



The Rootstown Township Zoning Commission met in regular session on Monday, August 19, 2013, at 7:00 p.m. at Rootstown Town Hall.

Present:

Karen Henry
Rob Swauger
George Tishma
Theresa Summers
Steve Brown
Bob Moses

Absent:

Also present:

Jim Mahood, Zoning Inspector
Brett Housley, Trustee
Van Black, Asst. Zoning Inspector
Todd Peetz- Regional Planning Office

Audience

See Attached List

Karen Henry, called the meeting to order.

Karen asked everyone to stand and pledge allegiance to the flag.

Karen Henry asked if everyone had a chance to review the minutes from the last meeting? George Tishma made the motion to accept the minutes as prepared, it was seconded by Rob Swauger, roll was taken and passed 5-0. Due to the fact that Bob Moses was absent from the July meeting and could not vote.

Karen Henry asked Todd Peetz of Portage Regional Planning to speak on behalf of his office regarding their recommendation of the proposed zoning change of the parcels located directly behind Speedway on the corner of

State Route 44 and Lynn Rd. Speedway is seeking a change of three parcels from R-O (Residential Office) to C-3 (Highway Interchange). Mr Peetz explained his office used aerial photos and wetlands map to make sure the property is currently not in a flood plain. Mr. Peetz then explained his office used the Rootstown Township Comprehensive Land Use Plan and the Land Use Addendum for decision making and stated numerous provisions within the land Use Plans regarding their decision.

Mr. Peetz first stated that the original Land Use Plan and the Addendum both state that the current zoning classification of C-3 should not be expanded further along Lynn Rd. continuing westward. Secondly, both plans state that commercial growth should be north of Lynn Rd along State Route 44 and all commercial properties should have a minimum depth of 400 ft. With all the facts just mentioned, Mr. Peetz said the Regional Planning Commission recommends disapproval of rezoning the three parcels located west of the adjacent Speedway location.

Mr. Mahood asked Mr. Peetz if it would make a difference if Speedway would combine the three lots to create one large lot, Mr. Peetz said it would not. Mr. Peetz also it has been almost ten years since the last Land Use Addendum, and if the Township Trustees feel that it would be necessary to have another one done, it may change at that time.

Mrs. Henry then asked if anyone from CESO would like to comment on behalf of Speedway? Mr. Nick Hershberger began by briefly going over the project Speedway would like to build. Mr. Hershberger stated the three parcels would be combined into the existing Speedway property, the proposed building would be 4,600 sq ft retail store and increase in parking and a six bay auto fueling dispenser instead of the double stack dispenser system that is currently in place now. This new system would allow for better and safer access to the property. Mr. Hershberger then mention the construction of a three bay diesel fueling station located behind the current store with two access drives for trucks. Mr. Hershberger stated that this would not be a truck stop and that no overnight parking will be permitted, this use would be for a fuel and go system.

Mr. Hershberger then moved on to address the main points for Regional Plannings recommendation for disapproval. First, that all three parcels will be combined together to form one large piece of property for Speedway. Secondly, the Land Use Plan and Addendum state that north of Lynn Rd. should be commercial but does not specifically say that south Lynn Rd should not be commercial, in fact that there is currently C-3 and R-O currently allow commercial businesses as defined in the current Zoning

Resolutions. Mr. Hershberger stated that the land Use Plans regards the R-O district as a transition zone between commercial and residential. Mr. Hershberger mentioned that a change in the zoning of the parcels would still result in C-3 zone next to a R-O zone that currently exist. Mr. Hershberger said that Speedway will work with the neighbors to address any concerns they may have for example screening, landscaping. Mr. Hershberger said the current pond will be used for water retention and that Speedway will abide by all Township and Portage County regulations, he then mentioned an upgrade to Lynn Rd. if necessary to accommodate the weight of fuel trucks.

Mr. Hershberger addressed the 400 ft depth requirement for all commercial properties along State Route 44 as recommended by the Land Use Plans, he stated that the new expansion would be 446 deep, only a 46 foot difference.

Mr. Hershberger then mention the Land Use Plans and Addendum are recommendations to the Township in ways to plan for the future and are subject to possible changes. Mr. Hershberger again stated Speedway willingness to work with the neighboring properties with their concerns. Mr. Hershberger then recapped his comments regarding R-O being a commercial district already, that properties south of Lynn Rd. are not specifically mentioned as not to be commercial and that C-3 zone will and currently still remain adjacent to R-O district and lastly that the depth of commercial properties should be 400 feet and that the new location would be only 46 feet deeper allowing for safer and less crowded access to the Speedway property.

Karen Henry asked if anyone in the audience had any questions. Mr. Archer a resident at Muzzy Lake mentioned his concerns regarding an increase of water run off that will possibly effect flooding at Muzzy lake. Mr. Hershberger stated the current pond will act as a retention pond and allow drainage into current storm sewers, the amount of drainage would be to Portage County standards and regulations. Sandra Woolf , who lives next to the three parcels that are proposed to be rezoned, echoed her concerns with water run off and also mentioned her concerns over an increase in traffic flow generated by the larger store and fuel pumps. Bob Moses of the zoning commission asked about the increase in parking and if that also to into account large trucks? Mr. Hershberger said again that there will not be any overnight parking or parking that is currently located at the Wendy's or McDonald's that permits semi-trucks, he said they envision that most trucks will be of the soft drink and beer trucks variety.

George Tishma of the Zoning Commission asked how will speedway address the screening issues with the neighbors, will you talk with them personally? Mr. Hershberger said they have done that in the past or they will talk to them at zoning meetings. Mr. Mahood stated that if a public hearing will be required, all residence within a 500 ft radius of the three parcels will be notified via mail.

Mr. Moses and Mr. Tishma voice their concerns with a possible increase of water drainage to neighboring parcels and how this may effect drainage ditches along Lynn Rd.

Mrs. Woolf also questioned the effect on property values if the expansion is approved. Mr. Hershberger said that the increase in truck traffic will not increase by a large number from what is currently using their diesel pumps, but this will allow for safer and easier access for those trucks who currently use this service.

Mrs Henry asked if anyone else had questions? Mrs. Henry stated she personally is not ready to make a decision at this time to approve or disapprove rezoning the parcels and would like the time till the next meeting to study the proposal.

Mrs. Henry then asked Todd Peetz if he had anything to cover regarding proposed zoning changes. Mr. Peetz passed out a set of new zoning definitions that included new additions that have been discussed at passed meetings. The board and Mr. Peetz went over the list briefly and said that these can be changed or eliminated. Mr. Peetz then handed a packet that discussed "Reasonable Accomadation" this will be a new resoulution to be added to the zoning code, the handout is so the commission can study it for the next meeting.

Mrs. Henry then asked the Zoning Inspector if he had anything to report? Mr. Mahood just mentioned that the Trustees at their last meeting held a public hearing and voted to approve the Zoning Commission recommendation to change the 50% rebuild value to 100% for non-conforming structures with only two small changes, these changes will not effect the main proposal.

Todd Peetz mentioned that Regional planning will be holding it's quarterly Zoning Inspector's meeting on the 22th of August at the Regional Planning office and all Zoning Commission members are invited to attend.

Karen Henry closed the meeting by announcing that Ginny Hamilton has turned her resignation notice in, due to she is working full time and will not be able to attend the meetings. Mrs Henry asked who will be next in

line to replace Ginny? Mr. Mahood said it will be up to the Trustees to appoint her replacement.
No other comments were made, George Tishma made the motion to adjourn and was seconded by Theresa Summers, vote passed 5-0

Karen Henry, Chair
Rootstown Township Zoning Commission