

PUBLIC HEARING
BOARD OF ZONING APPEALS
October 27, 2016

The Austintown Township Board of Appeals held a Public Hearing on Thursday, October 27, 2016, at the Township Building, 82 Ohltown Road, Austintown, Ohio, for consideration of the following case:

APPEAL CASE 2016-14-A- Meijer Stores Limited Partnership.

The following Board members were in attendance:

Mr. Joe Koch – Chairman
Mr. Michael Beaudis – Vice-Chairman
Mr. Robert Satterlee
Mr. William Glaros
Mr. James Mahoney

Chairman Koch opened the public hearing at 7:06 P.M. The following testimony was given under oath or affirmation. Court Reporter in attendance, complete transcript taken of the hearing.

APPEAL CASE 2016-14-A

Woolpert Inc., 4454 Idea Center Boulevard, Dayton, Ohio, 45430-1500, on behalf of the Austintown Township Board of Education, 700 South Raccoon Road, Austintown, Ohio, 44515, OLOM, LTD, c/o B&I Management Company, 3729 Union Street, Mineral Ridge, Ohio, 44440, and the Meijer Stores Limited Partnership, 2929 Walker Avenue, Grand Rapids, Michigan, 49544, request approval of a conditional use permit from the terms Article XI-Business B-2 District, Section 1102-Conditionally Permitted Uses, Paragraph 3-Community Shopping Center, Plazas or Malls, of the Austintown Township Zoning Ordinance, as amended through November 25, 2014, to allow for construction and occupancy of the proposed “Meijer” retail store to be located at 5800 Mahoning Avenue. Said properties contain a combined total of approximately 16.22 acres of land, are further described as 5800 Mahoning Avenue, Lot No. 1, Irregular Replat of a Replat of Lot No. 1 of the Austintown Board of Education Plat No 1, Parcel 48-029-0-132, 15.068 acres; 5650 Mahoning Avenue, Parcel 48-029-0-127, Tract 7, 1.15 acres; and Lot No. 2, Replat of a Replat of Lot No. 1 of the Austintown Board of Education Plat No 1, 0.459 acres. Lot No. 1, 5800 Mahoning Avenue, is irregular in shape, has a frontage of approximately 660.74 feet on the north side of Mahoning Avenue and a frontage of 150 feet on the east side of Fitch Boulevard, a combined depth of 817.70 feet along the east property lines, is located approximately 320.89 feet west of the Howard Avenue-Mahoning Avenue intersection and approximately 807.52 feet north of the Fitch Boulevard-Mahoning Avenue intersection. Parcel 48-029-0-127, 5650 Mahoning Avenue, is rectangular in shape, has a frontage of approximately 175.56 feet on the north

BOARD OF APPEALS PUBLIC HEARING – OCTOBER 27, 2016

side of Mahoning Avenue, a depth of 252 feet at the west property line, and is located approximately 145.33 feet west of the Howard Avenue-Mahoning Avenue intersection. Lot No. 2 is contained within the west side of Lot No. 1 and is zoned as a Business B-2 District in its entirety. 5800 and 5650 Mahoning Avenue are zoned as Business B-2 Districts with the easterly 43 feet to 29 feet zoned as Residential R-1 Districts heading in a northerly direction beginning at a point 200 feet north of the front property line in Austintown Township, Mahoning County, State of Ohio.

Zoning Inspector Crivelli read the letter of application dated September 28, 2016 from Lanie West of Woolpert, Inc. into the case record, referenced were five pages of 24” x 36” drawings including a site plan, landscape plan, interior floor plan, building elevations, and sign drawings, a letter of certification dated August 22, 2016 regarding the recent approved zone change request and accompanying zone change map, the minutes of the trustees’ public hearing held on August 22, 2016, the minutes of the zoning commission public hearing held on July 28, 2016, three pages of auditor reports for the subject parcels, the case mailing list, and six plat maps of the subject property. Also referenced was the recent zone change request case file and four exhibits submitted for the zone change request.

Mr. Koch stated the mailing list for case 2016-14-A will be incorporated into the case record.

Lanie West of Woolpert, Inc., 4454 Idea Center Boulevard, Dayton, Ohio, 45430, testified that she is representing Meijer and they are excited to be coming to Austintown. Meijer is family owned and will be a good partner in the community. Meijers started out with family grocery stores that include bakeries and meat departments. The project will bring 250 jobs to the community. Ms. West submitted a five-year timeline marked as Exhibit “A” and stated property acquisition will occur by the end of this year or by January, 2017. The buildings will be razed next year. They will submit final plans to secure permits in 2018-2019. At the latest, start of construction will be in 2020 with a store opening in the spring of 2021. Ms. West reviewed the building square footage and 645 parking stalls. Meijer is moving towards a smaller number of parking spaces for their stores based on their most recent studies and do not wish to place additional impervious pavement if not needed. Ms. West stated a lot of communities are allowing smaller parking ratios. The buffering will consist of evergreens staggered 10 feet on center along with a white vinyl fence measuring six feet in height as depicted on the site plan. At the back of the building there is existing vegetation that will be supplanted with evergreens and they will work with staff on the placement of the trees based on the final plans. Ms. West described the seasonal garden center and drive-up pharmacy. There are seven truck docks and a compacter. Two access drives are proposed into the site with a proposed signal and drop lanes. Final approvals have not been given by the engineer’s office.

Mr. Beaudis asked if they are working with the county and the state. Ms. West answered in the affirmative. She described the placement of the pylon sign at the front property line measuring 25 feet in height and a second sign measuring seven feet in height. The

smaller sign is for the benefit of the delivery trucks to insure drivers utilize the right traffic pattern within the site. Deliveries to the garden center will be from smaller garden supply trucks. Mr. Satterlee observed the traffic pattern would seem to alleviate internal vehicular problems. Ms. West stated the building elevation will be warm color with a brown look. The height will be about 22'4" with the front entrance wall being 39'7" in height. The back of the building will measure 17 feet. She described the signage to be placed on the building.

Mr. Satterlee inquired about the east side of the lot. Ms. West stated there is an existing chain-link fence that will be removed to be replaced with a white vinyl fence measuring six feet in height. Evergreen trees will be planted ten feet on center staggered. Zoning Inspector Crivelli advised the original zone change from the last decade established a buffer of 50 feet and with the new approved zoning the trustees wanted the residents on Howard Avenue to be heavily buffered since the 50 foot buffer was reduced for this project. He stated the fence is to allow Meijer's to mark their property line, prevent trespass and other issues of liability. The trees over the years will grow into a better more natural buffer for the residents. He referenced the pine trees across from the library on South Raccoon Road as an example.

The site plan was marked as Exhibit "B", the elevation drawings as Exhibit "C", the pylon sign drawing as Exhibit "D", and the smaller sign drawing as Exhibit "E".

Mr. Koch inquired about the front of the building. Ms. West stated some stores have a Starbucks or some sort of eatery or coffee shop and a bank. She stated Meijer is the inventor of the hyper-store. The chain is family owned, the quality is top notch, and they buy locally produced foods. The bank is usually a local service bank. The nearest store is located in Mansfield.

Mr. Beaudis asked when Meijers will complete the purchase of the property. Ms. West stated property acquisition will be the fourth quarter of 2016 or January, 2017. The razing of the buildings will be approximately one million dollars.

Mr. Koch inquired about the purchase price of the property. Mal Culp, representing the schools advised of the purchase price. He did not know the purchase price of the library.

Mr. Beaudis inquired about using the site for fireworks prior to the start of construction. Ms. West advised she would relay the request to Meijer and stated the company has a long history of supporting the local community. They give back 7% of their revenue to local communities for charitable events.

Mr. Koch stated this will be a great project for the community.

Mr. Satterlee inquired about the construction schedule. Ms. West stated the schedule depends on where they are with financing, closing on the property, and figuring out what they are going to build. The company is small and does not want to over stretch themselves. They are developing in five states. If plans are finalized it could be a 2020

store. Once property is acquired and plans approved, corporate allocates which projects move forward first. She stated the company is family owned. They have one development team and one construction team. They are not as big as Wal-Mart or a Target.

Mr. Koch inquired about the lights. Ms. West stated the canopies and walls signs are back lit. The LEDs are all down lit. They have never had a lighting problem at any other store. They will have zero lighting at the property lines using down lit and shielded lighting with cut-off features. There was discussion of the enclosed compactor and dumpsters.

No one else in attendance to speak for the request.

No one in attendance to speak against the request.

Mr. Satterlee inquired about the signage. Zoning Inspector Crivelli advised via the conditional use process the Board is being asked to approve the drawings submitted.

2016-14-A- Meijer Stores Limited Partnership: Motion by Mr. Satterlee to approve the conditional use request including all testimony presented by the applicant during the hearing and with the following stipulations:

- 1) The Howard Avenue buffer side shall be constructed per the requirements of the Austintown Township Trustees and the buffer at the north property line is to consist of suitable evergreen plant material to be determined by the Zoning Inspector after submittal, review, and approval of the storm water management drawings including final grade elevations;
- 2) A photometric site plan must be submitted indicating zero (0) foot candles of light on adjacent properties;
- 3) The storm water management design must meet the design criteria of the Mahoning County Engineer's Office and a permit must be secured from that office for public improvements; and
- 4) Exhibit "A" entitled "Austintown Meijer Preliminary Schedule" is adopted and made part of the conditional use permit.

Seconded by Mr. Mahoney.

Roll Call Vote: Mr. Satterlee – Yes; Mr. Glaros - Yes; Mr. Mahoney – Yes; Mr. Beaudis - Yes; and Mr. Koch - Yes.

Zoning Inspector Crivelli advised to submit storm water pollution prevention drawings to the Mahoning County Soil and Water Conservation District and storm water management drawings for review and approval.

There being nothing further to come before the Board, the hearing was adjourned at 7:43 P.M.

BOARD OF APPEALS PUBLIC HEARING – OCTOBER 27, 2016

AUSTINTOWN BOARD OF ZONING APPEALS

Darren L. Crivelli, Zoning Inspector, Austintown Township

APPROVED: _____
Joe Koch – Chairman

DATE: _____