

# MINUTES

## CITY OF WOOSTER PLANNING COMMISSION

August 1, 2016

### I. MEETING CALLED TO ORDER AND ROLL CALL

Grant Mason, Vice Chair of the Planning Commission, called the Meeting of the Planning Commission to order. Commission members Kyle Adams, Sheree Brownson, Grant Mason, Jackie Middleton, Gil Ning, Jean Roberts, and Fred Seling, were present at the meeting. Commission members Ronald Rehm and Mark Weaver were not in attendance. Andrew Dutton, Planning and Zoning Manager, was present representing the City of Wooster.

### II. APPROVAL OF THE MINUTES

Mrs. Roberts moved to approve the Minutes of the June 22, 2016, Regular Meeting of the Planning Commission. Jackie Middleton seconded the motion. The motion carried unanimously, 7-0.

Mrs. Roberts moved to approve the Minutes of the June 30, 2016, Special Meeting of the Planning Commission. Jackie Middleton seconded the motion. The motion carried unanimously, 7-0.

### III. ZONING MAP AMENDMENT APPLICATION – PUBLIC HEARING

#### #ZC-265

Cris Jones of Meijer Stores Limited Partnership representing Gerald and July Craycraft and The Donald and Alice Noble Foundation Inc. requested an approval recommendation from the Planning Commission to City Council for a Zoning Map Amendment to change the zoning of 32.38 acres on West Milltown Road with Parcel Numbers 67-02964.00 and 67-02967.00 from C-1 (Office and Institutional) to C-5 (General Commercial).

Jean Roberts recused herself from the application and noted relationships on both sides of the issue.

Cris Jones, Real Estate Manager for Meijer Stores, gave a brief history of the Meijer Stores. Mr. Jones stated that Meijer was a private company headquartered in Grand Rapid Michigan. Mr. Jones continued Meijer Stores has been in business for 82 years and had stores in six states. Mr. Jones stated the property was zoned C-1 (Office and Institutional) and Meijer was requesting the rezoning of the 32.38 acres property located on Milltown Road to C-5 (General commercial) for a grocery store and gas station. Mr. Jones added that Meijer would work with the City and the County on widening the road in front of the property and making Milltown Road a three lane road past the proposed Meijer Store.

Lannie West, Civil Engineering consultant from Woolpert, stated the two parcels consisted of 32.38 acres, zoned C-1. Mrs. West continued that the property across the street, which contained Lowes, was zoned C-5. Mrs. West stated the store would be approximately 194,300 sq. ft. with a convenience store gas station and three outlots.

Matt Long, 225 North Market Street, stated he was present on the behalf of the Hunt Club Subdivision, which was adjacent to the site. Mr. Long stated there were a lot of concerns regarding the rezoning of the property. He stated the rezoning was premature until a more developed plan for Milltown Road was finalized for the City. Mr. Long stated Milltown Road was a heavily used two lane road that already had traffic issues, particularly at the Oak Hill Road and Burbank Road intersections. He continued that the proposed use could have an impact on public health, safety and welfare.

Mr. Long stated that the Hunt Club Subdivision was not within the Wooster City Limits. Mr. Long indicated that the owners of the Hunt Club Subdivision purchased their lots with the understanding that the adjacent uses and business would be very low-intensity C-1 office uses and moving to the C-5 (General Commercial) would place the property at the other end of the spectrum as a very high use.

Jonathan Millea, Development Coordinator for the City of Wooster, stated the city's standard practice for new development was to require the developer to conduct a traffic study. Mr. Millea continued that, should public infrastructure be required, the developer would take on that burden of accounting for additional necessary infrastructure. Mr. Millea stated that an increase in intensity was also something the City frequently experiences at the edge of the City's borders.

Larry Shirer, 3363 Oak Hill Road, stated he owned the property adjacent to the proposed property. Mr. Shirer stated he was opposed to the development due to exhaust fumes and disruptions associated with a retail establishment.

Todd Basin, 3229 Shelly Boulevard, stated he had public concerns as well. Mr. Basin stated he was opposed the development due to incredible congestion and traffic problems in the area. Mr. Basin continued that Oak Hill Road, Mechanicsburg Road and Burbank Road were all two lane roads that had insufficient infrastructure to handle the volume of traffic. Mr. Basin also stated he was concerned with ruining the quality of life in the area.

Becky Foster, 3355 Oak Hill Road, stated she lived in the area of the property. Mrs. Foster stated she was a construction engineer who was concerned that the applicant did not have a site plan. Mrs. Foster indicated that she wanted to see the relationship the building had with the property. Mrs. Foster continued that she was concerned that the store would be a 24-hour store which would be lit up all night and ruin the quality of their homes in the woods. Mrs. Foster asked where the water and sewer would be coming into the property.

Lou Palmer, 3369 Oak Hill Road, stated he was not opposed to commercial development, provided it was in the right place. Mr. Palmer stated he preferred not to have a development like this in his back yard and he stated concerns regarding traffic and noise.

Paul Williams, 1559 Burbank Road, represented Justin Starlin of the Chamber of Commerce. Mr. Williams stated that he and the Chamber fully support Meijer and their ability to move into the City of Wooster. Mr. Williams stated the Chamber of Commerce had a very big concern that that piece of property did not have sufficient infrastructure to accommodate the

additional traffic. Mr. Williams furthered stated that that the Chamber of Commerce would facilitate Meijer in finding a piece of property in the City.

Jeanette Robinson, 1525 Smith Drive, stated she wanted Meijer because the prices in Wooster were ridiculous. Mrs. Robinson stated that with Route 83 north being closed, the traffic is poor in the area. Mrs. Robinson continued that the road needed to be improved.

Roger Kobilarcsik, City Engineer, stated that any new development that would generate more than 100 trips per day would be required to conduct a traffic study. Mr. Kobilarcsik continued that once the traffic study was completed, upgrades to the infrastructure would be required so there would not be any loss to the level of service of the roadway. Mr. Kobilarcsik stated that when the applicant submits a site plan application, a traffic study would be required and infrastructure improvements would be discussed. Mr. Kobilarcsik also gave a list of items reviewed for a site plan.

Mrs. West stated that the 2014 Comprehensive Plan designated the proposed site as commercial. Mrs. West continued that, when plans were submitted, there would be proper buffering and screening from residential areas to the west. Mrs. West indicated that bringing in new grocery stores adds to the quality of life and affords the area with more choices. Mrs. West stated that utility and traffic concerns would be worked out in the site plan approval process.

Gil Ning stated the Commission was present to make a recommendation to the City Council for the zoning. Mr. Ning asked Mr. Dutton to clarify the process City Council would use to approve the application. Mr. Dutton stated that when the application goes to City Council, there would be a public hearing, notices would be sent out and a notice would be published in the newspaper. He continued that City Council generally would have three readings scheduled for the zoning amendment applications.

Gil Ning moved to recommend to City Council approval of the application as presented. Fred Selig seconded the motion. The motion did not pass with a 3-3 vote. Fred Seiling, Gil Ning, and Sheree Brownson voted yes and Kyle Adams, Jackie Middleton and Grant Mason voted no.

#### **IV. CONDITIONAL USE APPLICATIONS – PUBLIC HEARING**

##### ***#CU-387***

Chris Galloway of Strategis, LLC represented the College of Wooster requesting revisions to a previous Conditional Use approval to locate a wireless telecommunication facility at 1200 Gasche Street in a CF (Community Facilities) District.

Jean Roberts rejoined the Planning Commission.

Kyle Adams and Jean Roberts disclosed that they were both employed by the College of Wooster. Jackie Middleton recused herself from the application and noted she had worked on the project.

Chris Galloway stated the commission has previously approved a Conditional Use application for a flag pole style cell tower located on the College of Wooster campus. Mr. Galloway stated it

was brought to the College's attention that there was a Vietnam Memorial within 200 feet of the proposed site of the cell tower. Mr. Galloway continued that it was requested by the College to approach the City for the purposes of adding lighting to the flag pole. He stated that flying an American Flag would require lighting due to proper flag protocol.

Martha Ballinger, 812 E. Wayne Avenue stated that her bedroom window and front yard face the ballfield. Mrs. Ballinger stated she was opposed to the cell tower described as a flag pole. Mrs. Ballinger continued that 80 to 90 percent of the tower will be viewed from her front yard. Mrs. Ballinger stated there was a lot of light pollution from the College of Wooster.

Richard Moore, 716 E. Wayne Avenue, stated he was very concerned about the light pollution from the cell tower. Mr. Moore stated that the College had dramatically added lighting in the last five years.

Roger Stahl, 704 E. Wayne Avenue, stated he was concerned with the flag pole being lit across from his property.

Chris Galloway stated the tower would be located over one thousand feet from a residence. Mr. Galloway continued that the lighting was LED in design and would be designed to go straight up, which would result in very little light pollution. Mr. Galloway stated the area needed better communications, with the need rising 5,000 percent every five years. Mr. Galloway stated the goal was to improve the coverage and increase capacity on the campus.

Sheree Brownson asked if there was another solution or option to put a College of Wooster flag on the top of the pole to remove the need for the lights. Mr. Galloway stated it was the suggestion of the College to put the American flag on the tower to respect the memorial.

Doug Ladika, College of Wooster, stated the American flag must be at the higher level than a College of Wooster flag. Mr. Ladika indicated that it was a requirement to have a flag at the top due to other American flags in the area.

Jean Roberts moved to approve the application with the condition that lighting utilizes a narrow cone beam or light fixtures designated to minimize light spillage beyond the site. Gil Ning seconded the motion. The motion carried 6-0.

### ***#CU-391***

Craig Sanders of Freeman Building Systems representing Summit Motorcars is requested Conditional Use approval for the expansion of a motor vehicle sales use at 4821 Cleveland Road in a C-5 (General Commercial) District.

Jackie Middleton rejoined the Planning Commission.

Craig Sanders, 201 E. Liberty Street, stated the site had been an automotive dealership for a long period of time. Mr. Sanders continued that the previous owners received approval to update the building and added parking in 2006. Mr. Sanders continued that the property owners purchased the two properties to the north and would like to expand with a 4,000 square foot building and additional parking.

Terry Bogner, 161 N. Milton Street, stated he was the President of the Church Council and asked if the property that Summit purchased was zoned commercial. Mr. Dutton stated the property was currently zoned C-5 (General Commercial). Mr. Bogner asked several questions regarding how privacy would be maintained, what type of noise and light pollution will be produced, if the business would be open on Sunday, if there was adequate parking for visitors, if there was any change to the egress to the facility, and how many floors the building was going to occupy. Mr. Bogner stated the current business housed some of the motor vehicles on the church's property and inquired if the practice would cease after the expansion.

Mr. Sanders responded that the building will be a single story, 4,000 square feet building which would not exceed 16 feet in height. Mr. Sanders continued that the addition would mimic the building that was already there and would be a combination of steel and wood. Mr. Sanders indicated that, to his knowledge, there would be no Sunday operations. Mr. Sanders stated the operation buys and sells used vehicles, does some minor trim work and no body work or painting would be done. Mr. Sanders continued that there would be four bays in the new building, but their intent would be to do some mechanical work. Mr. Sanders stated there would be a second drive to Cleveland Road and shrubs would be installed for a buffer.

Jackie Middletown moved to approve the application as presented. Fred Seling amended the motion to include the condition that a variance shall be obtained from the Board of Building and Zoning Appeals to Section 1147.07(13.) regarding the minimum lot size for a property with a motor vehicle sales use. The motion carried 7-0.

V. **DEVELOPMENT PLAN APPLICATIONS**  
***#SP-605.***

Craig Sanders of Freeman Building Systems representing Summit Motorcars requested Final Development Plan approval for an addition and a parking lot expansion of an existing motor vehicle sales use at 4821 Cleveland Road in a C-5 (General Commercial) District.

Craig Sanders, 201 E. Liberty Street, stated that they would work with the City of Wooster Staff to fulfill the eight staff recommendations.

Fred Seling moved to approve the application with the following conditions:

1. Parcels 71-00447, 71-00448 and 71-00449 shall be combined into one single property.
2. The trash receptacle shall not be located in the front yard or corner side yard per Section 1141.12 and shall meet the screening requirements of Section 1165.08.
3. Parking spaces shall meet the applicable setbacks from the right-of-way per Section 1141.06.
4. Parking spaces shall be provided for customers and employees per Section 1169.04 and such designated spaces shall not be occupied by displayed vehicles.
5. Plans shall indicate the location of existing sidewalks and such sidewalks shall be maintained in good condition post construction, or be replaced.
6. Landscaping requirements of Section 1165.04 and Section 1165.05 regarding street trees and street frontage landscaping shall be met for the entire site and the size and species of all proposed landscaping shall be indicated.

7. Details regarding lighting style and height shall be submitted meeting the requirements of Section 1167.04.
8. In lieu of complying with any of the above conditions, the project shall receive approval of an area variance from the Board of Building and Zoning Appeals.

Kyle Adams seconded the motion. The motion carried 7-0.

***#SP-597.***

Chris Galloway of Strategis, LLC representing the College of Wooster requested revisions to previously Final Development Plan approval to locate a wireless telecommunication facility at 1200 Gasche Street in a CF (Community Facilities).

Jackie Middleton recuses herself from the application.

Chris Galloway stated the request was for Final Development Plan approval for the flag pole wireless telecommunication facility.

Jean Roberts moved to approve the application with the condition that lighting utilizes narrow cone beam or light fixtures designated to minimize light spillage beyond the site. Gil Ning seconded the motion. The motion carried 6-0.

***#SP-606.***

John Long of Shaffer, Johnston, Lichtenwalter and Associates requested Final Development Plan Approval for the reconstruction of a building and the reconfiguration of the site for an existing car wash use at 2800 Cleveland Road in a C-5 (General Commercial) District.

Jackie Middleton rejoined the Planning Commission.

Doug Drushal, N. Market Street, stated the applicant previously proposed a different site further south on Cleveland Road that received site plan approval but failed to obtain the required variances. Mr. Drushal stated the current application was the same operator, Goo Goo Car Wash. Mr. Drushal continued that the application was for a different style car wash than the one that was currently operating on the site. Mr. Drushal stated the operating hours would be 8 am to 8 pm.

Jean Roberts made a motion to approve the application for the reconstruction of a building and the reconfiguration of the site for an existing car wash use at 2800 Cleveland Road as presented with the following conditions:

1. Parcels 67-00626 and 67-01776 shall be combined into one single property.
2. Buildings shall meet the applicable setbacks of Section 1141.04(b)(4).
3. Parking spaces shall meet the applicable setbacks from the right-of-way per Section 1141.06(a)(1).
4. The trash receptacle shall not be located in the front yard or corner side yard per Section 1141.12 and shall meet screening requirements of Section 1165.08.
5. Parking areas shall meet the parking space and drive aisle design standards of Section 1169.12.

6. Details regarding the proposed gates shall be provided.
7. Information regarding lighting style and height shall be submitted meeting the requirements of Section 1167.04 including the submission of a photometric plan showing no light intrusion onto residential properties.
8. In lieu of complying with any of the above conditions, the project shall receive approval of an area variance from the Board of Building and Zoning Appeals.

Gil Ning seconded the motion. The motion carried 7-0.

**VI. MISCELLANEOUS**

Discussion regarding the initiation of an amendment to Chapter 1171 of the Planning and Zoning Code regarding the regulation of electronic message display signs.

Andrew Dutton stated there had been a number of discussions of the Board of Building and Zoning Appeals regarding electronic message display signs. Mr. Dutton stated the current Planning and Zoning Code was not very restrictive regarding such signs. Mr. Dutton continued that the Board of Building and Zoning Appeals was requesting that the Planning Commission initiate a Zoning Code Amendment to Chapter 1171 to provide additional regulations for electronic message display signs. He continued that the Board of Building and Zoning appeals suggested regulations limiting the signs to certain zoning districts, prohibiting them in the downtown area, restrictions to area, and considering their distance from the residential areas.

Fred Seling made a motion to initiate an amendment to Chapter 1171 of the sign regulations to include additional regulation for the electronic message display signs. Jackie Middleton seconded the motion. The motion carried 7-0.

**VII. ADJOURNMENT**

Jean Roberts made a motion to adjournment of the meeting. Kyle Adams seconded the motion. The motion carried 7-0.

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**Grant Mason, Vice-Chairman**

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**Carla Jessie, Administrative Assistant**