pros and cons. Law Director Gwartz again stated that she cannot stress enough the security in place, these are very professional places because there's a lot of money involved and regulations, they do not want to lose their license. There was some discussion regarding signage and things that would not be allowed, remaining professional and classy with their signage. Chief Brennan asked the board if this type of business would follow other businesses in a retail district (with the exception of service establishments) and only have to go to Plan Review Board or would the board like to have recreational marijuana establishments go to Planning Commission as well. The board determined that this type of business would only need to go to the Plan Review Board. Chief Brennan stated in the Lakewood ordinance there doesn't look to have anything listing penalties however, we would want to make sure to add a penalty clause with some advice from the Law Director. There was some discussion regarding what other cities have in place and what Willowick could put into place. Law Director Gwartz stated that the penalty would likely come into place with vape shops (selling something they shouldn't) vs a recreational marijuana establishment. We would keep the same penalty structure as the state as in place. Councilman Phares advised the board that when limiting the number of these types of establishments we would need to have a logical reason as to why we are limiting the number, the board discussed, and it was determined that it is due to the boundary requirements and the fact that our city is so small that is the reason to limit to one. There again was some discussion on where this type of business would be able to be located.

Chairman Carden stated to recap the general consensus would be a \$15,000 annual license fee, limiting to one recreational marijuana establishment in the city, only go to Plan Review Board, no need to go to Planning Commission, putting security requirements in place, establishing sign requirements as well as establishing penalties.

Law Director Gwartz will put everything together in a formatted ordinance for the board to review and vote to recommended to City Council at our next Planning Commission meeting.

Remarks – New Business

None.

Adjournment

Motion made to adjourn the February 10th, 2025, Planning Commission meeting at 8:00pm by Mr. Hren, Seconded by Mr. Fortney.

Voting Yea: Chairman Carden, Mr. Hren, Mr. Foisel, Mr. Fortney, Mr. Tomas, Ms. Monaco, Mr. Downing