

ALLIANCE CITY PLANNING COMMISSION
MINUTES OF August 18th, 2021
4:30 P.M.

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

Meeting held at Alliance Senior Citizens Center, 602 West Vine St. Alliance, OH 44601. 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, City Engineer; Candice Martin, Eng. Clerk.

Attendance:

Goris absent. Paidas moves to excuse Goris. Henderson seconds. All are in favor. Motion Passes.

1) Minutes from July 21st, 2021 meeting;

Paidas moves to accept minutes. Lundgren seconds. All are in favor. Minutes approved.

Locke reads public hearing notices. Locke requests permission to begin public meeting 2 minutes early. Mr. Morris grants permission. Lundgren moves to begin public hearing. Paidas seconds. All in favor.

2) Public Hearing – Set for 4:35 pm.: Request of a Conditional Use for an Auto Detailing and Accessory Installation Business to be located at 1100 W. Ely St., Alliance, OH 44601 submitted by JWW Auto Accessories, LLC. (20210770PC);

No one to speak in favor or in opposition of. 4:34 pm

3) Public Hearing – Set for 4:38 pm (or immediately following the first public hearing): Request of a Conditional Use of Outdoor Display for Sarchione Ford Lincoln located at 2431 W. State St., Alliance, OH 44601 submitted by Akins Land Surveying, LLC. (20210823PC):

No one to speak in favor or in opposition of.

4) Planning Commission Review – Request of a Conditional Use for an Auto Detailing and Accessory Installation Business located at 1100 W. Ely St., Alliance, OH 44601 submitted by JWW Auto Accessories, LLC. (20210770PC):

a) Request for Parking Variance for a gravel Lot Section 1150.6 (c)(iv)

James Wilson Jr. is sworn in. Owner of JWW Auto Accessories. Mr. Wilson explains that his business was located on State St. but the owner of the building needs him to move. This building suits his needs.

Curtis Bungard in Engineering explains that the aerial photo sent does not show that the business will be in the front portion of the building and that the parking will be across on the eastside of Buckeye Ave. in the exiting gravel parking lot to the right of the building. Bungard further states that the Zoning Department explained to him that even in an Industrial Zone, where gravel parking is allowed, there should be asphalt

or concrete parking for customers. That would require 3 spots. JWW also requested a variance for that portion of the code. Bungard says that there are two issues: the first issue being whether the Commission is ok with this use in an Industrial Zone. He further explains that this is unusual as it is less than what the code calls for. The second issue is whether the Commission wants to require a Site Plan or request for a Waiver of a Site Plan.

Locke asks if the only reason for a Site Plan would be the gravel parking.

Bungard explains that a Site Plan is required if a site has been vacant more than a year or in the case of a change of use. This property falls into both categories. If they did a Site Plan it would show setbacks for parking. Screening between an I-2 and R-2 is supposed to happen as well but it is a corner lot and nothing can be put in that 50 ft. corner.

Locke asks if the R-2 Zone is across Ely St.

Bungard replies yes.

Mazzola in Planning explains that within the context of the area around it he is ok with the site staying the way it is. They are talking about three spaces and if the lot remains gravel he is ok with that too because there are a number of gravel lots nearby. Mazzola recommends approval.

Dreger asks if most of his customers drop off their vehicles and leave.

Mr. Wilson replies yes they typically drop them off in the morning.

Dreger also says he remembers some other businesses that were there and it is definitely a lesser use than what was there.

Paidas explains his only concern is that it is in a residential area, but says there is no one here to speak if there were concerns.

Lundgren asks if Mr. Wilson owns the two properties set aside for parking as well as the building.

Mr. Wilson replies no that his landlord owns them. He will be leasing them and the building from the same person.

Lundgren further states that the street has mixed uses of residential on one side and businesses. Lundgren feels that this use fits in perfectly with the area. She mentions that there is a gravel parking lot located there but there is another one down the street so she is fine with it staying gravel. Lundgren mentions that the parking lot is a mixture of gravel, dirt, and grass at the moment and asks if they expect to do something different with it.

Mr. Wilson replies that the gravel parking lot will be presentable.

Mayor Andreani moves to waive the Site Plan. Paidas seconds. All agree. Motion passes.

Mayor Andreani moves to approve the Conditional Use and the Variance for gravel parking. Paidas seconds. All agree. Motion passes.

*** (A citizen comes forward and wants to ask a question regarding 1100 W. Ely St. This should have occurred during the public hearing portion but the citizen was unfamiliar with the process and missed the opportunity.)

Andrew Hoffman is sworn in. Homeowner near 1100 W. Ely St. Mr. Hoffman asks if anything they are doing to the parking lot will affect the mailboxes located there. He explains that the mailboxes for the homes across the street are located in front of this parking lot. Mr. Hoffman wants to know if they will be torn down, relocated, etc. He also wants to know if the concrete approach will be fixed because there are potholes.

Mike Anstine is sworn in. Owner of the property. Mr. Anstine explains it is not for him to move anything there. They are in the curb lawn and the postal system has them there. If anything, they may need repaired. Mr. Anstine asks Mr. Hoffman if he will repair his mailbox.

Mr. Hoffman explains he mows over there and tries to take care of it the best he can. He admits that the mailboxes do need some fixing and are not in the best shape. He is prepared to fix his.

Mr. Anstine asks Mr. Hoffman if he is concerned about the pothole from the entrance. Mr. Hoffman wants to know if they plan on fixing the concrete approach or getting rid of it.

Mr. Anstine explains that the concrete approach will stay there because it is as far away from the curb as possible to be able to avoid any collisions. Most of the business traffic will exit out of there. Mr. Anstine further states that it is a private lot. The approach will be patched. He is going to fix the building first and the parking lot is further down on the list. Mr. Anstine further says that Mr. Hoffman does not need to mow. Mr. Anstine is taking care of the mowing and it is dangerous to cross the street to mow over there. He further says that it is also dangerous crossing the street to get the mail.

Mr. Hoffman explains that most people pull into the lot behind the mailboxes to retrieve their mail. Mr. Anstine says that process will probably need to change because it is a private lot and not there for that use. The lot is to be used by the business and not by the neighbors to get their mail.

Mr. Anstine says there will be many ongoing improvements done over the next several months to a year. He has several properties in town and a realtor gave him complements about what happens to properties once he acquires them. He is trying to bring business into this town and tenants. ***

5) Planning Commission Review – Request of a Conditional Use of Outdoor Display for Sarchione Ford Lincoln located at 2431 W. State St., Alliance, OH 44601 submitted by Akins Land Surveying, LLC. (20210823PC):

Vanessa Akins-Cerccone is sworn in. Ms. Akins-Cerccone is with Akins Land Surveying: 776 N. Union Ave. Alliance, OH: representing the project. Ms. Akins-Cerccone explains that a couple of months ago they had come before the Commission for a Conditional Use for Outdoor Sales for the McKinney's building so that Sarchione's could use it in conjunction with the main dealership across the street. In those months, they also acquired a lease for the old Cornerstone/Loudon Bldg. The McKinney's building sits on the west side, there is an empty lot in the middle, and on the east side is the Cornerstone building. She explains that we will be discussing the lot in the middle. It has not always been used as a sales lot and that is why they have to ask for a Conditional Use.

She further explains that last night they went before the Board of Appeals and asked for two Variances just for consistency across the three lot fronts. They asked for a 20 ft. variance off the front road right-of-way so they could park right up against the road. They didn't intend to park there and were going to stay on the gravel lot. This Variance was turned down by the Board. They are ok with that. They have 34 ft. from the

edge of the road to the right-of-way back to the front edge of the gravel parking lot. The other variance was a 10 ft. Variance off the drives and that was granted. They will be consistent as far as the drives are concerned. There will be no development on the property. They are leasing it and do not own it. The Mastroianni family owns it. They are not adding or taking anything away. This will just be an extra place to park cars. They need the Conditional Use so they can have the outdoor sales area and can continue to park cars in the gravel parking lot.

Bungard in Engineering states that he is hearing Ms. Akins Cercone refer to outdoor sales but he thought it was to be used as a storage lot only. Bungard understood that they would not be taking customers over there.

Ms. Akins-Cercone assures they are not taking customers over there. She explains that it has never officially been conditionally used as a car lot. Loudon's and Cornerstone both used it but there is nothing on record stating that this lot is an approved outdoor sales area. They had to go through the same thing with McKinney's. The McKinney's lot is where they are unloading the vehicles and is a staging area. The gravel parking lot has cars parked on it but they are not taking customers over there. They are not allowing customers to cross the street. They will retrieve the vehicle for customers to look at.

Bungard says he just wants to clarify the reason being this. He further explains that on the McKinney lot they talked about how they were going to park cars over there but we were told we didn't have to worry about customer ingress and egress and we didn't have to worry whether they are parking across the entrances or not. He just wants to clarify that this Conditional Use is for storing cars (the outdoor display of cars) and not for the sale of cars. This makes a difference in his recommendation he explains. He feels parking cars is one thing but taking customers in and out without a clear parking lot layout where people are going to get in and out and not back out onto State St. are two different things.

Ms. Akins-Cercone explains that there is a driveway that goes to the gravel lot but they have it blocked. They are trying to discourage people from pulling in over there.

Bungard remarks that she has mentioned outdoor sales a few times during her descriptions.

Ms. Akins-Cercone replies that it is considered an outdoor sales area and that is how it is labeled in the book.

Bungard says it is labeled outdoor display or something like that. He is fine in his recommendation for storing cars over there. Bungard mentions that they did not get the front yard Variance at the BZA last night but they did get the drive entrance Variance. Bungard comments that there was not a Variance requested for the gravel lot. He explains that normally when a Site Plan or a waiver of a Site Plan comes in they will request Variance for the gravel parking. Bungard thinks it is appropriate to require either a waiver of the Site Plan and approval of them to park on gravel or request a Site Plan. Furthermore, he explains that Conditional Uses usually begin with the question of whether the use is a good one for the site. This is then followed by a Site Plan of what they want to do with it. This plan will show how far they are from the edges and that they will need a Variance for one thing or another. This step has been getting missed. Bungard explains that before the Commission is the Conditional Use. Bungard suggests a Site Plan be requested so the applicant can ask for permission to use gravel or if the Variance is granted for the gravel lot, Bungard suggests stipulating that it is not for the entire site but for what is existing. Bungard's opinion is that a waiver of a Site Plan should have been received as well as a Variance request.

Ms. Akins-Cercone responds that she can get a waiver of a Site Plan if that is desired. The Variance for the gravel parking is fine too.

Locke states that this is a perfect case for a waiver of the Site Plan.

Ms. Akins-Cerccone agrees since they are not developing it and it will be left exactly the way it is.

Mazzola in Planning reminds everyone that everything on the north side of the street is temporary and he recommends approval.

Henderson comments that Sarchione's is a high volume dealer and right now dealer inventory is low. He wants to know what will stop customers from going in those lots when the dealer begins receiving more volume. He believes the lots will be packed with vehicles and people and difficult to control for traffic and safety.

Ms. Akins-Cerccone says entrances can be blocked however it is difficult to block McKinney's because it is a shared entrance with other businesses. There is only so much they can do. This lot is temporary and it will be developed some day but by a different entity.

Lundgren would like to see the waiver of the Site Plan and the request for Variances. Lundgren mentions that temporary could mean many years to long term. She agrees that access to that lot can be problematic. There is a significant drop of maybe 4 ft. from the Crestview property to the property immediately to the west. Only trucks can really make it through. Lundgren asks if Crestview is aware of how Sarchione's is planning on using the property.

Ms. Akins-Cerccone replies yes Crestview knows these items are before the Planning Commission. Sarchione's is leasing these properties and using them as they are. She further explains that previously both Cornerstone and Loudon's used this gravel parking lot to display vehicles on but they never went before the Commission and requested a Conditional Use on record to use the property in this manner.

Paidas echos Henderson's concerns about safety and sees a problem if many cars are parked on the other side of the street and customers begin driving back and forth between lots. He is unsure if anything can be enforced once things are passed.

Ms. Akins-Cerccone reassures that the dealership wants to protect themselves legally as well. If additional signage is requested or suggested they are open to it.

Dreger asks Mr. Morris if the section for Conditional Use can be limited to display and not sales.

Mr. Morris replies that he thinks so.

Dreger further says he appreciates that things are going about the right way.

Mayor Andreani says one building was already a car lot and was gravel and nothing has really changed. He comments that we are requiring a Site Plan or a waiver even though it is a pre-existing condition and has been forever.

Bungard answers that it is a new use and vacant for more than a year. It is in the code that a Site Plan is required.

Bungard explains that a waiver of Site Plan still requires some information. Sideyard setbacks request for gravel.

Lundgren moves to approve request for Conditional Use for outdoor display only. Requires a waiver of the Site Plan and Variance for gravel parking. Dreger seconds. All agree. Motion passes.

6) Request for a Replat of Part of Outlot 543 located at the NE corner of W. Main St and Freshley Ave., Alliance, OH 44601 submitted by Akins Land Surveying, LLC. (20210825PC);

Ms. Akins Cercone explains that Jim Stout has found a buyer for this corner in the Industrial Park. They need to split it off to get the deal completed. It is a large outlot just shy of 21 acres.

Locke asks Ms. Akins Cercone to explain the “to be dedicated section” along Freshley Ave.

Ms. Akins Cercone explains that when lot splits occur in town the city and they prefer to dedicate the roadway so that the property owners don’t technically own the road right-of-way. They are not taxed on it. It just cleans things up.

Bungard asks the law director or Mike Dreger if anything special must be done to accept the right-of-way. He wondered if a special ordinance needs to be done to accept land. Council already has to approve the replat.

Dreger is unsure. He imagines the replat could be amended.

Mazzola explains that it is not a secret that IML Containers will be going in there. This has been in the works for some time and he recommends approval.

Dreger asks what the balance of the property will be after the 21 acres is split.
Ms. Akins-Cercone is unsure.

Paidas asks if Shed City is across the street. He also asks where Lexington Township is.
He was told by others it is across the tracks.

Paidas moves approval of the replat. Lundgren seconds. All agree. Motion passes.

7) Request for a Waiver of Site Plan for Armour Properties, LLC. located at 1950 W. State St., Alliance, OH 44601 submitted by Akins Land Surveying, LLC. (20210825PC);

Ms. Akins-Cercone explains that a replat was done to replat all of Wally Armour’s property together. They did this to get rid of the interior lot lines so they didn’t have to worry about dealing with setbacks etc. They do have some plans in the future. For right now, they want to add onto the back of building #1. They want to add a 35 x 68 lean-to addition on the back with four overhead doors. This will expand their service department. Once completed, they will then be tearing down one of their other buildings so they will have less lot coverage as far as building square footage goes. They are not making major changes to the topography and all the existing drainage will suffice so that is why they are asking for the waiver.

Bungard explained that they replatted the whole property as one. An addition is not allowed to be more than 10 percent of the existing building without a Site Plan. Since this is all one property they can count all the buildings under that threshold.

The existing area where the building is located is already paved so there is no drainage or increased run off issues. This is for the lean-to addition only and not for future buildings. They will not need a Site Plan when they tear down the other building. However, when they bring in new buildings, new parking, and utilities they will need a Site Plan at that point one. He is fine for the waiver for this temporary structure so they can move forward with their plans.

Mazzola in Planning recommends approval.

No other questions.

Lundgren moves approval of the waiver of the Site Plan. Dreger seconds. All agree. Motion passes.

8) Other Business:

None.

Paidas makes motion to adjourn. Henderson seconds. All are in favor. Motion passes. Meeting is adjourned at 5:30 pm.