

- Motion to Elect new chair of Planning Commission
- 4551 Ammon Rd., Public hearing, conditional use application, chicken coop
- 1440 S Green Rd., Public hearing, conditional use application, day care
- Medical Marijuana legislation-discussion
- Dark store ordinance discussion

Meeting called to order at 7:05 pm at the South Euclid Community Center by Acting Chairperson Ramon Adams. Members present: Ramon Adams, Carlean Alford, Dan Ivins, Matt Wiederhold. Absent: Earl Stovall. Also present: Eric Tuck-Macalla, Building Commissioner; Chief Kevin Nietert, City of South Euclid, Police Department.

Motion to elect new chair of planning commission-

Mr. Ivins made motion to elect Mr. Adams as chairperson of Planning Commission. Ms. Alford seconded. All ayes. (4-0-0). Mr. Adams will now serve as Planning Commission Chairperson.

4551 Ammon Rd., public hearing, conditional use application, chicken coop-

Mr. Owens, owner of 4551 Ammon Rd., was present for the meeting. Mr. Owens would like to would like to raise chickens. He has read the book, Raising Chickens for Dummies and he also attended a class at Cavotta's to learn more about raising chickens. He learned they only lay eggs for 2 years, but can live for 15 years. Mr. Owens plans to have 3-4 chickens. At this time he is looking to put in a store bought unit for run and coop, instead of building his own. There was a short discussion on heating through winter; Mr. Wiederhold had some tips for Mr. Owens as far as raising the chickens.

Chairman Adams made motion to approve. Mr. Wiederhold seconded. All ayes to approve conditional use application for chicken coop for 4551 Ammon Rd. (4-0-0).

1440 S Green Rd., public hearing, conditional use application, day care-

Building Commissioner, Eric Tuck-Macalla, explained to the board that if this day care were to be proposed as a new business in the Mayfield/Green zoning district, it would not be allowed per zoning, but since it is existing, they can apply for continued conditional use application.

Jacqueline McClain present for the meeting. Ms. McClain has 3 other day cares in the Collinwood and Glenville area. She wants to broaden her business. Her centers have arts and core curriculum. The name of business will be: Apples of Gold Enrichment Center. Her centers are 2 star centers; they assess children as they come in for ages and stages and create a profile for each individual and will bring in outside resources on an as needed basis. These assessments will be required in 2020 for a day care to receive public funding. Centers take children ages 6 weeks - 12 years. Total number of children allowed in this building is 145 children. Her other centers can have up to 200 children, but are not at full capacity. Ms. McClain discussed the ratios of teachers to children for the different age groups.

Operating hours are 5:30 am – 7:00 pm, Monday through Friday. They do prepare meals in their centers. They have passed all inspections.

Chairman Adams made motion to approve conditional use application for the day care at 1440 S. Green Rd. Mr. Ivins seconded. All ayes to approve conditional use application for day care at 1440 S. Green Rd. (4-0-0). Motion approved.

Medical Marijuana legislation-discussion-

Building Commissioner, Eric Tuck-Macalla handed out a color coded zoning map to designate where cultivation, dispensaries and research could be located in City with the way the legislation is written.

Ms. Alford gave all commissioners a hand out of discussion points for the commission to discuss. The commission really needs to consider whether this will be good for the community.

Mr. Ivins discussed synthetic medications that are similar to medical marijuana and effects on patients. They need more research on these medications; long term ramifications are not known. Discussed a handout from the FDA on synthetic drugs, which are considered tier 3 drugs; medical marijuana is considered a tier 1 drug. Should City choose not to legislate, medicinal patients can still use in City and obtain elsewhere. Mr. Ivins believes we should legislate so the City has option to cultivate, distribute or dispense medical marijuana.

Planning Commission addressed Chief Nietert with question of how do police prove when someone has smoked marijuana. Chief Nietert stated that the police have drug recognition experts; cannot always smell on individual; only way to prove conclusively is through a blood draw; there are set thresholds set for individual drugs.

Chief Nietert does not see issue with possible burglaries; South Euclid has not seen a theft from a pharmacy in years. From law enforcement does not see outward concern for noise or traffic, would put akin to a bar. There will be high security due to amounts of cash the dispensaries will be dealing with. Chief attended a conference in Denver, many issues covered. State laws are very strict.

The board discussed the Section three (d) of the legislation: seems to be good to stick with 500 foot state requirement distance for zoning, otherwise, if extend to 1000 feet, seems too restrictive for the City. With the 1000 foot regulation, this would exclude manufacturing districts.

There was discussion on fees and economic benefits for the city.

Discussion points from handout:

- What impact, if any, will this have on the City's urban landscape? Board doesn't see negative effect.
- Economic benefits – wants to see numbers crunched from City's Economic Development director and finance department
- Safety concerns discussed with Chief Nietert- akin to a pharmacy, no burglaries in a number of years of a pharmacy in South Euclid, probably a decade. There are issues with money due to banking issues with lending for the business. Ohio has one of the strictest laws for medical marijuana as sits right now on the books. From law enforcement perspective, Chief Nietert does not see extra issues in regards to safety, noise.
- There should be filters in cultivation centers to allow for minimal odors allowed to permeate into the environment.
- How many facilities will be allowed in City? There will be 12 large grow and 24 small grow allowed for the whole state
- Will this type of legislation open up the city for civil or criminal liability? Will ask Law Director, Mike Lograsso.
- Will City Council truly decide on the Medical Marijuana legislation based on what the citizens of South Euclid want?

Ms. Alford would like to see a slower approach to the enacting the legislation.

There was discussion on dispensaries. Will drugstores be allowed to sell due to zoning? Most in City will be excluded due to zoning.

There was discussion on whether growing medical marijuana can be a home based business. Legislation states that you cannot have as a home based business.

Chairman Adams made motion to recommend the legislation with condition to change the distance in Section three (d) from 1000 feet to 500 feet of a parcel on which a school, church, public library, public playground, or public park is located. Planning Commission is requesting that council provide projected economic benefits for the city from economic development in conjunction with the finance director. Planning Commission would like to know if approval of the legislation opens the city up to civil or criminal liability; would like law director to explain, why or why not. Planning Commission would like to see these answers presented at the May 8, 2017, public hearing. Mr. Ivins seconded.

Vote: Ms. Alford, nay; Mr. Ivins, aye; Mr. Wiederhold, aye; Mr. Adams, aye.

Motion for recommendation granted, 3 ayes, 1 nay, 1 absent. (3-1-0).

