



**Date:** December 11, 2015  
**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 items were presented to the Planning Commission for consideration during their Regular Meeting on December 10, 2015:

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

**REFUSAL NO. 2272 - CONDITIONAL USE PERMIT REQUEST**

**Applicant:** Lori A. Richards

**Owner:** Anthony Zappitelli

**Location:** 735 South State St. (Parcel Number 15-B-020-0-00-011-0)

**District:** B-2 General Business District

**Section:** 1143.06 (a)

The City of Painesville has received an application from Lori A. Richards for a Conditional Use Permit. The applicant is proposing a Tattoo and Art Studio at 735 South State Street (Permanent Parcel Number (Parcel Number 15-B-020-0-00-011-0)). The property is located in the B-2 General Business District. Section 1143.06 (a) requires a conditional use permit for uses that are not specifically listed in the zoning code as a permitted use. A similar use determination is being requested by the Planning Commission.

*Chairman Komjati indicated this matter is to be tabled due to improper notification as outlined in the City of Painesville's Codified Ordinances Section 1143.03 NOTICE AND HEARING for Conditional Use Permits. A revised Notice for this matter will be sent fifteen (15) days prior to the date of the rescheduled hearing to the surrounding property owners within the 400-feet as required by the City of Painesville's Codified Ordinances for Conditional Use Permits.*

*Motion by Ms. Shoop, seconded by Ms. Kuhlmann, to table Refusal 2272 to the January 2016 meeting. On roll call, Ms. Fleck, Ms. Shoop, Mr. Wainwright, Ms. Kuhlmann, and Chairman Komjati answered "yes". Motion carried, 5-0.*

**REFUSAL NO. 2273 - CONDITIONAL USE PERMIT REQUEST**

**Applicant:** Pinnacle Commodity Recovery LLC (Bart Davenport)

**Owner:** Lake County Port Authority (Mark Rantala, Executive Director)

**Location:** South State Street (Parcel Numbers 15-B-015-0-00-001-004)

**District:** M-2 Industrial District

**Section:** 1143.06 (a)

The City of Painesville has received an application from Pinnacle Commodity Recovery LLC (Bart Davenport) for a Conditional Use Permit. The applicant is proposing to locate a Recyclable Material Wholesale Facility at South State Street (Parcel Numbers 15-B-001-0-00-001-004). The property is located in the M-2 Industrial District. Section 1127.05 does not list recycling facilities as a permitted use in the M-2 Industrial District. A conditional use permit for a Similar Use designation is requested.

*Motion by Ms. Shoop, seconded by Ms. Fleck, to favorably recommend approval of Refusal 2273 with the following stipulations:*

- 1. All storage of empty containers are to be located on the east side of the building where they are not accessible/visible from the adjacent properties.*
- 2. All materials shipped into the facility must be completely enclosed/covered.*
- 3. There shall be no radioactive material located at this site.*
- 4. There shall be no explosive materials located at this site.*
- 5. The Conditional Use Permit shall not be transferable to another party.*
- 6. The hours of operation of the use shall be Monday through Friday, 8:00 AM to 4:30 PM with occasional Saturday hours.*
- 7. The permit is approved for a one (1) year time period. After one (1) year the applicant would be required to re-appear in front of the Planning Commission for an extension to the permit to be sure there are no adverse health or safety issues associated with the operations and to determine compliance with the stipulations.*
- 8. All required parking shall be met as outline in the City of Painesville Codified Ordinances.*
- 9. The conditions stated above shall be incorporated as terms of the lease with the Lake County Port Authority.*

*On roll call, Ms. Shoop, Mr. Wainwright, Ms. Kuhlmann, Ms. Fleck and Chairman Komjati answered "yes".  
Motion carried, 5-0.*

**ADMINISTRATIVE REPORT:**

Review of 239 Mentor Avenue (Parcel Number 15-C-003-0-00-027-0)

Mr. Lewis informed the Commission that the property has been acquired by a new management company who is actively marketing the property for sale. The owners are making some repairs and the City is not actively pursuing demolition at this time.

**OTHER MATTERS THAT MAY PROPERLY COME BEFORE THE PLANNING COMMISSION**

The Planning Commission and Staff congratulated Ms. Christine Shoop on her appointment to City Council and thanked her for her years of service to the Planning Commission.

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



Tina B. Pomfrey  
Planning Commission