

RECORD OF PROCEEDINGS

COUNCIL OF THE CITY OF NORTH CANTON PUBLIC HEARING

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, August 20, 6:50 p.m. 20 07

CALL TO ORDER:

The public hearing was called to order at Monday, August 20, 2007 at 6:50 p.m. by President of Council Doug Foltz.

Notice is hereby given that a public hearing will be held by the Council of the City of North Canton on Monday, August 20, 2007 at 6:50 p.m. in the Council Chamber at North Canton City Hall.

The hearing is with regard to a request for an amendment to the City of North Canton Zoning Ordinance No. 50-03m Chapter 1137 Business Districts, specifically Section 1137.03(d)(5), Schedule of Permitted Uses.

The Planning Commission, at its June 6, 2007 meeting, recommended an amendment to Section 1137.03(d)(5), to allow a drive-through facility as a conditional use in an OB (Office Building) zoning district.

Final action thereon, according to law, will be taken by the Council of the City of North Canton subsequent to the date of said public hearing.

Mr. Foltz: Give notice here of Public Hearing for Monday, August 20, 2007 at 6:50. This hearing is with regard to a request for an amendment to the City of North Canton Zoning Ordinance No. 50-03, Chapter 1137 Business Districts, specifically Section 1137.03(d)(5), Schedule of - of Permitted Uses. With that, we'll open the floor to anybody here that'd like to speak on behalf of this issue.

Mr. Lane: You have to take role, Mr. President?

Mr. Foltz: Yeah, let's take role first.

The following members of Council were present for the Public Hearing: DeOrio, Foltz, Hines, Lane, Magel, Repace, Snyder. Also present were: Mayor Held, Director of Administration Wise, Director of Finance Herr, Director of Law McFarren, City Engineer Benekos.

Mr. Foltz: Thank you Member Lane for that and as I said earlier, anyone here willing to come up and address Council on this issue. Pro or con? Okay, seeing none, is there any comments from Council?

Mr. Snyder: Mr. President, as you know, this came as a positive recommendation from the Planning Commission and presently in Office Business, which this piece of - the subject property lies within, does not allow - banks...they're on a - on a conditional use basis, so each one is considered individually and in order to change that, we would have to allow drive-throughs in all of Office Business and we've seem to have reached a compromise through the Engineer's office and Director of Permits and Inspection Hemminger, by allowing banks in Office Business to be with accessory drive-throughs on a conditional basis and that's how the recommendation - we will recommend pursuant after the Public Hearing so that it would restrict it to banks only, which will prohibit any type of fast food or health spa or anything and have a drive-through in a Office Business district. It would only allow them in a General Business - B, which is the most non-prohibitive business zoning.

Mrs. Magel: Mr. Chairman, specifically what are we changing then? I - we're not changing...

Mr. Snyder: We would change - presently it reads, banks conditionally only.

Mrs. Magel: Alright, is that 11?

Mr. Snyder: Which would not - and now we're going to add to that banks with...excuse me, accessory drive-through banks, which would allow them a drive-through window. And that would only happen in banks only.

Mrs. Magel: Alright, so we're not changing 1137.03(d)(5) we're changing...

Mr. Snyder: No, we're changing (b)(3).

Mrs. Magel: That's correct.

Mr. Snyder: And that would - that would hopefully - I know that you and Member Hines both had some concerns would we open drive-throughs...

Mrs. Magel: Yes.

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Mr. Snyder: which it would open drive-throughs to fast foods, health clubs or anything that actually had any type of drive-through accessory, and to compromise and to hopefully put to rest your fears which were well founded, we're just allowing that at banks only, conditionally, which would require anybody that would submit an application to come to Planning and ultimately come to Council for approval. So, just couldn't just capriciously go out and start building banks in Office Business areas without permission, without a reviewing.

Mrs. Magel: Right, so then it's 1137.03(b)(3).

Mr. Snyder: That's correct.

Mrs. Magel: Okay. Thank you for that.

Mr. Snyder: You're quite welcome.

Mr. Foltz: Okay, any other comments from Council?

Mrs. Hines: Well, the reason Kathy and I were that, we were just a little conservative and I – you know, Gene thought it was perfectly fine to put it in (d)(5) Office Building district conditional, but I just thought, well, let's just let the banks 'cause the banks can't really survive without a drive-through. And it may be conservative but I think it's the way to go right now.

Mr. Snyder: Well I – I concur Member Hines. I think that your concerns were well founded and this way opened it up for a little avenue that we could find common area where we could put everybody in a comfort zone so – and it satisfies both the Economic Development standard for the banks and – and your thought of the constituents that you represent.

Mrs. Magel: Thank you for that.

Mr. Foltz: Okay.

Mr. Snyder: It's not a problem, thank you. That's all Mr. President.

Mr. Foltz: Anybody else? I think that'll end the Public Hearing then. Motion to adjourn the Public Hearing?

Mr. Lane moved and Mr. DeOrio seconded to **adjourn**. All members present voting.

Yes: Lane, Snyder, DeOrio, Hines, Repace, Magel, Foltz.

No: 0

The meeting adjourned at 6:55 p.m.

ATTEST:

Gail M. Kalsac
CLERK OF COUNCIL

8/21/07 emv

[Signature]
PRESIDENT OF COUNCIL