

MINUTES

CITY OF WOOSTER BOARD OF BUILDING & ZONING APPEALS

March 4, 2021

I. MEETING CALLED TO ORDER AND ROLL CALL

Stewart Fitz Gibbon, Chairman of the Board of Building and Zoning Appeals, called the meeting to order. Board members Stewart Fitz Gibbon, Doug MacMillan, Gregg McIlvaine, Mark Reynolds, and Ken Suchan were present. Board member Ben Gunn was absent. Andrew Dutton, Planning and Zoning Manager, was present representing the City of Wooster.

II. APPROVAL OF MINUTES

Ken Suchan made a motion to approve the December 3, 2020, regular meeting minutes. Mark Reynolds seconded the motion. The motion passed unanimously 5-0.

III. PUBLIC HEARINGS

Application #BZA-21-01.

Jacob Holdeman requested an Area Variance from Planning and Zoning Code Section 1113.01(e)(13)(D.) to allow more of a site to be utilized for outdoor storage than permitted and Section 1123.03(a)(3) to allow a development to impact a wooded area for properties bound by Noble Drive, Benden Drive and North Geyers Chapel Road with Parcel Numbers 67-02982.000 and 67-02982.001 in an I-1 (Office/Limited Industrial) zoning district.

Jacob Holdeman and Tim Elam, 8801 River Crossing Boulevard, Indianapolis, Indiana, stated that the site was at the corner of Noble Drive, Benden Drive, and Geyers Chapel and included a wooded area. Mr. Holdeman continued that the site had topographical issues and sloped downhill to the east about 50 feet in elevation. Mr. Holdeman stated that the building would be a 198,000 distribution facility and would be laid out north to south. Mr. Holdeman explained that there was an existing detention pond for the area on the site, which presented a site plan challenge. Mr. Holdeman continued that the trees in the northwest corner of the lot would need to be removed, which required a variance. Mr. Holdeman explained that the majority of the impact on the trees would be due to a future expansion.

Ken Suchan asked if there was any maximum building size in the I-1 district, which was for offices and light industry. Mr. Dutton stated that there was no specific maximum building area in the I-1 district.

Mr. Holdeman stated that the building was pushed as far south as feasible. He explained that they tried to have as little impact as possible with the wooded area.

Mr. McIlvaine asked what was going to be in the outdoor storage area. Mr. Holdeman stated that the outdoor storage area would contain semi-trailers that would rotate in and out of the property. Mr. McIlvaine asked about the concern with increased truck traffic. Mr. Holdeman stated that there would be approximately 2 1/2 trucks per hour and traffic would be 24 hours a day. Mr. Holdeman explained that trucks would be entering and exiting off of Geyers Chapel Road to minimize interference with other uses.

Mr. Fitz Gibbon stated that I-1 was a transitional district for office and light industrial. He noted concerns with impacts on the area, which was predominantly office. Mr. Holdeman stated that the building positioning was considerate of other uses. Mr. Holdeman explained that landscaping was provided to buffer the use.

Mr. Elam stated that the facility would support a manufacturing facility in the community. He explained that the product would be manufactured locally and brought to the proposed facility for distribution.

Mr. McIlvaine noted reservations regarding the amount of truck traffic. Mr. Elam stated that a traffic impact study would be conducted to ensure the truck routes were safe and maneuverable.

Mr. Fitz Gibbon asked what highway truck traffic would be accessing. Mr. Holdeman stated that trucks would be utilizing a suggested route of Geyers Chapel Road, to Long Road to 585, and on to Route 3 or US 30. Mr. Fitz Gibbon asked if other parcels were considered. Mr. Holdeman stated that the client preferred the location for its proximity and access.

Mr. MacMillan asked if there was an intention to use Back Orrville Road. Mr. Holdeman stated that it was not the main route, though some regional trucks could utilize Back Orrville Road.

Ken Suchan asked if the 30% storage limit was in all industrial districts, not just I-1. Mr. Dutton stated that it was in all industrial districts. Mr. Elam stated that in most areas, trailer parking was not considered outdoor storage.

John Keating, 141 East Liberty Street, stated that he was acting as legal counsel for Western Reserve Group, which owned the property directly across Benden Drive from the site. Mr. Keating explained that the large warehouse project would impact the character of the neighborhood. Mr. Keating stated that negative impacts may include increased truck traffic, increased noise, and possibly reduced property values.

Mr. Keating continued that in 2020, Western Reserve Group invested 30 to 40 million dollars in an office campus expansion. Mr. Keating continued that the Western Reserve Group would be in direct view of the truck storage. Mr. Keating stated that the owner of the property created their own need for the variance as they laid out the development 15 years ago and sold land as a part of an office park.

Mr. Keating continued that granting the variance would set a bad precedent due to its size and scope. Mr. Keating stated that the project was not in the spirit and intent of the I-1 district.

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

Kevin Day stated that he was personally advised by Dee Vaidya that the property was not for sale and he was considering making the property a walking trail with an Arboretum.

Tod Carmony, 1801 North Geyers Chapel, asked:

“How are they going to deal with water and sewer lines along with Geyers Chapel if they go out that way also will Geyers Chapel will not support additional truck traffic without significant upgrades.”

Mr. Holdeman stated that water and sewer lines were along Geyers Chapel and off-site improvements would be needed to a portion of Geyers Chapel Road. Mr. Holdeman stated that the property was surrounded by water and sewer.

Bobbie Douglas, OneEighty, Executive Director, stated "We own property to the north of tree line and operate a residential treatment center for women with addiction disorders and their children. the loss of the trees disrupts the therapeutic atmosphere we are trying to create. Will there be a lot of noise?"

Mr. Holdeman stated that the trucks would not be going past the facility on Noble Drive as the entry and egress would be off of Geyers Chapel Road.

Mr. MacMillan asked how trucks would be kept from going left onto Geyers Chapel Road. Mr. Elam stated that right-only signs would be posted information would also be in breakrooms. Mr. Elam explained that drivers would be running the same route back and forth all the time.

Mr. Day stated that the Western Reserve Group building sat much higher than that property, which would result in a direct view of the trailers.

Mr. Caromy stated:
"Despite what was said trucks are constantly going North up to 585 and coming South from 585 on a very poor road for trucks. T C 1801 N Geyers Chapel Rd."

Mr. Fitz Gibbon closed the public hearing.

Doug MacMillan moved to adjourn to Executive Session. Ken Suchan seconded the motion. The motion passes unanimously, 5-0.

Ken Suchan moved to come out of Executive Session. Doug MacMillan seconded the motion. The motion passed unanimously, 5-0.

Ken Suchan made a motion to approve application BZA-21-01 Section 1113.01(e)(13)(D.), as presented. Greg McIlvaine seconded the motion.

Mark Reynolds voted no and stated that the applicant made a lot of good points. He stated that he thought that the area was intended to be more business-oriented with fewer transportation facilities and distribution centers. Mr. Reynolds continued that the character of the neighborhood would be altered.

Ken Suchan voted no and stated that he did not hear specific reasons why the variance was peculiar to the property. He noted that staff should look into the maximum outdoor storage of 30% in all industrial districts.

Gregg McIlvaine voted no and stated there would be a considerable amount of truck traffic produced and the project was not in the nature of a light industrial area.

Doug MacMillan voted no for reasons cited by the Board.

Stewart Fitz Gibbon voted no for reasons cited by the Board. He stated that considering the proposal and comments from those in the area, he felt the project would result in a material

change to the neighborhood. He thanked the applicants for their application and intentions to fill a business need in the community.

The motion denied unanimously, 5-0.

Ken Suchan made a motion to approve application BZA-21-01 Section 1123.03(a)(3), as presented. Doug MacMillan seconded the motion.

Doug MacMillan voted no and stated that the proposed expansion would result in the removal of too many trees.

Gregg McIlvaine voted no.

Ken Suchan voted no and stated that the code had stipulations about 5-acre parcels of wooded area for a reason as they added to the area's character, were considerate to existing uses, and were a positive part of the development.

Mark Reynolds voted no for reasons cited by the Board.

Stewart Fitz Gibbon voted no for reasons cited by the Board.

The motion denied unanimously, 5-0.

Application #BZA-21-02.

Nils Johnson requested an Area Variance from Planning and Zoning Code Section 1113.01(d)(3) to allow a playset in the side yard and Section 0003.01(e)(8)(D)(ii.) to allow fencing without a unified color at 1958 Akron Road in a C-3 (General Commercial) zoning district.

No one was present to present the application.

Andrew Dutton stated that the initially approved plans showed the playset to the rear of the building. He continued that there was no room for the playset in the original location after the construction of the retention pond. Mr. Dutton explained that due to the site's odd shape, the only option was on the north side of the building, which was the side yard. Mr. Dutton stated that the fencing would be a chain-link fence and the dumpster enclosure would be a 6-foot unpainted wood fence, so there would not be a unified fence color.

Mr. Fitz Gibbon asked if anyone from the public would like to address the Board regarding the application. No one from the public was present to comment on the application and Mr. Fitz Gibbon closed the public hearing.

Mark Reynolds made a motion to approve application BZA-21-02, as presented. Doug MacMillan seconded the motion.

Mark Reynolds voted yes and stated that because of the construction of the retention basin and the property's uniqueness, he felt the proposal was the best place for the playground. He continued that the fence around the playground would remove safety concerns. Mr. Reynolds explained that types of fencing had very different purposes. He noted the chain link fence made sense for the playground area and the privacy fence around provided needed screening.

Ken Suchan voted yes for reasons cited by the Board.

Gregg McIlvaine voted yes for reasons cited by the Board.

Doug MacMillan voted yes for reasons cited by the Board.

Stewart Fitz Gibbon voted yes for reasons cited by the Board.

The motion passed unanimously, 5-0.

IV. ADJOURNMENT

Gregg McIlvaine made a motion to adjourn. Doug MacMillan seconded the motion. The motion passed unanimously, 5-0.

Stewart Fitz Gibbon, Board of Building and Zoning Appeals Chairman

Carla Jessie, Administrative Assistant