

# Garrettsville Public Hearing Planning Commission Meeting Minutes

July 7, 2011

At 7:00 pm, Chairman Steve Hadzinsky called the Public Hearing and the Garrettsville Planning Commission meeting to order with Mayor, Craig Moser, Jerry Kehoe, Don Harvey, Michele Stuck, Solicitor, and Jan Boehm, Zoning Inspector present. Gretchen Cram was absent.

After the Pledge of Allegiance, Chairman Hadzinsky called for approval of the minutes of the June 2, 2011, Planning Commission minutes, and minutes of the special Planning Commission meeting of June 15, 2011. Jerry Kehoe motioned to approve the minutes of June 2<sup>nd</sup>, 2011, and Mayor Moser seconded the motion.

**Vote:** Ayes – Unanimous

Chairman Hadzinsky motioned to approve the minutes of the special Planning Commission meeting of June 15, 2011; Mayor Moser seconded the motion.

**Vote:** Ayes – Unanimous

At 7:02 the Public Hearing was called to order. The purpose of this hearing, pursuant to Ordinance 2009-40, is to review a formal application for a yearly Conditional Use Zoning Certificate for an apartment located on the second floor of a commercial building located at 8115 High Street in Garrettsville's Preservation District/Central Business District.

The above review is in compliance to Garrettsville's Ordinance 1177.02 (b) (1) which states: The planning Commission may issue conditional zoning certificate for uses listed, subject to Section 1149.04, inclusive, and other sections as listed herein: (1) Apartments located above commercial establishments subject to Section 1149.05(r), (1) thru (10).

Another reason for this public hearing is to consider a formal request by "The Garrettsville Curtains Up Theatre" for a Conditional Zoning Certificate. A proposed farmers market will be located at 8311 Windham Street at the corner of Windham and Liberty Streets. This Conditional Zoning request is in accordance with Garrettsville Ordinances 1149.05 (t), (1) thru (6) and 1180.02 (b), (13).

At 7:04 pm, hearing no comments from the audience, Chairman Hadzinsky closed the Public Hearing.

The J.A. Historical Society has applied for a yearly Conditional Use zoning certificate for their apartment located on the second floor the their commercial building, 8115 High Street, in the Central Business District/Preservation District. Mayor Moser stated there were no violations noted in the fire safety inspection; therefore, motioned to grant the Conditional Use zoning certificate. Chairman Hadzinsky seconded the motion.

**Vote:** Ayes – Unanimous

Mayor Moser motioned to waive the application fee due to the Historical Society's nonprofit status; Jerry Kehoe seconded the motion.

**Vote:** Ayes – Unanimous

The Curtains Up Theatre requested a Conditional Use Zoning Certificate to operate a Farmer's Market from 07/20/11 to 10/05/11 at 8311 Windham Street in the C-2 zoning district. With the application in order, Jerry Kehoe motioned to grant the Conditional Use Zoning Certificate and Mayor Moser seconded the motion.

**Vote:** Ayes – Unanimous

Chairman Hadzinsky motioned to waive the application due to the Curtains Up Theatre's nonprofit status; Jerry Kehoe seconded the motion.

**Vote:** Ayes – Unanimous

Per a conversation and request at the zoning office, Mr. Robert Farley owner of the property and office space at 8052 State Street, Central Business District, may be renting office space to The Retro Rider Coach Inc. The corporation currently has four buses; in the future they may be acquiring several additional buses. Mr. Farley's question to the Planning Commission was where would

be the most appropriate location for the bus parking, as they expressed a desire to park in lots on State Street adjacent to the 8052 State Street.

After a discussion, on the spaces available in adjacent properties, it was determined a plot plan would be required, an account of the number of buses, and a discussion with the owner of the bus company would be the best order of business. Chairman Hadzinsky volunteered to contact the owner of the bus company to discuss the nature of their business plans.

A discussion commenced regarding adoption of additional sign regulations with regard to large portable “semi-permanent” signs (mobile) to be included under Ordinance 1191.02. Mobile signs would be permitted in C-1, C-2, C-3 R/C, Industrial and CBD with a \$500.00 annual fee; limited in the Preservation District due to space limitations. Modifications were made for violations, but referred to Codified Ordinance 1139.99 for due processes and penalties.

Mayor Moser motioned to recommend the sign ordinance as written, but to include the above modifications to Council; Jerry Kehoe seconded the motion.

**Vote:** Ayes – Unanimous

A discussion of home occupations continued with two examples submitted by Solicitor Stuck. Discussions included changing three Ordinances, 1169.02(b)(9), 1171.02(b)(8), ; 1174.02(b)(5) to refer to Ordinance 1139.01(a)(27) containing a thorough definition of home occupations instead of references to Chapter 1151.

After discussion, Mayor Moser motioned to adopt the simpler or shorter version of the proposed ordinances but adding 1151 with egress and ingress at the discretion or approval from zoning inspector with Ordinance 1147 (b) (2) &(3) as subsections. The action taken by Planning Commission would be to take this to Council with the motion seconded by J. Kehoe.

**Vote:** Ayes – Unanimous

An urban renewal proposal as discussed by the Solicitor, allows the Village to initiate plans to appeal to property owners by making it more financially appealing for property owners to renovate their property by either tax abatement of up to 75% of the property value, giving a financial incentive to the property owner, but also saying a portion of this needs to be paid to the village for infrastructure improve.

A discussion commenced regarding a few minor changes made by the Solicitor to the original copy. Properties would have to be declared as blight; declare the improvements for benefit of public purpose.

Mayor Moser’s recommended action was to review and send council a copy of the draft to review and then recommend to Planning for further consideration at a later date.

With the above in place, Mayor Moser formally motioned to move the urban renewal proposal up to Council for consideration and recommendation and moving it back to planning for further consideration; Jerry Kehoe seconded the motion.

**Vote:** Ayes – Unanimous

At this time the guard rail fence erected on the property located at 10809 North Street, or the Post Office location (C-2 zoning district) was discussed. Mayor Moser motioned that the Solicitor and Zoning Inspector follow the law, by writing a letter, noting a lack of a require permit, to the owner of the above property. Jerry Kehoe seconded the motion.

**Vote:** Ayes – Unanimous

A motion for adjournment was requested by Chairman Hadzinsky, Mayor Moser motioned and Jerry Kehoe seconded the motion for adjournment.

**Vote:** Ayes – Unanimous