

PLANNING COMMISSION MEETING

May 10, 2012

The Planning Commission convened in Courtroom No. 1 at Painesville City Hall for their regular meeting. Chairman Thomas Fitzgerald called the meeting to order at 7:30 PM. He asked the secretary to call the roll. Members in attendance were, Mr. Andrew Eade, Mr. Brian Temming, Mr. David Komjati, Ms. Christine Shoop, and Chairman Thomas Fitzgerald. 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.

MINUTES:

Chairman Fitzgerald asked for additions or corrections for the Planning Commission Meeting of March 8, 2012. There being none, he asked for a motion. Motion by Ms. Shoop, seconded by Mr. Temming, to approve the Planning Commission Meeting Minutes from March 8, 2012 as submitted. On roll call, Mr. Temming, Mr. Komjati, Ms. Shoop, Mr. Eade, and Chairman Fitzgerald said “yes”. Motion carried.

Chairman Fitzgerald asked for additions or corrections for the Planning Commission Meeting of April 12, 2012. There being none, he asked for a motion. Motion by Mr. Komjati, seconded by Ms. Shoop, to approve the Planning Commission Meeting Minutes from April 12, 2012 as submitted. On roll call, Mr. Komjati, Ms. Shoop, Mr. Eade, Mr. Temming, and Chairman Fitzgerald said “yes”. Motion carried.

NEW BUSINESS:

There was no new business.

TABLED BUSINESS:

Rezoning Application No. 78-12

Location: Permanent Parcel No. 15-C-019-0-00-005 & 006 (**642 Mentor Avenue**)

From: R-1 Single Family Residential District and B-1 Business Residential to B-2 General Business District

An application has been submitted by Mark Havel and Martha DiCello, Trustees for the rezoning of Permanent Parcel Numbers 15-C-019-0-00-005 and 006. Parcel Number 15-C-019-0-00-006 is currently zoned R-1 Single Family Residential and approximately 84-feet of Parcel Number 15-C-019-0-00-005 is also zoned R-1 Single Family. The remaining portion (123± feet) of Parcel Number 15-C-019-0-00-005 is currently zoned B-1 Business Residential. The applicant would like to rezone the two Parcels to B-2 General Business District. The rezoning of the parcels would bring the entire site into one consistent zoning classification.

Mr. Schaedlich indicated that the applicant for this rezoning request has not contacted the City in regards to moving forward. He indicated the Commission should take no action on this item.

NEW BUSINESS:

There was no new business to discuss.

ADMINISTRATIVE REPORT:

Zoning Code Modification –Utility Structures.

Mr. Schaedlich explained that he has provided a memorandum on this proposed ordinance to the Commission. He indicated that the memo explains the process and why this has become an issue. Orwell Natural Gas has installed equipment on the south side of Mentor Avenue. The first is located near the YMCA and the other is in front of Lake Erie College. These are high-pressure gas structures that were placed in the front yard behind the right-of-way. The administration had researched the topic for quite a while. Mr. Schaedlich explained that in the late fall he attended a zoning conference and this was a topic of discussion. The City of Vandalia has an ordinance regulating the installation of utility structures already in place. The ordinance was provided to our legal counsel and reviewed for the use by the City. The draft zoning code modification provided is the version the City would like to have adopted to regulate this process.

It was explained that a modified version has been provided to the Commission this evening. The change is to Section 1136.04 (e) (5) which states the City is exempt from permitting; it does not exempt the City from returning the site to its original state.

Chairman Fitzgerald asked about the safety of having these high-pressure gas structures so near to the road. He wondered about them being hit by traffic. Mr. Schaedlich explained that since they are located off the right-of-way, behind the sidewalk, there should not be a real issue. There is always some concern with having these located near roadways.

Chairman Fitzgerald asked if there were any comments or questions from members of the Commission. There being none, he asked for a motion. Motion by Ms. Shoop, seconded by Mr. Temming to approve the proposed Utilities Structure Ordinance as submitted. On roll call, Ms. Shoop, Mr. Eade, Mr. Temming, Mr. Komjati, 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