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Stonewall Pub, by verbal agreement, to transport their trash containers through Mr. Osepik's parking lot at the rear of the building. The letter further states that the pub owners met with Rich Palmisano of the Sewer Department who was satisfied with the plan on the internal grease trap which will be pumped out every few weeks.

Chairman Irvine responded to Mr. Jackson that this is still a verbal agreement. Mr. Jackson replied that was all Mr. Osepik was willing to do because if he were to sell or lease the building he wouldn't want to encumber them with a signed agreement.

Marsh Scott, owner of the building for the proposed pub, said that this was not the only route to the dumpster. They could go the long way on the sidewalk to Glenn Ave. or they could go through 10 public Square's property.

Chairman Irvine said the best thing to do is get a written agreement with the owner of 10 Public Sq. which at this time no one knows for sure who the owner is. Mr. Scott said okay. Mike Lucas verified that a written agreement was needed. Chairman Irvine advised Mr. Jackson to have a written agreement for the next meeting.

Scott Marsh, owner of the building for the proposed pub, said that he was very frustrated because for two meetings in a row the conditional use permit was postponed for various reasons when they have a secondary route for the trash, a primary route and a third route by public sidewalk. Now the conditional use permit will be postponed two more weeks and he is very disappointed. The building has been empty for two months and he is very frustrated because he can't do something with his property because of garbage egress when he knows it will be taken care of even if they have to throw it in a truck and drive it over to the dumpster. Mr. Marsh wants this to be on the record that he has to wait another two weeks.

Chairman Irvine advised Mr. Marsh that the other option is that the applicant could ask Planning Commission to vote on it this evening.

Janice Lipscomb said that the City works hard maintaining the downtown area. They would not look kindly on grease drippings left from trash containers being transported on the sidewalk. The downtown business owners work hard to be successful. Hauling the containers on the sidewalk detracts from the atmosphere and image that they are trying to create. It doesn't matter if they haul trash in

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Condition #3 of an approved conditional use permit of October 9, 2008.

Mr. Juric said that every second Friday he would like to have polka music and a small band at the front door on the patio for dancing. Mr. Cox said that the last time this patio was discussed tables and chairs blocking the sidewalk were discussed. Mr. Juric said he will remove the table and chairs when there is dancing.

Bob Fiala said that Planning Commission has never approved outside music. Mr. Hart said that they approved outside speakers with controls. Live music is hard to control.

Mr. Cox said that he was at the site today and heard polka music from the little speakers outside. Mr. Cox said on the west end of the patio the railing lines up with the inside wall of the space for the Café but the railing on the right side looks like the patio is extended into the Hairdressers leased area.

Mike Lucas said that you don't want obstruction of the common right-of-way. The liquor control confines the patio to a specific area and if you expand beyond that designated area you are in violation of your liquor permit license. Mr. Lucas said that it is good planning principal to have the outside area defined to avoid the situation that Mr. Cox questioned.

A motion was made by Bob Fiala and seconded by Chuck Cox to approve the amendment of conditional #3 to allow outside music.

ROLL CALL: Yeas: None
 Nays: R. Hart; B. Fiala; C. Cox; B. Irvine
 Absent: G. Merhar

Motion **CARRIED** **DENIED**

STRONG USA	38287 Airport Pkwy	CUP -
CONSTRUCTION LLC	Unit A, D & E	Construc/trades/ Contrac. Fclt'y
(Valentina Lucic)		C.O. 1145.03(c)(2) L-I dist.

Valentina Lucic, represented this conditional use permit for a construction trades & contractor's facility. They are general contractors. They have another company in Cleveland. They want to expand in Lake County so that is the reason for this facility. They have unit A, D and E. Unit A is for inside storage of a dump truck, fork lift and concrete equipment. One of the other units is for sewer equipment such as jet trucks and cameras. The third building

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is for the office. No cranes or bulldozers will be stored here. There will be no outside storage of construction equipment and materials. Ms. Lucic said it is costly to store equipment outside because of the elements. Materials to be stored inside are pipe and lumber. There will be no storage of sand or gravel.

The conditions agreed on are:

1. Hours of operation:

8:00 a.m. until 6:00 p.m. six days a week.

2. Outside storage of construction equipment or materials is not permitted.
3. If an outside dumpster is used it shall be screened.

A motion was made by Rick Hart and seconded by Chuck Cox to approve the conditional use permit to allow a construction/trades/contractors facility.

ROLL CALL: Yeas: R. Hart; B. Fiala; C. Cox; B. Irvine
 Nays: None
 Absent: G. Merhar

Motion **CARRIED** **APPROVED**

DISCUSSION

PLANNING COMMISSION	38101 Euclid Ave.	Rezone - discuss
(Janice Lipscomb)	(Ed Figler)	.31A. / 13,504 s.f.
	38103 Euclid Ave.	
	(Ed Figler)	.47 A / 20,473 s.f.
	38109 Euclid Ave.	
	(Jeff Black)	.56 A / 24,394 s.f. R-B to D-B zoning

Janice Lipscomb represented this discussion for rezoning property on the corner of Sharp Ave. and Euclid Ave. Two parcels belong to Ed Figler, one parcel belongs to Jeff Black and a small parcel behind this property is owned by Charter One Bank. By rezoning these parcels it will extend Down Town Business zoning from Charter One Bank to the Sharp Ave. corner.

Chairman Irvine said the chief advantage of Down Town Business zoning is setbacks and parking. Chairman Irvine said that from a planning standpoint, no matter what the code states, if you submit a plan you might want to factor the front relationship of proposed buildings to adjoining property buildings. Because of the Retail

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Business zoning the existing buildings on Euclid Ave. are setback about 30' from the right of way. Technically, said Chairman Irvine, you can build up to the right of way but there should be consideration to maintain a 30' setback. It will take a chunk out of the property. Mr. Figler, owner of the proposed rezoning property, said he would maintain 50% of neighbor's setback. He also will consolidate the two parcels.

No action was taken on this discussion.

PLANNING COMMISSION
(Janice Lipscomb)

Lake Front Gateway
Zoning districts -
Discussion

Janice Lipscomb represented this discussion for the Lake Front Gateway district. Janice said that they met with the property owners in July. Of the 23 property owners, there were twelve residents at the meeting. The meeting was to find out if the residents would be part of the business mix for a Gateway District. The residents were fine with it. They talked about guidelines for infill. To allow residential infill you need to allow the existing businesses to remain as a permitted use.

The plan process will be in three phases:

- Lake front gateway.
- Osborne Park master plan.
- Residential north of Lakeshore Blvd.

Janice said that they received an ODR grant for Osborne Park. Hopefully they will start in October on that.

Janice said to put this on as discussion again at a later date to discuss classification. To work out what should be there and get on an agenda for a public hearing.

No action was taken on this discussion.

There being no further business the regular meeting closed at 8:20 p.m.

Robert Irvine, Chairman

Betty A. Nardelli, Secretary