

City of Canal Fulton

HPC and PLANNING COMMISSION MEETING MINUTES Thursday – April 20, 2006

Mr. Clayton Hopper called the April 20, 2006 joint Historic Preservation Commission and Planning Commission meetings to order at 7:30 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL - PRESENT

HPC

Clayton Hopper

Diane Downing

Chell Rossi

John Workman

Bill Dorman

Paul Bagocius

Absent: Dennis Browne

Planning Commission

Clayton Hopper

Diane Downing

Don Schwendiman

John Workman

Mayor John Grogan

Others in Attendance

Mark Cozy, City Manager; Johnson Belford, Zoning Inspector; Fred Fleming, Parks & Recreation Board; Fred E. Etheridge, Schalmo Properties, Inc.; James Rosenblatt, Great Lakes Land, LLC; Bryan Ashman, Cooper & Assoc.; Mark Roman; David & Barbara Forrester, Mike & Priscilla Oates, Mitch & Judy Miller, Dick & Judy Johnson, Jeff & Jan Hein, and Hal Hardy, Lawrence Township/Canal Fulton Residents

HISTORIC PRESERVATION COMMISSION

CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS (HPC)

Ms. Rossi made a motion to accept the March 16, 2006 HPC meeting minutes; seconded by Mr. Workman

ROLL CALL: Yes - ALL

CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS (PLANNING COMMISSION)

Mr. Workman made a motion to accept the March 16, 2006 Planning Commission meeting minutes; seconded by Mrs. Downing. **ROLL CALL: Yes - ALL**

PRESERVATION BUSINESS & CERTIFICATES OF APPROPRIATENESS

Certificate of Appropriateness

NEW BUSINESS

Judy Spada, 127 ½ S. Canal St. (Replace Existing Windows and Doors on Building): Hal Hardy represented Judy Spada, saying they would have liked to have gone with more authentic windows, but it wasn't cost effective. The architectural character will remain the same. Mr. Workman made a motion to grant the Certificate of Appropriateness; seconded by Ms. Rossi. **ROLL CALL: Yes – ALL (Certificate Approved)**

Paul & Cindy Bagocius, 451 E. Cherry St. (Addition to Back of House): Mr. Bagocius was asked to not participate in the vote/discussion. Mr. Hopper stated they want to add a small kitchen addition to the rear of the house (not visible from the street). Mr. Belford said it meets the zoning setbacks. Mr. Workman made a motion to approve the Certificate of Appropriateness, subject to the fact that Mr. Bagocius agrees to do the roofline appropriate with the rest of the structures; seconded by Ms. Rossi. **ROLL CALL: Yes – ALL (Certificate Approved)**

Mark Cozy, City Manager (Kilbride Park): Mr. Cozy said Mr. Hornak of the Cherry Street Creamery would like to lease the Kilbride Park property, clear the debris/brush/trees, plant flowers/flowers, and put picnic tables in to use as an overflow for his business. Council and Mayor Grogan requested Mr. Cozy present this to HPC to see if it

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was amenable to them, as the historic Easley house foundation is there, and if we did lease the property, what conditions would HPC like to see applied to same besides the lease. Ms. Rossi's concern was that they need a sign there that says something like "This is Canal Fulton Park Property" and that other businesses be allowed to benefit from the space too (like Oser's). Ms. Rossi said when Mr. Kilbride gave the property for the city, a sign was promised. Ms. Rossi said that it was important to let the public know anyone could sit on the picnic tables. Mr. Workman said he would like to see a landscape drawing before he does anything major. Mr. Fleming asked if George had anything in there that prevented its use as anything but a public park; Mr. Hopper said not that he was aware of; Mr. Workman said his original intent was to use it as a parking lot. Mr. Hopper stated the problem could be the bridge; Mr. Workman said that would be an issue of Council's. Mr. Hopper said to Mr. Cozy that they could do what they want to it, but they would like to see the city maintain control over it and that the public knows it's open to anybody. Mr. Fleming said if there is a design for that area, it's park property/historical property and they don't want to give it away, and it should go before the Parks & Recreation Board. Mayor Grogan related that after the design was created, it needed to go to HPC then the Park Board before it goes to Council.

ADJOURNMENT OF HPC MEETING

Mr. Hopper adjourned the HPC portion of the meeting.

PLANNING COMMISSION

OLD BUSINESS

John Workman, 811 E. Cherry St. (Continuation of request for continuation of non conforming use):

NEW BUSINESS

Schalmo Properties, Inc. (Final Plat Approval for Discovery Park #6): Bill Dorman stated all the necessary infrastructure is in place. He said before these lots were platted, there was an easement provided, which was across open land; now with two lots where structures will be constructed, people sometimes have a tendency to encroach on certain areas, and they are requesting that the easements be modified so the city has access to that in case there are any encroachments in the future. Mr. Etheridge said they only have one lot in the City of Canal Fulton and Mr. Schalmo is desperate for lots, so he is going to the trouble and expense of having a two-lot allotment to get a "little bit going until we can bring on the rest of the developments we have planned out there." They are single-family lots without age restrictions; price range approximately \$160k to \$170k; there is 42 more lots on the north side. Mr. Hopper made a motion to approve the final plat for Discovery Park Phase 6 based on the Engineer's recommendations; seconded by Mr. Workman. **ROLL CALL: Yes – ALL (Plat Approved)**

James Rosenblatt dba Great Lakes Land, LLC. (Site Plan for Fulton Landings aka The Rumble Property): Mr. Rosenblatt said he and his engineer went over the items discussed at the last meeting. Originally they presented a plan for 59 units, then 56 units, now the newly updated plan is for 48 units. He said additional on-site residential parking were discussed; he stated that predominately they will have at least a 2-car attached garage, plus their own driveway, and 4 additional locations for parking (w/multiple parking spots) away from their home. Mr. Rosenblatt said they added an on-site recreation area. There's over 50% open space, which doesn't include all the excess areas that will never be built on. He had also supplied Mr. Belford with pictures of the planned homes. Mr. Hopper asked him if he was aware that the development Mr. Rosenblatt was requesting was a PUD and was told, "Correct." There was concern that the model (per se) would follow throughout the allotment no matter who builds the rest of the houses. Mr. Rosenblatt said it would be part of the subdivision plat; part of the design. A buffer on the backside was spoke about; Mr. Rosenblatt said the entire property is a minimum 30-feet and much more significant than that and there's a buffer, the entire exterior of the property. He said the border of a lot of the property is treed already, which would remain, so then what they would do is fill in where needed. Mr. Workman made a motion to approve the Conditional Use, subject to the conditions that were proposed this evening; seconded by Mr. Schwendiman. **Discussion:** There was a general discussion with adjacent property owners about their concerns. NOTE: Tape available for cost of same upon request. **ROLL CALL: Yes – ALL**

Bob Lockhart, Lockhart Land Development (Heritage Square Condominium Community): Mr. Hopper noted that when Mr. Lockhart was present last time they gave some conditional R-3 zoning that required Mr. Lockhart to redo a plat so that our Law Director could come up with the proper language to give it to Council to make that zoning official, and it never happened, so it is still all B-1. Mr. Lockhart agreed; not changed, but he

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said the last time, Planning was in favor of right down the center of that road. Mr. Lockhart said the plaza is dying and it isn't worth putting a street in cost-wise without having the strip against the plaza, and he requested moving a line over so they could have all of it. He said if they could put one more 10,000 – 15,000 sq. ft. building, then that would be it, but he didn't think it would happen. Mr. Hopper said the problem he's seeing with it is that it's the last piece of B-1 property in the city and it's difficult to give up. Mr. Lockhart said he can't get a grocery store to come in. Mr. Workman said they know for a fact there is going to be another 500 homes in that area, then the demographics will change and maybe become more viable on that end as it grows up toward Manchester Road. Mr. Lockhart said the only thing he is going to change is "design a little bit different, where we don't have these yet on here, you know, this section – only 'cause it isn't worth the road." Mayor Grogan asked about prospective businesses for the Heritage Square area. Mr. Lockhart said *Dollar General* is talking, but the pharmacy might be moving (sign at business saying same), although considering staying too. Mayor Grogan asked about the previously talked about L-shaped plaza that might go behind, but Mr. Lockhart said, "That was them talking." Mr. Lockhart said he'd like to get the project started in the fall.

Bill Dorman, City Engineer (Request for an Adjudication Hearing, Concerning Smith Development Corp.): Mr. Dorman confirmed he was holding approximately \$12,900 in unpaid bills to Smith Development. They notified Mr. Smith February 2, 2006 that they would like to be paid or they would have to take the next step, according to the code (he attached same on the back of the letter). Referencing the Planning & Zoning Code, Mr. Dorman was requesting the Planning Commission to adjudicate his claim. Mr. Hopper made a motion that the Planning Commission send a letter to City Council telling them that we held our hearing with the Engineer, and we agree with the Engineer's findings on the amounts that are owed to him, and instead of making him go through the procedures of trying to collect from either a bonding agent – if there is such a thing – that City Council pay the City Engineer the amount is due and they file the collection process through the Law Director; seconded by Mayor Grogan. **Discussion:** Mayor Grogan said yes when Mr. Belford asked him if he could not instruct him to accept no site plans from Smith or to issue any zoning certificates until his financial obligation is paid. Mr. Fleming said the procedure to check bonding at the city was not as tight as it should be. **ROLL CALL: Yes – ALL**

Note: Mr. Belford will send a letter to Patti Troccoli to put in the May 3rd Council packet.

ADJOURNMENT – PLANNING COMMISSION

Mr. Hopper adjourned the Planning Commission meeting.

Clayton Hopper, Chair