

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON PUBLIC HEARING Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, August 19, 6:45 p.m., 2002
(YEAR)

CALL TO ORDER:

The public hearing was called to order Monday, August 19, 2002 at 6:45 p.m., by President of Council Jon Snyder.

Council members present for the public hearing: Foltz, Kiesling, Lindower, Magel, McLaughlin, Osborne and Snyder. Also present were: Mayor Rice, Director of Administration Held and Director of Law Batista.

Mr. Snyder: The hearing is with regard to a zoning determination for the recently annexed territory known as Oakshire Place #4 in the City of North Canton. The Planning Commission on its meeting voted I think 4 to 1 to zone it as reported. Chairman Kiesling do you want to...

Mrs. Kiesling: Yes. I'm just going to read what they sent over and then we can look at the map and talk about it. "Existing Plain Township R-1 zoning to become North Canton R-70 zoning. Existing Plain Township R-2 zoning that is located within the platted Oakshire Place #4 subdivision to become North Canton R-70 zoning. Existing Plain Township R-2 zoning that is not located within the platted Oakshire Place #4 subdivision to become North Canton R-2F zoning" - I'll explain that. "Existing Plain Township B-2 zoning to become North Canton GB-B zoning." If you look at your Plain Township - your proposed (oh gosh I don't have both my maps) my Plain Township - thanks, I grabbed both my other maps - there you go. When you're looking at Oakshire 4, when they go down to the second one that is located within the platted Oakshire #4, they're talking about Oakshire 4 which is the allotment when they talk about that. And when they talk about zoning that is not located within the platted Oakshire #4, it's outside the allotment which can become a little confusing. A couple weeks ago I had called to get maps because I went on vacation last week and Jim brought over the correct maps so I had the right map. Unfortunately the office sent over the wrong maps this past week to put in our packets. So a few of you received the wrong maps but the corrected maps are here. It was a little confusing today. Gail and I were on the phone for probably 10 minutes trying to figure out the difference between my map and her map and we had the same map. No wonder we couldn't figure out the difference. And then I realized Jim had brought the right map to me and wrong map was you know...

Mr. Lindower: What's the difference?

Mrs. Kiesling: It was an interesting day. Oh my god. Anyway so what we're - what the Planning Commission had decided was changing or keeping the - their - Plain Township's R-1 turning it into our R-70 zoning, which is residential in the allotment area. Then we're going to split off their R-2 and keep part of our allotment as R-70 cause those are homes and slice it off into our's R-2F, just so everybody can see. And that's where the mistake is made in the one map that was in some of your packets. And then up in the little corner we're also going to - they changed it a little bit, the frontage on Orion they're just going to keep a little rectangular square R-2F. That is actually a duplex owned by a man named Cameron Inc., it's a commercial retail - he uses it as a duplex. And then the land that it's also - it's like a lot on a lo, the other lot that we'll be zoning GB-B is actually a home but it has but it has businesses in the middle in the home. So that will be zoned GB-B as well as the rest of that nice chunk.

Mr. Osborne: That's that house that they moved to that spot isn't it?

Mrs. Kiesling: Yea I think so. So that will be concurrent with Plain Township's B-2, which is business. And I think we've got it straight. Planning Commission decided to leave it even though that little R-2F up there is a spot zone. They decided to leave it that way because that's how it came to us. They don't want to make changes because as a policy we try not to make changes. If this current land owner comes to us and wants to you know - he'll have to come to us to ask us to change it in the end if that's what he wants. He was happy with it that way anyway so it's fine. Anybody here wishing to speak for the zone change - zoning? Seeing none.

Mr. Snyder: My only question is on that residential multi family that we're changing, that does prohibit the development of those condos from that...

Mrs. Kiesling: Correct.

Mr. Snyder: They're not able to put those in there are they?

Mrs. Kiesling: No. They are safe from development...

Mr. Snyder: Because I know that went to...

Mrs. Kiesling: which is what they wanted.

Mr. Snyder: they went to referendum, yea.

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Mr. Foltz: Jon you taking about the R-2?

Mrs. Kiesling: Yea, because the R-2 in Plain is...

Mr. Foltz: It's R-2F.

Mrs. Kiesling: Yea.

Mr. Snyder: Yea.

Mr. Foltz: Well I thought that was going to be a buffer anyway.

Mr. Snyder: Yea, but I mean...

Mr. Foltz: But you can still build them in GB-B. But that has yet to be worked out with the neighbors and - cross that bridge till we have to.

Mrs. Kiesling: A little more complicated.

Mr. Snyder: Yea and they - are they comfortable up there Doug or are they little dubious?

Mr. Foltz: I think there needs to be some compromise between the residents and the and the developer if it's going - if there is going to be any compromise. The danger in fact is going to be what can be installed there in GB-B versus these -these - we'll call them still condos - whatever you want to call them.

Mrs. Kiesling: Right.

Mr. Foltz: That's the danger I see. I mean...

Mr. Snyder: Of course we're kind of married to the GB-B because it would be reverse condemnation if we went the other direction.

Mr. Foltz: Yea.

Mrs. Kiesling: Exactly.

Mr. Snyder: But we'll have to keep an eye on that because I know those people in that area have some very pretty homes and they're very...

Mr. Foltz: Oh that's a gorgeous area.

Mr. Snyder: Yes. They're very conscious of their...

Mr. Foltz: No doubt about it.

Mr. Snyder: They're very proactive up there so we don't want to do anything to...

Mr. Foltz: I guess what I'm saying Jon is you have to be careful if that idea is not going to work with the neighborhood, what else could possibly be built under GB-B? Would you rather have...

Mrs. Kiesling: Inaudible...

Mr. Foltz: Would you rather have a gas station in there? I don't know...

Mr. Snyder: Yea.

Mr. Foltz: All the ramifications. Would you rather have storage units there or would you rather have some type of residential development? That's my mind set.

Mr. Snyder: Yea.

Mr. Foltz: I'm here to represent the residents as best I can, but that's a possibility. So...

Mr. Snyder: Although we have, fortunately I think in our existing zoning, we're able to control the storage units because they applied for it once before there

Mr. Foltz: Right, right.

Mr. Snyder: ...inaudible...storage units. They don't have sufficient - but they could as you say build those...

Mr. Foltz: Well I guess I shouldn't say...

Mr. Snyder: Still...

Mr. Foltz: I should say any commercial development...

Mr. Snyder: Yea.

Mr. Foltz: you got to, you know...

Mr. Snyder: Yea. And that's our most liberal of all of it.

Mr. Foltz: Right.

Mr. McLaughlin: Isn't it true that some of the residents have tried to buy some of that land... inaudible?

Mr. Foltz: I think there was some offers discussed. I'm getting bits and pieces as far as what the developer discussed with certain residents.

Mr. McLaughlin: I knew there was some type of you know...

Mr. Foltz: I think they - I think the developer has good intentions. I think the residents want to protect the integrity of their neighborhood. And I don't have a problem with that obviously, you know you've got \$200,000.00 housing there and sure you want your neighborhood to be safe and...inaudible...

Mr. McLaughlin: That's true.

Mr. Foltz: But this developer has a right to build something on that site or sell it for somebody else to build it. And what's the best use of that property with all parties concerned? That's the middle ground we need to find.

Mr. Osborne: When I've talked to the people up there they're mostly concerned with transient type of housing. I think they're interested in owner occupied dwellings and if they get that in there that's - would satisfy their concerns.

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Mr. McLaughlin: I think you talked to the key person Eric up there and...

Mr. Foltz: Yea.

Mr. McLaughlin: you had made...

Mr. Foltz: I...

Mr. McLaughlin: Eric is the one who lead the dry...

Mr. Foltz: I think they're worried about setbacks and I would be too, but I think the developer's initially been generous with the setbacks.

Mr. McLaughlin: Yes.

Mr. Foltz: You know if I'm living there in my backyard I'd love to see you know if it's a 10 feet requirement I'd love to see 30 or 40. I mean how can you complain about that...inaudible. Because I think there's going to be some give and take hopefully. So we'll see how it all shakes out. I've yet to meet with all the neighbors and developer and try to sit down and iron this out. This is the next step once we pass this then.

Mr. McLaughlin: If you...

Mr. Foltz: we go on from there.

Mr. McLaughlin: need some help with Eric...

Mr. Foltz: Okay.

Mr. McLaughlin: he's a personal friend.

Mr. Foltz: Alright.

Mr. McLaughlin: I would gladly help you out...

Mr. Foltz: Thanks Rick, appreciate it.

Mrs. Kiesling: Alright we did anybody for it, right?

Mr. Osborne: Yea.

Mrs. Kiesling: And nobody stepped forward. Anybody opposed to the zoning that we're going to talk about and pass - maybe? Go ahead.

Unidentified (speaking from audience): Excuse me, if I may...inaudible...

Mrs. Kiesling: Go ahead.

Mr. Snyder: Sure. Sir, will you step forward and state your name and address for the record please? I'm sorry I don't know if we have a microphone on there do we?

Mrs. Kiesling: Oh my gosh we don't.

Mayor Rice: It's on the desk.

Mr. Osborne: Here it is right here.

Mr. Snyder: We usually have one but... Yea, that one right there.

Mr. Osborne: There's one laying right down in there Doug.

Mrs. Kiesling: Oh, I see it.

Mr. Snyder: Yea, that's the one. That must be the one that belongs there.

John Variola: Thank you. My name is John Variola. I'm an attorney and here actually on behalf of a developer. And I just have a question; I'm not really opposed or against. And I'm - unfortunately walked in just a couple minutes late. And the question is whether the council will approve the zoning as proposed by the Planning Commission? Is that correct?

Mrs. Kiesling: Yea.

Mrs. Magel: Yes.

Mr. Snyder: That's correct.

Mr. Variola: Inaudible...change...inaudible...or proposed...

Mrs. Kiesling: They did not change it from Plain Township. We just threw in our letters and numbers.

Mr. Variola: So there's no change being proposed at this point?

Mrs. Kiesling: No. We'll talk about that later on our committee meeting but I doubt it.

Mr. Variola: That's all the questions I have.

Mrs. Kiesling: If you stay you'll hear our conversation so...

Mr. Variola: Inaudible...thank you.

Mr. Osborne: I have an extra map...

Mrs. Kiesling: did you...

Mr. Osborne: of the proposed and Plain if you want to take that.

Mr. Variola: Thank you very much.

Mr. Snyder: You know right along here that..inaudible....in the right of way we should of corrected - we should of corrected that.

Mr. Variola: This is as proposed by Planning Commission, is that right?

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Mrs. Kiesling: Yea.
Mr. Foltz: Yes.
Mr. Osborne: Correct.

Mrs. Kiesling: Then the other map's the Plain Township.

Mr. Variola: Thank you very much.

Mr. Snyder: Inaudible...built in the actual right of way of the street.

Mrs. Magel: Does he have the right one I hope?

Mr. Snyder: I'm sure that...

Mrs. Kiesling: Anybody wishing - anybody opposed to those zoning that Planning has brought to us? Seeing none. Jon...

Mr. Snyder: Okay. Any other questions of the council? If not I'll entertain a motion to adjourn this public meeting.

ADJOURN:

Mr. McLaughlin moved and Mr. Osborne seconded to adjourn the public hearing. All members present voting:

Yes: Foltz, Lindower, McLaughlin, Kiesling, Magel, Osborne and Snyder.

No: 0

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL