



**Date:** December 9, 2016  
**To:** City Manager  
**Cc:** Clerk of Council; Community Development Director; City Planner; City Engineer; Economic Development Coordinator; Building Official; file  
**Re:** Planning Commission Action

The following item(s) were presented to the Planning Commission for consideration during their regularly scheduled Meeting on December 8, 2016.

**TABLED BUSINESS:** (Public Hearing Items)

**REFUSAL NO. 2285 CONDITIONAL USE PERMIT REQUEST**

**Applicant:** Robert Knopf

**Owner:** Mobilite

**Location:** Right of Way near 607 Williams Street (Parcel Number 15-A-003-0-00-009-0)

**District:** R-1 Single Family Residential District

**Section:** 1127.05

The City of Painesville has received an application from Robert Knopf of Mobilite for a Conditional Use Permit. The applicant is proposing to install a 75-foot public utility pole for broadband infrastructure purposes within the right-of-way at 607 Williams Street (Permanent Parcel Number 15-A-003-0-00-009-0). The property is located in the R-1 Single Family Residential District. Section 1143.06 (b) requires a conditional use permit for the installation of commercial transmissions of radio, television or communication systems in all districts.

**REFUSAL NO. 2286 CONDITIONAL USE PERMIT REQUEST**

**Applicant:** Robert Knopf

**Owner:** Mobilite

**Location:** Right-of-Way near 225 E. Prospect Street (Parcel Number 15-D-010-0-00-025-0)

**District:** R-1 Single Family Residential District

**Section:** 1127.05

The City of Painesville has received an application from Robert Knopf of Mobilite for a Conditional Use Permit. The applicant is proposing to install a 75-foot public utility pole for broadband infrastructure purposes within the right-of-way at 225 East Prospect Street (Permanent Parcel Number 15-D-010-0-00-025-0). The property is located in the R-1 Single Family Residential District. Section 1143.06 (b) requires a conditional use permit for the installation of commercial transmissions of radio, television or communication systems in all districts.

**REFUSAL NO. 2287 CONDITIONAL USE PERMIT REQUEST**

**Applicant:** Robert Knopf

**Owner:** Mobilite

**Location:** Right-of-Way near 701 East Erie Street (Parcel Number 15-A-008-B-00-008-0)

**District:** R-1 Single Family Residential District

**Section:** 1127.05

The City of Painesville has received an application from Robert Knopf of Mobilite for a Conditional Use Permit. The applicant is proposing to install a 75-foot public utility pole for broadband infrastructure purposes within the right-of-way at 701 East Erie Street (Permanent

Parcel Number 15-A-008-B-00-008-0). The property is located in the R-1 Single Family Residential District. Section 1143.06 (b) requires a conditional use permit for the installation of commercial transmissions of radio, television or communication systems in all districts.

*Refusals 2285-2286 and 2287 were withdrawn at the request of the applicant.*

*Motion by Ms. Hada, seconded by Ms. Kuhlmann, to remove Refusals 2285, 2286 and 2287 from the table. On Roll Call, Ms. Kuhlmann, Ms. Fleck, Ms. Hada and Mr. Komjati answered "yes". Motion carried, 4-0*

*Motion by Ms. Fleck, seconded by Ms. Kuhlmann, to dismiss Refusals 2285, 2286 and 2287. On Roll Call, Ms. Fleck, Ms. Hada, Ms. Kuhlmann and Chairman Komjati answered "yes". Motion carried, 4-0*

- **Temporary Structure and Uses:** Temporary Office trailer to provide office space at Lake County Committee on Family Violence

*This item remained tabled until the next regularly scheduled Planning Commission meeting.*

#### **NEW BUSINESS:** (Public Hearing Items)

#### **REZONING APPLICATION NO. 86-16**

**Owner:** Emerald Pointe, Inc.

**Location:** Permanent Parcel 15-D-021-B-00-040-0

**From:** B-2/S-1 General Business/Special to R-1 Single Family District

An application has been received from Mr. Matt Malkamaki on behalf of Emerald Pointe, Inc., 498 Hidden Harbor Drive, Fairport Harbor, requesting the rezoning of Permanent Parcel Number 15-D-021-B-00-040-0. The request is to change the zoning classification from a B-2 General Business/S-1 Special Zoning District to an R-1 Single Family District to allow for a cluster development as allowed on land zoned R-1 Single Family, outlined in Chapter 1132 of the Painesville Zoning Code.

*Motion by Ms. Fleck, seconded by Mr. Wainwright, to favorably recommend Rezoning Application No. 86-16, Permanent Parcel Number 15-D-021-B-00-040-0, from a B-2/S-1 General Business/Special to an R-1 Single Family Residential District, with the stipulation that the development not exceed 16 units and the recommendation for approval by the Planning Commission references the Conceptual Development Plan Exhibit A presented at the Planning Commission meeting of December 8, 2016 and that the plan adheres to all necessary reviews. On Roll Call, Mr. Wainwright, Ms. Hada, Ms. Fleck, and Chairman Komjati answered "yes". Ms. Kuhlmann answered "no". Motion carried, 4-1.*

#### **ADMINISTRATIVE REPORT:**

- **Review of Conditional Use Permit (Refusal No. 2111) issued to Lakeview Bluffs LLC and Tierra Solutions, Inc.** for soil removal at Elm Street (Parcel Numbers 15-A-019-0-00-013-0; 35-A-002-0-00-002-0; and 35-A-002-0-00-003-0): Permit granted February 21, 2007; reviewed December 13, 2007; extension granted December 2008, November 2009, December 2010, December 2011; October 2012; December 2013; December 2014; and December 2015 with the stipulations that were agreed upon for the original permit and that Condition #18 be invoked so that the applicant provides a progress report to the Planning Commission no later than the December 2016 Planning Commission meeting.

*Motion by Ms. Kuhlmann, seconded by Ms. Hada, to renew the Conditional Use Permit (Refusal No., 2111) to Lakeview Bluffs LLC and Tierra Solutions, Inc. for an additional year with the stipulation that*

*Condition #18 be invoked so that the applicant provides a progress report to the Planning Commission no later than the December 2017 Planning Commission meeting. On Roll Call, Ms. Hada, Ms. Kublmann, Ms. Fleck, Mr. Wainwright and Chairman Komjati answered "yes". Motion carried, 5-0.*

- **Annual Review of Conditional Use Permit (Refusal No. 2227) issued to Steele Mansion Suites, LLC** for operation as an inn at 348 Mentor Avenue (Permanent Parcel Number 15-C-017-0-00-028-0). Conditional Use Permit granted on July 11, 2012, approved for the year 2016 with conditions as outlined by the City Planner memo to the Planning Commission dated November 6, 2015.

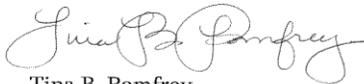
*Motion by Ms. Hada, seconded by Ms. Kublmann, to approve the Conditional Use Permit (Refusal 2227) for an additional year, with changes in the following conditions: #2) the parking requirement shall allow the occasional daytime parking of commercial vehicles; and #5) the total square footage of the identification sign shall increase from sixteen square feet to twenty (20) square feet. On Roll Call, Ms. Kublmann, Ms. Fleck, Mr. Wainwright, Ms. Hada and Chairman Komjati answered "yes". Motion carried, 5-0.*

- **Final Plat Approval** for Phase 15 (Units 9 and 14) of Kilroy Pointe Condominium Subdivision.

*Motion by Ms. Fleck, seconded by Ms. Kublmann, to approve the Final Plat of Kilroy Pointe Condominium Phase 15. On Roll Call, Ms. Fleck, Mr. Wainwright, Ms. Hada, Ms. Kublmann and Chairman Komjati answered "yes". Motion carried, 5-0.*

- **2016 Design Review Applications to Date**

Please forward this information to City Council at the earliest time possible



Tina B. Pomfrey

Planning Commission