

CITY OF MENTOR-ON-THE-LAKE
PLANNING AND ZONING COMMISSION
March 6, 2017

The regular meeting of the Planning and Zoning Commission for the City of Mentor-on-the-Lake, Ohio was called to order by Mr. Boomer on March 6, 2017 at 7:00 p.m. in the Community Room of City Hall, 5860 Andrews Road.

Oath of Office was administered to Mr. Adam Sheldon by Mayor Eva prior to the start of this meeting.

There was a welcome by Ms. Cason to Mr. Adam Sheldon and to Mr. Rob Johnson.

ROLL CALL: Ms. Cason
Mr. Johnson
Mr. Sweeney
Mr. Boomer
Mr. Sheldon

ALSO PRESENT – Mr. Brent Moore, Zoning Inspector
Mayor Eva
Jim Lunder, Kevin Bittner, Preston Wolk, Council Representatives

APPROVAL OF MINUTES – December 5, 2016

MOTION by Mr. Boomer, and seconded by Mr. Sweeney to approve the minutes of December 5, 2016 as submitted.

ROLL CALL Ayes Ms. Cason
Mr. Johnson-abstain
Mr. Sweeney
Mr. Boomer
Mr. Sheldon-abstain

MOTION CARRIED 3/0

OPEN PUBLIC HEARING:

1. Mario's Lakeway Lounge submitted an application for a Conditional Use Permit to allow entertainment and outdoor seating on the rear and front patio's. Mr. Moore stated that we issued him a permit for a front patio, so he is asking to be able to have outside dining on both. A question from Mr. Sweeney in reference to it being like Anderson's Pub. Ms. Cason asked about hours of operation? Mr. Moore mentioned that it was until 11:00 pm.

A MOTION by Mr. Boomer and then a second by Mr. Johnson to approve the Conditional Use Permit for Mario's Lakeway Lounge. There was an amendment by both to approve the Conditional Use Permit for a period of 1 year.

ROLL CALL Ayes Ms. Cason
Mr. Johnson
Mr. Sweeney
Mr. Boomer
Mr. Sheldon

MOTION CARRIED 5/0

2. Cal's Marathon submitted an application for a Conditional Use Permit to operate an Automotive Service and Car Storage. There was documentation that was mailed to each member of the commission specifying certain parking considerations which included no parking in entrance and exit ways or in the right of ways. No dumpster in the right of way and no double parking. A total of 17 spots including 2 additional inside the bay. Mr. Moore mentioned that the city ordinance states that an automotive station is required to have a Conditional Use Permit. Cal was there and spoke that he needs more spots than what was proposed by the city. Cal mentioned that he doesn't store cars, but he does get stuck with abandoned cars. He mentioned that cars get dropped off for repair, and then when they say it's not worth fixing, they just get left. He then gets stuck with them. Most of the time they don't have titles, therefore difficult for him to get rid of them. To get a title for an abandoned vehicle can take months. He mentioned that when a car is dropped off for repair, it will sometimes have to sit as they wait for parts to come in. Only having 2 bays at the shop can also cause for multiple cars being parked, because it sometimes takes longer to repair vehicles, leaving those cars that happen to be dropped off parked until the bays open up. Once cars are repaired, people don't always pick them up right away, some need to wait for pay day etc. This also leads to having multiple cars on sight often. Cal feels that there are five spots missing from the proposed drawing. He can really use the 5 additional spots, especially when customers call to drop off vehicles or when they just get towed in. He finds creative ways to park them as they wait to be repaired. He can't afford to turn away business. He does keep the areas open because people do come in and out for gas. He gets his gas semi in and out of the area with no problem. Cal said he doesn't know why he even had to appear. Mr. Moore mentioned that there was a complaint that came in about cars being in the right of way, along with the dumpster. Cal replied with he sometimes can't help that Republic leaves it close to the road. He has told them multiple times. Cal said that he realizes that the side along Manor is an issue and he has tried to keep it clear, but after hour drop offs happen all the time. That is the nature of the business. Mr. Boomer stated that for 41 years that he has been an honorable man and business owner and very kind to the City. Applause by the audience. Mr. Moore stated that they are not trying to run him out of the city.

A MOTION by Mr. Boomer and then a second by Sweeney to approve 22 spots at Cal's Marathon, that counts the spots on the Marathon property, not those behind the barbershop He will make a best effort to clearly maintain the right of way, both from parking and to the extent that the dumpster can go in the right spot. No parking in the entry and exits as well.

ROLL CALL Ayes Ms. Cason
Mr. Johnson
Mr. Sweeney
Mr. Boomer
Mr. Sheldon

MOTION CARRIED 5/0

Mr. Moore stated that a term was needed for Cal's Conditional Use Permit. Mr. Moore mentioned that the commission usually grants a one year, then after renew it for 3-5 years. Mr. Johnson suggested reviewing it after 1 year, making sure of compliance and that way if there needs to be changes it can happen then.

Ms. Cason stated that the permit previously stated was for 22 cars, nothing in the right of way for the term of 1 year. The commission will then revisit and look then at a longer term.

A MOTION by Mr. Boomer and then a second by Sweeney to approve 22 spots at Cal's Marathon for a period of 1 year, then it can be reviewed after that for a longer term.

Mr. Rosati asked, is there a new application and fee when it is reviewed at the end of the term? Ms. Cason answered with a yes. Mr. Moore also stated that they usually grant a five year term at that time of renewal. The fee is \$225.00. Mr. Moore explained to a woman in the audience that a complaint came in; therefore they started looking into the Conditional Use Permits to find out that Cal's did not have one and as an Automotive Service Station it is required. That is the reason that he was asked to appear. The permit for parking cars was granted so that if another complaint came in the city can say that he is allowed to have 22 cars. Again, she stated that he has to pay the \$225.00 again. Mr. Moore said that he has seen the commission grant only a 6 month permit. Ms. Cason mentioned that they would welcome council to review the permitting practice. She also said that this is actually standard in most communities to have a permitting process. Mr. Rosati asked if this process is an Ordinance. Ms. Cason answered with a yes. Mr. Moore named several businesses that currently have a Conditional Use Permit.

ROLL CALL Ayes Ms. Cason
Mr. Johnson
Mr. Sweeney
Mr. Boomer
Mr. Sheldon

MOTION CARRIED 5/0

CLOSED PUBLIC HEARING:

COUNCILS REPORT: Mr. Johnson shared that Kevin Bittner has been appointed to Council, to fill the vacancy from John Hawkins. A budget meeting was held to review the annual appropriations. The appropriations will be added to the agenda. There are a number of ordinances on the agenda. The Storm Water Management and Erosion Sediment Control are both to bring us up to code with the state. The public right of way is to be discussed still. There is a desire from utility departments to place small cell towers in the public right of way. Ms. Cason welcomed Mr. Johnson to the Commission.

OLD BUSINESS: In a previous meeting the commission discussed raising the Conditional Use Permit fee, which was accepted by Council. This being done, the fee amount needs to be changed in the Planning and Zoning rules. The corrected amount will read as \$225.00.

A MOTION by Mr. Johnson and then a second by Mr. Sheldon to update the rules to reflect the newly adopted fee structure for permits and re-zoning.

ROLL CALL Ayes Ms. Cason
Mr. Johnson
Mr. Sweeney
Mr. Boomer
Mr. Sheldon

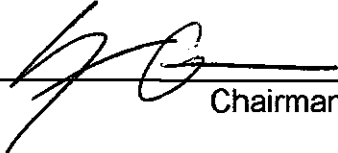
MOTION CARRIED 5/0

NEW BUSINESS: None

ANNOUNCEMENTS AND SETTING OF MEETINGS: April 3, 2017

MEETING ADJOURNED – 7:38 pm by acclimation

APPROVED 4/3/17
Date


Chairman

ATTEST Christa Parisi
Planning and Zoning Clerk