

AUSTINTOWN ZONING COMMISSION – JULY 26, 2018

PUBLIC HEARING
AUSTINTOWN ZONING COMMISSION
July 26, 2018

In accordance with Section 519.12 of the Ohio Revised Code, the Austintown Township Zoning Commission held a public hearing on Thursday, July 26, 2018, at the Township Hall, 82 Ohltown Road, Austintown, Ohio, for consideration of and recommendation to the Board of Township Trustees proposed Amendment 2018-02-Z.

The following Commission members were in attendance:

Atty. Robert Price, Vice-Chairman
Keith Marsteller
Mark Cole
Bruce Shepas - Alternate

Absent:
Ron Latone – Chairman
Sam Swogger - Alternate

The Public Hearing was opened at 6:00 P.M. by Atty. Price leading the Pledge of Allegiance.

Court Reporter in attendance, complete transcript taken of the hearing.

Motion by Mr. Marsteller to **APPROVE** the minutes of the April 26, 2018 public hearing.

Seconded by Cole.

Roll call vote: Mr. Cole – Yes; Mr. Marsteller – Yes; Mr. Shepas – Yes; and Atty. Price – Yes.

AMENDMENT 2018-02-Z

DCMD Holdings, LLC, 6388 Calvary Court, Austintown, Ohio, 44515, and Green Leaf Landscape Supply, Inc., 1430 South Canfield-Niles Road, Austintown, Ohio, 44515, requests the rezoning of two (2) parcels of land containing a combined total of 1.098 acres, Tract 9, Parcels 48-120-0-007 and 48-120-0-008, 1350 South Canfield-Niles Road, Austintown Township, from Residential R-1 Districts and Agricultural A-SER Districts to Business B-1 Districts and the southerly 0.27 acres (30' x 392.85') of a parcel of land containing a total of approximately 5.794 acres, Tract 9, Parcel 48-120-0-009, 1430 South Canfield-Niles Road, Austintown Township, from an Agricultural A-SER District and Business B-2 District to a Business B-1 District, with the combined total of 1.253 acres of land to be contained within "Lot No. 1" of the proposed "C. Raymond Plat No. 1". Parcels 48-120-0-007 and 48-120-0-008, 1350 South Canfield-Niles Road, are rectangular in shape having a combined frontage of 109 feet and a mean depth of 392.79 feet, are located approximately 622 feet south of the Notre Dame-South Canfield-Niles

Road intersection; and are zoned as Residential R-1 Districts for a depth of 150 feet with the westerly remainder zoned as Agricultural A-SER Districts. Parcel 48-120-0-009, 1430 South Canfield-Niles Road is irregular in shape, has a frontage of approximately 362 feet on South Canfield-Niles Road and a frontage of 189.08 feet on Notre Dame Avenue and a mean depth of 530 feet, is located approximately 260 feet south of the Notre Dame-South Canfield-Niles Road intersection and approximately 328.37 feet west of the Notre Dame-South Canfield-Niles Road intersection; and is zoned as a Business B-2 District for a depth of 167 feet with the westerly remainder zoned as an Agricultural A-SER District within Austintown Township, Mahoning County, State of Ohio.

Zoning Inspector Crivelli read the applicant's letter of request dated June 15, 2018 into the case record, referenced a letter of permission from Green Leaf Supply allowing Dr. Raymond to represent their interest at the public hearings. Also referenced was the C. Raymond Plat No. 1 drawing and supporting documents, the case mailing list, and four plat maps prepared by the zoning office.

Zoning Inspector Crivelli read the following recommendation into the case record: **MAHONING COUNTY PLANNING COMMISSION: Recommended APPROVAL** of the request per the agenda at their meeting held on July 24, 2018.

Atty. Price asked Zoning Inspector Crivelli to testify to the fact that notice of the hearing had been given in one newspaper of general circulation in the Township at least ten (10) days before the date of the hearing and that notice was given by first class mail to property owners of interest. Zoning Inspector Crivelli stated the publication date was July 7, 2018 and the abutting property owner letters were mailed on July 2, 2018.

Dr. Chris Raymond, 6388 Calvary Court, Austintown, Ohio, 44515, stated he was one of three owners of DCMD and are proposing to construct a multi-disciplinary medical office. The site will be designed to hold a properly sized building with required parking. The newly platted lot has been recorded. They are in the process of securing the additional northerly 30 feet from Green Leaf.

Mr. Cole inquired about the rear buffer. Dr. Raymond advised they have an easement from the southerly building for parking and access and will continue the existing fence with some landscaping to appease the neighbors living behind the project. He proposed trees. Atty. Price asked he if he has considered arborvitae. Dr. Raymond answered in the negative and stated it is part of the discussion. Atty. Price suggested arbs grow and do not decay over the years and suggested that is something to consider.

Atty. Price observed they are proposing five-foot buffer. David Harris, DPH Architecture, stated they want to maintain consistency with the abutting property to the south, 1450 South Canfield-Niles Road. The parking lot will be aligned with the cross-parking easement. The buffer can be both fence and arbs or some combination. Dr. Shina, 1450 South Canfield-Niles Road, stated there is a six-foot high wooden fence at this office which abuts the proposed project.

AUSTINTOWN ZONING COMMISSION – JULY 26, 2018

Atty. Price inquired about hours of operation for the medical office. Dr. Raymond stated he would be there until 6:00P.M. but there will be multiple tenets and that could be subject to change.

Atty. Price inquired about lighting. Mr. Harris stated lighting would have full cut-offs at the property lines or not more than one-foot candle protruding. Zoning Inspector Crivelli advised there should be zero-foot candles at the abutting residential west property line. Mr. Harris stated they are still waiting on survey information for development of the site plan and will submit a photometric drawing to zoning for review at a future date.

Mr. Shepas inquired about the life of a wooden fence. Dr. Shina stated their current fence leans but otherwise looks good since they moved into their office. There was some discussion of their securing a drainage easement from an abutting property owner. They will try to eliminate standing water on the abutting rear yards. Mr. Harris stated the project will have a detention system and a curbed parking lot which should alleviate water problems. There situation should be improved with this development.

No one else in attendance to speak in favor of the request.

No one else in attendance to speak against the request.

The Austintown Township Zoning Commission adjourned at 6:20 P.M.

The Austintown Township Zoning Commission reconvened at 6:22 P.M.

2018-02-Z: Motion by Mr. Cole to **ACCEPT** the recommendation of the Mahoning County Planning Commission and recommend **APPROVAL** of the request to a **Business B-1 District** with the stipulation that the rear buffer is to be a minimum of five feet and consist of a combination of solid fencing and arborvitae.

Seconded by Mr. Shepas.

Roll call vote: Mr. Cole – Yes; Mr. Marsteller – Yes; Mr. Shepas – Yes; and Atty. Price – Yes.

Zoning Inspector Crivelli advised the trustees will conduct a public hearing at a future date to be determined to make a final decision regarding the request.

Atty. Price thanked them for being pro-active in contacting the neighbors and stated this will be a nice development for Austintown.

Motion by Mr. Cole to adjourn the public hearing.

Seconded by Mr. Marsteller.

AUSTINTOWN ZONING COMMISSION – JULY 26, 2018

Roll call vote: Mr. Cole – Yes; Mr. Marsteller – Yes; Mr. Shepas – Yes; and Atty. Price – Yes.

There being nothing further to come before the Commission, the hearing was adjourned at 6:25 P.M.

AUSTINTOWN ZONING COMMISSION

Darren L. Crivelli, Zoning Inspector

APPROVED: _____
Atty. Price – Vice-Chairman
Ron Latone - Chariman

DATE: _____