

**KENT PLANNING COMMISSION  
BUSINESS MEETING  
OCTOBER 19, 2021**

**MEMBERS PRESENT:**

**Amanda Edwards  
Jeff Clapper  
Nickolas Bellas  
Michael Bruder**

**STAFF PRESENT:**

**Bridget Susel, Community Development Director  
Tim Sahr, Development Engineer**

**I. Call to Order**

Ms. Edwards called the meeting to order at 7:00 p.m.

**II. Roll Call:**

Mr. Bellas, Ms. Edwards, Mr. Bruder, and Mr. Clapper were present.

**III. Reading of Preamble**

Ms. Edwards read the Preamble, which describes the purpose and procedures of the Planning Commission as well as the applicant's right to an appeal.

**IV. Administration of Oath**

Ms. Susel instructed those members of the audience wishing to be heard on any of the cases presented at this meeting to rise and raise their right hand. Ms. Susel administered the Oath, "Do you solemnly swear or affirm that the testimony that you are about to give this evening is the truth, the whole truth, and nothing but the truth, so help you God? Please say "I do." The participants responded, "I do."

**V. Correspondence**

None

**VI. Old Business**

None

**VII. New Business**

**A. PC21-014 SHIRE CANNABIS CO.  
166 Currie Hall Parkway  
Conditional Zoning Certificate and Site Plan Review**

**The applicant is requesting a Conditional Zoning Certificate and Site Plan Approval to operate a medical marijuana dispensary at the listed address. The subject property is zoned C: Commercial Zoning District**

Mr. Sahr introduced the project as presented in the staff report. Mr. Sahr explained that the site is surrounded by commercial uses to the east and west and by residential uses to the north and south. Mr. Sahr read the conditions from Section 1105.34: Medical Marijuana Dispensaries. He stated that one of the conditions requires that this use is to be at least 100 feet from any residential district. He noted that the applicant's property is within 100 feet of a residential property but has been granted a 10 foot variance from this condition from the Board of Zoning Appeals to allow this application to go forward. Mr. Sahr stated that staff has reviewed the parking and the requirements have been met. He stated that all utilities and storm water flow from the site are existing and will remain unchanged. He stated that new signage is proposed but does not meet the conditions of the zoning code and staff recommends requiring a revised sign plan be submitted at a later date pending the applicant's acquisition of a License to Operate from the State of Ohio. He stated that the plans indicate new site lighting and landscaping. He stated that the existing dumpsters will remain in the current location. He stated that the Architectural Review Board consideration was not required for this case. He concluded that staff finds that the request for a Conditional Zoning Certificate and Site Plan Approval is in accordance with the standards established in the zoning ordinance and other applicable development regulations except as recommended in the Staff Report.

Michael Scheeser, 6549 Westpoint Dr., Hudson, stated that he is the President of Galenas, which is the parent company behind Shire that is the retail branding for medical marijuana. He stated that they have been operating a Class 2 cultivation facility in the City of Akron for about 3 years and also operate both cultivation and license for retail and processing in Michigan. He explained that the approval process with the State is a lottery system and there are no guarantees that they will receive a license in Ohio. He shared renderings of the proposed business on Currie Hall Pkwy. He stated that some of the key aspects to maintain a secure location is the traffic patterns of the site, the surrounding property, ample parking, and the security layers. He stated that there are multiply security layers: physical barriers, traps within the physical barriers where people can't move without further assistance from an employee, security cameras both inside and outside the building, which the State can also monitor live, a security guard during operating hours, a vault, and segregation of people at the point of sale. He compared the layers of security to those of a bank. He stated that the proposed property has ample parking and will be able to maintain the flow of traffic. He stated that only medical State approved patients will be allowed to enter the building. He stated that there isn't any consumption or open container capability at the facility and all medicines dispensed are tracked by them and the State. He stated that their plans are to have the facility up and operational within 12 months of the notification of the license award; targeting 6 months or less. He stated that they would be spending \$600,000 on renovations to the building. He stated that the first year they would have approximately 15 employees and then increasing to 25 employees. He stated that they take their business very seriously and look forward to being a good neighbor.

Mr. Bellas questioned the hours of operation.

Mr. Scheeser stated that the hours will be coordinated based on what they would deem as safe operating hours; typically Monday – Saturday 7am – 7pm or 8am – 8pm based on other businesses and availability of staff.

Mr. Bruder questioned how many applications the State has.

Mr. Scheeser stated that while he doesn't know, he anticipates there will be 400+ applications. He stated that his company will be submitting 6-10 applications across the state in hopes that they win one license.

Ms. Edwards questioned whether they look at the applications regionally.

Mr. Scheeser stated that it is regional as well; they do look at the distribution of the existing facilities and then the new facilities to try to create coverage for patients across the state. He stated that generally they look to see 1) did you apply correctly and do you qualify, 2) what is the distribution of the applicants, 3) a lottery based on region, patient count, and how many licenses are needed.

Mr. Susel stated that Portage County is combined with Geauga and Lake Counties with regards to the geographic area being considered.

Mr. Scheeser added that Shire Brand and Galenas are the only organic company within the State that is Certified Kind and they have developed a very strong reputation for one of the best in the State with regards to the range of products, potency of the products, application of the products, and being an organic company.

Ms. Edwards questioned if appointments will be required.

Mr. Scheeser stated that the bulk of their business will be walk-ins but depending on what the State will eventually allow, this could change.

Ms. Edwards questioned whether Currie Hall Pkwy is an actual street or a private drive for the shopping center.

Ms. Susel stated that part is a private drive and part is public right of way.

### **Public Comment**

Patricia Kent, 4358 Apple Orchard, Rootstown, stated that she owns apartments that are directly across from the subject parcel. She stated that she is concerned because she rents to families and doesn't want the marijuana there. She stated that she feels that it will hinder her from renting and will decrease the value of her property. She stated that she is against the project and marijuana.

Mr. Swalcy, 3101 Tallmadge Rd, questioned the maximum amount of marijuana that a patient can buy at one time. He questioned if the hours can be extended at any time.

Mr. Scheeser stated that he doesn't know if the hours would change. He stated that it is a matter of security and access; they will have a security guard on duty during business hours. He added that he doesn't anticipate that they will be open until midnight or anything like that. Mr. Scheeser stated that the State allows patients 1 oz. (28 grams).

Brady Ciancio, Galenas, stated that the quantity is actually based on potency and the Department of Pharmacy provides the limits; typically less than 2 grams over each 45 day period.

Mr. Scheeser stated that the maximum potency that you are seeing today in the market is about 35% THC per dosage. He explained that the product limit is based on 45 days and the maximum potency times the number of grams; limit is actual milligrams of the THC product.

Mr. Clapper asked if the State imposes any restrictions on hours of operation.

Mr. Scheeser stated that he believes that it is but will need to follow-up with the State Pharmacy Board and let them know.

Mr. Ciancio clarified that the product limits on the 90 days period are 8 oz. for tier one products (22.9% THC and lower) and tier two products 5.3 oz. (23% THC and higher). He stated that the product is tracked over 45 day periods; patients do not have access to an unlimited amount of medicine.

Mr. Bellas questioned if the medical ID is a photo ID.

Mr. Scheeser stated that the patient needs to provide both a photo ID as well as the medical ID.

### **Planning Commission Discussion**

Mr. Clapper stated that he understands that there is concern about having marijuana in the area but he feels that it is no more detrimental than alcohol, which is available right up the street.

Mr. Bellas stated that he is unaware of a crime issue associated with this type of facility.

Mr. Bruder stated that the case was well prepared and organized. He stated that he appreciates their willingness to have conversations and educate everyone on the issue.

Ms. Edwards echoed the other Commissioners' comments. She stated that she feels that this needs to be thought of as a pharmacy because this is what the State of Ohio has said it is.

**MOTION:** *In the case of PC21-014, Shire Cannabis Co., 166 Currie Hall Parkway, Mr. Clapper moved that the Planning Commission approve the Conditional Zoning Certificate and Site Plan to operate a medical marijuana dispensary at the listed address with the following conditions:*

- 1. Acquisition of proper licensing and approval from the State of Ohio.***
- 2. Submittal of a Comprehensive Sign Package for review.***
- 3. Technical Plan Review.***

***Mr. Bellas seconded the motion. The motion carried 4-0.***

VIII. **Minutes**

**MOTION:** *Mr. Clapper moved to approve the September 21, 2021 Planning Commission minutes as presented. Mr. Bellas seconded the motion. The vote carried 4-0.*

IX. **Other Business**

None

X. **Adjournment**

**MOTION:** *Mr. Clapper moved to adjourn. The motion was seconded by Mr. Bruder. The motion carried 4-0. The meeting adjourned at 7:30 p.m.*