

City of Norton
PLANNING COMMISSION
Tuesday, May 24, 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 6:30 p.m.

I. ATTENDANCE:

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

ABSENT:

ALSO PRESENT:

II. PUBLIC APPLICATIONS:

- 1) **Application SPR3-2011 Major Site Plan Review PDLMV Properties, LLC, Owner, Tim Brenner, Hallrich Incorporation, Agent, regarding property owners 4050 Cleveland-Massillon Road, Parcel Number 4600506, proposed construction of a 1,652 square foot building and parking facility for carry-out delivery Pizza Hut Restaurant on 0.94 acres.**

We tabled it from 4/26/11 and we have received correspondence from Brent Hartman at Artman Engineering Consulting, agents of the Owners PDLMV Properties, LLC and applicant Hallrich, Inc. requesting that the referenced project be tabled at the Tuesday, May 24, 2011 PC meeting and placing the project on the agenda for Tuesday, June 14, 2001 PC meeting.

Discussion held and motion requested to table Application SPR3-2011. Motion requested by Conklin and Jacobs did second the motion. **Role call: John Conklin - Yes; Janet Jacobs - Yes; Richard Easterling - Yes; Ralph Dowling - Yes; Mark Spisak - Yes. 5-0.**

- 2) **Application R2-2011 Rezoning - Proposed move to rezone from a B1 district to a B3 district for the property known as 1393 and 1395 Gardner Boulevard, Parcel Numbers 4601544 and 4601543, currently zoned B1 central business district, Jane E. Judge, Owner, Philip P. Landers, Land Contract Vendee, Attorney Thomas V. Gibson, to allow property to be used as an auto repair shop.**

Mr. Gibson is asked to speak. Mr. Gibson speaks on behalf the Executor of the Estate of Jane E. Judge, Terrence Judge but actually represents the current Lessee on the property Nicholas L. Judge. Mr. Gibson indicated that the two parcel numbers were merged (to 4601544) so a new map was given to the PC. Mr. Gibson states that the current businesses are a computer shop and the proposed auto repair shop. 1395 is the computer shop and 1393 would be the auto repair shop. There are two separate addresses because of the two different businesses.

This was an old Firestone store, then glass repair, now applicant would like to turn it back into an auto repair business. Mr. Gibson describes the area as having 2 auto bays and a small office area. He discusses the renovations within the building but advises there will be no structural changes to the building, except some paint and minor sprucing up. No additional building on the property. Mr. Gibson indicates that the businesses around this parcel are B2 and B3 zoned.

PC member asks regarding the red roof in the aerial photo is all part of the Microcomputer store. Mr. Gibson indicates he believes it is though he cannot be certain. It was included in the application because it is part of the parcel and is in the legal description.

PC member asks if the neighbors were notified - Mr. Gibson confirms they were.

PC member indicates that a B1 permits auto repair - but was corrected that a B3 permits auto repair and a B1 doesn't. Mr. Gibson indicates that although there is probably going to be a complete rezoning of that area at some point, he didn't want to wait for however long it would take to do that comprehensive rezoning process.

PC member indicates that applicant is not proposing a paint booth in there since B3 allows for painting. Discussion among members held with regard to difference in B1 and B3 zoning. PC member indicates that he does have an issue with potential painting but is told that applicant is not looking to paint, this is strictly repair, tires, brakes, etc. It is not a collision center.

PC member indicates that since there is such a mix in the zoning and the building is already designed for an auto repair facility, he's not sure what else could be done without tearing the building out and remodeling. Discussion is held with regard to the strip mall next to this property and making everything a B3 zone, but a PC member suggested just discussing the parcel before the Commission.

PC member asks if there are any concerns on parking, but another member indicates it looks like there is plenty of parking. Discussion is held with regard to amount of parking for both buildings and where finished vehicles will park.

PC member asks if it is possible a car waiting to be repaired can be left, he didn't want it to sit there for a long period of time. Advises that there is nothing stating in the zoning that a car couldn't sit for days or weeks. It is up to the owner. Concern expressed with it looking like a used car lot.

PC member asked if there were any other discussions or if anyone else wanted to speak for or against the application three times. PC member indicates that this property backs up against a B3 zoning. ^{MR. DOWLING} Motion was made to approve the application for the rezoning from B1 to B3. ^{MR. EASTERLING} PC member did second the motion. **Role call: Ralph Dowling - Yes; Richard Easterling - Yes; Janet Jacobs - Yes; John Conklin - Yes; Mark Spisak - Yes. 5-0 to approve the recommendation.**

Discussion held with regard to parcel number on Summit County map and correction on the recommendation.

Discussion held with regard to listing types of businesses to be in the zoning districts.

III. OLD BUSINESS:

1) Application for Pizza Hut

The Commission discussed this site and how many driveways between Pleasant and Oak Street and 4 across the street, which goes into a photo place. PC member agrees with David White's assessment that only one driveway from the parcel. Driveway of Norton Pub is also discussed that you could run a driveway in the far west side of his parking lot and take away 3-4 parking spaces.

Where it is recommended the driveway to be there is a telephone pole and a fire hydrant and the old remnants of the sign. If Cleveland-Massillon development process goes on, it wouldn't be bad idea to do it right from the beginning. PC member advises the proposal is one driveway. The hang up is the utility pole and the costs associated with moving a utility pole are extensive. Moving hydrant is not as expensive. Proposal was tabled because Pizza Hut and [inaudible] are still talking about the whole thing. No intention of moving utility pole as cost would be approximately \$30,000 and hydrant is only \$10,000.

MAS

Discussion about traffic light at Pleasant but PC member indicates there would have to be a study done.

IV. NEW BUSINESS:

PC members discuss Pigeon Creek and Wolf Creek area and connection with mosquito watershed conservatory and analysis assessing them and mosquito watershed, need to have county come in and make sense of it. Discussion of illegal dumping in area. Also discussion of issue of hours of a café.

MOSKINGOM

MOSKINGOM

MAS

IV. MINUTES:

V. ADJOURNMENT:

PC member adjourned until June 14, 2011.

Planning Commission Chair/Vice-Chair

Planning Commission Vice-Chair/Member

9/13/11

Date

PLANNING COMMISSION RESOLUTION

May 24, 2011

PC RESOLUTION NO.: 13 - 2011

RE: Application SPR3-2011
Major Site Plan Review
TDLMB Properties LLC, Owner, c/o Tim Brenner,
Hallrich, Inc/Dan Wright, Agent
Regarding property known as:
4050 Cleveland Massillon Rd /PPN 4600506
[Proposing construction of a 1,652 sq. ft
building and parking facility for
carryout/delivery Pizza Hut
Restaurant on .94 acres]

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

TO TABLE APPLICATION UNTIL JUNE 14, 2011 NEEDING

Vote on Motion: FOR 5 AGAINST 0 ABSTAIN 0

Therefore PC Resolution No. 13 - 2011 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

5/24/11

Date

**RESOLUTION
PLANNING COMMISSION**

Tuesday, May 24, 2011

PC RESOLUTION NO.: 14 - 2011

RE: Application R2-2011- Rezoning
Proposing to rezone from a B-1 District to a B-3 District
Jane E. Judge, Owner/Phillip B Landers, Land Contract Vendee
Attorney Thomas B. Gipson, Agent
1393 & 1395 Gardner Blvd./PPN 4601544 & ~~4601543~~
[To allow the property to be used as an auto repair
shop]

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

Vote on Motion: FOR 5 AGAINST 0 ABSTAIN _____

Therefore PC Resolution No. 14-2011 has been:

APPROVED ✓ DENIED _____ TABLED _____

This resolution shall be sent to:

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



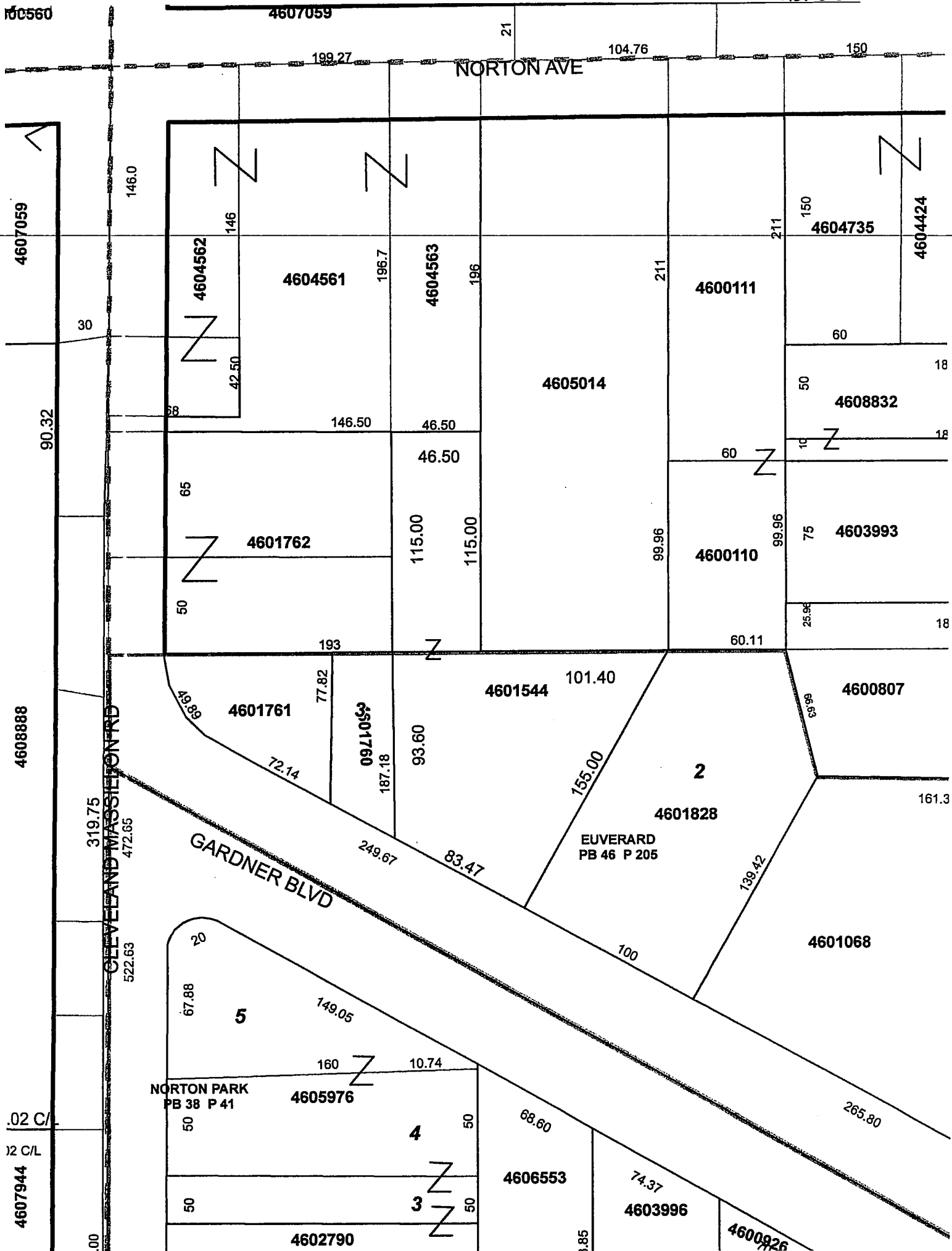
Planning Commission Chair/Vice-Chair



Planning Commission Vice-Chair/Member

5/24/11
Date

R2-2011



460560

4607059

21

104.76

150

199.27

NORTON AVE

146.0

4604562

146

4604561

196.7

4604563

196

4600111

211

150

4604735

4604424

60

18

4605014

4608832

50

18

146.50

46.50

46.50

60

10

4603993

99.96

4600110

75

65

4601762

115.00

115.00

60.11

25.96

18

50

193

187.18

4601544

101.40

4600807

4601761

49.89

72.14

77.82

0921059

187.18

93.60

155.00

4601828

EUVERARD
PB 46 P 205

161.3

GARDNER BLVD

249.67

83.47

139.42

2

4601068

100

20

67.88

5

149.05

160

10.74

NORTON PARK
PB 38 P 41

4605976

4

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4606553

68.60

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3

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4603996

74.37

265.80

50

4602790

1.85

4600926

.02 C/L

1/2 C/L

4607944

.00

4608888

4607059

90.32

30

319.75

CLEVELAND MASSILLON RD

472.65

522.63

Artman Engineering Consulting
 1226 Marigold Street NW
 Hartville, Ohio 44632
 (330)877-6410
 (330)877-6405 Fax

May 24, 2011

City of Norton Planning Commission
 4060 Columbia Woods Drive
 Norton, Ohio 44203

Re: Proposed Pizza Hut Restaurant
 TDLMB Properties
 4050 Cleveland-Massillon Road
 Norton, Ohio

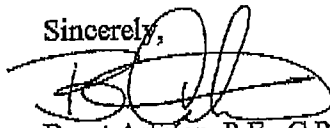
Post-it* Fax Note	7671	Date	5/24	# of pages	1
To	BECKY	From	BRENT		
Co./Dept.	CITY OF NORTON	Co.	AEC		
Phone #		Phone #	330-877-6410		
Fax #	330-825-3104	Fax #			

As an agent of the owners (TDLMB Properties, L.L.C.) and applicant (Hallrich, Inc), I am requesting that the referenced project be tabled at the Tuesday, May 24th, 2011 Planning Commission Meeting.

Please place the project on the agenda for the Tuesday, June 14th, 2011 Planning Commission Meeting.

If you should have any questions or comments, please contact me.

Sincerely,



Brent Artman, P.E., C.P.E.S.C., C.P.S.W.Q.

RE:
 Application SPR 3-2011