

WHITEHALL PLANNING COMMISSION MINUTES JUNE 3, 2021

The Whitehall Planning Commission meeting of June 3, 2021, was called to order by Chairman, Terry Anderson, at 6:36 p.m.

Chairman Anderson asked for a roll call.

Terry Anderson – Present

Mike Brown – Present

Denny Roberge – Present

Barb Blake – Present

Amy Smith – Present

Jason Thomas – Present

Zach Woodruff – Present

Chairman Anderson asked for a motion to approve the minutes from May 6, 2021. Mr. Woodruff motioned to approve. Mr. Brown seconded the motion. All voted in favor to approve the minutes with Mr. Thomas abstaining.

Chairman Anderson introduced Case 821, Ord. 046-2021 and Case 822, Ord. 048-2021. Clay Cooper, Assistant Vice President, Woda Cooper, is seeking to rezone properties located at **3540 East Main Street, 739 Maplewood Avenue, and 721 Maplewood Avenue** (parcels 090-002122, 090-001890, 090-003640, 090-001900, 090-002485, 090-003638, and 090-008240), FROM GCD 1123.10 and R3 1123.03 TO A2 1123.06 AND, also, is seeking a special permit, 1123.06(c)(7) to allow an apartment dwelling unit structure, more than 12 units, on the same property/same parcels listed above. Mr. Cooper proposed a four-story, 102-unit apartment complex with 134 parking spaces. Mr. Cooper stated Woda Cooper has been in the area for 30 years but also operate in several other states. Woda Cooper is a development, construction, and management company – stating they are involved in every step of the process. Mr. Cooper stated that Woda Cooper is here to stay in the city long term, not to build and sell. The goal is a modern design with a flat roof, courtyard/terrace on the front, benches outside on the front, mix of materials consisting of two colors of brick and the other two materials will be hardie – vertical and horizontal. All ground floor units will have a separate entrance to engage the sidewalk with doors and patio area. There will also be bio basins fronting the street with landscape features along East Main Street and Maplewood Avenue. Mr. Cooper stated they are proposing to bump out the sidewalk to create new on-street parallel parking. The unit mix is will be 16 one bedroom, 63 two bedroom, and 23 three bedroom units. Mr. Cooper stated this plan is modeled after the Whitehall Works requirements. The plan calls for high-density, mixed use on this corner which is 20 to 40 units/acre. Woda Cooper is proposing 25 units/acre thereby not overwhelming the area. The recommended height is 60 to 120 feet. For a similar reason,

Woda Cooper is only building four stories or 45 feet. Again, Woda Cooper is not trying to overwhelm the existing area. Lot coverage asks for 50 to 70 percent. We are at 49 percent. If necessary, 1 percent may be added to achieve the 50 percent. Setbacks call for 0 to 20 feet. Woda Cooper is asking for a variance on Maplewood, technically considered our front, to 20 feet. Again, Mr. Cooper stated Woda Cooper is trying not to have too much of an intense use and keeping the current zoning of 35 feet on East Main Street. The plan also asks for parking to be well landscaped. The parking will be situated behind the building, not very visible from the street with landscaping surrounding it as well. Mr. Cooper stated they plan to try to keep the mature trees toward the rear of the property to help with additional screening. **Mr. Woodruff asked for clarification if that was to the north. Mr. Cooper confirmed that it was to the north.**

Chairman Anderson asked Ms. Goehring for the staff report. Staff recommendation is that the planning commission give favorable recommendation the application requesting a zoning change and special permit to an apartment dwelling structure, more than 12 units on the above-described addresses/parcels. Ms. Goehring stated the city has received concerns from four residents regarding this project. The concerns are: Regarding traffic. During roughly the same time 2020, the City of Whitehall Division of Police conducted a week long traffic study in the 550 block of Maplewood Avenue. The data demonstrates that the total average speed in that area was 27.37 MPH. The 85 percentile of speed was 32 MPH. In fact, the average speed of individuals going over the speed limit was only 30.23 MPH. Furthermore, since the average speed is lower than the 85 percentile speed, this means the missing/omitted data is at a minimum below the average of 32 MPH. Given how significantly lower the average is, it is safe to say that over 15 percent were likely below the speed limit as well. Another concern was regarding the sewer. The city engineer has reviewed the preliminary site plan. The site will likely discharge to the 30-inch sanitary sewer located at East Main Street. From there, the waste water from this development will travel west and immediately enter the City of Columbus sewer system. Based on the preliminary calculations, this development's average daily sanitary flow could consume .37 percent of the available capacity of that sewer which would not be noticeable. Understanding the residents have experienced sewer surcharging and backups following large rain events, it is important to note that these issues occur because of the storm water flowing into the sanitary system through leaky joints and manholes – not because of every day sanitary sewer flow. Chairman Anderson stated the staff report gives a favorable recommendation.

Chairman Anderson asked for questions/concerns from the planning commission. Chairman Anderson asked for clarification regarding the lighting of the property, possibly additional down lighting. Mr. Cooper agreed that additional down lighting could be

incorporated into the plan. Mr. Woodruff stated additional down lighting on Maplewood, similar to what is on Yearling Road, would be helpful and potentially some bollard lights in the plaza. Mr. Cooper stated there is some lighting planned for the plaza but can definitely incorporate more lighting along Maplewood. Ms. Blake asked for clarification regarding street parking along Maplewood, stating that she could see a potential for a problem with on-street parking is too close to East Main Street. Mr. Cooper stated he had the same concern but said the bump out could be removed if necessary. Mr. Woodruff asked Ms. Blake for clarification that she is concerned about parking closest to East Main Street. Ms. Blake stated that with the addition of the apartments there may be people pulling out, going right, so we may see more activity at that intersection. Mr. Cooper stated if it is too close to the intersection, he believes removing it and the second bump out is before that split in the lane as well, so it should not affect the turning points there is a possibility. Mr. Brown asked what would border the west and north sides of the property. Mr. Cooper stated there would be a landscaping buffer as a physical barrier. On the north? Mr. Cooper stated they would be trying to keep as many of the mature trees and putting in a landscaped berm. Mr. Cooper stated a fence would not be an issue or other landscape features. Mr. Woodruff stated there is a significant amount of vegetation just to the north of the house that would be included in this project as readymade screening.

Chairman Anderson asked for questions from the audience. Kirby Holmes stated he is against the project. He was opposed to demolition of one home. He stated he is 150 feet away to the south property line, concerned about flooding, has never had a flooding issue in his home. Mr. Holmes is concerned about residents in the apartments being able to view down into his yard. Mr. Holmes stated he will consider moving if this passes. Greg Mills stated he is concerned about the traffic pattern. Mr. Mills was rear-ended pulling into his driveway while heading south on Maplewood. Mr. Mills is also concerned about the flooding at Washburn and Maplewood. Mr. Mills is concerned about his property value. Kathleen Holmes is concerned about the traffic/available parking. Ms. Holmes is concerned about safety in the surrounding area and criminal activity (sex offenders). Ms. Holmes is concerned about low-income housing and would prefer senior housing in that location. Ms. Holmes is concerned about property value. Susan Robbins stated she is concerned about property values and crime (sex offenders in the area, gunshots), stating she has already been a victim of crime. She stated she is concerned about traffic/speed. Ricci Cropper stated she is concerned about traffic/speed. Ms. Cropper is also concerned about flooding which goes up into her yard. **Ms. Cropper also stated there is also a problem with prostitution on Maplewood.** Ms. Cropper also stated she has an issue with the walking path, as there is no barrier to keep people out of the yards. Ms. Cropper stated there will also be an issue with parking. Ms. Cropper is concerned about her property value. Ms. Cropper stated she will

consider moving. Dawn Thompson-Ester stated she is a resident on Robinwood. Ms. Thompson-Ester stated she is concerned about traffic/speed. Ms. Thompson-Ester questioned the data on the traffic study. Ms. Thompson-Ester stated she does not like the idea of high-rise apartments, prefers a more small-town feel. Brian Tippet stated he also lives on Robinwood and has clients (as a landscaper) on Maplewood. Mr. Tippet stated he is **concerned about traffic/speed. Mr. Tippet stated he also questions the traffic study, as the speed study is a visual speed box.** Mr. Tippet is also concerned about the flooding. Mr. Tippet is concerned about the number of residents possible per unit, more traffic, and children playing in street. Lisa Cotterman stated she is concerned about the traffic/speed. Ms. Cotterman is also concerned is also concerned about the water main breaks. Ms. Cotterman stated she is concerned about the added number of children in "D" grade schools. Rochelle Willis stated she is concerned about traffic/speed, questioned the validity of the study. Ms. Willis requested a copy of the traffic study. Danny Robbins stated he is **concerned about crime and traffic. Mr. Robbins is a driving instructor,** and his company car was hit after being parked on the street for five minutes. The vehicle was hit hard enough that the vehicle ended up in the yard. Mr. Robbins questions the validity of the traffic study. Mr. Robbins stated he believed another use such as a senior facility/Dollar General would be more useful to the city.

Chairman Anderson asked Mr. Cooper to respond to the comments from the public. Regarding storm water retention, there is storm water retention underneath the parking lot which will be built to the city's specifications which will discharge water, stored on site. Yes, there is more pavement, more impervious surface but it will be collected on site. Mr. Cooper also spoke to the parking concerns. The total parking spaces are 134. Mr. Cooper stated the number of parking spaces has actually been increased though Woda Cooper believes in transit-oriented developments. This development is located on a major bus line. Cooper Woda also believes in walkable/bikeable developments. Mr. Cooper believes that this project would be such a development. Mr. Cooper addressed the security concerns. Mr. Cooper stated that security begins with management. Sex offenders will not make it through the screening process. Woda Cooper also has rigorous background checks and credit checks. Extra lighting is will also definitely help. The buildings will have key fob access. Security is of paramount importance to Woda Cooper. Mr. Cooper spoke to the concerns regarding property values. He stated this is a \$25 million development. Studies show this type of development will increase property values versus the blighted, underused property. **Mr. Cooper addressed the traffic concerns. He stated bump outs should help slow traffic.** **Mr. Cooper spoke the concerns regarding the apartment residents. Mr. Cooper stated that residents of the apartments are generally from the same zip code.** Mr. Cooper stated that a

single person can make up to \$47,000/year which is work force housing, not Sec. 8.

Mr. Cooper stated Woda Cooper has been in the area 30 years, and they also maintain the properties.

Mr. Thomas asked for clarification regarding privacy and how a multi-level apartment building will fit into the community and how to protect the surrounding families' privacy.

Mr. Cooper stated the biggest thing is screening, pushing the development up as far to East Main Street as allowed under current zoning, landscape barriers, a fencing option – preferring a landscape option, landscape berm, mature trees to block oncoming headlights. The trees at the front will be approximately two to three stories tall by the time they are grown.

Mr. Thomas asked for clarification regarding traffic and whether Woda Cooper has worked with the city regarding traffic control. Mr. Cooper reiterated the use of bump outs to slow traffic and location – adding more parking spaces, adds more traffic. Utilizing 1.3 parking spaces/unit is the ideal ratio for 102 units. Mr. Cooper stated Woda Cooper used the Whitehall Works plan as the guide to this property. High density mixed use in the Whitehall Works plan is 60 to 120 feet. Mr. Woodruff stated the height of this is project is 45 feet.

Mr. Woodruff asked how many units Woda Cooper manages. Mr. Cooper stated it is 14,000 in 15 states with the company being in existence for 30 years. Mr. Woodruff addressed the issue of crime coming from the neighboring Columbus side. Mr. Woodruff asked that if in **Mr. Cooper's** experience over the past 30 years, do projects such as this, managed by Woda Cooper, add to a level of crime in the neighborhood. Mr. Cooper reiterated the rigorous background checks necessary to get into one of their units. Mr. Cooper also stated Woda Cooper does not hesitate to evict a bad-behaving tenant. Mr. Thomas asked for clarification regarding flooding. Mr. Cooper stated there is a subpar storm management system. He stated these four acres would have a completely new storm management system that would not only help this development but the neighboring developments that drain into our system then slowly discharge. Mr. Cooper stated that it would be underground tanks underneath the parking lot. Mr. Woodruff clarified there are two different systems. There is the flooding that occurs in the street during heavy rain, then there are times where the entire regional system is overwhelmed, then the backups go into the sanitary. What staff reported, based on our civil engineer, this project would not represent any impact to that sanitary system. On the storm water system, Woda Cooper would be required under Ohio EPA regulations and City of Whitehall regulations to handle and manage storm water and the rainwater that happens on their site. Mr. Tippett asked where the water would go as the system is old and outdated. Mr. Woodruff stated the storm water has to be held on their site for a certain period of time until the system can accommodate it. On the sanitary side, this project will not have an impact on that system. Mr. Cooper said the rainwater is collected from the roof, parking lot, and green spaces – all spaces are managed very carefully.

Chairman Anderson clarified for the public attendees that this is the planning commission and we review the ordinances reported, and we provide a favorable/unfavorable recommendation to city council.

Ms. Blake asked for clarification regarding a buffer from what happens on East Main Street and how it gets to that first property north. She also stated she is concerned about the residents and their vehicles. Mr. Cooper stated he believes this would help the corner, a much more well-lit area with security cameras. Ms. Blake stated she understands the residents' concerns that it is not about headlights. Mr. Cooper stated there will be a lot more security than there is at this time. Ms. Smith stated that the issue she heard from the public is that we do not care. Ms. Smith stated she has researched the company and the price point of the apartments. Ms. Smith stated this is a way of caring, renting to a different income bracket who are living in worse conditions, this offering them a new, better place to live. **Ms. Smith stated Cooper Woda is here for the long term.** Mr. Brown asked Mr. Cooper to briefly clarify how these properties benefit the neighborhood. Mr. Cooper stated Woda Cooper properties spark other development but in this case, taking a blighted property and in this case a \$25 million development that will raise property values. Mr. Cooper compared this to a development in Grand Rapids, Michigan, similar to this development, and a new hotel was built. In a similar area, Pontiac, Michigan, Woda Cooper built a similar development, and there is now an Amazon, Fedex, and other centers looking to develop there. Mr. Cooper stated his developments are an economic engine, sparking other developments. Ms. Blake stated Ms. Smith made an excellent point that old, rundown apartments have continuing issues with poor upkeep and that new apartments elevate people.

Chairman Anderson asked for a motion on Case 821 and Case 822. Mr. Woodruff motioned to APPROVE Case 821, Ord. 046-2021 and Case 822, Ord. 048-2021. Mr. Roberge seconded the motion.

Ricci Cropper, as well as Greg Mills interrupted the voting process with concerns regarding trash. Ms. Cropper and Mr. Mills stated they both pick up trash in the yards from the laundromat.

Mr. Woodruff stated that on the site plan, as was reviewed, there would be a location for multiple dumpsters just north that will be sized appropriately to handle the trash. **Mr. Woodruff stated three to four dumpsters in an enclosure.** Ms. Cropper was advised of the date/location/time of the next city council meeting. Mr. Woodruff briefly discussed the roll of the planning commission.

Chairman Anderson asked for a motion on Case 821 and Case 822. Mr. Woodruff motioned to **APPROVE** Case 821, Ord. 046-2021 and Case 822, Ord. 048-2021. Mr. Roberge seconded the motion. Anderson – Yes, Brown – Yes, Roberge – Yes, Blake – Yes, Smith – Yes, Thomas – Yes, Woodruff – Yes.

Ms. Thompson-Ester, after voting, asked for clarification of the process to council. **Mr. Woodruff stated Cases 821 and 822 have been given favorable recommendation to city council.** Ms. Thompson asked for clarification on the voting procedures. Chairman Anderson reminded the public that their voice is very important and the minutes from the planning commission meeting will be shared with council. Mr. Woodruff answered a question from the public (unknown) regarding Woda Cooper. Mr. Woodruff stated that Mr. Cooper would avail himself after the meeting to public in the hall to answer further questions and that the public could also do their own research at wodacooper.com.

Chairperson Anderson introduced Case 823. Kessler Sign Company is seeking a sign variance, 1124.10(n)(1), 340 North Hamilton Road, parcel 090-001029. Roger Kessler and Steve Lindsay presented the case. Mr. Kessler stated it is a 9'x16' digital graphic sign, the same matrix of a TV screen. This graphic sign would replace the sign that is currently in that location (the old pole sign to be removed). Mr. Kessler described it as a double-faced, monument-like sign. Mr. Woodruff asked how large the pole sign is now. Mr. Kessler stated it is 6'x15", so the proposed sign will be three feet higher and one foot wider. Mr. Woodruff asked Mr. Kessler the necessity for the change. Mr. Kessler stated it is due to the dimensions, it does not allow for the picture, squeezing the picture, making it unreadable. Mr. Woodruff asked how this sign is like a monument sign. Mr. Kessler stated a pole cover will be placed making it more monument like with plans for additional landscaping. Mr. Kessler stated the base will be widened, two-thirds the size of the sign. Chairman Anderson asked the address will be placed on the base. Mr. Kessler stated he did not believe so. Chairman Anderson asked for clarification regarding the display. Mr. Kessler stated it would be preprogramed picture, stay up for approximately 8 to 10 seconds, change, then a **change in a blink. Mr. Kessler stated there would not be scrolling, picture – pause – picture – pause – picture.** Mr. Roberge asked Mr. Kessler what his objections were to a true monument sign. Mr. Kessler stated the reason is for visibility. Mr. Roberge stated it is not an existing sign reface, but a new sign. Ms. Smith understood Mr. Kessler and Mr. Lindsay to say that the sign is to be a new sign. Mr. Roberge stated he is opposed to the new sign. Mr. Kessler stated that with additional landscaping it would appear to be more monument like. Mr. Kessler stated by placing a true monument sign the visual triangle would then fail. Mr. Kessler also stated there is a driveway and is concerned about visibility at the driveway. Mr. Lindsay stated this would be the lowest in height of the dealership's signage. Mr. Lindsay

stated that a monument/digital sign is that the sign would be prone to more damage. Mr. Lindsay stated this sign would make business sense for him to remain in the City of Whitehall. Mr. Woodruff stated that in discussions regarding this proposed sign, because of the existing dimensions, doing that would skew the picture and made it difficult to read. Going wider and coming down was discussed to be able to get the digital, be able to be read, and be closer to the ground. Mr. Brown asked if there was still a lot to the north of this property and how close is this sign going to be to that lot. Mr. Woodruff confirmed it would be in the exact same location. Chairman Anderson asked if that sign would be visible from the traffic light. Mr. Kessler confirmed. Ms. Smith recognized that it facilitates Lindsay Automotive's business model, but that the planning commission has asked people to remove signs for much less. As a commission, our goal is to reduce the number of pole signs when possible. Ms. Smith asked the commission to consider past cases when voting on Case 823. Mr. Roberge stated that the commission has been consistent in the past regarding signage. Ms. Blake asked if it was possible to make the digital ratio smaller but still make the signage legible. Mr. Kessler stated that this is a 9:16 ratio, similar to a TV screen. The signage needs to be in one-foot increments and cannot be cut down. Chairman Anderson asked if there were any other questions. Mr. Lindsay stated he is very passionate about the east side and would like to keep this dealership in the City of Whitehall. Chairman Anderson asked if it was Mr. Lindsay's intent to develop the brand mix/consistency between the different locations with the signage. Mr. Lindsay stated this signage is smaller but similar to one of the dealerships off I-70.

Chairman Anderson asked for a motion on Case 823. Mr. Thomas motioned for a **FAVORABLE** recommendation for Case 823. Mr. Woodruff seconded the motion. Anderson – Yes, Brown – Yes, Roberge – No, Blake – Yes, Smith – No, Thomas – Yes, Woodruff – Yes. Case 823 was **APPROVED**.

Chairman Anderson introduced Case 824. Whitehall DG, LLC, is seeking a general design standards variance, 1124.10(j)(4), located at 667 South Hamilton Road, parcel 090-000163. Alex Phelan, civil engineer, Hurley and Stewart, presented case 824 for Dollar General. Mr. Phelan stated they have worked with the city trying to meet the 40 percent glass requirement in the overlay district. Mr. Phelan presented the designs and stated he is not happy with the architectural design -- despite using opaque glass and increasing the size of the windows in the front of the building to disguise the entrances to the restrooms. There are structural elements that prevents more windows. Mr. Phelan felt it was best to come in front of the planning commission to see what the city will accept. Mr. Phelan feels that they cannot meet the 40 percent. Mr. Phelan presented different elevations. Jeff Mattingly, real estate development, made himself available to answer any questions from the planning

commission. Ms. Smith asked for further clarification on the windows from the Rickenbacker Avenue side. Mr. Phelan stated the windows on the elevations show windows with blinds, as there is shelving on the inside of the stores which he stated no one wants to see. Mr. Phalen stated his request would be what percentage the planning commission would approve. Mr. Phalen stated it is physically impossible to do the 40 percent. Chairman Anderson asked for the description of the elevations on the other sides of the building. Mr. Phalen stated the beige portion is stucco and the brown portion is brick. Mr. Woodruff advised to tabling Case 824 to hammer out the design and return to planning commission in July. Mr. Roberge asked how close they are on the design. Ms. Smith stated she believes it not so much about the percentage but rather whether it is in a great way or not so delightful way. Ms. Blake stated it is not a matter of percentage but rather how it works with the store. Mr. Phalen believes this meets requirements for standards but not the percentage but not glass requirement. Mr. Woodruff stated the building plan needs to be improved upon. Chairman Anderson recognized the issue is the placement with the restrooms in the front of the store and wanting to keep those private. Mr. Brown asked to review the Rickenbacker Avenue side, as it is not aesthetically pleasing to the residents and people that use Rickenbacker. **Mr. Mattingly stated the rear portion does not face Hamilton Road. Mr. Mattingly stated a privacy fence will be placed between the business and the residents.** Mr. Phalen again stated he believes their plan meets the city's overlay plan. Ms. Blake stated to table the case, continue to work with the city, and return in July to the planning commission to come up with something closer to code. Mr. Phalen stated the current plan is 35 percent transparent glass and 5 percent opaque glass which equals the 40 percent glass on the frontage. On the next elevation, it is 38.5 transparent and 2.5 percent opaque – so there are two elevations that meet the requirement, per Mr. Phalen. Mr. Woodruff stated the city has been working with the applicant to find a way that we would be comfortable recommending a variance of 40 percent to come up with something that ultimately was more architecturally and aesthetically pleasing. Again, Mr. Phalen stated he believes they have presented the building plan that meets those requirements and requested the city approve the variances. Ms. Blake asked for clarification on materials used under the Dollar General sign. Mr. Phalen stated it is brown is brick, the tan is stucco, and glass. Mr. Mattingly asked for clarification that when they return in July the variance would not for the amount of glass but for the type of glass. Again, Mr. Phalen stated he was hoping Case 824 would be approved. Ms. Blake agreed. Mr. Phalen stated he is not asking for conditional approval but for approval as presented as he believes it meets the city's requirements. Mr. Woodruff stated he would not approve this, **continue to work with the city, and come back in July. Mr. Phalen stated that he believes this is what they submitted and what they believe looks the best and should be approved.**

Chairman Anderson asked for a motion on Case 824. Mr. Roberge motioned to **TABLE** Case 824. Mr. Blake seconded the motion. The voting was unanimous to **TABLE** Case 824 to July. Anderson – Yes, Brown – Yes, Roberge – Yes, Blake – Yes, Smith – Yes, Thomas – Yes, Woodruff – Yes. Voting was unanimous. Case 824 was **CONTINUED**.

Chairman Anderson introduced Case 825. Whitehall DG, LLC, is seeking a general parking space variance, 1126.19(e)(5), located at 667 South Hamilton Road, parcel 090-000163. Mr. Phalen presented the case for Dollar General. Mr. Phalen stated they are providing 28 to 30 parking spaces. Dollar General does not require the 60 spaces per city ordinance. Mr. Phalen stated Dollar General is a fast-paced store and is asking for a 50 percent reduction in parking. Mr. Woodruff asked for clarification on the number of parking spaces. Ms. Smith asked for the number of parking spaces required by code. Mr. Woodruff stated that number is 53 (1970 codified ordinances).

Mr. Woodruff motioned to **TABLE** this case as well and have them come back in July to evaluate the whole project in July – the elevations and parking. Mr. Roberge seconded the motion. Anderson – Yes, Brown – Yes, Roberge – Yes, Blake – Yes, Smith – Yes, Thomas – Yes, Woodruff – Yes. Voting was unanimous. Case 825 was **CONTINUED**.

Chairman Anderson asked if there was any further business. All voted in favor to adjourn. The meeting adjourned at 8:57 p.m.

APPROVED _____, 2021, respectfully submitted,

Terry Anderson, Chairman

Lori Morton, Secretary