

**PLAIN TOWNSHIP BOARD OF ZONING APPEALS
PLAIN TOWNSHIP HALL
2600 EASTON STREET NE, CANTON, OHIO 44721
MINUTES OF REGULAR MEETING
DECEMBER 1, 2010**

The meeting was called to order at 6pm by Chairman Dimitrios Pousoulides, with Bob Soles, James McVay, Bob Stewart, Jeff Sutton and Stephanie Metzger present.

Motion was made by Mr. Stewart to approve the minutes of November 3, 2010.
Mr. Soles seconded the motion.
All members were in favor.

Mr. McVay read the statement of duties into the record.
Mr. Pousoulides expressed the fire department comments into the record.
Mr. Pousoulides administer the oath to the entire group.

The following Appeal was heard:

APPEAL #1204-10-A

Applicant/ GBC Design, John Walsh, 3378 West Market Street, Akron, Ohio 44333 & Owner/ McKinley Development Co, 1201 S Main Street, North Canton, Ohio 44720; Requests a Conditional Use Permit for a Multi-family dwelling with more than four (4) dwelling units per building (Parcel #55-03247). There will be four (4) separate buildings, two (2) six unit buildings and two (2) twelve unit buildings:

Article VII, Section 705.2 B, Conditionally Permitted Uses.

The property is zoned R-3, Low Density Multi-Family Residential District and is located in the Southeast Quarter of Section 5.

There were no attendees for or against the appeal.

Mr. Bob DeHoff, 7700 Mudbrook Road NW, stated that he is with McKinley Development along with his partner Bill Lemmon. You have been given a packet of information regarding their request for a Conditional Use Permit for an 8.064 acre parcel located north of Applegrove Road and east of apartment buildings that front on Starcliff and Hume and Ashwood. The golf course is on the east side with some apartments in the middle and on the north a vacant piece of ground zoned residential. They are asking for a Conditional Use Permit allowing more than 4 dwelling units per building subject to the Plain Township's subsection 105, 107 and 109. You can see here, this is what we are proposing; it would be on the west portion of the golf course. The apartment buildings on Starcliff are a variety of 4 unit, as well as 6 and 8 unit and even some buildings larger than 8 units. The apartments in the middle of the golf course were built years ago by Paul Weber and it's still owned by members of his family.

Mr. DeHoff (continued) - The particular sections that we have to comply with in order to meet the code, Section 105 – no lighting shall constitute a nuisance....the site and building lighting will be designed to contain the light within the project boundaries. Site lighting fixtures will be down lights with cut off heads to contain the light, therefore, lighting will not impair traffic movement along Applegrove Road or the adjacent streets and it will not shine on any adjacent properties. Section 107 – shall not require utility services at the expense of the township....the township will not be required to extend any utilities for the project. They have extended sanitary sewer to the property as part of the Sanctuary Development on the south side of Applegrove. They coordinated with Stark County to install sanitary sewer under Applegrove Road when it was part of the widening project in the last two years. Water lines currently exist along Applegrove Street. Section 109 – a buffer yard of 20 feet...as you can see from the layout, a buffer minimum of 20 feet will be provided for in front of the buildings, the back where the garages are. There will be plenty of room for buffer as well as additional parking. Specifically their proposal is to construct 4 apartment buildings with a total of 36 units, two are 6 unit buildings and two are planned for 12 units. Doing this layout in order to still keep the maintenance facilities for the Sanctuary Golf Course as you can see those buildings are on the north. They believe the site plan will afford some very nice views of the golf course and will be a very nice addition.

Mr. Stewart asked if they were all apartment units.

Mr. DeHoff said yes, they will be rental units. They are 2 bedrooms and 2 baths. He showed the preliminary elevation drawings to the Board. They expect them to rent somewhere from \$900 - \$1100 a month range.

Mr. Pousoulides asked how many square feet.

Mr. Bill Lemmon, 544 Deerfield SW stated they are 1150 square feet and each will have a 1 car garage attached to that unit so they do not have to go outside, they will be directly connected to the individual unit.

Mr. DeHoff said that what they have found with apartments today is that younger people don't mind parking outside and walking. Older people really prefer the security of pulling into the garage that is in their unit. Certainly his wife fits that description. Obviously in today's world of rentals they are open to anyone that can qualify to pay the rent. But they are marketing these, I guess targeting these towards older people because we think they will appreciate not only the nice view of the golf course and the location, but also the security of having a garage within their unit.

Mr. McVay said regarding parking spaces, let's say someone has 2 automobiles, one can be inside and there's space available for a second car and visitors.

Mr. DeHoff said yes, this site plan is not part of this hearing, but there is plenty of room for additional parking.

Mr. McVay said the only other question he has, which Mr. DeHoff has already covered this, is that the sewer lateral is already under the highway.

Mr. DeHoff said it is. There would be no reason to tear up the highway. They just went to look at the site before they arrived at the meeting and he knows there was a lot of concerns and some complaints about Applegrove Road being expanded, but it sure is a handsome highway and once it gets finished all the way it will be a very handsome completed highway.

Mr. Pousoulides asked if the only entrance is off of Applegrove.

Mr. DeHoff said that is correct.

Mr. Pousoulides asked if there is any reason why the only entrance is off of Applegrove. That would mean that no one is able to hit the light, you are not going to be able to pull out of your apartments and get a light. You are going to have to get out at Applegrove and either turn right or left off of Applegrove.

Mr. DeHoff said they have not been through Regional Planning yet, but there would be a possibility to connect with Ashwood. They are not sure if that will happen or not. That would be a second means of ingress/egress to the light.

Mr. Pousoulides asked if they would allow you to do Ashwood or one of those side streets, would you still have the Applegrove entrance.

Mr. DeHoff said yes.

Mr. Pousoulides asked if there was a concern if you are trying to make a left hand turn with the light right there.

Mr. DeHoff said they have been through there, and sometimes at rush hour traffic backs up a little bit but only during that time, 99% of the other times with the light changing red there is plenty of room to make the left.

Mr. Pousoulides said that Starcliff is right there, it's right on top of it, when you are heading west on Applegrove, Starcliff is going to be the next....it's within what, 40-50 yards maybe.

Mr. Lemmon said it's about 250 feet.

Mr. Pousoulides said that there is a hill coming up there, isn't that correct. When you come up to that light, there's a hill that goes right up to that light, is that a concern also trying to turn into. If this is the only ingress or egress and you don't have a side street entrance, is there any concern about traffic.

Mr. DeHoff said there always is. We would certainly hope to have an access to Ashwood, but they haven't crossed that bridge yet with Regional Planning so for that reason, they did not show it on there. When you look at curb cuts, there are not a lot of curb cuts on Applegrove Road from Starcliff east to Market road, I think there is only 2 on the south side and this would be the third one.

Mr. Pousoulides said that he is interested that they are proposing to build more apartments in the area, is there a need to build more apartments. It seems like in our economy today he sees a lot of empty spaces, not just for sale but also condos that are going up left and right for lease, especially in that neighborhood.

Mr. DeHoff said that they have tracked the history of vacancy in Bob-O-Link apartments and it has been quite strong right through the down turn. A matter of fact, they have a waiting list. I think the better apartments are frankly a little bit of short supply. Bill and he have the Garden Apartments further to the west and they have over 200 apartments and the vacancy is about 5 units out of 200. It's surprising how strong the apartment market is especially in luxury apartments.

Motion by Mr. Stewart,

WHEREAS, Applicant/ GBC Design, John Walsh, 3378 West Market Street, Akron, Ohio 44333 & Owner/ McKinley Development Co, 1201 S Main Street, North Canton, Ohio 44720; Requests the following for Parcel #55-03247:

- **Conditional Use Permit for a Multi-family dwelling with more than four (4) dwelling units per building. There will be four (4) separate buildings, two (2) six unit buildings and two (2) twelve unit buildings.**

WHEREAS, the applicant or a representative has appeared in person before this Board at an adjudication hearing on said application and the Plain Township Board of Zoning Appeals has duly considered this application pursuant to Ohio Revised Code 519.14; and

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Plain Township Board of Zoning Appeals to:

 X grant the following:

- **Conditional Use Permit for a Multi-family dwelling with more than four (4) dwelling units per building. There will be four (4) separate buildings, two (2) six unit buildings and two (2) twelve unit buildings.**

Seconded by Mr. Sutton,

Vote: Mr. Sutton, **YES**; Mr. Stewart, **YES**; Mr. McVay, **YES**; Mr. Soles, **ABSTAIN**; Mr. Pousoulides, **YES**.

Appeal #1204-10-A is therefore APPROVED.

No further business pending the meeting adjourned at 6:26 pm.

PLAIN TOWNSHIP BOARD OF ZONING APPEALS

STEPHANIE A. METZGER, SECRETARY