

**MINUTES
PLANNING COMMISSION**

May 28, 2014

MEMBERS PRESENT: Fred Seling, Jackie Middleton, Ron Rehm, Mark Weaver, Gil Ning, and Wanda Christopher-Finn

MEMBERS ABSENT: Heather Kobilarcsik and Jean Boen

STAFF PRESENT: Andrew Dutton

I. MINUTES

Jackie Middleton moved, Ron Rehm seconded, to approve the Minutes of April 23, 2014 as received. Motion carried.

II. ZONING AMENDMENT (PUBLIC HEARING)

Application ZC-258. The City of Wooster is requesting an approval recommendation by the Planning Commission to City Council for amendments to Chapter 1115 (Submission Requirements), Chapter 1119 (Amendments), Chapter 1125 (General Use Regulations), Chapter 1131 (Community Facilities District), Chapter 1133 (Single Family Residential Districts), Chapter 1135 (Multi-Family Residential Districts), Chapter 1137 (Manufactured Home Park District), Chapter 1141 (Commercial District Regulations), Chapter 1142 (Campus, Professional, Research and Office District), Chapter 1143 (Manufacturing District Regulations), Chapter 1147 (Conditional Use Regulations), Chapter 1149 (Nonconforming Uses, Lots, and Structures), Chapter 1163 (Environmental Protection Regulations), Chapter 1165 (Landscaping and Land Use Buffers), Chapter 1171 (Sign Regulations), Chapter 1173 (Regulations for Wireless Telecommunication Facilities) and Chapter 1181 (Vehicular and Pedestrian Circulation) of the Wooster Planning and Zoning Code.

Mr. Dutton stated the Commission had received the proposed amendments and indicated the notes pages corresponded with the proposed Code amendments. Mr. Dutton stated he wished to go over some of the more significant changes being proposed.

Mr. Dutton stated there were inconsistencies between notifications of Planning Commission and City Council, so the proposed amendment addressed that (Section 1119.05). Mr. Dutton stated notifications by both Planning Commission and City Council would be to property owners within 200' and would occur 10 days prior to the hearing. Mr. Dutton noted that in doing this, it would also reduce the time amendments took to go into effect.

Mr. Dutton stated an amendment was proposed to clarify that trailers were included as part of Section 1125.08.

Mr. Dutton stated there were a number of changes proposed to the CF District regulations. Currently, the minimum acreage in a CF District was 10 acres but when looking at the uses in the CF District, most of them did not need 10 acres—school, church, park. Mr. Dutton stated the Code change would not necessitate a minimum lot size, but that the setbacks and lot width requirements would need to be met. Mr. Dutton stated there were a number of strikeouts regarding final development plans and conditional uses but noted there was a chapter which specifically dealt with that already, so it did not need to be in that section.

Mr. Dutton noted in the CF District, theaters were added as a use but that no more than 50% of the attendance could be from the screening of motion pictures. Mr. Dutton stated the amendment would not provide for a commercial movie theater but rather for plays/performances that could also show movies but would not be the primary function.

Mr. Dutton stated changes were made to the section regarding fencing in the CF District which would now be more similar to fencing in other commercial districts.

Mr. Dutton stated changes were also proposed to Chapter 1133 and included a change to public safety, health or utility facility from a conditional use to a permitted use in all residential districts since they were already permitted uses in all other districts. Mr. Dutton stated this was previously proposed in prior amendments, but that there was now more of a rationale for the change as they were unique uses which served the area around them, and were not like any other commercial or residential use since they were actually integrated and necessary for the City. Mr. Dutton stated the change did not take away the Commission's ability to review them as they would still be part of the development plan review process. Mr. Dutton noted there were also requirements for parking, screening, and aesthetics and because the majority of the uses would be greater than \$50,000, City Council would also review them.

Mr. Dutton stated the Commission received charts and references about other cities and how they dealt with public facilities in residential districts, and the cities varied on how they dealt with them (conditional or permitted uses), and some did not allow them anywhere. Mr. Dutton stated a map was provided of Wooster and other cities (Ashland, Orrville, Medina, Wadsworth, and Massillon) which showed where their public facilities were located, some of which were in residential districts.

Mr. Dutton stated changes were proposed to the CPRO District to change scientific research facilities from conditional to a permitted use.

Mr. Dutton stated in the M-1 and M-2 Districts, commercial recreation (indoor) uses were added as a permitted use. Mr. Dutton stated it would need to be a large scale facility of at least 20,000-sq. ft. in size which would fit in more within an industrial area as opposed to a commercial area. Mr. Dutton also indicated setback changes to the manufacturing district were proposed to include a 20' setback when internal to the development and 40' when facing a residential district. Mr. Dutton stated the change would provide for a bigger buffer from residential developments.

Mr. Dutton noted that changes to the temporary sign regulations were proposed as the current regulations were unclear and confusing. Mr. Dutton stated for temporary signs in non-residential districts, the proposed regulations would provide for two temporary signs each year for a period of 45 days for each temporary sign; size and location were unchanged. Mr. Dutton stated there were provisions made for real estate signs, construction signs, and "coming soon" development signs. Mr. Dutton stated similar changes were made to temporary signs in residential districts for non-residential uses but were not permitted to be as big as the ones in commercial districts.

Mr. Dutton indicated there were changes proposed to wireless telecommunication facilities. Permitted locations included the M-1 and M-2 District. In the CPRO and CF Districts, wireless telecommunication facilities were proposed to be conditional uses; wireless telecommunication facilities were also proposed to be conditional uses for properties with institutional uses in all districts.

Mr. Dutton noted that in Section 1173.09, the words "and currently used for public services" were removed. Mr. Dutton stated he interpreted that the section meant that anyway, so the removal of the text solidified that. Mr. Dutton stated a public hearing and notification to property owners would now be required for proposed wireless telecommunication towers or facilities proposed on city properties.

Mr. Dutton stated Section 1181 would change the sidewalk requirements to correspond with engineering standards.

Ron Rehm moved, Mark Weaver seconded, to recommend to City Council approval of amendments to the Zoning Code as listed on application ZC-258.

Motion carried by a 6-0 vote.

III. **FINAL DEVELOPMENT PLAN**

Application SP-572. David Aulger of Campbell Construction, Inc., representing Wayne Real Estate Holdings, LLC, is requesting final development plan approval for a 2,000 sq. ft. addition at 1363 West Old Lincoln Way (Toyota of Wooster) in an M-2 (General Manufacturing) District.

David Aulger, Campbell Construction, stated approval of an addition to Toyota of Wooster was being requested. Mr. Aulger stated in order to maintain a level of standards, Toyota was asking its dealers to provide certain amenities which were currently lacking at the property. Mr. Aulger stated the addition was primarily for a service vestibule for customers to use to enter into the building. Mr. Aulger stated the building was originally constructed in the 1950's and pre-dated the current zoning ordinances. Mr. Aulger stated there were no changes proposed to the parking lot/asphalt area. Mr. Aulger stated the Planning Staff recommended landscaping/landscape islands, but asked the Commission to consider that since no changes were being made to the parking lot, that it not apply the Code's landscaping regulations.

Mr. Aulger stated on August 6, 2013 a sign permit was issued for a freestanding sign on the site *contingent on the sign being located in a landscaped island per Section 1171*. Mr. Aulger stated they were requesting leniency on the other two requested landscape requirements.

Mr. Dutton questioned combining the parcels (3) into one parcel. Mr. Aulger stated the current building was located on two of the parcels. Mr. Dutton noted the proposed addition went through a property line. Mr. Aulger stated that was correct. Mr. Dutton questioned whether the intent was to combine the properties into one as otherwise, the setback regulation to a property line would not be met which would necessitate a variance. Mr. Aulger stated the owner would likely have the properties replatted if it meant denial of the proposal. Mr. Aulger asked that the approval be made contingent upon that being done so as to avoid a delay.

Mr. Weaver questioned the Staff recommendation on limiting parking in terms of a "display area" as opposed to "employee", "service" or "salesperson" areas. Mr. Aulger stated the owner had indicated to him that they had employee parking on the Volkswagon dealership next door which he also owned. Mr. Aulger stated if the owner wished to increase the display area, he did not feel that would be an issue. Mr. Aulger stated the dealership provided more than the required number of parking spaces. Mr. Dutton stated employee, service or salesperson areas could not be used as display areas for vehicles.

David Hill, owner of Toyota/Volkswagon of Wooster, stated the dealerships were operated as one entity and indicated there were plenty of parking spaces between the two stores. Mr. Hill stated they had ample space available for the volume and employees the business generated. Mr. Weaver questioned if he would be opposed to combining the parcels into one. Mr. Hill stated he was uncertain what the cost would be in doing that, but would not be opposed to it.

Mr. Weaver asked Staff to comment on the landscape islands. Mr. Dutton stated he mentioned that because the parking area was being reconfigured. Mr. Dutton stated he did not feel that they were subject to the setbacks, but if islands were being added, they should meet the Code regulations. Mr. Aulger stated what was proposed was not curbed islands—it was paint striping. Mr. Seling questioned if the curb islands would reduce or impact the display or parking areas. Mr. Aulger stated technically not with the current

situation, but if a tree were planted in an island in the middle of a parking lot, it would not live past five years. Mr. Rehm noted, though, that the parking lot would look a whole lot better. Mr. Aulger stated the trees would also drop “all kinds of stuff” on the cars.

Mark Weaver moved, Gil Ning seconded, to grant the request of Wayne Real Estate Holdings, LLC for final development plan approval for a 2,000-sq. ft. addition to Toyota of Wooster at 1363 West Old Lincoln Way in an M-2 (General Manufacturing) District, subject to the following conditions: (1) That the three different parcels be combined into one parcel; (2) That the applicant receive approval from the Board of Building and Zoning Appeals to expand the non-conforming use (Section 1149.03(c)(2)); and (3) That the vehicles for sale or lease be placed in individual display area locations and shall not be parked in any of the indicated employee, service or salespersons parking spaces.

Mr. Weaver stated the applicant noted that the parking areas had appeared that way for quite some time, so he felt it was a compromise between what the City was asking for and what the applicant wished to do. Mr. Weaver noted there were no comments from either the City Engineer or the Fire Chief on the proposal.

Ms. Christopher-Finn questioned the requirement for landscape islands. Mr. Weaver stated his motion left that out, and could be amended if the Commission wished to do so. Mr. Rehm stated he would be voting no because the landscaping requirement was not part of the motion. Mr. Rehm stated he felt the landscaping was vital.

Mr. Rehm moved to amend the motion to also include the following: (4) That landscape islands, no less than 10’ in width with at least one shade tree, be installed around the freestanding sign on the north of the space indicated as “employee 8” and between spaces “employee 15” and “employee 18”. Motion to amend failed due to a lack of a second.

Mr. Aulger questioned the timeframe for combining the lots. Mr. Dutton stated that typically would need done before a zoning permit was issued for the project.

Mark Weaver voted yes.

Ron Rehm voted no.

Gil Ning voted yes.

Jackie Middleton voted yes.

Wanda Christopher-Finn voted yes.

Fred Seling voted yes.

Motion carried by a 5-1 vote.

Meeting adjourned at 6:08 p.m.

Fred Seling, Chairman

Laurie Hart, Administrative Assistant