

**RAVENNA TOWNSHIP  
BOARD OF ZONING APPEALS**

*JEFF GAYNOR, CHAIRMAN, REMY ARNESS  
GARY LONG, DOROTHY GRIFFITHS, AND CLAIRE MOORE*

*6115 S. Spring St.  
Ravenna, Ohio 44266  
330-296-9616 phone  
330-297-1938 fax*

The Ravenna Township Board of Zoning Appeals met June 10, 2015 at 7:00p.m. at the Ravenna Township Trustee Meeting Room at 6115 S. Spring St., Ravenna, Ohio 44266.

Chairman, Jeff Gaynor brought the meeting to order at 7:05 p.m.

Roll call was made with board members present: Jeff Gaynor, Remy Arness, Dorothy Griffith, Gary Long, Claire Moore, Carolyn Chambers, Zoning Secretary and Jim DiPaola, Zoning Inspector. Thank you, the record will show that we have a quorum.

Jeff: I am going to deviated a little and move the motion for the minutes now instead of last. Dorothy made a motion accept them and Claire second them: R/C: Claire Moore – yes, Gary Long – yes, Dorothy Griffiths- yes, Remy Arness- yes, and Jeff Gaynor- yes. Minutes approved.

Jeff: The other minor deviation is we might get a lot of comments from our Zoning Inspector and I'm going to ask him to be sworn in at this time, swears in Jim. If you have comments you wish to be heard and wish to be entered into the record you need to be here, standing, seated here. Comments or other things from the back of the room will not be on the tape and will not be in the record. We have one major item before the Board this evening Variance request 2015 BZA 04 request Conditional Use for a gasoline station, restaurant and convenience market by the Tamarkin Company and Ravenna Investors LLC. Located at 1363 E. Main St., Ravenna, Ohio. Is a representative of that organization here? Would you step forward and be sworn in please? Swears in Todd Waldo Giant Eagle 261 Kappa Drive, Pittsburgh, Pa 15123, I am a senior manager of real estate building construction.

Jeff: Thank you. So the nature of your request this evening are several. Jim we can vote on all of this at one time as presented to us, is that accurate?

Jim: Each one separate, the Conditional Use is first and then the Variances will be second.

Jeff: Ok, so the first thing we'll be voting on is the acceptance or denial of the Conditional Use of this property, does everyone know where the property is? Let the record show we got a bunch of nods. As a combination gas station, restaurant and convenience store. Do we have any questions, comments from the Board on this Conditional Use of this property?

Gary: We might as well get started with the lighting, because on section H will not involve uses, activity process materials, equipment and conditions of operation that will be detrimental to any persons and properties by reason of excessive production traffic, noise, smoke, fumes, glare or odors. One of the first things that struck me was on the site plan there is no indication of a light plan, I don't know where the lights are going to be. We have a citizenship on Hazel Street and that would be my first question on the Conditional Use.

Jeff: What can you tell us about the planned lighting?

Todd: I thought that a site lighting plan was included with submittal, if not we do have one. For some reason I don't know why it wasn't included, but purposed lighting will all be exterior lighting in the parking lot light. Approximately 25 feet tall LAD lighting, shoebox fixtures, that shines downward onto the property, that's going to light pollution across the parcel boundaries and any glare shields that's to be required in the residual areas all of the access points will be lite as well to distinguish to the general public and the customers where the point of access is. So we have referred to the Township Code respect to the requirements to the site lighting and we can provide that too, the Zoning Officer in due time, we have one available. I'm quite surprised that it wasn't included in this submittal.

Gary: Jim, have you seen the light plan?

Jim: Yes, I have, I evidentially didn't copy it for you guys. I saw the light plan and it is in performance of what we require.

Jeff: Are there any other question from the Board or comments? Does anyone else wish to speak on the Conditional Use of this property as a gas station, restaurant, and deli, convenience store? Anyone can come forward and speak at this time if you like.

Gary: On this BZA 04, which we are speaking to, section 700.03, chapter 45 specific standards for gasoline station. Jim maybe you can clarify this, but the very first statement in the code is all activities except for fuel and air pump shall be carried on, on the inside of the building. When I looked at these site plan presented, I see outside dining.

Jim: I think that section refers to a gas station strictly, it doesn't pertain to the restaurant

Todd: But, you are correct there is an outdoor dining on the southern face of the building. That would be part of the restaurant café market component. I think Mr. DiPaola mentioned that the section you are referring to Chapter 45 specific standards or gasoline stations could be the mixture of uses that are purposed for this type of hybrid use with the café market and with the fuel station as well.

Jeff: Am I to assume, Jim, that's covered in section J also, any use insular use to the principle use must be reviewed and approved by the Board of Zoning Appeals prior to any construction or reconstruction related to such use. I.E. fast food service, gas stations.

Jim: That's why they are asking for the Conditional Use to go through the Board.

Gary: I don't have anymore, Mr. Chairman, on this issue.

Jeff: Jim, the other points that they raise here and need relief on the parking within the 20 foot minimum from the property line and that sort of thing. We should vote on those separately?

Jim: Yes, that is all Variance required

Jeff: After we vote on the Conditional Use? Ok. So we will address those individually. Any other questions, comments from the Board or from the audience? Chair will entertain a motion pertaining to the Conditional Use as a gas station, restaurant deli of the property in question.

Dorothy: I move that we grant the Condition Use. Gary second it. R/C: Gary Long – yes, Claire Moore –yes, Jeff Gaynor – yes, Remy Arness-yes, and Dorothy Griffiths – yes.

Jeff: Your Conditional Use has been Ok'd. We have these other questions here. We have an ok from the state I believe for your entrance and exits from the highways.

Todd: Yes, we have approval from ODOT and we will be submitting for driveway in the future.

Jeff: I notice you have no entrance from Northwest bound 14 or from East bound 59.

Todd: Correct, those are right in and right outs are being purposed. One being a right in on Main Street and then a right in and right out on Main St. and a full access to the side street on Hazel that will connect both Main and also 14 going to the North.

Jeff: We would expect some more traffic on Hazel from folks that are going the direction that doesn't get them into this facility. They would have to go onto Hazel and on the other side.

Todd: Our traffic engineer evaluated that and we feel primarily that would be used for exiting the most. The customers would take the fastest way from the facility, that traffic on 14 from the driveway on 14, if you are traveling westbound on Main St. obviously it's the curb side there and if you are traveling eastbound on Main St. then more than likely you will turn in on Hazel. The majority of traffic that is coming from south on 14 or westbound on Main St. is why we designed the driveway the way we did.

Gary: Was there any discussion on additional traffic signals?

Todd: Because of the existing traffic signal and the distance it would not be warranted. We did discuss that with ODOT. We also think everybody has been provided with a copy of the turn lane analyzes for south bound 14 traffic and it would be essentially constructed a right turn lane that would connect with the purposed driveway on St. Rt. 14 as well. Especially for truck driver traffic to get it off the roadway and into the facility without causing any.....

Jeff: What sort of truck traffic are we talking about?

Todd: We have tanker trucks that brings fuel to the facility. We also have vender's trucks, box trucks, other trucks that would be delivering food and beverages to the café.

Gary: Customer trucks also?

Todd: This is not intended to be service for full service.

Gary: I understand that. Fifty five foot tractor trailer?

Todd: For service vehicles, but not for customer vehicles, we are not a truck stop.

Gary: How would you prevent them from entering?

Todd: We would have to police that, it is not going to be as advertised as a truck stop. For larger vehicles, we very frequently have landscape vehicles, box trucks sometimes a variation utility company that have large vehicles that come to our facility so we have to design the site to accommodate some of the larger swings of the vehicles, which we essentially do that with the design for our fuel tanker truck, our service trucks.

Gary: Where will your service trucks exit?

Todd: Service trucks will exit onto Hazel and probably go north bound.

Gary: Tractor trailer?

Todd: Tractor trailer can make that movement so truck traffic will be going southbound on 14 get into the right turn lane coming into the site that drop fuel on the passenger side of the vehicle and they will park right here (points to the map) and they will exit onto Hazel and go northbound onto 14. All of the majority of the truck traffic will be entering the truck traffic on 14 making a right turn into the facility dropping fuel on the north side of the fuel canopy and then exiting to the north on Hazel. We want to avoid introducing any additional truck traffic in this corridor at Main and 14. These driveways are primarily for customer vehicles not for service trucks or delivery trucks or anything of that sort. Occasionally there will be an instance where a larger truck does enter that, but it's not designed to accommodate that so we are discouraging that with a design of the driveway entrances.

Gary: If you have service trucks that are eastbound on route 59, whether it be a fuel truck, bread truck, or a dairy truck. They are eastbound on 59, where will they enter the property in order to do your service work? Are they going to make a northbound left hand turn up Hazel St.?

Todd: They would have to. Although we don't intend for that to happen, that any fuel truck would be coming from the turnpike or from the interstate and utilizing 14. We don't anticipate any deliveries coming from that direction.

Gary: I don't quite understand how you are going to prevent that.

Todd: We have prodigal with our service vehicles and our delivery teams that we provide them the most accessible route to the facility. Fuel tanker truck drivers are educated on how to enter the site and how to exit the site and the same with our vendors who are delivering food and beverages to the facility as well. It is a very coordinated effort as far as the preferred entry and preferred exit as well. We can't control the general public, obviously, other than signage and designing driveways to discourage those types of turns. Everything that is under our control, we educate our drivers and they are trained as far as how to enter and exit the site.

Claire: That Hazel St. entrance, that is big enough for fire equipment?

Todd: Yes, your fire trucks are I think are 50 feet or less than that?

Jim: All pumpers are about 40 feet and the ladder trucks are around that too.

Todd: Our fuel tanker truck is 55 feet from nose to rear, so the site is designed to accommodate that so we could accommodate a fire truck.

Jeff: Is this your property also? (points to map)

Todd: That is an ODOT right-a-way.

Gary: Where are you pointing too?

Todd: North of the site. ODOT will be heavily utilizing that area during their roadway project.

Jeff: Even though the entrances are quite a bit closer than our book calls for since they are one way entrance and one way exit, we do have State approval on the location of those. Any other questions or comments on the entrances and exits?

Dorothy: I would like the Zoning Inspector to address the questions from the Fire Department.

Jim: These are the questions that Chief Kozak has submitted to me. We had a discussion after he submitted them to me. When Hazel Street was constructed to the County road standards at the time, so the road has had numerous tractor trailers parked here that you can see from the overhead photograph in past time when East Park was there. So there was truck traffic there, there was truck traffic for the partnerships that have been here and gone, for the businesses that have occupied that, so the road that constructed to that standard at that time.

Gary: Is Hazel Street a county road?

Jim: No, Hazel Street is not a county road.

Gary: Ravenna Township is responsible for the condition of the road?

Jim: That's correct. I talked to road superintendent and he didn't see a problem with increased traffic either. Like all the other streets that the Township maintains, we will take care of it when they need repaired. We just discussed the part about the main street access for fire vehicles.

Chef Kozak and I talked about that and your entrances are ok for fire trucks to get through and I was talking to Mr. Waldo before the meeting about the heights of the canopy it is sixteen feet and it is more than enough for us to get a ladder truck in there.

Jeff: Thank you, any other discussion on the proposed location as indicated on our maps of the entrances and exits? Can we have a motion on this part of our Variance request section 700.10.B.5 on the entrances and exits?

Claire: I move we accept the motion on entrances and exits

Jeff: Thank you

Remy: I second the motion.

Jeff: Secretary take the vote please: R/C: Remy Arness –yes, Jeff Gaynor – yes, Dorothy Griffiths – yes, Gary Long – yes, and Claire Moore – yes. Motion passed.

Jeff: Ok, you've got that one and the next request of from 700.10.B.13 areas of use shall be completely enclosed by a fence between six and eight feet high. You don't want a fence?

Todd: No, sir, we are purposing to landscape around the perimeter. (pointing to map) we will have screening around the dumpster and around the perimeter where parking is there will be landscaping strip with shrubbery and trees as well as you can see with different varieties of trees with visual interest. The fence obvious would be counter to having visibility to the sign and more practical means more of a safety hazard as well as blocking parking areas, blocking customer traffic paths and things of that sort.

Jeff: Jim what is, if you know, the reason for the fence surrounding the property? Is it just to keep out folks that shouldn't be there or what? It varies from location to location probably.

Jim: Some of it is privacy and some of it is just screening. Some of it is keep out people and animals and things like that and kind of keep the property somewhat (inaudible)

Jeff: The other business in that area, say the McDonalds, Sohio, and the Circle K are completely unfenced aren't they?

Jim: That was those places were done before the 2009 Code.

Jeff: Oh, the fence is a new requirement?

Jim: The fence is landscaping, when we redid the Zoning Code in 2009, so those places had different requirements.

Gary: What are the plans for tidiness, empty pop cans, sandwich wrapper, trash?

Todd: We have trash receptacles throughout the property and underneath the fuel canopy itself and in front sidewalk of the building and then we have checks, we have employees that walk the site and make sure any trash or debris or what not is contained.....

Gary: Daily?

Todd: That's almost every hour we have scanning the lot. Especially the location like this where it's windblown, we have people, our team that is monitoring that. Any waste generated from the store itself, obviously will be in the dumpster enclose behind the building, but any sandwich wrappers, coke cans and things like that unfortunately we see it all the time that there are sometimes left in the parking lot and our team members would pick those up and put them in the receptacles' and that's done within an hourly basis that they walk the property and we monitor that with anything that they see arrive with the monitoring camera are located on the outside of the building itself so not only do we have the walking, but we have a manger that is observing and recording what happens within the parking lot not only from a health perspective, but also just the general safety for the public as well.

Gary: This is a 24 hour operation?

Todd: Yes, sir. We are expecting to add thirty employees to this facility and with three different shifts it could be anywhere from six to twelve different people working the shift depending on the time of day and there will always be different people servicing, customer service within the building, the food service operation. The folks that are monitoring the fuel operation and then those folks that are making those hour scan on the parking lot as well.

Claire: So outside of the asphalt area, your saying its' all going to be green space?

Todd: Yes, the landscaping plan illustrates that there is a mixture of multiple planting areas and lawn areas as well.

Claire: Just in place of the fence it's going to be?

Todd: It's going to be landscaping yes. It will give it a nice appearance and give it curb appeal at that corner.

Jeff: And again it does fit in with the other facilities at that area. Any other question from the Board about the fence? Any other questions or comments from anyone from the audience? Do you wish to speak? Yes, but not on record. Question on people that live on Hazel St, but there

are no houses on Hazel St. Any other questions, comments from anybody regarding the fence situation? Chair will entertain a motion regarding the relaxation of the requirement to install a fence.

Dorothy: I move that we relax the regulations required for the fence.

Claire: I second it. R/C: Claire Moore – yes, Dorothy Griffiths – yes, Gary Long – yes, Remy Arness – yes, and Jeff Gaynor – yes. Motion passed.

Jeff: Moving along, we have one that may be a possible problem here, pertaining to Section 700.10.B.45.G. Accept while being serviced at a pump island, no vehicle shall be parked between the pumps and the front property line. You have a rather large amount of vehicles between the pumps and either of two property lines, one on Hazel and the other on 59. Jim, do you know the reason for that being in the Code, not being able to park a vehicle between the pumps and the front property line is it just an appearance thing or is there a safety issue involved?

Jim: I would imagine that it is of both, just a small issue. It doesn't specify distances or anything like that. As far as fire issues, they don't like anybody being parked there other than the parking spots so that a fire truck can get through there. As far as a Zoning stand point I couldn't tell you.

Jeff: Oh, thank you. The Zoning requirement for stakes in the driveway, so to speak, between parking spaces and pumps or other stationary items is 24 feet, 25 feet, it's in the book here, it's one of those two and you have us at 39 feet in one area and 30 feet in another so you do exceed what is required as the space between parking and other parking or parking of stationary objects as stated in our book. So, what other comments do we have from the Board on this parking situation? While we are on parking, how many seats do you expect to have in the restaurant?

Todd: I have approximately 40 seats

Jeff: So we considerably exceed this township requirement for parking spaces for restaurant seating.

Todd: Then we have twelve exterior facility.

Jeff: Ok, so that give us 52 at a one for three, you would need seventeen and 1/3 parking spaces. You greatly exceed that seventeen.

Todd: With similar type of facilities that we constructed in the past few years we have done some parking demand studies and we know this amount of parking is appropriate based on similar peak periods, especially for food service whenever we have customers parking and staying a longer generation of opposed to just coming to the store, fueling and leaving. That we have people parking and staying 20 minutes whatever may be and eating lunch, breakfast or whatever may be in the building within the building so the number of parking spaces is important and quality, as far as the location of those to the customer entry points are equally important. There are two customers' entry points, one on the south elevation facing Main St. and then one on the left side of the building that faces the fuel canopy. We try to bulk the majority of the parking along the building sidewalk and along Main St. for ease of accessibility for those customers that park there to enter the building safely.

Jeff: The little rectangular off to the North of the property is intended to be employee parking?

Todd: Yes, sir, yes

Jeff: Would it be marked as employee or would it be open to anybody? It's far enough away that it would only be used by employees.

Todd: Sometimes we paint the parking lot spaces for that, but I would think since this is isolated so much that probably only our team members would be parking there as opposed to our customers.

Jeff: Any other discussion as to parking between the pumps and the street?

Dorothy: Is there a safety issue?

Jeff: Jim said a little but that is probably not the main issue.

Jim: The parking spaces are far enough away that you wouldn't ever be in the way of an emergency vehicle getting in there.

Jeff: Yes, you still have 30 feet in the front here and 39 feet on the sides so there is plenty of room for them.

Gary: What is the distance between, of course these tanks are under ground, so the tractor trailer can be over top of them, correct?

Todd: Yes, no question.

Jeff: Any other questions, comments on the parking issue? Once again the chair is ready for a motion pertaining to 700.10 etc. pertaining to the parking between the pumps and the property line.

Remy: I move we accept the purposed parking line.

Dorothy: I second that R/C: Jeff Gaynor – yes, Remy Arness – yes, Gary Long – yes, Claire Moore – yes, and Dorothy Griffiths – yes. Motion passed.

Jeff: Thank you. The next item is related to the size of the parking spaces. Our Zoning requires a 9 foot by 20 foot space and a number of your spaces are smaller than that especially in the employee parking area some of them are 19 which is relatively minor difference. I think I see marked here 15 although on the drawing it looks the same as the 19.

Todd: That is the curb radius of the island adjacent to the building. All of the spaces that are around the building that front along Main St. and are behind the building are 9x20 spaces. The only spaces that are smaller than that are the team members parking area on the north side.

Jeff: Along the western area of the building there looks like there are some spaces that look like that are marked 30 feet?

Todd: Yes, as I mentioned earlier, we have a lot of customers that landscapers that have trailers attached or what not, or people that are driving moving vans or whatever may be, and this parking is for larger vehicles to get them out of the regular customer areas and be at a safer location.

Jeff: That is 39 feet from the canopy, which makes it even farther from the pumps?

Todd: Those are ten by thirty spaces on the west side of the fuel canopy.

Gary: Some of the dotted lines on this site plan, it is spelling out setbacks 20 foot parking setbacks, 10 foot side yard, building setbacks and it appears to me that some of these parking spaces are way beyond the setbacks. Am I reading this right?

Jeff: If I may request, that is our next item that's addressed here.

Gary: I understand that, but if we approve the parking as we are discussing in 900.03 and we decide that they are setting in the setbacks and we don't want to approve that now where we are?

Jeff: 900.03 becomes a moot at that point. Well, if you would like to address both of those now, we can certainly do that and vote individually on them. Mr. Long did mention that quite a number actually of your parking spaces, around 30 of them encroach rather significantly upon the 20 foot setback from the property line.

Todd: As majority of those are around the perimeter on Main St. and then for those spaces on Hazel and then a couple spaces on the north side. It is more significant from the south parking lot and we try to buffer that the landscape strip.

Jeff: Point to me which is the State right-of-way or in here (points to map)

Todd: Explaining on map

Jeff: So that gets you pretty close to the right-of-way and we don't have a ten foot line marked on that. We have a 20 foot parking setback.

Todd: The 10 is for the building setback which we exceed that. The parking setback we are within that along Main St.

Claire: So we are within the right-of-way there?

Jeff: No, this line is the right-of-way (pointing to map).

Todd: Especially the north side of that sidewalk.

Jeff: So it is getting pretty close, but it is a long ways back from the corner here and my first thought is site line around the intersection here. But, you have nothing anywhere near the right turn lane between 14 and 59 and that's clear over here (pointing to map). Any other questions or comments. We will take the vote first on the size of the parking spaces, some of them being less than the 9x20 and most of those in the team member or employee as we actually call it parking lot. 900.03 yes, I need a motion pertaining to that parking request.

Claire: I don't want to make it a motion of that one because we might make it a moot point.

Remy: How does the Zoning Inspector feel about lots being shorter than required?

Jim: Not a problem

Claire: Jim, let me ask you a question. What, the other two gas stations there in the area. Do they have parking along the road there?

Jim: Yes, they do.

Jeff: Circle K has some along 59.

Todd: In the airy photo here there are parking spaces along.....

Gary: Keep in mind this regulation was established in 2009 and those facilities were prior to.

Jim: I couldn't tell you what the setbacks were for those areas then

Claire: I think those are much bigger back from the road.

Jim: In that areas those change for ODOT work too. So those parking spaces at BP couldn't become closer.

Claire: What is the safety factor? Do you think from 59 stand point if someone was to run off the road there?

Jim: Any place along 59 is a problem, because most of businesses that are located like Marcs, Tractor Supply, their parking spots are closer than 20 feet to the road some of their parking spaces go right up to the sidewalk. There is no way to prevent somebody from driving off the side of the road. If someone is going to drive off the road, it's going to happen.

Claire: I have two concerns with this. The safety issue number one and I understand what you said. If you drive down here people park right next to the road, I understand that. But, is that something we want to set a precedence for as we are trying to clean up the Township?

Jim: As one of the decisions by the Board of Zoning Appeals is not set precedence setting. Each one is a case by case bases and decided on the merits of that. Your Board has a lot of leeway to modify or deny changes like that. That is something that comes out of court cases. Court decided that they are not precedence setting that everything has to be taken case by case bases.

Claire: If we were to deny that, how is that going to effect the overall plan?

Todd: Deny the setback? That would eliminate approximately fourteen primary spaces along Main St. which are vital for customer parking. That's the major parking and that would eliminate the parking on the west side as well, would cause more congestion within the facility. I would like to add that the parking setbacks are taken from the property line and there's additional space between the property line and the actual roadway within the right-of-way, so

within the 20 feet setbacks there is still from the back of the curb on our parking space and the actual road pavement there is close to fifteen feet I would estimate.

Jeff: This line would be the existing pavement line? (points to map)?

Todd: Yes, sir so this line would be the north edge of Main St.

Jeff: So you have four or five feet between the parking and the sidewalk and four or five feet between the sidewalk and the existing curb?

Todd: Correct

Jeff: It really is not extremely close

Todd: Correct, because of that separation there again with landscaping with the sidewalk with the curb along Main St. that helps to detour some of the trafficking. There are instances where emergency accident can happen, but all those up to detour from vehicle accidently jumping the curb and causing further damage.

Jeff: And you are planning to plant some trees there, (names trees)

Todd: That helps to separate the parking from the right-of-way area and the sidewalk area as well.

Gary: The southwest corner second parking space, from your legend you have item five and it says outdoor merchandise stations. What is that?

Todd: Actually what you are looking at is the parking member camp, there is a circle and then a circle. The circle numbers are actually the count of the parking spaces in that area. I think everybody has seen at the existing Get Gos' some of the outdoors merchandises that are underneath steel canopy itself that have anywhere from windshield wiper fluid to motor oil or whatever it may be. Our outdoor merchandising is if you look on the west side of the building the building sidewalk, that will all be contained in the building sidewalk with the canopy over it so it will be propane gas, ice machine, potentially a Red Box DVD rental and then outdoor merchandiser which can have the merchandise itself and seasonal stuff as well.

Jeff: Swears in Patsy Artz, 6638 Peck Rd. Ravenna

Patsy: These parking spaces that are along 59, how do they compare with the Dollar Store, Wendy's even if you look at the used cars, their parking spaces they look like they're all pretty much the same, from what I can see that their putting in what against the Dollar Store has. I would imagine it is pretty much in the same distance. I don't think Circle K has parking in the front. I know the Dollar Store does and Wendy's like I say all of those.....

Jeff: Like I say they all have grass between the parking lot and the sidewalk. So it sort of matches what we've got here is what you are saying.

Patsy: Yes, I'm guessing they are all pretty consistent aren't they?

Jeff: Any other discussions from anyone? Let's have a motion on the Section 900.03 pertaining to the size of the parking spaces.

Dorothy: I move that the Board grant the parking spaces size required

Jeff: I'll second that R/C: Dorothy Griffiths – yes, Jeff Gaynor – yes, Remy Arness – yes, Gary Long – yes, and Claire Moore – yes.

Jeff: Do we need any discussion on the next item 900.04 the parking spaces being within the twenty foot setback? Let's have a motion on that then.

Gary: I move on the variance request concerning section 505.03.G

Jeff: I'm sorry that is not the section in question

Gary: I'm sorry I resend the motion then.

Remy: I move we accept the motion based on the existing properties in the area are already very similar to that plan

Gary: I'll second that. R/C: Gary Long – yes, Claire Moore – yes, Jeff Gaynor – yes, Remy Arness – yes, and Dorothy Griffiths – yes.

Jeff: Now Gary the question of the minimum setback of ten feet. There are several items, actually it is just the surrounding of the dumpster. The parking lot setback is twenty feet so the fact that it extends into the ten foot setback that's the building setback line. I think we are at two different situations there. The question here is the location of the surround of the dumpster being rather a lot closer to the property line than the ten foot setback we require. Do you really need it that far over? It looks like you are going to be within a foot of the property line. It doesn't show here, it is number 3 right (points to map) yes, dumpster enclosure.

Todd: We are going to try to add some landscaping around that to buffer it a little bit, but it will be a masonry enclosure for that.

Jeff: The solid line near the property that is the actual property line

Todd: Yes, it is pretty close to the property line, yes. We have looked at a lot of different locations to place this on the site, unfortunately as we all know, this is a very odd configuration of the property.

Jeff: Excuse me, I have a triangle lot so watch that odd word. hahaha

Todd: Not for a residential home, but for a facility like this we wanted to locate it as much as that as far as team member activity that they would be coming out the rear of the building with all trash and things of that sort keeping an area where they are not having to walk across the parking lot. They would have to intermingle with some of the onsite vehicle traffic. We put that in an area where it's accessible and also again accessible for the refuse vehicles that would be coming to the facility as well.

Jeff: If you would move it forward, you could lose one parking spot there.

Todd: The other thing to consider.....

Jeff: You've got quite a bit of parking.

Todd: The thing we considered here is with the parking area behind the building that not only will the garbage truck utilize that area as a reservoir when they are picking up the dumpsters. That keeps them safely out of the main drive that goes north south between the building.

Jeff: The dumpster was farther forward when the truck was there it might be sticking out to far?

Todd: Not only that, but all of the loading and unloading for the facility delivery trucks, box trucks that would be delivering are going to be within that area as well. We try to have enough of an area where it doesn't project into a drive area between the fuel canopy and the building so that when those trucks are servicing the store they're not causing any congestion on the side. We've looked at probably five or six different locations and unfortunately this from a utility stand point also at the health and safety standpoint it seems to work the best.

Jeff: It looks like that is quite a ways from the right-of-way.

Todd: That's correct, yes, the landscaping plan that we can't plant within the right-of-way so we tried to plan around the dumpster enclosure on both the east side and the north side to further screen that from view. In addition it is a masonry closure so it is a solid structure it's not a fence or anything like that.

Jeff: And you are planting three evergreen trees? Would you expect the masonry of that to match?

Todd: Similar to that in color, it will match.

Remy: Jim would the enclosure be considered a fence or a building to be within the setback? This three sided with one side left open

Jim: That basically is an enclosure. When people put up a fence we tell them to leave enough space so you can maintain that side of the fence, but our requirements are you can go right on the property line

Jeff: So that ought to be acceptable, it sounds like.

Remy: Inaudible

Jeff: Who did all your work for you? Let's have a motion, unless there is more discussion from anyone on the location on the dumpster. Let's have a motion pertaining to that dumpster surround being closer to the property line than the ten foot setback and the relaxation of such rule.

Claire: I move that we grant that for the ten foot setback.

Dorothy: I'll second that. R/C: Remy Arness – yes, Dorothy Griffiths – yes, Claire Moore – yes, Gary Long – yes, and Jeff Gaynor – yes. Motion passed

Jeff: Well, I think that is the end of the work on your series of request unless there is something I've missed.

Gary: Except for page 58, bases of determination. There are several standards in there. We've covered police and fire services and I'm ok with that. Except the traffic and glare. I sure would like to see Jim and you sir, I sure would like to see a light plan. I haven't seen one. I want to make sure that Jim has it in there, because I'm concerned about glare and you know LED lights are bright and that was one issue. Item 7 and item 9. Item 7, the general standard will not involve uses activities, processes, materials, equipment or conditions operation that will be detrimental to public health or safety by reason of excessive production traffic, noise, smoke, fumes, glares, odors and noise. The ones that I'm concerned about is the glare and the traffic on Hazel St. especially. I'm concerned about route 14 with traffic coming down south bound on route 14 and you have a customer, especially a truck that is pulling into the facility, maybe it's one of your service trucks to drop fuel and there's traffic in there and he cannot get off the highway, I'm concerned about that. Item 9, is vehicle approaches designed as to not interfere with pedestrian and vehicular traffic on the surrounding and public or private roads. Again route 14 is my biggest issue that is where you are going to have the biggest issue. That is where you are going to have the most truck traffic, on a normal day when there is nothing there or even if you had East Park restaurant there that's very congested.

Todd: That is why we are constructing the right turn lane which will be a detail lane for vehicles that are accessing the property to get off the roadway and into the site. That is not part of ODOT's expansion that's part of our work that would get those vehicles, it's 225 feet long north of where our entrance is on route 14 so vehicles that are traveling southbound on 14 have plenty of time to get off and onto that new lane and then they exit into our facility.

Claire: So there is a turn lane now on 14 for a right hand turn lane, so you are going to have an additional lane going into...

Todd: This will be a right turn lane that will be dedicated primarily for access to the Get Go.

Patsy: Did ODOT have to approve these egresses even though they have been there before?

Todd: They have approved the driveway exits we have proposed, we have to go through a very minor process. Actually it would be helpful if I showed everyone here on a larger scale. (points to the map and explains the driveways)

Patsy: On Hazel, are most of your delivery trucks going to be off of 14 or are they going to use (inaudible)

Todd: The majority of the traffic will be traveling south bound on 14 getting into the right turn lane turning into the facility.

Patsy: So this is your truck in service now?

Todd: Yes, it is this is better accessibility for the fuel trucks.

Jeff: Show her where you expect these trucks to park near the dumpster.

Todd: Points to the map and shows how the truck would enter and go out Hazel. Explains the traffic pattern.

Patsy: So most all the service trucks will be coming in on that dedicated.....

Todd: Yes, they will be using that right turn lane to get into the facility.

Patsy: It is not in there now, right? You are going to be putting that in?

Todd: That's right

Patsy: Then most of them will egress from and onto Hazel. One more question. Did I hear where you are going to send truck onto Maple? No, I didn't hear that. My other question was how is with ODOT how is that going to affect your plan?

Todd: So this plan that we have here actually has overlaid what ODOT is doing. This is showing what ODOT is proposing on route 14 and Main that in conjunction with our developers, we coordinated with them again there will be no interference with construction they're planning on starting the first leg of it at the end of July.

Patsy: Is that drawn to scale?

Todd: Yes, so that is where the restaurant is, that is further back from that and all the curb entrances the people remember is very much large parking pretty close to the right-of-way just as much more controlled with the access point and also with the parking location.

Patsy: What are your plans to start?

Todd: We are hopeful that we can start late summer, early fall.

Patsy: Will ODOT be done with their.....

Todd: ODOT is going to phase their project so they will start after July 4<sup>th</sup> they're going to wrap up the first phase in this year and the second phase starting next March or April and finish up in August.

Patsy: How is that going to affect traffic, otherwise you guys are going to be working at the same time pretty much.

Todd: There will be some areas of isolation, we are working with them to address the areas that are adjacent to our property so that there's minor conflict and then the bulk of their work where there has been underground utility relocations taking place and will have to reconfigure that at an extended period of time.

Patsy: Where's the water and sewer lines going?

Todd: The sewer is from Hazel connects across the property. Water is on Hazel as well as well as Main St. are taking water from that.

Gary: Those service lanes that you have coming southbound on 14 and your driveway on your open pavement within your property, and you're open 24/7 are you going to employ your own snow removal or are you going to hire it done?

Todd: Well, we have maintenance contract that we hire.

Gary: You will take care of the pothole etc.?

Todd: Yes, anything in this facility will be maintained by Giant Eagle.

Gary: There is a section B of appeals and variance that we need to go over for a legal so we are covered legally. Item # says a hardship is self-created, because quite frankly I am sitting here thinking that you are trying to put a five pound of sugar into a one pound bag.

I have a problem with that. I think that my person opinion is that it could be consolidated somewhat so that we didn't have to worry about setbacks, traffic and hardship on lighting etc,

etc. I just wanted to cover that. Item D, dangerous and object able uses and when you go to chapter 6 it is 605.00 and I don't have the page number on that, but so that we are all clear on it, it covers direct or reflected glare and note, we still don't have that lighting plan and I want to emphasis that it must be in Jim's hands. The last item that I wanted to bring up you have a lot of non-pervious service and I want to know what you are going to do with the water?

Todd: I think we are actually reducing impervious service on the property from the previous use and we do have a series of under storm piping that tie into the existing system on 14 no retention is require. We have submitted plans to the county engineer, he is reviewing them at the present time and has given us an indication that because we are not increasing we are reducing, we don't have to have an onsite retention facility. It will all be collected with a series of underground piping.

Gary: Jim, does our underground facility system out there will that handle this extra water?

Jim: That is up to the county

Todd: That big hydraulic calculation for the storm water has been submitted to the county and the county engineer is reviewing it.

Gary: If it is rejected your will go with underground retainment?

Todd: We have talked to him already and that doesn't seem to be the case. That the existing system will handle the capacity, because again we are reducing the impervious service on the property.

Gary: Jim have we covered the requirement with the Prosecutor's office on this baes of determination?

Jim: It's covered.

Jeff: Any other questions, comments from the Board?

Claire: I do have one question. What are you doing with the other Get Go?

Todd: If it is given the approval of tonight and after the construction of the purposed Get Go and it opens, we would shut down the existing Get Go. Decommission it and demolish it and it would become just a larger parking lot. We don't own that property the landlord may see to market that as a land parcel for a restaurant a retail use certainly Giant Eagle will not need all that parking for the store itself. So we will decommission it for a Get Go and the future use of that will be determined.

Claire: Giant Eagle owns where it sits right?

Todd: We don't own that property it's a lease. Similar to what's being done here. It's a lease. We don't own the property. All of those the canopy structure will be removed and obviously the underground tanks will be removed everything goes through the highway as far as the removal and closure as far as those tanks that is handles though the state.

Claire: Now that will open immediately upon opening of the new facility?

Todd: That is right those two will more than likely will not be opened at the same time.

Jeff: Ravenna Investors LLC is the owners of the property.

Todd: We would develop and maintain the property. Potholes and snow plowing we would be responsible for that.

Remy: How long is your lease?

Todd: Ten to fifteen years.

Claire: But, you are responsible for all the upkeep? If you were to end your lease with them, you would remove all the plants and everything?

Todd: That's right.

Claire: We just wouldn't get into a situation like the old Clark gas station where there are underground tanks to be removed?

Dorothy: I didn't see where we addressed the signs.

Jim: The signs will be address at a later date. They had to wait for this approval. They will make an application.

Dorothy: I know we had trouble with Circle K that is why I was questioning the signage.

Jeff: We do have a note on our site plan that the signs will be addressed at a later date. I think we are done then. Well, the board is not done yet, but we are done with you folks you can stay if you like or leave.

Patsy: Stated how proud she was at how the meeting was handled.

Jeff: Pretty major decision for this little town. I thought those that were protesting the project did not arrive and some that I thought did protest.

Patsy: Again you handled yourselves very well.

Jeff: Based on the fact that we approved all the request submitted to us this evening we are going to have one motion to approve the request that we had this evening. I move and journalize BZA 04 and BZA 2015 05 as we addressed this evening.

Gary: I second it R/C: Dorothy Griffiths – yes, Gary Long – yes, Remy Arness – yes, Claire Moore – yes, and Jeff Gaynor – yes. Motion passed and journalized.

Remy: Made a motion to adjourn at 8:25

Respectfully submitted by

Carolyn Chambers  
Zoning Secretary

CC: Trustees (3)  
BZA (5)  
Zoning Inspector  
File