

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

Wednesday, June 6, 2018
City Hall Council Chambers

MEETING MINUTES

Members Present

Al Sedlak
Don Sherman
Terry Leasure
Mike Combs
Marsha Griebel Graham
Mayor Don McIlroy
Brenda Short, Clerk

Visitors Present

Craig Stevenson Harral & Stevenson
Larry Pontius
Joann Pontius
Jeff Elliott

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

The first item on agenda is to approve the May 2, 2018 meeting minutes. Al Sedlak stated there was one correction needed. On page 1, in the sixth paragraph, second sentence should read "In" not "Tin"

Don Sherman made a motion to approve the May 2018 minutes with the one correction, seconded by Mike Combs. All Yeas and No Nays. Motion carried.

First item of business is Variance Permit #6-18, as requested by Larry Pontius, 140 Brookhill Lane, Circleville to vary the minimum rear yard depth from 40 feet to 29 feet, R-2 Single Family Residential District for Lot 17, Brook Park Road, Circleville.

Mr. Pontious was sworn in.

Mr. Sedlak asked Mr. Pontius to tell what his plans were.

Mr. Pontius stated his wife has health problems with blood clots in her legs and lungs and can no longer climb steps or go down into a basement. The home they are wanting to build will be a quality home, good for the community and the City of Circleville and will be their home for the remainder of their lives.

Mr. Sedlak stated attached to the application were some plans that show what they are wanting to do. It is a Florida Room that is going to extend toward the back. This is straight forward and not an unusual request. He stated he had checked the sub-division plat and while the plat does show a cul-de-sac would be behind them

(toward the north), at this point it is still farm fields. The street isn't even in yet, much less any lots staked off. If and when that lot is sold and developed, if we approve, anyone buying that is going to be buying it with the Florida room sitting where it is.

Don Sherman informed the builder that he would need to do a site grading plan to show where the water and sewer comes in and along with the elevation and grading plan.

Don McIlroy made a motion to approve Variance Permit #6-18 and Terry Leasure seconded the motion. 6 Yeas. 0 Nays. Motion carried.

The next item is Replat Permit, requested by Harral and Stevenson, 120 East Main Street, Circleville for Progress Park, replat of Lot A, which is located at the Northwest corner of South Court Street and Circle Lane in a GB General Business District.

Craig Stevenson was sworn in.

Mr. Stevenson explained based on an initial meeting and earlier discussion with Mr. Sherman, they are requesting preliminary plan approval and he also included in the packet the draft of the final plat. Starting with the preliminary plan, which would be the one showing building and parking lot. This is going to be the north end of Lot A, that would be between US 23, the extension of South Court Street. Lot A runs all the way down to Circle Lane. It requires a replat. This would be further sub divided into parcels. At this time they are focusing with the preliminary plan on the north end. There is a layout for two 6,000 square foot buildings, note that both would have a drive thru at the north and south end. Parking is sufficient. They have talked through the utilities with Mr. Sherman and now have a good solution for those. This lot would be handling the storm water management for a bigger piece of the overall Lot A. The property is currently zoned General Business and this is a good fit.

They prepared the final plat. A couple of things to note are some direction to easements. This is pretty common in this type of commercial development where there will be a lot of cross access. The property lines are really only visible on paper, they do not show up out in the field. The developer would intend for people to be able to drive back and forth from one lot to the next. They will also share utilities and drainage, so easements have been proposed to address that. Those are further described in the developer's agreement that they are working on with Mr. Sherman and will be part of the final approval.

Mr. Sedlak stated in Lot A1, the plat shows 4,500 square feet.

Mr. Stevenson stated he has 4,500 square feet of retail and in the second line he shows there 1,500 square feet of restaurant to facilitate the parking count. They would be portioned down into some tenant spaces. There will be multiple tenants per building. They do not foresee Lot A1 being replated, however A2 most likely would be replatted and if we knew where the division line would be they could do that now, but that is later.

Mr. Sherman stated that A2 could very likely be three parcels and Mr. Stevenson confirmed that.

Mr. Sherman stated he had a couple minor issues. He stated he did not have any problem with the Right Out on Circleville Lane, but a problem with the Right In being that close to the intersection because people that come South Court can turn in earlier, but people coming out Circle Lane can make a right and then a left. There will

be too much congestion there. Secondly, he stated he does not like the third access point. The preliminary showed two access points and feels two access points would meet the needs. He questioned the cross access easement. Since you are going to pave the driveway on A2, will there be a temporary easement for that parking area.

Mr. Stevenson stated he is not proposing any parking spaces on A2 but there will be driveway. On the final plat he proposed that the cross access easement actually drop down and cover the driveway but not the parking spaces.

Mr. Sherman stated that was ok. He stated he was just looking ahead that if he were to sell the lot, he would be protected.

Craig Stevenson stated it was his understanding that this was the sub division process and the zoning permit can be handled administratively.

Mr. Sherman confirmed. He explained this is a replat and the only variance would be a technical variance, the part of the driveway that goes over the lot line because you cannot have a set back there. He stated we are trying to wrap all into one zoning permit. If the cross access agreement covers that, then by approving the cross access agreement we are approving the paving in the encroachment in the ten foot set-backs. We are trying to condense this so that the City of Circleville is not the hold up since they hope to have tenants by the end of the year.

Mr. Sedlak inquired if the third access point would also be off of Court Street. Mr. Sherman stated yes, you have one up on the north end, one mid-block and one down at the south end.

Mr. Sherman stated he has a problem with the middle one because there is already one access point on one parcel. Basically regulations are you have one access per parcel. To get a second one, we have to be convinced there is a reason to have it. Looking at the flow and this is the reason for the cross access agreement, with the proposed lay out, having two make a lot of sense. In working through the design, there was a question that it might even be part of the storm water design. That area may have to be included in the storm water design and may have some tile underneath to equalize the flows on both sides. There will be very good traffic flow around the entire lot.

Don McIlroy stated we built South Court Street for development like this. I believe you will see very soon more development coming to that area. We are working with another hotel in this area. If there are going to be drive-thrus, then I believe two entrances would make sense.

Don Sherman stated the drive thru ends right into that driveway and that could create a more busy intersection.

Mr. Stevenson stated he would offer that in reference to the frequency of driveways, this is very similar to what is happening in the county back north of this.

Mr. Sedlak inquired what roughly is the distance? Mr. Stevenson replied he believes they are 200 feet apart.

Mr. Sherman stated one is close to 200 feet but the other is at about 150 feet.

Mr. Stevenson stated the further south driveway is limited so that it doesn't open out into the turn lane. We must keep it north of turn lane to preserve the integrity of the main intersection. We could space them out and balance it out more. The tenants have said they would very much like to have three.

The tenants stated they are looking at a gas station and that was part of the reason for three entrances.

Don Sherman stated he didn't have any problems with them coming out on Circle Lane but does not want them turning in from Circle Lane. It doesn't make sense with the number of lanes and the flow of traffic. He stated he would have less problems if the middle driveway was more centered.

Craig Stevenson stated he should be able to balance in between the other two by moving it forward north and that would take it out of alignment with the drive thru.

Mr. Stevenson stated when A2 gets sub divided, he feels they would need the third entrance.

Marshal Griebel Graham asked that if you make it parallel or you move it, then that does not upset the lot line division between A1 and A2, does it?

Mr. Stevenson said he likes to keep it split on the driveway. Mr. Sherman stated the easement is the most important part there. Mr. Stevenson inquired is the draft being approved and Don Sherman can make the call once the updates are done on it and once the engineering plans are done?

Don Sherman explained they would like to approve the draft and conditionally approve the final.

Mr. McIlroy stated he would recommend that.

Mr. Sedlak stated he is content in allowing the Service Director and the owner to work out the changes.

Mr. Sherman stated he just didn't want them to have to come back in another month for another plat.

Marsha Griebel Graham inquired if the plat would then go to Council.

Mr. Sherman stated yes, the plat would then go to Council and that is another step. While this is being replatted, since they own the entire lot, they can go ahead and be building. They cannot sell it or move into it, but they can start building.

Marshal Griebel Graham made a motion to approve the replat condition upon agreement between the service department and service director and the owners as far as adjustments. Terry Leasure seconded the motion. 6 Yeas. 0 Nays. Motion carried.

Don Sherman made a motion to adjourn, seconded by Terry Leasure. All in favor. Meeting adjourned.

Submitted by Brenda Short