

City of Norton
PLANNING COMMISSION
Tuesday, February 13, 2007

The Planning Commission of the City of Norton, Ohio, convened for a public meeting in Council Chambers of the Safety Administration Building. Chairperson Mark Spisak called the meeting to order at 6:16 p.m.

I. ATTENDANCE:

PRESENT: Mark Spisak, Marguerite Abbott, John Conklin, Todd Houser

ABSENT: Janet Jacobs

ALSO PRESENT: Jeff Pritchard, Director of Planning and Community Development

Chairperson Spisak stated that he would have to excuse himself from PC Application SPR 8-2006 because he does business with the applicant on a personal level, which is considered a conflict of interest. He said that since there were only three members present at that time the Commission would move out of order of the agenda and consider 'New Business' first.

II. NEW BUSINESS:

A.) Recommendation to Mayor Regarding Agricultural District Application (New):

Chairperson Spisak stated that there was an Agricultural District Application before them that night for the following property: 3459 Cleveland Massillon Road/PPN's 4617513 & 4607515. He said the owner Thomas Dayton, was asking that this property become a new agricultural district. He reported that a conflict was found in the acreage and explained that the application states a total of 30.46 acres and the Summit County Tax Map shows a total of 28.77 acres. The Commission would therefore be considering the latter acreage of 28.77.

Mr. Pritchard said that the applicant has met the Ohio Revised Code (ORC) specifications. He said that it also exceeds the ten-acre requirement so documentation of revenue is not required. Mr. Pritchard added that the property is currently a horticultural and nursery business.

Mrs. Marguerite Abbott wondered if the future extension of utilities on Cleveland Massillon should be considered. She remembered a similar agricultural application in which the Commission was concerned about exempting the parcel from utility assessment. Mr. Pritchard said the Commission was concerned with that past application because the property was near existing utilities.

(Mr. Todd Houser arrived at the meeting.)

Mrs. Abbott wondered if the applicant would be required to connect and be assessed if utilities would be in place before the end of the 5-year renewal time for an Agricultural District. Mr. John Conklin said that an Agricultural District is not totally exempt from utility assessments. He said that they take affect when and if the applicant connects. The downside is that when the City tries to finance the utilities, they do not have the revenue source from that exemption.

Chairperson Spisak asked if there were any further questions from the Commission; there were none. He then moved to recommend that PC Application AG 2-2007, regarding the property of 3459 Cleveland Massillon Road/PPN's 4607513 & 4607515, with a total acreage of 28.77, be approved concerning the request to be an Agricultural District. Mr. Conklin seconded the motion. **ROLL CALL: Mr. Spisak-Yea, Mr. Conklin-Yea, Mrs. Abbott-Yea,**

Mr. Houser-Yea. The motion passed 4-0, approving PC Application AG 2-2007, by PC Resolution No. 04-2007. The resolution was sent to the Mayor for his consideration and to the Administration for its information.

III. PUBLIC APPLICATIONS:

A.) PC Application SPR 8-2006 (Revised Plan)

Major Site Plan Review

3095 Barber Road (TEMP)/PPN's 4603791 & 4603792

World Real Estate Services, Owner

John Elsey, Architect, Agent

[To Construct an Auto Sales and Service Area.]

(This application was tabled at the January 9, 2007, meeting.)

Chairperson Spisak excused himself from the application and turned the meeting over to Vice-Chairperson Houser.

Vice-Chairperson Houser asked the applicant to step forward and present his opening statement.

Mr. John Elsey, Architect (agent), 12858 Redwood Avenue N.W., Uniontown, Ohio 44685: approached the Commission and stated that the following revisions were made to the site plan discussed at the January 9, 2007, meeting: 1.) The apron flare would be to the south of the north property; 2.) The sidewalk was increased from 4' to the required 5' width and will be 6" from the property line; 3.) The back parking lot aisle spacing was increased which caused a loss of one parking row; it still exceeds parking requirements; 4.) The proper location of a proposed pole sign was added and it exceeds the setback requirements of the property line and the right-of-way; 5.) A proposed site for a possible highway sign was added, 6.) The types and quantities of landscaping was added, 7.) A proposed 6' wood fence that would line up with the church entrance was added; 8.) An Access easement was changed from the northside to the southside, which allowed the trash dumpster location to remain on the northside; 9.) Additional land was included for the riparian setbacks; and 10.) Other access easements were included, such as riparian, maintenance, etc.. Mr. Elsey believed that all the issues within the Administration comments and meeting minutes of January 9, 2007, were addressed and the City Engineer has found the revisions acceptable.

Mr. Elsey added that the riparian setback was staked on site about three weeks ago and that they would work with the Summit County Soil and Water Conservation District (SWCD) for proper vegetation of the riparian setback.

Mr. Houser said he appreciated the work done on the revised site plan. He did not, however, see a notation of a 3:1 length to width ratio for the inlet to outlet of the detention basin as stated in Section 1470.11(b)(1) of the Norton Codified Ordinances (NCO). Mr. Elsey said that he understood that the slope and length-to-width requirements were met. Mr. Pritchard said that the Engineer was satisfied. Mr. Houser said that if the Engineer waives any of the minimum standards the applicant would need a written waiver from him/her according to Section 1470.11(b)(10) of the NCO. After further discussion, Mr. Elsey said that he would inform Mr. Mosyjowski, with Mosyjowski and Associates Engineering in Hartville, of this information.

Mrs. Abbott wondered what type of sign would be constructed. Mr. Elsey said that the proposed sign locations were noted on the revised site plan. One was a 50 square foot pole sign inside a planter located 50' from the right-of-way and the other was for a sign on the building. He reiterated that these were only proposals and that if a highway sign would be constructed in the future, it would be done by a separate entity.

Vice-Chairperson Houser asked the Commission if they had any further questions or comments; there were none. He then asked three times if anyone present wanted to speak for or against the application; no one spoke. Vice-Chairperson Houser called for a motion from the Commission. Mrs. Abbott moved to approve PC Application SPR 8-2006, regarding the construction of an Auto Sales and Service Area on the property known as 3095 Barber Road (TEMP)/PPN's 4603791 and 4603792, with the stipulation that the detention basin outlet location be on the southside instead of the northside, with a length-to-width ratio of 3:1. Mr. Conklin seconded the motion. **ROLL CALL: Mrs. Abbott-Yea, Mr. Conklin-Yea, Mr. Houser-Yea.** The motion passed 3-0, approving PC Application

SPR 8-2006, by PC Resolution no. 03-2007. The resolution was sent to the Administration for it's action and to Council for it's information.

Vice-Chairperson Houser thanked the applicant. He then turned the meeting back over to Chairperson Spisak.

III. OLD BUSINESS:

A.) Comprehensive Plan:

Mr. Pritchard thanked Mr. Spisak for the speech he gave to Council regarding the Comprehensive Plan.

B.) PC Application AG 1-2007. (this application was recommended denial at the 1-30-07 meeting):

Mr. Pritchard reported that PC Application AG 1-2007 was now before Council and that the applicant has since submitted additional documentation of revenue.

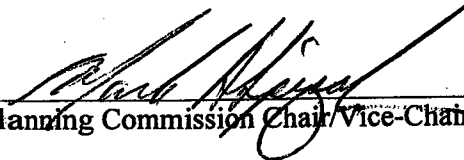
V. CONSIDERATION OF MINUTES:

A.) Planning Commission Minutes of the Tuesday, January 30, 2007, meeting:


The Commission decided to consider these minutes at their next meeting since only two members present at the January 30, 2007, meeting were present that night.

VI. ADJOURNMENT:

Chairperson Spisak announced that their next meeting was scheduled for Tuesday, February 27, 2007, at 6:00 p.m. With no further business coming before the Board, Chairperson Spisak adjourned the meeting at 7:10 p.m.



Planning Commission Chair/Vice-Chair



Planning Commission Vice-Chair/Member

4/10/07
Date

**RESOLUTION
PLANNING COMMISSION**

February 13, 2007

PC RESOLUTION NO.: 03-2007

RE:

**PC Application SPR 8-2006
Major Site Plan Review
3095 Barber Road (TEMP)/PPN's 4603791 & 4603792
World Real Estate Services, Owner
John Elsev, Architect, Agent
[To Construct an Auto Sales and Service Area.]
(This application was tabled at the January 9, 2007 meeting.)**

The Planning Commission does hereby make the following recommendations on the above:

Move to ~~approve/deny/table~~ PC Application SPR 8-2006, regarding the construction of an Auto Sales and Service Area on the property known as 3095 Barber Road (TEMP)/PPN's 4603791 and 4603792.

With the stipulation that the detention basin outlet location be on the southside instead of the northside, with a length-to-width ratio of 3:1.

Vote on Motion: FOR 3 AGAINST 0 ABSTAIN 0

Therefore PC Application SPR 8-2006 is:

APPROVED X DENIED TABLED

This resolution shall be sent to:

Administration for it's X action or for it's information, and
Council for it's action or for it's X information.


Planning Commission Chair/Vice-Chair


Planning Commission Vice-Chair/Member

2/13/07
Date

