

**CITY OF CIRCLEVILLE
PLANNING AND ZONING COMMISSION
104 EAST FRANKLIN STREET
CIRCLEVILLE, OH 43113
(740) 477-8224**

Wednesday, May 1, 2019
City Hall Council Chambers

MEETING MINUTES

Members Present

Dorcas Morrow
Al Sedlak
Marshal Griebel-Graham
Larry Logan
Don Sherman
Mike Combs
Don McIlroy, Mayor
Brenda Short, Clerk

Visitors

John Ankrom
Craig Stevenson
Daryl Wolfe
Adam Logan
Greg Bunker
Keith Schnippel
Clyde & Linda Preast

Chairman Al Sedlak called the meeting to order at 6:00 p.m.

Mr. Sedlak asked Don McIlroy to introduce the new Planning & Zoning Commission Member.

Don McIlroy introduced Larry Logan and welcomed him. He stated that Larry has been on the Circleville Park Board for a number of years. He was just elected President and the President serves on the Planning & Zoning Commission Board also.

The first item on agenda is to approve the April 2019 meeting minutes. Don Sherman made a motion to approve the April 2019 meeting minutes as recorded and Don McIlroy seconded the motion. Motion carried.

Variance 3-19 as requested by John Ankrom for 1600 Brooke Park Drive, Circleville, OH 43113, to vary the rear yard setback from 40' to 30' in an R2 District, Single Family Residential District.

Mr. Ankrom was sworn in.

Mr. Ankrom stated he wanted to make one correction to start out with. The request is to go to 34' feet.

Mr. Sherman spoke up and stated they had to change it to 30'. Reading the definition of "structures", it includes patios. This includes those not under a roof.

Clyde and Linda Preast are in the audience and can be asked specific questions if needed.

Mr. Ankrom stated the Preasts are desiring to build a house in Meadow Brooke on Lot 18. The lots on Meadow Brooke are only about 120' deep, which is challenging for a 2,000 square foot house with a two car garage. It is challenging to get that in in the depth with a 30' front yard setback and a 40' rear yard setback. In this particular case, Clyde would like to do an oversized garage and that has made the difference between needing a variance and not needing a variance. To accommodate what they want to do, we are requesting a variance across the rear down to 30' versus the 40' required there. He stated he does have some pictures of the house and a plan of the house if that means anything to you.

Mr. Sedlak stated that is not required. This is pretty straight forward. We have since that subdivision begun being developed, have had a number of requests for variances on front, side and rear yard setbacks for the reasons Mr. Ankrom has mentioned.

Mr. Sherman commented that when looking at this, and when they talk about setbacks, they usually are talking about buildings, but they are also talking about structures. The definition of structure includes walls, buildings and patios. I think because it is uncovered it is going to feel more like 34', but because it is a patio it will need to be 30".

Mr. Sedlak stated something that needs pointed out is that it is an open field behind them. This does not encroach on anyone else. Hopefully, it will in the future be developed, but when it is developed, it will be with the knowledge that these variances are here.

No one in the audience had any questions or comments.

Don McIlroy made a motion to approve Variance #3-19 and Marsha Griebel Graham seconded the motion. 7 Yeas. 0 Nays. Motion carried.

Conditional Use Permit #5-19 as requested by John Ankrom, for Circleville City Schools, 388 Clark Dr., Circleville, OH 43113, to build a new maintenance building in existing bus storage area, in an SU District, Special Use District.

John Ankrom had previously been sworn in and he was reminded that he is still under oath.

Mr. Sedlak stated that all uses in a Special Use District are conditional uses. Any new use or significant changes must come to the Planning & Zoning Commission.

Mr. Ankrom stated he had a new updated drawing that has better information on it. He put it up for display and reference.

Don McIlroy inquired if this was where the bus parking currently is.

Mr. Ankrom stated yes, part of that is existing.

Mr. McIlroy inquired if any part of that new building would be close to the football field.

Mr. Ankrom stated no it would not. He stated that the sidewalk is coming around the outside of the track. That is the existing concrete sidewalk that is there now.

Mr. Sedlak stated basically it is tucked into the back corner to the west side of the football stadium and just east from YMCA.

Mr. Ankrom stated it is as far north as they can cram it because this is where their existing bus parking is currently located. They will be expanding that footprint to allow up to twenty busses to park in this facility, fenced in. There is an existing maintenance building back there that is a one story structure. It will be taken down and the new 6,000 square foot building will be put up. It will have two maintenance bays in it. They can drive buses inside building and wash them or work on maintenance. The east end of this building will be a one story structure that will house a visiting locker room and an extra concession booth. It will be a dual use maintenance portion and some athletic facilities for the football field.

Mr. McIlroy inquired with the fence that is there, will there be a cut in the fence to get from the football field to that facility.

Mr. Ankrom relied, yes there will be a cut in that fence.

Mr. Ankrom stated that the other component to this is there will be a fuel depot. There will be a 12,000 gallon diesel tank and a 2,500 gallon gas tank. They will be within the fenced enclosure. The buses will be able to fuel as well as be washed and maintenance done on them.

This area pushes to the west of the existing shared use path that comes from the YMCA and goes to OCU. The entire lot will be paved. Storm drainage is going to go north into the current wetlands retention area that is up to the north side behind the football field.

No one in the audience had questions or comments.

Mr. Sherman made a motion to approve Conditional Use Permit #5-19 and this will also include the demo permit plus parking and fueling area. Don McIlroy seconded the motion. 7 Yeas. 0 Nays. Motion carried.

Variance #4-19 as requested by Greg Bunger, 375 Sycamore Drive, Circleville, OH 43113 to vary the side yard setback from 6" to 3.5", in an R3 District, Single Family Residential District.

Greg Bunger was sworn in.

Mr. Bunger explained that the better half wants a laundry room so he is going to have a laundry room built on. That is what the addition will be used as. They will be infringing on the side lot setback.

Mr. Sedlak stated that when driving by, the side of the house would be the right side when looking at it from the road. The neighbor to the right has a garage on that side, correct? He wanted to verify that it was a garage and not a family room or bedroom.

Mr. Sedlak stated the request is pretty straight forward.

Mr. Sherman inquired with the large back yard, why would you not add on to the back.

Mr. Bunger stated he has an in-ground pool.

Mr. Sherman stated that was not shown. He also stated that just as a statement, he went back and looked and we have reduced the side yard from 6' to 4' for others, but only for an accessory building, but not for building onto house.

No one in the audience had any comments. Brenda verified there were no response from any neighbors.

Mr. Bunger stated he has spoken with his neighbor to the west and there were no complaints. They are renters and American Homes owns the property.

Mr. Sedlak stated that in approving a variance, we need to find that the lay of the land and the way the improvements are situated creates a necessity for a variance and there are no other feasible alternatives. In this case, he can't expand to the back and this becomes a necessity because of the layout of the improvements on the property. He wanted to state that for the record.

Don McIlroy made a motion to approve Variance #4-19 and Larry Logan seconded. 7 Yeas. 0 Nays. Motion carried.

Variance #5-19 as requested by Forjak Industrial, 544 Clinton St., Circleville, OH 43113 to vary the maximum sign square footage from 100 sq. ft. to 154 sq. ft., in an LI District, Limited Industrial District.

Adam Logan was sworn in.

Mr. Logan stated that the face of the building had some damage to it. They came up with a plan to replace this brick facad that was there, but that they could not find "like" material so they used vertical fascia metal to repair it and it is an now an eye sore. The plan is to put their logo vertically up 21'. It is about 20' by 5' wide approximately. It would tie it all in and not look so bad.

Mr. Sedlak inquired if that is where the blue panel is.

Mr. Logan stated yes it is the weird blue panel. He stated that even if he just painted it brown, it would still look odd. It will not be lit.

Mr. Sedlak stated the regulations on signs is intentionally over restrictive. With the idea being to be very flexible in granting variance and this way it allows the City to have more oversight, more involvement and differential with businesses wanting to enhance the business. For a large building of that nature, a 100' limitation is very restrictive. A 154' total amount of signage in view of the nature and the size of the building is very conservative.

Mr. McIlroy stated he is in favor of small businesses and is very liberal as to how he views signage. He stated he feels this falls within what he is looking for. He thanked Mr. Logan for bringing the business to Circleville.

No one in the audience had comments.

Donald Sherman made a motion to approve Variance #5-19 and Marshal Griebel Graham seconded it. 7 Yeas. 0 Nays. Motion carried.

Replat Permit as requested by Harral & Stevenson, 2869 N. Court St., Circleville, OH 43113 for Progress Park – Replat of Lot B, in a GB District, General Business District.

Craig Stevenson was sworn in.

Mr. Stevenson stated this is very similar to what they presented on the other side of the street a year ago for the retail strip. The need to do the replat is based on how the road is laid out. They created some lots by default. The goal of the developer was to leave the portion out by 23 as one whole and the same thing behind South Court Street, so that depending on the use that comes along, we can make the lot fit the use. This will most likely be replatted a couple other times to further sub divide up.

The lot before you tonight is the one all the way up to the north end against the Walmart property. This will be to accommodate the Hampton Inn. Keith Schnippel with Schnippel Construction is here tonight if there are any questions about the Hampton Inn. We are only here tonight for the lot split.

The only new easement that is being proposed is for sanitary sewer. It does not extend onto the lot. It was only extended into the general area, not knowing at the time exactly where the lot lines would fall. We are proposing that as an additional easement.

Don Sherman stated that IRG was put on notice that no replat would be approved until the street lighting was started and the sanitary sewer along Circle was started. He was informed today there is a contract in progress with IRG to repair the sanitary sewer. It has not been signed yet.

He would ask that it be a condition upon IRG fulfilling their commitment for the street lighting and the sewer repairs. If they are in contract that works.

Don McIlroy inquired if this would hold the project up.

Mr. Sherman stated at this point it does not as long as IRG follows through with what they have to do. IRG has presented a sewer contract. It has not been signed yet, but I would expect it to be signed within the next day or two. This is the only way to hold IRG's feet to the fire.

Mr. Stevenson stated he knows they are aware of it and he will also follow up with them.

Mayor McIlroy stated he wanted to go on the record saying he did not want Mr. Schnippel going back saying the project might get held up or that there might be a problem with IRG. This is just to put IRG on notice.

Mr. Stevenson stated he has a contact with IRG and he will make contact with them also.

Mr. Sherman stated he does not want to lose momentum with them.

Mr. Sedlak inquired if after the approval of the replat and before construction, will there also be permits that will need to be issued.

Mr. Sherman stated yes, a site permit and a zoning permit. That does not hold IRG up, it just holds these people up.

Mr. Stevenson stated he wanted to clarify and be sure, it is street light and sanitary contracts.

Mr. Sherman stated that is correct. He doesn't expect this to hold anyone up because this still has to go to City Council.

Mr. Sherman made a motion to approve the Replat Permit with the stipulation that we have to see movement on those two projects, the street lights and sanitary sewer. Marshal Griebel Graham seconded the motion. 7 Yeas. 0 Nays. Motion carried.

Lot Split as requested by Harral & Stevenson, 2869 North Court Street, Circleville, OH 43113 for Watt Plaza also known as 120-128 Morris Road, in a GB District, General Business District.

Craig Stevenson was reminded that he still under oath.

Mr. Stevenson explained this is the former Big Bear, was Carnival at one time. It is under new ownership. The proposal starts out in the front, along Morris Road where the existing office building is. The owner there would like to expand their parking lot. They currently don't have sufficient parking for their current use.

Mr. Stevenson stated he is proposing two additional lots. It would be big enough for a smaller drive thru concepts and that is the target audience.

Primary concerns when we first discussed were that we were taking out of the parking lot if those were to develop into a restaurant or something along that line. We also talked about access. To address the parking, he stated he went back and looked at it. Mr. Stevenson stated he feels the former grocery store will not be used as a grocery in the future. He stated he felt it would be used more as warehouse or offices. For the sake of argument, he did figure parking at grocery store standards. That requires one space for every two hundred square feet of gross floor space. That counts all of what used to be the cooler area and all of that. There are two units to right side. One of them has existing use in it, it is a tanning salon. The other one is vacant. Parking ratio for those would be one for every three hundred square feet. This would warrant 260 parking spaces. The existing entrance off of Morris Road is massive. He stated he changed in this proposal, is widening those lots out a little bit and taking out one up to the boulevard. We will keep using the entrance that is far to the east on the property. That gives another row of parking. They already had parking stripped out along the side of the building and what could be picked up additionally in the back. This brings the number back to 260 spaces. He pointed out that it feels like it is all connected, but the strip with Pizza Hut and others is a separate parcel.

With the access, they were attempting to find a way that Mr. Palmer would share access while he figures out how and when he wants to build a connection from his front parking lot to his back parking lot. Long term maintenance was a concern Mr. Sherman had in earlier discussions.

Mr. Sherman stated that most restaurants want up along the street and customers come in and park in the back of the building and he felt there should be some type of a cross access easement or agreement to do that. They may not end up with an access off of Morris.

Mr. Stevenson stated that after going back and talking and drafting this up, we should just propose these to be curb cuts.

He stated they will still do some sort of a temporary shared access. The developer stated for now he is not concerned with maintenance of that. There is a provision in the deed that that would go away if that ever becomes a problem for the main parcel.

Mr. Stevenson stated they have done the same language with storm water, they have given them a meets and bounds description to drain any future storm water.

Mr. Sherman inquired if the storm water is a private easement or a public easement.

Mr. Stevenson stated the current one doesn't have a public easement so it could only be private.

Mr. Sherman stated a minor subdivision cannot include a public utility. He wanted to make it very clear that that is private.

Mr. Stevenson stated that sewer and water are all accessible at the street, so there will be no need for an extension. This would have to be a private easement.

Mr. McIlroy stated he is very pleased that they are breaking out the lots for development.

Mr. Sedlak stated this allows for something along the front to be developed.

Marsha Griebel Graham inquired if there was a grade drop off behind Palmer's building to the back parking lot?

Mr. Stevenson stated his building is a split with a walk out area. He actually has some ideas or plans to create a second entrance in the back in the future. He has some plans to use that grade elevation. The uses they have in there are parking intensive for whatever reason.

No one in the audience had comments.

Larry Logan made a motion to approve the Lot Split and Don Sherman seconded the motion. 7 Yeas. 0 Nays. Motion carried.

ADJOURNMENT: Don McIlroy made a motion to adjourn and Dorcas Morrow seconded. Motion carried. Meeting was adjourned at 7:20 p.m.

Submitted by Brenda Short