

**PAINESVILLE TOWNSHIP ZONING COMMISSION
MEETING MINUTES
Monday, April 11, 2022
Painesville Township Office 55 Nye Rd. Painesville Twp., OH, 44077**

Present: Ted Galuschik, John Haught, Darrell Webster, John Everette, Mark Ruth,
Jim Corrigan
Absent: None
Zoning Inspector: Harley DeLeon
Legal Counsel: Jeremy Iosue

Chairman Ted Galuschik called the meeting to order at 6:30 P.M. The Pledge of Allegiance was recited. A roll call revealed that a quorum was present.

Public Comment: None

Regular Meeting:

Chairman asked if the Members had any additional comments or edits to the March 14, 2022 Meeting Minutes.

Hearing no other edits or comments, Chairman entertained a motion.

Darrell Webster made a motion to approve the **March 14, 2022 Meeting Minutes**. Mark Ruth seconded.

Roll Call: Haught; Aye, Ruth; Aye, Everette; Aye, Webster; Aye, Chairman; Aye.
Motion carried.

Public Hearing:

- **Case 2022-0007-ZC:**

Application for zoning amendment. The request is to rezone seventeen (17) parcels along Mentor Ave located between Chatham Drive to the South West and Doan Ave to the North East from B-1 Restricted Retail to B-2 General Retail.

The Lake County Planning Commission had sent a letter of recommendation pertaining to **Case 2022-0007-ZC**.

Staff Report: Zoning Inspector Harley DeLeon stated that the Trustees have initiated the map change to increase the types of uses permitted in this area of Mentor Avenue. The Lake County Planning Commission recommended not approving this map change, as it did not conform to the comprehensive plan. The Planning Commission suggested studying to see if the parcels should be zoned as B-3.

Dave Radachy, Lake County Planning Commission, stated that B-2 was not a transitional zone; he explained what a transitional zone was and gave an example. The uses in B-2 were similar to B-3 uses, and the Planning Commission recommended rezoning to B-3. This would also address non-conforming uses further down in the B-1 that aren't apart of the proposed rezoning.

John Haught asked Dave Radachy regarding how the proposed rezoning would affect appraisal of the taxes for the parcels in question.

Mr. Radachy replied that as long as the parcels remain B-1, B-2, B-3; the rezoning would not affect the appraisal of the parcels. An explanation was given how each parcel is taxed.

Chairman asked if the Commission had any comments or questions for Staff. Hearing none.

Dave Radachy reiterated that the Planning Commission recommended to not rezone from B-1 to B-2; and to start a new process of studying the parcels to see if they could be rezoned B-3.

Zoning Inspector Harley DeLeon clarified to the Members that they would need to give a recommendation to approve or disapprove to the Trustees of rezoning from B-1 to B-3. They would then have to start a new application for rezoning from B-1 to B-3.

A discussion was held clarifying what steps the Members could take to continue or close the Public Hearing for **Case 2022-0007-ZC**.

Zoning Inspector Harley DeLeon recommended closing the Public Hearing; and if the Members chose, could have a discussion at a later date to open a new case to rezone the seventeen (17) parcels from B-1 to B-3.

Chairman entertained a motion to continue or close the Public Hearing for **Case 2022-0007-ZC**.

Mark Ruth made a motion to close the Public Hearing for **Case 2022-0007-ZC**.

John Everette seconded.

Roll Call: Everette; Aye, Haught; Aye, Ruth; Aye, Webster; Aye, Chairman; Aye.

Motion carried.

- **Case 2022-0008-ZC:**

Application for text amendment. The request proposes to amend Section 22 changing the table of uses applicable to the B-1, B-2, and B-3 Zoning Districts.

Staff Report: Zoning Inspector Harley DeLeon stated that this text amendment is being initiated by the Trustees. The Trustees wanted to permit more uses in the B-2 District to resemble the B-3. The Trustees also wanted to remove some of the uses from the B-3 District. Harley DeLeon named the uses that would be removed, and why they were being removed. Harley DeLeon read the Lake County Planning Commission's recommendation pertaining to this text change. A draft of Section 22 was provided to the Members, showing the recommendations given by the Lake County Planning Commission. This also included Section 5, the Definition section.

Dave Radachy explained the Lake County Planning Commission's recommendation for this text change, including reasons why the recommendation was made.

Chairman asked if there were any questions or comments to Dave Radachy or Staff. Hearing none.

Chairman entertained a motion to continue or close the Public Hearing for **Case 2022-0008-ZC**.

Darrell Webster made a motion to close the Public Hearing for **Case 2022-0008-ZC**.

John Everette seconded.

Roll Call: Ruth; Aye, Webster; Aye, Everette; Aye, Haught; Aye, Chairman; Aye.

Motion carried.

- **Case 2022-0009-ZC:**

Application for text amendment. The request proposes to amend Section 25 to the list of permitted uses allowed within the I-1 Zoning District.

Staff Report: Zoning Inspector Harley DeLeon stated that this Case accompanied **Case 2022-0008-ZC**. This listed the uses that were removed from B-3 in the I-1 District. Harley DeLeon let the Commission know what the uses were.

Chairman reminded the Members that a discussion was held regarding the uses named in the previous Public Hearing for **Case 2022-0008-ZC**; and what the Lake Planning Commission's recommendation was regarding these cases. Chairman asked if the Members had any questions or comments for Staff or Mr. Radachy. Hearing none.

Chairman entertained a motion to continue or close the Public Hearing for **Case 2022-0009-ZC**. Mark Ruth made a motion to close the Public Hearing for **Case 2022-0009-ZC**. Darrell Webster seconded.

Roll Call: Webster; Aye, Everette; Aye, Ruth; Aye, Haught; Aye, Chairman; Aye.
Motion carried.

Site Plan/Architectural Reviews:

- **Case 2022-0010-ZC:**

Site plan review to remove an existing 50' by 30' attached garage and build a new 72' by 30' attached garage in its place.

Shane Hajjar spoke for the request.

The Site Plan Review is for Sub Zero Mission at 1760 North Ridge Rd.

Mr. Hajjar corrected the measurements for the proposed attached garage to 72' by 50'.

Chairman needed clarification where the property was located in Painesville Township, and where the proposed garage would be located on the property.

Mr. Hajjar replied the proposed garage would be directly behind Sub Zero Mission. Mr. Hajjar explained where the property was located.

Mr. Hajjar explained that the attached garage was not big enough to accommodate Sub Zero, and they would need a bigger garage to house the vehicles and what not used. An attached garage was torn down to build a bigger garage. Pictures of the property and building were provided for the Members.

Zoning Inspector asked Mr. Hajjar if he had obtained an updated Architectural Elevations.

Mr. Hajjar provided a photo of what the proposed garage would look like.

Mr. Hajjar requested that Sub Zero would like to match the proposed garage with the current building colors if able. Mr. Hajjar let the Members know that there were future plans to clean up the building and property.

Darrell Webster needed clarification where Sub Zero was located.

Zoning Inspector Harley DeLeon brought up a map for the Members.

Darrell Webster needed clarification if changes would be made to the existing building.
Mr. Hajjar replied no.

John Haught needed clarification if the proposed garage would be connected to the existing building, and where the garage doors will be.

Mr. Hajjar replied the proposed garage will be connected to the existing building. There will be garage doors on the East and West side, two garage doors. This is due to the size of the buses used. Two bay doors on either side is needed.

Chairman commented that the color scheme will fit in with the Western Reserve look that the Township wants.

John Everette needed clarification regarding the Western Reserve look.

A discussion was held regarding the Western Reserve look.

Staff Report: Zoning Inspector Harley DeLeon let the Members know that this will be good for the Community. The shape of the garage fits the Western Reserve look. The proposed garage would fit the purpose for the company.

Darrell Webster asked regarding how much the back of the proposed building would be seen from Route 20.

Mr. Hajjar replied only one side would be visible from Route 20.

John Haught asked regarding plans for landscaping.

Mr. Hajjar replied that there were no plans for landscaping on the rear of the building. There are future plans for site enhancements. There is landscaping around the front, and is kept up.

Chairman asked if there were any questions for Staff or the Applicant. Hearing none.

Chairman asked if the Commission had any comments or questions. Hearing none. Chairman entertained a motion to approve **Case 2022-0010-ZC**.

John Haught made a motion to approve **Case 2022-0010-ZC**. Mark Ruth seconded.

Roll Call: Haught; Aye, Webster; Aye, Ruth; Aye, Everette; Aye, Chairman; Aye.
Motion carried.

- **Case 2022-0011-ZC:**

Architectural review for Sunoco Gas Station at 1435 Mentor Ave.

Jamel Herbawi spoke for the request. This was to remodel the existing building and expand the convenient store into the two (2) car garage bay.

Mr. Herbawi explained the remodel of the building to remove the garage by turning it into a full convenient store.

Chairman asked if the fuel pumps would stay.

Mr. Herbawi replied yes.

Chairman asked the applicant and staff if there would be enough parking available for the expanded retail. The applicant replied yes.
Zoning Inspector Harley DeLeon replied there will be adequate parking.

John Haught asked if any car repair would be done.
Mr. Herbawi replied no.

John Haught commented that there had been plans for an expansion for a convenient store at that property prior.
Mr. Herbawi and staff let the Members know that he was a new owner. He let the Members know of the plans for an expansion prior to his ownership.

John Haught needed clarification for the plans for the remodel.
The applicant explained the remodel for moving the front doors.

John Haught needed clarification for an awning.
Mr. Herbawi explained there would be an awning over the entrance and on the side facing Mentor Avenue. The applicant and staff showed the Members what color the awning would be, which was a part of the application packet for the Commission.

Chairman needed clarification for adequate parking and traffic flow.
Zoning Inspector Harley DeLeon let the Members know that parking and traffic flow would be a part of a Site Plan Review, not an Architectural Review. The Members could conditionally approve the Architectural Review, and ask for proper documentation stating adequate parking and traffic flow on site.

Darrel Webster needed clarification that the garage bay doors would be taken out.
Mr. Herbawi replied yes, they would be turned into a commercial storefront.

Mark Ruth needed clarification where parking would be besides for fueling.
Mr. Herbawi showed the Members where parking would be located.

John Everette asked regarding if the hydraulic lifts in the car garage had been removed.
Mr. Herbawi replied the lifts were decommissioned and taken out to another location.

Chairman asked if the Commission had any comments or questions. Hearing none. Chairman entertained a motion to approve **Case 2022-0011-ZC**.
Darrell Webster made a motion to approve **Case 2022-0011-ZC**.
John Everette seconded.

Roll Call: Haught; Aye, Ruth; Aye, Webster; Aye, Everette; Aye, Chairman; Aye.
Motion carried.

- **Case 2022-0012-ZC:**

Site plan review to build a new Starbucks.

J. Scott Scheel spoke for the request.
John Holtz spoke for the request.
Ray Somich spoke for the request.

Mr. Scheel let the Commission know that Starbucks had approached his company to build a compacted drive thru only Starbucks that would have minimal outdoor seating, and not need much parking. This would also fit within the traffic pattern. A design was provided for the Commission to look over.

John Everette asked if the design follows the Western Reserve look that the Township would like. Zoning Inspector Harley DeLeon stated it has a modern look that would fit within the Township.

John Haught needed clarification where the Starbucks would be located in the Crystal Plaza. Mr. Scheel replied that it would be in front of Tractor Supply.

John Haught needed clarification where the traffic flow would be in and out of Starbucks. Harley DeLeon stated the concern that it looked like the entrance and exit lined up with Tractor Supply's outdoor storage.

Mr. Scheel replied that the engineering group is evaluating the traffic pattern for the entrance/exit for the Starbucks. There is an ability to move the entrance/exit if needed.

Harley DeLeon asked regarding Mr. Scheel speaking to the contiguous HOAs to the property, to allow for an easement.

Mr. Scheel replied that an easement would be hard to achieve.

A discussion was held regarding where traffic could enter and exit on the property. What the applicant could possibly do or discuss.

Mr. Scheel showed on a map where he anticipated traffic to enter and exit.

Chairman commented his concern with keeping the Western Reserve look.

A discussion was held regarding the three (3) color schemes presented to the Members.

A discussion was held regarding the if the color scheme needed to be chosen for approval.

The Commission agreed to the color scheme labeled "C".

Chairman commented that the applicant may need a traffic study from ODOT.

John Haught clarification from staff if the traffic for Starbucks would cross through other's property in the Plaza.

Zoning Inspector Harley DeLeon replied that the Applicant owned the Plaza.

John Everette needed clarification pertaining where the drive thru would be located.

Harley DeLeon replied that the drive-thru would be completely on the property.

Mr. Scheel explained that there will also be extra pull aheads added to the drive thru.

A discussion was held regarding the drive-thru being internal in the Plaza.

Chairman asked if the Commission had any comments or questions. Hearing none. Chairman entertained a motion to approve **Case 2022-0012-ZC**.

Darrell Webster made a motion to approve **Case 2022-0012-ZC** with the conditions as follows:

1. Include color scheme "C".

Mark Ruth seconded.

Roll Call: Webster; Aye, Ruth; Aye, Haught; Aye, Everette; Aye, Chairman; Aye.
Motion carried.

New Business: None

Old Business:

- **Case 20-ZC-07:** Section 28 Rewrite sign section

Chairman reminded the Commission that Zoning Inspector Harley DeLeon had given them a new draft for Section 28 to review at the March 14th Meeting.

Some of the Members commented they needed more time to review.
Darrell Webster suggested tabling the discussion for the May 9, 2022 Meeting.

Chairman would like to table the discussion for **Case 20-ZC-07** until the May 9, 2022 Meeting.

Dispensation of Closed Public Hearings:

- **Case 2022-0007-ZC:**

A discussion was held what would happen dependent on approval or disapproval of **Case 2022-0007-ZC**. Zoning Inspector Harley DeLeon explained to the Commission that this was a time sensitive issue and the Trustees reason to initiate the case.

The discussion was held regarding the time frame for the Commission and what would be suggested to the Trustees if approved or disapproved.

Legal Advisor Jeremy Iosue explained the vote of approving or disapproving the case.

Chairman entertained a motion to submit **Case 2022-0007-ZC** to the Trustees with a recommendation to approve the proposed zoning map amendment by the Zoning Commission.

Mark Ruth made a motion to submit **Case 2022-0007-ZC** to the Trustees with a recommendation to approve the proposed zoning map amendment by the Zoning Commission.

John Haught asked Dave Radachy regarding a transition zone.
A discussion was held regarding what a transition zone entailed.

Darrell Webster needed clarification on what would happen to the B-1 District if rezoned.
Dave Radachy replied that that would need to be a part of the study suggested in the Planning Commission's recommendation, and a part of a future discussion.

A discussion was held regarding the Western Reserve look for the B-1 District being rezoned to B-2.

Chairman reminded the Commission what was discussed for **Case 2022-0007-ZC**.
A discussion was held regarding what would happen dependent on approval or disapproval of the case.

Darrell Webster needed clarification from Dave Radachy if the Lake County Planning Commission had checked the Painesville Township Plan for the case.
Mr. Radachy replied this was a variation. The recommendation from the Planning Commission was that there wasn't enough evidence to vary from the Comprehensive Plan.

Darrell Webster seconded the motion.

Roll Call: Everette; Aye, Ruth; Aye, Haught; Aye, Webster; Aye, Chairman; Nay.
Motion carried.

- **Case 2022-0008-ZC:**

A discussion was held pertaining to what changes were made and how the Commission could suggest to the Trustees what was voted on. Either approved as proposed, or approved with modifications listed to recommend.

Zoning Inspector Harley DeLeon reminded the Commission what the changes were recommended.

A discussion was held regarding one of these changes.

Chairman entertained a motion to submit **Case 2022-0008-ZC** to the Trustees with a recommendation to approve the proposed zoning amendment by the Zoning Commission.

Darrell Webster made a motion to submit **Case 2022-0008-ZC** to the Trustees with a recommendation to approve the proposed zoning amendment with modifications as recommended by the Lake County Planning Commission by the Zoning Commission.

John Everette seconded.

Roll Call: Webster; Aye, Everette; Aye, Ruth; Aye, Haught; Aye, Chairman; Aye.
Motion carried.

- **Case 2022-0009-ZC:**

A discussion was held regarding what the proposed changes were and what additional section was being added. What the recommendation was made by the Lake County Planning Commission.

Chairman entertained a motion to submit **Case 2022-0009-ZC** to the Trustees with a recommendation to approve the proposed zoning amendment by the Zoning Commission.

Mark Ruth made a motion to submit **Case 2022-0009-ZC** to the Trustees with a recommendation to approve the proposed zoning amendment with modifications as recommended by the Lake County Planning Commission by the Zoning Commission.

Darrell Webster seconded.

Roll Call: Everette; Aye, Haught; Aye, Webster; Aye, Ruth; Aye, Chairman; Aye.
Motion carried.

Items being held for Public Hearing: None

Zoning Inspector's Report:

Zoning Inspector Harley DeLeon had nothing to report.

Any Further Business to come before the Commission:

Dave Radachy introduced Alanna Ciancibello as the new Planner for the Lake County Planning Commission.

Chairman let the Members know he may be arriving late to the May 9, 2022 Meeting. The Members would need to vote in a Vice-Chairman to start the meeting.

- **Election of Vice-Chairman:**

John Haught made a motion to elect Darrell Webster as Zoning Commission Vice-Chairman. Mark Ruth seconded.

Roll Call: Everette; Aye, Webster; Abstain, Haught; Aye, Ruth; Aye, Chairman; Aye.
Motion Carried.

Darrell Webster let the Members know he would be Vice-Chairman.

Chairman asked if the Commission had any other comments or questions, hearing none.

Chairman adjourned the meeting at 8:20 P.M.

Next Meeting will be on Monday, May 9, 2022.

Respectfully submitted,



Ted Galuschik, Chairman



Rachel Muro, Zoning Secretary



DATE: 04-11-2022

ZC

| Name | Email Address |
|-----------------|----------------------------------|
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