

Planning Commission  
March 22, 2017  
Minutes

Mr. Zuilhof called the meeting to order at 4:40 PM. The following members were present: Mr. David Miller, Mr. Pete McGory, Mr. Mike Zuilhof, Mr. Joe Galea and Commissioner Wes Poole. Ms. Casey Sparks and Ms. Angie Byington represented the Planning Department, Mr. Justin Harris and Mr. Trevor Hayberger represented the Law Department and Ms. Debi Eversole, Clerk from Community Development. Mr. Ned Bromm and Mr. Jim Jackson were excused. Commissioner Lloyd was in attendance.

Mr. McGory moved to amend the agenda to include the election of officers to Planning Commission. Mr. Poole seconded the motion. The motion carried unanimously.

Mr. McGory moved to nominate Mr. Zuilhof to Chairman of Planning Commission. Mr. Miller seconded the motion. Mr. Miller moved to cease the nominations with a second from Mr. Poole. Nominations ceased with a unanimous vote. The motion to nominate Mr. Zuilhof to Chairman carried with a unanimous vote.

Mr. McGory moved to nominate Mr. Miller to Vice Chairman of Planning Commission. Mr. Poole seconded the motion. Mr. Poole moved nominations be closed. Mr. McGory seconded and the nominations were closed by unanimous vote. The motion to nominate Mr. Miller to Vice Chairman carried with a unanimous vote.

Chairman Zuilhof welcomed the newly appointed Planning Commission member Joe Galea to the Commission. Mr. Poole moved to recess the Planning Commission meeting and open the Landmarks Commission Meeting. Mr. Galea seconded the motion. The motion carried with a unanimous vote. The Planning Commission Meeting recessed at 4:45PM.

Chairman Zuilhof re-opened the Planning Commission Meeting at 5:30PM.

Mr. McGory moved to accept the minutes from the February 1, 2017 special meeting, waiving the formal reading. Mr. Miller seconded the motion. The motion carried with a unanimous vote.

Ms. Sparks stated that Mr. John Pogialli had submitted an application for site plan approval for automobile sales at 2205 Hayes Avenue.

### **"Notes"**

Mr. Poole asked for clarification about the ADA parking. Ms. Sparks stated that the applicant indicated where the ADA parking would be, but did not submit dimensions of the ADA parking. Mr. Poole asked if ADA parking would fit on the front of the building without blocking line of site. Ms. Sparks stated that the ADA spots would be far enough away that they would not impede on the line of site.

John Feick, 224 E. Water Street stated that he is the architect for the project. He stated that the current project is quite simple. Going back, this building was a diner which was torn down and a pharmacy was built in its place. At the time the pharmacy was built, an off street parking plan was submitted and approved. There are no changes proposed to the parking lot. There are only parking spots being added. He pointed out that there was a question about blocking a garage and clarified that there is still an existing garage door but the use has changed and there is living space behind that garage door.

Mr. McGory asked if the applicant is proposing any parking along Hayes Avenue for customer parking. Mr. Feick said that there is one existing parking spot along Hayes Avenue which is the handicap spot that was approved several years ago when the pharmacy was built.

Mr. Miller asked if the applicant is willing to concur with all of the conditions that Staff recommended. Ms. Sparks stated that if the garage is not being utilized where the proposed parking spaces 9 and 10 are, Staff has no issue with those two parking spaces.

**Mr. Miller moved to approve the application subject to Staff's conditions 2, 3 and 4. Mr. Poole seconded** the motion. Mr. Galea asked what the history of the property was prior to the pharmacy. Mr. Feick stated that it was an ice cream parlor. Mr. Galea also asked if the applicant would run the proposed business or if he has a tenant in mind.

Tim Stookey, 1307 Fifth Street asked if the driveway across the street is the entrance to the school. Staff answered yes. He then questioned if someone is coming east on Orlando Pace Drive and tried to make a left hand turn, will there be a site issue? Chairman Zuilhof stated that this on one of the conditions that Staff has put on the approval.

Mr. McGory moved to call the question. Mr. Miller seconded the motion. Motion to call the question carried with a unanimous vote.

**Mr. Miller's motion and Mr. Pool's second to approve the application subject to staff's recommendations 2, 3 and 4** carried with a 4/1 vote.

Ms. Sparks stated that Brian Stanley, on behalf of Richard Hografee had submitted an application for modified parking requirements for mixed use development at 305 East Water Street.

**"notes"**

Mr. Poole asked if the area indicated on the site plan was a private drive. Ms. Sparks stated that that it is not a private drive, but a public right of way. The parking spaces will go right to the property line. Mr. Poole asked where the parking spaces are that are referenced in the report. Ms. Sparks stated that Staff members counted the spaces on each side of East Water Street and counted 15 and 8. There are also public parking spots on the corner Market and Hancock.

**The contractor stated that he has a revised drawing but it does not address the correction from "private drive" to "public right of way". Mr. Poole asked what the size changes would be. The contractor stated that the spaces are labeled 9'x20'. Handicap space is 18'x20'. He added that they are going to tear out the concrete underneath the deck and put fabric and stone down. He stated that the stop sign is not on the property and nothing will be changed with that.**

Mr. Galea stated that **the applicant is his landlord and prior to tonight's meeting, he consulted with the Law Director and he stated that he didn't feel that there was a direct conflict.**

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

Mr. Poole moved to adjourn the meeting with all Commissioners in favor.

Meeting adjourned at 6:00PM.

APPROVED:

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Debi Eversole, Clerk

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John Mears, Chairman