

# Planning Commission Memorandum

**To:** Karla Richards, Clerk of Council  
**From:** Pam Campbell, Boards & Commissions Secretary  
**Date:** 7-23-08  
**Re:** Approved/Signed Planning Commission Minutes:  
Tuesday, July 8, 2008

---

Attached you will find a copy of the approved/signed Planning Commission minutes from Tuesday, July 8, 2008.

Note that the original document has been forwarded to, and will be on file with the Clerk of Council for the official record.

E-mail: Mayor (per Admin. Asst.)  
Administrative Officer  
Finance Director  
Planning Commission (5)  
Fire Chief  
Council (7)  
Capital One

cc: Director of Planning & Community Development  
Superintendent of Building & Zoning  
Tom Jones (Council)  
PC File/Posting

**City of Norton**  
**PLANNING COMMISSION**  
**Tuesday, July 8, 2008**

The Planning Commission (PC) of the City of Norton, Ohio, convened for a public meeting in Council Chambers of the Safety Administration Building. Chairman Mark Spisak called the meeting to order at 6:00 p.m.

**I. ATTENDANCE:**

**PRESENT:** Mark Spisak, Todd Houser, Janet Jacobs, Ralph Dowling

**ABSENT:** John Conklin

**ALSO PRESENT:** Pat Ryan, Zoning Inspector  
Jeff Pritchard, Director of Planning & Community Development

**II. PUBLIC APPLICATIONS:**

- A. PC Application R1-2008  
3175 and 3147 Barber Road - Vacant Lots  
PPN's 4700310, 4700311, 4700168, 4700166  
World Real Estate Services, Ltd., Owner  
Rezone from I-1 to B-3  
[To operate a Commercial Retail and change to a Automotive Dealership.]

A representative for PC Application R1-2008 was not present at this meeting.

Chairperson Spisak called for a motion to table Application R1-2008 until the next Planning Commission meeting, since a representative was not present for this Application. Mr. Houser moved to table PC Application R1-2008, until the next Planning Commission meeting scheduled for Tuesday, July 22, 2008. Ms. Janet Jacobs seconded the motion. ROLL CALL: Mr. Houser-Yes, Ms. Jacobs-Yes, Mr. Dowling-Yes, Mr. Spisak-Yes. The motion passed 4-0 to table PC Application R1-2008 until the next scheduled Planning Commission meeting on Tuesday, July 22, 2008, by PC Resolution No. 08-2008.

- B. PC Application R2-2008  
3095 Barber Road/PPN's 4603791, 4603792  
World Real Estate Services, Ltd., Owner  
Rezone from I-1 to B-3  
[To operate a Automotive Collision Center and Used Car Sales Business.]

A representative for PC Application R2-2008 was not present at this meeting.

Chairperson Spisak called for a motion to table Application R2-2008 until the next Planning Commission meeting, since a representative was not present for this Application. Mr. Houser moved to table PC Application R2-2008, until the next Planning Commission meeting scheduled for Tuesday, July 22, 2008. Ms. Janet Jacobs seconded the motion. ROLL CALL: Mr. Houser-Yes, Ms. Jacobs-Yes, Mr. Dowling-Yes, Mr. Spisak-Yes. The motion passed 4-0 to table PC Application R2-2008 until the next scheduled Planning Commission meeting on Tuesday, July 22, 2008, by PC Resolution No. 09-2008.

### III. OLD BUSINESS:

Chairman Spisak asked for an update on Zoning Districts and Area Dimensions. Ms. Pat Ryan said she was still waiting on information from one of the cities in order to complete the Matrix. She said the Matrix was partially done but needed the additional information in order to complete the project.

Chairperson Spisak asked if there was an update on the Parks Zoning Draft Text. Mr. Jeff Pritchard, Director of Planning & Community Development stated a new amended version had been presented to the Board. He said Mr. Mark Majewski, of Northstar Planning & Design had provided a revised Parks Draft Text to the City. He said he had looked at the text and agrees with prohibiting radio-controlled items. He said this issue should be controlled in different areas of the parks. He said a map could be created for open space areas that are proposed. He said if the Board felt comfortable with the text, it would be forwarded to Council. He said park area maps could be presented at the next meeting; this would give the Board additional time to review the text. He said the text would then go to Council to have the Zoning Code amended. Mr. Pritchard asked if the Board would like to discuss any issues on the text. Chairperson Spisak stated his concerns specifically included radio-controlled vehicles. He said model rockets were also used in the parks. He said once you start to define open space for this type of recreation, a lot of the open space in the park would be cut out. He said some of these hobbies do get noisy. Mr. Ralph Dowling asked about the open space at Knollbrook Subdivision. Mr. Pritchard stated this subdivision did have open space for the neighborhood. He said this type of open space was for neighborhood swing sets and playgrounds. He said some open space can be dedicated to the City and meant to preserve a riparian and woodland area in its natural state. He said this is a different type of park use. He said this was more of a preservation of open space. Chairperson Spisak asked if the public could access the park area at Knollbrook. Mr. Pritchard said the park was accessible from the road. He said there was a nice trail at the southern point where the cul-de-sac was. He said the trail was very nice. Chairperson asked how large the area was. Mr. Pritchard stated it was approximately 7 or 8 acres. Chairperson Spisak asked if it was bigger than Wilderness Park. Mr. Pritchard stated it was. Chairman Spisak asked if this issue should be placed on the next meeting agenda for a resolution vote. Mr. Pritchard stated this issue could be addressed on the next agenda. He said a condition of associated maps should be attached the document. He said park area parcel numbers would need to be identified and attached to the document. Chairperson Spisak asked the Secretary to include park parcels and resolutions on the next meeting agenda. He said the Board would then have the next few meetings to review the information. Mr. Pritchard stated it would be a good idea to review the issues for a few weeks before presenting them to Council. Mr. Dowling asked if Metro Park Representatives would need to look at this issue. Mr. Pritchard said they would not, because this was more of a City zoning issue. Chairperson Spisak asked if Silvercreek Metro Park would be included in the zoning regulations. Mr. Todd Houser stated he thought the zoning regulations would apply to all parks located within the city, county and state. Mr. Pritchard stated the Metro Parks hold the position of preserving land in their natural state. He said the Metro Parks would probably not be opposed to what was written in the zoning regulations presented to Council. He said he thought the zoning regulations would actually help protect the Metro Parks even more. He said the only way he thought a park would not be under these regulations, would be if they were under adjacent municipalities. Mr. Houser asked if the parks would then have to follow their own corporation boundaries. He said the issue would get sticky with corporation boundaries and jurisdiction. Mr. Pritchard said he agreed. He said personally, he thought the City should include all parklands/openspace whether they were owned by the City of Barberton or otherwise. Mr. Houser stated there are municipalities that include other city's parks, facilities, etc. He said the zoning is applied and is enforced. Chairperson Spisak said the park district might have a future vision of an additional building at the Metro Park. He stated the Metro Parks could come up with a building that exceeds 35'. He said the Metro Parks Bath House is probably pushing 30'. Mr. Pritchard said not all neighborhood parks would be developed or owned by the City. He said an example of this was in Stonewyck Subdivision. He said this neighborhood park was regulated under Stonewyck's Home Owners Association. He said this was a dedicated open space area and the City would not regulate the park. He said park areas not owned by the City should be addressed. Mr. Houser said it would be consistent to include these parks into the Parks Draft Text. Mr. Pritchard stated he would suggest all Parks and their parcels are included into the Parks Draft Text.

Mr. Pritchard stated this was his last Planning Commission Meeting with the City of Norton. He said he had accepted another position. Chairperson Spisak stated the Board was sorry to see him go and he would be missed.

Mr. Pritchard stated some of the issues to remember in the future would be riparian setbacks. He said the language on this issue would need to be reviewed.

Mr. Dowling asked for an update on the Cleveland-Massillon Road Widening Project. Mr. Pritchard said there could be three to five lanes on Cleveland-Massillon Road. He said Gardner Boulevard there would be five lanes going north and south could have three lanes. He said there was a possibility of only three lanes going north and south. Mr. Dowling asked when would this project would happen. Mr. Pritchard said it would be around 2013. Mr. Dowling asked if the waterline in that area would be installed by that date. Mr. Pritchard said it should be completed by then.

Chairperson Spisak asked if the Newpark Plans had been submitted. Mr. Pritchard said they were submitted to District 8. He said the City did receive documentation from Summit County District 8. He said if the City scores well, it would be awarded monies from Issue 1. He said this would mean the City remedied a flood plain area, saved an industrial area plus took care of water quality issues. He said the plans would be brought back to the Planning Commission once they were finalized.

Chairman Spisak asked if there was any other old business; there was none.

**IV. NEW BUSINESS:**

Chairman Spisak asked if there was any new business; there was none.

**V. CONSIDERATION OF MINUTES:**

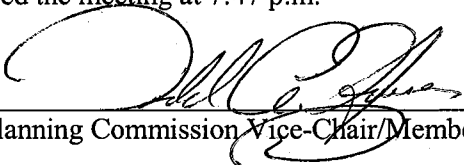
The minutes of Tuesday, June 24, 2008 were considered.

**Ms. Jacobs moved to accept Tuesday, June 24, 2008 minutes as written; seconded by Mr. Houser. ROLL CALL: Ms. Jacobs-Yes, Mr. Houser-Yes, Mr. Dowling-Abstain, Mr. Spisak-Yes. Motion passed 3-0-1. The minutes were signed and processed accordingly.**

**VI. ADJOURNMENT:**

Chairman Spisak announced that the next meeting was scheduled for Tuesday, July 22, 2008 at 6:00 p.m. With no further business coming before the Commission, Chairman Spisak adjourned the meeting at 7:47 p.m.

  
\_\_\_\_\_  
Planning Commission Chair/Vice-Chair

  
\_\_\_\_\_  
Planning Commission Vice-Chair/Member

7/22/08  
Date

MEMORANDUM

TO: Jeff Pritchard,  
City of Norton

FROM: Northstar Planning & Design LLC  
Mark Majewski, AICP

RE: **AMENDED**  
DRAFT CODE for PARKS DISTRICT

DATE: 3 July 2008

Attached is the draft for the recommended new Public Parks District code. It has been amended to reflect the discussion with the Planning Commission last Tuesday, June 24.

The Commission recommended two specific changes:

1. **Vegetative Buffers.** A clause encouraging vegetative buffers has been added within the Area and Separation requirements.
2. **Prohibition of noisy radio-controlled vehicles.** After considering how to insert this prohibition into the zoning text (where we have not made any other specific prohibitions), it appears that the matter is better addressed among the many prohibitions already set forth in the Streets, Utilities, and Public Services Code, Chapter 1066, Parks and Grounds. If addressed there, a violation would then be subject to immediate enforcement by the Director of Public Service, rather than becoming a matter of more cumbersome zoning enforcement.

It would be appropriate for the Planning Commission to recommend to City Council that the matter be addressed as a change in that ordinance.

## Draft Text (updated 3 Jul 08)

### DISTRICT PURPOSE

The purpose of the Public Parks District is to provide locations suitable for publicly-owned open space and recreation facilities and to establish the boundaries of districts for such uses. Such locations may have one or more of the following characteristics: highly accessible to much of the population; contain significant environmental resources such as wetlands, waterbodies, or watercourses; serve as buffers between land uses or zoning districts; preserve open space in residential areas; or serve other public purposes.

### USES

#### A. Permitted Uses

1. Open space for passive recreation such as picnicking, fishing, birdwatching
2. Outdoor recreation facilities including, but not limited to, such uses as open air athletic fields (baseball, soccer, football, tennis), playground, walking and running paths
3. Natural area intended for preservation or environmental education, such as an arboretum, botanical garden, wetland, watercourse, or other environmental resources
4. Utility transmission facilities
5. Public street, right-of-way widening for existing public street within or abutting the district
6. Accessory uses and structures including, but not limited to, landscape features, parking and drives, signs
7. Special events authorized by the City Administration

#### B. Special Exceptions

1. Band shell, amphitheater, picnic shelter
2. Swimming pool, wading pool
3. Day care center
4. Library, museum
5. Government facilities such as offices, fire or police station
6. Golf course
7. Public cemetery
8. Indoor recreation facilities
9. Accessory uses and structures such as restrooms, maintenance or storage buildings, food concession, seating for mass assemblies

### AREA AND SEPARATION REQUIREMENTS

- A. Buildings, active recreation uses (including but not limited to open air athletic fields), and any use or facility which may generate noise, dust, light, or other impacts which are unsuitable for residential areas shall be located not less than one hundred (100) feet from the boundary of a residential district. Notwithstanding this requirement, the Planning Commission may recommend, and City Council may approve, a lesser setback on finding that the nature of impacts or methods proposed to mitigate the impacts make the lesser setback acceptable.
- B. Vegetative Buffers Encouraged. Buffers comprised of trees, shrubs, and other plant material are encouraged as a means of mitigating the impacts of recreation property uses upon nearby residential uses and for other environmental benefits.

## MAXIMUM BUILDING HEIGHT

The height of buildings and other structures shall not exceed thirty-five (35) feet.

## PARKING REQUIREMENTS

- A. Parking facilities shall be provided as determined necessary by City Council, after recommendation by the Planning Commission, based upon one or more of the following:
- A recommendation of the Planning Commission supported by its findings
  - A study of the parking demand for a particular use
  - Parking requirements established in the Zoning Code for one or more proposed uses (or reasonably similar uses)
  - Demonstration that parking spaces, on-street parking areas, or other facilities are available and sufficient to meet the regular and/or occasional needs of the use without undue disruption of surrounding areas and streets
- B. The use of best practices and low impact development methods (i.e., bio swales, pervious pavement, green technology and other environmentally friendly methods) shall be strongly encouraged in the design, construction, and maintenance of parking facilities.

**RESOLUTION  
PLANNING COMMISSION**

**July 8, 2008**

**PC RESOLUTION NO.: 08-2008**

**RE: PC Application R1-2008  
3175 and 3147 Barber Road - Vacant Lots  
PPN's 4700310, 4700311, 4700168, 4700166  
World Real Estate Services, Ltd., Owner  
Rezone from I-1 to B-3  
[To operate a Commercial Retail and change to a Automotive Dealership.]**

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

Move to approve / deny **(table)** PC Application R1-2008, to Rezone from an I-1 to a B-3 and to operate a Commercial Retail and change to a Automotive Dealership on the property known as 3175 and 3147 Barber Road/PPN's 4700310, 4700311, 4700168, and 4700166, with the following condition(s):

---

---

---

---

---

---

---

---

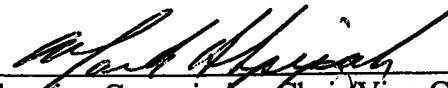
Vote on Motion: FOR 4 AGAINST 0 ABSTAIN 0


Therefore PC Resolution No. 08-2008 has been:

APPROVED      DENIED      TABLED X

This resolution shall be sent to:

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

  
Planning Commission Chair/Vice-Chair

  
Planning Commission Vice-Chair/Member

7/8/08  
Date

**RESOLUTION  
PLANNING COMMISSION**

**July 8, 2008**

**PC RESOLUTION NO.:**        **09-2008**

**RE:**                    **PC Application R2-2008**  
**3095 Barber Road/PPN's 4603791, 4603792**  
**World Real Estate Services, Ltd., Owner**  
**Rezone from I-1 to B-3**  
**[To operate a Automotive Collision Center and Used Car Sales Business.]**

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

Move to approve / deny / ~~table~~ PC Application R2-2008, to Rezone from an I-1 to a B-3 and to operate a Automotive Collision Center and Used Car Sales Business on the property known as 3095 Barber Road PPN's 4603791 and 4603792 with the following condition(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_


Vote on Motion: FOR 4 AGAINST 0 ABSTAIN 0

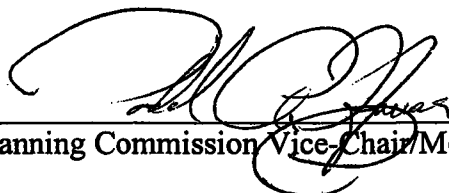
Therefore PC Resolution No. 09-2008 has been:

APPROVED \_\_\_\_\_ DENIED \_\_\_\_\_ TABLED X

**This resolution shall be sent to:**

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

  
Planning Commission Chair/Vice-Chair

  
Planning Commission Vice-Chair/Member

7/8/08  
Date

**AUDIENCE ATTENDANCE RECORD  
PLANNING COMMISSION**

The following individuals were present and wished to speak at the Meeting of the Planning Commission held on **Tuesday, July 8, 2008**

**PLEASE PRINT YOUR NAME CLEARLY:**

**(PLEASE NOTE: P.O. BOX ADDRESSES ARE NOT PERMITTED)**

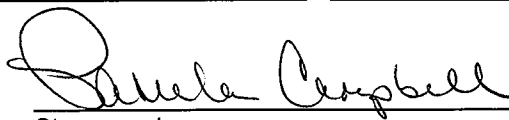
**NAME:**

**STREET ADDRESS (NO PO BOX):**

**CITY & ZIP CODE:**

_____	_____	_____
_____	-NONE-	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**Signed:**



Stenographer