

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

February 13, 23

The City of Cortland Planning, Zoning & Building Commission met on Monday, February 13, 2023 at 7:00 P.M. at the City Administration Building, 400 N. High Street, Cortland, Ohio. In attendance were the following board members: Chairman Curt Moll, Sally Lane, Don Bell, Don Fatobene and Brian Hodor. Also present were Law Director Patrick Wilson, Service Director Kim Blasco and the following individuals:

Joseph Lane	9640	Cortland
Tom Nadar	7011 E Market	Warren, OH
John Lapinski	PO Box 283	N. Lima

Law Director Patrick Wilson swore in Commission Member Donald Fatobene before this evening's meeting.

**Curt Moll:** It's February 13, 2023, 7:00. I'd like to call to order the Commission for the City of Cortland Planning Zoning and Building Commission. Can we have a roll call please.

**Roll Call:** Brian Hodor, here; Sally Lane, here; Curt Moll, here; Don Bell, here; Don Fatobene, here.

**Curt Moll:** The next item on our agenda is **Approval of Commission Minutes for January 9, 2023 re-organizational meeting.** Could I have a motion for that please?

A motion was made by **Don Bell** and seconded by **Sally Lane.**

**Curt Moll:** Any discussions or corrections on those? Can we have a roll call please?

**Roll Call:** Don Fatobene, abstain; Sally Lane, yes; Brian Hodor, abstain; Curt Moll, yes; Don Bell, yes. **MOTION APPROVED.**

**Curt Moll:** Next on the agenda is **Approval of Commission Minutes for January 9, 2023 regular meeting.** Can we have a motion please.

A motion was made by **Don Bell** and seconded by **Sally Lane.**

**Curt Moll:** Any discussion on those minutes? Can we have a roll call please.

**Roll Call:** Sally Lane, yes; Brian Hodor, abstain; Don Fatobene, abstain; Curt Moll, yes; Don Bell, yes. **MOTION APPROVED.**

**Curt Moll:** There is no old business on the agenda. Jumping to new business I need a motion for **05-23 to set a public hearing.** The purpose of the hearing is to consider the zone change of downtown W. Main Street to Central Business District. **Hearing to be set for March 13, 2023 at 6:50 p.m.**

A motion was for **05-23** made by **Don Bell** and seconded by **Sally Lane.**

**Roll Call:** Curt Moll, yes; Don Bell, yes; Sally Lane, yes; Don Fatobene, yes; Brian Hodor, yes. **MOTION APPROVED.**

**Curt Moll:** The next item is **06-23 Proposal to Combine Parcels – (164 -168 North High Street)** Part of section 12 of the Original Survey of Bazetta Township, City of Cortland, Trumbull County, Ohio. Could I have a motion for that please?

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A motion was made for **06-23** by **Don Fatobene** and seconded by **Don Bell**.

**Curt Moll**: Is there someone here to discuss that?

**Joe Lane**: Good evening Everyone. I'm Joe Lane and I'm here representing JalCon Corp. who is the current owner of that property that is the Shafer - Winans Funeral Home. The Lane's funeral homes were recently sold and the purchaser, Heritage Ohio told me that they would like a survey and a replat of that property in order to clean it up a little. They made the arrangements to have it surveyed and I got it in to you folks as quick as I could. I am here to ask that the survey be approved and the replat to be able to go forward. Then we can execute a deed if the description is correct and then transferring everything over to Heritage in terms of our agreement.

**Curt Moll**: This goes across the creek onto the other side.

**Kim Blasco**: Yes. There is a landlocked piece in the back so this actually eliminates the landlocked parcel.

**Curt Moll**: Any questions from the board? What is your opinion on this Kim?

**Kim Blasco**: I like it. The funeral home itself sits on 2 separate pieces in the front with the same owner as the landlocked piece in the back that is vacant. This basically takes everything and combines it into one big piece.

**Curt Moll**: This would solve the landlocked piece.

**Kim Blasco**: It absolutely does.

**Patrick Wilson**: It makes three parcels into one. Your surveyor has not had the new survey approved by the recorder? You will do that once you have the deed prepared...

**Joe Lane**: Yes.

**Curt Moll**: If there are no questions, can I have a roll call please.

**Roll Call**: **Curt Moll, yes; Don Fatobene, yes; Sally Lane, yes; Don Bell, yes; Brian Hodor, yes. MOTION APPROVED.**

**Joe Lane**: Thank you very much. My next move is what; if you could help me.

**Curt Moll**: I will sign an approval document with drawing. We will call you.

**Kim Blasco**: They will be ready this week, we'll let you know.

**Curt Moll**: Item **07-23 Preliminary Plat Approval – Walnut Run, Phase 1** Part of Section 59 of Former Fowler Township City of Cortland Trumbull County, Ohio. Can I have a motion please.

A motion was made for **07-23 New Sign** – by **Don Bell** and seconded by **Don Fatobene**.

**Curt Moll**: Do we have someone to represent this?

**Tom Nadar**: Yes, we do. Okay Mr. Chairman, I'm Tom Nadar the representative and attorney for Walnut Resources which is the owner of the land. This proposed Phase I is the first phase of redoing the Walnut Golf Course as a residential development. The block layout is single-family homes, a traditional subdivision. The layout pursuant to Cortland's Ordinances for planning. The traditional lots will be about 100 feet wide, 150

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feet deep. There are lots deeper than 150 but the average is probably 150, a traditional home site. It has the setbacks as required by the city. There has been some discussion with the Service Director regarding...the 30 foot of course will be a minimum, it won't be a required setback. If someone wants to go back further and stay within the side lines and rear line requirements, of course they can. The Service Director asked if we could use something a little more creative than Walnut Run the Tenth (laughter from the room) so we are thinking of a new name. It's a title examiners nightmare too because there are 18 Walnut Run plats. The Service Director sent some comments in regarding the setback. The plans show an extruded curb which we thought was compliant with Cortland's Ordinance. The Service Director has expressed her concern. Our Engineer has confirmed the concerns that extruded curbs have and they are working with Ms. Blasco.

**Kim Blasco:** An extruded curb only sits a few inches below the pavement and has a tendency to deteriorate quickly. I don't want that.

**Tom Nadar:** The substitute for that, the step up is called an ODOT type 6. They go about 12" deep and about 6" high. The developer agrees with that comment and as we proceed with the development, we will use that type of curbing. Regarding the layout; it is a traditional subdivision layout with public streets that would be dedicated and hopefully accepted by the city. We are here to answer any questions; our Engineer is here. We are submitting for the preliminary approval.

**Curt Moll:** Are we considering the entire plat or just this area?

**Kim Blasco:** Just Phase I. I asked them to show you everything in case something strikes you as something that you don't like. It's better that they know now instead of later.

**Curt Moll:** Just a comment; there was some concerns at some point about traffic loads on the current streets back there in that area. I don't think that this contributes to that because of the direction people would be going. This gives an alternate way out and also an alternate way in for the fire department. I'm sure that concern about traffic will come out in public hearings. There was one other concern with the utilities, I don't know if that is an issue or not. Would you be putting this on another forced main?

**Kim Blasco:** No, there is a lift station that exists on St. Andrews that was already designed to handle a lot of the area to the north and is not being utilized to its full capacity at this point. We service it, everything else we will look at and make sure that it is not going to tax anything at the lift station by Turnberry that we have existing. I don't believe that it will. We have extra capacity at that one as well. A lot of the southern area of this will flow directly to that lift station. It is split in a sense, some going to the west to the existing one on St. Andrews and the rest flows to the south and then to the west down to Turnberry.

**Curt Moll:** There will be an extension of the main.

**Kim Blasco:** Absolutely, yes. The whole area will be serviced via gravity, and we will utilize the existing lift stations.

**Patrick Wilson:** Kim, what do you mean that you asked them to show you everything verses?

**Kim Blasco:** There are two. You have an overall and then you have just Phase I (showing the print outs from the packet). Phase I is the approval that they are asking for.

**Patrick Wilson:** Alright, I wanted to make sure that I was reading it right. It is just what is covered by the blue boundary mark.

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**Curt Moll:** That leaves one open question. They don't need these detention ponds for Phase I?

**Kim Blasco:** Yes, they will.

**Curt Moll:** But they are outside of the blue perimeter.

**Kim Blasco:** There is one down at the bottom, at the corner. There is a detention pond at the corner of St. Andrews and Main.

**Curt Moll:** I see it. Is that all that they need?

**Kim Blasco:** I don't know, it depends. When they get into the design you will be able to see it more. They will size it accordingly. If it's not enough they may incorporate some of the other areas if they need it.

**Curt Moll:** Okay, I'm just trying to ask all of the questions. Any questions from the board? Any other comments Kim?

**Kim Blasco:** Attorney Nader covered almost everything, those were my comments. I'm fine with the minimum 30' setback. 40' would give them a little more room in the front when they go to build individual homes.

**Curt Moll:** Some of these back up against Rte. 11 so I would think that they would want to crowd forward as much as they could.

**Kim Blasco:** Yes, good point. No extruded curb, we are not going to ask them to put in under drains. I'm not a fan of under drains, long term they just don't work. It's a tradeoff. I'd rather see the 18" curb that will last long term verses the under drains that... We are not going to see a lot of benefit from under drains. I asked about a different typical section; the typical section that we have in our subdivision regulations... I want to make sure that we have enough surface so that when we go in to resurface this area, we at least have 1.5in. to take off, to put back. And then that we have enough intermediate course to support that as well. I'm an advocate of 304, which is very compactable, it's good material. Our typical section that was developed in '95 maybe or in the 90's; It's asking for larger stones, 1s and 2s. I'd rather see a 304 compactable solid base to build this road. It's not much difference in cost so this is pretty typical of Trumbull and Mahoning County typical sections. My only other comment is that I want to make sure that each lot has its own downspout outlet. Whether it be to a catch basin, a storm sewer, and that it is on the same side of the street. No downspouts will be running across the street or under the street. Downspouts don't last forever. If something would need to be replaced, I want to make sure that people have the ability to replace their own if they would get plugged up for any reason.

**Curt Moll:** We require those to be submerged, to go underground into the storm sewer?

**Kim Blasco:** Yes, all storm sewers are underground, all downspouts. Everything needs to go to an underground storm sewer. All these downspouts go to storm sewers which ultimately go to a pond. That summarizes all of my comments. I did ask for a different name if possible. There are a lot of Walnut Runs in the area.

**Tom Nadar:** We do have a name, Rock Springs Reserve.

**Kim Blasco:** I like that, works for me.

**Curt Moll:** If there are no more questions, I will ask for a roll call please.

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**Roll Call: Brian Hodor, yes; Sally Lane, yes; Don Bell, yes; Don Fatobene, yes; Curt Moll, yes. MOTION APPROVED.**

**Curt Moll:** Next we have, **08-23 Set Public Hearing** - The purpose of the hearing is to consider a Request for Zone Change for Parcel # 34-107995 Niles Cortland Rd. from R-15 (Residential District) to Highway Commercial District. **Hearing to be set for March 13, 2023 at 6:45 p.m.** Can I have a motion please.

A motion was made for **08-23 Set Public Hearing** – by **Don Bell** and seconded by **Don Fatobene**.

**Kim Blasco:** This property is the hairdresser. When it was annexed, there was never a zone change. Right now, it is zoned R-15. They have a hairdresser there now that is going to remain. The person that took ownership recently has a business that he runs out of the back and he lives there. We would like to zone it properly so that he can have a business there, and live there, and be appropriate with the zoning classification. Since he just took ownership we thought that this would be the best time to do this.

**Curt Moll:** Yes, I agree and Highway Commercial is probably the best choice at that location.

**Kim Blasco:** There are still a lot of options under Highway Commercial but it still gives him the option to live there and have an apartment.

**Curt Moll:** That's really good. I need a motion.

**Roll Call: Brian Hodor, yes; Sally Lane, yes; Curt Moll, yes; Don Bell, yes; Don Fatobene, yes. MOTION APPROVED.**

**Kim Blasco:** Now downtown Central Business District. We are looking at downtown West Main. Right now it is all zoned Service. We have residential homes down there, it's a big mix. We would like to have a little more control over the types of businesses that go down there. Service is unlimited. We can't really limit anyone opening whatever down in that area. Zoning it to Central Business District is more limited than Highway Commercial. It sort of falls into the 'Mom and Pop shops' that we are looking for and people can still have apartments above these business locations. They can still be zoned properly if they have a single-family home down on that street.

**Curt Moll:** Plus, they can rebuild if anything happens. Right now, they can't.

**Kim Blasco:** This is true. Technically, no because it's Service.

**Curt Moll:** These buildings don't comply with the setback requirements of Service. We've talked about doing this a long time ago.

**Don Fatobene:** Were there any perceived negatives to it?

**Curt Moll:** They are going to think that we are trying to pull something on them. It's just natural.

**Kim Blasco:** Yes, but I feel that it would be in their best interest. Overall, it's zoned more appropriately. (Agreement from board.) It would bring similar types of businesses down to that area as to what we already have and similar construction.

**Curt Moll:** Similar construction is what I was most concerned about. Downtown looks kind of disorganized and it could be better. This takes all of the properties whether they are houses or not, or just the business properties?

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**Kim Blasco**: Everything down in that area.

**Curt Moll**: Do we really want to do that with those homes along there?

**Kim Blasco**: They are zoned Service now so it would allow him the proper zoning to have a single-family home.

**Curt Moll**: That's true. How far east does it go?

**Kim Blasco**: To High Street.

**Patrick Wilson**: Didn't someone throw a map together?

**Kim Blasco**: Christine has a rough one. (showing a map)

**Curt Moll**: The area between Grove and High does not appear to be a downtown area to me.

**Kim Blasco**: There are some businesses there.

**Don Fatobene**: Yes, you have the barber shop, Montgomery's chiropractor office...

**Curt Moll**: Those two on the north side but nothing on the south, it's all residential. I don't know, you might get some push back from those folks.

**Kim Blasco**: That's why we are talking about it.

**Curt Moll**: At this point it's Service...

**Kim Blasco**: It's more for, if anything is changing hands, then it gives us a little more control of what we see go down there.

**Curt Moll**: We could have legally gone after people who have sold their properties or when vacancies have occurred in rentals, told them that they can't rent them. It's not permitted in that area.

**Kim Blasco**: Right. I actually did tell someone that in that area. I understood that's what the rule was. It's zoned Service, you shouldn't be living there, it has changed hands...

**Patrick Wilson**: That is the rule...

**Curt Moll**: But we have not enforced it.

**Patrick Wilson**: Correct.

**Kim Blasco**: So, it went back to past practice, and it remained.

**Curt Moll**: This would allow it to continue without any question of the rules.

**Kim Blasco**: Correct. There are a lot of downtown areas, not just us, that have rentals above businesses.

**Curt Moll**: Yes, it is common.

**Kim Blasco**: Does anyone else have any concerns, questions, or reservations about us changing that?

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**Brian Hodor**: Was the recommendation from Don Moore's committee?

**Curt Moll**: Yes, essentially. Is it being spearheaded by Jeffrey?

**Kim Blasco**: No, he sat in on the meeting but I don't think that it's being spearheaded by him.

**Curt Moll**: Okay, he's just the one that brought it to me. I don't think that I have any more comments for the record. Anybody else? Okay, I call for a motion to adjourn.

A motion was made for **adjournment** by **Don Fatobene** and seconded by **Sally Lane**.

**Roll Call**: **Don Fatobene, yes; Sally Lane, yes; Brian Hodor, yes; Curt Moll, yes; Don Bell, yes. MOTION APPROVED.**

**Meeting Adjourned: 7:27 pm**

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date

\_\_\_\_\_  
Secretary