

**PLANNING & DESIGN COMMISSION
CITY OF NORTH OL MSTED
MINUTES FOR MAY 11, 2011**

ROLL CALL

Mrs. Meredith called the meeting to order at 7:00 p.m. in Council Chambers and led the Pledge of Allegiance.

Present: Melissa Meredith, Greg Malone, Ralph Bohlmann, Don Rerko, Robert Parry, Mark Mahoney

Absent: Jeffrey Peepers

Staff: Planning and Development Director Kimberly Wenger, Assistant Law Director Bryan O'Malley, City Engineer Pietro DiFranco, Building Commissioner Dale Mitchell, Clerk of Commissions Donna Rote

REVIEW AND CORRECTION OF MINUTES

Ms. Meredith moved, seconded by Mr. Rerko, to approve the Planning and Design Commission minutes of April 27, 2011 which was approved 6-0.

OLD BUSINESS

CMS10-35: Gyro George; 30791 Lorain Road

Representatives: Allen Kacenj ar, attorney; George Glyptis, owner

Ms. Wenger reviewed the previous recommendations of the Commission and the submission of the applicant. She said that the plan lacked much of what the Commission had requested. Property maintenance issues must be addressed regardless of the proposal submitted. Mr. Mitchell said a site inspection showed the grass had not been mowed the dumpster is outside the enclosure, the fence is still in disrepair as is the dumpster enclosure and the paint on the building is starting to peel. Mr. O'Malley reviewed that property maintenance issues were required to be addressed no matter the outcome of the proposal; they are required by code to bring their site into compliance.

Mr. Kacenj ar said his client purchased the building and had to paint it because of graffiti on two sides of the building. The color palette consists of corporate colors, the building was painted white and shingles blue. It is his understanding that the commission doesn't like the blue and white building so he took photos around the community of other buildings which have blue and white configurations. Therefore he does not believe the color is the issue nor is his client trying to say he won't address property maintenance issues. His client will comply with all building code violations. However to date neither he nor his client has received any listing of violations or letters stating there are property maintenance issues. The plan which has been submitted suggests \$15,000 of improvements which is significant as the site is not a revenue generating site. His client is willing to make some of the investments but needs to make them over time. He distributed photos of buildings that were white with blue shingles. The blue colored shingles can not be produced by a shingle company. A shingle was submitted for review and retained for

the record. To replace the existing shingles the cost would be \$3,450 therefore his client will keep the existing shingles and use the funds on other issues. The fence and enclosure repair will be completed and the dumpster will be placed within the enclosure. His client plan addresses all the necessary issues. He requested he and his client receive a list of all property maintenance violations which have been issued. His client owns 8 other facilities and each are the same color palette so he is perplexed as to why the color palette is unacceptable.

Mr. Parry said the document submitted pertaining to the fence says the replacement of the fence is economically prohibitive yet the attorney states the fence will be fixed. Discussion regarding what constitutes, fixing, repairing and replacing took place and the commission felt the fencing was in poor enough condition to warrant being replaced. Mr. Rerko said there are many varieties of blue shingles available on the market. Asphalt shingles are not designed to be painted and will soon start to peel and chip. The commission's recommendation was to try to blend the colors to the architecture of the area by adding an awning and shutters which would soften the impact of the colors however the documents do not mention awnings or shutters. Mr. Kacenjar said his client would consider painting the existing awning. Mr. Malone said the drawing submitted had no scale or size of plants noted on the drawing. The drawing submitted doesn't match the landscaping design or current layout at the site so it is not clear as to what is proposed to be done. He questioned the meaning of the statement, "The high cost of such improvements will require the implementation of a plan similar to or like this plan to occur over time." Ms. Meredith said a detailed landscape plan from a professional landscaper is to be submitted and include dates in which the project would be complete.

Mr. Bohlmann said the dumpster enclosure along the west side of the building is chainlink fencing which doesn't provide buffering of the dumpster, therefore the dumpster enclosure should be board on board at the minimum. Mr. Glyptis said the chainlink with vinyl slats works as good as board on board and the only reason the dumpster was out of the enclosure was because the asphalt is failing. Mr. Parry pointed out a few discrepancies in the documents submitted. Mr. Rerko said the architectural fit of the building is a concern of the commission. The surrounding buildings are all natural brick colors and a white building with a blue roof is a contrast to the area. Ms. Meredith said the commission has been clear as to what they would like done and that the plans submitted were inadequate. At two meetings they requested a proper landscape plan, replacement of roof shingles, new coat of paint, awnings and shutters, new fencing and a dumpster enclosure. To date the applicant has failed to provide development plans or address the property maintenance issues which were identified. Mr. Kacenjar said his client agreed to a six month time frame for improvements.

Ms. Meredith moved, seconded by Mr. Bohlmann, to approve the proposal for CMS10-35: Gyro George at 30791 Lorain Road which consists of modifications to existing building colors, which was rejected 0-6. Mr. Mahoney said he recommended a 45 day continuance to allow proper development plans to be submitted and what were submitted are merely quotes.

CMS11-05: Catholic Charities Housing Corp. Senior Living Facility; 26855 Lorain Road
Representatives: Maryellen Staab of Catholic Charities Housing Corp.; George Berardi of Berardi + Partners Architects

Ms. Wenger said the project consist of rezoning approximately 2.2286 acres of property along Country Club Blvd from Single Residence B to Senior Residence for the purpose of building a senior residence facility. The applicant provided additional information since the last meeting which includes a conceptual layout and parking count which was discussed at the last meeting. The matter before the commission is rezoning not a development review. If the rezoning is approved the applicant will then officially submit a development plan for review. She noted that the conceptual plan had not been officially reviewed for zoning conformance and such a review would not take place until an official development plan was submitted. In reviewing the request for rezoning the commission should take into consideration whether or not rezoning would follow the city mater plan, conflict with the current land use pattern of the area, create an isolated or unrelated district or are there reasons why the land couldn't continue to be used as zoned. Mr. O'Malley said the commission is addressing zoning not development of the site and noted that the city was within its right to rezone a district without a proposed development plan.

Mr. Berardi said at the prior meeting there was discussion pertaining to such a facility fitting the area and the number of parking spaces being removed. They modified the design and placement of the facility and provided information to address parking. Mr. Bohlmann felt that if additional properties to the south were purchased along Whitethorn the area could accommodate the rezoning and development without adversely affecting the church. He is concerned the church parking and school play area will be affected if more land is not acquired. Mr. Berardi said Catholic Charities develops excess property which the diocese owns and does not utilize. Mr. Rerko said parking was always an issue at the church and the parking report shows parking at neighboring sites to the west and east and asked if there were easements for the parking. Ms. Staab said the report showed that the back parking spaces were not utilized as most parishioners park closer to the church or the offsite locations to be nearer the entry. Mr. Berardi said parking spaces at the rear of the site is currently 268 and will be reduced to 220 once reconfigured. The new facility will have 36 parking spaces within its own parking lot for the residents. It was noted that there will be two egress points only along Country Club to accommodate both the church and new facility. A lengthy discussion ensued pertaining to parking. Mr. Parry felt that as the current zoning for the parcels is a mixture of residential and commercial being used as a parking lot, rezoning made sense. The land is not utilized as zoned it is a parking lot therefore the area should not be single family zoned. To rezone the parcels to senior residence district would be a good transition between commercial and residential use. However he is concerned that a section of the church parcel will remain single family residence. He would prefer only the area which is being developed senior living be rezoned senior residence the remaining small section of the church parcel should be rezoned general retail to match that of the church. Mr. Bohlmann asked if the city could require the church get an agreement for parking on neighbors lots and Mr. O'Malley said no.

Ms. Meredith said the applicants feel this is a good location as it is close to shopping, dinning, public transportation and walkable. However she had concerns regarding the adequacy of sidewalks. Mr. Parry said perhaps the city could talk to the owners along Country Club to widen the sidewalks however the current owner should not be responsible for widening Country Club Blvd sidewalks. Pedestrian traffic will usually go to Lorain and walk along Lorain. Ms. Staab said the proposed housing requires seniors be 62 and over.

Ms. Meredith read a letter from Father Charles stating he was unable to attend due to a conflict in his schedule. However he wanted to offer his support of Catholic Charities and asked that the Planning and Design Commission support the request for rezoning. Mr. Pollack, a neighbor from Whitethorn, said he was against the rezoning as it will block his rear view. He submitted photos of his rear yard line of site and believes that the walking paths will be too close to his home. Once the land is rezoned the neighbors will have very little influence. Ms. Meredith assured the neighbors that if the land is rezoned the applicants would have to return before the commission with a detailed development plan and notices would be released to neighboring owners. Mr. Allen Pollack said he is concerned as to how close the facility will be to his father's home. He asked if the stormwater runoff would be increased and how that would affect neighbors. Mr. Parry said the proposed zoning requires a minimum of 2 acres and the lot split shows almost a quarter of an acre more than 2 acres. He suggested leaving a 62 foot section of the residential parcel zoned single family to provide additional buffering. Discussion ensued pertaining to placing a deed restriction on an area closest to Whitethorn for permanent preservation. Ms. Wenger said that the commission could make recommendations to council pertaining to the rezoning but could not place stipulations.

Ms. Meredith moved, seconded by Mr. Malone, to recommend Council approve CMS11-05: Catholic Charities Housing Corp. Senior Living Facility of 26855 Lorain Road which consists of rezoning PPN 235-03-010, PPN 235-03-016 and a portion of PPN 235-03-015, an area totaling approximately 2.2286 acres, from B-Single Residence District to Senior Residence District. Roll call: Meredith, Rerko, Malone, Mahoney, Parry – yes; Bohlmann – no; motion passed 5-1. The commission recommends a 100 foot section of land along Whitethorn have a deed restriction to ensure it remains green space.

Ms. Meredith moved seconded by Mr. Malone to recommend Council initiate the rezoning of the remaining portion of single family residence to general retail business. Roll call: Meredith, Rerko, Malone, Mahoney, Parry – yes, Bohlmann – no; motion passed 5-1.

COMMUNICATIONS

Ordinance 2011-65: An Ordinance amending Section 1139.01 of the North Olmsted Zoning Code entitled “General Retail Business District” to permit religious uses, including churches and related buildings.

Ms. Wenger said when looking at limiting churches to conditional uses becomes too restrictive. Churches would not have a greater impact in a commercial district than other types of permitted uses. It is important to have districts within the community to allow churches without conditional uses. Mr. O'Malley said that the topic was identified last year when several churches came before the commission to be in the general retail district. Mr. Malone asked about housing development tied to churches under 5.B. The Commission felt the term “dwelling units” was too broad and open to interpretation.

Mrs. Meredith moved, seconded by Mr. Malone, to table Ordinance 2011-65, which was approved 6-0.

- Create committee to review existing requirements and propose new zoning or other codified requirements for brick pavers in tree lawns (currently N.O.C.O. 901.07(b)).

Ms. Wenger said the issue listed has been a topic which needs to be reviewed. She looked at the codified ordinances pertaining to brick pavers and found that it does not specify streets but is required of any curb cut opening on any street and under all non-single family zoning districts. She would like the commission to review sections of the code to clarify the use of brick pavers so the commission can make a recommendation to council. Mr. Malone and Mr. Bohlmann will serve on the committee to review.

ADJOURNMENT

Mrs. Meredith moved, seconded by Mr. Mahoney to excuse the absence of Mr. Peepers, which was approved 6-0.

With no further business, the meeting was adjourned at 9:00 pm.



Melissa Meredith, Chair



Donna Rote, Clerk of Commissions



Approved