

MINUTES
CITY OF WOOSTER PLANNING COMMISSION
January 5, 2023

I. MEETING CALLED TO ORDER AND ROLL CALL

In the absence of a Chairman and Vice-Chairman, Vince Marion, Planning and Zoning Manager, called the meeting to order. Commission members Kyle Adams, Philip Apel, Sheree Brownson, Grant Mason, Shawn Starlin, and Mark Weaver were present at the meeting. Commission member Chuck Armbruster was absent. Vincent Marion, Planning and Zoning Manager, represented the City of Wooster.

II. Chair/Vice Chair Selections for 2023

Kyle Adams motioned to elect Chuck Armbruster as Chairman of the Planning Commission. Shawn Starlin seconded the motion. The motion carried unanimously 6-0.

Grant Mason motioned to elect Shawn Starlin as Vice Chairman of the Planning Commission. Sheree Brownson seconded the motion. The motion carried unanimously 6-0. Mr. Starlin resigned over the meeting.

III. APPROVAL OF THE MINUTES

Mark Weaver made a motion to approve the minutes of the December 1, 2022, meeting of the Planning Commission. Sheree Brownson seconded the motion. The motion carried unanimously 6-0.

IV. APPLICATIONS

PC-22-26.

Scott Morgan requested approval for a Preliminary Development Plan for the construction of 320 apartments, clubhouse, and parking on West Milltown Road with permanent parcel numbers 53-01518.000 and 53-01312.000 in an R-4 (Multi-Family Residential) zoning district.

The applicant has requested to withdraw the application.

Mark Weaver made a motion to remove from the table application PC-22-26. Grant Mason seconded the motion. The motion carried unanimously 6-0.

Mark Weaver made a motion to accept the withdrawal of application PC-22-26. Sheree Brownson seconded the motion. The motion carried unanimously 6-0.

PC-22-29.

Penny Navarro requested a Conditional Use Certificate for a Recreational Facility at 2918 Cleveland Road (Parcel Number 67-01094.000) in a C-3 (General Commercial) zoning district.

Penny Navarro, 217 First Street, Holmesville, stated that creating a town inside the building where children can play that would look like a miniature town. Ms. Navarro explained that there would be

places for parents to sit and watch their children play and socialize. Ms. Navarro continued that the children would use their imagination, the key to developmental growth, and gives parents time to relax while the children play. Ms. Navarro stated that the town would be within the building and freestanding. Ms. Navarro explained that six children per hour with ten stations to play would keep the noise to a minimum. Ms. Navarro stated that she would install noise barriers if needed. Ms. Navarro explained that the visits were appointment only and that the parking was adequate for six children per hour. Ms. Navarro continued that they tested the noise levels. Ms. Navarro stated that the interactive stations were for learning three years or older.

Mr. Starlin asked if anyone from the public would like to address the Board regarding the application. Mr. Starlin closed the public hearing.

Mr. Marion stated that the closest use within the code is recreational activity which is conditionally permitted in a C-3 zoning district, hence the hearing. Mr. Marion explained that a parking analysis was performed with the occupancy of the facility and the number of reservations, and the parking was sufficient.

Grant Mason made a motion to approve application PC-22-29 as presented. Sheree Brownson seconded the motion. The motion carried unanimously, 6-0.

PC-22-30.

The City of Wooster requested a recommendation from the Planning Commission to City Council for Text Amendments to Chapter 1107 (Zoning Districts) of the Planning and Zoning Code to expand manufactured housing in an R-5 zoning district.

Vince Marion, Planning and Zoning Manager, 538 North Market Street, stated that City Council was presented with a proposal to amend section 1107 of the Planning and Zoning Code to expand the ability for manufactured housing within the R-5 zoning district. Mr. Marion noted that a few months back, the commission reviewed an amendment to allow multi-family in the R-5 zoning district, expanding the possibilities for use. That was recommended for approval by Planning Commission and sent to City Council for acceptance, and City Council adopted the recommendation. Mr. Marion explained that tonight's proposal was presented to City Council. City Council then passed a resolution asking for it to be reviewed by Planning Commission and a recommendation to be made.

Mr. Marion stated that upon staff review of the proposal, an option is presented by staff to expand cluster residential developments within an R-5 zoning district. Mr. Marion explained that during the discussion at City Council regarding the multi-family amendment, there was a mention that multiple single-family units are not permitted on a single lot. This caused staff to look at the code and CRD's (Cluster Residential Development), which are permitted in an R-1 and an R-2 district for multiple single-family structures on one parcel/lot. Allowing this option within the R-5 zoning district is an alternative to expanding manufactured housing. This option allows for multiple units on one lot, permitting higher density. The density proposed within the option is at the same density of permitted manufactured homes before the 2018 amendment.

Mr. Marion stated that you have two proposals before you. Mr. Marion explained that the staff recommends option B, expanding the possibility of Cluster Residential Developments. If neither option is something that Planning Commission is comfortable recommending for adoption to City Council, staff is requesting that the commission table the application pending the completion of an update to the Wooster City Comprehensive Plan. Mr. Marion noted that the City was currently finalizing a contract with a consultant to complete the Comprehensive Plan and will have it completed by year-end.

Mr. Starlin asked if anyone from the public would like to address the Board regarding the application.

Doug Drushal, 225 North Market Street, stated that 90 percent of what you consider on the Planning Commission affects the property owner and owners nearby. Mr. Drushal explained the proposition is before you because it can benefit the whole City. Mr. Drushal continued that the City Council has an ultimate say on the issue, but the code not only encourages but requires that the Planning Commission give their recommendation. Mr. Drushal stated that City Council is interested in your thoughts on this application. Mr. Drushal explained that this request is to amend the Wooster City Code to the code that applied to zoning until 2018, when the code had a zoning district that allowed manufactured homes. Mr. Drushal continued that only two areas were R-5 within the City, Shelmar, and Melrose. Mr. Drushal stated that in 2018 the code changed to say that in an R-5 zoning district, you cannot put manufactured homes. Mr. Drushal explained that you could not zone an area where nothing can exist. Mr. Drushal continued that Cluster Residential was unrealistic for the Shelmar site and had nothing to do with the request. Mr. Drushal stated that every manufacturer in the City of Wooster is begging for affordable housing for people to work in those factories, which would benefit the City as a whole. Mr. Drushal noted that this was an affordable and reasonable option. Mr. Drushal explained that with a manufactured home, you become an owner and more invested in the home. Mr. Drushal continued that we want to allow manufactured home use only in an R-5 zoning district which applies to Shelmar because Melrose was full. Mr. Drushal stated that Shelmar was annexed into the City in 1990 and tapped into the City's water and sewer.

Samira Zimmerly, 377 West Liberty Street, stated that Shelmar had been around for a long time. They are a long-standing member of the Wayne County Chamber of Commerce and a well-respected business owner-operator in the Wooster Community. Ms. Zimmerly explained that they are known as a quality operator and that the housing units meet the needs of many with little or no option for economical housing. Ms. Zimmerly continued that the chamber was supporting not wanting to annex additional properties or convert existing properties for mobile home parks. However, we feel Shelmar's situation is unique. Ms. Zimmerly stated that Shelmar had owned the subject property for many years, and the property was always planned to be utilized for the requested use. Ms. Zimmerly explained that regardless of the notices that may or may not have been issued on the zoning change that prohibited any addition or expansion of trailer parks, we feel, given the history of Shelmar and the long-standing intended use of the vacant property, that they should be permitted to expand. Ms. Zimmerly continued that approval will support Shelmar and bring much-needed housing options to the market.

Joel Montgomery, Director of Administration City of Wooster, 538 North Market Street, stated that the administration and I agree with 90 percent of the comments and concerns. Mr. Montgomery explained that the primary concern for the City of Wooster is good planning and the health and safety of the residents. Mr. Montgomery continued that changing the zoning over time was very common, especially in the last 23 years since 1990. Mr. Montgomery stated that the comprehensive plan is done every ten years. Mr. Montgomery explained that events happen and things change, which makes sense to the City of Wooster. Mr. Montgomery continued that any change made to the zoning is not just to the site currently zoned because there is a process where you can change zoning. Mr. Montgomery stated that adjacent land near this property that is currently R-4 could be requested and amended to R-5. Mr. Montgomery explained that the biggest concern with Larwill was the health and safety of the residents. The living conditions were horrible. We worked with many of our local agencies to rehome everyone who lived there. Mr. Montgomery continued that manufactured homes have a limited life and wear down quicker than stick-built homes. Mr. Montgomery stated that the City has no ability by state law to inspect or ongoing inspection for building, fire safety, property maintenance, or zoning codes when it comes to manufactured homes. Mr. Montgomery explained that's what happened at Larwill. Things got to the point where the City couldn't do anything. Mr. Montgomery continued that it was not the intent of the City to say nothing could be built in an R-5. Mr. Montgomery stated that the City wants the property to be a viable piece of property and wants housing, so the recommendation was to allow an R-4 in an R-5 zoning district. Mr. Montgomery explained that you could get the same density with small homes on a small lot in a Cluster Residential development, and the City can inspect them. Mr. Montgomery stated that Planning Commission approved a cluster-type plan development on Melrose that is currently being built. Mr. Montgomery explained that the City has people calling wanting to develop additional apartment properties in Wooster.

Scott Myers, 421 Holmes Blvd, stated that he requested that the law department draft language to bring before the commission. Mr. Myers explained that the law department also represents City Council and city administration. Mr. Myers stated that Council wants a prohibition against any additional R-5 in the City. Mr. Myers explained that no further rezoning could be done, just the Shelmar property. Mr. Myers continued his concerns about the change to the zoning and pulling the rug out from the property owners from what they intended to do for many years. Mr. Myers stated that he talked to people who live in the parks, and they were happy living in the parks. Mr. Myers noted he spoke to the police department, and they don't get any additional calls to the extent that there were problems within the parks. Mr. Myers explained that the City was asking to prohibit the current owner from adding more R-5. Mr. Myers continued that there will always be a social and economic need for housing that meets the price point of a manufactured home.

John Scavelli, Law Director City of Wooster, 538 North Market Street, stated that there are two options in front of the commission. Mr. Scavelli explained that city administration advocated for option B and modular homes in option B cluster homes, which would have the same footprint as a manufactured home. Mr. Scavelli continued that the difference between them was that they would be considered buildings for our building code. Mr. Scavelli stated that the City could regulate those buildings where they could not regulate manufactured housing, which was the City's fundamental

interest. Mr. Scavelli explained that the town is very interested in increasing our housing stock and ensuring it is safe for residents. Mr. Scavelli continued that it would not be detrimental to the people building the development if we changed their zoning. Mr. Scavelli stated that the trailer park has no official plans for expanding this property. Mr. Scavelli explained that the lift station was installed when the property was first annexed into the City and was necessary to get sewer to those individual manufactured homes. Mr. Scavelli stated that the City's option would allow them to use the property very similar to what they want and enable them to be regulated by the city building department. Mr. Scavelli explained that there was no determinant to them and that they were very similar to the R-5 and more beneficial to the City to the residents and neighbors. Mr. Scavelli stated that the property had many options, with apartments and cluster homes being beneficial.

Jonathan Millea, Economic Development, 538 North Market Street, stated that a brand new mobile home price was generally 110,000 to 120,000, and higher-end models could reach 200,000 dollars. Mr. Millea explained that there were approximately 600 – 700 manufactured homes in the City and the bulk were in Melrose Trailer Park. Mr. Millea continued that the park stretches from Melrose Drive to Cleveland Road and is the second-largest Shelmar Trailer Park. Mr. Millea stated that as a past realtor, helping people find housing and mobile homes seems financially attractive, but we find that the old units cannot be moved. Mr. Millea explained that the payments for a mobile home are accompanied by a 400 - 500 dollar lot rent. Mr. Millea continued that mobile homes are unique compared to residential units; effectively, a lack of protections on the economic side poses a financial risk to the buyer. Mr. Millea noted that the way the State of Ohio has its policies set up, we cannot provide the specific services we supply for any other residential use making this a unique benefit. Mr. Millea explained that those policies prevent us from addressing safety concerns and don't address the economic rights of those individuals who own real estate. Mr. Millea continued that in the market today, when it comes to mobile homes, one of the standard practices was changes in leases and the inability to relocate them, and they can be repossessed easily. Mr. Millea stated that with this type of development, homes have relatively low taxes, permissive deferred maintenance, lack of local oversight because of the state policy, and the state lacks laws concerning enforcement and title. Mr. Millea explained that the park could welcome 81 new units. Mr. Millea continued that the City is trying to prevent Larwill Park from happening again.

Mr. Marion stated that amendments such as the amendment that occurred in 2018 are usually the result of one of two occurrences. The first is completing a comprehensive plan where public support and input were gathered. The second occurrence is a failure of the existing code. This is what led to the events on Larwill. Mr. Marion continued that we are forced to comply with state regulations. Mr. Marion stated that the property maintenance inspectors went through Shelmar Mobile Home Park and found approximately 40 violations that are citable if not within a manufactured housing park. Mr. Marion stated that local governments have the ability to regulate through zoning what are permitted uses. Mr. Marion continued that the staff recommends option B be forwarded to City Council for adoption.

Mr. Starlin closed the public hearing.

Grant Mason motioned to recommend the text amendment to City Council Chapter 1107 of the Planning and Zoning Code to allow the expansion of manufactured housing in an R-5 zoning district with the language presented in our materials package and as suggested by attorney Doug Drushal. Kyle Adams seconded the motion. The motion tied 3-3, the motion failed.

Mark Weaver made a motion to recommend to City Council for option B, the plan proposed by staff. Sheree Brownson seconded the motion. The motion passes 5-1.

Kyle Adams made a motion to recommend to the City Council the expansion of manufactured housing and Cluster Residential Development in an R-5 zoning district. Grant Mason seconded the motion. The motion failed 2-4.

PC-22-31.

Greg Seifert requested Preliminary Development approval for a vehicle washing establishment at the intersection of Smithville-Western Road and Burbank (Portion of Parcel number 67-02990.005) in a C-3 (General Commercial) zoning district.

Greg Seifert, 3673 Massillon Road, Uniontown, stated that the site was the outlet in front of Meijer, as shown on the sitemap. Mr. Seifert explained the one-acre site and approximately 5000 square feet brick building with the car wash tunnel and self-serve vacuum stations outside. Mr. Seifert continued that there are adequate queuing lanes for traffic. Mr. Seifert stated that a car wash is permitted in the zoning district. Mr. Seifert explained that car washes move faster and were designed to prevent pile-ups and slowdowns. The technology makes this a better experience for the customers and operators. Mr. Seifert continued that the car wash is compatible with the Meijer facility. Mr. Seifert stated that there was no outlet on the public street and just connected to the Meijer parking lot and internal circulation.

Grant Mason made a motion to approve application PC-22-31 with the following conditions:

1. Landscape plan meeting stated requirements.
2. Sign and flag pole details.
3. Lighting Plan
4. Sign locations and size must comply with the code unless a variance is obtained.
5. Site development must comply with all provisions of the City's Site Development and Improvement Manual for Storm Water management, current edition.
6. Developer must use the current City of Wooster Engineering Standards.
7. Developer to obtain all necessary Engineering Permits and Stormwater guarantees.

Phil Apel seconded the motion. The motion carried unanimously, 6-0.

PC-22-32.

Alex Frazier requested a Conditional Use permit for a multi-family development on the east side of Cleveland Road between Timber and Northgate with permanent parcel number 67-02539.000 in a C-3 (General Commercial) zoning district.

Alex Frazier, 1301 East Washington Street, Indianapolis, stated that the project consisted of 42-unit development multi-family composed of 2 and 3-bedroom units in two buildings. Mr. Frazier explained that this was a tax credit project with rent at or below 60 percent of the median income. Mr. Frazier continued that development cost approximately 14 million dollars to construct. Mr. Frazier stated that they develop in 18 states and are number 8 in affordable housing developers in the nation in sales. Mr. Frazier explained that they developed Union Lofts in Ashland, Ohio.

Mr. Starlin asked if anyone from the public would like to address the Board regarding the application.

Jonathan Millea, Economic Planning, 538 North Market Street, stated that the Economic Development department is working to provide information to help the low-income house tax credit project. Mr. Millea explained that low housing tax credits are a private-sector approach to providing support for public housing. Mr. Millea continued that a housing authority manages blocks of apartments, and the private sector approaches the federal government and offers to finance the apartments. Mr. Millea stated that in terms of management, you have more direct onsite management. Mr. Millea explained that with the private sector, there were more benefits with better outcomes for the tenants. These projects contribute to our school and city and county services and provide help to low to moderate income. Mr. Millea stated that federal regulations control how the units are delivered and a good product.

Mr. Starlin closed the public hearing.

Sheree Brownson made a motion to approve application PC-22-32 as presented. Phil Apel seconded the motion. The motion carried unanimously, 6-0.

V. **ADJOURNMENT**

Phil Apel made a motion to adjourn. Sheree Brownson seconded the motion. The motion passed unanimously, 6-0.

Shawn Starlin, Vice-Chairman

Carla Jessie, Administrative Assistant