

**ZONING COMMISSION MEETING MINUTES
FEBRUARY 4, 2010
6:00 PM**

Chairperson Jane Scott convened the Zoning Commission meeting at 6:05 p.m. Present members were Ernest Stein, Mark Wasick, Jane Scott, Colleen Ahern, Jim Phelps and alternate Bill Daniel. Alan Weinstein, Peggy Spraggins and Matt Springer were also present.

Guests present included Marty and Valerie Caruso who own and operate Caruso Architects located at 3460 Ridgewood Rd. Mr. Caruso asked the Zoning Commission to consider allowing mixed-use development along Ridgewood Rd. and more specifically to allow residential uses within existing commercial operations. Mr. Caruso stated that in the future, he and his wife would like to continue practicing architecture from this location, but also be allowed to live on the second floor on a permanent basis.

Ms. Scott stated that the Commission has not yet reached the subject matter of mixed-uses but assured Mr. Caruso that his statement will be entered into the permanent record and would be given full consideration of the Zoning Commission and staff once the mixed-use topic arises in the near future.

Mr. Stein moved to approve the January 4, 2010 minutes as submitted, Mr. Phelps, second.

Mrs. Scott asked for discussion.

Mrs. Ahern asked that the minutes be corrected to reflect that she resided as Chairperson of the Zoning Commission on January 4, 2010 and called for all votes at that meeting.

Mr. Stein moved to approve the January 4, 2010 minutes with the changes reflecting Mrs. Ahern as Chairperson for that evening, Mr. Phelps, second the motion.

Mrs. Scott called for a vote.

Roll call on the motion:

Aye:	Mark Wasick, Jane Scott, Ernest Stein, Jim Phelps, Colleen Ahern
Nay:	None
Abstain:	None

The motion carried.

Mr. Weinstein continued the discussion of the re-write of the Zoning Resolution.

Mr. Weinstein stated that several of the existing C-3 properties located east of I-77 and fronting Rt. 18 should be rezoned to Commercial-Highway Service (C-HS). Mr. Weinstein stated that the existing uses include gas stations and several hotels.

Mr. Weinstein also discussed commercially zoned properties located along Rt. 18 and asked the Zoning Commission to consider how they would like to see these properties zoned for the future. Mr. Weinstein stated that along Rt. 18 near Hametown, a non-conforming gas station along with two non-conforming houses are located within a C-2 zoning district.

Mr. Wasick asked that staff provide a list showing both the pros and cons for rezoning the non-conforming gas station and residential houses located within the C-2 district.

Mr. Weinstein stated that he would work with staff to prepare this list prior to the next Zoning Commission meeting scheduled for March 4, 2010.

Mr. Weinstein distributed proposed language governing what standards may be used for Conditional Uses within the Township.

Mr. Weinstein stated that many communities have classified as a conditional use, “big box” stores at a threshold of 50,000 square feet and larger.

Mr. Weinstein distributed language used by the City of Toledo Municipal Code, which discusses regulations placed upon large-scale retail projects.

Mr. Phelps asked the Commission and Mr. Weinstein to consider lowering the minimum threshold for “big box” retail to as low as 30,000 square feet.

Mr. Stein asked staff to provide a list of existing stores within the community and the overall square footage in which they encompass.

Mrs. Ahern asked if the Resolution could limit the maximum size of a “big box” store.

Mr. Weinstein stated that limiting the overall square footage of a building could be done if the community was able to justify a hardship or public safety concern in relation to how much traffic a particular development would generate. However, a community cannot arbitrarily deny an application simply because of the particular name of a company.

Mr. Weinstein distributed proposed language governing enforcement procedures that may be used within the rewrite of the Zoning Resolution. Mr. Weinstein stated that this language would define processes used by the Board of Zoning Appeals, the issuance of zoning certificates and applicable fees, requirements set for site plan submittals and the enforcement of violations and/or penalties.

The Zoning Commission made no official recommendations relative to the zoning text or map at this meeting. All items were for discussion only. The Zoning Commission will hold their next public hearing on Thursday, March 4, 2010 at 6:00 pm at 1540 S. Cleveland Massillon Rd.

With no further business to come before the Commission, the meeting was adjourned at 7:35 p.m.

Mrs. Jane Scott, Chairperson

Matt Springer, Asst. ZI