

CITY OF CHARDON PLANNING COMMISSION

Meeting Minutes

August 19, 2019

Members Present:

Andrew Blackley, Vice-Chairman
Chris Grau
Al Hunziker

Dean Peska
Hannah Sekas

Members Absent:

Kenneth Miller, Chairman
Mary Jo Stark

Also Present:

Debbie Chuha, Councilman
Doug Courtney, City Engineer
Jim Gillette, Law Director
Stacy Kaster
Joe Koziol, Times
Nathan Long
Scott Niehus, Police Chief
Rebecca Repasky, Secretary

Randy Sharpe, City Manager
John Simiele
Jeff Smock, Mayor
Harriet Sugar
Ann Wishart, Maple Leaf
Steve Yaney, Community Development
Administrator

Mr. Blackley called the meeting to order at 6:31 p.m. The Pledge of Allegiance was said. Roll was called.

Mr. Blackley said everyone received copies of the July 29, 2019 special meeting. The motion was made by Mr. Hunziker to approve the minutes. It was seconded by Mr. Grau. The vote carried 5-0.

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

PC Case #19-134/135/136: Mr. Gillette said the case may stay tabled because no definitive date was set for the traffic study to be presented at Planning Commission.

NEW BUSINESS

PC Case #19-166: Mr. Yaney explained the applicant Nathan Long, of Geauga Faith Rescue Mission, is requesting a Use Variance in order to open an emergency shelter in the C-3 district. It will house six (6) men; with possibly opening another shelter elsewhere in Geauga County for women and children. Mr. Yaney explained the lot is small, zoned commercial even though it is a house and has limited parking which makes it difficult to sell the property. He said this is a

unique use because it is not in any zoning code. Mr. Yaney explained no architectural or engineer review is needed. He said the Fire Dept. has no issues with the current proposal but will review the final plans. Mr. Yaney explained the Fair Housing Resource Center explained the homeless are not a protected class; therefore Planning Commission will not be forced to grant the variance. Mr. Yaney did request the following five (5) conditions be required for the variance to be granted:

- 1) Install sidewalks along Washington Street
- 2) Install a privacy fence along the west and north property lines
- 3) Execute a parking agreement before the occupancy permit is issued
- 4) Install additional restrooms
- 5) A GFRM Staff Member must be present when a resident or residents are in the facility

Mr. Niehus was sworn in.

Mr. Niehus said he has met with GFRM staff. He said he supports the mission, but has concerns for the unforeseen in the future. Mr. Niehus said he is concerned for those that are intoxicated and are turned away because it presents a possible increase of needed resources on the police and fire departments. Mr. Blackley asked if a person leaves peacefully, then no police presence is needed. Mr. Niehus said correct; only if the person is under the influence or is belligerent. Mr. Blackley asked what the vagrancy laws are. Mr. Niehus said there is currently no loitering ordinance. Mr. Blackley asked what happens if someone is sleeping on a park bench. Mr. Niehus said an officer will check to see if they are asleep or not. Mr. Blackley asked if Council should look into loitering legislation. Mr. Niehus said yes; Mr. Gillette commented that is a sensitive constitutional issue since those folks are on public property where they are allowed to be. Mr. Grau asked for examples of calls from other communities. Mr. Niehus said some homeless have had prior contact with those police departments, they are the same number of calls to police as to fire, there is an increase of littering, not many calls for violence, other calls are for prostitution or drug trafficking. Mr. Grau asked if those homeless shelters had more than six (6) residents. Mr. Niehus said yes and they had staffing. Mr. Gillette asked what type of calls the thirteen (13) Ravenwood resident locations have. Mr. Niehus said they are typical calls: mental health, disturbance, theft or noise related. Mr. Gillette asked if he would anticipate similar calls for the homeless shelter. Mr. Niehus said they would not be much different. Mr. Gillette asked if those current calls are an extra load on the police department. Mr. Niehus said no, but it does take up some time. Mr. Gillette asked if the calls would be similar to a residential neighborhood. Mr. Niehus said it could be. Mr. Gillette asked if it is the owner or tenants calling. Mr. Niehus said both.

Mr. Long was sworn in.

Mr. Long explained Chardon is the right place for these services. He said folks do come with issues but the mission is to help rebuild their lives. Mr. Long believes their services will help reduce the number of emergency calls. He said they will meet all the City requirements.

Mr. Blackley asked if there are any material changes to the building. Mr. Long said no and it will be ADA compliant.

Mr. Grau asked how someone ends up at this facility. Mr. Long said on their own, being dropped off, being referred by Jobs and Family Services, and other resource organizations. He said ahead of time calls help determine if that person can be taken in. Mr. Grau asked what approach will be taken for possible increase calls to 911 or increase of littering and loitering. Mr. Long said the mission teaches responsibility and respect for the community so those folks will have to keep the property up kept and have high expectations for themselves. Mr. Long said those staying are given chores to do at the facility.

Mr. Peska asked what the screening process is. Mr. Long said NAMI will be giving aid, breathalyzers will be used, background checks and a universal tracking system that can be shared with the police department of who is staying in the facility.

Mr. Gillette asked for a description of the area. Mr. Yaney said there is a house with a tenant to the north, a commercial property to the west, a trucking and gym to the north and the post office to the east, and a strip center to the south. Mr. Gillette asked if the Weidig's once had Lake-Geauga Center in the strip center. Mr. Yaney said yes. Mr. Gillette asked what the size of the lot is. Mr. Yaney said .14 acres. Mr. Gillette asked what would that lot be used for if not this shelter. Mr. Yaney said a very low intensity business – like the previous insurance company that was in there. Any business would still need a variance. Mr. Gillette asked if the property is appropriate for housing. Mr. Yaney said not for that area and limited parking hinders the property. Mr. Gillette asked if it was common for a business to contract off-site parking. Mr. Yaney said it is only done in special circumstances; usually a business buys a property with enough parking. Mr. Gillette asked how many parking spaces there will be. Mr. Yaney said five (5) to six (6) and it is a gravel lot. Mr. Gillette asked reasons why businesses do not like this site. Mr. Yaney said there is low traffic flow and it is a house. Mr. Gillette asked if that was because it is a low visibility area. Mr. Yaney said yes.

Ms. Harriet Sugar was sworn in.

Mr. Gillette asked how long she has owned the property. Ms. Sugar said since 2015. He asked if there has been a tenant in there. She said no; she bought it and renovated the house with the plan to sell it. Mr. Gillette asked if the house sold, could it be lived in. She said yes. Mr. Gillette asked if she has tried to rent it and cannot. Ms. Sugar said yes. Mr. Gillette asked if she has done a project like this before. She said yes. Ms. Sugar said she respects the mission; she said they came

to her in the fall of 2018 and did not think this process would take this long. Mr. Gillette asked if she cannot sell the property what she will do. Ms. Sugar said meet with a realty company.

Mr. Grau asked if there are any provisions down the road if the shelter progresses in a direction the City does not agree with. Mr. Gillette said only if there is a nuisance problem that is continuous. Mr. Grau asked what the next action would be. Mr. Gillette said it would be to file in common pleas court and need to prove there is a disturbance effecting the welfare of others. Mr. Blackley asked if that would affect the use variance. Mr. Gillette said no, just the activities. Mr. Blackley asked if the variance can be taken away. Mr. Gillette said it will run with the land. Mr. Blackley asked if the activity stopped, what would happen. Mr. Gillette said a same activity under new ownership could come in and continue.

Stacy Kaster of 206 Center Street was sworn in. She said her concerns are: the back of her property is dark, she does not know who is coming in or out, parking is an issue, she is nervous with the limited area, theft and loitering.

John Simiele of 220 Center Street was sworn in. He said he opposes the variance because his strip center has a bank and atm. He is concerned for safety and trash. Mr. Long said surveillance cameras will be installed.

Mr. Smock was sworn in. He asked if it can be required the City be permitted to make compliance calls to the facility. Mr. Gillette said the conditions are included for the variance approval and if those are violated the variance can be terminated. Mr. Smock said after one (1) or two (2) years can it be pulled by the City. Mr. Gillette said no because it would be too subjective; all conditions must be specific conditions listed now. Mr. Blackley asked what if Chardon Methodist Church pulls out of the parking agreement. Mr. Gillette said hopefully there will be a ninety (90) day notice and GFRM will have to find another agreement to be in compliance with the variance.

Mr. Yaney reminded the Commission four (4) votes are needed to grant the variance. Mr. Gillette reviewed the Findings of Fact for the variance.

Mr. Grau made a motion to grant the variance with Staff's five (5) requirements. It was seconded by Mr. Hunziker. The vote carried 5-0.

PC Case #19-176: Mr. Yaney explained the applicant, City of Chardon, is requesting an assignment of zoning classification for a property near Mel Harder Park. It is being proposed to be classified as 'S' for Special. It is planned for parking or expansion for Mel Harder Park in the future.

Mrs. Sekas made a motion to recommend to City Council the classification of ‘S’ for Parcel ID 15-703829. It was seconded by Mr. Hunziker. The vote carried 5-0.

PC Case #19-168: Mr. Yaney explained the applicant, City of Chardon, is requesting Concept Plan approval for infill sidewalks along South Street. Mr. Yaney said the plans were prepared by the City Engineer and will be to Municipal Specifications. It will begin at Burlington Oval and end at the driving range. Construction will begin in September and be completed by Halloween. Mr. Courtney said all 1,300 feet will be concrete and 5 feet wide. Mr. Blackley asked if the easement needed was secured. Mr. Courtney said it is in progress.

Mr. Grau made a motion to grant the Concept Plan approval. It was seconded by Mrs. Sekas. The vote carried 5-0.

OTHER BUSINESS

Mr. Blackley asked about the status of the traffic study. Mr. Yaney said he is unsure; he has not heard from either Tim Horton’s or McDonald’s.

EXECUTIVE SESSION – none

Mr. Hunziker made a motion to adjourn the meeting. It was seconded by Mr. Grau. The meeting was adjourned at 8:05 PM.

Respectfully Submitted:

ANDREW BLACKLEY, VICE CHAIRMAN

Rebecca Repasky, Secretary