

**ALLIANCE CITY PLANNING COMMISSION
MINUTES OF AUGUST 17, 2016 MEETING
4:30 P.M.**

Attendance: Mayor Andreani, Mark Locke, Brad Goris, Mike Dreger, Harry Paidas, Kim Henderson, Curtis Bungard and Theresa DeUnger.

The Mayor made a motion to excuse Cheryl Lundgren from today's meeting. Paidas 2nd the motion. All are in agreement.

1) Minutes from June 15, 2016 meeting

The minutes from the June 15, 2016 meeting will be voted on during the special meeting being held on August 24, 2016.

2) Replat of Lot 607 located at the SW corner of E State St and Brayton Ave, Alliance OH 44601 submitted by Akins Land Surveying (201601285PC).

Bob Akins, Akins Land Surveying, 776 N. Union Ave. Alliance, OH was sworn in. Akins explained the replat of Lot 607. Paidas moves to recommend the replat to council. Henderson 2nd the motion. All are in favor.

3) Replat of Lot 568 located at 2435 S Union Ave, Alliance OH 44601 submitted by Akins Land Surveying (201601440PC).

Akins explained the new owner, Mitch Trummer, is proposing to split the front building off onto its own lot. The rear building would be used for inside storage. If there are no ideas on the use for the front building in the near future, it would possibly become apartments.

Goris asked if there were any plans for the chimney.

Dennis Clunk, 24 S. Union Ave. Alliance OH was sworn in. Clunk explained that the smoke stack is actually on the historic records. Owner is looking into some grants to rebuild the smoke stack. The front building will have the roof repaired and the back building would be made into a storage building. Clunk explained that to take the stack down, it would require permission from the historical society as it is on the national register.

The Mayor made motion to excuse Harry Paidas as he is an employee of UMU and Brad Goris as he owns property adjacent to the replat. Henderson 2nd motion. All are in favor.

The Mayor made the motion to recommend the replat. Henderson 2nd motion. All are in favor.

4) Site Plan for Compu-Tek Computers located at 703 S Union Ave, Alliance OH 44601 submitted by Hettler Engineering (201601442PC).

- a. Variance to waive requirement for a 20' tall intermittent visual obstruction along west side of property. 1136.06 (b) (ii) (2)
- b. 24' from buffer width along the west side of the property, 1136.06 (b) (ii) (3).
- c. Variance to a 6' opaque screen along west property line, 1136.06 (b) (ii) (1).
- d. 9' parking variance setback along west property line, 1150.06 (0) (V)

Mike Hettler, 1225 N. Main St. North Canton OH, was sworn in. Compu-Tek is located on the corner of Summit and Union Ave. Hettler explained the building has been sitting empty for more than a year so a site-plan is needed. Hettler is presenting variances for screening and setbacks as the building and parking did not meet all of the codes.

Bungard approves variances "a" through "d", including the 6ft. opaque screen. They will need to add dumpster screening and add a handicap spot. Bungard also noticed the neighbors' park on the south side property line. He will leave it up to Planning Commission if a setback variance or parking agreement is needed. Otherwise, Bungard recommends conditional approval based on the dumpster, handicap parking spot and the parking on the south side.

Mazzola likes the improvements that have been done so far. He agrees with Bungard's comments.

The Mayor made the motion for approval based on the conditions stated by the engineer. Goris 2nd the motion. All are in favor.

5) Final Plat for Washington Hills Phase 2 – Part of the Southwest Quarter of Section 4, Part of the Southeast Quarter of Section 4 and Part of the Northeast Quarter of Section 4 located in Washington Hills, Alliance OH 44601 submitted by John Walsh of GBC Design, Inc (201601430PC)

John Walsh, GBC Design, 565 White Pond Dr. Akron OH was sworn in. This is for Washington Hills Phase 2 which is a short cul-de-sac off of Queensbury.

Bungard recommends approval to council with the conditions of going through the subdivision process before anything is filed. This would include performance bond, permits and EPA approvals. From the first phase the EPA required a back-up generator to the pump station. Bungard isn't sure if the EPA required it with Phase 2 but if they do not, the city would require the back-up generator on future phases based on the number of houses going up. Locke verified the conditional approval from Bungard is based on meeting EPA requirements and subdivision requirements.

Paidas made the motion for a conditional approval based on the conditions Bungard listed. Henderson 2nd motion. All are in favor.

6) Site Plan for Powers Oil Company New Corporate Headquarters to be located on Parcel 7700438 adjacent to the northwest corner of McCrea St and S Sawburg Ave, Alliance OH 44601 submitted by Hettler Engineering (201601446PC).

a. 5' variance to 25' buffer width required adjacent to B4 zoned property, 1136.06 (b) (ii) (3)

Hettler explained this is the final site plan showing the maintenance / office building that fronts onto McCrea St. which is an I-1 zone. It is 2,688 sq. ft. The same property will also have a truck parking/storage facility located to the north of the maintenance building. Both buildings are located on the west side of the parcel. There will be 2- 30,000 gal. propane tanks, one now and one in the future. A proposed office and showroom is also shown. There is also a detention basin, parking and 2 access drives, one onto McCrea and one onto Sawburg.

They also changed the eastern lot on McCrea St. so it would not include being in a flood plain. The revised plans show on the Sawburg property pavement instead of gravel. On the industrial site, both show pavement and gravel. The public area would be paved. A detention basin is shown as well.

Bungard cannot recommend approval at this time as this was the first he had to review the plans. Bungard made the request to table it until next month.

Mazzola recommends tabling this until next month and requested that the owner mows the property since there are various businesses and residents in the surrounding area.

Hettler was hoping for a conditional approval meeting all of Bungard's concerns. The building process could be started sooner since it is late in the season.

Henderson requested a special meeting. Bungard would be ok to schedule the special meeting in a week.

Paidas made the motion to table this site plan. Henderson 2nd motion. All are in agreement.

7) Site Plan for Powers Oil Company proposed future office/showroom to be located on Parcel 7700437 adjacent to the northwest corner of McCrea St and S Sawburg Ave, Alliance OH 44601 submitted by Hettler Engineering (201601446PC).

This site plan will be tabled also.

Paidas made the motion to table this site plan. Henderson 2nd the motion . All are in agreement.

8) Site Plan for Washington Commons, to be located on Lot 12970 and part of Outlot 692 at the intersection of Conca St and Quality Dr, Alliance, OH 44601 submitted by Hettler Engineering (201601447PC).

- a. **A variance to waive required 20' tall intermittent visual obstruction from Type B Screening along south property line 1136.06 (b) (ii) (2).**
- b. **A 9' variance from 25' buffer required for Type B Screening along south property line 1136.06 (b) (ii) (3)**

Hettler showed a resubmittal site plan showing two buildings instead of one building. The variances he is requesting are the same two he presented with the first building. The screening requirements would be 16' instead of 25' so he is asking for a 9' variance. The lot is narrow from north to south, so to be able to move around easier in the front and back of the building, Hettler is requesting a variance from the intermittent screening . He is hopeful the existing vegetation would be enough and additional screening would not be necessary. There will be a fence at the top of the hill to maximize the height of it.

Bungard recommends reducing the width of the screening from 25' to 16'. He does not recommend a variance for the intermittent screening. Bungard thought some trees would be nice as the property to the south is R-1 and it shouldn't be the R-1's responsibility to provide the screening. The fence at the top of the hill makes sense and also a dumpster enclosure is required. Bungard recommends conditional approval based on these items.

Mazzola recommends conditional approval based on Bungard's comments.

Clunk explained the dumpster is currently on neighboring property but a bigger dumpster would replace the one currently there and it is screened in.

Paidas made a conditional approval motion based on the engineers's comments concerning the tree line. The Mayor 2nd the motion. All are in agreement.

9) Other business

Dorsey Ney, owner of 2334 S. Union Ave. was sworn in. Ney would like to make this location into a yoga studio. She currently has a yoga studio upstairs at Healthy Heart. She is requesting a waiver of the site plan.

Bungard recommends approval to waive site plan. The site plan was only required due to the building sitting vacant for a period of time. Mazzola recommends approval as well.

Paidas made the motion to waive the site plan. Goris 2nd motion. All are in agreement.

Bungard presented a proposed portico for Jalisco's Restaurant located at 2367 W. State St. Bungard said they will turn in building plans so recommends waiver of the site plan. Mazzola recommends approval as well. Henderson verified the parking would be ok.

Paidas made the motion to waive the site plan. Henderson 2nd the motion. All are in agreement.

A special meeting is scheduled for 4:00pm on Wed. August 24, 2016 for Powers Oil Co. Henderson made the motion to add the special meeting on Wed., August 24th at 4:00pm. The Mayor 2nd the motion. All are in agreement.

Hettler presented plans for the commission's thoughts on the sales office located at The Villas at Potter's Creek. This would be a permanent structure. Hettler asked if he should present a formal submission. Locke asked Hettler if Bungard could review the plans and get back with him. Mazzola asked about the greenery.

The Mayor made the motion to table this to the August 24th meeting. Paidas 2nd motion. All are in agreement.

Morris wanted to mention of the Montrose Auto Group litigation. The litigation is on going. There could be a letter coming asking to take this off of the table. Attached to the minutes is an email concerning this topic from Bill Morris.

Point of information from Bill Morris:

Point of information: At the Planning Commission meeting this past Wednesday, I advised that counsel for the Montrose Auto Group (Irving B. Sugerman) had contacted me, advising that they are considering approaching the Planning Commission and requesting them to reconsider the matter (Site Plan) that was tabled at the meeting of September 16, 2015. Under Robert's Rules of Order, this would take a motion to remove from the table and a second. Such motion would be non-debatable. He is interested in having the Site Plan voted up or down. I inquired concerning the status of the pending litigation between Montrose and the Mall... and have been provide with the attached Opinion of the Fifth District Court of Appeals (Case No. 2015CA00190) reversing the trial court's granting of summary judgment in favor of the Mall and remanding the matter to the trial court for further proceedings. ... William F. Morris, Assistant Law Director

The Mayor made the motion to adjourn. Henderson seconded the motion. Meeting adjourned at 5:20pm.