

MINUTES  
ONTARIO PLANNING COMMISSION  
OCTOBER 9, 2019

The Ontario Planning Commission met in regular session on October 9, 2019, at 5:00 p.m., in the Municipal Building with Chair Susan Hellinger presiding. The following Commission members were present at roll call: Chair Susan Hellinger, Service-Safety Director Jeff Wilson, Mayor Hutchinson and Jill Knight. Also, in attendance was Law Director Andrew Medwid, K.E. McCartney Engineer Mark Rufener, Zoning Inspector Adam Gongwer and Clerk of Council Cathy VanAuker. Mr. Motely was excused from this evening's meeting.

Mrs. Hellinger presented for approval the minutes of the regular Planning Commission meeting held August 14, 2019. Mrs. Knight moved to approve the minutes as presented with a second by Mayor Hutchinson. Four members cast their votes Aye, zero Nay, and the motion to approve the minutes passed.

The first item on the agenda was the variance request submitted by Ron and Suzi Roberts, 3231 Beverly Lane, for an accessory building in the side yard. Mr. Roberts said they would like to build a garage/storage building to the side of their house instead of behind the house due to the severe slope of the back yard. Pictures of the property and an aerial view were circulated among Commission members.

- Originally, the property was two lots but they combined the lots because zoning code does not allow a garage or shed on an empty lot.
- The estimate to build behind the house was approximately \$7,000 more than to build on the side yard because it would require a footer, foundation, block, and drainage.
- The slope is 10' from the back patio.
- The water flow from the house to the back of the property has rotted the 2 x 4's in the existing garage/shed.
- The accessory building will be 75' from the house into the side yard. Several trees were cut down a couple of years ago which provides an area large enough for the building.

Mrs. Knight said the neighbors to the east are concerned about drainage and run-off because their home sits lower. Mrs. Roberts said there won't be a change in the run-off, nothing will change.

- Mr. Gongwer said the area they want to place the shed is already flat, they won't need to do any grading. The neighbor didn't have an issue with the location of the accessory building, they want to ensure the direction of additional water run-off from the roof or gutter didn't discharge onto their property to the east. There wouldn't be additional mounding of dirt. The request was made that any gutters or down spouts go toward the back yard.
  - Mrs. Roberts responded that all of the drainage currently goes to the back of the house.

- Mr. and Mrs. Roberts were in agreement that if this variance request is approved it would be with the understanding that all drainage must go to the back and remain on their property.
- The property was originally purchased as two lots exactly the same size. The storage building will be 16' x 24'. Now that the property is one lot another house could not be built on the property.

At 5:09 p.m., Mrs. Hellinger opened the public hearing for the variance request submitted by Ron and Suzi Roberts to construct a detached accessory building in the side yard at 2131 Beverly Lane.

Mrs. Hellinger said two neighbors who received letters about the variance called to express their concerns:

- Linda Harbaugh, 3207 Beverly Lane, adjacent to the property is not opposed to the request but would like to make sure the grading for water drainage doesn't run toward their home that is at a lower level.
- Ray Kasper, 3232 Beverly Lane, across the street from the property, doesn't have a problem with the request as long as the building will look nice. He was concerned if the building faces the street another driveway would be added.

Hearing no one who wished to speak, the public hearing was closed at 5:10 p.m.

Mrs. Knight moved to approve the variance request for 3231 Beverly Lane, second by Mr. Wilson. Four members voted Aye, zero Nay, and the motion passed.

The next item on the agenda was the continuation of discussions from the previous meeting.

#### Streamers and Loading Zones

- Mr. Gongwer said the wording would be submitted to the Law Director on Thursday and hopefully ready for Council the following week.

#### Back of buildings facing the street

- Ulta was built this way at the Target plaza and looks nice.
- The new Panda Express building will face the parking lot with the drive-thru at the back of the building, which faces the street.
  - Mrs. Knight questioned why the building didn't sit east/west like the former building.
  - Mr. Gongwer said the previous zoning inspector spoke with the architect in 2018 and they felt running the new building the same way as the previous building (Ocean Buffet) would be detrimental to the suites that would be closer to Lowes, instead of the street, for signage purposes. With the building parallel with Lex-Springmill each suite owner has the same exposure for signage. There will be

signage on the back of the building, making it look like the front of the building from the street but the front will face the parking lot. According to them, a lot of communities are requiring buildings closer to the street with parking in the back so cars are not seen from the street.

- The dumpsters will be toward the retention basin close to Lowes.
- Mayor Hutchinson said the zoning overlay (Campus District) north of Route 30 restricts parking between the building and the roadway, all parking is in the back.
- Mrs. Hellinger felt they should address this topic because she has received several negative comments about the back of this building facing the street.
- Mr. Wilson suggested waiting until the building is done because he felt it will be an attractive building, then if any recommendations are made it would be about how the back of the building should look rather than turning the building around.
- Mr. Rufener said they could require the side facing the street to look like the front of the building that is in the back.
- A door will be facing the street for each suite with a sign above each door.
- When Mrs. Knight asked if the utility boxes would be on the street side, Mayor Hutchinson said they are at Ulta and it looks nice.
- The drive-thru will go around the building and run parallel with Lex-Springmill.
- Loading and unloading will be done during non-business hours so the drive-thru isn't blocked.
- Mr. Gongwer said Panda Express, the corporate owner of the location, is going in one corner of the building but nothing else is confirmed.

#### Air B&B

- The Convention Bureau does track this type of businesses and charges a bed tax.
- After some research it was found that most cities don't have any restrictions.

At 5:25 p.m., with no further business to come before the Planning Commission, the meeting was adjourned upon a motion by Mrs. Knight and a second by Mr. Wilson.