

**PAINESVILLE TOWNSHIP**

**Zoning Commission**

**MEETING MINUTES**

**September 14, 2020**

**Painesville Township Office 55 Nye Rd. Painesville Twp., OH, 44077**

**Present:** Amy Cossick, Darrell Webster, John Haught, Bailey MacKnight  
**Absent:** Ted Galuschik  
**Zoning Inspector:** Rich Constantine, Harley DeLeon  
**Legal Counsel:** Jeremy Iosue

Vice-Chairman, Amy Cossick, called the meeting to order at 6:34p.m. The meeting was held by video conference due to respectful response to the coronavirus mandates in the State of Ohio. The Pledge of Allegiance was recited. A roll call revealed that a quorum was present.

**Public Comment:** No one was present.

**Regular Meeting:**

Vice-Chairman asked if the board had any questions, comments, or additional edits to the **August 10, 2020 Meeting Minutes**. Hearing

none, Vice-Chairman asked the Commission to make a motion to approve the **August 10, 2020 Meeting Minutes**. Darrell Webster motioned. Bailey MacKnight seconded.

**Roll Call:** Haught; Aye, MacKnight; Aye, Cossick; Aye, Webster; Aye.

Motion carried.

**Public Hearing:** None

**Review:**

• **20-SPR-01:**

Applicant SAFSTOR Real Estate Co LLC filed a Site Plan Review Application for property located at 1980 Mentor Ave. (PPN 11-A-014-0-00-001-0). The request is to develop the property with a new 3-story building of 34,525 sq feet per floor with utilities, parking, landscaping, and lighting. The proposed use of the building is indoor, climate-controlled self-storage. Township Trustees issued a Similar Use Declaration, a Conditional Use Permit was granted by the BZA, a variance for building height was granted by the BZA and the term of the Conditional Use Permit was amended to 20 years by the granting of a variance by the BZA.

Vice-Chairman asked Zoning Inspector Rich Constantine if he had any additional information to provide the Commission.

Rich Constantine stated that the submitted site plan complies with the zoning regulations. Rich continued that what did not comply, is covered by Conditional Use Permits and Variances. What was missing is a photometric lighting plan for the proposed property. Rich asked that upon approval from the Commission, that a condition be included that the applicant provide an outdoor lighting photometric plan that complies with zoning regulations.

Vice-Chairman asked the Commission if they had any questions for Zoning Inspector Rich Constantine. Darrell Webster replied that his only question was outdoor lighting, which the Zoning Inspector had answered.

Rich Constantine replied that a lighting plan was needed to make sure no light nuisance will be an issue for adjoining properties.

Vice-Chairman asked if there was anyone to speak for SafStor.

Philip Argo, engineer for SafStor, added to the Site Plan Review discussion. Mr. Argo stated that he will get a photometric lighting plan to the Zoning Department.

A discussion was had regarding lighting for the proposed property.

John Haught asked Rich Constantine if all the adjacent property owners have been notified of the proposed property, and if any of them have contacted the Zoning Department.

Rich Constantine replied that Site Plan Reviews do not require a public hearing. Therefore no notification needs to be mailed out. Rich Constantine continued that since Conditional Use Permits, and Variances have been granted through the Board of Zoning Appeals; adjacent property owners were notified of the Board of Zoning Appeal public hearings.

A discussion was continued of notifying adjacent properties.

Darrell Webster asked about a storm sewer and detention basin located at the back of the property.

Matt Davis, engineer for SafStor, replied that his team is proposing to reroute the line around the basin to avoid any conflict.

A discussion was had about the line.

John Haught asked about the drawing included with the Site Plan Review showing unnamed pipelines and what not. Mr. Haught was wondering if Mr. Davis knew what they were.

Mr. Davis said they did not know, only that they came back as unknown and maybe past utilities from a previous development that were disconnected and abandoned; and should not cause any issues.

Vice-Chairman asked if there were any additional questions.

Philip Argo asked the Commission if they were asking about past gas lines.

John Haught replied that sometimes gas wells are forgotten and not closed off properly.

Mr. Argo replied that he didn't believe any showed up from their survey. He didn't think there were any.

Vice-Chairman asked if there were any more questions or comments. Hearing none. Vice-Chairman stated that the Commission could either go ahead and approve the Site Plan Review with the condition that the applicants provide an outdoor photometric lighting plan or not approve the Site Plan.

John Haught made a motion to approve the Site Plan Review with the condition that a photometric lighting plan be provided. Darrell Webster seconded.

**Roll Call:** Webster; Aye, Haught; Aye, MacKnight; Aye, Cossick; Aye.

Motion carried.

**New Business:**

- **20-ZC-05:**

Proposed Text Amendment to Sections 12 and 22. The amendments propose to; add "Indoor climate-controlled self-storage facility in the B-1 zoning district" as a Conditional Use in Table of Uses contained in Section 22.02(E), add new subsections 12.02(U) and 12.05(U) for Indoor Climate-Controlled Self-Storage Facility and re-letter thereafter.

Vice-Chairman asked Zoning Inspector Rich Constantine to explain.

Rich Constantine explained that the proposed Text Amendment came from the Lake County Planning Commission when the Site Plan Review Application was submitted to the Planning Commission for comments. The Planning Commission suggested that it would be in the best interest to add climate-controlled self-storage as Conditional use, instead of as Similar Use to the Zoning Resolution.

Painesville Township Trustees agree with the suggestion and endorse the suggestion. With the consideration of the Commission, Rich Constantine would like to set the proposed Text Amendment as a Public Hearing for the October 12, 2020 Zoning Commission Meeting.

Vice-Chairman asked if the Commission had any questions regarding the proposed Text Amendment. Hearing none. Vice-Chairman asked the Commission to make a motion.

Bailey MacKnight made a motion to set a Public Hearing for Case **20-ZC-05** for the October 12, 2020 Zoning Commission Meeting. John Haught seconded.

**Roll Call:** MacKnight; Aye, Haught; Aye, Webster; Aye, Cossick; Aye.

Motion carried.

- **20-ZC-06:**

Proposed text amendments to Section 25 and 5. The proposed changes are to add new categories of permitted uses as subsection 25.01(K) and to amend the definition of Home Occupation in Section 5. Vice-Chairman asked Zoning Inspector Rich Constantine to give an explanation.

Rich Constantine stated that certain businesses that are industrial businesses, that are not currently written in the Zoning Resolution as permitted uses; be added. These businesses would be Landscape Contractors, Yard Maintenance Contractors, Tree Service Contractors, General Contractors, Paving Contractors, and Excavating Contractors. The uses would be as General Headquarters, Offices, Employee Parking, and Storage of material and what not for these businesses. Adding these new categories would require expanding the definition of Home Occupation in the R-1, R-2, and R-3 Zoning Districts. Which would eliminate the same activities mentioned above from being conducted on the R-1, R-2, R-3 properties where there are multiple employees, equipment, and materials for these activities. Rich Constantine welcomed any questions or comments the Commission may have regarding the proposed text amendments.

John Haught asked if such industrial businesses could be away from main, busy roads; so as to not be a potential eyesore. In a more industrial set area. An example being Self-Storage.

A discussion was held on the many factors in deciding how to let a business set up in certain zoning districts, and it following the Zoning Resolution. Rich Constantine brought the discussion back to Landscape Contractors, Yard Maintenance Contractors, Tree Service Contractors, General Contractors, Paving Contractors, and Excavating Contractors businesses.

Vice-Chairman asked if there were any additional questions for Rich Constantine.

Vice-Chairman asked Rich Constantine if he would like them to move **20-ZC-06** to a Public Hearing.

Rich Constantine replied that yes He would like it moved to a Public Hearing.

Vice-Chairman asked the Commission if they were wanting more time to review or if they were ready to move it to a Public Hearing.

Rich Constantine suggested that a decision should be tabled till the next meeting to wait for Assistant Harley DeLeon proposed text amendments to Section 5 and assigned a case number. So that everything is decided and put into effect at the same time.

John Haught asked if it was within the Zoning's power to check if a business is legal and paying their taxes if on a residential property.

A discussion was had on what Zoning may be able to do, or what may be thought about in the future, for future businesses if legal or not legal.

Bailey MacKnight asked Rich Constantine with his proposal to Section 25, what suggested changes would he have for the Commission in Section 5.

Rich Constantine replied that it was only the definition of Home Occupation.

A discussion was had about what Rich Constantine was suggesting in the definition of Home Occupation.

Bailey MacKnight wondered if section 5 could be left alone, as he felt it may already read as what Rich Constantine was suggesting. Legal Counsel Jeremy Iosue was asked to weigh in on how the definition in section 5 would be perceived. Jeremy Iosue may not have had all the information he needed to weigh in. Assistant Harley DeLeon added her thoughts to the discussion on case **20-ZC-06**, and if section 5 could be left alone or rewritten.

The discussion was continued by Rich Constantine what was being proposed for, for case **20-ZC-06**.

Bailey MacKnight agreed and possibly motioned to table setting a Public Hearing for case **20-ZC-06** to continue to review language in section 5 at the October 12, 2020 Zoning Commission Meeting.

Vice-Chairman asked if the Commission had any other questions for comments.

Darrell Webster seconded the motion.

**Roll Call:** Haught; Aye, MacKnight; Aye, Cossick; Aye, Webster; Aye.

Motion carried.

### **Old Business:**

- **Section 6.13:**

Assistant Zoning Inspector Harley DeLeon discussed what she has come up with so far to consider for review. Harley DeLeon also discussed what she has done along the lines with editing section 5.

Vice-Chairman asked if the Commission had any questions for Harley DeLeon. Or if the Commission would like to table, to take some time to review section 6.13 for the October 12, 2020 Zoning Commission Meeting.

The Commission replied that it was a good idea to give more time to review section 6.13.

Darrell Webster commented that he read over what Harley DeLeon had proposed so far and did not see any issues, but that he would not mind labeling the section for more reviewing.

A discussion was had on what Harley DeLeon wanted to add or amend in the Zoning Resolution.

Vice-Chairman agreed that the section needed more time to be reviewed, and to table the discussion for the October 12, 2020 Zoning Commission Meeting.

Rich Constantine asked if the Commission voted to table the discussion.

Darrell Webster agreed that if something were tabled, it should be voted on. If not, an action would need to be taken on the proposed section.

Vice-Chairman asked that the Commission motion to table section 6.13 for the October 12, 2020 Zoning Commission Meeting.

Darrell Webster made the motion to table section 6.13. John Haught seconded.

**Roll Call:** MacKnight; Aye, Webster; Aye, Cossick; Aye, Haught; Aye.

Motion carried.

- **Section 28:**

Zoning Inspector Rich Constantine discussed that he was still working on the rewrite for this proposed section. Rich Constantine asked the Commission if they had any comments or concerns with what he has come up with so far, to let him know so that he could explain further, or change anything.

Darrell Webster expressed that since Rich Constantine was rewriting the section, that it needed to be tabled for the October 12, 2020 Zoning Commission Meeting for further review.

Rich Constantine agreed.

John Haught made a motion to table section 28 for the October 12, 2020 Zoning Commission Meeting. Bailey MacKnight seconded.

**Roll Call:** Haught; Aye, Cossick; Aye, Webster; Aye, MacKnight; Aye.

**New Business:** None

**Dispensation of Closed Public Hearings:** None

**Items being held for Public Hearing:** None

**Zoning Inspector's Report:** Nothing reported.

**Any Further Business to come before the Commission:** None

Vice-Chairman asked for a motion to adjourn the meeting.

Bailey MacKnight made a motion to adjourn the meeting. Darrell Webster seconded.

**Adjournment at 7:37PM**

**Next Meeting will be on Monday, October 12, 2020.**

Respectfully submitted,

Amy Cossick 11/2/2020  
Amy Cossick, Vice-Chairman

Rachel Muro 10-12-2020  
Rachel Muro, Zoning Secretary