

City of Norton
PLANNING COMMISSION
Tuesday, May 22, 2012

The Planning Commission of the City of Norton, Ohio, convened for a public meeting in Council Chambers at the Safety Administration Building. Chairman Spisak called the meeting to order at 6:04 p.m.

I. ATTENDANCE:

PRESENT: Mark Spisak, Ralph Dowling, Janet Jacobs, John Conklin,
and Richard Easterling

ALSO PRESENT Russ Arters, Supt. of Bldg. & Zoning
John Moss, Community Development Director

II. PUBLIC APPLICATIONS:

- A. Application R2-2012 - Rezoning
Proposing to rezone from an I-1 District to a B-1 District
For the property known as 5225 Wooster Road/
PPN 4605918
James A. Rice Jr., Trustee/Owner
Aly M. Zewail, Agent
Lynn Schumaker, Applicant
Currently zoned I-1 Light Industrial District
[To allow the building to be used as a
Medical office building.]**

Chairman Spisak said this was a public hearing and asked if the neighbors were notified via first class mail as required per section 6.03 of the City Charter; the stenographer replied yes.

Chairman Spisak asked the applicant to stand at the podium and address the Commission.

Lynn Schumaker, Applicant, said they want to expand their family geriatrics practice and found the building to be exactly what they need. She said they currently employ five people and expect to expand their family practice business to include physical therapy and geriatric therapy. They hope to have other physicians join their practice to include a pain management specialist, a dermatologist and also have a women's clinic. Ms. Schumaker said they would all be in the office by rotating days and doing clinics throughout the month.

Chairman Spisak asked if there will be a doctor on site; Ms. Schumaker said yes, at all times. She said they are currently open from 9AM to 5PM, Monday through Friday.

Ms. Janet Jacobs asked if they were hospital owned. Ms. Schumaker responded no, that he is private practice.

Mr. Richard Easterling asked where the practice was currently. Ms. Schumaker said they are in the Middletown building on Middletown Road in Wooster, Ohio.

Mr. John Conklin asked if any patients were from this locality. Ms. Schumaker said currently 80 percent of the patients are from the Wooster area, but they are hoping to expand in this area to allow for an increase in patient base. She said they have already asked his current patients about the move and 90 percent are willing to follow him wherever he goes.

Ms. Jacobs asked if they are closing the practice currently in Wooster and moving it here. Ms. Schumaker said yes, they will close the Wooster office to move to Norton. She said it is only about a 25 minute drive for most people, and they accept that fact willingly.

Mr. Easterling asked if they would be accepting new patients. Ms. Schumaker said yes, they are expecting to expand their patient base.

Chairman Spisak thanked the applicant.

Chairman Spisak directed the next question to Mr. Russ Arters, Superintendent of Building and Zoning. Chairman Spisak said he knew there was water there, but asked Mr. Arters if sewer was there also. Mr. Arters said yes, both utilities are there.

Mr. Dowling asked Mr. Arters if the whole corner is zoned I-1 and if there is any residential zoning there. Mr. Arters said if you look on the map from the application, the triangular piece of property is where the Rice Insurance Company building is located. He said that is the piece they are buying; it is I-1 District. He said the next 3 properties to the west are all B-1. Mr. Arters said somehow that triangular piece of property was zoned into the I-1 District along with the TEK Manufacturing and Wagner Machine in the back. Mr. Arters said in his opinion rezoning this parcel would make a clean split. Mr. Dowling again asked if there were any residential districts there. Mr. Arters said yes, there is a residential district two or three lots over past the ramp. More discussion was had about the zoning in the area. Mr. Arters stated a professional building next to a residential district is ok, but he was trying to straighten up the zoning there. Mr. Arters said if they plan to expand someday, there would be no issue with zoning to do so if it was all zoned B-1.

Mr. Dowling asked if there are any restrictions regarding Code Section 1274.03 with maximum yard setback. Mr. Arters stated there are no restrictions, because it is an existing lot with an existing building; it would be rented as is. There was more discussion about how that building, which includes a garage on the east end, was allowed to be built on the lot. It was mentioned that it had earlier been a lawn mower

shop prior to the Rice Insurance Agency moving in. Mr. Arters said in his opinion it was a good redesign, saying it would be a good fit for a doctor's office.

Mr. Easterling asked what zoning was to the west of this property. Mr. Arters said it is a B-1 District, with a residential home there now. Mr. Easterling commented about more parking being there than what the map shows. Mr. Arters said yes, the lot lines can be off, but there is plenty of parking there for what they will need. Mr. Dowling also commented about the parking, saying he drove by there and was trying to size the building for the amount of parking needed. Mr. Arters commented that you have to retro fit the parking for the old building; he doesn't see how you could force them to buy more land just for parking. Mr. Arters said he thinks there are about 15 parking spaces.

Mr. Dowling asked if this would come back for a site plan review. Mr. Arters said he will just do an in-house review, because everything is there; they are not adding on to the existing building. He said parking and probably a trash dumpster are the only things that he will have to rule on for the in-house site review. Mr. Dowling said it seemed like a good fit.

Mr. Conklin talked about the paper street named Rosemont and asked if it still existed or was it vacated. Mr. Arters said that it was still on the books along with two other streets in that area; all are paper streets to his knowledge. Mr. Conklin also said it seemed like a good fit. Mr. Conklin asked when they wanted to open; Ms. Schumaker said they are trying for November 1st.

Chairman Spisak asked if the Commission members had any other questions for the applicant; no one spoke.

Chairman Spisak asked if anyone wanted to speak for or against the application; no one spoke.

Chairman Spisak asked for the second time if anyone wanted to speak for or against the application; no one spoke.

Chairman Spisak asked for the third and final time if anyone wanted to speak for or against the application; no one spoke.

Chairman Spisak asked for a motion.

Mr. Dowling moved to recommend approval of Application R2-2012 to rezone from an I-1 District to a B-1 District the property known as 5225 Wooster Road/PPN 4605918, James A. Rice Jr., Trustee/Owner, Aly M. Zewail, Agent, and Lynn Schumaker, Applicant by PC Resolution 14-2012. Mr. Conklin seconded the motion. ROLL CALL: Mr. Dowling – Yes ; Mr. Conklin- Yes; Ms. Jacobs-Yes; Mr. Easterling –Yes; and Chairman Spisak-Yes. The motion carried 5 – 0 to recommend approval.

Chairman Spisak thanked the applicant. Mr. Arters advised the Applicant that it would now go before Council and she would be notified by the Clerk.

III. OLD BUSINESS:

Chairman Spisak asked if there was any old business.

Chairman Spisak discussed going to the last Health Advisory Board meeting to get their input on the Nash Heights Sanitary Sewer project. He said they are gathering information and requesting information from the City. Chairman Spisak had a copy of an e-mail from Mike Saffron, Chairman of the Norton Health Advisory Board (see attached). It was sent to our City officials and to the Summit County Health District officials regarding the matter and the questions asked at their meeting by the citizens. Chairman Spisak read the e-mail to the Commission. Chairman Spisak said there were many in attendance at the Health Board meeting and he gave the Commission a general overview of the evening's discussions. Chairman Spisak's suggestion to their Board was to have a representative come to their meeting from the EPA and/or the Summit County Health Board to explain the sanitary issues Norton has to the citizens, as an informative type of meeting.

There was general discussion about the Sanitary Sewer issues for Nash Heights by the members. Mr. John Moss, Community Development Director joined the meeting at this time and gave his input on the issue.

Mr. Easterling asked about DB Hartt's response in the rezoning of the City and asked about the time frame involved. There was general discussion about that topic. Mr. Arters said they were to read it and mark on the document what changes they would like to propose, and then get back with DB Hartt. All felt DB Hartt was just waiting to hear back from all parties concerned as to the changes proposed. Mr. Arters said it would probably be done systematically like when NorthStar did it the last time. He said they would go through a draft, mark it up, talk about it, and then have another draft. He said they would keep updating the draft until you had a final document in which all were in agreement on. There was a comment that not all of the members had the document to mark up, so it will be copied and distributed to the members; Mr. Arters will drop it off at their houses.

There was further discussion about the zoning changes coinciding with the Cleveland Massillon Road expansion project. Mr. Arters said the uses were the biggest issue. Mr. Arters said many are already charted out from previous meetings. Mr. Easterling said it is going to be difficult if it changes to business districts. Mr. Easterling feels it will be piece-meal zoning, as right now we have a business or two and then residential, etc.

Mr. Arters said that B-1 and B-2 Districts are so similar, they should just be together as one zoning. He said the more uses you allow, the residential district will probably be lost down the whole strip, as they will probably turn into some type of business districts. He said the uses would dictate the zoning.

There was more general discussion had about paper streets, the problems of how many driveways come in and out of Cleveland Massillon Road currently, and the need for multiple entrances at times.

Mr. John Moss, Community Development Director, gave his input on John Street, a paper street at Dr. Suckling's new proposed office off of Cleveland Massillon Road, beside the Wellness Center. Mr. Moss explained about a TIF, Tax Increment Finance to redirect funds to generate money if they decide to improve John Street. He said that this has to be done by Ordinance through Council. More discussion was had about that location and the potential downsize of the retention pond for storm water.

IV. NEW BUSINESS;

Chairman Spisak asked if there was any new business.

Mr. Arters said there would be a rezoning coming the next month to re-zone the old wood shop on Cleveland-Massillon Road from R-1 District to a B-3 District to allow an auto service garage. He said the application was just filed yesterday and the packet would be forwarded to them soon.

IV. CONSIDERATION OF MINUTES:

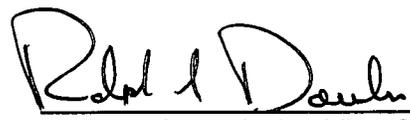
None.

V. ADJOURNMENT:

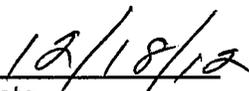
With no further business before the Commission, Chairman Spisak announced the next scheduled meeting would be June 12, 2012, and adjourned the meeting at 6:34PM



Planning Commission Chair/
Vice-Chair



Planning Commission Vice-Chair/
Member



Date

**RESOLUTION
PLANNING COMMISSION**

Tuesday, May 22, 2012

PC RESOLUTION NO.: 14 - 2012

RE:

Application R2-2012 - Rezoning
Proposing to rezone from an I-1 District to a B-1 District
For the property known as
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[To allow the building to be used as a
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The Planning Commission does hereby make the following recommendations on the above:

TO APPROVE

Vote on Motion: FOR 5 AGAINST 0 ABSTAIN 0

Therefore PC Resolution No. 14-2012 has been:

APPROVED X DENIED TABLED

This resolution shall be sent to:

Administration for it's action or for X it's information, and
Council for X it's action or for it's information.

[Signature]
Planning Commission Chair/Vice-Chair

[Signature]
Planning Commission Vice-Chair/Member

5/22/12
Date

[Signature]
Interim Boards and Commissions Secretary

Zimbra

beckyl@cityofnorton.org

FW: Nash Heights Sewer Project

From : Mark and Dalia Spisak <hellodali@earthlink.net> Wed, May 23, 2012 06:00 AM

Subject : FW: Nash Heights Sewer Project

To : beckyl@cityofnorton.org

Reply To : Mark and Dalia Spisak <hellodali@earthlink.net>

Below is the email sent to the administration and NHAB members.

Thanks

Mark

-----Forwarded Message-----

From: Mike Safron

Sent: May 22, 2012 2:55 PM

To: "charlottewhipkey@cityofnorton.org" , "Mazey, Cindy" , "Edwards, Johanna" , "Spisak, Dalia"

Subject: FW: Nash Heights Sewer Project

All,

Below is an email I sent this morning in regards to the NHAB resolution. Please let me know if you have any questions or comments. I do not want to walk into the next meeting blind. Will let you know what I hear.

Thanks, Mike

From: Mike Safron

Sent: Tuesday, May 22, 2012 8:00 AM

To: 'engineer@cityofnorton.org'; 'rick@cityofnorton.org'; 'rpruett@sched.org'; 'bhasenyager@sched.org'

Subject: Nash Heights Sewer Project

Some of you might be aware of the NHAB received quite a few comments from concerned citizens in the Nash Heights area of Norton at last Thursday meeting. The question I have, before entertaining a discussion on a NHAB resolution that was put before us last Thursday, is have we seen any improvement in the fecal coliform colony counts since the repair or replacement of septic systems was implemented, and the Beldick motel was removed. As I explained to those in attendance the NHAB does not

create or enforce policy, we are an advisory board.

Since we do only advise the approach I would like to use would be based on if we are seeing improvement by the use of repair or replace HSTS's. We know that tying into the sanitary sewer would be the most effective route but from a health standpoint where are we with at with the current program?

Thanks,

Michael Safron
Chairman, Norton Health Advisory Board
