

Planning Commission
May 23, 2018
Meeting Minutes

The Vice Chairman opened the joint session with Bayfront Corridor at 4:10 PM. The following members were present: Mr. David Miller, Mr. Jim Jackson and Mr. David Waddington from Planning Commission. Mr. Carl McGookey and Mr. Steve Poggiali from Bayfront Corridor. Ms. Angie Byington, Ms. Casey Sparks and Mr. Greg Voltz represented the Planning Department; Mr. Trevor Hayberger represented the Law Department and Ms. Debi Eversole, Clerk from Community Development. Chairman Michael Zuilhof arrived at 4:15 PM and Mr. Pete McGory and Mr. Conor Whelan arrived at 4:30 PM.

Michelle Johnson with Environmental Design Group presented the Draft Version of the Final Sandusky Bay Pathway Update. Her presentation included all of the final recommendations. She stated that there were several public meetings and steering and stakeholder committee meetings that led to the final presentation. She stated that the main goal of the update were the following:

- Review the 2006 Sandusky Bay Pathway alignment and investigate any new opportunities or challenges that may exist
- Incorporate new trail sections and multi-modal connections that have been established or planned since the completion of the 2006 study.
- Explore potential connections to regional trail systems to create a broader impact and leverage funding opportunities.
- Create a phased implementation plan that segments the new alignment into thoughtful, practical, and fundable pieces.
- Include detail on amenities proposed for each of the respective segments.
- Provide detail on final selected trail amenities.
- Explore and develop a trail branding plan that creates a cohesive and enjoyable user experience.

She detailed the recommended alignment sections

- Western Corridor: There are improvements currently being made to Venice Road that are not part of the pathway but that will work in conjunction with the plan. The Bay View Fishing Pier anchors the northwest terminus of the Pathway. From the Fishing Pier drive, an asphalt side path begins at East Bayview Drive and Barret Road. The side path adjusts to a widened asphalt sidewalk with a raised curb buffer for a majority of the length of Barret Rd., returning to a side path near the beginning of Venice Rd. At the Edgewater Ave. intersection with Venice Rd., the asphalt side path continues along the east and south side of Edgewater Ave./Monroe St. The side path crosses north at Winnebago Ave with a connection to Lion's Park and continues along the north side of Monroe St. until Sloane St. The existing right-of-way on Sloane St./Madison St. is restricted to a driveway and off-road trail only, with the Pathway returning to a concrete side path after the intersection with King St. until meeting the existing widened sidewalk on Mill St.
- Downtown: The Pathway extends from Shoreline Drive streetscape as a concrete side path on the north side of Water Street and east side of Meigs Street until Washington Street. The Pathway extends from Meigs Street as an off-road path, ramping up to a 25' destination experience bridge of the cove inlet. The trail ramps down along the former railroad corridor until intersecting with First Street and transitioning to a concrete side path on the north side of the street until Cedar Point Drive. The concrete side path continues from Washington Street along the east side of Meigs Street, then on the north side of Garfield Avenue, crossing to the east side of Sycamore Line and continuing on the north side of First Street. The Pathway crosses First Street on the west side of Cedar Point Road and follows a switchback ramp up to the existing pedestrian bridge over Cedar Point Road. Along the east side of the road, the trail transitions to a side path after the ramp from the existing bridge and continues until the gateway to the Landing Park Trail.

- Eastern Corridor: The Pathway connects at the eastern terminus of Landing Park Trail, traversing the coast within the Joseph Steinen Wildlife area as an off-road trail. Some boardwalks and bridges navigate the marshlands. The off-road trail crosses Cedar Point Road entering into the Wyandot Wetland Metroparks area. The off-road trail branches south towards Route 6, connecting the existing Wyandot Wetland Metroparks parking lot and trailhead, and continuing as an asphalt side path north of Route 6 towards Sheldon Marsh State Nature Preserve. The off-road trail continues east near the northern coast until meeting and following an existing service drive to Route 6. A side path on the north side of Route 6 meets the off-road trail at the existing service drive, transitioning to an off-road trail around three businesses at the Rye Beach Rd intersection. An existing service drive is marked as a branch of the Pathway, extending north to the Lakefront Connection. The Pathway along Route 6 adjusts to a widened sidewalk on the south side of the road after crossing Rye Beach Road, continuing on to the west side of Lake Erie Parkway. The Pathway links to the existing Lakeshore Electric Trail.

Phase 1 recommendation is to connect the western areas to Downtown Sandusky and connect the planned Landing Park development to Downtown Sandusky.

During the course of this study, funding and implementation was always in the forefront of the minds of stakeholders, the general public and the consultant team. Initially it was decided that federal funding would be sought as a major funding source for the project. As the study progressed, it became clear that TIF (Tax Increment Financing) funding was a strong possibility as a major funding source for the Sandusky Bay Pathway. The Sandusky School Board and City of Sandusky were in frequent and positive talks and negotiations for multiple TIF districts within the City. In April of 2018, both the Sandusky School Board and City of Sandusky City Commission passed ordinances approving two new TIF districts within the City, both of which included pathways as an eligible fundable improvement.

There was an extensive stakeholder involvement process to determine what the signage, branding and wayfinding could look like. This being for the Pathway and for the Landing Park. It was determined through the Public Meetings and Stakeholder involvement that the Great Lakes Coastal theme that was developed as part of Landing Park was the preferred alternative.

- Option 1 creates clean edges using minimal materials, using prefabricated wood posts, meant to resemble Lake Erie drift wood, to create a backdrop for metal information panels. Pathway pavement markings were also developed for Option 1 and Option 2.
- Option 2 utilizes a metal frame, reminiscent to gabion baskets commonly used to combat erosion along the coast of Lake Erie, which can be filled with rocks local to the area. The metal frame can also be used to create a clap board paneling onto which signage can adhere. The teal panel is meant to resemble an "S" for "Sandusky" or the shape of a wave coming from Lake Erie. A seat wall was developed to compliment the "S" and/or wave and could potentially become a destination and branding element in itself due to its size.

There were three banner options included in the meetings which included

- Banner Option 1 reflects the simplicity of the vertical metal bars as shown in Signage Option 1. The design is flexible in that it can have one banner per pole, or at a major intersection or point of interest, all three banners can be mounted on the same pole facing different directions.
- Banner Option 2 is a play on sails. While the banner itself is only one single piece of fabric or metal, it is meant to show a more 3-dimensional overlap of various sails, shown as different colors in the banner, floating and passing each other along Sandusky Bay. It is the most whimsical design of the three conceptual banner designs developed for the project.
- Banner Option 3 combines the verticality shown in Banner Option 1 and the play on a sailboat sail in Option 2. It is a more literal interpretation of the sail and physically wraps the pole, with the sail shape making a 90 degree angle with the vertical banner.

The final recommendation included

- Color Palette will be the Great Lakes Coastal concept.
- Signage Option 1 The Committee liked the rustic, simplistic and yet coastal feel of the design. A few minor changes were made to the final conceptual design of Signage Option 1 compared to the draft conceptual design. The Directional signage was increased in height due to Committee concerns of pathway users conflicting with the wayfinding arrows. The Educational sign was pulled out. The Mile Markers were redesigned from the original buoy concept to a two-post system to better coordinate with the design intent of the comprehensive signage and wayfinding package.
- Banners The Committee selected two final overhead banners as the preferred alternatives. The Small Shade Banner is meant for "minor" nodes along the pathway and the Large Overhead Banner is meant for "major" nodes along the Pathway. Both overhead banners selected by the Committee are prefabricated units. Option 1 of the Pole-Mounted Banners was selected as the preferred alternative. The Committee liked the simplicity of the design and the continuation of the verticality shown in the Signage and Wayfinding package. The pole-mounted banners can be applied to existing poles along the Pathway, but the Committee thought it was also important to add banners and poles in areas where poles do not currently exist to carry-forward the branding and identity of the alignment, and the concept of being able to "follow the yellow brick road".
- Pavement Markings The Committee determined that while pavement markings were important along the entire length of the Pathway, the pavement markings themselves needed to be simple. The notion of being able to "follow the yellow brick road" was always on the forefront of people's minds, and for the Sandusky Bay Pathway, the "yellow brick road" will consist of two simple painted lines/stripes, one green (painted on the south and west sides of the pathway) to represent the "land" side, and one blue (painted on the north and east sides of the pathway) to represent the "waters edge". The two stripes will be painted on all asphalt and concrete surfaces along the Sandusky Bay Pathway. While the painted stripes are easy to follow, they are also relatively easy to maintain and reapply. It was decided by the Committee to let the detailed design process determine if the painted lines would be applied to the boardwalk portions of the built trail. The same consensus was determined regarding the application of the on-pavement mile markers as well.

Tim Schwanger, Save Our Shoreline Parks asked the following questions:

1. Is there a cost analysis on the signage and wayfinding portion of the project? Ms. Johnson stated that there is not a cost analysis yet, as that will be developed during detailed design.
2. Will the blacktop be taken out of the Pipe Creek wildlife area? Ms. Johnson stated that from a shore and wind perspective, the fear is that the trail could wash away. By placing asphalt at the outer edge of the trail, it would protect the inner trail, leaving it natural for walkers only. This will be discussed again in the design build. Mr. Schwanger stated that his only concern is having the bike traffic stay off of this path.
3. Were there private meetings with residents from the Cove District regarding the Pier Track and should the bridge be looked at again for a cost standpoint? Was there due diligence? Ms. Johnson stated that there were no meetings that she was aware of. She added that one of the reasons for the cost is the height of the bridge. It is important to be able to get all boats under the bridge as to not restrict access to the boat houses. Also, the funding is coming from the TIF. Mr. Wobser stated that the majority of the funding for the Pathway and Landing will come from both TIFs that were passed recently by City Commission in addition to the overall amount of funding that was dedicated for the catalytic infrastructure component of Issue 8.

Mr. Jackson stated that he understood this to be a bike path, but within the presentation, it was indicated that there were portions that were not bike path. Ms. Johnson stated that the only area that would be potentially not used for a bike path would be the Pipe Creek area. The path is to be used for all multi-modal users.

Ms. Byington stated that the joint session was to collect any comments and request support from both bodies, however, there is not a quorum for the Bayfront Corridor Committee so they will be asked at the next meeting to share comments and offer support.

Mr. Miller moved to support the Sandusky Bay Pathway Update project as proposed. Mr. Waddington seconded the motion. With no further discussion, the motion passed with a 5/0 vote. Mr. Whelan abstained.

With no further business, the joint session was adjourned at 4:45 PM.

Chairman Zuilhof called the Planning Commission Meeting to order at 4:45 PM. The following members were present: Mr. David Miller, Mr. Jim Jackson, Mr. Pete McGory, Chairman Michael Zuilhof, Mr. Conor Whelan and Mr. David Waddington. Mr. Joe Galea was excused. Ms. Angie Byington, Ms. Casey Sparks and Mr. Greg Voltz represented the Planning Department; Mr. Trevor Hayberger represented the Law Department and Ms. Debi Eversole, Clerk from Community Development.

Mr. Waddington moved to approve the minutes from the 4/25/18 meeting. Mr. Miller seconded the motion. With no further discussion, the motion passed with a unanimous vote.

Chairman Zuilhof swore in all audience and staff members that wished to offer testimony on agenda items.

Public Hearing

Ms. Sparks presented that John Hancock, on behalf of Cedar Point, LLC had submitted an application for a zoning amendment for the following parcels: 57-0269.000, 57-01065.000, 57-01067.000 & 57-04776.000. The existing zoning is R-40 Single Family Residential. The applicant requested to rezone the property to CR Commercial Recreation. The parcels are located along Third and Fourth Street. In 2016 Planning Commission approved a zoning amendment for many of the parcels with this area and a vacation of the adjacent alley. The applicant is now requesting the remaining parcels to be zoned to create a buffer/ screening from the adjacent properties. Planning staff recently approved a lot combination for all the parcels within the area. The applicant currently owns all the parcels and is requesting site plan approval for two 9,702 sf dormitory buildings within the referenced area. The Bicentennial Plan calls for Mixed-Use Redevelopment within this area, one of the initiatives for this area is to continue developing along Cedar Point Drive, extending the Cedar Point experience from the peninsula to the mainland; **promote campus atmosphere**, landscaping, and parking behind structures.

Planning Staff recommended approval of the proposed amendment to the Zone Map for the above referenced parcels. The adjacent parcels are zoned as CR Commercial Recreation and the additional parcels are to create a buffer area for surrounding property owners.

Mr. McGory moved that the application be approved for discussion purposes. Mr. Miller seconded the motion.

John Hancock, 326 E. Market Street stated that the lots that requested to be rezoned are not necessary for the site plan application on the agenda. They are contiguous to the project so the intent is to bring them into the same zoning and label them as a buffer area for the project.

Mr. Miller asked if the properties had to be rezoned or are they recommended to be rezoned. Ms. Sparks stated that the parcels that the dormitories will be placed on are already zoned as Commercial Recreation and that the remaining properties would be recommended to be rezoned to keep them the same.

With no further discussion, the motion passed with a unanimous vote.

Public Hearing Closed

Ms. Sparks presented that Vimal Kumar had applied for an appeal of a decision of the Noise Control Officer at 1615 First Street. The applicant is requesting a waiver to conduct an outdoor concert series every Saturday night throughout the summer. The requested hours would be 7 PM- 1:30 AM. The property is zoned as GM General Manufacturing. The use of the building is permitted. The surrounding uses include marinas and residential boat houses. The Police Department had received several letters and petitions from residents that live within the area. There have also been several incidents that have required the Police to respond at this location. Officer Lewis recommended denial of the appeal.

Chairman Zuilhof asked what the Noise Ordinance stated as allowed times. Officer Danny Lewis with Sandusky Police Department stated that there are different times for different decibel levels. At this time, the SPD does not have the capability to measure sound decibels but they are working to get new equipment. He stated that the Police Department received several noise complaints and the area residents have been petitioning against the noise at the bar. Since they applied for the waiver, the Police had been called to the establishment 3 times. The bar manager had received disorderly conduct charges, which are criminal charges that the Planning Commission has no authority over. He added that on the 5th, he could hear the noise across the bay at the Police Station.

Mr. Zuilhof swore in audience members that wished to speak for or against this agenda item.

Brian Bonner, General Manager at Soundbar stated that May 5th was the first live event outside at Lyman Harbor. They brought in a professional sound company to measure all decibel readings. He stated that the first call for the police was due to a prom that was going on inside the facility. The second call was when there was an outdoor D.J. They proceeded to move everything inside and the police were called a third time. He stated that he currently runs the sound at 22 decibels under the legal limit and had never exceeded the time limit for the music. The appeal for a sound waiver until 1:30 AM would be posted in the newspaper to let the residents know that there will be noise. They intend to stop the band at 11 PM as they have, but this would cover any crowd noise that can be heard from the neighbors.

Mr. McGory suggested that there were several establishments that were eventually shut down because of lack of crowd control. He stated that if the band is shut down at the legal hour, it is up to the business to control the crowd from that point.

Mr. Bonner stated that they have always complied with the Police Department requests and that the Officers always reference that in their report.

Chairman Zuilhof stated that he understood the sensitivity of the matter but is disinclined to overturn the recommendation for denial.

Janet Runner, 520 Nantucket Drive stated that she read the noise ordinance and that in the first paragraph it described the adverse mental and physical effects of noise. She stated that she feels these adverse effects. She stated that she is unable to enjoy her property when the concerts are going on. She stated that she also can hear thumping music from inside the building as well, year round. Outside noise gets very loud from patrons that have had too much to drink. In section 519.06 of the ordinance, the maximum permissible decibel level in a residential area in the daytime is 60 decibels. After 9 PM it goes to 50 decibels. She does not want to continue to be woken in the night or unable to go to sleep. She would like to peacefully enjoy her property.

Theresa Gold, 540 Nantucket Drive stated that she lives right across from Lyman Harbor and once the music starts, you hear the deep bass and vibrations. She can feel the vibration in her home. The lack of quality sleep is affecting her health physically.

Chairman Zuilhof stated that if the operator could adjust or turn down the bass, it may have an effect on how many calls the establishment gets.

Ron Goldstein, 512 Nantucket and President of the HOA stated that he gets complaints all the time and that the residents want to know what they can do about the thumping. He moved to the area for the peace and quiet and often slept with the windows open to hear nature. Even when he closes the windows, it does not help the situation.

Katherine Carter, 5309 Columbus Ave stated that whatever the outcome is for this appeal is will need to be consistent because there will surely be complaints for the concerts on the Jackson Street Pier.

Tim Schwanger, 362 Sheffield Way stated that he remembered when Lyman first opened and there were headliner acts that performed there. He did not recall any instances such as this in all of the years. He suggested maybe City Staff and the Applicant working together to create some sort of sound buffer to eliminate the problem.

Mr. Bonner stated that he understood what the residents were saying and he apologized to them. They have been trying very hard with to accommodate the neighbors by running the equipment at 20 decibels under the legal limit. He added that of the 9 petitions that came from Nantucket, 4 or 5 of them are on the front of the street, where officers reported that they could not hear the noise from.

Mr. McGory moved to deny the appeal to extend the hours of the noise ordinance to 1:30 AM. Mr. Jackson seconded the motion. With no further discussion, the motion to deny the appeal passed with a unanimous vote.

Mr. Voltz presented that Randy Hartmeyer, on behalf of Verizon Wireless had applied for a conditional use permit for Parcels 55-00082.000, 55-00067.000, 55-00069.000, 55-00073.000, 55-00074.000, 55-00080.000, 55-00081.000 on Cedar Point Drive. The existing zoning is "P" – Auto Parking. The property is currently adjacent to property zoned "R1-75" Single-Family Residential. Chapter 921 of the Codified Ordinances of Sandusky requires a Conditional Use Permit. In December of 2016 the property owners were granted a temporary structure permit for 180 days. On February 1st 2017, Planning Commission granted a Conditional Use Permit for small cell node installations throughout the park. Section 921.04 states general requirements for wireless telecommunications facilities, which include the following:

(1) The City's intent is to provide incentives for wireless telecommunications service providers that seek to further the City's following priorities:

- A. Co-locate on/with other existing towers/structures/facilities or locate on existing structures (public or private).
- B. Design new towers for multiple users, wherever possible.
- C. Locate towers in the least obstructive manner given present and evolving technology.

Section 921.09 (C) states that telecommunication towers shall be located a minimum of 200% of the height of the tower, including any antennas protruding above the tower, from any residential district. The current proposed location of the tower is 21'8" from the nearest residentially zoned property.

Planning Staff recommended further conversations with the property owner and applicant to find a more suitable location for the tower.

Amy Davis, Verizon Wireless and Randy Hartmeyer, SBA Communications are the consultants on the project. Mr. Hartmeyer stated that the location was chosen because that is where the temporary tower is located now. They offered Cedar Point several options and the monopine style was chosen where the tower stands 68' tall with mock pine branches to make it 73' tall. The residential lot where the proposed tower is to be located is

owned by Cedar Point. The important facts are that there are already fiber and power connections for this and also, the foundations would be preferred because the closer you get to the water, you're not sure what will happen in the future. It is also the best location from a radio engineering prospective. The objective is to cover the parking lot and approaches.

Mr. McGory asked if a tower were installed within the main Cedar Point parking lot, would it work as well as this location. Ms. Davis replied that from an Engineering perspective, if you change one component in terms of distance, it may affect the hand-off between sites. The nearest macro site is Sandusky North, across the water. Cedar Point has nodes throughout the park that this macro site is designed to complement perfectly. This is the best location for this to function.

Mr. Jackson asked to clarify what the applicant is requesting? A variance? Ms. Byington stated that they would need a variance to be closer than what the code regulates. If they were at the correct distance, a conditional use permit could be approved today and they would be done. Chairman Zuilhof stated that at the time that the packet went out, it was unclear that the application was not in compliance. Now that this came to light, it would not be proper to approve without further work and discussion.

Mr. Miller moved to table the application. Mr. Waddington seconded the motion. Mr. McGory asked if the temporary tower that is up would handle what is needed for the near future. Ms. Davis stated that it will not handle multiple carriers. She added that there are several carriers that are interested in this so it would not be to anyone's benefit to keep the temporary tower. Mr. McGory asked what the purpose of the temporary one was. Ms. Davis stated it was to serve the parking lot. Mr. McGory stated that the temporary permit was for 180 days. Could that be extended if needed? Staff answered yes. With no further discussion, the motion to table the application passed with a unanimous vote.

Ms. Sparks presented that Cedar Point Park LLC had submitted an application for site plan approval at 2064 & 2066 First Street for the construction of an employee dormitory. The existing zoning is "CR" Commercial Recreation & R1-40 Residential Single Family within the planned area. The buildings are all located within the "CR" Commercial Recreation zoned parcels. Planning Commission recently approved a lot combination for all of the said parcels. Section 1137.08 requires a 40' setback within the side and rear when adjacent to residential. The applicant received a variance for the side and rear yard. The remaining setbacks are being met by the applicant. The applicant had indicated that the height of the building will be 32'. The applicant has proposed a total of 178 rooms between the two buildings. Section 1149.05 requires one space per room. The last dormitory that received site plan approval was in February of 2013. The applicant was approved for shared parking to the adjacent parking lot of 861 parking spaces. Section 1149.09 requires landscaping along surface parking lots, however the site is proposed to utilize adjacent parking as such it would not be required. Section 1149.10 states that the parking area shall be adequately illuminated to protect the public safety and shielded from adjoining residential districts. The applicant has proposed exterior lighting around the perimeter of the two buildings. Understanding most lots are vacant staff believes this should not be an issue.

Planning Staff recommended approval with the following conditions:

1. Planning Commission approve the adjacent parking area to meet parking requirements.
2. All building permits are obtained.
3. All stated and federal laws are observed.

Mr. Miller moved to approve the application subject to Staff's conditions. Mr. Jackson seconded the motion. With no further discussion, the motion was approved with a unanimous vote.

Mr. Votz presented that Classic Investors, LLP had submitted an application for approval of barbed wire fencing at 1001 Fremont Avenue. The existing zoning is "CS" Commercial Service and the applicant is requesting to place barbed wire atop a 6' fence. The existing use is Self-Storage. The applicant had communicated that the business would remain self-storage. The applicant had recently performed a lot split

on the property that is not evident on the zoning map. The location of the proposed barbed wire is set back nearly 400' from Fremont Avenue.

Planning staff recommended approval of both the similar main use permit and the site plan with the following conditions:

1. All building permits shall be obtained.
2. All state and federal regulations shall be followed.

Mr. Whelan stated that even though it is 400' off of Rt 6, it is right at the Rt 2 exit and it doesn't appear to close anything in. He wondered what the purpose of the barbed wire was.

Michael Steyer, Classic Investors, LLP stated there are storage buildings on the parcel and that the fence and barbed wire is intended to add security to the property. Mr. Whelan asked what would stop someone from just walking around to the unenclosed portion of the fence. Mr. Steyer stated that there is a highway fence on the right side, and there is a pond and ravine that would deter anyone from walking through the other side. He did not feel it was necessary to enclose the fence at this time.

Mr. Voltz stated that the barbed wire will be facing inward and not out. Chairman Zuillhof stated that it appeared that Mr. Steyer is offering the perception of protection since the fencing will not be fully closed in. He added that in other cases that he'd heard, the applicants offered legitimate security reasons for requesting while this applicant seems to be marketing the idea of security.

Mr. Miller stated that the most recent barbed wire application that was heard involved storage and protection and he felt that this application would be a similar case. The applicant intended to offer security and protection to his customer's belongings.

Mr. Whelan stated that the differences between the two applications is that this application is very close to the road where the one that he remember in the past was off the road and not as visual. The other difference is that the past application was an enclosed fence and this one is not.

The applicant stated at his other facilities, the barbed wire is facing out and he would do whatever the commission asked him to do to offer additional security to his customers.

Mr. McGory moved to approve the application subject to Staff's conditions. Mr. Waddington seconded the motion. Mr. Whelan confirmed with Staff that the intent to require permission from Planning Commission is to maintain the aesthetics of the community. With no further discussion, the motion was approved with a 4/2 vote. Chairman Zuillhof and Mr. Whelan voting no.

Ms. Sparks presented that Jacqueline Csehi had submitted an application for a waiver to allow a non-impervious surface for an access drive to service a garage within the rear yard at 1022 Putnam Street. The existing zoning is "R2F" Residential Two- Family. The existing use is Residential. The applicant received approval to construct an accessory building within the rear yard at 1022 Putnam Street. The applicant utilizes the garage to store classic cars that are only utilized once or twice a year. The garage is approximately 150' from the street. A driveway is required for construction of a garage, however staff mistakenly overlooked the need for this driveway when approving the zoning certificate. A complaint was filed in February through the Code Enforcement Department and a zoning violation was issued. The applicant has stated that a driveway at this location would be a substantial cost and quite burdensome to the applicant. Section 1149.09 states that all parking areas and access driveways shall be a paved surface unless otherwise approve by Planning Commission. Staff recognized that this building is utilized more for an accessory building mainly to store classic vehicles.

Planning Staff recommended approval with the following conditions:

1. If the property owner changes ownership and the building is utilized as a garage a driveway will be required.
2. If the current property owner begins utilizing the building as a personal garage, staff shall determine if driveway is need.

Dave Csehi, property owner stated that when he filled out the application, he indicated that there would not be a driveway. He added that the application also stated that a driveway was permitted and not required. They were not aware nor were they hiding anything from City Staff.

Mr. Whelan questioned if there was a garage that went back further than the driveway, would we make the property owner add to the driveway? Ms. Byington stated that if it the garage was built prior to the regulation, we would not make the property owner add to the driveway. Only for new construction.

Mr. Miller asked the applicant how they get access to that building without a driveway. Mr. Csehi stated that the cars are very rarely driven, but when they are, the garage is accessed through the vacant lot that they own.

Ms. Byington stated that this situation is a legally non-conforming situation. The house is what requires parking, and the house is already existing. We cannot require to add off street parking since the house already exists.

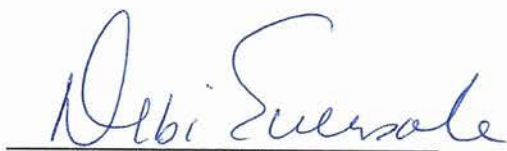
Mr. McGory asked if the applicant is requesting to add gravel as a driveway or if they wish to leave it as grass. Ms. Byington stated that the applicant wished to leave it as grass.

Mr. Miller moved to approve the applicant subject to Staff's conditions. Mr. Waddington seconded the motion. Mr. Whelan stated that he is uncomfortable approving the condition that if the property changed hands that the new owner would be required to add a driveway. Ms. Byington stated that the condition stated that if the property changed hands and the new owner were to utilize the building as a garage, then it would be required. Mr. Miller stated that impervious pavement is a problem with the current sewer system and he suggested that the code require pervious pavement for all of these applications. With no further discussion, the motion was approved with a unanimous vote.

Ms. Sparks stated that there is at least one application for a meeting on July 25th.

With no further business, the Chairman adjourned the meeting at 6:25 PM.

APPROVED:



Debi Eversole, Clerk



Michael Zuillhof, Chairman