

STOW PLANNING COMMISSION

Minutes of the Stow Planning Commission meeting held on Tuesday, September 25, 2018, at 6:00 p.m.

MEMBERS PRESENT: Mr. Brauer, Mrs. Harrison, Mr. Miller, Mr. Ross

MEMBERS ABSENT: Mr. Sprungle

ALSO PRESENT: Rob Kurtz, Director of Planning
Jill Janson, Secretary

PRESS REPRESENTATIVE: Stow Sentry

Mr. Brauer called the meeting of the Planning Commission to order at 6:00 p.m. and asked the audience to stand and say the Pledge of Allegiance. Roll call was taken.

BUSINESS ITEMS:

1) P.C. 2018-019 – Jim Yeager – Conditional Zoning Certificate for a two-family dwelling; Ritchie Road (#56-09634)

Chairman Brauer introduced Rob Kurtz to provide comments.

Mr. Kurtz: Thank you. This is a request by Mr. Jim Yeager, who is the applicant, and Mr. Robert Chevalley, who is the property owner, for your approval of a conditional zoning certificate to permit the construction of a two-family dwelling on a vacant lot that is between 1199 and 1231 Ritchie Road. The property is zoned R-2 and two-family dwellings are conditionally permitted in this district. The existing parcel is a flag lot with 67.5 feet of frontage and a width of 135 feet. It is a wooded lot with 42,700 square feet in area. There are two-family dwellings located to the east, west and south of the site. The property to the north is zoned I-2 Industrial and is occupied by Spectrum Surgical; an office building. The proposed two-family dwelling would be located 40 feet from the Ritchie Road right-of-way and generally in line with the adjacent dwellings on either side. The structure will include a total of approximately 2,700 square feet of living area. Vinyl lap siding is proposed for the project. The existing dwellings are here and here (pointing out the site and surrounding dwellings on the overhead screen) and one is set back there. You can see that this is nearly an acre in size. Here is the proposed elevation of this two-family dwelling. It exceeds the required minimum lot area of 24,000 sq. ft., as this lot is nearly an acre, and meets the location criteria in that it is surrounded by two-family dwellings and/or industrial zoning. The only issue that would require a variance is that the applicant is intending to locate it here. 40 feet from the right-of-way; which is not against code but, the issue is since two-families require 135 lot width, it is on the narrow part of the lot as opposed to the wide part of the lot. Planning Commission does have authority to grant variances. One of the criteria is if we would arrive at a better

site plan. That's one justification for that. And again, you could argue that the reduction of the clearing in the back of the property certainly could enter into that. Also, there's industrial zoning to the north; also a reason to move it away from that area. He had provided some additional pictures and when the applicant wants to speak, I will find those and you can go through those. So, I will leave it at that. I'd be happy to answer any questions.

Mr. Brauer: Thank you. It appears that the reason why the units were moved back was because of the clearing of the trees?

Mr. Kurtz: That's one.

Mr. Brauer: And then as far as the frontage, they kind of line up with the adjacent property to the east. Are there any other concerns or comments before we ask the applicant to come up? Okay, Mr. Yeager and/or Mr. Chevalley, please come forward. I'm going to ask you to state your name and address. And please use the microphone.

Mr. Yeager: (Comments inaudible)

Mr. Brauer: Any questions for Mr. Yeager? Is there anyone in the audience that would like to speak on behalf of this proposal? No?

Mr. Brauer: Rob, the City doesn't have any concerns as far as the lay-out of the unit or the location, do they?

Mr. Kurtz: No, I think the proposed location is good rather than setting it back. I would prefer this location.

Mr. Brauer: Okay. If there's no other discussion or comments or concerns, I'd like to make a motion to approve P.C. 2018-019, second by Mr. Miller. MOTION CARRIED.

Mr. Brauer: Okay, Mr. Yeager your proposal passed the Commission and your next meeting will be October 11th at Council.

STUDY ITEM:

1) P.C. 2018-014 – Dwight Yoder – Conditional Zoning Certificate with Variances – Graham Road Senior Apartments; 2815 & 2845 Graham Road

Mr. Brauer: Again, this is a study item, folks. I know that there are a lot of people in the audience that would like to speak. Keep in mind that we've heard a lot of comments at the last meeting, so if you have new information, please bring it forward.

Mr. Kurtz: Thank you. This has been before you twice before. The lay-out in front of you represents a fairly significant change from the last time it was reviewed. So the open space now is located in the back and also the front. The lay-out also included the

addition of some pull up areas for dumpsters and the turn-arounds located at the intersections there. Again, there are a total of 18 units in this plan; which is less than the maximum. Acreage is the same at 4.5 acres. In terms of the zoning code, they are still faced with the 2 variances with this lay-out: One would be the location variance; which is that the site is located west of Lake Run; and two the lot configuration; the lot depth exceeds the lot width by more than 3 times. As I indicated in previous discussions, in terms of the site location criteria, that is west of Lake Run. I don't find significant justification to support that variance, so I would not support that variance with this submittal. So, again, I would ask Planning Commission to indicate to the applicant that this is the 3rd time we have seen it and if you're so inclined to indicate at least, if it goes forward as a business item, whether you would be inclined to support it or not. It would be helpful to the applicant to receive that kind of specific feed-back or what other changes might be recommended. I'd be happy to answer any questions at this time.

Mr. Brauer: Thank you, Mr. Kurtz.

Mr. Ross: Rob, would you be so kind as to give us the background on not locating this west of Lake Run Blvd.?

Mr. Kurtz: So, the background that I'm aware of when the code was amended back in 1993, there was specific criteria allowing where multi-family dwellings could occur. And, at that time, Robinwood Apartments were there and the project to the south was also in place. One of the criteria was that multi-family developments on Graham Road, according to 1169, should not be located west of Lake Run. According to Mr. Trenner, that was the line in terms of where multi-family development could occur so, the last multi-family development on Graham Road, the main one by the intersection by Lake Run, that was the border of multi-family development. At least that's the background of why that amendment was made. Now, west of Lake Run all the way to Graham Road, the predominant land use is single family. As reviewed, based on our GIS, we counted 129 total buildings; 111 of those were single family and 18 were multi-family buildings. So about 87% were single family. And of course there are multi-family buildings from Graham Road at some intersections which were built in the 1960's and 1970's so certainly it occurs but, predominantly it's single family right there.

Mr. Brauer: Any other conversation or concerns from the Commission? Okay, I'd like to open up the proposal to Mr. Yoder or your architect?

Mr. Reed Richins: (Mostly inaudible presentation)

Mr. Brauer: I will give you my opinion. I can't support this. It's the location. You're talking about transition from the residential property to the left, if you're on Graham Road, vs. the apartment complex to the right. This is not a really good transition. There's probably a lot more that I could dig into but, I'm just going to give you my opinion: I can't support this. The feelings of my colleagues may be different and just to cut right to the gist of it, that's where I stand. Okay?

Mr. Ross: I assume that some of the concerns we have about additional parking are shown on here with the 4 additional spaces that are not labelled, is that correct?

Mr. Richins: (Inaudible)

Mr. Ross: And you've incorporated sidewalks I see. Well, I will as well give you my opinion. I agree that you found yourself in an unenviable position with respect to where we are with the code. I guess I don't share my colleagues thought about it not being a reasonable transition. I think it probably is as good as it's likely to get from anyone. I think you've done a reasonable job of trying to address some of our concerns. I can see where the buffer at the north end of the slate is an accommodation to those who live on the street, north; which I'm glad to see. I would like very much to see a topography plan; I'm taking you at your word that these berms will be sufficiently high and screening would accommodate that. The only difficulty sometimes with those berms is they are difficult to maintain as you know. So that made the issue that I'd like to see as well as the landscaping plan. Assuming those things were well done, I could support the proposal as presented.

Mr. Miller: I would actually agree that I do like the buffer in the back and I think that's going to help the residents that live on that north side with having the trees buffering the property there. I do like this set-up better for the turn-around for the Fire Department and for a place to put the snow, plowing during the winter, this looks a lot better than the last one that came to us. I am in agreement with the buffering between the east and west and it looks better with them turned. The issue that I have is based on where the property is located. I do like the design, the transition I have no problem with, but, unfortunately, there's some rules here that have been in place since the 90's and, unfortunately, I think that's where you might run into a barrier of getting the variance. So, I would have a hard time . as the rules sit . supporting this at this time. Thank you.

Mrs. Harrison: I think that it does look like a good design. I did miss the last meeting when you guys were here and presented the last one so I missed the middle design. I do like the design. I think that there is ample space there. I do think the tree buffer is quite large and more than what would be required if there were single family homes on both of those lots. But, I do think that it's going to be hard to overcome that location. I think, even if it would pass here, it would have a hard time going further; being west. Based on what the code is. I think that's going to be too hard to overcome. Thank you.

Mr. Brauer: Okay, that gives you the gist of where to go. Thank you. At this point, again, it's a study item so I don't think we have a whole lot of need to re-hash the conversation of your likes and dislikes until it's brought to the Commission as a business item. You folks are more than welcome to come in and discuss it with us. Any questions?

(Unknown person approached the podium; however, comments were inaudible)

Mr. Brauer: Thank you.

Mr. Kurtz: One comment I'd like to make. Our next meeting is October 9th and since we don't have an application at this time, this would not be heard on October 9th. I just want to be clear that it will not be on the next meeting. It could potentially be on the following meeting but, not on October 9th. So there's no confusion with someone showing up.

Mr. Brauer: Correct me if I'm wrong but, they will get a letter, right?

Mr. Kurtz: Yes, as we did this time.

Mr. Brauer: You'd be aware of the next meeting or if it comes to the Commission at all.

(Unknown person from the audience spoke; however, comments were inaudible)

Jim Williams . 2787 Graham Road

I am the second property to the left. I still don't understand how they're figuring that the parcels in question aren't considered feasible for single family living. If you keep going to the west, you can see where Liepold's house is. Look how much is behind and that's considered feasible property; a viable property. The one next to it, it keeps going down and it's fine. They're still bowling alley lots but, they still work fine. So they're all fine for residential, single family houses. Another thing when he talks about berm along through there. I mean there's still a natural flow of ground water. Now all of a sudden, you're going to dam that up . like a beaver dam . and where's all that water going?

Mr. Brauer: Well, that hasn't been discussed.

Mr. Williams: I know. I'm just saying it's more directed to the Developer.

Mr. Brauer: But, he didn't say that either. He didn't say he was going to dam it up.

Mr. Williams: He's gonna put a berm in that you can't see over. I'm pretty sure that's gonna cause something the water's not gonna run over and keep going in its nature flow when it rains. And then, you know, as far as the retention basin that they're showing here, I've never seen any retention basis that actually held water year round. So, and then that's adding more standing water even from it instead of having the natural run offs that all those other properties have. So, anyway, I just want to say that I'm going to do whatever it takes to make sure that this doesn't happen. I'm not gonna go away.

Mr. Brauer: Again, Jim, this is a study item. These are not easy for us. You have a right to speak and we're going to listen to you.

Mr. Ross: That's another reason why I wanted topography. To address some issues that are not apparent in terms of water flow and sheet flow and things like that. We can't address it because we don't see it.

(Unknown person approached the podium; however, comments were inaudible)

Mr. Brauer: Thank you. Are there any other conversation or comments? Okay, our next scheduled meeting is October 9th.

Mr. Kurtz: And we don't have any items so we won't have an October 9th meeting.

NEXT MEETING: TBA

With no further business to discuss, Mr. Brauer moved and Mr. Miller seconded the motion to adjourn. It was unanimously approved and the meeting adjourned at 6:49 p.m.

Chris Brauer
Planning Commission Chairman

Jill Janson
Secretary