

Northwood Planning Commission Regular Meeting			
Date	March 13, 2017	Location	Council Chambers
Time	Heading	Record of Proceedings for Northwood Planning Commission – Regular Meeting of March 13, 2017	
	Call to Order:	The regular meeting of the Northwood Planning Commission was called to order by John Melnyk, Chairman on Monday, March 13, 2017 at 6:00 p.m. in the Council Chambers of the Northwood Municipal Building.	
	Roll Call:	<p>The roll was called by Kimberly Vaculik, Planning, Zoning & Economic Development Coordinator. Those in attendance were:</p> <p>Chairman Melnyk, Mayor Schimmel, Mr. Venzke, Mr. Burns, Mr. Delventhal, Mr. Kamilaris, City Engineer Dave Kuhn & Kimberly Vaculik, Planning Zoning & Economic Development Coordinator.</p> <p>Mr. Tewers was absent.</p>	
	Motion to Excuse the Absent:	<p>Chairman Melnyk made a motion to excuse Mr. Tewers, Second by Mr. Venzke</p> <p>Vote: All in Favor. (Mr. Burns abstained)</p> <p>Motion Passed.</p>	
	Appoint Chairman	<p>Mr. Kamilaris made a motion to appoint John Melnyk as Chairman for the year 2017, Second by Mr. Venzke</p> <p>Vote: All in Favor. (Chairman Melnyk abstained)</p> <p>Motion Passed.</p>	
	Approval of Minutes for Planning Commission	<p>Motion to approve the minutes from the regular Planning Commission meeting of November 14, 2016.</p> <p>Mr. Delventhal made a motion to approve the minutes, second by Mr. Kamilaris:</p> <p>Vote: All in Favor (Chairman Melnyk & Mr. Burns abstained)</p>	

		<p>Motion Passed.</p>
	<p>New Items for Review</p>	<p>Request for final site plan approval submitted by Northwestern Water & Sewer District to build a 11' x 22' Water Shed at 1740 S. Wheeling St. (behind Frisch's Big Boy) Parcel # M50-812-280301005000.</p> <p>Dan Wickard- Superintendent of NWSD came to speak on behalf of the Water Shed project which will be located at 1740 S. Wheeling St.</p> <p>This will be open to anyone to come up and pay a much cheaper rate to get water. The cost is 25 cents per gallon. It will be treated using reverse osmosis.</p> <p>The Building will be 10' x 10'</p> <p>The Water Shed will be hooked into the Oregon water system.</p> <p>Mr. Wickard stated that all the Water Sheds look the same with red and blue with the stone finish.</p> <p>These are coin operated but they do have tokens that they will pass out to people to use as well.</p> <p>The City Engineer read his comments:</p> <p>Northwestern Water and Sewer District is proposing to install a 123 sq. ft. water shed building in the back portion of if the Frisch's Big Boy Restaurant parcel located at 2669 Woodville Road. The parcel is Zone "CBD" Central Business District and is surrounded by parcels zoned CBD to the south, east, and west. The parcel to the north in the City of Oregon is zoned "R-2" Medium Density Residential District. The facility meets the setback requirements of the zoning district. The use of the facility meets the principal uses according to Section 1275.02 (a) (1) Z of the City of Northwood Zoning Code.</p> <p>Comments from the Zoning Inspection Report shall be included in the final site plan approval of the Planning Commission.</p>

Ms. Vaculik stated that The Architectural Review Committee reviewed this project and wanted to make sure the colors will conform to the surrounding buildings but wanted to leave the colors up to Planning Commission. Also, the Police Chief would like to have a handicapped parking space back by the shed and the Fire Chief stated to make sure they take the plans to Wood County.

The comments from the Architectural Design Review Committee shall be included in the final site plan approval of the Planning Commission.

Add on the site plan the access and utility easements or other instruments that are required to install the facility and utilities on the existing restaurant parcel.

Add to the site plan the existing zoning classifications of the subject parcel and the adjacent parcels located in the City of Northwood according to Section 1250.12 (b) (5) of the City of Northwood Zoning Code.

Add the dimensions from the proposed facility to the Wheeling Street right-of-way and property line on the site plan according to Section 1250.12 (b) (9) and (10) of the City of Northwood Zoning Code.

If new outdoor lighting is proposed for the facility, submit a photometric plan to the City of Northwood for review according to Section 1250.12 (b) (15) of the City of Northwood Zoning Code.

Add the existing and proposed building and ground elevations of the facility on the site plan according to Section 1250.12 (b) (7).

The existing parking is adequate for this facility.

The existing landscaping provides adequate screening for the residential parcel to the north in the City of Oregon.

Show on the site plan the Northwood Corporation Line along the north property line.

Based on these comments, Dave Kuhn recommends

		<p>approval.</p> <p>People bring their own containers to fill up at the Water Shed. NWSD will be handing out tokens to Northwood residents but after those run out you have to pay with a quarter.</p> <p>This is strictly a NWSD project, the District is paying for this.</p> <p>Frisch's has a Lease Agreement with NWSD for \$1.00 per year for this land.</p> <p>Rob Armstrong who is with Bennett Enterprises came on behalf of Frisch's and stated that there would be no down side to this project. They are happy to have them on their property and it will be a great location to serve a lot of people.</p> <p>Mr. Delventhal made a motion to approve the final site plan for Northwestern Water & Sewer District's Water Shed, second by Chairman Melnyk.</p> <p>Vote: All in Favor.</p> <p>Motion Passed.</p>
		<p>Rezoning application submitted by Brian McMahon of Danberry National on behalf of Leo Deiger. They are requesting to change the zoning of the Northeast 2.509 acres of Parcel # M51-300-240000023001 from M-1 Light Industrial to C-Commercial.</p> <p>Brian McMahon came on behalf of Leo Deiger to explain why this would be a good project. He provided information about the surrounding properties and why having a commercial strip center would be a good thing for the community. There are several businesses around this area with a high volume of workers/ students etc. and there really aren't many places for them to go other than the commercial strip center at Oregon and Wales Rd.</p>

		<p>Dave Kuhn stated that the City is currently focusing on that portion of Oregon and currently have a grant to resurface it.</p> <p>Ms. Vaculik stated that when Fed Ex initially submitted their plans, they had wanted to split off and rezone the western portion of their property which fronts on Oregon Rd. and rezone it to Commercial. We were talking about maybe trying to get it rezoned to Commercial on both sides of Oregon Rd., the first 200' in like we had on Woodville Rd.</p> <p>The Master Plan is from 2004 and needs updated to reflect the efforts to improve this corridor.</p> <p>Dave Kuhn stated that in his comments they don't recommend approval based on it being spot zoning, however, the Master Plan does need to be updated to reflect the City's efforts and can see the commercial zoning working along Oregon Rd. He stated he will leave it up to Planning Commission to make the final recommendation.</p> <p>Mayor stated that this fits into the vision of Oregon Rd., there are a lot of employees at these businesses and they need places to go. Revisiting the Master Plan is definitely something the City needs to do.</p> <p>There is not a perspective buyer for the property other than Norplas has looked at purchasing a portion of the land for parking.</p> <p>Mr. Kamilaris made a motion to make a recommendation to Council to approve the zoning amendment, second by Mayor Schimmel.</p> <p>Vote: All in Favor.</p> <p>Motion Passed.</p>
		<p>Rezoning application submitted by Jacquelyn Robber, 4500 Woodville Rd., Northwood (Parcel # M50-812-340323008000) and David Scanlan, 4502 Woodville</p>

Rd. Northwood (Parcel # M50-812-340323007000) to rezone the properties from CBD – Central Business District to R-OA-2 Single Family Residential.

Dave Scanlan and Jacky Robber came to explain why they want the zoning change. They need to sell their properties and no one can get a residential loan with the property being zoned CBD Central Business District. These properties were all from a family estate which was broken up at some point. These three parcel's all share a common drive way. Jacky owns the first parcel then it is David's then Linda Tatro's property. When the properties were rezoned, David's went from A-1 Agricultural to CBD Central Business District however Jacy's was zoned Commercial and went to Central Business District. But these properties are all homes and the owners feel they should be rezoned to residential so they can be sold and used as such. David suggested that maybe rezone the properties to use the 200' off Woodville Rd. to be commercial and have the rest be residential.

All the properties are owned separate even though initially it was part of one estate.

Mr. Burns stated that the properties should have been grandfathered to be residential because these are what the properties are.

Linda Tatro, 4506 Woodville Rd. came to oppose the zoning change request. She stated that she knew her home was zoned Commercial when she purchased it. She stated that she thought the value of their property would be higher to keep it zoned CBD Central Business District. She believes her property value would drop if it was residential especially with the shared drive way.

It was asked if there was room there to put in another driveway.

Dave Kuhn stated that part of his comments included asking if there is a recorded Access Easement. They need this since two of the homes do not front the Right-of-Way. We will need to see the recorded easement. If they don't have one, then they need to. We can't recommend approval based on it being spot zoning however, the 200' off Woodville Rd. may be an option. The homes are

further back than 200’.

Dave Scanlan stated that he has a recorded copy of an Access Easement.

Dave Kuhn stated that the banks issue of not loaning money is because the properties are non-conforming and they want to make sure that if the home is destroyed that it can be rebuilt. He stated he liked the 200’ idea but to keep in mind if someone did want to buy the three parcels and use them for a business, they would have to be rezoned back to a Commercial zoning.

Dave Scanlan stated that because it’s Commercial the banks require a business plan even though it’s used as a home.

Mayor asked if it could still be voted on not knowing if they have an Access Easement. Dave Kuhn stated they could vote on it contingent upon them getting the City the information. Their private drive is not wide enough to make it a public road.

It was mentioned that the City rezoned a portion behind Woodville Auto Finance to allow them to expand their business. Ms. Vaculik stated that the reason the City approved that was because it was a small sliver of land right behind their business that would have no value to anyone else.

Mayor Schimmel stated that he wants to help them out however he doesn’t feel comfortable voting without a legal opinion.

Ms. Vaculik stated that it was discussed changing to code regarding the rebuild rights to take out the portion that says “destroyed up to 75% of its value” and change it to 100%. But she stated that if the banks require a business plan, this may not help them out.

Chairman Melnyk stated we should table this item and get an opinion from the City Attorney.

Mayor suggested having a Special Planning Commission meeting so they don’t have to wait another month.

		<p>Chairman Melnyk suggested having a special meeting in two weeks which would be Monday, March 27th at 6:00pm.</p> <p>Linda asked if they would know ahead of time what the City Attorney’s opinion will be? Ms. Vaculik stated they will receive notification of the date and time of the next meeting.</p> <p>When it was rezoned to CBD there were several public hearings and notices went out to all of the property owners.</p> <p>Mayor Schimmel made a motion to table the potential zoning change until a Special Meeting on Monday, March 27th at 6:00pm in order to obtain a legal opinion from our City Attorney, second by Mr. Delventhal.</p> <p>Vote: All in Favor.</p> <p>Motion Passed. (Item tabled)</p>
	<p>Tabled Items for Review</p>	<p>Potential code changes to NCO Section 1282.08 Parking and Storage of Boats and Recreational Vehicles.</p> <p>Mayor stated that at the previous meeting it sounded like there was really only one trailer that was an issue which Ms. Vaculik stated has been removed so it’s no longer an issue. Mayor stated that it was brought up at a Council Meeting that there are still RV parking issues.</p> <p>Dan Mikolajczyk, 2513 Skagway stated that he would like to see changes to the code. He stated at one of the safety meetings they still have parking issues with trailers parking on the street etc. He also stated that there are people living in their trailers. He asked if changes for the grass code would go before Planning Commission.</p> <p>Chairman Melnyk stated that this code is the most recent which was changed only a few years ago.</p>

Dan stated that the police code states you must park on stone or asphalt. He would like to see code changes to have uniformity with police and zoning.

Chairman Melynck stated that the Code Enforcement Officer goes out on calls and asked what codes he enforces, police or zoning? Ms. Vaculik stated he enforces both.

Ms. Vaculik also stated when you're talking about someone parking on concrete, it gets confusing because we also have it in the code that they cannot keep the trailer on the driveway during the winter months. So how do you tell them they have to park on concrete yet tell them they cannot keep it on their driveway year round because people are going to assume they can keep it there? You could change the code to allow them to keep it on the driveway during the winter months provided it is back behind the home.

Mayor Schimmel asked if anyone was happy with the version of the code before them.

Chairman Melnyk suggested putting the police version and zoning version together. Ms. Vaculik stated that the police department doesn't have an RV section, they have a parking on the grass section which allows for 4 hr parking.

Mayor Schimmel made a motion to un-table the potential code changes to NCO Section 1282.08, second by Chairman Melnyk.

Vote: All in Favor.

Motion Passed. Item back on the table for review.

Mr. Venzke made a motion to approve the code changes to NCO Section 1282.08, second by Mayor Schimmel.

Vote: All opposed.

Motion Failed.

	Chairman's Report:	Chairman Melnyk asked about the Beryllium being brought into the landfill? Mayor stated there are contracts between the City and County and Waste Management so we are determining what hazardous waste is.
	City Engineer's Report:	No report.
	Zoning:	Council has recently imposed a moratorium for marijuana dispensaries. I have been asked to bring this to PC so keep that in the back of your mind as to how we should regulate them.
	Adjournment:	There being no further business before the Planning Commission and all being in favor, the meeting adjourned at 7:30p.m.
	Attest:	Kimberly Vaculik
	Approved:	Chairman, John Melnyk