

CITY OF CHARDON PLANNING COMMISSION

Meeting Minutes

May 20, 2019

Members Present:

Andrew Blackley, Vice-Chairman
Al Hunziker
Chris Grau

Dean Peska
Hannah Sekas
Mary Jo Stark

Members Absent:

Kenneth Miller, Chairman

Also Present:

Roger Arbogast, 398 Park Ave
Beth Brown, Maple Leaf
Debbie Chuha, Council
Doug Courtney, City Engineer
Mark Fahringer, Salvation Army
Mike Farrell, Geauga Faith Mission
Dawn Farrell, Metropolitan Housing Authority
Jim Gillette, Law Director
Chris Greenawalt, Chardon Square Auto Body
Marianne Goodwin, Carriage Trade Boutique
David Hartt, CT Consultants
Michelle Johnson, Environmental Design Group

Stacy Kaster, 206 Center Street
Lori Kilpeck, 211 Hidden Glen Trl
Joe Koziol, Times Courier
Eric Lane, Geauga Faith Mission
Dave Lelko, Council
Nathan Long, Geauga Faith Mission
Phil Moore, 203 Wilson Mills
Enzo Perfeto, Enzo Homes
Anthony Perrino, Chardon Square Auto Body
Rebecca Repasky, Secretary
Jeff Smock, Mayor
Steve Yaney, Community Development Administrator

Mr. Blackley called the meeting to order at 6:30 p.m. The Pledge of Allegiance was said. Roll was called.

Mr. Blackley said everyone received copies of the April 15, 2019 meeting. The motion was made by Mr. Peska to approve the minutes. It was seconded by Mr. Grau. The vote carried 6-0.

Mr. Blackley reminded all that were present to sign in for the meeting. Mr. Blackley explained the procedure of the meeting and swore in City staff.

OLD BUSINESS - none

NEW BUSINESS

PC Case #19-081: Mr. Yaney explained the City of Chardon is asking for a text amendment to amend the sign regulations in their entirety to bring them into compliance with recent U.S. Supreme Court rulings.

Mr. Hartt explained the Supreme Court ruling states sign regulations must be content neutral. He said political expression must be allowed all the time. Mr. Hartt said four (4) items will be done to the code:

1. The elimination of the listing of signs in the code.
2. Two (2) more small signs are permitted on residential properties.
3. There is an added allowance in square footage for temporary signs on residential properties.
4. A substitution clause has been added.

Three content signs are left in the code:

1. Construction signs
2. Instructional signs
3. Election/political signs (and they are permitted to be out thirty (30) days prior to early voting.)

Mr. Blackley asked if in the current regulation, there is a time frame for temporary signs. Mr. Gillette explained free speech signs cannot have a time frame; but for all other signs the time frame would have to be the same. Mr. Gillette continued by explaining the Supreme Court allows a concurring opinion by one (1) Judge where as long as the content is neutral, it can be regulated in size, lighting, commercial versus residential and in the public right of way. He explained other municipalities are just doing the content neutral requirement; he said the city could be more liberal by allowing construction and instructional signs. He said the sign code will change again in five (5) to ten (10) years.

Mr. Blackley asked if there is a time limit for big sale signs. Mr. Gillette said he does not think it is content neutral for a sale event; yes it would be preferred to but he is unsure the City can regulate that content.

Mr. Grau clarified if a candidate has his/her name on a sign for an election, not in election season, the sign still has to be left alone. Mr. Gillette said yes. Mr. Blackley asked if language will be added to keep one (1) sign per site. Mr. Yaney said yes. Mr. Gillette asked if election signs already have a variance. Mr. Yaney said yes. Mr. Blackley asked if election signs can be regulated by distance from a residential area. Mr. Yaney said it is 100 feet; Mr. Gillette said it can be across the street.

Mrs. Stark asked for digital signs, if there is a standard time in seconds. Mr. Hartt said yes.

Mr. Peska made a motion to recommend to Council for the text amendment approval. It was seconded by Mr. Hunziker. The vote carried 6-0.

PC Case #19-082: Mr. Yaney explained the City of Chardon is requesting Concept Plan review for the Maple Highland Phase 2 project. The project includes three (3) trailheads, a restroom and

parking facilities and a walking trail to Hanging Rock. Mr. Yaney said the park is exempted from the code, but per the City Charter it still comes before Planning Commission for review.

Ms. Johnson explained this phase will complete the 8.6 miles of trail. She explained most of the easements needed are signed. Hanging Rock will have a historical marker from the State of Ohio. She said they are looking to install flashing beacons for pedestrians crossing the street. The project will bid possibly fall or sometime after.

Mr. Blackley commented that is it a wonderful and beautiful design. He thanked Arby's for their cooperation and giving of space for the trail.

Mrs. Stark asked if signs directing people to the Square will be added. Ms. Johnson said no but there will be kiosks with maps and those can be changed out for other maps.

Mr. Grau asked if the beacons will be the same lighting as on Water Street. Ms. Johnson said no because it is based on the amount of traffic passing. She said they can ask ODOT for the same lighting and if they say no, the City can go back in and change it later. Mr. Blackley explained ODOT has certain criteria for their beacon regulations but it does allow for the change out later.

Mr. Sharpe said the trail is a bit close to Burlington Green so landscaping will be added as a barrier.

Mr. Grau asked if this is the last link in the trail. Ms. Johnson said yes, for a complete 21 miles.

PC Case #19-063: Mr. Yaney explained the applicant, Stacy Kaster, is requesting Concept Plan approval to allow for the remodel of her legal non-conforming commercial building. The improvements include parking lot improvements, grading/drainage, exterior remodel and a small addition/remodel to the rear portion of the building. He said this is a welcomed improvement and will need to go to Council for the reuse of the pole sign.

Ms. Kaster was sworn in. Ms. Kaster explained the roof will be a gable roof and include a handicap accessible bathroom. There will be new windows and storefront type materials; which includes an old farmhouse look and there will be planters on the side of the building.

Mrs. Stark asked if a new business is going in. Ms. Kaster said there is an interest, but she is waiting until after the approval.

Mr. Blackley said Staff recommends approval. Mr. Yaney said the City Architect had comments that have been addressed; he would like to see the final review before the permit is issued.

Mr. Grau made a motion to approve the Concept Plan approval with the City Architect's final review. It was seconded by Mrs. Sekas. The vote carried 6-0.

PC Case #19-068 - #19-069: Mr. Yaney explained Chardon Square Auto Body is requesting a Use Variance and Concept Plan approval for their commercial remodel and addition that was damaged by a fire. He said approximately 50% more square footage will be added and will be a

more functional body shop. He said Staff and the Fire Department has no issues and this is a significant upgrade.

Anthony Perrino and Chris Greenawalt were sworn in.

Mr. Perrino explained the process has been so long because of waiting on the insurance company. He said the new equipment will be environmentally friendly. He said the added space will allow for the business to grow.

Mr. Blackley clarified they are expanding to the rear and into the current parking lot. Mr. Perrino said yes. Mr. Blackley asked if a fence will still be at the rear. Mr. Perrino said yes and they will screen the side next to Richards Maple.

Mr. Courtney said any of his concerns will come at the construction document time.

Mr. Blackley said he is happy for the job growth and that they are investing in Chardon.

Mr. Grau made a motion to grant the Use Variance. It was seconded by Mr. Peska. The vote carried 6-0.

Mr. Peska made a motion to reduce the side setback from 15' to 5'9". It was seconded by Mr. Hunziker. The vote carried 6-0.

Mr. Grau made a motion to waive the requirement that 65% of the frontage must be dedicated to the principal building. It was seconded by Mr. Hunziker. The vote carried 6-0.

Mr. Hunziker made a motion to approve the Concept Plan contingent on the City Architect and Fire Marshall's final review. It was seconded by Mr. Peska. The vote carried 6-0.

PC Case #19-091: The applicant, Michael Monkiewicz, is requesting a variance to allow for the construction of a new 28' x 36' detached garage over the location of an existing 24' x 33' accessory building. The variance is to reduce the rear yard from 6' to 18" and the side setback from 3' to 26" for a detached accessory building. Mr. Yaney said the current garage is structurally deficient and difficult to use. Mr. Yaney included the Findings of Fact and explained most homes there were built before regulations were established.

Michelle Monkiewicz was sworn in.

Mr. Blackley asked if the County has approved the permit. Mr. Yaney said this variance and Zoning permit is needed first.

Mr. Grau made a motion to grant the variance. It was seconded by Mr. Hunziker. The vote carried 6-0.

OTHER BUSINESS – INFORMAL DISCUSSION WITH GEAUGA FAITH MISSION

Mr. Long explained they understood there were issues with the Washington property so they picked the vacant property on Wilson Mills. He said it will be a brand new facility to meet the needs to restore dignity to people that are homeless. The facility will help rebuild their lives. Mr. Long said Chardon is an ideal location because of the many job opportunities.

Mr. Fahringer explained the Salvation Army has a \$31,000 budget for this shelter and another organization is giving \$15,000. He said in his eight (8) years at the Wooster location, there has been no negative impact on the neighbors and many neighbors ask them for volunteer or paid help. He said the police department has used the shelter as a staging center.

Mr. Lane explained he has established a shelter in Indiana similar to Chardon. He said there is a stereotypical vision of the homeless and this demographic here should not be overlooked. He said his shelter has over 700 men, women and children. He believes this is the right location for the shelter.

Mr. Long said the shelter will help reduce the cost of services the county pays to help those in need and a safe environment is created. He said it will start with ten (10) men and expand in the future to include women and families.

Mr. Blackley said this is a commendable mission, but asked why this particular location. Mr. Long said because the site is available, affordable and close to businesses/resources. He said US Windows will allow the sharing of their driveway. He said this shelter needs to be accessible for veterans and the disabled. He said security is important so he has been in discussion with Chief Niehus for safety measures. He said no one that is on the sex offender list will be permitted in the shelter and will be taken elsewhere.

Mr. Blackley asked for clarification of how many people will be housed. Mr. Long said the plan is a rough draft but will eventually hold thirty (30) people, starting with only ten (10) men. He said NAMI will be coming in to provide mental health.

Mr. Blackley said the kitchen looks small; how does the mission plan to feed people. Mr. Long said they will change the plans to be the appropriate size for the guests.

Mr. Blackley asked for clarification on guests leaving at 6:00am; where they will go since nothing is open that early and there are no sidewalks. Mr. Long said guests can stay for two (2) weeks without being required to leave or enroll in programming.

Mr. Blackley said the size of the parking lot is big and asked if the homeless people have cars. Mr. Long said a lot of them do have cars and there will be security cameras in the parking lot and they won't be allowed to leave or go to their cars.

Mrs. Stark said the only driveway shown is to Wilson Mills. Mr. Yaney said the sharing of US Windows is not on the drawings yet. Mr. Perfeto said US Windows has given permission to share the drive.

Mr. Grau said he respects the Missions' compassion, but there needs to be caution. He said no one knows who these people really are. He asked what the speed of the background checks are. Mr. Lane said they have a dox system that returns background checks immediately. Mr. Grau asked what keeps one out of the shelter. Mr. Lane said active warrants, criminal charges and being on the sex offender list. If a person is drunk, they are not allowed in. Mr. Grau asked if this shelter is full, where do the people go. Mr. Long said they will be taken to another location.

Mr. Peska asked how the Mission is able to identify a homeless person. Mr. Lane said they ask for their social security number, then a name, google them on the internet, accept jail photos.

Mrs. Sekas clarified what happens in the first two (2) weeks. Mr. Long said it is just a time where no decisions are made and they can just stay at the facility. Mrs. Sekas asked how long a person can stay in total. Mr. Lane said up to two (2) years but the average is 140 days.

Mrs. Goodwin explained her position in her church on the benevolence committee has allowed her to hear and see the amount of people that are homeless and need help. She said all those situations are different but most of the calls are for a need for housing.

Mrs. Stark commented she feels the Commission still has not heard why or why not this particular site. Mr. Farrell said because parking was going to be an issue at the other location and they would rather build a facility. Mr. Farrell said they would construct the sidewalks on Wilson Mills Road. He said it is still a commercial property that is affordable and that is close to town and allows for future expansion. Mrs. Stark said she is not questioning the need to help the homeless, she is questioning if this is the best site. Mr. Blackley agreed. Mr. Yaney commented that this facility on this site would need a use variance which would then prompt the need to fulfill the Findings of Fact which would be a problem. Mr. Yaney said the police chief has no opinion either way, but would like to see concrete plans.

Mr. Moore said he has talked with the people from the Mission and does not see how this shelter benefits him. He said he is concerned for the safety of his family and people stealing things from his home. He suggested putting the site somewhere else.

Mr. Perfeto said this site is good because it is both commercial and residential.

Mr. Arbogast said he contacted the Mahoning County police department and Youngstown police department for incident reports. He provided the Commission with documented police reports. He said this makes him nervous.

Ms. Brown asked if people would be taken in 24-hours per day. Mr. Long said no. She clarified intoxicated persons will be turned away. Mr. Long said yes. She said where in the neighborhood they would wander. Mr. Long said they would be transported to another site. Mr. Farrell said they would be sent to a detox center. Mr. Long said they are not trying to create a problem but solve one.

Mr. Blackley said he believes this to be a bad location. Mrs. Stark said she is not convinced this is the best location. Mr. Long asked for a suggestion, the Commission did not provide one.

Ms. Farrell said the benefit of this location is it is close to employment opportunities. She commented that the police reports in Youngstown are probably people looking for help, not causing a problem. Mr. Long said that report is from an inner city.

Ms. Kilpeck expressed concern of people being made to leave at 6:00am and have nowhere to go. She said her children ride the school bus and get picked up on Wilson Mills Road. She said she is also concerned how this facility will be funded years down the road. Mr. Long said he foresees no funding issues.

EXECUTIVE SESSION – none

Mr. Grau made a motion to adjourn the meeting. It was seconded by Mr. Peska. The meeting was adjourned at 9:02 PM.

Respectfully Submitted:

ANDREW BLACKLEY, VICE CHAIRMAN

Rebecca Repasky, Secretary