

ALLIANCE CITY PLANNING COMMISSION
MINUTES OF May 19TH, 2021
4:30 P.M.

Attendance: Members – Mark Locke, President; Mayor Andreani; Brad Goris; Mike Dreger; Kim Henderson (absent); Cheryl Lundgren; Harry Paidas.

Meeting held by telephone/video conference due to COVID-19 pandemic. The meeting was called to order by Locke at 4:30 pm. Also present were Commission Counsel William Morris; Joe Mazzola, City Planning Director; Curtis Bungard, Engineer; Candice Martin, Eng. Clerk. This meeting streamed live on the City of Alliance Facebook page.

Attendance:

Roll Call. All are present except Henderson. Henderson tried to log in but was unsuccessful.

Mark Locke reads meeting notice.

Paidas motions to move into public hearing for a Conditional Use for Outdoor Sales by Sarchione Realty Alliance, Inc. located at 2441 W. State St., Alliance, OH 44601 submitted by Akins Land Surveying.

Lundgren seconds. Roll call vote. All are in agreement. Public hearing set for 4:31.

No one attended the public hearing for or against. No emails or phone calls were received. Public meeting declared closed.

1) Minutes from April 21st, 2021 meeting;

Paidas moves to accept minutes. Goris seconds. Roll call vote. All are in agreement. Minutes approved.

2) Request for a Conditional Use for Outdoor Sales by Sarchione Realty Alliance, Inc. located at 2441 W. State St., Alliance, OH 44601 submitted by Akins Land Surveying (2021-0383PC); Public Hearing set for 4:31p.m.;

Vanessa Akins Cercone is sworn in. Ms. Cercone is with Akins Land Surveying; 776 N. Union Ave. Alliance, OH: Surveyors for the project. Last month Ms. Cercone explains they went through appeals and received variances for the side yard and front yard parking setbacks. Sarchione acquired the McKinney's building a while ago. They are not expanding the dealership at this time. The building was available and so they purchased it for future development at some point. They are parking overflow inventory right now because they need to move things on and off the lot. The variances were granted. They are not expanding the parking lot. They did re-top it and did some major improvements to the building and painted. The property is a retail location and in order for them to park their cars in the parking lot they need to get a Conditional Use for the outdoor sales area.

Bungard in Engineering explains that the variances were approved last month for outdoor display of parking. There should normally be a 20 ft. buffer in the front by the right-of-way, and it is 10 ft. on the side yard setback. Those variances were granted. He says a site plan is not needed right now because they aren't planning on using the building and they aren't planning on having customers there. If that were to change in the future they would need a site plan and that would be required as a change of use for a site

from a furniture store to car lot/sales. Bungard further explains that right now they are just storing cars there. They decided to pave it, however they did not expand it to the back which is what Engineering requested because that would require a site plan also. If in the future those things were to occur, a site plan or a waiver of a site plan would be required at that time. As far as the submittal is concerned, Engineering is missing a survey stamp and a signature. Also, Engineering has noticed that Sarchione appears to be using the lot to the East of this one for parking as well. That lot would be the same as this one and would require a Conditional Use to be able to do that. Hopefully in the future they will be applying for a Conditional Use for that lot or they need to stop using that lot for parking. At this point, Bungard says this item can be approved, approved with conditions, or deny the Conditional Use. He also mentions that sometimes conditions are put on for landscaping. If landscaping is required, it might go against the variances of the side yard setbacks. Planning Commission may not want a full blown site plan but maybe interior islands or something if landscaping is desired.

Lundgren motions to move into public hearing for a Conditional Use for a Multi-Family Residence by Mitch and Lisa Trummer Located at 33 E. Chestnut St., Alliance, OH. Paidas seconds. Roll call vote. All are in agreement. Public Hearing set for 4:41.

No one attended the public hearing for or against. No emails or phone calls received. Public meeting declared closed.

(Back to (2021-0383PC);

Mazzola in Planning recommends approval.

Mayor Andreani asks about the car lot to the East. He says that he thought it was already a car lot.

Ms. Akins Cercone explains that in the time they started the Conditional Use and the variances on this property they got the lease on the former Loudon / Cornerstone property and the Conditional Use and setback variances are in the works. Her schedule is very full so the Commission will probably not see it for a couple of months. They are aware that it needs to be done and they are working on it.

Mayor Andreani asks if it will look like one solid piece when they are done.

Ms. Akins Cercone replies she thinks so. They have not had a meeting and sat down to discuss exactly what they are doing there. While there are cars sitting on the former Cornerstone lot, the building itself is just being used to detail cars and to take trade-ins. They have not had a chance to sit down and came up with the overall concept of what is going to happen on that side of the road. That is going to happen before they submit for the variances etc.

Lundgren asks Mazzola about what the City's viewpoint is for the beautification.

Mazzola says that he is under the impression that this is a temporary use. The massive amount of inventory has to be put somewhere. Sarchione is establishing quite a presence on that section of State St. On the South side they understand that their property needs to look nice in order to sell cars. He trusts that they will transfer that same level of quality they have on the South side to the North Side especially when they figure out what they want to do with the North side.

Lundgren asks Mazzola if he feels it is best to wait as far as landscaping is concerned until we have a site plan.

Mazzola replies yes.

Lundgren agrees.

Ms. Akins Cercone asks for the Board to clarify what conditions are being placed on the motion. She wants to know if it is the entire list sent from Engineering. She explains that they will get a signature and seal once the meeting is over. They have discussed that they are not going to expand anything without a site plan. Additionally, the lot to the East is a completely separate issue because it goes with Cornerstone and that is something they are currently working on.

Locke replies that the signature and the surveyor stamp are the only things that were not already addressed.

Paidas moves to allow the Conditional Use for Outdoor Sales subject to the items that have been outlined by the Engineer. (See above discussion) Goris seconds. Roll call vote. All are in favor. Motion passes.

3) Request of a Conditional Use for a Multi-Family Residence by Mitch and Lisa Trummer located at 33 E. Chestnut St., Alliance, OH 44601 submitted by Pearson Surveying, LLC (20210384PC);

Mitch and Lisa Trummer are sworn in. Owner of 33 E. Chestnut. The property was on the market for almost 3 years. It never sold. It was then auctioned which is when they bought it. They own a 3 unit property nearby on Union. They thought they could do the same thing they did with the Union Ave. property with this one and make a 3 unit. Retail is not allowed in that area so they knew they needed to go residential then. The best use for the property as far as real-estate would be residential so it has some use otherwise if it stays a commercial use it will keep sitting vacant. They had a meeting prior to this one for residential parking.

Locke asks if it was for a variance for the setbacks.

Mr. Trummer replies that they received a variance for parking and setbacks last month through the BZA. He further explains that they aren't changing the footprint of the building at all. The building has been there since 1935. They are just changing the inside to full baths and kitchens to make them residential.

Bungard in Engineering explains that the building is edge to edge the exact same size as the lot that it sits on. It would be nice if there was part of a lot that had room for parking but this lot stands alone being all building. That was worked out with Zoning last month. They can't meet side yard setbacks because the building goes edge to edge. Parking was worked out for residential use. This is going from office use to residential use as a triplex. That is why they are here for a Conditional Use. Engineering asked them to survey it because it looks as though there are some encroachments onto Chestnut St. There are patio overhangs. In the past what they have done with encroachments is, with the Board of Controls approval, they have granted a revocable use permit. It is not an easement but it is saying it is ok to have your stuff there in the right-of-way until such time as it remodeled and taken down. At that point, it can't be rebuilt into the right-of-way again. This has been done on other projects. Bungard feels this is a good use for the building, he also recommends we give them a permit in writing to let everyone know and be aware that they are encroaching but we are allowing it. This holds the City harmless in case someone crashes into it in our right-of-way. They also will not be able to rebuild it if they tear it down.

Locke asks if Planning Commission has the authority to authorize that.

Bungard replies that the Planning Commission has the right to attach conditions or requirements to the approval of a Conditional Use. Therefore, Planning can require that they follow through on this, however, only The Board of Control has authority to grant that for the City. Bungard also mentions that he attached a draft of that for everyone to see so that they would know what Engineering is talking about.

Mr. Trummer said he did receive it and they would be happy to sign the waiver.

Bungard further says he recommends approval based on that one condition.

Mazzola in Planning recommends approval.

Paidas thinks it is a great use for the building. He asks what it was prior to it being vacant for three years. Locke replies it was Fastenal.

Paidas further says that if one can go from commercial to residential in a vacant building he feels that is a good thing.

Goris says he remembers this building being office space. He says that the applicant stated that it is not suitable for retail but it is still code wise suitable for office space. He asks if that is correct.

Mr. Trummer replies that with an office space there may be 8 -12 or more employees and there is no parking. Also, offices in this day and time are not flourishing in Alliance. Much of what needed to be done in an office can now be done at home.

Goris asks if it can still be used as office space legally.

Mr. Trummer replies legally yes but parking wise not really unless you have a one or two man show.

Locke adds that they would have to get variances from the BZA for that.

Goris responds that would probably be doable. Goris also says that cars would just be there during the day instead of being parked there all night and impede snow removal like they would be for residential use. He disagrees that multi-family is a good alternate use there. It has been established that the building is the same size as the lot and with the easements discussed it sounds like it is slightly larger than the lot. One thing he has learned looking over the Zoning code for multi-family is that the Zoning code tries to give apartment dwellers certain quality of life amenities. One is a certain amount of green space and another is a safe place to park their cars. Neither of which are provided in this case. Goris says he thinks of Zoning being as much for the protection of future occupants of the building as it is for protecting the City. The BZA is looking at it obviously only from a Zoning standpoint. He feels that the Planning Commission should look at things from an overall City Planning viewpoint. He doesn't feel that shoehorning apartments into all our vacant buildings in the Mount Union area is good City Planning. He has heard it said that the property is already in a residential neighborhood and it may border a residential neighborhood; however, he doesn't see anything on East Chestnut St. that resembles a residential neighborhood. Goris thinks there is a big difference between bordering a residential neighborhood and being in a residential neighborhood. He has also heard it said there is no other use but it could still be used as office space. Finding the right tenant could still be an alternate use. He doesn't see residential use as the only use left. Goris is also surprised that the BZA granted the off street parking variance. Goris asks Mrs. Lundgren if she could provide some insight into why the BZA was willing to grant the off street parking variance.

Lundgren replies that sometimes when the BZA hears a proposal and then our City Planning Commission acts as a result of it, it would be really helpful for the members to be aware of the reasoning of the BZA. They discussed this in detail and this is another case where we discuss something at length and some decisions have already been discussed and good reasoning is behind it. Lundgren asks if the BZA decision can be reviewed by someone for everyone.

Martin, Engineering Clerk begins looking for February 16th, 2021 minutes.

Meanwhile, Bungard mentions that he spoke with the Zoning Inspector Shane Howard, and the amount of parking required for office space is quite a bit more than what is required for residential. To use it as office space would require more on street parking or off-site parking somewhere. There is a greater need for more parking based on a business. The variance that was granted was for residential.

Martin, Engineering Clerk reads BZA minutes from February 16th, 2021 meeting pertaining to the parking variance that was granted for 33 E. Chestnut St.

Goris states that he still feels that a disservice is being given to future apartment occupants. He says that this parcel hardly meets any of the Zoning codes for multi-family: we are waiving setbacks, parking, and greenspace. The Zoning book is being thrown out the window so the building doesn't remain empty. The best use may be to tear it down and make it a parking lot. Being affiliated with apartments himself he doesn't feel jamming occupants into a building that is bigger than the lot it sits on is doing them any good or setting a good precedent nor is it good City planning.

Dreger shares the concerns about parking and that has been universally identified. He does feel that it is a straight forward decision: Does the building sit empty or do you find a use that works. This use alleviates the parking demand to a degree. It will spread it out throughout the day as opposed to business hours. It will be fewer cars. However, on street parking is for whoever gets there and is available to the public. He addresses the Trummer's and says there will not be a lot of sympathy to their tenants if they have to park three blocks away. If that occurs, the landlord should have disclosed that to them. He does not share Goris' concerns about it not fitting in the neighborhood. He is looking at residential beside it and across the street. It depends on if one walks in off of Chestnut or off of Cherry as to how residential it is. At the end of the day, none of this would be approved if this was a new building we were discussing. Basically, what we are faced with is the question is some use better than it sitting idle. Dreger feels that some use is better and in all honesty he does not see a better use for this property other than residential.

Mayor Andreani believes that the market will dictate this. If people are willing to go there and live with the situation as it is than it is a use that is viable. We may not know until it is tried and we may find out that residential is not a good use for this either. At some point there may need to be a change wholesale in what is in that building in that area.

Mr. Trummer explains that at Tanner Real Estate they manage some apartments. In the past they have had people call in and ask if they have any apartment availability. When given the address of the property and driving by, people have already expressed an interest and therefore shown a demand for it. He further says that no one is being crammed into a small space. If they don't like the property they don't have to lease it. They will also be decent sized apartments. In addition, with what land is there, there are some bushes and landscaping around currently. The one block on E. Chestnut may not have residential, but on Cherry and across the street and beside it are rentals already. He presented to BZA previously during the February meeting that there may be one car on an aerial map that parks on Chestnut St. It was also brought up in BZA about snow plowing and the concerns were addressed then. Mr. Trummer says it seems

to him that winters have changed since he was a kid and there aren't as many snow plowing days. He estimates there may be 5 or 6 days a year that plowing may be needed and Cherry St. is very wide and there will only be a few cars parked there. He also referenced the minutes read and said that with one bedroom apartments there will only be one or maybe two cars (for each one).

Lundgren asks how the property is currently zoned.
Bungard replies that it is B-3.

Goris mentions that he likes the Trummer's project by the AAA on Union but the difference he sees between that one and this one is that the one on Union has a nice strip of grass outfront and adequate off-street parking to the rear. He also addressed the rentals on Chestnut and says he is guessing that most of them have a decent size front yard with grass and some might have a driveway for some off street parking. He asks if that is correct.

Mrs. Trummer responds and explains that the residential on Cherry has yards but there is an apartment complex there also. She also mentions that Main St. has apartment buildings and some of them don't have greenspace or parking. They are doing on street parking there. Not all of them have front yards.

Goris mentions that the Zoning was probably different back then. He believes we are looking at City planning for the future and what would be good for residents, the City, and developers.

Mr. Trummer states that from an investment standpoint he would like them to stay Commercial and have all three spaces rented. More money is made with commercial and the laws favor the landlord in a commercial atmosphere. If it were the case that the property could stay that way it wouldn't have been on the market for three years sitting vacant. They are coming along looking for the best option that they see for the property and asking for the Board's approval. Vacant spaces get torn down many times because of break-ins and what not. If they are rented out there will be a presence in the area. He mentions that Dennis Clunk was happy to see something going in there. He said that his business is right across the street and would love to have people there at night living in the area.

No other comments or questions.

Paidas moves to approve Conditional Use for a multi-family residence with the condition of the revocable use permit. Dreger seconds. Roll call vote. All agree except Goris. Motion passes. Conditional Use approved.

4) Request for a Waiver of Site Plan for a Multi-Family Residence located at 33 E. Chestnut St., Alliance, OH 44601 submitted by Mitch and Lisa Trummer (20210385PC);

Bungard in Engineering says there wouldn't be much to a site plan here. The variances for the setbacks and the parking were already granted by another body. The only thing would be if we wanted to see some different landscaping there. There is some landscaping there already. There really would not be anything to a site plan so he recommends a waiver of the site plan.

Mazzola in Planning recommends approval.

Lundgren states that what is there is old landscaping for office use. She asks what plans the Trummer's have for beautifying the building.

Mr. Trummer says that there are nice bushes and they are not overgrown and the last tenant had done the landscaping nicely.

Lundgren asks if they are planning on keeping what is there.
Mr. Trummer responds yes.

No other comments or questions.

Paidas moves for a waiver of the site plan. Dreger seconds. Roll call vote. All are in agreement. Motion passes.

5) Request for Replat of Outlots 496, 622, 623, and 624 for Armour Properties, LLC. To be located at 1950 W. State St., Alliance, OH 44601 submitted by Akins Land Surveying (20210382PC);

Vanessa Akins Cercone explains that Armour Properties, Wally Armour dealership is consolidating and replatting everything together for future development. This is the first step before a site plan is submitted. A site plan is coming and the details are being worked out right now.

Locke asks if these were all individual sites before.

Ms. Akins Cercone replies yes. They had the dealership and then they bought out Quincy's. There are four separate pieces. It works out to their advantage to put them together due to total lot coverage percentages and some other things that are coming down the way shortly.

Bungard in Engineering says he didn't really have any questions. He knows that they have some developments in the future that may cross some property lines so they are replatting them into one big lot. Unless there are any changes or comments all he needs is the stamp and the signature of the surveyor. He is good with the way it is.

Mazzola in Planning recommends approval.

No other comments or questions.

Paidas moves for approval of the replat. Dreger seconds. Roll call vote. All are in agreement. Motion passes.

6) Request for a Waiver of Site Plan for Morgan Engineering located at 1049 S. Mahoning Ave., Alliance, OH 44601 Submitted by Caplea Studio Architects (20210420PC);

Ken Hoopes is sworn in. He is with Caplea Studio Architects, hired by Morgan Engineering for the design of a small addition to their new corporate office building that was built a couple of years ago. Mr. Hoopes explains they are growing for expansion and will be adding a 3,300 sq. ft. one story addition onto their new facility. They are requesting a waiver of the site plan review.

Bungard in Engineering explains that this site almost meets all the requirements for a waiver of the site plan.

It is not more than 10% addition to the overall site buildings. There are no new utilities such as sewer or water. There is no new parking because they have sufficient parking. The only issue is the drainage for the building. A couple of years ago they did a site plan with some retention and detention and this would require a little bit more on that probably. He did not make them go through the calculations knowing that they may in the near future be doing some additional parking and buildings. We have all agreed that whenever we waive some water retention and detention it is always on the condition that for future developments they include that additional runoff in the future development. He is fine with that for this site. Bungard does not believe they are much over it and doesn't see any issues with flooding right in this area and it discharges very quickly into areas that are not a problem. He is fine with waiting on it until the next submittal. He hopes they continue to grow and was happy to see they are already expanding. He recommends the waiver.

Mazzola in Planning also thinks it is great to see them expanding so soon after building their headquarters. He recommends approval.

No other comments or questions.

Paidas moves for waiver of the site plan. Goris seconds. Roll call vote. All are in agreement. Motion passes.

7) Other business:

Locke explains that time is running out for allowing virtual meetings. Definitely by July 1st we have to go live.

Mayor Andreani addresses the issue and explains that Council passed a resolution that when the Governor's orders ended as of Tuesday, Council will be going back to live meetings by June 7th. All other committee meetings should follow suit. Mayor Andreani spoke with the Health Commissioner and he thinks we can go back to our office meeting area. Mayor Andreani further states that this will be a masked facility. Everyone will need to wear a mask at the meeting. He also mentions another option could be that people wait outside so there are not too many people in the room and we can spread out. He wanted to hear feedback on this issue.

Locke adds that the BZA voted at their last meeting to go back to their old schedule and back to the conference room.

Mr. Paidas mentions he will be unable to attend the meeting in person. He could attend virtually by Zoom.

Mayor Andreani says he is not sure we have the option and he doesn't believe for a public body the law that expired June 30th gave a provision for a hybrid meeting.

Mr. Paidas said that would be June 30th. This meeting would be mid June.

Mayor Andreani says yes this could be the last meeting with the potential for Zoom. But we might need Council to act to approve a virtual meeting.

Mr. Paidas said he is just thinking in the case of needing a Quorum.

Locke mentions that unfortunately there was a case last year that we would not have had a Quorum if we had not had Zoom.

Mrs. Lundgren is unsure if she will be able to attend the meeting if in person. She also asks about vaccinations.

Locke says he doesn't think we can require that attendees be vaccinated.

Mayor Andreani mentions that the President of the Planning Commission and he have discussed an alternative site for meetings so that everyone can spread out more. He can investigate that if desired.

Mrs. Lundgren is agreeable to that.

Mayor Andreani says the two alternative sites have been the Firehouse Theater (based on its availability) and the Senior Center. Both of those facilities allow people to spread out.

Locke says there is definitely social distancing in those rooms.

Mayor Andreani says he will be happy to investigate those and will put a notice out prior to the meeting and keep everyone in the communication loop.

No other business.

Paidas makes motion to adjourn. Lundgren seconds. Meeting is adjourned at 5:37 pm.