

PLANNING COMMISSION MEETING

May 9, 2013

The Planning Commission convened in Courtroom No. 1 at Painesville City Hall for their regularly scheduled meeting. Chairman Fitzgerald called the meeting to order at 7:30 PM. He asked the acting secretary to call the roll. Members in attendance were, Mr. Mark Wainwright, Ms. Carol Fleck, and Chairman Thomas Fitzgerald. Absent were Mr. David Komjati and Ms. Christine Shoop. Also present were, Interim City Manager/Community Development Director Douglas Lewis, City Planner Russ Schaedlich, and Assistant Law Director James Lyons.

MINUTES:

Chairman Fitzgerald asked for additions or corrections for the Planning Commission Meeting of April 11, 2013. There being no comments, Chairman Fitzgerald asked for a motion. Motion by Ms. Fleck, seconded by Mr. Wainwright to approve the minutes for the Planning Commission Meeting of April 11, 2013 as written. On roll call, Ms. Fleck, Mr. Wainwright, and Chairman Fitzgerald answered "aye". Motion carried.

NEW BUSINESS:

There was no New Business to come before the Commission.

ADMINISTRATIVE REPORT:

Chairman Fitzgerald read the first item under the Administrative Report.

Preliminary Plat Approval: Heisley Park Residential Subdivision – Phases 16-20 - consisting of 114 Single Family Lots located in the remaining area of Heisley Park Subdivision.

Chairman Fitzgerald indicated that the applicant has submitted a letter to the City Planner regarding the submission of the Preliminary Plat for Heisley Park Residential Subdivision. Mortell Associates have requested that only phases 16 and 20 be considered at this time for Planning Commission approval and request no action for phases 17, 18 and 19. The request is to allow additional time to resolve some outstanding issues with the remaining phases.

Chairman Fitzgerald asked the Administration for additional comments on this item. Mr. Schaedlich stated that his Staff Report was created for the entire submittal. He indicated that there is an issue with the parkland and the buffering along the railroad tracks. The developer asked for additional time to address both of those issues in a manner acceptable to the City. Mr. Schaedlich indicated there might be joint efforts for a park with the property to the east where a development was previously proposed. He explained the history of that area and the fact there may be development in the future.

Chairman Fitzgerald inquired about the buffering of Phases 16 and 20. Mr. Schaedlich stated that those two phases do not require buffering with the current layout. This is with the assumption that the other Phases will go forward once the issue of parkland has been resolved. He added that a stipulation should be put in place regarding the remaining phases in case something was to happen with the developer. The area where Phases 17, 18, and 19 are to be built has been cleared. If a preliminary plat is not submitted within one-year from this plat, this area will need to be addressed. This would be to ensure that a park and buffering would be put in place along the southern property line. Chairman Fitzgerald asked if there were any roads put in place yet. Mr. Schaedlich stated that the roads have not been put in place. This is a preliminary plat and the roads will be built when they begin construction.

Mr. Schaedlich stated that the Heisley Park development is moving forward. Phase 13 is ready to begin and they are running out of lots to sell. The portion of the plat they are requesting to be approved has 52 lots and the Phases that are remaining have 62. This is a substantial number of lots to be built out and the value is close to 2 million dollars. The incentive to build is there and would be beneficial to the developer to work out these issues.

Mr. Sternot commented about the need for the park and it being stipulated in the motion. There was discussion regarding the motion and the wording necessary to provide for the necessary improvements to the area discussed.

Chairman Fitzgerald asked if the Commission Members had any comments or questions. There being no further comments or questions, Chairman Fitzgerald asked for a motion. Motion by Ms. Fleck, seconded by Mr. Wainwright to approve the Preliminary Plat for Heisley Park Residential Subdivision Phases 16 and 20 with the stipulation that a buffer per Code Section 1113.23 be put in place if the preliminary plat for phases 17, 18, and 19 are not approved within one-year. Chairman Fitzgerald asked for a roll call. On roll call Mr. Wainwright, Ms. Fleck, and Chairman Fitzgerald answered "yes". Motion carried.

Mr. Lyons indicated that he would like the minutes to reflect a letter dated May 7, 2013 was received by the City from Foresight Engineering, Agent for Mortell Associates, requesting phases 17, 18, and 19 be removed from consideration of the original Preliminary Plat submittal. He stated that in regards to the buffer, he is concerned that if there is a slowdown in economic activity, and there is no build out of 17, 18, and 19 the stipulation is in place and a buffer is required. Chairman Fitzgerald asked if a buffer was necessary if that area is to be parkland and open space. Mr. Schaedlich indicated that area has been cleared out. Mr. Lyons commented that there is a short distance between the railroad tracks to the back of the approved phases. The stipulation for the buffer was discussed. The developer has the right to come back and explain any changes they might make for that area. The intent is to have a buffer placed along the southern boundary of Phases 20 and 16.

OTHER MATTERS THAT MAY PROPERLY COME BEFORE THE PLANNING COMMISSION:

Mr. Lewis indicated that the Commission has before them a letter from Chris Weiss, owner of 387 Fountain Avenue. Mr. Weiss came to the City Council meeting and requested this issue be referred to Planning Commission to review. He would like to have a conditional use permit to use industrial property for a party center. The request is to have that use added as a conditional use in the M-1 and M-2 zoning category. Mr. Lewis stated that is the reason for the letter. The administration will bring forward additional information at the next meeting and Mr. Weiss will be present. This will be placed on the next agenda for the Commission for consideration.

Mr. Fitzgerald asked for clarification of the request. It was explained that this would be considered a zoning change to add a party center as a conditional use within the industrial districts.

There was discussion regarding the park requirement for the Heisley Park Subdivision. The developer is working on resolving the park issue with the City and the agreement that is in place for this area will ensure that a park or funds in lieu of a park are met.

There were no other matters to come before the Commission.

ADJOURNMENT:

There being no further business, Chairman Fitzgerald adjourned the meeting.

Douglas L. Lewis, Acting Secretary

Thomas Fitzgerald, Chairman