

PLANNING COMMISSION MEETING

January 10, 2008

The Organization Meeting was held. Vice-Chairman Komjati stated a nomination for the City of Painesville Planning Commission Chairman was necessary. Mr. Komjati asked for nominations for Chairman. Ms. Christine Shoop nominated Mr. Thomas Fitzgerald as Chairman and Mr. Brian Temming seconded the nomination. There being no other nominations, the nominations were closed. All members present answered “aye” in favor; Motion carried.

Vice-Chairman Komjati stated that a nomination for the City of Painesville Planning Commission Vice-Chairman was necessary. Mr. Brian Temming nominated Mr. David Komjati as Vice-Chairman and Ms. Christine Shoop seconded the nomination. There being no other nominations, the nominations were closed. All members present answered “aye” in favor; Motion carried.

The Planning Commission convened in Courtroom No. 1 at City Hall for their regular meeting. Vice Chairman Komjati called the meeting to order. He asked the secretary to call the roll. Members in attendance were, Ms. Christine Shoop, Mr. Brian Temming, and Vice-Chairman David Komjati. Absent were Mr. Andrew Eade and Chairman Thomas Fitzgerald. Also present were, City Manager Rita McMahan, City Planner Russ Schaedlich, Assistant Law Director James Lyons, and Secretary Lynn White.

MINUTES: Vice Chairman Komjati asked for additions or corrections for the Planning Commission Meeting of December 13, 2007. There being none, the minutes were approved as submitted.

OLD BUSINESS: (Administrative Items)

Historic Preservation District – Proposed Ordinance – Bank Street (East Walnut Street to State Street intersection).

Vice-Chairman Komjati explained the Commission has the ordinance for the Historic Preservation District and he asked for discussion from the administration.

Ms. McMahan indicated she would summarize the changes that were made to the legislation. Included in the Commission’s packet is a memorandum dated January 3 outlining those changes. Many of the changes were comments identified at the November meeting by members of the audience. The administration tried to address the comments within the historic preservation language itself. Ms. McMahan commented that more importantly, the legislation was placed into ordinance form. The Historic Preservation text was placed into Chapter 1146, which deals with Design Review. The decision was to make this a subsection of the Design Review chapter seemed to be the most appropriate by using the organizational features within that Chapter. The administration also looked at processes. It makes sense that the applications and appeals have some continuity so the personnel in Community Development would be able to process the information in a format they are currently using. The standards are different however; the procedures for the application are the same. Ms. McMahan indicated the last thing that was done was to delineate the differences between the Design Review Districts and the Historic Preservation District. The Design Review District criteria are very general in nature; it does not have unique characteristics that are being preserved. The intent of the Historic District is to preserve the uniqueness of the properties located within them. A number of the text changes identify the sections of the code that deal with Design Review with the addition of that text. The other part of the chapter deals with specifically Historic Preservation. Ms. McMahan explained that about ninety percent of the language in the Historic Preservation district is the same as the Commission had previously reviewed.

Ms. McMahan explained that in addition, the Commission has before them some additional changes that were made to the Ordinance that they had received in their packet from Friday. She explained that a meeting was held by a number of the residents on Tuesday evening. Because of the comments heard at that time there were some additional changes to the text. In Section 1146.02 Definitions, the text was changed to add the definition of Historic Districts. The definition of Historic Districts is a group of buildings, properties or sites that have been designated by one of several entities on different levels as historically or architecturally significant. This makes it unique and not every place can be a Historic District but any place can be a Design District. Ms. McMahan explained another change relates to the notification process. The Planning Commission is to be the appeals board for any Certificate of Appropriateness application that is denied by the Administration. The process will be the same for the Historic Districts regarding notification. The notice of review by the Commission shall be mailed to the

property owners who are immediately adjacent or across the street from property on which there is an appeal is requested. This includes all new construction and demolition applications that would occur in the historic preservation district. These items would have an impact on the surrounding area and it makes sense to notify the area of this type of activity. This process maintains a consistency within the ordinance. Ms. McMahon explained the last item that was added deals with obtaining consultants. The text that was included states... *If in its opinion the proposed new construction and/or demolition needs further review by expert consultants, the Design Review Board may refer the application to one or more qualified consultants to advise as to the Historic nature of the work being requested.* Ms. McMahon indicated this issue was brought up by the residents during their meeting earlier in the week and it was felt that it needed to be added in this section.

Ms. McMahon concluded by indicating that many of the changes that were made to the ordinance were small changes. The changes were brought about by the comments made by the residents who were concerned about the clarification of the processes for replacing and repairing existing elements of the structures. The idea was to make the ordinance easily interpreted by the administration in the long term. The Administration has given the Commission the ordinance and it is recommended that if the Commission agrees with the proposal it can be forwarded to City Council for their action, inclusion, and amendment into the codified ordinances. The other item submitted was a map outlining the proposed historic preservation district in which two additional homes were added since the last meeting.

Vice-Chairman Komjati asked about the boundaries of the Historic Preservation District and the determination of those boundaries. Ms. McMahon indicated there is usually a natural breakpoint where the development changes from one time to another time. The area is looked at for some consistency in the architecture and the time. Vice-Chairman Komjati inquired about the standards for the district. He commented that if a home is just outside of the district and they want to be included does the homeowner apply to the commission and make the necessary changes to their home or what would be necessary. Ms. McMahon indicated that the administration would have to determine whether the home would fit into the historic quality of what was used to establish the district in the first place. If the home is not of the same time era and does not match, it does not matter what is done to the home to try to make it fit, it would not be allowed into the district. Mr. Lyons clarified that the property owner would still have the right to make application for an amendment to the district. Ms. McMahon explained the process of creating additional districts with a public hearing process for City Council and the Planning Commission similar to the amendment before the Planning Commission.

Vice-Chairman Komjati asked if there were additional comments or questions from the Commission. There being none, he asked for comments from members of the audience.

Ms. Glenda Thurston, 370 Bank Street, indicated the residents had discussed the elimination of multi-family and rentals from the Historic District in the future. Ms. McMahon indicated that issue is not something that belongs in the Historic District language. The area is currently zoned single-family and the only way to change the classification of single-family zoning would be to go through a rezoning process, which includes a public hearing process. Ms. McMahon indicated she did not feel this would be appropriate to add into the Historic District regulations since it does not apply to the intent of that language. Mr. Lyons asked if the residents wanted the owners of historic homes not to utilize the home as a rental. Ms. Thurston clarified that she did not want any of the historic homes converted to multi-family.

Mr. Barry Deane, 344 Bank Street, stated the thought was that if the Walban Apartments on the corner of Bank and Walnut wanted to be included in the Historic District area they would not be allowed since they are not a single-family use. Ms. McMahon stated that goes back to the intent that it does not fit the description of a Historic Area. Mr. Deane also commented that on State Street there are several nice older historic homes that have been converted into multi-family units. He stated the case could be made that if the home were converted back to a single-family use then they would be allowed into the district but not as long as they are multi-family.

Ms. Shoop indicated that she is confused. It was stated earlier that you would not make the district boundaries go around a particular home just because it was from a different era. She wondered if at this time there were any multi-family homes within the district. The reply was there are no multi-family structures within this district. Ms. Shoop asked if it is possible that this area could have multi-family. Ms. McMahon responded that an application could be made to the Commission to rezone a property within this district. The Commission would then have to look at the rezoning criteria and whether or not the rezoning would be appropriate for the area. Ms. McMahon stated the fact that this would be a single-family historic district would only add to the argument that it would be inappropriate to rezone

property to multi-family. The historic district overlay will help protect the single-family nature of the area.

Ms. Stephanie Beres, 11462 Fay Road, asked about the inclusion of the Historic District within the Design Review District section of the code. Would the residents follow the entire section or only the Historic District part. Ms. McMahon stated you would follow the Historic Preservation District guidelines, process and procedures. Ms. Beres asked Ms. McMahon if she sees any drawback to having this overlay district as a homeowner within the district. Ms. Mahon commented that while she lived in Sandusky it was her experience that the Historic District areas were desirable areas to invest in since they target a specific group, others interested in historic preservation and homes.

Ms. Kathy Deane, 344 Bank Street, commented that she would like to see the district boundaries of this Historic District end at the corner of Bank and Walnut and not extend past Walnut to include two lots. Her reasoning was the additional two homes on Walnut made the area look disjointed. In addition, the two additional homes are located directly across from the apartments. Ms. Deane stated she is concerned about how those two homes would be designated since they are across the street.

Vice-Chairman Komjati stated that he was also wondering about the addition of the two homes and the designation of the area along with where it ends. What criteria are used to know where the designation of the area should start and stop. Ms. Deane stated the original area seemed very natural to end at the intersection. She also asked how the area is going to be designated. There was discussion on Wednesday night with the residents about signage, lighting, and flowers. The group was notified that the decision of the layout and design would be made administratively. Ms. McMahon stated that this is not a decision that would be made by the Planning Commission. She indicated the intent for such areas would be to develop entrance signage and lighting so you would know you are in a Historic District. There was discussion about using only decorative light poles on the street and the issues involved with installation of same. It would not be cost effective and would be problematic since the distribution line is a major feed to Coe Manufacturing. Ms. McMahon explained how the entrance areas could be made into nice planting areas with a light post and signage. The areas mentioned were the corner piece at State and Bank that the City owns and the corner of Bank and Walnut, which an easement could be given to the City to place the entrance signage and lighting.

Ms. Deane commented that she likes the idea of the entrance signage and lighting. She asked if that was something that should be added to the Historic District language stating all Historic Districts should have this type of lighting and signage. Ms. McMahon replied that is more of an appropriation issue than a zoning issue and does not belong in the district language.

Ms. Deane asked how that helps the homes that are out of the signage area, past Walnut Street. Mr. Lyons stated they might want to invest in separate signage for their homes indicating they are in a district but ultimately the homes are protected and must maintain their historic quality.

Ms. Beres stated that in one of the meetings it was mentioned about becoming a Certified Local Government. She asked is there an amount that the city would have an opportunity to obtain. Ms. McMahon indicated that over the past years there have been no moneys available through the State of Ohio. This is still something worth pursuing due to the historic resources that are available.

Ms. Jean Burnham, 358 Bank Street, stated she understood there is a provision to hire outside help to determine historic compatibility; what budget would the funds comes to pay for that service. Ms. McMahon indicated the Planning Commission itself has a budget that would take care of consultant services.

Ms. Thurston mentioned the possibility of having a geological study on the bank side of Bank Street since it seems to be losing it integrity. She also mentioned the tonnage issue for large trucks and reduction in the speed limit to help keep the bank safe from further erosion. Ms. McMahon stated that funds for this would be appropriated out of the City Engineer funds. The bank has been evaluated two times since she has been City Manager and it is about time to have it done again. Ms. McMahon indicated that she has a meeting scheduled with the City Engineer to discuss this evaluation.

Vice Chairman Komjati asked if there were any comments or questions from the Commission, members of the audience, or City Administration. There being none he asked for a motion to approve the proposed ordinance. Motion by Ms. Shoop, seconded by Mr. Temming to approve the proposed ordinance for the historic preservation district on Bank Street. There being no other discussion, the secretary was asked to call the roll. On roll call, Ms. Shoop, Mr. Temming, and Vice Chairman Komjati answered "yes". Motion carried.

Vice Chairman Komjati commented that he feels this was great teamwork between the City and the residents. This will be great for the city and enhance the historic areas. He thanked all the parties involved.

NEW BUSINESS:

Vice-Chairman Komjati indicated there were no new business items. He moved onto Administrative Report.

ADMINISTRATIVE REPORT:

Ms. McMahon stated the Commission received in their materials a revision to the Commission's By-Laws. She commented that several months ago the Commission needed to refer to the By-Laws due to Rev. Davis's passing. The Administration has reviewed the By-Laws and suggestions have been made to the text. Ms. McMahon asked that the members review the information and if it is acceptable, a simple majority vote by the Commission is all that is needed to pass them. Vice-Chairman Komjati recommended the By-Laws be placed on the next agenda of the Planning Commission to allow more members present to vote.

OTHER MATTERS THAT MAY PROPERLY COME BEFORE THE PLANNING COMMISSION

ADJOURNMENT

There being no further business, the meeting was adjourned.

Lynn M. White, Secretary

David Komjati, Vice-Chairman