

City of Norton
PLANNING COMMISSION
Tuesday, April 12, 2011

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

I. ATTENDANCE:

PRESENT: Ralph Dowling, Mark Spisak, John Conklin, Janet Jacobs; Richard Easterling

ABSENT:

ALSO PRESENT: Mr. Arters

II. PUBLIC APPLICATIONS: No public meetings or applications this evening.

III. OLD BUSINESS:

1) General Discussion - Continuation of Auto Repair B1, B2, B3

Commission asks if there is anything new. Mr. Arters stated that Mr. Gibson was coming as he was representing the other guy. They continued the discussion about the of auto repair in B1, B2 and B3. After reviewing the Commission talked with Pete and sent an e-mail to Justin since he was on the case back and forth and finally got some confirmation on what Pete wants as the Law Director. I tried to explain what they were doing. Pete had a little bit of a problem so he has requested me to do a map of the area to show the zoning districts currently as it sits and will come in on Thursday to look at it. Pete was more under the assumption of doing a rezoning than doing text amendment because he feels the B1 and B2 are more of a lower end how he has viewed them in the past. It was explained that thirty years ago it was a Firestone store and so forth. Pete does not want to make a knee jerk decision so a map of the area is to be done regarding possibly rezoning the whole area instead of just doing a text amendment.

Commission discussed the fact that the gas station is B3 currently and the bank is B1 and the restaurant is B1 or 2 and B3 would incorporate all them into legal uses. There were some properties such as CVS that the Commission did not know what it was also there were properties across the street that should also be included in a map showing how each item is zoned.

Mr. Arters stated that Pete is more for the rezoning then doing a text amendment but he could change his mind after the map was completed and discussed in detail. Therefore until the map is completed and discussed no further decisions could be made.

Commission discussed housing around and next to CVS and it was decided to go down further to get a full picture of the area. The Commission discussed what they called the "magic number 10" It was explained to Mr. Gibson that it is the notification of the neighbors, etc..

Mr. Arters discussed in further detail the fact that there is B1 across the road and B2 and B3. There is three different zonings there as well as possibly a residential property in there next to the restaurant. Again the discussion of a detailed map was discussed and how far to take it in each direction.

Mr. Arters discussed the pros and cons of a B3 over a B2 or a B1 and what each one meant. B3 actually opens it up to many more things than B1 and B2. It was further discussed that B1 and B2 can be part of a B3. In B3 you have that ladder zone of B1 B2 is permitted into B3. They can step up but they can't step down. That is one of the benefits of rezoning it to a B3.

Mr. Arters discussed again whether it would be better to do a text amendment over a rezoning and Pete asked to do the map and look at the rezoning of both sides and get everything settled. Commission also suggested that it look closely at what would be the other uses that could be objectionable for a B3 such as noise, dust, etc.

Mr. Arters discussed an issue where there was a restaurant turned into (inaudible) ; thought it was B2 but an issue arose with that one because when they closed and they opened they didn't fall within the same category. However no one could remember the exact outcome or how that was resolved.

Mr. Gibson stated that his client might be willing to wait a couple weeks more in order to have the Commission work out any possible problems that would be associated with an individual reapplication then (inaudible). Mr. Gibson stated that his client is the tenant not the landowner (inaudible)

Again Mr. Arters talked about taking a look at the 10 or 12 lots in that area because they were unsure even on Cleveland-Massillon what they are. But some believed it changed back and forth down through that area, so it will be looked at closer and stated on the map. There was much discussion on how to get the map and that it could not be accessed on-line. The map is a colored map with many lines and it was decided that a copy of that area map would be done and write in what each area is.

It was discussed if the auto repair could get their application in now before the map was done and it was decided whether it would be rezoned or a text amendment was made. It was decided that in two weeks that could be done but nothing could be done tonight. Mr. Gibson did not want to wait two months for something to get completed through Council. But no commitment was made.

Mr. Arters discussed how the Law Director wanted this done because of how things had been done in the past, what worked and personal preference due to the former. It was also discussed that it began with the property owner calling and being unhappy with a B1 zone that he had therefore not allowing him to rent it out. This is not an individual problem and no ones fault – just the way it was zoned and that is why the Law Director is wanting this issue looked at thoroughly. That is also why Mr. Arters had at first thought that a text amendment might be the way to go.

The Commission received many phone calls over the zoning. It was discussed that no one was forced to go into those properties and all was revealed ahead of time. B1 is for a light zoning. The owner could come in and file an application for a B3 to change this. Mr. Arters discussed that if it was really wanted by the owner, the owner would have been in a month or so ago and filed for a rezoning to a B3 but it had not been done and now Mr. Gibson's client is waiting. Things can't be changed until the map of breakdowns has been done and discussed and a decision made on which direction to go in. It was discussed that the issue was in the hands of the Law Director, and that Mr. Arters was trying to help everyone out the best they could but that they must follow the law.

Mr. Gibson and Commission discussed the fact that it is better to look at all areas and get it done correctly. Also it was discussed changing to one zone versus five zones. Mr. Gibson discussed other options of setting up his clients business north of Cleveland-Massillon Road.

The Commission discussed the fact of the back lash if they rezoned only one parcel versus a whole section. Various past issues of rezoning were discussed, such as Loyal Oak, etc.

Mr. Arters thought that by the next meeting they would know which direction to go with this issue.

They also discussed rezoning certain areas to all B2 – the north side of Cleveland-Massillon down to the bowling alley. It was discussed that change had to start with the Planning Commission and then go to counsel, any text amendment, etc. is the same. Commission would like to have a complete map and make a motion on the issues above by the next meeting. It will be put on the agenda. It was also discussed that any time there is a rezoning there is opposition. A past issue was discussed regarding who was unhappy and how it was resolved regarding Loyal Oak. The Commission discussed the fact that dormers had not been added to a site and the other improvements that had been done and complaints re same.

Commission will address the above issue again at the next meeting.

2) Setbacks For Residential Business and Industrial Districts

Commission put in the numbers that were more or less in the middle or bigger of everything they have talked about and think from just a safety and anesthetic point of view. There was a different number in the future O district of 22,000 feet versus 30,000, Don't know what the big difference is there. The Brenner property was discussed. The Commission handed out and looked at the meeting minutes from December 14th. There was a comparison on pages 4 and 5.

(Inaudible)

Commission discussed an office building. One person of the Commission was discussing the Bishop property and said something about 400 ft by 75 feet is a lot that is 30,000 sq feet which is 6/10ths of an acre and one party of the Commission agreed with Pat that those are minimums and the question is if you have a minimum width and a minimum depth should those add up to 22,000 sq feet (inaudible). If you do 100 in width and 220 in depth we are at 22,000 so then the framework would be 2 and its about half an acre and the bottom line comes up that it is a minimum anyway so as long as the number add up to be the minimum sq feet of 22,000 it is okay. That is what is being done here. Commission stated that minimum is 160 by 250. Conclusion is that Pat pointed out that a bigger lot is needed but it is the minimum so it is okay. Let the developers figure out how the building will be put on the lot or combine lots. Also there could be a variance. The various sizes were discussed and criteria that has to be met re sq footage and buildings on one-half acre. Commission stated that numbers were reasonable, and that the builders would need to dictate what their needs are as long as they work with the criteria set forth.

Commission stated that on page 5 there was a statement regarding 50 ft for front yard set back with parking in front and on December 14 it was stated that there was more than 60 feet needed if parking was in front. On top of that there is a 75 ft set back on each side and that would make it go down to about 45 ft for a building with [inaudible]. On page 4 and 5 talks about setbacks. The issue discussed was if the lot depth is 100 ft and the set back in front is 50 ft that gives you 50 ft but you actually have .. you have to have a set back in the back too so the building is not going to be very big. This issue has been discussed and tweaked many times. (Inaudible) Commission discussed some more about the minimum was 75 feet and there was not a set back requirement, but a minimum front yard is 50 ft. Commission discussed that side or rear parking is something they wish to promote. They

discussed dates written on previous discussion notes. The Commission discussed various plots and their size and what the drawings for each would look like. Commission discussed rezoning and the fact that many lots would be grandfathered in and no one would be forced to change anything.

The Commission discussed their thoughts thoroughly after reading the December 14th minutes. And agree that they need to leave requirements as they stand and let the builders figure out how to comply and that if they start making more requirements re front yards, parking issues and what not no one will be able to do anything without combining lots. So leave requirements as is and let the builders figure out how to comply. (Inaudible). Commission again discussed various notes made re lot coverage.

(Inaudible) Commission again stated that depending on the lot size one would be limited by something else preventing (inaudible). Commission continued to discuss maximum requirements and set backs re lot size. There was a look of consistency with some of the papers they were looking at and trying to decide who they were from and where figures came from. One items was dated from 2/21/08 – so they were able to begin seeing a pattern of consistency with figures, etc.

Commission stated that Russ was given a copy and that this could be hopefully put to rest next meeting and that the next meeting was going to have a full agenda. It was decided to date what they were discussing in the corner and put the year on it. There were combinations of documents on this subject with various dates – a work in progress. Commission stated that through all the various discussion the same conclusion was reached regarding the charts.

Commission stated that with the chart and residential districts and discussion of buffers and landscaping they were pretty close to concluding this project. One concern was that at the next meeting there must be something done with the rezoning of the Cleveland-Massillon Road. They are tabled until the next meeting, so it must be extended or if comfortable with what they have discussed, they may move on that and follow up with chart issue.

(Inaudible) Commission stated that the only other item hanging was the uses – comparing the old uses to the new uses or comparing what was suggested to the old uses. This is a complex issue. Commission discussed again the rezoning of Cleveland-Massillon and Gardner and Boulevard all needed to be done. Rezoning of Gardner may be done and packaged all the way up. With Commission discussed that Russ had stated it may be continued this until September to get everything else in place. So discussion was made regarding tabling this issue and the fall out re same. It was discussed that one reason for tabling was the fact that there were no set back for commercial buildings. Commission will review uses and charts.

Commission asked if there was any more old business or discussion or new business

IV. NEW BUSINESS:

Commission brought up under new business re Cleveland-Massillon and the lighting on Cleveland-Massillon in connection with the football stadium. Commission wonders what the school plans to do with the stadium that is in need of repair, tear it down or repair it. The Commission read in the local paper that the Superintendent stated he was investigating what the best avenue would be but a determination had not been made at this point. Commission questioned whether the playing field itself could be moved left to be out of the way of the lighting on Cleveland-Massillon. Room was available to the left due to the fact that there was a track there at one time. Commission also discussed the driveway being problematic and the widening of the road making it worse. Commission discussed different cut throughs to other streets as on (inaudible). Speed of drivers from school was another issues discussed. Commission also discussed tearing down softball fields and one had

already been torn down. Driveways for the school and Cleveland-Massillon Road were discussed and decided they needed to know what the school's plans were for this, when they get the details worked out. Discussion was had about the bad seating/hazardous area of the stadium and complaints re same. Commission discussed hard use of stadium and volunteers that had worked or them in the past.

Commission asked if there was any more new or old business. (Inaudible). Discussion was held re presenters and speakers and costs of 60 before May 6 and 70 after. Commission debated whether they would be attending. Internet cafes might be a topic to find more information about. Alternate energy zoning re wind tunnels was previously discussed as well.

V. MINUTES:

Commission moved on to consideration of minutes from December 14th. One Commissioner did not see anything and it was stated that they no one else saw anything wrong with them that was obvious. Typing was rather difficult due to so much contained in same.

Commission made a motion to accept the minutes written from Tuesday, December 14, 2010. *MR. DOWLING* *MADE* *MR. CONKLIN THE MOTION* *OKAY WE HAVE A MOTION AND A SECOND. ROLL CALL PLEASE: RALPH DOWLING-YES, JANET JACOBS-ABSTAIN, JOHN CONKLIN-YES, MARK SPISAK-YES, RICHARD EASTERLING-ABSTAIN ALSO. THAT'S ENOUGH TO PASS IT. 3 TO YES AND TWO ABSTAIN.*

VI. ADJOURNMENT:

Commission adjourned until April 26, 2011.



Planning Commission Chair/Vice-Chair



Planning Commission Vice-Chair/Member

9/13/11
Date

**PLANNING COMMISSION
AUDIENCE ATTENDANCE RECORD**

The following individuals were present and wished to speak at the Meeting of the Planning Commission held on **Tuesday, April 12, 2011**

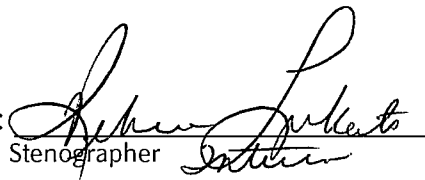
PLEASE PRINT:

NAME:

STREET ADDRESS (NO P.O. BOX):

CITY & ZIP CODE:

<u>THOMAS GIBSON</u>	<u>480 W. TUSC. #101</u>	<u>BARBERTON, OHIO</u> 44203
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Signed: 
Stenographer