

CITY OF NORTH CANTON, OHIO

PLANNING COMMISSION

IN RE:)
)
 PLANNING COMMISSION)
 MONTHLY MEETING)
)
) **TRANSCRIPT OF PROCEEDINGS**
)

Transcript of Proceedings before North Canton
 Planning Commission, taken by the undersigned, Shannon
 Roberts, a Registered Professional Reporter and Notary
 Public in and for the State of Ohio, at the offices of
 North Canton City Hall, 145 South Main Street, North
 Canton, Ohio, on Wednesday, the 1st day of August,
 2018, at 7:11 p.m.

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APPEARANCES:

- Thomas Serra, Chairman
- Jamie McCleaster
- Eric Dalpiaz
- Timothy Fox, Director of Law
- Patrick DeOrion, Director of Administration
- John Stigalt, Chief Building Officer
- Angela Kendrick

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1 MR. SERRA: We'll call this meeting to
2 order, the Planning Commission of July 11 --
3 or August 1st, sorry. August 1st, 2018.

4 Can we have roll call?

5 MS. KRENDICK: Mr. Serra.

6 MR. SERRA: Present.

7 MS. KRENDICK: Mr. Dalpiaz.

8 MR. DALPIAZ: Present.

9 MS. KRENDICK: Mr. McCleaster.

10 MR. MCCLEASTER: Here.

11 MS. KRENDICK: Let the record also show
12 Mr. DeOrio, Mr. Stigalt -- and Mr. Fox will
13 be returning -- is also in attendance.

14 Mr. Flechtner and Mr. Volas are absent
15 this evening.

16 MR. SERRA: Thank you. The first item on
17 the agenda is the meeting minutes of July 11,
18 2018.

19 (Whereupon, Mr. Fox enters the room.)

20 MR. SERRA: Has anyone had a chance to
21 review that?

22 MR. MCCLEASTER: I move that we accept
23 the meeting -- or the minutes as presented.

24 MR. DALPIAZ: I second that motion.

25 MR. SERRA: Roll call.

1 MS. KRENDICK: Mr. McCleaster.

2 MR. MCCLEASTER: Yes.

3 MS. KRENDICK: Mr. Dalpiaz.

4 MR. DALPIAZ: Yes.

5 MS. KRENDICK: Mr. Serra.

6 MR. SERRA: Yes.

7 Okay. The only item we have on the
8 agenda tonight is a proposed site plan for
9 624 South Main Street, Lot Number 58, in
10 North Canton.

11 John, can you give us a review on this?

12 MR. STIGALT: Yes, Mr. Chairman. Yeah,
13 the applicant is conceptually asking, I
14 believe, for approval from this Planning
15 Commission for a parking area to be created,
16 to help alleviate parking issues for his adjacent
17 property that he owns, for the three tenants
18 that he has, and staffs the Sweets bakery and
19 I believe the tailor shop.

20 The engineering department and my
21 department have reviewed this. And we'd like
22 to see this go through. We could work out
23 some of the small details that are involved
24 as building zoning issues. But,
25 conceptually, it fits the -- it fits the

1 zoning and will help alleviate the parking issues
2 for his tenants.

3 MR. FOX: So, John, what comes up a lot
4 is the -- the space for the parking spots.
5 And our standard is 10 by 20. So the concept
6 that we have here, are these 10 by 20?

7 MR. STIGALT: Yes. He has it marked out.

8 MR. MCCLEASTER: Actually, can I ask a
9 question? Which -- what is the area or the
10 scope of what we are discussing this evening?
11 I have this drawing from Hammontree. It's
12 marked, 18 by 24. Are we approving the
13 entire piece here, or is there just a certain
14 portion?

15 MR. STIGALT: My understanding, the
16 applicant wants the parking area, along with
17 this proposed patio seating, to be looked at
18 by the Planning Commission, so that we could
19 get the parking addressed --

20 MR. MCCLEASTER: Because I guess -- I'm
21 sorry, John. I was going to say, to address
22 the question about the parking, there are
23 several spots, from a visual inspection, an
24 on-site inspection, that are not 10 feet. So
25 I guess I have concerns as far as that goes.

1 So I question the accuracy of this drawing.

2 And those spots that I'm referring to are
3 ones that are directly -- they are off of
4 Baker Court; four in the back, directly
5 behind the building there. To answer the
6 question that was asked, they are not 10 feet
7 wide.

8 MR. STIGALT: Again, those -- excuse me,
9 my understanding is those were existing. I
10 was really dealing with the area that's on
11 lot number 58.

12 MR. MCCLEASTER: Oh.

13 MR. FOX: I think for the ones in the
14 rear, like, where the alley goes --

15 MR. MCCLEASTER: Yes.

16 MR. FOX: -- goes through, those belong
17 to the tenants at the -- there is a garage.

18 MR. MCCLEASTER: Right.

19 MR. FOX: And I do believe --

20 MR. MCCLEASTER: I agree it's --

21 THE REPORTER: I can't hear.

22 MR. MCCLEASTER: They are listed on here
23 as having four spots, and I believe its
24 showing me three spots. Those spaces are 34
25 feet wide.

1 MR. SERRA: We'll ask the representative,
2 because I -- you might be right. It's for
3 the two-story house.

4 MR. MCCLEASTER: Okay.

5 MR. FOX: Right. Right.

6 MR. SERRA: So we would not consider
7 that.

8 MR. MCCLEASTER: We'll have to take
9 that --

10 MR. SERRA: Correct.

11 MR. MCCLEASTER: Okay.

12 MR. SERRA: Anything more, John?

13 MR. STIGALT: No, that's -- that's it.

14 MR. SERRA: Did the fire department
15 review this?

16 MR. FOX: We spoke with -- by "we," I
17 mean the administrator and I spoke with the
18 fire inspector, Gary Coen, on the drawings
19 that you see tonight. And he had looked
20 those over and said that he has no issues or
21 concerns with the plans.

22 So, normally, we have a letter, I
23 believe, or something along those lines. But
24 we did speak with him Monday on the issue we
25 are speaking, and said, by the way, we

1 haven't heard from you. And the
2 administrator had the drawing, laid it out,
3 and made sure he had an opportunity to look
4 at this. And if you have any concerns, we'll
5 see if we can resolve them. He didn't have
6 any concerns with the current plans.

7 MR. SERRA: Okay.

8 MR. FOX: Correct?

9 MR. DEORIO: That is correct.

10 MR. SERRA: So we have a section on
11 outdoor seating area. Do you remember which
12 section that's in, for the patio seating?

13 MR. STIGALT: No, I don't.

14 MR. FOX: I'll be right back.

15 (Whereupon, Mr. Fox leaves the room.)

16 MR. SERRA: I know there are requirements
17 based on the square foot. I'll get the
18 information, if he finds it.

19 MR. MCCLEASTER: Outdoor dining, looks
20 like 1145.06. There is a table.

21 MR. SERRA: Thank you.

22 MR. MCCLEASTER: Is that what you are
23 referring to?

24 MR. SERRA: I apologize to the general
25 public. We didn't know anything about the

1 outdoor seating. So I want to make sure that
2 if we are approving this, or not approving,
3 that we have researched it thoroughly.

4 MR. MCCLEASTER: The outdoor --

5 MR. SERRA: Okay. Table 1137.03, outdoor
6 dining is permitted in the general business
7 district.

8 MR. MCCLEASTER: Is that a conditional
9 use?

10 MR. SERRA: Conditional.

11 MR. OSBORNE: 1137 what?

12 MR. SERRA: 1137.03 is the table.
13 1137.08.

14 MR. MCCLEASTER: 1137.08, you said?

15 MR. SERRA: That's what I said. Can you
16 find anything?

17 MR. MCCLEASTER: No.

18 (Whereupon, Mr. Fox re-enters the room.)

19 MR. FOX: This is 1145.07(n), and it's in
20 the area for conditional uses, but it does
21 kind of spell out some requirements for
22 outdoor dining.

23 MR. SERRA: So in the Section 1145.07,
24 for outdoor dining, shall comply with the
25 following: Number one is the facility shall

1 be used in conjunction with, and is under the
2 same management and exclusive control of, a
3 restaurant located on the same or contiguous
4 property; two, the outside seating capacity
5 shall not exceed 25 percent of the restaurant
6 seating capacity.

7 The facility shall not interfere with the
8 public right-of-way. The Planning Commission
9 shall determine to what extent, if any, such
10 use may encroach upon the public
11 right-of-way. Number 4, noise shall be
12 adequately controlled to ensure that patrons
13 do not create a nuisance.

14 Thank you for that.

15 MR. FOX: You are welcome.

16 MR. SERRA: And you thought it was in --

17 MR. FOX: It's just in a -- in a unique
18 spot. Probably wouldn't think of conditional
19 uses. But kind of in the same way, even
20 though it's a permitted use, I think it's
21 reasonable to have similar guidelines. And
22 even with the overall Main Street business
23 district, I think seating, as well, will come
24 into play when you are looking at the overall
25 limitations of the space that's available for

1 businesses to utilize.

2 In many situations, the way the -- it's
3 set up is to grant some reasonable relief, so
4 long as you are -- feel comfortable with the
5 health, welfare, and safety of what you are
6 approving. You are not bound by those really
7 rigid guidelines for parking and outside
8 areas where it's dependant upon the square
9 footage, the number of seats, and so forth.
10 It grants you the -- the latitude that the
11 Commission was looking for in the past, some
12 areas such as with the church parking lot.

13 MR. SERRA: Okay. Thank you. Do we have
14 a representative for this here tonight?

15 MR. YOUNG: Excuse me?

16 MR. SERRA: Yes. Can you approach?

17 MR. YOUNG: Oh, sure.

18 MR. SERRA: Your name and address.

19 MR. YOUNG: Yes. Thank you. Good
20 evening. Peter Young. I am a principal of
21 MJA Realty that owns the south property,
22 where the Pav's Creamery and the south side
23 of Pearl is.

24 And we are under contract to purchase
25 Jeff's Automotive. The last time we were

1 here, it was -- we had a license agreement
2 with Jeff's, which is kind of complicated.
3 Jeff's -- the property has gone into
4 bankruptcy, and so we have been working with
5 both Jeff and the trustee on a purchase. So
6 we are under contract, and we are just
7 finishing the environmental due diligence on
8 the property. And if all goes well, nothing
9 comes back too scary, we hope to close before
10 the end of -- as soon as possible, before the
11 end of -- end of September. So that
12 simplifies matters, anyway, for us to be able
13 to -- to control both -- both properties.

14 When we were here, again, last year, too,
15 you had asked us to -- you approved the
16 previous plan, but asked us to come to --
17 once Pav's had enough traffic data through
18 its busy season, you asked us to come back
19 and review those numbers with the -- with
20 you, as well as, if warranted, provide a
21 revised plan. So this is the updated plan.

22 And as you correctly note, it involves
23 both the overall parking on Jeff's lot, 35
24 spaces, as well as the patio -- what we did
25 is moved most of the spaces that were against

1 the -- are against the north wall of Pav's
2 right now, moved them to the side, toward
3 Pearl, to create a rustic dining experience
4 for -- for Pav's customers.

5 We -- mainly because we noticed people
6 like to eat ice cream outside. And a lot of
7 people were taking their ice cream and just
8 standing in the -- in the parking lot. So if
9 we could create a -- solve the parking issue,
10 while creating the -- sort of a nicer
11 atmosphere for Main Street dining, that was
12 the -- that was our objective and Pav's
13 objective.

14 And in both the parking issue and the --
15 and in the patio dining, obviously, we'll
16 follow precisely the city codes and
17 requirements, working with -- with the
18 licensing department, the permit department,
19 and engineering.

20 And having said that, we have got this
21 particular plan. This is substantially more
22 parking space than we need, based on the
23 highest traffic, turning of the months -- the
24 highest traffic months.

25 THE REPORTER: "Highest traffic" --

1 MR. YOUNG: So June and July are -- are
2 Pav's highest traffic months. We have
3 collected the data of that traffic. The --
4 before 4:00 in the afternoon, there is no
5 overflow parking required. At 4:00, the
6 average is twelve cars. So -- and we have
7 got 49 spaces total on the plan. So 4:00, we
8 have four cars. 5:00, sixteen, on average,
9 cars. 6:00, on average, 23. This is June
10 and July. At 7:00, 32 cars, on average.
11 8:00, 33. 9:00, 18.

12 So as you have seen, obviously, Pav's is
13 a popular place, thankfully. And even
14 without this organized plan, we have managed,
15 you know, to safely get through the peak
16 summer months. And once we execute this
17 plan, if it's approved by the Commission, it
18 will just make it all the more sort of
19 organized and clean and address the --

20 MR. FOX: Some of the spots that I noted,
21 we have the -- as you said, the Alfresco, the
22 outside dining. Main Street Grille has some
23 in the rear, as well as some tables right out
24 front on Main Street. The -- the ice cream
25 parlor at Giant Eagle plaza has some, along

1 with the -- the health food --

2 MR. MCCLEASTER: BAM.

3 MR. FOX: BAM. That's right there. They
4 share some out -- outdoor dining spots, as
5 well as Starbucks has some spots there,
6 outside dining.

7 MR. YOUNG: And the Sprinkle City Sweets,
8 little bakery there that took over the --

9 THE REPORTER: I'm sorry, Mr. Young, I
10 can't hear you.

11 MR. YOUNG: Oh, sorry. Sprinkle City
12 Sweets, the new bakery that took over Deli
13 Ohio space, will also have access to the
14 added dining, as well.

15 MR. SERRA: Mr. Young, you are
16 representing -- I'm sorry -- JCLR?

17 MR. YOUNG: No. No. No. I'm with MJA.

18 MR. SERRA: MJA?

19 MR. YOUNG: MJA.

20 MR. SERRA: Okay. So you're --

21 MR. YOUNG: So JCLR is the bankrupt
22 entity that owns -- that currently owns
23 Jeff's.

24 MR. SERRA: But MJA Realty does not own
25 it yet?

1 MR. YOUNG: No. We are under contract.

2 MR. SERRA: So --

3 MR YOUNG: We have it under contract.

4 MR. SERRA: Aren't we a little bit
5 premature on this?

6 MR. YOUNG: Well, the -- the --

7 MR. SERRA: How can we really
8 analyze this? Because one of the questions
9 that's going to be asked of you is what are
10 you doing with that lot. What is -- is the
11 gas station going to be kept as is? Are you
12 looking at doing something else?

13 I mean, we're kind of like -- I get it.
14 I mean -- I go to Pav's all the time. But
15 this gives you, like, 43 cars. We did ask
16 you to come back. You're saying you have, at
17 your peak, 33. That's great. But we have no
18 idea what is going to go in on this lot if
19 you acquire it.

20 MR. YOUNG: Right. Right. Correct.
21 Well, the first issue as to whether it's
22 premature, no, because the license agreement
23 we still have -- we have with JCLR is still
24 in effect. And we pay; we give monthly
25 checks to -- send our monthly checks to Jeff

1 and JCLR, and he cashes them. So -- and that
2 agreement actually transfers to any buyer,
3 future buyer, unless the bankruptcy court
4 decided to, you know, wait for some reason.

5 MR. SERRA: And do we have that on file
6 currently?

7 MR. YOUNG: Yes. In last year's file, it
8 was attached to the -- last year's package,
9 that license agreement. So the license
10 agreement is in effect, essentially, for 15
11 years, I think, no matter who owns the
12 property. Once we own the property,
13 obviously, it doesn't matter. It just -- I
14 mean, it matters to us, but as of today, we
15 still send monthly checks to -- to JCLR and
16 Jeff's.

17 So this is -- us coming and presenting
18 the updated plan is consistent with what our
19 instructions were last year from you, to come
20 back with traffic numbers, to see -- because
21 we wanted to actually -- you know, less
22 spaces, and you said come back --

23 MR. SERRA: I understand that. And --
24 but you are also asking us to -- to approve a
25 final site plan that's in front of us. So

1 the question I have is: What is your intent
2 of the building that you are acquiring?

3 MR. YOUNG: Right. Yeah, we -- we are
4 not asking you to decide on anything about
5 the building. Once we own -- all we care
6 about right now is solving the parking issue.
7 So once we own the property, we are then
8 going to figure out how we can utilize the
9 building, and then we'll work with the City
10 in -- in the best way to do that.

11 And, obviously, if it's -- it's some use
12 that requires nighttime traffic, obviously,
13 we are going to have to -- we are going to
14 come back to you with an updated parking
15 scheme. But right now, all we -- we are not
16 trying to -- we are not trying to solve that
17 problem. We are going to have to come back
18 to you later when we own the property and
19 have an actual development plan, which we
20 don't have right now.

21 So all we are trying to do is -- is fix
22 the parking -- the overflow parking issue
23 based on the license agreement we have with
24 JCLR right now.

25 MR. DEORIO: This is not a final site

1 plan.

2 MR. YOUNG: Right.

3 MR. DEORIO: This is a proposed
4 conceptual parking plan. If they want to
5 develop that building, they would have to put
6 together a developmental plan for the
7 construction, or they may tear the structure
8 down. We are still waiting on the
9 environmental reports as it relates to that.
10 But in talking with John here on the sidebar,
11 this is not a final site plan.

12 MR. SERRA: Okay. That's good to know,
13 because the information that's provided to us
14 is check final development plan, site plan.
15 So that's -- that's good to know. We are
16 not -- okay.

17 MR. MCCLEASTER: As far as -- since we
18 are talking about just parking, as opposed to
19 a whole entire site plan, you have these
20 additional 15 spaces off of Baker Court. Is
21 it your intention to -- to utilize that
22 now -- I mean, I drive by there, and there is
23 almost always cars over there. So is it your
24 intention to pave that now and utilize that?

25 MR. YOUNG: Yes, as part of the -- yes,

1 as part of this plan, correct.

2 MR. MCCLEASTER: Okay. How -- how are
3 you going to handle the retaining -- that's a
4 significant grade.

5 MR. YOUNG: Right. That's -- again, this
6 is -- it's a -- this isn't the final plan.
7 This is the conceptual plan. We'll work with
8 the City to address those details to make
9 sure that whatever is done is done to code.

10 MR. MCCLEASTER: Okay.

11 MR. DEORIO: Right now, that's natural?

12 MR. YOUNG: Right now, it's a
13 natural slope, and --

14 MR. MCCLEASTER: Yeah.

15 MR. YOUNG: So I will -- there will be --
16 there will be some retainer, breaking wall,
17 but it may not be -- it may not
18 necessarily -- I'm not sure --

19 MR. MCCLEASTER: We don't know where it
20 is or --

21 MR. YOUNG: Don't know where it is.

22 MR. MCCLEASTER: Okay.

23 MR. YOUNG: Hammontree, when they did
24 this, all they did is they took -- remember,
25 the original plan had two rows of parking

1 diagonal. They just took that plan and
2 eliminated the -- the, you know, west wall,
3 and then --

4 MR. MCCLEASTER: Uh-huh.

5 MR. YOUNG: -- and then put in 15 spaces
6 straight.

7 MR. MCCLEASTER: Right.

8 MR. YOUNG: To maximize the number you
9 could fit in one -- in one thing. So we do
10 know that there is going to have to be,
11 obviously, some excavation there, but it's
12 something that we'll work through with the
13 city engineers.

14 MR. SERRA: So on the proposed patio
15 seating, are you coming to the Planning
16 Commission tonight asking for us -- for a
17 review of that at this time?

18 MR. YOUNG: I would like it, if possible,
19 because we'd like to do the -- we'd like to
20 do the -- we'd like to implement the parking
21 plan. And the parking plan would also
22 involve moving the parking -- the parking
23 spaces from the north wall of Pav's to -- to
24 Pearl side.

25 Also, we want to maximize -- Pav's,

1 obviously, wants to maximize the summer --
2 the warm weather. The sooner --

3 THE REPORTER: "Wants to maximize" --

4 MR. YOUNG: Pardon me?

5 THE REPORTER: I can't hear you. "Wants
6 to maximize" --

7 MR. YOUNG: Wants to maximize the summer
8 weather, so -- warm weather, ice cream,
9 outside, and warm weather.

10 MR. MCCLEASTER: What's the size of the
11 outdoor seating area and what sort of
12 protection is in place for the occupants?

13 MR. YOUNG: Protection from cars?

14 MR. MCCLEASTER: Yeah.

15 MR. YOUNG: That's something that we
16 would have to, again, submit to the -- or
17 discuss with the engineers. I think what --
18 what we had in mind, what Pav's had in mind
19 is, frankly, having the -- you know how you
20 have those planter barriers --

21 MR. MCCLEASTER: Uh-huh.

22 MR. YOUNG: -- you know, around the
23 seating. That would be totally protective of
24 the patrons from any -- any cars coming by.
25 But whatever the -- the details, obviously,

1 would have to be approved by -- by the city
2 engineer, and permitting.

3 MR. MCCLEASTER: There is a lot missing.

4 MR. SERRA: Yeah, I mean, this is --
5 and -- this is coming to us with an amended
6 agenda, saying proposed site plan for 624
7 South Main Street, Lot Number 58, submitted
8 proposed parking plan. But I guess I'm
9 hearing we -- you also want us to review the
10 patio seating. We are not being provided any
11 information on how you are going to do the
12 elevations of the two parking spaces. You
13 are in the midst -- and I understand you have
14 something of an agreement. But your limits
15 of owning the property next to you -- I
16 don't -- you know --

17 MR. YOUNG: To be honest, sir, also, we
18 don't want to make further investments unless
19 we have some certainty as to what we can do
20 with the property. And so we are going to be
21 reluctant to close on that property, and it
22 will sit as a vacant gas station for God
23 knows how long, if we don't use it and
24 develop it. And that property has been
25 sitting for a long time, and everyone has

1 walked away. And we are the only ones that
2 have bellied up.

3 MR. MCCLEASTER: I can appreciate that.
4 And like Mr. Serra, you know, we frequent
5 Pav's a lot. And I think this would be great
6 to have outdoor seating. But I hope you can
7 appreciate that this is really -- I would not
8 feel comfortable voting on what you have
9 before us, just because there is -- all the
10 suggestions that Mr. Serra made.

11 I mean, it's -- it's an incomplete
12 picture, in my mind. Again, I love what they
13 are doing, what you guys are trying to do
14 there. I just wish there was a little more
15 detail on this plan.

16 MR. YOUNG: And what would be a complete
17 picture?

18 MR. MCCLEASTER: Well, there is nothing
19 as far as a retaining wall. There is nothing
20 as far as drainage. As he mentioned, again,
21 the elevation issue in the back.

22 There is nothing as far as even
23 dimensions of the outdoor seating area, the
24 capacity of people sitting at the outdoor
25 seating area, how you are going to protect

1 the people.

2 You said there are going to be pots, but
3 I don't see them on the plan here. I mean,
4 it's missing all of the important pieces we
5 need, at least all the important pieces I'm
6 looking for.

7 MR. DALPIAZ: And, also, we don't
8 understand -- I mean, looking at this plan, I
9 don't know what is being paved or not being
10 paved, improved or not being improved. It's
11 not detailed enough to show those things.

12 MR. YOUNG: My understanding was that
13 there are city codes that regulate what must
14 be done, and so this is really a concept. We
15 have to abide by the city code.

16 MR. DALPIAZ: I understand -- we
17 understand that. But, also, we have to
18 review things that show those details to us,
19 that they are actually going to take place.
20 We can't -- if everybody showed a conceptual
21 plan, that leaves a lot of room to maneuver
22 and a lot of checking by other people to make
23 sure it gets done correctly.

24 MR. SERRA: You have to understand, we
25 are responsible for the citizens of North

1 Canton.

2 MR. YOUNG: Correct.

3 MR. SERRA: And the neighbors that you
4 have around here -- I mean, this is a public
5 meeting tonight. You know, I'm not sure that
6 it's enough information. I -- we want to
7 help you. I think all three of us want to
8 help you.

9 MR. DALPIAZ: Uh-huh.

10 MR. MCCLEASTER: Uh-huh.

11 MR. SERRA: I mean, it's -- you know, I
12 guess I would make a recommendation to table
13 it, so you can bring it back to us quicker.

14 MR. YOUNG: And when could that happen?
15 Because we won't close on the property
16 without a definitive response from the City.
17 We -- as responsible investors, we just can't
18 do that.

19 MR. SERRA: I think it depends on how
20 fast you can get the information put
21 together.

22 MR. YOUNG: And the information is?

23 MR. SERRA: More detail. I mean --

24 MR. DEORIO: I think we have to be a
25 little more specific. I mean, I don't think

1 that a year ago, the Planning Commission, you
2 know, laid out what Mr. McCleaster and some
3 others laid out tonight, as to what some of
4 those exact details are. But what we don't
5 want to do is be in a position where we come
6 back in a week, two weeks, and we -- well,
7 that's great, we have more information, but
8 it's still not all that we want.

9 So I think we should specify to them what
10 it is that we want. And I'm sure Hammontree
11 will put together whatever you need --

12 MR. YOUNG: Sure.

13 MR. DEORIO: -- to make that happen. But
14 we just need to know.

15 MR. YOUNG: Can we get it in next week?

16 MR. FOX: We have to have enough time to
17 publicly advertise it. So probably, minimum,
18 for a special meeting, probably, what, two
19 weeks?

20 MR. SERRA: If you can get the
21 information put together.

22 MR. YOUNG: None of this -- when we did
23 this last year, none of this level of detail
24 was required.

25 MR. OSBORNE: Can you speak louder? I

1 can't even hear you.

2 MR. YOUNG: Yes. When we presented
3 this -- our plan last year, that was approved
4 by the Commission, this is exactly the level
5 of detail that was required and that was
6 approved by the Commission. So it's
7 surprising that now we have to go into
8 another level --

9 MR. MCCLEASTER: Well, that --

10 MR. DALPIAZ: You have to understand, at
11 that time, we were only looking at the Pav's
12 building, and we were looking at this as a
13 future thing. We didn't know if this was
14 going to be developed to what level. It was
15 all just future. We were only looking at --

16 MR. MCCLEASTER: It did --

17 MR. DALPIAZ: We were only looking at 708
18 South Main Street and saying, you can occupy
19 that building, you can open a business, and
20 you can use what's there, and the lot is
21 available for overflow parking, if necessary,
22 and we'll review it at a later time when you
23 have the information for the overflow
24 parking. Now you have the counts, and we
25 appreciate the updated counts, because that

1 kind of verified a lot of the information
2 that was given to us previously.

3 But in order for us to approve a
4 development plan, we need a full development
5 plan that shows all the things that are
6 required by zoning, and details that we need
7 to know, as far as the seating and retaining
8 walls, and the paving types and what is
9 getting improved and not getting improved as
10 part of the project.

11 MR. MCCLEASTER: And to -- to your
12 question, I -- even though it was a deferred
13 park in the back, my concern was the hill or
14 the slope in the back and how that was going
15 to be retained. So I have the same concern
16 that I had, what, a year and a half ago that
17 I have tonight.

18 MR. SERRA: And I don't believe the
19 outdoor seating was --

20 MR. MCCLEASTER: No, that was not --

21 MR. SERRA: -- showing at that time.

22 MR. YOUNG: Pardon me?

23 MR. SERRA: The outdoor seating wasn't --

24 MR. YOUNG: No.

25 MR. SERRA: -- part of that.

1 MR. MCCLEASTER: No.

2 MR. SERRA: We want to help you.

3 MR. YOUNG: Right. So on the outdoor
4 seating issue, what is it -- you want us to
5 provide you with a drawing with --

6 MR. MCCLEASTER: Well, I --

7 MR. YOUNG: -- planters or --

8 MR. MCCLEASTER: There are no
9 measurements on here. So, one, we would need
10 measurements. The size -- I'd like to see
11 it. We need to talk about capacity. Because
12 as Mr. Serra looked up in the beginning
13 portion of the meeting, there are
14 requirements for capacity, based on the size
15 of the building. So we would like to see --
16 or I would like to see the amount of seating
17 that would be outside.

18 We talked about whether it be ballers or
19 planters, or whatever, to protect the
20 occupants from -- maybe somebody forgot to
21 put their car in park or whatever, or backing
22 in. We certainly wouldn't want the customers
23 at Pav's being injured. Those are my
24 concerns with the proposed seating area.

25 I think we both echo the same -- or I

1 think we all have the same concerns about the
2 parking off of Baker Court. And that would
3 be looking at how you are going to address
4 the elevation, the retaining wall, drainage.

5 MR. SERRA: Lighting.

6 MR. MCCLEASTER: Lighting, yeah.

7 MR. YOUNG: There is already a light
8 there at the corner. Okay.

9 MR. SERRA: So do I hear a motion to
10 table this?

11 MR. MCCLEASTER: I would move we table
12 this.

13 MR. OSBORNE: Would you like public
14 comments? I'd like to comment to what has
15 gone on so far.

16 MR. FOX: Right now, he moves to table.
17 You don't need to -- need any further --

18 MR. SERRA: That's what I thought.

19 MR. MCCLEASTER: Okay. I would move we
20 table this for this meeting, and possibly
21 bring up a special meeting, should it happen.

22 MR. YOUNG: Okay.

23 MR. SERRA: Is there a second?

24 MR. DALPIAZ: I second it.

25 MR. OSBORNE: I have a lot of comments to

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what has been said here, that go back to last year's approval, and I'd like to voice that.

MR. SERRA: It's not approved.

Roll call.

MS. KRENDICK: Mr. McCleaster.

MR. MCCLEASTER: Yes.

MS. KRENDICK: Mr. Dalpiaz.

MR. DALPIAZ: Yes.

MS. KRENDICK: And Mr. Serra.

MR. SERRA: Yes.

Thank you. That's the only item we had on the agenda tonight. So I make a motion to adjourn.

MR. DALPIAZ: Motion to adjourn.

MR. SERRA: Second?

MR. MCCLEASTER: Second.

MR. SERRA: Roll call.

Yes.

MR. MCCLEASTER: Yes.

MR. DALPIAZ: Yes.

MR. SERRA: All yes.

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(This proceeding concluded at 7:57 p.m.)

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