

## WHITEHALL PLANNING COMMISSION MINUTES THURSDAY, JANUARY 5, 2023

The Whitehall Planning Commission meeting of Thursday, January 5, 2023, was called to order by Mayor, Kim Maggard, at 6:30 p.m.

Mayor Maggard requested Jackie Plank and Mike Brown stand, raise their right hand, and repeat the oath of office for another term on the Whitehall Planning Commission.

Mayor Maggard opened the first planning commission meeting of 2023 and asked for nominations of office. Mr. Brown made a motion to nominate Terry Anderson as Chairman. Ms. Plank seconded the motion. All voted in favor and Mr. Anderson was elected Chairman.

Mayor Maggard thanked the members for their service, then passed the meeting over to Chairman Anderson.

Chairman Anderson asked for nominations for Vice-Chairman. Ms. Blake made a motion to elect Mike Brown as Vice-Chairman. Mr. Thomas seconded the motion. All voted in favor and Mr. Brown was elected Vice-Chairman.

Chairman Anderson introduced a motion to elect Lori Morton as secretary. **Mr. Woodruff motioned. Mr. Roberge seconded. All voted in favor to elect Ms. Morton as secretary.** Chairperson Anderson thanked Ms. Morton for her service.

A roll call was not taken. However, all planning commission members were present:

Terry Anderson – Present  
Mike Brown – Present  
Denny Roberge – Present  
Barb Blake – Present  
Jackie Plank – Present  
Jason Thomas – Present  
Zach Woodruff – Present

Chairman Anderson requested a motion to adopt the Rules of Procedure 2023. Mr. Brown motioned and Mr. Woodruff seconded the motion. The Rules of Procedure was approved.

Chairman Anderson asked for a motion to approve minutes from December 5, 2022. Chairman Anderson noted there was a correction in the minutes. Ms. Morton stated that correction had already been completed prior to the meeting. Mr. Brown motioned to approve the minutes. Mr. **Woodruff** seconded.

Chairman Anderson introduced Cases 853 and 854. Hidhab Property Group, LLC, 4409 East Main Street, parcel 090-004513, dumpster location variance, 1123.11.02(c), and parking variances, 1123.11.02, 1126.19(e), 1126.21, and 1126.25. Jeff Lewis, attorney, representing Hidhab Property Group and the owner, Lazhar Naadji, reviewed the cases. **Mr. Lewis stated that Mr. Naadji subdivided the property into five units without seeking advice from the city regarding parking.** Mr. Lewis stated by renting the larger storeroom, it will require all 25 parking spaces be used for that storeroom only (a specialty market). Mr. Lewis stated that the majority of East Main Street properties are legal nonconforming with respect to the parking zoning code. Mr. Lewis suggested parking on Bernhard is available, though not code compliant and off site. Mr. Lewis stated he has worked with Mr. Woodruff and Ms. Miller regarding building design. Allen Bornstein, Williams Shepherd Architects, spoke to their design of 4409 East Main Street. Mr. Bornstein reviewed the old building materials currently in place and reviewed the proposed materials – adding brick on the side (thin brick), painting all the brick white – changing the scheme to a white and black scheme. Mr. Bornstein stated the old canopy would be replaced, replace the large windows with thermal black-framed windows, add industrial lighting to highlight the signs, and add landscaping along the side with planter boxes to enhance the current concrete block which will be upgraded to brick. Mr. Woodruff asked for clarification regarding whether the wood siding would be covered. Mr. Bornstein stated the wood siding would be covered with brick or replaced with brick (dependent on what is currently in place).

Mr. Woodruff also asked whether the canopies would be the same. Mr. Bornstein stated the canopy on the front and the canopy on the side would be slightly different. Mr. Bornstein stated one canopy would have an angled appearance with a small front coming vertically and the other would have more of a flat surface. For clarification, Mr. Bornstein stated the one canopy is not very long, looked odd, and is a reflection of the old building. Mr. Bornstein stated designing that particular style of canopy on the front would be more difficult on such a long span taking into effect snow loads, etc., which would be difficult on an old building and meeting current code. Mr. Woodruff asked if it would be possible to have the same style of canopy on both sides of the building. Mr. Woodruff stated he preferred the style of the smaller canopy, keeping the canopy style consistent. Ms. Blake asked if the smaller canopy is for customers or an employee-only entrance. Mr. Bornstein stated the smaller canopied area is the entrance for the back unit. Mr. Lewis stated the vision for the back unit is an office-type business. Mr. Woodruff asked for clarification regarding the door that does not have a canopy above. Mr. Naadji stated this door is for access only.

Mr. Lewis stated that this building does not have off-street loading, thus necessitating the dumpster location variance. The dumpster is unable to be placed behind the building due

to the zero lot line. Mr. Brown asked if the back of the building would be upgraded to the thin brick. Mr. Bornstein stated it would stay concrete block, but painted white. Mr. Lewis reviewed dumpster placement. Chairperson Anderson asked if the dumpster would have screening. Mr. Lewis stated the dumpster would be screened to code. Mr. Brown asked where the handicap parking be located. There will be a handicap parking and ramp. The ramp will also provide loading ease for deliveries. Mr. Brown asked how many prospective tenants are interested in the property. Mr. Naadji stated there are three – a grocery store, a clothing store, an internet business. Mr. Brown asked regarding the timeline for completion **of the project. Mr. Naadji stated these three businesses are waiting to move in and would** like to begin as soon as possible. Mr. Roberge asked about signage. Mr. Bornstein stated the signs would be consistent over the building – one for each tenant. Mr. Woodruff stated signage would be flat, wall signs with gooseneck style fixtures. Mr. Brown asked about parking lot lighting. Mr. Lewis stated that all lighting would be down lighting from the building. Mr. Lewis also stated there would be bleed-over lighting from East Main Street and the adjacent strip center. Mr. Thomas asked about the expected hours of operation. Mr. Naadji stated he believed the hours would be from 9 a.m. to 7 p.m. depending on the tenant. Mr. Lewis stated no tenants open after 9 p.m., 10 p.m., 11p.m., or midnight. Mr. Roberge asked about lighting of the handicap parking area. Mr. Bornstein stated there would be recessed can lighting under the canopies. As the building will be painted white, there will also be reflective light from the building. Mr. Woodruff stated that to his knowledge there is not a code requirement for parking lot lighting. Ms. Plank asked for clarification regarding the direction the parking dumpster will open. Mr. Bornstein stated the dumpster would open toward the building.

Chairman Anderson asked Kelsey Miller to review the staff report. Regarding Cases 853 and 854, the variances requested are the dumpster location variance and several parking space variances. Ms. Miller reviewed the parking requirements under code 1126.19(e), minimum number of parking spaces, retail commercial and services uses, specialty retail, commercial, specialty food stores, personal services, and commercial centers. Ms. Miller also reviewed code 1126.25, minimum number of loading spaces. Ms. Miller reviewed code 1123.11.02(c) regarding the dumpster location variance. Staff recommendation is that the planning commission give favorable recommendation regarding Cases 853 and 854.

Chairman Anderson asked if there were any further questions. Mr. Roberge stated he had driven by the location noting that there is only street lighting, no parking lot lighting. **Mr. Lewis stated there are no plans to place pole lighting in the parking lot.** Mr. Lewis reiterated that the building would be painted white, and there would be bleed-over lighting from adjacent properties. Mr. Roberge stated he is concerned about safety with only down

lighting. Chairman Anderson stated as he understood it, there would be down lights on the exterior of the building reflecting off the building on the front and west sides of the building. Mr. Bornstein stated there is also lighting under the canopies. Mr. Roberge asked if all lighting would be the same style down lighting. Mr. Lewis confirmed and their lighting plan would be completed per code. Mr. Woodruff reiterated there is nothing in code that requires a property to light the parking lot.

For the record, Mr. Woodruff stated the owner’s previous representative was informed that parking was going to be an issue at the time of building permits. Mr. Woodruff does not want there to be a misunderstanding that somehow that the building department did not inform the owner. Mr. Lewis stated it is not the building department’s responsibility. Mr. Woodruff reiterated that the owner’s previous representative did not adequately inform the property owner of the requirements.

Mr. Woodruff made a motion to approve **Cases 853 and 854**. Mr. Brown seconded the motion. All members voted in favor to **APPROVE** Cases 853 and 854.

Chairman Anderson asked if there was any further business. Mr. Woodruff motioned. Ms. Blake seconded the motion. All members voted in favor to adjourn the meeting. Therefore, the January 5, 2023, Planning Commission meeting adjourned at 7:10 p.m.

**APPROVED** \_\_\_\_\_, **2023**, respectfully submitted,

---

Terry Anderson, Chairman

---

Lori Morton, Secretary