

**MINUTES
PLANNING COMMISSION**

February 18, 2014

MEMBERS PRESENT: Fred Seling, Jackie Middleton, Gil Ning, Ron Rehm, and Heather Kobilarcsik

MEMBERS ABSENT: Wanda Christopher-Finn, Kevin Lowry, Jean Boen and Mark Weaver

STAFF PRESENT: Andrew Dutton

I. CONDITIONAL USE (PUBLIC HEARING)

CU-366. Stan Popp, representing Remington Manor L.P., requesting conditional use approval for a multi-family use at 2024 Akron Road (SR 585), north of the Winchester Woods Apartments, in a C-5 (General Commercial) District.

Stan Popp, Wayne Metropolitan Housing Authority, 345 North Market Street, was present.

John Long, Shaffer, Johnston, Lichtenwalter & Assoc., 3477 Commerce Parkway, stated the project had previously been before the Commission and was virtually identical to the plan now before the Commission. Mr. Long indicated in January, 2014 the Zoning Code was amended, and the use was now a conditional use in a C-5 District. Mr. Long indicated variances would also be needed from the Board of Zoning Appeals. Mr. Long stated 44 apartment units (3 buildings) were proposed in addition to a clubhouse. Mr. Long noted that the property was "L" shaped with significant frontage but was narrow in depth; there were also easements on the property.

Mr. Long stated directly adjacent to the property in question were existing multi-family residential projects; to the south was the Hospice Care Center; and there were commercial businesses across the street. Mr. Long stated there was one entrance/exit drive into the project located essentially in the center of the property. Mr. Long stated as per the Code, the development met the regulations of the R-4 District but that variances would be needed from the Board of Zoning Appeals. Mr. Long stated the use was harmonious with the adjacent land which was comprised of multi-family and commercial uses. Mr. Long noted the site had adequate sanitary and water supply. Mr. Long stated the development would be attractive and consistent with the uses in the area and indicated property values would be maintained. Mr. Long stated that many of the permitted uses in the C-5 District would impact the area greater than the use proposed, and it was compatible with existing uses in the area.

Property Manager at Winchester Woods was present. He indicated there were similar plans which would be proposed for Winchester Woods, and he expressed concern with the clubhouse building being close to the property lines and questioned the variances which would be necessary. He questioned if there was a lighting plan for the development as there was concern with security lighting shining onto their property and also questioned landscaping/fencing plans for the property. Mr. Long indicated the clubhouse would be 25' from the property line; a 20' setback was required. Mr. Long noted he was aware of the City's regulations relating to lighting, and full cut-off fixtures would be provided at the site. Mr. Long stated a lighting plan would be submitted to the Planning Department for approval at the time application was made for a zoning permit. Mr. Long stated a preliminary landscape plan was provided and noted many existing trees would remain. Mr. Long noted that a landscape plan, which would comply with the Code, would be

provided to the Planning Department at the time application was made for a zoning permit. Mr. Seling noted that any variances which would be needed would be reviewed by the Board of Building and Zoning Appeals.

Mr. Ning noted there were no comments received from the Fire Department relating to the request. Mr. Dutton stated the Fire Department was provided plans for the development, and he had not received any comments from them relating to the development.

Jackie Middleton moved, Gil Ning seconded, to grant the request of Remington Manor for conditional use approval for a multi-family use at 2024 Akron Road (SR 585), north of the Winchester Woods Apartments, in a C-5 (General Commercial) District.

Motion carried by a 5-0 vote.

II. FINAL DEVELOPMENT PLAN

SP-564. Stan Popp, representing Remington Manor L.P., requesting final development plan approval for a 44-unit multi-family development at 2024 Akron Road (SR 585), north of the Winchester Woods Apartments, in a C-5 (General Commercial) District.

Mr. Long indicated three variances would be needed from the Board of Building and Zoning Appeals as follows: The northern-most building was within 13' of the right-of-way; a 50' setback was required. Mr. Long stated that the City had also taken a triangular wedge of right-of-way along Akron Road which reduced the setback (from 30' to slightly under 13'). Mr. Long stated with regard to the south building, a minimum side yard setback variance would be required since the building was proposed to be 10' off the property line. Mr. Long stated parking was tight on the site and noted a 25' setback between buildings was required for building and fire separation. Mr. Long stated because of an easement, the north building could not be positioned further north without the northwest corner of the building being in the easement area. The required parking setback from the right-of-way in an R-4 District was 50'; the minimum proposed was 15.8' which would be in the area where the right-of-way was taken to about 25' in the area where the right-of-way was not a factor.

Mr. Long stated the applicant was requesting the Planning Commission waive the requirement of sidewalks. Mr. Long stated sidewalks would be installed as part of the Akron Road improvement plan, and the landowner would be assessed for the installation of those sidewalks.

Mr. Long stated the preliminary landscape plan was included with the request but needed additional detail with regard to the height of the evergreen row or fence and caliper and sizes of the trees. Mr. Long indicated a final landscape plan would be submitted to the Planning Department for approval.

Mr. Long stated with regard to open space, the site provided for nearly double of what the Code required for open space (nearly two acres). In the open space area, a playground would be provided as part of the development.

Mr. Long noted that a lighting plan would be provided to the Planning Department for approval.

Mr. Long stated he was aware of the Planning Staff's recommendations for approval as well as those of the Engineering Department. Mr. Long indicated the owner would comply with the conditions outlined by the Planning Staff.

Ron Rehm moved, Heather Kobilarcsik seconded, to grant the request of Remington Manor for final development plan approval for a 44-unit multi-family development at 2024 Akron Road (SR 585), north of the Winchester Woods Apartments, in a C-5 (General Commercial) District, as follows: (1) That the requirement for sidewalks be waived; (2) That the existing lot #7739 and #7022 be combined into one single parcel; (3) That the applicant obtain approval of variances from the Board of Building and Zoning Appeals regarding the required minimum setback from the right-of-way, the minimum building setback from the south side of the property line, and the minimum parking requirement from the right-of-way per the applicable sections of the Zoning Code; (4) That a revised landscaping plan and lighting plan be submitted to the Planning Department; and (5) That the recommendations of the Engineering and Fire Departments be met.

Motion carried by a 5-0 vote.

Meeting adjourned at 6:10 p.m.

Fred Seling, Chairman

Laurie Hart, Administrative Assistant