

ST. MARYS PLANNING COMMISSION MINUTES
Regular Meeting at City Hall
Monday, April 22, 2019

MEMBERS PRESENT: Andrew Bunel, Stephen Kagay, Dennis Murphy, Scott Harmon, Terri Shwartz, and Cecilia Greene.

MEMBERS ABSENT: Peter Armesto, and Jenna Jones.

Also Present: Maurice Cordell (Zoning Administrator), and Carol Fryzelka.

The meeting was called to order by Chairman Murphy at 7:00 p.m.

The Pledge of Allegiance was recited.

The First Prayer in Congress, as modified to apply to the Planning Commission and City of St. Marys was recited.

After discussion, on a motion by Kagay, which was seconded by Harmon, to approve the minutes of the regular meeting held March 11, 2019, as presented. VOTE: AYE – Bunel, Shwartz, Kagay, Greene, Harmon, and Murphy. NAY – None. Motion carried.

After discussion, on a motion by Bunel, which was seconded by Harmon, to approve the agenda with the addition of Clarification of R-1 Uses as New Business c). VOTE: AYE – Bunel, Shwartz, Kagay, Greene, Harmon, and Murphy. NAY – None. Motion carried.

OLD BUSINESS

After discussion, on a motion by Kagay, which was seconded by Harmon, to table the review of the Comprehensive Plan. VOTE: AYE – Bunel, Shwartz, Kagay, Greene, Harmon, and Murphy. NAY – None. Motion carried.

NEW BUSINESS

- a) **Rezoning Request** – Bob Averkamp submitted an application to rezone a 0.384913-acre parcel, commonly known as 728 W. Bertrand Avenue, from the Two-Family Residential District (R-2) to the Multiple-Family Residential District (R-3), in order to conform the property to the actual use.

Cordell stated that tonight's meeting was the Preliminary Meeting, as required in Chapter 1, Article 4.100.1 of the UDC. The application was reviewed as per UDC Chapter 1, Article 10.401 and was found to be complete.

After discussion, there was a consensus for the Zoning Administrator to schedule and publish notice of a public hearing for the aforementioned zoning map amendment request.

- b) **St. Joseph's Crossing** – Carol Fryzelka owns the undeveloped land in the Wildwood Terrace Addition, commonly referred to as St. Joseph's Crossing. Fryzelka stated that the property is zoned as a Planned Unit Development (PUD), and the developer intended to have more condominium units, but that it never materialized. She is now interested in developing the land in to single-family lots.

Amending the PUD and rezoning the property to Single-Family Residential (R-1) was discussed. UDC Section 16.106.2 stipulates how changes to a PUD are administered and if it is a major change, which is a change that alters the concept or intent of the PUD, it requires complying with all of the PUD 16.104/16.105 information requirements. UDC Section 16.106.2.b) gives the PC the ability to say that a change is a minor change if the change is not listed as a major change. The aforementioned sections of the UDC were reviewed.

Then Section A Purpose of a document entitled *Wildwood Condominium Residential Planned Unit Development* was reviewed and reads as follows: **1. The purpose of this development is to provide moderate density family neighborhood that is free from, commercial and industrial activity. No conditional uses are allowed.**

Then Section B Permitted Uses of a document entitled *Wildwood Condominium Residential Planned Unit Development* was reviewed and reads as follows: **Single family dwelling in duplex or triplex configuration with each living unit having an enclosed garage.**

After discussion, on a motion by Harmon, which was seconded by Kagay, to consider the development of single-family residential lots to the PUD as a minor change, when compared to the stipulations set forth in Chapter 1, UDC 16.106.2, and does not violate the spirit of the *Wildwood Condominium Residential Planned Unit Development*. VOTE: AYE – Shwartz, Kagay, Greene, Harmon, and Murphy. NAY – Bunel. ABSTAIN – None. Motion carried.

Background of the Wildwood Terrace Addition – not presented at the meeting:

In 1975, Lloyd and Shirley Rodenbaugh & Charles and Agnes DeLeye platted the three block 27-lot Wildwood Terrace Addition. In 1999, Lots 1-3 of Block A, Lots 5-9 of Block B, and Lots 1-3 of Block C were replatted, with lot 2D of the replat consisting of a vacated portion of the North 7th Street easement. Lot 1D of the replat was rezoned from Single-Family Residential (R-1) to Planned Unit Development (PUD) via Ordinance No. 1093, in order to accommodate the construction of a proposed 21-unit condominium complex. (In 2007, a replat of lot 1 was discussed, but no action was taken.)

- c) **Clarification of R-1 Uses** – Cordell received a letter asking for clarification and/or a change to UDC Chapter 1, Article 11.101.2g and 2m. After discussion, there was a consensus for the Zoning Administrator to discuss the matter with the City Attorney. If a change was needed there was a consensus for Cordell to set up a public hearing for the proposed changes.

Zoning Administrator Update: none.

As there was no further business, at 8:13 p.m. the meeting was adjourned, on a motion by Harmon, which was seconded by Greene. VOTE: AYE – Bunel, Shwartz, Kagay, Greene, Harmon, and Murphy. NAY – None. Motion carried.

_____ Date _____
Zoning Administrator

ST. MARYS PLANNING COMMISSION MINUTES
Regular Meeting at City Hall
Monday, August 10, 2020

MEMBERS PRESENT: Dennis Murphy, Scott Harmon, Jenna Jones, Stephen Kagay, Cecilia Greene, and Andrew Bunel.

MEMBERS ABSENT: Terri Shwartz

Also Present: Maurice Cordell (Zoning Administrator), Joe Syrokosz, and Carol Fryzelka.

The meeting was called to order by Chairman Murphy at 7:01 p.m.

The Pledge of Allegiance was recited.

The First Prayer in Congress, as modified to apply to the Planning Commission and City of St. Marys was recited.

After discussion, on a motion by Jones, which was seconded by Harmon, to approve the minutes of the regular meeting held August 12, 2019, as presented. VOTE: AYE – Greene, Harmon, Jones, Bunel, Kagay, and Murphy. NAY – None. Motion carried

After discussion, on a motion by Jones, which was seconded by Harmon, to approve the agenda as presented. VOTE: AYE – Greene, Harmon, Jones, Bunel, Kagay, and Murphy. NAY – None. Motion carried

OLD BUSINESS

Permitted Uses (R-1) – after discussion Harmon made a motion, which was seconded by Jones, to table this item. VOTE: AYE – Greene, Harmon, Jones, Bunel, Kagay, and Murphy. NAY – None. Motion carried

NEW BUSINESS

St. Joseph's Crossing – Carol Fryzelka stated that she owns the undeveloped land in the Wildwood Terrace Addition, commonly referred to as St. Joseph's Crossing. She stated that the property is zoned as a Planned Unit Development (PUD), and that the developer intended to have more condominium units than there are now, but that it never materialized. At the 4-22-19 planning commission meeting she asked to be able to short-plat the vacant land for single-family residential lots. At that meeting the planning commission okayed her request because it was determined that the development of single-family residential lots to the PUD was a minor change, when compared to the stipulations set forth in Chapter 1, UDC 16.106.2, and that it does not violate the spirit of the *Wildwood Condominium Residential Planned Unit Development*.

Since then, Fryzelka has learned that the single-family residential lot concept was not feasible, due to the cost of the road. As a result, she has been working on selling the vacant land to Joe Syrokosz.

Cordell stated that since the land is already zoned PUD, and Syrokosz has met with the city's department heads, the next step in the process is the Pre-Application Conference with the Planning Commission, as per UDC Chapter 1, Article 16.103.3ii, and that no formal action may be taken by the Planning Commission at this meeting.

Syrokosz distributed a document entitled "Proposal for new use of empty land," as well as a sketch of the proposed development that illustrated the improved street, parking, drainage, and location of the city utilities. Amongst other things, he is proposing five 4-plexes, a single-family lot on the north side of the property at the entrance off of K-63, and that the road go through from K-63 to North 7th Street.

After discussion, Cordell indicated that the next step was for he and the city's department heads to review the documents submitted by Syrokosz, as per the Pre-Application Document Review (Chapter 1, Article 16.103.3iii).

Syrokosz stated that he intends to request a public hearing for his Conceptual Plan at the Monday, August 24, 2020 Planning Commission meeting. (Chapter 1, Article 16.103.4b).

Elect a Chairperson

Chairman Murphy asked for nominations for **Chairman of the Planning Commission**. Bunel nominated Murphy. Harmon nominated Greene, but Greene declined. Murphy asked again for nominations for Chairman, and hearing none he closed the nomination process. Murphy asked for a motion. On a motion by Bunel, which was seconded by Kagay, to appoint Murphy to serve as Chairman of the Planning Commission. VOTE: AYE – Greene, Harmon, Jones, Bunel, Kagay, and Murphy. NAY – None. Motion carried. Murphy was appointed as Chairman.

Elect a Vice-Chairperson

Chairman Murphy asked for nominations for **Vice-Chairperson of the Planning Commission**. Kagay nominated Greene. Murphy then asked two additional times for nominations for Vice-Chairperson and hearing none he closed the nomination process. Murphy asked for a motion. On a motion by Harmon, which was seconded by Kagay, to appoint Greene to serve as Vice-Chairman of the Planning Commission. VOTE: AYE – Greene, Harmon, Jones, Bunel, Kagay, and Murphy. NAY – None. Motion carried. Greene was appointed as Vice-Chairman.

PC Representative to the BZA

Chairman Murphy asked for nominations for the **Planning Commission's representative to the Board of Zoning Appeals**. Kagay nominated Bunel. Murphy asked two additional times for nominations and after hearing none closed the nomination process. Murphy asked for a motion to appoint Bunel to serve as the Planning Commission's representative to the Board of Zoning Appeals. On a motion by Kagay, which was seconded by Jones, to appoint Bunel to serve as the Planning Commission's representative on the Board of Zoning Appeals.

St. Marys Subdivision No. 18

Cordell presented the proposed preliminary plat of St. Marys Subdivision No. 18. Concern was expressed about whether or not the project would cashflow. Several of the planning commission members asked for detailed cost estimates for the project. After discussion, Cordell was directed to set a public hearing for the proposed plat when needed.

Zoning Map

Cordell presented a memo that he had sent to the city commission, dated July 21, 2020, regarding several areas on the zoning map that need to be corrected. After discussion Cordell was directed to contact the residents of the Simecka Subdivision regarding their zoning preference(s), and then set the necessary public hearing(s) to address the zoning issues addressed in his memo to the city commission.

Accessory Dwellings

Stephen Kagay distributed four pages of a document entitled, “Model Code for Accessory Dwellings.” After discussion, the item was carried over to the next regular Planning Commission meeting.

Zoning Administrator Update: next regular meeting is Monday, August 24, 2020.

As there was no further business, at 8:18 p.m. the meeting was adjourned, on a motion by Harmon, which was seconded by Jones. VOTE: AYE – Greene, Harmon, Jones, Bunel, Kagay, and Murphy. NAY – None. Motion carried.

_____ Date _____
Zoning Administrator