

**MINUTES  
PLANNING COMMISSION**

**June 26, 2013**

**MEMBERS PRESENT:** Mark Weaver, Fred Selig, Ron Rehm, Heather Kobilarcsik, Jackie Middleton and Kevin Lowry

**MEMBERS ABSENT:** Gil Ning and Wanda Christopher-Finn

**STAFF PRESENT:** Andrew Dutton

**I. MINUTES**

Jackie Middleton moved, Fred Selig seconded, to approve the Minutes of May 22, 2013 as received. Motion carried.

**II. PUBLIC HEARINGS**

**ZC-253. Matt Long, representing Habitat for Humanity in Wayne County, Inc.,** is requesting a zoning map amendment to designate 0.526 acres at the northeast corner of Mechanicsburg Road and Crosswind Court in an R-2 (Single-Family Residential) District upon their annexation into the City of Wooster.

Matt Long, Critchfield Law Firm, Agent for Habitat for Humanity, stated the County Commissioners had approved the annexation on their level. Mr. Long indicated R-2 zoning was being requested for the lot which was located on the edge of the City limits and was immediately adjacent to an R-2 District. Mr. Long stated the goal of Habitat was to construct a single family dwelling on the property in accordance with the rules and standards of the R-2 District. Mr. Long indicated the annexation/zoning was consistent with the Comprehensive Plan, Development Character Area #11, Central Residential Neighborhood, which noted, "*continue to promote single family residential development and to continue the exact sort of development requested by an R-2 District*". Mr. Long stated the development of the lot in question would be consistent with the Planning and Zoning Code as well. Mr. Long stated the proposed use would not have any detrimental or negative effect on the neighbors as it would essentially look identical to its neighboring properties. Mr. Long indicated City Council had already addressed issues such as adequacy of utilities, sewer and water facilities and agreed to provide those utilities to the property for development.

Melvin Bolt, 1515 Crosswind Court, stated he purchased his home in the fall, 2004. Mr. Bolt indicated Crosswind Court had lot restrictions, above what the City's regulations were. Mr. Bolt stated the 16 homes on Crosswind Court were very well maintained, nicely landscaped and was a quiet neighborhood with quality homes. Mr. Bolt stated the deed regulations called for single family homes at least 1,400-sq. ft. in size; no cement blocks can be exposed to the road (front); 2-car garages with cemented driveways; underground utilities; an outbuilding of no more than 500-sq. ft. could exist and would need to match the decor of the

house and be located behind the house; cars and trucks were not to be parked where they were exposed—not even in the driveway; only household pets were permitted; there was a 25’ no encroachment zone around each of the properties. Mr. Bolt stated his home was the 4<sup>th</sup> house on the north side of Crosswind Court. Mr. Bolt stated the Habitat for Humanity home did not necessarily fit into the general area of the houses which existed, especially at the entrance into the allotment. Mr. Bolt stated it was his hope that Habitat would comply with the Crosswind Court restrictions to necessitate any housing would equal the quality of the homes which currently existed.

**CU-361. David Howe** representing Drug Mart is requesting conditional use approval to expand an existing drive thru at 629 Beall Avenue in a C-2 (Neighborhood Business) District.

Discount Drug Mart, Director of Operations, stated an addition was planned for a 2<sup>nd</sup> lane at the existing drive-thru. The building signage would not be changed on the canopy; the canopy would be lengthened and would be comprised of the same colors as what currently existed. The addition included a 9’ drive with an additional 2’ curb.

Mr. Lowry questioned whether any parking spaces would be removed. It was indicated that two parking spaces would be eliminated. Mr. Lowry questioned whether the parking requirements were met. Mr. Dutton indicated he believed so.

Ms. Middleton questioned if the drive-thru lanes were used primarily for prescriptions. It was indicated the drive-thru was prescription only—for drop off and pick up; transactions were typically 3-5 minutes. It was also noted that all of the drive-thru equipment would be replaced with faster equipment.

### **III. ZONING MAP AMENDMENT**

#### **ZC-253. Habitat for Humanity in Wayne County, Inc. Request.**

Mr. Long stated the application before the Commission was not one of a site plan but rather if the property were annexed, what the proper zoning should be. Mr. Long indicated that because the property was currently outside the City, it could be used for anything as it was not subject to zoning.

Mr. Rehm questioned if the two lots would be replatted into one. Mr. Long stated yes, and it would be done contemporaneously with the annexation.

Mr. Lowry recommended to Mr. Bolt that if he had questions/concerns about what the structure would look like, that he speak with Habitat directly. Mr. Long stated Habitat was a “Class A” organization and their projects were “top notch”. Mr. Long indicated that Habitat would not be seeking a variance in order to construct the home.

Ron Rehm moved, Mark Weaver seconded, to recommend to City Council, approval of the request of Habitat of Humanity of Wayne County of a zoning map amendment to designate 0.526 acres at the northeast corner of Mechanicsburg Road and Crosswind Court in an R-2

(Single-Family Residential) District upon their annexation into the City of Wooster, contingent upon the two lots being replatted into one.

Mr. Rehm stated he felt the criteria for approval as cited in Section 1119.07 were met.

Mr. Weaver agreed and stated he felt the proposal was consistent with both the Comprehensive Plan and with the Planning and Zoning Code. Mr. Weaver indicated the Commission had the power to recommend to City Council what the zoning would be when Habitat annexed the land and did not have the authorization to purchase or seize land. Mr. Weaver stated the proposal was consistent with the standards the Commission was to apply, by law.

Motion carried by a 6-0 vote.

#### IV. **CONDITIONAL USE**

##### **CU-361. Drug Mart Request.**

Mr. Weaver stated it was his understanding that the Code required that the waiting spaces be a minimum of 18' in length, and what was proposed was shorter. It was stated that without any interference to traffic or deliveries, there could be three vehicles in each lane but only one vehicle would exit at a time. Mr. Weaver expressed concern with traffic backing up. It was indicated that out of Drug Mart's 72 stores, there were only two other stores that had a second lane, and that the added lane was needed due to the amount of prescriptions and traffic that occurred from this location.

Mr. Weaver questioned the effect the second drive thru would have on pedestrian traffic. It was indicated that where the drive thru was proposed, there would be no effect on pedestrian traffic and additional striping would be added to the pavement.

Mark Weaver moved, Jackie Middleton seconded, to grant the request of Drug Mart for conditional use approval in order to expand an existing drive thru at 629 Beall Avenue in a C-2 (Neighborhood Business) District.

Mr. Weaver indicated the proposal, as recommended by Staff, was consistent with the Planning and Zoning Code.

Motion carried by a 6-0 vote.

#### V. **DEVELOPMENT PLANS**

**SP-555. David Howe representing Drug Mart** is requesting development plan approval to expand an existing drive thru at 629 Beall Avenue in a C-2 (Neighborhood Business) District.

Jackie Middleton moved, Ron Rehm seconded, to grant the request of Drug Mart for development plan approval in order to expand an existing drive thru at 629 Beall Avenue in a C-2 (Neighborhood Business) District.

Mr. Lowry stated he believed the applicant met the criteria outlined in Zoning Code Section 1141.02 and met the Comprehensive Plan for the zoning district.

Motion carried by a 6-0 vote.

**SP-556. Austin Rogers representing Wooster DOHP VIII, LLC** is requesting development plan approval to construct a 9,100-sq. ft. Dollar General store at 5310 Cleveland Road in a C-5 (General Commercial) District.

Mike Rubino, GPD Group, project architect for Dollar General, stated the store under construction on SR 585 served the “585 corridor”, and the one in question would serve the Route 3 corridor. Mr. Rubino stated the two stores were similar in size and would contain similar products; the site layout of the stores was also similar. Mr. Rubino stated the entry to the proposed Dollar General store would be to the front, off of the private drive (not Cleveland Road). Mr. Rubino noted that the developer agreed to the Staff comments with respect to the development and would abide by the comments noting landscaping and stormwater.

Mr. Rubino stated the developer would be before the Board of Zoning Appeals on July 11 to request a variance in order to reduce the required number of parking spaces from 46 spaces to 30 spaces. Mr. Rubino stated the applicant would also be requesting a variance from the Board with respect to the installation of a public sidewalk which was required by Code. Mr. Rubino stated the City Engineer was somewhat supportive of that variance citing that there were no other sidewalks in that area, so it did not make sense to provide them in this area. Mr. Rubino stated with regard to the variance for parking, Dollar General was aware of their need for parking having built 650 stores in 2012 and indicated they typically liked to have 28-32 spaces available and preferred to leave the remaining land in greenspace/landscaping.

Mr. Rehm questioned why the Planning Commission did not review the site plan for the Dollar General on SR 585. Mr. Dutton indicated that because no variances were needed and given the size of the building, Planning Commission approval was not required.

Mrs. Kobilarcsik noted that Staff indicated that the street trees needed to be 2.5” in caliper. Mr. Rubino noted the developer was “fine with that”. Mrs. Kobilarcsik noted that the height needed to be increased to 36” as well. Mr. Rubino again indicated that would not be a problem. Mrs. Kobilarcsik noted that there appeared to be an issue with regard to the height of the light poles on the property. Mr. Rubino stated typically, Dollar General used 25’ high poles for their site lighting, but if the height needed to be reduced in order to meet the Code, Dollar General would be willing to do that.

Mr. Weaver noted that the Fire Chief and Engineering Department provided comments with regard to the proposal. Mr. Rubino noted that the developer was “good with those comments” as well.

Mark Weaver moved, Ron Rehm seconded, to grant the request of Dollar General for development plan approval in order to construct a 9,100-sq. ft. store at 5310 Cleveland Road in a C-5 (General Commercial) District, with the following conditions: (1) That a variance be obtained from the Board of Zoning Appeals with regard to the parking spaces; (2) That a variance be obtained from the Board of Zoning Appeals with regard to the sidewalks or that the sidewalks be installed; (3) That the size of the Japanese tree along Cleveland Road be increased; (4) That the size of the plants be increased in the hedge row east of the parking area to no less than 36” or that a mound be provided; (5) That on the north and west elevations of the building, design elements be provided so that no more than 25% of the wall length (maximum 50’) was devoid of windows or other architectural features; (6) That details be provided of wall packs and light poles, including their total height; and (7) That requirements of the Engineering and Fire Departments be met.

Motion carried by a 6-0 vote.

Meeting adjourned at 6:15 p.m.

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**Kevin Lowry, Chairman**

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**Laurie Hart, Administrative Assistant**