

BOARD OF ZONING APPEALS

MINUTES

October 1, 2013

Members Present:           Lynne Thomas-Roth           Glynn Marsh  
  John Bruns

City Staff Members       John Applegate               Denise Winemiller  
Present:                    Joe Moore

Mrs. Thomas-Roth called the Board of Zoning Appeals meeting to order on October 1, 2013.

Attendance was taken and Mrs. Thomas-Roth, Mr. Bruns, and Mr. Marsh, were present. Mayor O'Callaghan was out of town and not able to attend the meeting.

1. Minutes of the August 13, 2013 meeting.

Mrs. Thomas-Roth asked if there were any corrections or additions of the minutes from the August 13, 2013 meeting. There were no comments so Mr. Marsh moved that the minutes be accepted as prepared. Mr. Bruns seconded the motion. All concurred and the August 13, 2013 minutes were accepted as prepared.

2. 13-02 – Zoning Variance request from Balsbaugh Excavating, 3288 Phillipsburg-Union Road, requesting a variance of six feet four inches (6' 4") in the twenty-five foot front yard setback to build a new front porch on to a new office addition.

Mr. Applegate said that in their packet was the application for the variance plus a copy of the proposed elevation and the floor plan. He added that the staff

has reviewed the plan and they believe it will enhance what is currently there now. It is only a front porch so it will not interfere with the set back. Mr. Applegate said that Mr. Balsbaugh is also looking at putting in a wall and a gate, comparable to what was done at the city's Phillipsburg-Union Park which will further enhance the property. Mr. Applegate said the city is looking forward to these future improvements.

Mr. Bruns asked if the covered entrance was being added to the part that was already coming out further than the rest of the building. Mr. Applegate said that what they are proposing does not come out further than the rest of the existing building. He said it appears like it does on the elevation but if they look at the plot plan, they can see that the proposed porch does not come out any further than the rest of the structure.

Mr. Marsh asked if this would be for foot traffic only and Mr. Applegate said that was correct.

Mr. Bruns moved that the variance request be approved. Mrs. Thomas-Roth seconded the motion. All concurred and the motion was passed.

3. 13-03 – Special Exception request for reduction in the auto parking spaces size to nine feet by nineteen feet for Prologis.

Mr. Applegate commented that there were several people present at the meeting: Prologis is working on behalf of their unnamed client and representatives included Andrew Carney from Prologis, David Marshall from Kleingers Group, and Rob Humason from ATA Beilharz Architects. Mr. Applegate said the required size for parking spaces is 10 feet by 20 feet. Prologis is asking to have parking spaces sized at nine feet by nineteen feet.

Mr. Marshall said that a reduction of the size in the parking spaces would limit the foot print of the company. He said that parking spaces that are sized ten by twenty feet are typical for retail places, where people show up once every so often. The extra size allows them the room to unload their groceries and more room to get in and out of the parking area without the car doors banging into any other cars. He said this parking lot will be for employees only, coming every day,

not loading or unloading supplies and they felt a 9 by 19 foot parking space was sufficient and appropriate.

Mrs. Thomas-Roth asked how many parking spaces were planned and the total number is 756. Mr. Marshall said the estimate would be 625 to 630 parking spaces needed per shift with the largest shift being 659. They were expecting to have up to three shifts, with the second and third shift being significantly smaller. Mr. Marshall said the amount of spaces used could also be seasonal.

Mr. Applegate said that the site plan meets the requirements of the zoning code and the city has reviewed the parking. Mr. Applegate introduced Richard Oaks, the city's traffic engineer.

Mr. Marshall, Mr. Applegate and Mr. Oaks have been communicating back and forth concerning this project. Mr. Applegate said that Mr. Marshall had done a very nice job replying to their questions and concerns.

Mr. Applegate said he and Mr. Oaks are still concerned about how the cars will come out of the facility so there would not be any kind of a traffic back up, however Mr. Applegate emphasized that the traffic did not have anything to do with the request for a special exception.

Mr. Applegate said they had some concerns about traffic from the incoming work shift. He said he wanted to make sure everything would work and that the client would be satisfied. He said they would continue to work on this.

Mr. Marshall said this was a facility with a single employer and that they would dictate the traffic flow during the shift change and it would be counter clockwise, in-bound and out-bound. He said the employees would be told what to do when leaving and this was not like a retail establishment. Mr. Applegate said he was thinking of special signage for the entrance only. He said he was concerned about the existing traffic for the residents and did not want a traffic back up in the area. Mr. Applegate asked if the Union police chief said there was a problem, would the company be amendable to resolve the problem?

Mr. Applegate said they were concerned about the entrance and exit off the new road. He said he wanted to make sure the trucks were able to turn around without jumping the curb which would eventually make a mud hole. He said Mr. Oaks had been able to work that out. He said the plan and site were looking good as long as the people will follow the directions.

Mr. Bruns said he had a question about Dog Leg Road and Jackson Road, if people were coming out at the same time. Mr. Applegate said they were staggered shifts and a west bound exit and a stop sign. Mr. Applegate said if traffic started stacking up, they might need a traffic light. He showed the Board where the truck route was on the map. He said residents in the area were concerned about traffic to the west but the city cannot prohibit traffic driving on a public road. Mr. Applegate said he and Mr. Oaks were talking about methods to resolve any problems if they would occur.

Mr. Applegate recognized that Steve Stanley, the Executive Director of Montgomery County Transportation Improvement District (TID) was present at the meeting.

Mr. Applegate said they had been holding meetings to try to answer questions and allay any concerns and ways to control traffic.

Mr. Marshall said most of the people would be coming from State Route 40, outbound and it was to their advantage to make a right turn rather than a left turn. That would be the most direct and appropriate way.

Mr. Marsh asked about the egress area and that was strictly for trucks and they would go in counter clockwise and exit.

Mr. Oaks showed the board where he lived on Jackson Road. He said that he had designed one solution for Menards at Tipp City, where there was one way to go north. He said he didn't want to restrict people coming off the interstate. He said this solution works ninety percent of the time.

He said posting signs do not work and it only makes more problems for the police. He said they would not do a traffic signal unless there was a lot of traffic. He said it was not good to go down Jackson Road. He said they will be able to try something and see if it is safe but they will be prepared to do something else. Mr. Oaks said he was not sure employees will do what they are supposed to do. Mr. Oaks said they will continue to work on this. Mr. Oaks said they wanted to get people in and out of the site as safely as possible. A traffic light would cost 120 to 150 thousand dollars and take six months for delivery. Mr. Applegate said they just received the plans last week and they were interested in the geometrics, like what was designed at Menards. Mr. Oaks said they had set up a narrow lane, not wide enough for passing, and long enough to discourage people from going out that way, like a one way valve. Traffic can only exit one way.

Mr. Applegate said that is one of the things that the city has looked at. He said they are considering different scenarios, so if something is not going as well as they want, they have something else planned to try. He said what has been done at Menards is working well. Mr. Applegate said this area will continue to grow. He added that the city appreciates what Prologis is doing and when the client comes in, they want everything to go well and they want them to be part of the community.

Mr. Oaks added that the nine feet by nineteen feet parking spaces are fine and that there are no problems with that.

Mr. Marsh asked if the parking area would be for employees only and if there would be any sales or customer parking. Mr. Marshall said there would not be a need for that. Mr. Oaks said there were a few visitor parking spaces, like seven or eight in the front and a few for invited company employees but nothing for sales.

Mr. Marsh asked if the fire department had looked at that and Mr. Marshall said they had already met with both Montgomery and the City of Union and that emergency access points were part of the review.

Mr. Applegate said there would also be landscaping and lighting plans that would come before the planning commission at a later date.

Mr. Bruns moved that the special exception request be approved. Mr. Marsh seconded the motion. All concurred and the motion was passed.

4. Adjourn

Mr. Bruns moved that the Board of Zoning Appeals meeting be adjourned. Mr. Marsh seconded the motion. All concurred and the meeting was adjourned.