

SPECIAL PLANNING COMMISSION MEETING

March 21, 2012

The Planning Commission convened in Courtroom No. 2 at City Hall for a special meeting. Chairman Thomas Fitzgerald called the meeting to order at 6:00 PM. He asked the secretary to call the roll. Members in attendance were, Mr. Brian Temming, Mr. David Komjati, Ms. Christine Shoop, and Chairman Thomas Fitzgerald. Absent was Mr. Andrew Eade. Also present were, City Manager Rita McMahon, Assistant City Manager/Community Development Director Douglas Lewis, City Planner Russ Schaedlich, Assistant Law Director James Lyons, and Secretary Lynn White.

NEW BUSINESS:

There was no new business.

ADMINISTRATIVE REPORT:

Chairman Fitzgerald asked the secretary to read the item under the Administrative Report.

Section 1133.04 (b) Request for Office Use – 47 South State Street – B-3 Central Business District – to allow for offices on the ground floor space.

Chairman Fitzgerald asked if the applicant, Ms. Kim Schultz, would like to speak on behalf of her request.

Ms. Schultz stated her plan for the Gage Home is to have a custom boutique in the front of the building. She indicated that she is working with the City to have a community project for the rear portion of the structure. They would like to create a city visitor section. Ms. Schultz commented they are also trying to work with Lake Erie College to house a bookstore and memorabilia.

The lower level is intended to have three to four office spaces to be rented out. The second level would be used as a residence. Ms. Schultz indicated that she would be living in the building as her home. She is very excited about this project and does not want to see the structure vacant.

Chairman Fitzgerald asked if members of the Commission had any questions. Mr. Komjati asked about the bookstore and if the type of items would be retail in nature i.e. tee shirts. Ms. Schultz responded that is what she would like to have a retail bookstore. The boutique will have for-sale items also.

Chairman Fitzgerald inquired if the building would have to meet ADA requirements. Ms. McMahon replied that yes, it would have to comply with the standards. Ms. Schultz stated the plan is to have a ramp and ADA bathroom.

Ms. Shoop indicated that she would like clarification. The offices are not being located on the first floor; the floor plan indicates they are in the basement. How does Section 1133.04 apply to this request. Mr. Schaedlich replied that the uses proposed at the site are of a different nature. They are retail, but not necessarily full retail. The staff wanted to be sure that the Commission was comfortable with the variety of uses and the offices located in the lower level. He indicated the applicant has met with the Building Official to be sure the proposed locations were acceptable and they were given the okay. Mr. Schaedlich commented the proposed residential use on the second floor is mentioned in the report, however, that must also receive Planning Commission approval in the form of a conditional use permit at a later date.

Ms. Shoop asked the applicant if the second floor residential use is denied, does she have a place to live. Since this is a large project, if one portion is denied is it still a viable project. Ms. McMahon explained that is part of the reason this is being discussed this evening. The applicant has an offer to purchase the building with the hopes to close by the end of the month. There was not enough time to bring to the Commission the application for the Conditional Use. Since the applicant is proposing all these different kinds of activities, the staff felt it was best to bring to the Commission so the applicant has a comfort with purchasing the property. Ms. McMahon stated that if the bookstore or any of the other uses for the first floor do not go forth, this gives her options. This is the first step and the residential piece will be the second step.

Ms. Shoop asked about David Ondo that is referenced on the application. Ms. Schultz indicated that

Mr. Ondo is an investor that she is working with. She indicated that she has a letter to that effect. Mr. Komjati inquired if Mr. Ondo owns the property. Ms. Schultz replied the property is owned by the bank. She gave the Commission details regarding her financing of the building and how her acquisition of the property will work.

Chairman Fitzgerald asked for more explanation of a boutique. Ms. Schultz explained that she rehabs furniture, which includes antiques for sale in the boutique. It was also described as a home décor store, not to be confused with a second-hand store.

Mr. Komjati asked about the parking situation. Ms. Schultz explained that there are four (4) spaces in front of the building. She is working on obtaining an agreement with Joughin's Hardware. She indicated that she needs two handicapped and three regular spaces for the retail portion of the use. Ms. Schultz would like to keep as much green space as possible around the structure. Mr. Komjati questioned if this would be adequate parking for the uses. Ms. McMahon commented that the B-3 Zoning District does not require all the spaces to be met at the site. The owner can use public parking lots to count towards the total number of spaces required. The only concern is with the handicapped spaces and the spaces for the residential use.

Mr. Komjati asked when she plans to open the business. Ms. Schultz stated her plan is to be open by August 1. Ms. Shoop asked if the applicant currently sells her furniture. Ms. Schultz stated that she has done that out of her home. Ms. Shoop inquired about the creation of jobs. Ms. Schultz stated that would not happen right away, however, she hopes to in the near future.

Chairman Fitzgerald asked if there were any other questions or concerns on this request. There being none, he asked for a motion. Motion by Mr. Komjati, seconded by Mr. Temming to waive the requirement in Section 1133.04 OFFICE REGULATIONS IN B-3 ZONING DISTRICT, which states that in the B-3 Zoning District, office uses shall not occupy a ground floor space with frontage on a public street with the two stipulations listed in the memorandum. On roll call, Mr. Komjati, Ms. Shoop, Mr. Temming, and Chairman Fitzgerald answered "yes". Motion carried.

OTHER MATTERS THAT MAY PROPERLY COME BEFORE THE PLANNING COMMISSION:

There were no other matters to come before the Planning Commission.

ADJOURNMENT:

Chairman Fitzgerald asked for a motion to adjourn. Motion by Mr. Komjati, seconded by Ms. Shoop. Motion carried, the meeting was adjourned.

Lynn M. White, Secretary

Thomas Fitzgerald, Chairman